

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Application by the )  
Zen Community of Oregon for a Site )  
Design Review to Use the Former Quincy ) ORDER No. 19-2002  
Elementary School as a Buddhist Seminary )  
in the Community Service Institutional ) FINDINGS AND CONCLUSIONS  
(CS-I) Zone )

WHEREAS, on December 12, 2001, Hogan Bays, on behalf of the Zen Community of Oregon, filed an application for Site Design Review (DR 02-09) to operate a Buddhist Seminary in the old Quincy Elementary School on 21.50 acres of property zoned Community Service Institutional (CS-I), located at 79640 Quincy-Mayger Road, Clatskanie, Oregon, and having tax account number 8426-020-00800, with the Columbia County Land Development Services Department; and

WHEREAS, on December 27, 2001, said Application was deemed complete; and

WHEREAS, on February 4, 2002, the Columbia County Planning Commission held a hearing on the Application. After hearing evidence and testimony, the Columbia County Planning Commission approved the application and on February 8, 2002, Planning Commission Chair, Jeffrey VanNatta, signed Final Order DR 02-09, approving the application; and

WHEREAS, on February 15, 2002, Susan Haines appealed the Planning Commission's decision to the Columbia County Board of Commissioners; and

WHEREAS, a hearing was scheduled before the Columbia County Board of Commissioners for March 27, 2002; and

WHEREAS, on March 27, 2002, the Board of County Commissioners opened the public hearing; and

WHEREAS, Hogan Bays, for the Zen Community of Oregon, testified in favor of the application; and Tim Wolf, Sharon Coates, Robert Ray, and Susan Haines testified in opposition of the application; and

WHEREAS, at the hearing the following Exhibits were introduced into the record:

Exhibit 1- County Counsel's hearing file containing:

- A. Notice of Public Hearing (Publication);
- B. Notice of Public Hearing (Property Owner Notice);

- C. Affidavit of Mailing;
- D. Affidavit of Publication;
- E. Appeal of final Order DR 02-09 by Susan Haines received February 15, 2002;
- F. Planning Commission Final Order DR 02-09 dated February 8, 2002;
- G. Application DR 02-09 received December 21, 2001;
- H. Staff Report to the Columbia County Planning Commission dated January 24, 2002;
- I. Appeal Information for Final Order DR 02-09 with attached Final Order;
- J. Minutes of February 4, 2002, Planning Commission Hearing;
- K. Referral and Acknowledgment, Margaret Magruder, Clatskanie CPAC;
- L. Referral and Acknowledgment, County Sanitarian;
- M. Referral and Acknowledgment, District Watermaster;
- N. Referral and Acknowledgment, County Roadmaster;
- O. Referral and Acknowledgment, Clatskanie Fire District;
- P. Referral and Acknowledgment, Rich Larsen, Clatskanie CPAC;
- Q. Referral and Acknowledgment, County Building Official;
- R. Referral Contact List;
- S. Letter to Planning Commission from Lester Pugh;
- T. Notice of Planning Commission Public Hearing;
- U. Letter to Rich Larsen from Zen Community of Oregon dated January 14, 2002;
- V. Certificate of mailing dated February 11, 2002;
- W. Certificate of mailing dated December 28, 2001;
- X. Board Communication dated March 20, 2002, with the following attachments:
  - 1. Appeal of DR 02-098;
  - 2. Staff Report to the Board of County Commissioners;

- Exhibit 2- Email to Tony Hyde from Michael Mikeworth;
- Exhibit 3- Letter to the Board of County Commissioners from Mervin K. Arnold dated March 26, 2002;
- Exhibit 4- Document submitted by Tim Wolf, March 27, 2002;
- Exhibit 5- Document submitted by Susan Haines, March 27, 2002;
- Exhibit 6- List of proposed conditions submitted by Susan Haines, March 27, 2002;
- Exhibit 7- Summary of testimony submitted by Susan Haines, March 27, 2002; and

WHEREAS, having heard evidence and testimony, the Board of County Commissioners closed the public hearing, deliberated on the matter and voted unanimously to approve the application;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

- 1. The Columbia County Board of Commissioners adopts the findings of fact and conclusions



- v. Exterior lighting shall point down toward the ground and be shielded so that it does not illuminate adjacent property or the highway and so that no bulb or diffuser is directly visible. Exterior lighting, attached to the buildings shall be limited to low wattage (<100W) bulbs. Prior to receiving any building permits, the applicant shall be required to provide a detail (manufacturer's specifications) of the exterior lights which will be used.

Dated this 17<sup>th</sup> day of April, 2002.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: [Signature]  
Chair

By: Not Present  
Commissioner

By: [Signature]  
Commissioner

Approved as to Form:

By: [Signature]  
Office of the County Counsel

ATTACHMENT A

Columbia County  
**BOARD OF COMMISSIONERS**

ON-APPEAL STAFF REPORT

03/20/02

Site Design Review

**FILE NUMBER:** DR 02-09

**APPLICANT:** Zen Community of Oregon  
PO Box 7  
Corbett, OR 97019

**OWNER:** Columbia County School District 5-J  
Westport, Oregon

**PROPERTY LOCATION:** 79640 Quincy-Mayger Road  
Clatskanie, Oregon 97016

**TAX ACCOUNT NUMBER:** 8426-020-00800

**ZONING:** Community Service - Institutional (CS-I)

**SIZE:** 21.50 Acres

**REQUEST:** To establish a Zen Buddhist Seminary for monastic training on the subject property.

**REVIEW CRITERIA:**

<u>Columbia County Zoning Ordinance</u>	<u>Page</u>
Section 1000, Community Service - Institutional	3
Section 1400, Off-Street Parking and Loading	6
Section 1550, Site Design Review	10

**APPLICATION COMPLETE:** 12/27/01      **150 DAY DEADLINE:** 05/25/02

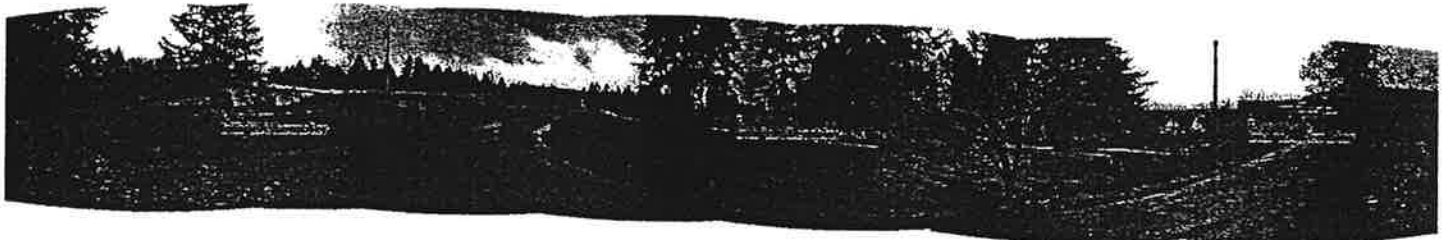
**BACKGROUND:**

The applicant, The Zen Community of Oregon, intends to use the former Quincy Grade School facility as a Zen Buddhist seminary, "Great Vow Zen Monastery" for adults. The applicant anticipates 20 resident adult students

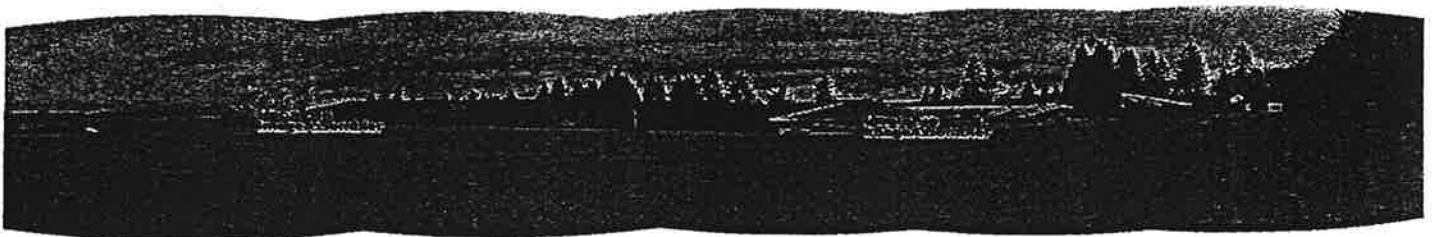
and will hold: monthly week long silent meditation retreats for about 50 people, including resident students; short retreats on some weekends with about 50 people in attendance; and special events for up to 200 people about four times per year for special celebrations.

The property is located in the Rural Community of Quincy just off of Quincy-Mayger Road about 3 miles northeast of the City of Clatskanie, Oregon and 1½ miles south of Port Westward. Surrounding properties are zoned Rural Residential (RR-2 or RR-5) and range in size from .58 acre up to 21.85 acres. Topographically, the property is located at the point where the hills intersect with the Columbia River Valley. The property slopes gently to the northwest and is located approximately 100' above sea level. There are no flood hazard areas or wetlands on the subject property.

Access to the site is via a paved driveway approximately 500' in length from Quincy-Mayger Road to the paved parking lot of the facility. The site is not within the Urban Growth Boundary. The property is within the Quincy Water District. Sewage is proposed to be treated by the existing sub-surface septic system. Emergency services



provided by the Clatskanie Rural Fire District and the Columbia County Sheriff.



**Panorama Photo #1**

Approach driveway from Quincy-Mayger Road on right and front of school building and parking area on left.

**Panorama Photo #2**

Back of school building from outer left field position on ball field located on the south side of school facility.

**REVIEW CRITERIA:**

The following sections of the Zoning Ordinance are pertinent to this application:

**Columbia County Zoning Ordinance****Section 1000 COMMUNITY SERVICE - INSTITUTIONAL**

CS-I

1001 **Purpose:** The purpose of this section is to provide for the review and approval of the location and development of special uses which, by reason of their public convenience, necessity, and unusual character or effect on the neighborhood, may not be suitable for listing with the other sections of this Ordinance. The CS-I district is intended to provide a mechanism for the establishment of public and private facilities necessary to meet the demand for the various types of public assemblies and public and private institutional facilities. This district is intended to function as a regular district within the Community Service designation.

1002 **Permitted Uses:**

- .1 Schools, public or private, and their accompanying sports facilities.
- .9 Churches.

**Finding 1:** The former Quincy Grade School facility subject to this proposal for the Great Vow Zen Monastery was and is a use allowed outright in the Community Service - Institutional (CS-I) zone. The applicant states, "The Zen Community of Oregon is planning on using this facility to found a new school. ... The Zen Community of Oregon a 501(c)3 organization is currently planning to lease this property under the Religious Land Use and Institutionalized Persons Act of the year 2000." Recent State legislation included in SB 470, "Regulating Places of Worship" prohibits counties from regulating activities traditionally associated with the operation of a church or other place of worship, with the exception of the operation of private or parochial schools. Counties must allow the reasonable use of the church property for activities "customarily associated with" the church, for example, religious classes, weddings, funerals, and meal programs. Zen Buddhism is considered a religion and monastic training as proposed would fall under the provision of "religious classes", therefore, the proposed use of the existing facilities by Great Vow Zen Monastery fits well within permitted uses in the CS-I zone. This criteria is met.

**Continuing with the Columbia County Zoning Ordinance:**

003 **Restrictions and Conditions:** These public facilities have a direct impact upon adjoining properties. The Commission shall study each request to establish a new CS-I use and shall attach adequate conditions to the approval of a CS-I use to insure the adverse impact of the institutional use upon the adjoining land uses have been mitigated.

Conditions shall include:

- .1 Landscaping, berming, fencing, or screening.
- .2 Increased off street parking.
- .3 Limitations on the type and amount of external lighting.
- .4 Limitations on the number and location of access points which connect with County roads or public ways.
- .5 The Commission may attach as many conditions, such as setbacks, screening, off-street parking and unloading, construction standards, maintenance an landscaping requirements, as it deems necessary to protect the public health, safety, welfare, the adjoining property owners, and the public interest.
- .6 Within an Urban Growth Boundary, a new CS-I use shall be served by public water and public sewer. The Commission may waive the requirement for the connection to public sewer if it can be shown that the proposed use can be safely served in another manner. In this case, the Commission will require the CS-I use be connected to public sewer when it becomes available to the site.
- 1003.7 Day care centers and private kindergartens shall provide not less than 100 square feet per child of outdoor play area. This area shall not be located in the required front yard unless approved by the Commission.
- .8 Public and private schools shall be on lots or parcels which meet the minimum requirements set by State Statute.
- .9 Churches may not be approved on a lot or parcel which has an area of less than 15,000 square feet.
- .10 Off-street parking shall be provided as required in Section 1400.

