

ATTACHMENT D – STAFF REPORT

File Number: PLAEXP-17-12-0003

Applicant: Neil W. Porter

Owners: Scooby Properties LLC

Request: Expedited Review to place a 14'L x 56'W x 12'T, 784 square foot (SF) single-wide mobile home in an existing mobile home space (#507) in Pinewood Mobile Manor, and placement of a 12'2"L x 8'2"W x 10'T detached accessory building (shed).

Decision: **Approved** with Conditions

Decision Date: December 21, 2017

Appeal Deadline: January 2, 2018

Location: The subject property is located on the southeast corner of Highway 30 W and Discovery Drive, approximately 0.8 mile north of Exit 82 on Interstate 84 at The Dalles, Oregon, more specifically described as:

<u>Map/Tax Lot</u>	<u>Acct. #</u>	<u>Acres</u>
2N 13E 21 400	1902	14.98

Zoning: Rural Residential, R-R (5), in the General Management Area of the Columbia River Gorge National Scenic Area

Environmental Protection District: A portion of the subject parcel is also located in the EPD-1, Flood hazard Overlay Zone.

Past Actions: PLAMIS-17-07-0011, Review exterior paint colors on space #603; CODENF-14-05-0021 (illegal scrap business/junk yard/vehicles), PLASAR-11-03-0006, multiple alterations to existing mobile homes & replacement of mobile homes; PLAEXP-10-09-0003 (roof replacement); CODENF-10-11-* (multiple illegal structures), PLAEXP-09-04-0001 (replacement of MH); EXP-06-101, replace mobile home and shed, construct two fences; SPR-03-119/ CUP-03-107 (connect septic system to City sewer and water lines), , SPR-93-102 (place double-wide mobile home), SPR-92-143 (mobile home placement), SPR-92-118 (single-wide mobile home), SPR-92-115 (mobile home placement), SPR-92-110 (mobile home placement), SPR-92-102 (single-wide mobile home placement), SPR-91-113 (single-wide mobile home placement), SPR-91-112 (mobile home replacement), SPR-91-107 (single-wide mobile home placement), SPR-91-104 (mobile home placement), SPR-90-126 (mobile home placement), C90-0075, C89-0159-W-G-11 and LOC-89-BP (mobile home placement)

Procedure Type: Administrative

Prepared By: Dawn Baird, Associate Planner

I. APPLICABLE STANDARDS

Wasco County National Scenic Area Land Use & Development Ordinance (NSALUDO)

A. Chapter 3 – Basic Provisions

Section 3.110, Expedited Review

Section 3.110.A.19., Uses Permitted Subject to Expedited Review – replace an existing mobile home in a mobile home space within a mobile home park

Section 3.110.B., Expedited Development Review Process

B. Chapter 11 – Fire Safety Standards

Section 11.120, Defensible Space

Section 11.130, Construction Standards for Dwellings and Structures

Section 11.140, Access Standards

I. BACKGROUND

A. Legal Parcel: The subject parcel was created by Real Estate Contract 69-1318, recorded with the Wasco County Clerk on July 2, 1969. This parcel is consistent with Wasco County's definition of legal parcel because it was created by Contract prior to September 4, 1974.

B. Site Description: The subject parcel is located at an elevation of approximately 70' Above Sea Level (ASL), and has natural east-facing slopes of 3-5% with the exception of the southern 1/3 of the property which contains slightly steeper slopes. The parcel contains Pinewood Mobile Manor, a 67-unit mobile home park, with an in-ground swimming pool and laundry building. The property is bordered on three sides by public roads or highways (Highway 30 West, west; Discovery Drive, north; and Interstate 84, east). Space #507 contains a detached storage building and concrete slab located north of the mobile home space. Ground cover throughout Pinewood Mobile Manor is irrigated lawn, with trees scattered among the mobile homes. Powerlines are located along the eastern side of Space #507 and run north/south through the mobile home park.

C. Surrounding Land Use: Properties located west of Highway 30 W are zoned Large Scale Agriculture, A-1 (160), in the General Management Area. The majority of slopes on these properties are 2-3% north- and south-facing, draining into Gooseberry Creek, however some slopes located to the southwest exceed 45%. This area contains an aggregate extraction site. Land on the west side of Highway 30 W is generally in farm use consisting of vegetable row crops, and irrigated pasture.

