



PLANNING COMMISSION MEETING

February 21, 2024 at 7:00 PM

Boardman City Hall Council Chambers
AGENDA

1. CALL TO ORDER

2. FLAG SALUTE

3. ROLL CALL

4. ELECTION OF OFFICERS

5. APPROVAL OF MINUTES

A. Planning Commission Meeting Minutes December 20, 2023

6. PUBLIC HEARINGS

A. Silver Gardens Preliminary Findings with Attachments

B. CCS Regional Youth Facility

7. DISCUSSION ITEMS

A. Boardman Development Code Audit

B. Planning Official Report

8. PUBLIC COMMENT

INVITATION FOR PUBLIC COMMENT – The commission chair will announce that any interested audience members are invited to provide comments. Anyone may speak on any topic other than: a matter in litigation, a quasi-judicial land use matter; or a matter scheduled for public hearing at some future date. The commission chair may limit comments to 3 minutes per person for a total of 30 minutes. Please complete a request to speak card prior to the meeting. Speakers may not yield their time to others.

9. COMMISSION COMMENTS

10. ADJOURNMENT

A. Future Meetings:

March 20, 2024

April 17, 2024

Zoom Meeting Link: <https://us02web.zoom.us/j/2860039400?omn=89202237716>

This meeting is being conducted with public access in-person and virtually in accordance with Oregon Public Meeting Law. If remote access to this meeting experiences technical difficulties or is disconnected and there continues to be a quorum of the council present, the meeting will continue.

The meeting location is accessible to persons with disabilities. Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 48 hours prior to the meeting. To make your request, please contact a city clerk at 541-481-9252 (voice), or by e-mail at city.clerk@cityofboardman.com.

**BOARDMAN PLANNING COMMISSION – REGULAR MEETING MINUTES – December 20
BOARDMAN CITY HALL COUNCIL CHAMBERS AND VIA ZOOM**

Commission Vice Chair Irons called the meeting to order at 7:00 PM and led the Pledge of Allegiance.

Commissioners Present: Sam Irons, Jami Carbray, Michael Connell, David Landstrom, Jennifer Leighton, and Ragna TenEyck

Commissioners Absent: Zack Barresse - excused

Staff Present: Carla McLane – Planning Official, Nancy Orellana – Associate Planner, Brandon Hammond – City Manager, Amanda Mickles – City Clerk, Rolf Prag – Public Works Director, Toni Connell – Utility Clerk, Jackie McCauley – Building Clerk, Jose Fernandez – Code Enforcement, and Rick Stokoe – Police Chief

Audience: Angie Sullivan (LandWise), Aaron Hoeft (ACA Engineering), Kym Landstrom, Don Russell, Cheryl Tallman, Jonathan Tallman, George Shimer (Boardman Parks and Rec), Karen Pettigrew, Jose F, Yen H, Ashley Dougill, and Chris Crean (City Attorneys)

Welcome New Members – Jami Carbray & David Landstrom

Jami Carbray introduced herself as a 3 year resident of Boardman and the current principle at Sam Boardman Elementary. David Landstrom introduced himself as a 1 year resident of Boardman, paramedic, and moved here to be closer to his family while staying in Oregon.

Approval of Minutes

October 18, 2023 Regular Meeting

Commissioner Connell made a motion to approve the October 18, 2023 minutes as presented. Commissioner Leighton seconded the motion. A roll call vote was taken: Commissioner Carbray – yes, Commissioner Connell – yes, Commissioner Landstrom – yes, Commissioner Leighton – yes, Commissioner TenEyck – yes, Commissioner Irons – yes. The motion passed 6-0 with 1 absence.

Formal Proceedings

Public Hearings – Site Design Review RVW23-000002

Commission Vice Chair Irons opened the Public Hearing at 7:03 pm

Commission Vice Chair Irons read the purpose of the hearing: Site Design Review RVW23-000002: Site Design Review RVW23-000002: Unity Partners LLC and Willowfork Investments LLC, owner and Unity Partners LLC, applicant. Property is described as tax lot 1600 of Assessor’s Map 4N 25E 09CC and is zoned Commercial – Tourist Commercial. The request is to approve a hotel, restaurant, and recreational vehicle (RV) park. Criteria for approval are found at the Boardman Development Code (BDC) Chapter 4.2 Development Review and Site Design Review along with standards in Chapter 2.2.180 Tourist Commercial Sub-District and Chapter 3 Design Standards. It is being processed as a Type III decision.

Commission Vice Chair Irons read the rules of conduct of the hearing and asked the commissioners if they wished to abstain from this hearing. There were none. Planning Official McLane explained for the new commissioners the difference between ex parte contact, bias, or conflict of interest.

Commission Vice Chair Irons asked if anyone in the audience wished to challenge any of the commissioners’ impartiality. There were none.

Staff Report – Planning Official McLane reviewed the Preliminary Findings of Fact provided in the commissioner’s packets. The hotel and restaurant are planned for outright use; it will be the job of the Planning Commission to determine if the RV park is considered similar in use to a hotel. Applicant provided

additional information including a narrative and map. She requested the additional information be added to the record.

Commissioner Landstrom made a motion to accept the narrative and map into the record. Commissioner Connell seconded the motion. A roll call vote was taken: Commissioner Carbray – yes, Commissioner Connell – yes, Commissioner Landstrom – yes, Commissioner Leighton – yes, Commissioner TenEyck – yes, Commissioner Irons – yes. The motion passed 6-0 with 1 absence.

Public Testimony

Applicant – Aaron Hoeft is representing the applicant on the project. The project will move forward with a committed franchise once the initial plan is approved. The hotel will be approximately 85 rooms. The intent of the RV Park will be short term and offer facilities easily accessible as many traveling with an RV will use parking lots for an easy place to stay overnight. The hotel will facilitate the RV Park, offering the same amenities and facility to benefit the traveler. Roads will be added by the developer, improving and adding to the facility. All roads within the site will be paved; a laundry facility and restrooms will also be available. Commissioner Landstrom asked what they consider short term. Mr. Hoeft stated they do not allow rental by the week or month, and will be working in conjunction with the hotel. The city has a requirement for short term stay, so they will rent by the night. There are other RV Parks in town that offer long term options. Commissioner TenEyck asked if there would be waste disposal. Mr. Hoeft stated each space will have its own utilities.

Testimony in Favor

Angie Sullivan – Permit Specialist on the development team available for any questions.

Testimony in Opposition

George Shimer – Boardman Parks and Rec. District – After visiting with numerous people, there is concern of having an RV park right at the entrance of town. Mr. Shimer stated this short-term RV park being set up like a parking lot is not what the plan should be for the city. He stated he is in favor of the hotel. If the RV Park is put near the freeway, it will take away from traffic down to the RV Park on the river. The RV park established on the river is one of the best in the state. They are looking to expand, adding 100 sites to the current Boardman Marina Park. Commissioner Landstrom asked if the RV park on the river is exceeding capacity or meeting the demand. Mr. Shimer stated they opened reservations for the 2024 year and the park is fully booked for the 3 major holiday weekends.

Neutral Testimony

Don Russell – adjoining property owner. As an RV traveler, he stated he has stayed in short term RV parks, it depends on how the facility is operated and maintained as to what it will be like. He requested clarification on whether this property was a driveway share with his property. Planning Official McLane showed on the map provided in the packet, where the property boundaries are and where the current plan shows the area that touches his property is part of future development.

Jonathan Tallman stated he would like to see more developed plans as vehicles turning left on to Main Street from the new development on SW Front Street would cause problems.

Cheryl Tallman asked how big the hotel would be and if the restaurant would be attached. Commissioner Vice Chair Irons responded the hotel would be approximately 85 rooms and the restaurant would be separate.

Applicant Rebuttal

Mr. Hoeft addressed the concerns from Mr. Shimer. He stated that the existing RV park has filled up for holiday weekends, so that shows a need. Comments about the parking lot were taken out of context, this is not a parking lot, and the plan provides a better facility than a parking lot. The current plans show for playground, grass, trees, utilities, laundry, shower facility, and additional parking spaces. They are paving the

roads within the property as they are required to do so. The space is an RV park with all the amenities. The roads will be built and improved to and around the facility and will start the process of future development of roads around this site.

Planning Official McLane stated the City will require a full traffic impact study. The IAMP requires that Front Street become a right in, right out. The City has committed to the Oregon Trail Blvd extension including the loop road to help with the traffic concerns.

Commissioner TenEyck asked if the RV park would allow tent camping and what the maximum length of stay would be. Mr. Hoeft stated there are no tent sites designed in this park and stays are less than 7 nights. Camp trailers would be limited to 10 years or newer, exceptions with a visual inspection.

Jose Fernandez asked if they are anticipating having 38 customers at a time as the plan allows. Mr. Hoeft stated the plan was created that way as the space fits that many stalls. The developer would expect similar occupancy as a hotel.

Angie Sullivan stated the developers are looking at higher end hotel franchises, restaurant being a Denny's or Shari's level. Commissioner Connell asked what hotel franchises are interested. Ms. Sullivan stated Hilton, Marriott, Comfort Inn, and Holiday Inn Express, though nothing has been finalized.

Commission Vice Chair Irons closed the Public Hearing at 8:03 PM.

Deliberation by Commission of Site Design Review RVW23-000002

Commissioner Connell stated the discussion has been focused on the RV park with much uncertainty on how that part is going to work. The hotel and restaurant are needed. He also indicated that 7 days does not feel short term and would like a more definitive answer to what is considered short term. Planning Official McLane stated the planned use of the site is a similar use to the hotel as it offers short term. The planning commission has the opportunity to define a short term stay.

Commissioner Leighton stated she will support the hotel and restaurant, not the RV park. Commissioner TenEyck mentioned a plan for a manufactured home or RV park was previously denied. She stated that because the facility would be managed by a hotel, it has the potential to be different.

Commissioner Landstrom stated the Commission is hearing now that the hotel and RV park would be merged where the initial reports state they are separate. Planning Official McLane stated there are 3 different things happening on the property and the purpose of this process is to get the approval to continue the planning process.

Vice Chair Irons asked if it was possible to remove the RV park from the plan. Planning Official McLane stated the commission can ask to remove the RV park from the staff report. Commissioner Carbray stated she sees RV as recreational and cannot see RV being a similar use to a hotel.

Planning Official McLane stated that Chris Crean, City's attorney, stated the approval is for the full plan as presented, not partial approval. If application is denied, the application cannot be resubmitted for 6 months.

Commissioner TenEyck made a motion to approve the application as presented. There was no second.

The applicant requested a continuance to February 21, 2024 and will waive the 120 day requirement for a decision.

Commissioner Landstrom moved to issue a continuance to February 21, 2024 at 7:00 PM at Boardman City Hall in the Council Chambers. Commissioner TenEyck seconded the motion. A roll call vote was taken:

Commissioner Carbray – yes, Commissioner Connell – yes, Commissioner Landstrom – yes, Commissioner Leighton – yes, Commissioner TenEyck – no, Commissioner Irons – yes. The motion passed 5-1 with 1 absence.

Short Break

Formal Proceedings

Public Hearings – Amendment A-BDC-23-001

Commission Vice Chair Irons opened the Public Hearing at 8:50 PM

Commission Vice Chair Irons read the purpose of the hearing: Amendment A-BDC-23-001: City of Boardman, applicant. This request is to amend Section 3.4.000 of the Boardman Development Code to allow the city to defer construction of certain road improvements until such time as the adjacent property develops. Criteria for approval are found at the BDC Chapter 4.7 Land Use District Map and Text Amendments. It is being processed as a Type IV decision with the final hearing before the City Council.

Commission Vice Chair Irons read the rules of conduct of the hearing and asked the commissioners if they wished to abstain from this hearing. There were none.

Commission Vice Chair Irons asked if anyone in the audience wished to challenge any of the commissioners’ impartiality. There were none.

Staff Report

Planning Official McLane reviewed the proposed amendment provided in the packet, stating the proposed changes derived from Tallman case. The Planning Commissions decision at tonight’s meeting will lead to a recommendation to City Council to approve or deny the update. Additional documents were received, a letter from Kellington Law Group and a thumb drive from Mr. Tallman containing LUBA record No. 2022-062. She requested these documents be added into the record.

Commissioner Landstrom moved to accept the letter from Kellington Law Group dated December 19, 2023 as well as the flash drive with LUBA record 2022-062 into the record as an oversized exhibit. Commissioner Connell seconded. A roll call vote was taken: Commissioner Carbray – yes, Commissioner Connell – yes, Commissioner Landstrom – yes, Commissioner Leighton – yes, Commissioner TenEyck – yes, Commissioner Irons – yes. The motion passed 6-0 with 1 absence.

Applicant:

The City is the applicant and reserve the right to rebuttal.

Testimony in Favor

There was none.

Testimony in Opposition

Jonathan Tallman – LUBA case has been accepted into the record. Mr. Tallman offered an overview of LUBA Case No. 2022-062 as he requested it to be added into record. He stated he would like to work together, and the roads be done correctly. He pays taxes on sewer, yet there is no sewer on his property, the loop road is the only way sewer would be put on his property. Mr. Tallman also stated he submitted a record request to see how much money the City is paying in legal fees to the City attorney Mr. Crean or the Hammond Group.

Testimony in Neutral

There was none.

Applicant Rebuttal

City Attorney Chris Crean said this is a legislative decision for the city as a whole. This change was derived from the court case that highlighted a shortcoming in the development code. Roads spur development; this code amendment defers the construction of the amenities until a property is developed. Private development would be held responsible for construction of sidewalk, trees, and lights. This applies to all future development citywide. Mr. Crean recommended a change of the word "waive" compliance to "defer" compliance in the amendment.

Commissioner Landstrom clarified the property being used as an example is the new road by Pacific Pride. Planning Official McLane confirmed this is the road being referenced by testimony, however the change in code language would encompass the City as a whole and gives the City the option to defer construction of the amenities to the land developers in the future.

Commissioner TenEyck asked if there is any recourse to the property developers that have not constructed the amenities. Planning Official McLane stated there is not anything in code. The City is working on what sections of town are not developed with sidewalks to determine what would need to be installed and address this within the Capital Improvement Plan. The cost of development includes road, sidewalk, gutters, trees, and lights. Commissioner TenEyck asked if developers are purchasing smaller sections of the property to develop, are they required to develop the entire length of road, or would there be chunks undeveloped. Planning Official McLane stated there could be chunks developed as they are not required to do the entire road, only the section they are responsible for developing.

Commissioner Landstrom stated he is concerned with safety for pedestrians if the City is developing roads without safe passage options. Planning Official McLane stated the City was not required to put the road in. The decision was made with safety and fiscal considerations. Chris Crean stated the IAMP is part of the Transportation System Plan and the City has the discretion to build roads on the plan in an order deemed necessary. Economic development is important to the City, and because there is now a road, it will spur development. By installing sidewalks, trees, and lights, there is a chance the developer would remove much of what was installed to fit their needs; this is a waste of taxpayers' money. Commissioner Landstrom stated there is a transportation improvement plan as a mechanism to recover cost of previously installed infrastructure. Mr. Crean stated he is unaware of a mechanism to recover cost.

Commission Vice Chair Irons closed the Public Hearing at 9:31 PM

Deliberation by Commission of Amendment A-BDC-23-001

Commissioner Connell stated the area the road was constructed was a mess and sees the value in the loop road with all the truck traffic. There are no residents in the area that would utilize the sidewalks on the loop road. Funds can be used better elsewhere, like in established neighborhoods where there are no safe passages for pedestrians.

Commissioner Connell moved to forward Amendment A-BDC-23-001 as amended – changing the word waive to defer - to the City Council for final consideration. Commissioner Leighton seconded. A roll call vote was taken: Commissioner Carbray – yes, Commissioner Connell – yes, Commissioner Landstrom – no, Commissioner Leighton – yes, Commissioner TenEyck – yes, Commissioner Irons – yes. The motion passed 5-1 with 1 absence.

Discussion Items

Boardman Development Code Audit

Planning Official McLane stated they have been working with a consulting firm and they have walked through the entire development code to determine what issues need to be addressed. The Commission will go deeper into the development code amendments at the next Planning Commission meeting in January. It will be run as a work session.

The City has created a brochure on how to speak at a public hearing. It will be available at all meetings including Public Hearings and posted on the City's website. It gives information on how to be prepared.

2024 Planning Commission Calendar

Planning Commission schedule was presented, there is no meeting in June due to the Juneteenth holiday, and the July meeting was moved up one week to meet timeline of documents.

Appointment of Commissioners in January

Commissioner Barresse and Commissioner TenEyck will be up for reappointment, both have indicated they would like to be reappointed.

Public Comment

Jonathan Tallman stated his reasons why he did not accept his offer for the Loop Road on his property as it was different than what the other property owners were offered. Would like to work together to get the problems solved.

Commission Comment

Commissioner TenEyck stated she does not receive emails, but picks up the packets at City Hall and reads the packet in its entirety prior to every Planning Commissioner Meeting.

