

ADOPTED PLAN AMENDMENT

ADOPTED AUTO NO:	13650	PROPOSED PA AUTO NO:	14926
JURISDICTION ABB:	ACOLU	JURISDICTION :	COLUMBIA COUNTY
DLCD FILE NO:	001-06	LOCAL FILE # :	PA 06-01/ZC 06-01
ADDITIONAL PROPOSAL FILE:	N	PROPOSED :	Y
DATE ADOPTED:	6/14/2006	TOTAL TIME SPENT ON REVIEW:	0.17
DATE ADOPTION RECEIVED:	7/7/2006	DATE LETTER SENT ON PROPOSAL:	None
DATE ADOPTION NOTICE SENT:	7/13/2006		
APPEAL DEADLINE:	7/27/2006	APPEAL FILED:	
LUBA No. :		APPEAL DECISION:	

Amend the Comprehensive Plan Map and (Zoning Map) from Community Service (CST) to Rural Residential (RR-2) for 0.95 acres located at 76845 Schroeder Road, Clatskanie. Applicant would like to change the Marshland Grange Hall into a residence.

AMENDMENT TYPE: M M = Map; T = Text; B = Both
 O 2006-5 PLANMAP
 ZONEMAP

LOCATION: Marshland, west of Clatskanie Highway 30

# OF AREAS:	1.00	ORIGINAL USE	UCOMMM	NEW USE	URES	ACRES	0.95
			UCOMMM		URES2		

DESCRIPTION :
 Same.

LOCALLY IDENTIFIED AGENCIES
 Clatskanie Fire District.

DATE PROPOSAL RECEIVED :	1/11/2006	DAYS NOTICE OF EVID. HEARING:	
FIRST EVIDENTIARY HEARING DATE :	3/6/2006	DAYS NOTICE :	
FINAL HEARING DATE :		CONTACT PHONE # :	503-397-7222 EXT:
LOCAL GOV CONTACT :	Kevin Provance	NUMBER OF AMEND :	2
DATE PRO. NOTICE SENT :			

PROPOSAL REVIEW

PART. NOTICE SENT :		DEPT. PART. :	YA
GOALS: 2, 4			
ASREVIEWER : GF	ASREVIEWER2 :	TIME SPENT ON REVIEW :	0.17
FINAL DATE :02/09	MAIL DATE : 02/10	FAX DATE :02/17	
RESPONSE SENT : None	ASSUPERVISOR :	ASRESPONSE :	No comment



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

July 13, 2006

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Columbia County Plan Amendment
DLCD File Number 001-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: July 27, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Doug White, DLCD Community Services Specialist
Gary Fish, DLCD Regional Representative
Glen Higgins, Columbia County

<paa> ya/

FORM 2

DLCD NOTICE OF ADOPTION

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18

(See reverse side for submittal requirements)

DEPT OF

JUL 07 2006

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: Columbia County Local File No. PA 06-01 ZC 06-01 Ordinance No. 2006-5
(If no number, use none)

Date of Adoption: June 14, 2006 Date Mailed: July 5, 2006
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: January 9, 2006

Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment

Land Use Regulation Amendment Zoning Map Amendment

New Land Use Regulation Other: _____

(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Comprehensive Plan Map Amendment and Zone Change from a Community Service
designation (an old Grange Hall) to a Rural Residential designation. Owner
will remodel and use as a residence.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

Same

Plan Map Changed from: Community Service to Rural Residential

Zone Map Changed from: CSI to RR-2

Location Marshland, West of Clatskanie Hwy 30 Acres Involved: 0.95 acre

Specify Density: Previous: Already platted New: same

Applicable Statewide Planning Goals: Goal 2 Land use planning

Was an Exception Adopted? Yes: No:

DLCD File No.: 001-06(14926)

Did the Department of Land Conservation and Development **receive** a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: _____

Local Contact: Glen Higgins Area Code + Phone Number: 503-397-7217

Address: Columbia County Courthouse 230 Strand St City: St Helens, Oregon

Zip Code+4: 97051 Email Address: higginh@co.columbia.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Mara.Ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

Todd Dugdale

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of an Application by Tim Crouse)
for a Comprehensive Plan Amendment and Zone)
Change from Community Service-Institutional) **ORDINANCE NO. 2006 - 5**
to Rural Residential (RR-2))
_____)

The Board of County Commissioners for Columbia County, Oregon, ordains as follows:

SECTION 1. TITLE.

This Ordinance shall be known as Ordinance No. 2006 - 5.

SECTION 2. AUTHORITY.

This Ordinance is adopted pursuant to ORS 203.035, ORS 215.050, and ORS 215.060.

SECTION 3. PURPOSE.

The purpose of this Ordinance is to approve the application of Tim Crouse for a Comprehensive Plan Amendment from Community Service to Rural Residential and for a Zone Change from Community Service-Institutional to Rural Residential (RR-2) for approximately .95 acres having tax account number 7510-011-03500.

SECTION 4. HISTORY.

Tim Crouse applied for a Comprehensive Plan Amendment from Community Service to Rural Residential and a Zoning Map Amendment from Community Service-Institutional (CS-I) to Rural Residential-2 (RR-2) for an approximately .95 acre parcel on Schroeder Road in the Clatskanie Area, on November 15, 2005. The Columbia County Planning Commission held a hearing on the application on March 6, 2006, and voted to recommend approval of the application to the Board of County Commissioners. On March 9, 2006, David Middle, Planning Commission Chair, signed Final Order PA 06-01, recommending approval of the application to the Board of County Commissioners, with one condition of approval.

On May 17, 2006, the Board of County Commissioners held a hearing on the application. At the hearing, Todd Dugdale, Director, presented the Staff Report into the record which listed criteria to be considered and contained the Department's proposed findings of fact, conclusions of law and recommendations. No testimony was offered into the record. After considering the evidence and testimony, the Board voted to tentatively approve the application.

SECTION 5. FINDINGS.

The Board of County Commissioners adopts the Staff Report to the Board of County Commissioners dated May 11, 2006, which is attached hereto as Attachment 1, and is incorporated

RECEIVED
COLUMBIA COUNTY
JUN 26 2006
LAND DEVELOPMENT
SERVICES

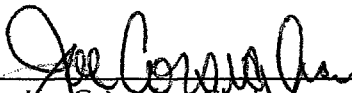
herein by this reference.

SECTION 6. AMENDMENT AND AUTHORIZATION.

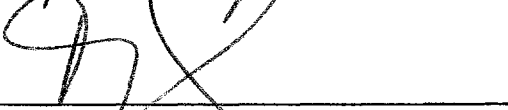
- A. The Comprehensive Plan Map designation is hereby amended from Community Service to Rural Residential for an approximately .95 acre parcel having tax account number 7510-011-03500 as legally described in Attachment 2, which is attached hereto and is incorporated herein by this reference.
- B. The Zoning Map designation is hereby amended from Community Service-Institutional (CS-I) to Rural Residential-2 (RR-2) for an approximately .95 acre parcel having tax account number 7510-011-03500 as legally described in Attachment 2.
- C. This approval is subject to the following condition: Prior to obtaining a building permit, the Applicant shall obtain septic system approval from the County Sanitarian.

