

## COLUMBIA COUNTY PLANNING COMMISSION MEETING

April 3, 2017  
Meeting Minutes

Planning Commission Members Present: Jeff VanNatta, Linda Hooper, Alta Lynch and Bill DeJager

Staff Present: Glen Higgins, Deborah Jacob, Hayden Richardson and Kay Clay

Others: Cathy Galbrath Benton, Kyle & Cathy Horness, David & Gail Clark, Dale Url, Jonathan Tibbetts, Scott Koller, Mark Campbell, Daniel Mullican, Roger & Kathy Nevala, Ian Kyce

Jeff VanNatta, Chairman, called the meeting to order at 6:30pm

Deborah Jacob read the pre-hearing statement.

Deborah Jacob reviewed the case for Christopher Arthur, previously the variance application had been denied so the current application for the marijuana operation needed to be closed.

Alta Lynch made a motion to close the case MO 17-01 due to the variance being denied, Linda Hooper seconded, all in favor motion carried.

Deborah Jacob presented the staff report for David and Gail Clark, V17-05.

### **BACKGROUND:**

The applicants, David and Gail Clark, are requesting a Major Variance to the standards in Section 1005.A of the Columbia County Subdivision and Partitioning Ordinance (CCSPO) and to those in Section 604.5 (A) of the Columbia County Zoning Ordinance (CCZO) in order to waive the 50 foot minimum public road frontage requirements for newly created parcels in the RR-5 zone. Contingent upon approval of the Major Variance, the applicants would be authorized to partition their Rural Residential (RR-5) zoned property into three parcels consisting of 2 approximate 17-acre parcels (Tracts A & C) and one 5.2-acre parcel (Tract B) from the subject ~39 acre site requested for Minor Partition MP 17-08.

The applicants and their adjacent property owners have submitted a Property Line Adjustment (PLA 17-15) Application between the subject site and the adjacent RR-5 zoned 18-acres associated with Tax Map ID Number 4227-000-01201. This PLA will

allow the applicants to construct this new private road off Scappoose-Vernonia Highway in the south eastern corner of their reconfigured 39 acre property as shown below. The County Roads Department confirmed on 5/20/17 that the applicants have submitted a Road Access Permit for this new road that is intended to cross over the CZ Trail and serve the three proposed parcels. Finally, this PLA will allow the applicants to name and improve this new private road provided the Planning Commission approves the Major Variance requested for V 17-05 that is necessary for the county to process MP 17-08.

Impacts to the CZ Trail will be minimized with the approval of V 17-08 through these two actions:

1. Allowing only one vehicular crossing over it for all future residential uses and
2. Installing county approved barriers for the single crossing to minimize detrimental impacts to CZ trail users and recreational activities.

Without the approval of V 17-05, the following practical difficulties may result from requiring each proposed parcel to have at least 50' of usable frontage on the Scappoose Vernonia Highway or a newly dedicated and improved public road as discussed for Finding 2:

1. Requiring the creation of 2 new RR-5 zoned flag-lot parcels with two more separate vehicular crossings over the CZ Trail and
2. Requiring the applicants to construct and dedicate a new public road/right-of-way for a new road that will be maintained with private, not public, funds since the Board of Commissioners is not required to formally adopt this road as a County Road.

In addition, another condition of final partition plat approval will require the final plat to delineate a surveyed "*Private Access and Utility Easement*" for the new private road. Concurrent with the recording of the final partition plat, the applicants shall record a "*Maintenance Agreement*" for the continual maintenance of this new private road to the minimum county standards in Sections II and IV of the Road Standards Ordinance. Finally, the applicants shall also submit an Application to LDS for the Board of Commissioners to approve a name for this new Private Road prior to final plat approval.

Staff recommends approval with conditions.

Linda Hooper questioned if the comments from the Scappoose CPAC should be a condition?

Open the public Hearing.

In Favor:

David Clark said the he is not creating a neighborhood but wants to keep most of it in forestry. The vehicle barriers are ok with him.

Jeff VanNatta asked if they would use the existing road.

David Clark explained that there are old logging trails and a railroad spur. The old spur is what will be used for the driveway and the driveway will be brought up to county standards.

Cathy Benton. Their property was ideal to her and her husband because it supported the privacy that they enjoyed. Cathy is not happy with the new access. She feels that Pioneer road would be best but understands why they are not using that, she is sure that the privacy and security will change in the future and that fences will be put up. The CZ Trail is very overgrown and she has spoke to the BOC regarding trail upkeep. Even though this application will change a lot of things in the area she does support the application.

