

**COLUMBIA COUNTY PLANNING COMMISSION
STAFF REPORT**

March 20, 2024

Conditional Use Permit and Site Design Review to establish a Private Organizational Park in the
Primary Forest Zone

HEARING DATE: April 1, 2024

FILE NUMBER: CU 24-01 & DR 24-02

**APPLICANT/
OWNER:** Victor Cartagena, 32180 Pittsburg Road, St. Helens, OR 97051

LOCATION: The subject property is located at the property owner’s residence
addressed at 32180 Pittsburg Road

MAP ID NUMBER: 5226-C0-00300

ACCOUNT NUMBER: 434197

ZONING: Primary Forest (PF-80)

SIZE: 19.42 acres

REQUEST: To obtain land use approval for an existing, unauthorized private
organizational park/campground in the Primary Forest zoning
district through the provisions in Sections 500, 1503 and 1550 of
the County Zoning Ordinance, as well as those for Recreation
Parks and Organizational Camps in the Oregon Administrative
Rules (OAR) Division 918 Chapter 650.

APPLICATION COMPLETE: 01/24/2024

150 DAY DEADLINE: 06/24/2024

APPLICABLE REVIEW CRITERIA:

Page

Columbia County Zoning Ordinance (CCZO)

Section 500	Primary Forest (PF-80)	5
Section 505	Authorized Conditional Uses	6

Oregon Administrative Rules (OAR)

Chapter 918 Division 650		
Building Codes Division – Recreation Parks and Organizational Campground		8

Columbia County Zoning Ordinance (CCZO)

Section 510	Fire Siting Standards for Dwellings, Structures & Roads	21
-------------	---	----

CU 24-01 & DR 24-02 Private Park Campground (PF-80)

Section 1100	Flood Hazard Overlay	25
Section 1180	Riparian Corridor, Wetlands...Overlay	29
Section 1190	Big Game Habitat Overlay	33
Section 1450	Transportation Impact Analysis	35
Section 508	General Review Standards	39
Section 509	Standards of Development	40
Section 1503	Conditional Use Permits	43
Section 1550	Site Design Review	46

SUMMARY & BACKGROUND INFORMATION:

The applicant, Victor Broto Cartagena, has submitted a request to Land Development Services (LDS) to legalize the unauthorized private organization park/campground that has been operating without permits since at least May 2023, when the County Land Use Compliance Specialist began investigations for LDS Case Number 192-23-000171. The subject property is approximately 19.42 acres, is zoned for Primary Forest Uses (PF-80) and associated with Tax Map ID 5226-C0-00300. Private Parks/Campgrounds are identified as Conditionally Permitted Uses in Section 505.4 of the Columbia County Zoning Ordinance (CCZO) that must also be authorized with the Planning Commission’s review and approval of not only a Type 2 Site Design Review Permit, but a Conditional Use Permit as well. The application also states that *“The property has been used to host events by the current and previous owners for the last 6+ years”* as indicated in the 2022 aerial map below.

2022 Aerial View



**Locations of Milton Creek's 100-Year Floodplain and Wetlands on
Subject ~20-acre PF-80 Tract**



As demonstrated in the aerial map above, which reflects the January 13, 2023 Oregon Department of Fish and Wildlife Fish Habitat Distribution Data and FEMA FIRM # 41009C0325D, Milton Creek runs through the northern portion of the tract. Milton Creek is identified as a fish-bearing stream that also contains areas identified as Wetlands and 100-Year Floodplain. The provisions in Section 1172 and 1173 of the County Zoning Ordinance not only require a minimum 50' Riparian Corridor on both sides of this fish-bearing stream and its related wetlands, but also prohibit the alteration of a riparian corridor for any structure that requires a building permit per the Oregon Building Code, including the removal of any riparian trees or vegetation. To ensure protection of the site's identified wetlands, LDS will require the applicant to submit a Wetlands Delineation to the County that has been reviewed and approved by the Oregon Department of State Lands (DSL) as one condition of approval for DR 24-02 and CU 24-01. The *February 8, 2024 Revised Site Plan* shown on Page 4 identifies the following existing and proposed site development to be used by park customers as follows:

- 4 proposed Yurts
- 2 Recreational Vehicle (RV) trailer spaces
- One Retreat House that contains 4 bedrooms
- Two cabins (Heron & Hummingbird) attached to the Event Barn
- 2 areas for portable toilets and showers
- 6 proposed tent camping sites
- One Event Barn
- One parking area consisting of 29 standard parking spaces and 4 ADA spaces

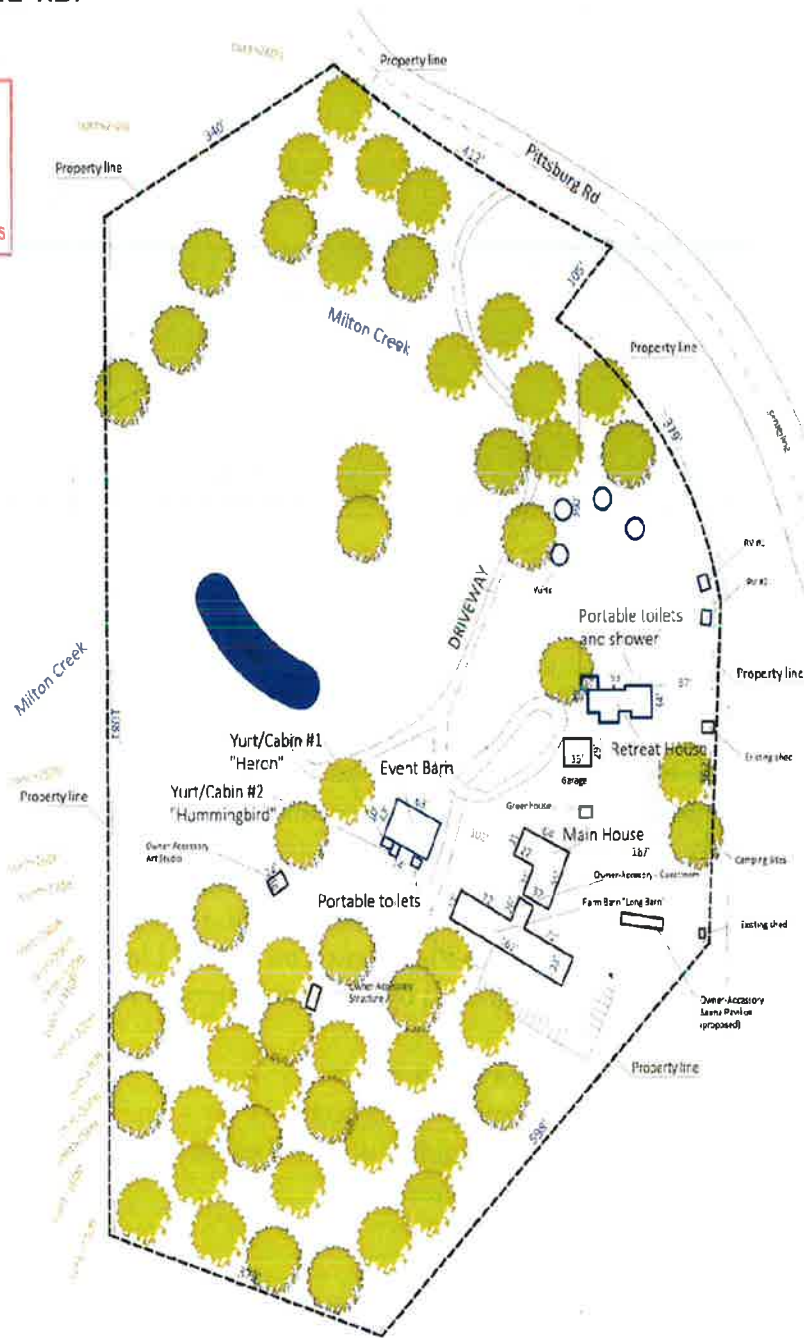
SITE PLAN

32180 Pittsburg Rd
St. Helens, OR 97051
Parcel ID: 5226-CO-00400
Lot area: 20 Acres
Paper Size: 11"x17"

Revised Site Plan dated Feb 8, 2024
for DR 24-02 and CU 24-01



RECEIVED
FEB 08 2024
Land Development Services



Staff would like to clarify that the requested use of the Retreat House to provide full residential uses (cooking, sleeping and bathroom) for camp users is not identified as an authorized overnight camp accommodation in the County Zoning Ordinance nor in the Oregon State provisions for Recreation Parks/Organizational Campgrounds in OAR 918.650. Likewise, the two cabins (Heron and Hummingbird) are also not identified as authorized overnight camp sites in either the County's or State's definitions for private parks. Consequently, the Planning Commission will need to review and approve the Retreat House and these two cabins as an Alternate Design for recreation parks or organizational camps identified in OAR 918.650-0070 that will be covered for Finding 13. The County Building Official's attached comments state that one condition of approval will be for the owner to obtain any required building, electrical, plumbing and mechanical permits for all structures used by campers to ensure these structures meet the Oregon Structural Specialty Codes' minimum requirements.

Although this revised Feb. 8 Site Plan shows one "Owner Accessory Art Studio" and another "Owner Accessory Structure", the 1/30/24 site visit confirmed that both existing structures contain the same internal improvements as the "Heron and Hummingbird Cabins," indicating they were constructed for campground users. Consequently, one condition of final approval will require the County Building Official to review and approve both of these structures for their uses as either Cabin #3 and #4 or for any other personal or commercial (campground) authorized PF-80 use.

The BEAK Maps of the St. Helens -Columbia City CPAC Area shows that this property is located in an area that is designated as Big Game Habitat, but does not contain any threatened, endangered, or sensitive wildlife, plant, or animal species. The site visit on January 30, 2024 confirmed the accuracy of the information submitted in the applications.

The remainder of this report will address the extent to which the proposed private campground and recreational park's uses and structures requested for CU 24-01 & DR 24-02 comply with the applicable standards of the Columbia County Zoning Ordinance (CCZO) and the OAR 918.650 for Recreation Parks/Organizational Campgrounds for land use and building permit approval of the unpermitted gatherings and events that have been occurring on the subject tract for the past 6+ years.

REVIEW CRITERIA, FACTS, ANALYSIS & FINDINGS:

Beginning with the applicable provisions in Section 500 of the Columbia County Zoning Ordinance (CCZO): Primary Forest (PF-80)::

Section 500 PRIMARY FOREST ZONE - 80

PF-80

- 501 Purpose. The purpose of this zone is to retain forest land for forest use and to encourage the management of forest land for the growing, harvesting, and processing of forest crops consistent with the Oregon Forest Practices Act. Uses in this zone will also provide for other forest uses including watershed protection, soil protection, maintenance of clean air and water, wildlife and fisheries habitat, outdoor recreation activities, open space and scenic preservation, and

agricultural activities free from the encroachment of conflicting non-forest uses and influences.

505 Conditional Uses. The following conditional uses may be allowed subject to the general review standards and process in Sections 1503 and 1603 of the Zoning Ordinance. All authorized uses and permanent structures shall also meet the applicable standards listed in Sections 506, 507, and 508 of the Zoning Ordinance and all other local, state, and federal laws pertaining to these uses.

4. Private parks and campgrounds.
 - A. Campgrounds in private parks shall only be those allowed by this subsection. Except on a lot or parcel contiguous to a lake or reservoir, campgrounds shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR Chapter 660, Division 004. A campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes, and is established on a site or is contiguous to lands with a park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground. A campground shall be designed and integrated into the rural agricultural and forest environment in a manner that protects the natural amenities of the site and provides buffers of existing native trees and vegetation or other natural features between campsites. Campsites may be occupied by a tent, travel-trailer or recreational vehicle. Separate sewer, water or electric service hook-ups shall not be provided to individual camp sites. Campgrounds authorized by this subsection shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations. Overnight temporary use in the campground by a camper or camper's vehicle shall not exceed a total of 30 days during any consecutive 6 month period.
 - B. Campsites may be occupied by a tent, travel-trailer, yurt or recreational vehicle. Separate sewer, water or electric service hook-ups shall not be provided to individual campsites except that electrical service may be provided to yurts allowed for in this subsection.
 - C. Subject to County approval, a private campground may provide yurts for overnight camping. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt. The yurt shall be located on the ground or on a wood floor with no permanent foundation. Upon request by the County, the County Planning Commission may provide by order for an increase in the number of yurts allowed on all or a portion of the campgrounds if the Commission determines that the increase will comply with the standards described in ORS 215.296(1). As used in this Ordinance, "yurt" means a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance.

Discussion: The two requested proposals are consistent with the Purpose of the PF-80 Zoning District in Section 501 of the CCZO: to retain forest land for forest use, encourage the management of forestry operations, and provide for other uses including watershed protection, soil protection, maintenance of clean air and water, wildlife and fisheries habitat, outdoor recreation activities, open space and scenic preservation, and agricultural activities free from the encroachment of conflicting non-forest uses and influences.

The applicant has submitted a Conditional Use Permit application (CU 24-01) and a Site Design Review Permit application (DR 24-02) for review by the Columbia County Planning Commission, for compliance with the applicable provisions of the County's Zoning Ordinance as well as of the State of Oregon's regulatory requirements for Recreation Parks and Organizational Camps in Chapter 918 Division 650 of the Oregon Administrative Rules (OAR). The Planning Commission will also need to determine if the proposed Retreat House and detached cabins can be authorized as alternate camp designs and approved by the County Building Official pursuant to the provisions in OAR 918.650.0070 as a condition of approval.

Private parks/campgrounds are listed as a conditional use in CCZO Section 505.4. Further, the use is subject to the following definitions and regulations set forth in CCZO Section 505.4(A, B and C):

- A campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes, and is established on a site or is contiguous to lands with a park or other outdoor natural amenity that is accessible for recreational use by the occupants.
- A campground shall be designed and integrated into the rural agricultural and forest environment in ways that protect the natural amenities of the subject site and provides buffers of existing native trees and vegetation or other natural features between campsites.
- States campsites may be occupied by tents, travel-trailers, or recreational vehicles.
- Prohibits individual campsites tents, travel-trailers or recreational vehicles from having separate sewer, water or electric service hook-ups but allows yurts to have electrical service.
- Prohibits intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations.
- Limits overnight temporary use in the campground by a camper or camper's vehicle to a maximum stay of 30 days during any consecutive 6-month period.
- Limits the number of yurt campsites to no more than one-third, or a maximum of 10 campsites, whichever is smaller, unless the Planning Commission finds an increase in yurt sites will not foresee a significant change in accepted farm or forest practices on surrounding resource lands.
- Defines yurts as a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance.

