

COLUMBIA COUNTY PLANNING COMMISSION

Staff Report

May 26, 2021

Conditional Use Permit - Type II Home Occupation

FILE NUMBER: CU 21-05

APPLICANT/OWNER: Rick Goodnight
61010 Robinette Road
St. Helens, OR 97051

SITE LOCATION: 61010 Robinette Road, St. Helens, OR 97051

TAX ID: 5130-00-02503

TAX ACCT: 17432

ZONING: Primary Forest (PF-80)

PARCEL SIZE: 5.0 acres

REQUEST: Conditional Use Permit for a Type II Home Occupation to authorize the use of a future structure to be used as a vehicle auto body and painting shop as a home occupation.

REVIEW CRITERIA:

<u>Columbia County Zoning Ordinance</u>	<u>Page</u>
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APPLICATION COMPLETE: 03/30/21

150-DAY DEADLINE: 08/30/21

BACKGROUND:

The applicant, Rick Goodnight, has applied for a Conditional Use Permit to establish a Type II Home Occupation at his residence, addressed at 61010 Robinette Road in St. Helens. The subject 5.0-acre property is zoned for Primary Forest (PF-80) uses and is associated with Tax Map ID Numbers 5130-00-02503. If approved, the applicant will be authorized to operate a vehicle repair, auto body, and paint shop on the property where he resides. The applicant states that currently, there is no plan to have any employees that are not residents of the property, however he would like a small sign located on the property to advertise his business.

The applicant is proposing to construct a 50'x100' structure in order to operate the proposed auto body repair business. According to the submitted floor plan of the structure, it will include five 12' overhead bay doors, an office area, a bathroom, and a paint booth. The applicant is proposing this structure approximately 52' from the south property line, 272' feet from the west property line, 179' from the east property line and approximately 100' from the existing dwelling on the property. The area that the building will be located in is currently being used for hay production and will not result in any additional timber clearing.

In the submitted application, the applicant states that there will be minimal hazardous waste store on the subject property. It will be limited to simple paint gun cleaning thinner contained in metal gallon size cans and property labeled and disposed of at the appropriate hazardous waste collection days. He states that there will be no vehicle fluids stored on site. He will purchase these items for the vehicle being worked on and will not be storing additional fluids on site. Proposed hours of operation at 8AM to 5PM Monday through Friday.

The existing development located on the subject property consists of the applicant's dwelling, existing accessory shop structure, an on-site septic system, on-site well, and existing driveway. The proposed shop structure which will be used in this home occupation will be located approximately 24 feet to the east of the existing shop structure, clustered as much as possible with the existing development on the property. Also, the applicant states that the noise generated by the home occupation will be contained to the insulated shop and the doors will be closed when loud work is performed. He states that the doors are facing away from all visible neighbors as well.

The Columbia County Building Official submitted comments on the proposal and stated, *“Obtain all ‘commercial permits’ for construction, with Oregon Engineered plans for construction which meet the 2019 OSSC. All work and permits to be obtained by licensed contractors and trades; General contractor, electrician, plumbing, and mechanical. Plan reviews will be required for structural, electrical, plumbing, and mechanical. Exit signs with emergency egress lighting is required. Fire extinguishers per fire code required, and specifications for equipment and exhaust. All inspections to be performed prior to cover and final inspection with Building Official and Fire Marshal together will be required.”*

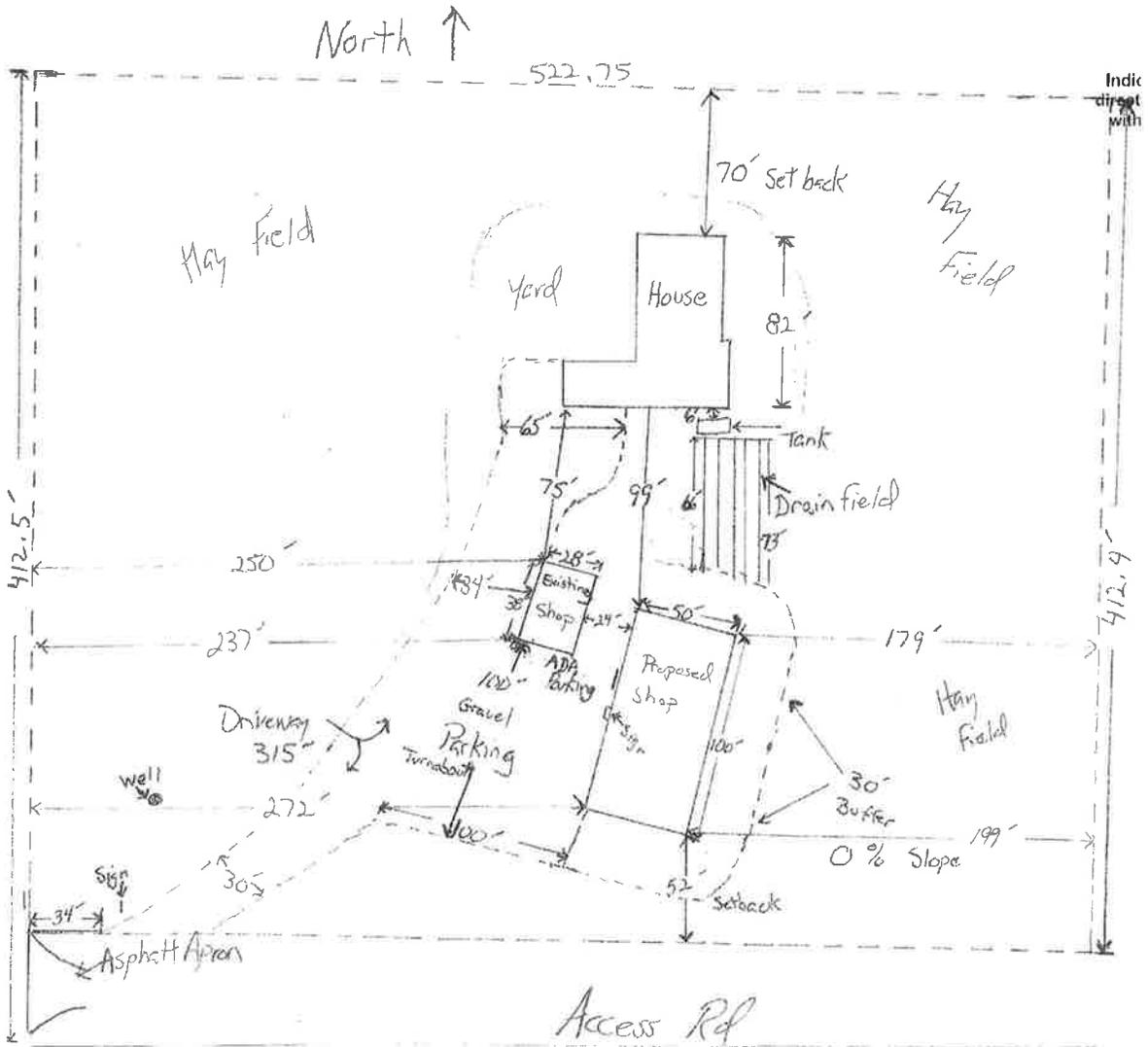
The subject property is within an area of mixed residential and forestry uses. According to the Columbia County BEAK Maps of the St. Helens area, there are no sensitive areas, nor are there any Big Game Habitats, or threatened or endangered plant or animal species. FEMA FIRM Panel 41009C0340D shows that there are no flood hazard areas located on this property. The subject property is relatively flat with no topographical constraints that would limit site development.

The Project Planner's site visit on May 13, 2021 confirmed the information provided herein. Emergency Services are provided by the Columbia County Sheriff as well as Columbia River Fire & Rescue Protection District. The remainder of this report will evaluate to which the proposal requested for CU 21-05 complies with the applicable provisions of the Columbia County Zoning Ordinance.

2018 Aerial and Zoning of Subject Property



Submitted Site Plan for CU 21-05



REVIEW CRITERIA, FACTS, ANALYSIS & FINDINGS:

Beginning with Columbia County Zoning Ordinance:

Section 500 PRIMARY FOREST ZONE - 80

PF-80

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.

