



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA

CITY OF THE DALLES PLANNING COMMISSION

VIA ZOOM

THURSDAY, MAY 7, 2020

6:00 P.M.

PUBLIC VIEWING:

Via Live Stream: http://www.thedalles.org/Live_Streaming
Click on Planning Commission Meeting Now Live Blue Box

ZOOM LOGIN:

There will be no live audience participation during this meeting. If you have comments, please email them to pwebb@ci.the-dalles.or.us by 5:00 p.m., May 1, 2020.

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES – March 6, 2020

V. PUBLIC COMMENT

Written comments received in-lieu of oral testimony.

VI. PUBLIC HEARING (QUASI-JUDICIAL for all three hearings?)

A. Adjustment 050-19, Michael and Christine Irish, 221 W. 15th Street, 1N 13E 4 DB tax lot 9300

AMENDED REQUEST: Requesting a rear yard setback reduction of 5 ft.; a 50% reduction to the required setback.

B. Minor Partition 371-20, Daniel Sanchez, 2323 W. 16th Street, 2N 13E 32 DC tax lot 1301

REQUEST: To partition one lot into two.

C. Conditional Use Permit 195-20, Amerco Real Estate Company, 2640 W. 6th Street, 2N 13E 32 A tax lot 400

REQUEST: Request to use existing retail building to accommodate indoor, climate controlled personal storage and retail sales of moving supplies. Additional uses will include truck and trailer rentals.

VII. RESOLUTIONS

- A. Resolution 590-20: Approval of ADJ 050-19, Michael and Christine Irish
- B. Resolution 591-20: Approval of CUP 195-20, Amerco Real Estate Company
- C. Resolution 592-20: Denial of MIP 371-20, Daniel Sanchez

X. STAFF COMMENTS

Next regularly scheduled meeting: May 21, 2020

XI. COMMISSIONER COMMENTS OR QUESTIONS

XII. ADJOURNMENT



CITY of THE DALLES

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(541) 296-5481 ext. 1125
COMMUNITY DEVELOPMENT DEPARTMENT

MINUTES

CITY OF THE DALLES PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS
313 COURT SREET
THE DALLES, OREGON 97058
CONDUCTED IN A MEETING ROOM IN COMPLIANCE WITH ADA STANDARDS
THURSDAY, MARCH 5, 2020
6:00 P.M.

CALL TO ORDER

Chair Bybee called the meeting to order at 6:00 p.m.

ROLL CALL

Commissioners Present: Brent Bybee, Cody Cornett, Sherry DuFault, Bruce Lavier, Mark Poppoff and Jeff Stiles

Commissioners Absent: Steve Ross

Staff Present: Senior Planner Dawn Marie Hert, Associate Planner Riley Marcus and Legal Representative Diana McDougale

APPROVAL OF AGENDA

It was moved by DuFault and seconded by Stiles to approve the agenda as written. The motion passed 6/0; Bybee, Cornett, DuFault, Lavier, Poppoff and Stiles in favor, none opposed, Ross absent.

APPROVAL OF MINUTES

Chair Bybee noted at the February 20, 2020 meeting, Steve Ross was present and Jeff Stiles was absent.

It was moved by DuFault and seconded by Cornett to approve the minutes of February 20, 2020, as corrected. The motion passed 6/0; Bybee, Cornett, DuFault, Lavier, Poppoff and Stiles in favor, none opposed, Ross absent.

PUBLIC COMMENT

None.

QUASI-JUDICIAL HEARING

Adjustment 050-19, Michael and Christine Irish, 221 W. 15th Street, 1N 13E 4 DB tax lot 9300

Chair Bybee read the rules of a public hearing. He then asked if any Commissioner had any conflict of interest or bias which would prevent an impartial decision. Hearing none, Chair Bybee opened the public hearing at 6:04 p.m.

Associate Planner Marcus presented the staff report.

Discussion topics included:

- Roof slope
- Garage and driveway placement
- Removal of accessory structure
- Easement on north side of property – there is none
- Architectural drawings – not required for an Adjustment application
- Criteria relating to reduced impact of development

Proponents

Christine Irish, 221 W. 15th Street, PO Box 1358, The Dalles

Mrs. Irish stated the ability to live on the lot would mitigate some of the impact of purchasing the property in 2006 when real estate was high; the market then declined in 2008. Materials were stored on the lot in anticipation of building a house. She felt it would be a relief to the neighbors to see a home there, rather than building materials.

Mrs. Irish hoped to build their last house there; something small and modest, able to fit the character of the neighborhood. Without an adjustment, she stated there was not enough space for a home and garage on the usable area of the lot.

Michael Irish, 221 W. 15th Street, PO Box 1358, The Dalles

Mr. Irish stated he was in favor of the adjustment.

Commissioner Cornett asked if the applicant obtained a quote for removing the rock. Mr. Irish replied he had not obtained a bid.

Opponents

Michael McNaughton, 219 W. 15th Street, The Dalles

Mr. McNaughton stated he wished to clear up misconceptions. The accessory structure is already 95% demolished. The applicants did spend too much money for that property, but mitigated that circumstance with operation of little house manufacturing on the lot. The applicants stopped manufacturing last fall.

The rock that was leveled across the street was much larger than the rock on the applicant's property. The owner across the street used inadequate equipment. The owner stopped due to neighborhood complaints and made other arrangements.

In response to Chair Bybee's inquiry, McNaughton stated his primary concerns were that reduced setbacks impact the property on the east and north side. It can create a general overcrowding appearance, won't fit in well with the neighborhood, and will reduce the property value of the residence on the right.

The application is defective; insufficient information was given to establish the requested setbacks. The amount of rock left is not that great; with the right equipment it's possible to reduce the rock in an adequate amount of time.

Associate Planner Marcus stated two comments were received today; both were in opposition. Exhibit 1, letter from Jensen Bryan, 219 W. 15th Street, The Dalles. Exhibit 2, letter from Kathleen Breshears, 222 W. 14th Street, The Dalles.

Commission discussion included:

- Property lines and survey markers
- Position of the house on the property
- Runoff
- Window locations

Senior Planner Hert clarified that although surveys are not required with a building permit, the code allows that a requirement may be placed upon a property owner if they are close to a property line and there is no evidence of the property line. As a condition of approval, the Commission could ask that a survey be provided to locate the property line.

Lavier stated after problems with setbacks in the past, it would be nice to have a survey of the property. Hert suggested addition of a condition of approval stating the City will require the applicant to obtain a survey to locate the property line.

Cornett stated he would like to see a quote for excavation of the rock. Bybee and DuFault replied the Commission could not ask for that. Cornett explained it would not be as a price point, rather a feasibility. DuFault thought that request was outside the Commission's authority.

Jensen Bryan, 219 W. 15th Street, The Dalles

Bryan stated her objection to the application. She said her letter (Exhibit 1) addressed the adjustment application and added because they want to set their new house toward the back with windows facing her property, her back yard is no longer private. Bryan shares the property line on the east side. The structure they removed provided a wall that met her fences. If the wall is removed with the applicant's garage placed three feet away, a large gap is created. Also, the garage may encroach on her property.

In response to inquiries, Associate Planner Marcus clarified the windows will be located in the upper part of the walls. No further design standards were submitted with exact placement of the windows.

Further Commission discussion included:

- Feasibility of removing the rock rather than reducing the setback
- Fire wall requirements by Wasco County Building Codes
- Requesting a reduction on the east side rather than west side of the property

Rebuttal

Christine Irish, 221 W. 15th Street, PO Box 1358, The Dalles

Mrs. Irish said, "Look at that rock, it's beautiful. It's part of why we bought that lot." The rock provides privacy from Lincoln and 15th Streets. Along the alley, almost every abutting property has a building on the lot line. She said it was an option for them to build on the north and east lot lines, but sensed reticence from the neighborhood. This is the compromise they're asking for. They don't want to remove the rock.

Chair Bybee asked for the location of the windows. Irish replied there would be two sets of 20" x 20" windows high on the wall to admit light. The garage will have a nine foot ceiling on the east side, windows would be about seven feet from the floor.

The front of the house will have a 4/12 pitch from north to south. The highest level of the roof would be 26 feet; windows would be appropriately high and match the other windows. The lowest point of windows would be seven feet.

Poppoff commented that moving the house two feet would not be much of a problem. Irish replied there is a dramatic slope down to Lincoln Street and construction would require much more concrete. Trees in the back will be left to provide privacy, but will be trimmed.

Poppoff stated he had no objection to an adjustment in the back. Lavier stated that would be a compromise, to allow the adjustment on the back and not the side.

Associate Planner Marcus addressed additional criteria regarding privacy to neighboring properties. Staff found siting the house on the rock would bring the house closer to the adjacent dwelling, and provide a sightline down into that property. Improved privacy is achieved by locating the dwelling further back on the property.

McNaughton stated the house on the east side has a five and one-half foot setback.

Chair Bybee closed the public hearing at 7:03 p.m.

Commission deliberation included:

- A compromise to place a house there would be a good addition to the neighborhood
- Addition of a survey as a condition of approval
- Window location

Hert stated because the applicant was requesting an adjustment before the Commission, this is the opportunity for the Commission to require the window placement at a higher level for privacy purposes.

DuFault stated she was in favor of allowing the setback to see improvement on the property.

Poppoff stated he was opposed to allowing the side setback since the neighbor objects. He had no objection to reducing the setback one foot on Lincoln Street; the back setback is not a problem. He said a survey should be completed if the survey pin was not found. He did not see an overwhelming need for an adjustment.

Stiles stated he did not see a problem in reducing the side setback to three feet.

Cornett stated it was important to have a survey done.

Commission consensus was to require a survey.

In addition to the survey, Cornett added if the neighbor's house was found to be over the property line, a distance of three feet between the homes be required. Cornett suggested continuation until a survey was completed.

Cornett moved to re-open the public hearing and continue to a date uncertain until completion of the survey or location of the survey pin. There was no vote.

Lavier moved to re-open the public hearing; Cornett seconded the motion. The motion passed 6/0; Bybee, Cornett, DuFault, Lavier, Poppoff and Stiles in favor, none opposed, Ross absent.

Chair Bybee re-opened the public hearing at 7:12 p.m.

It was moved by Cornett and seconded by Poppoff to continue the public hearing to a date uncertain until a survey has been submitted to the staff for inclusion in the staff report to determine the location of the lot line and the necessity of a side yard setback adjustment. The motion passed 6/0; Bybee, Cornett, DuFault, Lavier, Poppoff and Stiles in favor, none opposed, Ross absent.

RESOLUTION

Resolution PC 590-20: Approval of ADJ 050-19, Michael and Christina Irish

The resolution was postponed pending completion of the public hearing.

STAFF COMMENTS

Hert stated the next regularly scheduled meeting is March 19, 2020. The public hearing for Comprehensive Plan Amendment (CPA) 46-20 will re-open. A Minor Partition is also on the agenda.

COMMISSIONER COMMENTS OR QUESTIONS

None.

ADJOURNMENT

Chair Bybee adjourned the meeting at 7:15 p.m.

Respectfully Submitted
Paula Webb, Secretary
Community Development Department

Brent Bybee, Chair

Dear Community Development Department Re: ADJ 050-19 March 5th, 2020

My name is Jensen Bryan. My property is located at 219 W. 15th Street, The Dalles, OR 97058, east of and adjacent to the Irish's property. I have welcomed the Irishes as neighbors, but respectfully ask that the Irish's Adjustment Application be denied based on the facts that it contains primarily unsupported personal opinion, lacks sufficient information, and provides documentation that actually contradicts their justification for requesting an adjustment in setbacks.

First and foremost, my concern is that the location of our northeast shared property line is unknown. The northeast surveyor's rod placed March 1980 has not been located and may be obscured under a stack of the Irish's lumber in the public alley, or has been removed altogether. Without knowing where the actual property line is, how can any setbacks be determined, much less reduced setbacks? If the Irishes are granted reduced setbacks without knowing where the actual property line is, their building could potentially encroach on my property, leading to future problems for both property owners. A critical first step prior to making any decisions regarding adjustments would be to require that the Irishes obtain a survey so that I am not put at risk of reducing my lot size and property value.

Secondly, the Irish's application contains no information for establishing that a 40% reduction to the east is "the minimum necessary to allow the use of the site," either by way of a licensed surveyor's marker, a licensed contractor's expert advice, or documentation that they have explored other "minimum" setback options. No information supporting the specific north 50% reduction request has been submitted. The combined request appears to be arbitrary and therefore does not meet the criteria found in 3.080.040 "Justification for Request" section B, number 2 and "Review Criteria" Section A, number 7.

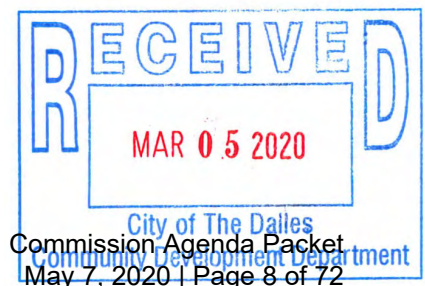
The only documentation the Irishes have submitted comes from the 2006 "Geologic Hazards Assessment," which they believe substantiates their opinion that The Chenoweth Formation makes their lot "extraordinarily challenging to build on." (Irish, Justification B1) On the contrary, the "Geologic Hazards Assessment" finds the opposite to be the case: "There are no geologic hazards that require special design considerations for the construction of the residence." (Yinger, p. 3) The report refers to a large block of rock along Lincoln Street, and suggests, "If the rock is disturbed or removed care should be taken to control its movement." (Yinger, p. 2) It is my understanding that The Chenoweth Formation ("also known as The Dalles Formation") is not unusual to this area or to The Dalles in general. Others have managed to level rock and build houses. Approximately 15-20 linear feet of the Irish's south rock was recently leveled, hauled away, and graveled by Craig Treichel in fewer than three working days. Rock removal does not appear to be extremely challenging for Mr. Treichel.

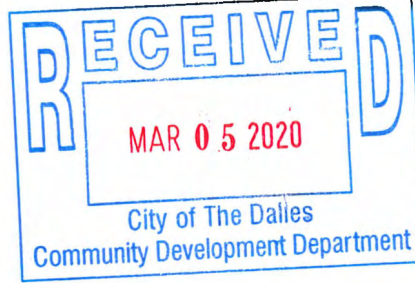
Perhaps more importantly, the 2006 Geologic Report recommends, "If concrete pier foundations are used then the block could be left undisturbed." (Yinger, p. 3) In other words, the Irishes need not "attempt to level" the south rock to make use of their site. (Irish, Justification 1) Their own documentation provides an alternative solution for how and where to build without requiring setback reductions.

Finally, the Irishes have not submitted any documentation regarding the cost of excavation nor an updated geological report to substantiate that excavation is no longer a viable option. To allow a reduction in setbacks that potentially infringe on my constitutionally protected property in order to save the Irishes from locally common development expenses (being accomplished nearby), or simply to accommodate their interests is unacceptable. I respectfully ask that the Irish's Adjustment Application be denied.

Thank you for your time and consideration,


Jensen Bryan





Kathleen Breshears
222 West 14th
The Dalles
Oregon 97058

City of The Dalles Planning Commission

In regards to application number ADJ050-19, I am opposed to the granting of the set back reductions on all sides of the property located at 221 West 15th Street. As a neighbor of this property, it would infringe on my privacy. In my opinion, the set back rules are there for a reason and should be followed.

Thank you for considering my opinion,

Kathleen Breshears March 5, 2020
Kathleen Breshears

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CITY of THE DALLES

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THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT ADJUSTMENT 050-19

Applicant: Michael & Christine Irish

Procedure Type: Quasi-judicial

Decision Date: May 7, 2020

Assessor's Map: Township 1 North, 13 East, Section 4 DB

Tax Lot: 9300

Address: N/A

Comprehensive Plan Designation: "RH" High Density Residential

Zoning District: "RH" High Density Residential

Prepared by: Riley Marcus, Associate Planner

REQUEST: The request is for the approval to reduce the rear yard setback from 10 feet to 5 feet, requiring a 50% Adjustment.

RECOMMENDATION: Approval, with conditions.

NOTIFICATION: Notification was mailed on April 24, 2020, to surrounding property owners within 300 feet, in addition to other local and state entities, city departments and franchise utilities.

COMMENTS RECEIVED:
No comments were received.

I. City of The Dalles Municipal Code – Title 10 Land Use and Development

Chapter 10.3 Application Review Procedures

Article 3.020 Review Procedures

Section 10.3.020.050 Quasi-Judicial Actions

B. Staff Report. The Director shall prepare and sign a staff report for each quasi-judicial action which identifies the criteria and standards applying to the application and

summarizes the basic findings of fact. The staff report may also include a recommendation for approval, approval with conditions, or denial.