Finding 1: Staff finds that these identified definitions and restrictions for private parks and campgrounds in the County Zoning Ordinance must be consistent with, or not in conflict with, the State of Oregon’s requirements for Recreational Parks/Organizational Campgrounds in OAR Division 918 Chapter 650. The following section of this report shall identify, evaluate and make Findings on the extent to which the County’s provisions for private campgrounds are consistent with the respective State of Oregon’s regulatory requirements for private recreational parks/organizational campgrounds in OAR 918 650.

Continuing with the applicable provisions in the Oregon Administrative Rules (OAR)
Building Codes Division – Chapter 918 Division 650 - Recreation Parks and Organizational
Camps:

OAR 918 650 0005 - Definitions:

As used in OAR 918-650-0000 to 918-650-0085, unless the context requires otherwise, the following definitions apply:

- (1) “Alteration” means any change, addition or modification of roads, streets, spaces or construction, but does not include normal maintenance or replacement in kind.
- (2) “Approved” means accepted in writing by the Division or its designee.
- (3) “Area” means the land within the property or boundary lines of a recreation park or organizational camp.
- (4) “Building” is any structure used or intended for supporting or sheltering any use or occupancy regulated by the State Building Code as defined in ORS 455.010.
- (5) “Campground.” See Recreation Parks.
- (6) “Combination Park” means a park which includes facilities for two or more types of recreation parks or a combination of a recreation park, organizational camp or mobile home park facility.
- (7) “Construction” means work regulated by the State Building Code as defined in ORS 455.010.
- (8) “Facilities” means the permanent work, such as but not limited to, streets, roads, embankments, space, refuse collection stands, fire pit enclosures, fire protection equipment etc., but does not include buildings and structures, and electrical and plumbing installations.
- (9) “Hostel” means any establishment as defined in ORS 446.310.
- (10) “Organizational Camp” as defined in ORS 446.310 means any area designated by the person establishing, operating, managing or maintaining the same as being for recreational use by groups or organizations. Organizational camp includes, but is not limited to, youth camps, scout camps, summer camps, day camps, nature camps, survival camps, athletic camps or camps operated and maintained under the guidance, supervision or auspices of religious, public and private educational systems and community service organizations.

(11) "Picnic Park." See Recreation Park.

(12) "Recreation Park" as defined in ORS 446.310 means an area designated by the person establishing, operating, managing or maintaining the same as being for picnicking or overnight camping by the general public or any segment of the public. Recreation park includes, but is not limited to, areas open to use free of charge or through payment of a tax or fee or by virtue of rental, lease, license, membership, association or common ownership. Recreation park includes, but is not limited to, areas divided into two or more lots, parcels, units or other interests for purposes of such use. As further defined in these rules, a recreation park includes, but is not limited to, a "campground," a "picnic park," or a "recreational vehicle park":

(a) "Campground" means a recreation park which provides facilities and space for tents, tent vehicles, or camping vehicles;

(b) "Picnic Park" means a recreation park which is for day use only and provides no recreational vehicle or overnight camping spaces;

(c) "Recreational Vehicle Park" means a plot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

(13) Registered Design Professional. An individual who is registered or licensed to practice their respective design profession as defined by the statutory requirements of the professional registration laws of the State of Oregon.

(14) "Solid Waste" means decomposable or non-decomposable waste including but not limited to garbage, rubbish, refuse, ashes, wastepaper and cardboard.

(15) "Space" means that portion of a park reserved for the location of a recreation vehicle, tent, tent vehicle or camping vehicle.

Finding 2: Staff finds these definitions for various components of Recreation Parks and Organizational Camps in OAR 918.650 are consistent with the similar components of Conditionally Permitted Private Parks and Campgrounds identified in Section 505.4 of the CCZO covered for Finding 1.

Continuing with the applicable provision in OAR 918 650:

918-650-0010 - Scope and Purpose

(1) OAR Chapter 918, Division 650 establishes minimum safety standards for the design and construction of recreation parks and organizational camps as authorized in ORS 455.680.

(2) These rules establish design and construction requirements for recreation parks and organizational camps for the purpose of protecting the life, health, safety and welfare of persons using these facilities.

EXCEPTIONS:

1- These rules do not apply to parking areas offering access to beaches, marinas, boat ramps, piers, ski areas, rivers, trails and similar facilities, where no recreational vehicle utility connections are provided.

2- The area development permit does not include permits or related fees for buildings, mobile home setups, mechanical, plumbing or electrical systems, boiler, or elevators, or permits required by other agencies.

Finding 3: Staff finds the State’s Scope and Purpose of the OAR 918.650 of establishing minimum safety standards for the design and construction of recreation parks and organizational camps are necessary to protect the life, health, safety and welfare of park users is also consistent with the County’s Purpose of PF-80 zoned properties stated in Finding 1:

- To provide opportunities for overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes,
- To retain forest land for forest use
- To encourage the management of forestry operations, and
- To provide for other uses including watershed protection, soil protection, maintenance of clean air and water, wildlife and fisheries habitat, outdoor recreation activities, open space and scenic preservation, and agricultural activities free from the encroachment of conflicting non-forest uses and influences.

Continuing with the applicable provisions in OAR 918 650:

918-650-0020 – Permit Required

No person may establish or enlarge the facilities of any recreation park or organizational camp or do any construction within the recreation park or organizational camp or cause the same to be done without first obtaining all required permits from the building official and paying the prescribed permit fees. Multiple permits may be required when the proposed work involves two or more code areas (i.e., structural, electrical, plumbing, or mechanical).

Finding 4: The submitted land use applications must be reviewed by the Columbia County Planning Commission for compliance with the CCZO and the State of Oregon’s regulatory requirements for Private Recreation Parks and Organizational Camps in order for the applicant to continue operation of the existing, unauthorized private campground over the past 6 years. Upon approval by the Planning Commission, the applicant will be required to apply for and obtain all required structural, electrical, plumbing and mechanical permits from the County Building Official with prescribed fees, as well as any other local or state agency permits, before continuing use of the unauthorized private campground.

Continuing with the applicable provisions in OAR 918 650:

918 650 0025 Coordinating Regulation

Permit Issuance:

- (1) The application, plans, specifications, computations, and other data filed by an applicant must be reviewed by the building official. Such plans may be reviewed by other

departments or agencies to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in the application for a permit and the plans, specifications and other data filed conform to the requirements of these rules and other pertinent laws and ordinances, and that the fees have been paid, the building official must issue a permit to the applicant. Regulations that also apply to recreation parks and organizational camps are:

- (a) Land Use. Land use must comply with the regulations of the unit of government which has planning authority over the proposed construction site;
 - (b) Flood Zones. Buildings or areas used within a flood zone must be approved by the agency having jurisdiction prior to the issuance of permits;
 - (c) Water Supply. Water supply systems must comply with regulations under the Department of Human Services Oregon Health Authority;
 - (d) Sewage Disposal. Sewage treatment and disposal facilities, including, but not limited to, on-site facilities, solid waste container wash-down facilities, gray water waste disposal systems, pit privies, vaults and chemical toilets, must comply with regulations under the Oregon Department of Environmental Quality;
 - (e) Solid Waste Disposal. Solid waste disposal must comply with regulations under the Department of Human Services Oregon Health Authority and such waste must be disposed of in a manner that complies with regulations under the Oregon Department of Environmental Quality;
 - (f) Eating and Drinking Establishments. Eating and drinking establishments must comply with regulations under the Department of Human Services Oregon Health Authority;
 - (h) State Building Code. Buildings and structures must comply with the State Building Code and where applicable to rules adopted thereunder;
[...]
 - (i) Highway, Street and Driveway Permits. Access must comply with the regulations of the city, county or State Highway Division having jurisdiction over access to the public roads;
 - (j) Fire Protection. Fire protection facilities must comply with the requirements of the appropriate jurisdiction's fire protection regulations;
[...]
 - (n) Engineers/Architects Design. When required, park and camp designs must be prepared by a registered design professional.
- (2) Recreation Park and Organizational Camp Operating License Approved parks and camps must comply with any operating license requirements established by the Department of Human Services Oregon Health Authority.

Discussion: On January 24, 2024, pursuant to the notification requirements in ORS 197.763, LDS mailed a Referral and Acknowledgment for CU 24-01 and DR 24-02 to affected local and

state agencies and to adjacent property owners within 500' of the subject property requesting they submit comments to LDS that will be used by the County Planning Department and Planning Commission to make a recommendation and a final decision, respectively.

This notification is consistent with the coordinating agency requirements in OAR 918.650.0025 to help ensure both proposals will comply with all applicable laws and regulations under each agency's jurisdiction. The following agencies were included in this notification to ensure the proposed private park facilities addresses all requirements identified in OAR 918.650.0025 (1) and (2): Oregon District 18 Watermaster, County Building Official, County Sanitarian, County Public Health, County Department of Public Works, Columbia River Fire & Rescue (CRF&R), County Soil and Water Conservation District, Scappoose Bay Watershed Council, Oregon Department of Forestry, Oregon Department of Fish & Wildlife. The comments received from all these agencies will be addressed and evaluated to support identified Findings and the related Conditions of Approval throughout this staff report.

Finding 5: With the January 24, 2024 mailed notification for CU 24-01 and DR 24-02, staff finds the coordinating criteria in OAR 918.650.0025 have been met. LDS has received comments from the County Building Official, County Sanitarian, County Public Works Department, and the County Soil & Water Conservation. Nevertheless, conditions of final approval and/or building permit issuance will require LDS to receive written confirmation from all local and state agencies, including but not limited to CRF&R, County Public Health, and Oregon DSL, that their regulatory requirements have been met as either conditions of land use approval or building permit issuance.

Continuing with the applicable provisions in OAR 918 650:

918-650-0030 - Fees — Expiration — Validation

(1)(a) Area Development Fee. The area development fee is determined from Table 1-RV using the valuation for all facilities for which the permit is issued. The fees in Table 1-RV are based upon valuation Table 2-RV for recreation parks or may be determined by the applicant with documentation acceptable to the issuing authority. Permit fees must be paid before any work begins.

(b) Plans Review Fee. The area development Plan Review Fee is 65 percent of the area development permit fee set forth in subsection (1)(a) of this rule and must be paid when plans and specifications are submitted for review;

(c) Other Fees:

(A) Inspections outside of normal business hours (minimum charge — two hours), current county adopted fee schedule;

(B) Reinspection fee, current county adopted fee schedule;

(C) Inspection for which no fee is specifically indicated (minimum charge — one-half hour), current county adopted fee schedule;

(D) Additional plan review required by changes, additions or revisions to approved plans (minimum charge — one-half hour), current county adopted fee schedule;

(E) Consultation fee (minimum one hour), current county adopted fee schedule; current county adopted fee schedule;

(2) Other Fees:

(a) A special inspection is required and a special inspection fee must be paid before a permit may be issued for work started without a permit. The special inspection fee must be equal to and in addition to the amount of the permit fee required by these rules;

(b) Other Inspection Fees. In addition to the called for inspections, the building official may make or require inspections of any construction work to confirm compliance with the provisions of this code and other laws which are enforced by the building official;

(c) Reinspection Fees. A reinspection fee may be assessed for each inspection or reinspection when the work for which inspection is called is not complete or when corrections called for are not made.

NOTE: This subsection is not intended to require reinspection fees the first time a job is rejected for failure to comply with the requirements of this code but is to control the practice of calling for inspections before the job is ready for such inspection or reinspection.

(3) Expiration and Validity of Plans and Permits:

(a) Expiration of Plan Approval. Area Development plan approval expires 180 days after the date that the approval is granted if no area development permit is issued. Upon receipt of a written request from the applicant the building official may extend the time for action by the applicant for a period of not to exceed 180 days. To renew action on an application after the expiration of a plan approval, the applicant must resubmit plans and pay a new plan review fee;

(b) Expiration of Area Development Permit. An area development permit expires if the work it authorizes is not commenced within 180 days from the date of issuance of the permit, or if the work is suspended or abandoned for 180 days at any time after it is commenced. A permittee holding an unexpired permit may apply for an extension of the time within which the work may be commenced under that permit. The time for action by the permittee may not exceed 180 days. Requests for extensions must be in writing, and no permit may be extended more than once. If such work is not recommenced, before a permit or extension expires a new permit must be obtained. The fee is determined by County adopted fee schedule for the amount required for the first permit, provided that:

(A) No changes have been made in the original plans and specifications; and

(B) The duration of the suspension of work or abandonment has not exceeded 180 days.

(c) Validity. The issuance or granting of an area development permit or approval of area development plans and specifications may not be construed to be a permit for, or approval of,

any violation of any of the provisions of these rules. The issuance of a permit based upon plans and specifications may not prevent the building official from later requiring the correction of errors in such plans;

(d) Suspension or Revocation. The building official may, in writing, suspend or revoke an area development permit when the permit is issued in error or on the basis of incorrect information supplied, or in violation of any provision of these rules, or any other ordinances.

(4)(a) The fees established in this rule apply to the Division.

(b) Municipalities who have been delegated the park and camp program by the Division may establish their own fee schedule or adopt the Division's fee schedule through local ordinance.

(c) The amount of the fee may not exceed the costs of administering the park and camp program.

(d) The municipality, quarterly, must remit 15 percent of the collected fees to the Division for monitoring municipal programs and for providing informational material necessary to maintain a uniform state program.

Finding 6: Staff finds that all fees related to the County Building Official's review and inspection of all authorized park facilities approved for CU 24-01 and DR 24-01 on **the Final Site Plan and Final Building Plan** will be assessed according to these provisions in OAR 918.650.0030 as applicable.

Continuing with the applicable provisions in OAR 918 650:

918-650-0035 - Plans and Specifications

Plans. With each application for a plan review the applicant must submit two sets of construction plans and specifications. Plans and specifications must be drawn to scale, of sufficient clarity to indicate the nature and extent of the work proposed and to show in detail that the construction will conform to all relevant laws, rules and regulations of the State of Oregon pertaining to recreation parks and organizational camps.

NOTE: The construction shown on these plans may contain construction details required by other rules or regulations in order to aid other agencies in determining compliance with their coordinating regulations.

(2) Design. All plans must be designed in accordance with the requirements of the various codes and administrative rules and, where required, must be designed by a registered design professional.