- .1 Type 2 Home occupations, as defined by Section 1507, and subject to the general review standards under Sections 507 and 508 and compliance with the standards of Section 1507.

Finding 1: Home occupations are permissible in the PF-80 Zone. The proposed Type II Home Occupation may be permitted through the approval of a Conditional Use Permit. Prior to the authorization of the proposed home occupation, the applicant shall demonstrate that the proposal meets the standards listed in Sections 507, 508, 1503, and 1507. Section 506 of the Zoning Ordinance discusses criteria while obtaining authorization for a dwelling. Since the subject property currently contains a dwelling, the criteria in Section 506 are not applicable.

Continuing with Columbia County Zoning Ordinance - Primary Forest:

507 Siting of Dwellings and Structures

- .1 All new dwellings and structures are subject to the siting standards in this section. Relevant physical and locational factors including, but not limited to, topography, prevailing winds, proximity to existing roads, access, surrounding land use and source of domestic water shall be used to identify a site which:
 - A. Has the least impact on nearby or adjacent lands zoned for forest or agricultural use;

Finding 2: As shown in the site plan submitted for CU 21-05, the applicant is proposing to construct a 50'x100' shop structure in order to operate an auto body and vehicle paint shop. According to the Columbia County Assessor's records the subject property has been residentially developed since 2000. The proposed shop structure will be located approximately 24' to the east of the existing shop and to the south of the existing septic drainfield. It will be located in an area of the property that has been historically used for hay production and will not require harvesting any existing timber located on the property. Also, the home occupation will utilize the existing access off of Robinette Road which has been reviewed and approved by Columbia River Fire and Rescue to meet current fire apparatus and access standards. The Fire Marshal commented on the 1/27/21 driveway inspection and stated that the structure is being built for auto body and paint business. An NFPA (National Fire Protection Association) 33 compliant spray booth would be required. Prior to the authorization of the proposed Home Occupation, the applicant shall obtain approval from the Fire Marshal stating that all proposed improvements meet current fire code standards.

Also, the Department of Environmental Quality (DEQ) – Air Quality, submitted comments on May 21, 2021 and stated that DEQ Air Quality permit applications require a complete signed land use compatibility statement to be deemed 'complete'. If the application meets all applicable requirements, DEQ is compelled to issue the permit. With the condition that the applicant obtain

DEQ approval to operation and maintain the proposed auto body and vehicle paint business, staff finds that this criterion can be met.

- B. Ensures that forest operations and accepted farming practices on the tract will not be curtailed or impeded by locating dwellings and structures as near to each other and to existing developed areas as possible considering topography, water features, required setbacks and firebreaks;

Finding 3: As shown on the submitted site plan, the applicant is proposing the 50'x100' shop structure 24' to the east of the existing shop and just south of the existing drainfield. This will be located in an area that has historically been used as hay production. However, the applicant will still have over 2 acres in active hay production as a result of the proposed Home Occupation. Also, by clustering the development as proposed, the applicant will not need to harvest any additional timber on the subject property in order to maintain the full 30' primary firebreak buffer as required. Staff finds that the proposal will have negligible impact on current farm and forestry uses on the subject property and all proposed development will be clustered with the existing structures.

Proposed 50'x100' Shop Structure Location



- C. Minimizes the amount of forest lands used for building sites, road access and service corridors;

Finding 4: The subject home occupation proposal, if approved, will authorize the applicant to construct a 50'x100' shop structure and operate an auto body and vehicle painting business. The proposed structure will be accessed via the existing shared driveway off of Robinette Road and the existing private driveway to the applicant's dwelling. The applicant is proposing to locate the structure in an area that is currently cleared and will not result in any additional timber to be harvested. With this finding, staff finds that the proposal is consistent with this criterion.

- D. Is consistent with the provisions of Section 510 related to Fire Siting Standards and minimizes the risk associated with wildfire; and

Finding 5: As stated previously, the location in which the applicant is proposing to construct the proposed shop structure will not require harvesting any timber on the subject property in order to maintain the required 30' primary firebreak buffer. Also, submitted with the application, the applicant has obtained approval from the Columbia River Fire and Rescue stating that the current access meetings fire apparatus and access standards. With this information, staff finds that this criterion is met.

- E. Is consistent with other requirements contained in the Comprehensive Plan or implementing ordinances, including, but not limited to, regulations which apply to flood, steep slopes, and landslide hazard areas, development within the Willamette River Greenway, development in forested areas or development in significant resource and natural areas, such as wetland riparian and slide-prone areas.

Finding 6: In the Comprehensive Plan, Part X addresses the economy of the County and states as the Goal "To strengthen and diversify the economy of Columbia County and insure stable economic growth." This proposed home occupation is consistent with the Comprehensive Plan-Economy section in that it will generate income for the residents, which will likely be spent locally.

As stated in the summary, the subject property does not contain any steep sloped areas, floodplains, or landslide areas. The subject property is relatively flat and the natural features will not limit the proposed site development. With this information, staff finds that this proposal is consistent with the Columbia County Comprehensive Plan.

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 7: The proposed Type II Home Occupation will authorize the property owner to operate an auto body shop and vehicle painting business inside of a proposed 50'x100' shop structure located in the south central portion of the property. The proposed development and operation of an auto body and vehicle paint shop does not appear that it will alter the surrounding characteristics of the area. The applicant states that anticipated traffic increases will be between 1 and 3 additional trips per day. This will either be customers coming to the site for estimates or specific parts being delivered. The Columbia County Public Works Department submitted comments and stated that the applicant shall obtain a current Road Access Permit prior to the authorization of the proposed Home Occupation. Also, as previously stated, the applicant will be using the existing access to the property which currently meets fire apparatus and access standards as approved by Columbia River Fire and Rescue. The Columbia County Building Official also commented on the proposal and stated, in part, that the applicant shall obtain the appropriate commercial structural, electrical, plumbing, and mechanical permits. Also the structure shall be reviewed and inspected by the Building Official and Fire Marshal simultaneously to ensure that all building and fire codes are met.

With these conditions, staff finds that there will be minimal negative effects that will force significant changes in or increases in the cost of farm or forestry practices on adjoining properties. Staff finds that the proposal set forth for CU 21-05 will meet the criterion in Section 508.1.

Continuing with Columbia County Zoning Ordinance - Primary Forest :

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

Finding 8: Notice of this Land Use proposal was sent to Columbia River Fire and Rescue. In the submitted application the applicant included a driveway inspection done by Columbia River Fire and Rescue. In this inspection, the Fire Marshal stated that the existing driveway meets current fire apparatus and access standards. He also stated that the paint booth shall comply with the standards in NFPA 33. Also, the applicant will be able to establish and maintain a primary firebreak buffer entirely on his property as proposed. With this information, staff finds that the home occupation meets the criterion in Section 508.2. The proposed business should not increase fire hazards or fire suppression costs on the subject property with the conditions discussed in previous findings.

Existing Home on Subject Property



- .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
- .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 9: A notarized Waiver of Remonstrance (attached) against typical activities associated with adjacent properties' farm and forest practices shall be recorded with the County Clerk as a condition of final approval from CU 21-05. Also, as stated in Finding 6, the subject property does not contain any natural characteristics that would limit the proposed development. There are no flood hazard areas or creeks that require riparian setbacks. As stated previously, the proposed shop will be located in an area that does not require any additional timber to be harvested in order to obtain the full 30' primary firebreak buffer. Staff finds that this proposal is consistent with the applicable sections of the Columbia County Comprehensive Plan, as well as a condition stating that the applicant sign and record a Waiver of Remonstrance, this proposal is consistent with the provisions of CCZO Section 508.3 and 508.4.

Continuing with Columbia County Zoning Ordinance:

Section 1503 CONDITIONAL USES

[...]