C. Public Hearings.

- 1. Complete applications for quasi-judicial planning actions shall be heard at a regularly scheduled Commission or Council meeting within 45 days from the date the application is deemed complete.*
- 2. Hearings on applications for quasi-judicial actions shall be conducted per the procedures in Section 10.3.020.070: Public Hearings.*
- 3. Unless otherwise ordered by the hearings body, the Director shall take complete applications for quasi-judicial actions in the order in which they are filed.*
- 4. The hearings body shall hold at least one public hearing on a complete application.*
- 5. The burden of proof is placed on the applicant seeking a planning action.*
- 6. The applicant's attendance is required at the prescribed public hearing for the action, unless otherwise authorized by the hearings body.*
- 7. Prior to the public hearing the applicant is recommended, but not required, to conduct an outreach meeting with nearby residents and others who may be affected by the development.*

D. Notice of Hearing. At least 10 days before a scheduled quasi-judicial public hearing, notice of the hearing shall be mailed to:

- 1. The applicant and owners of property within 300 feet of the subject property. The list shall be compiled from the most recent property tax assessment roll.*
- 2. Any affected governmental agency, department, or public district whose boundaries include the subject property.*
- 3. Any neighborhood or community organization recognized by the Department and whose boundaries include the subject property.*
- 4. The notice provided by the Department shall:*
 - a. Explain the nature of the application and the proposed use or uses which could be authorized.*
 - b. Set forth the street address or other easily understood geographical reference to the subject property.*
 - c. State that failure to raise an issue in writing within the comment period, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue, precludes appeal to LUBA on that issue.*
 - d. List by commonly used citation the applicable criteria for the decision.*
 - e. State the place, date, and time of the hearing.*
 - f. State that a copy of the application, all documents and evidence submitted by the applicant, and all applicable criteria are available for inspection at no cost and will be provided at a reasonable cost.*

- g. *State that a copy of the staff report will be available for inspection at no cost and will be provided at a reasonable cost at least 7 days prior to the hearing.*
 - h. *Include the name and telephone number of the Director to contact for additional information.*
 - i. *Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.*
5. *The failure of a property owner to receive notice as provided in this Article shall not invalidate such proceedings if the Department can show that such notice was given.*

FINDING: The Applicants are requesting an Adjustment to the rear yard setback on their property. The required rear yard setback for the RH zoning district in which they are located is 10 feet. The Applicants are requesting for the rear yard setback to be reduced 50% to 5 feet.

The Applicants submitted their Adjustment Application on December 20, 2019. The Application was not deemed complete until January 10, 2020. The Applicants were out of town and therefore the Application was reviewed at Site Team on February 6, 2020. The Notice of Public Hearing was published by The Dalles Chronicle on February 22, 2020. A Notice of Public hearing went out to landowners located within 300 feet of the subject property on February 24, 2020. The Mail Out was mailed February 27, 2020 and the Public Hearing was scheduled for March 5, 2020 at 6pm. Due to City Hall temporarily shutting down due to COVID-19, this public meeting was cancelled. The Applicants signed a waiver to be able to surpass the timeline requirements. A virtual meeting was scheduled for May 7, 2020. Staff finds the request to comply with Section 10.3.020.040(B), (C), and (D).

Article 3.080 Adjustments

Section 10.3.080.020 Applicability

D. The quasi-judicial adjustment process may be used to change the following items:

- 1. *Up to 50% reduction in standard setback requirements.*

FINDING: The Applicants are requesting a 50% reduction to the rear yard for a 5-foot setback. Staff finds the request to comply with Section 10.3.080.020(D).

Section 10.3.080.040 Review Criteria

- A. *An adjustment will be approved if the review body finds that the applicant has shown that either approval criteria 1 through 5 (Administrative Action) or 6 through 8 (Quasi-Judicial Adjustment) below, has been met.*
- 6. *Application of the regulation in questions would preclude all reasonable economic value of the site; and*
 - 7. *Granting the adjustment is the minimum necessary to allow the use of the site; and*
 - 8. *Any impacts resulting from the adjustment are mitigated to the extent practicable.*

FINDING: The Applicants submitted the following justification for the above review criteria:

“Approximately 50% of the lot is dominated by an outcrop of the Chenowith Formation Conglomerate (per Mark Yinger’s Geo Hazards Assessment – attached) making the lot

extraordinarily challenging to build on. To attempt to level it would not only be a nuisance to the entire neighborhood, but would impose extreme practical difficulties and is not economically viable”

“With an Adjustment to the setbacks, there is not enough square footage on the north end of the lot for a new house and garage. Strict adherence to the prescribed setbacks will, most likely, preclude our use of the site.”

“A home on the lot is appropriate and compatible use of the land in this neighborhood where many buildings are located on the alley easement, and will promote orderly growth in an established neighborhood.”

Staff finds that due to the large amount of rock located on the subject property that the Applicants are limited on siting locations for a single family dwelling that would not require a large amount of rock to be removed or engineered plans to be provided for a building to be located on top of the existing rock formation. The location the Applicants are proposing to site their single family dwelling would be in the location of a former accessory building. This building was located against the eastern property boundary line. This site is the flattest on the subject property and would require the least amount of excavation to occur. By allowing the Applicants to use the existing accessory building’s site, excavation that would result from building on the rock formation would be eliminated, as well as any impacts that nuisances from any rock excavation that another location may create. Staff finds the request to comply with Section 10.3.080.040(A).

B. Additional Criteria. If the applicant meets the approval criteria of subsection A above, then the approving authority may also take into consideration, when applicable, whether the proposal will:

- 1. Result in a more efficient use of the site;*
- 2. Provide adequate provisions of light, air, and privacy to adjoining property;*
- 3. Provide for accessibility, including emergency vehicles, per City standards;*
- 4. Result in a structure that conforms to the general character of the neighborhood or zone district;*
- 5. If a reduced number of parking is requested, provide adequate parking based on low demand users, or supplement on-site parking with joint use agreements.*

FINDING: The Applicants submitted the following justification for the above review criteria:

“Our house plan is very modest in size and scope, approximately 1,088 square feet with 888 square feet being heated living space and 200 square feet for a small garage. It will be one and a half stories, approximately 16 feet tall on the west end and 26 feet tall on the east. Its small and, therefore, will not present an encroachment on light and air for any properties. The east side of the house- the only side with a contiguous neighbor – will have 4 windows, each 20” x 20”, placed high in the wall and thereby retaining privacy for that property.

The lot provides accessibility from West 15th Street, Lincoln Street and the alley easement on the North. The driveway has accommodated a dump truck so we believe an emergency vehicle, i.e. ambulance, would have no issue of accessing the house.

Again, our planned build will result in a small, modest home in a neighborhood of the same. This area includes small to medium sized houses, some of which appear to have been updated.

While it will have a bit more modern appearances than most, our house will be compatible in size and neutral in color.

We are planning a single car garage and can accommodate 2 cars, parking tandem, in the driveway.”

In reviewing the submitted application materials and the subject property, staff believes that the proposed location of the single family dwelling, would result in the most efficient use of the site. The least amount of excavation would occur by using an already flat location that use to site the former accessory building on the property. This location is additionally the furthest away from the existing single family dwelling on the adjacent property. The Applicants are proposing to use a slanted roof, which would prevent runoff from going onto the adjacent property. The Applicants are additionally proposing to use smaller windows located higher on the walls to increase privacy. By using the existing driveway, the Applicants are additionally not having to do any further excavation. By reducing the amount of excavation having to occur by using the existing site location, by implementing additional design criteria, and by locating the dwelling the furthest possible location from the adjacent property’s single family dwelling, the light, air and privacy to adjoining properties would be the most preserved than using any other location on the site.

For accessibility, the Applicants are proposing on using the existing driveway which, as further reviewed below, can provide for enough width for emergency vehicles and for two off-street parking spaces. In terms of neighborhood compatibility, the surrounding properties all contain single family development. These properties are all within the RH – High Density Residential zone, which does allow for more than one dwelling unit on a lot. Staff finds the request to comply with Section 10.3.080.040(B).

Article 5.020 RH High Density Residential District

Section 10.5.020.020 Permitted Uses

A. Primary Uses Permitted Outright.

- 1. Residential use types:
 - a. Single-family.

FINDING: The Applicants are proposing to build a single family dwelling on the subject property. Staff finds the request to comply with Section 10.5.020.020.

Section 10.5.020.060 Development Standards

<i>RH High Density Residential</i>	<i>Standard</i>
	<i>One Dwelling Unit per Lot</i>
<i>Minimum Lot Area</i>	<i>1,500 sq. ft. per dwelling unit, not to exceed 25 units per gross acre</i>
<i>Minimum Site Area per Dwelling Unit</i>	<i>3,500 sq. ft. OR 2,000 sq. ft. for small lot and townhouse clusters (3-8 units)</i>
<i>Minimum Lot Width</i>	<i>25 ft. for corner lots and lots with townhome end-units; and 20 ft. for interior lots</i>
<i>Minimum Lot Depth</i>	<i>60 ft.</i>
<i>Building Height*</i>	<i>35 ft.</i>

	Standard
RH High Density Residential	One Dwelling Unit per Lot
Minimum Setbacks: Front Yard	10 ft.
Rear Yard	10 ft.
Side Yard (interior)	5 ft., except 8 ft. where dwelling has zero setback on opposite side, including end unit of townhouse building; and 10 ft. separation between buildings
Side Yard (exterior)	8 ft., except 20 ft. for garage entrance
Garage/Carport Entrances (facing street)	20 ft. minimum (corner lots and interior lots)
Lot Coverage	60% of lot area maximum
Building Orientation	The front building line shall be parallel to the street, or private accessway if there is no street frontage to which to orient. Practical adjustments may be made to accommodate street curvature. The front building line shall include the front door.
Pedestrian Access	All multifamily building entrances shall have a clear pedestrian connection to the street/sidewalk in accordance with Section 10.5.020.070(E): Pedestrian Walkways
Off-Street Parking (Bicycles and Vehicles)	See Chapter 10.7 - Parking Standards
Accessory Uses, Buildings and Structures	See Article 6.030: Accessory Development
Landscaping	See Article 6.010: Landscaping Standards
Access Management	See Article 6.050: Access Management
Minimum Density**	Not more than 4,000 net buildable sq. ft. gross area per dwelling unit.

* Buildings greater than 35 feet in height are allowed only on lots that are located at least 100 feet from land zoned RL - Low Density Residential.

** Measured by determining the net buildable square footage on a proposed development site (exclusive of areas to be dedicated for public rights-of-way, constrained by slopes of 25% or greater, wetlands, riparian corridors and floodplain), then dividing by minimum density square footage standard, and rounding down. For example, an RH site with one net buildable acre would be required to provide at least 10 dwelling units (43,560 buildable sq. ft./4,000 sq. ft. = 10.89, rounded down to 10).

FINDING: The subject property is located within the RH – High Density Residential zone. The subject property is approximately .11 acres in size, or 4,965 sq. ft. The subject lot meets the minimum lot width and depth as the existing lot is approximately 50 by 100 feet in size. The Applicants will need to comply with a maximum height of 35 feet and this will be further reviewed at the time of a Building Permit. The Applicants are proposing on using the existing driveway, which provides access from West 15th Street. The Applicants are proposing an attached garage, which will face West 15th Street and be over 20 feet from the front property boundary line. The front building door will also face West 15th Street. The existing driveway, approximately 50 feet long and 13 feet wide, will be able to provide for parking for at least two vehicles. Landscaping will be further addressed below. Access Management will be addressed further below. The

minimum density for the subject property is 1.485, rounded down to 1 dwelling required for the minimum density. Staff finds the request to comply with Section 10.5.020.060.

Chapter 10.6 General Regulations

Article 6.010 Landscaping Standards

Section 10.6.010.030 General Provisions

- A. *Applicability. The provisions of this Article shall apply to all applications for new development and to applications for additions or modifications to existing development which increases the building(s) combined total footprint area by more than 20%.*
- B. *Landscaping Plans. Where landscaping is required by this Title, detailed landscaping plans may be submitted with the development application. If not submitted for approval with the application, approval of detailed landscape plans shall always be a condition of the concept plan approval of the site plan review process. Requirements for detailed landscape plans are listed in Section 10.3.030.030(B): Detailed landscape plans. Building Permits shall not be issued until the approving authority has determined the landscape plans comply with both the purpose and specific requirements of this Article.*
- C. *Completion Prior to Occupancy. Except for landscaping for single-family homes, all required landscaping and related improvements shall be completed, or financially guaranteed per the provisions of Section 10.9.040.060(I): Performance Guarantee prior to occupancy.*
- ...
- E. *Maintenance. Appropriate care and maintenance of landscaping on-site and landscaping in the adjacent right-of-way is the right and responsibility of the property owner, unless City ordinances specify otherwise for general public and safety reasons. All landscaping, buffering, and screening required by this Title shall be maintained. If street trees or other plant materials do not survive or are removed, materials shall be replaced in kind by the developer or party responsible for removing the trees and/or plant material.*
- F. *Parking lot landscaping. The landscaping requirements for parking lots are described in Section 10.7.030.040: Landscaping Requirements. Parking lot landscaping shall be required in addition to the landscaping requirements described in this Article.*
- G. *Trees in Public Rights-of-Way. A city permit is required to plant, remove, significantly prune, top, or pollard any trees in a public right-of-way.*
- ...
- I. *Planters and Screen/Buffer Areas. Planters and screen/buffer areas used for required plantings shall have a minimum width, or diameter, of 5 feet (2.5 feet radius, inside dimensions). Where the curb or the edge of these areas are used as a tire stop for parking, that planter or buffer area shall be a minimum width of 7.5 feet.*
- J. *Irrigation Systems. Irrigation systems shall be required where necessary to assure survival of plant materials.*
- K. *Vision Clearance. In no case shall site obscuring shrubs, landscape features, conifer trees, fences exceeding 24 inches in height, or other screening be permitted within vision clearance areas of street or alley intersections, or where the City Engineer otherwise deems such plantings would endanger pedestrians and vehicles. See Article 6.100: Vision Clearance.*
- L. *Fences. All fences over 4 feet in height shall require a permit. Permits for fences 6 feet or under in height shall not require a permit fee.*

FINDING: The Applicants did not submit a landscaping plan. However, the Applicants will be required to landscape according to Article 6.010 and equal to 1.5 times the first floor area of all structures minimum. A **Condition** of Approval will be included in the Notice of Decision to make sure that the Applicant comply with the landscaping requirements. They will be reviewed additionally at the time of a Building Permit application submittal. A **Condition** of Approval has been included in the Notice of Decision to require all landscaping, buffering, and screening required by this Title to be maintained; and if any street trees or other plant materials do not survive or removed, that they be required to be replaced in kind by the developer or responsible party for removing the trees and/or plant material. Parking lot landscaping is further addressed in Section 10.7.030.040 below. A **Condition** of Approval has been included in the Notice of Decision to require a city permit for any planting, removal, or significant pruning, topping or pollarding of any trees within the public right-of-way. A **Condition** of Approval has been included in the Notice of Decision to require irrigation systems if deemed necessary to assure survival of plant materials. A **Condition** of Approval has been included in the Notice of Decision to ensure that no site obscuring shrubs, landscape features, conifer trees, fences exceeding 24 inches in height, or other screening be permitted within vision clearance areas of street or alley intersections, or where the City Engineer otherwise deems such plantings would endanger pedestrians or vehicles. A **Condition** of Approval has also been included in the Notice of Decision to require any fencing over four feet in height to require a Building Permit submittal. With the above conditions, staff finds the request to comply with Section 10.6.010.030.

Section 10.6.010.040 Buffering

Buffer plantings are used to reduce building scale, provide transition between different land uses (i.e., residential and commercial) and contrasting architectural styles, and generally mitigates incompatible or undesirable views. They are used to soften rather than block viewing. Where required, a mix of plant materials shall be used to achieve the desired buffering effect.

