

COLUMBIA COUNTY PLANNING COMMISSION MEETING

April 6, 2015
Meeting Minutes

Members Present: Paula Lichatowich, Linda Hooper, Alta Lynch and Jeff VanNatta

Staff Present: Glen Higgins, Kay Clay, Deborah Jacob

Others: Dewayne Cowles, Terry Lindauer, June Shober, Elenor blessing, Bob & Lori Shober, Claudia Frace, Dick & Suzanne Tager, Gina Frostad & Sarabelle V., David Hellberg, Linda Hellberg, Syrah Frostad, Launa Eyestone, Linnette Hellberg, Diane H., Cody Herzog, Taylor Albertson and Jeff Walton

The Planning Commission meeting was called to order by Jeff VanNatta at 6:30 pm

Deborah Jacob read the pre-hearing statement.

No Ex-Parte was declared.

CU 15-08 & DR 15-03 - Jeff Walton

Deborah presented the staff report.

BACKGROUND & SUMMARY:

The applicant, Jeff Walton, has applied for a Conditional User Permit and a Site Design Review that will allow his 28 acre-PF-80 zoned property to be used as a private unimproved campground for bicyclists and hikers using the Banks-Vernonia Linear Trail. As shown on Page 3, proposed "Vernonia Springs" will be developed in two Phases. Phase I includes establishing 15 unimproved camp sites (no water, sewer, electricity, or fires), five (5) of which may be yurts. Phase I will also provide campers with a parking area for cars and bikes, a bathroom-shower facility, a fully contained food cart, vending machines, a bicycle rental service, the existing fishing pond, and one central fire pit. All camping and parking will occur in the ~ 10-acre portion of the property located between Hwy 47 and the Linear Trail while the bathrooms, food cart, vending machines, fire pit, and bicycle rentals will occur across the Linear Trail in the already developed eastern ~ 18-acres.

The subject property has been the location of Lee' U-Catch Fishery and is surrounded on all sides by other PF-80 zoned properties with scattered residential development. Phase II will also be reviewed by the Planning Commission and will consist of expanding the number of camping sites and related activities as well as a hunting/fishing lodge that can accommodate 15 guestrooms. "Vernonia Springs" will be located south of the

intersection of Highway 47 and McDonald Road, is bisected by the Banks-Vernonia Linear Park that runs along Beaver Creek. The site is less than two miles from the Washington County line and within 5 miles of Stub Stewart State Park in Washington County. The Banks-Vernonia Trail is 21 miles long and is a well established (paved and graveled) old train rail line that is suitable for year-long use by bicyclists, pedestrians, and equestrians. Currently, the only other campground or park along this 21-mile long Linear Trail is the Stub Stewart State Park.

Although the 28-acre site does not have any flood hazard areas per FEMA FIRM # 41009CO400-D, the sites contains both Wetlands and a Riparian Corridor associated with Beaver Creek and its tributary.

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 campsites. 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.

Staff recommends approval.

Public Hearing opened.

Jeff Walton, agreed with the staff report and the noted recommendations. There will not be any development on wetland portions of the property. The fire chief will provide a report and the pond will provide water in an emergency. There will be signs on the bridge posting the gross weight.

Alta Lynch inquired about horses and a corral, if there would be one.

Jeff responded that there is a temporary one if needed and that may be improved in the future if needed. They are taking this venture slowly and checking out the demand.

Paula Lichatowich questioned if conditions 2 & 3 were connected. Jeff said he would meet both and get a revised site plan. Also DSL may need to come out to the site.

Jeff VanNatta stated that the horses need to stay away from the stream. Jeff also questioned if there would be any mass gatherings.

Jeff Walton said that they may have groups but they would not be larger than 500, mainly weddings, bicycle groups and other small groups.

Opposition

Dewayne Cowles. Neighboring property owner. He is not opposed to this project and likes what is being proposed but does have some concerns. He does not want any mass gatherings of 3000, wants some kind of noise control, protection to the creek, privacy and respect to the surrounding property owners. It's a peaceful area and would like it to stay that way. He would like to see the set backs on the trails - some of the proposed areas infringe on set backs. He would also like to see rules and conditions for the visitors for uses of the site(s).

Terry Lindauer. Neighboring property owner that has concerns regarding a "72 hour" rave that has happened on the property previously under different owners, mass gathers in this zone, noise levels and sources, would like to see noise levels restricted from 10:00PM to 7:00AM, no cars crossing the trails and how will this get enforced. How will the fire pit be enforced.

Rebuttal

Jeff Walton addressing concerns. Jeff does not want mass gatherings on this site. In the event of a mass gathering it would have to be pre approved by the County but again that is not the intention of the owner. As far as the creek goes that is a high priority of Mr Walton. He has already gone to great length to protect it. He does not want people in the creek and this will be enforced by the owner. The closest neighbor is approximately 1/4 mile and he wants to assure them he will follow all county regulations. As far as noise issues he will follow the codes but did want to point out that there is a dog rescue in the close area and one of the nearby neighbors does a lot of shooting. No cars will be allowed on the trail. Permits have been acquired through the Parks & Recreation departments. As far as fire enforcement goes there will not be any fires allowed in the camping area, there will be a central fire pit and in case of an emergency there is the pond water.