- .4 Suspension or Revocation of a Permit: A Conditional Use Permit may be suspended or revoked by the Commission when any conditions or restrictions imposed are not satisfied.
- A. Conditional Use Permit shall be suspended only after a hearing before the Commission. Written notice of the hearing shall be given to the property owner at least 10 days prior to the hearing.
 - B. A suspended permit may be reinstated, if in the judgment of the Commission, the conditions or restrictions imposed in the approval have been satisfied.
 - C. A revoked permit may not be reinstated. A new application must be made to the Commission.

Finding 10: Though a Type II Home Occupation may be found to not jeopardize public health, safety and welfare now, it could evolve to do so in the future. Thus, compliance with all conditions and applicable standards will be required to ensure that the home occupation remains in compliance with all prescribed conditions and standards. Any departure from these conditions of approval and the approved plans constitutes a violation of this ordinance. In such circumstances this Conditional Use Permit will be subject to suspension or revocation. With this condition, Staff finds that this criteria will be met.

Existing Access off of Robinette Road



.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 11: As covered in Finding 2, Home Occupations are listed as an authorized Conditional Use in the PF-80 Zone per the definition in Section 505.1. The preceding sections of this report (Findings 2 through 9) detailed how the applicants' proposal complies with the specific criteria listed in Section 500 of the Zoning Ordinance. Staff finds that the proposed home occupation use meets the above criterion with conditions listed in this report.

- 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 12: The characteristics of the site, including but not limited to the existing dwelling, shop, driveway, location, and existence of utilities and infrastructure, make it suitable for the proposed home occupation. As stated previously, the proposed shop structure will be constructed in an area that is already cleared of timber. Columbia River Fire and Rescue has reviewed and approved the existing driveway from Robinette Road stating that it meets current fire apparatus and access standards. However, prior to the authorization of the home occupation, the applicant shall obtain a current Road Access Permit from the Columbia County Public Works Department.

With these findings and conditions of approval stated throughout this report, Staff finds that the proposal requested for CU 21-05 will be timely and can be supported by the site's existing facilities in compliance with this criterion for conditionally permitted home occupations.

- 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 13: Columbia County notified surrounding property owners of the subject proposal on April 2, 2021 and has yet to receive any objections about CU 21-05 as presented. As already covered in previous findings, Staff finds that the applicant's proposal will have little to no

impacts on surrounding properties. The proposed shop structure will be able to meet the full 30' primary firebreak buffer and will utilize the existing access and driveway to the property. The applicant states that the entire business will be conducted within the proposed shop structure and any activity that generates noise, the doors will be closed. Staff finds that this proposal meets the criterion in Section 1503.5(E) and will not alter the character of the surrounding area in ways that substantially limits, impairs or precludes this area's authorized resource and residential related land uses.

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

Finding 14: In the Comprehensive Plan, Part X addresses the economy of the County and states as the Goal "To strengthen and diversify the economy of Columbia County and insure stable economic growth." This proposed home occupation is consistent with the Comprehensive Plan-Economy section in that it will generate income for the residents, which will likely be spent locally. The subject proposal satisfies the goals and policies of the Comprehensive Plan, which apply to home occupations in the PF-80 Zone. Staff finds that this criterion has been met.

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

Finding 15: As stated in the summary, the County Building Official submitted comments and stated, in part, that the applicant will be required to obtain all necessary commercial permits, including but not limited to, structural, mechanical, electrical, and plumbing. The commercial structural permits shall be inspected by both the Building Official and Fire Marshal simultaneously to ensure compliance with the Oregon Structural Specialty Code and the Fire Code.

The County Building Official's comments which state, "*Approval will be required through Public Health for septic and sanitation. Electrical and plumbing will require permits and plan review as if commercial. Building garage will require plans and change of occupancy with associated fees. Egress will also be required*". With the condition of approval that the applicant obtain a Change of Occupancy for the existing attached garage, staff finds that this proposal should not result in the creation of any hazardous conditions. Staff finds that this criterion can be met with the conditions covered throughout this staff report.

- .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 16: Although the applicant is proposing to construct a 50'x100' structure on the subject property, Staff does not believe that a Site Design Review is warranted. The subject property is zoned for Primary Forest uses and requiring more permanent commercial development in conjunction with the Home Occupation could be found to change or alter the characteristics of the subject property/surrounding area.

Continuing with County Zoning Ordinance:

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. Signs are permitted as per Section 1300 of the CCZO.

Finding 17: As covered throughout this report, the requested Type II Home Occupation will enable the applicant to establish an auto body and vehicle paint business inside a proposed 50'x100' structure located in the south central portion of the subject property. As stated in the application, the applicant does not plan on having any non-resident employees to start with. He states that he has applied for a Type II Home Occupation in order to have the ability to employ non-resident employees once his business grows. Also, he plans on having a sign near Robinette Road which will be required to meet the applicable criteria in Section 1300 at the time of permit issuance. Staff finds that all of these provisions, related to the daily operation of the proposal, presented for CU 20-04 shall apply to the site for the lifetime of its duration and will be grounds of termination if they are not adhered to.

Continuing with CCZO 1507:

[...]

.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 18: Per the research and subsequent evaluations conducted throughout this report, staff finds that conditions of final approval for CU 21-05 will help to ensure that this proposal will not interfere with other uses permitted on adjacent rural residential and resource zoned properties. The applicant states that all auto body and paint work will occur within the proposed 50'x100' structure. Also, findings have been made throughout this report which detail how the proposal will not interfere with the surrounding property's farm, forestry, and mixed residential uses. The

criteria listed in CCZO Section 1507.3 shall be made a condition of approval to ensure compliance for the life of the applicant's proposal on the subject site. Staff finds that the criterion is met subject to conditions.

COMMENTS RECEIVED:

County Building Official: *Obtain all "commercial permits" for construction, with Oregon engineered plans for construction which meet the 2019 OSSC. All work and permits to be obtained by licensed contractors and trades, General contractor, electrician, plumbing and mechanical. Plan reviews will be required for structural, electrical, plumbing and mechanical. Exit signs with emergency egress lighting is required. Fire extinguishers per fire code required and specifications for equipment and exhaust. All inspections to be performed prior to cover and final inspection with Building Official and Fire Marshal together will be required.*

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

County Public Works Department: Applicant will need to obtain an access permit from the Public Works Department.

Columbia River PUD: Reviewed the application and had no objections to its approval as submitted.

Columbia River Fire & Rescue: No comments or objections have been submitted as of the date of this report. However, the applicant did include an approved driveway inspection, dated 1/27/21 with comments attached which state, "The structure is being built for auto body and pain business. An NFPA 33 compliant spray booth would be required".

Oregon Department of Environmental Quality – Air: Submitted comments on 5/21/21 and stated, "*DEQ Air Quality permit applications require a complete signed land use compatibility statement to be deemed 'complete' if the application meets all applicable requirements, DEQ is compelled to issue the permit*".

St. Helens – Columbia City CPAC: As of the date of this report, no comments have been received.

No further comments from agencies, citizens or otherwise have been received regarding this proposal as of the date of this staff report, May 26, 2021.

CONCLUSION, RECOMMENDATION & CONDITIONS:

Based on the comments, facts and findings of the Staff Report for CU 21-05 Staff recommends the Planning Commission **APPROVE** this **Conditional Use Permit for a Type II Home Occupation** to allow the property owner to operate an auto body and vehicle paint business subject to the following conditions:

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. Extensions of time may be granted by the Planning Director if requested in writing with the appropriate fee before the expiration date, given the applicant is not responsible for failure to commence with the proposal.
2. All work resulting from this Home Occupation permit shall be conducted either inside of the existing house or within the proposed 50'x100' structure.
3. Compliance shall be maintained with all of 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 business generates not more than 20 customer vehicle trips to the property per week.
 - E. 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 and
 - F. A home occupation shall not unreasonably interfere with other uses permitted in the zone in which the property is located.
4. The applicant 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.
5. The applicant shall obtain a current Road Access Permit from the County Public Works Department.
6. The applicant shall submit a Commercial Building Permit Application to Land Development Services for the proposed 50'x100' shop structure. The County Building Official will review and approve the proposed structure for compliance with the applicable provisions of the Oregon Structural Specialty and Fire Codes.
7. The applicant shall obtain all necessary permits for the home occupation facility including plumbing, mechanical, electrical, and structural permits. All necessary improvements shall be approved by the County Building Official and the Columbia River Fire and Rescue Fire Marshal prior to the commencement of any commercial operation authorized through CU 21-05. This inspection includes the proposed paint booth.

