

**COLUMBIA COUNTY PLANNING COMMISSION MEETING**

May 6, 2019  
Meeting Minutes

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

Staff Present: Karen Schminke, Matt Laird, Hayden Richardson, Deborah Jacob, and Kay Clay

Others: Zoe Campagna, Johnathan Bosworth, Lorinda Gayl, Donald Campbell, Jeremy Braun, Isaiah Bettencourt and Raily Allen

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.

**CU 19-04 Zoe Campagna & Jonathan Bosworth**

**No ex-parte declared.**

**REQUEST:** Conditional Use Permit that will allow the new property owners to continue operating the site's existing dog kennel that was authorized by the Planning Commission in 2005 as a Home Occupation.

**CCZO APPLICABLE REVIEW CRITERIA:**

Section 402	Forestry-Agriculture (FA-80) Zone
Section 300	Permitted Agricultural Uses
Section 1503	Conditional Uses
Section 1802	Special Use Standards for Kennels

**BACKGROUND AND SUMMARY:**

The applicants, Zoe Campagna and Jonathan Bosworth, request approval of a Conditional Use Permit (CU 19-04) that will allow them to continue operating an existing dog kennel on the ~21-acre Forest-Agriculture (FA-80) property addressed at 76011 Delena Mayger Road. This kennel was authorized by the Planning Commission when they approved Lorinda Gayle's and Samuel Sevier's proposal to establish it as a conditionally permitted Type II Home Occupation (CU 05-21) in 2005.

In CU 19-04's current application, Lorinda Gayle and Sam Sevier state in part:

*"We are delivering the Conditional Use Permit application for the new owners of our business, Double Dog Ranch. We have accepted their offer and have a contract with them for the property and the business. Escrow for the sale closes on April 30, 2019. Along with the application, we are enclosing a copy of our Kennel License, copy of a Hudson Garbage Service, solid waste hauler, a copy of the sale contract between ourselves and the buyers and a map of the Double Dog Ranch. We will also be in attendance (at the Planning Commission hearing) to answer any questions that may come up about the history of Double Dog Ranch."*

In January 2010, the County Board of Commissioners adopted (Ordinance Nos. 2010-03 and 2010-11) that amended the Primary Agriculture and Forest Agriculture Zones and (Sections 300 and 400) , and added Section 1802 that identified Special Use Standards for Kennels in unincorporated areas of the county. These amendments, further, authorized the applicants' proposed conversion of the lawfully established 2005 dog kennel from a Conditionally Permitted Type II Home Occupation to a Conditionally Permitted agricultural use on the FA-80 zoned property based on the January 1, 1993 predominant farm use of the subject property.

In addition, the 2010 amendments to Section 306.2 identified dog kennels as conditionally permitted farm uses provided (1) they did not occur on high value farmland and (2) were consistent with the siting provisions in Sections 1503 (Conditional Uses) and 1802 (Special Use Standards for Kennels). Consequently, the Planning Commission's review and approval of CU 19-04 will authorize the conversion of Double Dog Ranch from a Type II Home Occupation that must be operated by the residents to an authorized commercial farm use on the FA-80 zoned property.

Double Dog Ranch is an overnight/day use kennel that has provided overnight stays for a maximum of 30 dogs per night. Overnight all dogs sleep inside and in their own crates in one room of the barn and attached office. Dogs spend their days inside the 1,800 square foot barn and/or in the outdoor fenced area in the western portion of the 21 acre site. Dogs are only allowed in the outdoor fenced area between the hours of 8 am to dark. Double Dog Ranch averages 22 dogs on a daily basis, the majority of which arrive in their Tuesday and Friday shuttles that pick up and drop off dogs at Mary S, Young in Lake Oswego and/or Gabriel Park in Portland. Dogs that cannot arrive by shuttle are transported to and from the property by appointment only between the hours of 8 am to 6 pm Monday through Friday.

After review of the CCZO applicable criteria staff finds that the applicant meets all the necessary criteria and recommends approval with conditions.

Open:

In favor:

Don Campbell, it's a good kennel and operated in compliance. He likes to see businesses of this caliber in the county, he didn't even know it was there originally. He is curious about the

temporary hardship home that is there.

