

**PLANNING COMMISSION
FINDINGS OF FACT
RVW26-000045
TYPE III DECISION PROCESS**

REQUEST: To approve the proposed development of a two-story multi-use incubator building.

APPLICANT AND OWNER: Torrie Griggs - Boardman Community Development Association
PO Box 1
Boardman, OR 97818

PROPERTY DESCRIPTION: Tax Lot 4900 of Assessor's Map 4N 25E 09DB.

GENERAL LOCATION: North of Interstate 84, East of Main Street, along SE Front Street.

ZONING OF THE AREA: Commercial - Tourist Commercial Subdistrict.

- I. GENERAL INFORMATION:** The subject property is currently a vacant, undeveloped lot, with an alley crossing the northern portion of the parcel. At this time, development is planned for only the western half of the property. A site team meeting was held on September 3, 2026, and was attended by representatives from local utility and public service providers.
- II. APPROVAL CRITERIA:** The application has been filed under the City of Boardman Development Code Chapter 4.2 Development Review and Site Design Review as a Type III Decision Process. Applicable criteria include 2.2.180 Tourist Commercial Sub-District, provisions in Chapter 3 Design Standards, and other chapters or sections as deemed appropriate. The applicable criteria are included below in **bold** type with responses in standard type.

**Chapter 4.2 Development Review and Site Design Review
Section 4.2.600 Approval Criteria**

The review authority shall make written findings with respect to all of the following criteria when approving, approving with conditions, or denying an application:

- 1. The application is complete, as determined in accordance with Chapter 4.1 - Types of Applications and Section 4.2.500, above.**
The application materials identify eight proposed business spaces within the building. As part of the application review, the applicant provided a site plan, a trip generation letter, and other supporting information.
- 2. The application complies with all of the applicable provisions of the underlying Land Use District (Chapter 2), including: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses;**
The proposal is consistent with the intent of the Tourist Commercial Subdistrict. Setbacks, lot coverage, and building height are addressed below.

**Chapter 2.2 Commercial (C) District
2.2.120 Building Setbacks.**

C. Side Yard Setbacks. 1. There is no minimum side yard setback required, except that buildings shall conform to the vision clearance standards in Chapter 3.1 and the applicable fire and building codes for attached structures, fire walls and related requirements.

A 24-foot access lane is provided between the proposed structure and the adjoining property, allowing for adequate vehicle circulation, site access, and fire access. The width and configuration of the access lane provides the necessary clearance to meet applicable fire access requirements.

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2.2.130 Lot Coverage A. Lot Coverage. There is no maximum lot coverage requirement, except that compliance with other sections of the zoning codes may preclude full (100%) lot coverage for some land uses. Lot coverage in the Service Center and Tourist Commercial Sub District is limited to 85%

The entire parcel comes out to be 111,282 square feet. The proposed building will occupy approximately 10,695 square feet, covering approximately 10% of the total lot area. This criterion is met.

2.2.140 Building Height All buildings in the Commercial District shall comply with the following building height standards. The standards are intended to allow for development of appropriately scaled buildings.

A. Maximum Height. Buildings shall be no more than four (4) stories or fifty (50) feet in height, whichever is greater. The maximum height may be increased by ten (10) feet when conditionally approved housing is provided above the ground floor. The building height increase for housing shall apply only to that portion of the building that contains housing. Maximum height in the Tourist Commercial and Service Center Sub Districts are limited to four (4) stories or thirty-five (35) feet in height.

The submitted architectural drawings indicate that the top of the parapet is measured to be 28 feet 6 inches, which meets the applicable building height standard.

3. The applicant shall be required to upgrade any existing development that does not comply with the applicable land use district standards, in conformance with Chapter 5.2, Non-Conforming Uses and Development;

The subject property is currently undeveloped and has no non-conforming uses or development issues requiring resolution. Therefore, this criterion is not applicable.