ADJOURNMENT 9:54 PM

**PLANNING COMMISSION
FINDINGS OF FACT
RVW23-00002
TYPE III DECISION PROCESS
AMENDED FEBRUARY 14, 2024**

REQUEST: To approve a hotel, restaurant, and short stay recreational vehicle (RV) park.

APPLICANT: Unity Partners LLC
5004 W. 32nd Avenue
Kennewick, WA 99338

OWNER: Unity Partners LLC
Willowfork Investment LLC
5004 W 32nd Avenue
Kennewick, WA 99338

PROPERTY DESCRIPTION: Tax Lot 1600 of Assessor’s Map 4N 25E 09CC.
GENERAL LOCATION: South of Interstate 84, west of Main Street, along SW Front Avenue.
ZONING OF THE TRACT: Tourist Commercial Subdistrict.
EXISTING DEVELOPMENT: Predominately bare property with an older home in the northwest corner of the property.
PROPOSED USE: Hotel, restaurant, and short-stay RV park.

- I. **BACKGROUND:** The subject property is predominately bare with an older home in the northwest corner that is proposed to be removed. A previous applicant considered a truck stop on this property but considerations from the Main Street Interchange Area Management Plan (IAMP) could not be easily overcome and no application was filed. The previous owner of the property did make application for a manufactured home park but the Planning Commission denied that request. For this request there has been a preapplication meeting with the Planning Official and a Site Team meeting was held on December 7 with area utility and public service providers. The Oregon Department of Transportation have provided input concerning the anticipated average daily trips which will require additional traffic study to be performed prior to development commencing. It is also important to note that the application does not contain specifics about the hotel or restaurant franchise that may build. Those decisions by the applicant are anticipated after this permit is completed. For these and other reasons there are a number of Conditions of Approval that the Planning Commission needs to give consideration to.
- 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. At a minimum the request for the RV Park will be subject to Chapter 4.8 Code Interpretations as the request would require a determination that the RV Park is a use similar to a hotel or motel. 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 narrative, a preliminary site plan, a map of the existing conditions, and a trip generation letter. The trip generation letter (attached) indicates that further traffic analysis is necessary to comply with the Boardman Development Code (BDC). This is supported by comment from the Oregon Department of Transportation (ODOT) at the Site Team meeting. Based on this it is recommended and listed as a Condition of Approval that the applicant submit a Traffic Impact Analysis prior to development of the site to include the hotel, restaurant, and short-stay RV Park.

Prior to the conclusion of the December Planning Commission public hearing the applicant requested a continuance and has subsequently provided an updated narrative with more detail around the short stay RV Park as well as another proposed layout. The amended layout shows SW 1st Street developed between the hotel and restaurant on one side with the RV Park on the other. Staff suggest that both layouts be considered with the final layout dependent upon infrastructure and other inputs prior to development.

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;**

Hotels and restaurants are uses allowed in the Commercial use zone and the Tourist Commercial subdistrict. What is not allowed is a RV Park. The applicant has argued, successfully enough to get his application before the Planning Commission, that a short-stay RV Park is similar in nature to a hotel or motel and should be considered if operated in a manner consistent with a hotel or motel. There is a similar use determination later in these findings.

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 that has been submitted. Once the final franchise operators have been selected final siting determinations can be accomplished. Generally, at this point more specifics are known; since there are still aspects that the preliminary site plan cannot provide it is recommended and listed as a Condition of Approval that the applicant apply for Development Review prior to moving to building review to assure that all of the Chapter 2 provisions can be met.

The Tourist Commercial Subdistricts purpose is to accommodate development of commercial facilities catering to the traveling public at the Interstate 84 interchange. The development of a hotel, restaurant, and short-stay RV Park would be consistent with this purpose.

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 predominately bare with an older home in the northwest corner that is proposed to be removed. 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:

The following address the various Chapter 3 provision that staff have deemed applicable.

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.

Access permit will be required before development for each access.

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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 completed by PBS has been submitted by applicant. Based on comment from the Oregon Department of Transportation and the TGL analysis the applicant shall submit a Traffic Impact Study prior to development of the site.

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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 at least four access points, one for the RV Park, two along the north for access to the restaurant and hotel, and a fourth along the future SW Front Street for access to the hotel. All four will require an Access Permit. This is listed as a Condition of Approval.

The alternative site plan would retain the single access point to the RV park but access to the hotel and restaurant are less clear. It is assumed that the at least three access points would be needed to support those activities, all requiring an Access Permit. This is listed as a Condition 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.

Per Table 3.1.200 G of City of Boardman Development Code, Minimum Intersection Spacing Standards for a Neighborhood Collector is 200 feet with private drives established at 50 feet. This standard will need to be met at the time of Development Review for each of the proposed uses.

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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 hotel and restaurant will have three access points. The RV Park will have one access point. Both site plans are preliminary and exact location of access points will have to be calculated per City of Boardman Development Code standards.

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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:

Dependent on the final site layout the restaurant and hotel will most likely have shared access points. Should the property be partitioned formal access easements or other mechanisms may be required at that time.

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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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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 outlined in the narrative, but should be configured for deliveries for both the restaurant and hotel without impacting the parking plan.

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 Marshall prior to final approval of the Development Review permit. This is listed as a Condition of Approval.

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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 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 narrative, but exact location of sidewalks are not clear. 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.

...

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.

Street trees shall be incorporated into the Landscaping Plan meeting the requirements of this standard. This is listed as a Condition of Approval.

...

3.2.400 Fences and Walls

The following standards shall apply to all fences and walls:

- A. General Requirements. All fences and walls shall comply with the standards of this Section. The City may require installation of walls and/or fences as a condition of development approval, in accordance with Chapter 4.4 - Conditional Use Permits or Chapter 4.2 - Site Design Review.**
- 1. All private fences constructed in the public right-of-way shall require a zoning approval by the City of Boardman to construct the fence within the right-of-way. This approval will be through a Type I ministerial procedure consistent with 4.1.300.**
- B. Dimensions.**
- 1. The maximum allowable height of fences and walls is six (6) feet, as measured from the lowest grade at the base of the wall or fence, except that retaining walls and terraced walls may exceed six (6) feet when permitted as part of a site development approval, or as necessary to construct streets and sidewalks. A building permit is required for walls exceeding 6 feet in height, in conformance with the Uniform Building Code.**
 - 2. The height of fences and walls within a front yard setback shall not exceed four (4) feet, in Residential or Commercial districts (except decorative arbors, gates, etc.) or six (6) feet in Industrial and Light Industrial Districts as measured from the grade closest to the street right-of-way.**
 - 3. Landscaping walls to be built for required buffers shall comply with Section 3.2.200.**
 - 4. Fences and walls shall comply with the vision clearance standards of Section 3.1.200.**
- C. Materials. All fences shall be constructed of materials suited to provide fences of standard and acceptable visual characteristics of the surrounding neighborhood.**
- 1. Acceptable materials shall include; chain link fencing, redwood or cedar fencing, composite fencing materials, formed plastic fencing, split rail fencing, painted picket fencing, concrete or plaster filled PVC fencing, decorative wrought iron or metal fencing, masonry block or brick or a combination of decorative masonry block or brick and decorative wrought iron or metal.**
 - 2. Unacceptable materials shall include; pallet panels, steel farm fencepost, chicken wire, rabbit wire or other farm related fencing, undecorated plywood, undecorated pressboard, undecorated chipboard, scrap iron, two or three wire barbed wire fencing, electric fencing materials of any type, or materials inconsistent with the acceptable list of materials in 3.2.400 (C)(1).**
 - 3. Use of Barbed Wire: the use of barbed wire in fencing materials may be allowed for security purposes within the Industrial and Light Industrial zones and will be subject to Conditional Use approval in all other land use districts within the City. The Conditional Use Permit shall follow the Type III procedure identified in 4.1.500 and be required to submit the information consistent with the provisions in Chapter 4.4.**

- D. **Vision Clearance.** All fencing shall meet the requirements of vision clearance at any street intersection in accordance with Figure 3.1.200(N).
- E. **Maintenance.** For safety and for compliance with the purpose of this Chapter, walls and fences shall be maintained in good condition, or otherwise replaced by the owner.
The applicant has indicated that fencing will be installed at least as part of the RV Park. Any fence shall be subject to a Fence Permit that can be done at the same time as the Development Review Permit. This is listed as a Condition of Approval.

...

Chapter 3.3 Vehicle and Bicycle Parking
3.3.300 Vehicle Parking Standards

...

A. Minimum Required Off-street Parking Spaces

...

2. Commercial Uses

Hotels and motels. One space for each guest room, plus one space for the manager.
 Restaurants, bars, ice cream parlors and similar uses. One space per four seats or one space per 100-sq. ft. of gross leasable floor area, whichever is less.

...

B. Parking Location and Shared Parking

- 1. **Location.** Vehicle parking is allowed only on approved parking shoulders (streets), within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this code. Specific locations for parking are indicated in Chapter 2 for some land uses (e.g., the requirement that parking be located to side or rear of buildings, with access from alleys, for some uses). (See also, Section 3.1 - Access and Circulation).
- 2. **Off-site parking.** Except for single family, two-family, and three-family dwellings, the vehicle parking spaces required by this Chapter may be located on another parcel of land, provided the parcel is within ¼ mile of the use it serves. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.
- 3. **Mixed uses.** If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (i.e., the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly.
- 4. **Shared parking.** Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use.
- 5. **Availability of facilities.** Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers and/or employees, as applicable. Signs shall conform to the standards of Chapter 3.6.

C. Maximum Number of Parking Spaces. The number of parking spaces provided by any particular use in ground surface parking lots shall not exceed the required minimum number of spaces

provided by this Section by more than 10%. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface lots, shall not apply towards the maximum number of allowable spaces. Parking spaces provided through "shared parking" also do not apply toward the maximum number.

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)

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 information that shows 99 parking spaces for the hotel and 50 parking spaces for the restaurant. Disabled person parking spaces are not outlined in the narrative, but will need to be addressed before development. A final parking plan shall be submitted as part of the Development Review Permit that meets the above requirements. This is listed as a Condition of Approval.

3.3.400 Bicycle Parking Requirements

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

...

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 hotel will be required to have at least 10 bicycle parking spaces with the restaurant required to have at least 5. Applicant shall comply with all bicycle parking requirements. This is listed as a Condition of Approval.

...

Chapter 3.4 Public Facilities Standards

3.4.000 Purpose and Applicability

A. **Purpose.** The purpose of this chapter is to provide planning and design standards for public and private transportation facilities and utilities. Streets are the most common public spaces, touching virtually every parcel of land. Therefore, one of the primary purposes of this Chapter is to provide standards for attractive and safe streets that can accommodate vehicle traffic from planned growth, and provide a range of transportation options, including options for driving, walking and bicycling. This Chapter is also intended to implement the City's Transportation System Plan. Important cross-reference to other standards: The City requires that streets provide direct and convenient access, including regular intersections. Chapter 3.1 - Access and Circulation, provides standards for intersections and blocks, and requires pedestrian access ways to break up long blocks.

B. **Applicability.** Unless otherwise provided, the standard specifications for construction, reconstruction or repair of transportation facilities, utilities and other public improvements within the City shall occur in accordance with the standards of this Chapter. No development may occur unless the public facilities related to development comply with the public facility requirements established in this Chapter.

- C. **Standard Specifications.** The City Manager or his/her designee shall establish standard construction specifications consistent with the design standards of this Chapter and application of engineering principles. They are incorporated in this code by reference.
- D. **Conditions of Development Approval.** No development may occur unless required public facilities are in place or guaranteed, in conformance with the provisions of this Code. Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact. Water and wastewater connections were discussed during the Site Team meeting. Exact connection locations were not identified. Wastewater can be accessed on the north side of property. Water line connections can be accessed from Main Street. All installations shall comply with the Boardman Development Code and Public Works Standards. This is listed as a Condition of Approval.

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.

...

- C. **Creation of Rights-of-Way for Streets and Related Purposes.** Streets shall be created through the approval and recording of a final subdivision or partition plat; except the City may approve the creation of a street by acceptance of a deed, provided that the street is deemed essential by the City Council for the purpose of implementing the Transportation System Plan, and the deeded right-of-way conforms to the standards of this Code. All deeds of dedication shall be in a form prescribed by the City Manager or his/her designee and shall name "the public," as grantee.

...

- E. **Street Location, Width and Grade.** Except as noted below, the location, width and grade of all streets shall conform to the Transportation System Plan, and an approved street plan or subdivision plat. Street location, width and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets.

...

Right-of-Way on SW 1st Street is noted on site plan. Potential right-of-way was discussed at the Site Team meeting with final determinations to be made prior to issuance of the Development Review Permit. Development of both Front Street and SW 1st Street need to be done to the standards outlined in the Boardman Development Code and the Public Works Standards. This is listed as a Condition of Approval.

...

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.

...

Water and wastewater connections can be achieved. All installations shall conform to this section. 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.

...

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.

...

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.

Easements shall be accomplished as required by this standard for the development. This is listed as a Condition of Approval.

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. Review of the Construction Plan shall be done prior to construction with approval by the City Engineer. This is listed as a Condition of Approval.

3.4.800 Installation

- A. Conformance Required.** Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this chapter, approved construction plans, and to improvement standards and specifications adopted by the City.
- B. Adopted Installation Standards.** The Standard Specifications for Public Works Construction, Oregon Chapter A.P.W.A. shall be a part of the City's adopted installation standard(s); other standards may also be required upon recommendation of the City Engineer.
- C. Commencement.** Work shall not begin until the City has been notified in advance.
- D. Resumption.** If work is discontinued for more than one month, it shall not be resumed until the City is notified, and the City approves resumption.
- E. City Inspection.** Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. Modifications requested by the developer shall be subject to land use review under Chapter 4.6 - Modifications to Approved Plans and Conditions of Approval. Any monuments that are disturbed before all improvements are completed by the subdivider shall be replaced prior to final acceptance of the improvements.
- F. Engineer's Certification and As-Built Plans.** A registered engineer shall provide written certification in a form required by the City that all improvements, workmanship and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to City acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide 10 set(s) of "as-built" plans, in conformance with the City Manager or his/her designee's specifications, for permanent filing with the City.

All infrastructure proposed for the development will need to meet these requirements. This is listed as a Condition of Approval.

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.

...

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.

Chapter 3.6 Other Standards

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3.6.500 Signs

...

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.

...

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 has submitted signage examples that represent the style and vision for the project. 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.

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. It is anticipated that at some point a land partition or subdivision will be applied for to allow the development of the discreet components (hotel, restaurant, and short-stay RV Park) to be sited on an individual lot or parcel. There is also a remainder to the subject property that has been identified for other development opportunities by the applicant that are not a part of this application and will be reviewed at a later date.

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. The Code Interpretation identified earlier will be discussed below.

Chapter 4.8 Code Interpretations

4.8.200 Code Interpretation Procedure

A. Requests. A request for a code interpretation (“interpretation”) shall be made in writing to the City Manager. The City Manager or designee may develop written guidelines for the application process.

The application for the hotel, restaurant, and short-stay RV Park acknowledges that the RV Park component is not a use allowed in the Tourist Commercial use zone. For that reason, it is being reviewed as a Code Interpretation.

B. Decision to Issue Interpretation. The City Manager or designee shall have the authority to review a request for an interpretation. The City Manager or designee shall advise the requester in writing within 14 days after the request is made, on whether or not the City will issue an interpretation.

The ongoing conversation with the applicant did conclude that the Planning Official would forward this decision to the Planning Commission as part of the overall review of the development.

C. Declining Requests for Interpretations. The City Manager or designee is authorized to issue or decline to issue a requested interpretation. Basis for declining may include, but is not limited to, a finding that the subject Code section affords only one reasonable interpretation and that interpretation does not support the request. The City Manager or designee decision to issue or decline to issue an interpretation is final when the decision is mailed to the party requesting the interpretation, and the decision is not subject to any further local appeal.

The Planning Official has determined that the request should move through the approval process but by virtue of the Type III process required for the hotel and restaurant felt that any final decision on the short-stay RV Park should also be accomplished by the Planning Commission.

D. Written Interpretation. If the City Manager or designee decides to issue an interpretation, it shall be issued in writing and shall be mailed or delivered to the person requesting the interpretation and any other person who specifically requested a copy of the interpretation. The written interpretation shall be issued within 14 days after the City advises the requester that an interpretation shall be issued. The decision shall become effective 14 days later, unless an appeal is filed in accordance with E-G below.

While the time line outlined in this section will not be specifically followed these findings and any Conditions of Approval applied by either the Planning Official or the Planning Commission would be provided to the applicant as part of the overall final decision.

