

City of Talent

Community Development Department - Planning



STAFF REPORT

Type-2 Land Use Application

Date: July 12, 2022
Prepared by: Kim Trimiew

File no: SPR 2022-004
Item: Landscape Materials Retail & Storage

GENERAL INFORMATION

Applicant.....Juan Carlos Garcia
Assessor's Map Number38-1W-25B Tax Lot 400
Site LocationS. Pacific Hwy
Site Area.....0.94 acres
ZoningCH – *Commercial Highway*
Adjacent zoning and land uses.....CH – Commercial Highway/
Residential Uses
Applicable Code SectionsArticles 18.150 and 18.60
120-Day Limit.....October 1, 2022

PROPOSAL

The request is for a Site Development Review to operate a landscape materials sales and storage establishment and future contractor's office.

BACKGROUND

The proposed landscape materials retail yard, storage area, and future contractor's office, is to be located on a tax lot in the CH zone.

Stormwater/Waste Water

Stormwater connection is currently available to the site.

Water Service

Water service is currently available to the site, and a meter will be required with any site development. All SDCs will be due at the time of issuance of building permits.

APPROVAL CRITERIA

18.60 of the Talent Zoning Code regulates uses in the Highway Commercial District.

18.150.010 DESCRIPTION AND PURPOSE.

Whereas the zoning map establishes zone boundaries and the text of this title establishes the permitted uses of land in the various zones and the conditions applicable to such uses, the site development plan provides a means for applying the provisions and objectives as they apply to a particular site. Site development plan review is intended to determine and establish compliance with the objectives of this title in those zones where inappropriate development may cause a conflict between uses in the same or an adjacent zone; to determine the conformance with any city plan; to encourage the best utilization of land in order to preserve the public safety and general welfare; and to ensure adequate services are provided. [Ord. 966 § 2 (Exh. B), 2021; Ord. 817 § 8-3L.110, 2006.]

AGENCY COMMENTS

Jackson County Fire District #5 had no comments or concerns.

City of Talent Police Department had no comments or concerns.

Rogue Valley Sewer Service provided comments in letter form, which has been included as an attachment to this staff report.

PUBLIC COMMENTS

Three public comments were received in response to the notices sent out on June 3, 2022. All three comments were in favor of the proposal.

In the following, any text quoted directly from City codes appears in *italics*; staff findings appear in regular typeface.

18.60.030 BUILDINGS AND USES SUBJECT TO TYPE II SITE DEVELOPMENT PLAN REVIEW.

No building, structure or land shall be used, and no building or structure shall be hereafter erected, enlarged or structurally altered; neither shall any land be developed, except for the following uses, none of which shall include drive-in, drive-up or drive-through facilities. Further, the following uses are permitted subject to the provisions of Chapter 18.150 TMC:

- F. *Retail (excluding sales of medical or recreational marijuana by producers, wholesalers, processors and retail outlets) and wholesale business and service establishments providing home furnishings; nursery supplies; retail lumber, paint and wallpaper; plumbing, heating and electrical sales and service; drapery, floor covering and tile sales.*

FINDING: The proposal is for a .94-acre outdoor retail and storage area for landscape materials and supplies including rock and gravel, and a future contractor office building. **The provisions of this section have been met.**

18.60.060 YARD REGULATIONS

- A. Front Yard. *The front yard shall have a depth of not less than 10 feet, including parking lots and internal access drives.*
- B. Side Yard.
 - 1. *No side yard is required between commercially zoned properties.*
 - 2. *When abutting a lot in a residential zone, there shall be minimum side yard of 10 feet.*
 - 3. *A side yard abutting a street and/or alley shall have a depth of not less than 10 feet.*
- C. Rear Yard. *No rear yard is required between commercially zoned properties; when abutting a lot in a residential zone, there shall be a rear yard of not less than 10 feet. No structural improvements except road surfacing shall be allowed within 10 feet of the centerline of an alley.*

FINDING: The proposed landscape materials retail and storage yard has a 10-foot front setback and a 10-foot rear yard setback where it is adjacent to a residential zone (Residential Manufactured Home, or RMH). There are no side setbacks required as both sides of the tax lot border on commercially-zoned properties. **The provisions of this section have been met.**

18.60.070 LOT AREA AND DIMENSIONS

In the CH zone, the minimum lot area shall be 6,000 square feet. The minimum lot width shall be 60 feet and the minimum lot depth shall be 100 feet. [Ord. 817 § 8-3D.470, 2006.]

