City of Maupin
PO Box 308
Maupin, OR 97037

Tel: 541-395-2698
Fax: 541-395-2499

MEETING NOTICE
CITY OF MAUPIN PLANNING COMMISSION
Tuesday, March 12, 2019
6:00 p.m.
At Maupin City Park, 206 Bakeoven Road, Maupin OR

The meeting is open to the public and location is accessible to persons with disabilities.

AGENDA

1) Call Meeting to Order / Roll Call of Commission and Staff / Pledge of Allegiance

2) Consent Agenda. Approval of February 20, 2019 Minutes

3) Public Hearing to receive public testimony and consider a request for a Conditional Use Permit Application by Mia & Martin Sheppard to operate a Bed & Breakfast Facility in their home at 501 Elrod Place

4) Audience Participation. This time is set-aside for public to speak on any subject which does not later appear on the agenda. Three minutes per person will be allowed. The maximum amount of time for all public comments under this agenda item will be 15 minutes. If a response by the Commission is requested, the speaker will be referred to Administrative Staff for further action. The issue may appear on a future meeting agenda for Commission consideration.

5) Communications

6) Next Meeting

7) Adjourn

Public Testimony

The Commission places great value on testimony from the public. People who wish to testify are encouraged to:

- Provide written summaries (8 copies to the City Recorder prior to the agenda item)
- Recognize that substance, not length, determines the value of testimony
- Endorse, rather than repeat, testimony of other witnesses with whom you agree
- The Chairman may limit time for testimony on any item and may set time limits (usually 3 minutes) for individual speakers

Thank you for taking the time to present your views.

Note: Because of the uncertain length of time needed, the Commission may deal with any item at any time in the meeting. Anyone wishing to be heard on any item should arrive when the meeting begins to avoid missing an item of interest.

City of Maupin
PO Box 308
Maupin, OR 97037

Tel: 541-395-2698
Fax: 541-395-2499

NOTICE TO PROPERTY OWNERS
NOTICE OF PUBLIC HEARING

The Maupin Planning Commission will conduct a quasi-judicial public hearing beginning at 6:00 p.m. on Tuesday, March 12, 2019 in the Community Building of the Maupin City Park, 208 Bakeoven County Road, Maupin, Oregon. The purpose of the hearing is to receive public testimony and consider a Conditional Use Permit Application by Mia & Martin Sheppard to operate a Bed & Breakfast Facility in their dwelling at 501 Elrod Place.

The property is located in the Medium Density Residential Zone, on the lower half of replatted Lots 1 & 2 of Block 9 of the original plat of Maupin and further described by the Wasco County Assessor's Records as Tax Lot 5200 of Map 4S 14E 32 DD. The review and approval criteria for a Conditional Use are contained in Sections 3.5 and 4.14 and Article 5 of Maupin Zoning Ordinance No. 249.

A copy of the applications and all other information related to the proposal are available for review at Maupin City Hall, and can be supplied at a reasonable cost. The public hearing process begins with the staff report, if any, followed by testimony from the proponents of the application. This will be followed by testimony from opponents to the application. Finally, a rebuttal by the applicant or proponent will be allowed. The public hearing portion of the procedure will then be closed and the Planning Commission will consider the information and testimony received and may render a decision. Written or oral testimony will be received during the hearing. Written comments should be sent to the Maupin Planning Commission, P.O. Box 308, Maupin, OR 97037 before 4:00 p.m. on March 7, 2019. Failure to raise an issue during the local public hearing process with sufficient specificity to allow the decision makers to address it may preclude appeal to the Maupin City Council and Land Use Board of Appeals.

Additional information may be obtained by contacting City Recorder DeOra Patton at Maupin City Hall; 541-395-2698.