Dated this 14th day of June, 2006.

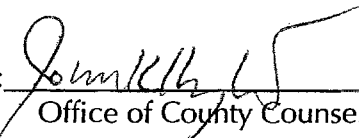
BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Joe Corsiglia, Chair

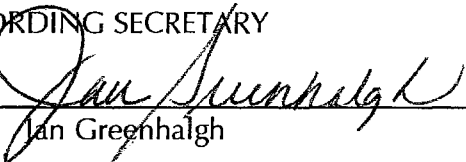
By: 
Rita Bernhard, Commissioner

By: 
Anthony Hyde, Commissioner

APPROVED AS TO FORM

By: 
Office of County Counsel

RECORDING SECRETARY

By: 
Jan Greenhalgh

First Reading: 5-31-06
Second Reading: 6-14-06

S:\COUNSEL\LD5\CROUSE ORDINANCE.wpd



BOARD COMMUNICATION

FROM THE LAND DEVELOPMENT SERVICES DEPARTMENT

MEETING DATE: **May 17, 2006 Regular Meeting**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Todd Dugdale, Director of Land Development Services ^{AD}

**SUBJECT: Comprehensive Plan Amendment and Zone Change
Marshland Grange Hall property to Rural Residential**

DATE: May 12, 2006

SUMMARY: Tim Crouse has applied for a Comprehensive Plan Amendment from Community Service to Rural Residential and a Zoning Map Amendment from Community Service - Institutional (CS-I) to Rural Residential (RR-2) to permit residential use of the old Marshland Grange building located on a .95 acre parcel on Schroeder Road in the Clatskanie area (Tax Lot No. 7510-011-03500).

The structure was built in the 1920s and has been used as a school house and grange hall for many years, but the building has remained vacant for quite some time. He would like to remodel the old structure for residential use.

The subject property is adjacent to the old platted Marshland Homes Subdivision of very small lots, less than 100' by 100'. Over the years this surrounding area has developed into residential use, and in 1984 the County zoned the area rural residential, with the exception of the Marshland Grange Hall property was zoned Community Service (CSI).

Staff recommends approval of this Plan Amendment and Zone Change because the new zoning would be compatible with the surrounding area, the Marshland Grange Hall is no longer used for meeting purposes and if the structure were to remain vacant it would deteriorate and eventually become unusable for anything.

ATTACHMENTS:

1. Board of Commissioners Staff Report;
2. Legal Description Exhibit "A";
3. Application, with maps;
4. All correspondence received to date.

COLUMBIA COUNTY

MAY 12 2006

COUNTY COUNSEL



COLUMBIA COUNTY BOARD OF COMMISSIONERS

STAFF REPORT

May 11, 2006

Plan Amendment & Zone Change (File No. PA 06-01)

HEARING DATE: May 17, 2006

APPLICANTS: Tim Crouse
949 Elochoman Valley Road
Cathlamet, Washington 98612

OWNER: Same as Above

PROPERTY LOCATION: 76845 Schroeder Road
Clatskanie, Oregon 97016

REQUEST: Plan Amendment of Comprehensive Plan Map from Community Service to Rural Residential and a zone change of the Official Zoning Map from Community Service - Institutional (CS-I) to Rural Residential (RR-2).

TAX LOT: 7510-011-03500

PRESENT COMP PLAN DESIGNATION: Community Service

PROPOSED COMP PLAN DESIGNATION: Rural Residential

PRESENT ZONING: Community Service - Institutional (CS-I)

PROPOSED ZONING: Rural Residential (RR-2)

REVIEW CRITERIA:		<u>Page</u>
CCZO, Section 1605,	Zone Change, Major Map Amendment	2
CCZO, Section 1502,	Zone Changes	3
TABLE 1:	Surrounding Parcels and Uses	6
ORS 197.610	45 Day Notice to DLCD	7
CCZO, Section 1608,	Contents of Notice	8

BACKGROUND:

The applicant proposes to re-zone the property by amending the Official Comprehensive Plan Map designation from Community Service to Rural Residential and to amend the Official Zoning Ordinance Map from Community Service - Institutional (CS-I) to Rural Residential (RR-2) in order to convert the existing 4,800 square feet Marshland Grange Hall into a single family home on the subject property. The proposed acreage to be rezoned is approximately .95 acres.

The subject property is surrounded by the Rural Residential (RR-2) Zone and is adjacent to the Marshland Homes Subdivision on Schroeder Road and Old Columbia River Highway in Clatskanie, Oregon.

FINDINGS:

This request is being processed under Section 1605 of the Zoning Ordinance. The pertinent sections of the ordinance are as follows:

1605 Zone Change - Major Map Amendment: The hearing for a major map amendment shall follow the procedure established in Sections 1502, 1502.1, 1502.1A and 1502.1B. This hearing cannot result in the approval of a major map amendment. The Commission may make a recommendation to the Board of Commissioners that such a zone change be granted. Approval by the majority of the Commission is necessary in order to make recommendation to the Board of Commissioners. The Board of Commissioners hearing on the proposed zone change - major map amendment will be on the record unless a majority of the Board votes to allow the admission of new evidence.

1502 Zone Changes (Map Amendments): There are two types of Zone Changes which will be considered by the Commission: Major Map Amendments and Minor Map Amendments.

.1 Major Map Amendments are defined as a Zone Change which requires the Comprehensive Plan Map to be amended in order to allow the proposed Zone Change to conform with the Comprehensive Plan. The approval of this type of Zone Change is a two step process:

A. The Commission shall hold a hearing on the proposed Zone Change, either concurrently or following a hearing, on the proposed amendment to the Comprehensive Plan which is necessary to allow the proposed zoning to conform with the Comprehensive Plan. The Commission may recommend approval of a Major Map Amendment to the Board of Commissioners provided they find adequate evidence has been presented at the hearing substantiating the following:

1. The proposed Zone Change is consistent with the policies of the Comprehensive Plan;
2. The proposed Zone Change is consistent with the Statewide Planning Goals (ORS 197); and
3. The property and affected area is presently provided with adequate facilities, services, and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.

B. Final approval of a Major Map Amendment may be given by the Board of Commissioners. The Commissioners shall hold a hearing on the proposed Zone Change either concurrently or following a hearing on the proposed Comprehensive Plan Amendment which is necessary to allow the proposed zoning to conform with the Comprehensive Plan. The Board may approve a Major Map Amendment provided they find adequate evidence has been presented substantiating the following:

1. The proposed Zone Change is consistent with the policies of the Comprehensive Plan;
2. The proposed Zone Change is consistent with the Statewide Planning Goals (ORS 197); and
3. The property and affected area is presently provided with adequate facilities, services, and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.