8. The applicant shall obtain a current Department of Environmental Quality Air Quality permit to ensure that the proposed auto body shop and paint booth have proper air filtration devices. If no permit is required from DEQ, the applicant shall submit documentation from DEQ stating that no review is required. The applicant shall obtain this approval or documentation prior to the authorization of CU 21-05.
9. 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 in accordance with the procedures of the Columbia County Zoning Ordinance.

ATTACHMENTS:

Submitted CU 21-05 Application & Site Plan

Zoning, Address, and Vicinity Maps

Waiver of Remonstrance

CONDITIONAL USE PERMIT APPLICATION
Home Occupation

TYPE: _____ Type I Type II

APPLICANT: Name: Rick Goodnight

Mailing address: 61010 Robinette Rd. St. Helens OR. 97051
City State Zip Code

Phone No.: Office 503-380-7895 Home 503-397-0603

Email: Stealth-rick@yahoo.com

Are you the property owner? _____ owner's agent?

PROPERTY OWNER: same as above, OR:

Name: Rick Goodnight

Mailing address: 61010 Robinette Rd. St. Helens OR. 97051
City State Zip Code

Phone No.: Office 503-380-7895 Home 503-397-0603

Email: stealth-rick@yahoo.com

PROPERTY ADDRESS: 61010 Robinette Rd. St. Helens OR. 97051
City State Zip Code

TAX ACCOUNT NO.: 513D-000-02503 Acres: 5 Zoning: PF-80

(Act # 17432) Acres: _____ Zoning: _____

Acres: _____ Zoning: _____

PRESENT USES: (farm pasture, forest, residential, etc.)

Use:	Approx. Acres
<u>Hay</u>	<u>4</u>
<u>Residential</u>	<u>1</u>
_____	_____
_____	_____

Total acres (must agree with above): 5

File No. CU _____
Fee: _____

WATER SUPPLY: Private well. Is the well installed? Yes _____ No
_____ Community system. Name _____

METHOD OF SEWAGE DISPOSAL: _____ Community Sewer Name _____
_____ Not applicable
 Septic System
If Septic, does the subject property already have a system? Yes _____ No
If no, is the property approved for a Septic System? _____ Yes _____ No

EMPLOYEES: For any business, how many expected full or part-time employees will you have, including yourself and family members: 1.

CONTIGUOUS PROPERTY: List all other properties you own which have boundary lines touching this property:

<u>Tax Account No.</u>	<u>Acres</u>	<u>Co-owners (if any)</u>
_____	_____	_____
_____	_____	_____

ACCESS CONSULTATION: The applicant has consulted with the local Rural Fire Protection District regarding emergency apparatus access.

Fire Official's Signature: _____ Date: _____

CERTIFICATION:

I hereby certify that all of the above statements, and all other documents submitted, are accurate and true to the best of my belief and knowledge.

Date: 1-20-2021 Signature: [Signature]

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Planning Department Use Only

Date Rec'd. 2/3/21 Hearing Date: _____
or Administrative _____

Receipt No. 394203

Zoning: PF-40 Staff Member: DJ

Previous Land Use Actions: _____

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CONDITIONAL USE PERMIT FACT SHEET

Please attach extra pages if necessary.

1. New Uses: What new uses will occur on the property if this Conditional Use Permit is approved? Describe your project.

Vehicle Repair, Autobody, Painting. Proposed shop is to be used for these activities.

I propose to have a sign to meet standards. My business may grow to having non-Residential employees but will not be over 5 employees at one total point.

2. Suitability: Why is the property suitable for this use (considering lot size, shape and location, access and roads, natural features and topography, existing improvements, etc.)?

My home Property to work from home. Has plenty of room in Proposed shop with Parking. My driveway enters directly from Rabinette Rd.

3. Compatibility: How will the use be compatible with surrounding uses?

There is no other Surrounding uses. This is a mixed residential zone and my closest neighbors home is approximately 350' away.

4. Impact: What impact will the proposed use have on existing public facilities, or on your neighbors' use of their land? Why?

No impact on neighbors and no use of their land. Proposal shop will be facing away from all neighbor homes to keep noise from affecting them, hours of operation will be 8:00 - 5:00. Painting will be contained in a paint booth. No large delivery vehicles, I pick up large parts from vendors.

5. Hazards: Does the proposed use create any hazardous conditions or use any poisonous materials? Please describe them.

Painting will be done. Paint booth will be installed w/ code equipment, paint storage will be minimal amounts of paint, but stored properly.

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Submission: All of the following must be completed and submitted for a complete application:

1. The attached HOME OCCUPATION CONDITIONAL USE PERMIT APPLICATION.
2. Answers to the above questions.
3. An accurate site plan of your property including property lines and dimensions, all existing and proposed structures, septic tank and drain field and well locations, prominent natural features (slopes, cliffs & streams, etc.), roads, easements, and forested areas.
4. Proof of legal usable access to your property (unless you can show an unobstructed frontage on a public or county road or on a state highway).
5. A vicinity map.
6. The application fee.
7. Please also address the criteria (on a separate sheet of paper) of Section 1503, Conditional Uses, from the Columbia County Zoning Ordinance. (See below and Section 1507.)

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Section 1503, Conditional Uses:

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;
- 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 of existing or planned for the area affected by the use;
- 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 the surrounding properties for the primary uses listed in the underlying district;
- F. The proposal satisfies the goals and policies of the Comprehensive Plan which apply to the proposed use;
- G. The proposal will not create any hazardous conditions.

1507 HOME OCCUPATIONS [amended 3-2000]

Land Development Services or the County Planning Commission (or the County) may allow the establishment of a Type 1 or Type 2 home occupation in any zone that allows residential uses. The following provisions shall apply:

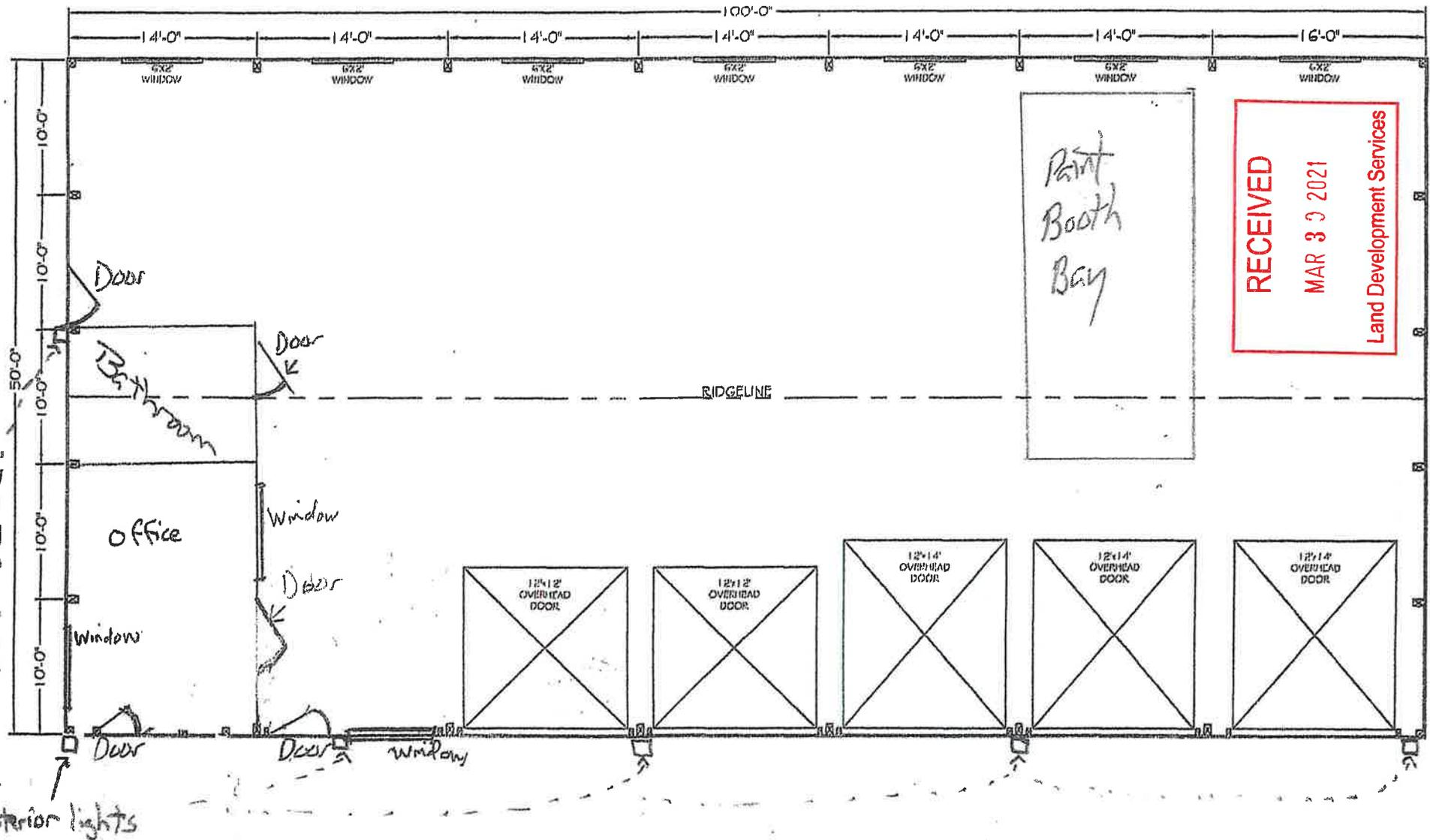
1. Type 1: A Type 1 home occupation is reviewed administratively by Land Development Services and presents no indication of a business to the neighboring property owners. In addition to the general criteria in Subsection 1507.3, the following criteria shall apply to a Type 1 home occupation:
 - A. It shall be operated by a resident of the property on which the business is located.
 - B. No non-residents shall be employed on the property.
 - C. The business generates not more than 20 customer vehicle trips to the property per week.
 - D. Signs are not permitted.

NOTE: Kennels are Type 2 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.
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.

CUSTOMER SIGNATURE _____

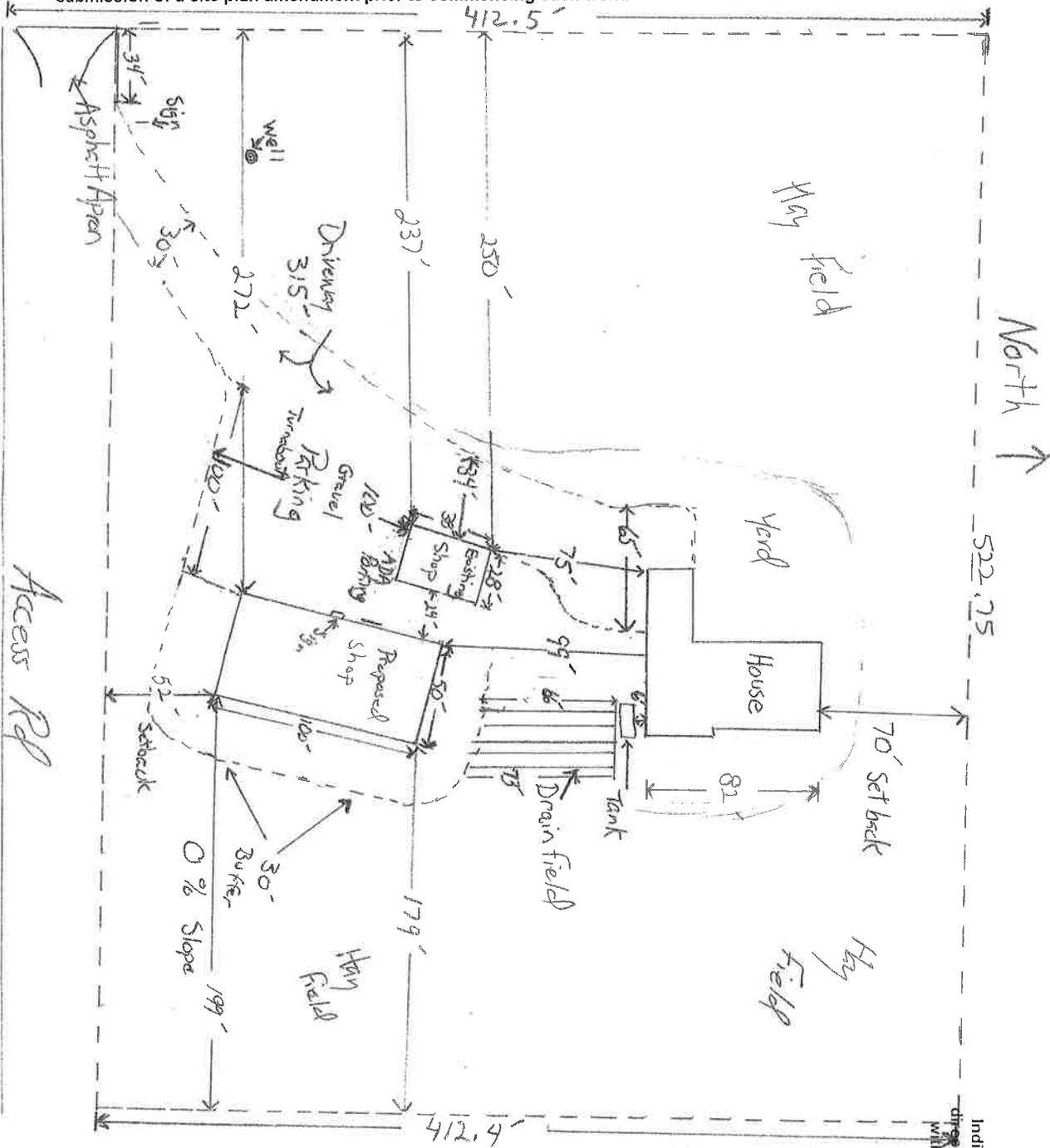
DATE _____



SITE PLAN SUBMITTAL FORM

OWNER NAME: Rick Goodnight PHONE # 503-380-7895 ADDRESS: 6101 D Kobnetter Rd, St. Helens, OR, 97051	Map and Taxlot #: 5130-000-02503 Scale: 1" = 50'	APPLICANT NAME: Rick Goodnight PHONE # 503-380-7895 ADDRESS: 6101 D Kobnetter Rd, St. Helens, OR, 97051
--------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------

NOTICE: The applicant is ultimately responsible for completing new work in accordance with this site plan once approved. Approval of construction inspections shall not be construed as approval of work not in accordance with this site plan. Work that deviates from this site plan shall be formally documented and approved through submission of a site plan amendment prior to commencing such work.