4. The application complies with the Design Standards contained in Chapter 3. All of the following standards shall be met:

Chapter 3.1 - Access and Circulation

3.1.100 Purpose. The purpose of this chapter is to help insure that developments provide safe and efficient access and circulation, for pedestrians and vehicles. Section 3.1.200 provides standards for vehicular access and circulation. Section 3.1.300 provides standards for pedestrian access and circulation. Standards for transportation improvements are provided in Chapter 3.4.100.

Section 3.1.200 Vehicular Access and Circulation

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C. Access Permit Required

1. City Street Permits. Permits for access to City streets shall be subject to review and approval by the City Manager or his/her designee based on the standards contained in this Chapter, and the provisions of Chapter 3.4.100 - Transportation Standards. An access permit may be in the form of a letter to the applicant, or it may be attached to a land use decision notice as a condition of approval.

There are three proposed access points which will require approval. Access permits are required and listed as a Condition of Approval.

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- D. Traffic Study Requirements.** The City or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also, Section 3.4.100 - Transportation Standards, and Chapter 4.10.)

A trip generation letter was completed by Anderson Perry and has been submitted by the applicant and has been deemed complete and in compliance. Based on the trip generation letter the proposed development is not expected to require additional traffic analysis under the Boardman Development Code.

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- F. Access Options.** When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods. These methods are “options” to the developer/subdivider, unless one method is specifically required by Chapter 2 (i.e., under “Special Standards for Certain Uses”). A minimum of 10 feet per lane is required.

The preliminary site plan identifies three access points for the development, one on NE Front and two from the alley. The access points will provide ingress and egress for the site, including access for the proposed drive-through. The existing alley behind the property will also be utilized for freight and delivery access. The proposed vehicle accesses will be designed to meet the access standards. An Access and Address permit will be required as conditions of approval.

- G. Access Spacing.** Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards and procedures:

- 1. Local Streets.** The minimum feet of separation on local streets (as measured from the sides of the driveway/street) shall be determined based on the policies and standards contained in Table 3.1.200 G except as provided in subsection 3, below.

The proposed driveway access is located along NE Front Street between NE 2nd Street and NE 3rd Street. The existing street intersections are appropriately spaced, and the proposed driveway access meets the applicable minimum separation requirements for local streets. The nearest intersection, NE 2nd Street, is approximately 431 feet from the proposed access point on NE Front Street. Service and delivery vehicles will access the site from the north side of the parcel using the newly improved and paved alley. Utilizing the alley for service and deliveries will provide efficient site access while minimizing conflicts with the proposed driveway.

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- H. Number of Access Points.** For single-family (detached and attached), two-family, and three-family housing types, one street access point is permitted per lot; except that two access points may be permitted for two-family and three-family housing on corner lots (i.e., no more than one access per street), subject to the access spacing standards in Section ‘G’, above. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with Section I, below, in order to maintain the required access spacing, and minimize the number of access points.

The proposed building will have three access points. Two of the access points will be located along the northern side of the property from the alley and will require access permits.

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- I. Shared Driveways.** Where feasible, the number of driveway and private street accesses to public streets shall be minimized for commercial and industrial uses by

the sharing of driveways between adjoining parcels. The City shall require shared driveways as a condition of land division or site design review for commercial and industrial uses, as applicable, for traffic safety and access management purposes in accordance with the following standards:

The property will not share a driveway between adjoining parcels therefore this criterion is not applicable.

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- K. **Driveway Openings.** Driveway openings [or curb cuts] shall be the minimum width necessary to provide the required number of vehicle travel lanes (10 feet for each travel lane). The following standards (i.e., as measured where the front property line meets the sidewalk or right-of-way) are required to provide adequate site access, minimize surface water runoff, and avoid conflicts between vehicles and pedestrians:

The single access point located on the south end of the parcel is proposed to be 36 feet wide and will accommodate right- and left-turning traffic, as well as incoming traffic entering the property. The access point located on the northwest side of the parcel is proposed to be 24 feet wide. The access point located on the northeast side of the parcel is proposed to be 14.5 feet wide and will serve as a drive-through exit.

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7. **Loading area design.** The design of driveways and on-site maneuvering and loading areas for commercial and industrial developments shall consider the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.

