
**BEFORE THE HEARINGS OFFICER
FOR MULTNOMAH COUNTY, OREGON
FINAL ORDER**

This Decision consists of Conditions, Findings of Fact and Conclusions.

November 28, 1997

CS 4-97 Community Service Use Approval Request

Applicant requests Community Service Use (CS) approval for modification and community use designation of subject property to allow relocation of the Sauvie Island Fire Station.

Location: 18336 NW Sauvie Island Road

**Description of
Property:** Tax Lot 19, Section 17, Township 2 North, Range 1 West

Site Size: 17.7 acres

Size Requested: 1.94 acres

Plan Designation: Multiple Use Agriculture

Zoning District: MUA-20, CS

Applicant: Richard Carlson, Architect
3210 SW Malcolm Ct.
Portland, OR 97225

Owner: State of Oregon, Department of Fish & Wildlife
P.O. Box 59
Portland, OR 97207

Hearings Officer Decision:

Approve, subject to conditions, the request to modify a prior Community Service designation to allow development of a site on the subject property to be utilized as a fire station, based on the Findings and Conclusions contained herein.

Conditions of Approval:

1. The applicant shall satisfy all applicable requirements of Engineering Services regarding access to NW Sauvie Island Road and NW Burlington Court, including the dedication of ten feet along the Sauvie Island Road frontage for future road widening.
2. The applicant shall obtain Design Review approval prior to the issuance of any development permits for the proposed fire station.
3. The applicant will be required to reduce the size of the earthen berm on the corner of the property which is bordered by Sauvie Island Road and Burlington Court. Commencing at the intersection and proceeding to a point on Burlington Court, 20 feet northeasterly of the intersection of Burlington Court and Sauvie Island Road, the applicant shall remove and taper the berm in order to improve visibility at the intersection of Burlington Court and Sauvie Island Road.
4. There is currently vegetative screening along the portion of the site that borders Burlington Court. Applicant will be required to retain that screening, or replace with appropriate landscaping. The applicant may only remove such vegetative screening as is necessary to construct the secondary access to the fire station, taking into consideration what vegetation may need to be removed to provide clear vision at the point of the intersection of the secondary access driveway with Burlington Court.

PROCEDURAL ISSUES

1 Impartiality of the Hearings Officer

- A. No ex parte contacts. I did not have any ex parte contacts prior to the hearing of this matter. I did not make a site visit.
- B. No conflicting personal or financial or family interest. I have no financial interest in the outcome of this proceeding. I have no family or financial relationship with any of the parties.

2. Jurisdiction

At the commencement of the hearing I asked the participants to indicate if they had any objections to jurisdiction. The participants did not allege any jurisdictional or procedural violations regarding the conduct of the hearing.

BURDEN OF PROOF

In this proceeding, the burden of proof is upon the applicant.

FACTS

1. Applicant's Proposal

Sauvie Island Fire Department is currently located on Charlton Road adjacent to Sauvie Island Grade School on property owned by the Sauvie Island Grange. The department has outgrown the facilities at that location and wishes to relocate to this site and construct a building better able to accommodate their needs.

The proposal includes improvement of the site with parking and vehicular access to both the front and back sides of the building. Primary access to the site would be from Sauvie Island Road. A secondary access would allow emergency ingress and egress to Burlington Court.

2. Site and Vicinity Information

The site is located on the southeast corner of the intersection of Sauvie Island Road and Burlington Court, directly across from the intersection of Burlington Ferry Road. It is a portion of a larger property owned by the Oregon Department of Fish & Wildlife. The site is essentially level and cleared of vegetation. The surrounding area is rural residential in nature with lots ranging from slightly under two acres to over ten acres in size. Two subdivisions (approximately two acre lots) are located to the north and south of the site. The ODF&W offices for the Sauvie Island Game Refuge are located to the south and east of the subject site. A site plan map is attached hereto as Exhibit "A" and is incorporated by this reference herein.

3. Testimony and Evidence Presented

- A. The Planning Department file shall be designated as an exhibit to this opinion. No slides or video were shown of the subject site.