Indicate which direction is north with an arrow

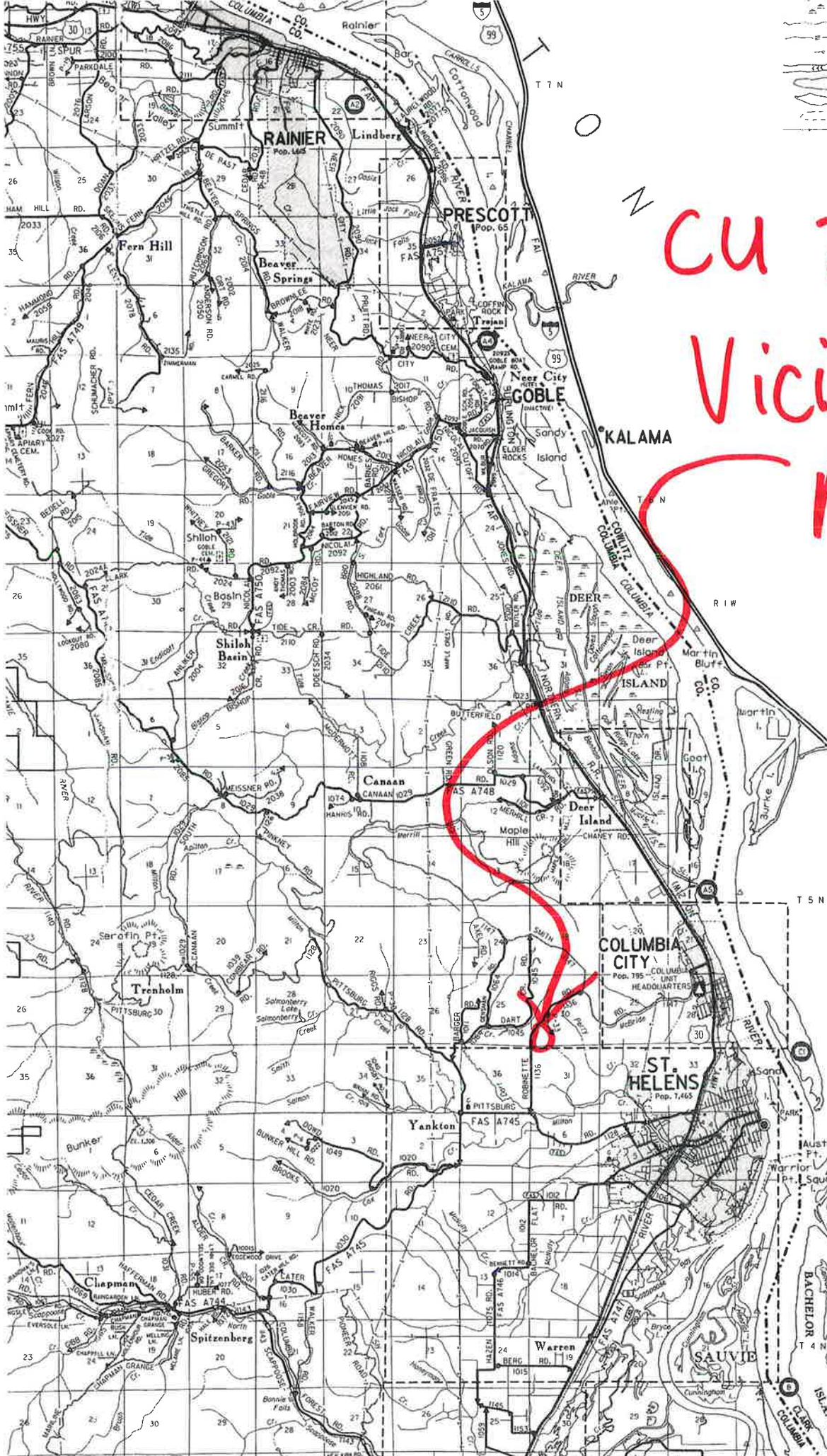
RECEIVED
 MAR 30 2021
 Land Development Services

Rick Goodnights Land use home application.
More information requested.
Map/Tax lot 5130-000-02503

1. Site map has been redone.
2. Noise will be contained to the insulated shop and doors closed when loud work is performed. Doors are facing away from all visible neighbors as well. Dust will be contained to the shop and swept up regularly for a clean environment. certified paint booth will be used to contain paint particles and to keep the smell minimal.
I have been in this business for 40 years and have maintained 2 paint booths in different locations, one at Clark Signs in Scappoose where I presently conduct business for 33 years and one in Portland at Wabash Trailers where I worked for 12 years running the paint department. I trained new employees to paint, Resporator fit and usage and PPE and usage. I was the lead safety for the mechanic side of the shop as well for the 12 years i worked there conducting monthly safety meetings on various topics documenting them and dealing with the fire marshall and OSHA when there were visits from them.
4. As a sole worker in my business there is minimal hazardous waste accumulated being simple paint gun cleaning thinner contained in metal gallon cans labeled and disposed of at waste management on their hazardous waste days. Paint and thinner will be stored in a metal storage cabinet and or container. No vehicle fluids will be stored on site, only purchase these items for the vehicle being worked on. Any vehicles coming in on a tow truck which is not very often if there is any fluids leaking will be contained in drip pans, poured into containers, labeled and taken to waste management for disposal.
5. Traffic will be minimal to 1 to 3 vehicles per day coming and going for work or an estimate. Plenty of parking in front of the shop and existing shop with handicap parking close to office. Most vehicles are driven by customers to have repairs done and once in a while towed in by a tow truck. hours of operation are 8:00 am to 5:00 pm monday through friday mostly.
6. There will be no garbage seen outside of shop. I have an enclosed trailer to store all garbage and broken car parts then they will be taken to waste management when it is full.
7. There will be lighting on the front and side of shop, lights are to match the ones on the existing shop and home which are decorative fixtures not too bright as to look like a parking lot.
8. There will be a small sign at the entry way of the driveway sizing will be 2'x3' non illuminated. Probably a small sign on the front of the shop 1'x4'.



-  MARSH
-  INTERMITTENT STREAM
-  STREAM WITH FALLS
-  SPRING-WELL
-  RIVER WITH RAPIDS
-  LAKE, POND, OR RESERVOIR
-  LAKE, POND, OR RESERVOIR WITH DAM
-  INTERMITTENT LAKE OR POND
-  IRRIGATION OR DRAINAGE DITCH