Zoe Campagna and Johnathan Bosworth, new owners. They support the new application and conditions and are looking forward to being a property owner in Columbia County.

Opposed:

None

Closed.

Alta Lynch made a motion to approve CU 19-04, adding condition #7 regarding the authorization of the existing septic system. Linda Hooper seconded.

In Favor: Linda Hooper, Alta Lynch, Jeff VanNatta, Shawn Stewart and Claudia Frace

Opposed: None

All in favor, motion carried.

### **V 19-07 Jeremy Braun**

Ex-Parte – None

Hayden Richardson presented the staff report

**REQUEST:** The applicant is requesting a variance to the required 30 feet setbacks for primary structures. Specifically, the applicant is requesting to replace his existing home with a new home that is approximately 8 feet from the south property line and 20 feet from the north property line.

### **APPLICABLE CRITERIA:**

Columbia County Zoning Ordinance

Section 600 Rural Residential - 5

Section 1504 Variances

### **BACKGROUND:**

The applicant is requesting a variance from the standards listed in Section 604.6 of the Columbia County Zoning Ordinance for the property line setbacks for a primary structure in the RR-5 Zone. The subject property is located on Sam Blehm Road and addressed at 54093 Sam Blehm Road in

Scappoose. The subject property is located on both sides of Sam Blehm Road, but the house is located on the west side of the right-of-way and the septic system is located on the east side. The existing development on the subject property consists of the dwelling, private well, septic system, and storage shed. The current dwelling is located approximately 5' from the south property line and 28' feet from the north property line. This request is to vary the setback standards in the RR-5 zone to allow the property owner to replace the existing dwelling with a setback of 8' from the south property line and 20' from the north property line.

In the submitted application, the applicant states that the property is approximately 69' wide which would leave him approximately 9' to fit the house within the required setbacks of the RR-5 Zone. He also states that the existing home is not built to code as it was constructed in 1925 and is structurally hazardous.

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 Scappoose-Spitzenberg Area Beak Map shows that this property is located in a Peripheral Big Game Habitat Area but does not contain any sensitive or endangered species, wetlands, or hydric soils. The FEMA FIRM Panel 41009C0444D shows the eastern most portion of this property does contain flood hazard areas, however they are located approximately 225' from the proposed development and located across Sam Blehm Road. The application also states that there are steep slopes located just to the west of the existing dwelling that make building in other locations challenging. Emergency Services are provided by Scappoose Joint Rural Fire Protection District as well as the Columbia County Sheriff.

After reviewing the criteria and findings staff recommends approval with conditions.

Open meeting:

In Favor

Jeremy Braun, has nothing to add and accepts the staff report as stated.

Opposed

None

Alta Lynch made a motion to approve V 19-07 with conditions, Claudia Frace seconded. In favor Shaun Stewart, Jeff VanNatta, Linda Hooper, Alta Lynch and Claudia Frace.

All in favor motion carried.

Other business:

**April 1, 2019 minutes approved.**

Matt Laird reviewed a long range planning work program and wanted input from the Planning Commission. The areas reviewed were: Update setback standards, ADU's, Temporary permits, fire siting standards, expired permits, clarify use vs structure, consistent language, verification process, number errors, definition of junk yards, admin review, solar issues, rural addressing, RV parks, concrete plants and time frames.

Jeff VanNatta pointed out that the original use for setbacks were for the wildlife and that's why more homes are to the front of properties. He also pointed out that when there is a big state job the state usually sets up their own batch plants. The commercial jobs are what are usually affected by this, Oak Ranch Pit being one.

Matt Laird just wants to clean up the language to address a 60 day temporary permit and include the hours of work since a lot of the work is done at night.

Claudia Frace said that the ADU were a hot topic currently.

Linda Hooper said it was a good list, ADU's are a big thing, and we should look at safety issues. Anything that would simplify our processes would be a benefit.

Don Campbell wanted to bring up fire accesses and how we should pay more attention to them, and involve the fire departments more. We need to come up with something on RV's and MHP's. Make sure roads are up to standards

Comments from the Planning Commission:

Hearing closed.

**Meeting adjourned 7:37 p.m**