- B. Bob Hall testified for the County, summarized the history of the application and his staff report. The facts stated in the staff report are accepted by the Hearings Officer and are hereby incorporated by this reference herein.
- C. Richard Carlson, architect, as applicant, spoke on behalf of the proposal and provided testimony in support of the application.
- D. Greg Sprando, 14025 NW Charlton Rd., Portland, OR 97231, submitted oral and written testimony in support of the application. His letter was received as a hearing exhibit.
- E. Donald Anderson, 22005 NW Gillihan Rd., Portland, OR 97231, spoke in support of the application.
- F. Marilyn Parker, 18520 NW Sauvie Island Road, Portland, OR 97231, spoke concerning the application. Ms. Parker did not oppose the application, but had several concerns which have been satisfied through the imposition of conditions 3 and 4.

STANDARDS AND CRITERIA, ANALYSIS AND FINDINGS OF FACT

ZONING CODE (MCC 11.15) APPROVAL CRITERIA:

1. DIMENSIONAL REQUIREMENTS:

MULTIPLE USE AGRICULTURE DISTRICT (MCC 11.15.2138 Dimensional Requirements):

"(A) Except as provided in MCC .2140, .2142, .2144 and .7629, the minimum lot size shall be twenty acres.

(B) Minimum Yard Dimensions

Front	30
Side	30
Street Side	30
Rear	30

Minimum Front Lot Line Length - 50 feet"

COMMUNITY SERVICE OVERLAY (MCC 11.15.7025 Restrictions)

"A building or use approved under MCC .7020 through .7030 shall meet the following requirements:

(A) Minimum yards in EFU, CFU, F-2, MUA-20, ... and R-10 Districts:

- (1) Front Yards shall be 30 feet.**
- (2) Side Yards for one-story buildings shall be 20 feet; for two story buildings, 25 feet.**
- (3) Rear yards shall be as required in the district."**

ANALYSIS:

The proposed building would be located 150 feet from Sauvie Island Road and approximately 50 feet from Burlington Court. Accordingly, a finding can be made that this application meets the criteria.

2. LOT AREA REQUIREMENTS (MCC 11.15.2144 Lot Sizes for Conditional Uses):

"The minimum lot size for a conditional use permitted pursuant to MCC .2132, except (C)(1) thereof, shall be based upon:

- (A) The site size needs of the proposed use;**
- (B) The nature of the proposed use in relation to the impacts on nearby properties; and**
- (C) Consideration of the purposes of this district (MCC 11.15.2202 Purposes):"**

ANALYSIS:

This site adequately accommodates the proposed structure, access and circulation. The station should have minimal impact on adjacent properties since the building will be designed to appear as an agricultural structure and there will be no siren on the building. All response activity is coordinated by individual pagers. One of the purposes of the MUA section is to allow appropriate Conditional Uses. A fire station has been demonstrated to be an appropriate facility for Sauvie Island ever since the establishment of the District on the Island shortly after the destruction of the Grade School when the Island had no fire protection. Accordingly, a finding can be made that the application meets this criteria.

3. **Community Service Approval Standards: (MCC 11.15.7015 Approval Criteria)**

"In approving a Community Service use, the approval authority shall find that the proposal meets the following approval criteria, except for transmission towers, which shall meet the approval criteria of MCC .7035, and except for regional sanitary landfills which shall comply with MCC .7045 thorough .7070.

(A) Is consistent with the character of the area;"

ANALYSIS:

The fire station is designed to be consistent with the character of the area. The building will be designed like an agricultural structure and present the lowest facade to Sauvie Island Road. Accordingly, a finding can be made that the application meets this criteria.

"(B) Will not adversely affect natural resources;"

ANALYSIS:

The site is currently cleared and supports only grass. There are no known natural resources that will be effected by this proposal. Accordingly, a finding can be made that the application meets this criteria.

"(C) Will not conflict with farm or forest uses in the area;"

ANALYSIS:

The station will not conflict with, rather it will support farm and forest uses by providing fire and emergency services to the residents of the Island. Accordingly, a finding can be made that the application meets this criteria.

"(D) Will not require public services other than those existing or programmed for the area;"

ANALYSIS:

Gas, power and telephone service are currently available to the site. No other services are necessary. Accordingly, a finding can be made that the application meets this criteria.

"(E) Will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable;"

ANALYSIS:

The site is not within a big game winter habitat area. Accordingly, a finding can be made that the application meets this criteria.

"(F) Will not create hazardous conditions;"

ANALYSIS:

No hazardous conditions will result from this development. Both access points have good sight distance and circulation is adequately provided for on site. Accordingly, a finding can be made that the application meets this criteria.

"(G) Will satisfy the applicable policies of the Comprehensive Plan.

"(H) Will satisfy other applicable approval criteria as are stated in this section."

