

ATTACHMENT A
WESTFIR PLANNING COMMISSION ORDER IN CUP2021-001

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Finding 1: The applicant requests a conditional use permit for a multi-use recreational camping area and accessory uses on Tax Lot 129, Assessor’s Map 21-35-07-40. The proposed campgrounds will contain three areas for van parking, 23 sites total; five (5) trailer camp sites with power hookups; and nine (9) 24’ diameter geo-tents. (The latter structures will not be constructed until Phase 2 of the project.) Each camping site will have its own picnic area and the entire complex will be served by a single-story bath house that will have segregated showers, toilets and wash basins for men and women. There will be an additional 24 10’ x 20’ parking stalls.

In addition, the applicant requests a conditional use permit for a café located on Tax Lot 119, Assessor’s Map 21-35-07-40. The Westfir Comprehensive Plan designates the property as Mixed Use and the Westfir Zoning Ordinance designates the property as Mixed Use. The applicant is Blair Banker, dba Trans Cascadia Excursions, and the property owners are Robert and Christie Newland, who have granted their power of attorney to Bill Newland.

Consistency with Zoning District

Finding 1: The subject properties are zoned Mixed Use. Section 9.2.0.1 of the Westfir Development Code (WDC) lists motels and hotels as permitted uses. Section 9.2.0.Z lists “other uses similar in nature” as also being permitted outright. The Westfir Planning Commission has determined that the primary characteristic of motels and hotels are that they provide overnight lodging and amenities to people who are visiting or recreating. Neither the Mixed Use District nor any other zoning district in Westfir lists campgrounds as uses permitted either outright or conditionally. However, the Planning Commission believes that campgrounds are similar to the primary purpose of motels and hotels. Because of the need to make this interpretation, the Commission has required the applicant to obtain a conditional use permit.

Section 9.2.0.G of the WDC lists delicatessens and sit-down restaurants as outright permitted uses. The applicant proposes a café on Tax Lot 119 that will serve breakfast and lunch, consisting of light beverages and snack foods that obtained through an ordering window. Also included in the structure will be an office associated with the campground. Business facilities such as offices are permitted uses under Section 9.2.0.B of the WDC.

Section 21.4.0 of the WDC

This section of the Development Code provides the following criteria that must be met before a conditional use permit can be approved.

- A. The proposed use and development of land conforms to applicable land use regulations and the Westfir Comprehensive Plan. Conformity with this requirement shall mean that the proposed use is a use allowed within the terms of the land use***

regulations and is of a type permitted within the designations set forth in the Comprehensive Plan as those documents apply to the land upon which the proposed use will be sited.

Finding 2: The Westfir Comprehensive Plan Diagram designates Tax Lots 119 and Tax Lot 129 as Mixed Use. The Westfir Zoning Map indicates that both properties are zoned Mixed Use. Thus, the zoning of the property is consistent with the Comprehensive Plan Diagram.

Supportive language in the Comprehensive Plan is found in Land Use Policy 2.4 of the Plan that lists the area north of the Post Office as an opportunity area and Economic Policy 9.3 which supports “*local commercial development focusing on tourism and recreation and other activities suited to Westfir’s small–town character.*”

An overriding theme of the Comprehensive Plan is the need to maintain the small community character of Westfir and the desire to protect and serve existing residential uses. In regard to the character of the community, mountain biking has been a fixture in Westfir for over 30 years, with riders using the Alpine, Tire Mountain and Cloverpatch trail network since at least 1984. A 2014 study found that mountain bikers made up to nearly 16,000 trips annually in the Oakridge/Westfir area. By 2021, it is estimated that 20,000 mountain bikers visited the Westfir portal trailhead and another 20,000 came to enjoy the rivers, mountains and trails in the area. Westfir also attracts gravel riding, where riders use bicycles with larger volume tires that can navigate dirt roads. It is estimated that 5,000 riders pass through the Westfir area annually for gravel biking. In summary, Westfir is considered to be one of the world’s premier mountain bike destinations. Mountain biking and other forms of bike riding are a part of the city’s character.

Currently, Westfir has no facilities available to host mountain biking enthusiasts although Westfir Portal Park is often used as a staging area for organized bicycle events. The City Hall parking lot is used to stage some organized shuttles but there are few available parking areas and often, especially at the time of large bicycle events, parking occurs in a haphazard manner on the shoulder of North Fork and Westoak Roads. In addition, groups that camp in the area, with or without a property owner’s permission, often generate adverse noise impacts on nearby residential properties. Land Use Policy 2.12 notes that commercial uses within the Mixed Use designation are intended primarily to serve surrounding residential development and the proposed campground will serve to provide a controlled and quiet environment for those bicyclists who stay overnight; thereby reducing potential adverse impacts on adjacent residential uses. In addition, the presence of the Log Scale Café and the café at the Crow’s Feet Outpost, will allow residents with access to food and drink without having to travel to Oakridge.

