



# SCAPPOOSE *Oregon*

## SCAPPOOSE PLANNING COMMISSION

Council Chambers at City Hall  
33568 East Columbia Avenue

**Thursday, April 11<sup>th</sup>, 2019 at 7:00 p.m.**

**1.0 CALL TO ORDER**

**2.0 ROLL CALL**

**3.0 APPROVAL OF MINUTES**

**3.1 March 28<sup>th</sup>, 2019 meeting minutes**

**4.0 CITIZEN INPUT**

**5.0 NEW BUSINESS**

**5.1 DOCKET # HO6-19**

Gregory Demeaux has requested a Type II Home Occupation permit to authorize a Barber Shop business within a residence. The site is located at 33926 Seven Oaks Drive, on property described as Columbia County Assessor Map No. 3213-AD-02100.

*Format: Quasi-Judicial hearing, both oral and written testimony are permitted.*

**6.0 COMMUNICATIONS**

6.1 Calendar Check

6.2 Commissioner Comments

6.3 Staff Comments

**7.0 ADJOURNMENT**

*This is an open meeting and the public is welcome. The City of Scappoose does not discriminate on the basis of handicap status in its programs and activities. If special accommodations are required, please contact Susan M.*

*Reeves, MMC, City Recorder, in advance, at 543-7146, ext. 224. TTY 1-503-378-5938*

**Meeting Packet items listed above can be viewed on City's website via the calendar links.**

[www.ci.scappoose.or.us](http://www.ci.scappoose.or.us)

## SCAPPOOSE PLANNING COMMISSION

Council Chambers at City Hall  
33568 East Columbia Avenue

### Planning Commission Meeting Minutes; Thursday, March 28<sup>th</sup>, 2019

#### 1.0 CALL TO ORDER

#### 2.0 ROLL CALL

##### Commissioners;

Tim Connell	Chair
Bruce Shoemaker	Commissioner
Rita Bernhard	Commissioner
Kevin Freimuth	Commissioner
Patricia Gibson	Commissioner

##### City Staff;

Laurie Oliver	City Planner
Chris Negelspach	City Engineer
Susan M. Reeves	City Recorder

##### EXCUSED:

Scott Jensen	Vice Chair
Bill Blank	Commissioner
Elizabeth Happala	Office Admin III

Chair Connell explained he has a statement to read before they proceed ~ Vice Chair Scott Jensen is not in attendance tonight since he has recused himself from voting on either application. Vice Chair Jensen is the planner for the Port of Columbia County and there would be a potential conflict of interest for him to vote on the Manor Drive application since Port Commissioner Erickson commented in opposition to that application. And, there would be an obvious conflict of interest if he voted on the Port of Columbia County's application.

#### 3.0 APPROVAL OF MINUTES

##### 3.1 December 13<sup>th</sup>, 2018 meeting minutes

Planning Commissioner Bernhard moved, and Planning Commissioner Freimuth seconded the motion to approve the December 13, 2018 Planning Commission meeting minutes as presented.

**Motion Passed 5-0. AYES: Chair Connell, Commissioner Shoemaker, Commissioner Bernhard, Commissioner Freimuth, and Commissioner Gibson.**

#### 4.0 CITIZEN INPUT

There were no public comments.

#### 5.0 NEW BUSINESS

##### 5.1 DOCKET # SDR3-18

DW Land Holdings LLC has requested approval of an application for Site Development Review for a quad-plex and associated site amenities. The site is located south west of the Manor Drive and Scappoose-Vernonia Hwy intersection, on property described as Columbia County Assessor Map #3201-CC-01901.

*Format: Site Development Review is a Limited Land Use Decision and there is no public*

***hearing (verbal testimony will not be considered; however, written comments are permitted prior to the deadline of Wednesday, March 27<sup>th</sup> at 5 pm).***

Chair Connell read the docket, opening statement and the order of the hearing then called for the staff presentation.

City Planner Oliver went over the staff report and Conditions of approval.

City Planner Oliver reviewed the comment received that is in opposition. She explained the concern was submitted by the neighbor that abuts the property. She went over their concerns, along with staffs response.

