

COLUMBIA COUNTY PLANNING COMMISSION MEETING

December 1, 2014

Meeting Minutes

Members Present: Paula Lichatowich, Jeff VanNatta, Alta Lynch and Guy Letourneau

Staff Present: Glen Higgins, Kay Clay, Deborah Jacob

Others: Bryan Dennis, Don Dennis and Rachel Rintoul

The Planning Commission meeting was called to order by Guy Letourneau at 6:30 pm,.

Glen Higgins read the pre-hearing statement.

No Ex-Parte was declared.

CU 15-04

Glen Higgins presented the staff report. He pointed out that the staff did not recommend approval or denial on this case. This business has been in operation for about four years. There are many home occupations in the area that similar in nature that pertain to the logging-timber industry. It was pointed out that we had received letters from the neighboring property who is against this business being operated from the home.

BACKGROUND & SUMMARY:

The applicant, Bryan Dennis, requests a Conditional Use Permit for the operation of *West Coast Road Construction, LLC* as a Type II Home Occupation from his existing residence located in the Rural Residential (RR-5) Zone. The subject property is approximately 2.66 acres, is addressed at 17414 Noakes Road, and is surrounded to the north, east and west by Rural Residential (RR-5) zone, and to the south adjoined by Primary Forest (PF-80) zone. Noakes Road starts in the City of Vernonia at Cougar Street near Bridge Street and Rose Ave (Hwy 47) intersection. Noakes proceeds west with several 90 degree corners up the hill, and ends approximately 1 ½ to 2 miles west of the City. Of the approximately 40 properties with frontage on Noakes Road, 24 are developed with residences. This area is predominately medium to large lot, small-scale agricultural and forestry uses. The subject property (2.66 acres), the smallest lot in the area with the exception of a 1 acre lot at a sharp corner, and the property is served by an approved septic system, well water, and is within the Vernonia Rural Fire District.

West Coast Road Construction builds access roads for property owners, mainly Weyerhaeuser, and for other logging operations needing access into their property. The proposal for CU 15-04 home occupation will consist of operating the business from the

house, i.e. work station, record keeping, phone/e-mail, and storing 2-3 dump trucks overnight in the shop and parking area by the shop. On work days, one to two employees may report and depart with their dump truck to a pre-assigned job site. At the work day end, the dump truck would return. The business has 4 drivers but some drivers park their dump trucks overnight at their home, elsewhere in the Vernonia area. All work conducted for the business is off-site, constructing new roads at various locations in Columbia and Clatsop counties. All maintenance and repairs of the vehicles are done at another location.

The applicant has been operating this road construction business at this location for quite some time, up to four years, according to the applicant. Recently, the applicant prepared a larger rocked parking and maneuvering area, and he created a new entry from the county road for the dump trucks to a level parking/storage area next to the shop. Columbia County Land Development Services became aware of this dump truck business through a complaint filed by a resident of the area. The applicant seemed surprised when told he could not run a business out of his home without first obtaining a home occupation permit. According to the applicant, the logic of permitting his business at this location was that there are many other property owners that do the same thing, running their businesses from their residence. Just on the 1 ½ mile section of Noakes Road, from the City, businesses include: Williams Metal Fab, Delemos Truck & Equipment Repair and Terry's Gym, in addition to the subject property, West Coast Road Construction. According to the Citizen Planning Advisory Committee members, these other businesses have been operating at these locations for decades. As a matter of fact previous owner the subject property had a stained glass, ceramic and glass work business with a couple of other people working for several years. Vernonia area residents are expedient, practical and acceptable to families trying to make a living however they can. Businesses out of the home environment is not unusual. This may be caused partially by the close and compacted commercial and industrial areas in the City of Vernonia, made even worse by the devastating floods that impacted many commercial, institutional and industrial properties.

Vernonia is near and surrounded by vast timber resource lands. The logging and timber management industry is heavy equipment intensive, accessing and moving logs to market. Since the demise of large saw mills, employment and many of the remaining small businesses in the Vernonia area are reliant on work they can secure involving heavy equipment used in the process of cutting and moving of the timber. Centralized industrial areas in and around Vernonia (zoned Commercial or Industrial) for the keeping of large logging and excavation equipment is just non existent. There was once such an area north of Vernonia in an area called Pittsburg, called the Crown Zellerbach Sorting Yard. Since Crown Zellerbach sold their ownerships and sole proprietorship of at least a very large portion of the log market, the small logging contractors have been more useful and have become the norm. This increase in small business proprietorship combined with the lack of properly zoned and designated lands to house this industry, leads many loggers and excavators to park, maintain and launch their large equipment from the most convenient location, usually their home property.

When Columbia County placed zoning designations on properties in rural county the deciding factor for zoning a property or an area was based on “lot size”, with the exception of historic large industries (Port Westward, Trojan) and rural communities such as Mist, Birkenfeld and Alston. The area encompassed by Noakes Road is relatively large lots with homes on land used for either farming for timber. The old City dump was zoned CS-U. Many of the properties are used as the primary source of income or a second income through an occupation owned and operated by the resident. The area is not purely residential in nature, only for living, eating and sleeping; where the resident is employed at a different location. The Noakes Road neighborhood has diversified uses which can not be classified as strictly residential or strictly forest related uses.

Paula Lichatowich wanted clarification on the 2 year time frame stated in the conditions and Glen explained that was set by statute.

