



File No. _____

CITY OF UMATILLA

Planning Department (541) 922-3226 x110
700 Sixth Street, Umatilla, OR 97882

CONDITIONAL USE APPLICATION

NOTICE TO APPLICANT: On original application form, please print legibly using blue or black ink, or type. Applicants are advised to review the list of submittal requirements indicated on each application form prior to submitting an application. **Incomplete applications will not be acted upon or scheduled for a public hearing until the Planning Department receives all required submittal materials and fees. Failure to provide complete and/or accurate information may result in delay or denial of your request.**

SITE LOCATION AND DESCRIPTION

Tax Map #(S) _____ Tax Lot #(s) _____

Tax Map #(S) _____ Tax Lot #(s) _____

Frontage street or address _____

Nearest cross street _____

Current zoning City of Umatilla _____ County _____

Site size (acres or square feet) _____ Dimensions _____

SPECIFIC REQUEST (State the nature of the request and why a conditional use is necessary) _____

APPLICANT _____

Mailing address _____

Phone _____ Fax _____ Email _____

Applicant's interest in property _____

Signature _____ **Date** _____

PROPERTY OWNER _____

Mailing address _____

Phone _____ Fax _____ Email _____

Adjacent property under same ownership (list tax lot ID) _____

Signature _____ **Date** _____

If same as applicant, mark SAME. If there is more than one property owner, please attach additional sheets as necessary.

OFFICE USE ONLY – DO NOT WRITE IN THIS AREA

120 day time limit _____ Accepted as complete _____ Final decision by _____

DLCD 45-day notice required Y/N Date mailed _____ Date of first hearing _____

Planning Commission hearing date _____ Notice mailed _____

Notice to media _____ Publication date _____ Emailed _____

Notice of Decision _____ Date mailed _____ Appeal deadline _____

Associated applications _____

STRUCTURES Please indicate the type and number of structures on the site

Single Family Residence(s) _____ Multi Family Residence(s) _____
Manufactured Home(s) _____ Travel Trailer(s) _____
Other residential structure(s) _____ Barn/other ag building(s) _____
Commercial building(s) _____ Industrial Building(s) _____
Accessory buildings/structures _____ Other _____

SERVICE PROVIDERS Please indicate which of the following services are provided on the property

Water City of Umatilla _____ Well _____ Other/None _____

Sewer City of Umatilla _____ Septic _____ Other/None _____

Does the property have access to **City streets**? (Y/N, please explain what and where) _____

Does the property have access to **County Roads**? (Y/N, please explain what and where) _____

If the property is subject to special assessment or debt from any special districts (fire, road, etc), please provide details.

LIVESTOCK Please list the number and type of all livestock currently present on the property (*horses, cattle, sheep, goats, chickens, etc. Do not include domestic pets such as cats and dogs*) _____

BUSINESSES Are any businesses operating on the property? If yes, please describe. _____

All businesses operating within the City of Umatilla must obtain a Business License.

The Zoning Ordinance accepts that certain uses, while not permitted outright, can be compatible uses in certain zones. The applicant bears the burden of proof to show that the proposed use is compatible or can be made compatible with the surrounding neighborhood and/or zone through appropriate mitigation.

SUBMITTAL REQUIREMENTS

The following items must be received in order to deem a Conditional Use application complete and schedule it for a hearing before the Planning Commission. If you need assistance completing the forms, please contact the Planning Department. If you do not have a copy of the deed to your property to verify ownership, contact the Umatilla County Office of County Records at (541) 278-6236 or www.co.umatilla.or.us/records.htm.

1. Original, signed **Application form**. This information is public record and must be reproduced so please type or write clearly using dark ink.
2. All information required under Section 131 (E) below, unless specifically waived by the Director.
3. The appropriate **fee**.

Electronic submittals to accompany this application form are encouraged. All text submittals should be provided in Microsoft Word; plans and other images should be formatted as a pdf.

