

**COLUMBIA COUNTY LAND DEVELOPMENT SERVICES
STAFF REPORT**

Conditional Use Permit – Type 2 Home Occupation
August 29, 2025

FILE NUMBER: CU 25-02

PROJECT PLANNER: Jack Niedermeyer, Associate Planner

APPLICANT/OWNER: Adam Ofstad represented by Matt Alexander

ADDRESS: 50035 Columbia River Highway, Scappoose, OR 97056

MAP ID NO.: 3224-C0-04400 (Account #7452)

ZONING: Rural Residential – 5 (RR-5)

SIZE: 0.98-acres

REQUEST: Conditional Use Permit for a Type 2 Home Occupation to authorize the expansion of an

APPLICABLE REVIEW CRITERIA:

Columbia County Zoning Ordinance (CCZO)

Section 600	Rural Residential – 5 (RR-5)
Section 1170	Riparian Corridors and Wetlands
Section 1503	Conditional Uses
Section 1507	Home Occupations

SUMMARY:

The applicant and property owner, Adam Ofstad, represented by Matt Alexander of Lower Columbia Engineering, has submitted a Conditional Use Permit (CUP) request for a Type 2 Home Occupation to construct approximately 4,700 +/- square feet of new building space for an automotive detailing business. The 0.98-acre property, located at 50035 Columbia River Highway in Scappoose and is zoned Rural Residential – 5 (RR-5). The site has frontage on both U.S. Highway 30 and Watson Road and is served by a private well and septic system. Emergency services are provided by the Columbia County Sheriff and the Scappoose Rural Fire Protection District (SRFPD). The subject property is developed with a 1949 dwelling, an automotive detailing garage, and a storage structure.

In 2023, the County approved a Type 2 Home Occupation (CU 23-03) on the subject property, which authorized automotive detailing as an extension of Pro Automotive Diesel (PAD). PAD is located east of the subject property, across Highway 30, at 50038 Columbia River Highway.

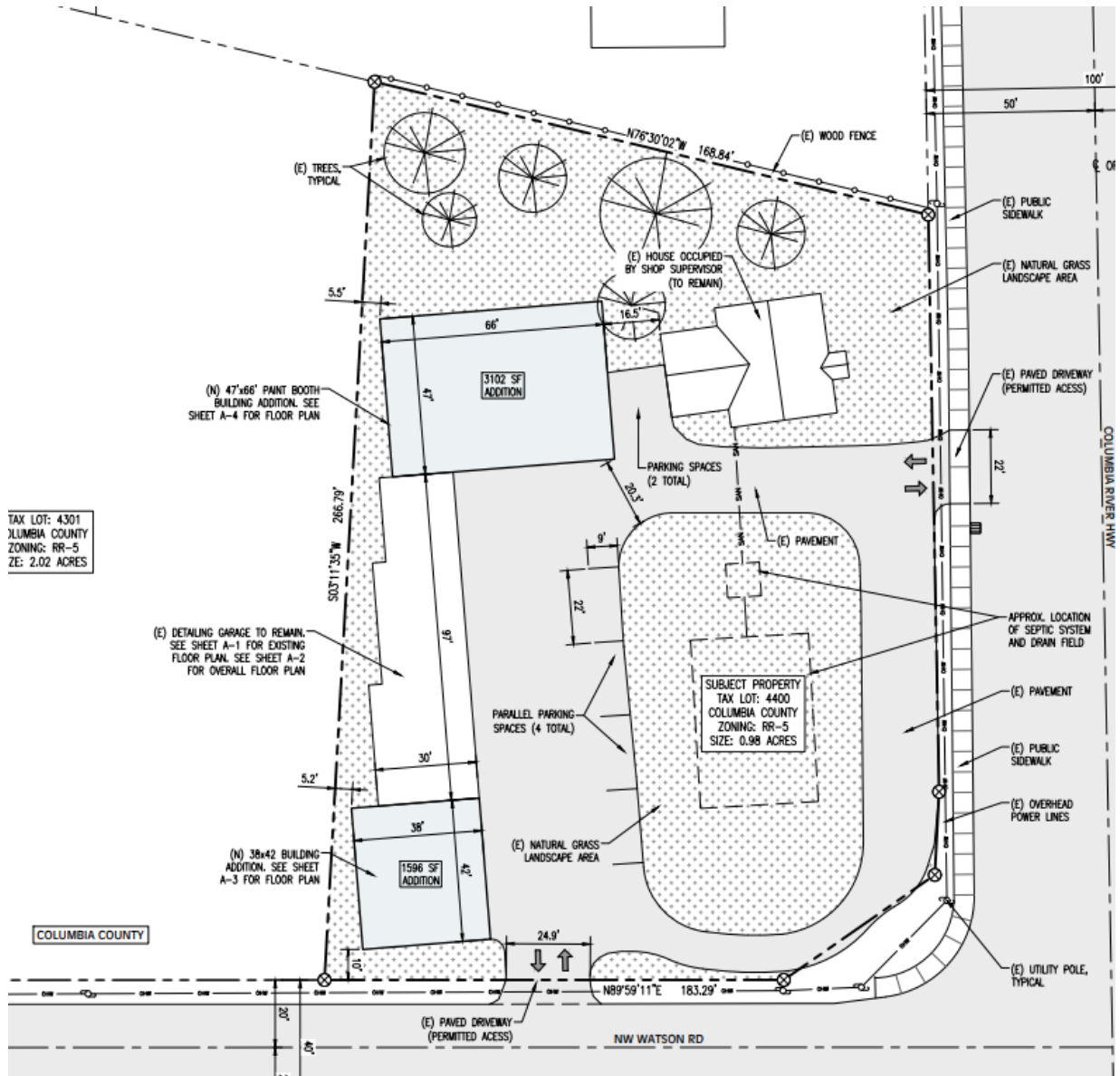
The current request submitted for CU 25-02, proposes demolition of the existing storage structure and the expansion of the existing detailing garage and addition of a new paint booth. The applicant indicates that business operations will continue to occur within existing and proposed structures, with business activity limited to auto detailing and automotive painting. No vehicles will be brought directly to the site by the customer; customers will check in at Pro Automotive Diesel across the street then employees will drive vehicles to the subject property where the service will be performed.