FINDING: The subject .94-acre tax lot has close to 270-foot lot width and over 140-feet of lot depth. **The provisions of this section have been met.**

18.60.080 LOT COVERAGE RESTRICTION

In the CH zone there shall be no lot coverage restrictions except as provided in the yard setback and off-street parking regulations. [Ord. 817 § 8-3D.480, 2006.]

18.60.090 PARKING AND ACCESS REQUIREMENTS

Off-street parking and loading spaces and access shall be provided as prescribed in Chapters 18.110 and 18.115 TMC. [Ord. 817 § 8-3D.490, 2006.]

FINDING: All parking design standards are addressed in the findings below. **The provisions of this section can be met subject to conditions of approval.**

18.60.100 LANDSCAPING, FENCES, WALLS AND SIGNS

All required landscaped areas shall be installed in accordance with Chapter 18.105 TMC. Fences, walls, hedges and screen plantings shall be permitted in accordance with Chapter 18.105 TMC. Signs shall be permitted and in conformance with Chapter 18.120 TMC. [Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3D.495, 2006.]

FINDING: Per the findings below, the project will require landscaping, buffering and screening. All proposed fences, landscaping, buffering, hedges and screening shall be installed per 18.105 TMC. Any proposed signs shall be in conformance with 18.120 TMC. **The provisions of this section can be met subject to conditions of approval.**

18.60.110 BUFFERING

When a development or use is proposed on property within the CH zone which abuts or is adjacent to a conflicting land use zone or an incompatible but permitted use within the same zone, the planning commission shall require a buffer in accordance with TMC 18.105.050.

FINDING: Buffering per 18.105 is required along the north (rear) property line where the property is adjacent to residentially zoned lots. **The provisions of this section can be met subject to conditions of approval.**

18.90.030 SETBACK REQUIREMENTS

C. Storage Yards.

1. *The storage of building materials other than for immediate use in the construction of buildings on the premises, or wood or fuel outside a building other than for use on the premises, is prohibited in residential zones (RLD, RMD, RMH, RHD).*
2. *The open storage of materials and equipment is permitted in commercial and industrial zones under the following conditions:*
 - a. *The stored material or equipment is not visible from property in another adjacent zone; and*
 - b. *The stored material or equipment is not visible from a public street.*

FINDING: Applicant has proposed to store landscape materials on the subject tax lot. Per 18.90.030(2)(a) the north (rear) property line shall be screened from the residential property located adjacent to this use. Per 18.90.030(2)(b) the front property line shall be screened to prevent visibility of storage materials or equipment from S. Pacific Highway. **The provisions of this section can be met subject to conditions of approval.**

18.105.020 MINIMUM LANDSCAPED AREA

A. The minimum percentage of required landscaping is as follows:

3. *Commercial Highway (CH), Central Business Highway (CBH) and Commercial Interchange (CI) Zones. Twenty percent of the site.*

18.105.030 MINIMUM VEGETATION AND GROUND COVER

A. Minimum number of trees and shrubs acceptable per 1,000 square feet of landscaped area:

1. *One tree, minimum 2" caliper.*
2. *Four 5-gallon shrubs or accent plants.*

B. Minimum percentage Ground Cover. All landscaped area, whether or not required, that is not planted with trees and shrubs, or covered with non-plant material as defined in subsection (C) below, shall have ground cover plants that are sized and spaced to achieve 75 percent coverage of the

area not covered by shrubs and tree canopy unless a xeriscape plan is approved.