ANALYSIS:

The other applicable criteria of the CS Section of the code are the yard (setback) restrictions in the preceding MCC 11.15.7025(A) and the required off-street parking standards in MCC 11.15.7025(E). Accordingly, a finding can be made that the application meets this criteria.

2 . Comprehensive Plan Policies:

"POLICY NO. 2, OFF-SITE EFFECTS.

THE COUNTY'S POLICY IS TO APPLY CONDITIONS TO ITS APPROVAL OF LAND USE ACTIONS WHERE IT IS NECESSARY TO:

- A. PROTECT THE PUBLIC FROM THE POTENTIALLY DELETERIOUS EFFECTS OF THE PROPOSED USE; OR**
- B. FULFILL THE NEED FOR PUBLIC SERVICE DEMANDS CREATED BY THE PROPOSED USE."**

ANALYSIS:

No conditions are necessary in response to this Plan policy, since no adverse off-site effects have been identified. Accordingly, a finding can be made that the application meets this criteria.

"POLICY NO. 13, AIR, WATER AND NOISE QUALITY.

MULTNOMAH COUNTY, ... SUPPORTS EFFORTS TO IMPROVE AIR AND WATER QUALITY AND TO REDUCE NOISE LEVELS. ... FURTHERMORE, IT IS THE COUNTY'S POLICY TO REQUIRE, PRIOR TO APPROVAL OF A LEGISLATIVE OR QUASI-JUDICIAL ACTION, A STATEMENT FROM THE APPROPRIATE

AGENCY THAT ALL STANDARDS CAN BE MET WITH RESPECT TO AIR QUALITY, WATER QUALITY, AND NOISE LEVELS."

ANALYSIS:

There are no identified air and water quality standards which apply to fire stations other than for subsurface sewage disposal. The file contains documentation that those standards can be satisfied with a septic tank and drainfield. Accordingly, a finding can be made that this application meets the criteria.

"POLICY NO. 14, DEVELOPMENT LIMITATIONS

THE COUNTY'S POLICY IS TO DIRECT DEVELOPMENT AND LAND FORM ALTERATIONS AWAY FROM AREAS WITH DEVELOPMENT LIMITATIONS EXCEPT UPON A SHOWING THAT DESIGN AND CONSTRUCTION TECHNIQUES CAN MITIGATE ANY PUBLIC HARM OR ASSOCIATED PUBLIC COST, AND MITIGATE ANY ADVERSE EFFECTS TO SURROUNDING PERSONS OR PROPERTIES. DEVELOPMENT LIMITATION AREAS ARE THOSE WHICH HAVE ANY OF THE FOLLOWING CHARACTERISTICS:

- A. SLOPES EXCEEDING 20%;**
- B. SEVERE SOIL EROSION POTENTIAL;**
- C. LAND WITHIN THE 100 YEAR FLOOD PLAIN;**
- D. A HIGH SEASONAL WATER TABLE WITHIN 0-24 INCHES OF THE SURFACE FOR 3 OR MORE WEEKS OF THE YEAR;**
- E. A FRAGIPAN LESS THAN 30 INCHES FROM THE SURFACE;**
- F. LAND SUBJECT TO SLUMPING, EARTH SLIDES OR MOVEMENT."**

ANALYSIS:

The site does not contain any of the development limitations. It is essentially level, outside of the 100 year flood plan, is well drained, and has no erosion potential. Accordingly, a finding can be made that this application meets the criteria.

"POLICY NO. 22, ENERGY CONSERVATION.

THE COUNTY'S POLICY IS TO PROMOTE THE CONSERVATION OF ENERGY AND TO USE ENERGY RESOURCES IN A MORE EFFICIENT MANNER. IN ADDITION, IT IS THE POLICY OF MULTNOMAH COUNTY TO REDUCE DEPENDENCY ON NON-RENEWABLE ENERGY RESOURCES. THE COUNTY SHALL REQUIRE A FINDING PRIOR TO THE APPROVAL OF LEGISLATIVE OR QUASI-JUDICIAL ACTION THAT THE FOLLOWING FACTORS HAVE BEEN CONSIDERED:

- A. THE DEVELOPMENT OF ENERGY-EFFICIENT LAND USES AND PRACTICES;**
- B. INCREASED DENSITY AND INTENSITY OF DEVELOPMENT IN URBAN AREAS, ESPECIALLY IN PROXIMITY TO TRANSIT**