**Finding 2:** The former Quincy School facility is already constructed to meet the above provisions. There is adequate landscaping. The parking plan includes 63 parking spaces which are more than enough to handle the



users including resident adult students, visitors to monthly week-long silent meditation retreats, and special celebrations for up to 200 people assuming they arrive 4 persons to each car. External lighting is already placed on the existing buildings and is adequate for the proposed facility. The facility utilizes one access point onto Quincy-Mayger Road. In the past when the facility was used as Quincy Grade School, multiple school buses used the access driveway to deliver students to the school indicating that the proposed sole access driveway is adequate for similar use such as that proposed. The Planning Commission may attach conditions of approval that it deems necessary to insure public health, safety, and welfare. The proposed school for monastic training, the Great Vow Zen Monastery, will be required to meet the minimum requirements set by State Statute.

Continuing with the County Zoning Ordinance, Community Service - Institutional (CS-I):

1004 Before a new Community Service - Institutional use is approved outside an Urban Growth Boundary, the Commission must find that the CS-I use:

- .1 Is consistent with the character of the area.
- .2 Will not adversely affect natural resources in the area.
- .3 Will not conflict with farm or forest use in the area.
- .4 Will not create any traffic hazards.

**Finding 3:** The Great Zen Vow Monastery is a religious school for monastic training and is therefore not a new use, in the sense that it is a different type of use, since the former use of the facility was for Quincy School. The proposed new school for monastic training will fit well within and be consistent with the character of the area. Natural resources in the area will not be affected by the use of the existing facility for monastic training and events since only the existing school facility will be involved. Farm and forest uses in the area will not be conflicted by this proposal since intensity of use will not be greater than intensity of the facility's former use as a school and because there is very little farm and forest activity in the area proximate to the facility. Considering that school buses delivered children to the school at the same time of day it is not unreasonable to think that the proposed use will not create any adverse traffic impacts since no more than 63 vehicles will be accessing the facility at any one time.

Continuing with the County Zoning Ordinance, Community Service - Institutional (CS-I):

1005 Standards:

- .1 There is no designated minimum lot or parcel size. The Commission shall review each proposal on a case by case basis and determine if the site is adequate for the proposed use. The site plan shall be reviewed and determined if the site meets all the provisions of this Ordinance, including the off-street parking requirements listed in Section 1400.
- .2 There are no designated minimum setbacks in this district. The applicant shall submit a letter from the Fire Marshall concerning the necessary setbacks for safety. After reviewing the letter and the adjacent land uses, the Commission shall establish setback requirements for each individual site.

**Finding 4:** The subject property is comprised of 21.50 acres with the building and parking lot located in the upper northwestern corner. This is more than adequate area for the proposed use. Setbacks for the existing building envelope and supporting facilities including the parking area are already established and will be adequate for the proposed use and cannot be changed. A condition of approval shall be that the applicant shall submit a letter from the Clatskanie Fire District stating that all fire, life, safety issues have been addressed by this proposal. All off-street parking provisions outlined in section 1400 must be met.

Continuing with the County Zoning Ordinance, Community Service - Institutional (CS-I):

1006 Signs: Signs shall meet the requirements of Section 1300.

**Finding 5:** The applicant states that, “new signs will essentially mimic the current signs in size, location and format. There will be two signs one on each side of the driveway. Signs will be rectangular approximately 1.5 feet off the ground. Both signs will say, “Great Vow zen Monastery”. They will be made of wood (color brown with dark brown lettering). They will be externally lit by one low wattage (approximately 75 watt bulb) or less. Their sole purpose is to clearly identify the site for visitors.” The proposed signs meet the provisions of Section 1300. This criteria is met.

Continuing with the Columbia County Zoning Ordinance:

**Section 1400 OFF-STREET PARKING AND LOADING**

**1401 General Provisions:**

At the time of the erection of a new building, or an addition to an existing building, or any change in the use of an existing building, structure, or land which results in an intensified use by customers, occupants, employees, or other persons, off-street parking and loading shall be provided according to the requirements of this section.

**102** Continuing Obligation:

The provisions for and maintenance of off-street parking and loading facilities shall be a continuing obligation of the property owner. No building or any other required permit for a structure or use under this or any other applicable rule, ordinance, or regulation shall be issued with respect to off-street parking and loading, or land served by such land, until satisfactory evidence is presented that the property is, and will remain, available for the designated use as a parking or loading facility.

**Finding 6:** The applicant states, " Plan includes parking for 63 cars. Two handicapped parking places will be added by the main entrance. Parking area is designed for school buses and has very large turn around." Staff estimates the parking lot area to be roughly 30,000 square feet. The standard parking space is 9' x 18' or 162 square feet. Parking for 63 cars utilizing 162 square feet per space results in a total of 10,206 square feet for parking spaces out of a total of 30,000 square feet of available paved space. The applicant submitted a parking lot plan indicating the parking space layout with aisle widths to accommodate school buses. Proposed off-street parking meets the provisions for off-street parking. This criteria is met.

Continuing with the Columbia County Zoning Ordinance:**1405** Plans Required:

A plot plan shall be submitted in duplicate to the Director with each application for a building permit or for a change of classification to OP. The plot plan shall include the following information:

- .1 Dimensions of the parking lot.
- .2 Access to streets and location of curb cuts.
- .3 Location of individual parking spaces.
- .4 Circulation pattern.
- .5 Grade and drainage.
- .6 Abutting property.
- .7 A landscaping plan which shall include the location and names of all vegetation, and the location and size of fencing or other screening material. This plan shall be approved by the Director.

**inding 7:** The existing facility that was formerly the Quincy School addressed the above provisions. The applicant has submitted a site plan indicting the proposed parking area and layout, however, no dimensions of circulation pattern was noted. The landscaping plan indicates that a new vegetable and flower garden will be added to the site.

Continuing with the Columbia County Zoning Ordinance:

**1406** Location:

- .1 Spaces required by this section shall be provided on the site of the primary uses, provided that, when practical difficulties prevent their establishment upon the same site, the Planning Director may permit the facility to be located within 300 feet therefrom, measured in a straight line (including streets and alleys) from the nearest property line to the nearest parking space; but in any case the location shall meet all provisions of this ordinance which apply.
- .2 Loading spaces and maneuvering area shall be located only on or abutting the property served.

**1407** Change of Use: In case of enlargement or change of use, the number of parking or loading spaces required shall be based upon the total area involved in the enlargement or change in use.

**inding 8:** The applicant proposes to maintain off-street parking spaces on the subject property. The number of proposed parking spaces will be 63 with two handicapped spaces added by the building entrance. These spaces will be adequate for the proposed use.

Continuing with the Columbia County Zoning Ordinance:

**1408** Design Standards:

- .1 Scope:
  - A. These design standards shall apply to all parking, loading, and maneuvering areas except those for single and two-family residential dwellings on individual lots.
  - B. All parking and loading areas shall provide for the turning, maneuvering, and parking of all vehicles on the lots.

**10** Size:

- .1 The standard size of a parking space shall be 9 feet by 18 feet.
- .2 Handicapped parking spaces shall be 12 feet by 18 feet.
- .3 Parallel parking, the length of the parking space shall be increased to 22 feet.

**Finding 9:** The applicant will be required to meet the above dimensional requirements including standard parking space size of 9' x 18', and 12' for handicapped spaces.

Continuing with the Columbia County Zoning Ordinance:

**1411** Aisles: Aisles shall not be less than:

- .1 25'0" in width for 90 degree parking;
- .2 20'0" in width for 60 degree parking;
- .3 20'0" in width for 45 degree parking; and
- .4 12'0" in width for parallel parking.

**Finding 10:** The applicant indicates that aisle widths are large enough to accommodate school buses which is adequate for automobiles. In any case the applicant shall arrange aisle widths to facilitate internal circulation on the site.

Continuing with the Columbia County Zoning Ordinance:

**1412** Access: There shall be no more than one 45 foot wide curb cut driveway per 150 feet of street frontage, or fraction thereof, permitted per site.

**Finding 11:** The proposed Great Vow Zen Monastery will have access via an existing driveway that connects to Quincy-Mayger Road. The existing access was adequate to allow school buses, similar in size to fire trucks, to access the site.

Continuing with the Columbia County Zoning Ordinance:

**413 Surfacing and Marking:**

- .1 The surfacing of each parking area shall meet minimum County standards to handle the weight of the vehicles which will use the parking area. All areas used for parking and maneuvering of vehicles shall be marked in accordance with the approved plan and such marking shall be continuously maintained. Handicapped parking spaces shall be marked with a wheelchair symbol.
- .2 The parking and loading areas for commercial, industrial, or apartment uses shall be paved with concrete, asphaltic concrete, or another comparable surface.

**Finding 12:** The applicant will be required to pave all parking and driving areas associated with this development. The depth of the asphalt shall be at least 3 inches. All parking areas shall be appropriately marked, including the 2 proposed handicapped spaces closest to the building entrance.

Continuing with the Columbia County Zoning Ordinance:

**1414 Drainage and Lighting:**

Adequate drainage shall be provided to dispose of the run-off generated by the impervious surface area to the parking area. The drainage system shall function so it will not adversely affect adjoining property. Artificial lighting shall be provided in such a manner as to insure the safety of the parking area without interfering with adjoining properties or creating traffic hazards on adjoining streets.

**Finding 13:** Drainage and lighting have already been addressed when the existing building was constructed.

Continuing with the Columbia County Zoning Ordinance:

**Section 1550 SITE DESIGN REVIEW:**

The Site Design Review process shall apply to all new development, redevelopment, expansion, or improvement of all community, governmental, institutional, commercial, industrial and multi-family residential (4 or more units) uses in the County.

.1 Types of Site Design Review:

**Type 1:** Projects, developments and building expansions which meet any of the following

criteria:

1. are less than 5,000 sq.ft., and are less than 10% of the square footage of an existing structure.
2. Increase the number of dwelling units in a multi-family project.
3. Increase the height of an existing building.

Type 2: Projects, developments and building expansions which meet any of the following criteria:

1. have an area of 5,000 sq.ft. or more, or are 10% or more of the square footage of an existing structure.
2. Change the category of use (e.g., commercial to industrial, etc.).
3. New off-site advertising signs or billboards.
4. Any project meeting any of the Type 2 criteria shall be deemed a Type 2 Design Review application.

**Finding 14:** The existing facilities are greater than 5,000 square feet in size. Planning Staff determined that the change from the former Quincy School to the Great Zen Vow Monastery merited review and decision by the Planning Commission even though the change in the category of use was minimal since monastic training is akin to schooling. This project will be reviewed as a Type 2 Design Review.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- .2 Design Review Process: The Planning Director shall review and decide all Type 1 Site Design Review applications. The Planning Commission shall review all Type 2 Design Review applications. Applications shall be processed in accordance with Sections 1600 and 1700 of this ordinance.

**Finding 17:** This application is being processed as a Type II site Design Review. The Planning Commission is scheduled to hear this item at the February 4, 2002 public hearing.

Continuing with the Columbia County Zoning Ordinance Section 1550:

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- .3 Pre-application Conference: A pre-application conference is required for all projects applying for a Site Design Review, unless the Director or his/her designate determines it is unnecessary. The submittal requirements for each application are as defined in this section and the standards of the applicable zone, and will be determined and explained to the applicant at the pre-application conference.
  
- .4 Pre-application Conference Committee: The committee shall be appointed by the Planning Director and shall consist of at least the following officials, or their designated staff members. Only affected officials need to be present at each pre-application conference.
  - a) The County Planning Director.
  - b) The County Director of Public Works.
  - c) The Fire Marshal of the appropriate Rural Fire District.
  - d) The County Building Official.
  - e) The County Sanitarian.
  - f) A city representative, for projects inside Urban Growth Boundaries.
  - g) Other appointees by the Planning Director, such as an Architect, Landscape Architect, real estate agent, appropriate officials, etc.

**Finding 18:** A Pre-application conference was held with the applicant on October 11, 2001.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- .5 Submittal documents: The following documents, when applicable, are required for a Site Design Review. The scope of the drawings and documents to be included will be determined at the pre-application conference by the Pre-application Conference Committee, and a Site Design Review Submittal Checklist will be given to the applicant, documenting which items are deemed not applicable or not necessary to determine compliance with County and State standards, with a short explanation given for each item so determined.
  - A. History.
  - B. Project narrative.
  - C. Existing site plan.
  - D. Proposed site plan.
  - E. Grading plan.
  - F. Drainage plan.
  - G. Wetland mitigation plan.
  - H. Landscaping plan.
  - I. Architectural plans.
  - J. Sign drawings.