- C. *Landscape Materials. Permitted landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, and outdoor hardscape features, as described below. "Coverage" is based on the projected size of the plants at maturity, i.e., typically three (3) or more years after planting. The landscape materials below may be modified as part of an approved xeriscape plan.*

18.105.050 BUFFER AND SCREENING

A. General Requirements.

- 1. The property owner is responsible for the installation and maintenance of required buffers and screens including compliance with TMC 18.135.060(A).*
- 2. The community development director may waive the buffering/ screening requirements of this section where the required buffer/ screen has been installed on the adjacent property in accordance with this chapter.*
- 3. Where a proposed use abuts undeveloped property, only one-half of the buffer width shall be required.*

B. *Buffer Location. A buffer consists of an area within a required setback adjacent to a property line. It has a depth equal to the amount specified in Table 18.105.050-1 and contains a length equal to the length of the property line of the abutting use(s).*

C. Buffer Requirements.

- 1. At least one row of trees. These trees will not be less than 10 feet tall at the time of planting and not spaced more than 30 feet apart and five feet tall at the time of planting for evergreen trees and spaced not more than 15 feet apart. This requirement may be waived by the community development director when it can be demonstrated that such trees would conflict with other provisions of this code (e.g., solar access).*
- 2. At least five five-gallon shrubs or 10 one-gallon shrubs for each 1,000 square feet of required buffer area.*
- 3. The remaining buffer area shall be planted in accordance with TMC 18.105.030(C).*

D. *Screening. Where screening is required or provided, at least one of the following techniques shall be provided in addition to the buffering requirements above:*

- 1. One row of evergreen shrubs that will grow to form a continuous hedge at least six feet tall within two years of planting; or*
- 2. A fence or masonry wall at least six feet in height to provide a uniform sight-obscuring screen; or*
- 3. An earthen berm combined with evergreen plantings or a fence that forms a sight and noise buffer at least six feet tall within two years of installation.*

E. *Clear Vision. Buffering and screening provisions are superseded by the clear vision requirements of TMC 18.105.055.*

F. *Landscaping within the buffer shall count towards minimum landscaped area and vegetation required by TMC 18.105.020 and 18.105.030.*

FINDING: The subject parcel totals approximately 40,946 square feet which requires 8,189 square feet of landscaping. Pursuant to §18.105.030(A) above, the applicant shall plant eight (8) 2” caliper trees and thirty-two (32) 5-gallon shrubs or accent plants to meet the minimum landscape requirements.

As shown on the proposed site plan, the development includes approximately 5,010 square feet of landscaped area, 3,179 square feet short of the required 20% lot coverage required in the Highway Commercial Zone.

Buffering is required along the north property line where the parking lot is adjacent to residentially zoned lots. The proposed plan shows a 10-foot buffer strip at this location. By increasing the buffer strip width from 10-feet to 20-feet, the proposed plan can meet the landscape requirements and provide additional protection against stormwater moving off of the property.

In addition to the buffering, screening will need to be provided at this location consisting of a sight-obscuring fence, wall or evergreen hedge not less than five feet and not more than six feet in height per section 18.110.131(E). The proposed plan shows a 6-foot sight obscuring fence around the entire property. As a condition of approval, prior to the issuance of certificate of occupancy, the applicant shall:

- install trees, shrubs, and ground cover in accordance with 18.105 TMC
- install landscaping irrigation
- install 6-foot sight obscuring fence to prevent visibility of storage materials
- install 20-foot buffer strip along the south property line adjacent to the residential zone to buffer against incompatible land uses and provide stormwater infiltration.

The provisions of this section can be met subject to conditions of approval.