Paula Lichatowich asked if there would be a contract between the campers and owners that would state what could and couldn't be done.

Jeff Walton said that this is a long term commitment and he will do whatever is necessary and everyone that stays in the campground would have to register. The fire suppression system would be upgraded if the demand warranted it.

Alta Lynch would like to see the rules posted for everyone to see.

Jeff Walton said he would meet the conditions and protection of the land is what his intent is.

Paula mentioned that there would be additional conditions regarding a sign in sheet and curfew.

Paula Lichatowich made motion to approve this application with two additional conditions, one being curfew hours, quiet time would be from 10:00 pm to 7:00 am and the second would be a registration form with the rules and regulations.

Alta Lynch seconded.

Motion carried all in favor.

Five minute break.

TR 15-34 - Appeal of previous decision

Glen Higgins presented the staff report

No ex-parte were declared.

Background & Summary

The applicant proposes to annually renew a temporary use of a previously sited manufactured home on a ± 4.83 acre parcel located on the west side of Flint Drive, just north and northwest of the City of Scappoose. The applicant and property owner, Marilyn Shober, has shown a need of medical attention, and would like her son, Robert Shober, to continue living near her to provide medical support and care.

A notified neighboring property owner, David Hellberg, objected to this temporary renewal in writing and submitted an Appeal/Referral form on February 9, 2015, that refers the decision to the Planning Commission. Mr. Hellberg states that he and his family are consistently harassed, the trailer they live in is an eye sore reducing their property value and is detrimental to the area.

The site is developed with one single-family residence, a detached garage and a temporary medical hardship mobile home. The temporary mobile home has been on the property and in use for the past 37 years, since 1974, for the care of three separate persons. Temporary Medical Hardship Permits are only applicable to the applicant for whom the permit is (was) granted and are not transferable to other properties or people without approval of a new temporary permit.

Applicant: Temporary Permit be Renewed to continue using a mobile/manufactured home as a temporary second dwelling on the subject property for the purpose of caring for a relative.

Appellant: Requests the Temporary Permit be Denied because it is Detrimental to Adjacent Property

Alta Lynch wanted to verify that the Shober's are the owners of the property and they are.

Jeff VanNatta opened the hearing for comments.

In Favor

Robert Shober, is aware that there are issues with the neighbors (Appellant) but as far as the application for the temporary home they have met all the criteria.

Richard Yager is a neighbor of the Shobers and have know them since 1993. He supports the renewal of this hardship and says that the Shobers are great neighbors, they even help maintain the gravel road.

Diane Humke, neighbor, states that they have never had a problem with the Shobers and they have been good neighbors.

Opposed

David Hellberg, neighbor, he and his family moved in to the neighbor hood in 2012, they are a very private family. Within the first year of living there he began having issues with the Shober's. They have had gate problems, road problems, dog issues, Lori Shoberg has been very derogatory to them, they are harassed on the west side of the property, their animal kennel has been destroyed, they have had attorney fees, they have had threats from the Shoberg's, 911 has been called by both homeowners. The roadway is a public roadway. The Shoberg's dog run loose, they hear gun shots often, a stalking order was filed for but then dropped.

Linnette Hellberg, supports what her husband had to say and reinforced that they do have issues with the neighbors, the gun shooting bothers them, they can't go into their front yard, they feel bullied and feels they should have rights also.

Launa Eyestone, mother of Linnette. The problems on the property have elevated and need to be taken care of and by denying the renewal this could help the problems. Lori Shober does have anger issues and Linnette feels threatened.

Marcelle Frostad, states that Lori Shoberg is yelling all the time and if this renewal is renewed it would only make things worse.

Gina Frostad, states that she sees how her mother is harassed by the Shobers, always being yelled out and issues with the roads. This harassment should not have to be tolerated.

Syrah Frostad, how is long is a temporary home and why can't she live in the primary home?

Rebuttal

Robert Shober, says they can not go on their deck. They have offered to help the Hellberg's in the beginning but the offer was denied. They also have issues with dogs and they have had chickens killed, the neighbors ride their quads all over and that is noisy, if the Shoberg's want to target shot they are allowed to do that. The Shoberg's also feel harassed .

Lori Shoberg, they do have problems with the Hellberg's dogs at least three or more times. The quads are a problem. She admits that she has cussed at the neighbors but has not threatened them. She is tired of the harassment. Lori has rights too.

Jeff VanNatta closed the public hearing.

Jeff mentioned that we need to sort out what should or shouldn't be. An owner does have the right to shoot the dogs if they are attacking someone animals. There seems to be a controversy over different life styles and animals. The bottom line is if the criteria for a temporary permit has been met and yes it has.

Alta Lynch noted again that the application does meet the necessary criteria. Alta made motion to approve TR 15-34, Paula Lichatowich seconded. All in favor motion carried.

Motion was made to elect Jeff VanNatta as chair and Linda Hooper as vice. Approved

Meeting was adjourned at 8:50pm.