- K. Access, parking and circulation plan.
- L. Impact assessment.
- M. Site Design Review Submittal Checklist.

**Finding 19:** Grading, drainage, landscape, and wetland mitigation plans are not required since these provisions were already considered and met when the Quincy School facility was constructed in 1971. The applicant has submitted sufficient information necessary to process this application.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- .6 Site Plan Submittal and Analysis: The applicant shall submit an application and any necessary supplemental information as required by this ordinance to the Land Development Services Department. The Planning Director or designate shall review the application and check its completeness and conformance with this ordinance. Once a Type 2 application is deemed complete, it shall be scheduled for the earliest possible hearing before the Planning Commission. A staff report shall be prepared and sent to the applicant, the Planning Commission, and any interested party requesting a copy.
- .7 Planning Director Review: All Type 1 design review applications will be processed by the Planning Director or designate according to Sections 1601, 1602 and 1609 of this ordinance. If the Director determines that the proposed development meets the provisions of this ordinance, he the director may approve the project and may attach any reasonable conditions.
- .8 Planning Commission Review: The Planning Commission shall hold a public hearing for all Type 2 Design Review applications according to Sections 1603, 1604 and 1608 of this ordinance. If the Planning Commission determines that the proposed development meets the provisions of this ordinance, it may approve the project. The Planning Commission may attach any reasonable conditions to its approval of a site plan.
- .9 Compliance: Conditions placed upon the development of a site are also placed upon any building permits issued for the same site. These conditions shall be met by the developer prior to an occupancy permit being issued by the Building Official, or as an alternative, a bond shall be posted equal to 125% of the estimated cost of the unfinished work, to ensure completion within 1 year of occupancy. If all improvements are not completed within the 1-year bond period, the County may use the bond to complete the work.

**Finding 20:** This application is a "Type 2" design review that will be heard at the February 4, 2002 public hearing by the Planning Commission. The Planning Commission may impose additional conditions of approval

it deems necessary.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- .10 Existing Site Plan: The degree of detail in the existing site plan shall be appropriate to the scale of the proposal, or to special site features requiring careful design. An existing site plan shall include the following, unless it is determined by the Planning Director that the information is not applicable or is not necessary to determine compliance with County and State standards, and a short explanation will be given for each item so determined:
- A. A vicinity map showing location of the property in relation to adjacent properties, roads, pedestrianways and bikeways, and utility access. Site features, manmade or natural, which cross property boundaries are to be shown.
  - B. A site description map at a suitable scale (i.e. 1"=100'; 1"=50'; or 1"=20') showing parcel boundaries and gross area, including the following elements, when applicable:
    - 1. Contour lines at the following minimum intervals:
      - a. 2 foot intervals for slopes 0-20%;
      - b. 5 or 10 foot intervals for slopes exceeding 20%;
      - c. Identification of areas exceeding 35% slope.
    - 2. In special areas, a detailed slope analysis may be required. Sources for slope analysis include maps located at the U.S. Natural Resources Conservation Service office.
    - 3. Potential natural hazard areas, including potential flood or high ground water, landslide, erosion, and drainage ways. An engineering geologic study may be required.
    - 4. Wetland areas, springs, wildlife habitat areas, wooded areas, and surface features such as mounds and large rock outcroppings.
    - 5. Streams and stream corridors.
    - 6. Location, species and size of existing trees proposed to be removed.

7. Significant noise sources.
8. Existing structures, improvements, utilities, easements and other development.
9. Adjacent property structures and/or uses.

**Finding 21:** The applicant submitted an existing site plan that indicated the locations of all relevant features of the site. A vicinity map was also included with the application.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- .11 **Proposed Site Plan:** A complete application for design review shall be submitted, including the following plans, which may be combined, as appropriate, onto one or more drawings, unless it is determined by the Planning Director that the information is not applicable or is not necessary to determine compliance with County and State standards, and a short explanation will be given for each item so determined:
  - A. **Site Plan:** The site plan shall be drawn at a suitable scale (i.e. 1"=100', 1"=50', or 1"=20') and shall include the following:
    1. The applicant's entire property and the surrounding area to a distance sufficient to determine the relationships between the applicant's property and proposed development and adjacent properties and developments.
    2. Boundary lines and dimensions of the property and all proposed property lines. Future buildings in phased development shall be indicated.
    3. Identification information, including names and addresses of project designers.
    4. Natural features which will be utilized in the site plan.
    5. Location, dimensions and names of all existing or platted roads or other public ways, easements, and railroad rights-of-way on or adjacent to the property, city limits, section lines and corners, and monuments.
    6. Location and dimensions of all existing structures, improvements, or utilities to remain, and structures to be removed, all drawn to scale.
    7. Historic structures, as designated in the Comprehensive Plan.

8. Approximate location and size of storm water retention or detention facilities and storm drains.
9. Location and exterior dimensions of all proposed structures and impervious surfaces.
10. Location and dimension of parking and loading areas, pedestrian and bicycle circulation, and related access ways. Individual parking spaces shall be shown.
11. Orientation of structures, showing entrances and exits.
12. All exterior lighting, showing type, height, wattage, and hours of use.
13. Drainage, including possible adverse effects on adjacent lands.
14. Service areas for waste disposal and recycling.
15. Noise sources, with estimated hours of operation and decibel levels at the property boundaries.
16. A landscaping plan which includes, if applicable:
  - a. Location and height of fences, buffers, and screening;
  - b. Location of terraces, decks, shelters, play areas, and common open spaces;
  - c. Location, type, size, and species of existing and proposed shrubs and trees; and
  - d. A narrative which addresses soil conditions and erosion control measures.

**Finding 22:** The applicant has submitted plans that are suitable for meeting compliance with this section of the ordinance considering that there are no new structures and that all existing facilities will be utilized as is with the exception of interior remodeling. The parking plan indicates 63 parking spaces, with 2 additional handicapped spaces located near the entrance to the building.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- B. Grading Plans: A preliminary grading plan indicating where and to what extent grading

will take place, including general contour lines, slope ratios, slope stabilization proposals, and natural resource protection proposals.

C. Architectural Drawings:

1. Building elevations and sections;
2. Building materials (color and type);
3. Floor plan.

**Finding 23:** No grading plan was necessary for the existing facility. The applicant submitted the original architectural drawings showing building footprints in plan view and side and end view details.

Continuing with the Columbia County Zoning Ordinance Section 1550:

D. Signs: (see also Zoning Ordinance Section 1300)

1. Freestanding sign:

- a. Location of sign on site plan;
- b. Elevation of sign (indicate size, total height, height between bottom of sign and ground, color, materials, and means of illumination).

2. On-Building Sign:

- a. Building elevation with location of sign (indicate size, color, materials and means of illumination);
- b. Plot plan showing location of signs on building in relation to adjoining property.

**Finding 24:** As the applicant stated previously in finding #5: "new signs will essentially mimic the current signs in size, location and format. There will be two signs one on each side of the driveway. Signs will be rectangular approximately 1.5 feet off the ground. Both signs will say, "Great Vow Zen Monastery". They will be made of wood (color brown with dark brown lettering). They will be externally lit by one low wattage (approximately 75 watt bulb) or less."

Continuing with the Columbia County Zoning Ordinance Section 1550:

.12 Landscaping: Buffering, Screening and Fencing:

A. General Provisions:

1. Existing plant materials on a site shall be protected to prevent erosion. Existing trees and shrubs may be used to meet landscaping requirements if no cutting or filling takes place within the dripline of the trees or shrubs.
2. All wooded areas, significant clumps or groves of trees, and specimen conifers, oaks or other large deciduous trees, shall be preserved or replaced by new plantings of similar size or character.

B. Buffering Requirements:

1. Buffering and/or screening are required to reduce the impacts on adjacent uses which are of a different type. When different uses are separated by a right of way, buffering, but not screening, may be required.
2. A buffer consists of an area within a required setback adjacent to a property line, having a width of up to 10 feet, except where the Planning Commission requires a greater width, and a length equal to the length of the property line adjacent to the abutting use or uses.
3. Buffer areas shall be limited to utilities, screening, pedestrian and bicycle paths, and landscaping. No buildings, roads, or parking areas shall be allowed in a buffer area.
4. The minimum improvements within a buffer area shall include:
  - a. One row of trees, or groupings of trees equivalent to one row of trees. At the time of planting, these trees shall not be less than 10 feet high for deciduous trees and 5 feet high for evergreen trees, measured from the ground to the top of the tree after planting. Spacing of trees at maturity shall be sufficient to provide a year-round buffer.
  - b. In addition, at least one 5-gallon shrub shall be planted for each 100 square feet of required buffer area.

- c. The remaining area shall be planted in grass or ground cover, or spread with bark mulch or other appropriate ground cover (e.g. round rock). Pedestrian and bicycle paths are permitted in buffer areas.

C. Screening Requirements:

1. Where screening is required, the following standards shall apply in addition to those required for buffering:
  - a. A hedge of evergreen shrubs shall be planted which will form a four-foot high continuous screen within two years of planting; or,
  - b. An earthen berm planted with evergreen plant materials shall be provided which will form a continuous screen six feet in height within two years. The unplanted portion of the berm shall be planted in lawn, ground cover or bark mulch; or,
  - c. A five foot or taller fence or wall shall be constructed to provide a continuous sight obscuring screen. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, brick, or other materials approved by the Director. Corrugated metal is not an acceptable fencing material. Chain link fences with slats may be used if combined with a continuous evergreen hedge.
2. When the new use is downhill from the adjoining zone or use being protected, the prescribed heights of required fences, walls, or landscape screening along the common property line shall be measured from the actual grade of the adjoining property at the common property line. This requirement may be waived by the adjacent property owner.
3. If four or more off-street parking spaces are required, off-street parking adjacent to a public road shall provide a minimum of four square feet of landscaping for each lineal foot of street frontage. Such landscaping shall consist of landscaped berms or shrubbery at least 4 feet in total height at maturity. Additionally, one tree shall be provided for each 50 lineal feet of street frontage or fraction thereof.
4. Landscaped parking areas may include special design features such as landscaped berms, decorative walls, and raised planters.
5. Loading areas, outside storage, and service facilities must be screened from adjoining properties.

D. Fences and Walls:

1. Fences, walls or combinations of earthen berms and fences or walls up to four feet in height may be constructed within a required front yard. Rear and side yard fences, or berm/fence combinations behind the required front yard setback may be up to six feet in height.
2. The prescribed heights of required fences, walls, or landscaping shall be measured from the lowest of the adjoining levels of finished grade.
3. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, brick, or other materials approved by the Director. Corrugated metal is not an acceptable fencing material. Chain link fences with slats may be used if combined with a continuous evergreen hedge.

E. Re-vegetation: Where natural vegetation or topsoil has been removed in areas not occupied by structures or landscaping, such areas shall be replanted to prevent erosion.

**Finding 25:** The applicant does not intend to add any new fencing, buffering, or screening to the site nor plant new vegetation other than a new vegetable and flower garden behind the existing building. The existing site is adequately landscaped and does not require additional landscaping or a landscaping plan..

Continuing with the Columbia County Zoning Ordinance Section 1550:

.13 Standards for Approval:

The Planning Commission or Director shall make a finding with respect to each of the following criteria when approving, approving with conditions, or denying an application:

A. Flood Hazard Areas: See CCZO §1100, Flood Hazard Overlay Zone. All development in Flood Hazard Areas must comply with State and Federal Guidelines.

**Finding 26:** The subject property is not located in a flood hazard area identified on FEMA maps.

Continuing with the Columbia County Zoning Ordinance Section 1550:



- B. Wetlands and Riparian Areas: Alteration of wetlands and riparian areas shall be in compliance with State and Federal laws.

**Finding 27:** The National Wetlands Inventory does not indicate any wetland areas on the site. A seasonal creek appears on several of the maps that may have wetlands however that creek is located on the property in a location that will not be impacted by this proposal.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- C. Natural Areas and Features: To the greatest practical extent possible, natural areas and features of the site shall be preserved.

**Finding 28:** This site does not contain any natural areas listed in the comprehensive plan or any visible groups of significant vegetation that would require protection.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- D. Historic and Cultural sites and structures: All historic and culturally significant sites and structures identified in the Comprehensive Plan, or identified for inclusion in the County Periodic Review, shall be protected if they still exist.