Natural characteristics of the site are as follows: According to the Oregon Department of State Lands Wetlands Inventory Map there are isolated wetlands located in the northwestern portion of the parcel, though both the Oregon Department of State Lands (DSL) and the comment on the proposal returned by Columbia County Soil and Water Conservation district indicates that the mapping appears inaccurate. In addition, county web maps and the National Hydrology Dataset display a stream or swale running along the northern boundary of the subject property. However, no active channel was observed during staff’s site visit on 6/6/2025. The Scappoose – Spitzenberg CPAC Beak Maps indicate that the site is not located with a Big Game Habitat Area, nor does it contain any threatened, endangered, or sensitive wildlife, plant and/or animal species, or other significant natural areas. Flood Insurance Rate Map 41009C0482D indicates that there are no special flood hazard areas on site. The remainder of this report will address how the proposal complies with the applicable provisions of the Columbia County Zoning Ordinance (CCZO).

Zoning Map and Aerial Imagery



Submitted Site Plan



REVIEW CRITERIA, FACTS, ANALYSIS & FINDINGS:

Applicable Standards and Criteria of the Columbia County Zoning Ordinance (CCZO):

Section 200 GENERAL PROVISIONS: *[Amd. Ordinance 2019-1, eff. 5-15-19]*

213 Setback Exceptions and Modifications:

- .1 Double Frontage Lots: Buildings on through lots and corner lots shall meet the front yard setback on both streets.

Finding 1: The subject property has double frontage on both Hwy 30 (Columbia River Hwy) and Watson Road. Where the standards of CCZO Section 602.4 addressed below, this section is also addressed.

Section 600 RURAL RESIDENTIAL - 5 (RR-5)

[Amended by Ordinance 99-2, eff. 1/11/00; Amd. Ordinance 2015-4, eff. 11-25-15].

601 Purpose: This district is designed for rural areas where parcels at the time of initial zoning designation are committed to non-resource uses consistent with County acknowledged exception areas. Uses in this zoning district are anticipated to be predominantly residential with a rural level of public services; i.e., domestic water from private wells, sewage disposal using on-site systems, adequate fire and emergency service by fire districts, and road access consistent with the County Transportation Plan and County Road Standards. Other uses shall be those customary to such areas, including farm and forest uses, churches, and home occupations of a rural character.