DeOra M Patton
DeOra M. Patton, Recorder
03012019

City of Maupin
PO Box 308
Maupin, OR 97037

Tel: 541-395-2698
Fax: 541-395-2499

CONDITIONAL USE PERMIT APPLICATION

FEE: *See City of Maupin Fee Schedule* 200.00 + Actual Cost of Contract Planner

Applicant Information:

Applicant Mia Sheppard

Mailing Address PO Box 343 Maupin OR 97037

Phone No. 541-419-2105

Owner Information (if different from applicant)

Property Owner Mia Martin Sheppard

Mailing Address PO Box 343 Maupin OR 97037

Phone No. 541-419 2105

Property Information:

Property Address: 501 Elrod ~~Place~~ Ave.

Zone: **Residential** [X] **Open Space** [ ]

General Commercial [ ] **Recreational Commercial** [ ] **Industrial** [ ]

City Lot No(s) 5200 **Block No.** 9 **Addition** _____

Township 4S **Range** 14E **Section** 32 **Tax Lot No.** 5200

Deed No. _____ **Date Filed** 8-19-14

Square Footage of Property 17,889 SF

Lineal Feet of Frontage 100.29

Current Use of Parcel residential

Use of Adjacent Parcels No Adjacent parcel

City Water Service [X] **Existing** [ ] **Proposed**

City Sewer Service [X] **Existing** [ ] **Proposed**

REQUEST INFORMATION

Proposed Request This request is to open a bed & breakfast in the downstairs of our house.

Purpose of Request The purpose is to offer alternative lodging to visitors & clients during peek season May 1 - October 1st.

Operational Characteristics (hours of operation, number of employees, number of rooms, maximum number of occupants at one time, number of Average Daily Trips, etc.):

Hours: daily 7AM - 9pm, NO employees

# of rooms: 2

MAX guest: 4 people - NO dogs, no smoking

Proposed Sanitation (garbage service) The dalles Disposal, Pick up on Tuesdays.

Proposed Signs [ ] Yes [X] No **If yes, complete and attach Sign Permit Application**

SITE INFORMATION:

Existing Improvements (structures, fences, roads, easements, landscaping, etc.)

residental structure & garage.

no landscaping

Proposed Improvements (structures, fences, roads, easements, landscaping, etc.)

no improvements

Existing or Proposed Outdoor Lighting 6 outdoor lights existing for safety downward facing 3 infront of house, 2 infront of garage, 1 on north side.

Proposed Parking (number of spaces (9' x 19' minimum dimension) and surface material

2 guest parking = total space is 19 X 21 in front of south side of house, gravel surface.

ATTACH A NORTH POINT, SCALE DRAWN SITE PLAN TO INCLUDE:

- ✓ **Dimensions and orientation of the parcel;**
- ✓ **Abutting street(s) and alley;**
- ✓ **Locations and details of all buildings and structures, both existing and proposed, and indication of their heights, and proposed use of buildings shown;**
- ✓ **Location and details of all off-street parking and loading facilities;**
- ✓ **Locations and details of all points of entry and exit for motor vehicles, and internal circulation pattern(s);**
- ✓ **Location of all walls and fences and indications of their heights(s) and materials of their construction;** NA
- ✓ **Location of all exterior lighting;** ✓ (green)
- ✓ **Location of all signage;** No signs
- ✓ ~~**Location and details of landscaping;**~~
- ✓ ~~**Locations and details of grading and slopes where they affect relationship of buildings and drainage;**~~
- ✓ ~~**Locations and details of storm drainage system;**~~
- ✓ ~~**Locations and details of existing and proposed utilities and public improvements;**~~
- ✓ **Any other data which may be required to allow necessary findings that the provision of Maupin Zoning Ordinance is complied with.**

I/We, the applicant/owner, hereby certify the answers and statements in this application and supporting documents are correct, complete, and true. I/We have read and understand the provisions and requirements of Maupin Zoning Ordinance No. 249 for this conditional use, and I/we agree no conditional use operation shall commence without first obtaining an approved permit by the City of Maupin. I/we further agree to comply with all local, State, and Federal Laws pertaining to this operational use. I/we understand if this conditional use is granted, a review of this conditional use permit for compliance may be conducted at any time by the City and immediately revoked for violation or non-compliance of the Ordinance or conditions of approval.