Transportation Strategy Policy 12.29 calls for coordination with the USFS regarding the feasibility of establishing a dedicated bicycle path along USFS Arterial No. 10 (North Fork Road). The USFS was sent a referral regarding the proposed conditional use permit. The Forest Service recommended improvements to the driveway entrance and exit tapers of the campground and café. These improvements were agreed to by the applicant and have been incorporated into the conditions of approval.

Conclusion: The proposed development is consistent with Section 21.4.0.A of the WDC.

- B. *The size and area of use of the proposed development is consistent with and can be accommodated within the proposed location. This shall be determined by examining whether the submitted plans indicate that the proposed use will fit within the dimensions of the proposed location, taking into consideration all applicable setbacks, easements and other restrictions on location set forth in this development code and in the documents of title to the proposed location.***

The revised site plan demonstrates how the components of the proposed development are laid out within the borders of its two tax lots. Section 9.4.0 of the Mixed Use Zone requires certain setbacks when a commercial zone borders a residential zone. Staff interprets this provision to mean ‘when a commercial use within a mixed use zone borders a residential zone. In the present case, Tax Lot 119 borders a residential zone on the west (Tax Lot 120). Since access will be on North Fork Road, the rear yard of Tax Lot 119 borders a residential zone and a 10-foot setback is required by Section 9.4.0. Tax Lot 129 borders three residentially-zoned lots on the south. (Tax Lots 120, 122 and 123). Section 9.4.0 requires a side-yard setback of five feet in this situation. All structures, proposed and existing, will meet the required setback standards.

The only easement that has been identified by staff is the easement granted to the U.S. Forest Service by the previous owner of Tax Lot 129 (the Edward Hine’s Lumber Company) regarding North Fork Road. The easement allows passage of North Fork Road through the western portion of the subject property.

Conclusion: The proposed development is consistent with Section 21.4.0.B of the WDC.

- C. *That the use can be and has been conditioned so as to mitigate any significant adverse traffic safety or volume impacts, or other adverse impacts on public water, wastewater and storm drainage facilities or fire protection and public safety.***

Potential adverse impacts can be associated with access onto North Fork Road, storm drainage, wastewater treatment, and fire protection. In regard to access to North Fork Road, the U.S. Forest Service has provided information regarding standards for entrance and exit tapers onto North Fork Road as well as for signage. The applicant has agreed to abide by these standards. A traffic generation study estimates that traffic impact on adjacent Westfir roads is expected to be modest, with no more than 8 vehicle trips at full capacity generated during peak traffic hours during the summer season.

Concern has been voiced about the impact of the proposed campground on City water during dry city months. However, information supplied by the Westfir water operator indicates that the capacity of the water plant is greatly in excess of what is currently needed during peak summer months and more than adequate to handle the estimated needs of the campground.

Storm water drainage on the subject property will be channeled across the property through elevation gradients and ditches into swales located parallel to North Fork Road. Staff has recommended, as a condition of approval, that the swale system be enlarged to accommodate a flood control event (3.6 inch storm event). It is not recommended that an overflow system be employed unless that system contained a treatment or holding component.

Wastewater will be treated on-site through a subsurface disposal system. The system is designed to handle the anticipated maximum load from the operation. Department of Environmental Quality standards for the siting of drainfields take into account the height of the water table and are to be implemented by Lane County Sanitarians. At least one test hole on the property has passed County inspection and the drain field locations have been approved.

The proposed campground project will be served by the Oakridge Fire Department. In addition, campfires will be restricted to propane-generated fire sources except in the case of one communal fire pit. The campground will have a designated smoking area and will provide current information regarding burning regulations. These restrictions will be enforced by a 24/7 campground manager.

Conclusion: The proposed development is consistent with Section 21.4.0.C of the WDC.

D. That there will be no significant adverse impacts on adjoining land uses or on the growth and development of the City, as identified in the Comprehensive Plan.

Comments received by the City have indicated concerns about the adequacy of the septic tank system (high water table), water usage, smoke and fire hazard from campfires, lighting, privacy (adequacy of visual buffers), signage, dog run too close to houses, increased traffic on Westoak Rd, and noise enforcement.

Water: There is an existing 8" water main in Westoak road with a 2" line running to the site under the undeveloped 1st Street. The proposed development, including facilities for the campground and the restaurant, will have a fixture unit value of 54.5. The 2" line can handle a fixture unit value of 124. A fixture unit is the amount of water (7.48 gallons) that a one and ¼ inch pipe can carry over one minute. Data provided by the City water operator indicates that the water system has a much greater capacity than is currently used during peak summer months and an adequate capacity to serve the proposed campground and restaurant. Thus, the amount of water needed by the operation can be supplied by existing water infrastructure.

Smoke and fire hazard: All fire pits except one will be restricted to propane fuel. Conditions of approval require that smoke from the one fire-burning pit not trespass onto adjacent properties. Campfires will not be allowed during no-burn times and will be required to adhere to the restrictions of Westfir Ordinance 137 in regard to

open burning. Smoking is only allowed in a designated area and the campground will post current fire hazard conditions and restrictions.

