



City of Prineville

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

APPLICATION DATE: October 11th, 2019
HEARING DATE: November 5th, 2019
PROJECT NUMBER: CU-2019-112
APPLICANT/OWNER: Newburg Place, LLC.
1960 Moore Drive
Roseburg, OR 97471

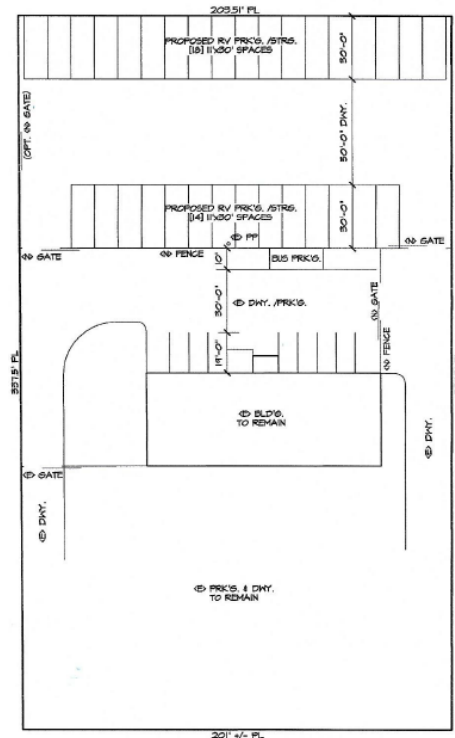
PROJECT REVIEWER: Casey Kaiser, Associate Planner

APPLICABLE CRITERIA:

City of Prineville Code of Ordinances, Title XV – Chapter 153 – Sections: 153.009, 153.014, 153.020, 153.037, 153.038, 153.051, 153.080 -153.096, 153.135 – 153.138, 153.190 – 153.200.

FINDINGS OF FACT:

- 1. LOCATION:** 2321 NE 3rd St. Map & Tax Lot 15-16-04B 04602.
- 2. PROPOSAL:** The applicant is proposing to develop approximately 0.5 currently unused acres at the rear of the property for uncovered RV/Boat storage. The applicant is proposing a gravel lot with slats in the fence along the single family neighbor to the north and keyless entry until 10:00 P.M. An image of the applicant's site plan is below.



3. **ZONING:** The subject property is within the City, zoned C-2 General Commercial, and designated Outlying Commercial in the City's Comprehensive Plan.
4. **LOT OF RECORD:** The property is a legal lot of record as Parcel 3 of partition plat 1996-32.
5. **SITE DESCRIPTION:** The property is 1.5 acres with an existing commercial office building with associated parking & landscaping improvements occupying the southern portion of the parcel. The RV/Boat storage is proposed to occupy the northern ~.5 acres of the property that is currently unused. A 2018 aerial image of the site is below.



6. **COMMENTS:** One verbal comment was received from a neighboring property owner confirming the location of the eastern property boundary. The applicant is aware of the location of that boundary.

Crook County Fire & Rescue: Russ Deboodt from CCFR commented their only concerns would be the size of the two gates used to access the storage area and ensuring the applicant installed the required Knox Box access. The gates are required to be a minimum of 20' in width.

- 7. FINDINGS SUMMARY:** The applicant is proposing an uncovered RV/Boat Storage Facility. A Recreational Vehicle Storage Facility with uncovered storage of RVs is allowed in the C2 zone as a Type II conditional use. Uncovered storage should be appropriately screened from neighboring properties to mitigate the visual impact to the surrounding uses. The applicant is proposing screening with the use of site obscuring slatted chain link fence. Customer access to the RV/Boat storage facility will be via an electronic code activated gate that will operate until 10pm daily.

The project is not expected to exceed resource carrying capacities. No public water or wastewater use is being proposed with the RV/Boat Storage Facility therefore no additional water and/or sewer SDCs will be required. The area of the site being proposed for the RV/Boat storage was previously used as storage and parking for the existing office building. The RV/Boat storage facility is not anticipated to generate traffic volumes greater than that which was associated with the use of that area as parking and storage for the existing office building, therefore no additional traffic SDCs are being required. All stormwater shall be maintained onsite. Any modification of the submitted site plans shall be reviewed by the City for consistency and intent of the original plan.