At the December 20, 2023, Planning Commission public hearing there was concern expressed by several commission members about the RV Park. The subsequent submittal by the applicant, which is attached to these Findings, has additional information about the proposed RV Park. Their amended narrative provides the following:

In response to concerns voiced by the Boardman City Council at the last hearing, the applicant wishes to expand the recreational vehicle resort narrative to allay concerns that this RV resort will fall into disrepair or any kind of disrepute with the citizens of Boardman. The process involved in planning this RV resort has required a well-defined development strategy with an initial concept crucial to insuring that the RV resort will be first class. The site has been designed for the best use of infrastructure, amenities, and landscaping. There will be operations and management plans to ensure efficient and effective service and customer satisfaction.

The RV resort will host guests on short-stays (typically one day but up to 3 or 4 days) that are most likely traveling east or west on I-84 and need a night or two of rest. Additionally, we would like to attract travelers to the RV Resort as a relaxing destination. This area has access to recreation opportunities on the Columbia River, such as the Sacagawea Heritage Trail, the Boardman Marina Park and the Sage Center, all worthy destinations. Visitors can even purchase a day pass at the Boardman Pool & Recreation Center and enjoy a swimming pool or the fitness amenities.

The site amenities include:

- *The anticipated space for the park will be approximately 2.54 acres.*

- *The short stay RV Resort will allow guests to stay similar to a hotel guest, i.e. 3-4 days on the would be the typical longest stay but we anticipate a 1-day stay to be the most common length.*
- *Gated entrance/exit*
- *A playground*
- *Laundry facility with restrooms and showers in the building.*
- *Each space will have a columnar tree planted with a 4-foot tree ring, artificial turf covering, and a parking space for a pickup.*
- *The interior streets will be 2-way directional.*
- *There will be 38 RV spaces and 16 spaces for vehicle overflow parking.*
- *Based on the industry average, we anticipate 50% occupancy.*
- *There will be 2 employees on the property daily.*
- *Anticipated daily trips are calculated to be 42.*
- *Only Recreational Vehicles newer that 10 years old will be allowed to stay at the Resort.*

The applicant has worked to address the concerns raised by the Planning Commission and staff have added a Condition of Approval related to operations.

E. Appeals. The applicant and any party who received such notice or who participated in the proceedings through the submission of written or verbal evidence of an interpretation may appeal the interpretation to the City Council within 14 days after the interpretation was mailed or delivered to the applicant. The appeal may be initiated by filing a notice of appeal with the City Manager or designee pursuant to Chapter 4.1.400.G.

These appeal procedures are consistent with any decision including the Type III Site Design Review that these findings address.

F. Appeal Procedure. City Council shall hear all appeals of a City Manager interpretation as a Type III action pursuant to Section 4.1.500, except that written notice of the hearing shall be provided to the applicant, any other party who has filed a notice of appeal, and any other person who requested notice.

Again, these appeal procedures are consistent with the other action being considered.

G. Final Decision/Effective Date. The decision of the City Council on an appeal of an interpretation shall be final and effective when it is mailed to the applicant. If an appeal of the City Council’s decision is filed, the decision remains effective unless or until it is modified by the Land Use Board of Appeals or a court of competent jurisdiction.

The final decision issued by the Planning Commission for the balance of the request is consistent with this provision.

H. Interpretations On File. The City shall keep on file a record of all code interpretations.

Any decision rendered in this manner will be maintain by the city as part of the property file.

III. PROPERTY OWNERS NOTIFIED: November 28, 2023
List of landowners notified is retained as part of the file.

IV. PUBLISHED NOTICE: November 28, 2023
East Oregonian

V. AGENCIES NOTIFIED: November 28, 2023.
Mike Lees, City Engineer; Marty Broadbent, Boardman Fire Protection District; Richard Stokoe, Chief of Police; Rolf Prog, City of Boardman Public Work Director

VI. SITE TEAM MEETING: December 7, 2023
Boardman City Hall

VII. PLANING COMMISSION PUBLIC HEARINGS: December 20, 2023
Boardman City Hall

February 21, 2024
Boardman City Hall

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

1. Submit a Traffic Impact Study prior to development of the full site to include the hotel, restaurant, and short-stay RV Park.
2. Submit a Development Review application prior to the final siting of each component of the development – hotel, restaurant, and short-stay RV Park.
3. Apply for Access Permits for all points of access.
4. The applicant shall calculate and submit fire access plan information for review by the Fire Marshall prior to final approval of the Development Review permit.
5. The applicant shall submit plans for and obtain proper permits for signs, structures, and landscaping showing all vision clearance areas to be free and clear.
6. The system of internal pathways shall be designed based on the City of Boardman Development Code and shall meet all necessary requirements of the Americans with Disabilities Act.
7. Street trees shall be incorporated into the Landscaping Plan meeting the requirements of the Boardman Development Code.
8. Any fence shall be subject to a Fence Permit that can be done at the same time as the Development Review Permit.
9. A final parking plan shall be submitted as part of the Development Review Permit that meets the Boardman Development Code requirements.
10. Based on the number of parking spaces the hotel will be required to have at least 10 bicycle parking spaces with the restaurant required to have at least 5. Applicant shall comply with all bicycle parking requirements.
11. Water and wastewater connections can be achieved. All installations shall comply with the Boardman Development Code and Public Works Standards.
12. Development, including the dedication of right-of-way, of both Front Street and SW 1st Street need to be done to the standards outlined in the Boardman Development Code and the Public Works Standards.
13. Water and wastewater connections can be achieved. All installations shall conform to the Boardman Development Code and Public Works Standards.
14. Storm water shall be maintained on site and in conformance with Chapter 3.5 Stormwater Management.
15. All installed utilities shall comply with the Boardman Development Code or Municipal Code related to utilities.
16. Easements shall be accomplished as required by the Boardman Development Code for this development.

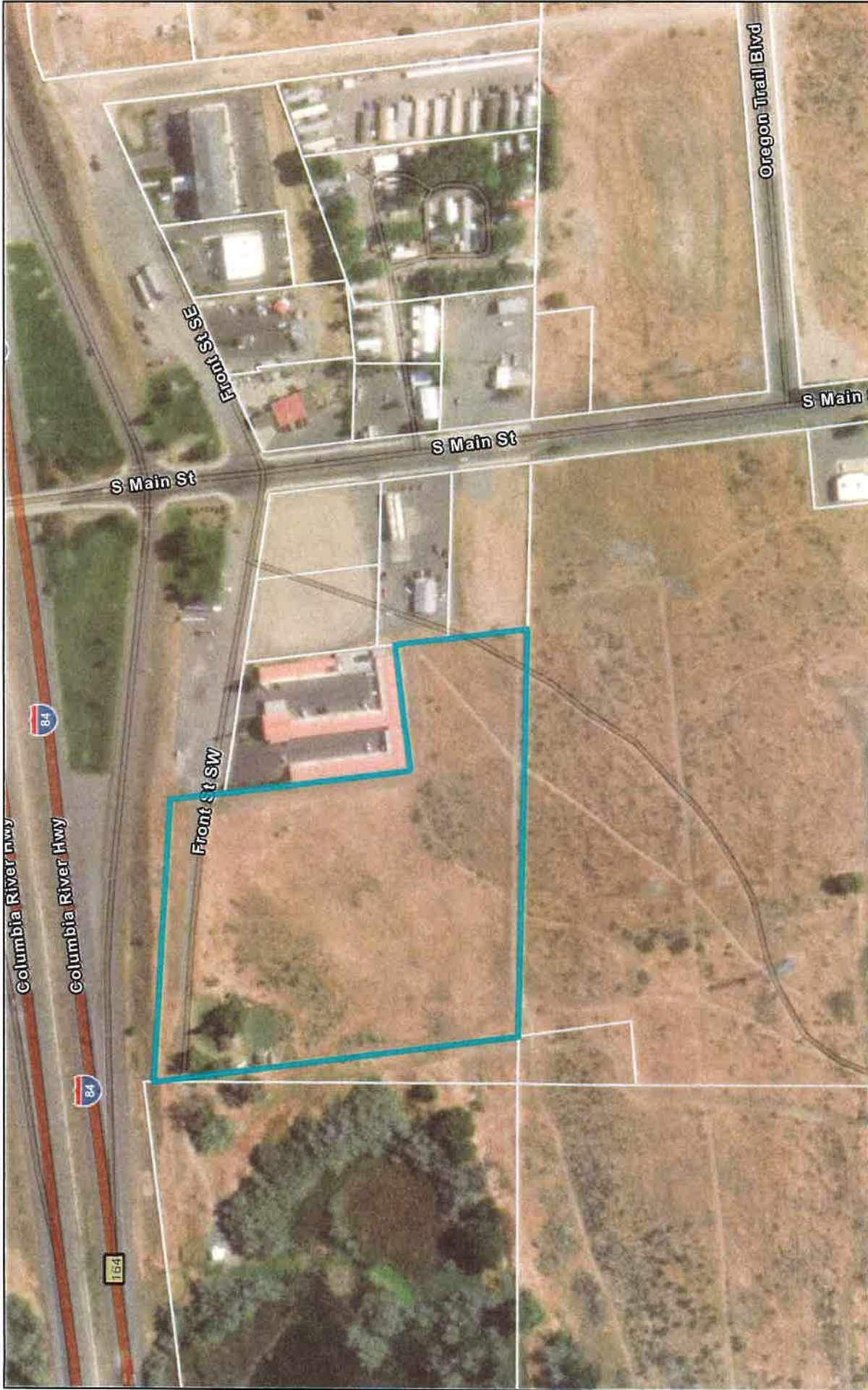
- 17. The Boardman Planning Official, Public Works Director, and City Engineer shall review the Construction Plan prior to construction.
- 18. All infrastructure proposed for the development will need to meet the requirements of the Boardman Development Code and Public Works Standards.
- 19. A Sign Permit will be required and can be applied for at the time of Development Review.
- 20. Operate the RV Park consistent with the application narrative to allow only short-term stay of recreational vehicles 10 years old or newer.

Zack Barresse, Chair _____ Date

ATTACHMENTS:

- Vicinity Map
- Existing Conditions
- Site Maps (Original and Alternative)
- Trip Generation Letter (without attachments)
- Amended Narrative

Silver Garden Hotel Proposal



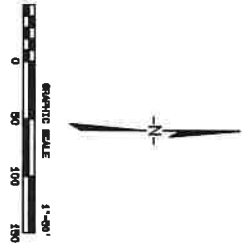
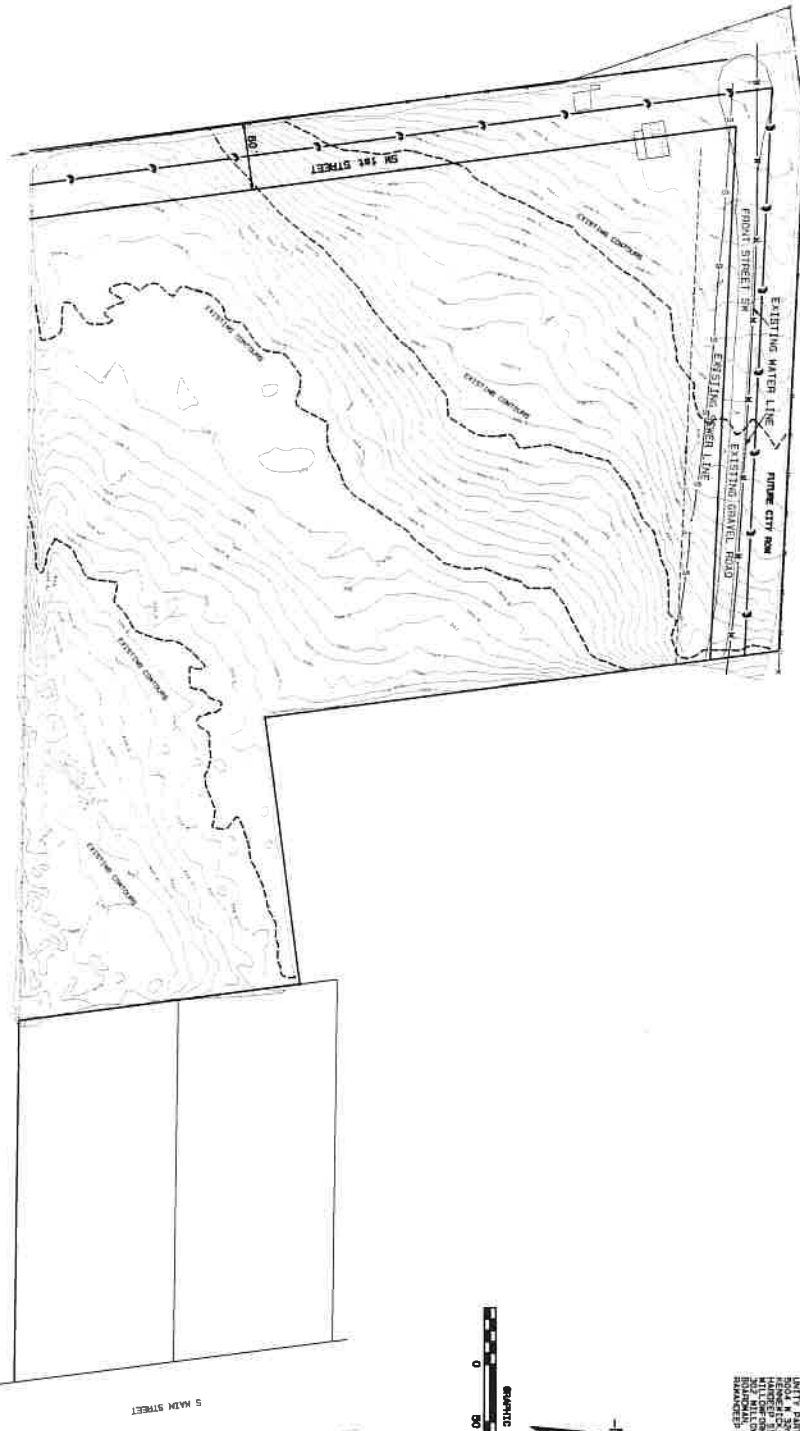
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CityLimits

Taxlots

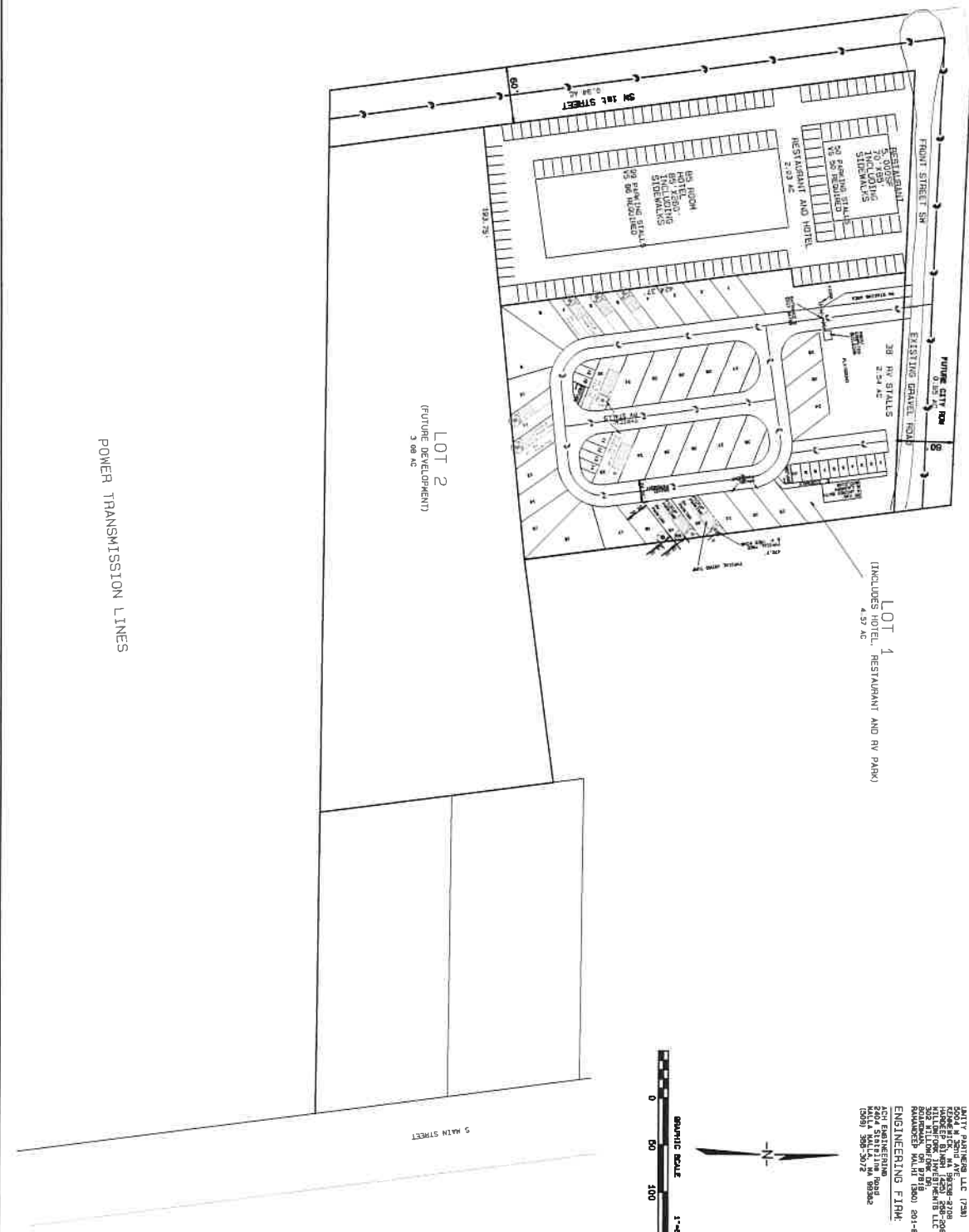
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POWER TRANSMISSION LINES



