

STAFF REPORT
SLABTOWN BMX
CONDITIONAL USE PERMIT CUP 1-24
MAY 2, 2024

PROPOSAL DESCRIPTION

Date application filed: April 22, 2024

Date application complete: April 24, 2024

Owner: City of Cottage Grove
400 E. Main St
Cottage Grove, OR 97424

Applicant: Slabtown BMX
74113 London Rd
Cottage Grove, OR 97424

Location: 3310 Row River Rd
Map 20-03-35-00 Tax Lot 01500

Present Conditions: Vacant land (subject area) and Water Treatment Plant

Comp Plan Designation: P – Regional and Community Park

Zoning: PR – Parks & Recreation

MATERIALS TO BE PART OF THE RECORD:

City of Cottage Grove File: CUP 1-24

- Applicant's Application
- Applicant's Narrative
- Minutes and information from Community Meeting dated April 5, 2024
- Site Plan
- City of Cottage Grove Completeness Correspondence
- Affidavit of Posting
- Affidavit of Notice
- Engineering comments dated May 2, 2024 from City Planner Eric Mongan

Proposal:

This Type III Conditional Use Permit application is to re-establish a BMX track located on a portion of 3300 Row River Rd, Map/Tax Lot 20-03-35-00-01500. This parcel is zoned PR – Parks & Recreation and is currently improved with the Water Treatment Plant. Per Table 14.25.110, a BMX Track is a conditionally allowed use, hence this Type III Conditional Use application.

The location of the proposed BMX track is on the south-eastern portion of this parcel, in the same location that the previously approved BMX track was. The applicant (Slabtown BMX) is proposing to surround the BMX track with a 6ft chain-link fence, which will host riders during racing events held on Wednesday evenings and Sundays. The duration of these events can vary, depending on the type of event and how many entrants there are. Slabtown BMX intends to place two moveable conex boxes on the site

which will include a concessions/registration booth, and a tool/loaner equipment storage box, as well as two portable toilets. The parking lot is already existing, and the applicant proposes to grade and rock the parking area in the winter months to keep it level. Proposed are three ADA parking spaces that will have a path leading from the spaces to the main entrance.

Day parking will be open to the public so as to allow access to the trails / river, and no overnight camping will be permitted. The applicant does state that day parking might be limited or not available during larger racing events.

Section 14.41.800 requires the applicant to host a noticed neighborhood meeting within six-months of the application date. The applicant completed a notice to adjacent property owners within 300ft and completed an on-site posting. The meeting was held April 5th, 2024, and there were two attendees.

COMMENTS RECEIVED

Comments were received from City Planner Eric Mongan on May 2, 2024. These comments are addressed in this staff report and are included in the conditions of approval.

South Lane Fire and Rescue was solicited for comments, and provided none.

Lane County was solicited for comments, and provided none.

APPROVAL CRITERIA; CUP 1-24

Chapter 14.44.400 Conditional Use Permits - Criteria, Standards and Conditions of Approval.
The City shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the standards and criteria below:

A. Use Criteria.

- 1. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic conditions;***

Staff response and findings of fact:

Per Table 14.25.110 Land Uses Allowed in the Parks & Recreation District, a BMX track is permitted through a Conditional Use process, hence this application.

The subject parcel is an overall size of 43.97ac, and the proposed BMX track will be approximately 2ac located on the south-eastern portion of the parcel. The topography of the subject site is relatively flat, as the previous BMX track was leveled. The applicant is proposing to add fill to create various sections of the course. The applicant is proposing to place two conex boxes on site to use as concessions/registration booth and tool/loaner equipment storage, as well as a 6ft chain link fence around the outside of the physical track, and barriers in place around the track to keep the riders and spectators safe during events, keeping the track clear of non-racers.

The proposed site for the project is located along an existing parking lot, which is currently utilized as river access parking / boat ramp loading. There are two access points to this parking lot and the Cottage Grove Water Treatment Plant, and one access point on the west end of the parking lot, where vegetation debris is placed in the summer months. The applicant has proposed to grade and rock the parking lot in

the winter months to provide a level smooth area. The applicant has proposed approximately 65 parking spaces, and three handicap parking spaces are proposed with a path leading to the main entrance.

The applicant stated in their narrative that evening races will be held on Wednesdays, with registration from 6-7pm, during which noise, light, and glare will be present. The applicant states races can vary in time from approximately 2-4 hours, depending on how many entrants there are.

Dust from the track is proposed to be maintained with the use of the on-site well. Vibrations, exhaust/emissions, and odor are not consistent with the proposed use. The applicant will ensure that any erosion that occurs with the use of the track will be mitigated and contained and will not runoff into the Row River.

The site size, dimensions, location, topography, and access are adequate for the needs of the proposed use. This criterion is met as conditioned.

2. The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval;

Staff response and findings of fact:

Negative impacts upon adjacent properties include light spill, noise, glare, and possible erosion. Any exterior lighting shall be directed downward only and shielded to prevent lighting spillover into any adjacent residential district or use, and shall be a condition of approval.

The applicant's narrative states that "Slabtown BMX will make every effort possible to stay at a reasonably safe level of noise. All events will be viewable on Facebook as well as our USA BMX provided website. No vibrations or odor should be noticed from the Slabtown Track location. Light and glare will only be noticed during night events, again this will be limited to only during active events set during normal noise curfew". In Title 8 of the Cottage Grove Municipal Code, it states that the hours where unreasonable noise is enforced is before 7am and after 9pm. Active racing will be considered for the noise ordinance.

3. All required public facilities have adequate capacity to serve the proposal; and

Staff response and findings of fact:

The proposed development will have limited improvements beyond site grading, landscaping, and fencing. The applicant plans to utilize the existing well on-site, and intends to provide portable toilets in response to the sanitation required.

Additional comments regarding public facilities can be found below and in Exhibit A. These comments shall be considered conditions of approval. This criterion is met.

4. Willamette River Greenway criteria in Section 14.37.400 have been met, as applicable.

Staff response and findings of fact:

The Willamette River Greenway is not located on nor near the subject parcel. This criterion is not applicable.

B. Site Design Standards. The Site Design Review approval criteria (Section 14.25.140) shall be met.

Staff response and findings of fact:

The above criteria are addressed in the staff response and findings of fact below. This criterion has been met.

C. Conditions of Approval. The City may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, the following:

- 1. Limiting the hours, days, place and/or manner of operation;***
- 2. Requiring site or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor and/or dust;***
- 3. Requiring larger setback areas, lot area, and/or lot depth or width;***
- 4. Limiting the building or structure height, size or lot coverage, and/or location on the site;***
- 5. Designating the size, number, location and/or design of vehicle access points or parking areas;***
- 6. Requiring street right-of-way to be dedicated and street(s), sidewalks, curbs, planting strips, pathways, or trails to be improved;***
- 7. Requiring landscaping, screening, drainage, water quality facilities, and/or improvement of parking and loading areas;***
- 8. Limiting the number, size, location, height and/or lighting of signs;***
- 9. Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;***
- 10. Requiring berms, screening or landscaping and the establishment of standards for their installation and maintenance;***
- 11. Requiring and designating the size, height, location and/or materials for fences;***
- 12. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, cultural resources, and/or sensitive lands (Chapter 14.37);***
- 13. Requiring the dedication of sufficient land to the public, and/or construction of pedestrian/bicycle pathways in accordance with the adopted plans, or requiring the recording of a local improvement district non-remonstrance agreement for the same. Dedication of land and construction shall conform to the provisions of Chapter 14.31, and Section 14.31.300 in particular;***
- 14. Requiring any conditions of approval deemed necessary to meet criteria and conditions of Section 14.37.400 Willamette River Greenway.***

Staff response and findings of fact: The above criteria are addressed in the staff response and findings of fact below. This criterion has been met.

14.44.500 Conditional Use Permits - Additional Development Standards

A. Concurrent Variance Application(s). A conditional use permit shall not grant variances to regulations otherwise prescribed by the Development Code. Variance application(s) may be filed in

conjunction with the conditional use application, and both applications may be reviewed at the same hearing.

Staff response and findings of fact:

There is not a concurrent Variance application to this Conditional Use Permit application. This criterion is not applicable.

B. Additional Development Standards. Development standards for specific uses are contained in Chapter(s) 14.25, 14.31, 14.32, 14.33, 14.34, 14.35, & 14.37.

Staff response and findings of fact:

The above criteria are addressed in the staff response and findings of fact below. This criterion is met as proposed.

14.25.110 Land Uses Allowed in the Parks & Recreation District

Table 14.25.110 identifies the land uses that are allowed in the Parks & Recreation District. The specific land use categories are described and uses are defined in Chapters 14.13 and 14.14, and with more specificity in the adopted City of Cottage Grove Master Parks Plan.

TABLE 14.25.110 -- Land Use in Parks & Recreation District (PR)

USE Categories (Examples of uses are in Chapter 14.14; definitions are in Chapter 14.13)		Parks & Recreation (PR)
<ul style="list-style-type: none"> - Public or private climbing walls, BMX tracks, skate parks, and boat ramps 		CU
<ul style="list-style-type: none"> - Dog parks 		CU

Staff response and findings of fact:

The proposed development is a BMX track and per Table 14.25.10, this is a CU – Conditionally Permitted Use, hence this application. This criterion has been met.

14.25.120 Parks & Recreation District – Setback Yards

A. Purpose. Setback yards provide separation between park and non-park uses for fire protection/security, building maintenance, sunlight and air circulation, noise buffering, and visual separation.

