

**PLANNING COMMISSION
FINDINGS OF FACT
RVW24-000008
TYPE III DECISION PROCESS**

REQUEST: To approve development of an Auto Body Shop.

APPLICANT: Alberto Gutierrez
312 Southeast Mohave
Boardman, OR 97818

OWNER: Rosa Cardenas
Post Office Box 1021
Boardman, OR 97818

PROPERTY DESCRIPTION: Tax Lot 1100 of Assessor's Map 4N 25E 09AD
GENERAL LOCATION: North of Interstate 84 and Columbia Avenue, west of Olson Road on Eldrige Drive.

ZONING OF THE TRACT: Light Industrial District

EXISTING DEVELOPMENT: Fenced bare property

PROPOSED USE: Auto Body Shop

- I. **BACKGROUND:** The subject property is bare. A Zoning Application for Development of an Auto Body Shop was approved in May of 2019, and has since expired. The City of Boardman Development Code does not allow zoning permits, but rather requires either a Development Review or Site Design Review.

- II. **APPROVAL CRITERIA:** The application has been filed under the City of Boardman Development Code Chapter 4.1 Types of Applications and Review Procedures as a Type III Decision Process based on the requirements of Chapter 4.2 Development Review and Site Design Review. Applicable criteria include 4.2.600 Approval Criteria which requires evaluation under the applicable provisions for commercial development in Chapter 2, provisions in Chapter 3 Design Standards, and others 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 applicant has submitted a complete application addressing the bulk of the applicable criteria. Included was a preliminary site plan, plot plan, and civil drawings. A grading plan is not needed because the property is relatively flat.

2. **The application complies with the 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;**

An Auto Body Shop is an allowable use in the Light Industrial zone.

Other Chapter 2 provisions concerning setbacks, lot coverage, building height, orientation, architecture and other standards that may be evaluated can be met based on the preliminary site plan and plot plans that have been submitted.

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 bare, and there are no issues related to non-conforming uses and development to be resolved. This criterion is deemed to be 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.

Applicant has applied for an Access Permit. The proposed access will be 32 feet wide which exceeds the minimum width required by the City of Boardman Development Code. This standard has been met.

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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 Traffic Impact Study is not required for this development.

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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 one access point at Northeast Eldrige Drive. Applicant has submitted application for an Access Permit. The proposed access will be 32 feet wide which exceeds the minimum width required by the City of Boardman Development Code. This standard has been met.

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.

Minimum intersection spacing standard for Local Street is 150 feet in a public street and 15 feet in a private drive. This standard has been met.

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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.

One Access point has been identified from Eldrige Drive. Access Permit Application has been submitted.

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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:

Development will not have a shared driveway with any adjoining parcels. This criterion is deemed to be 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:

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- 4. Access widths** for all other uses shall be based on 10 feet of width for every travel lane, except that driveways providing direct access to parking spaces shall conform to the parking area standards in Chapter 3.3.

The proposed 32-foot wide access is wider than required. This criterion has been met.

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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 for and obtain proper permits for signs, structures, or landscaping showing all vision clearance areas as 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 shown in site and civil plans. This criterion has been met.

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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4. **Light Industrial District.** 10 percent of the site.

The applicant shall submit a Landscaping Plan prior to installation which shall meet City of Boardman Development Code requirements for design, installation, and maintenance. Landscaping shall be finished before the applicant receives the Certificate of Occupancy. This is listed as a Condition of Approval.

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3.2.400 Fences and Walls

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The applicant applied for, and obtained a Fence Permit for a Six-foot steel post chain link fence on July 17, 2023, which has since been installed. This standard is met.

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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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3. Industrial Uses

Industrial uses, except warehousing. One space per two employees on the largest shift or for each 700 square feet of gross floor area, whichever is less plus one space per company vehicle.

The submitted Plot Plan shows a total of seven parking stalls including one Van Accessible ADA parking space. The applicant has communicated that a total of four employees will be working at the proposed shop. This standard has been met.

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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 submitted Plot Plan shows six parking spaces and one Van Accessible ADA Parking Space. This standard has been met.

3.3.400 Bicycle Parking Requirements

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B. Exemptions. This Section does not apply to single family, two-family, and three-family housing (attached, detached or manufactured housing), home occupations, agriculture and livestock uses, or other developments with fewer than 10 vehicle parking spaces.