CU 21-05

Vicinity
Map

ARRANGEMENT OF SHEETS

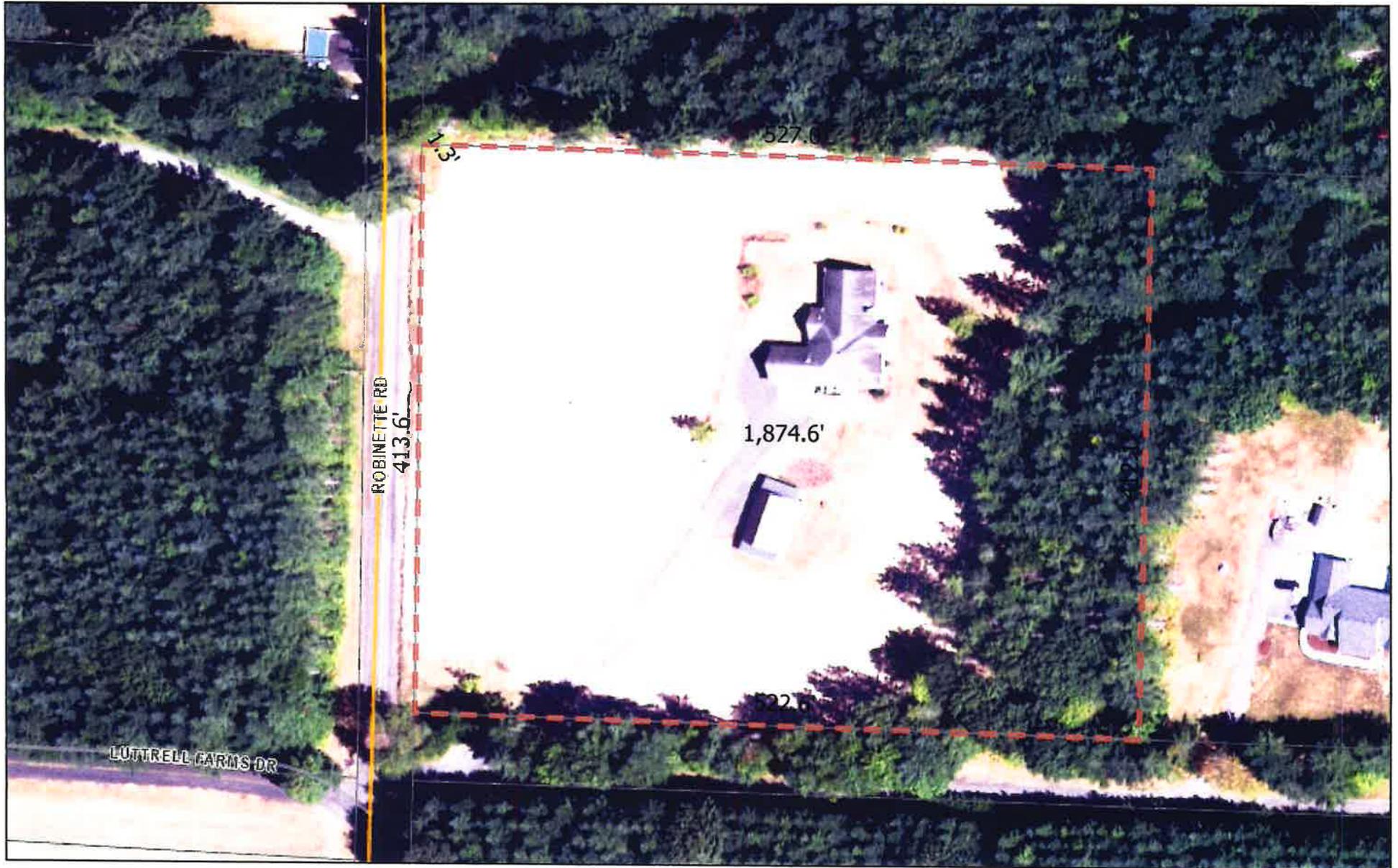


Population of Columbia

KEY TO (

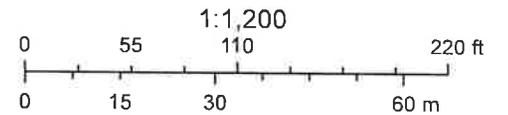


ROAD II
COLUMBI
OR



2/3/2021 1:19:03 PM

- Override 1
- Taxlots
- Minor Roads
- Arterial Roads
- Oregon State Aerial - 2018
- Red: Band_1
- Green: Band_2
- Blue: Band_3



Oregon Statewide Imagery Program (OSIP) - Oregon Imagery Framework Implementation Team, Sources: Esri, HERE, Garmin, Intermap, increment P

CS 5587

CS 5587

Narrative

The purpose of this survey is to facilitate a property line adjustment between tracts of land described in Deed Bk. 45, Pg. 99 and the previously adjusted tract of land described in Instrument No. 97-00171.

Basis of bearings is along the South line of the Southwest quarter of the Southwest quarter of Section 30 per County Survey No. 4531. I held the monuments found at points A and B as original monuments per County Survey No. 4531. I monumented the adjusted tract of land as directed by the Client. The Columbia County Land Development Services File No. is PLA 08-01.

Legend

- Denotes monument found as noted.
- ⊙ Denotes 5/8" iron rod with yellow plastic cap marked "DEWEY SURVEYING INC" found per County Survey No. 4531.
- Denotes 5/8"x30" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC" set.
- [1] Denotes record data per County Survey No. 3749 (Grant Chandler for Alcoc Mining-no date given).
- [2] Denotes record data per County Survey No. 4531. (Dewey, October 1998).
- [3] Denotes record data per Instrument No. 99-10612.

Record of Survey
 Property Line Adjustment
 For Joe Luttrell
 Situated in The S.W. 1/4
 Section 30, T.5N.,R.1W.,W.M.
 Columbia County, Oregon
 June 20, 2008

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

David E. Reynolds

OREGON
 JULY 26, 1985
 DAVID E. REYNOLDS
 2157

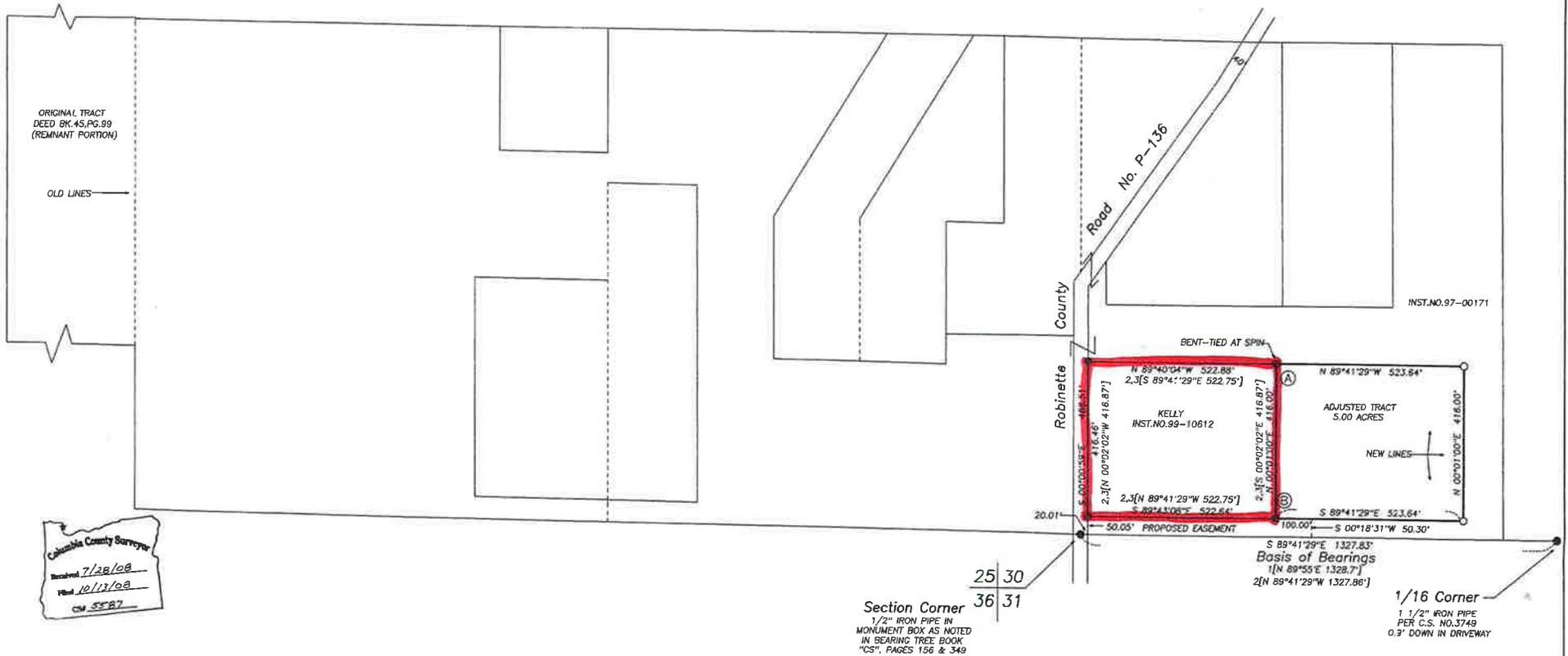
RENEWAL DATE: 12-31-2008



Scale: 1"=200'

CF:08038L
SF:08038L
FB:98

Reynolds
 Land Surveying, Inc.
 32990 Stone Road
 Warren, Oregon 97053
 (503) 397-5516