B. Applicability. The setback yard standards in subsections C through G of this section are minimum standards that apply to buildings, accessory structures, mechanical equipment, and other development. In granting a Conditional Use Permit or Master Plan, the planning commission may increase the standard yards if necessary to meet the criteria in Chapter 14.44. The planning commission may also decrease the standard yards through the CUP process; provided, that all applicable building and fire safety codes are met and impacts to adjoining properties have been considered.

C. Front and Street Yard Setbacks. All front and street-facing yard setbacks shall be a minimum of 15 feet. The front or street-facing yard shall not be used for regular or constant parking of automobiles or other vehicles.

D. Rear Yard Setbacks. Building, structures and accessory uses shall be setback not less than 5 feet from the rear property line.

E. Side Yard Setbacks. Each development shall maintain a side yard of not less than 5 feet. Side yards shall not be used for the regular or constant parking of automobiles or storage of boats, trailers, furniture, accessory buildings, etc.

F. Riparian Setbacks. Structures shall not be located closer than 50 feet from the ordinary high water line or 25 feet from the top of the river bank of a Class I stream, whichever is greater. The Planning Commission may allow a lesser setback if documentation is provided that existing riparian vegetation does not and has not extended into the setback area within the last year.

G. Floodway. No new structures shall be permitted within the floodway of the Coast Fork of the Willamette River, the Row River, or Silk Creek.

Staff response and findings of fact:

The proposed BMX track meets front, rear, and side setback standards as proposed. The proposed conex container that will house registration/concessions is located at least 15ft from the front property line, and the proposed conex container that will be storage is located approximately 100ft from the front property line. These proposed structures are located well outside the side or rear setback standards.

Future additions to the track shall meet development code criterion for Modification to Approval and will be required to meet standards set forth in Section 14.25.120. The subject property is within the riparian area, but the proposed location of the BMX track is located well outside the riparian area, and is not located in the floodway. This criterion is met as proposed.

14.25.130 Parks & Recreation District – Lot Coverage

Maximum lot coverage, including all impervious surfaces, shall not exceed 40 percent. This lot coverage may be exceeded through a conditional use or Master Plan permit.

Staff response and findings of fact:

The subject parcel is already developed with the City's Water Treatment Plant, which is a total of approximately 13,000sqft. The proposed conex boxes are a total of 640sqft (two 8'x40' containers), and the overall proposed BMX track is approximately 2ac. Given the site is 43.97ac, the proposed use combined with the existing development does not come close to the 40% maximum lot coverage. This criterion is met as proposed.

14.25.140 Parks & Recreation District – Site Layout and Design

A. Applicability. Section 14.25.140 is intended to provide flexibility in development while providing for compatibility of parks and recreation uses through the application of discretionary standards.

Parks and recreation uses and developments shall be oriented on the site to minimize adverse impacts (e.g., noise, glare, dust, parking, traffic, vibration, etc.) and to provide compatibility with adjacent uses to the extent practicable.

The following standards shall apply to all development in the Parks & Recreation District that are subject to Site Design Review or require a Conditional Use Permit, including those reviewed as part of a Master Planned Development.

B. Development Compatibility.

1. *Mechanical equipment, lights, parking and other components of a parks or recreation use that are outside enclosed buildings shall be located away from adjacent residential areas to the maximum extent practicable; and*
2. *The City may require a landscape buffer, or other visual or sound barrier (fence, wall, landscaping, or combination thereof), to mitigate adverse impacts that cannot be avoided; and*
3. *Protection and enhancement of water quality shall be required. No dumping of yard or household waste, no use of chemical pesticides or herbicides in wetlands, riparian areas or near water, and no dumping of hazardous waste will be allowed; and*
4. *The architectural standards in Section 14.23.170 shall be met for all buildings over 2,000 square feet in footprint. For the purpose of meeting the build-to line standards in subsection 14.23.170.B(4), the build-to line is parallel to all abutting street property lines at a distance of 60 feet from the street property line; and*
5. *Master signage plans shall be created for uses requiring Conditional Use or Master Planned Development approval; and*
6. *New or expanding uses that require either Conditional Use or Master Planned Development approval shall ensure that site access and internal and external circulation patterns meet the requirements of Section 14.31.*

Staff response and findings of fact:

The proposed BMX track is located along the south-eastern end of the parcel, in the location of the previously approved track. There is an existing parking lot that will be utilized by the applicant. The applicant proposes six lights along the track that will be within the fenced area of the subject site, and utilized during night races for the safety of the riders and for clean-up. There is an adjacent residential parcel to the east across the river, and one to the south-west, across Row River Road, and not directly adjacent to the proposed development. As mentioned above, any exterior lighting shall be directed downward only and shielded to prevent lighting spillover into any adjacent residential district or use

Protection and enhancement of water quality is a requirement. There shall be no dumping of yard, household, or hazardous waste and no use of chemical pesticides or herbicides. The proposed project site is located outside of the Local Wetlands Inventory space (to the north of the site), and outside the Riparian area and not located near water. The applicant will need to place trash receptacles at the site to minimize the potential dumping of waste. This shall be a condition of approval.

The applicant has stated they will have a minimum of 10 signs, which will include park rules and exceptions, hours of operations, and donor signs. There were not any signs submitted as part of this application. At the time of Sign permit submittal, the applicant must submit a master signage plan that conforms to Chapter 14.38. This shall be a condition of approval.

This criterion has been met as conditioned.

C. Buffering & Other Yard Requirements.

1. ***Buffering.*** *The approval body shall require landscaping, fences, walls or other buffering that exceed the landscaping standards in Chapter 14.32 when it finds through Site Design Review (Chapter 14.42), Conditional Use Permit review (Chapter 14.44), and/or Master Planned Development review (Chapter 14.45), as applicable, that more or different buffering is necessary to mitigate adverse noise, light, glare, and/or aesthetic impacts to adjacent properties.*

Staff response and findings of fact:

As stated in previous sections of this staff report the applicant proposes the installation of a 6ft chain link fence around the perimeter of the course, and staff does not require additional buffering mechanisms. This criterion is met as proposed.

2. Pedestrian Access. Interconnectivity between neighborhoods and/or park and pedestrian facilities shall be emphasized in design. The approval body may require the construction of pedestrian access ways through required buffers to ensure pedestrian connections within large developments or connecting to public sidewalks, walkways, or multi-use pathways. The design of access ways shall conform to Section 14.31.300.

Staff response and findings of fact:

The existing County right-of-way cross section does not include sidewalks, therefore, this criterion is not applicable.

14.25.150 Park & Recreation District – Building and Structure Height

The maximum allowable height of buildings and structures in the PR districts is 30 feet, except that taller buildings and structures are allowed when approved as part of a Conditional Use Permit or Master Plan, provided they conform to the R/R-1 height step-down.

Staff response and findings of fact:

The applicant is not proposing at this time to build any permanent structures. If / when they decide to do so, the applicant shall go through the Modification to Approval process as outlined in Chapter 14.46, and shall comply with the height limitation of 30ft. This criterion is met as proposed.

14.25.160 Parks & Recreation District – Master Plan Development Requirement

In order to ensure good planning of large-scale public and/or private parks, the following parks and recreation uses require the approval of a Master Planned Development per Section 14.45:

- ***Community parks***
- ***Natural Resource areas***
- ***Interpretive centers greater than ½ acre in size***
- ***Public or private racetracks or speedways***
- ***Public or private recreation facilities, including golf, swimming, tennis and country clubs***
- ***Public or private organized sports fields not on school district property, fairgrounds or arenas***

Before approving a Master Planned Development, the approval body shall ensure that the proposed development meets the conditions stipulated in sections 14.25.110 through 14.25.150.

Staff response and findings of fact:

Per Table 14.25.110 a BMX track is a CU – Conditionally Permitted Use, therefore no Masterplan is required. This criterion is not applicable.

Chapter 14.31 - Access and Circulation:

14.31.100 Purpose

The purpose of this Chapter is to ensure that developments provide safe, efficient and attractive access and circulation for pedestrians and vehicles. Section 14.31.200 provides standards for vehicular access and circulation. Section 14.31.300 provides standards for pedestrian access and circulation. Standards for streets and other transportation system improvements are provided in Section 14.34.100.

14.31.200 Vehicular Access and Circulation

A. Intent and Purpose. *The intent of this Section is to manage access to land uses and on-site circulation, and to preserve the transportation system in terms of safety, capacity, and function. This Section applies to all public streets within the City of Cottage Grove, and to all properties that abut these roadways. This Section implements the access management policies of the Cottage Grove Transportation System Plan.*

B. Applicability. *This Chapter applies to all public streets within the City and to all properties that abut these streets. The standards apply when lots are created, consolidated, or modified through a land division, partition, lot line adjustment, lot consolidation, or street vacation; and when properties are subject to Land Use Review or Site Design Review.*

C. Access Permit Required. *Access (e.g., a new curb cut or driveway approach) to a public street requires an Access Permit. An access permit may be in the form of a letter to the applicant, or it may be attached to a land use decision notice as a condition of approval. In either case, approval of an access permit shall follow the procedures and requirements of the applicable road authority (i.e. Cottage Grove, Lane County or ODOT), Permits shall be processed as Type I applications, normally at time of Land Use Review. If the developer proposes exceptions to the standards of this chapter, the permit shall be processed as a Type II application.*

Staff response and findings of fact:

The applicant is proposing to use existing access points off Row River Rd, which is under Lane County jurisdiction. Lane County was notified of this application, and as a condition of approval, the applicant shall obtain all necessary access / right-of-way permits as required by Lane County. This criterion is met as conditioned.

D. State Access Permits. *ODOT has responsibility and authority in managing access to State Highways. Projects with direct access onto a State Highway shall be required to obtain a State access permit. An approved State access permit must be submitted as part of all Type II and III land use permits. Conditions placed by the State upon these access permits shall be considered conditions of approval for all applicable development approvals.*

Staff response and findings of fact:

Row River Rd is not under ODOT jurisdiction. This criterion is not applicable.

