



Community Development  
925 S. Main Street  
Lebanon, Oregon 97355

TEL: 541.258.4906  
cdc@ci.lebanon.or.us  
www.ci.lebanon.or.us

**NOTICE OF DECISION  
Planning File No. MR-20-02  
(Ministerial Review)**

August 27, 2020

**I. BACKGROUND**

**APPLICANT:** Elite Equipment Rental LLC

**PROPERTY LOCATION:** The subject property is generally located on the west side of Montessa Way, toward the southern end of the street. The assigned address for the subject site is 1050 Montessa Way. The County Assessor map locates the parcel within Township 12 South; Range 2 West; Section 16; Tax Lot 2900.

**ZONING:** Industrial (Z-IND)

**PROPERTY DESCRIPTION:** The subject property is 2.68 acres. On the north end of the property is an open field. The southern half of the property includes two existing structures and a paved access and parking area. All surrounding properties are zoned industrial and consist of a mix of open fields, or industrial uses.

**REQUEST:** Approval of a Ministerial Review Application for the minor building expansion and operation of an equipment rental business from the subject property.

**REVIEW CRITERIA:** The City's review criteria for a Ministerial Review are found in Chapter 16.20 – Review and Decision-Making Criteria. Section 16.20.030.D identifies that the decision on a Ministerial Review shall address all the relevant decision criteria. Based on the criteria and the facts contained within the record, the Planning Official shall approve, approve with conditions, or deny the requested land use decision or action. The Project summary below provides the data for the basis of review and the decision criteria.

**PROJECT SUMMARY:** The applicant is requesting approval of a Ministerial Review for the minor building expansion and operation of an industrial equipment rental business.

- Table 16.09-4 in Section 16.09.070 of the Lebanon Development Code identifies Sale or Rental of Machinery, Equipment, Vehicles, Appliances, and other Electrical Items as an Industrial Use with Class II impacts, and is allowed within the Industrial Zone, subject to approval of a Ministerial Review. The business proposal includes the renting of small to medium sized equipment such as trenchers, stump grinders, mini excavators, skid

steers, and tractors. The operations would not include retail sales. A small office in the existing building would be utilized for contract signing and payment. The rental equipment would be stored in the enclosed storage area included as part of the building expansion, and in the back open area in the southwest portion of the property. There is an existing security fence around the property to provide screening as well. There would be no equipment repair or processing associated with this business operation. The equipment rental business operations do not include any use that would trigger approval through Oregon State Board of Health, DEQ, or other public agency. As such, the propose use and building expansion complies with Section 16.09.100 of the development code.

- Included in the proposal is a minor building expansion, including a 30-foot by 30-foot enclosed area used for equipment storage, and a 20-foot by 30-foot covered wash pad area for the cleaning of the equipment. The building expansion would be setback 40-feet from the western property line, and 50-feet from the southern property line, which are the closest property lines to the building expansion. The surrounding properties are all industrial zoned and include open farmland. All required setbacks have been met, and there are no residentially zoned properties or uses within the vicinity of the property, therefore, additional buffering would not be required. As such, the use and building expansion meets the requirements of Section 16.09.110.A of the development code.
- As identified, there is no residentially zoned properties in the vicinity, and the property is surrounded by industrially zoned properties, currently largely used as farmland. There is also an existing perimeter fence around the subject site, and no additional fencing is proposed. As such, based on the surrounding properties land use designation and current uses, no additional consideration is required regarding development compatibility, and the proposal meets the requirements of Section 16.09.110.B of the development code.
- The proposal does not include a Wind Energy System, as such the project is not subject to compliance with Section 16.09.120 of the development code.
- There are no offsite improvements proposed, existing access to the site will remain and no improvements or modifications are required, and there would be no alteration to the landscaping. Additional parking is being provided to accommodate the additional office use with the inclusion of three additional parking spaces, which exceeds the requirements of Chapter 16.14. As such, no additional development standards are required to be met and the project complies with all applicable sections of the development code.

## II. DECISION AND CONDITIONS OF APPROVAL

Based on the project summary and the record, the Ministerial Review for operations of an equipment rental business including a minor building expansion meets all the required development criteria set forth in Chapter 16.09, and the required decision criteria in 16.20 of the Lebanon Development Code. City staff concludes the proposal complies with the provisions for a Ministerial Review and **APPROVES** the application, subject to the following condition:

1. Authorization from the Oregon Department of Aviation shall be obtained prior to any building construction activities.

### III. OTHER PERMITS AND RESTRICTIONS

The Applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, State or Federal agencies.

The City of Lebanon land use and review and approval process does not take the place of, relieve the Applicant of responsibility for acquiring such other permits, or satisfy any restrictions or conditions thereon. The land use approval herein does not remove, alter or impair in any way any covenants or restrictions imposed on this property by deed or other instrument.

### V. APPEALS

This action is final unless appealed to the Lebanon Planning Commission within fourteen (14) calendar days from the date of this notice. **The appeal must be submitted to the Community Development Department by 5:00 PM on Thursday, September 10, 2020.** Only the applicant and/or a party receiving a copy of this decision may appeal this land use decision. The appeal must state the purpose of the appeal, identifying specific criteria which the application fails to meet, and include the required appeal fee of \$250.00.

Should you wish to appeal this action, or have any questions regarding this project, please contact the Lebanon Planning Division at (541) 258-4906, for further information.

### VI. RECORD

The City's case file and record can be viewed in the Community Development Department at Lebanon City Hall, located at 925 S. Main Street, Lebanon, OR 97355 during regular business hours.

Respectfully,



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Kelly Hart  
Community Development Director

August 27, 2020

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Date