- C. CORRIDORS AND EMPLOYMENT, COMMERCIAL AND RECREATIONAL CENTERS;
AN ENERGY-EFFICIENT TRANSPORTATION SYSTEM LINKED WITH INCREASED MASS TRANSIT, PEDESTRIAN AND BICYCLE FACILITIES;
- D. STREET LAYOUTS, LOTTING PATTERNS AND DESIGNS THAT UTILIZE NATURAL ENVIRONMENTAL AND CLIMACTIC CONDITIONS TO ADVANTAGE.
- E. FINALLY, THE COUNTY WILL ALLOW GREATER FLEXIBILITY IN THE DEVELOPMENT AND USE OF RENEWABLE ENERGY RESOURCES."

ANALYSIS:

This proposal allows the continued provision of an appropriate level of fire protection and emergency response to the residents of Sauvie Island. Accordingly, a finding can be made that this application meets the criteria.

"POLICY NO. 31, COMMUNITY FACILITIES AND USES.

THE COUNTY'S POLICY IS TO:

- A. SUPPORT THE SITING AND DEVELOPMENT OF A FULL RANGE OF COMMUNITY FACILITIES AND SERVICES BY SUPPORTING THE LOCATION AND SCALING OF COMMUNITY FACILITIES AND USES MEETING THE NEEDS OF THE COMMUNITY AND REINFORCING COMMUNITY IDENTITY.
- B. ENCOURAGE COMMUNITY FACILITIES SITING AND EXPANSION AT LOCATIONS REINFORCING ORDERLY AND TIMELY DEVELOPMENT AND EFFICIENT PROVISION OF ALL PUBLIC SERVICES AND FACILITIES.
- C. ENCOURAGE LAND USE DEVELOPMENT WHICH SUPPORT THE EFFICIENT USE OF EXISTING AND PLANNED COMMUNITY FACILITIES.
- D. SUPPORT THE DEVELOPMENT OF A UNIFIED APPROACH TO LONG RANGE COMMUNITY FACILITIES PLANNING AND CAPITAL INVESTMENT PROGRAMMING IN MULTNOMAH COUNTY.
- E. CLASSIFY COMMUNITY FACILITIES ACCORDING TO THEIR FUNCTION AND SCALE OF OPERATIONS.

SCALE

MAJOR REGIONAL

TYPE OF FACILITIES

COMMUNITY COLLEGE
PRIVATE COLLEGE
UNIVERSITY
LIVE-IN TRAINING FACILITIES
AIRPORT

SCALE

TYPE OF FACILITIES

GOVERNMENT SERVICES

ADMINISTRATIVE

HUMAN

JUSTICE

HOSPITAL

MINOR REGIONAL

CEMETERIES

REGIONAL PARKS

BOAT LAUNCHES

MARINAS

RECYCLING CENTER

HALF-WAY HOUSES

GENERAL AVIATION AIRPORTS

MAJOR COMMUNITY

FIRE STATION

PRECINCT STATIONS

LODGES

AMBULANCE SERVICES

HIGH SCHOOL

MUSEUM

TRANSIT STATIONS

GOVERNMENT SERVICES

ADMINISTRATIVE

HUMAN

JUSTICE

COMMUNITY RECREATION CENTER

RECREATION CENTER

MINOR COMMUNITY

LIBRARY

GRADE SCHOOL

MIDDLE SCHOOL

PARKS

NEIGHBORHOOD MEETING ROOMS

RESIDENTIAL CARE FACILITY

CLINICS

CONVALESCENT HOMES

CHURCHES

NEIGHBORHOOD RECREATION CENTER

**COMMUNITY SERVICE
FOUNDATIONS**

**ELECTRICAL GENERATION, DISTRIBUTION AND
TRANSMISSION**

SCALE

TYPE OF FACILITIES

NATURAL GAS STORAGE
SEWAGE TREATMENT PLANTS
TELEPHONE, COMMUNICATION STATION
AND SWITCHING
WATER STORAGE
RADIO & TELEVISION TRANSMITTERS

- F. LOCATE COMMUNITY FACILITIES ON SITES WITH AVERAGE SITE GRADES CONSISTENT WITH A PROJECT'S SCALE AND IMPACTS. SITE SLOPE REQUIREMENTS BY SCALE ARE:

<u>SCALE</u>	<u>AVERAGE SITE SLOPE STANDARD</u>
MAJOR REGIONAL	6%
MINOR REGIONAL	6%
MAJOR COMMUNITY	10%
MINOR COMMUNITY	10%
COMMUNITY SERVICE FOUNDATION	20%

FOR SITES WITH AVERAGE SLOPES STEEPER THAN THE STANDARD THE DEVELOPER MUST BE ABLE TO DEMONSTRATE THAT THROUGH ENGINEERING TECHNIQUES ALL LIMITATIONS TO DEVELOPMENT AND THE PROVISION OF SERVICES CAN BE MITIGATED.