Signatures:

Applicant(s) Mia S [signature] **Date** 12-3-18

_____ **Date** _____

Property Owner(s) Mia S [signature] **Date** 12-3-18

* [signature] **Date** Dec 3-2018

Conditional Use Permit Application

Applicant/Owner Mia Sheppard Mia S

Property Address 501 Elrod Ave, Maupin OR 97037

LOCAL GOVERNMENT INFORMATION/APPROVAL

OFFICE:

Date Application Filed: 12/6/18; Parking Plan 1/23/19

Date Fee Paid: 12/6/18

Date Application deemed complete: _____

Maupin Planning Commission:

Date Public Hearing Held on Application _____

Application [ ] Approved as submitted

[ ] Approved with condition _____

_____

_____

[ ] Denied

Signed: _____ **Date** _____
Planning Commission Chair

NOTICE TO APPLICANT

LAND USE DEVELOPMENT FILING FEE AND REIMBURSEMENT FOR ADMINISTRATIVE COSTS

Dear Applicant:

The City of Maupin, like many cities in Oregon, is faced with a severely reduced budget for the administration of the City's ordinances. The land use planning process in the State of Oregon has become increasingly complex. To properly process your land use application, the City must rely upon professional consultants to assist in preparing the legal notices, conducting on-site inspection, preparation of staff reports and attendance at the Planning Commission and/or City Council meeting. The City utilizes a consultant to ensure your application is processed fairly and promptly. Because of the reduced budgets, the City finds it necessary to transfer those administrative costs to you, the applicant, as a part of the land use planning process. Therefore, you are asked to read and sign the statement below indicating you understand the requirement.