10.6.010.050 Screening—Hedges, Fences, Walls other than Retaining Walls, Berms

- A. *General. Screening is used where unsightly views or visual conflicts must be obscured or blocked and where privacy and security are desired. All screening shall comply with the provisions of Article 6.100: Vision Clearance.*
- B. *Fences and Walls. Fences and walls used for screening may be constructed of wood, concrete, stone, brick, wrought iron, metal, or other commonly used fencing/wall materials. Acoustically designed fences and walls may also be used where noise pollution requires mitigation.*
- C. *Landscaping As Screening. Where landscaping is used for required screening, it shall be at least 6 feet in height and be at least 80% opaque, as seen from a perpendicular line of sight, within 18 months following establishment of the primary use of the site.*
- D. *Chain Link with Slats. A chain link fence with slats shall qualify for screening only if a landscape buffer is provided outside the fence. In this case, the landscape buffer shall have an average height of 50% of the height of the fence within 1 year of planting. (See Section 10.6.010.040: Buffering of this Article.)*
- E. *Height. The height of hedges, fences, walls, and berms shall be measured as provided for in Section 10.6.070.050(B), except where used to comply with screening requirements for parking, loading, storage, and similar areas. Hedges, fences, walls,*

and berms must comply with vision clearance requirements of Section 10.6.010.030(K). Height requirements for hedges, fences, and walls are as follows:

1. *Residential Areas.*
 - a. *Hedges, fences, and walls shall not exceed 4 feet in height within a required front yard or in an exterior side yard within a 10-foot triangle adjacent to an alley or driveway.*
 - b. *Hedges, fences, and walls shall not exceed 6 feet in height within required side and rear yards, unless additional height is determined by the Director to be necessary for privacy screening from an adjacent use. In no case shall a fence or wall exceed 8 feet in height in a required side or rear yard.*
 - c. *Hedges, fences and walls not located in required yards may exceed the height standards listed above.*
 2. *Commercial and Industrial Areas. Barbed wire may be allowed above the fence or wall height requirement.*
 3. *All Areas. Fences and walls over 4 feet in height (not counting any permitted barbed wire) shall require a building permit prior to construction.*
- F. *Berms. Earthen berms up to 6 feet in height may be used to comply with screening requirements. The slope of the berm may not exceed 2:1, the top of the berm shall be relatively flat, and the faces of the slope shall be planted with ground cover, shrubs, and trees.*
- G. *Design. Fences and walls over 200 feet in length (of a single run) shall be designed to prevent visual monotony through use of offsets, changes of materials and textures, or landscaping in all zone districts except the I - Industrial district.*
- H. *Visual Clearance. Screening is not permitted within vision clearance areas, as described in Article 6.100: Vision Clearance.*
- I. *Gates. Gates are required in rear yard fences on through lots for maintenance access to the area from curb to a proposed fence. (Gates shall not be used to make an access connection to the right-of way.)*
- J. *Service Facilities. Trash dumpsters, gas meters, ground level air conditioning units, and other service facilities shall be screened from off-site view with a fence, wall or plantings.*
- K. *Swimming Pools, Spas, and Hot Tubs. In addition to all other requirements in the Oregon Structural Specialty Code, swimming pools, spas and hot tubs more than 18 inches deep shall be surrounded and screened with a minimum 4-foot high secured fence or wall. Access to the secured area must have a self-latching gate.*

FINDING: A **Condition** of Approval has been included in the Notice of Decision to require any screening to comply with Section 10.6.010.050 above. With the above condition, staff finds the request to comply with Section 10.6.010.050.

Section 10.6.010.060 Street Trees

- A. *General. Street trees shall count toward the required landscape requirement. Street trees shall be planted and maintained in accordance with the following standards for all public street frontages, and along private street and accessways more than 150 feet long. Street trees shall be required in all zoning districts where there is a designated planting strip in the public right-of-way. Selection of species may be made from the recommended tree list provided by the Director. Alternate selections must be requested in writing and approved by the Director.*
- B. *Spacing. Medium canopy trees shall be spaced a maximum of 30 feet on center, and large canopy trees shall be spaced a maximum of 50 feet on center.*
- C. *Planting Requirements. Trees planted within 5 feet of permanent hard surface paving or walkways shall use special planting techniques and specifications approved by the Public Works Director.*
- D. *Fire Hydrants. Clearance from fire hydrants shall be as specified in the Uniform Fire Code as adopted by the local fire protection district.*
- E. *Location. Unless approved otherwise by the City Engineer, trees may not be planted:*
 - 1. *Within 20 feet of street light standards.*
 - 2. *Within 10 feet of a public sanitary sewer, storm drainage or water line.*
 - 3. *In drainage ditch channels and floodways.*
 - 4. *Within 10 feet of the top of retaining walls located in the public right-of-way.*
 - 5. *In vision clearance areas.*
- F. *Public Safety. Trees may not be planted in areas where the Director determines the trees may be a hazard to the public interest or general welfare.*
- G. *Clearance. Trees shall be pruned, by the property owner, to provide a minimum clearance of 9 feet above sidewalks and 14 feet above street and roadway surfaces.*

FINDING: A **Condition** of Approval has been included in the Notice of Decision to require any street trees planted to comply with Section 10.6.010.060. With the above condition, staff finds the request to comply with Section 10.6.010.060.

10.6.010.070 Required Landscaping By Zone

Where required by this Title, landscaping shall be provided on site according to the following minimum requirements. Additional landscaping may be required by the approving authority as a condition of approval in order to mitigate conflicts with neighboring uses and/or to provide adequate screening. Where the landscape requirement listed below is greater than the balance of the lot after lot coverage, the landscaping requirement shall be limited to the area of the lot not covered.

ZONE	SITE REQUIREMENT
RH 1, 2, or 3 Family	Site Landscaped according to Article 6.010

FINDING: The Applicants did not submit a landscaping plan. A **Condition** of Approval has been included in the Notice of Decision to require the applicant to submit a landscaping plan

that complies with the requirement of Article 6.010. With the above condition, Staff finds the request to comply with Section 10.6.010.070.

Article 6.050 Access Management

Section 10.6.050.040 Access Standards

- A. *Separation Standards. Separation between access points shall conform to the access spacing standards as specified below in Table 1; however, access separation may be reduced to accommodate characteristics specific to a proposed site and/or use. In cases where separation is reduced below the preferred spacing standard, the reduction shall not be less than the appropriate stopping sight distance standard listed in Table 2 for arterial and collector streets, unless the approving authority finds that all of the provisions of Section 10.6.050.050 of this Article have been met. In no case shall the residential spacing standards for local residential streets listed in Table 3 be reduced.*
- B. *Vertical and Horizontal Curves. Plans should be checked in both the vertical and horizontal plan for site distance obstructions. If vertical or horizontal curves are located within the City’s preferred access separation distance, a licensed professional engineer specializing in traffic shall recommend the spacing standard.*
- C. *Oregon Department of Transportation (ODOT) Jurisdiction. ODOT access classification systems and standards shall apply to all roadways on the ODOT State Highway System.*

Table 1: Access Spacing Standards for City Roadways.

Functional Classification	Minimum Speed Posted	Minimum Spacing between Driveways and/or Streets
Arterial Street (2-Way)	25 - 40 mph	300 - 400 feet
Arterial Street (1-Way)	25 - 35 mph	150 - 300 feet
Major Collector Street	25 - 35 mph	150 - 300 feet
Minor Collector Street	25 - 35 mph	75 - 150 feet
Major/Minor Collector Street in Industrial Area	25 - 35 mph	150 - 300 feet

Table 3: Residential Minimum Spacing Standards

Local Residential Streets	Spacing
20 - 25 MPH	<ul style="list-style-type: none"> • Interior Lots: 10 feet (shared driveways allowed)
	<ul style="list-style-type: none"> • Corner Lots: minimum 5 feet and maximum 10 feet from the interior property line

* NOTE: Access to lots of record existing at the time of adoption of this Title shall not be denied. Table 1 identifies the City’s access spacing standards as they relate to new development and redevelopment. Separation requirements between street intersections are listed in Section 10.9.020.020(B)(2): Size.

FINDING: The Applicants are proposing on using the existing driveway to access the subject property. The existing driveway is approximately 13 wide by 50 feet long. West 15th is a local residential street. The location of the existing driveway complies with the above spacing standards. Staff finds the request to comply with Section 10.6.050.040.

Article 6.060 Driveway and Entrance Standards

Section 10.6.060.020 General Standards

B. Residential Local Streets and Alleys.

1. *Width. No entrance shall be less than 12 feet wide. Driveway width shall be practical to serve the development, and, where determined by the Fire Marshal to be necessary for the purposes of firefighting and life safety, shall be a minimum of 12 feet wide. Number and width of driveways/entrances shall also be in accordance with the following table:*

Frontage	Maximum Width, One Driveway	Maximum Width, Two Driveways
<i>Up to 50 feet</i>	<i>20 feet</i>	<i>Two driveways not permitted</i>
<i>51 to 100 feet</i>	<i>24 feet</i>	<i>15 feet each</i>
<i>Over 100 feet</i>	<i>24 feet</i>	<i>24 feet each</i>

2. *Angle. All driveways and entrances shall have a right angle intersection with the street, except one-way driveways/entries which may be placed on a 60 degree angle.*
3. *Maneuvering Within Street.*
 - a. *One- and Two-Family Dwellings. Ninety degree in/back out vehicular movements will be allowed for single-family and duplex dwellings with 4 or fewer parking spaces only. Other angles may be allowed with the approval of the City Engineer, based on unique topographic conditions that may exist on site.*
 - b. *Rear Lot Development. All driveways serving rear lot development shall be designed for forward in/forward out vehicle movement only.*
 - c. *Other Permitted Uses. All drives or entrances accessing uses other than one- and two-family dwellings or accommodating groups of more than 4 parking spaces shall be designed for forward in/forward out vehicle movement only. No backing movements or other maneuvering within the street right-of-way will be allowed.*

FINDING: The subject property is located off of West 15th which is a city residential road. Based on the frontage for the subject lot, which is approximately 50 feet, the Applicants can only have one 20 foot wide driveway maximum. The site plan submitted shows the driveway width to be less than 20 feet wide. The existing driveway is approximately 13 feet in width now, which would accommodate for emergency vehicles. Additionally, the Applicants will need to bring their existing driveway up to compliance with our current code standards, which would require the new driveway to comply with Section 10.6.060.030, which would further help emergency vehicle have better access. Staff finds the request to comply with Section 10.6.060.020.

Section 10.6.060.030 Grade

- A. *At Sidewalk. Driveway and entrance grade at the sidewalk shall not exceed 2%. Where the sidewalk forms part of the entrance apron, the sidewalk shall bump out around the apron to allow for the 2% grade.*
- B. *Approach Grade. Approach grades for all driveways on arterial or collector streets shall not exceed 5% for the first 20 feet.*
- C. *Grade Preferred drive grade is 12% or less.*

Section 10.6.060.040 Surfacing

Drive approaches installed in the public right-of-way shall be constructed of concrete, in accordance with City Public Works Department Standards. Driveways on private property shall meet the requirements set out in subsection B or C of this section.

- A. *Drive Pads. Runners are generally not acceptable for use as driveway approaches. Pavement may be required for up to the full length of a driveway, but in no event less than 20 feet back from the right-of-way. Pavement width shall be a minimum of 12 feet. Driveway approaches to alleys may be constructed of concrete, asphalt, pavers, or other hard surface approved by the City Engineer. Gravel alley approaches may be allowed with the approval of the City Engineer.*
- C. *Drives and Entrances from Local Streets.*
 - 1. *One- and Two-Family Dwellings. Surface with pavers, asphalt, or concrete, concrete runways (2' 6" wide, runways 2' 8" apart, widened for all turns), chip seal, or other surface approved by the City Engineer, based on unique topographic conditions. Concrete runways shall not be allowed on grades over 5%.*
 - 2. *All Other Development. Surface with asphalt, concrete, or other surface approved by the City Engineer, based on unique topographic conditions.*
 - 3. *Grades over 10% required approval from both the City Engineer and the Fire Marshal.*

FINDING: A **Condition** of Approval has been included in the Notice of Decision to require the surfacing of the driveway to comply with Section 10.6.060.040 above. With the above condition, staff finds the request to comply with Section 10.6.060.040.

Article 6.080 Projections into Yards

Section 10.6.080.010 Projections into Yards

Projections from buildings into required yards shall meet the following criteria. See Article 6.070: Measurements for measuring requirements.

- A. *Architectural Features.*
 - 1. *Architectural features such as cornices, eaves, canopies, sunshades, gutters, chimneys, fireplaces, and flues may project up to 3 feet into a required yard, provided a 30-inch minimum setback is maintained from any property line.*
 - 2. *Architectural features shall not include any portion of a structure built for the support, conveyance, occupancy, shelter, or enclosure of persons or property of any kind.*

3. *No architectural features shall be located within the vision clearance area, per the provisions of Article 6.100: Vision Clearance.*
- B. Porches, Terraces, Decks, Balconies, Patios, and Fire Escapes.**
1. *Front and Rear Yards.*
 - a. *Porches, terraces, decks, patios, and balconies that are limited in elevation to the first floor of the building may project or extend into a required front or rear yard up to 5 feet from the property line.*
 - b. *Fire escapes may project into the front or rear yard up to 5 feet from the property line.*
 2. *Side Yards.*
 - a. *Porches, terraces, decks, patios, and balconies less than 10 inches above grade may project or extend into a required side yard up to the property line.*
 - b. *Uncovered terraces, decks, patios, and balconies greater than 10 inches above grade, and fire escapes may project or extend into a required side yard up to 3 feet from the property line.*

FINDING: The Applicants are requesting an adjustment to the side and rear yard setbacks. A **Condition** of Approval has been included in the Notice of Decision to require the Applicants to comply with Section 10.6.080.010 Projections into Yards. Staff finds the request to comply with Article 6.080.

Chapter 10.7 – Parking Standards

Article 7.060 Minimum and Maximum Off-Street Parking Requirements

Section 10.7.060.010 Minimum and Maximum Off-Street Parking Requirements

Each of the use types described below are subject to the following minimum and maximum off-street parking requirements in accordance with the provisions of this Title and other City ordinances. Development which mixes more than one use type shall calculate the parking requirement based on the requirement for each of the uses. Reductions in parking requirements are allowed in Section 10.7.020.040, and further reductions may be requested through the adjustment process in Article 3.080 or through the conditional use procedure in Article 3.050. The Director shall determine similarity of use type for those uses not specifically listed:

Use Type	Auto Parking		Bicycle Parking
	Minimum	Maximum	
RESIDENTIAL			
<i>1, 2, and 3 dwelling units</i>	<i>2 spaces per dwelling unit</i>	<i>None</i>	<i>None</i>

FINDING: The Applicants will be required to provide two parking spaces for the proposed single family dwelling. The site plan does show an existing driveway that the Applicants are proposing to use, which will be able to provide for at least two off-street parking spaces. Staff finds the request to comply with Section 10.7.060.010.

RECOMMENDATION:

Staff is recommending approval of the adjustment to the setback as the proposed location of the single family dwelling would result in the least amount of excavation from occurring. The siting options are limited on the subject property due to a large rock outcropping. Additionally, the proposed dwelling's location is the furthest away from the existing single family dwelling on the adjacent property to the east. The Applicants are proposing to use a slanted roof, which would prevent runoff from going onto the adjacent property. The Applicants are additionally proposing on using smaller windows that will be located higher on the walls to increase privacy. By using the proposed dwelling location, the Applicants could additionally remain using the existing driveway and not have to construct a new one resulting in additional excavation.

PLANNING COMMISSION ALTERNATIVES:

1. Approval of the 50% reduction to the rear yard setback with Conditions of Approval.
2. Other actions as deemed appropriate by the Planning Commission.
3. Deny approval of ADJ #050-19.

PROPOSED CONDITIONS OF APPROVAL:

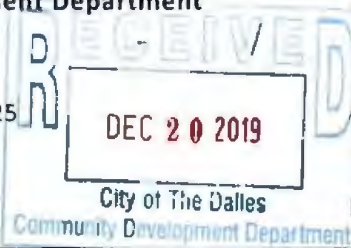
1. The Applicants shall submit a landscaping plan that complies with the landscaping requirements of providing Article 6.010.
2. The surfacing of the driveway shall comply with Section 10.6.060.040 above.
3. Any street trees planted shall comply with Section 10.6.010.060 above.
4. All screening shall comply with Section 10.6.010.050 above.
5. Any required landscaping, buffering, and screening shall be maintained; and if any street trees or other plant materials do not survive or are removed they will be required to be replaced in kind by the developer or responsible party for removing the trees and/or plant material.
6. A city permit is required for any planting, removal, or significant pruning, topping or pollarding of any trees within the public right-of-way.
7. Irrigation systems will be required if necessary to assure survival of plant materials.
8. No site obscuring shrubs, landscape features, conifer trees, fences exceeding 24 inches in height, or other screening is permitted within vision clearance areas of the street or alley intersections, or where the City Engineer otherwise deems such plantings would endanger pedestrians or vehicles.
9. Fencing over four feet in height will require a Building Permit submittal.
10. A Building Permit application will be required to be reviewed and approved for the proposed single family dwelling.
11. The Site Plan submitted at the time of a Building Permit will need to comply with Section 10.6.080.010 Projections into Yards.