(3) Plan Format and Sequence. The following plan format and sequence specification are guidelines for both the designer and the plan reviewer. Deviations are permitted from strict compliance with the plan format and sequence specifications when such deviation will produce the same result:

(a) The cover sheet of each set of plans must give the following:

- (A) The name of the recreation park or organizational camp and the location (vicinity map);
- (B) The name of the owner;
- (C) The name of the operator;
- (D) The name of the person who prepared or submitted the plans;
- (E) The symbols used; and
- (F) The design maximum occupancy load for organizational camps.

(b) The plot plan (on a separate sheet) must include:

- (A) Both proposed and existing construction; and
- (B) A scale drawing of the general layout of the entire recreation park or organizational camp showing property survey monuments in the area of work and distances from park or camp boundaries to public utilities located outside the park or camp (indicated by arrows without reference to scale).

EXCEPTION: When the work involves an addition to, or a remodeling of, an existing recreation park or organizational camp, the plot plan must show the facilities related to the addition and/or the facilities to be remodeled.

(4)(a) The following features must be clearly shown and identified:

- (A) The permanent buildings (dwellings, mobile homes, washrooms, recreation buildings, and similar structures);
- (B) The fixed facilities in each space (fire pits, fireplaces or cooking facilities);
- (C) The property line boundaries and survey monuments in the area of work;
- (D) The location and designation of each space by number, letter or name; and
- (E) Plans for combination parks must also show which portions of the parks are dedicated to campground, organizational camp, mobile home park, picnic park, recreational vehicle park and joint use.

(b) Park and organizational camp utility systems must be clearly shown and identified on a separate sheet:

- (A) Location of space sewer connections, space water connections and service electrical outlets;
- (B) Location and source of domestic water supply;
- (C) Location of water and sewer lines (showing type, size and material);

- (D) Park or camp street layout and connections to public street(s);
 - (E) Disposal systems, such as septic tanks and drain fields, recreational vehicle dump stations, gray water waste disposal sumps, washdown facilities, sand filters, and sewer connections;
 - (F) Fire protection facilities, such as fire hydrants, fire lines, tanks and reservoirs, hose boxes and apparatus storage structures;
 - (G) Solid waste disposal system and solid waste collection features, such as refuse can platforms and supports, and wash-down facilities; and
 - (H) Liquid Petroleum Gas (LPG) tanks and gas lines.
- (c) Park Topography. Park topography must be shown in the area of work when any existing grade or slope exceeds five percent.

Finding 7: Staff finds that all Plans and Specification submitted to the County Building Official for CU 24-12 and DR 24-02 in the **Final Site Plan and Final Building Plan** shall also comply with the applicable Design, Format, Sequence, and Features identified in OAR 918.650.0035.

Continuing with the applicable provisions in OAR 918 650:

918-650-0040 - Inspections

- (1)(a) General. All construction or work for which a permit is required must be subject to inspection by the building official;
- (b) It is the duty of the permit applicant to cause the work to be accessible and exposed for inspection purposes. Neither the employee nor the building official are liable for expense entailed in removal or replacement of any material required to allow inspection.
- (2)(a) Inspection Requests. It is the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require every request for inspection be filed at least three working days before such inspection is desired. Such requests may be in writing or by telephone at the option of the building official;
- (b) It is the duty of the person requesting any inspections required by these rules to provide access to and means for proper inspection of such work.
- (3) Approval Required. Approval may be given only after an inspection has been made on each successive step in the construction as indicated on each of the inspections required in section (4) of this rule.
- (4) Required Inspections. The building official, upon notification from the permit holder or the permit holders agent, must make the following inspections and must either approve that portion of the construction as completed or must notify the permit holder or agent wherein the same fails to comply with these rules:

- (a) Rough Grading. When rough grading of roads and spaces are completed;
- (b) Prior to Paving. Before any asphaltic concrete or Portland cement concrete is placed;
- (c) Final Inspection. A final inspection may be made after finish grading and all permanent facilities are in place;
- (d) Coordinating Regulation Inspections. Inspection required by the Coordinating Regulations specified in these rules.

Finding 8: Staff finds that all necessary inspections by the County Building Official for CU 24-01 and DR 24-02 shall also comply with the identified requirements identified in OAR 918.650.0040.

Continuing with the applicable provisions in OAR 918 650:

918-650-0045 - General Construction Requirements

General:

(1) Combination Parks. The portions of combination parks which are dedicated to campground, organizational camp, picnic park, mobile home park or recreational vehicle park use must be identified, and each use must comply with the applicable regulations. Jointly used areas must be designated accordingly.

(2) Space Separation and Designation. Building or space separation and space designation must be as follows:

(a) The distance between buildings must be as required in the Oregon Structural Specialty Code;

(b) The distance between spaces must be as provided in OAR 918-650-0055(1);

(c) Spaces must be identified by signs or markings corresponding to the letters, numbers or names indicated on the approved plans.

(3) Access. Each space designed for vehicular use within a recreation park or organizational camp must have direct access to a park, street or road. The access may not be obstructed by grade or vertical clearance. The entrance to roads with impaired clearance must be provided with warning signs.

(4) Street Width. Park streets intended for use by the public must be of adequate width to accommodate the planned parking and traffic load. Each traffic lane must be ten feet minimum width. Where parking is permitted on park streets, each parking lane must be ten feet minimum width. All two-way streets without parking must be 20 feet minimum width.

(5) Connection to a Public Way. The park street system must have direct connection to a public way.

(6) Park Roads and Streets. Roads and streets intended for use by the public must be designed for minimum nine-ton gross loads and streets and walkways must be well drained. The street surface may be asphaltic concrete, Portland cement concrete, crushed rock, gravel or other approved surface material.

(7) Cleanable Construction. Fireplaces, fire pits or cooking facilities must be of cleanable construction and designed to permit easy removal of ash and other waste.

(8) Screens. All openings, except doors with self-closing devices, into the outer air of permanent kitchens, dining rooms, toilets and shower facilities must be effectively screened. Screens may not be less than sixteen mesh per inch, and all screen doors must be equipped with a self-closing device.

(9) Solid Waste Containers. Solid waste containers must be in place at the time of final inspection. Solid waste containers or bins must:

(a) Have tight-fitting lids, covers or closable tops; and

(b) Be durable, rust-resistant, watertight, rodent-proof and washable;

(c)(A) Containers in recreational vehicle parks must be provided at a rate of one 30-gallon container for each four recreational vehicle parking spaces and be located within 300 feet of each recreational vehicle parking space. Containers may be grouped;

(B) Containers in picnic parks, campgrounds and organizational camps must be provided at a rate of one 30-gallon container for each 20 occupants or fraction thereof that the camp or park is designed to accommodate. Containers may be grouped.

EXCEPTION. The requirement for solid waste containers in picnic parks, campgrounds and organizational camps may be waived by the regulating authority for areas not accessible by road.

(10) Water Systems in Flood Zones. Potable water systems located in, or partially in flood zones, must be provided with valves to isolate that portion of the system in the flood zone from the rest of the system, and fittings must be installed to permit flushing and treatment of the flood zone portion of the water system.

Finding 9: Staff finds that all General Construction Requirements submitted with the **Final Site and Building Plans** authorized with the Planning Commission's approval of CU 24-01 and DR 24-02 shall also comply with the identified requirements identified in OAR 918.650.0045.

Continuing with the applicable provisions in OAR 918 650:

918-650-0050 - Toilets

(1) Toilet facilities must be provided in every recreation park or organizational camp. They must be convenient and accessible and must be located within 500 feet of any recreational vehicle space or camping site not provided with an individual toilet facility or sewer connection.

EXCEPTION: The requirement for toilets in picnic parks, campgrounds and organizational camps may be waived by the regulating authority for areas not accessible by road.

(2)(a) Sanitary facilities must be as required in Table 3-RV;

(b) Toilet Bowls. Toilet bowls for public use must be elongated bowls with open-front seats. Any room with flush toilets must be provided with a floor drain as required in the Oregon Plumbing Specialty Code;

(c) Signs. Toilets must either be marked for the designated sex or be provided with a privacy lock. If not apparent, the location of toilets must be indicated by appropriate direction signs;

(d) Flush Toilets and Showers. Flush toilets and showers and the buildings containing them must be constructed in accordance with the State Building Code;

(e) Unisex Toilets. Toilet facilities designed to serve an occupant load of 15 persons or less may serve both sexes. Such toilet facilities must be equipped with a urinal.

(3) Nonwater-Carried Toilets. Nonwater-carried toilets, including, but not limited to, chemical or vault toilets or pit privies, must be constructed and located in accordance with the requirements of the Department of Environmental Quality.

Finding 10: The County Sanitarian’s attached comments state *“The applicant will be required to pursue an Authorization Notice with a Site Visit to approve the septic system for the proposed change in use. The applicant may propose portable facilities for any temporary uses which will be considered in the overall review”*. Staff finds that all Toilet Facilities and shown on the **Final Site and Building Plans** shall also comply with the identified requirements identified in OAR 918.650.0050 and approved by the County Sanitarian and/or the Oregon Department of Environmental Quality, as applicable.

Continuing with the applicable provisions in OAR 918 650:

918-650-0055 - Special Rules for Overnight Campgrounds

(1) Spacing. Each camping space must be large enough to accommodate the designated class of recreational vehicle or tent and be located a minimum of ten feet from any other camping space, building or building appurtenance or any boundary line abutting upon a public street or highway, and five feet from any property line. The space area must be designed to minimize the obstruction of any public or private roadway or walkway by vehicles or tents.

(2) Faucets. Camping space faucets and hydrants must be equipped with an approved back flow prevention device as required by the Oregon Plumbing Specialty Code.

(3) Gray Water Waste Disposal System. Recreation parks which supply water must provide a sewage disposal system or a gray water waste disposal sump for each six spaces that meets the requirements of the Department of Environmental Quality.

Finding 11: Staff finds that all Spacing, Faucet and Gray Water Disposal System areas identified in **the Final Site and Building Plans** proposed for CU 24-01 and DR 24-02 shall also comply with the identified requirements identified in OAR 918.650.0055 and approved by the Oregon DEQ and/or the County Building Official.

Continuing with the applicable provisions in OAR 918 650:

918-650-0060 - Special Rules for Organizational Camps

Sleeping Spaces. Permanently installed beds or bunks must have:

- (1) A minimum of 30 inches of lateral separation between beds and a minimum of 30-inch vertical separation between tiers of beds or between the top tier and the ceiling.
- (2) A maximum of two tiers of bunks.
- (3) Not less than ten inches of space between the floor and the underside of the beds. In lieu of such space, a bed may have a continuous base which is attached to the floor.

Finding 12: Staff finds that all Sleeping Spaces in the proposed cabins and within the Retreat House included on the **Final Site and Building Plans** proposed for CU 24-01 and DR 24-02 shall also comply with the identified requirements identified in OAR 918.650.060 and approved by the County Building Official.

Continuing with the applicable provisions in OAR 918 650:

918-650-0070 - Alternate, Materials and Interpretations; Appeals

- (1) These rules are not intended to prevent the use of any alternate material, design, or method of construction for recreation parks or organizational camps which the rules do not specifically prescribe, provided that the building official has approved such alternate.
- (2) Modifications. Wherever there are practical difficulties involved in carrying out the provisions of these rules, the building official may grant modifications for individual cases, provided the building official:
 - (a) Determines that a special individual reason makes the strict compliance with the letter of OAR 918, division 650 impractical;
 - (b) Ensures that the modification does not lessen any fire protection requirements or any degree of structural integrity or create any health or safety hazards; and
 - (c) Maintains the details of any such action granting modifications in the files of the municipality.

Discussion: As discussed during the Summary, the Retreat House and proposed cabins are not identified as authorized overnight camp accommodations in the CCZO nor in the Oregon State definitions in OAR 818.650. Consequently, these Alternate designed overnight accommodations can be authorized if the Planning Commission reviews, evaluates and make findings that both of

these overnight accommodations are consistent with the existing local and state definitions and regulatory requirements for private parks provided with the County Building Official's approval of their uses for compliance with the minimum requirements of the Oregon Structural Specialty Code.

Finding 13: Staff finds that the Planning Commission has the ability to review and find supporting evidence confirming the Retreat House and cabins are consistent with the provisions in OAR 918.650.0070 of alternate designs for authorized park development provided the County Building Official reviews and approves their uses proposed for CU 24-01 and DR 24-02. If the Commission approves this alternative design of overnight camping accommodations, the County Building Official will be required to review and approve the new use of these residential structures as one condition of approval.

Finding 14: Staff finds that the OAR 918.650's definitions, design criteria and regulatory requirements for Recreation Parks and Organizational Camps covered for Findings 2 – 13 are consistent with the definitions in Section 505.4 of the County Zoning Ordinance for private campgrounds.

Finding 15: Staff finds that the submittal of the **Final Site and Building Plans'** specifications, computations and other documentation for CU 24-01 and DR 24-02 shall be reviewed and approved by the County Building Official and other affected local and state agencies referenced in this report for compliancy with the State of Oregon's regulations pertaining to Recreation Parks and Organizational Campground criteria in OAR 918.650 and all applicable related regulatory requirements.

Continuing with Section 510 of the CCZO – Fire Siting Standards for Dwellings, Structures and Roads:

510 Fire Siting Standards for Dwellings, Structures and Roads:

The following fire siting standards or their equivalent shall apply to new dwellings in this zone:

- .1 If a water supply is available, suitable and acceptable for fire protection by the fire protection district, such as a swimming pool, pond, stream, or lake, then road access to within 15 feet of the water's edge shall be provided for pumping units. The road access to the dwelling and access to the on-site water supply shall accommodate the turnaround of firefighting equipment during the fire season. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.
- .2 The owner of the dwelling shall establish and maintain a primary fuel-free fire break surrounding the dwelling and accessory structure(s) no less

than 30 feet wide in accordance with the provisions in "Protecting Your Home From Wildfire" published by the National Fire Protection Association. The owner may be required to increase the primary fuel-free fire break if the dwelling or structure is located on a 10% or greater slope. The primary fuel-free fire break could include a lawn, low ornamental shrubbery less than 24" in height and/or individual or groups of trees separated by a distance equal to the diameter of the crowns adjacent to each other, or 15 feet, whichever is greater. All existing tree limbs shall be pruned from the base to at least eight feet in height. Dead fuels shall also be removed.