Criteria: 153.009 COMPLIANCE WITH OTHER RULES AND REGULATIONS.

- (A) Approval of any use or development proposal pursuant to the provisions of this chapter shall require compliance with and consideration of all applicable city, county, state and federal rules and regulations.**
- (B) The compliance shall be evident prior to the final approval of any affected land use or development proposal; for example, the compliance may be set forth as a condition of final approval.**
- (C) Specific city, county, state and federal rules and regulations that may affect a specific land use or development for which compliance therewith is required if applicable include, but are not necessarily limited to the following.**
- (1) Air quality standards administered by the State Department of Environmental Quality (DEQ) and/or the Federal Environmental Protection Agency (EPA).**
 - (2) Noise pollution standards administered by DEQ and/or EPA.**
 - (3) Water quality standards administered by DEQ, state Water Resources Department (WRD) and/or EPA.**
 - (4) Sewage disposal regulations administered by DEQ, County Environmental Health and/or EPA.**
 - (5) Solid waste disposal regulations administered by DEQ and/or EPA, including those applicable to hazardous wastes.**
 - (6) Uniform Building Code administered by the City-County Building Department and State Building Codes Agency.**
 - (7) Surface and ground water withdrawals regulated by WRD.**
 - (8) Scenic area rules administered by the State Highway Division (OSHD), state parks and/or other state or federal agencies.**
 - (9) Access control and management regulations administered by OSHD and/or the County Road Department.**
 - (10) Surface mining regulations administered by the State Department of Geology and Mineral Industries (DOGAMI), DEQ and other state or federal agencies.**
 - (11) Wild and scenic river regulations administered by the State Parks and Recreation Department (OPRD), the U.S. Bureau of Land Management (BLM) or other state and federal agencies.**
 - (12) Cut and fill, and wetland regulations administered by the Division of State Lands (DSL).**
 - (13) Fish and wildlife habitat protection rules administered by the State Department of Fish and Wildlife (ODFW) and/or the U.S. Fish and Wildlife Department (USFW).**

(14) Applicable City and/or County ordinances, resolutions, agreements, regulating master plans or other land use decisions.

Finding 1: There may be rules and regulation at a State and Federal level that the applicant is required to comply with. City approval of this project does not supersede those requirements. The applicant shall obtain Oregon Department of Transportation (ODOT) approval of the access point or points on to Hwy 26 (3rd Street) if required.

Criteria: 153.014 GENERAL CRITERIA.

In determining whether or not any application shall be approved or denied, it shall be determined that the following criteria are either met or can be met through compliance with specific conditions of approval.

(A) The proposal is compatible with the City Comprehensive Plan and applicable policies set forth thereby.

(B) The proposal is in compliance with the requirements set forth by the applicable primary zone, by any applicable combining or overlay zone, and other provisions set forth by this chapter that are determined applicable to the subject use.

(C) That, for a proposal requiring approvals or permits from other local, state and/or federal agencies, evidence of the approval or permit compliance is established or can be assured prior to final approval.

(D) The proposal is in compliance with specific standards, conditions and limitations set forth for the subject use in the applicable zone, this section and this chapter.

(E) That no approval be granted for any use which is or expected to be found to exceed resource or public facility carrying capacities.

(F) For any use which is found to require compliance with air, water, land, solid waste and/or noise pollution standards, that the compliance be a condition of approval and compliance therewith shall be a continuing condition.

Finding 2:

A) The proposal is compatible with the Comprehensive Plan by providing for orderly growth and economic development.

B) The property is currently zoned General Commercial (C2). The City finds the proposal is in or can be in compliance with the applicable C2 zone as a conditional use. The proposal is meeting or can meet applicable provisions through conditions of approval.

C) The City is not aware of any other required approvals or permits from other local, state or federal agencies other than the potential ODOT access permits.