OWNER/DEVELOPER:
 DUNN PATRICK LLC (FIRM)
 10111 PATRICK LANE
 SUITE 100
 FALLS CHURCH, VA 22034
 (703) 441-1111
 ARCHITECT:
 ACH ENGINEERING P.S.
 1000 W. HARRIS ROAD
 SUITE 100
 FALLS CHURCH, VA 22034
 (703) 441-1111
 DATE: 01/15/2010

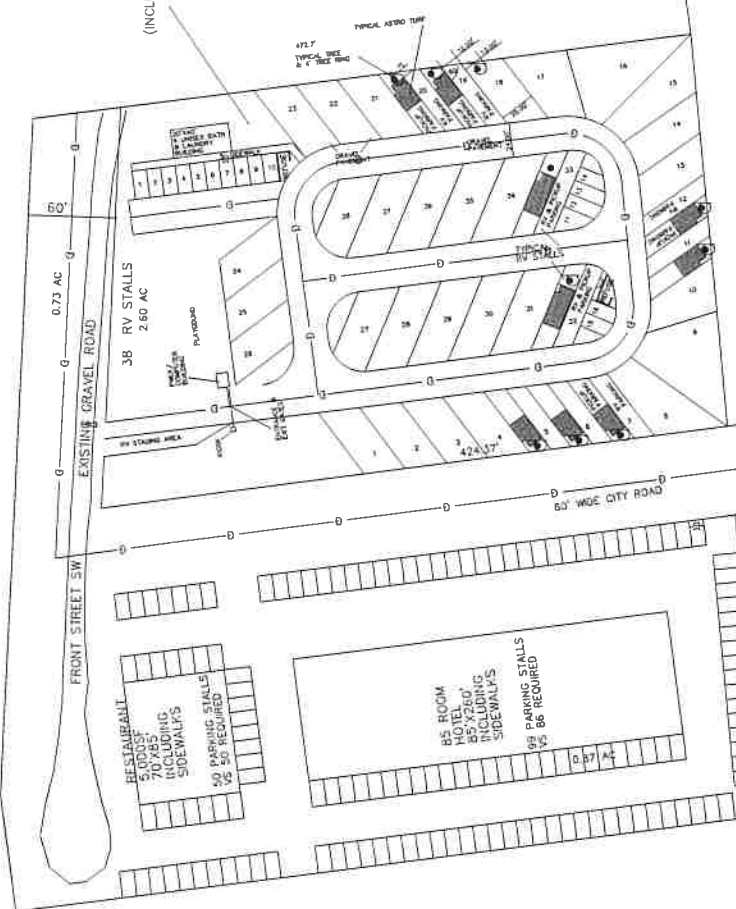
SILVER GARDEN HOTEL, RESTAURANT AND RV PARK



S MAIN STREET

LOT 1
(INCLUDES HOTEL, RESTAURANT AND RV PARK)
4.58 AC

LOT 2
(FUTURE DEVELOPMENT)
3.31 AC





November 28, 2023

Hardeep Singh
Unity Partners, LLC
5004 W 32nd Avenue
Kennewick, Washington 99338

Via email: hsingh86@hotmail.com
cc: ramanzira@hotmail.com

Regarding: Trip Generation Letter
Silverwood Hotel and RV
Tax Lot 04N25E09CC01600
Boardman, Oregon
PBS Project 78182.000

Dear Mr. Singh:

This trip generation letter supports the proposed Silverwood Hotel and RV development in Boardman, Oregon.

PROJECT DESCRIPTION

The Silverwood Hotel and RV development (Project) proposes a mixed land use project on tax lot 04N25E09CC01600 next to the Rodeway Inn in Boardman, Oregon. The project site includes an 85-room hotel, a 5,000-square-foot restaurant, and a 38-parking space RV park.

TRIP GENERATION

The number of trips generated for the Project is based on the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th edition (September 2021) land use codes 310 (Hotel), 416 (Campground/Recreational Vehicle Park), and 932 (High-Turnover [Sit-Down] Restaurant). The trip generation results are summarized in Table 1 and the calculation details are attached. The site trips are calculated for the average weekday; the AM peak hour between 7:00 and 9:00 am, and the PM peak hour between 4:00 and 6:00 pm. Internal trip reductions between the uses in the Project are minor (less than 50 for the weekday and less than 5 for either peak hour) and are represented in the trip generation totals.

The hotel land use is anticipated to generate 498 vehicle trips during a typical weekday, 33 during the AM peak hour, and 33 during the PM peak hour.

The recreational vehicle (RV) park land use is anticipated to generate 110 vehicle trips during a typical weekday, 9 vehicle trips during the AM peak hour, and 11 during the PM peak hour.

The restaurant land use is anticipated to generate 536 vehicle trips during a typical weekday, 46 during the AM peak hour, and 25 during the PM peak hour.

The Project as a whole is anticipated to generate 1,144 vehicle trips during a typical weekday, 88 during the AM peak hour, and 69 during the PM peak hour.

Table 1. ITE Trip Generation – Silverwood Hotel and RV

Land Use (ITE Code)	Hotel (310)		Campground/Recreational Vehicle Park (416)		High-Turnover [Sit-Down] Restaurant (932)	
Independent Variable	Rooms		Occupied Campsites ¹		1,000-square-foot GFA	
Size	85		38		5	
Average Daily Trips (ADT)	498		110 ²		536	
Peak Hour Trips	AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
In	19	17	3	7	25	15
Out	14	16	6	4	21	10
Total Trips	33	33	9	11	46	25

1. Occupied Campsites is assumed to be equivalent to one parking space provided by the proposed land use.
 2. No weekday trip generation studies are available. ADT is assumed to be 10 times the PM peak hour trip generation.
 GFA: gross floor area

TRIP DISTRIBUTION

The proposed trip distribution of primary trips is based on a review of the land uses within the study area and on engineering judgement. The proposed primary trip distribution pattern is as follows:

- 5% to and from south of S Main Street/Interstate 84 (I-84) westbound ramps
- 5% to and from north of S Main Street/I-84 westbound ramps
- 45% to and from I-84 eastbound
- 45% to and from I-84 westbound

The distribution pattern above represents an external distribution of the primary trips entering and exiting the study area. The proposed trip distribution and assignment of the project’s new trips in the AM and PM peak hours are shown in Figure 3.

CONCLUSION

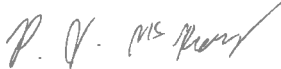
The project may require a Traffic Impact Analysis (TIA) in accordance with criteria in City of Boardman Development Code Chapter 4.10 – Section 4.10.200 to determine whether mitigation is needed to minimize impacts to transportation facilities. The estimated average daily trips (ADT) of 1,144 generated from the Project exceeds the 500 or more ADT threshold for a TIA in the Development Code. It is recommended the City of Boardman and Oregon Department of Transportation review this assessment and make a determination if further study is required.

Hardeep Singh
Trip Generation Letter for Silverwood Hotel and RV
November 28, 2023
Page 3 of 3

CLOSING

Please feel free to contact me at 360.213.0418 or pj.mckelvey@pbsusa.com with any questions or comments.

Sincerely,



2023.11.28
12:53:53-08'00'

Pierce-Jon McKelvey, PE, PTOE
Project Traffic Engineer

- Attachment(s): Figure 1 – Vicinity Map
 Figure 2 – Site Plan
 Figure 3 – Trip Distribution
 Trip Generation Calculations

ES:PJM:tl

Project Narrative

Project Name Silver Garden Hotel, Restaurant & RV Resort

Applicant Unity Partners LLC

Application # RVW23-00002

Application Date 8/11/2023

Address TBD Front St SW

Tax Account # 3761

Map # 4N2509CC01600

Ownership 75% | Unity Partners LLC
25% | Willowfork Investment LLC



1) Site Analysis Map

Please see the attached (following this cover) **Existing Conditions** (Sheet 1 of 2) which shows:

- a) The site's entire property including the relationship to the city and adjacent properties.
- b) The property boundaries with dimensions and gross area.
- c) The existing topographic contour lines are shown in 1/2-foot intervals for minor contours, the majors are shown in 5 feet intervals.



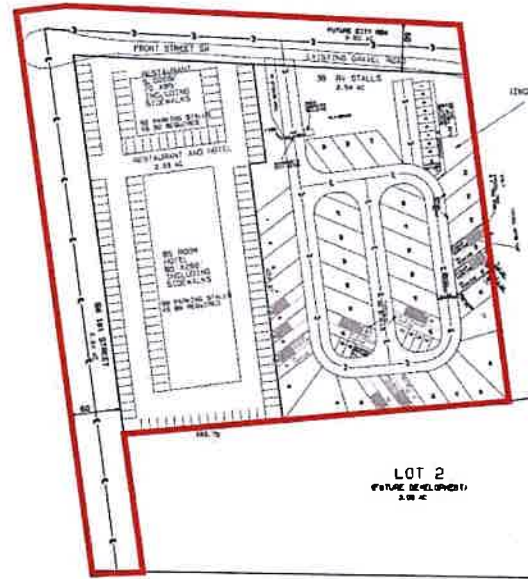
- d) The site is generally flat. There are no slopes greater than 5% to be shown.
- e) All streets, driveways, sidewalks, pathways, rights-of-way and easements for the site and the adjacent properties are shown.
- f) There are no potential hazard areas or flood areas on the subject site. This has been confirmed on the FEMA website's interactive map.
- g) All site features, including existing structures, fences, powerlines, paved surfaces, etc.
- h) There are no known historic and cultural resources (local and federal).
- i) The north arrow, scale (1:50), and ownership with addresses.

2) Proposed Site Plan,

Please see the attached **Preliminary Site Plan** (Sheet 2 of 2) which shows:

- a. The proposed development site, including boundaries, dimensions, and gross area.
- b. Any feature that is identified on the Existing Conditions that will remain on the proposed plan.
- c. Any feature that is identified on the Existing Conditions that will be removed or modified by the development.
- d. All proposed public and private streets, driveways, rights-of-way, and easements with location and dimensions.
- e. The location and dimensions of all existing and proposed structures, utilities, pavement and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan.

- f. The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access.
- g. The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and wheel stops, as applicable).
- h. Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails.
- i. Waste disposal loading and service areas for loading and delivery.
- j. All outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements, if any.
- k. Outdoor lighting including location, type and height.
- l. Mailbox locations, sizes and types.
- m. Project designer/engineer name and address.
- n. Any public or private transportation facilities including bus stop(s).
- o. Sign locations, types and sizes.



3) Architectural Drawings

We will be submitting the architectural drawings once we move through the preliminary approval process of this site.

When we submit, the drawings will address:

- a. The building(s) elevations as well as the building height and width dimensions
- b. The building construction materials include color and type.
- c. The architect's name and contact information.
- d. The structure will be three (3) stories.
- e. The building will be facing west, SW First Street.
- f. We may consider different design alternatives that would re-route "SW First Street".
- g. The franchisor is TBD. The drawing below is a recent build of a similar size and design that is planned for the Boardman site

4) Landscaping Plan

We will be submitting the Landscaping Plan once we move through the preliminary approval process of this site per the City Manager requirements.

When we submit, the drawings will address:

- a. The location and height of existing and proposed fences and/or other buffering/screening materials.
- b. Location of any existing and/or proposed terraces, retaining walls, decks, patios, shelters and/or play areas.
- c. The existing and proposed buildings and pavement surfaces will be outlined.
- d. The soil specifications for planting
- e. Irrigation specifications
- f. Schedule for planting



Concept for future landscaping design

5) Sign drawings

We will be submitting the Sign Plan once we move through the preliminary approval process of this site if the City Manager requires.

When we submit, the drawings will address the requirements as outlined in Chapter 3.6 of the City's Sign Code.

The following signage examples represent the style and content of the vision for the project, including building mounted signage and monument signage.



6) A letter addressing the approval criteria found in 4.2.600.

Unity Partners LLC
5004 W 32nd Ave
Kennewick WA 99338-2708

November 10, 2023

City of Boardman
200 City Center Circle
PO Box 229
Boardman OR 97818

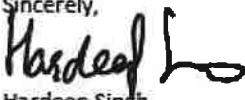
RE: Silver Garden Hotel & RV Park
Item 6 | Letter of Application

Dear City Personnel

Please accept our application for the Silver Garden Hotel & RV Park project. At this time, we are submitting for preliminary approval, upon receipt of the approval with approving conditions we will present the final design for site work, building(s), RV park, landscaping, and signage per Chapter/Section 4.2.500.

- A. Our application is a Type III Procedure (Quasi-Judicial). We recognize that Type III decisions are made by the Planning Commission after a public hearing, with appeals heard by the City Council.
- B. Our application complies with the applicable provision in the Land Use District including:
 - 1. Any existing water, sewer, etc. systems that do not comply with the land use standards will be updated to follow the items addressed in Chapter 5.2.
 - 2. The building setbacks
 - 3. Lot area and dimensions
 - 4. Density and floor area
 - 5. Lot coverage
 - 6. Building height, orientation, and architecture.
- C. The existing site is We will be connecting to the City's Street, sidewalk, water, and sewer systems. The dedicated streets will comply with the City Public Works Standards and Specifications. This work will comply with the Land Use District requirements.

We are excited to submit this letter of application to you! We truly believe that our design and business plan make our project an excellent addition to the city of Boardman. We are eager to hear your thoughts and feedback, and we look forward to discussing how we can continue to move this project through the approval process and start building our project in Boardman as soon as possible. Thank you for considering our application.

Sincerely,

Hardeep Singh
Owner

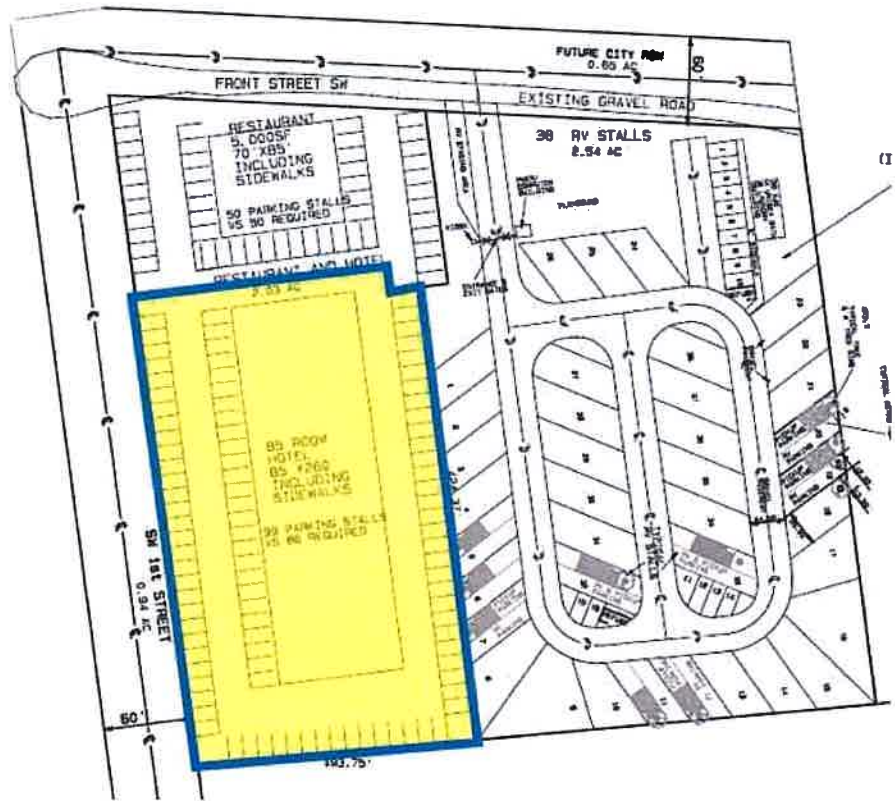
7) Traffic Impacts

We anticipate 397 daily trips for this entire project. We anticipate this site to be built in three (3) phases. We currently have a Trip Generation Letter in process. This is expected to be received in the first week of December.