The application will not be scheduled for a hearing until deemed complete.

Describe in detail how the site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this ordinance.

Describe in detail how the site for the proposed use relates to streets and highways adequate in width and degree of improvement to handle the quantity and kind of vehicular traffic that would be generated by the proposed use.

Describe in detail how any negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other ordinance standards, or other reasonable conditions of approval.

In areas designated as requiring preservation of historic, scenic or cultural resources and attributes, describe in detail how proposed structures will be of a design complementary to the surrounding area.

*Actual approval criteria are contained in Section 10-12-1 A of the Zoning Ordinance, on page 6 of this form.
Use additional sheets if necessary. Electronic submittals are encouraged to accompany all materials.*

10-14-4: APPLICATION:

A permit application may only be initiated by the record property owner or contract purchaser, the City Council, or the Planning Commission. The City will not accept an application without the signed authorization from all record owners.

A. All permit applications shall be submitted on a form provided by the City, along with all necessary supporting documentation and information sufficient to demonstrate compliance with all applicable approval criteria and standards, and the appropriate fee. The applicant has the burden of demonstrating, with evidence, that all approval criteria and standards are, or can be, met.

B. A complete application includes all the materials listed in this Section and any specific information requested for a particular permit. The City Administrator may waive the submission of any of the materials if not deemed to be applicable to the specific review sought. Likewise, within thirty (30) days of submission of the application, the City Administrator may require additional information beyond that listed in this subsection, such as a traffic report or other study prepared by an appropriate expert. The applicant is responsible for the completeness and accuracy of the application and all supporting documentation.

1. A completed City application form that includes:

- a. An accurate legal description, tax account number(s), map number, and street location of all properties that are the subject of the application.
- b. Name, address, telephone number, and authorized signature(s) of all record property owners or contract owners, and the name, address, and telephone number of the applicant, if different from the property owner(s).

2. A complete list of all City permit approvals sought by the applicant in this application.

3. A complete and detailed narrative describing the proposed development, existing site conditions, public facilities and services, natural features including wetlands and steep slopes, a discussion of the approval criteria and standards for all permits explaining how the criteria and standards are, or can be, met, and any other information indicated by the City at the preapplication conference as being required.

4. A site plan or plans and a vicinity map, drawn to scale. The site plan shall include at least the following features, along with any other information necessary to understand the proposal:

- a. Dimensions of the site and all structures, existing and proposed.
- b. Existing conditions, including topography and any other physical features such as vegetation, wetlands, watercourses, slopes, etc.
- c. Rights of way abutting the site, whether public or private, and access to the site.
- d. Locations and sizes of all public utilities, existing and proposed, on and in the vicinity of the site.
- e. Locations, dimensions, and purposes of all recorded easements.
- f. Size of areas (in square feet) and percentages of the total site area devoted to structures, parking, landscaping, open space, dedication of right of way, and any other proposed feature.
- g. Proposed landscaping plan, including size, species, and location of plants or other elements.
- h. Parking plan.
- i. Detail of screening and fencing.
- j. Exterior lighting, including location, type, height, and areas of illumination.
- k. Service areas for trash collection, mail delivery, etc.

5. The applicant shall provide the City with up to twenty (20) copies of all reports, plans, site plans, and other documents required by this Section. The number of copies will be determined at the preapplication conference. One copy of all plans and maps reduced to eight and one-half inches by eleven inches (8 1/2" x 11") or eleven inches by seventeen inches (11" x 17"), and suitable for reproduction.

6. All required application fees. (Ord. 688, 6-15-1999)

CONDITIONAL USES

10-12-1: AUTHORIZATION TO GRANT OR DENY:

A conditional use listed in this Title, may be permitted, denied, enlarged or altered upon authorization of the Planning Commission in accordance with the criteria and standards of this Chapter and Type III procedures in Chapter 14 of this Title. Site review is required for conditional uses.