602 Permitted Uses:

- .4 Structures accessory to permitted uses when sited in accordance with the following:
 - A. If attached to the main building or separated by a breezeway, they shall meet the front and side yard requirements of the main building.
 - B. If detached from the main building, they must be located behind the front wall of the main building or a minimum of 30 feet from the front lot or parcel line.
 - C. Detached accessory buildings shall have a minimum setback of 5 feet from the rear and/or side lot or parcel line.

Finding 2: The site currently contains a 2,570 square foot detailing garage and a 1,320 square foot shed, which the applicant intends to demolish. The applicant proposes two additions totaling 4,698 square feet: a 3,102 square foot paint booth addition on the northwest portion of the property, in place of the existing shed, and a 1,596 square foot garage/detailing addition on the southwest portion of the property. Both additions will be attached to the existing detailing garage.

Upon completion, the combined building area devoted to the home occupation will be approximately 7,268 square feet, accommodating vehicle detailing, storage, and an enclosed paint booth.

The property is a corner lot with frontage on Watson Road and US Highway 30. Per CCZO Section 213, development on double-frontage lots must meet minimum front setback standards on both streets. Additionally, CCZO Section 602.4(B) requires detached accessory buildings to be either located either behind the front wall of the main building or at least 30-feet from the front property line(s). The main building is a 1949 single-family home with the front entrance of the building facing Highway 30. The submitted site plan displays that the two new additions will be located behind the front wall of the home and at least 5-feet from the southern property line. Staff finds the proposal meets the standards in CCZO Sections 213 and 602.4.

603 Conditional Uses:

- .3 Home occupations consistent with ORS 215.448, as provided in Section 1507.

Finding 3: ORS 215.448 contains requirements specific to resource zones where residential uses are established. Therefore, ORS 215.448 is not applicable to the current proposal for a home occupation on a property situated in the RR-5 zone district.

Per the provisions in Section 603.3 of the CCZO, Home Occupations are Conditional Uses in the RR-5 Zone and therefore can be permitted so long as they meet the prescriptive standards in CCZO Sections 1503 (Conditional Uses) and 1507 (Home Occupations). Compliance with these sections will be addressed in Findings 6-14.

604 Standards:

[...]

- .7 Unless otherwise prohibited, the maximum building height for all non-farm, non- forest structures shall be 35 feet or 2-1/2 stories, whichever is less.
- .8 Unless otherwise prohibited, structures such as barns, silos, windmills, antennas, chimneys, or similar structures may exceed the height limitations to a maximum height of 50 feet.

Finding 4: Sheet A-6 of the submitted construction elevations displays that the southern detailing garage addition will have a maximum height of 18'-10" and the northern paint booth addition will have a maximum height of 22'-4". Staff finds the standards of CCZO Section 604.7 and 604.8 have been demonstrated as feasibly met and compliance with the requirements of this section will be verified at the time of building permit submittal and review.

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

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:

[...]

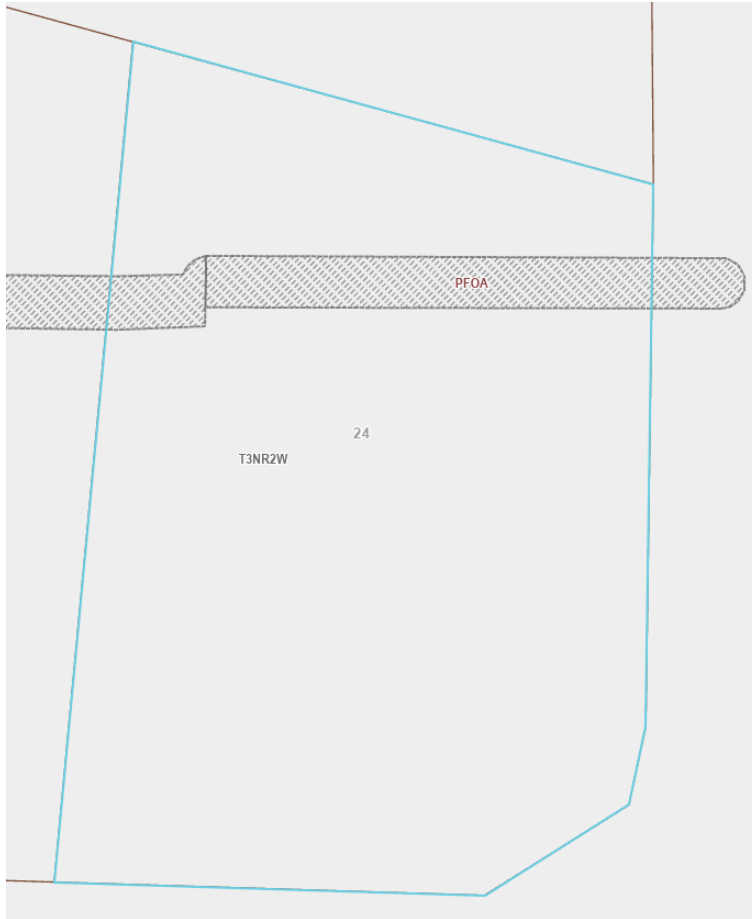
- C. Wetland fill and removal within riparian corridors shall be avoided unless there is no reasonable alternative to allow the permitted use. DSL shall be notified of any potential impact from development proposed on wetlands identified in the State Wetlands Inventory pursuant to ORS 215.418.