**Finding 29:** This site has not been identified as a historically or culturally significant site in the comprehensive plan. Further, it has not been included during a periodic review work task.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- E. Lighting: All outdoor lights shall be shielded so as to not shine directly on adjacent properties and roads.

**Finding 30:** The existing exterior lighting associated with the former use of the property and facility will be utilized in this application. Existing lighting has in the past not been offensive. A condition of approval shall be that exterior lighting shall be directed and shielded so as to not shine directly on adjacent properties and roads nor be offensive to neighboring properties. All lights are required to point down and to be shielded so as not to shine directly onto adjacent properties. Staff recommends low wattage bulbs on the buildings themselves and that all light bulbs or diffusers are shielded so as to not be directly visible. The lighting detail of all exterior lights will be required prior to receiving a building permit.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- F. Energy Conservation: Buildings should be oriented to take advantage of natural energy saving elements such as the sun, landscaping and land forms.

**Finding 31:** The existing buildings orientation will not be changed.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- G. Transportation Facilities: Off-site auto and pedestrian facilities may be required by the Planning Commission, Planning Director or Public Works Director consistent with the Columbia County Road Standards and the Columbia County Transportation Systems Plan.

**Finding 32:** The former grade school generated peak period traffic impacts during each of the weekdays by school buses and automobiles dropping children off and picking them up at the facility. The proposed Great Vow Zen Monastery will be a less intense use of the facility and will not generate more trips to the property than the former use of the property as a public grade school. Transportation facilities are adequate.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- .14 Final Site Plan Approval: If the Planning Director or Planning Commission approves a preliminary site plan, the applicant shall finalize all the site drawings and submit them to the Director for review. If the Director finds the final site plan conforms with the preliminary site plan, as approved by the Director or Planning Commission, the Director shall give approval to the final site plan. Minor differences between the preliminary site plan and the final site plan may be approved by the Director. These plans shall be attached to the building permit application and shall become a part of that permit.

**Finding 33:** Final site plans approved by the Planning Commission shall be attached to the building permit.

**COMMENTS:**

- 1. The Clatskanie PUD has reviewed the application and has no objection to its approval as submitted.

2. The Clatskanie Fire District states, "This change of occupancy or conditions may require additional fire and life safety measures to be taken. These measures could include items such as upgrading the alarm system and installation of an approved sprinkler system."
3. The Sanitarian has reviewed the application and has no objection to its approval as submitted.
4. The Roadmaster's Office has reviewed the application and has no objection to its approval as submitted.
5. The District 18 Watermaster has reviewed the application and has no objection to its approval as submitted. Comments are, "Limited water use of ½ acre lawn and non commercial garden up to 5,000 gallons per day without a water right."
6. The Clatskanie CPAC will have comments to LDS by January 25.

No other comments have been received from government agencies or nearby property owners as of the date of this staff report ( January 24, 2002).

#### STAFF CONCLUSION AND RECOMMENDATION:

Based on the findings in the above staff report (DR 02-09), staff recommends **APPROVAL** of this request for the Great Vow Zen Monastery to utilize the existing facilities of the former Quincy Grade School in the CS-I zone located in the Rural Community of Quincy, Oregon for a Zen Buddhist School for adults, anticipating 20 resident adult students; monthly week-long silent meditation retreats for about 50 people including resident students; short retreats on some weekends, anticipating about 50 people; and special events for up to 200 people four times per year for special celebrations; with the following conditions:

1. This permit shall become void 2 years from the date of the final decision if development has not begun on the property. Extensions of time may be granted by the Planning Director if requested in writing before the expiration date and if the applicant was not responsible for the failure to develop.
2. The applicant shall maintain 63 parking spaces with 2 additional spaces for handicapped parking next to the building entrance.
3. The existing asphaltic concrete parking area shall be signed and striped to identify standard parking spaces and handicapped parking spaces.

4. Prior to receiving a building permit, the applicant shall submit documentation from the Clatskanie Rural Fire Protection District that they have reviewed the applicant's plans for fire flow, access, and life safety considerations and are satisfied with the plans.
5. Exterior lighting shall point down toward the ground and be shielded so that it does not illuminate adjacent property or the highway and so no bulb or diffuser is directly visible. Exterior lighting, attached to the buildings shall be limited to low wattage (<100W) bulbs. The applicant is required to provide a detail (manufacturer's specifications) of the exterior lights that will be used, prior to receiving any building permits.

**STAFF RESPONSE TO REASONS OF APPEAL:**

Reason for Appeal: *The zoning of this building is for institutional use. The proposal states the building will be used for "residential" use. The zoning would need to be changed from institutional to residential to allow for this use.*

Staff Response: The Community Service - Institutional (CS-I) zone allows a spectrum of permitted uses that have both inherent and accessory residential components. Permitted Uses, Section 1002, allowing an "inherent" residential component include:

- Hospital, clinic, or sanitarium,
- Extended care facility,
- .8 Correctional facilities,
- .12 Fire stations,
- .13 Ranger Stations,
- .18 Nursing homes.

Permitted Uses in the CS-I zone, Section 1002 allowing an accessory residential component include:

- .1 Schools, public or private, and their accompanying sports facilities,
- .9 Churches.

There are multiple examples in the County of churches with residential components in the CS-I zone. Several examples of Churches with residential parsonages in the CS-I zone are:

- Yankton Baptist Church, 5236-000-01000, Church and Parsonage in CS-I zone,
- Delena Baptist Church, 7316-000-00900 & 1000, Church and Parsonage in CS-I zone,
- Former Church, 7413-000-00300 & 301, former Church and former Parsonage in CS-I zone.

Given that the Community Service - Institutional (CS-I) Zone, under "Permitted Uses" lists, ".19 Other uses and similar by the Commission." Staff finds that the proposed residential component of the Zen Community of Oregon's proposed Great Vow Zen Monastery (Church) in the former Quincy Elementary School is a use customarily accessory to a church, monastery or seminary such as proposed, and therefore recommend that the Board of Commissioners so determine in denying the subject appeal.

ATTACHMENT A

Columbia County  
**BOARD OF COMMISSIONERS**

ON-APPEAL STAFF REPORT

03/20/02

Site Design Review

**FILE NUMBER:** DR 02-09

**APPLICANT:** Zen Community of Oregon  
PO Box 7  
Corbett, OR 97019

**OWNER:** Columbia County School District 5-J  
Westport, Oregon

**PROPERTY LOCATION:** 79640 Quincy-Mayger Road  
Clatskanie, Oregon 97016

**TAX ACCOUNT NUMBER:** 8426-020-00800

**ZONING:** Community Service - Institutional (CS-I)

**SIZE:** 21.50 Acres

**REQUEST:** To establish a Zen Buddhist Seminary for monastic training on the subject property.

**REVIEW CRITERIA:**

<u>Columbia County Zoning Ordinance</u>	<u>Page</u>
Section 1000, Community Service - Institutional	3
Section 1400, Off-Street Parking and Loading	6
Section 1550, Site Design Review	10

**APPLICATION COMPLETE:** 12/27/01      **150 DAY DEADLINE:** 05/25/02

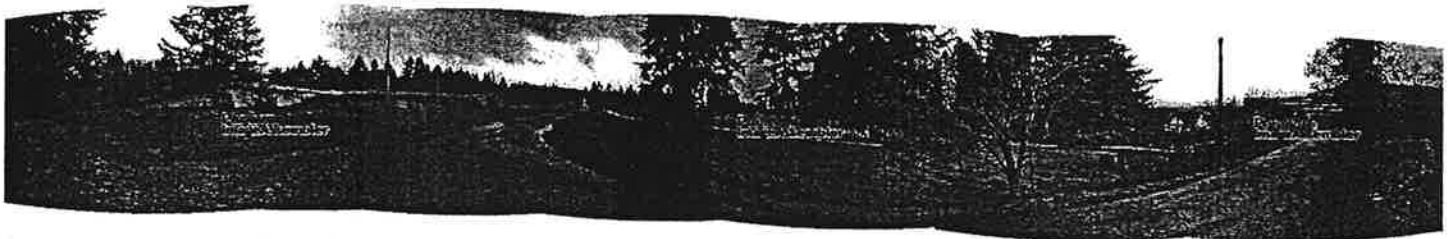
**BACKGROUND:**

The applicant, The Zen Community of Oregon, intends to use the former Quincy Grade School facility as a Zen Buddhist seminary, "Great Vow Zen Monastery" for adults. The applicant anticipates 20 resident adult students

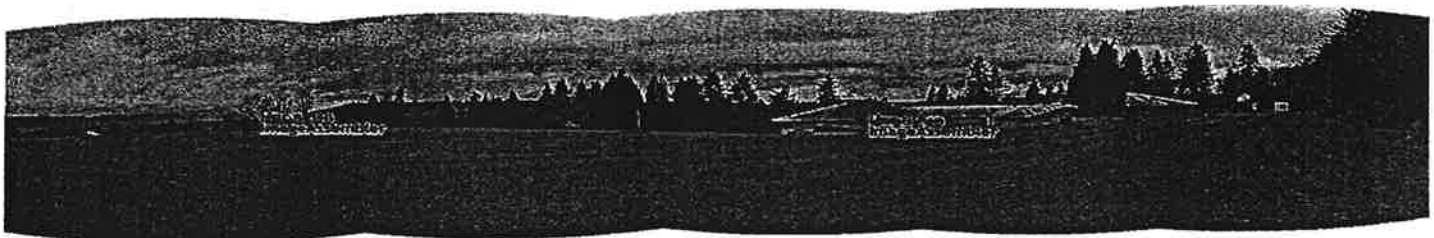
d will hold: monthly week long silent meditation retreats for about 50 people, including resident students; short retreats on some weekends with about 50 people in attendance; and special events for up to 200 people about four times per year for special celebrations.

The property is located in the Rural Community of Quincy just off of Quincy-Mayger Road about 3 miles northeast of the City of Clatskanie, Oregon and 1½ miles south of Port Westward. Surrounding properties are zoned Rural Residential (RR-2 or RR-5) and range in size from .58 acre up to 21.85 acres. Topographically, the property is located at the point where the hills intersect with the Columbia River Valley. The property slopes gently to the northwest and is located approximately 100' above sea level. There are no flood hazard areas or wetlands on the subject property.

Access to the site is via a paved driveway approximately 500' in length from Quincy-Mayger Road to the paved parking lot of the facility. The site is not within the Urban Growth Boundary. The property is within the Quincy Water District. Sewage is proposed to be treated by the existing sub-surface septic system. Emergency services



provided by the Clatskanie Rural Fire District and the Columbia County Sheriff.



**Panorama Photo #1**

Approach driveway from Quincy-Mayger Road on right and front of school building and parking area on left.

**Panorama Photo #2**

Back of school building from outer left field position on ball field located on the south side of school facility.

**REVIEW CRITERIA:**

The following sections of the Zoning Ordinance are pertinent to this application:

**Columbia County Zoning Ordinance**

**Section 1000 COMMUNITY SERVICE - INSTITUTIONAL CS-I**

1001 Purpose: The purpose of this section is to provide for the review and approval of the location and development of special uses which, by reason of their public convenience, necessity, and unusual character or effect on the neighborhood, may not be suitable for listing with the other sections of this Ordinance. The CS-I district is intended to provide a mechanism for the establishment of public and private facilities necessary to meet the demand for the various types of public assemblies and public and private institutional facilities. This district is intended to function as a regular district within the Community Service designation.

1002 Permitted Uses:

- .1 Schools, public or private, and their accompanying sports facilities.
- .9 Churches.

**Finding 1:** The former Quincy Grade School facility subject to this proposal for the Great Vow Zen Monastery was and is a use allowed outright in the Community Service - Institutional (CS-I) zone. The applicant states, "The Zen Community of Oregon is planning on using this facility to found a new school. ... The Zen Community of Oregon a 501(c)3 organization is currently planning to lease this property under the Religious Land Use and Institutionalized Persons Act of the year 2000." Recent State legislation included in SB 470, "Regulating Places of Worship" prohibits counties from regulating activities traditionally associated with the operation of a church or other place of worship, with the exception of the operation of private or parochial schools. Counties must allow the reasonable use of the church property for activities "customarily associated with" the church, for example, religious classes, weddings, funerals, and meal programs. Zen Buddhism is considered a religion and monastic training as proposed would fall under the provision of "religious classes", therefore, the proposed use of the existing facilities by Great Vow Zen Monastery fits well within permitted uses in the CS-I zone. This criteria is met.