18.105.055 CLEAR VISION AT INTERSECTIONS

D. *The clear vision area for all street intersections and all street and railroad intersections shall be that area described in the most recent edition of the “AASHTO Policy on Geometric Design of Highways and Streets.” The clear vision area for all corner lots shall be that area within a 30-foot radius from where the lot line and the edge of a street intersect. The clear vision area for all driveways shall be that area within a 10-foot radius from where the driveway and the edge of a street intersect.*

FINDING: The proposed landscaping and structures allow a clear vision area exceeding the required 10-foot radius from where the driveway and the edge of S. Pacific Hwy intersect. **The provisions of this section can be met subject to conditions of approval.**

18.105.070 LANDSCAPE MAINTENANCE

It shall be the responsibility of the property owner to maintain landscaping on their property. All landscaping and trees shall be provided with irrigation or other facilities for the continuing care of the vegetation.

B. *Commercial Areas*

In commercial zones, areas not occupied by structures, roadways or parking areas, walkways, bicycle paths, patios or other specific facilities shall be maintained. Fences, walls, hedges and screen plantings shall be permitted in conformance with the requirements of TMC 18.105.020 and 18.105.030.

FINDING: The proposed landscaping shall be properly maintained and provided with irrigation. **The provisions of this section can be met subject to conditions of approval.**

18.110.060 NUMBER OF PARKING SPACES REQUIRED

A. *The number of off-street parking spaces required shall be not less than as set forth in Table 540-1, except as otherwise provided in this Article.*

Commercial Uses	
Service or repair shops; retail stores exclusively handling bulky merchandise (e.g., automobiles, furniture)	1 space for each 750 square feet of gross floor area

FINDING: Parking for commercial retail use is determined by gross floor area. Upon construction of the contractor’s office, 1 parking space will be required for each 750 SF of gross floor area. One ADA compliant parking space will also be required. **The provisions of this section can be met subject to conditions of approval.**

18.110.130 PARKING AREA IMPROVEMENTS

All public and private parking areas which contain five or more off-street parking spaces shall be improved according to the following:

- A. *All parking areas shall have a durable, dust-free surfacing of asphaltic concrete, Portland cement concrete, or other materials approved by the city engineer. The use of pervious asphalt paving in parking areas is encouraged to meet on-site storm water standards that may significantly reduce the requirement for drainage facilities.*

- B. *All parking areas, aisles, turnarounds, and outdoor vehicle sales areas shall be graded so as not to drain storm water over sidewalks, public rights-of-way, and abutting private property. Storm water runoff generated beyond that which is normal for the site in its natural state shall, as much as possible, be retained on the site. Direct flow in stream channels is to be avoided. Methods to accomplish this provision include exhausting the possibilities of grading and draining parking lots into one or more of the following: percolation wells, trenches or ponds; vegetated or landscaped swales; natural drainage channels other than creek channels; and, for peak rainfall or runoff periods, seldom-used portions of the parking lot itself. It is the responsibility of the property owner to maintain the storm water system on his property in an operational manner so as to maintain the public safety and welfare; failure to maintain such a system in good repair may be constituted as a public nuisance in accordance with the provisions of any city ordinance regarding public nuisances. At least, drainage systems shall be conducted to public storm water sewers and ditches. (Please see Storm Drainage Design Standards.)*

G. Any lights provided to illuminate any public or private parking area or vehicle sales area shall be so arranged as to reflect light away from any abutting or adjacent residential district and limit excessive light pollution.

H. Building permits are required for all parking lot construction, repair or resurfacing. [Ord. 966 § 2 (Exb. B), 2021; Ord. 817 § 8-3].575, 2006.]