Columbia County Surveyor

Received 7/28/08

Filed 10/13/08

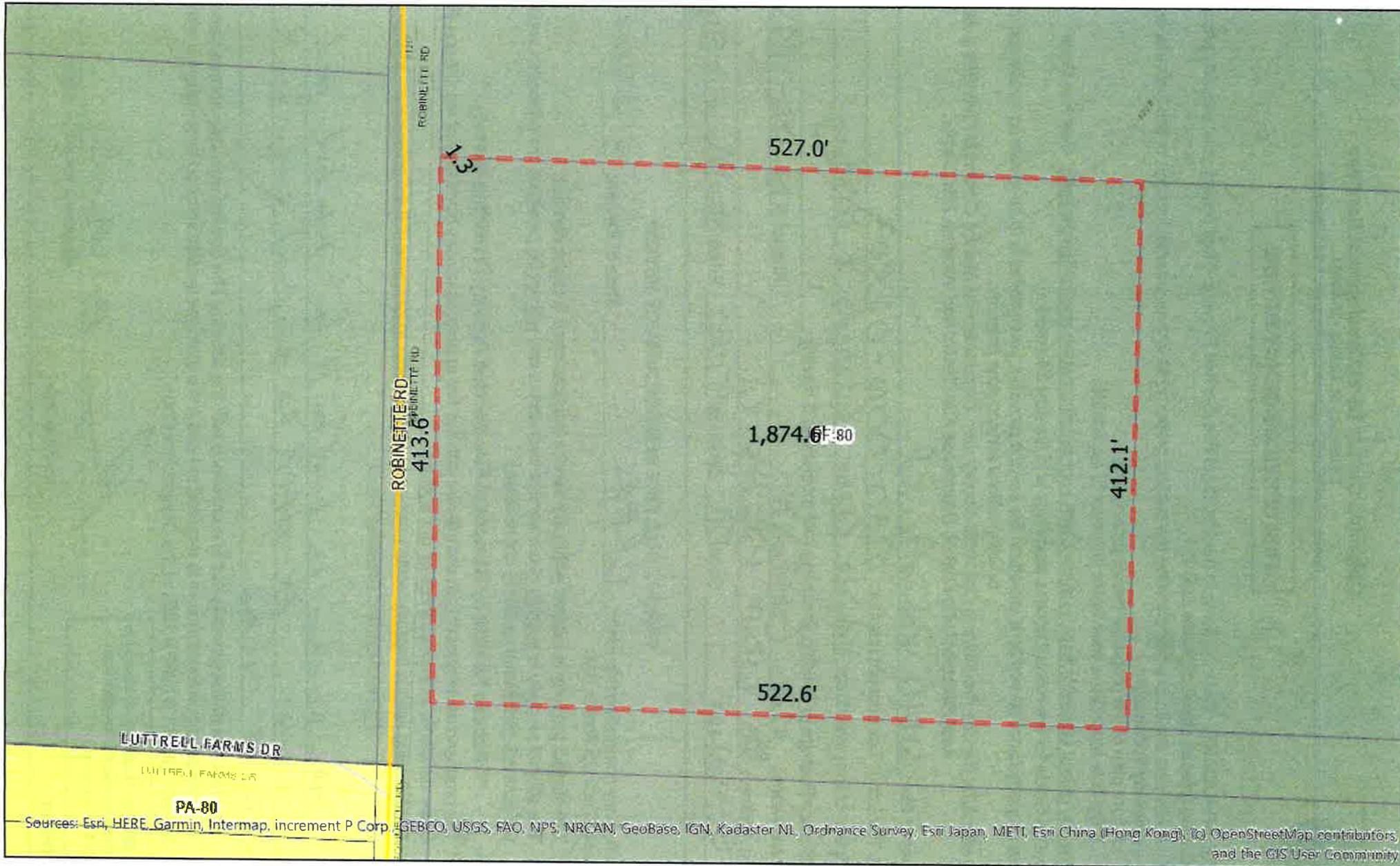
CS 5587

CS 5587

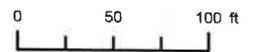
CS 5587



CU 21-05 Zoning



2/3/2021 1:18 PM



Disclaimer: This map was produced using Columbia County GIS data. The GIS data is maintained by the County to support its governmental activities and is subject to change without notice. This map should not be used for survey or engineering purposes. Columbia County assumes no responsibility with regard to the selection, performance or use of information on this map



Columbia County Land Development Services

230 Strand, St. Helens, OR 97051

Phone: 503-397-1501 Inspection Request: 1-888-299-2821

FIRE SERVICE AGENCY REVIEW

TO THE APPLICANT: Take this form to the Structural Fire Service Provider * that serves your property along with the following (please check off items below):

- Checked boxes: A site plan drawn to scale showing the subject property, its improvements, location of fire hydrants and driveway information; A floor plan of the proposed development; and
Unchecked box: A fire flow report from your water purveyor (if applicable)

After the fire official signs this form. Include it with your building permit application material. See Fire Code Application Guide for fire-related access standards and fire flow information.

*If your property is not served by a structural fire service provider, your project is to be reviewed by the appropriate building official serving your property.

The structural Service Providers in Columbia County are: Clatskanie Fire District, Columbia River Fire & Rescue, Mist-Birkenfeld Fire District, Scappoose Fire District and Vernonia Fire District.

Address of Site: 61D10 Robinette Rd

Map & Tax Lot or Tax account number: 5130-000-02503

Description of Proposed Use: Vehicle Repair, Autobody & Painting

Total Square Footage of Building (including roof projections & eaves):

Applicant Name: Rick Goodnight Phone: 503-380-7895

Mailing Address: 61D10 Robinette Rd.

City: St. Helens State: OR Zip Code: 97051 Email: Stealth_rick@yahoo.com

STRUCTURAL FIRE SERVICE AGENCY REVIEW

Fire Agency completing this form: CRFR Date of Review: 01/27/2021

Please check applicable box:

- Checked box: The subject property is located within our service boundaries or is under contract.
Unchecked box: The subject property is outside of our service boundaries and will not be providing fire protection services via contract. (Additional review is not needed.)

** Access Review by Structural Fire Service Agency Providing Service **

- Checked box: The proposed development is in compliance with the fire apparatus access standards of the Oregon Fire Code standards as implemented by our agency.
Unchecked box: The following access improvements must be completed prior to issuance of the Certificate of Occupancy.
Unchecked box: See Attached Driveway Form

The structure is being built for auto body and paint business, An NFPA 33 compliant spray booth would be required

- Unchecked box: The proposed development is not in compliance with the adopted Fire Service Agency's access standards.
Unchecked box: The proposed building/structure is required to have a fire sprinkler system installed in compliance with Section 903.3.1.3 (NFPA 13D) of the Oregon Fire Code.

Fire Official: Please sign or stamp the presented Site plan & floor plan and attach it to this form.

Signature & Title of Fire Official

**Columbia County
Fire Service Road Improvement Inspection
For Roads over 150 feet in Length**

Owner Name Rick Goodnight Phone (503) 380-7895 Email stealth_rick@yahoo.com

Property Address 6100 Robinette Rd OR Tax Map Number 5130-000-02503

Applicant _____ Phone () _____ Email _____
(If other than the Property owner)

FIRE SERVICE PERSONNEL AND DRIVEWAY INSPECTORS TO COMPLETE BELOW THIS LINE ONLY

- | YES | NO | N/A | |
|-------------------------------------|-------------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | All paperwork identified and complete. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the grade within the applicable standard (Less than 12 % or up to 15% for less than 200 feet)? <i>OFC 503.2.7 & D103.2</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is paving required for this driveway? <i>County Ordinance</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the driveway over 17%? If so an NFPA 13D system is required. <i>County Ordinance, OFC 503.2.7 & D103.2</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | If the driveway serve more than one home are address signs posted at the driveway and the house? <i>County Ordinance</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | If there is a bridge or culvert, Has the weight limit been posted? <i>OFC 503.2.6</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the roadway subject to runoff? If so, has drainage been mitigated? <i>OFC D103.3.1</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the driveway more than 400 feet? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | If so, are turnouts installed (20' wide by 40' long)? <i>County Ordinance</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Has an emergency vehicle turnaround been installed or identified? <i>OFC 503.2.5 & D103.4</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the roadway 12 feet wide with 4 feet of clearance on each side (20 feet total clearance)? <i>County Ordinance & OFC 503.2.1</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the address posted on the building and access road? <i>OFC 505</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | If there is a locked access is a fire department approved lock or access been installed? <i>OFC 503.4, 503.6, 506 & D103.5</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the angle of departure or approach within limits? <i>OFC 503.2.8</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the vertical clearance at 13' 6"? <i>OFC 503.2.1</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | All turning radius greater than 45 feet on corners & curves of more than 30 degrees? (Gravel required full 20' width) <i>OFC D103.3</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | If there is a bridge, are the weight limitations posted on the entrance side? <i>County Ordinance OFC 503.2.6</i> |

Comments and required Improvements: Driveway meets all requirements.

First Inspection Fire Official: [Signature] Date: 01/27/01 Agency: CRCR

Re-Inspection Fire Official: _____ Date: _____ Agency: _____

Final Inspection Fire Official: _____ Date: _____ Agency: _____

- Improvement needed, access not granted
- Temporary Access Granted with re-inspection prior to occupancy
- The roadway improvements meet the access for fire service equipment.