Opposition: None

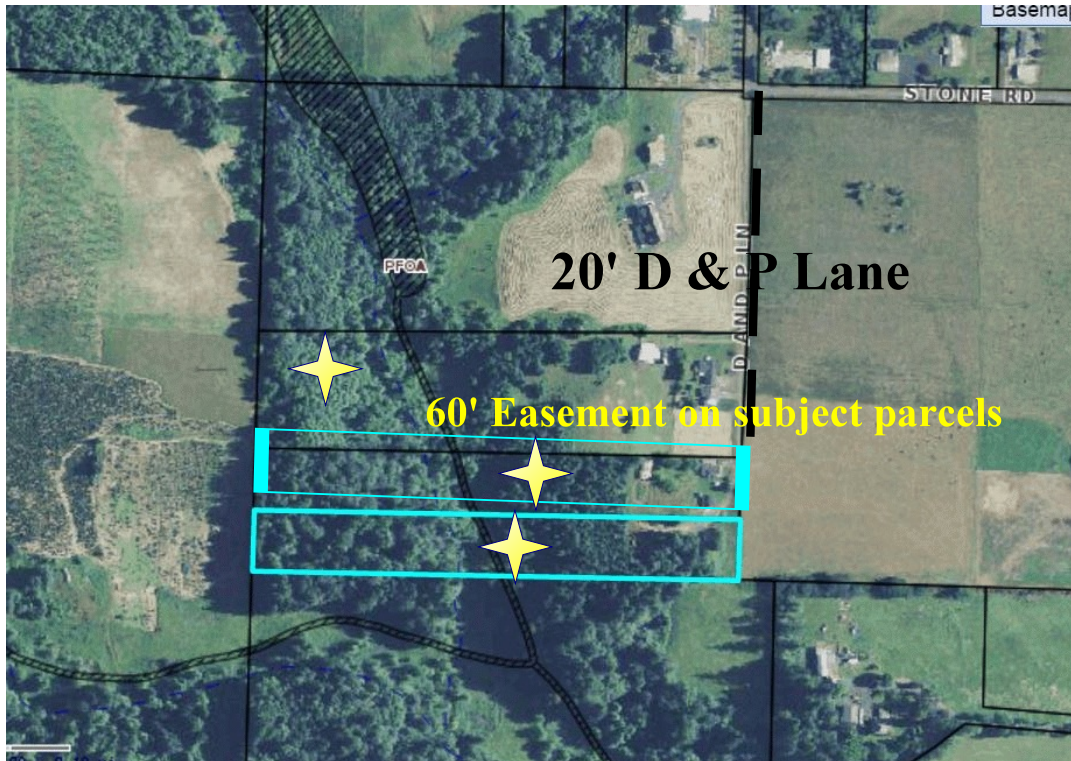
Public Hearing was closed.

Bill DeJager made motion to approve V17-05 and Alta Lynch seconded. All in favor motion carried.

MP 79-2-10 Mark Campbell No Exparte

Deb Jacob presented the staff report

**Aerial view of 20' wide D & P Lane and existing 60' easement on the applicants' parcels**



As shown above, the two 5-acre subject parcels are zoned for Forest-Agriculture (FA-80), each contain 1 dwelling, and are located at the end of D & P Lane, a private road off Stone Road. There is only one other residence addressed off of D & P Lane located directly north of these two subject parcels and addressed at 57355 D & P Lane. The private road now known as D & P Lane was extended onto both subject parcels with the establishment of a 60' wide non-exclusive easement across the eastern boundary of both parcels, per the first Condition of Final Plat Approval for MP 79-2-10.

The current property owners/applicants are requesting the Planning Commission Modify this 1979 Planning Commission's condition of Final Plat Approval and allow them to replace the existing 60' wide private easement with a new surveyed exclusive easement with improvements that will allow them to establish and install a fire apparatus access road turnarounds to the specifications in Section II(A.1) of the County Road Standards Ordinance. All improvements shall be installed by the applicants and accepted by the Columbia River Fire & Rescue (CRF&R) as one condition of approval for the requested Modification.

New legals are required for the new easement. Staff recommends approval with three conditions.

In Favor:

Mark Campbell and Dan Mullican, both concurred that the 60' easement interferes with the access and it is a burden to the property.

Opposition: None

Closed public hearing.

Alta Lynch made motion to approve MP 79-2-10, Bill Dejager seconded, all in favor, motion carried.

ZC 17-02, no exparte  
Dale Url

Hayden Richardson presented the staff report.

The applicant, Dale Url, proposes a County Zone Change for an approximate 5.69 acre property that is located within the City of Scappoose's UGB. Currently this property is split zone with 2.69 acres zoned RR-5 and 3 acres zoned C-3. There is no site specific development requested or authorized with the proposal requested for this ZC 17-02. Prior to the issuance of future building permits on the subject site, the County and/or City will ensure that adequate facilities and services are onsite for the intended General Commercial use.

The subject property has approximately 350 feet of frontage along Columbia River Highway with an existing access. A 3 acre portion of this property was changed from RR-5 to C-3 in 1993 through PA 7-93. Existing development of the site consists of one existing manufactured home, which is used as a residence that is not in conjunction with the business, and various accessory structures that are served by a private well and septic system. Fire services are provided to the site by the Scappoose Rural Fire Protection District. There is a small stream that runs from the northwest corner of the property to the southeast corner, that the applicant has identified on the site plan as a "drainage ditch", which has an associated linear wetland classified as PEMF. This classification means that it is palustrine emergent and is semi-permanently flooded. There are no flood hazard areas, steep slopes, or historical or natural areas or other features identified in the Comprehensive Plan that could potentially limit its intended commercial development.

The City of Scappoose amended its Urban Growth Boundary (UGB) to implement an Economic Opportunity Plan for commercial and industrial areas. This expanded UGB became effective on January 11, 2016 after nearly four years under appeal process. According to the City of Scappoose's UGB Amendment Map, the site is within the City's NW area of the UGB which includes approximately 45 acres, located west of Highway 30, that is designated as commercial use.

Staff recommends approval with conditions.

Alta inquired if the residence will still be used for living quarters. It will be a residence until the building is completed then be changed to storage.

Open for public comment.

In Favor

Dale Url, the house will be used for storage down the road but the owner would like to continue living in it for security purposed. Mr Url is fine with the report.

Linda Hooper wanted to clarify if the residence there was a issued with a NCU allowing him to live there. Glen Higgins confirmed.

Hayden Richardson noted that the site is in a UGB and Glen Higgins noted that the NCU could be continued with no problem. It would eventually be changed to storage.

Alta Lynch moved to approve ZC 17-02 and Linda Hooper seconded, all in favor motion carried.

Meeting adjourned 7:45 p.m.