- .3 A secondary fire break of 100 feet outside the primary fuel-free fire break, or its equivalent allowed by Columbia County Board Order No. 239-97 Firebreak Equivalents, shall also be provided and maintained for the dwelling in accordance with the provisions in "Protecting Your Home From Wildfire" published by the National Fire Protection Association. All existing trees shall be pruned from the base to at least 8 feet in height. Dead fuels shall be removed from the secondary fire break area. If the placement of the proposed dwelling cannot meet the secondary fire break due to physical constraints of the land or parcel size, the applicant may apply to obtain a secondary fire break easement from a neighbor or build the structure to a Class 1 or 2 Ignition Resistance Construction as allowed by Board Order No. 239-97, Firebreak Equivalents.
- .4 All roads in this zone, except private roads and bridges for commercial forest uses, shall be constructed so as to provide adequate access for fire fighting equipment according to the standards provided by the local rural fire protection district, the County Road Department, or the State Department of Forestry.

Views of Retreat House



Site's access to Pittsburg Road and existing bridge crossing over Milton Creek



Finding 16: Although Milton Creek runs through the northern portion of the subject tract, the Columbia River Fire & Rescue (CRF&R) did not submit any comments as of the date of this report. Specifically, the CRF&R has not identified if the fish-bearing stream would be acceptable for fire protection, nor did they request the applicant install necessary improvements to within 15 feet of its edge for pumping units as provided for in Section 510.1.

No structures included in the *February 8, 2024 Revised Site Plan* show the 30' primary fuel-free firebreak areas surrounding all sides as required in Section 510.2. Therefore, all accessory structures and facilities used by campers shall be surrounded on all sides by a 30' primary fuel-free firebreak area, and labeled as such on the **Final Site Plan** that is submitted to LDS. In addition, the pictures on Page 22 show the forested area east of the Retreat House may need to be limbed, pruned or cleared of dead fuels in accordance with the provisions in the attached *"Protecting Your Home From Wildfire"* published by the National Fire Protection Association. It does not appear that any of these accessory camping structures or facilities will require the applicant to establish 100' secondary firebreaks on all sides since they do not meet the definition of the site's primary residential structure in Section 510.3.

Prior to final approval, County Planning Staff will verify with a site visit that all accessory structures used by campers are surrounded by 30' primary fuel-free firebreak areas to ensure compliance with the Section 510.2 of the Zoning Ordinance.

Pertaining to the fire apparatus access provisions in Section 510.4: Although the CRF&R has not submitted any comments, this site's private access to Pittsburg Road has an existing bridge crossing over Milton Creek as seen above. Accordingly, one condition of final approval will

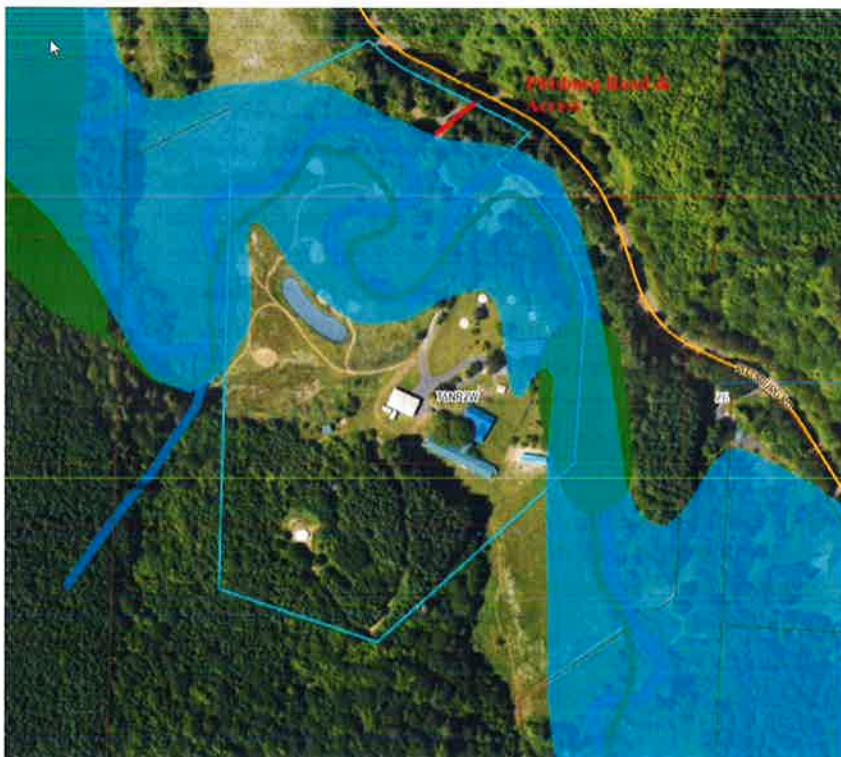
require the CRF&R to inspect this bridge and approve it for fire-fighting equipment. Any necessary improvements to this bridge will be the responsibility of the applicant as a condition of approval. In addition, one condition of building permit issuance will be for LDS to receive confirmation from the CRF&R that all bridge improvements have been installed. In addition, because the site's access exceeds 150' in length, the entire length of this driveway shall be improved by the applicant and shall also be inspected and approved by the CRF&R for compliance with the provisions for fire apparatus access identified in the Columbia County Road Standards Ordinance.

To ensure timely response from emergency responders, LDS will require the applicant to work with the CRF&R to develop a separate "Address Map" for the proposed campground that identifies and labels all structures and areas identified on the **Final Site and Building Plans**. A copy of this approved Address Map shall be submitted with the Final Plans.

A condition of building permit issuance will be for the applicant to obtain a Road Access Permit from the County Department of Public Works and submit a copy to LDS. For these reasons and with these conditions of approval, staff finds that the requested proposals will be able to satisfy the provisions in Section 510 of the CCZO as well as those related to fire protection OAR 918 650 0025.1(j) referred to in Finding 5.

Continuing with Section 1100 of the Columbia County Zoning Ordinance:

Subject Tract's Portion Identified as Milton Creek's Special Flood Hazard Overlay per FEMA FIRM 41009C)325 D



Section 1100 FLOOD HAZARD OVERLAY

FH

1101 Purpose: It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- .1 To protect human life and health;
- .2 To minimize expenditure of public money and costly flood control projects;
- .3 To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

1102 Methods of Reducing Flood Losses: In order to accomplish its purposes, this ordinance includes methods and provisions for:

- .1 Restricting or prohibiting development which is dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- .2 Requiring that development vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- .3 Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- .4 Controlling filling, grading, dredging, and other development which may increase flood damage;

1103 Definitions: Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage.

[...]

.11 "DEVELOPMENT" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

[...]

.32 "NEW CONSTRUCTION" for floodplain management purposes, means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by Columbia County and includes any subsequent improvements to such structures.

.33 "RECREATIONAL VEHICLE" means a vehicle which is:

- (1) Build on a single chassis;

- (2) 400 square feet or less when measured at the largest horizontal projection;
 - (3) Designed to be self-propelled or permanently towable by a light duty truck; and
 - (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- .39 "SUBSTANTIAL IMPROVEMENT" means reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:
- A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
 - B. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

1104 GENERAL PROVISIONS:

- .1 Lands to which this ordinance applies: This zone shall apply to all areas of special flood hazards within the jurisdiction of Columbia County.
- [...]
- .3 Coordination with State of Oregon Specialty Codes
 - A. Pursuant to the requirement established in ORS 455 that Columbia County administers and enforces the State of Oregon Specialty Codes, Columbia County does hereby acknowledge that the Oregon Specialty Codes contain certain provisions that apply to the design and construction of buildings and structures located in special flood hazard areas. Therefore, this ordinance is intended to be administered and enforced in conjunction with the Oregon Specialty Codes.

1105 ADMINISTRATION:

- .1 Designation of the Floodplain Administrator: The Columbia County Land Development Services Director, and their designee, is hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.

[...]

.3 Establishment of Development Permit:

- A. Floodplain Development Permit Required: A development permit shall be obtained before construction or development begins within any area horizontally within the special flood hazard area established in section 1104.2. The development permit shall be required for all structures, including manufactured dwellings, and for all other development, as defined in section 1103, including fill and other development activities.

1. The following exceptions apply for the storage of equipment and/or materials:
 - i. Temporary storage, located out of the floodway, within any zoning district; and
 - ii. Permanent storage, connected with residential use, located out of the floodway.

[...]

- 1106.2 Specific Standards for Riverine (Including All Non-Coastal) Flood Zones: These specific standards shall apply to all new construction and substantial improvements in addition to the General Standards contained in section 1106.1 of this ordinance.

[...]

- B. For Riverine (Non-Coastal) Special Flood Hazard Areas with Base Flood Elevations: In addition to the general standards listed in section 1106.1 the following specific standards shall apply in Riverine (non-coastal) special flood hazard areas with Base Flood Elevations (BFE): Zones A1-A30, AH, and AE.

[...]

- 1106.5. Recreational Vehicles: Recreational vehicles placed on sites are required to:

- i. Be on the site for fewer than 180 consecutive days, and
 - ii. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
 - iii. Meet the requirements of section 1106.2(C)(4), including the anchoring and elevation requirements for manufactured dwellings.
- 1106.6. Appurtenant (Accessory) Structures: Relief from elevation or floodproofing requirements for residential and non-residential structures in Riverine (Non-Coastal) flood zones may be granted for appurtenant structures that meet the following requirements:
- i. Appurtenant structures located partially or entirely within the floodway must comply with requirements for development within a floodway found in section 1106.2(D).
 - ii. Appurtenant structures must only be used for parking, access, and/or storage and shall not be used for human habitation;
 - iii. In compliance with State of Oregon Specialty Codes, appurtenant structures on properties that are zoned residential are limited to one-story structures less than 200 square feet, or 400 square feet if the property is greater than two (2) acres in area and the proposed appurtenant structure will be located a minimum of 20 feet from all property lines. Appurtenant structures on properties that are zoned as non-residential are limited in size to 120 square feet.
 - iv. The portions of the appurtenant structure located below the Base Flood Elevation must be built using flood resistant materials;
 - v. The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood.
 - vi. The appurtenant structure must be designed and constructed to equalize hydrostatic flood forces on exterior walls and comply with the requirements for flood openings in section 1106.2(A);
 - vii. Appurtenant structures shall be located and constructed to have low damage potential;
 - viii. Appurtenant structures shall not be used to store toxic material, oil, or gasoline, or any priority persistent pollutant identified by the Oregon Department of Environmental Quality unless confined in a tank installed in compliance with section 1106.1(E).
 - ix. Appurtenant structures shall be constructed with electrical, mechanical,

and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.

Discussion: Comparing the information on the *Feb, 8, 2024 Revised Site Plan* (Page 4) with the Tract's Special Flood Hazard Overlay (Zone A) on Page 24, staff finds that the locations of the following structures and facilities will require the County to review and approve Floodplain Development Permits before any of these structures and areas can be used by campers:

- The 4 Yurts
- The 2 Recreational Vehicle (RV) sites
- The northern proposed toilets and shower
- The existing Retreat House
- The 6 Tent Campsites and
- The existing bridge over Milton Creek

In addition, the provisions in Section 509.6(A) of the CCZO require all development in the PF-80 Zoning District to be a minimum 50' from all property lines. With these siting limitations, the **Final Site Plan** as well as the necessary Floodplain Development Permits submitted to LDS shall accurately identify all of these structures and facilities to be sited at least 50' away from all property lines as a condition of approval.

According to the County Assessor's Records, the "Retreat House" was built in 1926. Therefore, this structure may be exempt from the Flood Hazard Area regulations since its initial 1926 construction does not meet the "*New Construction*" definition in Section 1103.32 and predates the effective date of these regulations. Per the provisions in Section 1103.39, if the County Building Official requires *Substantial Improvements* to bring the structure up to code for the new commercial use, any submitted building plans must be accompanied by a Floodplain Development Permit.

Finding 17: Staff finds that before the County can approve the establishment and campers' use of any development/structures included within the Special Flood Hazard Overlay per FEMA FIRM # 41009C0325D, the County will need to approve Floodplain Development Permits for all of these structures. In addition, the **Final Site and Building Plans** submitted to LDS shall also accurately identify the location of all structures and development to be at least 50' from all property lines as required in Section 509.6(A) of the CCZO.

With these conditions, staff finds that the submitted proposals will comply with the applicable provisions of Sections 509 and 1100 of the CCZO related to development within Special Flood Hazard Overlay for PF-80 development, as well as to those related to Flood Zones in OAR 918 650 0025.1(b) referred to in Finding 5.

Continuing with Section 1170 of the Columbia County Zoning Ordinance:

Section 1170 RIPARIAN CORRIDORS, WETLANDS, WATER QUALITY, AND FISH AND WILDLIFE HABITAT PROTECTION OVERLAY ZONE

1171 Purpose.

- A. The purpose of this Section is to protect and restore water bodies and their associated riparian corridors, thereby protecting and restoring the hydrological, ecological and land conservation function these areas provide. Specifically, this Section is intended to protect habitat for fish and other aquatic life, protect habitat for wildlife, protect water quality for human uses and for aquatic life, control erosion and limit sedimentation, prevent property damage during floods and storms, protect native plant species, and conserve the scenic and recreational values of riparian areas.

1172 Riparian Corridor Standards:

- A. The inventory of Columbia County streams contained in the Oregon Department of Fish and Wildlife Fish Habitat Distribution Data (published January 13, 2023), specifies which streams and lakes are fish-bearing. Fish-bearing lakes are identified on the map entitled, "Lakes of Columbia County." A copy of the most current Stream Classification Maps is attached to the Comprehensive Plan, Technical Appendix Part XVI, Article X(B) for reference. The map, "Lakes of Columbia County" is attached to the Comprehensive Plan, Technical Appendix Part XVI, Article X(B), and is incorporated therein. Based upon the stream and lake inventories, the following riparian corridor boundaries shall be established:

- 2. Fish-Bearing Streams, Rivers and Sloughs (Less than 1,000 cfs). Along all fish-bearing streams, rivers, and sloughs with an average annual stream flow of less than 1,000 cubic feet per second (cfs), the riparian corridor boundary shall be 50-feet from the top-of-bank. Average annual stream flow information shall be provided by the Oregon Water Resources Department.