Loading areas are not specifically identified on the site plan; however, deliveries can be made without affecting the proposed parking layout. The alley provides access for freight and service vehicles serving the properties located south of the alley.

L. **Fire Access and Parking Area Turn-around.** A fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing public street or approved fire equipment access drive. Parking areas shall provide adequate aisles or turn-around areas for service and delivery vehicles so that all vehicles may enter the street in a forward manner. For requirements related to cul-de-sacs or dead-end streets, please refer to Section 3.4.100.M.

The applicant shall calculate and submit fire access plan information for review by the Fire Marshal.

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- N. **Vision Clearance.** No signs, structures or vegetation in excess of three feet in height shall be placed in "vision clearance areas", as shown in Figure 3.1.200N. This standard applies to the following types of roadways: streets, driveways, alleyways and railways. The minimum vision clearance area may be increased by the City Manager or his/her designee upon finding that more sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). An exception to this standard may be granted by the City Manager or his/her designee to allow utility structures (such as electrical transformers) for necessary services. This exception does not include the installation of utility poles.

The applicant shall submit plans and obtain proper permits for signs, structures, or landscaping showing all vision clearance areas free and clear. This is listed as a Condition of Approval.

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3.1.300 Pedestrian Access and Circulation

- A. Pedestrian Access and Circulation.** To ensure safe, direct and convenient pedestrian circulation, all developments, except single family detached housing (i.e., on individual lots), shall provide a continuous pedestrian and/or multi-use pathway system. (Pathways only provide for pedestrian circulation. Multi-use pathways accommodate pedestrians and bicycles.) The system of pathways shall be designed based on the standards in subsections 1-3, below:
- 1. Continuous Pathways.** The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas whenever possible. The developer may also be required to connect or stub pathway(s) to adjacent streets and private property, in accordance with the provisions of Section 3.1.200 - Vehicular Access and Circulation, and Chapter 3.4. 100 - Transportation Standards.
 - 2. Safe, Direct, and Convenient Pathways.** Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:
 - a. Reasonably direct.** A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.
 - b. Safe and convenient.** Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.
 - c. Commercial and Industrial Primary Entrance.** For commercial, industrial, mixed use, public, and institutional buildings, the “primary entrance” is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.
 - d. Residential Entrance.** For residential buildings the “primary entrance” is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the “primary entrance” may be a lobby, courtyard or breezeway which serves as a common entrance for more than one dwelling.
 - 3. Connections Within Development.** For all developments subject to Site Design Review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable.

Sidewalks are listed in the site plan. The system of pathways shall be designed to meet the City of Boardman Development Code and all requirements of the Americans with Disabilities Act. This is listed as a Condition of Approval.

Chapter 3.2 Landscaping, Street Trees, Fences and Walls

3.2.200 New Landscaping

- A. Applicability.** This Section shall apply to all developments requiring Site Design Review, and other developments with required landscaping.
- B. Landscaping Plan Required.** A landscape plan is required. All landscape plans shall conform to the requirements in Chapter 4.2, Section 500.B (Landscape Plans).
- C. Landscape Area Standards.** The minimum percentage of required landscaping equals:

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- 2. Commercial District.** 10 percent of the site.

The applicant shall submit a Landscaping Plan prior to issuance of the Development Review Permit which shall meet City of Boardman Development Code requirements for design, installation, and maintenance. This is listed as a Condition of Approval.

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3.2.300 Street Trees

Street trees shall be planted for all developments that are subject to Site Design Review. Requirements for street tree planting strips are provided in Section 3.4.100 - Transportation Standards. Planting of unimproved streets shall be deferred until the construction of curbs and sidewalks.

Trees shall be incorporated into the landscaping plan meeting the requirements of this standard.

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3.2.400 Fences and Walls

The applicant has not indicated that fencing will be installed. Any proposed fence shall be subject to review for compliance with applicable fencing standards and shall require approval through a Fence Permit application.

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Chapter 3.3 Vehicle and Bicycle Parking

3.3.300 Vehicle Parking Standards

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A. Minimum Required Off-street Parking Spaces

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2. Commercial Uses

Business, general retail, personal services. General - one space for 350 square feet of gross floor area. Offices. Medical and Dental Offices - one space per 350 square feet of gross floor area; General Offices - one space per 450 square feet of gross floor area.