Alta Lynch wanted to clarified that on the staff report, page 19, #9 sub C does not really apply because there will not be customers coming to their home. She wanted to know if the Bowen’s can see their trucks from their property and they can.

Public Hearing opened.

Brian Dennis, Agreed with application and did state that the Bowen’s could see the trucks. **Guy Letourneau** asked if the fence was going to create a hardship for the applicant. **Jeff VanNatta** pointed out that the fence would help with some of the noise. **Brian Dennis** wondered if the fence was just for the Bowens and It is not.

Jeff Vannatta questioned what time the trucks would be starting up. **Brain Dennis** stated that it would be 5:00a.m. in the fire season.

Alta Lynch wanted to know more about how long the trucks would idle, if they had alarms on them, would business vehicles and other equipment be all that would be parking there, and is the job site secure.

Brian Dennis said that the trucks would idle for five minutes, no alarms and for the most part trucks would be all that is stored there.

Guy Letourneau, questioned where any oil waste would be stored and **Brian** said they had barrels to store old oil in.

Jeff VanNatta noted that he needed to include equipment being parked in the area. The more conditions that are there the more restrictions would be there.

Paula Lichatowich noted that the neighbors would feel better if the conditions were met. Also it would good if there is a storm water plan.

Brian Dennis, understands that he has to hire a drainage contractor to evaluate the runoff of water and to talk with the County road department to integrate water collection solutions. A lot of the water comes from Noakes Rd.

Paula Lichatowich would also like to change condition #9 to read Life of permit, for the life of this proposal. Also add a condition that the county code enforcement would followup on this application and make sure the conditions are being met.

Guy Letourneau also suggested that we follow up with the neighbor who submitted comments.

Jeff VanNatta brought up again that you can't set too many limitations on this type of business or it would force the business to go elsewhere to operate.

Deborah Jacob brought up the case of Colleen Deshazer having a business with heavy trucks in her area and some of the issues they had to address. This is not a lot different except for the location.

Paula Lichatowich, wanted to make sure this home occupation would not set a precedence for a home occupation where there is a history of logging, trucks and equipment. What will the limitations be and what will the neighbors rights be.

Brian Dennis, brought up that he did have 2 trailers, cat, excavator and a fire wagon that may need to be park there off and on.

Alta Lynch made a motion for approval with changes to Condition #2 to read 3 or fewer dump trucks plus other equipment, #4 for working hours of 4:00a.m. to 9:00p.m. May through October and 6:00am to 7:00pm November through April, #9 change life of proposal to life of permit and add a 12th condition so that the code enforcement officer would followup on the noted conditions. **Jeff VanNatta** seconded, motion carried 3-1, **Paula Lichatowich** opposed.

CU 15-01 Home Occupation for a cabinet shop

Deborah Jacob presented the staff report.

Summary:

The applicants, Peter and Rachel Rintoul. who reside at 54046 Kalberer Road have applied for a Home Occupation Permit that will allow them to construct a 45' by 65' (2,925 sq ft) detached shop and operate a Custom Cabinet Shop on their property. The 1.09 acre subject site is zoned RR-5 and is surrounded to the north, south and west by other RR-5 zoned properties and to the east by Forest Agriculture (FA-80) zoned properties. This unincorporated area near Scappoose is rural residential in nature and is characterized by large-lot single-family development and small farms.

According to the applicants, the business will generate no more than 6 weekly customer trips which is significantly fewer trips than the 20 such trips allowed by Section 1507 of the Columbia County Zoning Ordinance. The CU 15-05 application also states *“that there will not be hours set with customers coming and going (to the site) and delivery*

trucks will be kept to a minimum of 4 - 6 per week.” The applicants will also construct a new driveway to Wikstrom Road for access to their new custom cabinet shop

The subject site is developed with a single-family dwelling and accessory structures. Sewage is disposed of through an onsite septic system and water is provided to the property by a private well. The site is relatively flat and contains no significant and/or sensitive natural features or environmentally sensitive areas. The site is not located in a flood hazard area as mapped by FEMA, nor does it contain wetlands according to National Wetland Inventory Maps. Emergency services are provided to the site by the Scappoose Rural Fire District and the Sheriff.

Deborah reviewed the measures to help preserve the neighborhood. They are as follows:

Employing only one non-resident employee;

1. Limiting advertising to “Word of Mouth”;
2. Conducting all custom cabinetry operations (loading, unloading, storing, and manufacturing) inside the new 2,925 sq ft shop;
3. Anticipating no more than 6 delivery trucks per week;
4. Providing delivery trucks with adequate room to maneuver and turn around on the property instead of within the county road rights of way;
5. Requiring scheduled appointments for all customer site visits and anticipating no more than 6 such visits per week and
6. Discussing their home occupational plans with their neighbors and modifying their plans accordingly.

The applicant would be allowed to have one sign on the shop and if any vegetation is removed then it will be replanted. All of the work will be done inside the shop.

Open to the Public:

Rachel & Peter Rintoul wanted to clarify that their access for their home is on Kalberer but they wanted access to the shop off of Wikstrom and is that ok and it is. In the event that the business grows they wanted to know the number of employees they could go up to and that number is 5.

Closed to the Public.

Paula Lichatowich wanted to be sure there were not going to be vapors and odors from the business and there will not be.

Alta Lynch moved to approve CU 15-01 with conditions and a change on #4, **Paula Lichatowich** seconded. All in favor Motion passed. 4-0

Meeting adjourned 8:00p.m.

Meeting adjourned p.m.