Properties located to the north are zoned Rural Residential, R-R (5), GMA. There is a small piece of land owned by Wasco County on the northeast corner of the intersection of Highway 30 W and Discovery Drive. This property is vacant. The other parcel to the north contains a single family dwelling. Areas along the highway are relatively level, however the eastern 50' +/- contains west-facing slopes exceeding 20%.

Properties located east of Interstate 84 are zoned Public Recreation, P-R, GMA, and Open Space, O-S, GMA. Slopes vary but face east towards the Columbia River. Properties are in public ownership including Wasco County who owns property containing The Discovery Center and Wasco County Museum, as well as the U.S. Government who owns property containing Taylor

Lake. Both properties are located on the banks of the Columbia River and the Riverfront Trail runs north-south through these properties.

Properties to the south are zoned Large Scale Agriculture, A-1 (160), GMA. Directly south of the subject property is the right-of-way of Highway 30 W and Interstate 84. Development of these travel corridors leveled the natural slopes to 2-3% north- and south-facing. There is no structural development within these roadways.

II. FINDINGS:

Wasco County National Scenic Area Land Use & Development Ordinance (NSALUDO)

A. Chapter 3 – Basic Provisions, Section 3.110 - Expedited Review

A. Uses Permitted Subject to Expedited Review

The following developments may be allowed on a legal parcel subject to the expedited development review process listed in Chapter 2, provided they comply with the resource protection and procedural guidelines listed below.

FINDING: The subject parcel was created by Real Estate Contract 69-1318, recorded with the Wasco County Clerk on July 2, 1969. This parcel is consistent with Wasco County's definition of legal parcel because it was created by Contract prior to September 4, 1974.

19. Replace an existing mobile home in a mobile home space within a mobile home park, provided

a. The mobile home to be replaced, the mobile home space and the mobile home park shall be existing, lawful uses according to the definition of existing use or structure in 1.200 and the provisions of 13.060 and 13.070.

FINDING: Pinewood Mobile Manor was established between 1955 and 1965. According to Wasco County Planning Department records, the mobile home park contains 64 mobile home spaces, an office and laundry building, and a swimming pool. The proposed mobile home replacement will occur in space #507, one of the approved 64 mobile home spaces in the park.

Wasco County and the Columbia River Gorge Commission have reviewed and approved over a dozen mobile home replacements since the National Scenic Area regulations were implemented in 1989 (Interim Guidelines). The mobile home park is considered to be a legally created use that complied with land use regulations in effect at the time the use was established. Staff finds that the request complies with Criterion a.

b. The replacement mobile home shall be in the same location as the mobile home to be replaced;

FINDING: The proposed mobile home will be located in space #507, which is a legally established mobile home space. According to the applicant, the proposed mobile home will be in the same space as the previous mobile home. Staff finds the request complies with Criterion b.

c. The height of the replacement mobile home shall be no more than 20 percent greater than the mobile home to be replaced, and

FINDING: The existing vehicle in Space #507 is approximately 12' in height. The proposed single-wide mobile home will be 12-13' in height. At 13' in height, the increase in height will be approximately 8%. As proposed staff finds that the request complies with Criterion c.

- d. *The mass and footprint of the replacement mobile home shall be no more than 100 percent greater than a single-wide mobile home to be replaced or no more than 25 percent greater than a double-wide mobile home to be replaced.*

FINDING: The existing home in Space #507 contains 392 square feet (SF). The proposed replacement mobile home contains 784 SF, which is 100% larger than the existing home. As proposed, staff finds that the request complies with Criterion d.

- B. *Expedited Development Review Process*
Proposed developments reviewed using the expedited review process shall comply with the following resource protection guidelines:

1. *Scenic*

- a. *In the General Management Area, the scenic resource protection guidelines shall not apply to woven-wire fences for agricultural use that would enclose 80 acres or less.*

FINDING: The request does not involve the placement of woven-wire fences for agricultural use that would enclose 80 acres or less therefore staff finds Criterion a. is not applicable to this request.

