

COLUMBIA COUNTY PLANNING COMMISSION MEETING

June 3, 2019

Meeting Minutes

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

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

Others: Karen Marchant, James Tomey and Tim Ferguson

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

The pre-hearing statement was read at 6:30 by Hayden Richardson.

V 19-09

Shawn Stewart declared that he was an employee of NW Natural but that will not sway his decision.

REQUEST: The applicant is requesting a variance to the required 50-foot setbacks stated in Section 509.6(A) of the Columbia County Zoning Ordinance. Specifically, the property owner is requesting approval to site a back-up generator approximately 30 feet from the west property line.

CCZO APPLICABLE REVIEW CRITERIA:

Columbia County Zoning Ordinance

Section 505	Conditional Uses
Section 507	Siting of Dwellings and Structures
Section 508	General Review Standards
Section 509	Standards of Development
Section 510	Fire Siting Standards
Section 1190	Big Game Habitat Overlay
Section 1504	Variances

BACKGROUND AND SUMMARY:

The applicant is requesting a Major Variance from the standards listed in Section 509.6(A) of the Columbia County Zoning Ordinance for minimum front, side, and rear yard setbacks in the PF-80 Zone. The subject property is located at 14750 Miller Road and is commonly known as the

Northwest Natural Miller Station. Approximately half of the property is developed for a natural gas compressor station, while the southern half contains forested areas. This natural gas compressor station is located approximately 2.5 miles from Highway 202 on Miller Road and is located in an area that is used primarily for forestry uses. The subject property currently consists of a number of structures, office buildings, and compressor facilities that are currently in use by Northwest Natural. Although the setback standards in the PF-80 Zone require 50' setbacks from all property lines, there are multiple structures and permanent equipment that are located well within this 50' setback.

In the past, the subject property and development have been reviewed and approved via CU 53-96 and DR 21-96 which approved the replacement of two 550 horsepower natural gas compressors with one 3950 horsepower compressor. This past land use approval did not discuss or approve any lesser setbacks regarding the natural gas compressor station on the subject property.

The applicant is requesting approval to site a natural gas back-up generator approximately 30' from the west property line. This back-up generator will replace a 20+ year old diesel generator and will be more reliable in order to keep the facilities running during power outages. The siting of this back-up generator involves constructing a concrete pad in an already graveled area, placing the generator, and constructing a roof structure over the concrete pad. The authorization of this variance will continue to allow the subject property to be used as the Northwest Natural compressor station and does not authorize any new use of the property.

The general topography of the subject property gently slopes toward Miller Road, but there are no steep slopes/hazard areas on the property. According to the County BEAK Maps of the Birkenfeld area, this property is located within Big Game Habitat, but does not include any sort of hydric soils, wetlands, or any other natural hazards including flood plains. Emergency Services are provided by the Columbia County Sheriff and the Mist-Birkenfeld Rural Fire Protection District.

Subject Property Aerial and Zoning Maps



Prior to Hayden Richardson reviewing the findings he did want to submit the comments from ODFW and the Mist – Birkenfeld CPAC.

ODFW remarked that the review period is usually over by the time they complete their review. (We will contact ODFW to see what can be done to resolve this issue)

Mist – Birkenfeld CPAC member, Joe Semerjian wanted his comment on record. “One of the goals of PF-80 zoning, according to the County’s Comprehensive Plan, requires that certain environmental criteria be taken into account. One of which is that Primary Forest must include: the well being of wildlife habitat and buffers from noise. Several residents in the area have acoustically noticed the increasing number of generators from gas related industries. There is evidence that shows noise pollution can have a detrimental effect to wildlife. For example, creatures with sensitive hearing such as bald eagles and spotted owls. Both of which are endangered species and seen to frequent our area. In order for this variance request to be approved a thorough evaluation by ODFW/USDFW and any other pertinent agency must be conducted to make certain that conflicting uses do not occur with the policies of land use established by Columbia County.” Signed by Joseph Semerjian and Scott Wilson

Hayden Richardson continued to review the criteria and findings and based on the findings staff recommends approval with conditions.

Open:

In favor:

James Tomey, NW Natural. James said everything was good but did want clarification on what the Waiver of Remonstrance was. Hayden Richardson explained.

Opposed:

None

Closed Hearing.

Linda Hooper made a motion to approve V19-09 with conditions and Alta Lynch seconded.

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

Opposed: None

All in favor, motion carried.

V 19-08 and MP 19-12 Karen Marchant

Ex-Parte – None

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 right-of-way/street. If the Planning Commission approves this Major Variance they will be able to subsequently review the related Major Partition of the 17.62 acre property into three 5+ acre RR-5 parcels for compliance with the remaining provisions of the Zoning and Subdivision and Partitioning Ordinances.

