

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Amending)
Section 684 of the Columbia) ORDINANCE NO. 93-2
County Zoning Ordinance) (Height Restrictions)
_____)

The Board of County Commissioners for Columbia County, Oregon ordains as follows:

SECTION 1. AUTHORITY.

This ordinance is adopted pursuant to ORS 203.035, 215.050 and 215.223.

SECTION 2. TITLE.

This ordinance shall be known as Ordinance No. 93-2.

SECTION 3. PURPOSE.

The purpose of this ordinance is to amend the Columbia County Zoning Ordinance to eliminate height restrictions in the Rural Industrial-Planned Development (RIPD) Zone.

SECTION 4. AMENDMENT.

The Columbia County Zoning Ordinance is amended by the deletion of Subsection 684.4 as shown on the attached Exhibit "A" which is incorporated herein by this reference.

SECTION 5. FINDINGS.

Findings of fact and conclusions of law in support of this amendment are attached hereto, labeled Exhibit "B" and incorporated herein by this reference.

SECTION 6. SEVERABILITY.

If any portion of this ordinance, including Exhibits "A" and "B" is for any reason held invalid by any court of competent jurisdiction, such portions shall be deemed a separate, distinct, and independent portion and such holdings shall not affect the validity of the remaining portion thereof.

SECTION 7. EMERGENCY.

This ordinance being immediately necessary to maintain the

public health, safety and welfare, an emergency is declared to exist and this ordinance takes effect immediately upon its adoption.

REGULARLY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON THIS 31st DAY OF March, 1993.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: John K. Long
Office of County Counsel

Attest:

By: Jan Suenhalgh
Recording Secretary

First Reading: 3-31-93
Second Reading: 3-31-93
Effective Date: 3-31-93

By:

Michael Russo
Chairman

By:

R. Stein
Commissioner

By:

Sam C. ...
Commissioner

EXHIBIT "A"

684 Standards:

- .1 The minimum lot size for uses allowed under Section 682 shall be thirty-eight (38) acres.
- .2 The minimum lot size, average lot width and depth, and setbacks for uses allowed under Section 683, shall be established by the Planning Commission, based upon a recommendation by the Design Review Board, and will be sufficient to support the requested rural industrial use considering, at a minimum, the following factors:
 - A. Overall scope of the project. Should the project be proposed to be developed in phases, all phases shall be considered when establishing the minimum lot size.
 - B. Space required for off street parking and loading and open space, as required.
 - C. Setbacks necessary to adequately protect adjacent properties.
- .3 Access shall be provided to a public right-of-way of sufficient construction to support the intended use, as determined by the County Roadmaster.

COLUMBIA COUNTY BOARD OF COMMISSIONERS
Staff Report
Zone Change

FILE NUMBER: TA 1-93

APPLICANT: Columbia County Department of Land Development
Services
Courthouse, St. Helens, OR 97051

REQUEST: To delete the maximum building height standard
in the RI-PD zone.

BACKGROUND:

Applicant wishes to delete Section 684.4 in the Resource Industrial - Planned Development district in the Columbia County Zoning Ordinance which reads as follows:

"4 The maximum building height shall be 65 feet, except within 100 feet of a more restrictive district; in which case, the maximum building height shall be the same as the abutting district but in no case shall be less than 35 feet."

The Planning Commission held a hearing on this matter on March 1, 1993 and voted to recommend to the County Commissioners approval of the proposed deletion.

FINDINGS:

This request is being processed under Section 1605 of the Zoning Ordinance. The pertinent sections of the ordinance are as follows:

"1606 Legislative Hearing: Requests to amend the text of the Zoning Ordinance...are legislative hearings. Legislative hearings shall be conducted in accordance with the following procedures:

- .1 A legislative amendment to the Zoning Ordinance Text or Map may be initiated at the request of the Board of Commissioners, a majority of the Commission, or the Director, or any citizen of the County may petition the Commission for such a change."

Finding 1: The proposed change to the text of the Zoning Ordinance was initiated by the Director.

Continuing with Section 1606 of the Zoning Ordinance:

".2 Notice of a Legislative Hearing shall be published at least twice, 1 week apart in newspapers of general circulation in Columbia County. The last of these notices shall be

published no less than 10 calendar days prior to the Legislative Hearing. The mailing of notice to individual property owners is not required but shall be done if ordered by the Board of Commissioners."

Finding 2: All of the above were included in the Notice of Public Hearing published twice in the St. Helens Chronicle and Scappoose Spotlight newspapers. Notice to individual property owners was not ordered by the Board and was not given.

COMMENTS:

No comments have been received as of the date of this staff report (March 26, 1993).

CONCLUSIONS AND RECOMMENDATIONS:

Based upon the above findings, the Planning Commission and planning staff recommend approval of the proposed deletion of Section 684.4 of the Columbia County Zoning Ordinance.