- b. *Except signs, the colors of structures topographically visible from key viewing areas shall be dark earth-tones found at the specific site or the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval. This guideline shall not apply to additions, which may match the color of existing buildings.*

FINDING: The development site is visible from four Key Viewing Areas: Highway 30 W, Interstate 84, the Columbia River, and Washington SR 14. The main color (wall) submitted by the applicants submitted is dark brown. This is a dark earthtone color that is found in the surrounding landscape and is approved. The trim color submitted by the applicants is white. This color cannot be approved because it is not a dark earthtone color. During staff's visit to the development site on December 18, 2017, Mrs. Porter stated that they would eliminate the white trim color and paint the entire mobile home dark brown. A **condition** of approval is included in the Notice of Decision approving the dark brown color for the entire mobile home, including the roof.

If an alternative color(s) is proposed to be used on the exterior of the mobile home, it shall be submitted to and approved by the Planning Department prior to its placement on the mobile home. A **condition** of approval stating this is included in the Notice of Decision.

With the proposed **conditions** of approval, staff finds that the request complies with Criterion b.

- c. *Except signs, structures topographically visible from key viewing areas shall use low or non-reflective building materials, including roofing, gutters, vents, and chimneys.*

FINDING: The proposed used single-wide mobile home is painted metal. If paint on the mobile home is maintained, it will not be reflective as seen from Key Viewing Areas. A **condition** of approval is included in the Notice of Decision requiring the painted metal surfaces to be maintained, and be kept free of

peeling paint. The existing roof vents have oxidized and are no longer reflective. With the proposed condition of approval staff finds that the request complies with Criterion c.

- d. *Outdoor lights shall be directed downward and sited, hooded, and shielded such that they are not highly visible from key viewing areas. Shielding and hooding materials shall be composed of non-reflective, opaque materials.*

FINDING: Outdoor lighting usually consists of a single light at all the outside doors. The applicants should be aware of the requirements for outdoor lighting and the need to hood and shield outdoor lighting so that it is directed onto the subject parcel. A **condition** of approval is included in the Notice of Decision requiring outdoor lighting to be directed downward, sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and the Columbia River as well as preventing the lighting from being highly visible from Key Viewing Areas and from noticeably contrasting with the surrounding landscape setting. Shielding and hooding materials shall be composed of nonreflective opaque materials. There shall be no visual pollution due to the siting or brilliance, nor shall it constitute a hazard for traffic. With this **condition** of approval, staff finds that the request complies with Criterion F.

- e. *Structures within ½-mile of a key viewing area and topographically visible from the key viewing area shall be sited, screened and/or designed to achieve the applicable scenic standard (e.g., visual subordination, not visually evident).*

FINDING: The subject parcel is located in the General Management Area and is adjacent to two KVAs, Highway 30 W, and Interstate 84. The applicable scenic standard for all new development in this location is visual subordination.

Overall, the mobile home park is not visually subordinate due to its proximity to key viewing areas and its pre-existing mobile homes which do not comply with color requirements. However, there are some mobile homes in the park that are dark earthtone colors which blend with the surrounding landscape. Continued use of dark earthtone colors on structures in the mobile home park will lessen its visibility from key viewing areas. There is a long row of vegetation (trees and bushes 10 plus or minus feet in height) along the eastern right-of-way of Highway 30 West, as well as some wooden fencing along Highway 30 W which helps screen the mobile home park from the highway. Scattered trees exist along the eastern property line which provides some visual relief from key viewing areas to the east.

Colors were discussed above in b. where, with a condition of approval, the request was found to comply with the color requirements. The proposed single-wide mobile home will be visually subordinate from all KVAs as long as the approved dark earthtone color is used on all exterior surfaces.

With conditions of approval throughout this report, staff finds that the proposed development is visually subordinate as seen from all KVAs.

2. Cultural

- a. *The expedited development review process shall only be used to review proposed development that does not require a reconnaissance survey or historic survey. The cultural resources in Section 14.500 shall be used to determine if a reconnaissance and/or historic survey is required for a proposed development.*

FINDING: Section 14.500 – Cultural Resources (GMA Only), subsection B.1.a. lists uses that do not require a cultural resource reconnaissance and historic survey. This list includes “the modification,

expansion, replacement, or reconstruction of existing buildings and structures.” The request is to allow replacement of a mobile home in an existing mobile home park with a different mobile home in the same space in the mobile home park. Staff finds that no cultural resource reconnaissance and survey are required, and the request complies with Criterion a.