A. Approval Criteria: The applicant shall carry the burden of proof in demonstrating that the following review criteria are satisfied, in addition to any specific criteria and standards in this Chapter, other applicable chapters of this Title, and this Code. If any of the following criteria and other applicable standards cannot be satisfied by requiring conditions with the approval, the use shall be denied:

1. Applicable Plans: The conditional use application complies with applicable policies of the Umatilla City Comprehensive Plan.
2. Code Provisions: The proposal complies with all applicable provisions of this Code, including, but not limited to, provisions of this Chapter, the base district, and site review, as well as any other applicable provisions of this Code.
3. Use Characteristics: If the proposed use is a community service, application shall include evidence to demonstrate that the proposed use is needed within the community to provide a social or technical benefit.

4. **Site Characteristics:** The site is appropriate for the proposed use, considering, but not limited to, the following factors: neighboring land use, adequacy of transportation facilities and access, site size and configuration, adequacy of public facilities.

5. **Impacts On The Neighborhood:** Potential impacts on neighboring properties shall be identified. Mitigating measures shall be identified for unavoidable adverse impacts.

6. **Impacts On The Community:** Potential impacts on the community shall be identified, including, but not limited to, public facilities, land supply within the particular zoning district, impact on housing, etc. Potential benefits of a proposed use may outweigh potential impacts, but such benefits and impacts should be identified. Unavoidable adverse impacts should be mitigated to the extent possible.

B. Conditions Of Approval: Conditions of approval for mitigating measures shall be clearly related to the identified impact or impacts. If complex conditions of approval are considered necessary, this is an indication that the proposed use may not be appropriate for the proposed site. Conditions of approval may include, but are not limited to, the following:

1. Increasing the required lot size or yard dimension.

2. Limiting the height, size, or location of the building or use.

3. Controlling the location and number of vehicle access points.

4. Increasing the street width and requiring street improvements.

5. Increasing or decreasing the number of required off-street parking spaces.

6. Limiting the number, size, location, and lighting of signs.

7. Requiring diking, fencing, screening, landscaping, or other facilities designed to protect adjacent or nearby properties.

8. Designating sites for open space.

C. Existing Conditional Use: Any conditional use existing prior to the effective date of this Title, and classified in this Title as a conditional use, shall not be changed with respect to the use, site, or structure, unless the change conforms with the current requirements for conditional use. (Ord. 688, 6-15-1999)

10-12-2: STANDARDS GOVERNING CONDITIONAL USES:

In addition to the standards of the district in which the conditional use is located and the other standards of this Title, the following criteria and standards shall apply to the specifically identified conditional use:

A. Natural Resources: The use of premises in any district for the excavation, mining extraction, or removal of stone, sand, gravel, clay, or other natural deposits may only be authorized by the Planning Commission in accordance with this Title and subject to the following additional requirements:

1. The applicant shall submit a site plan and vicinity map showing uses within one thousand feet (1,000') of the site, and a topographic map(s) that shows a cross section of the site as it currently exists and after the proposed aggregate mining, in addition to any other submittal requirements of this Chapter.

2. Required setbacks for any mining operation shall be no less than one hundred feet (100') from any public right of way and no less than five hundred feet (500') from any residence.

3. Screening consisting of vegetation, berming, or other measures shall provide a visual screen along an abutting public right of way. Screening shall also be provided around the site except when adjacent properties are designated M-2.

4. The City shall review the proposed use for impacts on streets and other existing or contemplated public improvements, upon all properties within one thousand five hundred feet (1,500') of such excavations, and on the proposed use of the site following completion of mining and reclamation. Identified impacts may be mitigated through clear and objective conditions of approval.

5. The City may require that the applicant enter into an agreement with the City for reclamation of such areas to suitable use after completion of excavations, and that an adequate performance guarantee be furnished covering the cost of restoration or other work.