E. Traffic Study Requirements. *The City may require a traffic study prepared by a qualified professional to determine access, circulation, and other transportation requirements in conformance with Section 14.41.900, Traffic Impact Study.*

Staff response and findings of fact:

No traffic study is required. This criterion is not applicable.

F. Conditions of Approval. *The City may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared*

driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system.

Staff response and findings of fact:

The City at this time is not requiring items in 14.31.200(F). This criterion is not applicable.

G. Corner and Intersection Separation; Backing onto Public Streets. New and modified accesses shall conform to the following standards:

- 1. Except as provided under subsection 4, below, the distance from a street intersection to a driveway or other street access shall meet the minimum spacing requirements for the street's classification in the City's Transportation System Plan. No driveway approach may be located closer to the corner than 30 feet on local streets, 50 feet on collector streets, and 75 feet on arterials;***
- 2. When the above requirements cannot be met due to lack of frontage, the driveway may be located such that the driveway apron will begin at the farthest property line, but at no time shall new property access be permitted within 30 feet of an intersection. Where no other alternatives exist, the City may allow construction of an access connection at a point less than 30 feet from an intersection, provided the access is as far away from the intersection as possible (See Figure 14.31.200.G). In such cases, the City may impose turning restrictions (i.e., right in/out, right in only, or right out only);***
- 3. Access to and from off-street parking areas shall not permit backing onto a public street, except for single-family and two-family dwellings;***
- 4. The City may reduce required separation distance of access points where they prove impractical due to lot dimensions, existing development, other physical features, or conflicting code requirements, provided all of the following requirements are met:***
 - a. Joint-use driveways and cross-access easements are provided in accordance with subsection 14.31.200.H;***
 - b. The site plan incorporates a unified access and circulation system in accordance with this Section; and***
 - c. The property owner(s) enter in a written agreement with the City, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint-use driveway.***

Staff response and findings of fact:

There are no proposed new or modified access points to the proposed development. If the applicant does alter the access points, the applicant shall acquire all required permits from Lane County, as stated above. This criterion is met as proposed.

H. Site Circulation. New developments shall be required to provide a circulation system that accommodates expected traffic on the site. Pedestrian connections on the site, including connections through large sites, and connections between sites (as applicable) and adjacent sidewalks, must conform to the provisions in Section 14.31.300.

Staff response and findings of fact:

The applicant is proposing to utilize an existing site circulation system that is used by Row River Nature Park and boat / river patrons. The applicant states in their narrative that “day parking will be open to the public to access the walking trails and river outside of events. Day parking may be limited or not available during large race events. No overnight camping will be allowed.” The proposed fencing surrounding the track will be at the back edge of the drive aisle, to allow access to the river / boat ramp. At no time shall the applicant close off this drive aisle that allows access to the river/boat ramp; this shall be a condition of approval. This criterion is met as conditioned.

I. Joint and Cross Access – Requirement. The number of driveway and private street intersections with public streets should be minimized by the use of shared driveways for adjoining lots where feasible. When necessary for traffic safety and access management purposes, or to access flag lots, the City may require joint access and/or shared driveways in the following situations as follows:

- 1. For shared parking areas;***
- 2. For adjacent developments, where access onto an arterial is limited;***
- 3. For multi-tenant developments, and multi-family developments on multiple lots or parcels. Such joint accesses and shared driveways shall incorporate all of the following:***
 - a. A continuous service drive or cross-access corridor that provides for driveway separation consistent with the applicable transportation authority’s access management classification system and standards;***
 - b. A design speed of 10 miles per hour and a maximum paved width of 24 feet, in addition to any parking alongside the driveway; additional driveway width or fire lanes may be approved when necessary to accommodate specific types of service vehicles, loading vehicles, or emergency service provider vehicles;***
 - c. Driveway stubs to property lines (for future extension) and other design features to make it easy to see that the abutting properties may be required with future development to connect to the cross-access driveway;***
 - d. Fire Department-approved turnaround for service drives or driveways over 150 feet long.***

Staff response and findings of fact:

The applicant has a contract with the City of Cottage Grove to use this portion of the land. This criterion is not applicable.

L. Access Connections and Driveway Design. All commercial and industrial driveway connections to a public right-of-way (access) and driveways shall conform to all of the following design standards:

Staff response and findings of fact:

The proposed development is not classified as a commercial or industrial use, therefore, this criterion is not applicable.

M. Fire Access and Turnarounds. When required under the Uniform Fire Code, fire access lanes with turnarounds shall be provided. Except as waived in writing by the Fire Marshal, a fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing public street or approved fire equipment access drive. The drive shall contain unobstructed adequate aisle width of 20 feet with paved surface between 14-20 feet, an unobstructed vertical clearance of 13 feet 6 inches and approved turn-around area for emergency vehicles, as required by the current adopted Oregon Fire Code. The Fire Marshal may require that fire lanes be marked as “No Stopping/No Parking.” For requirements related to cul-de-sacs or dead-end streets, please refer to Section 14.34.100.N.

Staff response and findings of fact:

South Lane Fire & Rescue did not have comments on this proposal. This criterion is met as proposed.

N. Vertical Clearances. Driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13 feet 6 inches for their entire length and width.

Staff response and findings of fact:

Driveways, private streets, aisles, turn-around areas and ramps are not proposed. This criterion is not applicable.

O. Vision Clearance. No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) between 2 1/2 feet and 8 feet in height shall be placed in “vision clearance areas” on streets, driveways, alleys, or mid-block lanes, as shown in Figure 14.31.200.N. The minimum vision clearance area may be modified by the City Engineer upon finding that more or less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). This standard does not apply to light standards, utility poles, trees trunks and similar objects.

Staff response and findings of fact:

The proposed development does not include any solid fence in the clear vision area. As a condition of approval, no sign, solid fence, structure, nor shrub vegetation shall be placed within the vision clearance area. This criterion is met as conditioned.

P. Construction. The following development and maintenance standards shall apply to all driveways, parking areas, turnarounds, alleys and private streets:

1. Surface Options. Driveways, parking areas, alleys, aisles, and turnarounds may be paved with asphalt, concrete, or comparable surfacing, or an approved durable non-paving or porous paving material, excluding gravel, may be used to reduce surface water runoff and protect water quality. Driveway and street materials shall be subject to review and approval by the City Engineer.

2. Surface Water Management. When non-porous paving is used, all driveways, parking areas, alleys, aisles, and turnarounds shall have on-site collection of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with Chapter 14.35 and applicable engineering standards. Single-family and two-family dwellings shall be exempt from this standard.

Staff response and findings of fact:

The applicant is not proposing new a new driveway, parking area, alley, aisle, nor turnaround. This criterion is not applicable.

3. ***Driveway Aprons.*** *When driveway approaches or “aprons” are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing and conform to the City’s engineering design criteria and standard specifications. (See general illustrations in Section 14.31.200 L, above.)*

Staff response and findings of fact:

The applicant is not proposing new driveway aprons. If any changes are made to the existing approaches, the applicant shall obtain the necessary permits from Lane County. This criterion is met as proposed.

14.31.300 Pedestrian Access and Circulation

A. Site Layout and Design. *To ensure safe, direct, and convenient pedestrian circulation, all developments, except single-family and two-family detached housing (i.e., on individual lots), shall provide a continuous pedestrian system. The pedestrian system shall be based on the standards in subsections 1-3, below:*

1. Continuous Walkway System. *The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property with a previously reserved public access easement for this purpose, in accordance with the provisions of Section 14.31.200, Vehicular Access and Circulation, and Section 14.34.100, Transportation Standards.*

2. Safe, Direct, and Convenient. *Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:*

- a. Reasonably direct.*** *A route that does not involve a significant amount of out-of-direction travel for likely users.*
- b. Safe and convenient.*** *Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.*
- c. “Primary entrance”*** *for commercial, industrial, mixed use, public, and institutional buildings is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.*
- d. “Primary entrance”*** *for residential buildings is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the “primary entrance” may be a lobby, courtyard, or breezeway that serves as a common entrance for more than one dwelling.*

Staff response and findings of fact:

The applicant has proposed a walkway from the ADA parking spaces to the track. This criterion is met as proposed.

3. **Connections Within Development.** *Connections within developments shall be provided as required in subsections a-c, below:*

a. *Walkways shall connect all building entrances to one another to the extent practicable, as generally shown in Figure 14.31.300.A(1);*

b. *Walkways shall connect all on-site parking areas, storage areas, recreational facilities and common areas, and shall connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections, as generally shown in Figure 14.31.300.A(1); and*

c. *Large parking areas shall be broken up so that no contiguous parking area exceeds 3 acres. Parking areas may be broken up with plazas, large landscape areas with pedestrian access ways (i.e., at least 20 feet total width), streets, or driveways with street-like features. Street-like features, for the purpose of this section, means a raised sidewalk of at least 4-foot in width, with 6-inch curb, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian-oriented lighting. (See also standards in Section 14.23.150.)*

Staff response and findings of fact:

This criterion is not applicable.