Finding 1: The proposed zone change is being processed as a Major Map Amendment, since the zone change requires the Official Comprehensive Plan Map to be amended in order for the official Zoning Map and the Comprehensive Plan to be in agreement.

Continuing with CCZO, Section 1502.1.A.1 which requires that the Planning Commission find adequate evidence substantiating that:

1. The proposed Zone Change is consistent with the policies of the Comprehensive Plan;

POLICIES: Applicable policies of the Comprehensive Plan include those for Housing and Rural Residential.

HOUSING

GOAL: To provide for the housing needs of the citizens of the County by allowing adequate flexibility in housing location, type, and density.

POLICIES: It shall be a policy of the County to:

2. Develop land use designations that provide for a wide range of housing units.
6. Insure there is an adequate supply of zoned land available in areas accessible to employment and public services to provide a choice of type, location, density, and cost of housing units commensurate to the needs of County residents.

RURAL RESIDENTIAL

GOAL: It is the goal of the County to provide for the continuation and needed expansion of rural residential uses on those resource lands where a valid exception can be, or has been shown to be , justified.

POLICIES: It shall be a policy of the County to:

2. Designate as Rural Residential in the implementing ordinances those lands which:
 - B. Do not meet the criteria for being included in the Rural Center Designation.
4. Establish a Rural Residential Zone with a 2 acre minimum lot or parcel size, where such lands will not create "spot zoning" and, as determined by the County;
 - A. Are within an existing public or community water district providing adequate domestic and fire flow water.
 - B. Have soils capable of accommodating a subsurface septic system.
 - C. Have access onto a public right-of-way meeting applicable County Road Standards.



- D. Are within, and can be served by a rural fire protection district.
 - E. A 2-acre minimum parcel size is appropriate to maintain the rural character of the area.
 - F. The conversion complies with the Oregon Administrative Rule requirements for an exception to Goal 14.
5. Encourage the in-filling of existing built and committed lands for new residential development.

Finding 2: The subject property was zoned Community Service-Institutional (CS-I) for the purposes of the existing 4,800 square foot Marshland Grange Hall that currently resides on the property. The Rural Residential Designation is appropriate because of the property's existence as a .95 acre lot is in conjunction with surrounding properties in the Marshland Homes Subdivision and adjacent outlying single-family home properties on Schroeder Road, which are legally non-conforming to the 2.0 acre minimum lot size requirement in the RR-2 Zone. The rezoning of this property would not create a spot zone because there is other connecting RR-2 zoning adjacent to the subject property, and the applicant's proposal to convert the 4,800 square foot Marshland Grange Hall into a single-family home is compatible to this RR-2 Zone designated area. The Marshland Homes Subdivision and adjoining parcels were platted in the 1940's, average less than one acre, and over the years have been developed for residential use. This area is committed to small lot development (See Figure 1). . The subject property is within an area designated rural residential and entirely surrounded by built and committed rural residential uses. The proposed conversion of the Grange Hall building to residential use will be consistent with the rural character of the area and will not require urban level services. Therefore the proposed use is rural and will not require a Goal 14 exception.

This application would encourage in-filling of these built and committed areas. The property has public roads on two of its four sides and has access via Schroeder Road. The subject property has adequate water supply via service from Marshland Water Association. Nearby lots accommodate complying residential septic systems(i.e. 7510-011-03501). The subject site has an existing septic system which will need to be evaluated and approved for the residential use as a condition of the zone change prior to this new use being established. The property is served by the Clatskanie Fire District and the Columbia County Sheriff's Office. Staff find that for the above stated reasons this criteria is met.



<i>TAX ID NUMBER</i>	<i>ACRES</i>	<i>ZONE</i>	<i>USE/ADDRESS</i>
7510-000-00400	71.89	PF-76	Forestland
7510-000-00402	4.50	RR-5	Residential; 13740 Colvin Road
7510-000-00500	1.00	RR-2	Residential; 76913 Schroeder Road
7510-000-00502	0.64	RR-2	Residential; 13671 Colvin Road
7510-000-00503	0.92	RR-2	Residential; 13685 Colvin Road
7510-011-00200	0.82	RR-2	Residential; 13765 Colvin Road.
7510-011-00400	0.82	RR-2	Residential; 76810 Schroeder Road
7510-011-00500	0.82	RR-2	Residential; 76810 Marshland Road
7510-011-00600	0.82	RR-2	Residential; 13764 Tandy Street
7510-011-00800	0.82	RR-2	Residential; 13798 Tandy Street
7510-011-02300	0.82	RR-2	Vacant
7510-011-02500	0.82	RR-2	Vacant
7510-011-02800	0.82	RR-2	Residential; 76862 Schroeder Road
7510-011-02900	0.82	RR-2	Residential; 76886 Schroeder Road
7510-011-03000	0.82	RR-2	Residential; 76896 Marshland Road
7510-011-03200	0.91	RR-2	Residential; 76913 Schroeder Road
7510-011-03300	0.23	RR-2	Vacant
7510-011-03500	0.95	RR-2	Residential; 76845 Marshland Road
7510-011-03501	0.38	RR-2	Residential; 76881 Marshland Road
7510-011-03600	.044	RR-2	Residential; 13703 Old Columbia River Highway

FIGURE 1: SURROUNDING PARCELS AND USES

Continuing with Section 1502.1(A)2 which requires the Planning Commission to find that:

2. The proposed Zone Change is consistent with the Statewide Planning Goals (ORS



197);

Applicable Statewide Planning Goals include:

Goal 2: Land Use Planning - To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding 3: The subject land use action utilizes the process and policy framework as described in Statewide Planning Goal 2. This subject property is surrounded by existing single-family home Rural Residential (RR-2) zoned properties that have initially taken a built and committed exception to Goal 4 for Forest Lands when the adoption to the Columbia County Comprehensive Plan in 1984. The general overall resource use of this property will not change. The specific type of use will change from community service to rural residential use.

Continuing with ORS 197.610:

Local government notice of proposed amendment or new regulation; exceptions; report to commission. (1) A proposal to amend a local government acknowledged comprehensive plan or land use regulation or to adopt a new land use regulation shall be forwarded to the Director of the Department of Land Conservation and Development at least 45 days before the first evidentiary hearing on adoption. The proposal forwarded shall contain the text and any supplemental information that the local government believes is necessary to inform the director as to the effect of the proposal. The notice shall include the date set for the first evidentiary hearing. The director shall notify persons who have requested notice that the proposal is pending.

Finding 4: A 45 Day notice was mailed to DLCD on January 9, 2006. Land Development Services has received no response from DLCD as of the date of this staff report.

Continuing with Zoning Ordinance Section 1502.1.A:

- "3. The property and affected area is presently provided with adequate facilities, services, and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property."