D) There are no specific standards identified for the use of a Recreational Vehicle Storage Facility.

E) The proposed development is not utilizing any City water or wastewater services, therefore sewer and water SDCs are not required. Traffic SDCs are not being require as the proposed use is not anticipated to create additional traffic impacts above the current and previous use of the portion of the site being developed per the proposal.

F) All uses are required to comply with local, state or federal pollution standards. If it is identified that such standards are being exceeded, measures shall be taken to come back into compliance.

Criteria: 153.051 GENERAL COMMERCIAL C-2 ZONE.

In a C-2 Zone, the following regulations shall apply.

(A) Purpose. The purpose of the C-2 Zone is to provide for those commercial uses which are considered more desirable to be located in an area outside of the downtown commercial core area, that are more dependent upon and create the highest volumes of vehicular traffic, are considered the heaviest or most intensive type of commercial uses, which actually involve a combination of heavy commercial and

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light industrial type uses, which commonly involve expansive areas of outside storage and displays of products and are more traveler oriented.

153.037 COMMERCIAL AND INDUSTRIAL USE TABLE
Type II: Recreational Vehicle Storage Facility

Finding 3: Recreational Vehicle Storage Facilities with uncovered storage are allowed as a Type II conditional use in the C2 zone with appropriate buffering and screening from surrounding neighbors and uses.

Criteria: 153.020 SITE PLAN AND DESIGN REVIEW PROVISIONS.

(C) *Exemptions. The following are exempt from the site and building design review process.*

(1) *Single family and two family/ duplex dwellings and their accessory structures.*

(2) *Outright uses existing on or before the effective date of this chapter.*

(3) *Exterior remodeling and/or expansion of a use up to and not exceeding 25% of the total square footage (including upper floors) of all structures on a specific lot or parcel under unit ownership, however, it shall meet the "Site design evaluation criteria"(G)(2) below.*

(4) *Changes of uses that occupy an existing building or site that is either similar to the previous use or of equal or lesser impact to the site with regard to water, sewer and traffic as determined by the Planning Director and City Engineer. A change of use application may be required to make this determination (converting a residence to a commercial use is always considered a greater impact). Conditional use procedures still apply for those applications that require it. As a conditional use improvements may be required that are exempted in this section.*

(5) *Painting, replacement of roofing and siding, and other normal maintenance and upkeep requirements which are not subject to regulation under the provisions of this chapter or any other applicable city, county, state and/or federal regulations.*

(6) *Activities that are determined to comply with section 153.120*

Finding 4:

The project is exempt from design review based on criteria 153.020 (C) (4). The proposed improvements are of equal or lesser impact to the site with regard to water, sewer, and traffic.

Criteria: 153.082 ONSITE LIGHTING.

(A) *As part of any application for a development or any use within the City, all on-site lighting shall be designed, located, shielded or deflected, so as not to shine directly onto adjoining properties, impair the vision of a driver of any vehicle or be a hazard to aircraft operations within the area.*

Finding 9: The applicant is not proposing onsite lighting at this time. Any future lighting of the property shall be shielded and focus the light downward and away from adjoining properties and not cause a hazard to vehicles or aircraft.

Criteria: 153.136 SPECIFIC CONDITIONS.

In addition to the standards and conditions set forth in a specific zone, this subchapter, this chapter and other applicable local, county, state and/or federal regulations, additional conditions may be imposed which are found to be necessary to avoid a detrimental impact on adjoining properties, the general area or the city as a whole, and to otherwise protect the general welfare and interests of the surrounding area, the city as a whole and the general public. No condition may be imposed which violates federal or state law with regard to needed housing. The conditions may include, but are not limited to, the following.

(A) *Limiting the manner in which the use is conducted, including restricting the time an activity may take place, and restrictions to minimize environmental impacts such as noise, vibration, air or water pollution, glare and odor.*

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(B) Establishing a special setback or other open space requirements, and increasing the required lot size or other dimensional standards.

(C) Limiting the height, size or location of a building or other structure or use.