B. Walkway Design and Construction. *Walkways, including those provided with pedestrian access ways, shall conform to all of the standards in subsections 1-5, as generally illustrated in Figure 14.31.300.B:*

1. **Vehicle/Walkway Separation.** *Except for crosswalks (subsection 2), where a walkway abuts a driveway or street, it shall be raised 6 inches and curbed along the edge of the driveway/street. Alternatively, the decision body may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or concrete bollards designed for withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians.*

2. **Crosswalks.** *Where walkways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with striping or contrasting paving materials (e.g., light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area.*

3. **Walkway Width and Surface.** *Walkway and access way surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the City Engineer, at least 6 feet wide. Multi-use paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt, at least 10 feet wide. (See also, Section 14.34.100 - Transportation Standards for public, multi-use pathway standard.)*

4. **Accessible routes.** *Walkways shall comply with applicable Americans with Disabilities Act (ADA) requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.*

5. **Sidewalk construction and maintenance.** *Sidewalk construction and maintenance shall be the responsibility of the abutting property owner.*

Staff response and findings of fact:

The only proposed walkway is from the ADA accessible parking spaces to the entrance of the track. Any improved walkway shall comply with minimum ADA regulations, and shall be a condition of approval. This criterion is met as conditioned.

Section 14.32.200 - Landscape Conservation prevents the indiscriminate removal of significant trees and other vegetation, including vegetation associated with streams, wetlands, and other protected natural resource areas. This section cross-references Chapter 14.37, which regulates development of sensitive lands.

Staff response and findings of fact:

The subject location of the track is located where there are trees and vegetation, but they do not qualify as significant. The parent lot where this track will be located does have sensitive lands on it, but the location of the proposed development is outside local and national wetlands, the Riparian area, floodplain, and floodway. This criterion is met as proposed.

14.32.300 Landscaping

A. Applicability. This Section shall apply to all new developments requiring Site Design Review. This section is not applicable to single-family or two-family dwellings.

B. Landscaping Plan Required. A landscape plan is required. All landscape plans shall conform to the requirements in Chapter 14.42.500, Section B.5 (Landscape Plans).

C. Landscape Area Standards. The minimum percentage of required landscaping equals:

- 1. Parks & Recreation District: 0% of the site***

Staff response and findings of fact:

There is not a landscaping requirement within the PR – Parks and Recreation Zone. This criterion is not applicable.

14.32.400 Street Trees

Street trees shall be planted for all developments that are subject to Subdivision, Master Plan or Site Design Review. Requirements for street tree planting strips are provided in Section 14.34.100, Transportation Standards. Planting of street trees shall generally follow construction of curbs and sidewalks; however, the City may defer tree planting until final inspection of completed dwellings to avoid damage to trees during construction. The planting and maintenance of street trees shall conform to the following standards and guidelines and any applicable road authority requirements:

A. Growth Characteristics. Trees shall be selected based on climate zone, growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following should guide tree selection by developers and approval by the City:

- 1. Provide a broad canopy where shade is desired and over pedestrian walkways or parking areas, except where limited by available space or except in section 4.***
- 2. Use low-growing trees for spaces under low utility wires.***
- 3. Select trees that can be “limbed-up” to comply with vision clearance requirements.***

4. *Use narrow or “columnar” trees where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.*
5. *Use species with similar growth characteristics on the same block for design continuity.*
6. *Avoid using trees that are susceptible to insect damage and trees that produce excessive seeds or fruit.*
7. *Select trees that are well-adapted to the environment, including soil, wind, sun exposure, temperature tolerance, and exhaust. Drought-resistant trees should be chosen where they suit the specific soil type.*
8. *Select trees for their seasonal color if desired.*
9. *Use deciduous trees for summer shade and winter sun, unless unsuited to the location due to soil, wind, sun exposure, annual precipitation, or exhaust.*
10. *The diameter of the tree trunk at maturity shall not exceed the width and size of the planter strip or tree well.*

B. Caliper Size. *The minimum diameter or caliper size at planting, as measured 4 feet above grade, shall be 2 inches.*

C. Spacing and Location. *Street trees shall be planted within the street right-of-way within existing and proposed planting strips or in sidewalk tree wells on streets without planting strips, except when utility easements occupy these areas. Selected street tree species should be low maintenance and not interfere with public safety. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity and, at a minimum, the planting area shall contain 16 square feet, or typically, 4 feet by 4 feet. In general, trees shall be spaced no more than 30 feet apart, except where planting a tree would conflict with existing trees, retaining walls, utilities and similar physical barriers. All street trees shall be placed outside utility easements. If preexisting utility easements prohibit street trees within the sidewalk, required trees may be located in the front yard setback or within other required landscape areas as approved by the approval body.*

D. Soil Preparation, Planting and Care. *The developer shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation for three years after planting. The developer shall also be responsible for tree care (pruning, watering, fertilization, and replacement as necessary) during the first three years after planting, after which the adjacent property owners shall maintain the trees.*

E. Street Tree List. *See the following list for appropriate street trees. The developer may plant a tree species not included on this list when approved by the Community Development Director.*

Staff response and findings of fact:

Street trees are not required at this time. This criterion is not applicable.

14.32.500 Fences and Walls

Construction of fences and walls shall conform to all of the following requirements:

A. General Requirements. *All fences and walls shall comply with the height limitations of the respective zoning district (Division 2) and the standards of this section. The city may require*

installation of walls and/or fences as a condition of development approval, in accordance with land division approval (e.g., flag lots), approval of a conditional use permit, or site design review approval. If a fence is approved for greater than seven feet in height, a building permit is also required. Any wall over four feet in height (measured from the bottom of the footing to the top of the wall) shall require a building permit and appropriate design from a licensed engineer. Fences must be located on private property. Fences and walls proposed on public right-of-way or public easements shall be subject to land use review approval.

B. Dimensions.

- 1. Except as provided under subsections (B)(2) and (3) of this section, the height of fences and walls within a front yard setback shall not exceed four feet as measured from the grade closest to the street right-of-way.*
- 2. A retaining wall exceeding four feet in height within a front yard setback, which is necessary for site grading and development, may be approved through a land division or site development review.*
- 3. No fence or wall may exceed seven feet in height. Exceptions to this standard may be approved through a variance, master planned development or site design review.*
- 4. One arbor, gate, or similar garden structure not exceeding 10 feet in height and 25 square feet in ground coverage, and having an entrance with a minimum clearance of 36 inches in width and 80 inches in height, is allowed within each yard abutting a street; provided, that it is not within a clear vision triangle.*
- 5. Walls and fences to be built for required buffers shall comply with Section 14.32.300.*
- 6. Fences, walls and hedges shall comply with the vision clearance standards of Section 14.31.200.*

C. Maintenance. *For safety and for compliance with the purpose of this chapter, walls and fences required as a condition of development approval shall be maintained in good condition, or otherwise replaced by the property owner.*

D. Materials.

- 1. Permitted fence and wall materials: wood; metal; bricks, stone; concrete block; stucco, or similar masonry; and non-prohibited evergreen plants.*
- 2. Prohibited fence and wall materials: straw bales; barbed or razor wire; scrap lumber, scrap metal, or other scrap materials; hedges higher than eight feet. Barbed wire on top of chain link or other fencing may only be approved on industrial, commercial or institutional use categories through a Class B variance (Section 14.51.400).*
- 3. Retaining walls constructed of brick or masonry exceeding four feet in height (as measured from bottom of footing to top coping) shall be subject to building permit review and approval by the city building official. Design of such walls shall be certified by a licensed architect or engineer.*

Staff response and findings of fact:

The applicant has proposed a 6ft tall fence surrounding the outside of the physical track with three emergency access gates. Any additional proposed retaining walls or fences must adhere to Section 14.32.500, and shall be a condition of approval. This criterion is met as conditioned.

Chapter 14.33 - Parking and Loading;

14.33.100 Purpose

The purpose of this Chapter is to provide basic and flexible standards for development of vehicle and bicycle parking. The design of parking areas is critically important to the economic viability of some commercial areas, pedestrian and driver safety, the efficient and safe operation of adjoining streets, and community image and livability. Because vehicle parking facilities occupy large amounts of land, they must be planned and designed carefully to use the land efficiently, minimize stormwater runoff, and maintain the visual character of the community. This Chapter recognizes that each development has unique parking needs and provides a flexible approach for determining parking space requirements (i.e., “minimum” and “performance-based” standards). This Chapter also provides standards for bicycle parking because many people use bicycles for recreation, commuting, and general transportation. Children as well as adults need safe and adequate spaces to park their bicycles throughout the community.

14.33.200 Applicability

All developments subject to site design review (Chapter 14.42), including development of parking facilities, shall comply with the provisions of this Chapter.

14.33.300 Automobile Parking Standards

A. Applicability. *All development within the City of Cottage Grove shall comply with the provisions of this Chapter.*

B. Vehicle Parking - Minimum Standards by Use. *The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 14.33.300.A, or alternatively, through a separate parking demand analysis prepared by the applicant and subject to a Type II Land Use Review (or Type III review if the request is part of an application that is already subject to Type III review). Where a use is not specifically listed in this table, parking requirements are determined by finding that a use is similar to one of those listed in terms of parking needs, or by estimating parking needs individually using the demand analysis option described above. Parking that counts toward the minimum requirement is parking in garages, carports, parking lots, bays along driveways, and shared parking. There is no minimum number of off-street parking spaces required in the Central Business District (or in designated downtown historic district); however, the “maximum parking” standards of this Chapter apply.*

Staff response and findings of fact:

Per Table 14.33.300 A, “Parks and Open Space” do not require parking spaces except for as needed for ADA compliance and as required by Conditional Use Permit. The location of the proposed development’s parking is already an existing lot used by park and river patrons. This criteria is not applicable.

C. Credit for On-Street Parking. *The amount of off-street parking required may be reduced by one off-street parking space for every on-street parking space abutting a commercial or industrial development, up to 50 percent of the requirement. On-street parking shall follow the established or approved configuration of existing on-street parking, except that angled parking may be allowed for*

some streets, where permitted by City, ODOT and/or County standards. Parking credit can only be granted for developments with frontage on streets that allow parking on both sides.