FINDING: Applicant has proposed to store equipment on the property. All areas of the site where vehicles, vehicle parts or equipment will be stored, repaired, or displayed must be paved. All parking and equipment storage areas shall be graded so as not to drain storm water over sidewalks, public rights-of-way, and abutting private property. Any lights provided to illuminate the area shall be arranged as to reflect light away from any abutting or adjacent residential land use. **The provisions of this section can be met subject to conditions of approval.**

18.115.040 STREET TREES

- A. *Purpose.* This section is intended to improve the comfort, safety and appearance of streets through the appropriate use of street trees. The standards in this section supplement, but do not replace, the provisions of Chapters 18.105 and 18.135 TMC.
- B. *Plantings.* Street trees shall be planted in planter strips on all arterial and collector streets, for all developments that are subject to land division or site design review, except that street trees may be planted in planter wells as provided in subsection (E) of this section. Street trees are encouraged, but not required, for local streets. When provided on local streets, street trees shall be in planter strips. Additional requirements for tree planting are provided in TMC 18.105.030. Planting on unimproved streets shall be deferred until the construction of curbs and sidewalks.
- E. *Spacing and Location.* If a planter strip is provided, street trees shall be planted within the planting strip. If a planter strip is not provided, trees shall be planted behind the sidewalk or in sidewalk tree wells (e.g., downtown area) when determined in the review process to be a reasonable accommodation. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity. In general, trees shall be spaced no more than 30 feet apart, except where planting a tree would conflict with sight distance requirements, or existing trees, retaining walls, utilities and similar physical barriers.

FINDING: Street trees, spaced no more than 30-feet apart, shall be required behind the existing sidewalk along the property frontage on S. Pacific Hwy. **The provisions of this section can be met subject to conditions of approval.**

18.115.060 VEHICULAR ACCESS AND CIRCULATION

- F. *Access Options.* When vehicle access is required for development, access shall be provided by one of the following methods (a minimum of 10 feet per lane is required). These methods are “options” to the developer/subdivider.
3. *Option 3.* Access is from a public street adjacent to the development parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access point and spacing standards in subsections (G) and (H) of this section.

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

2. *Arterial and Collector Streets. Access spacing on collector and arterial streets shall be determined by the public works director. Access to State Highway 99 shall be subject to review and approved by the Oregon Department of Transportation (ODOT), based on the applicable standards contained in the city's transportation system plan and policies contained in the 1999 Oregon Highway Plan.*

Standards for the number and location of road access points are as follows. Variations from these standards shall satisfy and be subject to the requirements of Chapter 18.160 TMC, Variance.

1. *Arterial Streets.*

a. *Minimum sight distance of 300 feet.*

b. *New residential uses: no access.*

c. *Commercial uses: no access if alternative exists; a maximum of one curb cut or driveway per 150 feet or fraction thereof.*

J. *Driveway Openings/Curb Cuts. 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:*

3. *Access that serves more than eight dwelling units shall have a minimum driveway opening/curb cut and driveway width of 24 feet and a maximum width of 30 feet. These dimensions may be increased if the public works director determines that more than two lanes are required based on the number of trips generated or the need for turning lanes.*

4. *Commercial and industrial uses: maximum curb cuts and driveway approaches are the following according to property frontage:*

<i>Property Frontage</i>	<i>One Two-Way Driveway</i>	<i>Two or More Two-Way Driveways</i>
<i>Under 30 feet</i>	<i>60% of frontage</i>	—
<i>30 – 50 feet</i>	<i>18 feet</i>	—
<i>50 – 80 feet</i>	<i>29 feet</i>	—
<i>80 feet or more</i>	<i>33 feet</i>	<i>28 feet</i>

Note: One-way driveways can be a maximum of 50 percent of the two-way maximum driveway standards.

M. *Vision Clearance.* Vision clearance at intersections shall conform to the standards of TMC 18.105.055.

FINDING: The applicant does not propose to change vehicle access from the current location on S. Pacific Hwy. No changes in the required clear vision area are proposed. The existing driveway opening is 36-feet wide where the front of the property meets the right-of-way, and provides sufficient access width required for two travel lanes. The next driveway access to the north along S. Pacific Hwy is over 200-feet away, and approximately 143-feet away to the south. The driveway is designed to facilitate the safe flow of traffic ingress and egress for vehicular traffic on site. A 5' sidewalk is provided adjacent to the driveway to maximize pedestrian safety and access. Oregon Department of Transportation has reviewed this applicant and provided no comments or concerns. **The provisions of this section have been met.**