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City of The Dalles
Community Development Department
 313 Court Street
 The Dalles, OR 97058
 (541) 296-5481, ext. 1125
 www.thedalles.org

Office Hours -
 Monday through Friday: 8:00 am - 5:00 pm



Application #: ADJ 050-19
 Filing Fee: \$310
 Receipt #: 853559
 Deemed Complete: _____
 Ready to Issue: _____
 Date Issued: _____

Land Use Application

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Building Permit | <input type="checkbox"/> Demolition | <input type="checkbox"/> Physical Constraints | <input type="checkbox"/> Change of Use |
| <input type="checkbox"/> Property Line Adjustment | <input type="checkbox"/> Minor Partition / Tract Map | <input checked="" type="checkbox"/> Adjustment | <input type="checkbox"/> Fence |

Applicant

Name: Michael & Christina Vush
 Address: PO Box 1358
221 W 15th, The Dalles, OR
97058
 Phone #: 541-296-5225
 Email: irish@gorge.net

Legal Owner (if different than Applicant)

Name: Same
 Address: _____
 Phone #: _____
 Email: _____

Property Information

Address: 221 W. 15th, The Dalles, OR 97058 Map and Tax Lot: IN 13E 4 DB 9300
 Project Description: Adjustment only

acct # 5857 Department Use Only

City Limits: Yes / No Zone: RH Overlay: Ø

Geohazard Zone: Central City Inactive Landslide Corridor Flood Designation: Ø

Historic Structure: Yes / No Current Use: Vacant

Previous Planning Actions: Ø

Erosion Control Issues? Access Issues? Utilities and Public Improvements? Items Needing Attention?
Large basalt rocks on subject property

Ministerial Administrative PC / URA / HLC / CC | Hearing Date: quasi-judicial adjustment

Application Policy

I certify that I am the applicant or owner identified below. I acknowledge that the final approval by the City of The Dalles, if any, may result in restrictions, limitations, and construction obligations being imposed on this real property. I understand that if the property is owned in part or totality by a trust, partnership, corporation or LLC, I will be required to present legal documentation listing all persons that make-up the entity, as well as proof of my authorization to act on the entity's behalf. I consent and herby authorize City representative(s) to enter upon my property for any purpose of examination or inspection related to this application. I certify that all information provided is true and correct, and consent to the filing of the application, authorized by my original signature below.

If the undersigned is different from the legal property owner, a notarized letter of outhorization signed by the legal property owner must accompany this form.

Signature of Applicant

Christine

Signature of Property Owner

Same

12-20-2019

Date

Additional Information

Department Comments

Conditions of Approval

Decision

Approved

Denied

Community Development Department

Public Works

Date

Date

Adjustment App Justification

A 6.

5. 1. Approx 50% of the lot is dominated by an outcrop of the Chonoweth formation conglomerate (per Mark Winger's Geo Hazards Assessment - attached) making the lot extraordinarily challenging to build on. To attempt to level it would not only be a nuisance to the entire neighborhood, but would impose extreme practical difficulties and is not ~~even~~ economically viable.

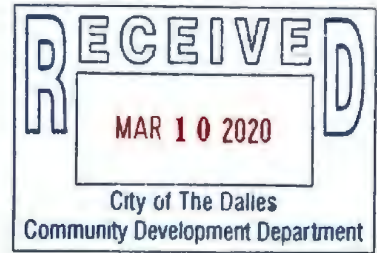
7.

7. Without adjustment to the setbacks, there is not enough square footage on the north end of the lot for a new house and garage. Strict adherence to the prescribed setbacks will, most likely, preclude our use of the site.

8.

8. A home on the lot is appropriate and compatible use of the land in this neighborhood where many bldgs are located on the alley easements and will promote orderly growth in an established neighborhood.

Irish Project
221 West 15th Street
541-296-5225



We are withdrawing our request for the reduction of the east side yard set back and have redrawn our house plan to accommodate a five foot set back from the east property line. We understand that our request for reduction of the ten foot set back to a five foot set back on the backyard (alley) is still under consideration.

At the March 5th hearing, we were influenced by the testimony of our neighbors to the east. Given this is the last house we want to build or remodel, neighborhood relations are an important factor in developing the lot. Our neighbor to the north, across the alley, apparently voiced privacy concerns as well, but due to the topography of the location – not just our lot, but the rise in elevation on Lincoln Street between 14th and 15th - even a ten foot setback from the alley will not assure 100% backyard privacy. In an effort to mitigate that concern, we intend to leave the oak trees that provide a screen between that neighbor and ourselves.

Mike Irish and Michael McNaught (neighbor to the east) have located the survey markers at each of our four corners. Mr. McNaught has provided us with a copy of a previous survey that confirms the location of each of the four markers. A copy of that survey is submitted herewith. With this information, we ask that the request of the commissioners for another survey be rescinded.



Legend:
[] Taxlots

0 5 10 20 30 40 Feet

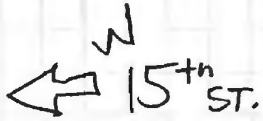


This product is for informational purposes and has not been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

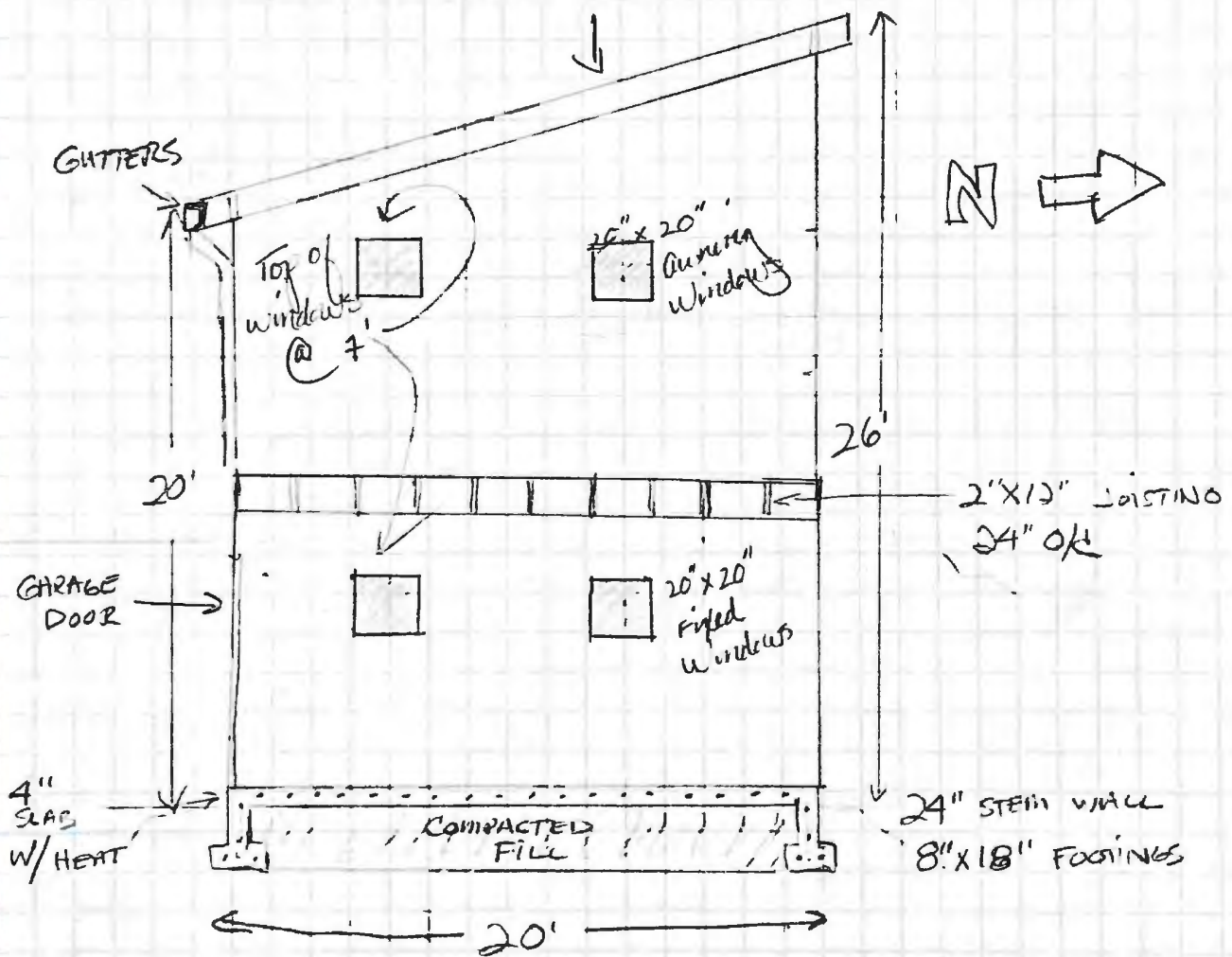
EAST WALL
221 W 15th ST.

Project:

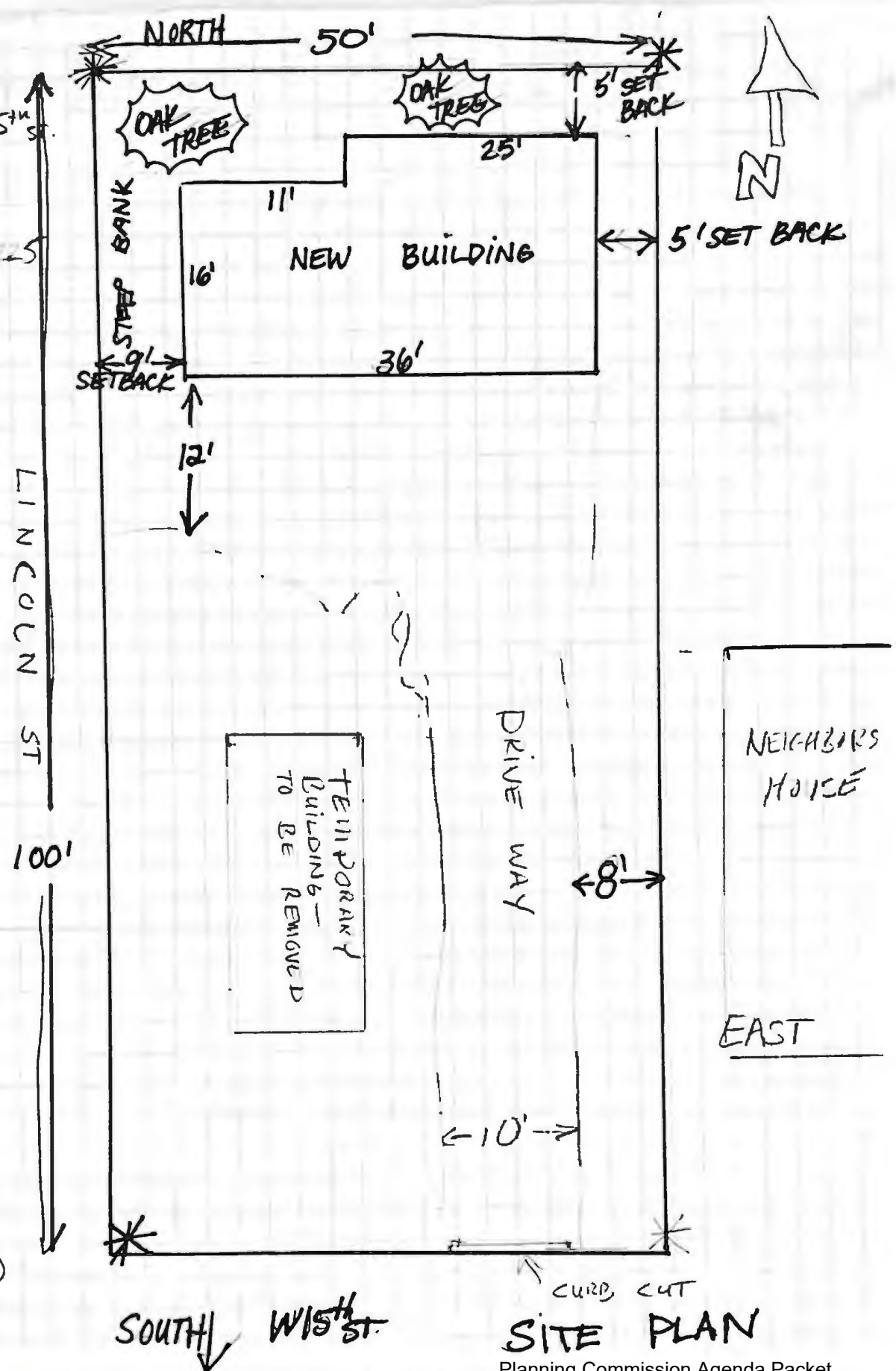
Unish -
"Past Force"
541-296-5225



RAFTERS B.C.I. 60 25" x 113"
16' ON CENTER



221 W 15th St.
3-9-20
541-296-525



WEST

LINCOLN ST

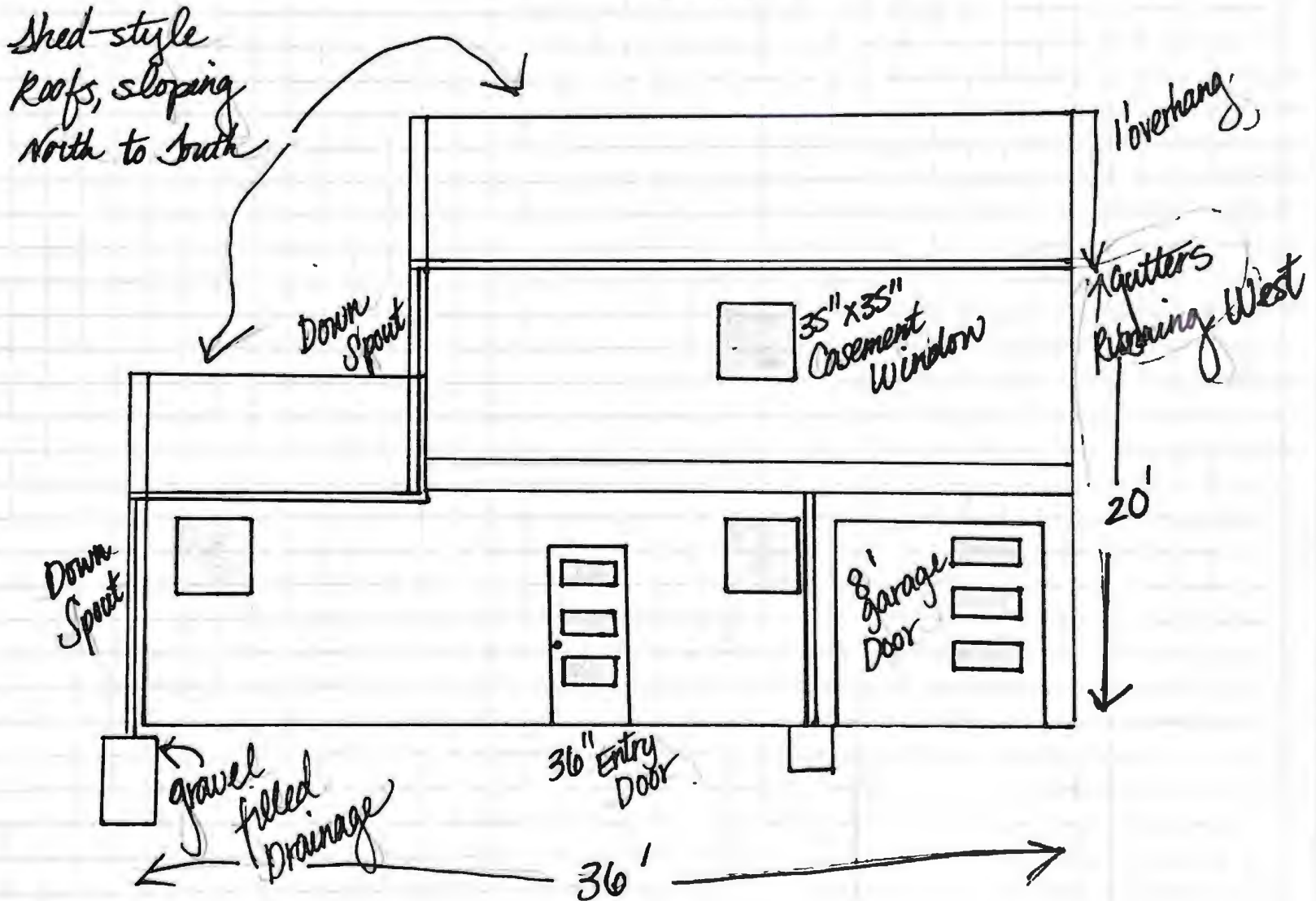
100'

SOUTH W 15th ST

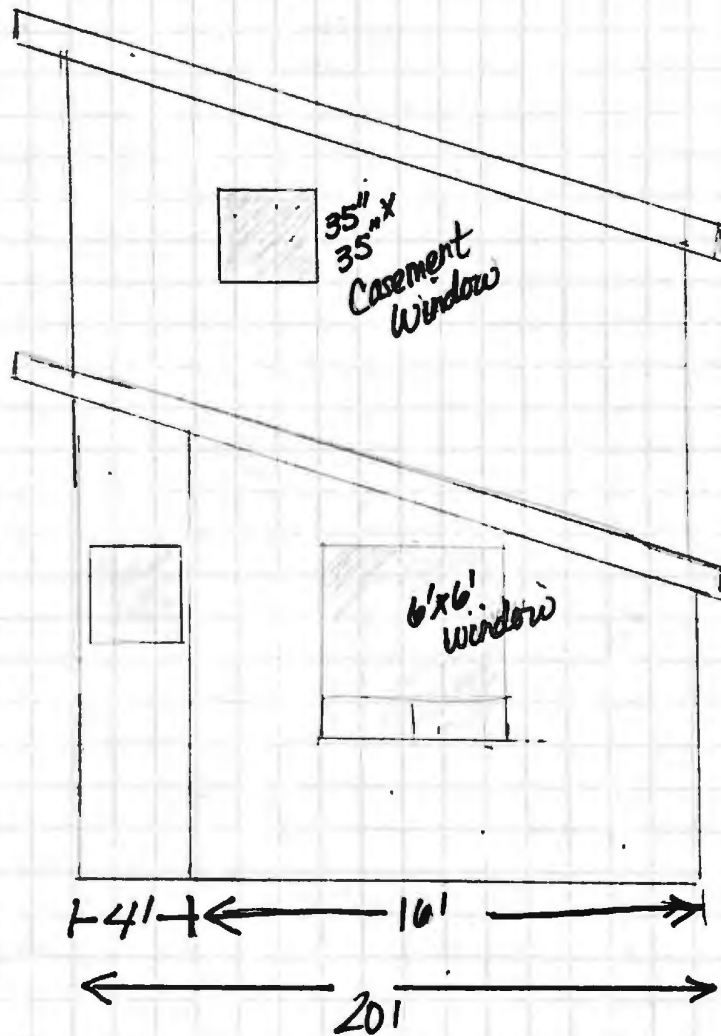
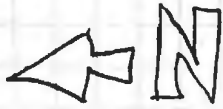
SITE PLAN