With a total of seven proposed parking spaces, the City of Boardman Development Code does not require bicycle parking. This standard has been deemed not applicable.

Chapter 3.4 Public Facilities Standards

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Sufficient right-of-way is available. These criteria have been deemed to be not applicable.

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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 are available in Eldrige. All installations shall conform to the 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. 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.

This standard has been met.

Chapter 3.5 Stormwater Management

- A. Purpose.** The purpose of this chapter is to provide planning and design standards for stormwater management within the City. The primary intent of this chapter is to provide standards for effective and cost efficient stormwater management. Stormwater management is accomplished through a combination of design standards reflecting a more accurate representation of natural climatic, hydraulic and geologic conditions. Included in this chapter are stormwater detention criteria for development, grading and drainage plan requirements, landscaping criteria, street, curb and sidewalk designs. These are designed to keep all precipitation from each lot contained upon that lot. Important cross reference to other standards: The following code chapters are to be cross referenced to assess impacts of the provisions of this chapter; Chapter 3.1, Chapter 3.2, Chapter 3.3, Chapter 3.4, Chapter 3.6, Chapter 4.1, Chapter 4.2 and Chapter 5.1.
- B. Applicability.** Where storm sewer infrastructure is currently available or unless otherwise provided, the standard specifications for construction or reconstruction of stormwater management facilities, utilities and other public improvements within the City shall occur in accordance with the standards of this chapter. This chapter applies to development on or within public properties and rights-of-way and privately owned properties.

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Stormwater Management is applicable to this property. All stormwater shall be maintained on-site and shall comply with the design and installation standards outlined in City of Boardman Development Code and Public Works Standards.

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 shall apply for and obtain a Sign Permit and all applicable Building and Electric Permits for all signs before installation. This is listed as a Condition of Approval.

Chapter 4 Applications and Review Procedures

5. **Conditions required as part of a Land Division (Chapter 4.3), Conditional Use Permit (Chapter 4.4), Master Planned Development (Chapter 4.5), or other approval shall be met.**

There are no other land use approvals that are currently under consideration.

6. **Exceptions to criteria 4.a-f, above, may be granted only when approved as a Variance (Chapter 5.1)**

At this point no Variances have been deemed necessary.

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| III. PROPERTY OWNERS NOTIFIED: | March 26, 2024 |
| List of landowners notified is retained as part of the file. | |
| IV. PUBLISHED NOTICE: | March 26, 2024
East Oregonian |
| V. AGENCIES NOTIFIED: | April 2, 2024 |
| Mike Lees, City Engineer; Marty Broadbent, Boardman Fire Protection District; Loren Dieter, Acting Chief of Police; Rolf Prog, City of Boardman Public Work Director | |
| VI. SITE TEAM MEETING: | April 11, 2024
Boardman City Hall |
| VII. PLANNING OFFICIAL RECOMMENDATION: | The Planning Official recommends approval of this request with the following CONDITIONS OF APPROVAL. |
| <ol style="list-style-type: none"> 1. The applicant shall submit plans for and obtain proper permits for signs, structures, or landscaping showing all vision clearance areas as free and clear. 2. The applicant shall submit a Landscaping Plan prior to installation which shall meet City of Boardman Development Code requirements for design, installation, and maintenance. Landscaping shall be finished before the applicant receives the Certificate of Occupancy. | |

3. All water and wastewater installations shall conform to the adopted Public Works Standards.
4. The applicant shall submit a storm water plan showing storm water being maintained on site and in conformance with Chapter 3.5 Stormwater Management.
5. All utility installations shall conform to the City of Boardman Development Code and Municipal Code standards.
6. The applicant shall apply for and obtain a Sign Permit and all applicable Building and Electric Permits for all signs before installation.

Zack Barresse, Chair

Date

ATTACHMENTS:

Vicinity Map


Site Plan

Vicinity Map - 4N 25E 09AD TL 1100

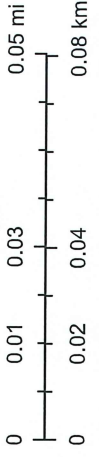


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 CityLimits

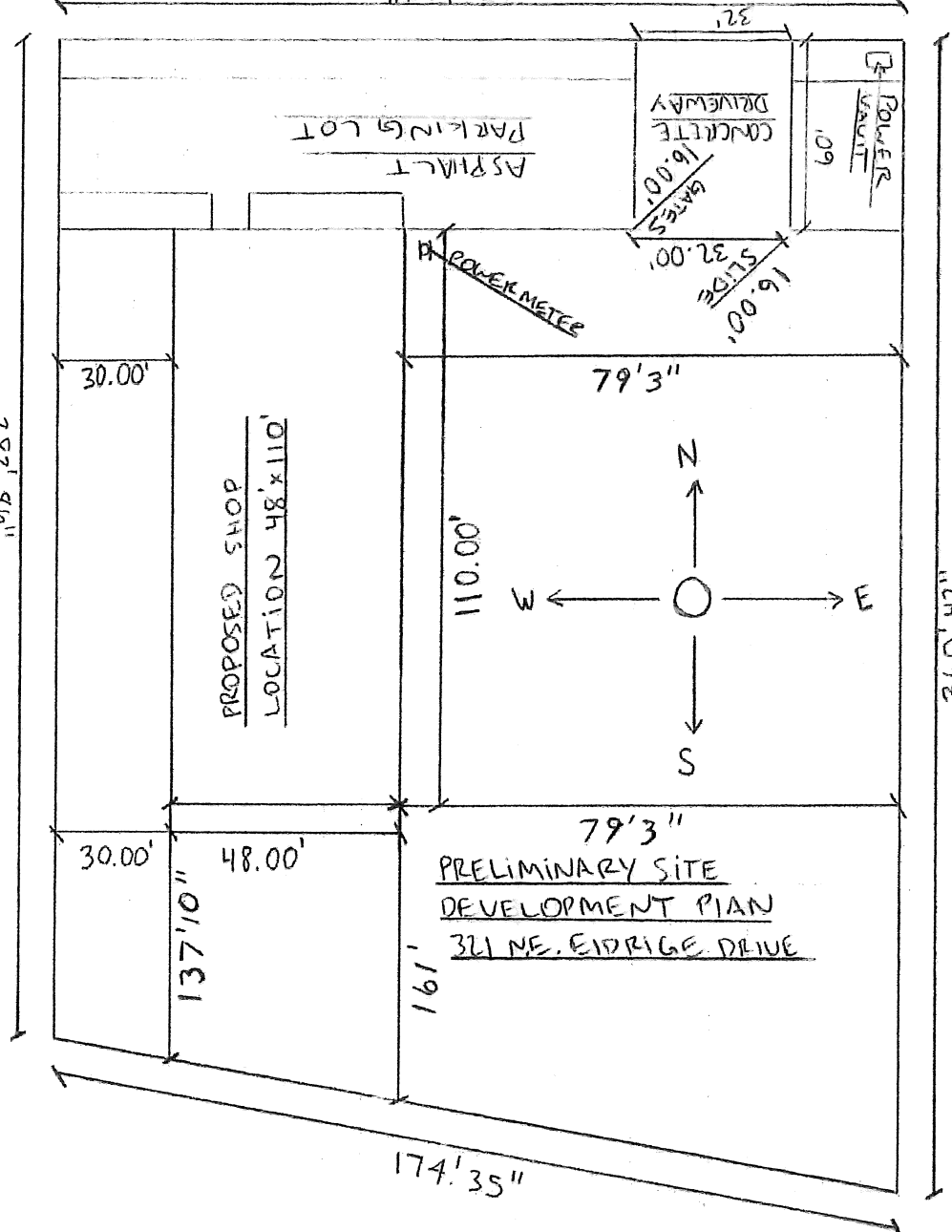
 Taxlots

1:2,257



NE EDRIDGE DRIVE

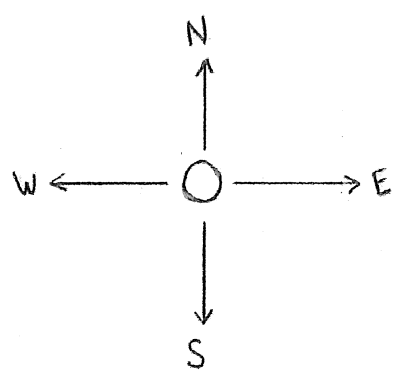
156'64"



STORAGE UNITS LOT

283'86"

PROPOSED SHOP
LOCATION 48'x110'



TRUCK MECHANIC SHOP

360'42"

79'3"
PRELIMINARY SITE
DEVELOPMENT PLAN
321 NE. EDRIDGE DRIVE

EMPTY LOT

174'35"

NE COLUMBIA AVE