Lighting: The lighting standards of Section 23.6.0 of the WDC are incorporated into the conditions of approval. All lighting must be pointed downward and may not directly trespass onto adjacent properties.

Privacy: Adjacent residences will be screened from the campground by sound-mitigating berms, an 8-foot tall, air-tight fence, and a vegetative and tree canopy. The three residences abutting the campground and café will be surrounded by the 8-foot fence on three sides.

Signage: All signage must conform to Chapter 27 of the WDC. In addition, the applicant has agreed to abide by the USFS standards to access signs.

Dog Run: Concerns were raised regarding the adjacency of a proposed dog run to residences to the south. The dog run was thereafter moved to the northern perimeter of Tax Lot 129. The run is to be used only to exercise dogs not to operate as a kennel facility.

Traffic: Neighbors have voiced concerns about traffic in the area; specifically about speeding on Westoak Road. To address these concerns, the applicant has commissioned a trip generation study. The study relied upon the ITE (International Traffic Engineers) trip generation manual that provides trip rates based upon different land uses. The analysis assumed full occupancy of the campground during the summer months. The study concluded that the campground would only generate 8 trips during peak traffic (commute) hours when at full capacity. The study also noted that the trip generation estimates are over generous because (1) the campground is located adjacent to the mountain biking portal and (2) because of the internal pathway to the Crow's Feet Outpost, one of the more likely destinations for campers looking for food and bike repair/accessories. Overall, the campground is expected to generate about 80 weekday daily trips during the peak summer months and about 24 weekday daily trips during the off-season. During the peak summer months, the campground is expected to generate 8 trips during the commute (peak) hours; equivalent to 8 homes. The traffic impact on adjacent Westfir roads is therefore expected to be modest.

Septic System: The applicant has commissioned a preliminary septic system analysis for a system that will serve both the campground and the Log Scale Café. Based upon an estimated flow of 2830 gallons per day (GPD), an adequately sized septic tank to serve a leach field of 943 lineal feet is required (50 feet/150 gpd). Because of the high water table in the area, an alternative system, such as a sand filter system, will probably be required. It should also be noted that Crow's Feet Outpost will require an enlarged septic tank system; a portion of which will have to be located on Tax Lot 129. Trans Cascadia Excursions will have to have the owner of the two tax lots approve the encroachment and an easement will have to be provided to allow that to happen. The location of the septic

tank and leach field will be southeast of the common bathroom in one of two areas identified by the applicant.

Noise Study: A noise study was commissioned by the applicant. The study contained a survey of the existing ambient (background) noise levels in the area adjacent to the proposed campgrounds; and specifically identifies noise sensitive areas such as the residences located adjacent and to the south of the campground. It identified the typical type of noises that would occur within a campground and analyzed their loudness at various locations adjacent to the campground.

Accompanying this study is a map showing the location of the proposed sound-mitigating berms and tree canopy. The study proposes an 8' berm and 8' sound fence in critical locations along the periphery and within the campground that mitigate noise levels produced by anticipated activities within the campground. The resulting sound reaching neighboring residences after the construction of the sound-mitigating berms and vegetative growth will be at or below ambient levels. The specifics of the sound berms and noise mitigating fences and vegetation have been required through conditions of approval.

Conclusion: The proposed development is consistent with Section 21.4.0.D of the WDC.

E. That the proposed use will not be incompatible with the type of uses permitted in surrounding areas.

Commercial and residential zoning about the subject property although the latter uses, especially located immediately adjacent to the south, are the most sensitive to impacts from the campground. Primary impacts potentially could be noise, smoke and fire hazard, traffic generation and loss of privacy.

Noise: As addressed under Section 21.4.0.D of the WDC, above, a noise study has outlined the types of mitigating measures that are necessary to keep noise generated within the campground to ambient levels on adjacent properties. The study recommended a combination of noise-mitigating berms, vegetation and fencing and these recommendations have been incorporated into the conditions of approval.

Smoke and fire hazard: The potential for fire and smoke generation has been significantly reduced by allowing only one fire pit to operate with wood. The remainder of the firepits will be required to use propane. Smoking is restricted to a designated area and, as a condition of approval, visible smoke will not be allowed to trespass onto adjacent properties. Fire protection is provided by the Oakridge Fire Department on a contractual basis.

Traffic generation: A trip generation study has demonstrated that the expected traffic generation from the campground during peak vehicle hours is moderately low (8).

Privacy: The property line that abuts residentially zoned properties will have an 8-foot tall wooden fence and evergreen trees with a minimum height of 6 feet at the time of planting. Additional screening will be provided by the proposed noise-mitigating berms.

Conclusion: The proposed development is consistent with Section 21.4.0.E of the WDC.

F. Where applicable, that all criteria and standards relating to development in a flood hazard area have been met.

The subject properties are not located within a flood hazard zone.

Conclusion: The proposed development is consistent with Section 21.4.0.F of the WDC.