**Continuing with the Columbia County Zoning Ordinance:**



- 03 **Restrictions and Conditions:** These public facilities have a direct impact upon adjoining properties. The Commission shall study each request to establish a new CS-I use and shall attach adequate conditions to the approval of a CS-I use to insure the adverse impact of the institutional use upon the adjoining land uses have been mitigated.

Conditions shall include:

- .1 Landscaping, berming, fencing, or screening.
- .2 Increased off street parking.
- .3 Limitations on the type and amount of external lighting.
- .4 Limitations on the number and location of access points which connect with County roads or public ways.
- .5 The Commission may attach as many conditions, such as setbacks, screening, off-street parking and unloading, construction standards, maintenance an landscaping requirements, as it deems necessary to protect the public health, safety, welfare, the adjoining property owners, and the public interest.
- .6 Within an Urban Growth Boundary, a new CS-I use shall be served by public water and public sewer. The Commission may waive the requirement for the connection to public sewer if it can be shown that the proposed use can be safely served in another manner. In this case, the Commission will require the CS-I use be connected to public sewer when it becomes available to the site.
- 1003.7 Day care centers and private kindergartens shall provide not less than 100 square feet per child of outdoor play area. This area shall not be located in the required front yard unless approved by the Commission.
- .8 Public and private schools shall be on lots or parcels which meet the minimum requirements set by State Statute.
- .9 Churches may not be approved on a lot or parcel which has an area of less than 15,000 square feet.
- .10 Off-street parking shall be provided as required in Section 1400.

**Finding 2:** The former Quincy School facility is already constructed to meet the above provisions. There is adequate landscaping. The parking plan includes 63 parking spaces which are more than enough to handle the

users including resident adult students, visitors to monthly week-long silent meditation retreats, and special celebrations for up to 200 people assuming they arrive 4 persons to each car. External lighting is already placed on the existing buildings and is adequate for the proposed facility. The facility utilizes one access point onto Quincy-Mayger Road. In the past when the facility was used as Quincy Grade School, multiple school buses used the access driveway to deliver students to the school indicating that the proposed sole access driveway is adequate for similar use such as that proposed. The Planning Commission may attach conditions of approval that it deems necessary to insure public health, safety, and welfare. The proposed school for monastic training, the Great Vow Zen Monastery, will be required to meet the minimum requirements set by State Statute.

Continuing with the County Zoning Ordinance, Community Service - Institutional (CS-I):

1004 Before a new Community Service - Institutional use is approved outside an Urban Growth Boundary, the Commission must find that the CS-I use:

- .1 Is consistent with the character of the area.
- .2 Will not adversely affect natural resources in the area.
- .3 Will not conflict with farm or forest use in the area.
- .4 Will not create any traffic hazards.

**Finding 3:** The Great Zen Vow Monastery is a religious school for monastic training and is therefore not a new use, in the sense that it is a different type of use, since the former use of the facility was for Quincy School. The proposed new school for monastic training will fit well within and be consistent with the character of the area. Natural resources in the area will not be affected by the use of the existing facility for monastic training and events since only the existing school facility will be involved. Farm and forest uses in the area will not be conflicted by this proposal since intensity of use will not be greater than intensity of the facility's former use as a school and because there is very little farm and forest activity in the area proximate to the facility. Considering that school buses delivered children to the school at the same time of day it is not unreasonable to think that the proposed use will not create any adverse traffic impacts since no more than 63 vehicles will be accessing the facility at any one time.

Continuing with the County Zoning Ordinance, Community Service - Institutional (CS-I):

1005 Standards:

- .1 There is no designated minimum lot or parcel size. The Commission shall review each proposal on a case by case basis and determine if the site is adequate for the proposed use. The site plan shall be reviewed and determined if the site meets all the provisions of this Ordinance, including the off-street parking requirements listed in Section 1400.
- .2 There are no designated minimum setbacks in this district. The applicant shall submit a letter from the Fire Marshall concerning the necessary setbacks for safety. After reviewing the letter and the adjacent land uses, the Commission shall establish setback requirements for each individual site.

**Finding 4:** The subject property is comprised of 21.50 acres with the building and parking lot located in the upper northwestern corner. This is more than adequate area for the proposed use. Setbacks for the existing building envelope and supporting facilities including the parking area are already established and will be adequate for the proposed use and cannot be changed. A condition of approval shall be that the applicant shall submit a letter from the Clatskanie Fire District stating that all fire, life, safety issues have been addressed by this proposal. All off-street parking provisions outlined in section 1400 must be met.

Continuing with the County Zoning Ordinance, Community Service - Institutional (CS-I):

1006 Signs: Signs shall meet the requirements of Section 1300.

**Finding 5:** The applicant states that, "new signs will essentially mimic the current signs in size, location and format. There will be two signs one on each side of the driveway. Signs will be rectangular approximately 1.5 feet off the ground. Both signs will say, "Great Vow zen Monastery". They will be made of wood (color brown with dark brown lettering). They will be externally lit by one low wattage (approximately 75 watt bulb) or less. Their sole purpose is to clearly identify the site for visitors." The proposed signs meet the provisions of Section 1300. This criteria is met.

Continuing with the Columbia County Zoning Ordinance:

## **Section 1400 OFF-STREET PARKING AND LOADING**

### **1401 General Provisions:**

At the time of the erection of a new building, or an addition to an existing building, or any change in the use of an existing building, structure, or land which results in an intensified use by customers, occupants, employees, or other persons, off-street parking and loading shall be provided according to the requirements of this section.

**2** Continuing Obligation:

The provisions for and maintenance of off-street parking and loading facilities shall be a continuing obligation of the property owner. No building or any other required permit for a structure or use under this or any other applicable rule, ordinance, or regulation shall be issued with respect to off-street parking and loading, or land served by such land, until satisfactory evidence is presented that the property is, and will remain, available for the designated use as a parking or loading facility.

**Finding 6:** The applicant states, "Plan includes parking for 63 cars. Two handicapped parking places will be added by the main entrance. Parking area is designed for school buses and has very large turn around." Staff estimates the parking lot area to be roughly 30,000 square feet. The standard parking space is 9' x 18' or 162 square feet. Parking for 63 cars utilizing 162 square feet per space results in a total of 10,206 square feet for parking spaces out of a total of 30,000 square feet of available paved space. The applicant submitted a parking lot plan indicating the parking space layout with aisle widths to accommodate school buses. Proposed off-street parking meets the provisions for off-street parking. This criteria is met.

Continuing with the Columbia County Zoning Ordinance:**1405** Plans Required:

A plot plan shall be submitted in duplicate to the Director with each application for a building permit or for a change of classification to OP. The plot plan shall include the following information:

- .1 Dimensions of the parking lot.
- .2 Access to streets and location of curb cuts.
- .3 Location of individual parking spaces.
- .4 Circulation pattern.
- .5 Grade and drainage.
- .6 Abutting property.
- .7 A landscaping plan which shall include the location and names of all vegetation, and the location and size of fencing or other screening material. This plan shall be approved by the Director.

**Finding 7:** The existing facility that was formerly the Quincy School addressed the above provisions. The applicant has submitted a site plan indicating the proposed parking area and layout, however, no dimensions of circulation pattern was noted. The landscaping plan indicates that a new vegetable and flower garden will be added to the site.

Continuing with the Columbia County Zoning Ordinance:

**1406** Location:

- .1 Spaces required by this section shall be provided on the site of the primary uses, provided that, when practical difficulties prevent their establishment upon the same site, the Planning Director may permit the facility to be located within 300 feet therefrom, measured in a straight line (including streets and alleys) from the nearest property line to the nearest parking space; but in any case the location shall meet all provisions of this ordinance which apply.
- .2 Loading spaces and maneuvering area shall be located only on or abutting the property served.

**1407** Change of Use: In case of enlargement or change of use, the number of parking or loading spaces required shall be based upon the total area involved in the enlargement or change in use.

**Finding 8:** The applicant proposes to maintain off-street parking spaces on the subject property. The number of proposed parking spaces will be 63 with two handicapped spaces added by the building entrance. These spaces will be adequate for the proposed use.

Continuing with the Columbia County Zoning Ordinance:

**1408** Design Standards:

- .1 Scope:
  - A. These design standards shall apply to all parking, loading, and maneuvering areas except those for single and two-family residential dwellings on individual lots.
  - B. All parking and loading areas shall provide for the turning, maneuvering, and parking of all vehicles on the lots.

**10** Size:

- .1 The standard size of a parking space shall be 9 feet by 18 feet.
- .2 Handicapped parking spaces shall be 12 feet by 18 feet.
- .3 Parallel parking, the length of the parking space shall be increased to 22 feet.

**Finding 9:** The applicant will be required to meet the above dimensional requirements including standard parking space size of 9' x 18', and 12' for handicapped spaces.

Continuing with the Columbia County Zoning Ordinance:

**1411** Aisles: Aisles shall not be less than:

- .1 25'0" in width for 90 degree parking;
- .2 20'0" in width for 60 degree parking;
- .3 20'0" in width for 45 degree parking; and
- .4 12'0" in width for parallel parking.

**Finding 10:** The applicant indicates that aisle widths are large enough to accommodate school buses which is adequate for automobiles. In any case the applicant shall arrange aisle widths to facilitate internal circulation on the site.

Continuing with the Columbia County Zoning Ordinance:

**1412** Access: There shall be no more than one 45 foot wide curb cut driveway per 150 feet of street frontage, or fraction thereof, permitted per site.

**Finding 11:** The proposed Great Vow Zen Monastery will have access via an existing driveway that connects to Quincy-Mayger Road. The existing access was adequate to allow school buses, similar in size to fire trucks, to access the site.

Continuing with the Columbia County Zoning Ordinance:

**113 Surfacing and Marking:**

- .1 The surfacing of each parking area shall meet minimum County standards to handle the weight of the vehicles which will use the parking area. All areas used for parking and maneuvering of vehicles shall be marked in accordance with the approved plan and such marking shall be continuously maintained. Handicapped parking spaces shall be marked with a wheelchair symbol.
- .2 The parking and loading areas for commercial, industrial, or apartment uses shall be paved with concrete, asphaltic concrete, or another comparable surface.

**Finding 12:** The applicant will be required to pave all parking and driving areas associated with this development. The depth of the asphalt shall be at least 3 inches. All parking areas shall be appropriately marked, including the 2 proposed handicapped spaces closest to the building entrance.

Continuing with the Columbia County Zoning Ordinance:

**1414 Drainage and Lighting:**

Adequate drainage shall be provided to dispose of the run-off generated by the impervious surface area to the parking area. The drainage system shall function so it will not adversely affect adjoining property. Artificial lighting shall be provided in such a manner as to insure the safety of the parking area without interfering with adjoining properties or creating traffic hazards on adjoining streets.

**Finding 13:** Drainage and lighting have already been addressed when the existing building was constructed.

Continuing with the Columbia County Zoning Ordinance:

**Section 1550 SITE DESIGN REVIEW:**

The Site Design Review process shall apply to all new development, redevelopment, expansion, or improvement of all community, governmental, institutional, commercial, industrial and multi-family residential (4 or more units) uses in the County.

.1 Types of Site Design Review:

Type 1: Projects, developments and building expansions which meet any of the following

criteria:

1. are less than 5,000 sq.ft., and are less than 10% of the square footage of an existing structure.
2. Increase the number of dwelling units in a multi-family project.
3. Increase the height of an existing building.

Type 2: Projects, developments and building expansions which meet any of the following criteria:

1. have an area of 5,000 sq.ft. or more, or are 10% or more of the square footage of an existing structure.
2. Change the category of use (e.g., commercial to industrial, etc.).
3. New off-site advertising signs or billboards.
4. Any project meeting any of the Type 2 criteria shall be deemed a Type 2 Design Review application.

**Finding 14:** The existing facilities are greater than 5,000 square feet in size. Planning Staff determined that the change from the former Quincy School to the Great Zen Vow Monastery merited review and decision by the Planning Commission even though the change in the category of use was minimal since monastic training is akin to schooling. This project will be reviewed as a Type 2 Design Review.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- .2 **Design Review Process:** The Planning Director shall review and decide all Type 1 Site Design Review applications. The Planning Commission shall review all Type 2 Design Review applications. Applications shall be processed in accordance with Sections 1600 and 1700 of this ordinance.

**Finding 17:** This application is being processed as a Type II site Design Review. The Planning Commission is scheduled to hear this item at the February 4, 2002 public hearing.