One on-street parking space shall be defined as follows:

- 1. Parallel parking, each 24 feet of uninterrupted curb, where allowed;*
- 2. 45 degree diagonal, each 14 feet of curb, where allowed;*
- 3. 90 degree (perpendicular) parking, each 12 feet of curb, where allowed;*
- 4. Curb space must be connected to the lot that contains the use;*
- 5. Parking spaces will not obstruct a required clear vision area or violate any law; and*
- 6. On-street parking spaces credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or action limiting general public use of on-street spaces is permitted except as permitted by City Council.*

Staff response and findings of fact:

No parking is required within the Parks & Recreation Zone. This criterion is not applicable.

D. Vehicle Parking - Minimum Accessible Parking.

- 1. Accessible parking shall be provided for all uses in accordance the standards in Table 14.33.300.B; parking spaces used to meet the standards in Table 14.33.300.B shall be counted toward meeting off-street parking requirements in Table 14.33.300.A;*
- 2. Such parking shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the entrance on an unobstructed path or walkway. Accessible routes should be linked to required access aisles;*
- 3. Accessible spaces shall be grouped in pairs where possible;*
- 4. Where covered parking is provided, covered accessible spaces shall be provided in the same ratio as covered non-accessible spaces;*
- 5. Required accessible parking spaces shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities; signs shall be posted directly in front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level. Van spaces shall be specifically identified as such.*

Staff response and findings of fact:

The applicant has proposed three ADA accessible parking spaces, and approximately 65 regular parking spaces. Per Table 14.33.300, due to the amount of proposed parking, a minimum of three ADA accessible parking spaces and one ADA van accessible space is required. The three ADA and one van accessible spaces shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities; signs shall be posted directly in front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level. Van spaces shall be specifically identified as such. Each ADA accessible space must comply with ADA standards for dimensions and identification. This shall be a condition of approval. This criterion is met as conditioned.

E. Off-site parking. Except for single-family or two-family dwellings, the vehicle parking spaces required by this Chapter may be located on another parcel of land, provided the parcel is within 400 feet of the use it serves, commercial parking is allowed in the underlying zone, and the City has approved the off-site parking through Land Use Review. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument as approved by the Community Development Director. This binding agreement may restrict future changes to the property.

Staff response and findings of fact:

The applicant proposes to utilize on-site parking. This criterion is not applicable.

H. Maximum Number of Parking Spaces. The number of parking spaces provided by any particular use in ground surface parking lots shall not exceed the minimum number of spaces required for each use as provided by this Section by more than 50%. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking or under-structure parking, or in multi-level parking above or below surface lots, shall not apply toward the maximum number of allowable spaces. Parking spaces provided through “shared parking” also do not apply toward the maximum number.

Staff response and findings of fact:

As stated above, there are no minimum number of parking spaces required in the Parks & Recreation Zone. This criterion is not applicable.

I. Parking Stall Design and Minimum Dimensions. All off-street parking spaces shall be improved to conform to City standards for surfacing, stormwater management, and striping. Standard parking spaces shall conform to the following standards and the dimensions in Figures 14.33.300.F(1) through (4), and Table 14.33.300.F:

- 1. Motor vehicle parking spaces shall measure minimum 9 feet wide by 18 feet long;***
- 2. For large parking lots exceeding 20 stalls, alternate rows may be designated for compact cars provided that the compact stalls do not exceed 30% of the total required stalls. A compact stall shall measure minimum 8 feet in width and 17 feet in length and shall be signed for compact car use;***
- 3. All parallel motor vehicle parking spaces shall measure 9 feet by 22 feet unless within a public right-of-way, when they shall measure a minimum of 7 to 8 feet by 22 feet;***
- 4. Parking area layout shall conform to the dimensions in Figure 14.33.300.F(1) and (2), and Table 14.33.300F, below;***
- 5. Public alley width may be included as part of dimension “D” in Figure 14.33.300.F(1), but all parking stalls must be on private property;***
- 6. Parking areas shall conform to Federal Americans With Disabilities Act (ADA) standards and Oregon Structural Specialty Code for parking spaces (dimensions, van accessible parking spaces, etc.). Parking structure vertical clearance, van accessible parking spaces, should refer to Federal ADA guidelines; and***

7. Bicycle parking shall be on a 2 feet by 6 feet minimum concrete pad per bike, or within a garage or patio of residential use.

Staff response and findings of fact:

The applicant has proposed to grade and rock the existing parking lot during the winter months to maintain a level, smooth area. Given that the parking will be located in an existing parking area and as stated and shown in Table 13.33.300A, there is not any required parking for Parks and Open Spaces uses, staff believes this to be acceptable. The applicant will be required to pave the parking areas for the ADA spaces as required above. This criterion is met as proposed.

14.33.400 Bicycle Parking Requirements

A. Applicability. All uses that are subject to Site Design Review shall provide bicycle parking, in conformance with the standards in Table 14.33.400, and subsections A-H, below. This section does not apply to single-family, two-family, and three-family housing (detached, attached or manufactured housing), home occupations or other developments with fewer than 3 vehicle parking spaces.

Staff response and findings of fact:

Per Table 14.33.400, parks (active recreation areas only) does not require long-term spaces. Short-term spaces required are a minimum of eight OR per CU review. Given that this is a Conditional Use Application, the location of the proposed development, and the proposed use, staff does not feel that bicycle parking is applicable. This criterion is not applicable.

Chapter 14.34 - Public Facilities;

14.34.010 Public Facilities -- Purpose and Applicability

A. Purpose. The purpose of this Chapter is to provide planning and design standards for public and private transportation facilities and utilities. Streets are the most common public spaces, touching virtually every parcel of land. Therefore, one of the primary purposes of this Chapter is to provide standards for attractive and safe streets that can accommodate vehicle traffic from planned growth and provide a range of transportation options, including options for driving, walking, bus transit, and bicycling. This Chapter is also intended to implement the City's Transportation System Plan.

B. When Standards Apply. Unless otherwise provided, the standard specifications for construction, reconstruction, or repair of transportation facilities, utilities, and other public improvements within the City shall occur in accordance with the standards of this Chapter. No development may occur unless the public facilities related to development comply with the public facility requirements established in this Chapter.

Staff response and findings of fact:

Per Development Comments provided by City Planner Eric Mongan dated May 2, 2024 the following conditions shall apply to this development:

General

- Oregon Law requires Contractor/Owner to follow rules adopted by the Oregon Utility Notification Center. These rules are set forth in OAR 952-001-0010 through OAR 952-001-0090. Call 1-800-332-2344 before digging the anchors.
- Nor storage of materials will be allowed in the public right of way.
- Any tracking of dirt or rock onto public streets shall be cleaned up immediately.

Streets

- This section of Row River Road is within the jurisdiction of Lane County Public Works. Any changes to the existing access/egress locations shall be approved by Lane County Public Works.
- Due to the size of the development area the applicant is required to obtain a 1200C Permit for erosion prevention.

Water

- The proposed use is located adjacent to the City's water treatment plant, but is not currently served by water. It is my understanding that there is a wellhead within the development area. If City water is brought to the site in the future the well and City water shall be isolated.

Sanitary Sewer

- Currently, the subject site is not served by sanitary sewer.

Storm Drainage

- There is no piped storm system on-site.
- Storm water runoff is not to adversely affect adjacent property owners, adjacent wetlands, or the Row River.
- Due to the size of the development area the applicant is required to obtain a 1200C Permit for erosion prevention.

CONCLUSION

Conditional Use Permit **approval** pursuant to Section 14.44.200 Conditional Use Permits – Approval Process and Conditions of Approval and subject to the recommended conditions is supported by the findings of fact that establish compliance with the applicable state and local standards.

STAFF RECOMMENDATION

That the Conditional Use Permit CUP 1-24 be **approved** for the proposed BMX track pursuant to Section 14.44.200 Conditional Use Permits – Approval Process and Conditions of Approval, which are supported by findings of fact and conditions that can establish compliance with applicable state and local standards.

CONDITIONS OF APPROVAL

1. Conditional Use approval shall be effective for a period of 18 months from the date of approval. The approval shall lapse if: A public improvement plan or building permit application for the project has not been submitted within 18 months of approval; or construction on the site is in violation of the approved plan.
2. Major modifications to these plans shall be approved by the Planning Commission.
3. The applicant will ensure that any erosion that occurs with the use of the track will be mitigated, contained, and will not runoff into the Row River.
4. Any exterior lighting shall be directed downward only and shielded to prevent lighting spillover into any adjacent residential district or use.

5. In Title 8 of the Cottage Grove Municipal Code, it states that the hours where unreasonable noise is enforced is before 7am and after 9pm. Active racing will be considered for the noise ordinance.
6. Trash receptacles are required to minimize the potential dumping of waste.
7. Sign permits are required. At the time of sign permit submittal, the applicant must submit a master signage plan that conforms to Chapter 14.38.
8. The applicant shall obtain all necessary access / Right-of-Way permits as required by Lane County.
9. At no time shall the applicant close off the drive aisle that allows access to the river / boat ramp.
10. No sign, solid fence, structure, nor shrub vegetation shall be placed within the vision clearance area.
11. Any additional proposed retaining walls or fences must adhere to Section 14.32.500.
12. Any improved walkway shall comply with minimum ADA regulations.
13. A minimum of three ADA accessible parking spaces and one ADA van accessible space is required. The three ADA and one van accessible spaces shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities; signs shall be posted directly in front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level. Van spaces shall be specifically identified as such. Each ADA accessible space must comply with ADA standards for dimensions and identification.
14. All man-made and natural features required by this Code shall be maintained in good condition, or otherwise replaced by the owner.
15. The developer shall obtain an approved Erosion Prevention Permit from the City of Cottage Grove or 1200C Permit form DEQ if ground disturbance exceeds 1.00 acres.
16. Development Comments from City Planner Eric Mongan dated May 2, 2024 are considered conditions of approval.