Trip Count Calculations						
Business	Employees	Max Guests	Calculator	Calc'd Guests	Multiplier (trips/day)	Total Daily Trips
Hotel	7	85	65%	55	2	125
Restaurant	15	100	100%	100	2	230
RV Resort	2	38	50%	19	2	42
TOTALS	24	223				397

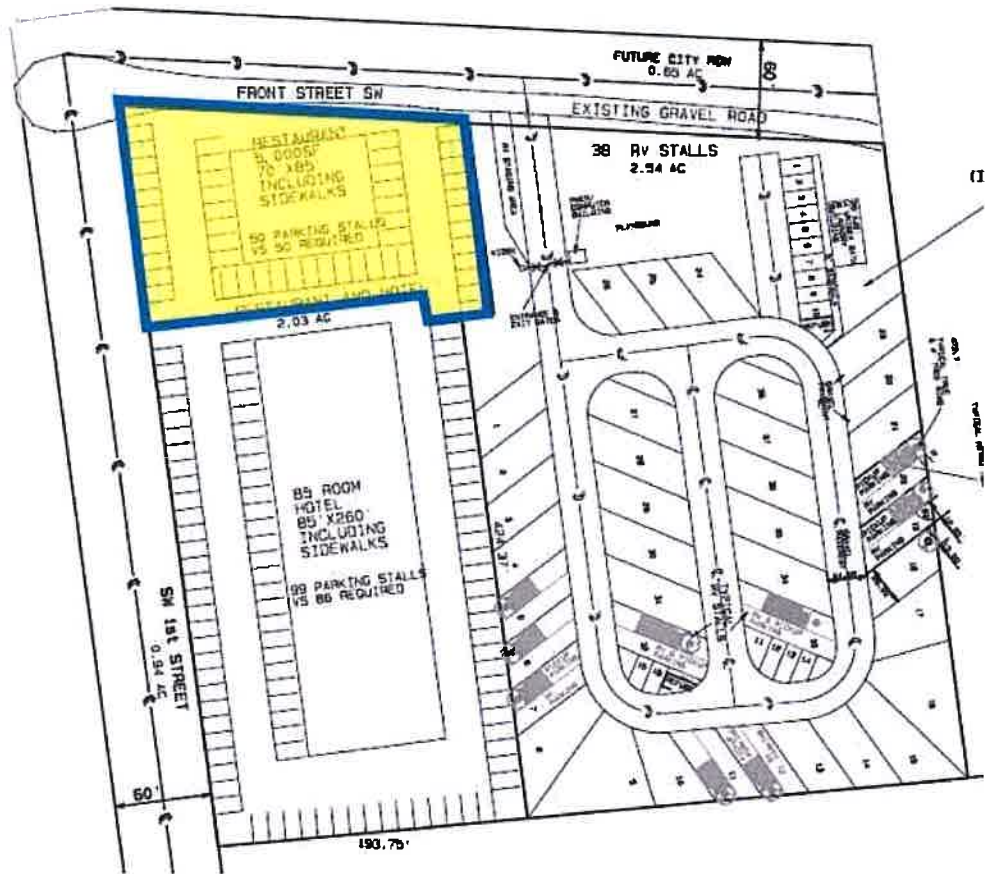
Additional Information - Proposed Hotel

- The final design and franchise are pending.
- The proposed hotel will have 80-85 rooms.
- There will be 99 parking spaces, which exceeds the requirements for 86.
- The structure will be three stories.
- The building footprint is currently planned to be 85 x 260.
- Based on the industry average, we anticipate 65% occupancy
- There will be seven employees on the property.
- Anticipated daily trips are calculated to be 125.



Additional Information - Proposed Restaurant

- The proposed restaurant's final design and franchise is pending.
- The structure will be one story and approximately 5000 SF with a footprint of 70 x 85.
- There will be 50 parking spaces, which meets the requirement for the building size.
- There will be 15 employees on the property daily.
- Anticipated daily trips are calculated to be 230.



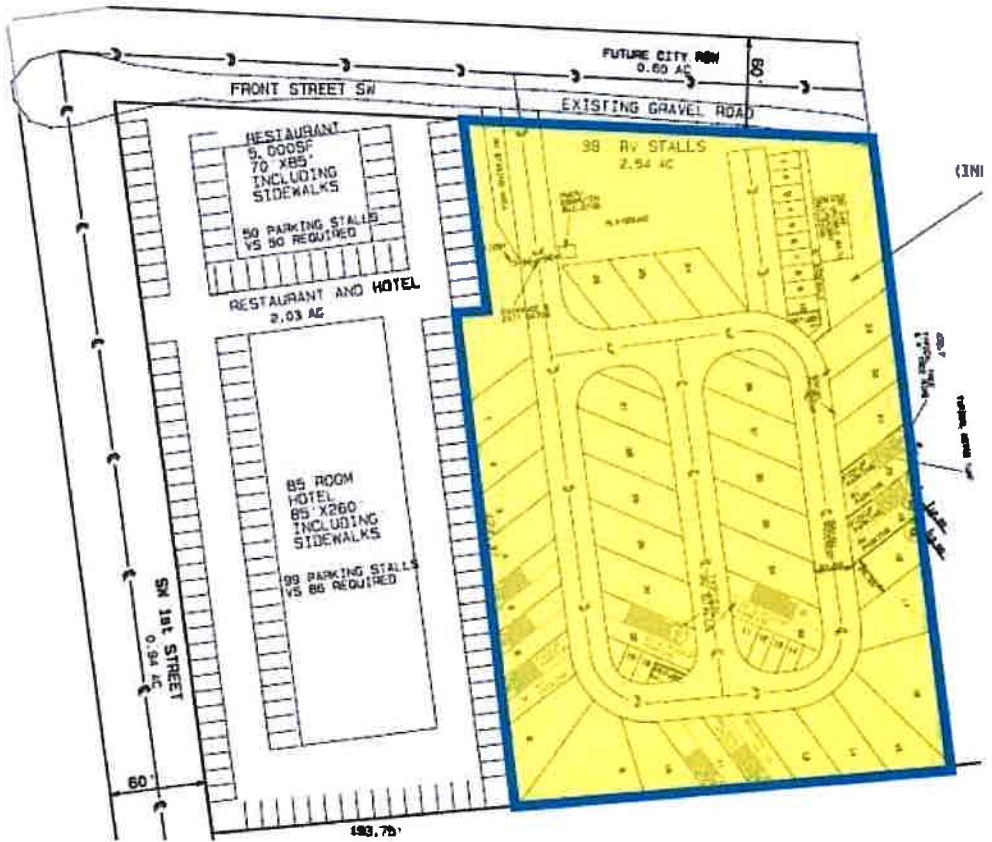
Additional Information - Proposed Short Stay Recreational Vehicle Resort

In response to concerns voiced by the Boardman City Council at the last hearing, the applicant wishes to expand the recreational vehicle resort narrative to allay concerns that this RV resort will fall into disrepair or any kind of disrepute with the citizens of Boardman. The process involved in planning this RV resort has required a well-defined development strategy with an initial concept crucial to insuring that the RV resort will be first class. The site has been designed for the best use of infrastructure, amenities, and landscaping. There will be operations and management plans to ensure efficient and effective service and customer satisfaction.

The RV resort will host guests on short-stays (typically one day but up to 3 or 4 days) that are most likely traveling east or west on I-84 and need a night or two of rest. Additionally, we would like to attract travelers to the RV Resort as a relaxing destination. This area has access to recreation opportunities on the Columbia River, such as the Sacagawea Heritage Trail, the Boardman Marina Park and the Sage Center, all worthy destinations. Visitors can even purchase a day pass at the Boardman Pool & Recreation Center and enjoy a swimming pool or the fitness amenities.

The site amenities include:

- The anticipated space for the park will be approximately 2.54 acres.
- The short stay RV Resort will allow guests to stay similar to a hotel guest, i.e. 3-4 days on the would be the typical longest stay but we anticipate a 1-day stay to be the most common length.
- Gated entrance/exit
- A playground
- Laundry facility with restrooms and showers in the building.
- Each space will have a columnar tree planted with a 4-foot tree ring, artificial turf covering, and a parking space for a pickup.
- The interior streets will be 2-way directional.
- There will be 38 RV spaces and 16 spaces for vehicle overflow parking.
- Based on the industry average, we anticipate 50% occupancy.
- There will be 2 employees on the property daily.
- Anticipated daily trips are calculated to be 42.
- Only Recreational Vehicles newer that 10 years old will be allowed to stay at the Resort.



We recognize the zoning does not allow for long-term stay recreational vehicles (RV), therefore we respectfully request your consideration for the site being used for short-term RV Resort.

- a. We anticipate the most common stays will be 1-2 days up to 4-day stays.
- b. Long-term stays will not be allowed per the RV Resort company policies.
- c. The guests' vehicles will be legal, licensed and road-worthy and must be newer than 10 years old.

Thank you in advance for reviewing and considering this application and drawings. We look forward to reviewing your findings.

Hardeep Singh
Owner
Unity Partners LLC
425.268.2088
hsingh86@hotmail.com

Ramadeep Malhi
Owner
Willowfork Investment LLC
360.201.8071
ramazira@hotmail.com

Aaron Hoeft
Civil Engineer
ACH Engineering
509.386.3072
aaron.c.hoeft@gmail.com

Angie Sullivan
Permit Specialist
LandWise LLC
509.316.8140
angie@landwise.pro

**PLANNING COMMISSION
FINDINGS OF FACT
RVW24-000002
TYPE III DECISION PROCESS**

REQUEST: To approve the development of a Regional Youth Crisis Center and a variance request for a 12-foot fence.

APPLICANT: Pinnacle Architecture Inc.
Shaun Clifford
1001 SW Disk Dr. Suite #105
Bend, OR 97702

OWNER: Community Counseling Solutions
P.O. Box 469
Heppner, OR 97836

PROPERTY DESCRIPTION: Tax Lot 600 of Assessor’s Map 4N 25E 09AD.
GENERAL LOCATION: North of Interstate 84 and Columbia Avenue, west of Olson Road off Eldrige Drive.

ZONING OF THE TRACT: Light Industrial District.

EXISTING DEVELOPMENT: Bare property

PROPOSED USE: Regional Youth Crisis Center

- I. **BACKGROUND:** On July 26, 2021, the City received a zoning permit application for Land Use Review, for the Boardman Regional Crisis Center (BRCC). The BRCC is a detention facility for children aged 7 to 11 undergoing traumatic situations physically or mentally. The facility is proposed to be placed on tax lot 600 of the Assessor’s Map 4N 25E 09AD and addressed 361 NE Turner Court. Planning Commission approved Variance LU21-001, which was for the construction of a fence exceeding height standards, during a Planning Commission Meeting held on September 15, 2021. Approval was set to expire September 2022. On September 29, 2022, the City received a resubmitted request for the Regional Youth Crisis Center which was treated as an extension and approved. The Approved Extension expired on October 31, 2023. On January 19, 2024, the City received a complete application for Development 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 applicable criteria. Included was a narrative, a site plan, a map of the existing conditions, civil plans, and a trip impact narrative letter.

- 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;**

Government Facilities are uses allowed in the Light Industrial District. 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 site plan that has 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. 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

...

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 submitted an Access Permit Application.

...

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.

...

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 site plan identifies one access through Turner Court. Access permit will be required before development.

- 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 criteria has been met.

...

- 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 Turner Court. Access Permit Application has been submitted.

...

- 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.

...

- 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:

...

- 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.

With a 26-foot wide entryway, the Access width is larger than required. This criteria has been met.

- 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.

Fire Equipment Drive is identified on Site Plan. This criteria has been met.

...

- 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 has submitted plans for sign permit, structures, and landscaping showing all vision clearance areas are free and clear. This criteria has been met.

...

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 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.

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:

...

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

Landscaping is shown on Architectural Site Plan. The proposed landscaping covers more than is required. This standard is met.

...

3.2.400 Fences and Walls

The following standards shall apply to all fences and walls:

A. General Requirements. All fences and walls shall comply with the standards of this Section. The City may require installation of walls and/or fences as a condition of development approval, in accordance with Chapter 4.4 - Conditional Use Permits or Chapter 4.2 - Site Design Review.

1. All private fences constructed in the public right-of-way shall require a zoning approval by the City of Boardman to construct the fence within the right-of-way. This approval will be through a Type I ministerial procedure consistent with 4.1.300.

B. Dimensions.

1. The maximum allowable height of fences and walls is six (6) feet, as measured from the lowest grade at the base of the wall or fence, except that retaining walls and terraced walls may exceed six (6) feet when permitted as part of a site development approval, or as necessary to construct streets and sidewalks. A building permit is required for walls exceeding 6 feet in height, in conformance with the Uniform Building Code.

2. The height of fences and walls within a front yard setback shall not exceed four (4) feet, in Residential or Commercial districts (except decorative arbors, gates, etc.) or six (6) feet in Industrial and Light Industrial Districts as measured from the grade closest to the street right-of-way.

3. Landscaping walls to be built for required buffers shall comply with Section 3.2.200.

4. Fences and walls shall comply with the vision clearance standards of Section 3.1.200.

C. Materials. All fences shall be constructed of materials suited to provide fences of standard and acceptable visual characteristics of the surrounding neighborhood.

1. Acceptable materials shall include; chain link fencing, redwood or cedar fencing, composite fencing materials, formed plastic fencing, split rail fencing, painted picket fencing, concrete or plaster filled PVC fencing, decorative wrought iron or metal fencing, masonry block or brick or a combination of decorative masonry block or brick and decorative wrought iron or metal.

2. Unacceptable materials shall include; pallet panels, steel farm fencepost, chicken wire, rabbit wire or other farm related fencing, undecorated plywood, undecorated pressboard, undecorated chipboard, scrap iron, two or three wire barbed wire fencing, electric fencing materials of any type, or materials inconsistent with the acceptable list of materials in 3.2.400 (C)(1).

3. Use of Barbed Wire: the use of barbed wire in fencing materials may be allowed for security purposes within the Industrial and Light Industrial zones and will be subject to Conditional Use approval in all other land use districts within the City. The Conditional Use Permit shall follow the Type III procedure identified in 4.1.500 and be required to submit the information consistent with the provisions in Chapter 4.4.

D. Vision Clearance. All fencing shall meet the requirements of vision clearance at any street intersection in accordance with Figure 3.1.200(N).

E. Maintenance. For safety and for compliance with the purpose of this Chapter, walls and fences shall be maintained in good condition, or otherwise replaced by the owner.

The applicant has indicated that fencing will be installed along south side of the development. The applicant has submitted a Fence Application along with a Variance Request for a 12-foot fence due

to height restrictions in the City of Boardman Development Code. Due to the nature of this type of facility, the fence height is a reasonable request.

...

Chapter 3.3 Vehicle and Bicycle Parking

3.3.300 Vehicle Parking Standards

...

A. Minimum Required Off-street Parking Spaces

...

4. Public and Institutional Uses

Residential Care Homes and Facilities or Assisted Living. One space per two patient beds or one space per apartment unit.

With a total of fifteen beds/apartment units, minimum required off-street parking spaces is eight. Submitted site plan shows nineteen parking spaces and one ADA parking. This standard is met.

...

B. Parking Location and Shared Parking

- 1. **Location.** Vehicle parking is allowed only on approved parking shoulders (streets), within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this code. Specific locations for parking are indicated in Chapter 2 for some land uses (e.g., the requirement that parking be located to side or rear of buildings, with access from alleys, for some uses). (See also, Section 3.1 - Access and Circulation).
- 2. **Off-site parking.** Except for single family, two-family, and three-family dwellings, the vehicle parking spaces required by this Chapter may be located on another parcel of land, provided the parcel is within ¼ mile of the use it serves. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.
- 3. **Mixed uses.** If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (i.e., the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly.
- 4. **Shared parking.** Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use.
- 5. **Availability of facilities.** Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers and/or employees, as applicable. Signs shall conform to the standards of Chapter 3.6.

C. Maximum Number of Parking Spaces. The number of parking spaces provided by any particular use in ground surface parking lots shall not exceed the required minimum number of spaces provided by this Section by more than 10%. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface lots, shall not apply towards the maximum number of allowable

spaces. Parking spaces provided through “shared parking” also do not apply toward the maximum number.

- 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)
- 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 information that shows 19 parking spaces and 1 Disabled Person Parking Space, ADA Parking Sign, and ADA Parking Plan. This standard has been met.

3.3.400 Bicycle Parking Requirements

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

...

- 2. Retail/Institutional/Office Use.** All public, retail and office parking lots and parking structures shall provide a minimum of one bicycle parking space for every 10 motor vehicle parking spaces. If the use or uses only utilize off-street parking or have less than 10 motor vehicle spaces, each use shall provide at least one space per use.

With a total of twenty proposed parking spaces, the City of Boardman Development Code requires at least two bicycle parking spaces be provided. Bicycle parking is shown in Site Details and Site Plan. This standard has been met.

...

