

**FINDINGS OF FACT and FINAL ORDER
TYPE I TEMPORARY STRUCTURE PERMIT**

DATE: July 14, 2021

FILE NO.: 21-044 TEMP – Mt Hood Arco Temp Storage Container

APPLICANT: Bunthoeun Chann

OWNER: Bunthoeun Chann

LOCATION: 39555 Pioneer Blvd

LEGAL DESCRIPTION: 24E13DB00100

DECISION: Approve Temporary Structure Permit

EXHIBITS:

Applicant's Submission

- A. Land Use Application
- B. Site Plan

FINDINGS OF FACT

1. The applicant requests a Temporary Structure Permit to locate one 200 square foot storage container measuring 25 feet by 8 feet at 39555 Pioneer Blvd (Mt. Hood Arco gas station).
2. The applicant's storage container will be used as a storage facility for non-flammable equipment and flooring supplies. Mr. Chann recently purchased the Arco and is replacing the floors.
3. This temporary use permit was applied for on July 8, 2021, after the container was already installed. This proposal is to use the temporary storage container for flooring & equipment with an anticipated removal date before July 1, 2022.
4. The temporary storage container is placed in the back northwest corner of the Mt. Hood Arco gas station. The container sits on the applicant's property on the corner of Revenue Avenue and Proctor Blvd. The applicant provided a site plan showing the placement of the container. The existing location of the temporary structure is highly visible to west bound traffic on Proctor Blvd.
5. According to Section 17.74.60(B), temporary structures in connection with construction of industrial or commercial facilities may be permitted, for a period not to exceed 1 year. Renewal of a temporary permit shall be processed under the Type II procedure and may require a public hearing. **The applicant shall remove the storage container by July 8, 2022.**

6. The property is zoned Central Business District (C-1) and Section 17.42.30 identifies setback requirements associated with the C-1 zoning district. The submitted site plan does not identify proposed setbacks.

SUMMARY

For the reasons described above, the request by Bunthoeun Chann to locate one temporary storage container at 39555 Pioneer Blvd. starting on July 8, 2021, through July 8, 2022, is hereby **approved** as modified by the conditions listed below.

CONDITIONS OF APPROVAL

1. The applicant is permitted to locate one temporary storage container at 39555 Pioneer Blvd. per the submitted site plan and for the purpose of storing flooring and equipment.
2. File No. 21-044 TEMP shall be valid for a period not to exceed 1 year from July 8, 2021.
3. The applicant shall remove the storage container from the site no later than July 8, 2022, unless an extension to this permit is granted.
4. The applicant shall install reflective devices on the container at locations capable of being struck by vehicles no later than July 30, 2021.
5. An extension of the temporary structure permit shall require a Type II process as specified by Section 17.74.60 (B) of the Sandy Development Code.
6. This Temporary Structure Permit may be revoked by the City if conditions of approval are not met. Approval of this Temporary Structure does not grant authority for the unrestricted use of the site.
7. Any other conditions or regulations required by Clackamas County, Fire District No. 72, the Oregon Department of Transportation, or County, State or Federal agencies are hereby made a part of this permit and any violation of the conditions of this approval will result in the review of this permit and/or revocation.

Rebecca Casey

Rebecca Casey
Administrative Assistant

7.14.21

Date

(Signed on behalf of Kelly O'Neill Jr., Development Services Director)

RIGHT OF APPEAL

A decision on a land use proposal or permit may be appealed to the Planning Commission by an affected party by filing an appeal with the Director within twelve (12) days of notice of the decision. The notice of appeal shall indicate the nature of the interpretation that is being appealed and the matter at issue will be a determination of the appropriateness of the interpretation of the requirements of the Code.

An application for an appeal shall contain:

1. An identification of the decision sought to be reviewed, including the date of the decision;
2. A statement of the interest of the person seeking review and that he/she was a party to the initial proceedings;
3. The specific grounds relied upon for review;
4. If de novo review or review by additional testimony and other evidence is requested, a statement relating the request to the factors listed in Chapter 17.28.50; and
5. Payment of required filing fees.