South Elevation
221 W 15th

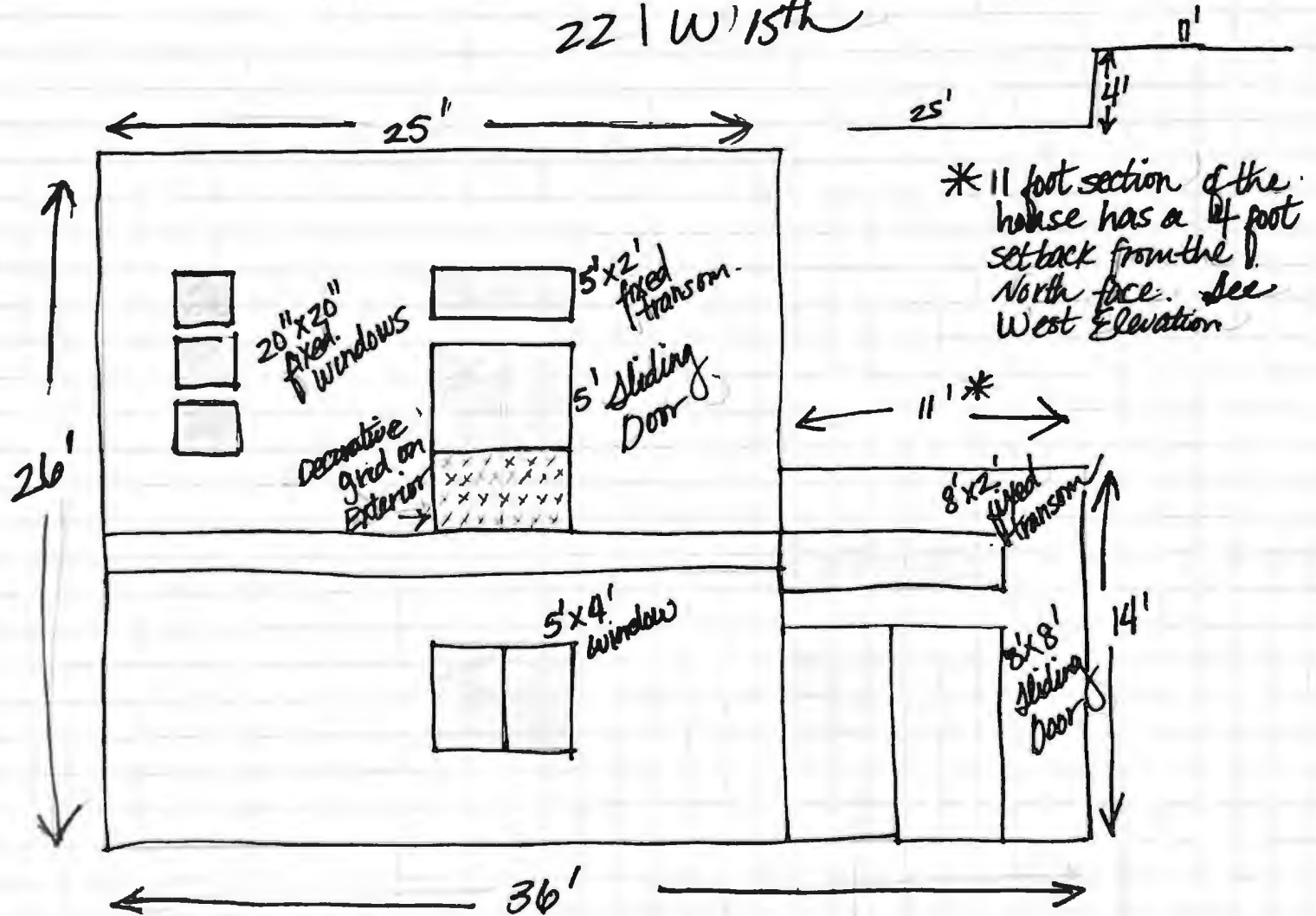
Shed-style
Roofs, sloping
North to South



WEST ELEVATION
221 W 15TH ST.



North Elevation 22 | W 15th



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CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
COMMUNITY DEVELOPMENT DEPARTMENT

**STAFF REPORT
MINOR PARTITION 371-20**

Applicant: Daniel Sanchez
Procedure Type: Quasi-Judicial
Decision Date: May 7, 2020
Assessor’s Map: Township 2 North, 13 East, Section 32 DC
Tax Lot: 1301
Address: 2323 West 16th Street
Comprehensive Plan Designation: “RL” Low Density Residential
Zoning District: “RL” Low Density Residential
Prepared by: Riley Marcus, Associate Planner

REQUEST: The request is to partition one (1) 11,099 square foot lot into two (2) lots of 6,059 square feet and 5,040 square feet.

RECOMMENDATION: Denial of Minor Partition 371-20, based on findings-of-fact.

NOTIFICATION: Notification was mailed on Friday, April 24th, 2020 to surrounding property owners within 300 feet, in addition to other local and state entities, City departments and franchise utilities.

COMMENTS RECEIVED:

No comments received at the time the staff report was prepared.

City of The Dalles Municipal Code – Title 10 Land Use and Development

Chapter 10.9 Land Divisions

Article 9.020 Land Division Standards

Section 10.9.020.020 General Provisions

- A. *Applicability. All land divisions shall be in conformance with the requirements of the zone district where the division is proposed, and all other applicable provisions of this Title. Modifications to these requirements may be accomplished through a planned development per the provisions of Article 9.050: Planned Developments.*

FINDING #1: The Applicant is requesting to partition one 0.255 acre parcel (11,099 sq. ft.) with an existing residence, into two parcels of 0.139 acres (Parcel 1, 6,059 sq. ft.; residence will remain on this Parcel) and 0.116 acres (Parcel 2, 5,040 sq. ft.). The RL zone requires a minimum width of 50 feet and a minimum lot depth of 65 feet. The Applicant is proposing Parcel 1 be 67.37 feet in width and 90 feet in depth and Parcel 2 be 56 feet in width and 90 feet in depth. Staff finds the request to comply with Section 10.9.020.020(A).

- B. *Annexation. Whenever any new lot is created inside the urban growth boundary but outside the City limits, the City may require annexation or the signing of a Consent to annexation and a waiver of the one-year limitation on consent to annexation.*

FINDING #2: The subject property is located within the City Limits of The Dalles and a Consent to Annex will not be required. Staff finds the request to comply with Section 10.9.020.020(B).

C. *Blocks.*

1. *General. Length, width, and shape of blocks shall take into account need for adequate lot size, street width and circulation, recognizing limitations of the topography and conforming to the size requirements specified below.*
2. *Size. No block frontage shall be less than 200 feet or more than 1,600 feet in length between corner lines unless topography or location of adjoining streets justifies an exception. Block size shall vary, depending on the adjacent street classification, with shorter blocks fronting local streets and longer blocks fronting collector and arterial streets. In addition the following may apply:*
 - a. *Local Streets and Minor Collectors. Block width shall be a minimum of 200 feet and a maximum of 600 feet, with a maximum proportional ratio of width-to-length of 1:3. Block length shall be a minimum of 300 feet and a maximum of 600 feet. To provide a connection to the adjoining street, a permanent pedestrian/bicycle through pathway, established by right-of-way and at least 10 feet wide, shall be provided near the middle of blocks greater than 450 feet in length/width.*
 - b. *Major Collector Streets. Block frontage shall be a minimum of 300 feet and a maximum of 1,200 feet. To provide a connection to the adjoining street, a permanent pedestrian/bicycle through pathway, established by right-of-way and at least 12 feet wide, shall be provided near the middle of blocks greater than 900 feet in length/width.*

FINDING #3: The subject property is located on West 16th Street. The request is to divide one lot into two lots. The request will not alter the size of the existing block. Staff finds the request to comply with Section 10.9.020.020(C).

D. *General Requirements*

1. *Size and shape. Lot size, width, shape, and orientation shall be appropriate for location of the subdivision and for the type of use contemplated. No lot shall be dimensioned to contain part of an existing or proposed street. Lot sizes shall not be*

less than required by this Title for the applicable zone district. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for off-street parking and service facilities required by the type of use proposed.

FINDING #4: The subject property is located in the Low Density Residential zone which requires new lots to be a minimum of 5,000 sq. ft., with a minimum lot width of 50 ft. and a minimum lot depth of 65 ft. No lot will contain part of an existing or proposed street. No industrial or commercial uses are being proposed. Staff finds the request to comply with Section 10.9.020.020(D)(1).

- 2. Access. Each lot shall abut upon a public street, alley, or approved private access drive for a width of at least the minimum lot width specified by the development standards for the zone district where the lot is located, with the following exception: Lot access requirements for residential rear lot development created through a land partition process may be exempted from the access requirement above when all the provisions of Section 10.9.020.030: Residential Rear Lot Development below have been met.*

FINDING #5: The subject property abuts upon West 16th Street. The proposed partition will result in two lots; one with the existing dwelling that will use the existing driveway (proposed as Parcel 1), and the second vacant lot (proposed as Parcel 2). A new access was not shown for Parcel 2 on the plat plan. If the Planning Commission decides to approve this request, a **Condition** of Approval shall be included requiring the Applicant show access to Parcel 2 on the final plat. Staff finds the request to comply with Section 10.9.020.020(D)(2).

- 3. Access Points. Arterial and collector streets access points shall be either established in the final plat or included in covenants recorded as part of the final plat.*

FINDING #6: The subject property is located on West 16th Street. This section of West 16th Street is a public access residential road. **Criterion does not apply.**

- 4. Through Lots. Through lots shall be avoided except where essential to provide separation of residential development from collector or arterial streets or to overcome specific disadvantages of topography and orientation. No rights of access shall be permitted across the rear lot line of a through lot.*

FINDING #7: This partition does not create a through lot as it does not abut multiple streets. Staff finds the request to comply with Section 10.9.020.020(D)(5).

- 5. Lot Side Lines. Side lines of lots, as far as practicable, shall be at right angles to the street the lots face.*

FINDING #8: The lot side lines are perpendicular to West 16th Street to the greatest extent practicable. Staff finds the request to comply with Section 10.9.020.020(D)(5).

- 6. Lot Grading. Lot grading shall conform to the provisions of Article 8.050: Erosion, Slope Failure, and Cuts and Fill.*

FINDING #9: No grading is proposed within this request. If the Planning Commission approves the request, a **Condition** of Approval shall be included requiring any future cut or fill exceeding 50 cubic yards to require a physical constraints permit. If the cut/fill exceeds 250 cubic yards, drawings shall be submitted by a licensed engineer.

7. *Building Lines. Building setback lines may be established in a final plat or included in covenants recorded as a part of a plat.*

FINDING #10: The Applicant submitted a preliminary plat that shows the building lines of the existing dwelling on proposed Parcel 1 and a shed on proposed Parcel 2. If the partition is approved, the shed located on Parcel 2 must be removed, as it would no longer be accessory to a single family dwelling on the same lot. If the Planning Commission decides to approve the application, a **Condition** of Approval shall require that the Applicant remove the existing shed on Parcel 2. With the above condition, Staff finds the request to comply with Section 10.9.020.020(D)(7).

8. *Redevelopment Plans. A redevelopment plan shall be required when dividing residential land into large lots that have the potential for further subdivision or partition at some future date. The redevelopment plan shall show street extensions, utility extensions, and lot patterns to:*
 - a. *Indicate how the property(ies) may be further developed to 70% of maximum Comprehensive Plan density for the particular zone district.*
 - b. *Demonstrate that the proposal will not inhibit development of adjacent lands.*

FINDING #11: The subject property does not have the ability to be further divided. The gross acreage of the subject property, which includes 120 linear feet of half of the right-of-way along West 16th Street and 123 linear feet of half of the right-of-way along West 15th Street, is approximately 0.3862 acres. The Comprehensive Plan lists the prescribed density ranges for Low Density Residential as 3-6 units/gross acre. Staff calculated 70 percent of the maximum Comprehensive Plan density for this zone to be approximately 1.6, or 1 unit. The Applicant is proposing to develop 100 percent of the maximum Comprehensive Plan Density for this zone, or 2.31 units, rounded down to 2 units. If this request is approved, the Applicant could not further partition the subject property as it would be over the allowed number of units per gross acreage. Staff finds the request to comply with Section 10.9.020.020(D)(8).

Article 9.030 Partitions, Minor Replats, and Lot Line Adjustments

Section 10.9.030.0300 Partition Applications

- A. *In addition to the requirements of Article 3.010: Application Procedures, the person filing the application must be the owner or a person having a legal interest in the land to be partitioned. If the application includes land in more than one ownership, the application must be submitted jointly by all of the owners or persons having a legal interest in the property. All applications for partitions shall also be accompanied by a tentative partition plat and any other required graphics. The tentative plat shall be sufficiently accurate to ensure proper review and shall not exceed 18 inches by 24 inches. An 11-inch by 17-inch copy of the tentative plat shall also be provided. The tentative plat shall include (...)*
- B. *The Director may waive any of the requirements where determined that the information is unnecessary to properly evaluate the proposed development. The Director may also require any additional information, if determined necessary, to evaluate the proposal.*

FINDING #12: The subject property is under the Applicant's ownership. The date, scale and a north arrow were included on the preliminary plat map and will be required for the final plat map. A single family dwelling exists on the subject property. No new development is being proposed at

this time, however any new structures will require a completed and approved Building Permit. The proposed parcel layout indicates dimensions, parcel lines and lot areas of parcels. No non-residential development is being proposed. Staff finds the request to comply with Section 10.9.030.030.

10.9.030.040 Partition Application Review

- A. *Review Procedure. Partition applications shall be processed as administrative actions, per the provisions of Section 10.3.020.040: Administrative Actions. Where the Director determines that continuous partitioning of a tract of land may occur in subsequent years, potentially resulting in the need for new road(s), utilities, or storm water drainage facilities to be constructed and unmitigated impacts to City services and surrounding property, the application shall be referred to the Planning Commission, pursuant to Section 10.3.020.050: Quasi-Judicial Actions for a determination as to the applicability of the LUDO subdivision requirements.*

FINDING #13: The Applicant previously completed a Minor Partition that included the subject property on September 5, 2019. This Partition resulted in partitioning one .744 acre parcel into three parcels of .168 acres, .168 acres, and .255 acres, with a 54-foot right-of-way dedication for the future expansion of West 15th Street. This Minor Partition included a Condition of Approval that required further partition of the subject property go before Planning Commission. Therefore, the subject request has been elevated to Planning Commission for a decision.

The creation of four or more lots is defined as a “subdivision” requiring full public improvements. Section 10.9.010.020 in the Municipal Code defines the subdivision process as the creation of four lots within the same calendar year. The past approval of three lots (MIP 365-19) was finalized in September 2019. The requested partition (MIP 371-20) was submitted in February 2020. Therefore, the Applicant is creating four lots in simultaneous applications submitted in two separate calendar years. As a result, four lots are being created through the process of a “serial partition”, defined as the continuous partitioning of a tract of land within subsequent years.

Staff has determined the two subsequent minor partition applications for the subject property are an attempt to avoid Subdivision requirements for installation of public improvements. Staff is recommending Minor Partition 371-20 be denied based upon findings of fact. Staff’s recommendation is that this request is a subdivision based upon the serial partitions. The request does not comply.

- B. *Review Criteria. Partition applications shall be reviewed to assure:*

1. *The tentative plat meets the Wasco County recording requirements.*
2. *The proposal is consistent with the purposes of this Chapter, relevant development standards of this Title, policies and density requirements of the Comprehensive Plan, public works standards and policies, and any other applicable policies and standards adopted by the City Council.*
3. *Approval does not impede future development of property under the same ownership or on adjacent lands planned for urban densities, including provision of City services and access from a public street.*
4. *The plans for public improvements meet the requirements contained in the provisions of Section 10.9.040.060(H): Installation of Required Improvements.*

C. *Period of Approval.* Approval of a partition application shall be valid for a period of 1 year from the effective approval date. Upon written request, filed with the Director prior to the expiration date, approvals may be extended annually 4 times provided the relevant provisions of this Title have not changed. If an approval is extended, any fees or charges will be assessed at the rate in existence at the time they are paid, not the rate in existence at the time of the original approval. If no final partition plat is submitted within 1 year, or within any timely extension, the partition application shall become void and a new application required.