Chapter 3.4 Public Facilities Standards

3.4.000 Purpose and Applicability

- A. Purpose.** The purpose of this chapter is to provide planning and design standards for public and private transportation facilities and utilities. Streets are the most common public spaces, touching virtually every parcel of land. Therefore, one of the primary purposes of this Chapter is to provide standards for attractive and safe streets that can accommodate vehicle traffic from planned growth, and provide a range of transportation options, including options for driving, walking and bicycling. This Chapter is also intended to implement the City’s Transportation System Plan. Important cross-reference to other standards: The City requires that streets provide direct and convenient access, including regular intersections. Chapter 3.1 - Access and Circulation, provides standards for intersections and blocks, and requires pedestrian access ways to break up long blocks.
- B. Applicability.** Unless otherwise provided, the standard specifications for construction, reconstruction or repair of transportation facilities, utilities and other public improvements within the City shall occur in accordance with the standards of this Chapter. No development may occur unless the public facilities related to development comply with the public facility requirements established in this Chapter.
- C. Standard Specifications.** The City Manager or his/her designee shall establish standard construction specifications consistent with the design standards of this Chapter and application of engineering principles. They are incorporated in this code by reference.
- D. Conditions of Development Approval.** No development may occur unless required public facilities are in place or guaranteed, in conformance with the provisions of this Code. Improvements

required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact. Water and wastewater connections are shown in Civil Plans. All water and wastewater connections shall be installed in alignment with City of Boardman Public Works Standards.

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.

...

C. Creation of Rights-of-Way for Streets and Related Purposes. Streets shall be created through the approval and recording of a final subdivision or partition plat; except the City may approve the creation of a street by acceptance of a deed, provided that the street is deemed essential by the City Council for the purpose of implementing the Transportation System Plan, and the deeded right-of-way conforms to the standards of this Code. All deeds of dedication shall be in a form prescribed by the City Manager or his/her designee and shall name "the public," as grantee.

...

E. Street Location, Width and Grade. Except as noted below, the location, width and grade of all streets shall conform to the Transportation System Plan, and an approved street plan or subdivision plat. Street location, width and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets.

Sufficient right-of-way is available. This criteria is met.

...

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.

...
Water and wastewater connections can be achieved. Water and Wastewater Details have been submitted with application. All installations shall conform to this section.

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.

...
Storm water shall be maintained on site and in conformance with Chapter 3.5 Storm water Management. The submitted Site Utility Plan shows three Storm Retention Ponds. Retention Ponds shall be installed in alignment with the City of Boardman Standard.

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.

...
All installed utilities shall comply with this standard and others found in the Boardman Development Code or Municipal Code related to utilities.

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.

Utility easements are shown in the submitted Site Plan. This criteria is met.

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.

Review of the Construction Plan shall be done prior to construction. Approval from City Engineer is required.

3.4.800 Installation

A. Conformance Required. Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this chapter, approved construction plans, and to improvement standards and specifications adopted by the City.

B. Adopted Installation Standards. The Standard Specifications for Public Works Construction, Oregon Chapter A.P.W.A. shall be a part of the City’s adopted installation standard(s); other standards may also be required upon recommendation of the City Engineer.

- C. Commencement. Work shall not begin until the City has been notified in advance.
- D. Resumption. If work is discontinued for more than one month, it shall not be resumed until the City is notified, and the City approves resumption.
- E. City Inspection. Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. Modifications requested by the developer shall be subject to land use review under Chapter 4.6 - Modifications to Approved Plans and Conditions of Approval. Any monuments that are disturbed before all improvements are completed by the subdivider shall be replaced prior to final acceptance of the improvements.
- F. Engineer’s Certification and As-Built Plans. A registered engineer shall provide written certification in a form required by the City that all improvements, workmanship and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to City acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer’s engineer shall also provide 10 set(s) of “as-built” plans, in conformance with the City Manager or his/her designee’s specifications, for permanent filing with the City.

All infrastructure proposed for the development will need to meet these requirements.

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.

...

Storm water shall be maintained on site and in conformance with Chapter 3.5 Stormwater Management. The submitted Site Utility Plan shows a total of three Storm Retention Ponds.

Chapter 3.6 Other Standards

...

3.6.500 Signs

...

- 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.

...

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 has submitted a Sign Permit Application. Site details for the proposed monument sign have been submitted. Applicant must apply for and obtain all applicable Building and Electric Permits.

- 5. **Conditions required as a 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.**

This criteria is not applicable.

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

Variance Request Application was submitted by applicant.

Chapter 4 Applications and Review Procedures

...

5.1.400 Class C Variances

- A. **Purpose.** The purpose of this section is to provide standards for variances which exceed the Class A and Class B variance criteria in Sections 5.1.200 and 5.1.300. Class C variances may be granted if the applicant shows that, owing to special and unusual circumstances related to a specific property, the literal application of the standards of the applicable land use district would create a hardship to development which is peculiar to the lot size or shape, topography, sensitive lands (Chapter 3.7), or other similar circumstances related to the property over which the applicant has no control, and which are not applicable to other properties in the vicinity (e.g., the same land use district); except that no variances to "permitted uses" or "prohibited uses" shall be granted.

C. Approvals Process and Criteria.

- 1. **Class C variances shall be processed using a Type III procedure, as governed by Section 4.1.500, using the approval criteria in subsection 2, below. In addition to the application requirements contained in Section 4.1.500, the applicant shall provide a written narrative or letter describing his/her reasoning for the variance, why it is required, alternatives considered, and compliance with the criteria in subsection 2.**

Variance is being processed as a Type III procedure which will require approval from the Planning Commission.

- 2. **The City shall approve, or approve with conditions, an application for a variance based on finding that all of the following criteria are satisfied:**
 - a. **The proposed variance will not be materially detrimental to the purposes of this Code, to any other applicable policies and standards, and to other properties in the same land use district or vicinity;**

- b. A hardship to development exists which is peculiar to the lot size or shape, topography, sensitive lands, or other similar circumstances related to the property over which the applicant has no control, and which are not applicable to other properties in the vicinity (e.g., the same land use district);
- c. The use proposed will be the same as permitted under this title, and City standards will be maintained to the greatest extent that is reasonably possible while permitting reasonable economic use of the land;
- d. Existing physical and natural systems, such as, but not limited to, traffic, drainage, natural resources, and parks, will not be adversely affected any more than would occur if the development occurred as specified by the subject Code standard;
- e. The hardship is not self-imposed; and
- f. The variance requested is the minimum variance which would alleviate the hardship.

Applicant has submitted a Variance Request along with a narrative for a 12-foot fence. The proposed fence does not contradict Development Review Application, but does ensure all needed safety measures are taken in order to secure the property. Existing physical and natural systems will not be adversely affected. Due to the nature of this type of facility, a Variance Request for a 12-foot fence is considered a reasonable request in order to keep the children residing in the building, staff, and visitors safe. Applicant shall obtain a building permit for fence.

III. PROPERTY OWNERS NOTIFIED: January 30, 2024
List of landowners notified is retained as part of the file.

IV. PUBLISHED NOTICE: January 30, 2024
East Oregonian

V. AGENCIES NOTIFIED: February 2, 2024
Mike Lees, City Engineer; Marty Broadbent, Boardman Fire Protection District; Richard Stokoe, Chief of Police; Rolf Prog, City of Boardman Public Work Director; Teresa Pennings, ODOT; Rich Lani, ODOT; Monte Ellis, UEC; Ron Coffell, Cascade Natural Gas; David Dodd, Lumen; Paul Keeler, EOT; Cindy Thompson, Windwave Communications; Ben Berry, Morrison-Maierle; Shaun Clifford, Pinnacle Architecture.

VI. SITE TEAM MEETING: February 15, 2024
Boardman City Hall/Zoom

VII. PLANNING COMMISSION PUBLIC HEARING: February 21, 2024
Boardman City Hall/Zoom

VIII. PLANNING OFFICIAL RECOMMENDATION: The Planning Official recommends approval of this request.

Zack Barresse, Chair Date

ATTACHMENTS:

Vicinity Map

Site Map

Vicinity Map



Section 6, Item B.



Geophex Surveys Ltd., Maxar, Microsoft, Esri Community Maps Contributors
Oregon State Parks, State of Oregon GEO, WA State Parks GIS, &

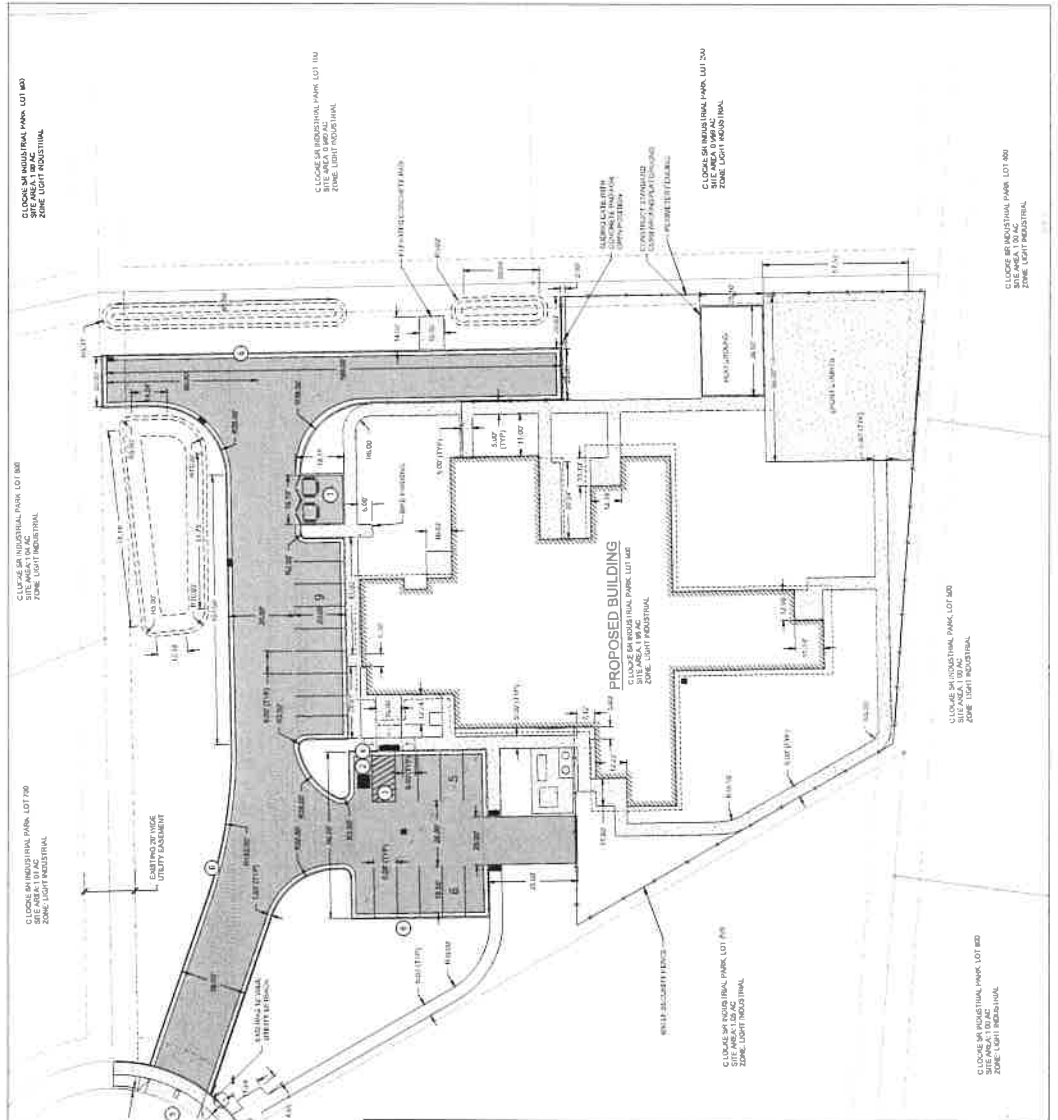
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CityLimits

Taxlots

58

ArcGIS Web AppBuilder
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GENERAL NOTES:

1. THE CONSTRUCTION SHALL REQUIRE ALL SHOWERS SURFACES TO BE EQUAL OR BETTER QUALITY TO THAT SHOWN.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE BOOK AND ALL APPLICABLE LOCAL ORDINANCES.

NOTES BY SYMBOL:

1. EXISTING CONCRETE DRIVEWAY
2. EXISTING ASPHALT DRIVEWAY
3. EXISTING SIDEWALK
4. EXISTING DRIVEWAY
5. EXISTING DRIVEWAY AND SIDEWALK FOR LOT 100
6. EXISTING DRIVEWAY AND SIDEWALK FOR LOT 101
7. EXISTING DRIVEWAY AND SIDEWALK FOR LOT 102
8. EXISTING DRIVEWAY AND SIDEWALK FOR LOT 103
9. EXISTING DRIVEWAY AND SIDEWALK FOR LOT 104
10. EXISTING DRIVEWAY AND SIDEWALK FOR LOT 105
11. EXISTING DRIVEWAY AND SIDEWALK FOR LOT 106

LEGEND

PROPOSED BUILDING
PROPOSED DRIVEWAY
PROPOSED SIDEWALK
PROPOSED ASPHALT DRIVEWAY
PROPOSED CONCRETE DRIVEWAY

811
Xing's what's Below.
Call before you dig.

THIS SITE PLAN IS A PRELIMINARY DESIGN AND SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE BOARDMAN REGIONAL COUNCIL. THE BOARDMAN REGIONAL COUNCIL SHALL BE THE FINAL AUTHORITY ON ALL MATTERS RELATED TO THIS PROJECT.

City of Boardman

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MEMORANDUM

To: Planning Commission
 From: Carla McLane, Planning Official
 Date: January 5, 2024
 RE: Boardman Development Code Audit

Over the past several months Nancy and I worked with two consultants at OTAK to complete the draft Boardman Development Code (BDC) Audit attached to this memorandum. The process was fairly simple; we walked through each chapter and captured those items that we know to be problematic for any number of reasons. Some of the chapters were less involved, others took a bit more time and have more items noted for change or at least review.

At the end of the day the real decisions are going to focus on how we move forward – the whole code in one big process or chunk it up and do a chapter or section at a time. Not sure I have made up my mind on this front but eventually I will need to do that. There is also the question to be answered if we hire an outside consulting firm to do this work or do it internally.

For this conversation with all of you I want to focus on your interests and concerns with the current BDC. I know that you do not work with the BDC like Nancy and I do but for those of you who have been on the dais for a while think about those things you thought were funky. Or things that Barry may have commented on. The objective at this point is not to solve the issues but be sure we have identified them.

The Audit is accomplished with four columns: 1. the Section or Chapter; 2. the Proposed Amendment; 3. the Rational for the Proposed Amendment; and 4. the Theme. Hopefully this makes sense as you work your way through the document.

Here are some thoughts about each of the chapters as you work through the Audit document:

- General Changes: We attempted to identify a few items that would be applicable to the full document and capture them here.
- Chapter 1 is the Introduction and includes some general information, definitions, and enforcement procedures.
- Chapter 2 captures our use zones – residential, commercial, and industrial. There are some items missing that you will see captured in the Audit.

- Chapter 3 is where our Design Standards are found. Lots of ideas on how to simplify this chapter and move appropriate standards to the adopted Public Works Standards (which is available on the City's website).
- Chapter 4 is our procedures chapter, or the how-to chapter. This chapter has a number of components that are not in compliance with current state law and needs to otherwise be modernized.
- Chapter 5 deals with non-conforming uses and variances. Not a lot of changes here but does need to be modernized.
- Chapter 6 is going away!!

The entire BDC is available on the City's website. In our "trainings" this past year we did not provide the BDC to each of you in paper form. Should any of you want a paper copy let us know as we can certainly make you one, although I might question why you would want one?! 😊

Reach out if you have any questions. Otherwise, I look forward to the discussion on January 17, 2024.