Finding 5: Per the Oregon Department of State Lands (DSL) Wetland Inventory Map, and the applicant’s submitted site plan, the northwestern corner of the site contains an identified wetland area, which conflicts with the location of the proposed paint booth. DSL was notified of the proposal on 7/29/2025 and submitted comments on 8/19/2025 DSL stating:

“Based on available information, it is difficult to determine whether the proposed project will impact jurisdictional wetland or waters that may be present on the northern portion of the property...the NWI mapped forested wetland, is improperly mapped for this location, it is meant to overlap the stream channel present just to the north”.

DSL further clarified that no state permitting is required if construction activities remain outside of the stream channel. If fill or excavation within the swale or channel area exceeds 50 cubic yards, a wetland delineation and DSL permitting may be required. Staff recommends the addition of Condition No. 8(a), which states: *“At the time of submittal of plans to obtain building permits, the applicant shall submit a site plan which displays the location of the proposed development in relation to the Oregon Department of State Lands (DSL) mapped wetland area. Construction activities, grading, or fill shall not occur within wetland areas unless a wetland delineation is completed and, if required, a permit is obtained from DSL”.* As conditioned, staff finds that the criteria in CCZO Section 1175 (C) have been met.

DSL Wetland Inventory Map



Section 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.
- .2 Conditions: The Commission may attach conditions and restrictions to any conditional use approved. The setbacks and limitations of the underlying district shall be applied to the conditional use. Conditions and restrictions may include a specific limitation of uses, landscaping requirements, off-street parking, performance standards, performance bonds, and other reasonable conditions, restrictions, or safeguards that would uphold the intent of the Comprehensive Plan and mitigate any adverse effect upon the adjoining properties which may result by reason of the conditional use being allowed.
- .3 Conditional Use Permit: A Conditional Use Permit shall be obtained for each conditional use before development of the use. The permit shall stipulate any modifications, conditions, and restrictions imposed by the Commission, in

addition to those specifically set forth in this ordinance. On its own motion, or pursuant to a formal written complaint filed with the Planning Department, upon proper notice and hearing as provided by Sections 1603 and 1608 of this ordinance, the Commission, (or Board on appeal) may, but is not required to, amend, add to or delete some or all of the conditions applied to Conditional Use Permits issued by the Planning Commission or Board of Commissioners. The power granted by this subsection may only be exercised upon a finding such amendment, addition or deletion is reasonably necessary to satisfy the criteria established by Section 1503.5 below.

Finding 6: The Planning Commission may attach any reasonable restrictions, modifications, or conditions to an approval of CU 25-02 as recommended by staff and provided at the conclusion of this staff report or that are otherwise deemed appropriate. As identified in Section 1503.4, compliance with all attached conditions of approval will be required for the lifetime of this proposed Home Occupation.

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

Finding 7: As noted in Finding 3, Home Occupations are listed as an authorized Conditional Use of the RR-5 Zone. Additionally, and as noted in Finding 2, the proposal meets the minimum setback requirements for double-frontage lots and detached accessory structures in the RR-5 zone. Staff finds the criteria in Section 1503.5(A & B) is met.