- G. SUPPORT THE LOCATION OF COMMUNITY FACILITIES ON EXISTING TRANSPORTATION SYSTEMS WITH VOLUME CAPACITIES AND MODAL MIX SPLITS AVAILABLE AND APPROPRIATE TO SERVE PRESENT AND FUTURE SCALES OF OPERATION. VEHICULAR ACCESS REQUIREMENTS BY SCALE OF FACILITY ARE:

SCALE

VEHICULAR ACCESS STANDARDS

MAJOR REGIONAL

ACCESS TO A FREEWAY INTERCHANGE
DIRECT ACCESS TO A COUNTY MAJOR ARTERIAL.

PUBLIC TRANSIT AVAILABLE WITHIN 1/4 MILE.

MINOR REGIONAL

DIRECT ACCESS TO A COLLECTOR STREET AND
NO ROUTING OF TRAFFIC THROUGH LOCAL
NEIGHBORHOOD STREETS

SCALE

VEHICULAR ACCESS STANDARDS

PUBLIC TRANSIT AVAILABLE WITHIN 1/4 MILE

MAJOR COMMUNITY

**DIRECT ACCESS TO A COLLECTOR STREET AND
NO ROUTING OF TRAFFIC THROUGH LOCAL
NEIGHBORHOOD STREETS**

PUBLIC TRANSIT AVAILABLE WITHIN 1/4 MILE

MINOR COMMUNITY

**DIRECT ACCESS TO A COLLECTOR STREET AND
NO ROUTING THROUGH LOCAL NEIGHBORHOOD
STREETS**

PUBLIC TRANSIT AVAILABLE WITHIN 1/4 MILE

**COMMUNITY SERVICE
FOUNDATIONS**

**TRUCK TRAFFIC WILL NOT BE ROUTED THROUGH
LOCAL NEIGHBORHOOD STREETS**

- H. RESTRICT THE SITING OF COMMUNITY FACILITIES IN LOCATIONS WHERE SITE ACCESS WOULD CAUSE DANGEROUS INTERSECTIONS OR TRAFFIC CONGESTION CONSIDERING THE FOLLOWING:**
- 1. ROADWAY CAPACITIES.**
 - 2. EXISTING AND PROJECTED TRAFFIC COUNTS.**
 - 3. SPEED LIMITS.**
 - 4. NUMBER OF TURNING POINTS.**
- I. SUPPORT COMMUNITY FACILITIES SITING AND DEVELOPMENT AT SITES OF A SIZE WHICH CAN ACCOMMODATE THE PRESENT AND FUTURE USES AND IS OF A SHAPE WHICH ALLOWS FOR A SITE LAYOUT IN A MANNER WHICH MAXIMIZES USER CONVENIENCE, ENERGY CONSERVATION, AND PEDESTRIAN AND BICYCLE ACCESS TO AND WITHIN THE SITE.**
- J. PROMOTE COMPATIBLE DEVELOPMENT AND MINIMIZE ADVERSE IMPACTS OF SITE DEVELOPMENT ON ADJACENT PROPERTIES AND THE COMMUNITY THROUGH THE APPLICATION OF DESIGN REVIEW STANDARDS CODIFIED IN MCC 11.05.7805-11.05.7865.**
- K. PROVIDE FOR THE SITING AND EXPANSION OF COMMUNITY FACILITIES IN A MANNER WHICH ACCORDS WITH THE OTHER APPLICABLE POLICIES OF THIS PLAN."**

ANALYSIS:

This proposal is designated as a Major Community facility. This proposal satisfies all applicable above locational criteria (i.e., the site has less than 10% slope, Engineering Services indicates the roads are capable of supporting the use, the site is of appropriate size, and the development will be subject to Design Review) with the exception of being located on a collector street. Sauvie Island Road is designated a local road at this location, while it is designated a collector approximately 1,000 feet southerly at the intersection with Reeder Road.