Boardman Development Code Audit – Phase 1 Code Amendment Matrix			
Section/Chapter	Proposed Amendment	Rationale for Proposed Amendment	Theme
General changes	<ol style="list-style-type: none"> 1) City Manager or Designee? 2) Number of chapters, sections, and subsections. 3) Application requirements throughout code are consistent to facilitate the CitizenServe platform. 4) Check properties of documents (Weston vs Boardman). 5) Allow wireless communication equipment in all zones. Permitting standards should be in Chapter 3. 6) Consider relocated general info applicable to many zones, to a general chapter or definitions. 7) Evaluate transportation uses and a process to establish review types based on use. 	<ol style="list-style-type: none"> 1) Change to planning official? 2) Evaluate code for consistency with numbering of sections and subsections. 3) Recommendation: instead of referencing proprietary software systems, require applications be completed as required under the City's digital application portal. If system changes in the future, code can remain the same. 4) Code documents on the website should be consistent. Consider making all documents pdf searchable. 5) Expand wireless facility allowances. 6) Consolidation of information that is redundant across many chapters. 	Cleanup/Streamline All Sections
Chapter 1			
Table of Contents	<ol style="list-style-type: none"> 1) Expand with section/subsection. Include a list of all subsections as shown in code. 2) Add hyperlinks. 3) Determine if development code is to be published within the municipal code. 4) Subsection numbering consistency – "1.0" vs "1" 5) Rolling edits if sections are added, deleted, or moved. 	<ol style="list-style-type: none"> 1) A more comprehensive TOC. Include: Chapter X – Chapter Title Subsection X.X – Subsection Title Chapter XY – Chapter Title Subsection XY.X – Subsection Title 2) Links to referenced code sections can provide customers/applicants the ability to quickly navigate code, and often lends to a better application submittal. 3) A heading/section within the municipal code with a title such as Unified Development Code or similar would be helpful and afford an easy way to get the development code into Muni-Code. 4) General section numbering cleanup. 5) Update to reflect additions of new code language and remove code language that is not being continued. 	Cleanup/Streamline
Chapter 1.0 – How to Use the Development Code	<ol style="list-style-type: none"> 1) Read for grammar, punctuation, readability, formatting (GPRF). 2) Delete reference to Chapter 6. 3) Relocate individual chapter introductions from individual chapters to this chapter. 4) Is description sufficient enough? 	<ol style="list-style-type: none"> 1) General code cleanup and editing. 2) Chapter 6 – Map Amendments will be relocated to Chapter 4. Chapter 6 will be completely removed. 3) Individual Chapter intros could be relocated to this section [Nancy to review other jurisdiction codes for best practice research]. 	Cleanup/Streamline

Boardman Code Amendment Matrix

<p>Chapter 1.1 — General Administration</p>	<p>1) Read for GPRF.</p>	<p>4) Review existing descriptions in all chapters to determine if they adequately convey the chapter contents and objectives. Make Chapter 1.0 more instructive. How to use this code. Recommend: Keep introductory paragraphs in respective chapters rather than consolidating into this chapter.</p> <p>1) General code cleanup, section sequencing, copy edit, flow.</p>	<p>Cleanup/Streamline</p>
<p><u>Chapter 1.2 — Definitions</u></p>	<p>1) Read for GPRF. 2) Compare to model code. 3) Modernize.</p>	<p>1) General code cleanup, section sequencing, copy edit, flow. 2) Reference <u>DLCD Model Code for Small Cities</u>. 3) Update chapter to include current terminology and/or updated definitions. 4) Include definitions for Cottage Clusters, Condominiums.</p>	<p>Cleanup/Streamline</p>
<p><u>Chapter 1.3 — Enforcement</u></p>	<p>1) Read for GPRF. 2) Coordinate with Municipal Code. 3) Coordinate with code enforcement program. 4) 1.3.500 – remove or complete.</p>	<p>1) General code cleanup, section sequencing, copy edit, flow. 2) Cross reference municipal code to detect inconsistencies and contradictions. 3) Develop code with input and collaboration with the code enforcement program. 4) Currently a placeholder with no provisions.</p> <p>Recommend a rewrite of this section to clarify enforcement, violation types, penalties, and roles.</p>	<p>Cleanup/Streamline</p>
<p>Chapter 2 — Land Use Districts</p>			
<p><u>Chapter 2.0 — Land Use Districts</u></p>	<p>1) Read for GPRF. 2) In heading, change placeholder for downtown district to "commercial." 3) 2.0.200.A – review reference to City Recorder. 4) Review use of subdistricts re-creation. Currently allowed as Type 3. Possible conflict with State Law (Type 4). 5) Transportation facility improvements need to be Type 1 procedures. Make sure all are listed in TSP. Type 3 Procedure if not listed.</p>	<p>1) General code cleanup, section sequencing, copy edit, flow. 2) 2.2 - Placeholder For Commercial District (Pending). 3) Reference to the City Recorder should be updated to reflect Board/Carla city official responsible for keeping and maintaining zoning district map and zoning code. Typically Planning Official, Community Development Director, or City Manager. 4) Need to either remove subdistricts and have one residential district that allows all residential uses retain subdistricts and change zoning map through a Type 4 Procedure with collaboration with PC and/or CC. 5) Coordinate with corresponding code section so Transportation facility improvements are listed. Those listed will be Type 1 procedures. Those not listed will be Type 3.</p>	<p>Commented [S1]: Discuss with Carla</p>

<p><u>Chapter 2.1- Residential (R) District</u></p>	<p>6) Convert master planned neighborhoods from Residential only, to be applicable to all zones. Master Planned Development will need its own chapter. 7) Utilities placed within the right-of-way is a right-of-way permit review, not land use review.</p>	<p>6) Review Stanfield code (recently broadened to any use). 7) Reference PW code section for corresponding permitting.</p>	<p>Residential</p>
<p>1) Read for GPRF. 2) Compare to model code. 3) Review setbacks. Language could be written differently. 4) Building Height – review, developments may now be accessed by new fire equipment. 5) Building length. 6) Building width. 7) Building Articulation. 8) Lot Size (min and maximum). Currently 8,000 min. Consider reduction. 9) Lot size averaging: focus on density. 10) Check for conflict with Comp plan living units regarding open space requirements. 11) ADU parking requirements – verify applicability of HB2001/2003 for ADUs. 12) Accessory Uses and Structures – consider shipping containers, metal carports. 13) Future urban available other than residential. 14) Review Permitted Uses Table 2.1.110 – consider removing neighborhood commercial and allowing light commercial in residential district by conditional use. Redo table formatting. 15) Clear standards for home occupations, accessory uses and structures, bed and breakfast inns, vacation rentals (AIRBNB type uses), vision clearance. 16) Evaluate treatment of manufactured homes – siting and future additions or changes. 17) 2.1.500 Manufactured Home Park subdistrict – confirm conformance with state law and statutes. Conform Desert Springs (Bella Vista) and Sun Ridge Terrace.</p>	<p>Recommendation: Measurement chapter placed in Chapter 1 where it is described how measurements of dimensions are taken. Recommend putting dimensional lot standards in a table format for ease of use. 1) General code cleanup, section sequencing, copy edit, flow. 2) Recommend revising the Use Table to clearly convey uses permitted, conditional, special, or not permitted. 3) Put text of Setback section directly below 2.1.120 heading, followed by the image. Consider reducing the setback purpose statement to one or two sentences and adding a “Purpose” heading. • Setbacks for infill housing in established residential areas could be updated for clarity. 3-8) Recommend putting dimensional lot standards in a table format for ease of use. 4) 35 ft is a standard height in single family residential districts. • Recommend updating 2.1.160.B Method of Measurement for ease of use and clarity. • Consider average height for hipped roofs. • Consider images for height measurements. 5) [5 & 6] 6) Consider maximum length for multiple family residential buildings to be 125-150 ft. 7) Recommended to include articulation standards such as blank wall dimensions, architectural features requirements. 8) 8,000sf minimum lot size for SFR zones is high. Consider 5,000sf. • Consider allowing manufactured homes to be on same sized lots as traditional SFR. • Consider 50ft lot width minimum rather than existing 70ft. • Duplex and Triplex should be same minimum dimensions as SFR lots. • Consider minimum townhome interior lots to have a minimum width of 20ft or 25ft rather than 30ft. • Multiple Family residential lot width minimum of 40ft-50ft.</p>	<p>Residential</p>	

	<p>18) Add Cottage Clusters, Condominiums, as permitted. Included definitions in definition chapter.</p>	<p>9) Create subsection for Lot Size Averaging and permit averaging based on residential density. 10) No conflict found. Goal X establishes that the City consider options to increase open space. 11) Both HB2001 and HB2003 do not to impact Boardman. They are applicable to medium and large cities – greater than 10,000 in population. Consider, upon review of ADU applications: no minimum ADU parking requirement, but verify that the main dwelling unit shall have a minimum of two spaces. 12) Shipping containers can be permitted with minimum lot size standards and development standards such as no stacking, no placement within front or side yards without required screening. -Carport are typically required to meet the same standards as garages regarding setbacks, height, location. 13) Consider removing future urban district from zoning map and zone it. Recommend a zoning map update to be processed concurrently with the code update. 14) Table formatting should be updated for ease of use. Model code has good example. If neighborhood commercial is replaced with light industrial, light commercial could be further defined with maximum commercial area standards, requirements for mixed use, and prohibited uses. 15) -Determine standards for Home Occupations. Recommend to allow outright but include provisions in the Special Use sections -Define Vacation Rentals and establish standards. Distinguish from traditional Bed and Breakfasts. 16) [16&17] Create new Subsection 2.1.500 Manufactured Home Park – Minimum (park) lot size, typically 1 Acre. Minimum MH space standard and density. Often 25ft by 50ft minimum. Spacing from adjacent MH home, screening/landscaping, and density of MH in park.</p>
<p>Chapter 2.2 – Commercial (C) District</p>	<p>1) Read for GPRF. 2) Building Height – review. Developments may now be accessed by new fire equipment. 3) Building length. 4) Lot Size (min and maximum). 5) Lot size averaging.</p>	<p>Recommendation: create an updated table for uses permitted, conditional, special, or not permitted. Add all subdistricts and commercial district to one table. 1) General code cleanup, section sequencing, copy edit, flow. 2) [2-5] Work with stakeholders to determine maximum and minimum heights, lot size, and massing/blocking standards for building size for the commercial zone and all subdistricts.</p>

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<p><u>Chapter 2.3 - General Industrial (GI) District</u></p>	<p>6) Table 2.2.110. Review the table for updates/formatting. Move Neighborhood Commercial (move from Chapter 2.1 to 2.2). Consider new zoning sub district. 7) Remove Bed and Breakfast Inn in commercial zones. 8) Better clarity on uses in subdistricts, capture all subdistricts in Tables. 9) Standards for mixed-use. 10) Remove BPA transmission subdistrict (apply open and/recreation district to BPA). 11) Add section 2.5 as rec/open space district</p>	<p>6) Clean up table as recommended above. Consider replacing neighborhood commercial with light commercial. 7) Remove Bed and Breakfast Inn in commercial zones. 8) Create use table for commercial zoning and subdistricts. 9) Work with stakeholders to establish standards for mixed-use development. Consider implementation of light commercial when in mixed-use buildings.</p>	
<p><u>Chapter 2.4 - Light Industrial (LI) District</u></p>	<p>1) Read for GPRF. 2) Building Height – review, development may now be accessed by new fire equipment. 3) Lot Size (min and maximum). 4) Port Industrial Subdistrict 2.3.170 – no correlating map. 5) Building Height.</p>	<p>Recommendation: create updated table for uses permitted, conditional, special, or not permitted. Add all subdistricts and GI district to one table.</p> <p>1) General code cleanup, section sequencing, copy edit, flow. 2) [2 & 3] Work with stakeholders to determine maximum and minimum heights, lot size. Lot size needs to acknowledge need for stormwater management, landscaping requirements, development standards. 4) Create map of subdistrict and update zoning map. Or remove Port Industrial Subdistrict from city (tends to be a heavy use zone). <ul style="list-style-type: none"> Separate use and building type table. Create table of development standards. Are there uses in this subdistrict that are too heavy for general industrial? If so, this heavier industrial district should be kept in some form. Identify geography of the subdistrict <p>5) The building height section is very detailed. Considered relocating to a general chapter.</p> </p>	
<p><u>Chapter 2.4 - Light Industrial (LI) District</u></p>	<p>1) Read for GPRF. 2) Building Height – review, development may now be accessed by new fire equipment. 3) Lot Size (min and maximum). 4) Lot size averaging.</p>	<p>1) General code cleanup, section sequencing, copy edit, flow. 2) [2-4] Work with stakeholders to determine maximum and minimum heights, lot size, lot size averaging.</p>	

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Chapter 2.5 (Future) Master Plan Development	<ol style="list-style-type: none"> 1) Delineate uses. 2) Create area or special use plan. 	<ol style="list-style-type: none"> 1) Create new subsection by incorporating existing Chapter 4.5. 	
2.6 (future) Floodplain Overlay Zone	<ol style="list-style-type: none"> 1) Delineate uses. 	<ol style="list-style-type: none"> 1) Create new subsection. 2) Check model code: Model Flood Hazard Management Ordinance 3) Coordinate with existing Boardman floodplain regulation 4) Map on Boardman Zoning Map 	
2.7 (future) Open Space	<ol style="list-style-type: none"> 1) Delineate uses. 	<ol style="list-style-type: none"> 1) Address properties owned by federal agencies (ie Army Corp) 2) Address city park (as a use), tourist areas, etc 3) for zoning map purposes 	
Chapter 3 – Standards			
Chapter 3.0 – Design Standards	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against Model Code. 3. Review and update Chapter 3 table of contents list. 4. In TOC 3.5 Remove “Reserve for”. 5. 3.8 – Incorporate loading standards into vehicle and biking standards chapter. 	<ol style="list-style-type: none"> 1) General code cleanup, section sequencing, copy edit, flow. <ul style="list-style-type: none"> • Add purpose statement. • Remove <i>Reserve For</i> from 3.5 and include new section in TOC • Consider a table identifying the applicability of application types to the design standards subsections. See model code for example. 2) Update TOC based on changes to code, revised section numbering, added sections. 	
Chapter 3.1 – Access and Circulation	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against model code. 	<ol style="list-style-type: none"> 1) General code cleanup, section sequencing, copy edit, flow. 2) Reference the TSP and Chapter 3.1 implements the TSP 3) Expand Applicability section and put directly under 3.1.100 Purpose. It is currently under Vehicle but not Pedestrian. <ul style="list-style-type: none"> • New development • Modifications to development that accesses the public street • Streets, driveways, walkways 	

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<p>Chapter 3.2 -- Landscaping, Street Trees, Fences and Walls</p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against model code. 3. For this and each standard in chapter 3, requirements are located here, quantities are located in PW standards. 4. Evaluate 3.2.200.C for minimum landscaping percentages. 	<p>4) Expand Driveway Approach subsection to include development standards (spacing, number allowed, dimensions, etc.) found elsewhere in this chapter.</p> <ul style="list-style-type: none"> • Consider a series of tables for spacing standards and dimensional standards. 	
<p>Chapter 3.3 -- Vehicle and Bicycle Parking</p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against model code. 3. For this and each standard in chapter 3, requirements are located here, quantities are located in PW standards. 	<p>Recommend: removing street trees from this section and placing them in PW standards.</p> <ol style="list-style-type: none"> 1) General code cleanup, section sequencing, copy edit, flow. 2) [2&4] Applicability statement is vague. It is clear that landscaping is required with SDR, but “and other developments” can be clarified. <ul style="list-style-type: none"> • Consider increasing commercial site landscaping to 15%, a standard minimum requirement found in other jurisdictions. • Consider specifying which type of residential requires 20% (MF?) • Single Family residential can have no or reduced minimum landscaping. Often SFR requires no minimum percentage but does require tree installation per area of lot. • Implement distinct landscape areas such as setbacks from buildings, perimeter setbacks, interior parking lot landscaping. • Implement specific plant material requirements for each distinct area. Categories can work well for this application. For example, Type A landscaping is required in perimeter setbacks. Type A landscaping is XX Plant Units per square foot. Type B would be more dense, or include a screening requirement in addition to the landscaping. • A common building setback standard is 5ft. Currently code is 3ft. • 3.2.400.B.1: I believe the Uniform Building Code allows fences up to 7ft without permit now. 	
		<ol style="list-style-type: none"> 1) General code cleanup, section sequencing, copy edit, flow. 2) In the applicability statement, the city should clarify/specify exactly which type of development will trigger this chapter. Does repaving an existing parking lot trigger, if no additional impervious area is proposed? <ul style="list-style-type: none"> • Consider the following reductions in minimum parking standards: 	

	<p>4. Incorporate (current) 3.8 loading standards to this section.</p>	<ul style="list-style-type: none"> • Single Family Residence: 1 space/unit • Studio units or 1-bedroom units less than 500 sq. ft. Two space/unit. 1 space/unit • 1-bedroom units 500 sq. ft. or larger Two spaces/unit 1 space/unit. • 2-bedroom units Two spaces/unit. 1.75 spaces/unit • Restaurants, bars, ice cream parlors and similar uses. One space per four seats or one space per 100-sq. ft. of gross leaseable floor area, whichever is less. 1 space/250 sq. ft. floor area. • Offsite parking – ¼ mile max should be reduced to 500 ft. • Consider a Parking Determination application for staff to determine similar use, or other situations where parking information is not available (uses not listed, mixed uses, shared facilities). • 3.3.000 – create a table of minimum dimensional standards for parking space dimensions. Rather than a minimum area dimension, include minimum length and width dimensions per space. For example 19ft by 9ft. • Remove ADA parking standards completely. This is established by building code. Removing it from zoning code will allow staff to enforce based on any future updates to ADA code without changing zoning code. • 3.3.400.A.1 Consider both short-term and long-term bicycle parking requirements for MF housing. Allow long term parking to also be met by bicycle parking spaces within each unit. • 3.3.400.C. Rather than “conveniently located,” location of bicycle parking should be specified by distance from primary entrance. Within 50ft is a common standard.
<p>Chapter 3.4 – Public Facilities Standards</p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against model code. 	<p>Coordinate with City engineering staff on all standards.</p> <ol style="list-style-type: none"> 1) General code cleanup, section sequencing, copy edit, flow. 2) Recommend that the city place these standards outside of the development code.