1173 Activities Prohibited within the Riparian Corridor Boundary

In addition to the prohibitions in the underlying zone, the following activities are prohibited within a riparian corridor boundary, except as provided for in Sub-sections 1175 and 1176 of this Section:

- A. The alteration of a riparian corridor by grading, placement of fill material, and/or impervious surfaces, including paved or gravel parking areas, or paths, and/or the construction of buildings or other structures which require a building permit under the Oregon State Building Code, as amended.
- B. The removal of riparian trees or vegetation.

[...]

1175 Permitted Uses and Activities Subject to Optional Discretionary Review.

Notwithstanding the prohibitions set forth in Subsection 1173 above, the following activities are allowed within the riparian corridor boundary if approved by the planning director through an optional discretionary review process:

- A. The following riparian vegetation may be removed within the riparian corridor boundary:
 - 1. Non-native vegetation, invasive species, and noxious weeds if replaced with native plant species. The replacement vegetation shall cover, at a minimum, the area from which vegetation was removed, and shall provide for maximum soil retention and shade cover. Replacement vegetation shall, upon maturity, maintain 75%-100% canopy and ground cover.
 - 2. Vegetation which is necessarily removed for the development of approved water-related or water dependent uses. Vegetation removal shall be kept to the minimum necessary to allow the water-dependent and water-related use.
 - 3. Trees and vegetation in danger of falling and/or posing a hazard to life or property. If no hazard will be created, such trees or other vegetation, once felled, shall be left in place in the riparian area.

- B. The following development may be allowed within the riparian corridor boundary:
 - 1. Streets, roads, and driveways, if:
 - a. If it is not possible to locate the street, road or driveway outside of the riparian corridor boundary; and
 - b. The street, road or driveway is designed to minimize intrusion into the riparian corridor boundary.
 - 2. Pedestrian walkways, paths and trails.
 - 3. Fencing and signs, not including billboards.
 - 4. Drainage facilities, utilities and irrigation pumps.
 - 5. Water-related and water-dependent uses.
 - 6. New or expanded shoreline stabilization and flood control grading and structures.
 - 7. Portable furniture, and other portable outdoor equipment for the private use of the property owner/resident. For purposes of this subsection, "portable" shall mean that the item is not affixed to the ground, other than with a chain or other lock which is capable of being removed at any time.

- C. Wetland fill and removal within riparian corridors shall be avoided unless there is no reasonable alternative to allow the permitted use. DSL shall be notified of any potential impact from development proposed on wetlands identified in the State Wetlands Inventory pursuant to ORS 215.418.



Discussion: According to the Oregon Department of Forestry (ODF) Streams map and the Oregon Department of State Lands (DSL) Wetlands Inventory map shown above, the subject property contains an identified fish-bearing stream (Milton Creek) with associated identified wetlands areas shown on the aerial map above.

The provisions in Section 1172.A(2) require all fish-bearing streams to have a minimum 50' protected riparian corridor boundary measured from the top of the bank. Additional provisions in Section 1175.C state that *“Wetland fill and removal within riparian corridors shall be avoided unless there is no reasonable alternative to allow the permitted use. DSL shall be notified of any potential impact from development proposed on wetlands identified in the State Wetlands Inventory pursuant to ORS 215.418.”*

The *Feb 8, 2024 Revised Site Plan* indicates that the Retreat House, 4 Yurt sites, 2 RV sites, northern portable showers/restrooms, and all 6 tent camping sites may be located within Milton Creek's 50' wide riparian corridor, as well as in close proximity to the identified wetland areas.

With the proposed establishment of these camping structures and facilities shown on the *Feb 8, 2024 Revised Site Plan*, LDS will require the applicant to submit a Wetlands Delineation to the Oregon Department of State Lands (DSL) for them to review and approve as a condition of approval. A copy of the Oregon DSL's Approved Wetlands Delineation shall be submitted

concurrent with the **Final Site and Building Plans** and shall accurately identify and label Milton Creek’s 50’ protected riparian corridor from the top of its bank. Any development within the 50’ Riparian Corridor will be limited to those activities identified in CCZO Sections 1173 and 1175.

According to the County Assessor’s records, the “Retreat House” was built in 1926. LDS will consider this lawfully established residence exempt from the restrictions in CCZO Sections 1173 and 1175, as it predated the effective date of these regulations (October 12, 2023). If the Approved Wetlands Delineation shows the Estate House is within the 50’ protected riparian corridor, this 1926 structure will be considered by the County to be a lawfully established Non-Conforming Structure and all future development shall comply with the applicable provisions of CCZO Section 1506. The County Building Official will also require the applicant to file a Change of Occupancy for this 1926 structure that will ensure the new use will comply with all the minimum requirements of the Oregon Structural Specialty and Fire Codes.

Crystalyn Bush, Resource Conservationist with the County Soil and Water Conversation District, submitted attached comments on 1/26/24, stating there are no objections to their approval as presented.

Finding 18: Staff finds that the applicant will be able to comply with the minimum requirements in Section 1170 of the Zoning Ordinance by submitting the County with a copy of a DSL approved Wetlands Delineation and accurately identifying the delineated wetlands and their 50’ riparian corridor on the **Final Site Plan** submitted for CU 24-01 and DR 24-02. The County Building Official and County Planning Staff will then be able to approve any new area and structures used by campers for compliance with the authorized uses in CCZO Sections 1173 and 1175 of the CCZO. This will also allow compliance with the Land Uses provisions in OAR 918 650 0025.1(a) referred to in Finding 5.

Continuing with Section 1980 of the Columbia County Zoning Ordinance:

Section 1190 BIG GAME HABITAT OVERLAY BGR

[Amended by Ordinance 2003-06, eff. 7/30/03].

1191 **Purpose:** To protect sensitive habitat areas for the Columbian white-tailed deer and other Big Game by limiting uses and development activities that conflict with maintenance of the areas. This section shall apply to all areas identified in the Comprehensive Plan as a major and peripheral big game range or Columbian white-tailed deer range, as shown on the 1995 Beak Consultant’s map, entitled “Wild Game Habitat” in the Comprehensive Plan in Appendix Part XVI, Article VIII(A). *[Amended by Ordinance 2003-06, eff. 7/30/03].*

1192 **Permitted Uses:** All uses permitted in the underlying zone either outright or conditionally shall be permitted in The Big Game Range Overlay provided that such use or development is consistent with the maintenance of Big Game and Columbian White-tailed Deer Habitat identified in the Comprehensive Plan. *[Amended by Ordinance 2003-06, eff. 7/30/03].*

- 1193 Development Siting Standards: *[Amended by Ordinance 2003-06, eff. 7/30/03]*. All new residential development and uses located in Major and Peripheral Big Game or Columbian White-tailed Deer Habitat shall be subject to following siting standards:
- A. Dwellings and structures shall be located as near each other and existing developed areas as possible considering topography, water features, required setbacks, and firebreaks.
 - B. Dwellings and structures shall be located to avoid habitat conflicts and utilize least valuable habitat areas.
 - C. Road development shall be minimized to that which is necessary to support the proposed use and the applicant shall utilize existing roads as much as possible.
 - D. The owner/occupant of the resource parcel shall assume responsibility for protection from damage by wildlife.
 - E. Riparian and Wetland areas shall be protected in accordance with Sections 1170 and 1180.
1194. The County shall notify the Oregon Department of Fish and Wildlife (ODFW) of all proposed uses or development activities which require a permit and are located in Major or Peripheral Big Game Habitat. The County will consider the comments and recommendations of ODFW, if any, before making a decision concerning the requested use or activity. *[Added by Ordinance 2003-06, eff. 7/30/03]*.
1195. The County shall notify the Oregon Department of Fish and Wildlife (ODFW) and the U.S. Fish and Wildlife (USFW) of all proposed uses or development activities which require a permit and are located in Columbian White-tailed Deer Habitat. The County will consider the comments and recommendations of ODFW and USFW, if any, before making a decision concerning the requested use or activity. *[Added by Ordinance 2003-06, eff. 7/30/03]*.

Discussion: According to the BEAK Maps of the St. Helens- Columbia City CPAC, the subject tract is located in an area designated for Big Game Habitat. The requested private park/campground on the subject tract are authorized in Section 505.4 of the CCZO as conditionally permitted uses in the PF-80 Zone as required by Section 1193. The County notified ODFW on January 24, 2024 of the requested proposals in compliance with the requirements in Section 1194 of the CCZO.

Pertaining to the requirements in Section 1193, staff finds the requested proposals comply with the following development siting criteria as follows:

- 1193.A & B. All proposed campground development is close to the site's two existing residences that were established in 1926 and 1935 (addresses are 32180 and 32182 respectively) according to the County Assessor's records. Permits were obtained in 2017 for the 1935 home expansion which

exceeded 40%, no other expansions to this home is allowed. All campground activities within Milton Creek's 50' protected Riparian Corridor shall comply with the applicable provisions in Section 1173 and 1175 of the Zoning Ordinance.

- 1193.C The site will utilize the existing private access to Pittsburg Road and will be required to limit all road improvements to those required to satisfy fire apparatus access and standards and specifications of the County Road Standards Ordinance as determined by the CRF&R and the County Public Works Department.
- 1193.D One condition of approval will require the applicant/owners to assume responsibility for protection from damage by wildlife.
- 1193.E As already covered for Finding 18, all development on the **Final Site Plan** will be required to be out of the 50' protected riparian corridor for Milton Creek as delineated in a Wetlands Delineation approved by the Oregon DSL.

Finding 19: For these reasons and with Conditions of Approval that have already been covered, staff finds the requested proposals will comply with all the required criteria in CCZO Section 1190 designed to protect the designated habitat areas of the tract that are used by Big Game.

Continuing with Section 1450 of the Columbia County Zoning Ordinance:

Section 1450 Transportation Impact Analysis

1450 Transportation Impact Analysis: A Transportation Impact Analysis (TIA) must be submitted with a land use application if the proposal is expected to involve one or more of the conditions in 1450.1 (below) in order to minimize impacts on and protect transportation facilities, consistent with Section 660-012-0045(2)(b) and (e) of the State Transportation Planning Rule.

- .1 Applicability – A TIA shall be required to be submitted to the County with a land use application if the proposal is expected to involve one (1) or more of the following:
 - A. Changes in land use designation, or zoning designation that will generate more vehicle trip ends.
 - B. Projected increase in trip generation of 25 or more trips during either the AM or PM peak hour, or more than 400 daily trips.
 - C. Potential impacts to intersection operations.

- D. Potential impacts to residential areas or local roadways, including any non- residential development that will generate traffic through a residential zone.
- E. Potential impacts to pedestrian and bicycle routes, including, but not limited to school routes and multimodal roadway improvements identified in the TSP.
- F. The location of an existing or proposed access driveway does not meet minimum spacing or sight distance requirements or is located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, thereby creating a safety hazard.
- G. A change in internal traffic patterns may cause safety concerns.
- H. A TIA is required by ODOT pursuant with OAR 734-051.
- I. Projected increase of five trips by vehicles exceeding 26,000-pound gross vehicle weight (13 tons) per day, or an increase in use of adjacent roadways by vehicles exceeding 26,000-pound gross vehicle weight (13 tons) by 10 percent.

Finding 20: After reviewing the submitted proposals with regards to identified triggers of a Traffic Impact Analysis in CCZO 1450.1 (A, C & G), staff finds that the lawful establishment of the private park will change the subject tract's land use by generating more vehicle trip ends to the subject property than the site's existing authorized residential use. Staff's evaluation also finds that the new land use also has the potential to impact the site's existing access' intersection with Pittsburg Road with the increase in vehicular traffic. The change in internal traffic patterns may also raise safety concerns for camp attendees while they are participating in various activities at different locations on site. For these reasons, staff finds that the applicant shall be required to submit a more detailed TIA than what was submitted as one condition of approval.

1450.2 Consistent with the County's Guidelines for Transportation Impact Analysis (TIA), a landowner or developer seeking to develop/redevelop property shall contact the County at the project's outset. The County will review existing transportation data to establish whether a TIA is required. It is the responsibility of the applicant to provide enough detailed information for the County to make a determination. An applicant should have the following prepared, preferably in writing:

- A. Type of uses within the development
- B. The size of the development
- C. The location of the development
- D. Proposed new accesses or roadways

- E. Estimated trip generation and source of data
- F. Proposed study area

If the County cannot properly evaluate a proposed development's impacts without a more detailed study, a TIA will be required. The County will provide a scoping summary detailing the study area and any special parameters or requirements, beyond the requirements set forth in the County's Guidelines for Transportation Impact Analysis, when preparing the TIA.

Discussion: In the submitted "Additional Information – Criteria for Conditional Use" received January 8, 2024 (attached), the applicant provided these details of the proposed development Transport Impact Analysis on Pages 5 & 6:

- The property will host multi day (typically 3-4 day) workshops and training.
- The maximum number of visitors will be 30.
- No new accesses or roadways will be built.
- They expect additional traffic (less than 20 vehicle trips) to the property only in the beginning and end of these events over a 1–2-hour window and they will encourage carpooling.

The applicant also stated that he will wait for the review from the County to establish whether a TIA is required.

The attached March 1, 2024 comments from Scott Toenjes from the County Public Works Department submitted the following pertaining to the applicant's requested proposals:

1. *Applicant must obtain an access permit for the existing access. The original access permit was approved with requirements based off of the original use of this property as a single-family dwelling. The private campground that is being proposed at this property will greatly increase the number of trips in and out of the access. Therefore, it will need to be permitted again with requirements that reflect the additional traffic it will experience.*

2. *The Public Works Department will require a traffic impact analysis (TIA) to be done for this application. This Design Review and Conditional Use application triggers a TIA under section 1450 of the Columbia County Zoning Ordinance for the following reasons: The campground will have 30 potential vehicles from guests; this does not include employees. This means there is a potential for at least 30 trips, and these may fall during the PM or AM peak hours. This would meet the criteria under subsection B of section 1450. Additionally, the location of the existing access driveway does not meet sight distance standards and will create a safety hazard. See section 1450.1.F of the Columbia County Zoning Ordinance. This is also a change in use of the property and would fall under 1450.1.A. The results of the traffic impact analysis will help the Public Works Department determine what potential improvements or signage will need to be made to accommodate this campground.*

Finding 21: As covered for Finding 20, the comments from the Department of Public Works states that a condition of approval will be for the applicant to submit more detailed TIA to the

Department of Public Works due to the identified triggers in Sections 1450.1 (A, B, & F) of the CCZO. The results of the TIA will allow the Public Works Department to determine what potential improvements will need to be made to accommodate this campground in compliance with the provisions in CCZO Section 1450. Part of this approval will also require the applicant to obtain a current/updated Road Access Permit for the subject tract that reflects the proposed change in the existing access' use from single-family residential to private campground. With these conditions of approval, staff finds that the minimum requirements in Section 1450.2 will be met.