Continuing with the Columbia County Zoning Ordinance Section 1550:

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- .3 Pre-application Conference: A pre-application conference is required for all projects applying for a Site Design Review, unless the Director or his/her designate determines it is unnecessary: The submittal requirements for each application are as defined in this section and the standards of the applicable zone, and will be determined and explained to the applicant at the pre-application conference.
- .4 Pre-application Conference Committee: The committee shall be appointed by the Planning Director and shall consist of at least the following officials, or their designated staff members. Only affected officials need to be present at each pre-application conference.
- a) The County Planning Director.
  - b) The County Director of Public Works.
  - c) The Fire Marshal of the appropriate Rural Fire District.
  - d) The County Building Official.
  - e) The County Sanitarian.
  - f) A city representative, for projects inside Urban Growth Boundaries.
  - g) Other appointees by the Planning Director, such as an Architect, Landscape Architect, real estate agent, appropriate officials, etc.

**Finding 18:** A Pre-application conference was held with the applicant on October 11, 2001.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- .5 Submittal documents: The following documents, when applicable, are required for a Site Design Review. The scope of the drawings and documents to be included will be determined at the pre-application conference by the Pre-application Conference Committee, and a Site Design Review Submittal Checklist will be given to the applicant, documenting which items are deemed not applicable or not necessary to determine compliance with County and State standards, with a short explanation given for each item so determined.
- A. History.
  - B. Project narrative.
  - C. Existing site plan.
  - D. Proposed site plan.
  - E. Grading plan.
  - F. Drainage plan.
  - G. Wetland mitigation plan.
  - H. Landscaping plan.
  - I. Architectural plans.
  - J. Sign drawings.

- K. Access, parking and circulation plan.
- L. Impact assessment.
- M. Site Design Review Submittal Checklist.

**Finding 19:** Grading, drainage, landscape, and wetland mitigation plans are not required since these provisions were already considered and met when the Quincy School facility was constructed in 1971. The applicant has submitted sufficient information necessary to process this application.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- .6 **Site Plan Submittal and Analysis:** The applicant shall submit an application and any necessary supplemental information as required by this ordinance to the Land Development Services Department. The Planning Director or designate shall review the application and check its completeness and conformance with this ordinance. Once a Type 2 application is deemed complete, it shall be scheduled for the earliest possible hearing before the Planning Commission. A staff report shall be prepared and sent to the applicant, the Planning Commission, and any interested party requesting a copy.
- .7 **Planning Director Review:** All Type 1 design review applications will be processed by the Planning Director or designate according to Sections 1601, 1602 and 1609 of this ordinance. If the Director determines that the proposed development meets the provisions of this ordinance, he the director may approve the project and may attach any reasonable conditions.
- .8 **Planning Commission Review:** The Planning Commission shall hold a public hearing for all Type 2 Design Review applications according to Sections 1603, 1604 and 1608 of this ordinance. If the Planning Commission determines that the proposed development meets the provisions of this ordinance, it may approve the project. The Planning Commission may attach any reasonable conditions to its approval of a site plan.
- .9 **Compliance:** Conditions placed upon the development of a site are also placed upon any building permits issued for the same site. These conditions shall be met by the developer prior to an occupancy permit being issued by the Building Official, or as an alternative, a bond shall be posted equal to 125% of the estimated cost of the unfinished work, to ensure completion within 1 year of occupancy. If all improvements are not completed within the 1-year bond period, the County may use the bond to complete the work.

**Finding 20:** This application is a "Type 2" design review that will be heard at the February 4, 2002 public hearing by the Planning Commission. The Planning Commission may impose additional conditions of approval

it deems necessary.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- .10 Existing Site Plan: The degree of detail in the existing site plan shall be appropriate to the scale of the proposal, or to special site features requiring careful design. An existing site plan shall include the following, unless it is determined by the Planning Director that the information is not applicable or is not necessary to determine compliance with County and State standards, and a short explanation will be given for each item so determined:
- A. A vicinity map showing location of the property in relation to adjacent properties, roads, pedestrianways and bikeways, and utility access. Site features, manmade or natural, which cross property boundaries are to be shown.
  - B. A site description map at a suitable scale (i.e. 1"=100'; 1"=50'; or 1"=20') showing parcel boundaries and gross area, including the following elements, when applicable:
    1. Contour lines at the following minimum intervals:
      - a. 2 foot intervals for slopes 0-20%;
      - b. 5 or 10 foot intervals for slopes exceeding 20%;
      - c. Identification of areas exceeding 35% slope.
    2. In special areas, a detailed slope analysis may be required. Sources for slope analysis include maps located at the U.S. Natural Resources Conservation Service office.
    3. Potential natural hazard areas, including potential flood or high ground water, landslide, erosion, and drainage ways. An engineering geologic study may be required.
    4. Wetland areas, springs, wildlife habitat areas, wooded areas, and surface features such as mounds and large rock outcroppings.
    5. Streams and stream corridors.
    6. Location, species and size of existing trees proposed to be removed.

7. Significant noise sources.
8. Existing structures, improvements, utilities, easements and other development.
9. Adjacent property structures and/or uses.

**Finding 21:** The applicant submitted an existing site plan that indicated the locations of all relevant features of the site. A vicinity map was also included with the application.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- .11 **Proposed Site Plan:** A complete application for design review shall be submitted, including the following plans, which may be combined, as appropriate, onto one or more drawings, unless it is determined by the Planning Director that the information is not applicable or is not necessary to determine compliance with County and State standards, and a short explanation will be given for each item so determined:
  - A. **Site Plan:** The site plan shall be drawn at a suitable scale (i.e. 1"=100', 1"=50', or 1"=20') and shall include the following:
    1. The applicant's entire property and the surrounding area to a distance sufficient to determine the relationships between the applicant's property and proposed development and adjacent properties and developments.
    2. Boundary lines and dimensions of the property and all proposed property lines. Future buildings in phased development shall be indicated.
    3. Identification information, including names and addresses of project designers.
    4. Natural features which will be utilized in the site plan.
    5. Location, dimensions and names of all existing or platted roads or other public ways, easements, and railroad rights-of-way on or adjacent to the property, city limits, section lines and corners, and monuments.
    6. Location and dimensions of all existing structures, improvements, or utilities to remain, and structures to be removed, all drawn to scale.
    7. Historic structures, as designated in the Comprehensive Plan.

8. Approximate location and size of storm water retention or detention facilities and storm drains.
9. Location and exterior dimensions of all proposed structures and impervious surfaces.
10. Location and dimension of parking and loading areas, pedestrian and bicycle circulation, and related access ways. Individual parking spaces shall be shown.
11. Orientation of structures, showing entrances and exits.
12. All exterior lighting, showing type, height, wattage, and hours of use.
13. Drainage, including possible adverse effects on adjacent lands.
14. Service areas for waste disposal and recycling.
15. Noise sources, with estimated hours of operation and decibel levels at the property boundaries.
16. A landscaping plan which includes, if applicable:
  - a. Location and height of fences, buffers, and screening;
  - b. Location of terraces, decks, shelters, play areas, and common open spaces;
  - c. Location, type, size, and species of existing and proposed shrubs and trees; and
  - d. A narrative which addresses soil conditions and erosion control measures.

**Finding 22:** The applicant has submitted plans that are suitable for meeting compliance with this section of the ordinance considering that there are no new structures and that all existing facilities will be utilized as is with the exception of interior remodeling. The parking plan indicates 63 parking spaces, with 2 additional handicapped spaces located near the entrance to the building.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- B. Grading Plans: A preliminary grading plan indicating where and to what extent grading

will take place, including general contour lines, slope ratios, slope stabilization proposals, and natural resource protection proposals.

C. Architectural Drawings:

1. Building elevations and sections;
2. Building materials (color and type);
3. Floor plan.

**Finding 23:** No grading plan was necessary for the existing facility. The applicant submitted the original architectural drawings showing building footprints in plan view and side and end view details.

Continuing with the Columbia County Zoning Ordinance Section 1550:

D. Signs: (see also Zoning Ordinance Section 1300)

1. Freestanding sign:

- a. Location of sign on site plan;
- b. Elevation of sign (indicate size, total height, height between bottom of sign and ground, color, materials, and means of illumination).

2. On-Building Sign:

- a. Building elevation with location of sign (indicate size, color, materials and means of illumination);
- b. Plot plan showing location of signs on building in relation to adjoining property.

**Finding 24:** As the applicant stated previously in finding #5: “new signs will essentially mimic the current signs in size, location and format. There will be two signs one on each side of the driveway. Signs will be rectangular approximately 1.5 feet off the ground. Both signs will say, “Great Vow Zen Monastery”. They will be made of wood (color brown with dark brown lettering). They will be externally lit by one low wattage (approximately 75 watt bulb) or less.”

Continuing with the Columbia County Zoning Ordinance Section 1550:

.12 Landscaping: Buffering, Screening and Fencing:

A. General Provisions:

1. Existing plant materials on a site shall be protected to prevent erosion. Existing trees and shrubs may be used to meet landscaping requirements if no cutting or filling takes place within the dripline of the trees or shrubs.
2. All wooded areas, significant clumps or groves of trees, and specimen conifers, oaks or other large deciduous trees, shall be preserved or replaced by new plantings of similar size or character.

B. Buffering Requirements:

1. Buffering and/or screening are required to reduce the impacts on adjacent uses which are of a different type. When different uses are separated by a right of way, buffering, but not screening, may be required.
2. A buffer consists of an area within a required setback adjacent to a property line, having a width of up to 10 feet, except where the Planning Commission requires a greater width, and a length equal to the length of the property line adjacent to the abutting use or uses.
3. Buffer areas shall be limited to utilities, screening, pedestrian and bicycle paths, and landscaping. No buildings, roads, or parking areas shall be allowed in a buffer area.
4. The minimum improvements within a buffer area shall include:
  - a. One row of trees, or groupings of trees equivalent to one row of trees. At the time of planting, these trees shall not be less than 10 feet high for deciduous trees and 5 feet high for evergreen trees, measured from the ground to the top of the tree after planting. Spacing of trees at maturity shall be sufficient to provide a year-round buffer.
  - b. In addition, at least one 5-gallon shrub shall be planted for each 100 square feet of required buffer area.

- c. The remaining area shall be planted in grass or ground cover, or spread with bark mulch or other appropriate ground cover (e.g. round rock). Pedestrian and bicycle paths are permitted in buffer areas.

C. Screening Requirements:

1. Where screening is required, the following standards shall apply in addition to those required for buffering:
  - a. A hedge of evergreen shrubs shall be planted which will form a four-foot high continuous screen within two years of planting; or,
  - b. An earthen berm planted with evergreen plant materials shall be provided which will form a continuous screen six feet in height within two years. The unplanted portion of the berm shall be planted in lawn, ground cover or bark mulch; or,
  - c. A five foot or taller fence or wall shall be constructed to provide a continuous sight obscuring screen. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, brick, or other materials approved by the Director. Corrugated metal is not an acceptable fencing material. Chain link fences with slats may be used if combined with a continuous evergreen hedge.
2. When the new use is downhill from the adjoining zone or use being protected, the prescribed heights of required fences, walls, or landscape screening along the common property line shall be measured from the actual grade of the adjoining property at the common property line. This requirement may be waived by the adjacent property owner.
3. If four or more off-street parking spaces are required, off-street parking adjacent to a public road shall provide a minimum of four square feet of landscaping for each lineal foot of street frontage. Such landscaping shall consist of landscaped berms or shrubbery at least 4 feet in total height at maturity. Additionally, one tree shall be provided for each 50 lineal feet of street frontage or fraction thereof.
4. Landscaped parking areas may include special design features such as landscaped berms, decorative walls, and raised planters.
5. Loading areas, outside storage, and service facilities must be screened from adjoining properties.



D. Fences and Walls:

1. Fences, walls or combinations of earthen berms and fences or walls up to four feet in height may be constructed within a required front yard. Rear and side yard fences, or berm/fence combinations behind the required front yard setback may be up to six feet in height.
2. The prescribed heights of required fences, walls, or landscaping shall be measured from the lowest of the adjoining levels of finished grade.
3. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, brick, or other materials approved by the Director. Corrugated metal is not an acceptable fencing material. Chain link fences with slats may be used if combined with a continuous evergreen hedge.

E. Re-vegetation: Where natural vegetation or topsoil has been removed in areas not occupied by structures or landscaping, such areas shall be replanted to prevent erosion.