(D) Increasing street width and/or requiring improvements to public streets and other public facilities serving the proposed use, even including those off-site but necessary to serve the subject proposal.

(E) Designating the size, number, improvements, location and nature of vehicle access points and routes, and requiring pedestrian and/or bicycle ways.

(F) Limiting or otherwise designating the number, size, location, height and lighting of signs and outdoor or security lighting, and the intensity and/or direction thereof.

(G) Requiring diking, screening, fencing or other improvements or facilities deemed necessary to protect adjacent or nearby properties, and establishing requirements or standards for the installation and maintenance thereof.

(H) Protecting and preserving existing trees, other vegetation and water, scenic, historic, archaeological, unique, landmark or other natural or manmade significant resources.

Finding 7: Applicant shall construct sight obscuring fencing along the northern boundary of the RV/Boat Storage development to screen vehicles and boats stored outside from view of the neighboring property.

Recommended Conditions of Approval: If approved the following conditions are recommended for application **Cu-2019-112 RV/Boat Storage Facility** to allow an uncovered RV/Boat Storage facility in the C2 zone. Such an approval is subject to the submitted plans, findings stated in the staff report, those conditions contained within and the following conditions of approval set forth below:

RECOMMENDED CONDITIONS OF APPROVAL

General Conditions

1. The applicant shall comply with the Fire Department requirements for fire flows, sprinkler systems, fire hydrants, address signs and Knox Box locks and all other UFC requirements including providing an additional access point for fire safety vehicles.
2. The applicant shall comply with the site plan as submitted and any alteration to them through the public hearings process. Any modifications of the site plan after approval shall be reviewed by City staff for compliance with City code and this approval. Major modifications as determined by the City will require a modification application.
3. The applicant is required to meet any required ODOT standards and obtain any necessary ODOT permits.
4. All signs shall meet the code requirements of the City's sign code found in Chapter 152. A plan for any proposed signs including location and dimensions shall be submitted to the City for review.
5. The applicant shall construct all onsite improvements as shown or described in the submittal prior to occupancy.

6. Applicant shall secure any and all city, county and state permits required for the proposed development, including, but not limited to all Crook County Building Department permits.

On-going Responsibilities

7. The applicant, owner and/or management shall maintain all buildings/grounds in good repair and appearance, and in clean condition at all times.
8. All landscaping approved or required as a part of the development plan shall be continuously maintained, including necessary watering, weeding, pruning and replacement of plant materials. If plantings fail to survive, it is the responsibility of the property owner to replace them.
9. No structure or land shall be occupied or used for any purpose which creates or causes to be created any public nuisance, including but not limited to excessive odor, dust, noise, vibration, flashing light or any hazard to the general health, safety and welfare of the area. Should a nuisance be declared the owner shall correct the issue in order to bring the development back into compliance with City Ordinances.
10. The applicant shall not allow onsite lighting to shine directly onto adjoining properties or public rights-of-way.
11. The applicant shall maintain all stormwater drainage on site and not allow it to flow onto neighboring properties or public rights-of-way. Should stormwater become an issue additional drainage basins or swales shall be provided to retain runoff.
12. The applicant is required to comply with all relevant portions of the City of Prineville Code of Ordinances.

