



TOMMY A. BROOKS

tbrooks@cablehuston.com
cablehuston.com

November 1, 2024

VIA EMAIL

Suzie Dahl, Director of Land Development Services
Columbia County Planning Department
230 Strand Street
St. Helens, OR 97051
suzie.dahl@columbiacountyor.gov
building@columbiacounty.gov

**RE: Port of Columbia County – Port Westward Expansion
Applicant's Supplemental Information**

Dear Ms. Dahl:

As you know, this firm represents the Port of Columbia County ("Port"). The Port is the Applicant in Columbia County Application No. PA 13-02/ZC 13-01 ("Application"). On August 19, 2024, the Port provided the County with the Applicant's Remand Submittal for consideration by the County. This letter and its two attachments contain information to supplement the Remand Submittal and should be included in the record.

The CSA Remand Analysis included with the Remand Submittal establishes various permitting guidance the County can use in the future when it reviews a specific development proposal after the Goal Exception is approved. A major purpose of having the guidance in place is to ensure that the County reviews future proposals based on the same reasoning and justification that supports the Goal Exception.

As an additional aid to showing how the development review process can occur in a way that is consistent with the Goal Exception, we are providing two "flow charts" that describe how we anticipate a future development review process will unfold. The primary flow chart ("Flowchart 1 - Application Process") contains all steps of the review process, starting with a pre-application process and ending with the County's notice of decision. The second flow chart ("Flowchart 2 – Use/Intensity") is a component of the first, and its purpose is to provide a single source of information identifying the five use categories, the Customary Development Form

("CDF") for each category, and a list of factors that help determine how the proposed use compares to the CDF.

As described in the first flow chart, the Port anticipates that an applicant proposing a future development would initiate the process by requesting a Pre-Application Conference ("Pre-App"). The request for the Pre-App should include as much information as possible about the proposed development, including identifying the use category and the applicant's assessment of the level of intensity of the use. Based on this information, County Staff would then be able to obtain information and feedback from other permitting agencies, and County Staff would use the Determination of Use & Intensity flow chart to initially assess the intensity of the proposed use. The participants would then hold the actual Pre-App to identify all relevant Comprehensive Plan and Columbia County Zoning Ordinance ("CDZO") provisions.

If the determination of the use category or the intensity of the use is not relatively easy to identify, the applicant would have an option of seeking a Director's Interpretation. That tool currently exists in CDZO Section 1619.1 and would include an opportunity for a hearing if one is necessary. Having such a decision precede an actual application serves to streamline the review process.

The next step would be for the applicant to submit the application with all necessary information to address the approval criteria. This process would follow the same process as any other discretionary permit, including a completeness review, issuance of a staff report, and an evidentiary hearing. It is during that process that the County and other participants would weigh in on which mitigation measures and conditions are necessary to implement if the development is approved. This would include consideration of the permitting guidance set forth in the CSA Remand Analysis, which will allow the County to conduct a development-specific compatibility analysis.

The two flow charts are best viewed in an electronic format, or when printed in a large format. If you would like us to provide a printed copy, please let me know.

Sincerely,

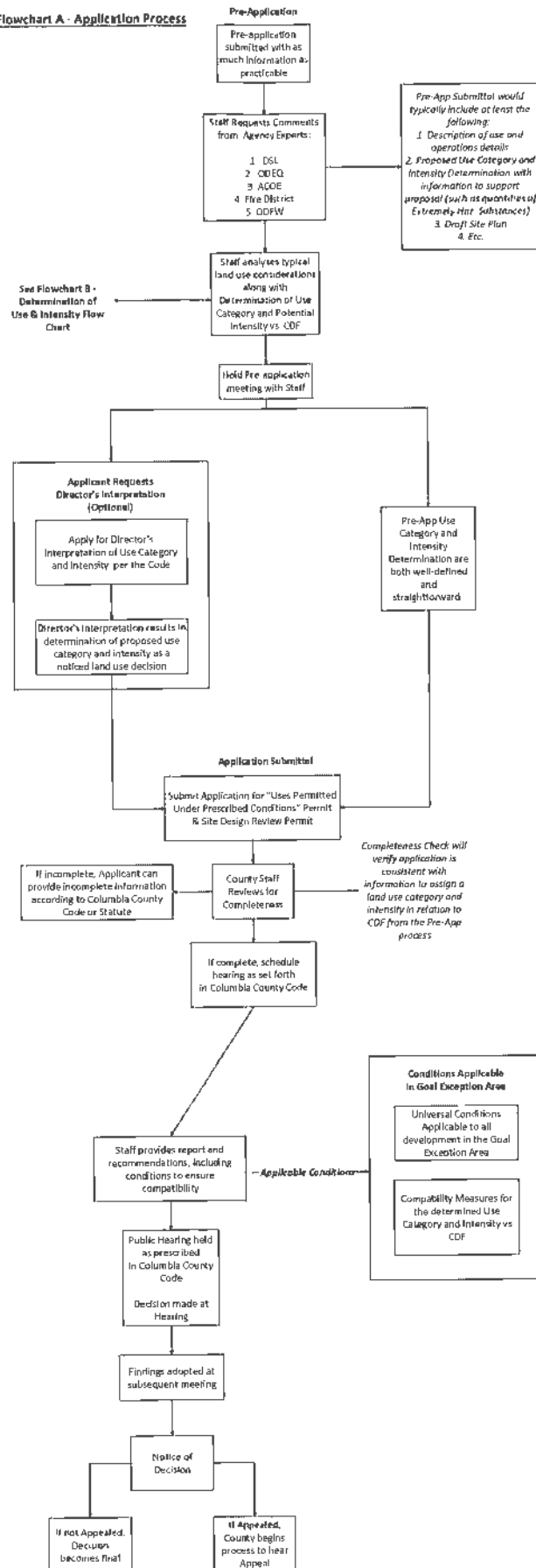
A handwritten signature in blue ink, appearing to read 'Tommy A. Brooks', with a stylized, cursive script.

Tommy A. Brooks

Attachments: Two Flow Charts

Jamie Viveiros, Chief Planner (jamie.viveiros@columbiacountyor.gov)
Spencer Parsons, Associate County Counsel (spencer.parsons@columbiacountyor.gov)
Robert Salisbury, General Counsel, Port of Columbia County

Flowchart A - Application Process



Flowchart B - Use/Intensity