***Objection #1:***

***Section 17.106.050***

*G. Access Drives. 1. Access drives from the street to off-street parking or loading areas shall be designed and constructed to facilitate the flow of traffic and provide maximum safety for pedestrian and vehicular traffic on the site.*

*The objection states that the driveway for Lot 6 of the Goss Subdivision would be abutting the proposed driveway as seen in the photo submitted by the Erickson's, and that this is a severe safety hazard for the owners of Lot 6 as they enter or exit their driveway and is not in keeping with the spirit of 17.106.050, G.*

***Staff response:*** *Section G above is specific to how the access drive functions "on the site", e.g., on private property. The applicant has demonstrated that the access drive is adequate for two-way traffic (they have met the minimum width of 24-feet for two-way traffic) and has provided sidewalks to facilitate safety for pedestrian and vehicular traffic on the site.*

While staff realizes that the configuration of the driveways is not ideal, it can be viewed similarly to a cul-de-sac situation where driveways abut one another in tight quarters, which does necessitate the need for being aware of your surroundings and ensuring that no other cars or pedestrians are in the immediate vicinity prior to backing out or pulling into each private driveway.

DW Land Holdings, owner of the 2.67-acre site which is the subject of this application, has a legal lot of record and they have the right to develop it with one primary building, up to 4 units. The location of the access drive is the only logical place to locate a driveway to provide access to the proposed quad-plex. Until such time that a partition or subdivision of the parcel occurs, staff cannot require that DW Land Holdings extend NW Manor Drive, as is depicted in the adopted Transportation System Plan, as a future street connection.

***Objection #2:***

The second objection is also based on Section G above, and restates that there is a traffic hazard, not only to the residents on Lot 6, but also to the future residents of the quad-plex, as well as to the three families who use the existing private driveway accessed at the end of NW

Manor Drive. The Erickson's question who would have the right of way when entering and exiting NW Manor Drive.

**Staff response:** After consulting with the Scappoose Police Department and inquiring about traffic laws, it is clear that any vehicle already occupying a public road would have the right of way over any vehicle that is entering the public road from a private driveway. This is addressed in *ORS 811.280 – Failure of Driver Entering Roadway to Yield Right of Way*. Meaning, each vehicle, whether exiting from the existing private drive (owned by the Erickson's), or exiting from the proposed private drive (owned by DW Land Holdings) would have to stop at the end of their driveway to ensure that it is safe to enter the public road, NW Manor Drive. There are no obstructions that would prohibit seeing if another car is in the vicinity. In the event that two cars are at the end of the private driveways at the exact same moment, one car would have to yield to the other.

### **Objection #3:**

This objection is based on the flow of runoff water. The objection states that most of the winter the portion of the lot just west of the proposed development has standing water. The Erickson's note that during hard rain, water crosses from the DW Land Holdings property over to their property and floods one of the homes. To mitigate this, the Erickson's have dug a 300-foot ditch to divert water to NW Manor Drive and to the water collector built into the street. The Erickson's have concerns that if the quad-plex development moves forward without a plan to handle the standing water, it may be diverted to their property leaving them with no remedy.

**Staff response:** Please note that the applicants Composite Utility Plan, Sheet 3.1 (**Exhibit 5 in the staff report**), indicates that sheet flow being conveyed to the ditch along the private driveway will be combined with sheet flow to the south end of the project and conveyed via a new culvert under the driveway access then conveyed via a ditch to disposal into the Goss Subdivision drainage system at the end of NW Manor Drive. The overland flow has been included in the modeling within the applicant's report indicating that there will be no adverse effects to the downstream system with the configuration of the proposed site improvements (see results of analysis on page 13 and 14 of the Stormwater Drainage Report, **Exhibit 13 in the staff report**).

City Engineer Negelspach explained he feels this is pretty straight forward. He went over Exhibit 5 in the packet.

City Planner Oliver directed the Planning Commissioners to the findings for site development review in their packet along with procedures for limited land use decision, and the recommended conditions of approval. She explained staff does recommend approval with the ten conditions of approval in place. She stated however with the neighbor's concerns and the applicant's willingness to add a stop sign or yield sign at the end of their driveway, you could consider adding a stop sign as condition of approval # 11.

Chair Connell asked the Planning Commission if they had any questions.



