

## **RESOLUTION NO. P.C. 468-07**

Adopting Conditional Use Permit # 141-07 of Verizon: For a Conditional Use Permit and a Community Facility Overlay to allow placement of a 120' wireless tower and a related equipment shelter on a vacant portion of the Wasco County Animal Shelter property. Property is owned by Wasco County and located at 200 River Road, and is further described as 2N 13E 28 B. Property is zoned "T" – Industrial.

### **I. RECITALS:**

- A.** The Planning Commission of the City of The Dalles has on September 6, 2007 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 141-07 and the minutes of the September 6, 2007 Planning Commission meeting, upon approval, provides 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.
- B.** Conditional Use Permit 141-07 is hereby approved with the following conditions:

### **CONDITIONS OF APPROVAL:**

1. A 6 foot security fence surrounding the tower.
2. Provide analysis from a licensed structural engineer to meet the requirements of Section 6.140.060 E. 3.
3. Satisfy all FAA requirements.
4. Maintain noise levels at or below LUDO limitations.
5. Removal of the structure if it is not used for a period of 12 continuous months.
6. Post a financial guarantee in an amount and on a form prepared by the City Attorney to satisfy the requirements of Section 6.140.080.
7. Paving of minimum of 12 foot wide driveway to animal shelter and access road to tower and equipment building.
8. A Knox box outside of gate or fenced area will be required.
9. All development must be completed in accordance with Land Use and Development Ordinance 98-1222.
10. Two trees will be planted between the new facility and the Riverfront Trail with the type of tree subject to approval by the City.

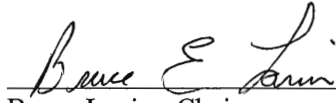
### **III. APPEALS, COMPLIANCE, AND PENALTIES**

- 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 6<sup>th</sup> DAY OF SEPTEMBER 2007

  
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Bruce Lavier, Chairman  
Planning Commission

I, Dan Durow, 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 6<sup>th</sup> of September 2007.

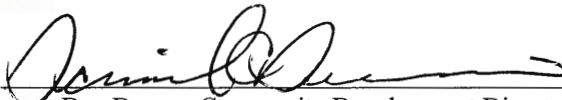
AYES: *Lavier, Ahlberg, Bryant, Poppoff, Wileox*

NAYS: *NONE*

ABSENT: *Hiser, Zukin*

ABSTAIN: *NONE*

ATTEST:

  
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Dan Durow, Community Development Director  
City of The Dalles