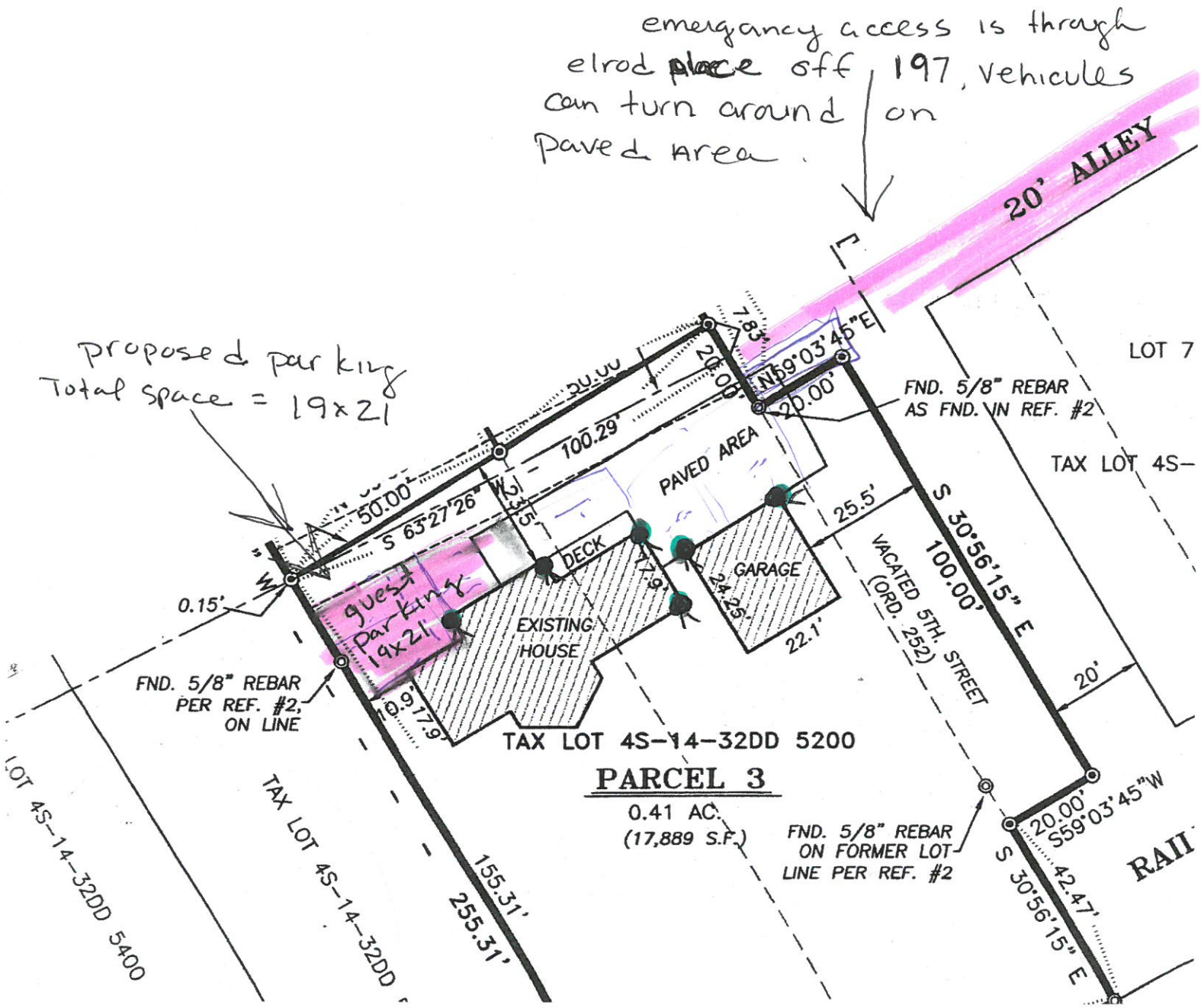
LAND USE DEVELOPMENT FILING FEE AND ADMINISTRATIVE COST REIMBURSEMENT

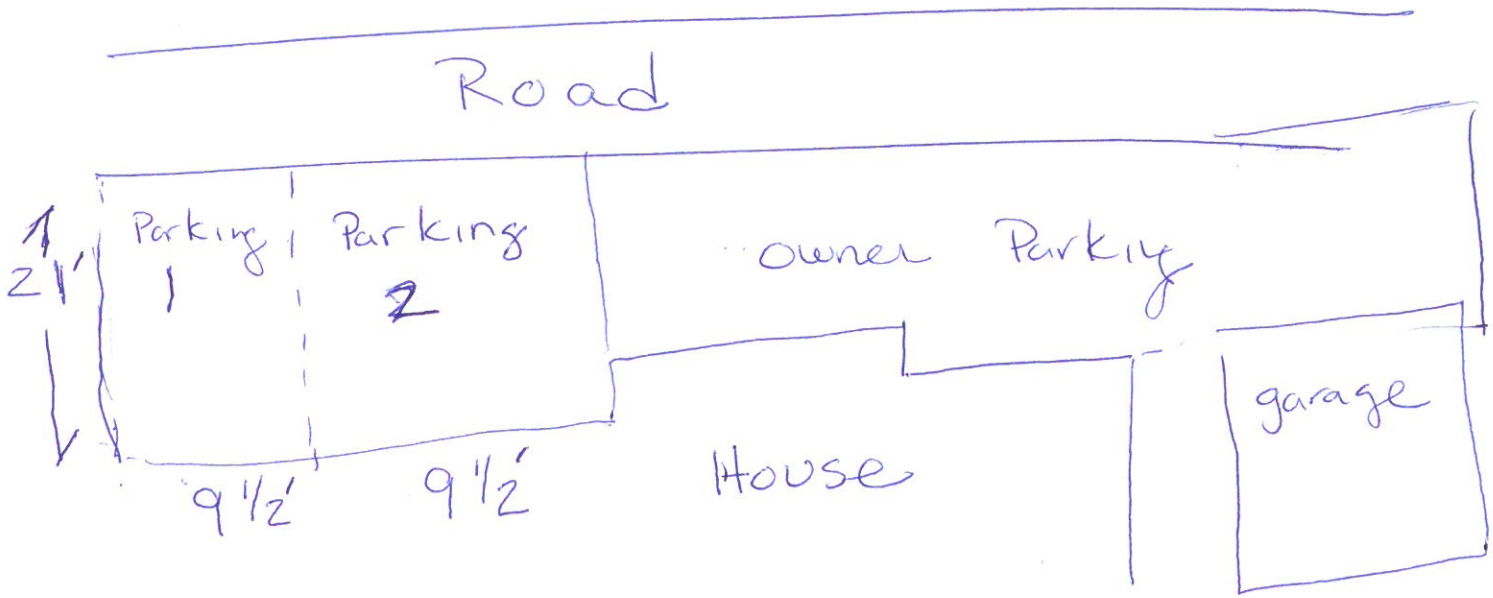
I/We, the applicant(s), Mia & Martin Sheppard, agree that **in addition** to the Land Use Filing Fee of per City of Maupin Fee Schedule, to reimburse the City of Maupin for the actual cost of Contract Planner and Attorney.