**Finding 25:** The applicant does not intend to add any new fencing, buffering, or screening to the site nor plant new vegetation other than a new vegetable and flower garden behind the existing building. The existing site is adequately landscaped and does not require additional landscaping or a landscaping plan..

Continuing with the Columbia County Zoning Ordinance Section 1550:

.13 Standards for Approval:

The Planning Commission or Director shall make a finding with respect to each of the following criteria when approving, approving with conditions, or denying an application:

A. Flood Hazard Areas: See CCZO §1100, Flood Hazard Overlay Zone. All development in Flood Hazard Areas must comply with State and Federal Guidelines.

**Finding 26:** The subject property is not located in a flood hazard area identified on FEMA maps.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- B. Wetlands and Riparian Areas: Alteration of wetlands and riparian areas shall be in compliance with State and Federal laws.

**Finding 27:** The National Wetlands Inventory does not indicate any wetland areas on the site. A seasonal creek appears on several of the maps that may have wetlands however that creek is located on the property in a location that will not be impacted by this proposal.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- C. Natural Areas and Features: To the greatest practical extent possible, natural areas and features of the site shall be preserved.

**Finding 28:** This site does not contain any natural areas listed in the comprehensive plan or any visible groups of significant vegetation that would require protection.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- D. Historic and Cultural sites and structures: All historic and culturally significant sites and structures identified in the Comprehensive Plan, or identified for inclusion in the County Periodic Review, shall be protected if they still exist.

**Finding 29:** This site has not been identified as a historically or culturally significant site in the comprehensive plan. Further, it has not been included during a periodic review work task.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- E. Lighting: All outdoor lights shall be shielded so as to not shine directly on adjacent properties and roads.

**Finding 30:** The existing exterior lighting associated with the former use of the property and facility will be utilized in this application. Existing lighting has in the past not been offensive. A condition of approval shall be that exterior lighting shall be directed and shielded so as to not shine directly on adjacent properties and roads nor be offensive to neighboring properties. All lights are required to point down and to be shielded so as not to shine directly onto adjacent properties. Staff recommends low wattage bulbs on the buildings themselves and that all light bulbs or diffusers are shielded so as to not be directly visible. The lighting detail of all exterior lights will be required prior to receiving a building permit.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- F. Energy Conservation: Buildings should be oriented to take advantage of natural energy saving elements such as the sun, landscaping and land forms.

**Finding 31:** The existing buildings orientation will not be changed.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- G. Transportation Facilities: Off-site auto and pedestrian facilities may be required by the Planning Commission, Planning Director or Public Works Director consistent with the Columbia County Road Standards and the Columbia County Transportation Systems Plan.

**Finding 32:** The former grade school generated peak period traffic impacts during each of the weekdays by school buses and automobiles dropping children off and picking them up at the facility. The proposed Great Vow Zen Monastery will be a less intense use of the facility and will not generate more trips to the property than the former use of the property as a public grade school. Transportation facilities are adequate.

Continuing with the Columbia County Zoning Ordinance Section 1550:

- 14 Final Site Plan Approval: If the Planning Director or Planning Commission approves a preliminary site plan, the applicant shall finalize all the site drawings and submit them to the Director for review. If the Director finds the final site plan conforms with the preliminary site plan, as approved by the Director or Planning Commission, the Director shall give approval to the final site plan. Minor differences between the preliminary site plan and the final site plan may be approved by the Director. These plans shall be attached to the building permit application and shall become a part of that permit.

**Finding 33:** Final site plans approved by the Planning Commission shall be attached to the building permit.

**COMMENTS:**

- 1. The Clatskanie PUD has reviewed the application and has no objection to its approval as submitted.

2. The Clatskanie Fire District states, "This change of occupancy or conditions may require additional fire and life safety measures to be taken. These measures could include items such as upgrading the alarm system and installation of an approved sprinkler system."
3. The Sanitarian has reviewed the application and has no objection to its approval as submitted.
4. The Roadmaster's Office has reviewed the application and has no objection to its approval as submitted.
5. The District 18 Watermaster has reviewed the application and has no objection to its approval as submitted. Comments are, "Limited water use of ½ acre lawn and non commercial garden up to 5,000 gallons per day without a water right."
6. The Clatskanie CPAC will have comments to LDS by January 25.

No other comments have been received from government agencies or nearby property owners as of the date of this staff report ( January 24, 2002).

#### **STAFF CONCLUSION AND RECOMMENDATION:**

Based on the findings in the above staff report (DR 02-09), staff recommends **APPROVAL** of this request for the Great Vow Zen Monastery to utilize the existing facilities of the former Quincy Grade School in the CS-I zone located in the Rural Community of Quincy, Oregon for a Zen Buddhist School for adults, anticipating 20 resident adult students; monthly week-long silent meditation retreats for about 50 people including resident students; short retreats on some weekends, anticipating about 50 people; and special events for up to 200 people four times per year for special celebrations; with the following conditions:

1. This permit shall become void 2 years from the date of the final decision if development has not begun on the property. Extensions of time may be granted by the Planning Director if requested in writing before the expiration date and if the applicant was not responsible for the failure to develop.
2. The applicant shall maintain 63 parking spaces with 2 additional spaces for handicapped parking next to the building entrance.
3. The existing asphaltic concrete parking area shall be signed and striped to identify standard parking spaces and handicapped parking spaces.

- 4. Prior to receiving a building permit, the applicant shall submit documentation from the Clatskanie Rural Fire Protection District that they have reviewed the applicant’s plans for fire flow, access, and life safety considerations and are satisfied with the plans.
- 5. Exterior lighting shall point down toward the ground and be shielded so that it does not illuminate adjacent property or the highway and so no bulb or diffuser is directly visible. Exterior lighting, attached to the buildings shall be limited to low wattage (<100W) bulbs. The applicant is required to provided a detail (manufacturer's specifications) of the exterior lights that will be used, prior to receiving any building permits.

**STAFF RESPONSE TO REASONS OF APPEAL:**

Reason for Appeal: *The zoning of this building is for institutional use. The proposal states the building will be used for “residential” use. The zoning would need to be changed from institutional to residential to allow for this use.*

Staff Response: The Community Service - Institutional (CS-I) zone allows a spectrum of permitted uses that have both inherent and accessory residential components. Permitted Uses, Section 1002, allowing an “inherent” residential component include:

- Hospital, clinic, or sanitarium,
- .5 Extended care facility,
- .8 Correctional facilities,
- .12 Fire stations,
- .13 Ranger Stations,
- .18 Nursing homes.

Permitted Uses in the CS-I zone, Section 1002 allowing an accessory residential component include:

- .1 Schools, public or private, and their accompanying sports facilities,
- .9 Churches.

There are multiple examples in the County of churches with residential components in the CS-I zone. Several examples of Churches with residential parsonages in the CS-I zone are:

- Yankton Baptist Church, 5236-000-01000, Church and Parsonage in CS-I zone,
- Delena Baptist Church, 7316-000-00900 & 1000, Church and Parsonage in CS-I zone,
- Former Church, 7413-000-00300 & 301, former Church and former Parsonage in CS-I zone.

Given that the Community Service - Institutional (CS-I) Zone, under "Permitted Uses" lists, ".19 Other uses and similar by the Commission." Staff finds that the proposed residential component of the Zen Community of Oregon's proposed Great Vow Zen Monastery (Church) in the former Quincy Elementary School is a use customarily accessory to a church, monastery or seminary such as proposed, and therefore recommend that the Board of Commissioners so determine in denying the subject appeal.

## ATTACHMENT B

### SUPPLEMENTAL FINDINGS DR 02-09; ZEN COMMUNITY OF OREGON SITE DESIGN REVIEW

1. Columbia County Zoning Ordinance § 1001 states that the purpose of the Community Service Institutional (CS-I) Zone is to provide for the review and approval of the location and development of special uses which, by reason of their public convenience, necessity, and unusual character or effect on the neighborhood, may not be suitable for listing with other sections of this Ordinance. The CS-I district is intended to provide a mechanism for the establishment of public and private facilities necessary to meet the demand for the various types of public assemblies and public and private institutional facilities\*\*\*\* The Board of County Commissioners finds that the proposal to use the old Quincy Elementary School as a Buddhist Seminary, meets the purpose and intent of the zone. The Board finds that there is substantial evidence in the record that the Buddhist Seminary is a private facility which will be used for private assemblies.

Columbia County Zoning Ordinance § 1002 , list the uses permitted outright in the zone. These uses include, “.1 Schools, public or private, and their accompanying sports facilities, and .9 Churches.” The Board of County Commissioners finds that the proposed Buddhist Seminary is to be used as both a church and as a school. The Board finds that there is substantial evidence in the record that the proposed use includes having up to 20 resident students at the facility. These resident students will be instructed in the Buddhist tradition. The Board also finds that in addition to the resident students, the Seminary will offer 3-7 day Buddhist retreats once a month for up to approximately 30 people in addition to the resident students, for instruction in the Buddhist tradition including, but not limited to, lectures on Buddhism. The Board further finds that the seminary is also a church use. The Board finds that the seminary will be used in the practice of the Buddhist religion. For the resident students, the practice of Buddhism will be a daily event. These students will follow Buddhist monastic practices. In addition, the monthly retreats are church related. The Board finds that one of the common functions of a church is to offer continuing religious instruction and spiritual guidance, such as retreats. Finally, the seminary will offer Buddhist ceremonies according to the Buddhist tradition for up to 200 people, including the resident students, approximately 4 times each year. The Board finds that religious ceremonies are common among churches of all faiths. Therefore, the Board finds that the uses proposed by the Zen Community of Oregon are permitted outright in the Community Service Institutional zone.

The Board received some testimony into the record that because the Zen Community intends to have overnight accommodations and resident students associated with the seminary, the use is actually residential, rather than as a church or school, and therefore, is not a permitted use in the CS-I zone. Susan Haines argued that the resident students would consider the

Seminary to be their principle place of abode under the tax code definitions of residency, and therefore, the use is not permitted in the CS-I zone. The Board of County Commissioners finds that there is evidence in the record that most, if not all such resident students would not consider the seminary to be their principle place of abode. The Applicant testified that the majority of the resident students stay at the seminary temporarily. Only a handful of people stay there for more than a few years. These long-term students are being trained in the Buddhist tradition to lead their own Buddhist centers elsewhere. The Board finds that there is substantial evidence in the record that the students will temporarily reside at the seminary. The Board finds, however, that it is inconsequential to this determination whether the resident students consider the seminary to be their residence. The uses permitted in the CS-I zone have accessory residential uses. The use of most of these permitted uses for residential type uses is inherent. The permitted uses include schools, public or private, hospitals, clinics or sanitariums, extended care facilities, correctional facilities, churches, fire stations, ranger stations, and nursing homes. The Board finds that people stay overnight and live both temporarily and permanently in these permitted facilities. In addition, boarding schools are permitted as type of private school in the zone, and parsonages are permitted as accessory uses to churches in the zone. Regardless of whether people stay overnight or reside in the proposed building, the use of the building as a seminary is a use permitted outright in the zone.

The Board of County Commissioners further finds that the Columbia County Zoning Ordinance does not prevent or prohibit the establishment of a parsonage in a church building. There was some testimony that parsonages are not permitted to be located in the church structure because of property tax exemption regulations. The Board finds that the tax exempt status of the Zen Community or its seminary is not properly under consideration in reviewing the Applicant's Site Design Review application.<sup>1</sup>

2. Columbia County Zoning Ordinance § 1003, states that the public facilities listed in § 1002 have a direct impact upon adjoining properties, and that each request to establish a new CS-I use shall be reviewed, and adequate conditions attached to insure that adverse impacts of the institutional use have been mitigated. Furthermore, the section lists the conditions which shall be imposed. These include,
  - .1 Landscaping, berming, fencing, or screening;
  - .2 Off street parking;
  - .3 Limitations of the type and amount of external lighting;
  - .4 Limitations on the number and location of access points which connect with County

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<sup>1</sup> The Board also heard testimony from Sharon Coates that the seminary is actually a resort. Mrs. Coates did not have documentation with her and did not give testimony that was sufficiently specific so that the Board or Applicant could respond. The Board declined to keep the record open to receive documentation because Ms. Coates indicated that her concern was related to the tax exempt status of the proposed seminary, and not to one of the criteria under consideration.