Commissioner Freimuth explained he drove by it and like what was said, it's not ideal but it kind of is what it is, since someone else owns the property back behind there and you just make as many reasonable accommodations as you can.

Commissioner Bernhard asked City Planner Oliver if we have addressed all of their concerns?

City Planner Oliver replied she feels that they have been addressed to the best of our ability, and that the application is meeting the code as best as it can. She explained they will receive a copy of the notice of decision since they submitted comments. She explained the neighbor just didn't know how the drainage would affect them. She explained having a stop sign or a yield sign would hopefully help alleviate some of their concerns.

Commissioner Shoemaker asked what is the dark line that was in the submittal from the Erickson's?

City Planner Oliver replied it is their driveway.

Mr. Kessi replied he thinks that is the shadow line for a potential curb.

Chair Connell stated let's have the applicant present their case.

James Kessi, Project Engineer and also representing the owner and developers, came to the stand. He explained they agree with the conditions of approval as presented, along with the potential solution for the driveway. He explained the assumption that the stormwater would improve is correct. He stated all in all it would be minimal or no measurable impact to the neighboring property. He explained he wanted to express his thanks for working with staff to make it a very complete staff report and presentation.

Chair Connell asked on the edge of the driveway where water would be rushing that direction to where their ditch is, is there a plan for a curb or anything there or is the slope sufficient?

James Kessi replied the slope is away from the property line to the north and then it is collected and then it goes into the ditch. He stated with the combination of the cross slope of the driveway and then the ditch it won't go into the neighboring property.

Commissioner Freimuth commented it states twelve parking spots, does that include garages?

City Planner Oliver replied yes, the code does allow garages to be counted.

Chair Connell thanked the applicant, and then asked if staff would like to respond.

City Planner Oliver replied no.

Chair Connell closed the hearing at 7:30 p.m. for deliberation.

Commissioner Bernhard moved, and Commissioner Shoemaker seconded the motion that based on the Findings of Fact and the materials submitted by the applicant, that the Planning Commission approve Site Development Review SDR3-18 with the ten Conditions of Approval.

There was discussion on what type of sign and where it should be located.

City Planner Oliver explained it doesn't necessarily need to be a condition of approval.

**Motion Passed 5-0. AYES: Chair Connell, Commissioner Shoemaker, Commissioner Bernhard, Commissioner Freimuth, and Commissioner Gibson.**

## **5.2 DOCKET # SDR1-19**

**The Port of Columbia County has requested approval of an application for Site Development Review for a new hangar to be located inside the fence at the Scappoose Industrial Airport. The site is located south east of the N Honeyman Rd and West Lane Road intersection, adjacent to Skyway Drive, on property described as Columbia County Assessor Map #3106-00-00300.**

***Format: Site Development Review is a Limited Land Use Decision and there is no public hearing (verbal testimony will not be considered; however, written comments are permitted prior to the deadline of Wednesday, March 27<sup>th</sup> at 5 pm).***

Chair Connell read the docket, opening statement and the order of the hearing then called for the staff presentation.

City Planner Oliver went over the staff report and Conditions of approval.

Craig Allison, Deputy Director of the Port, went over what is being proposed. He explained he thinks the Planning Commission has a very complete package, they've worked very closely with the City.

Commissioner Bernhard asked Mr. Allison if he is happy with the conditions?

Craig Allison replied they have been through them, and they are fine.

Commissioner Freimuth asked Mr. Allison what size of aircraft will be at this site?

Mr. Allison replied their fleet is primarily twin engine, passenger sized, smaller business aircraft. Chair Connell asked if any of these are passenger flights?

Mr. Allison replied no they are not.

City Planner Oliver stated this is fairly innovative currently and it did require a change at the State level, and it is somewhat groundbreaking and you may see more hangars developed out here now.

City Engineer Negelspach explained because of the progress that has been made with this it opens a door for other businesses out here. He explained the Port is expanding sewer service to

all their buildings on the west side of Skyway Drive.

Chair Connell closed the public hearing at 7:55 p.m. for deliberation.

Commissioner Bernhard thanked City Planner Oliver for the good job she does on all of these reports, there is no stone left unturned.