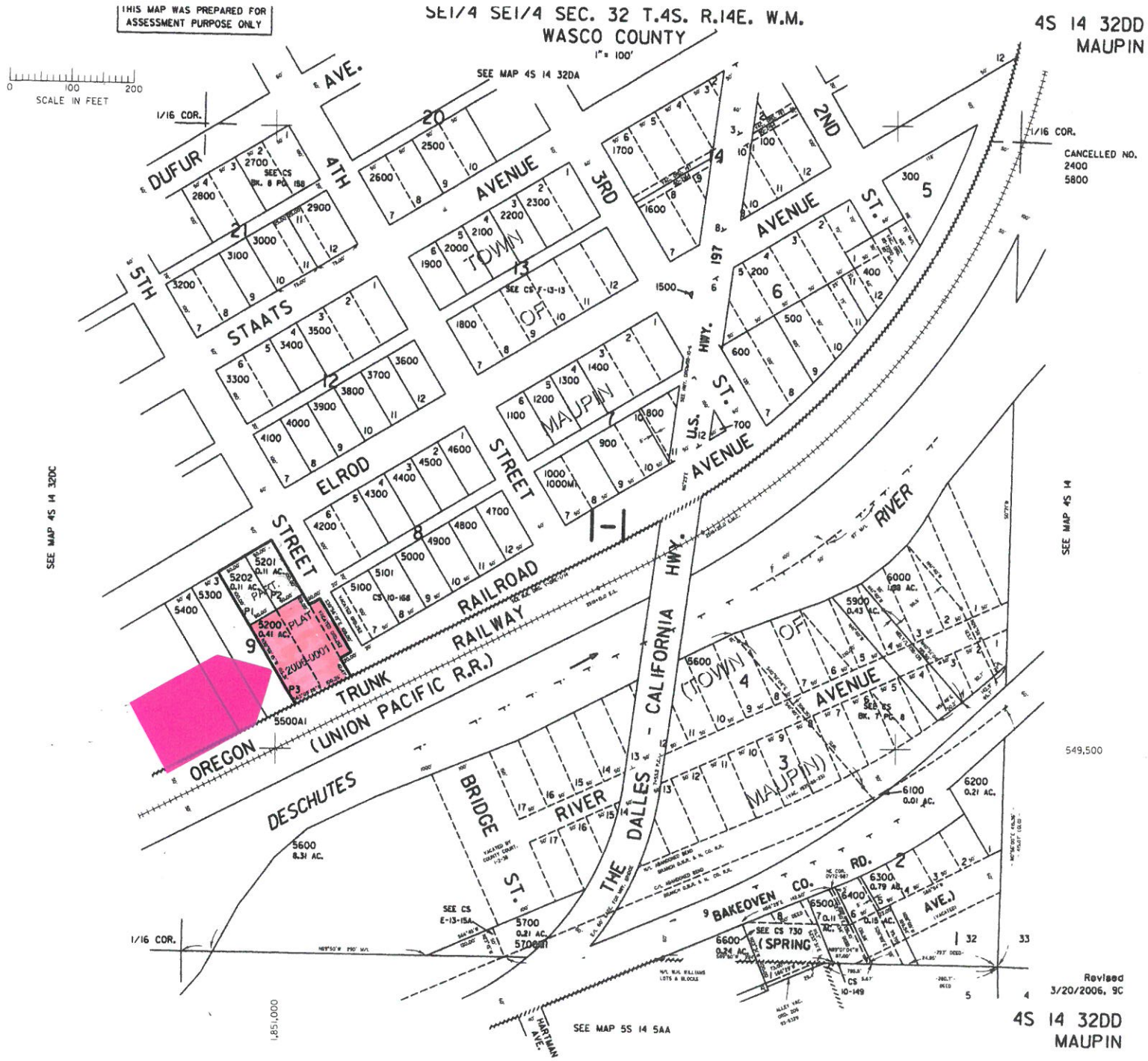
Signed this 3 day of December, 218

Property owner(s): Mia Sheppard Mia S

Martin Sheppard


emergancy access is thrugh elrod place off 197, vehicules can turn around on paved area.
20' ALLEY
proposed parking
Total space = 19x21
guest parking 19x21
50.00'
S 63°27'26" W
100.29'
20.00'
N59°03'45"E
20.00'
7.83'
FND. 5/8" REBAR AS FND. IN REF. #2
PAVED AREA
DECK
EXISTING HOUSE
GARAGE
17.9'
24.25'
22.1'
25.5'
S 30°56'15" E
100.00'
VACATED 5TH. STREET (ORD. 252)
20'
0.15'
FND. 5/8" REBAR PER REF. #2, ON LINE
0.9'
17.9'
TAX LOT 4S-14-32DD 5200
PARCEL 3
0.41 AC.
(17,889 S.F.)
FND. 5/8" REBAR ON FORMER LOT LINE PER REF. #2
20.00'
S59°03'45"W
S 30°56'15" E
42.47'
155.31'
255.31'
LOT 7
TAX LOT 4S-
LOT 4S-14-32DD 5400
TAX LOT 4S-14-32DD
RAIL


Road
Parking 1
Parking 2
owner Parking
21'
9 1/2'
9 1/2'
House
garage


THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY
SE1/4 SE1/4 SEC. 32 T.4S. R.14E. W.M.
WASCO COUNTY
1" = 100'
4S 14 32DD
MAUPIN
SCALE IN FEET
0
100
200
SEE MAP 4S 14 32DA
1/16 COR.
CANCELLED NO.
2400
5800
DUFUR
4TH
AVE.
5TH
STAATS
AVENUE
2ND
ST.
3RD
TOWN
OF
MAUPIN
ELROD
STREET
HWY.
U.S.
197
RIVER
SEE MAP 4S 14
SEE MAP 4S 14 32DC
RAILROAD
