

## COLUMBIA COUNTY PLANNING COMMISSION MEETING

February 4, 2019

Meeting Minutes

Planning Commission Members Present: Alta Lynch, Jeff VanNatta, Shawn Stewart, Claudia Frace

Staff Present: Karen Schminke, Hayden Richardson, Deborah Jacob, Tiffany Johnson, and Kay Clay

Others: Claris Harrell, Martha VanDusen, Mary Lou Busch, Joe Banzer, Jason Busch, Daniel Webb

The meeting was called to order at 6:30 p.m. by Jeff VanNatta

The pre-hearing statement was read at 6:30 by Deborah Jacob.

Deborah Jacob introduced Karen Schminke (Director of Land Development Services) to the Planning Commission.

V 19-02 and MP 19-05

No ex-parte declared.

Deborah Jacob presented the staff report.

### **REQUEST:**

A Major Variance to the minimum provisions in Section 1005(A) of the Subdivision and Partitioning Ordinance requiring newly created parcels to have 50' of usable frontage on an existing public street. If approved, the Planning Commission will be able to review the related Minor Partition of the 199 acre property into two 80+ acre parcels and one 3-acre parcel that will separate the site's existing residential development from its resource-related uses.

### **BACKGROUND:**

The property owner, Jason Busch, representing the Estate of Fred Busch, is requesting a Major Variance (V 19-02) to the minimum standards in Section 1005.A of the Columbia County Subdivision and Partitioning Ordinance (CCSPO) in order to waive the useable 50 foot public road frontage requirements for newly created parcels in the PF-80 zone. Contingent upon Planning Commission's approval of the Major Variance, the applicant is requesting the Commission to review and approve a Minor Partition (MP 19-05) of the 199-acre forest tract that

will authorize the creation of three parcels consisting of approximately 3-acres, 88-acres and 110-acres in the PF-80 Zone.

While the proposed 3-acre parcel is already developed with a 1948 single family residence, the other two parcels will both exceed 80 acres and will not be eligible for future residential development according to the partition provisions in Section 511 of the Zoning Ordinance. In addition, the 199-acre tract's central portion includes a 40' platted but undeveloped portion of Wallace Road, an existing county right-of-way. The closest developed county road is Banzer Road which ends at the subject 199-acre forest tract's northern property line. Busch Lane is an existing private road that begins where improved Banzer Road ends. Busch Lane serves the site's existing residence and appears to be located along the subject tract's northern property line.

Deborah reviewed the applicable criteria's and noted that the applicant can meet the criteria's in the application. The applicant is not wanting to develop many parcels, it's not a self-imposed problem, development in the future will be limited and they are wanting to separate the residential use and forest use.

Staff recommends approval of V 19-02 and secondly MP 19-05 with conditions.

In favor:

Jason Busch. Agrees with the staff report. There will be an easement survey of the right away. This property will only have family ownership

In Opposition: None

Alta Lynch made a motion to approve V 19-02, Claudia Frace seconded, all in favor motion carried. Alta Lynch a made motion to approve MP 19-05, Claudia Frace seconded, all in favor motion carried.

V 19-03

No ex-parte

Hayden Richardson presented the staff report.

Request:

The applicant is requesting a variance to the required 30 feet setbacks for frontyards. Specifically, the applicant is requesting to build a 36' x 60' shop approximately 15' away from the Delena Mayger Road right-of-way.

**BACKGROUND:**

The applicant is requesting a variance from the standards listed in Section 602.4(B) of the Columbia County Zoning Ordinance for front yard property line setbacks applicable for an accessory structure in the RR-5 Zone. The subject property is located on Delena Mayger and addressed at 76810 Delena Mayger Road. The property accesses off of Delena Mayger Road in the northwest corner approximately 30 feet north of the proposed shop structure. The property currently consists of a foundation for a dwelling (the home is currently under construction), a well (drilled in 1972, well log number COLU 2182), a septic system, and a small shed structure. There are some topographical constraints to the property as well as constraints due to the location of the existing septic system which was installed on the property in 1973 with County approval. Also, the location of the well is in an area directly between the house and the proposed shop which limits the location of the detached garage.