EXHIBITS

- A. Development Comments from City Planner Eric Mongan Dated May 2, 2024
- B. Application and Narrative
- C. Site Plans
- D. Proof of neighborhood meeting

MEMO

To: Leni Crow, Assistant Planner

From: Eric Mongan, City Planner

Subject: ENGINEERING COMMENTS FOR CUP 1-24 (SLABTOWN BMX; 3310 ROW RIVER)

Date: May 2, 2024

The following comments are based on Type III Permit Application dated April 22, 2024. Changes may occur during the review process and/or development phase that will be in conflict with statements below and some issues may have been overlooked that will be commented on during the review process and/or development phase of this project.

Development Comments

General

- Oregon Law requires Contractor/Owner to follow rules adopted by the Oregon Utility Notification Center. These rules are set forth in OAR 952-001-0010 through OAR 952-001-0090. Call 1-800-332-2344 before digging the anchors.
- Nor storage of materials will be allowed in the public right of way.
- Any tracking of dirt or rock onto public streets shall be cleaned up immediately.

Streets

- This section of Row River Road is within the jurisdiction of Lane County Public Works. Any changes to the existing access/egress locations shall be approved by Lane County Public Works.
- Due to the size of the development area the applicant is required to obtain a 1200C Permit for erosion prevention.

Water

- The proposed use is located adjacent to the City's water treatment plant, but is not currently served by water. It is my understanding that there is a wellhead within the development area. If City water is brought to the site in the future the well and City water shall be isolated.

Sanitary Sewer

- Currently, the subject site is not served by sanitary sewer.

Storm Drainage

- There is no piped storm system on-site.
- Storm water runoff is not to adversely affect adjacent property owners, adjacent wetlands, or the Row River.

- Due to the size of the development area the applicant is required to obtain a 1200C Permit for erosion prevention.

199-24-000021-PLNG



File No.: CUP 1-24
Date Submitted by Applicant: 4/22/24
Date Deemed Complete: _____

400 Main Street Cottage Grove, OR 97424

TYPE III PERMIT APPLICATION

To: City of Cottage Grove Planning Commission

A. Applicant

- 1. Name: Slabtown Bmx Phone No.: 541-649-2544
- 2. Mailing Address: 74113 London Rd Cottage Grove OR, 97424
- 3. Email Address: SlabtownBmx@gmail.com
- 4. Status: Owner Agent

Note: If agent you must have owner's consent and signature.

B. Owner (if not applicant)

- 4. Owner's Name: City of Cottage Grove Phone No.: 541-942-3340
- 5. Owner's Mailing Address: 400 E Main St Cottage Grove OR 97424

C. Location of Property

- 6. Address/Location: 3300 Row River Rd
- 7. Map & Tax Lot Number: 20-03-35-00-01500
- 8. Present Use: _____
- 9. Proposed Use: Bmx Track

D. Request for Consideration

- 10. Type of Land Use Application applying for: Conditional Use
Options: Conditional Use, Greenway Conditional Use, Cottage Industry, Historic Alteration, Land Use District Map changes (no plan amendment required), Master Planned Developments, Site Design Reviews, Subdivisions, Variance (Class C)
- 11. Is this application filed in association with other land use permit applications?
 Yes No
- 12. Reasons for Application: Recreation of Bmx track

E. Required Information

- Narrative Statement: This application must be filed with one copy of a narrative statement that explains how the application satisfies each and all of the relevant criteria and standards in sufficient detail for review and decision-making.
Note: Additional information may be required under the specific application requirements for each approval, e.g., Chapters 4.2 (Land Use Review), 4.3 (Land Divisions), 4.4 (Conditional Use), 4.5 (Master Planned Developments), 4.6 (Modifications), 4.8 (Code Interpretations), 4.9 (Miscellaneous Permits) and 5.1 (Variances).
- Plans: Three (3) sets of plans, including one (1) set of plans in a reproducible form that is no larger than 11"x17" in size. Content of plans will vary with application type. Refer to submittal requirements for specific application type.
- Neighborhood Meeting verification (for Master Planned Developments, Conditional Uses and Subdivisions). Must include copy of meeting notice and minutes and/or recording of meeting.
- Non-refundable application fee.

G. Signature

I hereby request a Type III Permit on the above described real property, which is either owned by or under contract of sale to the applicant, and is located within the City of Cottage Grove, Oregon.

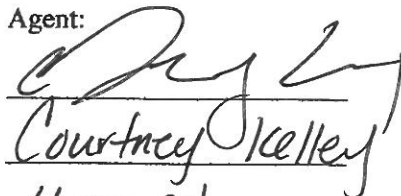
I hereby acknowledge that this application is not considered filed and complete until all of the required information has been submitted as determined by the Community Development Director and all required fees have been paid in full. Once the original application is submitted, Staff has 30 days to determine whether an application is complete. Within 30 days a letter will be mailed to you either deeming the application complete or requesting additional information. If additional information is requested you have 150 days to either: submit the missing information, submit some of the information and written notice that no other information will be provided, or submit a written notice that none of the missing information will be provided. *Once your application is deemed complete* you will be assigned a public hearing date before the Planning Commission and Staff will have 120 days to complete the processing of your application. (ORS 227.178)

Owner: _____

Signature: _____

Name: _____

Date: _____

Agent: 

Courtney Keller

4-22-24

Office Use Only

Date Application Received: _____ Initials: _____

Date Application Complete: _____ Initials: _____

Applicant Notified of Completeness: _____

Fee Paid: _____ Receipt No. _____ Initials: _____

Conditional use Permit Application:

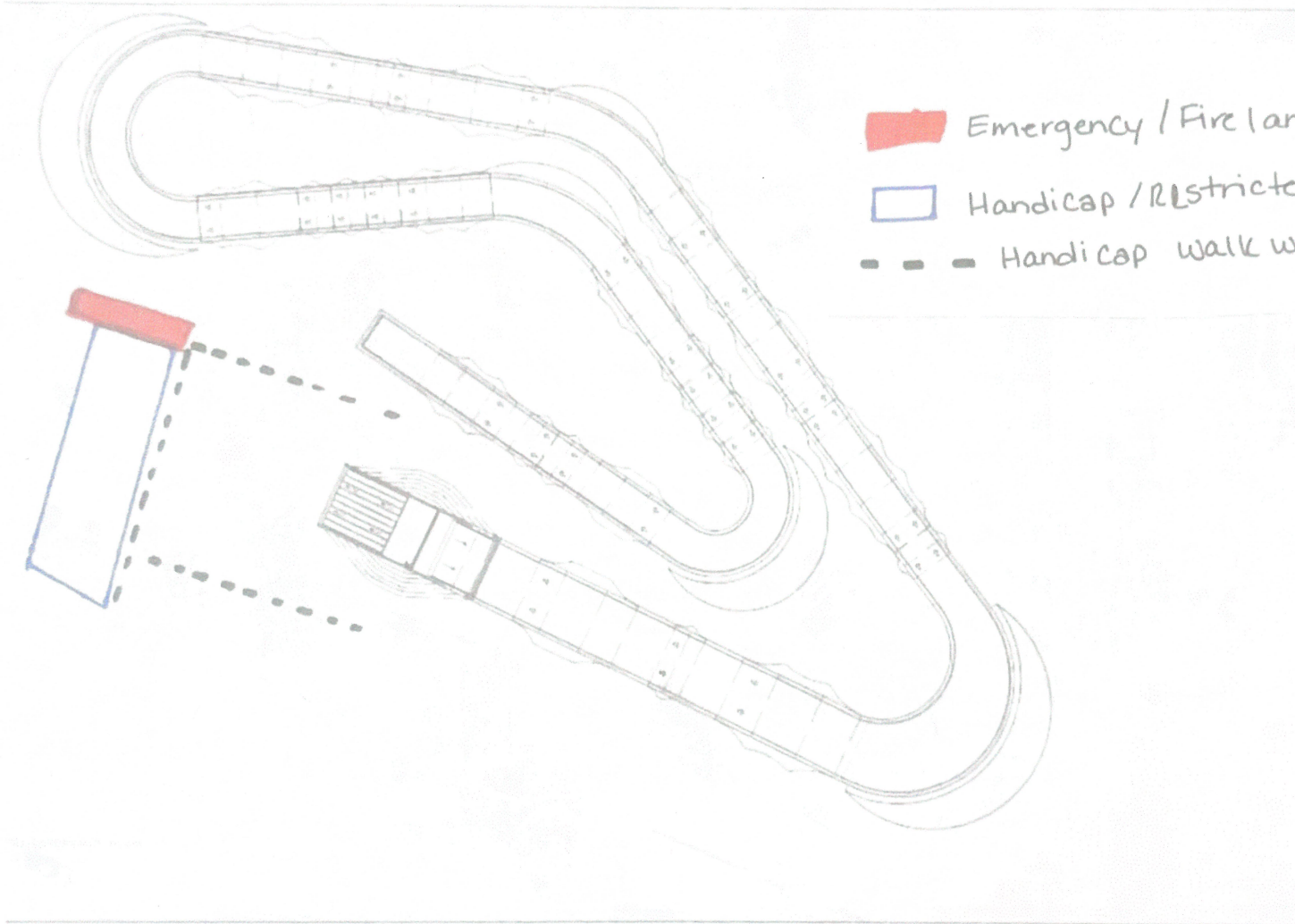
Slabtown has made every effort to show the track and grounds as we hope to see it laid out on a series of maps in addition to the building maps provided by USA BMX. It is our hope that we can create a healthy and safe outlet for generations to come. We are committed to creating this place of enjoyment with the community and welcome any questions or concerns you may have.