The introduction to Comprehensive Framework Plan Policies 24 through 31 indicates that "It is intended that these locational criteria be construed in a flexible manner, in the interest of accommodating proposals which, though not strictly in conformance with the applicable criteria, are found to be in the public interest and capable of harmonious integration into the community."

Accordingly, a finding can be made that this application meets the criteria and it is in the public interest to site the facility at this site.

"POLICY NO. 37, UTILITIES.

THE COUNTY'S POLICY IS TO REQUIRE A FINDING PRIOR TO APPROVAL OF A LEGISLATIVE OR QUASI-JUDICIAL ACTION THAT:

WATER AND DISPOSAL SYSTEM

- A. THE PROPOSED USE CAN BE CONNECTED TO A PUBLIC SEWER AND WATER SYSTEM, BOTH OF WHICH HAVE ADEQUATE CAPACITY; OR**
- B. THE PROPOSED USE CAN BE CONNECTED TO A PUBLIC WATER SYSTEM, AND THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) WILL APPROVE A SUBSURFACE SEWAGE DISPOSAL SYSTEM ON THE SITE; OR**
- C. THERE IS AN ADEQUATE PRIVATE WATER SYSTEM, AND THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) WILL APPROVE A SUBSURFACE SEWAGE DISPOSAL SYSTEM; OR**
- D. THERE IS AN ADEQUATE PRIVATE WATER SYSTEM, AND A PUBLIC SEWER WITH ADEQUATE CAPACITY.**

DRAINAGE

- E. THERE IS ADEQUATE CAPACITY IN THE STORM WATER SYSTEM TO HANDLE THE RUN-OFF; OR**
- F. THE WATER RUN-OFF CAN BE HANDLED ON THE SITE OR ADEQUATE PROVISIONS CAN BE MADE; AND**
- G. THE RUN-OFF FROM THE SITE WILL NOT ADVERSELY AFFECT THE WATER QUALITY IN ADJACENT STREAMS, PONDS, LAKES OR ALTER THE DRAINAGE ON ADJOINING LANDS.**

ENERGY AND COMMUNICATIONS

- H. **THERE IS AN ADEQUATE ENERGY SUPPLY TO HANDLE THE NEEDS OF THE PROPOSAL AND THE DEVELOPMENT LEVEL PROJECTED BY THE PLAN; AND**
- I. **COMMUNICATIONS FACILITIES ARE AVAILABLE."**

ANALYSIS:

The fire station will be served by a private well, subsurface sanitation system, and energy and communication facilities are available along both the Sauvie Island Road and Burlington Court frontages. Accordingly, a finding can be made that this application meets the criteria.

"POLICY NO. 38, FACILITIES.

THE COUNTY'S POLICY IS TO REQUIRE A FINDING PRIOR TO APPROVAL OF A LEGISLATIVE OR QUASI-JUDICIAL ACTION THAT:

SCHOOL

- A. **THE APPROPRIATE SCHOOL DISTRICT HAS HAD AN OPPORTUNITY TO REVIEW AND COMMENT ON THE PROPOSAL.**

FIRE PROTECTION

- B. **THERE IS ADEQUATE WATER PRESSURE AND FLOW FOR FIRE FIGHTING PURPOSES; AND**
- C. **THE APPROPRIATE FIRE DISTRICT HAS HAD AN OPPORTUNITY TO REVIEW AND COMMENT ON THE PROPOSAL.**

POLICE PROTECTION

- D. **THE PROPOSAL CAN RECEIVE ADEQUATE LOCAL POLICE PROTECTION IN ACCORDANCE WITH THE STANDARDS OF THE JURISDICTION PROVIDING POLICE PROTECTION."**

ANALYSIS:

The school district was notified of this application and the County Sheriff's Office indicates there is an adequate level of police protection in the area. The fire district is the applicant. Accordingly, a finding can be made that this application meets the criteria.

CONCLUSION

Based on the findings and the substantial evidence cited or referenced herein, I conclude that the application for Community Service Use for the subject site on Tax Lot 19, Section 17, Township 2 North, Range 1 West, satisfies all applicable approval criteria provided that the Conditions of Approval are complied with. Accordingly, Community Service Use approval is hereby granted to the subject site, subject to the Conditions of Approval contained herein.

IT IS SO ORDERED, this 28th day of November, 1997.

A handwritten signature in black ink, appearing to read "Joan M. Chambers", is written over a horizontal line. The signature is stylized and includes a large, circular flourish at the end.

JOAN M. CHAMBERS, Hearings Officer