- C. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements, and natural features;
- 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 8: The site's characteristics, including the existing dwelling, detailing garage, storage garage/shed, available utilities, and infrastructure make it suitable for expanding the existing automotive detailing Home Occupation. The applicant states that the existing detailing business, approved in 2023 under CU 23-03, has been successful at this location and that the proposed expansion will also be appropriate due to the site's *“adjacency to Highway 30, adequate ingress/egress via two access drives (one from Highway 30 and the other from Watson Road), ample paved areas for onsite vehicle circulation, flat topography, and generous building setbacks*

from Highway 30”. As covered in Finding 5, Condition No. 8 (a) has been added to ensure that the wetland areas located on the northern portion of the property are identified on the site plan(s) submitted with future building permits.

Columbia River Public Utilities Department (CRPUD) submitted comments on 8/6/2025 stating that the applicant will need to relocate the underground service conductor as the southern addition is proposed to be constructed directly over PUD facilities. CRPUD provided additional feedback stating that the relocation of electrical components is unlikely to hinder the proposed development provided all permits are obtained and the relocation is done in consultation with PUD engineers. Staff has recommended Condition of Approval No. 8(d) and Condition No. 7(a) to ensure that the applicant coordinates with CRPUD to relocate underground facilities and obtains all necessary construction permits.

The County Public Works Department submitted comments on 8/12/2025 stating that the applicant already has an approved road access permit for the driveway connecting to Watson Road (#2024-008). Public Works also stated that while the applicant indicates there will be no increase in employee or customer trips as a result of the proposal for CU 25-02, if the number of trips increases in the future, it may require additional review/transportation improvements. The Oregon Department of Transportation (ODOT) was notified of the proposal on 8/5/2025 and has yet to submit comments as of the date of this report. However, ODOT provided comments as part of the approval of CU 23-03, which stated that the proposal for CU 23-03 did not constitute a safety concern or trigger for a new permit.

Lastly, the County Sanitarian provided comments on 8/13/2025 stating: *“An Authorization Notice with a site visit is required for the change in use of the system. The properties mixed residential and commercial use will reach the threshold where the change will need to be formally approved to ensure the capacity of the system is appropriate as well as other measures to support the long-term use of the property”*. Staff has recommended the inclusion of Condition No. 8(b) to reflect comments submitted by the County Sanitarian. As conditioned, staff finds that the request for CU 25-02 can feasibly satisfy the criteria of Section 1503.5(C & D).

- 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 9: The subject RR-5 zoned property is located at the southern boundary of Columbia County, in an area characterized by a mix of residential, commercial, and industrial uses and zoning designations. The property borders two other residentially developed lots, with the submitted site plan indicating that the new automotive paint booth and detailing garage expansion will be at least 75 feet from the nearest northern residence and over 200 feet from the nearest western residence. Located along Highway 30 and within 300 feet of an existing commercial automotive business, the site is in an area that already generates significant levels of noise and traffic, which were observed during staff’s site visit on 6/6/2025. The proposed expansion is not expected to increase disturbance in the area, as operations will continue to be conducted entirely indoors, and vehicle trips will be limited to those by employees shuttling cars between the subject property and Pro Automotive Diesel across the Highway. Customers will not be present or waiting

on-site, since all check-ins and drop-offs will continue to occur at Pro Automotive Diesel. Surrounding property owners were notified of the proposal on 8/5/2025, and no comments in opposition have been received as of the date of this report. Staff finds the proposal will satisfy the criteria of CCZO Section 1503.5(E).

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

Finding 10: The Columbia County Comprehensive Plan, Part X – Economy, establishes the Goal “to strengthen and diversify the economy of Columbia County and ensure stable and economic growth”. The proposed Home Occupation is consistent with this goal because it will generate income for the resident that will likely be spent locally. Staff finds that the proposal supports the Comprehensive Plan policies for home occupations in the RR-5 Zone and that this criterion has been met.