FINDING #14: Final plat plans will be required to comply with Wasco County recording requirements. The requirements can be met with the required survey and confirmed with a receipt of two copies of the recorded plat from Wasco County. If the Planning Commission decides to approve the request, a **Condition** of Approval shall require that the Applicant submit two copies of the surveyed and recorded plat to The Dalles Community Development Office within one year of the date of the Notice of Decision for this partition to be effective.

Staff has determined that this proposal is not consistent with the purposes of Chapter 9.030 of the Municipal Code specifically pertaining to public works standards and policies. This second minor partition request in a subsequent year impedes current and future development due to the lack of public infrastructure and utilities being extended to and through the property. Additionally, the application proposes no public improvements as they are not required with a Minor Partition, but would be required if the application was for a Subdivision. No plans for public improvements were submitted with the application. Staff finds the request does not comply with Section 10.9.030.040.

Section 10.9.030.050 Final Partition Plat Review

A. *Application Requirements.* Applications for final partition plat approval shall meet the requirements... set forth in the above section.

FINDING #15: The Applicant submitted a preliminary partition plat on February 5, 2020. If the Planning Commission decides to approve the request, a **Condition** of Approval shall be included requiring the Applicant to submit a final plat that meets the above requirements. With the above condition, staff finds the request to comply with Section 10.9.030.050.

STAFF RECOMMENDATION: The Applicant is requesting to partition the subject property from one lot into two. The subject property was part of a recently approved Minor Partition, MIP 365-19, in September 2019, which approved the partitioning of one lot into three lots, as well as a required right-of-way dedication for the purposes of West 15th Street. As a Condition of Approval for MIP 365-19, further partitioning of the subject property would be required to go before the Planning Commission for review. Section 10.9.030.040 in The Dalles Municipal Code states:

“Where the Director determines that continuous partitioning of a tract of land may occur in subsequent years, potentially resulting in the need for new road(s), utilities, or storm water drainage facilities to be constructed and unmitigated impacts to City services and surrounding property, the application shall be referred to the Planning Commission, pursuant to Section 10.3.020.050: Quasi-Judicial Actions for a determination as the applicability of the subdivision requirements”.

In The Dalles Municipal Code, the creation of four or more lots is defined as a “subdivision” requiring full public improvements. However, Section 10.9.010.020 further defines the subdivision process as the creation of four lots within the same calendar year. The approval of three lots (MIP

365-19) was finalized in September 2019 and the requested partition (MIP 371-20) was submitted in February 2020. Therefore, the Applicant is creating four lots in simultaneous applications that were submitted in two separate calendar years. As a result, the four lots are being created through the process of a “serial partition”, defined as the continuous partitioning of a tract of land within subsequent years.

Staff has determined the two subsequent minor partitions for the subject property are an attempt to avoid Subdivision application requirements for installation of public improvements. This request is not supported by staff as it is contrary to the intent of The Dalles Municipal Code. Therefore, staff recommends that Minor Partition 371-20 be denied based upon findings of fact.

PLANNING COMMISSION ALTERNATIVES:

1. Move to deny Minor Partition MIP 371-20 to partition one lot into two, and direct staff to prepare the resolution for signature at a future meeting.
2. Approve Minor Partition MIP 371-20 to partition one lot into two, and direct staff to prepare the resolution with the Conditions of Approval.
3. Other action as deemed appropriate by the Planning Commission.

PROPOSED CONDITIONS OF APPROVAL:

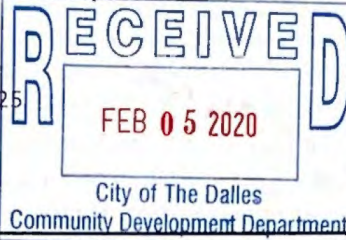
1. Final plat submission must meet all the requirements of The Dalles Municipal Code, Title 10 Land Use and Development, Section 10.9.030 and the other applicable provisions of the code.
2. Two copies of the surveyed and recorded (with Wasco County) plat must be received in the Community Development Department office within one year of the date of the notice of decision for this partition to be effective.
3. Any cuts and/or fills exceeding 50 cubic yards will require a physical constraints permit. If the cut/fill exceeds 250 cubic yards, drawings shall be submitted by a licensed engineer and will be reviewed by the City Engineer.
4. The accessory structure on Parcel 2 shall be removed.

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City of The Dalles
Community Development Department
 313 Court Street
 The Dalles, OR 97058
 (541) 296-5481, ext. 1125
 www.thedalles.org

Office Hours -
 Monday through Friday: 8:00 am - 5:00 pm



Application #: MIP 371-20
 Filing Fee: \$330
 Receipt #: 853579
 Deemed Complete: _____
 Ready to Issue: _____
 Date Issued: _____

Land Use Application

- | | | | |
|---|---|---|--|
| <input type="checkbox"/> Building Permit | <input type="checkbox"/> Demolition | <input type="checkbox"/> Physical Constraints | <input type="checkbox"/> Change of Use |
| <input type="checkbox"/> Property Line Adjustment | <input checked="" type="checkbox"/> Minor Partition / Tract Map | <input type="checkbox"/> Adjustment | <input type="checkbox"/> Fence |

Applicant

Name: Daniel Sanchez
 Address: 2323 W. 16th ST
The Dalles OR 97058
 Phone #: 541 965 2488
 Email: ELDSB75@GMAIL.COM

Legal Owner (if different than Applicant)

Name: _____
 Address: _____
 Phone #: _____
 Email: _____

Property Information

Address: 2323 W. 16th Map and Tax Lot: 2N 13E 32DC 1301
 Project Description: Minor Partition (1 lot into 2 lots)

Department Use Only

City Limits: Yes / No Zone: RL Overlay: ∅
 Geohazard Zone: W. City Inactive Landslide Flood Designation: ∅
 Historic Structure: Yes / No deposits and steep slopes Current Use: residential, vacant
 Previous Planning Actions: MIP 305-19,

Erosion Control Issues? Access Issues? Utilities and Public Improvements? Items Needing Attention?

Ministerial Administrative PC / URA / HLC / CC | Hearing Date: _____

Application Policy

I certify that I am the applicant or owner identified below. I acknowledge that the final approval by the City of The Dalles, if any, may result in restrictions, limitations, and construction obligations being imposed on this real property. I understand that if the property is owned in part or totality by a trust, partnership, corporation or LLC, I will be required to present legal documentation listing all persons that make-up the entity, as well as proof of my authorization to act on the entity's behalf. I consent and hereby authorize City representative(s) to enter upon my property for any purpose of examination or inspection related to this application. I certify that all information provided is true and correct, and consent to the filing of the application, authorized by my original signature below.

If the undersigned is different from the legal property owner, a notarized letter of authorization signed by the legal property owner must accompany this form.

Signature of Applicant

Daniel Sanok

2-5-20

Date

Signature of Property Owner

Daniel Sanok

2-5-20

Date

Additional Information

Department Comments

Conditions of Approval

Decision

Approved

Denied

Community Development Department

Public Works

Date

Date

Minor Partition Application

#: MIP 371-20

Property Information

Existing Square Footage: 11,099 sf

Proposed Square Footage: Parcel #1 6,059 sf; Parcel #2 5,040 sf; Parcel #3 _____

Signature of Applicant

Signature of Property Owner

David Sandy 2-5-20
Date

David Sandy 2-5-20
Date

Site Team/Pre-Application:

15 — copies of concept site plan

1 — 11" x 17" concept site plan

Official Minor Partition Application:

4 — full size copies construction detail plans

1 — 11" x 17" construction detail plan

4 — copies detailed landscape plans

MINOR PARTITION REVIEW

Minor Partition Applications follow The Dalles Development Review Process, and must meet the requirements of The Dalles Municipal Code (TDMC) Section 9.020: Land Division Standards and the partition requirements of TDMC 9.030: Partitions, Minor Re-plats, and Lot Line Adjustments. A pre-application conference is required for all submittals. **Approved Tentative Partition Plats are valid for 1 year only, with NO opportunity for an extension.** Construction drawings and specifications for any public improvements are required prior to final partition plat review and approval. Before the signature of the City Engineer is obtained on a Final Partition Plat, required improvements must be installed to City Standards and Specifications, or the applicant and the City have entered into an agreement to install improvements, or an improvements district is formed to construct improvements (see section of TDMC 9.040.060 (F): Installation of Required Improvements). **Final Plat approval does not constitute City acceptance of public improvements.** Public improvements can only be accepted in writing by the Director of Public Works.

INFORMATION REQUIRED WITH APPLICATION

The tentative plat shall include the following information where applicable:

- Names of the applicant, owner, engineer, and surveyor as appropriate.
- Date, North Arrow, and Scale.
- Property line boundaries of all contiguous land in the same ownership as the area encompassed in the application.
- Sufficient description to define location and boundaries of the area to be partitioned, re-platted, or adjusted.

- Location of existing structures.
- Number and type of dwelling units proposed where known and appropriate.
- Location and width of all existing or proposed public or private rights-of-way.
- Location and width of all existing or proposed public or private rights-of-way, including any reserve strips and parking area.
- Location of all existing and proposed streets, sidewalks, curbs. (New streets or improvements to existing streets shall meet the requirements of *Chapter 10: Improvements Required with Development*. Construction detail drawings are not required for application approval, but will be required prior to issuance of any required permit.)
- Location of all existing and proposed public and private utilities, including, but not limited to water, sewer, storm drainage, power, gas cable TV, and telephone. (New public utilities shall meet the requirement of *Chapter 10: Improvements Required with Development*. Construction detail drawings are not required for application approval, but will be required prior to issuance of any required permit.)
- Proposed parcel layout indicating dimensions, parcel lines and lot areas of parcels.
- Approximate location of any potential physical and environmental constraints for review per the provisions of *Chapter 8: Physical and Environmental Constraints*. Such constraints include, but are not limited to, slopes of the land, erosion, control, flood ways, flood plains, natural drainage ways, and geological hazard areas.
- All areas proposed for dedication to the public and their proposed uses including, but not limited to street rights-of-way, drainage ways, easements, trails and paths, parks and open spaces, and reserve strips.
- Location and use of adjacent driveways and structures within the appropriate distance as specified in *TDMC Section 6.050.040: Access Standards*.
- Identification of significant natural features including, but not limited to rock outcroppings, creeks, streams, ponds, riparian areas, and existing native, ornamental, and orchard trees having a trunk diameter of 14 in. or more at a point 5 feet above the natural grade.
- Where it is evident that the subject parcel can be further partitioned, the applicant shall show, either on the tentative plat or as an attachment, that the land partition will not preclude efficient division of land in the future, per the requirements of *TDMC Section 9.020.020 (C)(8): Redevelopment Plans*.
- The Director may waive any of the requirements where determined that the information is unnecessary to properly evaluate the proposed development. The Director may also require any additional information, if determined necessary, to evaluate the proposal.

NOTE: *Plan requirements for construction drawings and specifications for public improvements are stated in TDMC Section 9.040.050: Construction Drawings and Specifications for Public Improvements. Final Partition Plat and other final approval requirements are set forth in TDMC Section 9.030.050: Final Partition Plat Review. Information regarding improvements, construction standards, and inspection procedures can be found in TDMC Chapter 10 – Improvements Required With Development.*

RECEIVED
 FEB 05 2020
 City of The Dalles
 Community Development Department



SCALE IN FEET
 PLAN DATE 2/5/2020

PRELIMINARY PARTITION PLAT

TAX LOT 02N-13E-32DC 1301 (ACCT. #15778)
 A REPLAT OF PARCEL 3, PARTITION PLAT 2019-0016
 IN TRACT 25, FRUITLAND PARK ADDITION
 IN THE SW1/4 OF SE1/4, SECTION 32, TWP.2 N., R.13 E., W.M.
 CITY OF THE DALLES, WASCO COUNTY, OREGON
 FEBRUARY 5, 2020

WASCO COUNTY
 SURVEYOR'S OFFICE

Survey No. _____
 Filed _____
 By _____

RECORDING INFORMATION

Document Number _____
 Plat Number _____
 Slide Number _____

OWNER:
 DANIEL U. SANCHEZ
 2323 W 18th STREET
 THE DALLES, OREGON 97058

DECLARATION:
 I, DANIEL U. SANCHEZ, THE OWNER OF THE LAND SHOWN HEREIN, HEREBY DECLARE THAT THIS DIVISION OF LAND IS A LEGAL PLAT PARTITIONED IN ACCORDANCE WITH THE PROVISIONS OF OREGON CHAPTER 92 AND HAS BEEN MADE WITH MY FREE CONSENT AND IN ACCORDANCE WITH MY DESIRES.

Daniel U Sanchez Date _____
ACKNOWLEDGMENT
 This instrument was acknowledged before me on the _____ day of _____ 2020 by _____ Daniel U Sanchez

I hereby certify this partition was examined and approved as of this _____ day of _____ 2020

 Wasco County Surveyor

I hereby certify this partition was examined and approved as of this _____ day of _____ 2020

 The Dalles City Engineer

I hereby certify this partition was examined and approved as of this _____ day of _____ 2020

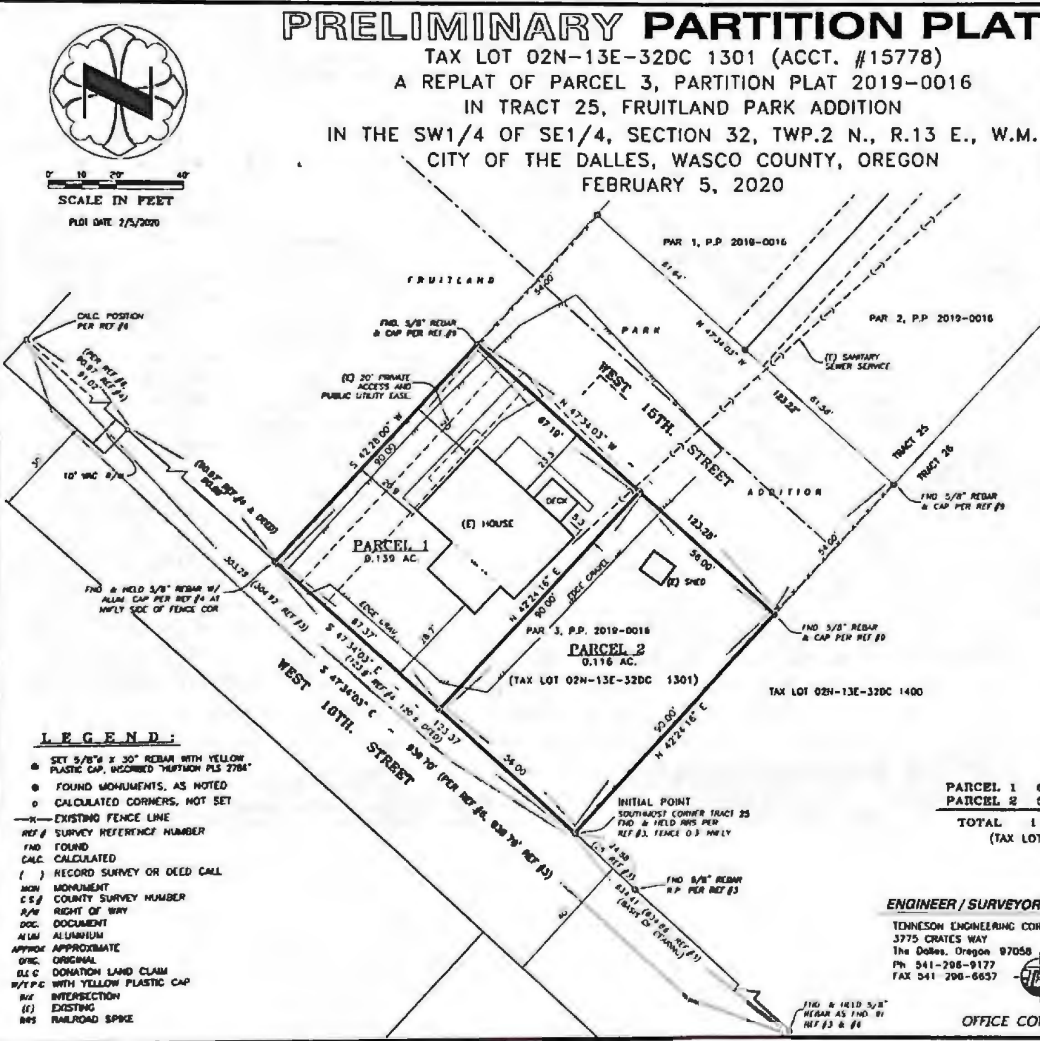
 The Dalles Planning Director

I hereby certify this partition was examined and approved as of this _____ day of _____ 2020

 Wasco County Assessor

I hereby certify this partition was examined and approved as of this _____ day of _____ 2020