APPLICABLE CRITERIA:

Columbia County Zoning Ordinance (CCZO)

Section 600 – Rural Residential (RR-5) Standards of Development

Columbia County Subdivision and Partition Ordinance (CCSPO)

Article X - Subdivision & Partition Requirements

Section 1005 Streets

Article II - Administration & General Provisions

Section 204 Conflict with Public and Private Provisions

Section 210 Variances

Section 213 Notice Requirements

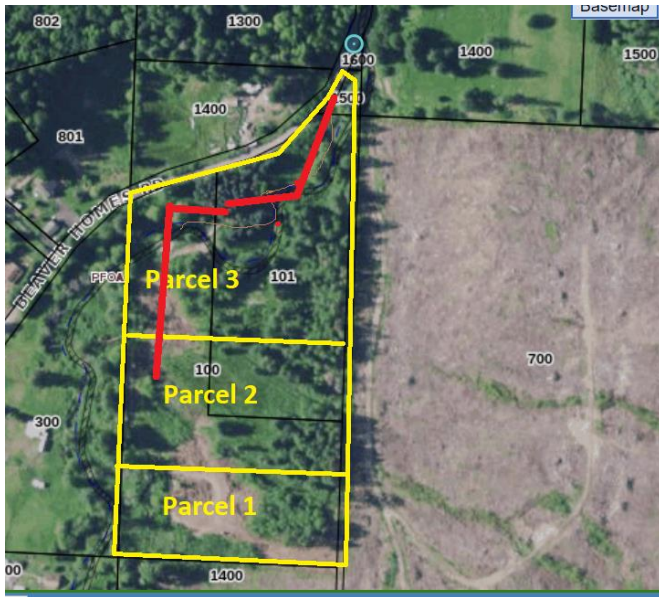
Article VI, Major Land Partitioning

Article X, Subdivision & Partition Requirements

BACKGROUND:

The applicant, KLS Surveying, and property owner, Karen Marchant, are requesting a Major Variance (V 19-08) to the minimum standards in Section 1005.A of the Columbia County Subdivision and Partitioning Ordinance (CCSPO) in order to waive the usable 50 foot public road frontage requirements for newly created parcels in the RR-5 Zone. Contingent upon the Planning Commission's approval of V 19-08, the property owner is requesting the Commission to then review and approve a Major Partition (MP 19-12) of the 17.62-acre subject property and authorize the creation of three parcels. The 17.62-acre site already contains an existing single access to Beaver Homes Road which is a county maintained road with a 40' right-of-way. The site's existing access already contains a bridge crossing over Goble Creek that shall be improved to fire apparatus access standards prior to final partition approval of MP 19-12.

**Aerial Map of proposed access to MP 19-12 of the
17-acre R-5 subject property**



All proposed parcels will contain at least 5 acres and are intended to use the existing access to Beaver Homes Road that will need to be named and improved to private road standards as one condition of final partition approval. As seen in the aerial view above, Goble Creek runs along the site's northern portion. At this location Goble Creek is a large fish-bearing stream, that separates the 17.62-acre site from Beaver Homes Road. If V 19-08 is not granted, the property owner would be required to install two separate driveways over this fish-bearing stream that could potentially impact its identified wetlands, riparian corridor and flood prone areas.

The subject property is zoned Rural Residential (RR-5) with a minimum 5-acre parcel size for newly created parcels and is in close proximity to other RR-5, Primary Forest (PF-80) and/or Forest-Agriculture (FA-80) zoned properties along Beaver Homes Road. The FEMA Flood Insurance Rate Map (FIRM) No. 41009CO195 D and Wetlands Map of Tide Creek indicate there are identified flood hazard and wetlands associated with Goble Creek. According to the Tide Creek – Rainier Beak Map, the site is located within a Peripheral Big Game Habitat area, but does not contain any threatened or endangered plant or animal species. Emergency services are provided by the Sheriff and the Columbia River Fire & Rescue (CRF&R).

Section 1005.A of the County's Subdivision and Partitioning Ordinance and Section 604.5(A) of the County's Zoning Ordinance require all newly created lots or parcels to have at least 50 feet of usable frontage on an existing public road that complies with County Road Standards. If this Variance is approved, all three proposed 5+ acre parcels will be partitioned with the requirement that they benefit from a new surveyed *Private Access & Utility Easement* as depicted in the Preliminary Partition Plat and matching the location of the existing driveway.

This Major Variance request can be approved by the Planning Commission if it finds that the Major Variance is:

1. In the public interest,
2. Originates from unusual circumstances of the subject property,
3. Will result in undue hardship if it were denied,
4. Will not vary the provisions of the Zoning Ordinance and Comprehensive Plan and
5. Necessary for the proper design and function of the subdivision or partition.

Deborah Jacob pointed out that there would be one bridge for the three lots, there is a fish bearing creek and wetlands. If the variance is approved then a new road would have to be named and on the partition there would be a maintenance agreement.

Open meeting:

In Favor:

Karen Marchant. Karen feels that the staff report was very complete and she agrees with it.

Opposed:

None

Staff recommends approval of V 19-08 and MP 19-12 with conditions

Alta Lynch made a motion to approve V 19-08 with conditions, Linda Hooper seconded. All in favor, motion carried. (In favor – Jeff VanNatta, Shaun Stewart, Alta Lynch and Linda Hooper)

Alta Lynch made a motion to approve MP 19-12 with conditions, Linda Hooper seconded. All in favor, motion carried. (In favor – Jeff VanNatta, Shaun Stewart, Alta Lynch and Linda Hooper)

Other business:

Meeting adjourned 7:15 p.m.