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

Finding 11: Per the submitted application, “The proposed expansion of the home occupation includes a new spray booth for painting vehicles. The booth will be fully enclosed and employ filtration technology to capture overspray and limit emissions. All hazardous materials will be handled and disposed of according to local and state regulations. This, no hazardous conditions will be created by this proposal”. Staff notified the Oregon Department of Environmental Quality (DEQ) of the proposal, DEQ returned comment that the applicant must obtain an Air Quality Permit prior to the commencement of operations. To issue the permit, DEQ requires completion of a Land Use Compatibility Statement (LUCS) approved by the County. Staff recommends Conditions No. 4 and & 7(c) to ensure the applicant obtains and maintains all necessary DEQ permits prior to the commencement of operations and for the lifespan of the use.

As noted in Finding 8, no customers will drive directly to the site. Vehicles will be checking in at Pro Automotive Diesel across Highway 30 (50038 Columbia River Highway), and employees will shuttle them to the subject property (50035 Columbia River Highway). ODOT has not provided comments for CU 25-02 as of the date of this report but previously indicated in CU 23-03 that automotive and pedestrian traffic between the two properties did not present a major concern. The same circumstance applies to CU 25-02, as the method of transferring vehicles between Pro Automotive Diesel and the home occupation site remains unchanged. However, Condition No. 3 of CU 23-03 was imposed to prohibit employee or customer foot traffic across Highway 30 to ensure safety. Staff recommends Condition No. 5, prohibiting employees and customers from crossing U.S. Highway 30 on foot; all vehicle transfers between Pro Automotive Diesel and the subject property shall be conducted by employees driving vehicles between the two sites. With these conditions of approval, staff finds the proposal can demonstrate that it will not create any hazardous condition and that the above criteria will be feasibly met.

- .6 **Design Review:** The Commission may require the Conditional Use be subject to a site design review by the Design Review Board or Planning Commission.

Finding 12: As a Type 2 Home Occupation application, this proposal may be subject to site design review by the Planning Commission. Staff finds that this criterion applies to CU 25-02 and the Planning Commission may make this requirement at the associated meeting.

Section 1507 Home Occupations

- .2 Type 2: A Type 2 home occupation is reviewed as a Conditional Use by the Planning Commission and may be visible to the neighborhood in which it is located. In addition to the general criteria in Subsection 1507.3, the following criteria shall apply to a Type 2 home occupation:
 - A. It shall be operated by a resident or employee of a resident of the property on which the business is located.
 - B. It shall employ on the site no more than five full-time or part-time persons.
 - C. Signs are permitted as per Section 1300 of the CCZO.

Finding 13: The applicant requests modification of the existing home occupation approved under CU 23-03. The proposal is for a type 2 home occupation, a conditional use that as existing and proposed for modification, is visible to the neighborhood and the proposal is appropriately reviewed by the Planning Commission who is informed by this submitted staff report. The business will continue to be operated by an employee residing in the on-site dwelling, consistent with CCZO Section 1507.2. As part of the submittal for CU 25-02 and as required by Condition No. 5(c) of CU 23-03, the applicant has submitted a rental agreement confirming that the resident is employed by the owner of the existing automotive detailing business. The applicant asserts that the expansion will result in no more than five full time employees between operations occurring at the existing structure, and those intended to occur in the proposed additions. While no signage is proposed with this application, any future signage must comply with CCZO Section 1300. Staff recommends Condition No. 6 to ensure the proposal submitted for CU 25-02 remains in compliance with the criteria for Type 2 Home Occupations required by Section 1507.2. As conditioned, staff finds that this criterion will be met.

- .3 The following criteria shall apply to all home occupations:
 - A. A home occupation shall be operated substantially in:
 - 1. The dwelling; or
 - 2. Other buildings normally associated with uses permitted in the zone in which the property is located.
 - B. A home occupation shall not unreasonably interfere with other uses permitted in the zone in which the property is located.

Finding 14: As stated in the application materials, the proposed business expansion will occur within the existing detailing garage and the new additions to that existing structure. Accessory structures such as garages and shops are considered to be buildings normally associated with rural residential property and home occupations. Staff recommends Condition No. 6 to ensure the

proposal submitted for CU 25-02 remains in compliance with the criteria for Type 2 Home Occupations required by CCZO Section 1507.3 and to reflect Condition No. 6 of CU 23-03. As conditioned, staff finds this criterion has been met.

AGENCY COMMENTS:

County Sanitarian: An Authorization Notice with a site visit is required for the change in use of the system. The properties mixed residential and commercial use will reach the threshold where the change will need to be formally approved to ensure the capacity of the system is appropriate as well as other measures to support the long-term use of the property.