During the preliminary planning stages, the Planning Department determined that the parking requirements for the proposed mixed-use building would be calculated based on three anticipated uses. The 20,000-square-foot building is proposed to include approximately 50 percent general office, 25 percent medical office, and 25 percent general retail. Based on the applicable parking standards, the proposed mix of uses requires a total of 56 parking spaces. The applicant proposes 60 parking spaces, meeting and exceeding the minimum requirement by four spaces.

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D. Parking Stall Size and Design Standards. All off-street parking stalls shall be improved to conform to City standards for surfacing, stormwater management and striping, and have a net area of not less than 180 square feet exclusive of access drives or aisles, and shall be of usual shape and condition. If determined on a gross area basis, 280 square feet shall be allowed per vehicles. (Disabled person parking shall be provided in conformance with Section F)

The Site Plan provides a total of 60 parking spaces, including 54 standard spaces measuring 9 feet by 20 feet, two ADA-accessible spaces, one ADA van-accessible space, and three compact spaces measuring 9 feet by 16 feet. This criterion is met.

E. Disabled Person Parking Spaces. The following parking shall be provided for disabled persons, in conformance with the Americans with Disabilities Act and State Law. Disabled parking is included in the minimum number of required parking spaces in Section A.

The applicant has submitted a site plan that shows three ADA parking spaces meeting this requirement.

3.3.400 Bicycle Parking Requirements

A. Number of Bicycle Parking Spaces. The following additional standards apply to specific types of development:

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- 5. Multiple Uses.** For buildings with multiple uses (such as a commercial or mixed use center), bicycle parking standards shall be calculated by using the total number of motor vehicle parking spaces required for the entire development. A minimum of one bicycle parking space for every 10 motor vehicle parking spaces is required.

The incubator building is required to provide a minimum of six bicycle parking spaces. Compliance with all applicable bicycle parking requirements is included as a Condition of Approval.

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3.4.100 Transportation Standards

A. Development Standards. No development shall occur unless the development has frontage or approved access to a public street, in conformance with the provisions of Chapter 3.1 - Access and Circulation, and the following standards are met:

- 1.** Streets within or adjacent to a development shall be improved in accordance with the Transportation System Plan and the provisions of this Chapter.
- 2.** Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Section, and public streets shall be dedicated to the applicable city, county or state jurisdiction;
- 3.** New streets and drives connected to a collector or arterial street shall be paved; and
- 4.** The City may accept a future improvement guarantee [e.g., the property owner agrees not to remonstrate (object) against the formation of a local improvement district in the future which the City may require as a deed restriction] in lieu of street improvements if one or more of the following conditions exist:
 - a.** A partial improvement may create a potential safety hazard to motorists or pedestrians;
 - b.** Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation;
 - c.** The improvement would be in conflict with an adopted capital improvement plan; or
 - d.** The improvement is associated with an approved land partition on property zoned residential and the proposed land partition does not create any new streets.

The proposed building has frontage along NE Front Street, an improved city street. The City is currently completing improvements to NE Front Street, with construction anticipated to be completed by the end of 2026. No new streets are proposed or required, and no future improvement guarantees are requested.

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3.4.300 Sanitary Sewer and Water Service Improvements

A. Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the City's construction specifications and the applicable Comprehensive Plan policies.

- B. Sewer and Water Plan approval. Development permits for sewer and water improvements shall not be issued until the City Manager or his/her designee has approved all sanitary sewer and water plans in conformance with City standards.**

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Water and wastewater connections can be achieved. All installations shall conform to this section and adopted Public Works Standards. This is listed as a Condition of Approval.

3.4.400 Storm Drainage

- A. General Provisions. The City shall issue a development permit only where adequate provisions for storm water and flood water runoff have been made in conformance with Chapter 3.5 - Surface Water Management.**

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Storm water shall be maintained on site and in conformance with Chapter 3.5 Stormwater Management and adopted Public Works Standards. This is listed as a Condition of Approval.