1450.3 Approval Criteria. When a TIA is required, a proposal is subject to the following criteria:

- A. The TIA addresses the applicable elements identified by the County Public Works Director and the County's Guidelines for Transportation Impact Analysis;
- B. The TIA demonstrates that adequate transportation facilities exist to serve the proposed development or, identifies mitigation measures that resolve identified traffic safety problems in a manner that is satisfactory to the County Public Works Director and, when state highway facilities are affected, to ODOT;
- C. For affected non-highway facilities, the TIA establishes that mobility standards adopted by the County have been met; and
- D. Proposed public improvements are designed and will be constructed consistent with County Road Standards and access spacing standards in the Transportation System Plan.

1450.4 Conditions of Approval.

- A. The County may deny, approve, or approve a proposal with conditions necessary to meet operational and safety standards; provide the necessary right-of-way for improvements; and to require construction of improvements to ensure consistency with the future planned transportation system.
- B. Construction of off-site improvements may be required to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and/or to upgrade or construct public facilities to County Standards.

Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly proportional to the impact of the development on transportation facilities. Findings in the development approval shall indicate how the required improvements directly relate to and are roughly proportional to the impact of development.

Finding 22: As covered for Findings 20 and 21, Staff finds that the applicant will be required to work with the County Public Works Department to develop a TIA that addresses the identified criteria Section 1450.3. One condition of final approval will require Land Development Services to have a copy of a new TIA that has been reviewed and approved by the County Department of Public Works. Any and all public improvements that are required to mitigate impacts of the private campground shall be installed by the applicant and approved by County Public Works as one condition of building permit issuance. With these conditions, staff finds the provisions in Section 1450 of the CCZO will be satisfied prior to building permit issuance.

Continuing with Section 508 of the Zoning Ordinance

508 General Review Standards The Planning Director or hearings body shall determine that a use authorized by Sections 504 and 505 meets all of the following requirements:

- .1 The proposed use will not force significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands;

Finding 23: The proposed establishment of a private park does not appear to force significant change in, or significantly increase the cost of, accepting farming or forest practices on nearby resource lands. The subject tract utilizes its own private access to Pittsburg Road and all camping structures will be at least 50' away from all property lines. As covered for Finding 22 if the TIA identifies mitigation measures that will be needed to resolve identified traffic safety issues along this portion of Pittsburg Road which is primarily zoned and in resource-related uses, all necessary improvements must be inspected and approved by the County Public Works Department prior to building permit issuance and at time of issuance of a new/updated Road Access Permit.

Another condition of approval will require the applicant to file and record a *Waiver of Remonstrance* with the County Clerk that prohibits the current property owner and all future property owners and campers from taking legal action against typical farming and forest operations occurring on adjacent properties.

Limiting day uses of the park and primarily hosting multi-day retreats and workshops will also be less disruptive to adjacent land uses and residents as well as reduce vehicular trips on Pittsburg Road. For these reasons and with the afore-mentioned conditions of approval, staff finds that the lawful establishment of a private campground on the subject tract will be able comply with this criterion for authorized PF-80 development and land uses.

- .2 The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel;

Finding 24: As already covered for Finding 16, all buildings, structures, camping areas and access to and on the subject tract will need to be approved by the County Building Official, CRF&R, County Public Works Department for compliance with their own regulatory

requirements in the Oregon Structural Specialty and Fire Codes as well as the County Road Standards Ordinance for fire apparatus access roads. Specifically, the applicant will be required to establish and maintain 30' primary fuel-free firebreak areas surrounding all buildings and structures and to obtain the necessary structural, electrical, plumbing and mechanical permits from the County Building Official. With the ongoing maintenance of the primary firebreak buffers, the approval of CRF&R confirming adequate emergency access, and the County Building Official's approval of all structures and facilities used by campers, staff finds that this proposed use will not significantly increase fire hazard, fire suppression costs or significantly increase risks to fire suppression personnel.

- .3 A waiver of remonstrance shall be recorded with the County Clerk certifying that the owner will not remonstrate against or begin legal action or suit proceeding to cause or persuade the owner or operator of any farm or forest lands to modify the conduct of legal and accepted farm or forest operations; and

Finding 25: As a condition of approval and prior to the issuance of a building permit, the property owner shall sign and record a *Waiver of Remonstrance* (sample is attached). This shall be recorded with the County Clerk certifying that the owners and campers will not remonstrate against or begin legal action or suit proceeding to cause or persuade the owner or operator of any farm or forest lands to modify the conduct of legal and accepted farm or forest operations. With this condition, staff finds that this criterion will be met.

- .4 The proposed use is consistent with requirements contained in the Comprehensive Plan or implementing ordinances, including, but not limited to, regulations which apply to flood hazard areas, development within the Willamette River Greenway, development in forested areas or development in significant resource areas, such as riparian, wetlands or slide-prone areas.

Finding 26: As addressed in Findings 17, 18 and 19, staff has proposed conditions under which the requested proposals will comply with the applicable provisions of Sections 1100, 1170, and 1190 of the Zoning Ordinance related to proposed development in the PF-80 Zoning District that also contain identified Flood Hazard, Wetlands, Riparian Corridors, and Big Game Habitat Areas. Staff finds that the lawful establishment of a private campground on the subject tract will be required to satisfy all siting provisions designed to protect and preserve these environmentally sensitive and significant areas with conditions of building permit issuance already covered.

Continuing with Section 509 – Standards of Development

509 Standards of Development

- .1 The minimum average lot or parcel width and minimum average lot or parcel depth shall be 100 feet for all activities except farming or forestry.

Finding 27: While there are no parcels being created as a result of this request, the subject property averages approximately 800' wide and approximately 1,200' deep. These property dimensions are consistent with the standards in Section 509.1.

- .2 Access to parcels in this zone shall meet Fire Safety Design Standards for Roads in the County Road Standards and access standards found in Section 510 of the Zoning Ordinance.

Finding 28: Although LDS has yet to receive any comments from the CRF&R as of the date of this report, Findings throughout this report have already covered the necessary documentation LDS will need to obtain from this fire district prior to the issuance of any building permits. These include CRF&R's inspection of the existing bridge over Milton Creek and of the entire length of the site's access from Pittsburg Road. This approval will be necessary to ensure fire-fighting equipment and personnel have satisfactory access to and egress from the subject property in compliance with the provisions of the Oregon Fire Code and the County Road Standards Ordinance. With these conditions of building permit issuance, staff finds the submitted proposals will comply with this criterion of the CCO.

- .3 There shall be no height limitation for forest operation and management-related structures unless otherwise permitted in the Primary Forest Zone. The maximum building height for all non-farm, non-forest structures shall be 50 feet or 2 ½ stories, whichever is less.

Finding 29: The height limitations for all structures used by campers will be reviewed and enforced when County Planning Staff and the County Building Official review the necessary building permits for all the proposed use of all of these structures to ensure the submitted proposals comply with this criterion.

- .4 The standards and requirements described in Section 1300 of the Zoning Ordinance shall apply to all signs and name plates in the Primary Forest Zone.

Finding 30: The submitted applications do not include any signs and the application states that the applicant has no need for any signage for the private park and will not be open to the walk-in public. This criterion has been met.

- .5 The Oregon Department of Fish & Wildlife shall be notified and provided with the opportunity to comment on any development within major and peripheral Big Game Habitat.

Finding 31: As stated previously, the subject property is located within an area that is identified as Big Game Habitat according to the St. Helens Columbia City BEAK Map. Notice was sent to ODFW on January 24, 2024 and of the date of this report, LDS has not received any comments from this state agency. With this notice, staff finds that this criterion is met.

- .6 Setbacks:

- A. There shall be a minimum setback of 50' for front, side, and rear yards for all development in the Primary Forest Zone.
- B. When this Ordinance or any other ordinance requires a greater or lesser setback than is required by this subsection, the greater setback shall apply.
- C. All structures are subject to any special setbacks when adjacent to arterial or collector streets designated in the County Transportation Systems Plan.
- D. No structure or use shall be established in a manner likely to cause contamination of a stream, lake or other body of water. Riparian and natural hazard setbacks set forth in Sections 1170 and 1182 of the Zoning Ordinance shall apply.
- E. When land divisions create parcels of less than 40 acres for uses listed in Subsection 511.2A., provided those uses have been approved pursuant to this Ordinance, required building setbacks for these parcels will be determined on a case-by-case basis by the Director or the hearings body.
- F. The owner shall provide and maintain primary fuel-free fire break and secondary fire break areas on land surrounding the dwelling and primary fuel-free break areas surrounding accessory structures in the Primary Forest Zone pursuant to the provisions in Subsections 510.2 and .3.

Finding 32: As briefly discussed for Finding 17, the **Final Site and Building Plans** will be required to show that the tent and yurt campsites in the northeastern portion of the site are at least 50' from all property lines and outside of the 50' protection riparian corridor measured from Milton Creek's top of bank consistent with the siting provisions in Sections 1172 of the CCZO. Similarly, the primary fuel-free firebreak area surrounding all sides of structures and facilities have been evaluated and covered for Finding 16 and will be required prior to the issuance of any building permits.

Staff finds that this proposal should not contaminate Milton Creek nor its wetlands with the establishment of its 50' protected riparian corridor in compliance with the siting restrictions in Sections 1172 and 1173 of the CCZO. No increased setbacks were requested from the Columbia County Public Works Department as required in the Transportation Systems Plan. Staff finds the requested proposals will satisfy the requirements in Section 509.6 of the CCZO with conditions of building permit issuance.

- .7 Approval Period for Use Permits. For all uses approved under sections 504 and 505, the approval period shall be valid for four (4) years. At a minimum, a development construction permit must be issued by the Land Development Services within the approval period. If a construction permit is not issued within the approval period, the land use permit expires. An

extension of two years on the approval period may be granted by the Director if a written request is received prior to its expiration and the reason for the delay is beyond the control of the owner.

Finding 33: Because this request is authorized via Section 505.4 of the Zoning Ordinance, if approved by the Planning Commission, the approval period for this request shall be four (4) years. A condition of approval shall state that the applicant shall apply for all necessary building permits prior to four (4) years after the Planning Commission's approval of CU 24-01 And DR 24-02. With this condition, staff finds that this criterion will be met.

Continuing with Columbia County Zoning Ordinance Section 1503:

1503 CONDITIONAL USES:

- .1 Status: Approval of a conditional use shall not constitute a change of zoning classification and shall be granted only for the specific use requested; subject to such reasonable modifications, conditions, and restrictions as may be deemed appropriate by the Commission, or as specifically provided herein.

Finding 34: The lawful establishment of the new private campground/organizational park will not constitute a change in zoning classification. Private parks/campgrounds are listed as a Conditional Use in the Primary Forest Zone. With the conditions of approval listed throughout this report, staff finds that this use shall be granted specifically for the subject request.

- .5 Granting a Permit: The Commission may grant a Conditional Use Permit after conducting a public hearing, provided the applicant provides evidence substantiating that all the requirements of this ordinance relative to the proposed use are satisfied and demonstrates the proposed use also satisfies the following criteria:
 - A. The use is listed as a Conditional Use in the zone which is currently applied to the site;

Finding 35: As stated previously, the subject property is zoned Primary Forest (PF-80). The use proposed is to lawfully establish a new private campground/organizational park which is listed as a conditionally permitted use in Section 505.4 of the Columbia County Zoning Ordinance. With this, staff finds that this criterion is met.

- B. The use meets the specific criteria established in the underlying zone;

Finding 36: As researched and evaluated throughout this report, the proposals to lawfully establish a new private campground/organizational park has been found to be consistent with the applicable sections of the Columbia County Zoning Ordinance relating to the Primary Forest Zone with conditions of approval and/or building permit issuance.

- C. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of

improvements, and natural features;

Finding 37: The applicant describes how the characteristics of the property are suitable for this new use in the submitted documentation titled History and Land Use, Project Principles, and Gatherings – Size, Duration and Frequency:

- 3 acres of the 20-acre site will be used for the private park's facilities tent and yurt camping sites, Retreat House and cabins, Estate Barn and portable toilets and showers.
- 6 acres of the site will be dedicated to forest operations and 11 acres will be for hay production.
- There are no employees other than the 3 co-owners who live on the property.
- Multi-day rather than single-day retreats and events occur which minimizes vehicular traffic on and off site.
- Only reserved quests are allowed on the property with typical groups between 10 – 30 people attending up to 3 events per month for 2 – 4 days at a time.
- No new permanent structures are needed for the park provided the County Building Official reviews and approves the intended uses of all existing structures that were built without permits. All of the proposed tent and yurt sites as well as the related portable toilet/showers and parking areas will need to be designed for compliancy with the minimum campground requirements identified in OAR 918.650 and approved by the County Building Official.

In addition, unless the Oregon DSL authorizes the location of the proposed tent and yurt sites within Milton Creek's 50' protected riparian corridor delineated in the approved Wetlands Delineation, these overnight areas will need to be relocated to more suitable portions of the tract. The 30' primary fuel-free firebreak areas surrounding these site's accessory structures and facilities will also help to ensure the continuing suitability of this private park in this remote area of Columbia County. All park structures and facilities must also be compliant with the applicable provisions of the Oregon Building and Fire Codes as well as the provisions of Onsite Wastewater Treatment as approved by the County Sanitarian. For these reasons and with conditions of approval already covered, staff finds that the proposals requested for CU 24-01 and DR 4-02 will be consistent with this criterion.

- D. The site and proposed development is timely, considering the adequacy of transportation systems, public facilities, and services existing or planned for the area affected by the use;

Finding 38: Although the application states there is an existing drilled well on the subject property, the applicant did not submit a copy of a well log confirming this private well has been recorded with the Oregon Department of Water Resources. Consequently, one condition of approval will be for the applicant to supply LDS with documentation of the campground's potable water supply as required in OAR 918.650.0035.4(b)(B). If a well log has not already been recorded, the applicant will be required to submit a copy of the existing well's current flow test. With conditions already covered related to local and state agencies' (CRF&R, the County Public Works Department, County Building Official, County Sanitarian, and Oregon DSL) approval of all park structures and facilities for compliancy with their regulatory requirements,

staff finds that the submitted proposals will be able to comply with this criterion prior to any building permit issuance.