Finding 5: The immediate area of the subject properties is served by Schroder Road that accesses both Highway 30 and Old Columbia River Highway. Telephone and power are provided to the property. Marshland Water Association provides domestic water to the lot. The Clatskanie Rural Fire Protection District provides fire suppression services to the property while the Columbia County Sheriff's Office provides police protection. For these reasons this criteria is met.



Continuing with Zoning Ordinance Section 1502.1:

"B. Final approval of a Major Map Amendment may be given by the Board of Commissioners. The Commissioners shall hold a hearing on the proposed Zone Change either concurrently or following a hearing on the proposed Comprehensive Plan Amendment which is necessary to allow the proposed zoning to conform with the Comprehensive Plan. The Board may approve a Major Map Amendment provided they find adequate evidence has been presented substantiating the following:

1. The proposed Zone Change is consistent with the policies of the Comprehensive Plan;
2. The proposed Zone Change is consistent with the Statewide Planning Goals (ORS 197); and
3. The property and affected area is presently provided with adequate facilities, services, and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property."

Finding 6: The Board of Commissioners has scheduled a public hearing for this matter on May 17, 2006. The Planning Commission has made recommendation on this application. The Board must also find the proposed zone change consistent with the policies of the Comprehensive Plan, to be consistent with the Statewide Planning Goals, and the affected area has adequate facilities, services, and transportation networks to support the plan amendment and rezoning to Rural Residential (RR-2) use.

Continuing with Zoning Ordinance;

"1608 Contents of Notice: Notice of a quasi judicial hearing shall contain the following information:

- .1 The date, time and place of the hearing;
- .2 A description of the subject property, reasonably calculated to give notice as to the actual location, including but not limited to the tax account number assigned to the lot by the Columbia County Tax Assessor;
- .3 Nature of the proposed action;

- .4 Interested parties may appear and be heard;
- .5 Hearings will be held according to the procedures established in the Zoning Ordinance."

Finding 7: All of the above shall have been included in the Notice of Public Hearing published on December 28, 2005 in the Chronicle, Spotlight and the Columbia County Review newspapers not less than 10 days prior to the Planning Commission hearing. A Notice of Public Hearing, including all of the above information, has been published in the Chronicle on April 26, 2006, at least 10 days prior to this May 17, 2006 hearing.

COMMENTS:

1. The County Sanitarian has reviewed the application and recommends that a favorable lot evaluation will be required for the proposed use.
2. The County Building Official has reviewed the application and has no objection to its approval as submitted.
3. The Clatskanie Fire District has reviewed the application and has no objection to its approval as submitted.
4. The Roadmaster has reviewed the application and has no objection to its approval as submitted.
5. The Clatskanie CPAC has reviewed the application and has no objection to its approval as submitted.
6. Soil and Water Conservation Board will consider this application and submit their comments by December 22, 2005. As of this date of this report, no comments have been received by the Soil and Water Conservation Board.

No other comments have been received from adjacent or nearby property owners or government agencies as of the date of this staff report (December 27, 2005).

CONCLUSIONS AND RECOMMENDATIONS

Based upon the above findings, staff and the Planning Commission recommends **APPROVAL** of

1. The Official Comprehensive Plan Designation shall be changed from Community Service

to Rural Residential for tax account # 7510-011-03500; and,

2. The Official Zoning Map shall be changed from Community Service - Institutional (CS-I) to Rural Residential (RR-2) for tax account # 7510-011-03500.

With the Following Condition:

1. The applicant shall have received an approval from the County Sanitarian regarding an adequate subsurface septic system prior to receiving a building permit for the residential use.

Attachments: Legal Description, Exhibit "A"

Application
Location Map
Zoning Map
Address Map

EXHIBIT 'A'

Legal Description:

PARCEL 1: Commencing at the quarter post between Sections 3 and 10, Township 7 North, Range 5 West of the Willamette Meridian, Columbia County, Oregon, running thence East along Section line 20.32 chains to the 1/16th section corner; thence South along 1/16th section line 9.81 chains to the true place of beginning of the tract to be described; from said beginning point, continuing thence South along 1/16th section line 5.21 chains; thence North 56°15' West 2.75 chains; thence North 3.71 chains; thence East 2.25 chains to the true place of beginning. EXCEPT THAT part lying within the boundaries of public roads.

PARCEL 2: Commencing at the quarter post between Sections 3 and 10, Township 7 North, Range 5 West of the Willamette Meridian, Columbia County, Oregon; running thence East along section line 20.32 chains to the 1/16th section corner; thence South along 1/16th section line 606.46 feet to the true place of beginning of the tract to be described; from said beginning point, continuing thence South along 1/16th section line 41 feet to the Northeast corner of the tract described in deed from W.W. Elliott and wife to Directors of School District No. 10, recorded in Book U, page 192, Deed Records of Columbia County, Oregon; thence West along the North line of said School Trct, 148.5 feet to the Northwest corner thereof; thence South along the West line of said School Tract, 244.86 feet to the Southwest corner thereof; thence West 41 feet; thence North 249.16 feet; thence around an even curve to the right to a point that is West 152.8 feet from the place of beginning; thence East 152.8 feet to the true place of beginning. EXCEPT THAT part lying within the boundaries of the public roads.

ALSO EXCEPTING FROM the above described parcels the following:

Commencing at the one-quarter section post between Sections 3 and 10, Township 7 North, Range 5 West, Willamette Meridian, in the County of Columbia and State of Oregon; running thence Easterly along the Section line 20.32 chains (1341.12 feet) to the Northeast corner of the Northwest one-quarter of the Northeast one-quarter; thence South 0° 15' West along the 1/16 section line, 606.46 feet to the true point of beginning; thence continuing South 0° 15' West along the 1/16 section line 100.00 feet, to a point; thence North 89° 45' West 189.5 feet to a point on the Westerly boundary of the Marshland Grange property as described in deed recorded in Book 96, Page 328, Deed Records of Columbia County, Oregon, said point also being on the East line of the George E. Salmi et ux tract as described in deed recorded March 27, 1964 in Book 154, Page 604, Deed Records of Columbia County, Oregon; thence North 0° 15' East 63.30 feet to an iron rod set as shown on survey #1822, survey records of Columbia County, Oregon; thence along a 36.7 feet radius curve to the right to a point that is North 89° 45' West 152.8 feet from the place of beginning; thence South 89° 45' East 152.8 feet to the true point of beginning.