3.4.500 Utilities

- A. Underground Utilities. All utility lines including, but not limited to, those required for electric, communication, lighting and cable television services and related facilities, shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above.**

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All installed utilities shall comply with this standard and others found in the Boardman Development Code or Municipal Code related to utilities. This is listed as a Condition of Approval.

3.4.600 Easements

Easements for sewers, storm drainage and water quality facilities, water mains, electric lines or other public utilities shall be dedicated on a final plat, or provided for in the deed restrictions. See also, Chapter 4.2 – Site Design Review, and Chapter 4.3 – Land Divisions. The developer or applicant shall make arrangements with the City, the applicable district and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. The City's standard width for public main line utility easements shall be 10 feet unless otherwise specified by the utility company, applicable district, or City Manager or his/her designee.

No utility or other easements are proposed with the project. There are no existing easements on the subject property that are being retained or vacated.

3.4.700 Construction Plan Approval and Assurances

No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after the plans have been approved by the City, permit fee paid, and permit issued. The permit fee is required to defray the cost and expenses incurred by the City for construction and other services in connection with the improvement. The permit fee shall be set by City Council. The City may require the developer or subdivider to provide bonding or other performance guarantees to ensure completion of required public improvements.

The proposed development does not include any additional public improvements. The improvements along NE Front Street, including the new road, curb, and sidewalk, are being completed by the City. The alley located north of the property is already paved and improved and does not require additional improvements as part of this development. Therefore, no additional public improvement requirements are proposed as part of this development.

Chapter 3.6 Other Standards

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3.6.500 Signs

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B. Sign classifications

1. **Permanent signs.** Signs placed for a period of 31 days or longer within one calendar year shall be classified as permanent; shall advertise or provide direction to the premises of the identified business located within the City of Boardman; shall be subject to a permanent sign permit; and shall conform to this and other City of Boardman ordinances.
 - a. **On-premises signs** shall be permitted within the regulations of this ordinance, with any exceptions subject to the requirements set forth within this ordinance for requesting variances or, where conditional use is specified, the provisions for such as set forth in the zoning ordinance.

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C. Permits Required.

The following permits are required for all new signs, for all signs being altered due to change in ownership, business name or business type and for all signs being altered structurally.

- 1) **Structural Building Codes Permit**
- 2) **Electrical Building Codes Permit (if lighted)**
- 3) **Sign Permit for Planning of Planning Review and Approval**

The applicant's site plan does not clearly identify or outline a proposed sign. Should the applicant propose a sign as part of the development, a Sign Permit will be required and can be applied for at the time of Development Review. This is listed as a Condition of Approval.

III. PROPERTY OWNERS NOTIFIED: September 3, 2026
List of landowners notified is retained as part of the file.

IV. PUBLISHED NOTICE: September 2, 2026
East Oregonian

V. AGENCIES NOTIFIED: September 3, 2026
List of agencies notified is retained as part of the file.

VI. SITE TEAM MEETING: September 3, 2026
Boardman City Hall; Zoom

VII. PLANNING COMMISSION PUBLIC HEARINGS: September 24, 2026
Boardman City Hall

VIII. PLANNING OFFICIAL RECOMMENDATION: The Planning Official recommends approval of this request with the following **CONDITIONS OF APPROVAL**.

1. Submit a Development Review application for the building prior to construction.
2. Apply for Access and Address permits.
3. The applicant shall submit plans for and obtain proper permits for signs, structures, fencing and landscaping showing all vision clearance areas to be free and clear.
4. Install a minimum of six bicycle parking spaces in compliance with all applicable bicycle parking requirements.
5. Stormwater shall be maintained on site and in conformance with Chapter 3.5 Stormwater Management.

6. The Boardman Planning Official, Public Works Director, and City Engineer shall review the Construction Plan prior to construction.
7. All utilities and infrastructure proposed for the development shall comply with the applicable requirements of the Boardman Development Code, Municipal Code, and Public Works Standards.

Zack Barresse, Chair

Date

ATTACHMENTS:

Vicinity Map

Site Plans

Elevations

Trip Generation Letter