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<p><u>Chapter 3.5 -- Stormwater Management</u></p>	<ul style="list-style-type: none"> Purpose statement should remove language such as "attractive" and other subjective words and replace with clear and objective requirements. 3.4.100.B – consider adding a lower level, administrative review procedure, for varying minor street development standards, rather than requiring all to go through variance application. 3.4.100.C and D – reference Section 660-012-0045(2)(e) of the TPR. <p>3.4.600 Easements – recommend removing language deed restriction as an option and requiring only recordation on plats.</p>	<ul style="list-style-type: none"> Purpose statement should remove language such as "attractive" and other subjective words and replace with clear and objective requirements. 3.4.100.B – consider adding a lower level, administrative review procedure, for varying minor street development standards, rather than requiring all to go through variance application. 3.4.100.C and D – reference Section 660-012-0045(2)(e) of the TPR. <p>3.4.600 Easements – recommend removing language deed restriction as an option and requiring only recordation on plats.</p>	<p>3.4.600 Easements – recommend removing language deed restriction as an option and requiring only recordation on plats.</p>
<p><u>Chapter 3.5 -- Stormwater Management</u></p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against statute and rule. 3. Review Stanfield. 4. Significant portions of this chapter should be moved to PW standards. 5. Entire chapter needs to be evaluated and simplified. 6. Evaluate DEQ best practices for stormwater mgmt. 7. Simplify this whole chapter. 	<ol style="list-style-type: none"> 1. <u>State stormwater guide for small municipalities</u> 2. Coordinate with City engineering staff on all standards. 	<ol style="list-style-type: none"> 1. State stormwater guide for small municipalities 2. Coordinate with City engineering staff on all standards.
<p><u>Chapter 3.6 -- Other Standards</u></p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against statute. 3. Relocate 3.6.100 to Housing chapter (2.1). 4. 3.6.200 Relocate Telecommunication Facilities to each use zone permitted uses. Evaluate location for Telecommunication Facilities development standards. 5. 3.6.300 remove the "Reserved" and create this section. Put this use in each use zone's permitted use section. Evaluated location for development standards related to solid waste facilities. 6. 3.6.400, create a process, and locate it in 4.2 (development standards), and make sure it is comparable with Condition Use environmental provisions 	<ol style="list-style-type: none"> 1. General code cleanup, section sequencing, copy edit, flow. 2. Because it's related housing relocate density transfers move to Chapter 2.1 3. Telecommunication communication facilities moved to chapter 2.1 and should be regulated based on zoning district. 4. Solid waste storage facilities – identify where they are permitted. Where they are permitted, conditional, etc 5. Environmental performance – reserve space for environmental standards <p>Signs – chapter 2 will describe where and what type of signs are allowed</p>	<ol style="list-style-type: none"> 1. General code cleanup, section sequencing, copy edit, flow. 2. Because it's related housing relocate density transfers move to Chapter 2.1 3. Telecommunication communication facilities moved to chapter 2.1 and should be regulated based on zoning district. 4. Solid waste storage facilities – identify where they are permitted. Where they are permitted, conditional, etc 5. Environmental performance – reserve space for environmental standards <p>Signs – chapter 2 will describe where and what type of signs are allowed</p>

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	<p>7. 3.6.500 signs – consider placing allowance in the use tables of each zone. Temp signs in the Temporary Use Chapter(?). What sign standards should be moved to municipal code?</p>	
<p>Chapter 3.7 -- Flood Plain</p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against statute and Floodplain Model Code (DLCD). 3. Correspond to 2.7 to be able to map the floodplains. Then 3.7 would define floodplain standards. 4. Relocate to future chapter 4.6. 	<ol style="list-style-type: none"> 1. There have been changes to model code since this chapter was published (2007) 2. Separate and elaborate on purpose, findings, objectives, and add applicability section. 3. Update definitions per the revised state Appendix A Oregon Model Code, FEMA approved. Remove definitions and place in Definitions chapter. 4. Review 2014 update and 2019 update to model code.
<p>Chapter 3.8 -- Loading Standards</p>	<ol style="list-style-type: none"> 1. Delete/relocate to Chapter 3.3 parking. 	<p>Review Stanfield's code for direction Place in the parking chapter</p>
<p>Chapter 4 – Procedures</p>		
<p>Chapter 4 – Applications and Review Procedures</p>	<ol style="list-style-type: none"> 1. Remove? 	
<p>Chapter 4.1 - Types of Applications and Review Procedures</p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against statute. 3. Remove posting requirements. 4. Remove publishing requirements, except where required. 5. Consider reducing notice area from 250ft to 100ft. 6. Add reference to CitizenServe in application requirements – of each type? 7. 4.1.700d Application can also be submitted by district with condemnation authority. 8. 4.1.800 to be relocated to Land Division chapter. 	<ol style="list-style-type: none"> 1) General code cleanup, section sequencing, copy edit, flow. 2) City should consider reducing the notice radius of 250' used commonly in the Chapter 4 to 100', the minimum for land within UGBs as set forth in ORS 197.797(2)(a). 3) In 4.1.300.B, the reference to staff approval with conditions should be deleted. The level of discretion involved in adopting conditions of approval exceeds the scope of a Type I review process. 4) The Notice of Decision requirements for Type I decisions (4.1.300.E) should be deleted. Mailing the decision to the applicant (as described in 4.1.300.C) is sufficient for this type of review process. 5) The Notice of Decision requirements for all decision types includes posting Notices of Decisions at the project site. This is unnecessary, as Type I processes are ministerial and do not require public notice, and Type II and Type III processes include noticing at the beginning of the comment period. These notice postings must contain sufficient information to put interested parties "on notice" to participate in the

		<p>process, and thereby receive the Notice of Decision directly. New issues or comments cannot be introduced following the decision, making onsite posting of Notices of Decision unnecessary and potentially confusing to the public.</p> <p>6) 4.1.300.G describes an appeal process for Type I decisions. Type I decisions are ministerial in nature, dealing only in clear and objective standards, and therefore cannot be subject to appeal. Subsection (G) should be deleted.</p> <p>7) 4.1.400.A should include a list or table of what Type II applications are required to have a pre-application conference and which are not. The section should also note that pre-application conferences may also be requested by an application even when they are not required.</p> <p>8) The description of the supplemental impact study for land divisions in 4.1.400.e should be moved to the Land Division chapter. Submittal requirements specific to certain application types should be described within sections on those review types, and subsection (e) should be replaced with a general requirement to include any information required to address approval criteria for the specific application type.</p> <p>9) A 20-day comment period is provided for Type II (4.1.400) and Type III (4.1.500) applications. Reducing the comment period to 14 days, the minimum set forth by statute, would allow additional time for staff and/or hearing body review on complicated projects. At the same time, a shorter comment period would reduce the overall processing time for projects with minimal public comment.</p> <p>10) Avoid making references to specific software applications (e.g. CitizenServe) in code. Forms specified by City Manager as described in "B" subsections for each application type could be clarified to mention that forms can be written or electronic.</p> <p>11) Most communities limit newspaper publication to Type III and Type IV cases. Newspaper notice for Type II review processes may not be timed to be seen by readers at the early stages of the comment period, complicating review processes for all participants.</p> <p>12) Chapter 4.1.800 (expedited land divisions) should be relocated to the land divisions chapter, as it contains approval criteria specific to this project type.</p> <p>13) Chapter 4.1.900 should specify what types of cases require a neighborhood meeting, or provide a listed criteria to guide staff in determining whether to require a neighborhood meeting as part of the application process.</p>
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<p><u>Chapter 4.2- Development Review and Site Design Review</u></p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against statute. 3. More clearly define distinctions between procedure types. Then review policy in Chapter 4.1 and Chapter 2 to make sure it is consistent. 4. Clarify Development Review submittal requirements. 5. Simplify Site Design Review submittal requirements. 6. Determine need for grading plan for Site Design Review. 	<ol style="list-style-type: none"> 1) The discretionary Site Design Review process described in 4.2.200.A cannot be applied to any residential development, unless a clear and objective path is also available (ORS 197.307(4)). 2) Site Development Review and Site Design Review should be clearly tied to Type I, II, and III processes specified in Chapter 4.1. 3) The thresholds for conducting Site Design Review as a Type III process (4.2.400.B) are extremely low, subjecting a large portion of typical development projects to discretionary review, increasing the complexity and uncertainty of review for all participants. 4) The City should consider reviewing subdivisions as a Type II application, rather than Type III. 5) 4.2.800 should specify that phased land divisions are not subject to Site Design Review. 	
<p><u>Chapter 4.3 - Land Divisions and Lot Line Adjustments</u></p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against statute. 3. 4.3.130 – ensure consistency with Chapter 2 changes. 4. 4.3.130 – simplify preliminary plat submittal requirements. 5. 4.3.140 – delineate approval criteria for partitions vs subdivisions. 6. 4.3.160 – simplify requirements and criteria. 7. 4.3.210 – PLA – really verify PLA processes meet current statute. Pieces may be missing. 	<ol style="list-style-type: none"> 1) 4.3.100 – should include a separate definitions section for land use types. One calendar year is a very short timeframe for prevent serial partitioning. 2) The Chapter needs to include provisions for Middle Housing Land Divisions, as provided in ORS 92.031. 3) The City should consider moving procedures specific to modifying approved preliminary plats to this chapter. 4) 4.3.110 should address flag lot requirements. 5) 4.3.110.E only includes language of encouragement “double frontage lots shall be avoided wherever possible,” and does not belong in code. 6) The Block and Lot Standards referenced in 4.3.140.B should be brought into this chapter, since they are typically applied through the land division process. 7) The authorization of variances in 4.3.150 is unnecessary; the applicability of variances to subdivisions should be addressed in Chapter 5. 8) The City should consider addressing infrastructure standards (such as frontage improvements and connecting streets) more specifically in this chapter. 	

<p>Chapter 4.4- Conditional Use Permits</p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against statute. 3. 4.4.400.d – transportation systems facilities improvements. 4. 4.4.400.d Confirm consistency with TPR. 5. 4.4.400.d – could be its own section ie 4.4.500. 6. Keep or remove Medical Marijuana provisions. 	<ol style="list-style-type: none"> 1) Need clear delineation on when and how transportation facility should be reviewed. 2) The City should consider specifying the types of impacts that must be addressed, or conditions typical to certain uses 	
<p>Chapter 4.5- Master Planned Developments</p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against statute. 3. Mirror Chapter 2.X (master plan uses). 4.5 should be about master plan process. Review Stanfield code. 4. Delineate how Special Area Plans are processed. Perhaps as subsection. 	<ol style="list-style-type: none"> 1) Consecutive Type III reviews for the concept plan and detailed development plan in 4.5.120.B.1 and 2 is a very arduous review process, not necessary if the concept plan review process addresses the plan in sufficient detail. See for instance 4.5.150.B, a review criterion requiring the concept plan to meet all land division standards. However, preliminary plat review also takes place later in the sequence described in 4.5.120.B. 2) 4.5.120.B.4 should make clear that the development applications can be reviewed as part of a consolidated process. 3) The Chapter isn't clear that implementation of an overlay zone or use of alternative standards can be achieved through a Master Planned Development. 4.5.130 appears to negate some of the flexibility normally associated with this process type. 	
<p>Chapter 4.6 (future) Floodplain Development Standards</p>	<ol style="list-style-type: none"> 1. Relocate existing chapter 3.7. 2. Review against model floodplain code. 	<p>Commented [52]: Do we need mechanism to create an overlay zone?</p>	
<p>Chapter 4.6- Modifications to Approved Plans and Conditions of Approval</p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against statute. 3. Confirm clarity. 4. Swap minor and major modification. 5. Create clear distinction for new applications rather than mods. ie when is it not a modification. 6. Reorder structure of chapter. Minor mods need to come before major mods. 	<ol style="list-style-type: none"> 1) A Minor Modification always requires a Type II application, but a Major Modification matches the type used to process the original approval. Instead, the review type for a modification should match the scope of the changes under consideration. 2) No approval criteria are provided for a Major Modification, and only very basic (Type I) criteria are listed for a Minor Modification. 3) The modification section should recognize the likelihood that the request is being made in the time between land use review and 	

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		<p>construction. Undergoing a second land use process (especially one with public notice, comment, and possibly a hearing) is a significant cost in time and difficulty, even for relatively small changes to approved plans.</p>	
<p>Chapter 4.7 - Land Use District Map and Text Amendments</p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against statute. 3. Remove quasi-judicial amendment. 4. 4.7.600 TPR – confirm with current law. 	<ol style="list-style-type: none"> 1) Comprehensive Plan Map amendments (legislative) and Quasi-Judicial zone changes should be broken into separate chapters, or clearly delineated in subsections of Chapter 4.7. The code language does not clearly distinguish the different processes and approval considerations, or that the Comprehensive Plan is amended when a Land Use District Map is changed. 2) The approval criterion in 4.7.300 does not give clear direction to the decision maker, just that evidence of a change or mistake must be presented. That the proposed zone is “equally or better suited” than the proposed zone should be considered as a clearer path for the applicant to make a case. 3) 4.7.300 – a “code revision” – presumably a text change to zoning code, should be classified as legislative, not quasi-judicial. 	
<p>Chapter 4.8 - Code Interpretations</p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against statute. 3. Provide standards and procedures for creating overlay zones. 	<ol style="list-style-type: none"> 1) 4.8.100 is very broad in applicability and should provide a narrower scope for potential code interpretations. 2) No approval criteria or considerations are provided to decision makers on an interpretation in this section. 	
<p>Chapter 4.9 - Miscellaneous Permits</p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against statute. 3. Cross check with Municipal Code for proper locations. 4. Consider assigning LU Types to the permits. Place in table format. 5. Describe process. 		
<p>Chapter 4.10 - Traffic Impact Study</p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Review against model code. 3. Confirm TPR compliance. 4. Incorporate Trip Gen letter as an alternative to TIS for lighter development/procedures. 	<ol style="list-style-type: none"> 1) This section should be incorporated into submittal standards and/or TPR compliance standards. 2) 4.10.100.B should be deleted in favor of a cross-reference to the ITE manual. 	

			Cleanup/Streamline
<p>Chapter 5.0 - Exceptions to Code Standards</p> <p><u>Chapter 5.0- Exceptions to Code Standards</u></p>	<p>1. Retain or put intros in chapter 1.</p>	<p>1) See Chapter 1.0 above.</p>	<p>Cleanup/Streamline</p>
<p><u>Chapter 5.1- Variances</u></p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Class A Variances – simplify categories (any numeric standard by up to 10%). 3. Class B Variances – simplify categories. 4. Review/Remove reference to tree variance. 5. Class C Variance – confirm applicability to a broad list of issues. 6. Evaluate variance applicability on parking, access, and transportation improvement standards. 7. Look for variances in other sections such as 3.4.100 and relocated to this chapter. 	<ol style="list-style-type: none"> 1) General code cleanup, section sequencing, copy edit, flow. 2) Instead of listed eligible variances, consider establishing that a Class A Variance is eligible for any numeric development standard being varied by 10% or less. Or see recommendation below regarding Adjustment/Variance. 3) Instead of listed eligible variances, consider establishing that a Class B Variance is eligible for any numeric development standard being varied by 10% or more. Or see recommendation below regarding Adjustment/Variance. 4) Evaluate whether to keep the tree variance. 5) Determine if each listed category is currently applicable. 6) Parking and access are largely numeric standards that are well suited to the variance and/or adjustment & variance classifications. 7) Currently, variances are divided into three classes and reference specific standards that are eligible to vary. 	<p>Cleanup/Streamline</p>
<p><u>Chapter 5.2 Non-Conforming Uses and Developments</u></p>	<ol style="list-style-type: none"> 1. Read for GPRF. 2. Compare to model code. 	<ol style="list-style-type: none"> 1) General code cleanup, section sequencing, copy edit, flow. 2) Recommend: <ul style="list-style-type: none"> • To include a purposed and applicability section and strengthen the existing language on non-conforming uses. • Define <i>non-conforming use</i> and <i>non-conforming development</i> at the beginning of the chapter. • To expand “exceptions” to include expansion language. • Allowing limited expansion of non-conforming uses. This can be done as a percentage of the site, or by square-footage of the structures. <p>Non-Conforming Development:</p> <ul style="list-style-type: none"> • To include a purposed and applicability section and strengthen the existing language on non-conforming development. 	<p>Cleanup/Streamline</p>

Boardman Code Amendment Matrix

		<ul style="list-style-type: none"> Allow limited alterations/enlargement of the non-conforming development. 	
Chapter 6.0 - Map Amendments			
Chapter 6.0 - Map Amendments	1. Delete entire chapter.	1) Map amendments are covered in chapter 4.	Cleanup/Streamline