COLUMBIA COUNTY
LAND DEVELOPMENT SERVICES

COURTHOUSE
230 STRAND
ST. HELENS, OREGON 97051
(503) 397-1501

PA 06-01

File No. 2C 06-01

General Application

GENERAL LAND USE PERMIT APPLICATION
Zone Change

Other: Zone Change CS-I to RR-2 ^{Minor} Amendment

APPLICANT: Name: Tim Crouse

Mailing address: 949 Elochoman Valley Rd, Cathlamet WA, 98612

Phone No.: Office _____ Home (360) 795-3379
(503) 728-0510 (site number)

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

PROPERTY OWNER: yes same as above, OR:

Name: _____

Mailing Address: _____

PROPERTY ADDRESS (if assigned): 76845 Schroeder Rd, Clatskanie,
OR, 97016

TAX ACCOUNT NO.: 7510-011-03500 Acres: .95 Zoning: CS-I

_____ Acres: _____ Zoning: _____

_____ Acres: _____ Zoning: _____

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

Use:	Approx. Acres
<u>Grange Hall</u>	<u>.95</u>
_____	_____
_____	_____

Total acres (must agree with above): .95



PROPOSED USES:

residential

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

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

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

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

CERTIFICATION:

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

Date: 11/8/05 Signature: [Signature]

NOTE: Please attach an accurate and detailed plot plan, including property lines, existing and proposed structures, location of septic tank and drainfield, farm - forest areas, large natural features (cliffs, streams, etc.).

+++++
Planning Department Use Only

Date Rec'd. 11/15/05 Hearing Date: Tent. Jan. 9, 2006
Or: Administrative _____
Receipt No. 50205
Zoning: CSI to RR-2 Staff Member: [Signature]

ZONE CHANGE FACT SHEET

Please complete the following:

1. What is the present zoning? CS-I
 2. What zone is being proposed? RB-2
 3. Zoning Map Amendment Yes No
 4. State the specific purpose of the zone change request: The present zone is asked to be changed to residential. The existing building will be converted to a residence and inhabited as such
 5. Why is the subject property better suited for the proposed use than the use presently permitted: The existing building on zoned lot no longer has a use it was erected for. For said building to have a future use it should be remodeled and maintained as a residential home.
- What public need or convenience will be met by this zone change that is not already being met by available property in the general area: N/A
-
-
-
7. Describe how the proposal is in general conformance with the comprehensive plan and the planning objectives for the specific area: The lot is already located in a residential area and will not be adding or detracting from established neighborhood.
-
-

8. Describe any changes that have occurred in the land use, street arrangements, or other physical conditions which have altered the subject property since the present zoning was adopted: none

9. Does the subject property presently have adequate public facilities, services, and transportation to support the proposed use? NO. If not, describe the development plan being proposed to provide these services: I do not believe this question applies to the use of the zone change.

+++++

The applicant must submit the following PRIOR to the Planning Commission hearing, which is regularly scheduled for the 1st Monday of each month:

- 1) Answers to the above questions.
- 2) The application form attached.
- 3) Vicinity Map.
- 4) Zoning Map Amendment fee: \$1,500.00

T 8 N

79000

78000

77000

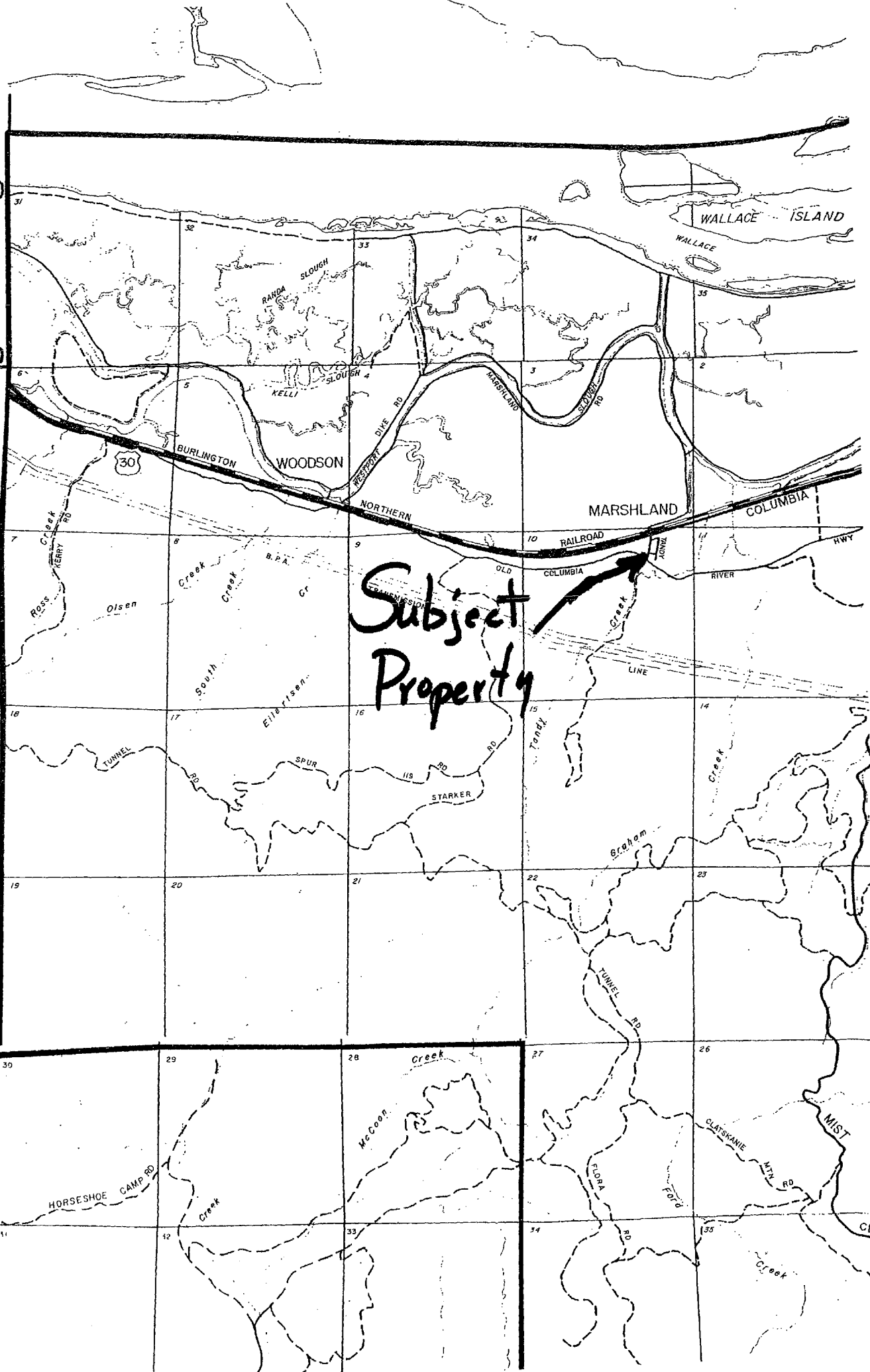
76000

T 7 N

75000

74000

73000



Subject Property



BURLINGTON

STATE HIGHWAY

Zoning

COLUMBIA

RIVER HIGH

N. 76° 12' E. (Grid bearing)

ROAD

TANDY DRIVE

DRIVE

MARSHLAND

HOMES TANDY

MARSHLAND Schradler COUNTY

SEE MAP 7 5 10

3200
0.91 Ac.

CS 2192

3300
0.23 Ac.

3400
0.35 Ac.

3600
0.44 Ac.