- b. *The requirements of 14.500(G), “Cultural Resources Discovered After Construction Begins”, shall be applied as conditions of approval for all development approved under the expedited development review process.*

FINDING: Section 14.500.G. explains the process to follow if cultural resources are found during development. If cultural resources are found during construction, all construction within 100’ of the discovered cultural resource shall cease and the resource shall remain as found; further disturbance is prohibited. In addition, the owner shall notify the Wasco County Planning Department, Gorge Commission and four Indian tribal governments within 24 hours of discovery. **Conditions** of approval are included in the Notice of Decision requiring compliance with these requirements. With these **conditions** of approval staff finds that the request complies with Criterion G.

3. *Recreation*

The development shall not detract from the use and enjoyment of established recreation sites on adjacent parcels.

FINDING: Taylor Lake and the Columbia River are identified recreation areas adjacent to the subject parcel on its east side, east of Interstate 84. The proposed replacement of one mobile home with another mobile home will have no impact on these recreation areas due to its distance (400-1,685’) from the recreation sites. Staff finds that the request complies with Criterion 3.

4. *Natural*

- a. *Wetlands, Streams, Rivers, Ponds, and Lakes:*

The development is outside buffer zones for wetlands, streams, rivers, ponds, and lakes. This guideline shall not apply to lot line adjustments or development located inside road, utility or railroad rights-of-way or easements that have been previously disturbed and regularly maintained.

FINDING: Gooseberry Creek, an intermittent stream, is located on the southern portion of the subject parcel. This stream is also identified on the National Wetlands Inventory map as a riverine wetland. This wetland/seasonal stream is characterized as an herbaceous community which is characterized by the presence of herbs, including grass and grasslike plants, forbs, ferns and nonwoody vines, and requires a minimum buffer area of 150’. The proposed development is located approximately 570’ from the wetland, therefore staff finds that the request complies with Criterion a.

- b. *Sensitive Wildlife and Sensitive Plants*

(1) The development meets one of the following:

(b) The development does not disturb the ground or is inside road, utility or railroad rights-of-way or easements or other areas that have been previously disturbed and regularly maintained; or

FINDING: The proposed single-wide mobile home will not disturb the ground because it is in an area that has previously been disturbed and maintained as a mobile home space within an existing mobile home park. Staff finds that the request complies with Criterion (b).

(2) Development eligible for expedited review shall be exempt from the field surveys for sensitive wildlife or sensitive plants in Section 14.600.

FINDING: The requested development is to place a single-wide mobile home in an existing mobile home space in Pinewood Mobile Manor. This development qualifies for an expedited review therefore it is exempt from field surveys for sensitive wildlife and sensitive plants. Staff finds that the request complies with Criterion (2).

C. Treaty Protection Rights

Proposed developments reviewed using the expedited review process shall comply with the following treaty rights protection guidelines:

- 1. Proposed developments shall not affect or modify any treaty or other rights of any Indian tribe.*

FINDING: The proposed development will not affect or modify any treaty or other rights of any Indian tribe because the proposed use is to place a single-wide mobile home in an approved mobile home space in an existing mobile home park. No new use is proposed as a result of this request, therefore staff finds that the request complies with Criterion 1.

- 2. The expedited development review process shall cease and the proposed development shall be reviewed using the full development review process if an Indian tribe submits substantive written comments during the comment period that identify the treaty rights that exist in the project vicinity and explain how they would be affected or modified by the proposed development.*

FINDING: A **condition** of approval is included in the Notice of Decision stating that the expedited review process shall cease and a full review will be conducted if an Indian tribe submits substantive written comments during the appeal period identifying how existing treaty rights would be affect or modified by the proposed development. With the proposed condition of approval staff finds that the request complies with Criterion 2.

B. Chapter 11 – Fire Safety Standards

Section 11.120, Defensible Space – Clearing and Maintaining a Fire Fuel Break

Section 11.130, Construction Standards for Dwellings and Structures – Decreasing the Ignition Risks by Planning for a more Fire-Safe Structure

Section 11.140, Access Standards – Providing Safe Access to and Escape From Your Home

FINDING: The Fire Safety Standards, adopted by the Wasco County Court and effective February 5, 2007, require property owners to be aware of potential fire risks in areas outside of urban areas of Wasco County, and requires compliance with siting standards, fuel break requirements, construction standards, access standards, and on-site water storage requirements.