- E. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district;

Finding 39: As stated previously, lawfully establishing the requested private park should not alter the character of the surrounding area consisting primarily of forestry and farming activities operated by resident property owners along Pittsburg Road. No portions of adjacent properties will be used by campers while accessing and recreating on the subject tract. The intended multi-day retreats will minimize vehicular traffic on Pittsburg Road, and all camping facilities and structures will need to be at least 50' away from all property lines. The access to the campground will be improved to fire apparatus access standards to ensure emergency services timely response to the site and all structures will be surrounded by primary fuel-free firebreak areas. Finally, the applicant shall record a *Waiver of Remonstrance* prohibiting property owners and campers from taking legal action against farming and forest operations on adjacent properties in ways that will preclude their resource related uses. With these conditions of approval staff finds that this criterion will be met.

- F. The proposal satisfies the goals and policies of the Comprehensive Plan which apply to the proposed use;

Finding 40: Part IV – Forest Land – of the Comprehensive Plan states that forest lands also contribute to the economy by providing recreational opportunities for residents and non-residents, hunters and hikers. Forest lands also yield non-economic benefits to residents in the form of clean water, fish and wildlife habitats, outdoor recreational opportunities and scenic beauty. **Part XVII – Recreational Needs** states that “Recreation areas, open space, watershed protection, wildlife and fisheries habitat, soil protection from erosion, and recreational sites are some of the multiple benefits derived from forest lands.” In Columbia County, 93% of the forests are privately owned. Recreational activities that may be considered permissible by the owner of private forest lands include campgrounds, trails, and points of interest. Staff finds the lawful establishment of a new private campground/organizational park presented for CU 24-01 and DR 24-02 is consistent with the Comprehensive Plan’s encouragement of multiple uses of PF-80 zoned properties in order to enhance county residents’ economic and recreational opportunities.

- G. The proposal will not create any hazardous conditions.

Finding 41: This report has already found that the proposed lawfully established private campground will be required to preserve and protect the site’s identified environmentally sensitive areas such as identified floodplains, wetlands, big game habitat and its fish-bearing stream with conditions of approval and/or building permit issuance. All campground structures and facilities will also be required to be surrounded by a full 30’ Primary fuel-free firebreak

buffers to reduce fire risks in this remote rural area. For these reasons, staff finds the proposals will not create any additional hazardous conditions as proposed.

Continuing with the applicable provisions of Section 1550 of the Columbia County Zoning Ordinance:

Section 1550 SITE DESIGN REVIEW

The Site Design Review process shall apply to all new development, redevelopment, expansion, or improvement of all community, governmental, institutional, commercial, industrial and multi-family residential (4 or more units) uses in the County.

1551. Types of Site Design Review:

- A. Type 1: Projects, developments and building expansions which meet any of the following criteria:
 - 1. are less than 5,000 sq. ft. and are less than 10% of the square footage of an existing structure.
 - 2. Increase the number of dwelling units in a multi-family project.
 - 3. Increase the height of an existing building.

- B. Type 2: Projects, developments and building expansions which meet any of the following criteria:
 - 1. have an area of 5,000 sq.ft. or more or are 10% or more of the square footage of an existing structure.
 - 2. Change the category of use (e.g., commercial to industrial, etc.).
 - 3. New off-site advertising signs or billboards.
 - 4. Any project meeting any of the Type 2 criteria shall be deemed a Type 2 Design Review application.

1552 Design Review Process: The Planning Director shall review and decide all Type 1 Site Design Review applications. The Planning Commission shall review all Type 2 Design Review applications. Applications shall be processed in accordance with Sections 1600 and 1700 of this ordinance.

Finding 42: The submitted application proposes to change the use of the property from single-family residential to a private campground, as defined in the definition for Type 2 Site Design Review in accordance with CCZO Section 1551.B. that must be reviewed and approved by the Planning Commission in CCZO Section 1552.

1553 Pre-application Conference: A pre-application conference is required for all projects applying for a Site Design Review, unless the Director or his/her designate determines it is unnecessary. The submittal requirements for each application are as defined in this section and the standards of the applicable zone and will be determined and explained to the applicant at the pre- application conference.

1554 Pre-application Conference Committee: The committee shall be appointed by the Planning Director and shall consist of at least the following officials, or their designated staff members. Only affected officials need to be present at each preapplication conference.

- A. The County Planning Director.
- B. The County Director of Public Works.
- C. The Fire Marshal of the appropriate Rural Fire District.
- D. The County Building Official.
- E. The County Sanitarian.
- F. A city representative, for projects inside Urban Growth Boundaries.
- G. Other appointees by the Planning Director, such as an Architect, Landscape Architect, real estate agent, appropriate officials, etc.

Finding 43: A pre-application conference regarding this application was held in person at the Columbia County Land Development Office on March 2, 2023. At this conference, representatives from affected County agencies explained permitting and regulatory requirements regarding the applicant's proposal. Staff finds the requirement for a pre-application conference has been met.

1555 Submittal documents: The following documents, when applicable, are required for a Site Design Review. The scope of the drawings and documents to be included will be determined at the pre-application conference by the Pre-application Conference Committee, and a Site Design Review Submittal Checklist will be given to the applicant, documenting which items are deemed not applicable or not necessary to determine compliance with County and State standards, with a short explanation given for each item so determined.

- A. History.
- B. Project narrative.
- C. Existing site plan.
- D. Proposed site plan.
- E. Grading plan.
- F. Drainage plan.
- G. Wetland mitigation plan.
- H. Landscaping plan.
- I. Architectural plans.
- J. Sign drawings.
- K. Access, parking and circulation plan.
- L. Impact assessment.
- M. Site Design Review Submittal Checklist.

1556 Site Plan Submittal and Analysis: The applicant shall submit an application and any necessary supplemental information as required by this ordinance to the Land Development Services Department. The Planning Director or designate shall review the application and check its completeness and conformance with

this ordinance. Once a Type 2 application is deemed complete, it shall be scheduled for the earliest possible hearing before the Planning Commission. A staff report shall be prepared and sent to the applicant, the Planning Commission, and any interested party requesting a copy.

[...]

1558 Planning Commission Review: The Planning Commission shall hold a public hearing for all Type 2 Design Review applications according to Sections 1603, 1604 and 1608 of this ordinance. If the Planning Commission determines that the proposed development meets the provisions of this ordinance, it may approve the project. The Planning Commission may attach any reasonable conditions to its approval of a site plan.

Finding 44: The applicant first submitted the application for the proposed Type 2 Site Design Review on August 30, 2023. It was deemed complete on January 22, 2024 in accordance with ORS 215.472(2) and the Columbia County Planning Manager’s two Incomplete Letters (dated 9/21/23 & 1/21/23) identifying items that were missing. After the application was deemed complete, the proposal was scheduled for the next available Planning Commission hearing on March 4, 2024. Notice was sent to adjacent property owners and all affected government agencies on January 24, 2024. However, due to County planning staff turnover, the public hearing was rescheduled to April 1, 2024. An updated Notice of Public Hearing was emailed to the applicant and surrounding property owners.

The submitted application materials included all applicable submittal documents listed in CCZO Section 1555, except for the Wetlands Mitigation Plan (1555.G) and Traffic Impact Assessment (1555.L), which the applicant will be required to address and satisfy as conditions of approval as discussed for Findings 18, 21 and 22. All application materials are included as attachments to this report. Staff finds the above criteria are met and the subject proposals can be reviewed by the Planning Commission per the provisions of CCZO Section 1558. The Planning Commission may prescribe other conditions not yet addressed by staff that they deem reasonable.

[...]

1559 Compliance: Conditions placed upon the development of a site are also placed upon any building permits issued for the same site. These conditions shall be met by the developer prior to an occupancy permit being issued by the Building Official, or as an alternative, a bond shall be posted equal to 125% of the estimated cost of the unfinished work, to ensure completion within 1 year of occupancy. If all improvements are not completed within the 1-year bond period, the County may use the bond to complete the work.

Finding 45: Conditions of approval listed in this Staff Report and to any added by the Planning Commission at the public hearing must be satisfied prior to the authorization of any activity relating to the subject proposal and prior to the issuance of any building permits.

1560 Existing Site Plan: The degree of detail in the existing site plan shall be appropriate to the scale of the proposal, or to special site features requiring careful design. An existing site plan shall include the following, unless it is determined by the Planning Director that the information is not applicable or is not necessary to determine compliance with County and State standards, and a short explanation will be given for each item so determined:

- A. A vicinity map showing location of the property in relation to adjacent properties, roads, pedestrian ways and bikeways, and utility access. Site features, manmade or natural, which cross property boundaries are to be shown.
- B. A site description map at a suitable scale (i.e. 1"=100'; 1"=50'; or 1"=20') showing parcel boundaries and gross area, including the following elements, when applicable:
 - 1. Contour lines at the following minimum intervals:
 - a. 2 foot intervals for slopes 0-20%;
 - b. 5 or 10 foot intervals for slopes exceeding 20%;
 - c. Identification of areas exceeding 35% slope.
 - 2. In special areas, a detailed slope analysis may be required. Sources for slope analysis include maps located at the U.S. Natural Resources Conservation Service office.
 - 3. Potential natural hazard areas, including potential flood or high ground water, landslide, erosion, and drainage ways. An engineering geologic study may be required.
 - 4. Wetland areas, springs, wildlife habitat areas, wooded areas, and surface features such as mounds and large rock outcroppings
 - 5. Streams and stream corridors.
 - 6. Location, species and size of existing trees proposed to be removed.
 - 7. Significant noise sources.
 - 8. Existing structures, improvements, utilities, easements and other development.
 - 9. Adjacent property structures and/or uses.

1561 Proposed Site Plan: A complete application for design review shall be submitted, including the following plans, which may be combined, as appropriate, onto one or more drawings, unless it is determined by the Planning Director that the information is not applicable or is not necessary to determine compliance with County and State standards, and a short explanation will be given for each item so determined:

A. Site Plan: The site plan shall be drawn at a suitable scale (i.e. 1"=100', 1"=50', or 1"=20') and shall include the following:

1. The applicant's entire property and the surrounding area to a distance sufficient to determine the relationships between the applicant's property and proposed development and adjacent properties and developments.
2. Boundary lines and dimensions of the property and all proposed property lines. Future buildings in phased development shall be indicated.
3. Identification information, including names and addresses of project designers.
4. Natural features which will be utilized in the site plan.
5. Location, dimensions and names of all existing or platted roads or other public ways, easements, and railroad rights-of-way on or adjacent to the property, city limits, section lines and corners, and monuments.
6. Location and dimensions of all existing structures, improvements, or utilities to remain, and structures to be removed, all drawn to scale.
7. Historic structures, as designated in the Comprehensive Plan.
8. Approximate location and size of storm water retention or detention facilities and storm drains.
9. Location and exterior dimensions of all proposed structures and impervious surfaces.
10. Location and dimension of parking and loading areas. pedestrian and bicycle circulation, and related access ways. Individual parking spaces shall be shown.
11. Orientation of structures, showing entrances and exits.

12. All exterior lighting, showing type, height, wattage, and hours of use.
13. Drainage, Stormwater and Erosion Control, including possible adverse effects on adjacent lands.
14. Service areas for waste disposal and recycling.
15. Noise sources, with estimated hours of operation and decibel levels at the property boundaries.
16. Goal 5 Resource Protection Plans. Indicate how project will protect streams, wetlands, riparian areas, natural areas, and fish and wildlife.

B. Grading Plans: A preliminary grading plan indicating where and to what extent grading will take place, including general contour lines, slope ratios, slope stabilization proposals, and natural resource protection proposals.

1562 Landscaping: Buffering, Screening and Fencing:

A. General Provisions:

1. Existing plant materials on a site shall be protected to prevent erosion. Existing trees and shrubs may be used to meet landscaping requirements if no cutting or filling takes place within the dripline of the trees or shrubs.
2. All wooded areas, significant clumps or groves of trees, and specimen conifers, oaks or other large deciduous trees, shall be preserved or replaced by new plantings of similar size or character.

Finding 47: Because the current and previous property owners have been operating this unauthorized private campground for at least six years, the submitted application does not need to submit two separate Site Plans referenced in CCZO Sections 1560 and 1561. The attached “*Revised Site Plan dated Feb. 8, 2024*” for DR 24-02 and CU 24-01” is sufficient for both.

Finding 48: Staff evaluated the extent to which the submitted Site Plan and Landscaping requirements satisfy, or will be required to satisfy with conditions of approval, the identified criteria in Section 1561 and 1562 as follows:

- The Site Plan includes the boundary of the subject property, its existing structures, proposed tent/ yurt sites, Pittsburg Road and the site’s private access to it, proposed parking and portable shower/restroom areas, Milton Creek and undisturbed areas identified in Section 1561.A (1, 2, 4, 5, 6, 9, 10, 11, &16);
- The application does not include any project designers in 1561.A(3); since all permanent structures have already been built, but have yet to be approved or permitted by the

County;

- The subject tract does not contain any historic structures in 1561.a(7) as designated in the County's Comprehensive Plan;
- If the County Building Official, CRF&R and the County Public Works Department determine that the installation of park facilities identified in OAR 918 650 require the applicant to install drainage, stormwater and/or erosion control retention or detention facilities for onsite access, vehicular/pedestrian traffic circulation and parking improvements referenced in 1561.A(8, 10 & 13), these Engineered Plans will be included in the **Final Site and Building Plans** and shall be incorporated into the Wetlands Delineation Permit submitted to Oregon DSL.
- Pertaining to the exterior lighting, waste disposal/recycling and noise sources and Grading Plans specification in 1561.A(12, 14 & 15) and 1561.B, staff finds these may also be requirements in OAR 918.650 and the County Building Official will require the Final Site and Building Plans ensure their installation complies with the minimum standards and specifications in OAR 918.650 and the Oregon Building Code.
- Because the approval of both proposals will result in an intensified use by customers, occupants, and employees, the applicant will be required to demonstrate that there will be adequate and safe onsite parking facilities that will also be continually maintained according to the General Provisions for Off-Street Parking facilities in CCZO Section 1401 and 1402. Although the County Zoning Ordinance does not identify onsite parking requirements for Private Campgrounds, the provisions in OAR 918.650 do, and will also require that all parking areas are approved by the County Building Official, CRF&R and the County Public Works Department prior to the issuance of any building permits.
- Pertaining to the Landscaping requirement in Section 1562, staff finds that the DSL approved Wetlands Delineation will help ensure that all existing forested areas associated with Milton Creek's identified Flood Hazard and Wetlands will be preserved in ways that will not compromise this fish-bearing stream and its wetlands and will also protect the site and adjacent properties from stormwater runoff and flooding.