6. The City shall coordinate its review with the State Department of Geology and Mineral Industries (DOGAMI).

B. Schools: In considering a conditional use application for a public or private school facility, the Planning Commission shall make findings that the site location best serves the intended area, access to the site is adequate, and impacts on surrounding properties and appropriate mitigating measures are identified.

1. Day nurseries and kindergartens shall provide and maintain at least one hundred (100) square feet of outdoor play area per child. A sight-obscuring fence at least four feet (4') high, but not more than six feet (6') high, shall separate the play area from abutting properties. The outdoor play area shall not be located in front of the building.

2. Primary schools shall provide one acre of site area for each ninety (90) pupils or one acre for every three (3) classrooms, whichever is greater.

3. Elementary schools shall provide one acre of site area for each seventy five (75) pupils or one acre for every two and one-half (2 1/2) classrooms, whichever is greater.

C. Buildings Intended For Religious Worship: The Planning Commission may authorize a building for use for religious worship if the size of the site is adequate for the intended use, but not less than fifteen thousand (15,000) square feet in area, access to the site is adequate, and impacts on surrounding property and appropriate mitigating measures are identified.

D. Utilities, Storage Tanks, And Towers For Transmission Of Radio Waves For Cellular Communications And Similar Facilities: The Planning Commission shall determine that the proposed site is located to best serve the intended area

and that impacts on surrounding properties and appropriate mitigating measures are identified. Such facilities shall be located, designed, and installed with regard for aesthetic values.

E. Automobile Service Stations: The following development standards and requirements apply to new automobile service stations:

1. The minimum area for a service station site shall be fifteen thousand (15,000) square feet; the maximum area shall be thirty thousand (30,000) square feet.
2. The maximum street frontage for a service station site on a corner lot shall be one hundred twenty feet (120').
3. A service station shall not be constructed within six hundred forty (640) lineal feet of any part of a building housing another service station.
4. Landscaping shall be installed and maintained on ten percent (10%) of a service station site. Landscaping shall be located along the street frontage and adjacent to the primary entrance for persons along the front of any building.

F. Recreational Vehicle Parks: Recreational vehicle parks shall conform to the following standards and requirements:

1. There shall be no long-term residential occupancy of a recreational vehicle park space. The maximum time any individual or vehicle is permitted is ninety (90) days within any one hundred eighty (180) day period. The applicant or subsequent park operator shall make his occupancy records available to the City to assure that this condition is met. Violation of the ninety (90) day occupancy limitation shall be grounds for immediate revocation of a conditional use permit.
2. The minimum area for a recreational vehicle park shall be three (3) acres.
3. A site plan shall be submitted for the recreational vehicle park, showing space locations, buildings and purpose of buildings, open space and recreational facilities if any, street layout, and landscaping, as well as locations for public water supply, sewage disposal, fire hydrants, and sanitary facilities conforming to requirements of the State Health Division, the Oregon Department of Environmental Quality, and the Uniform Building Codes Agency.
4. Domestic water and wastewater collection facilities shall be approved by the appropriate State agency. Connections to the City system shall be approved by the City Administrator.
5. A recreational vehicle space shall have an area of not less than seven hundred (700) square feet, exclusive of driveways and common areas.
6. Park roadways shall have a minimum width of thirty feet (30') when on-street parking is proposed and twenty four feet (24') where no on-street parking is permitted. Roadways shall be designed and improved to City standards for paving, curbs, and sidewalks, unless the applicant demonstrates that an alternative construction standard and street design is more appropriate for the site.
7. Each recreational vehicle space shall have at least one ten foot by twenty foot (10' x 20') parking space off-street exclusive of the recreational vehicle itself. Parking and driveway areas shall be paved.
8. Outdoor lighting shall be provided that is oriented to prevent direct illumination onto adjacent or abutting properties.
9. The recreational vehicle park shall be screened on all sides by a sight-obscuring planting, screening fence, or combination thereof that is at least six feet (6') in height. The recreational vehicle park owner or operator shall be responsible for the maintenance of such screening.
10. The park shall provide piped potable water to accommodate not less than seventy five percent (75%) of the spaces available. One waste disposal dump station for RVs shall be provided with each one hundred (100) sites or fraction thereof. All water, sewer, and storm drain facilities both on-site and off-site shall be approved by the City Administrator.
11. Sanitary facilities shall be provided in accordance with State standards. Sanitary sewer shall be provided to not less than seventy five percent (75%) of the spaces.
12. Trash receptacles shall be provided at the rate of thirty (30) gallons of refuse capacity for each two (2) recreational vehicle spaces or equivalent.
13. Each recreational vehicle space shall be provided with electrical service.
14. All plumbing facilities shall be inspected and approved by the City Administrator.