- Road on public ways;
- .8 Public and private schools shall be on lots or parcels which meet the minimum requirements set by State Statute.
  - .9 Churches may not be approved on a lot or parcel which has an area of less than 15,000 square feet.
  - .10 Off street parking shall be provided as required in Section 1400.<sup>2</sup>

The Board of County Commissioners finds that the existing Quincy School Facility already has landscaping which is sufficient to mitigate impacts to adjoining land uses. There are established trees, and plants on site. The Board finds that such landscaping is sufficient. Testimony was received by the Board which tended to show there may be some negative impact to adjoining uses when ceremonies are held and there could be up to 200 people in attendance. The Board finds that 63 parking spaces is not sufficient to accommodate the cars needed to carry up to 200 people, and people may resort to parking on the sides of the public roads. The Board finds that there is substantial evidence in the record that the applicant expects up to 200 people on the property during the Ceremonies conducted 4 times each year. In addition, the Board finds that there is substantial evidence in the record that the 200 people constitutes a mix of people, including single people and families. Therefore, the Board finds that for any one ceremony, it is unlikely that all 200 people will drive in individual vehicles to the site. While the Board finds that it is unreasonable to assume that each vehicle will have 4 persons in it, it is also unreasonable to assume that there will be only one person per vehicle. The Board finds that it is more reasonable to assume 2 people will travel per car, which allows for vehicles carrying families and single people. The Board finds that the existing paved parking lot on site has approximately 30,000 square feet of parking area. The Board finds that in order to mitigate the possible adverse impacts potentially caused by overflow parking on public roads surrounding the site, the Applicant shall be required to mark and maintain parking spaces in addition to the 63 proposed spaces. The Board finds that each parking space takes approximately 162 square feet. The Board find that there is room for approximately 185 parking spaces on the 30,000 square foot lot. This number is well over the number of parking spaces which the Board anticipates will be necessary based on the 2 people per vehicle assumption. However, the Board finds that there is insufficient information in the record to determine exactly how many parking spaces can legally be built given fire, life and safety standards for turnarounds, and handicapped parking. Therefore, the Board will require the applicant, as a condition of approval, to mark and maintain as many parking spaces as may legally be marked and maintained given legal restrictions and in accordance with Section 1400 of the Zoning Ordinance. The Board finds that the creation of additional parking spaces will mitigate adverse impacts on neighboring uses.

The Board further finds that a condition of approval will be placed on the applicant requiring that any external lighting used by the applicant will point down toward the ground and be shielded so that it does not illuminate adjacent property or the highway and so that no bulb

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<sup>2</sup>Other conditions listed in the section are inapplicable to this application.

or diffuser is directly visible. The exterior lighting attached to the buildings shall be limited to less than 100 watt bulbs, and the applicant will be required to provide a detail to the County of the applicant's exterior lighting plan before any building permits are granted. The Board finds that any adverse impacts on neighboring uses due to offensive light shining on such properties or on the public roads leading to such properties will be mitigated by the condition because it is extremely unlikely that such low wattage bulbs, pointing to the ground and otherwise shielded will shine anywhere other than on the subject property.

The Board finds that there is only one access to the subject property from Quincy-Maygar Road, a County road leading to the site. The Board finds that any additional access points off of the County Road would require an access permit from the Columbia County Road Department which may not be granted if the access point does not meet the County Road standards, including safety standards. Therefore, the Board finds that the number of access points is adequately limited to mitigate adverse impacts on neighboring uses.

The Board finds that the subject property is 21.50 acres in size which meets the state standards set by statute for minimum lots size for private schools. Additionally, the Board finds that the property is greater than 15,000 square feet, and therefore, such property may be used for a church.

3. Columbia County Zoning Ordinance § 1004, requires that before a new CS-I use is approved outside an Urban Growth Boundary, the Board must find that the CS-I use ,
  - .1 Is consistent with the character of the area;
  - .2 Will not adversely affect natural resources in the area;
  - .3 Will not conflict with farm or forest uses in the area;
  - .4 Will not create any traffic hazards.

The Board of County commissioners, finds that the use of the old Quincy Elementary School as a seminary is consistent with the character of the area. There is substantial evidence in the record that the prior use of the building was as a school. The school had approximately 100-120 students at any one time. The surrounding area is characterized by rural residential property which ranges in parcel size from .58 acres to 21.85 acres. The rural residential character of the area blends well with both churches and schools, which are both uses commonly desired near residentially zoned lands. The Board further finds that the subject parcel is very large (21.5 acres) and that visibility onto the property from Quincy Mayger Road or surrounding properties to the school is not very good. Therefore, the use as a school won't interfere with the character of the area. The seminary activities will be conducted in the old school building. Otherwise, the uses outside will involve planting a garden, meditation walks, and similar quiet activities. The Board finds that these kinds of peaceful and quiet activities will not interfere with natural resources in the area. Furthermore, there is very little farm and forest activity in the area proximate to the facility. Therefore, the Board finds that the seminary use will not conflict with farm or forest practices.

Finally, the Board finds that the proposed use as a seminary will not create any traffic

hazards. The Board heard testimony that the Buddhist seminary will increase the intensity of the use of the property from previous uses. This testimony indicated that approximately 4-5 buses serviced the old school, and that it was rare to see more than 6-7 cars dropping children off at the same time. Furthermore, there were approximately 10-15 staff members on the property during the day. The testimony indicated that bringing 200 people on the property and the respective vehicles will increase the intensity of the use. The Board finds that there is substantial evidence in the record that there will be substantially less than 200 cars on the property for most of the year. The applicant only proposes to bring up to 200 people on the property four times a year during Buddhist celebrations. At other times, the most people on the property at any given time would be 50, during the monthly meditation sessions. Twenty of those people would be resident students. Little traffic would be caused by those residents because there would be no daily commute, unlike during the building's use as an elementary school. There is evidence in the record that these students will follow a traditional monastic schedule. Such a schedule involves awaking at 4:00 a.m. Meditation starts at 4:30 a.m. and lasts until 6:30 a.m. They then have breakfast and begin work at 8:00 a.m. Work stops at noon for lunch and one hour of meditation. Work resumes at 2:00 p.m. and continues until 5:00. Dinner is at 6:00 p.m. The remainder of the day is then spent in meditation and classes. There is little to no time according to such a schedule to do much, if any, driving. Similarly, during the 3-7 day meditation sessions, there is evidence in the record that the additional 30 people will arrive and remain on the property during their stay. These people will cause addition traffic only when arriving and departing. Finally, with regard to the up to 200 people arriving four times each year, the Board finds that it is unlikely that there will be more than 100 cars corresponding with those people. The Board finds that there is substantial evidence in the record that the County Road Department does not believe that this additional use of the road will create any hazards. The County Road department indicated that no road improvements would be necessary before Quincy Mayger Road, a County collector road, could accommodate the additional traffic. There is no evidence in the record which would tend to show that such traffic would cause a traffic hazard.

4. Columbia County Zoning Ordinance § 1402 requires that "...provisions for and maintenance of off-street parking and loading facilities shall be a continuing obligation of the property owner. No building or any other required permit for a structure or use under this or any other applicable rule, ordinance, or regulation shall be issued with respect to off-street parking and loading, or land serviced by such land, until satisfactory evidence is presented that the property is, and will remain, available for the designated use as a parking or loading facility." The Board of County Commissioners has placed a condition on the approval of the application which requires that the applicant create and maintain as many parking spaces as may be legally marked and maintained given zoning code, building code and other applicable regulatory standards. The Applicant will also be required to submit a revised parking plan showing the number of parking spaces which will be marked and maintained prior to obtaining a building permit. The Board finds that such a parking plot plan is satisfactory evidence that the required parking spaces will be marked and maintained.

5. Columbia County Zoning Ordinance § 1405 requires that a plot plan be submitted to the Director before a building permit can be issued, which must show dimensions, access and curb locations, location of individual parking spaces, circulation pattern, grade and drainage, abutting property, and a landscaping plan. The Board of County Commissioners finds that the Applicant will be required to submit such a plot plan at the time that the Applicant applies for a building permit, according to condition of approval ii.
6. Columbia County Zoning Ordinance § 1407 states that “in case of enlargement or change of use, the number of parking or loading spaces required, shall be based upon the total area involved in the enlargement or change in use.” The Board of County Commissioners finds that the use of the property is proposed to be changed by expanding the number of cars that may arrive on the property. The Board finds that the creation of as many additional parking spaces in the 30,000 sq. feet paved parking lot will provide adequate parking. The Board of County Commissioners finds that if the Applicant later desires to enlarge or change the use of the property, the parking space requirements may change. The Applicant will be required to apply for a new site design review prior to enlarging or changing the use according to the Columbia County Zoning Ordinance. The Board of County Commissioners finds that this criteria is met.
7. Columbia County Zoning Ordinance § 1408 and § 1410 set forth the design standards for parking, loading and maneuvering areas at the proposed seminary. The Board of County Commissioners finds that the Applicant will be required to comply with such design standards in the design of the parking lot, and shall take these requirements into consideration when determining the number of spaces that can be marked and maintained.
8. Columbia County Zoning Ordinance, § 1550.13(G) states that “off-site auto and pedestrian facilities may be required by the Planning Commission, Planning Director or Public Works Director consistent with the Columbia County Road Standards and the Columbia County Transportation Systems Plan.” The Board of County Commissioners finds that the Columbia County Public Works Director has determined that no off-site auto and pedestrian facilities are required under the Columbia County Road Standards or the Columbia County Transportation Systems Plan to use the site for the seminary. The Land Development Services department met with the Road Department to discuss the application prior to the Planning Commission hearing. According to testimony, the Public Works Director determined that Quincy Mayger road is a collector road and is capable of withstanding the amount of traffic proposed by the Applicant. The Board of County Commissioners finds that the current transportation facilities are sufficient to accommodate the proposed traffic. The Board finds that there is evidence in the record that there were once 100 to 120 children and staff arriving at that site five days a week, some by bus, others by car. The Quincy Elementary school was originally designed for 350 students. However, only two of the planned teaching pods were built and the school could accommodate 179 maximum people according to a Port of St. Helens study for the School District. The Board also finds that such school activities also included night-time activities during which all students and their

families would likely be present (for plays, parent/teacher night, etc). Those types of circumstances are similar to those presented by the arrival of up to 200 people for ceremonies four times a year. The Board finds that the use of the Road for the proposed use is similar to the use in years past, and that impacts will be less than in prior years due to the fact that on most days there will be little to no traffic generated by the seminary. The Board finds that if there is any additional stress on the transportation facilities it will be minimal, and will not justify the imposition of an exaction requiring the improvement of auto and pedestrian facilities in the area.

10. The Board of County Commissioners finds that a large part of the testimony received by the Board in opposition to the Zen Community's application was related to their tax exempt status as a church. Specifically, there were comments related to the limited fire and other emergency services in the area, and how the Zen Community proposes not to pay taxes to support the emergency services. The Board of County Commissioners finds that the Board cannot impose a condition that the applicant pay property taxes. Such a decision is outside of the Board's authority in this land use action. The Board further finds that there are no County SDCs that it can impose on the Applicant to support such services. The Board finds that concerns related to the applicant's tax status should be directed at the Columbia County Assessor, who will make a determination when the Zen Community makes application for tax exemption.

Other testimony indicated that the Quincy Elementary School Building was designated as a community disaster center. Such testimony reflected a desire to have another building designated by the Board as a community disaster center. The Board of County Commissioners finds that it does not have the authority to designate a building as a disaster center. The Board finds that the old school building was designated as a disaster center by the grace of the School District. The Board sees no reason why the building cannot continue to be used as a disaster center with some Clatskanie community and Zen Community cooperative effort.

There was additional testimony in opposition to the application which expressed concern, without offering any specifics, that the existing septic system is not adequate. The Board of County Commissioners finds that the Zen Community will be required to apply for a building permit with the County prior to remodeling according to their plans. Accordingly, their septic system will have to be approved by the Department of Environmental Quality and the County sanitarian before a building permit will be approved, and a certificate of occupancy is issued. The Board finds that there is substantial evidence in the record that the Applicant has been working with the DEQ and County to identify any changes that will be required, and that the Applicant is willing to make any changes that may be necessary.

Finally, there was some testimony in opposition to the application which questioned the existence of two recreational vehicles (RVs) which are currently on the property, and whether the Zen Community could continue to bring RV's on the property. The Board of County

Commissioners finds that if there are more than two RV's on the property being rented out, then the property would become an RV park subject to state licensing and regulation. The Board finds that there is no evidence in the record that the applicant intends to use the property as an RV park, but that it is common practice for property owners to have temporary RV's on property during construction. Such a temporary use is permitted.