Commissioner Shoemaker moved, and Commissioner Bernhard seconded the motion that based on the Findings of Fact and the materials submitted by the applicant, that the Planning Commission approve Site Development Review SDR1-19 with the following Conditions of Approval.

**Motion Passed 5-0. AYES: Chair Connell, Commissioner Shoemaker, Commissioner Bernhard, Commissioner Freimuth, and Commissioner Gibson.**

## **6.0 COMMUNICATIONS**

### **6.1 Calendar Check**

City Planner Oliver went over the April calendar.

### **6.2 Commissioner Comments**

There were none.

### **6.3 Staff Comments**

City Planner Oliver explained she did get the PCC conditional use application, and she is hoping it will come before Planning Commission in early May.

City Engineer Negelspach gave an overview of the east airport project. He explained they are paving Charles T. Parker Way this week. He gave an update on Chief Concomly Park, off of Seely Lane. He also gave an update on the Crown Zellerbach trail.

## **7.0 ADJOURNMENT**

Chair Connell adjourned the meeting at 8:07 p.m.

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Chair Tim Connell

Attest:

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City Recorder Susan M. Reeves, MMC

**CITY OF SCAPPOOSE STAFF REPORT**

**Request:** Approval of a Type II Home Occupation for a barber shop business within a residence.

**Location:** The site is located at 33926 Seven Oaks Drive, on property described as Columbia County Assessor Map No. 3213-AD-02100. See Vicinity Map (**Exhibit 1**).

**Applicant:** Gregory Demeaux

**Owner(s):** Gregory Demeaux

**EXHIBITS**

1. Vicinity Map *pg. 15*
2. Application and narrative *pg. 16*
3. Site Plan *pg. 19*
4. Police Chief comment, dated March 14, 2019 *pg. 20*
5. Building Official comment, dated March 13, 2019 *pg. 21*
6. Public Works Director comment, dated March 14, 2019 *pg. 22*
7. City Engineer comment, dated March 22, 2019 *pg. 23*
8. Howarth – public comment received, email dated March 24, 2019 *pg. 24*

**SUBJECT SITE**

- The subject site consists of one residential lot occupied by an existing single-family residence (see **Exhibit 3**). The property is designated as Suburban Residential (SR) on the Comprehensive Plan Map and is zoned Moderate Density Residential (R-4).

**OBSERVATIONS****PROPOSED TYPE II HOME OCCUPATION**

- The City may authorize small-scale business ventures in residential neighborhoods upon issuance of a permit for a Type I Home Occupation (which specifies that there shall be no evidence that a business is being conducted from the premises) or a Type II Home Occupation (which may show evidence that a business is being conducted from the premises). The applicant has requested a Type II permit to authorize a barber shop so that customers may come to the house.
- The applicant proposes to locate the barber shop in a 131 square foot portion of the garage (see **Exhibit 3**). The proposed home occupation is likely to have little impact on neighboring

*Blades Barber Shop Home Occupation Permit*

residential properties since the number of daily customers will be limited to 6 and the business would be operated in a pre-existing structure.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City Manager, City Engineer, Building Official, Chief of Police, and Public Works Director have been provided an opportunity to review the proposal. No comments in opposition to the request have been received. The Building Official commented that the applicant would need to obtain applicable building and plumbing permits (**Exhibit 5**), the Chief of Police expressed concerns about parking (**Exhibit 4**), the Public Works Director commented that the Building Official should ensure that the proper permits have been issued (**Exhibit 6**). The City Engineer provided a comment stating that there is adequate width on Seven Oaks Drive for parking on both sides of the street and recommended that the applicant only take customers by appointment (**Exhibit 7**).
- Notice of this request was mailed to property owners located within 300 feet of the subject site on March 21, 2019. Notice was also posted on the property on March 25<sup>th</sup> and published in the local newspaper on March 29, 2019.
- One public comment has been received as of the writing of this report, from a neighboring property owner, who stated that they believe the barber shop is a great idea and that they support the issuance of the Type II Home Occupation permit (**Exhibit 8**).

**FINDINGS OF FACT**

1. **The following sections of Title 17 of the Scappoose Municipal Code (Scappoose Development Code) are applicable to this request:**

Chapter 17.50 R-4 MODERATE DENSITY RESIDENTIAL  
17.50.030 Permitted and Conditional Uses.