The applicant's shop structure being proposed for V 19-03 has already been approved by the Building Department. However after further inspection of the subject property, it was found that the Delena Mayger right-of-way is approximately 15 feet closer to the structure as originally proposed. If this Variance request is approved, the applicant shall submit an updated site plan for the building permit 192-18-001513-STR.

The subject property is located in an area that is predominantly developed for residential uses. All properties in the immediate vicinity are zoned Rural Residential. The Rainier-Fernhill Area Beak map shows that this property does not contain any sensitive wildlife habitat, hydric soils, or natural areas. The FEMA Flood Hazard map does not indicate that there is the presence of any flood hazards on the property. There is a small creek located on the eastern portion of the site, approximately 350' away from the proposed development. Emergency Services are provided by Clatskanie Rural Fire Protection District as well as the Columbia County Sheriff.

Hayden Richardson reviewed the criteria's and findings noted in the staff report. Hayden pointed out that there are unique circumstances on this property. Considering the applicant can meet the criteria and there are unique circumstances, staff recommends approval with conditions.

Alta Lynch wanted to know if we can add more conditions is the commission saw fit, such as time limits? Yes.

Claudia Frace wanted to know if the house foundation could be moved? The location of the drain field prevented the relocation of the house.

Open public hearing:

In favor:

Jennifer Lefebvre (Mr & Mrs)

The owners accept what was presented in the staff report. They have tried to relocate the shop but the other spot that might be possible ended up being too narrow of a spot because of the well head. After confirming the setbacks it was realized that a variance was need. The Lefebvre's recognized the comments from the transportation planner. Lonny Welter has concerns regarding the full usage of the right-of-way – not just for road usage but also for utility usage. The utilities were pre-approved.

In Opposition:

None

Jeff VanNatta pointed out that is the road department's job to make comments on the right-of-way. That would hold true for any location.

Alta Lynch made a motion to approve V 19-03 with conditions as stated. Shawn Stewart seconded, all were in favor, motion carried.

ZC 19-01

No ex-parte

Hayden Richardson present the staff report.

**Request:**

For a Zone Change from Rural Residential (RR-5) to Single Family Residential (R-10) for a Parcel that is located in the Columbia City Urban Growth Boundary.

**BACKGROUND:**

The applicant, Daniel Webb for Terra, LLC, proposes a Zone Change for an approximate 4.86 acre property that is located within the Columbia City UGB. This property was brought into the City of Columbia City's Urban Growth Boundary by legislative amendment file number (PA 0308) approved by the Columbia County Board of Commissioners. Currently this property is zoned Rural Residential (RR-5) and the applicant is requesting to rezone the

4.86 acres to R-10. The applicant recently rezoned the contiguous 13.7 acres from RR-5 to R-10, which was reviewed and approved by the Planning Commission on April 2, 2018.

According to the Columbia City Zoning map, this property will be zoned R-2 (General Residential) when annexed into the city. Development on the subject property consists of an existing home, on-site septic system, and private well. The approval of this Zone Change would not authorize any further site development. The proposed Zone Change would allow the property owner to subdivide the 4.86 acre parcel into properties that are 1-acre in size, or smaller depending on the amount of facilities available at the time of subdivision. The immediate vicinity is mostly developed with single family residences including R-10 zoned properties to the north and south, and PF-80 zoned properties to the west. Prior to any further development or divisions of the subject property, the County will ensure that adequate facilities and services are onsite for the intended single family use.

The subject property has existing access directly off of Chimes Crest Frontage Road, which is an Oregon Department of Transportation right-of-way. Fire and emergency services are provided to the site by Columbia River Fire and Rescue and the County Sheriff. The National Wetlands Inventory Map of St. Helens does not indicate that there are any identified wetlands on the subject property and the FEMA flood hazard map 41009C0340D shows that this property is not located within a flood hazard area. There are steep slopes located on the western portion of this property. These slopes reach approximately 40% grade in some locations and could possibly limit the future development on this portion of the subject property.

Hayden Richardson reviewed the criteria's and findings. The applicant is able to meet the criteria's and with that staff recommends approval with conditions.

Open to the Public.

In favor.

Daniel Webb agrees with the staff findings and conditions.

In Opposition.

None.

Shawn Stewart moved to approved ZC 19-01 with conditions and findings. Claudia Frace seconded. All in favor motion carried.

Other business: Approval of November 5, 2018 minutes

**Meeting adjourned 7:35 p.m.**