RAILWAY
TRUNK
(UNION PACIFIC R.R.)
OREGON
DESCHUTES
THE DALLES - CALIFORNIA HWY.
BRIDGE ST.
BAKEOVEN
CO. RD. 2
AVE.)
(SPRING
SEE CS 730
SEE CS E-13-15A
SEE CS E-13-13
CS 10-168
CS 847
10-149
PLAT
PART
549,500
1/16 COR.
SEE MAP 5S 14 5AA
HARTMAN AVE.
Revised
3/20/2006, 9C
4S 14 32DD
MAUPIN

TENNESON
ENGINEERING CORPORATION
CONSULTING ENGINEERS • SURVEYORS • PLANNERS

3775 CRATES WAY
THE DALLES, OR 97058

PHONE (541) 296-9177
FAX (541) 296-6657

March 8, 2019

City Planning Commission
City of Maupin
P.O. Box 308
Maupin, Oregon 97037

Subject: Sheppard Bed and Breakfast CUP
Staff Report

Dear Commissioners:

The applicants, Mia & Martin Sheppard, have filed a Conditional Use Permit application with the City to allow the establishment of a Bed and Breakfast facility in her home at 501 Elrod Place. The property is planned and zoned Medium Density Residential (MD-R). The MD-R Zone allows a Bed and Breakfast facility as a Conditional Use. This is an existing single-family dwelling. The Wasco County Assessor's maps describe this property as Tax Lot 5200, Section 32, Township 4 South, Range 14 East, W.M. The property is situated at the end of a 20 foot wide alley, and beginning of a private drive.

