

CITY OF CASCADE LOCKS

Notice of Decision

November 17, 2016

Application File Number: LU 16-012

Type of Action Requested: Conditional Use

Code Authority: Conditional Uses (8-6.152)

Application certified as complete: September 20, 2016

Action Deadline: January 17, 2017 (120 days)

Approval Criteria: 8-6.184.050 (Article V – Page 12-20)

Applicant(s): Port of Cascade Locks
Location: 515 Portage Road (TIB Address)

Township: T 02N **Range: R 07E** **Section: 12** **Taxlot: 100**

Zoning: (P) Public

Minimum Lot Size: No minimum lot size – Minimum front setback is ten feet.

FINDINGS:

CDC Section 8-6.48.030 establishes the approval criteria for an unlisted use. The criteria is listed below along with findings on the proposal's conformance.

- B. The use is consistent with the Comprehensive Plan;
- C. The use is consistent with the intent and purpose of the applicable zoning district;
- D. The use is similar to and of the same general type as the uses listed in the zoning district;
- E. The use has similar intensity, density, and off-site impacts as the uses listed in the zoning district; and
- F. The use has similar impacts on the community facilities as the listed ones.

FINDING: The Port of Cascade Locks has jurisdiction over the Marine Park area of the Port property and provides for a marina, restaurant, senior meal site, museum and park uses. This jurisdiction allows for park events and special venues which promotes area tourism and brings visitors to our community. The proposed use is within an existing building which has been used in the past to prepare meals for the Sternwheeler. The proposed use is consistent with other activities within the park and will not adversely impact any existing uses. This standard is met.

CDC Section 8-6.92 establishes the approval criteria for a Public Zone (P). The public zone "provides land for community and recreation facilities to be used by city residents and visitors." "The zone implements the Comprehensive Plan policies of the city "to promote a diversified city economy." The policy specifically states that the city will continue to work with the Port of

Cascade Locks to (sic) provide facilities, services, and amenities to promote tourism.” (Part 1, Page 12).

CDC Section 8-6.92.020 allows as outright accessory structures to existing operations. Since Thunder Island Brewing retail operations is a stand-alone business and not associated with any other approved business within the Port property, they must qualify under the conditional use provisions.

CDC Section 8-6.92.030 provides the Planning Commission with the authority to approve or deny at their sole discretion a proposed use which is compatible with the provisions of the code. Under 8-6.92.030 (A) of the code, the Commission may approve a retail sales and service operation within a Public Zone, which is consistent with the applicants proposal.

FINDING: The Port of Cascade Locks attracted a new business to our community as a temporary tenant is a Port facility, the tenant made significant improvements to an existing Port facility to utilize as a temporary home for their retail craft brewing operation. Thunder Island Brewing established their business as viable commercial retail operation within the City of Cascade Locks and is now in the process of establishing a permanent home on Wa-Na-Pa Street in the downtown core. The Port has entered into a sales agreement with the operator which indicates that the owners of Thunder Island Brewing will build a permanent home along WaNaPa Street on specific Downtown Commercial property. Thunder Island Brewing is requesting to extend their stay in the temporary location until the new building is complete on Wa-Na-Pa. Thunder Island Brewing will be required to seek a development permit which meets all design standards in the downtown commercial zone.

The applicant has complied with all the requirements of the City and has applied for this temporary permit to ensure continue compliance with City codes. Staff finds that the applicant has met the criteria for approval of a conditional use permit for the continuation of a retail sales operation within Port property and in a Port owned building for a period not to exceed two years.

CONDITIONS OF APPROVAL:

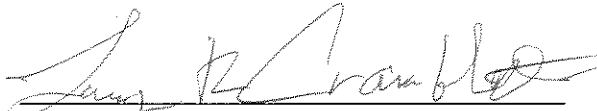
1. Operator (Thunder Island Brewing) shall secure and maintain all state and county necessary permits required to operate their establishment.
2. The Operator shall maintain current access and parking within Marine Park in conformance with the Port of Cascade Locks requirements and consistent with this permit.
3. The Operator will provide proof of compliance with State and County health codes upon request by the City.
4. The Operator shall comply with the Port’s signage requirements and shall not have internal lighted signage while operating under this permit.
5. Any changes in operations at the facility including a change in owners will require that the City be immediately notified and no alternative uses can be approved without a public hearing before the City Planning Commission.
6. Thunder Island Brewing shall submit a formal application for site review and approval for a new site for their business on Wa-Na-Pa Street as soon as practical (within 6 months) as there will be no extension of the permit.
7. The applicant/operator by accepting the approval of this conditional use request agrees to comply with all conditions set forth by this approval.

DECISION:

The Conditional Use Permit from the Port of Cascade Locks is hereby approved subject to the conditions of approval delineated above and compliance with the following subsequent steps:

1. No permit will be authorized until the completion of an appeal period from the date of this decision
2. The applicant has submitted an application for an operator, Thunder Island Brewing to conduct retail sales in an existing building within Marine Park. The Port shall have authority over this permit and shall ensure that all conditions are met in the conduct of this operation. Any changes in use or operation outside the standard business conduct of the operator shall result in immediate notification to the City Administrator, who shall determine whether the permit is still valid.
3. This approval is limited to the site and building within Marine Park. Any new location or development outside of the existing building will require future approvals and permits from the City of Cascade Locks.
4. The Conditional Use Permit is approved for a period not to exceed five years from the date of the original Conditional Use Permit (January 13, 2013). The Conditional Use Permit will be terminated on January 13, 2018.

Approved and signed this 21st day of November 2016


Larry Cramblett, Chairman