

STAFF REPORT

CASE NO. AND HEARING DATE: Conditional Use Permit 60-95
Planning Director Rev. 8-23-95

APPLICANT: Ed Staub & Sons Petroleum, Inc.
P.O. Box 506
Tulelake, CA 96134

REQUEST: The applicants are requesting a Conditional Use Permit to allow a bulk storage facility for LP gas (propane) (explosive and hazardous materials as defined by the Klamath County Land Development Code).

AUTHORITY: Article 53.430(B) and Article 44 of the Klamath County Land Development Code.

PROJECT LOCATION: The site is located at 3300 Memorial Drive.

LEGAL DESCRIPTION: Located in portion of Section 17 of Township 39, Range 9EWM, Tax Lot 200; Tax Acct. 3909-17-200.

ACCESS: Access easement off of Memorial Drive (See LP 40-95)

UTILITIES:

WATER: City of K-Falls

SEWER: Septic

FIRE DIST: KCFD #1

POWER: Pacific Power

EXHIBITS:

- A. Staff Report
- B. Site Plan
- C. Assessor's Map
- D. KCFD No. Memo 7-28-95

CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:

Notice was sent out to surrounding property owners as well as to agencies of concern. To date, no negative response has been received.

The review criteria of Section 44.030 of the Land Development Code requires that:

- A. The use complies with policies of the Comprehensive Plan.

As the requested use is a conditionally permitted use within the IH zone as adopted as part of the Comprehensive Plan, applicant is in compliance with this criterion.

- B. The use is in conformance with all other required standards and criteria

The IH zone allows as a conditional use, explosive and hazardous materials which is defined as storage of any quantity of materials possessing an explosive, corrosive, noxious, toxic nature that represents potential danger to the public unless dealt with in a qualified, professional manner. The applicants meet this requirement as the appropriate CUP application was made.

- C. The location, size, design, and operating characteristics of the proposed use will not have a significant adverse impact on the livability, value or appropriate development of abutting properties and the surrounding area.

It is the purpose of the Heavy Industrial zone to establish and maintain places where large areas of land are needed for the fabrication, processing, and movement of raw materials and where the potential impacts of noise, odor, vibration, glare, and/or health are least likely to affect adjacent land uses.

The parcel is of sufficient size to support the proposed use. Per applicants submittal, the proposal is for a propane bulk plant facility to be used for receiving propane by rail, and then reloaded for transportation to other bulk plants or delivery to customer storage tanks. Two tanks with a capacity of 60,000 gallons each are proposed. The facility will have an overhead tower for the connection to the rail cars. All piping will be 3" black steel for liquid propane and 2" black steel for vapor transfer. Each tank will have installed an excess flow in each tank opening, along with a remote positive shut-off valve, and a manual 1/4 turn shut-off valve. Piping will be routed to a concrete secured bulkhead. No existing power lines are located on the property. When power is installed to the property, there will be one pole just inside the property line and then it will be routed underground. The closest building to the facility is on an adjacent lot several hundred feet from where the tanks will be placed.

No comment has been received from any of the notified property owners in contrary of review criteria C.

Klamath County Fire District No. 1 in their memo of 7-28-95 indicates they have no concerns for the location of the proposal. They do indicate, however, that permits and installation inspections are required through both them and the State Fire Marshal's Office. KCFD No. 1 requires two sets of plans be submitted along with a \$100 review fee.

RECOMMENDATION:

The Planning Director, based on the above findings and conclusions of the staff report and upon review of the exhibits on file for Conditional Use Permit 60-95, hereby approves the request subject to the following condition:

1. Applicant shall comply with all requirements of Klamath County Fire District No. 1 as outlined above and in their memo of 7-28-95 (attached).

Dated this 23rd day of August, 1995



Carl Shuck, Planning Director

NOTICE OF APPEAL RIGHTS

The Klamath County Land Development Code provides that this decision may be appealed to the Board of County Commissioners no later than 7 days following mailing of this decision. Appeal information may be obtained at the Klamath County Planning Department.

22836

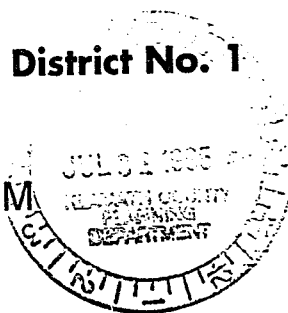


Klamath County Fire District No. 1

143 North Broad
Klamath Falls, Oregon 97601

503/885-2056
FAX 503/884-6920

MEMORANDUM



DATE: July 28, 1995
TO: Carl Shuck, Klamath County Planning Department
FROM: Ron K. Eichelkraut, Fire Marshal
RE: Ed Staub and Sons Petroleum Inc. *CUP 60-95*
~~CUP 57-95~~

Klamath County Fire District No. 1 has no concerns at this time for the location of this proposal. Permits and installation inspections, however, are required through this agency and the State Fire Marshal's office. Klamath County Fire District No. 1 requires that two sets of plans be submitted, along with a \$100 review fee.

Respectfully submitted,

Ron K. Eichelkraut

Ron K. Eichelkraut
Fire Marshal, Klamath County Fire District No. 1

RKE:acw

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 24th day
of Aug A.D., 19 95 at 11:41 o'clock A M., and duly recorded in Vol. M95,
of Deeds on Page 22833.

RETURN: Commissioners Journal

FEE none

By *Bernetha G. Latsch* County Clerk