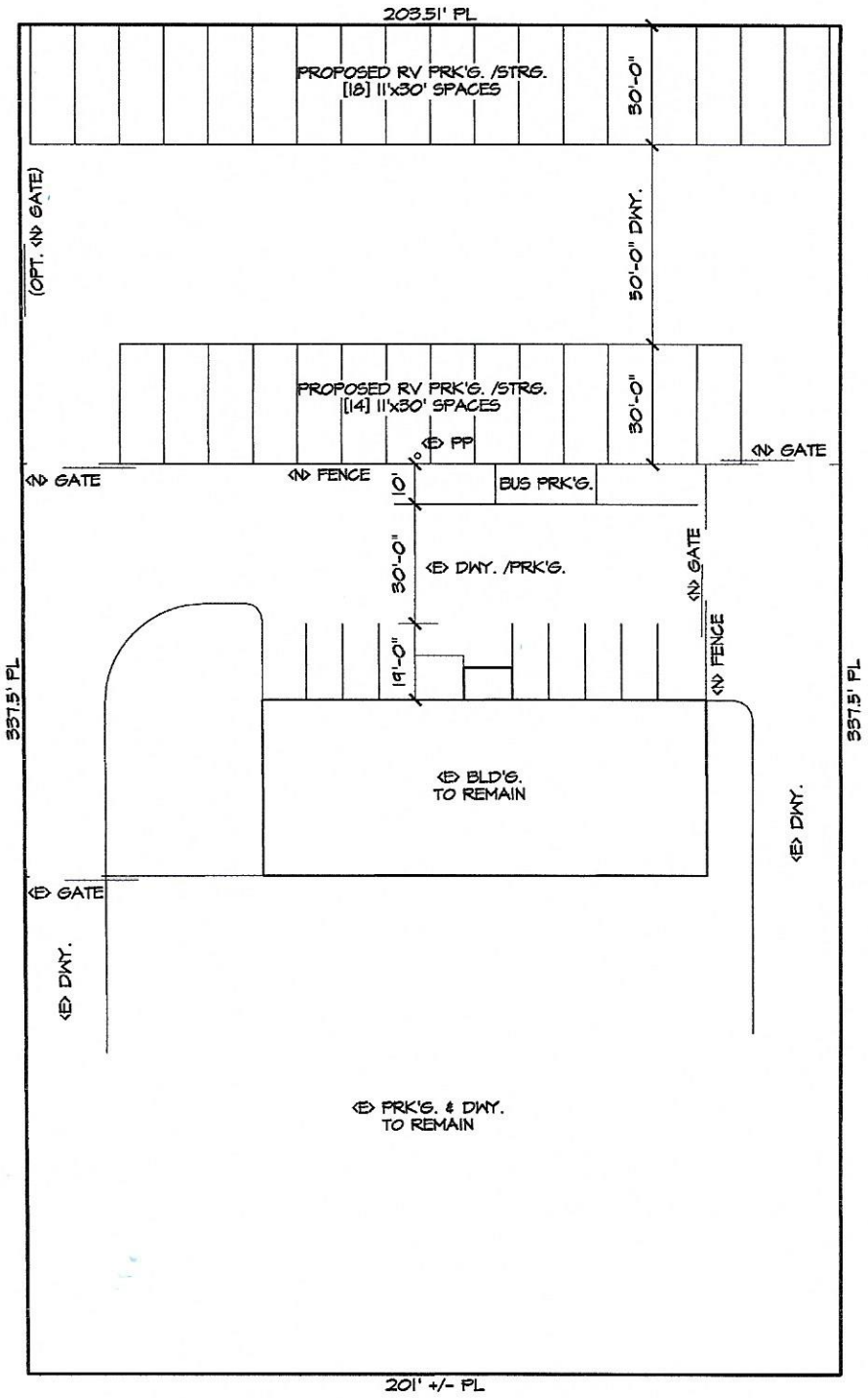
MOTION IN FAVOR

The Staff Report and record of tonight's proceedings are hereby incorporated as Findings of Fact in Favor of this Application. I Move that the application be **APPROVED**, subject to the Conditions of Approval as they have been finalized, and based upon the Findings of Fact in favor of the application.

MOTION IN OPPOSITION

The Staff Report and record of tonight's proceedings are hereby incorporated as Findings of Fact in Opposition to this Application. I Move that the request be **DENIED** based upon Findings of Fact in opposition to the application.

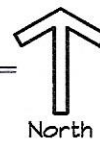
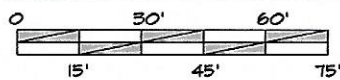
Written By: 
Casey Kaiser
Associate Planner



----- US HWY. 26 -----
100'-WIDTH

2321 NE 3rd STREET
PRINEVILLE, OR 97754

SITE PLAN





Google Earth

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