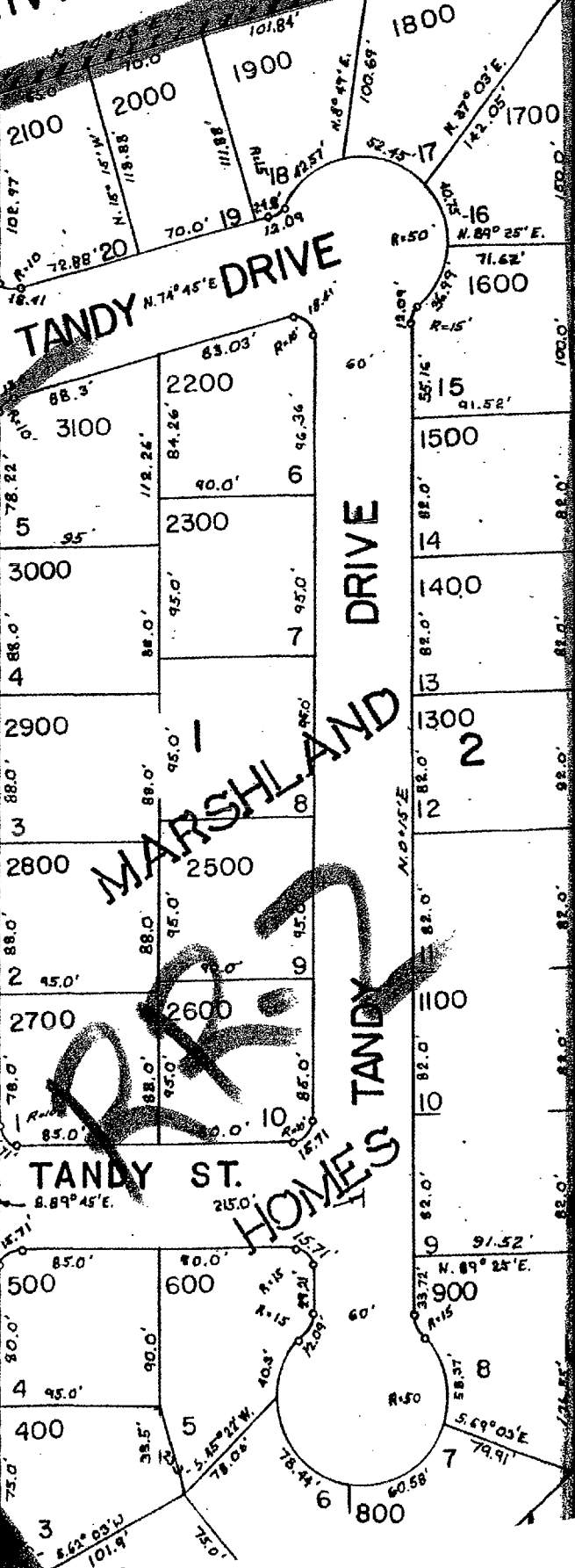
3501
0.38 Ac.

3500
0.55 Ac.

TANDY ST.

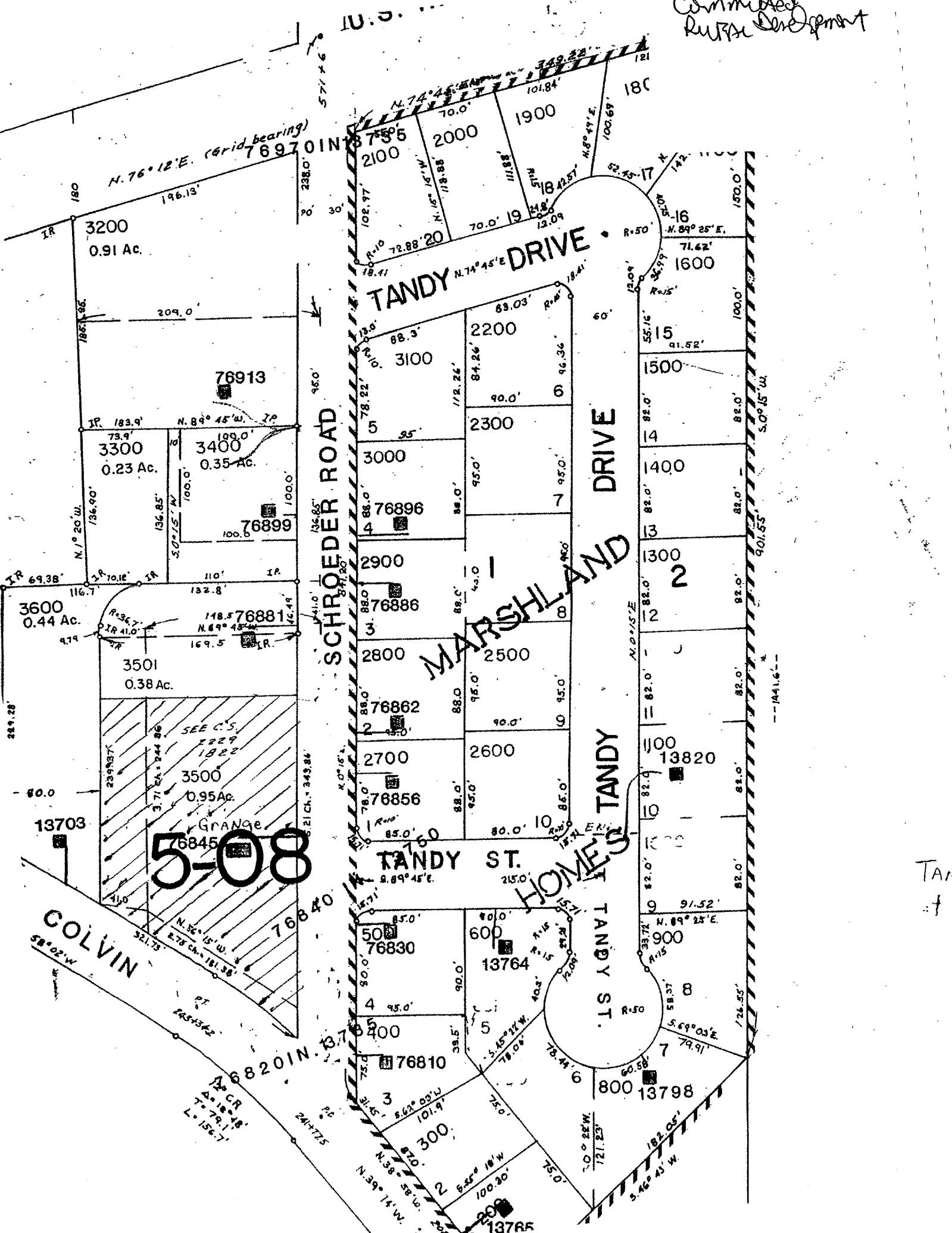
OLD COLUMBIA RIVER

5-08



1-14161-

Completed
Rural Development



N. 76° 12' E. (Grid bearing)
76970 IN

TANDY DRIVE

SCHROEDER ROAD

MARSHLAND

HOME'S TANDY

TANDY ST.