 Wasco County Tax Collector



- LEGEND:**
- SET 5/8" X 30" REBAR WITH YELLOW PLASTIC CAP, UNCOMBED "MILTON PLS 2784"
 - FOUND MONUMENTS, AS NOTED
 - CALCULATED CORNERS, NOT SET
 - EXISTING FENCE LINE
 - REF # SURVEY REFERENCE NUMBER
 - FND FOUND
 - CALC. CALCULATED
 - () RECORD SURVEY OR DEED CALL
 - MON MONUMENT
 - C.S.# COUNTY SURVEY NUMBER
 - R/W RIGHT OF WAY
 - DOC. DOCUMENT
 - ALUM ALUMINUM
 - APPROX APPROXIMATE
 - ORIG. ORIGINAL
 - D.L.C. DONATION LAND CLAIM
 - W/Y/P/C WITH YELLOW PLASTIC CAP
 - INT. INTERSECTION
 - (E) EXISTING
 - W/S RAILROAD SPIKE

PARCEL 1 6,060 S.F. = 0.130 AC.
 PARCEL 2 6,040 S.F. = 0.116 AC.
 TOTAL 11,000 Sq. Ft. = 0.255 ACRE
 (TAX LOT 02N-13E-32DC 1301)

ENGINEER / SURVEYOR:
 TENNESON ENGINEERING CORP.
 3775 CRATES WAY
 The Dalles, Oregon 97058
 Ph 541-296-9177
 FAX 541-296-6637

REGISTERED PROFESSIONAL LAND SURVEYOR
FOR REVIEW ONLY
 OREGON
 JANUARY 21, 1987
 BRADLEY R. MILITON
 2788

EXPIRES: 08/30/2021

OFFICE COPY SHEET 1 OF 2

REFERENCES:

- 1) PLAT OF FRUITLAND PARK ADDITION BY WALTER ODER RECORDED OCTOBER 28, 1910 SLIDE A-007
- 2) PLAT OF MERRITT'S 2ND ADDITION BY J.E. WILSON, PLS 119 RECORDED MARCH 2, 1961 SLIDE A-050
- 3) SURVEY FOR DWAYNE SLANICH BY TENNESON ENGR CORP #06510 JANUARY 31, 1984 C.S. #1650
- 4) SURVEY FOR MR. & MRS ROSS C STALL BY C. DONNS KRAMER, PLS 854 APRIL 1989 C.S. #7-009
- 5) SURVEY FOR DONNA BALDWIN BY TENNESON ENGR CORP #09297 NOVEMBER 24, 1996 C.S. #11-028
- 6) SURVEY FOR VUREL CLOHNGER BY TENNESON ENGR CORP #09604 MAY 2, 2002 C.S. #12-081
- 7) PROPERTY LINE ADJUSTMENT PLAT FOR HEWITT AND CLOHNGER BY TENNESON ENGR CORP #09684 RECORDED JULY 31, 2002 DOC #2002-0022 (SLIDE C-1780) C.S. #12-114
- 8) PARTITION PLAT 2008-0078 FOR WICKHAM BY TENNESON ENGR CORP #011878 RECORDED JUNE 8, 2008 DOC #2008-003312 (SLIDE D-5A) C.S. #14-080+
- 9) PARTITION PLAT 2019-0016 FOR DANIEL SANCHEZ BY TENNESON ENGR CORP #013469 RECORDED DECEMBER 3, 2019 DOC #2019-004090 (SLIDE D-1784) C.S. #20-055

PRELIMINARY PARTITION PLAT

TAX LOT 02N-13E-32DC 1301 (ACCT. #15778)
 A REPLAT OF PARCEL 3, PARTITION PLAT 2019-0016
 IN TRACT 25, FRUITLAND PARK ADDITION
 IN THE SW1/4 OF SE1/4, SECTION 32, TWP.2 N., R.13 E., W.M.
 CITY OF THE DALLES, WASCO COUNTY, OREGON
 FEBRUARY 5, 2020

WASCO COUNTY
 SURVEYOR'S OFFICE

Survey No. _____
 Filed _____
 By _____

RECORDING INFORMATION

Document Number _____
 Plat Number _____
 Slide Number _____

OWNER:
 DANIEL U SANCHEZ
 2323 W 16TH STREET
 THE DALLES, OREGON 97058

NARRATIVE:



LEGEND:

- SET 5/8" x 30" BEARER WITH YELLOW PLASTIC CAP INCORPORATED "MILWAUKEE FILE 278"
- FOUND MONUMENTS, AS NOTED
- CALCULATED CORNERS, NOT SET
- EXISTING FENCE LINE
- SURVEY REFERENCE NUMBER
- FOUND
- CALCULATED
- () RECORD SURVEY OR DEED CALL
- MON MONUMENT
- C.S. COUNTY SURVEY NUMBER
- R/W RIGHT OF WAY
- DOC DOCUMENT
- ALM ALUMINUM
- APPROX APPROXIMATE
- ORG ORIGINAL
- D.L.C. DONATION LAND CLAIM
- R/W P.C. WITH YELLOW PLASTIC CAP
- INT INTERSECTION
- EX EXISTING
- R/S RAILROAD SPIKE

NOTES:

1. BLANKS ARE OREGON STATE PLANE COORDINATE SYSTEM NORTH ZONE GRID NAD 83 (2011). EPOCH 2010.00 ESTABLISHED BY GPS OBSERVATION BETWEEN THE MONUMENTS FOUND ON THE NORTHEASTERLY RIGHT OF WAY OF WEST 16TH STREET AS SHOWN ON THE SURVEY
2. MONUMENTATION REQUIRED FOR THIS PARTITION WAS COMPLETED ON _____ 2020
3. THE SUBJECT PROPERTY HAS AN EXISTING SINGLE FAMILY HOME ON PARCEL 1, PARCEL IS VACANT AND UNDEVELOPED
4. THIS LAND USE ACTION WAS REVIEWED AND APPROVED BY THE CITY OF THE DALLES AS MP-365-19
5. THE PROPERTY LIES IN THE CITY OF THE DALLES ZONE 3 GEOLOGIC HAZARD ZONE, WEST CITY INACTIVE LANDSLIDE DEPOSITS AND STEEP SLOPES
6. CITY OF THE DALLES SANITARY SEWER SYSTEM AND DOMESTIC WATER BY CHEMOROTH WATER P.U.D.
7. ZONING IS "RL" LOW DENSITY RESIDENTIAL.
8. THERE ARE NO PHYSICAL OR ENVIRONMENTAL CONSTRAINTS SUCH AS FLOOD WAYS, FLOOD PLANS OR NATURAL DRAINAGE WAYS ASSOCIATED WITH THIS SITE. AREAS OF THE SITE HAVE NATURAL GROUND SLOPE IN EXCESS OF 13%
9. THERE ARE NO SIGNIFICANT NATURAL FEATURES SUCH AS ROCK OUTCROPPINGS, CREEKS, STREAMS, PONDS, RIPARIAN AREAS. THE SITE CONTAINS TREES WITH GREATER THAN 14" DIAMETER
10. EASEMENTS SHOWN AND NOTED HEREON ARE AS LISTED ON WASCO TITLE INC. PRELIMINARY TITLE REPORT COMPLETED UNDER ORDER NUMBER 14-51999 DATED SEPTEMBER 20, 2019
11. THE SUBJECT PROPERTY IS VESTED IN DANIEL U SANCHEZ AND MELISSA SUE SANCHEZ BY WARRANTY DEED RECORDED OCTOBER 2, 2014 AT DOCUMENT #2014-003157 MELISSA SUE SANCHEZ IS DECEASED

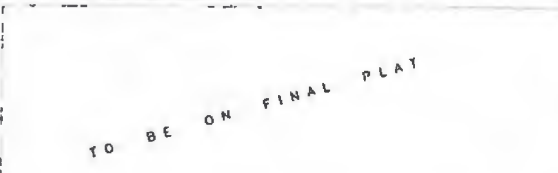
LEGEND:

- MANHOLE
- (---)---(---) EXISTING SANITARY SEWER
- (---)---(---) EXISTING STORM SEWER
- (---)---(---) CLEAN OUT
- (---)---(---) EXISTING WATER LINE
- (---)---(---) FIRE HYDRANT
- (---)---(---) WATER VALVE
- (---)---(---) OVERHEAD TELEPHONE CABLE
- (---)---(---) UNDERGROUND TELEPHONE CABLE
- (---)---(---) OVERHEAD ELECTRIC POWER LINE
- (---)---(---) UNDERGROUND ELECTRIC POWER LINE
- (---)---(---) EXISTING POWER POLE
- (---)---(---) GUY AND ANCHOR
- (---)---(---) EXISTING FENCE LINE
- TR = TELEPHONE RISER
- EM = ELECTRICAL METER
- WM = WATER METER
- EXISTING
- (E) EDGE OF GRAVEL

NOTE: ALL OTHERS AS NOTED ON PLAN

PARCEL 1 6,050 S.F. = 0.130 AC.
 PARCEL 2 5,040 S.F. = 0.110 AC.
 TOTAL 11,090 Sq.Ft. = 0.255 ACRE
 (TAX LOT 02N-13E-32DC 1301)

SURVEYOR'S CERTIFICATE:



ENGINEER / SURVEYOR:

TENNESON ENGINEERING CORP.
 3775 CRATES WAY
 The Dalles, Oregon 97058
 Ph 541-296-8177
 Fax 541-296-6657

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
 FOR REVIEW ONLY
 DRELOOH
 JANUARY 21 1997
 BRADLEY R. HUFFMAN
 7786

EXPIRES: 08/23/2021

OFFICE COPY

SHEET 2 OF 2



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT CONDITIONAL USE PERMIT 195-20

Applicant: Amerco Real Estate Company

Procedure Type: Quasi-Judicial

Decision Date: May 7, 2020

Assessor's Map: Township 2 North, 13 East, Section 32 A

Tax Lot: 400

Address: 2640 West 6th Street

Comprehensive Plan Designation: "CG" Commercial General

Zoning District: "CG" Commercial General

Prepared by: Dawn Marie Hert, Senior Planner

REQUEST: The applicant is requesting to change the use of the old Kmart retail building to be used as a U-Haul moving and personal storage center.

BACKGROUND INFORMATION:

This request was previously approved by the Planning Commission on January 3, 2019, as Conditional Use Permit 190-18. Application approval expired on January 4, 2020; the applicants submitted their new application on March 3, 2020. Amerco Real Estate Company purchased the Kmart property in late 2018 and is requesting to change the use from retail to personal storage as well as U-Haul truck and trailer sharing in the future. Kmart recently closed business and vacated the building. The Dalles Municipal Code, Title 10 – Land Use and Development, Section 10.5.060.030 requires storage and mini-storage applications be reviewed as a Conditional Use Permit.

The site plan also includes notation on the south portion of the lot for the possibility of a future retail-use pad. Any future uses for that area would be required to file a separate application for processing.

The existing site amenities include the 86,482 square foot building along with 383 existing parking spaces and landscaping. The site plan includes modification of the parking area to the north side of the building to be used for U-Haul equipment shunting.

The building is located in a shopping center that includes six properties with shared access. The subject building has a small building attached to the south that has three retail/service type uses, and attached to that building is Coastal Farm and Supply. Each building has their own parcel and parking available. There are also three properties that front West 6th Street that were originally built as three restaurants. At this time one is vacant, one is KFC and the other is retail marijuana sales.

NOTIFICATION

Property owners within 300 feet, City Departments, franchise utilities, Mid-Columbia Fire & Rescue, Wasco County Health Department, and State Building Codes.

COMMENTS RECEIVED

No comments were received as of the date this report was written.

RECOMMENDATION: Approval, with conditions, based upon the following findings of fact.

A. THE DALLES MUNICIPAL CODE – TITLE 10-LAND USE AND DEVELOPMENT:

Section 10.3.010.040 Applications

Subsection B. Completeness.

FINDING A-1: This application was found to be complete on March 27, 2020. The 120-day State mandated decision deadline is July 25, 2020.

Section 10.3.020.050 Quasi-Judicial Actions

Subsection A. Decision Types, (3) Conditional Use Permits:

FINDING A-2: This application is for a Conditional Use Permit per Section 10.5.060.030 K. The decision criteria listed in this ordinance section is addressed in the body of this staff report. The hearing is a quasi-judicial hearing. Criterion met.

Subsection B. Staff Report. The Director shall prepare and sign a staff report for each quasi-judicial action, which identifies the criteria and standards applying to the application and summarizes the basic findings of fact. The staff report may also include a recommendation for approval with conditions, or denial.

FINDING A-3: The staff report will detail criteria and standards relevant to a decision, all facts will be stated, and explanations given. This will be detailed through a series of findings directly related to relevant sections and subsections of the ordinance as they relate to this request. Criterion met.

Subsection C. Public Hearings. Applications for quasi-judicial planning actions shall be heard within 45 days from the date the application is deemed complete.

FINDING A-4: The public hearing is scheduled for May 7, 2020, which is within 45 days from the date the application was deemed complete. Criterion met.

Subsection D. Notice of Hearing. At least 10 days before a scheduled quasi-judicial public hearing, notices shall be mailed to property owners within 300 feet of the property.

FINDING A-5: Appropriate mailings to property owners within 300 feet and notice to affected departments and agencies were made on April 24, 2020. Criterion met.

Section 10.3.050.030 Review Procedures

Subsection A. Applications. Conditional Use Permit applications shall be accompanied by at least 15 copies of the concept site plan, and when required, two copies of the detailed landscape and construction/design plans, per Section 10.3.030: Site Plan Review.

FINDING A-6: The required plans have been submitted. Criterion met.

Section 10.3.050.040 Review Criteria

Subsection A. Permitted Conditional Uses. The proposed use is conditionally permitted in the zone district where it is proposed to be located.

FINDING A-7: The proposed use is permitted conditionally in the General Commercial zoning district. Criterion can be met with conditions of approval.

Subsection B. Standards. The proposed use conforms to all applicable standards of the zone district where the use is proposed to be located. The proposed use will also be consistent with the purposes of this ordinance, applicable policies of the Comprehensive Plan, and any other statutes, ordinances, or policies that may be applicable.

FINDING A-8: Section 10.5.060.050 sets out the development standards for the Commercial General zoning district. The applicant's plans show that all development exists on the site and standards will be met. Criterion met.

Subsection C. Impact. The proposed structure(s) and use(s) shall be designed and operated in such a way as to meet the standards of this section. Impacts caused by the construction of the conditional use shall not be considered regarding a decision on the validation of the application.

1. Noise impacts across the property line shall not exceed 60 decibels. Noise related to traffic impacts shall not be included in this determination. Nothing in this section shall modify other noise ordinance standards as adopted by the City.

FINDING A-9: The proposed use will be inside the existing building with accessory truck and trailer shunting. The applicant will be advised of the allowable levels. Criterion can be addressed as a condition of approval.

2. *Lighting impacts across the property line shall not exceed 0.5 foot-candles (a foot-candle is the amount of light falling upon a 1-square-foot surface which is 1 foot away from a 1-candlepower light source.)*

FINDING A-10: The applicant has not provided a photometric plan for the site. No additional lighting is planned, however, the existing parking lot lighting will be upgraded. A condition of approval shall be added to require the submittal of a photometric plan to ensure that the lighting levels meet the standards set forth in the ordinance. Criterion can be met with a condition of approval.

3. *Dust and other particulate matter shall be confined to the subject property.*

FINDING A-11: The applicant will be required to confine dust and particulate matter to the subject property. All areas of maneuvering for vehicles and parking are currently paved with a hard surface which will help ensure this criterion is met. Criterion can be addressed as a condition of approval.

4. *The following odors shall be completely confined to subject property:*

a. *industrial and/or chemical grade chemicals, solvents, paints, cleaners, and similar substances;*

b. *fuels, and*

c. *fertilizers, manure, or other animal waste products, other than for landscape installation and maintenance.*

FINDING A-12: The proposed use does not use any of the above chemicals, fuels or fertilizers. Trash receptacles should be sized to fully accommodate the needs of the business. Appropriate screening from the public right-of-way and adjacent neighbors and containment of trash receptacles should be required as a condition of approval. No outdoor storage of materials or supplies related to this proposed use will be allowed. Criterion will be addressed as a condition of approval.

5. *Vibrations shall not be felt across the property line.*

FINDING A-13: The use as personal storage and U-Haul moving does not cause vibration. However, the applicant will be made aware of the requirement. The criterion can be addressed as a condition of approval.

6. *The transportation system is capable, or can be made capable, of supporting the additional transportation impacts generated by the use. Evaluation factors shall include, but are not limited to:*

a. *Street designations and capacities; and*

b. *On-street parking impacts.*

c. *Bicycle safety and connectivity; and*

d. *Pedestrian safety and connectivity; and*

FINDING A-14: Site access is via three existing paved driveways off of Snipes Street and one shared access off of West 6th Street. Snipes Street is classified as a Collector street and West 6th Street is classified an Arterial street. The street capacity is capable of supporting the transportation impacts generated by the use change. Staff has

determined that the proposed use is actually less intense than the current use as retail. Criterion met for street capacities.