Department of Environmental Quality (DEQ): The applicant will need to create an air permit account and submit an air quality permit.

Oregon District 18 Watermaster: Has reviewed the requested proposal and has no objections to its approval as submitted.

Oregon Department of State Lands (DSL): *See the attached agency comments for the DSL Wetland Land Use Notification response dated 8/19/2025*.

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

Land Use Compliance Specialist: Has reviewed the requested proposal and has no objections to its approval as submitted.

Columbia County Soil & Water Conservation District: Web maps and other online sources show a wetland within the proposed building zone. However, this appears to be inaccurate based on the current site conditions as shown in aerial images. Assuming no wetland on site – the Columbia SWCD has no comment.

Columbia River PUD: The customer will need to contact the PUD Engineering Department regarding the relocation of the underground service conductor to the existing building. Looking at the plans, the southern building to be constructed will be over PUD facilities which is not allowed.

County Building Official: The applicant will be required to obtain a demo permit, and all building, electrical mechanical, and plumbing permits as required.

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

County Public Works Department: The applicant already has a final approved access permit (#2024-008). According to the application, there will not be an increase in employees or customer trips. If the number of trips increases in the future, it may require additional review/transportation improvements.

Scappoose Fire District: No comments have been received as of the date of this report.

Scappoose – Spitzenberg CPAC: No comments have been received as of the date of this report.

No other comments have been received as of the date of this report.

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CONCLUSION & RECOMMENDATION:

Based on the facts, findings, and comments herein, Planning Staff recommends that the Planning Commission **APPROVE CU 25-02**, subject to the following conditions:

RECOMMENDED TERMS AND CONDITIONS OF APPROVAL:

1. This Conditional Use Permit shall remain valid for two (2) years from the date of the final decision. This permit shall become void, unless the proposal has commenced in conformance with all conditions and restrictions established herein within the two-year validity period.
2. All conditions of approval imposed under CU 23-03 shall continue to apply to CU 25-02 unless expressly modified or superseded by the conditions herein.
3. The Department of Land Development Services reserves the right to review this application again in the future if it determines that the approved home occupation is in noncompliance with any of the conditions of approval herein. Any departure from ordinance regulations or conditions of approval established herein shall be subject to review and possible suspension or revocation by the Planning Commission in accordance with the procedures in CCZO Section 1503.4
4. The applicant shall remain in compliance with Oregon Department of Environmental Quality (DEQ) standards and permitting requirements for the duration of the use.
5. Employee and customer foot traffic across U.S. Highway 30 between the subject property and Pro Automotive & Diesel is prohibited. All vehicle transfers shall be conducted by employees driving vehicles between the two sites.
6. Compliance shall be maintained with all the following provisions of Section 1507 for the life of this proposal:
 - a. It shall be operated by a resident or employee of a resident of the property on which the business is located.
 - b. It shall employ on the site no more than five full-time or part-time persons.
 - c. Signs are permitted as per Section 1300 of the CCZO.
 - d. The home occupation shall be operated substantially in:
 - i. The dwelling; or
 - ii. Other buildings normally associated with uses permitted in the zone in which the property is located; and

- e. The home occupation shall not unreasonably interfere with other uses permitted in the zone in which the property is located.

7. Prior to commencement of the use authorized through this approval the applicant shall:

- a. Obtain all necessary structural, electrical, plumbing, and mechanical permits for the proposed detailing garage expansion and paint booth addition.

8. Prior to Planning Division approval of building permits the applicant shall:

- a. Submit a site plan which displays the location of the proposed development in relation to the Oregon Department of State Lands (DSL) mapped wetland area. Construction activities, grading, or fill shall not occur within wetland areas unless a wetland delineation is completed and, if required, a permit is obtained from DSL.
- b. Submit and receive approval of a Septic Authorization Notice from the County Sanitarian.
- c. Obtain an Air Quality Permit and any other required permits from the Oregon Department of Environmental Quality (DEQ). If DEQ determines that no permits are required, the applicant shall provide written documentation from DEQ confirming that determination.
- d. Provide documentation to LDS confirming that they have coordinated with Columbia River PUD to relocate and resolve conflicts with existing underground facilities.

ATTACHMENTS:
CU 25-02 Application
Agency Comments
CU 23-03 Final Order