As part of a complete application, the property owners completed a Fire Safety Standard Self-Certification Form. By signing the self-certification form, the owners have acknowledged that they

understand these standards and commit to achieve compliance with them within one year of the date of approval and maintain them through the life of the development. This certification further commits all future property owners to this same requirement. A copy of this self-certification form is available for inspection at the Wasco County Planning Department under File PLAEXP-17-12-0003. A **condition** of approval stating this is included in the Notice of Decision.

The subject property is located within the boundaries of Mid-Columbia Fire & Rescue and has structural fire protection.

The proposed single-wide mobile home is constructed of fire-resistant materials and the proposal indicates that a defensible fire break area will be provided around the proposed building.

The access road through the mobile home park is 20' in width. Discovery Drive is located approximately 570' north of the development site. The driveway from the access road to the development site is 12' in width and complies with fire standards.

Staff finds that the request complies with Chapter 11 – Fire Safety Standards.

ATTACHMENT E – OUTDOOR LIGHTING STANDARDS

Good Neighbor **OUTDOOR LIGHTING**

PRESENTED BY THE NEW ENGLAND LIGHT POLLUTION ADVISORY GROUP (NELPAG) AND SKY & TELESCOPE.

What is good lighting?

Good outdoor lights improve visibility, safety, and a sense of security, while minimizing energy use, operating costs, and ugly, dazzling glare.

Why should we be concerned?

Many outdoor lights are poorly designed or improperly aimed. Such lights are costly, wasteful, and distractingly glary. They harm the nighttime environment and neighbors' property values. Light directed uselessly above the horizon creates murky skyglow — the "light pollution" that washes out our view of the stars.

Glare Here's the basic rule of thumb: If you can see the bright bulb from a distance, it's a bad light. With a good light, you see lit ground instead of the dazzling bulb. "Glare" is light that beams directly from a bulb into your eye. It hampers the vision of pedestrians, cyclists, and drivers.

Light Trespass Poor outdoor lighting shines onto neighbors' properties and into bedroom windows, reducing privacy, hindering sleep, and giving the area an unattractive, trashy look.

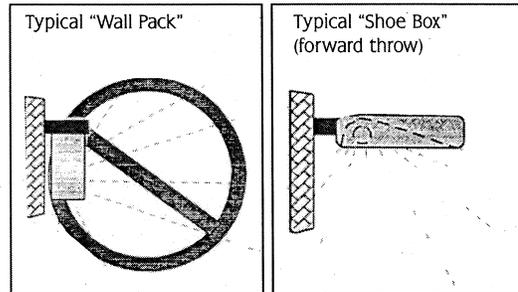
Energy Waste Many outdoor lights waste energy by spilling much of their light where it is not needed, such as up into the sky. This waste results in high operating costs. Each year we waste more than a billion dollars in the United States needlessly lighting the night sky.

Excess Lighting Some homes and businesses are flooded with much stronger light than is necessary for safety or security.

How do I switch to good lighting?

- 1 Provide only enough light for the task at hand; don't over-light, and don't spill light off your property. Specifying enough light for a job is sometimes hard to do on paper. Remember that a full Moon can make an area quite bright. Some lighting systems illuminate