C.

1. Normal race days at the beginning will be Wednesdays and Sundays. Registration on Wednesdays will be 6-7pm with racing to follow and Sundays registration being 10-11am with racings to follow. Local race events can last anywhere from 2hr to 4hrs, rider count can affect the length of the event. With larger events, days and times will be announced prior to said events. All USA BMX sanctioned events will take place within the parameters of the City of Cottage Groves noise curfew. Race schedules are usually set up with surrounding tracks ahead of time to create a points chasing scenario for the year, days and times could change but not without notice.
2. Noise will only be noticed during an event, Slabtown BMX will make every effort possible to stay at a reasonably safe level of noise. All events will be viewable on facebook as well as our USA BMX provided website. No vibrations or odor should be noticed from the Slabtown Track location. Light and glare will only be noticed during night events, again this will be limited to only during active events set during normal noise curfew. Please see 5. For dust control.
3. NA
4. Slabtown plans on setting 2 movable structures on the site plus rented porta potties; Concessions/Registration booth (8x40 brown Conex box), Tool and loaner equipment storage (8X40 brown Conex box), and two portapotties that will be on a set cleaning schedule. These structures will be freshly painted and kept in clean condition.
5. Parking lot will hold roughly 65 parking spots. The parking lot will be graded and rocked in the winter months to maintain a level smooth area. Dust will be controlled during race events with the use of water from the tracks already available well on site. There will be 3 handicap parking spots with a path leading to the main entrance, please see the map for location. Day parking will be open to the public to access the walking trails and river outside of events. Day parking may need to be limited or not be available during large race events. No overnight camping will be allowed.
6. NA

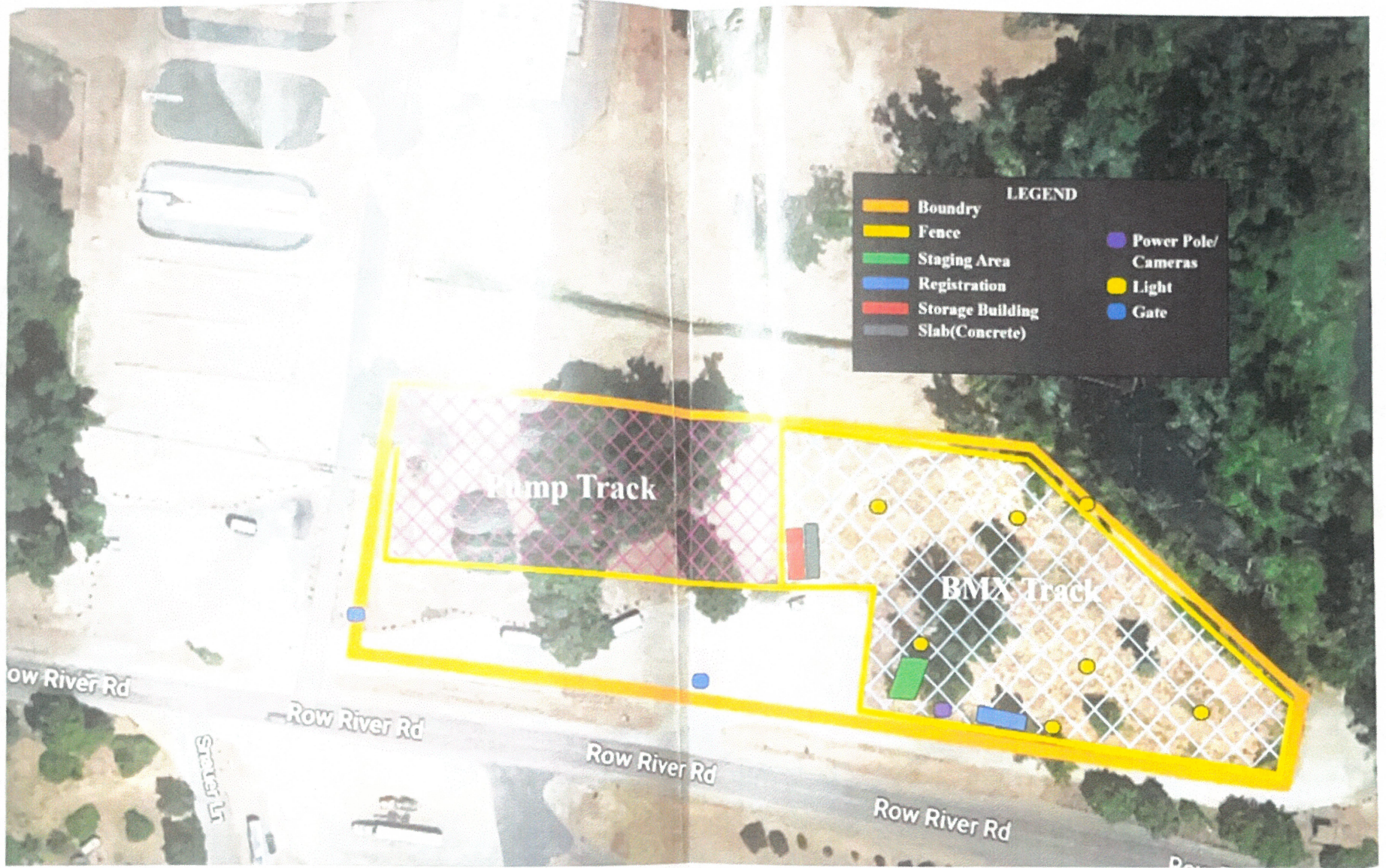
7. Please see 5. and 7.
8. Slabtown will have a minimum of 10 signs. These will include park rules and exceptions, hours of operations and donor signs. All signs will be white and with black or red lettering.
9. Light poles will be placed in 6 locations around the track for the safety of the riders, public and officials during night races. These lights will only be on during USA BMX sanction events and clean up. Please see the map for light pole locations.
10. Regular inspection and maintenance will be regular on all berms, screening, and landscaping to make sure they stain within the standard range of safely.
11. There will be a 6ft gray chain link fence around the outside of the physical track with 3 emergency access gates. Please see the map for outline and gate placements. There will also be a barrier in place around the track to keep spectators and BMX bike riders safe during events to keep track clear of non racers.
12. Every attempt will be made to maintain and keep current healthy trees in place. Mowing, weeding and grounds upkeep will be monitored and attended to accordingly. At this time drainage and sensitive lands are not an issue. There is a considerable setback from wetlands and rivers. Erosion control will be accessed and monitored with the help of the City of Cottage Grove Public Works.
13. NA
14. Crowd control will be handled by the board members who will be at every USA BMX race as well as the safety officials.
15. Slabtown would like to one day add a pump track or jumps course to expand the amenities and improve riders abilities and skills, please see map for location down the road.

EXHIBIT C



-  Emergency / Fire Lane
-  Handicap / Restricted Parking
-  Handicap walk way

SUNBELT COMMERCIAL	
3110 KIMBERLY CLAYTON DRIVE, SUITE 100	
DALLAS, TEXAS 75244	
DATE: 10/21/2014	
NO.	
DATE	
DESCRIPTION	
AMOUNT	
TOTAL	



LEGEND

- Boundary
- Fence
- Staging Area
- Registration
- Storage Building
- Slab(Concrete)
- Power Pole/ Cameras
- Light
- Gate