N. Construction. *The following construction standards shall apply to all driveways and private streets:*

1. *Surface Options.* Driveways, parking areas, aisles, and turnarounds shall be paved with asphalt, concrete or comparable surfacing, or a durable nonpaving material that will support emergency vehicles may be used to reduce surface water runoff and protect water quality.
2. *Surface Water Management.* When a paved surface is used, all driveways, parking areas, aisles and turnarounds shall have on-site collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with city standards.

FINDING: The applicant does not propose to change vehicle access from the current location on S. Pacific Hwy. No changes in the required clear vision area are proposed. The existing driveway opening is 36-feet wide where the front of the property meets the right-of-way, and provides sufficient access width required for two travel lanes. The next driveway access to the north along S. Pacific Hwy is over 200-feet away, and approximately 143-feet away to the south. The driveway is designed to facilitate the safe flow of traffic ingress and egress for vehicular traffic on site. A 5' sidewalk is provided adjacent to the driveway to maximize pedestrian safety and access. Oregon Department of Transportation has reviewed this applicant and provided no comments or concerns. **The provisions of this section have been met.**

18.150.045 REQUIRED FINDINGS FOR APPROVAL OF TYPE II MINOR SITE DEVELOPMENT PLAN

After an examination of the site, the review authority shall approve, or approve with conditions, the minor site development plan if all of the following findings are made:

- A. *All provisions of this chapter and other applicable city ordinances and agreements are complied with;*
- B. *The proposed development will be in conformance with the standards of the zone in which it will be located;*
- C. *The proposed development will be in conformance with the following standards, as applicable:*
 1. *Chapter 18.90 TMC, General Provisions.*

2. *Chapter 18.95 TMC, Residential Lot Improvement Standards.*
3. *Chapter 18.100 TMC, Tree Preservation and Protection.*
4. *Chapter 18.105 TMC, Landscaping, Fencing and Hedges.*
5. *Chapter 18.110 TMC, Off-Street Parking and Loading.*
6. *Chapter 18.115 TMC, Development and Design Standards.*
7. *Chapter 18.120 TMC, Signs, Billboards and Advertisements.*
8. *Chapter 18.125 TMC, Solar Energy and Access.*
9. *Chapter 18.135 TMC, Public Trees.*

FINDING: Vehicular and pedestrian access and circulation have been adequately addressed. The proposed structure provides an adequate transition to the adjacent single-story structures to the west and northeast, and the proposed landscaping additions have been designed to create an attractive development when fully mature.

As a general condition of approval, any new lighting shall be downward facing so as not to project light on to adjacent properties. **The provisions of this section have been met subject to conditions of approval.**

- D. *That no wastes, other than normal water runoff, will be conducted into city storm and wastewater facilities; and*

FINDING: The tax lot slopes to the back of the property, which will increase the possibility of runoff moving off of the property and on to adjacent residential properties. Given that the applicant intends to store materials on site, including equipment, rock, gravel and sand, staff feels it is appropriate to require some on-site treatment of stormwater. By increasing the required 10-foot buffer at the rear property line to 20-feet wide, applicant can meet the landscape requirement of 20% of the lot coverage while providing for infiltration of potential storm water runoff. The 20-foot buffer will need to have minimum one (1) 2” caliper tree per 30-feet. **The provisions of this section can be met subject to conditions of approval.**

- E. *The applicant has made any required street and other needed public facility and service improvements in conformance with the standards and improvements set forth in this title and the applicable portions of TMC Title 17, or has provided for a required security arrangement with the city to ensure that such improvements will be made. [Ord. 966 § 2 (Exh. B), 2021.]*

18.185.020 APPLICABILITY

- A. *A transportation impact study (TIS) shall be required if any of the following actions exist:*
2. *A development proposal is projected to generate 50 or more net peak hour trips on an arterial or*

collector segment or intersection.