With these conditions of approval, staff finds the requested proposals requested for DR 24-02 and CU 24-01 will allow the installation and design of proposed park facilities to comply with all applicable provisions of Section 1561 and 156 and the related standards and specifications in the OAR 918-650 and the Oregon Building and Fire Codes.

[...]

1563 Standards for Approval:

The Planning Commission or Director shall make a finding with respect to each of the following criteria when approving, approving with conditions, or denying an application:

- A. Flood Hazard Areas: See CCZO §1100, Flood Hazard Overlay Zone. All development in Flood Hazard Areas must comply with State and Federal Guidelines.
- B. Wetlands and Riparian Areas: Alteration of wetlands and riparian areas shall be in compliance with State and Federal laws.
- C. Natural Areas and Features: To the greatest practical extent possible, natural areas and features of the site shall be preserved.
- D. Historic and Cultural sites and structures: All historic and culturally significant sites and structures identified in the 1984 Comprehensive Plan, or identified for inclusion in the County Periodic Review, shall be protected if they still exist.
- E. Lighting: All outdoor lights shall be shielded so as to not shine directly on adjacent properties and roads.
- F. Energy Conservation: Buildings should be oriented to take advantage of natural energy saving elements such as the sun, landscaping and land forms.
- G. Transportation Facilities: Off-site auto and pedestrian facilities may be required by the Planning Commission, Planning Director or Public Works Director consistent with the Columbia County Road Standards and the Columbia County Transportation Systems Plan.

Finding 49: Staff has made findings throughout this report demonstrating how the proposals requested for DR 24-02 and CU 24-01 will comply with the subject tract's Flood Hazard Areas, Wetlands/Riparian Corridors, and Natural Areas and Features in Section 1563 A, B & C. The County has no evidence that the site contains any historic or cultural sites designated by the Comprehensive Plan in Section 1563.D. The standards and specifications for Lighting and Energy Conservation in 1563.E & F will be reviewed and approved by the County Building Official prior to building permit issuance. The County Public Works Department and the CRF&R will be required to review and approve a TIA and any related improvements in Section 1563.G prior to building permit issuance that will ensure the requested proposals comply with the Columbia County Road Standards Ordinance and the Columbia County Transportation Systems Plan.

1564 Final Site Plan Approval:

If the Planning Director or Planning Commission approves a preliminary site plan, the applicant shall finalize all the site drawings and submit them to the Director for review. If the Director finds the final site plan conforms with the preliminary site plan, as approved by the Director or Planning Commission, the Director shall give approval to the final site plan. Minor differences between the preliminary site plan and the final site plan may be approved by the Director. These plans shall be attached to the building permit application and shall become a part of that permit.

Finding 50: Pursuant to the above criteria, the applicant shall submit a **Final Site Plan** concurrent with a **Final Building Plan** which satisfies all conditions of approval and conforms with the preliminary site plan titled *Feb 8, 2024 Revised Site Plan*, as approved by the Planning Commission. In addition, the **Final Building Plan** shall conform with all related standards and specifications for Recreation Parks and Organization Campgrounds in the OAR 918.650. Minor differences between the Preliminary Site Plan and the Final Site Plan may be approved by the Director. The Final Site Plans shall be attached to the building permit application and shall become a part of that permit.

COMMENTS:

Columbia River Fire and Rescue: No comments have been received as of the date of this report.

Columbia River PUD: No comments have been received as of the date of this report.

County Assessor: No comments have been received as of the date of this report.

County Building Official: Reviewed the applications and provided the following comments: *“Property owner will be required to obtain any required building, electrical, plumbing and mechanical permits. All structures that will be used by camp attendants will need to have a change of occupancy and need to meet Oregon Structural Specialty Code.”*

County Sanitarian: Reviewed the applications and provided the following comments: *“The applicant will be required to pursue an Authorization Notice with a site visit to approve the septic system for the proposed change in use. The applicant may propose portable facilities for any temporary uses which will be considered in the overall review.”*

County Department of Public Works: The comments have been included and incorporated into the Discussion leading to Findings 21 and 22 of this report, and will require the applicant to update the existing Road Access Permit and to submit a TIA as conditions of approval.

St Helens – Columbia City CPAC: No comments have been received as of the date of this report.

District 18 Watermaster: No comments have been received as of the date of this report.

Columbia County Public Health: No comments have been received as of the date of this report.

OR Department of Fish & Wildlife: No comments have been received as of the date of this report.

Oregon Department of Forestry: No comments have been received as of the date of this report.

Columbia County Soil & Water Conservation District: Reviewed the applications and has no objections to their proposal as submitted.

Scappoose Bay Watershed: No comments have been received as of the date of this report.

No other comments have been received from notified nearby property owners or governing agencies as of the date of this staff report.

CONCLUSION, RECOMMENDATION, & CONDITIONS:

Based upon research about the property and findings within the Staff Report for land use applications **CU 24-01 and DR 24-02**, Staff recommends the Planning Commission **APPROVE** the requests to lawfully establish a private campground on the subject PF-80 zoned tract subject to the following conditions:

CONDITIONS OF APPROVAL:

1. **This Conditional Use and Site Design Review Permit shall remain valid for four (4) years from the date of the final decision.** At a minimum, a development construction permit must be issued by Land Development Services within the approval period. If a construction permit is not issued within the approval period, the land use permit expires. An extension of two (2) years on the approval period may be granted by the Planning Director if a written request and payment is received prior to the approval's expiration and the reason for the delay is beyond the control of the owner.
2. The applicant shall submit a Traffic Impact Analysis (TIA) to the County Department of Public Works due to the identified triggers in CCZO Sections 1450.1 (A, B, & F). The results of the TIA will allow the Public Works Department to determine what, if any, improvements will need to be made to accommodate the private campground in compliance with CCZO Section 1450.
3. Per the provisions in CCZO Section 1170, the applicant shall submit a Wetlands Delineation Permit Application to the Oregon Department of State Lands (DSL) for the wetlands associated with fish-bearing Milton Creek on the subject tract. DSL shall review and approve the Wetlands Delineation and the applicant shall provide LDS with a copy of this approved delineation. The portions of the subject property that are located within this fish-bearing stream's protected 50' riparian corridor as reflected in the delineation shall also be accurately identified on the **Final Site Plan and Final Building Plans** submitted for CU 24-01 and DR 24-02.

- a. If the Approved Wetlands Delineation shows the Estate House (constructed in 1926) is within the 50' protected riparian corridor, this structure will be considered a lawfully established Non-Conforming Structure and all future development shall comply with the applicable provisions of Section 1506 of the Zoning Ordinance.
4. Primary fuel-free firebreak areas shall be required around the perimeter of all accessory structures and facilities used by campers pursuant to CCZO Section 510, OAR 660-006-0035, and the March 1991 Recommended Fire Siting Standards for Dwellings & Structures & Fire Safety Design Standards for Roads, published by the Oregon Department of Forestry (or) Equivalent Fire Buffers approved by Columbia County Board Order No. 239-97.
5. The applicant shall apply for and obtain all required building, electrical, plumbing and mechanical permits for all structures and facilities identified in both the *February 8, 2024 Revised Site Plan* and the **Final Site Plan and Final Building Plans** that are intended for use by campers to ensure they meet the minimum requirements of the Oregon Structural Specialty Codes.
 - a. The County Building Official shall review and approve the February 8, Revised Site Plan's "*Owner Accessory Art-studio and Owner Accessory Structure*" for their uses as either Cabins #3 and #4 or for any personal or commercial (campground) authorized PF-80 use.
6. The Planning Commission finds that the proposed "Retreat House", "Event Barn", all detached cabins, and any other permanent, unpermitted structures, can be authorized as alternate camp designs identified in OAR 918.650.0070, provided they are approved by the County Building Official for their intended use pursuant to the Oregon Structural Specialty and Fire Codes. If not approved by the County Building Official, the applicant shall apply for and obtain demolition permits to remove the unauthorized and unpermitted structures.
7. Per the provisions in CCZO Section 510 and Section 1100, and the fire apparatus access provisions in the County Road Standards Ordinance, the applicant shall submit a Floodplain Development Permit to Land Development Services to ensure the subject tract's existing bridge over Milton Creek will be improved to provide adequate access for firefighting equipment. All necessary bridge improvements shall be approved by Columbia River Fire & Rescue and Land Development Services shall have written confirmation of said improvements.
 - a. The entire length of the site's access to Pittsburg Road shall be improved by the applicant and shall also be inspected and approved by the CRF&R for compliance with the provisions for fire apparatus access identified in the Columbia County Road Standards Ordinance.

8. Per the provisions in CCZO Section 1100, the applicant shall submit Floodplain Development Permits for the County Floodplain Administrator to review and approve before any of these structures and areas can be utilized:
 - The 4 Yurts
 - The 2 Recreational Vehicle (RV) sites
 - The northern proposed toilets and shower area
 - The 6 Tent Campsites
 - a. If the County Building Official deems *Substantial Improvements* as defined in CCZO Section 1103 are required to bring the 1926 “Retreat House” structure up to code for the proposed commercial use, the Final Building Plans must be accompanied by a Floodplain Development Permit for review and approval by the County Floodplain Administrator.
9. Per the requirement in the OAR 918.650.0025. (1) (f), any and all eating and drinking establishments for park occupants must comply with the applicable regulatory requirements of the Oregon Department of Human Services and/or the Oregon Health Authority. Written confirmation of said approval from DHS and/or OHA shall be submitted to Land Development Services.
10. Per the requirement in the OAR 918.650.0025. (2) Recreation Park and Organizational Camp Operating License Approved parks and camps must comply with any operating license requirements established by the Department of Human Services Oregon Health Authority. Copy of required License from Department of Human Services Oregon Health Authority shall be submitted to Land Development Services.
11. If the County Building Official, CRF&R and/or the County Public Works Department determine that the installation of park facilities identified in OAR 918.650 require the applicant to install drainage, stormwater and/or erosion control retention or detention facilities for onsite access, vehicular/pedestrian traffic circulation and parking improvements referenced in 1561.A(8, 10 & 13), these Engineered Plans must be included in the **Final Site Plan and Final Building Plans** and shall be incorporated into the Wetlands Delineation Permit submitted to Oregon DSL.
12. The applicant shall submit a **Final Site Plan** concurrent with the **Final Building Plans**, both of which shall satisfy all conditions of approval and conforms with the preliminary site plan titled *Feb 8, 2024 Revised Site Plan*, as approved by the Planning Commission.
 - a. The **Final Building Plans** shall conform with all related standards and specifications for Recreation Parks and Organization Campgrounds in OAR 918-650 and must be approved by the County Building Official.
 - b. Minor differences between the preliminary site plan and the final site plan may be approved by the Director and County Building Official. The Final Site Plan shall identify any changes from the preliminary site plan, be attached to the building permit

application and shall become a part of that permit.

13. The responsibility for protection from wildlife damage on the property shall be assumed by the property's owner and/or occupant.
14. The following shall be completed prior to issuance of any Building Permits:
 - a. The applicant shall obtain an updated Road Access Permit for the subject tract that reflects the proposed change in the existing access' use from single family residential to private campground.
 - b. The County Sanitarian shall approve the new use of the site's existing septic system, as well as any proposed portable facilities as requested for the Authorization Notice Permit the applicant submitted for 192-23-000259-AUTH.
 - c. The applicant shall supply LDS with documentation that the campground's potable water supply has been approved by the Oregon Water Resources Department to ensure the existing water source is adequate for its intended use as required in CCZO Section 1503.5(D) and OAR 918.650.0035.
 - d. LDS shall receive confirmation from the County Department of Public Works that any and all public improvements identified in the approved TIA necessary to mitigate impacts of the private campground have been installed by the applicant and approved by County Public Works.
 - e. The **Final Site Plan and Final Building Plans** shall accurately identify the location of Milton Creek's 50' protected Riparian Corridor to ensure all proposed development complies with the applicable regulatory requirements in CCZO Section 1173 and 1175 for this fish-bearing stream.
 - f. The property owner shall sign and record in the deed records of Columbia County a *Waiver of Remonstrance* regarding past, current or future accepted farm or forest operations of adjacent and nearby lands. A copy of this recorded document shall be submitted to LDS.
 - g. The **Final Site Plan and Final Building Plans** shall accurately confirm that all authorized new structures and site development are at least 50 feet away from all property lines in compliance with Section 500 of the Zoning Ordinance.
 - h. The **Final Site Plan and Final Building Plans** must meet all regulations set forth in the Columbia County Zoning Ordinance, International Building Code, and any other regulations in effect at the time of building permit submittal.
15. The following shall be completed prior to the occupancy of any structures:

- a. Land Development Services shall receive confirmation from the CRF&R that all bridge improvements over Milton Creek have been installed and it meets current fire apparatus and access standards and specifications of the County Road Standards Ordinance and the County Flood Hazard Overlay.
- b. The County Building Official shall review all buildings and structures authorized with the approval of CU 24-01 and DR 24-02 for compliance with all the applicable provisions for Recreation Parks and Organization Campgrounds identified in OAR 918.650. Change of use permits will be required.
- c. The CRF&R shall approve a separate “Address Map” for all structures and areas identified on the **Final Site Plan and Final Building Plans** that clearly identifies all personal and commercial structures to ensure timely response time from emergency responders.
- d. County Planning Staff will verify with a site visit that all accessory structures and facilities used by campers are surrounded by 30’ primary fuel-free firebreak areas to ensure compliance with the Section 510.2 of the Zoning Ordinance.

Attachments:

CU 24-01 & DR 24-02 submitted application & Revised Site Plan dated Feb 8, 2024

Aerial, Zoning and Vicinity Maps

Waiver of Remonstrance

"Protecting Your Home From Wildfire" published by the National Fire Protection Association

Comments from County Soil and Water Conservation, County Building Official, county Sanitarian and County Public Works Department

cc Final Order: Columbia County Public Works
 Columbia County Building Official
 Columbia River Fire & Rescue
 Oregon District 18 Watermaster
 Columbia county Land Use Compliance Officer- Dave Carlberg