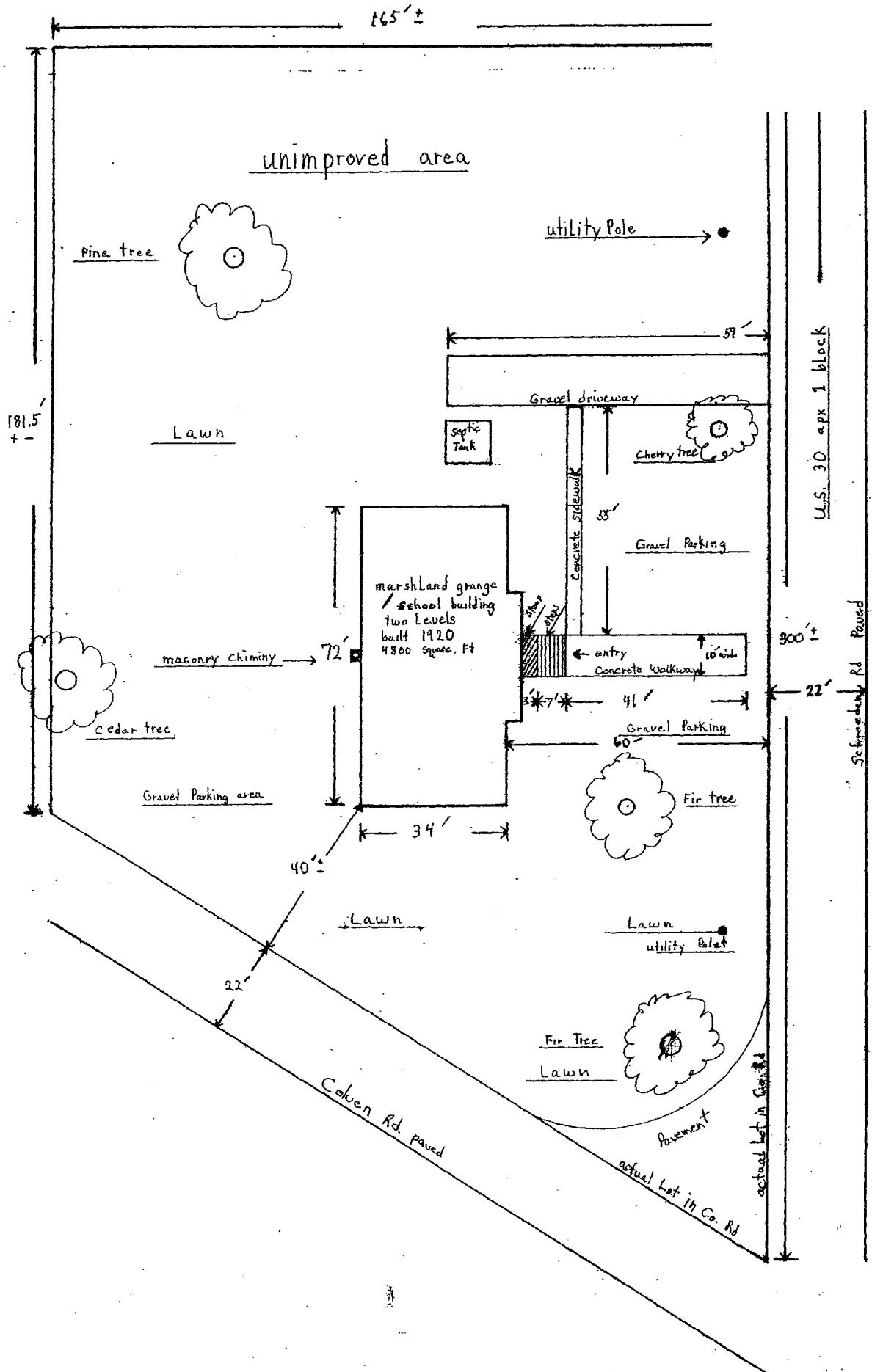
COLVIN

5-08

CR
A = 18.48
T = 78.1
L = 150.7

-- 14416 --

TAN
t



76,845 Marshland / Schroeder Road	
Lot # 3700	
Columbus Co. Oregon	
Project # 177	DATE: 10/18/05
Drawn by: J.G.	Checked by: J.G.
existing Plat as of Sept 1, 1905 - as long as actual measurements	



HIGHWAY 30



000000

000000



*filed
forward*

December 2, 2005

REFERRAL AND ACKNOWLEDGMENT

TO: Sanitarian

NOTICE IS HEREBY GIVEN that Tim Crouse has applied for a Zone Change from Community Service (CSI) to Rural Residential (RR-2). The subject property is identified by Tax Lot No. 7510-011-03500 being approximately 0.95 acres, and is site of the old Marshland Grange in Marshland. ZC 06-01

THIS APPLICATION IS FOR: ()Administrative Review; (X) Planning Commission, *Hearing Date: January 9,2006*

PLEASE RETURN BY: 12/14/05

PLANNER: Kevin Provance

The enclosed application is being referred to you for your information and comment. Your recommendation and suggestions will be used by the County Planning Department and/or the Columbia County Planning Commission in arriving at a decision. Your prompt reply will help us to process this application and will ensure the inclusion of your recommendations in the staff report. Please comment below.

1. ~~___~~ We have reviewed the enclosed application and have no objection to its approval as submitted.
2. X Please see ~~attached letter or~~ notes below for our comments.
3. ___ We are considering the proposal further, and will have comments to you by _____.
4. ___ Our board must meet to consider this; we will return their comments to you by _____.
5. ___ Please contact our office so we may discuss this.
6. ___ We recommend denial of the application, for the reasons below:

COMMENTS: A favorable Lot Eval should be part of the Zone Change. There is no point in RR-2 if no septic is available.