There are 6-10 employees planned with the new uses, which is less than the current number of employees at the Kmart. The existing parking will adequately serve as employee and customer parking for the proposed use. There is also on-street parking available adjacent to the property. Criterion met for parking.

Bicycle parking was not included on the site plan and will need to be added for the proposed use change. The required parking will be two spaces for the truck rental and eight (.1 space/1,000 sf floor area) for the personal storage, for a total of 10 bicycle parking spaces. Criterion will be added as a condition or approval.

Pedestrian safety and connectivity is met with sidewalks being provided on the adjacent streets and the existing on-site walkways. Staff is suggesting that a pedestrian walkway be provided from the proposed shunting area to the existing on-site walkway. The pedestrian walkway should be clearly marked for safety purposes. Criterion for pedestrian safety will be addressed as a condition of approval.

7. *In areas designated as Historic Districts, proposed development and redevelopment shall first require review and approval of the Historic Landmarks Commission in accordance with the procedures of the Historic Resources Code.*

FINDING A-15: The proposed use is not located in a historic district or structure. Criterion does not apply.

Section 10.5.060.030 Conditional Uses

K. Warehousing retail only, storage, and distribution of equipment, commodities and products in an enclosed area, including mini-storage facilities.

FINDING A-16: As indicated on the application submitted by the applicant, the proposed use is for personal storage, also called mini-storage, and for truck and trailer rentals. The use is allowed, subject to review and approval by the Planning Commission.

Section 10.7.030.110 Refuse Collection

Where refuse collection is provided in, or adjacent to a parking area the following shall be required:

- A. *Screening. Refuse storage facilities shall be screened by a solid wall, fence, evergreen hedge, or a combination of these methods. Screening shall be designed to screen the refuse storage area from streets, accessways, and adjacent properties.*

FINDING A-17: The proposed refuse collection area is not shown on the site plan. The refuse area will need to be shown on a revised site plan and be appropriately screened as detailed above. If refuse collection

will be included inside the building it will need to be noted on the site plan. Criterion can be met as a condition of approval.

Section 10.6.050 Access Management

Subsection 10.6.050.030 General Requirements

E. Emergency Access. *All development shall be arranged on site so as to provide safe and convenient access for emergency vehicles.*

FINDING A-18: The existing access to the property meets the minimum width necessary for maneuvering by emergency vehicles. Criterion met.

B. Conclusion: The above findings demonstrate compliance with The Dalles Municipal Code - Title 10 Land Use and Development. Recommended conditions are added at the end of this document to provide compliance with City Ordinances.

IF APPROVED, RECOMMENDED CONDITIONS OF APPROVAL:

1. All onsite and offsite improvements must be installed by the applicant in accordance with The Dalles Municipal Code, Title 10 – Land Use Development and the APWA standards, specifications, and drawings, as amended and adopted by the City, and approved by the City Engineer, or otherwise guaranteed to be completed by the applicant to the satisfaction of the City.
2. Signs will be applied for under a separate permit.
3. Prior to the issuance of building permits, the applicant shall submit a completed Wastewater Survey Questionnaire to the City Community Development Department.
4. Any activity that produces radio or television interference, noise, glare, dust or particulate matter, vibration, smoke or odor beyond the site, or beyond allowable levels as determined by local, state, and federal standards, shall not be allowed.
5. The refuse collection areas shall be shown on a revised site plan. If the collection is planned outside of the building, it shall be screened and details of the screening materials will be provided to the Community Development Department.
6. A clearly marked pedestrian walkway shall be provided from the shunting area to the main entrance of U-Haul. This shall be shown on a revised site plan.
7. A Photometric plan will be required to be submitted that indicates that the site lighting meets the allowable levels as indicated in the code.



City of The Dalles
Community Development Department
 313 Court Street
 The Dalles, OR 97058
 (541) 296-5481, ext. 1125
 www.thedalles.org

Office Hours -

Monday through Friday: 8:00 am - 5:00 pm



Application #: CUP 195-20

Filing Fee: \$550

Receipt #: XBP 75672415

Deemed Complete: _____

Ready to Issue: _____

Date Issued: _____

Conditional Use Permit Application

Applicant

Name: Amerco Real Estate Company, ^{MOSES} ~~Att: Mason~~
 Address: 2727 N Central Ave
Phoenix, AZ 85004
 Phone #: (602) 263-6556
 Email: moses-cason@uhaci.com

Legal Owner (if different than Applicant)

Name: Same as applicant
 Address: _____
 Phone #: _____
 Email: _____

Property Information

Address: 2640 W 6th St, The Dalles, OR ⁹⁷⁰⁵⁸
 Zone: G/C
 City Limits: Yes No
 Geohazard Zone: None

Map and Tax Lot: 2N 13E 32A 400
 Overlay: None
 Size of Development: site - 7.69 acres
 Flood Designation: None - "C"

Project Information

New Construction Expansion/Alteration Change of Use Amend Approved Plan

Current Use of Property: K-Mart retail center

Proposed Use of Property: U-haul moving and storage center - indoor self-storage and truck/trailer sharing

Briefly Explain the Project: Existing retail building will be adaptively re-used to accommodate

indoor, climate-controlled personal storage as well as retail moving supplies. Additional uses will include truck/trailer sharing, etc. Approx 15,000 sq ft of property may be divided for future use as retail pad.

Proposed Building(s) Footprint Size (ft²): 86,482 existing

Total Number of Parking Spaces Proposed: 383 existing Parking Lot Landscaping Proposed (ft²): 4,9964

Total Landscaping Proposed (ft²): 39,312 Percentage of Irrigated Landscaping: 100% existing

See Reverse Side >>>

Project Information (continued)

Economic Development Information

Proposed Project is in the Enterprise Zone

Not an EZ qualified use. Dismissed

(for questions regarding Enterprise Zones, please contact the Assistant to the City Manager's Office at (541) 296-5481, ext. 1150)

Full Time Equivalent (FTE) jobs are currently provided: 0

FTE jobs are expected to be created by the proposed project: 6-10 full-time

In addition to the requirements of Article 3.010: Application Procedures, this application must be accompanied by the information required in Article 3.050: Conditional Use Permits or Article 3.060: Administrative Conditional Use Permits, contained in Title 10 Land Use and Development of the City of The Dalles Municipal Code.

Upon submission of this application, please provide the following number of copies for their associated plan review:

Site Team / Pre-Application:

- 6 - copies of concept site plan
- 1 - 11" x 17" concept site plan
- 1 - PDF of concept site plan

Official Site Plan Review Application:

- 1 only needed Dismissed*
4 - full size copies of construction detail plans
- 1 - 11" x 17" concept site plan

Signature of Applicant

3-3-2020

Date

Signature of Property Owner

3-3-2020

Date

Department Use Only

Administrative

Quasi-Judicial: PC

URA / HLC / CC | Hearing Date: 5/7/2020

Property was formerly a K-Mart and was converted to a U-Haul center offering truck and trailer sharing, interior heated and climate controlled self-storage and U-Box storage. Two additional mini storage buildings were also added to the property.



U-Haul Moving & Storage of NW Detroit
19990 Telegraph Rd, Detroit, Michigan 48219

Property was formerly a K-Mart and was converted to a U-Haul center offering truck and trailer sharing, interior heated and climate controlled self-storage.



U-Haul Moving & Storage of Westland
165 S Wayne Rd. Westland, MI 48186

Property is 12.05 acres with an 86,080 sf building onsite. This property is a former K-Mart and will be converted to a U-Haul center offering truck and trailer rental, self-storage and U-Box storage.



U-Haul Moving & Storage of Veterans Park
2011 E Fry Blvd. Sierra Vista, AZ 85635

Property was formerly a K-Mart and was converted to a U-Haul center offering truck and trailer sharing, interior heated and climate controlled self-storage and U-Box storage.



U-Haul Moving & Storage of Oshkosh West
900 N Koeller St. Oshkosh, WI 54902



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
COMMUNITY DEVELOPMENT DEPARTMENT

RESOLUTION NO. PC 590-20

Approval of Adjustment Application 050-19 of Michael and Christine Irish for a reduction in the rear yard setback from 10 feet to 5 feet, a 50% reduction.

I. RECITALS:

- A. The Planning Commission of the City of The Dalles has, on March 5, 2020, and May 7, 2020, conducted a public hearing to consider the above request. A staff report was presented stating the findings of fact, conclusions of law, and a staff recommendation.
- B. Staff's report of Adjustment 050-19 and the minutes of the March 5, 2020, and May 7, 2020, Planning Commission meetings, upon approval, provide the basis for this resolution and are incorporated herein by reference.

II. RESOLUTION:

Now, therefore, be it FOUND, DETERMINED, and RESOLVED by the Planning Commission of the City of The Dalles as follows:

- A. In all respects as set forth in Recitals, Part "I" of this resolution.

Adjustment 050-19 is hereby approved with the following conditions of approval:

1. The Applicants shall submit a landscaping plan that complies with the landscaping requirements of providing Article 6.010.
2. The surfacing of the driveway shall comply with Section 10.6.060.040 above.
3. Any street trees planted shall comply with Section 10.6.010.060 above.
4. All screening shall comply with Section 10.6.010.050 above.
5. Any required landscaping, buffering, and screening shall be maintained; and if any street trees or other plant materials do not survive or are removed they will be required to be replaced in kind by the developer or responsible party for removing the trees and/or plant material.
6. A city permit is required for any planting, removal, or significant pruning, topping or pollarding of any trees within the public right-of-way.
7. Irrigation systems will be required if necessary to assure survival of plant materials.
8. No site obscuring shrubs, landscape features, conifer trees, fences exceeding 24 inches in height, or other screening is permitted within vision clearance areas of the street or alley intersections, or where the City Engineer otherwise deems such plantings would endanger pedestrians or vehicles.
9. Fencing over four feet in height will require a Building Permit submittal.
10. A Building Permit application will be required to be reviewed and approved for the proposed single family dwelling.

11. The Site Plan submitted at the time of a Building Permit will need to comply with Section 10.6.080.010 Projections into Yards.

III. APPEALS, COMPLIANCE, AND PENALTIES:

- A. Any party of record may appeal a decision of the Planning Commission to the City Council for review. Appeals must be made according to The Dalles Municipal Code, Title 10 Land Use and Development, Section 3.020.080 and must be filed with the City Clerk within ten (10) days of the date of mailing of this resolution.
- B. Failure to exercise this approval within the time limits set either by resolution or by ordinance will invalidate this permit.
- C. All conditions of approval must be met within the time limits set by this resolution or by ordinance. Failure to meet any condition will prompt enforcement proceedings that can result in: 1) permit revocation; 2) fines of up to \$500.00 per day for the violation period; 3) a civil proceeding seeking injunctive relief.

The Secretary of the Commission shall (a) certify to the adoption of the Resolution; (b) transmit a copy of the Resolution along with a stamped approved/denied site plan or plat to the applicant.

APPROVED AND ADOPTED THIS 7TH DAY OF MAY, 2020.

Brent Bybee, Chair
Planning Commission

I, Steven K. Harris, Community Development Director for the City of The Dalles, hereby certify that the foregoing Resolution was adopted at the regular meeting of the City Planning Commission, held on the 7th day of May, 2020.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

ATTEST: _____
Steven K. Harris, AICP
Community Development Director
City of The Dalles



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
PLANNING DEPARTMENT

RESOLUTION NO. PC 591-20

Approval of Conditional Use Permit Application **195-20, Amerco Real Estate Company**, to use existing retail building to accommodate indoor, climate controlled personal storage and retail sales of moving supplies. Additional uses will include truck and trailer rentals. Property is located at 2640 W. 6th Street and is further described as 2N 13E 32A tax lot 400. Property is zoned “CG” – General Commercial.

I. RECITALS:

- A. The Planning Commission of the City of The Dalles has on May 7, 2020, conducted a public hearing to consider the above request. A staff report was presented, stating the findings of fact, conclusions of law, and a staff recommendation.
- B. Staff’s report of Conditional Use Permit 195-20 and the minutes of the May 7, 2020, Planning Commission meeting, upon approval, provide the basis for this resolution and are incorporated herein by reference.

II. RESOLUTION:

Now, therefore, be it FOUND, DETERMINED, and RESOLVED by the Planning Commission of the City of The Dalles as follows:

- A. In all respects as set forth in Recitals, Part “I” of this resolution.

Conditional Use Permit 195-20 is hereby approved with the following conditions of approval:

1. All onsite and offsite improvements must be installed by the applicant in accordance with The Dalles Municipal Code, Title 10 – Land Use Development and the APWA standards, specifications, and drawings, as amended and adopted by the City, and approved by the City Engineer, or otherwise guaranteed to be completed by the applicant to the satisfaction of the City.
2. Signs will be applied for under a separate permit.
3. Prior to the issuance of building permits, the applicant shall submit a completed Wastewater Survey Questionnaire to the City Community Development Department.
4. Any activity that produces radio or television interference, noise, glare, dust or particulate matter, vibration, smoke or odor beyond the site, or beyond allowable levels as determined by local, state, and federal standards, shall not be allowed.
5. The refuse collection areas shall be shown on a revised site plan. If the collection is planned outside of the building, it shall be screened and details of the screening materials will be provided to the Community Development Department.
6. A clearly marked pedestrian walkway shall be provided from the shunting area to the main entrance of U-Haul. This shall be shown on a revised site plan.

7. A Photometric plan will be required to be submitted that indicates that the site lighting meets the allowable levels as indicated in the code.

III. APPEALS, COMPLIANCE, AND PENALTIES:

- A. Any party of record may appeal a decision of the Planning Commission to the City Council for review. Appeals must be made according to Section 3.020.080 of the Land Use and Development Ordinance, and must be filed with the City Clerk within ten (10) days of the date of mailing of this resolution.
- B. Failure to exercise this approval within the time limits set either by resolution or by ordinance will invalidate this permit.
- C. All conditions of approval must be met within the time limits set by this resolution or by ordinance. Failure to meet any condition will prompt enforcement proceedings that can result in: 1) permit revocation; 2) fines of up to \$500.00 per day for the violation period; 3) a civil proceeding seeking injunctive relief.

The Secretary of the Commission shall (a) certify to the adoption of the Resolution; (b) transmit a copy of the Resolution along with a stamped approved/denied site plan or plat to the applicant.

APPROVED AND ADOPTED THIS 7TH DAY OF MAY, 2020.

Brent Bybee, Chair
Planning Commission

I, Steven K. Harris, Community Development Director for the City of The Dalles, hereby certify that the foregoing Resolution was adopted at the regular meeting of the City Planning Commission, held on the 7th day of May, 2020.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

ATTEST: _____
Steven K. Harris – AICP
Community Development Director, City of The Dalles



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
COMMUNITY DEVELOPMENT DEPARTMENT

RESOLUTION NO. PC 592-20

Denial of Minor Partition 371-20, Daniel Sanchez, to partition one parcel (11,099 square feet) into two parcels. Property is further described as 2N 13E 32 DC tax lot 1301. Property is zoned Low Density Residential – RL.

I. RECITALS:

- A. The Planning Commission of the City of The Dalles has on May 7, 2020, conducted a public hearing to consider the above request. A staff report was presented stating the findings of fact, conclusions of law, and a staff recommendation.
- B. Staff's report of Minor Partition 371-20 and the minutes of the May 7, 2020, Planning Commission meeting, upon approval, provide the basis for this resolution and are incorporated herein by reference.
- C.

II. RESOLUTION:

Now, therefore, be it FOUND, DETERMINED, and RESOLVED by the Planning Commission of the City of The Dalles as follows:

- A. In all respects as set forth in Recitals, Part "I" of this resolution.
Minor Partition 371-20 is hereby denied based upon findings of fact provided within the staff report and presented to the Planning Commission.

III. APPEALS, COMPLIANCE, AND PENALTIES:

- A. Any party of record may appeal a decision of the Planning Commission to the City Council for review. Appeals must be made according to Section 3.020.080 of the Land Use and Development Ordinance, and must be filed with the City Clerk within ten (10) days of the date of mailing of this resolution.
- B. Failure to exercise this approval within the time limits set either by resolution or by ordinance will invalidate this permit.
- C. If applicable, all conditions of approval must be met within the time limits set by this resolution or by ordinance. Failure to meet any condition will prompt enforcement proceedings that can result in: 1) permit revocation; 2) fines of up to \$500.00 per day for the violation period; 3) a civil proceeding seeking injunctive relief.

The Secretary of the Commission shall (a) certify to the adoption of the Resolution; (b) transmit a copy of the Resolution along with a stamped approved/denied site plan or plat to the applicant.

APPROVED AND ADOPTED THIS 7TH DAY OF MAY, 2020.

Brent Bybee, Chair
Planning Commission

I, Steven K. Harris, Community Development Director for the City of The Dalles, hereby certify that the foregoing Resolution was adopted at the regular meeting of the City Planning Commission, held on the 7th day of May, 2020.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

ATTEST: _____
Steven K. Harris – AICP
Planning Director, City of The Dalles