PROCESS
This is a very straight forward application, as an allowable conditional use, only a single public hearing before the Planning Commission is required. Unless there would be an appeal filed, the Planning Commission decision would be final. Proper notices for publication and to property owners have been made, agency coordination has been undertaken, and the public hearing has been scheduled in accord with the hearing procedure outlined in the City's Zoning Ordinance.

DISCUSSION
While this is a very straight forward application, it is complicated by the limited access to the property. The applicant states there will be two rooms available for rent operating as a Bed and Breakfast. That would require two additional off-street parking spaces be provided. Based upon the drawing submitted, it is difficult to see how that can be accomplished given the topography and narrow alleyway available. I have not been able to view this site and cannot adequately make a determination of whether or not the proposed plot plan will actually work. There is some history about this area. The City Recorder found a letter from one of my former partners, Donald J. Branton, discussing this very road. It was written in 1995 and may shed some light on the traffic situation.

ORDINANCE REQUIREMENTS

There are a few specific standards that must be met in order to approve this application. Most of the standards are contained in Section 3.5, Medium Density Residential (MD-R), regulations of the City's Zoning Ordinance.

Section 3.5B. Conditional Uses 1.
Finding: Proposed use meets zoning requirement.

C.1 Height limit of 35 feet
Finding: Existing Dwelling, no new construction contemplated. Requirement met.

C.2. Area: 5,000 square feet minimum lot size
Finding: Platted lot. Requirement met.

C.2.a: Front Yard Setback: 20 feet required
Finding: Existing Structure. Requirement met.

C.2.b: Side yard setback: 5 feet required
Finding: Existing Structure. Requirement met.

C2.c: Rear yard setback: 10 feet required
Finding: Existing Structure. Requirement met.

D. Parking Regulations: Refers to Section 4.14 Bed and Breakfast requirements. Requires one off street parking space per room available for rent. There needs to be two off street parking spaces.

Finding: The applicant's drawing indicates two off-street parking spaces, but it is not clear if these will actually serve to meet the ordinance requirement.

E. Sanitation Regulations: Requires connection to the City sewer system
Finding: City service available at site. Requirement met.

Article 5. Conditional Use Permit Standards for approval.

Section B. Standards for granting conditional uses

1. The proposal will be consistent with the Comprehensive Plan and the objectives of the Zoning Ordinance and other applicable policies of the City.

Finding: A Bed and Breakfast is an allowable use in the MD-R zone, and therefore is consistent with the City's land use planning documents. Requirement met.

2. Taking into account location, size, design and operation characteristics, the proposal will have minimal adverse impact on the (a) livability (b) value and (c) appropriate

development of abutting properties and the surrounding area compared to the impact of development that is permitted outright.

Finding:

3. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants.

Finding:

4. The applicant has a bona fide intent and capability to develop and use the land as proposed and some appropriate purpose for submitting the proposal and is not motivated solely by such purposes as alteration of property values for speculative purposes.

Finding:

AGENCY REQUIREMENT
No agency comments received.

STAFF RECOMMENDATION
The Commission will note Findings 2, 3, and 4 have been left blank for a specific reason. As noted in the body of this report, I have not been able to view this site. The Commissioners will have to rely upon their own knowledge of the area. There are letters on file in opposition of this CUP based upon the traffic and parking situation. If felt necessary, the Commission could continue the hearing until next month and allow the weather to break so the site investigation could be completed.