Signed: _____



Title: _____

RWWS

Date: _____

12-6-05

December 2, 2005

REFERRAL AND ACKNOWLEDGMENT

TO: Building Official

NOTICE IS HEREBY GIVEN that Tim Crouse has applied for a Zone Change from Community Service (CSI) to Rural Residential (RR-2). The subject property is identified by Tax Lot No. 7510-011-03500 being approximately 0.95 acres, and is site of the old Marshland Grange in Marshland. ZC 06-01

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- .. Please see attached letter or notes below for our comments.
3. We are considering the proposal further, and will have comments to you by _____.
4. Our board must meet to consider this; we will return their comments to you by _____.
5. Please contact our office so we may discuss this.
6. We recommend denial of the application, for the reasons below:

COMMENTS: _____

Signed: *Kevin Provance*

Title: *Building Official* Date: *12/5/05*

COLUMBIA COUNTY
LAND DEVELOPMENT SERVICES

Planning Division
COURTHOUSE
ST. HELENS, OREGON 97051
Phone: (503) 397-1501 Fax: (503) 366-3902

RECEIVED

DEC 13 2005

LAND DEVELOPMENT SERVICES

December 2, 2005

REFERRAL AND ACKNOWLEDGMENT

TO: Clatskanie Fire District

NOTICE IS HEREBY GIVEN that Tim Crouse has applied for a Zone Change from Community Service (CSI) to Rural Residential (RR-2). The subject property is identified by Tax Lot No. 7510-011-03500 being approximately 0.95 acres, and is site of the old Marshland Grange in Marshland. ZC 06-01

THIS APPLICATION IS FOR: ()Administrative Review; (X) Planning Commission, *Hearing Date:* January 9,2006

PLEASE RETURN BY: - 12/14/05

PLANNER: Kevin Provance

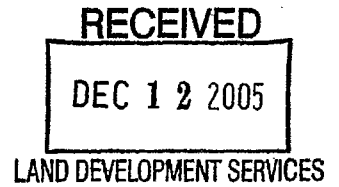
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- 1. We have reviewed the enclosed application and have no objection to its approval as submitted.
- 2. Please see attached letter or notes below for our comments.
- 3. We are considering the proposal further, and will have comments to you by _____.
- 4. Our board must meet to consider this; we will return their comments to you by _____.
- 5. Please contact our office so we may discuss this.
- 6. We recommend denial of the application, for the reasons below:

COMMENTS: _____

Signed: Richard Crouse
Title: FIRE CHIEF Date: 12/13/05





December 2, 2005

REFERRAL AND ACKNOWLEDGMENT

TO: Roadmaster

NOTICE IS HEREBY GIVEN that Tim Crouse has applied for a Zone Change from Community Service (CSI) to Rural Residential (RR-2). The subject property is identified by Tax Lot No. 7510-011-03500 being approximately 0.95 acres, and is site of the old Marshland Grange in Marshland. ZC 06-01

THIS APPLICATION IS FOR: ()Administrative Review; (X) Planning Commission, *Hearing Date:* January 9,2006

PLEASE RETURN BY: 12/14/05

PLANNER: Kevin Provance

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1. We have reviewed the enclosed application and have no objection to its approval as submitted.
- _____ Please see attached letter or notes below for our comments.
3. _____ We are considering the proposal further, and will have comments to you by _____.
4. _____ Our board must meet to consider this; we will return their comments to you by _____.
5. _____ Please contact our office so we may discuss this.
6. _____ We recommend denial of the application, for the reasons below:

COMMENTS: _____

Signed: Ly R. Walter

Title: Transportation Planner Date: Dec 8, 05



COLUMBIA COUNTY
LAND DEVELOPMENT SERVICES
Planning Division
COURTHOUSE
ST. HELENS, OREGON 97051
Phone: (503) 397-1501 Fax: (503) 366-3902

December 2, 2005

REFERRAL AND ACKNOWLEDGMENT

RECEIVED
DEC 12 2005
LAND DEVELOPMENT SERVICES

TO: Clatskanie CPAC

NOTICE IS HEREBY GIVEN that Tim Crouse has applied for a Zone Change from Community Service (CS) to Rural Residential (RR-2). The subject property is identified by Tax Lot No. 7510-011-03500 being approximately 0.95 acres, and is site of the old Marshland Grange in Marshland. ZC 06-01

THIS APPLICATION IS FOR: () Administrative Review; (X) Planning Commission, *Hearing Date:* January 9, 2006

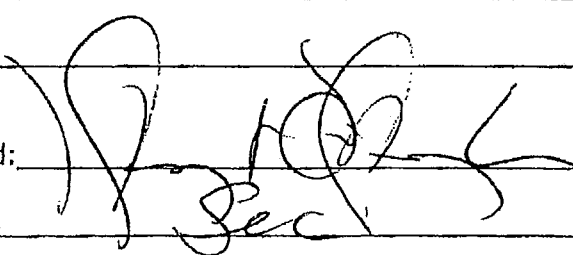
PLEASE RETURN BY: 12/14/05

PLANNER: Kevin Provance

The enclosed application is being referred to you for your information and comment. Your recommendation and suggestions will be used by the County Planning Department and/or the Columbia County Planning Commission in arriving at a decision. Your prompt reply will help us to process this application and will ensure the inclusion of your recommendations in the staff report. Please comment below.

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- 5. Please contact our office so we may discuss this.
- 6. ~~we recommend denial of the application, for the reasons below:~~

COMMENTS: _____

Signed:  _____

Title: Sec Date: 12/12/05



DEC 06 2005

COLUMBIA COUNTY
LAND DEVELOPMENT SERVICES
Planning Division
COURTHOUSE
ST. HELENS, OREGON 97051
Phone: (503) 397-1501 Fax: (503) 366-3902

RECEIVED
DEC 07 2005
LAND DEVELOPMENT SERVICES

December 2, 2005

REFERRAL AND ACKNOWLEDGMENT

TO: Soil and Water Conservation

NOTICE IS HEREBY GIVEN that Tim Crouse has applied for a Zone Change from Community Service (CSI) to Rural Residential (RR-2). The subject property is identified by Tax Lot No. 7510-011-03500 being approximately 0.95 acres, and is site of the old Marshland Grange in Marshland. ZC 06-01

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PLEASE RETURN BY: 12/14/05

PLANNER: Kevin Provance

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1. _____ We have reviewed the enclosed application and have no objection to its approval as submitted.
2. _____ Please see attached letter or notes below for our comments.
3. _____ We are considering the proposal further, and will have comments to you by _____.
4. Our board must meet to consider this; we will return their comments to you by Dec. 22, 2005.
5. _____ Please contact our office so we may discuss this.
6. _____ We recommend denial of the application, for the reasons below:

COMMENTS: _____

Signed: Anne M. Sadler
Title: Office Coordinator Date: December 6, 2005

ATTACHMENT 2

Legal Description:

PARCEL 1: Commencing at the quarter post between Sections 3 and 10, Township 7 North, Range 5 West of the Willamette Meridian, Columbia County, Oregon, running thence East along Section line 20.32 chains to the 1/16th section corner; thence South along 1/16th section line 9.81 chains to the true place of beginning of the tract to be described; from said beginning point, continuing thence South along 1/16th section line 5.21 chains; thence North 56°15' West 2.75 chains; thence North 3.71 chains; thence East 2.25 chains to the true place of beginning. EXCEPT THAT part lying within the boundaries of public roads.

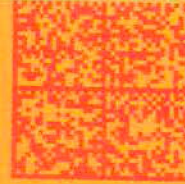
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LAND DEVELOPMENT SERVICES
COLUMBIA COUNTY COURTHOUSE
230 STRAND ST.
ST. HELENS, OR 97051



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07/06/2006

Mailed From 97051

US POSTAGE

DEPT OF

JUL 07 2006

LAND CONSERVATION
AND DEVELOPMENT

Department of Land Conservation
and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