FINDING: The proposal is for a landscape materials retail and storage site, and will not result in 50 or more net peak hour trips. **The provisions of this section are not applicable.**

ORD #725 SYSTEM DEVELOPMENT CHARGES

Section 8. COLLECTION OF CHARGES

A. The System Development Charge is payable upon, and as a condition of, issuance of:

- 1. A building permit*
- 2. A development permit and/ or a development permit for development not requiring the issuance of a building permit;*
- 3. A permit or approval to connect to the water or storm drainage system, or sewer system;*
- 4. A right-of-way permit.*

FINDING: System Development Charges (SDCs) will be assessed for each new use in accordance with Ordinance #725 adopted October 5, 2005. In addition, the applicant will be required to provide evidence that all other SDCs from other jurisdictions have been paid in full. As a condition of approval, prior to the issuance of building permits, the applicant shall provide evidence that all additional SDCs have been paid in full. **The provisions of this section can be met subject to conditions of approval.**

This approval shall become final 14 days from the date this decision and supporting findings of fact are signed by the Chair of the Talent Planning Commission, below. A Planning Commission decision may be appealed to the Hearing's Officer within 14 days after the final order has been signed and mailed. An appeal of the Hearing's Officer decision must be submitted to the Land Use Board of Appeals within 21 days of the Hearing Officer's decision becoming final.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.

DECISION

Staff **APPROVES** the Site Development Plan application subject to the following conditions:

GENERAL CONDITIONS OF APPROVAL:

1. Applicant shall install 6-foot high sight-obscuring fence to prevent visibility of stored equipment and landscape materials. All fencing shall be installed per 18.105 TMC.
2. Applicant shall install 20-foot buffer strip along the north property line adjacent to the residential zone to buffer against incompatible land uses, meet the landscaping requirement of 20% site coverage, and provide additional stormwater infiltration. Buffer shall contain trees planted a minimum of one (1) 2” caliper tree per 30-feet.
3. The applicant shall:
 - a) install trees, shrubs, and ground cover in accordance with 18.105 TMC
 - b) install landscaping irrigation
 - c) install street trees, spaced no more than 30-feet apart, behind the existing sidewalk along the property frontage on S. Pacific Hwy per 18.115.040 TMC
4. Upon construction of the contractor’s office, applicant will provide one (1) parking space for each 750 SF of gross floor area and one (1) ADA compliant parking space.
5. Applicant shall pave all areas of the site where vehicles, vehicle parts or equipment will be stored and shall grade all parking and equipment storage areas to prevent drainage of storm water over sidewalks, public rights-of-way, and abutting private property.
6. Any landscaping or future structures shall allow a clear vision area meeting the required 10-foot radius from where the driveway and the edge of S. Pacific Hwy intersect.
7. Any lights provided to illuminate the area shall be arranged as to reflect light away from the adjacent residential land use.
8. Prior to issuance of any building permit, applicant shall have water meter installed and provide evidence that all system development charges have been paid in full.
9. Any proposed signs will require a sign permit and shall be in conformance with 18.120 TMC.
10. Applicant shall obtain a City of Talent business license prior to operating a business in City of Talent.

Approved by:



Kim Trimiew
Community Development Technician

_____July 12, 2022
Date

This matter has been approved administratively without a public hearing. The Talent Zoning Code allows administrative decisions under specified conditions. If no one requests a hearing on this matter within **14 days** of this tentative decision, it becomes the final decision of the city. To appeal an administrative decision requires written notice and a \$257.00 deposit. Please refer to TMC 18.190.040(E)(5), "Appeal," for specific provisions for appeals on Type-2 decisions.

This decision is being mailed to the applicant and all property owners who responded to the original notice.

For copies of any public documents or more information related to this application, please contact the Community Development Director at 541-535-1566 or via e-mail at kmaze@cityoftalent.org.