Respectfully submitted,

/s/ Dan Meader

Dan Meader, Senior Planner

DM:kb
<wo#11600>

March 7, 2019

Maupin Planning Commission
PO Box 308
Maupin, OR 97037

My husband and I live on the alley in conjunction to 501 Elrod Place, our address is actually 603 Elrod Ave, but the only way to get to our home is the alley Elrod Place, it is a dirt road with gravel intermittently on this alley road. If you come Elrod Ave down the grade there is a very acute angle where the dirt/gravel is chewed up by traffic. We are very concerned about the traffic coming and going on our alley road (the west part of the alley is private property and not maintained by the City).

We are neighbors of Martin and Mia Sheppard, but we are opposed to the Conditional Use Permit Application for them to operate a Bed & Breakfast in their dwelling. This area is zoned residential and there is a reason for that, it is *not intended* to be commercial. There lot does not have parking on the narrow alley to adequately support anymore cars and they have boats parked in what would be their parking spaces, thus the alley is sometimes blocked, and cars have to go by our home and it causes the road to become a mess of potholes and gouges on the dangerous turn up to Elrod Ave.

Thank you for taking our concerns into consideration in this matter.

Sincerely,

Joe and Kathi Ringo
603 Elrod Ave.
Maupin, OR 97037

March 7, 2019

Maupin Planning Commission:

I am not in favor of the Bed & Breakfast application submitted by Marty & Mia Sheppard, 501 Elrod Place. I live at 402 Elrod Place, not far from the Sheppard residence. My late husband and I purchased the property and built a home there in 2000. If I wanted to live near businesses, I would have purchased property across the river.

Elrod Place is the only access to my home and it is a gravel alley. The alley is not serviced by the city and has pot holes from the traffic of the people living on the alley. Additional traffic will bring more pot holes and dust. This is not what I want for our neighborhood.

I am also concerned about the parking situation. It seems the Sheppard's have a parking problem for all of their vehichles/boats as it is. Having two more required parking spaces for the Bed & Breakfast seems a stretch and very crowded.

I have spoken to several neighbors that are also opposed to this Bed & Breakfast situation and I hope they are writing letters as well. I hope the Planning Commission will oppose the Sheppard's Bed & Breakfast application.

Thank you.

Karen Tacker

Karen Tacker
402 Elrod Place
Maupin, OR 97037

March 7, 2019

Maupin City Planning Commission:

I am writing to oppose the Bed & Breakfast application from Marty & Mia Sheppard, 501 Elrod Place, Maupin, OR 97037. I am a neighbor and live at 405 Elrod Avenue, just down the alley from Marty & Mia. My husband and I purchased our property and built a home in the early 1990s, based on the fact that there were no businesses in our medium-density housing zoning and many years before the Sheppards moved into our neighborhood.

I am opposing the Sheppard's proposal having their business in our neighborhood based on the following reasons:

Traffic: Their business requires access through an alley, Elrod Place. The alley is graveled and with the current traffic on the alley, we have pot holes. The city does not provide services to this alley, although the home owners whose only access to their property is from the alley pay some of the highest property taxes in the City. Additional traffic from a business farther down the alley will exacerbate this situation. **This additional traffic will disrupt the quality of life in our neighborhood.** More traffic, more pot holes and additional dust on the alley.

Parking: There are times that the Sheppards park a boat on Elrod Avenue and/or farther down on Elrod Place, both areas not on their property. With the amount of parking needed for the Sheppard's vehicles and boats, it does not appear that there will be enough parking for two additional off-alley parking spaces for the two rooms they want to rent. What if one room rental brings two vehicles, and the 2nd room rented requires additional parking. If the current parking situation is not enough, what then?

Handicapped Access: There is no ADA (Americans with Disabilities Act) access to their house, the bedrooms downstairs, or compliance with an ADA bathroom.

I have spoken with several neighbors that are not in support of the Sheppard's business opportunity. I hope the neighbors have written to the Planning Commission to voice their opposition. I urge the Planning Commission to reject the Sheppard's Bed & Breakfast application. Thank you for your consideration.

Marty and Mia Sheppard are great neighbors. Marty often plows the snow on the alley with his pickup. That is extremely helpful and our neighbors appreciate it.

Susan Kay

Susan Kay
405 Elrod Avenue
Maupin, OR 97037