Pump Track

BMX Track

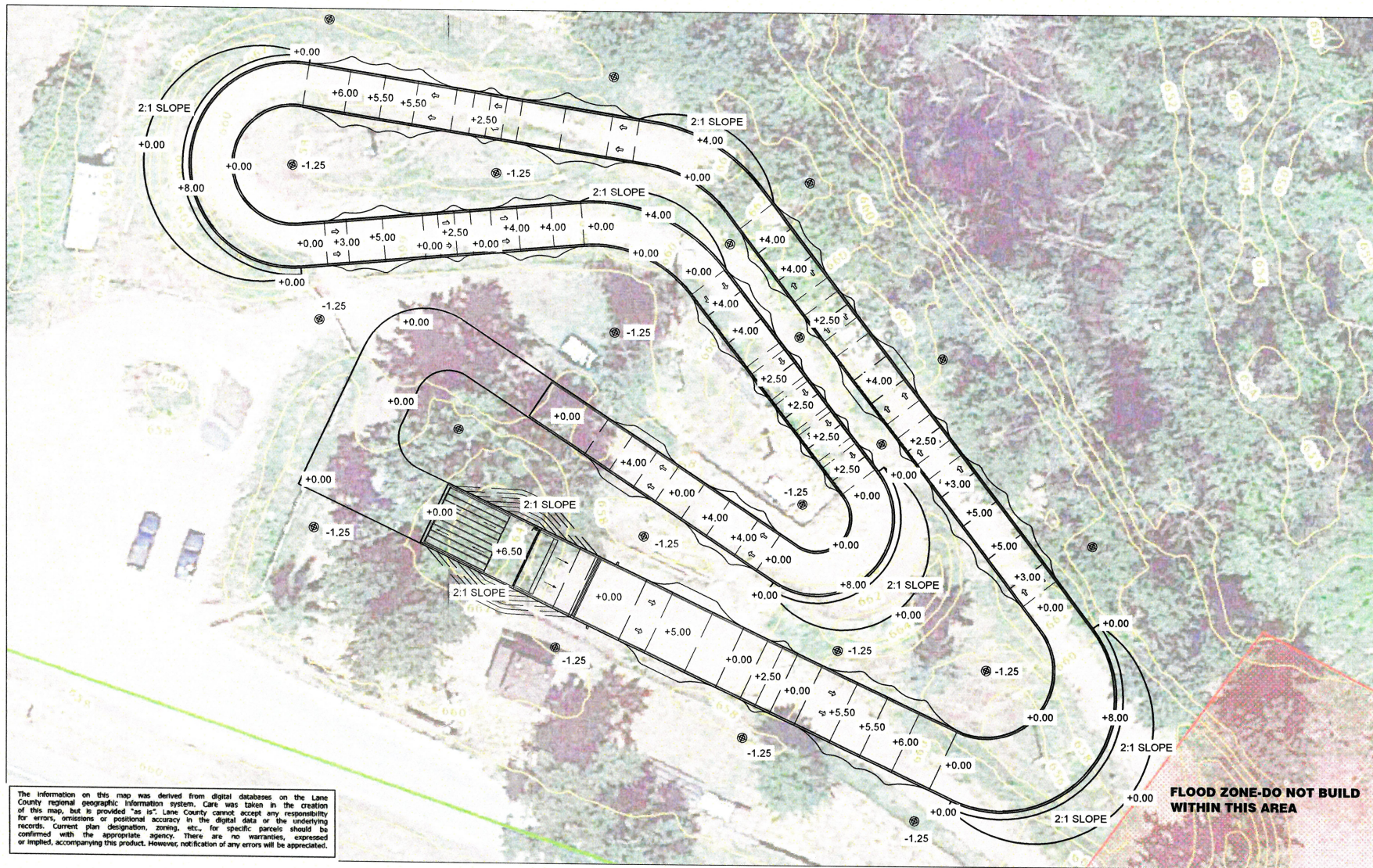
ow River Rd

Row River Rd

Row River Rd

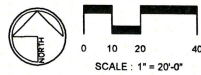
Row River Rd

Spartan Ln



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FLOOD ZONE-DO NOT BUILD WITHIN THIS AREA



PROJECT: SLABTOWN BMX
3310 Row River Rd, Cottage Grove, Or 97424
SHEET TITLE: BMX TRACK ELEVATIONS

ISSUE DATE: 02/06/2024

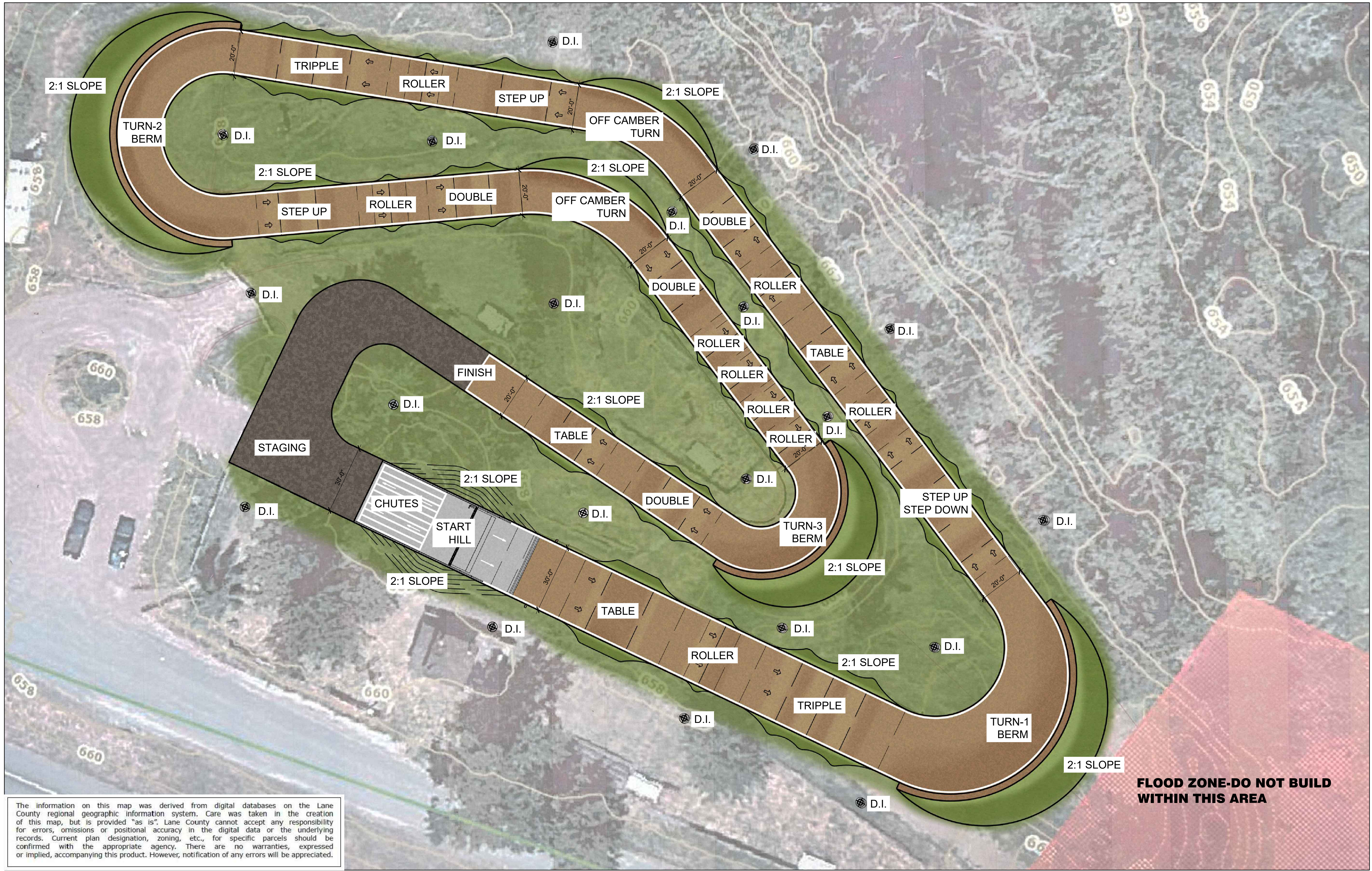
DRAWN BY: ASD

CHECKED BY: ASD

REVISIONS	
△	_____
△	_____
△	_____

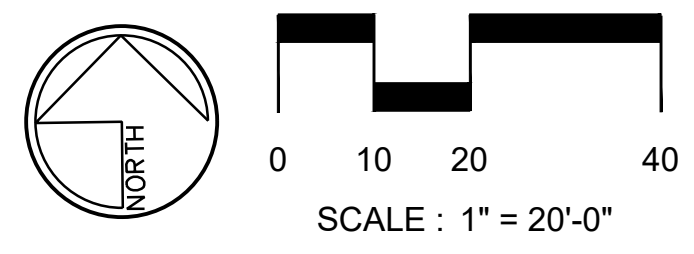
SHEET NUMBER:
BT-00.01

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FLOOD ZONE-DO NOT BUILD WITHIN THIS AREA



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Austin, TX 78738
Phone: (512) 387-5827
www.ActionSportsDesign.com



PROJECT: **SLABTOWN BMX**
3310 Row River Rd, Cottage Grove, Or 97424

SHEET TITLE: **BMX TRACK RENDERING**

ISSUE DATE:
02/06/2024

DRAWN BY:
ASD

CHECKED BY:
ASD

REVISIONS:

1	
2	
3	

SHEET NUMBER:
BT-00.01

NEIGHBORHOOD MEETING MINUTES:

Meeting Slabtown BMX

Start Time 6:00 PM

Mike Kelley, President
Courtney Kelley, Secretary
James Piper, Treasurer
Mike Freel, Media/Tech

Colton Kelley, Track Operator
Brandon Meier, Assistant Track Operator
Joelene Piper, Community Outreach/Events Coordinator

Date: Friday April 5th, 2024 Start Time: 6:00pm Location: Masonic Lodge, Cottage Grove Oregon

I. **Call to Order - Mike Kelley**

Mike Kelley called the meeting to order at 6:00pm

II. **Roll Call**

Board Members present include: Mike Kelley, Colton Kelley, Courtney Kelley, Jess Corbett.
Community : Mike Myer, Trina Kelley

III. **Accept Previous Minutes, No Minutes**

IV. **Old Business- N/A**

V.

VI. **New Business**

- a. *Mike Kelley, We are an organization that is trying to resurrect the old Cottage Grove BMX track. Its new name will be Slabtown BMX. We've posted a meeting that will take place tonight, just an informative meeting for all the surrounding area and community to come and partake, a question and answer session to find out information on what we are going to do here. So, are there any questions?*

- b. Mike Myers, I want to help, that's my main question. I want to be a part of it.*
- c. Mike Kelley, We will sign you up.*
- d. Mike Myers, I was coming to basically get information on what was needed.*
- e. Jess Corbett, what capacity did you want to volunteer, are you interested in events, the bored kind of stuff?*
- f. Mike Myers, I would like to be on the board and help spread the word.*
- g. Mike Kelley, yeah definitely.*
- h. Jess Corbett, Okay.*
- i. Mike Kelley, I'll show you kinda a preliminary drawing we have so far of the track.*
- j. Jess Corbett, I don't know if you're interested but we have some car washes coming up and always can use more help.*
- k. Colton Kelley, it's always busy.*
- l. Mike Myers, is that the only one set in stone?*
- m. Jess Corbett, We have May 19th, July 21st and August 11th for the car washes.*
- n. Mike Myers, Okay.*
- o. Mike Kelley, Okay well if there's no more questions or concerns than I think we are done here.*

p. Motions- N/A

VII. **Set Meeting Dates: NA**

VIII. **Member Comments/Announcements**

IX. **Adjournment: 6:43 PM**