G. Manufactured Home Parks:

1. General Requirements:
 - a. State Requirements: All improvements included in the Oregon Revised Statutes 446 and 814.28 shall be complied with by any person owning or operating a manufactured home park and by any person placing a manufactured home in a park.
 - b. Character Of The Land: Land which is subject to flooding, poor drainage, steep slopes, rock formations, adverse earth formations, or topography, utility easements, or other features which will reasonably be harmful to the safety, health, and general welfare of the future inhabitants of the manufactured home park shall not be developed. Existing features that would add value to the development or to the City as a whole, such as trees, watercourses, historical and archaeological sites, and similar irreplaceable assets, shall be preserved in the design.
 - c. Phasing: If the manufactured home park is to be built in phases, each phase shall be built in accordance with these regulations and the improvements required as each phase is constructed shall be determined based upon the total number of manufactured home spaces which will exist after completion of all phases.
2. Required Improvements: The following improvements shall be required in manufactured home parks:

- a. Driveways: No dwelling space shall have access to a public street but shall be provided with a paved driveway with a minimum width of ten feet (10') to an interior street.
 - b. Interior Streets: Minimum width of twenty feet (20'), paved with a City standard or rolled curbs on both sides of interior streets and a sidewalk at least four feet (4') wide, or as necessary to comply with ADA requirements, on both sides of an interior street.
 - c. Street Signs: Appropriate street signs on interior streets and at the intersection of interior streets with public streets.
 - d. Parking:
 - (1) Two (2) parking spaces shall be provided for each manufactured home space.
 - (2) Parking spaces shall be provided on a hard surfaced area at least ten feet by forty feet (10' x 40') or twenty feet by twenty feet (20' x 20').
 - (3) A carport or garage shall be provided for each manufactured home space for at least one required parking space. The covered parking space may be provided along a space boundary, so that one structure is located to provide covered parking for two (2) adjacent spaces.
 - (4) Guest parking shall be provided at a rate of one per three (3) dwellings in a parking lot or on the interior street if the street is at least thirty feet (30') in width and the parking would not interfere with the minimum twenty foot (20') access to all lots.
 - e. Water, Sewer Lines: Water lines and sewer lines with connections for each space and fire hydrants.
 - f. Utilities: Underground utilities.
 - g. Drainage: Provisions for adequate drainage.
 - h. Perimeter Setback, Landscaping: A manufactured home park shall have a perimeter setback of fifteen feet (15') in width from all property lines, with a six foot (6') high sight-obscuring perimeter fence and perimeter landscaping at least fifteen feet (15') in width, to include shade trees at one per twenty (20) lineal feet and ground cover such as grass. The perimeter landscaping shall be located between the street right of way and the fence for the property line abutting a public street. A landscaping plan shall be approved by the Planning Commission. The Planning Commission may modify the width of the perimeter setback or fence height if it finds that unusual circumstances justify the modification while maintaining a desired degree of buffering for residents within, as well as adjacent to, the manufactured home park.
 - i. Recreational Facilities: At least two hundred fifty (250) square feet per unit shall be provided in a usable form and size, with a minimum of two thousand five hundred (2,500) square feet and a minimum dimension of thirty feet (30'). The recreational space shall be landscaped and provided with improvements such as benches, tables, playground equipment, or similar features. The Planning Commission shall approve a plan for development of the recreational space.
 - j. Patios, Storage Buildings: Each dwelling space shall have a patio of at least one hundred twenty (120) square feet in area, with a minimum dimension of eight feet (8') and an enclosed, secure storage building at least one hundred twenty (120) square feet in area. All storage buildings within the park shall be constructed of uniform materials and standard design.