Some Good and Bad Light Fixtures

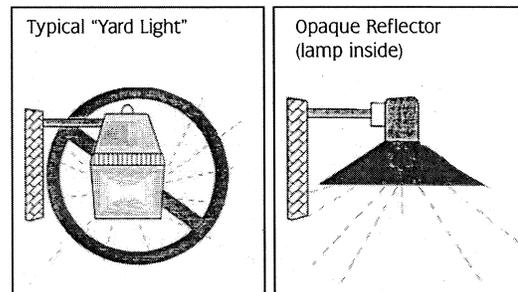


BAD

Waste light goes up and sideways

GOOD

Directs all light down

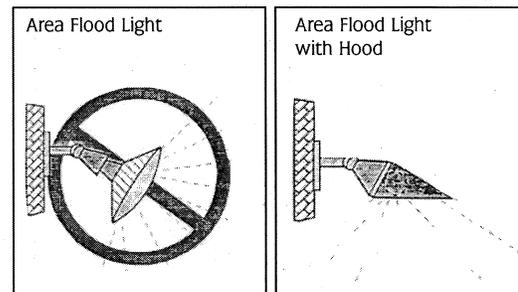


BAD

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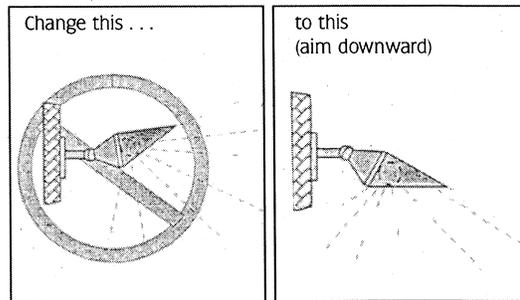
areas 100 times more brightly than the full Moon! More importantly, by choosing properly shielded lights, you can meet your needs without bothering neighbors or polluting the sky.

- 2 Aim lights down. Choose "full-cutoff shielded" fixtures that keep light from going uselessly up or sideways. Full-cutoff fixtures produce minimum glare. They create a pleasant-looking environment. They increase safety because you see illuminated people, cars, and terrain, not dazzling bulbs.
- 3 Install fixtures carefully to maximize their effectiveness on the targeted area and minimize their impact elsewhere. Proper aiming of fixtures is crucial. Most are aimed too high. Try to install them at night, when you can see where all the rays actually go. Properly aimed and shielded lights may cost more initially, but they save you far more in the long run. They can illuminate your target with a low-wattage bulb just as well as a wasteful light does with a high-wattage bulb.
- 4 If color discrimination is not important, choose energy-efficient fixtures utilizing yellowish high-pressure sodium (HPS) bulbs. If "white" light is needed, fixtures using compact fluorescent or metal-halide (MH) bulbs are more energy-efficient than those using incandescent, halogen, or mercury-vapor bulbs.
- 5 Where feasible, put lights on timers to turn them off each night after they are no longer needed. Put home security lights on a motion-detector switch, which turns them on only when someone enters the area; this provides a great deterrent effect!

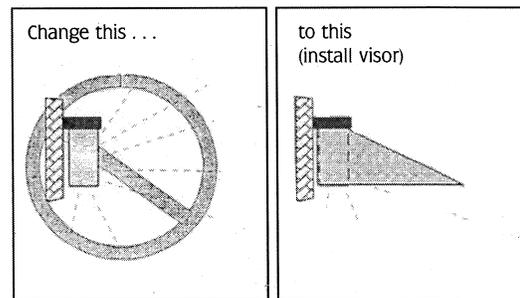
Replace bad lights with good lights.

You'll save energy and money. You'll be a good neighbor. And you'll help preserve our view of the stars.

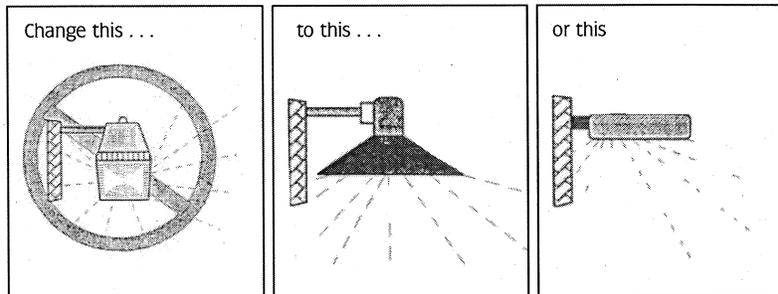
What You Can Do To Modify Existing Fixtures



FLOOD LIGHT



WALL PACK



YARD LIGHT OPAQUE REFLECTOR SHOE BOX

Presented by the **New England Light Pollution Advisory Group (NELPAG)** (<http://cfa-www.harvard.edu/cfa/ps/nelpag.html>)

and **Sky & Telescope** (<http://SkyandTelescope.com/>).

NELPAG and *Sky & Telescope* support the International Dark-Sky Association (IDA) (<http://www.darksky.org/>).

We urge all individuals and groups interested in the problems of light pollution and obtrusive lighting to support the IDA and subscribe to its newsletter. IDA membership costs \$30 per year; send your check to IDA, 3225 N. First Avenue, Tucson, AZ 85719, U.S.A.



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