3. Optional Improvements: The planning commission may require other improvements, such as additional setbacks, pedestrian pathways, landscaping, laundry, or other features, if it determines that such facilities or features are necessary to mitigate impacts to or from adjacent properties or to provide greater livability within the manufactured home park.
4. Deferral Or Waiver Of Required Improvements: The planning commission may defer or waive the provision of one or more improvements listed in subsection G2 of this section if, in its judgment, said improvements are not required in the interests of the public health, safety and general welfare or which are inappropriate. This section is not intended to substitute for the variance process, but recognizes that unusual circumstances relating to a site may justify a modification of requirements in the context of a specific development.
5. Connection With Public Water And Sewage Systems: Manufactured home park water and sewer lines shall be connected to city water and sewer lines. The developer is required to pay for or perform the work or both to extend or increase the capacity of city water or sewer lines or both to the site, should this be required to provide services. If determined to be necessary by the city administrator, the developer shall provide, as part of the application, an analysis of public street, sewer, and water systems prepared by a licensed engineer to include a determination of expected capacity needed by the manufactured home park and system improvements, including off site improvements, necessary to provide needed capacity for the proposed development.
6. Manufactured Home Spaces: Each space for a manufactured home shall contain not less than four thousand five hundred (4,500) square feet exclusive of space provided for the common use of tenants, such as roadways, general use structures, guest parking, walkways and areas for recreation and landscaping purposes.
7. Setback Requirements For Manufactured Homes Within Manufactured Home Parks: No manufactured home in the park shall be located closer than fifteen feet (15') from another manufactured home or from a general use building in the park. The minimum side and rear yards shall be five feet (5'). The minimum front yard and the minimum yard along any street shall be fifteen feet (15'). A carport or garage serving adjacent spaces may occupy the required side setback.
8. Occupancy: No manufactured home park shall be occupied until all conditions of approval, including any off site

improvements required, have been completed. The planning commission may specify that a financial guarantee may be provided by the developer in lieu of completing required off site improvements prior to receiving approval for occupancy. If approved in phases, each phase with associated on and off site improvements shall be completed before occupancy of the phase of the manufactured home park is approved. (Ord. 688, 6-15-1999)

H. General Commercial Uses In Downtown Transition District: General commercial uses in the downtown transition district shall comply with the following standards:

1. The proposal shall be consistent with the purpose of the downtown transitional district.
2. The proposal must ensure a high quality pedestrian oriented environment. A "high quality pedestrian oriented environment" is one that includes features, such as:
 - a. Plazas or outdoor gathering areas;
 - b. Wide sidewalks;
 - c. Unusual or ornamental pavement materials or patterns;
 - d. Benches, street lighting, trash receptacles, bicycle racks, drinking fountains, and other outdoor furnishings;
 - e. Street trees or building awnings that provide shelter from the rain;
 - f. Fountains, ornamental pools, or ponds; and
 - g. Public art or interpretive exhibits.
3. Building entrances shall be oriented to the public street by fronting directly on the public sidewalk or directly connected to the public sidewalk by a concrete walkway. First floor building facades that front on public streets and include more than fifty percent (50%) of the wall area as windows.
4. Uses that occupy existing buildings may be exempted from compliance with the standards of this subsection H through the site review process, when compliance is not feasible due to the nature of the proposed use or the nature of the existing building or site, or both. (Ord. 710, 5-7-2002)