<i>Use</i>	
<i>Single-family detached residential dwelling unit</i>	<i>Permitted outright<sup>1</sup></i>
<i>Home Occupation Type II subject to Chapter 17.142</i>	<i>Conditional Use<sup>2</sup></i>

**Finding:** The existing single-family residence, located outside the floodplain, is a permitted use in the R-4 zone. The applicant has proposed a Type II Home Occupation

<sup>1</sup> These uses and their accessory uses are permitted in the R-4 zone outright outside of the Scappoose Creek Flood Plain.

<sup>2</sup> These uses and their accessory uses may be permitted in the R-4 zone when authorized by the planning commission in accordance with the requirements of Chapter 17.130, other relevant sections of this title and any conditions imposed by the Planning Commission when such uses are located outside of Scappoose Creek Flood Plain.



*Blades Barber Shop Home Occupation Permit*

for a barber shop with limited customers and signage. Type II Home Occupations are permissible if the Planning Commission grants authorization via the Conditional Use process. Section 17.54.030 is satisfied.

Chapter 17.142 HOME OCCUPATIONS

17.142.010 Purpose. *It is the purpose of this chapter to permit residents an opportunity to use their homes to engage in small-scale business ventures which could not be sustained if it were necessary to lease commercial quarters and to establish approval criteria and standards to ensure that home occupations are conducted as lawful uses which are subordinate to the residential use of the property and are conducted in a manner that is not detrimental or disruptive in terms of appearance or operation to neighboring properties and residents.*

17.142.020 Applicability and exemptions.

[...]

*D. Type II Home Occupations. Property on which, a Type II home occupation is located may show evidence that a business is being conducted from the premises. The following is allowed for Type II home occupations:*

- 1. One nonilluminated sign, not exceeding 1.5 square feet, which shall be attached to the residence or accessory structure or placed in a window;*
- 2. No more than six daily customers or clients. Customers and clients may not visit the business between the hours of ten p.m. and eight a.m. and shall not generate excessive traffic or monopolize on-street parking;*
- 3. Storage of materials, goods and equipment which is screened entirely from view by a solid fence. Storage shall not exceed five percent of the total lot area and shall not occur within the front yard or the required side yard setback. Any storage of materials, goods, and equipment shall be reviewed and approved by the public works director, chief of police and fire chief.*

**Finding:** The applicant has indicated that there would be customers visiting the residence (see **Exhibit 2**). As a result, this business is classified as a Type II Home Occupation. The applicant has requested Planning Commission approval of the home occupation.

Based on the size of the barber shop facility, staff does not anticipate that customers would monopolize available street parking. The Chief of Police submitted a comment stating that he has concerns about parking (**Exhibit 4**). If in the future the type and level of activity associated with the business exceeds the limits specified in the Development Code for Type II home occupations, then the permit could be revoked, which provides assurance that the applicant's business will not generate excessive traffic or monopolize on-street parking. Section 17.142.020 is satisfied.

17.142.050 General approval criteria and standards. *All home occupations shall observe the following criteria:*

*Blades Barber Shop Home Occupation Permit*

*A. There shall be no outside volunteers or employees to be engaged in the business activity other than the persons principally residing on the premises.*

*B. There shall be no more than three deliveries per week to the residence by suppliers.*

*C. There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line resulting from the operation. Home occupations shall observe the provisions of Chapter 17.90.*

*D. The home occupation shall be operated entirely within the dwelling unit or a conforming accessory structure. The total area which may be used in the accessory building for either material product storage and/or the business activity shall not exceed six hundred square feet. Otherwise, the home occupation and associated storage of materials and products shall not occupy more than twenty-five percent of the combined residence and accessory structure gross floor area. The indoor storage of materials or products shall not exceed the limitations imposed by the provisions of the building, fire, health, and housing codes.*

*E. A home occupation shall not make necessary a change in the Uniform Building Code use classification of a dwelling unit. Any accessory building that is used must meet Uniform Building Code requirements.*

*F. More than one business activity constituting two or more home occupations may be allowed on one property only if the combined floor space of the business activities does not exceed twenty-five percent of the combined gross floor area of the residence and accessory structure. Each home occupation shall apply for a separate home occupation permit, if required as per this chapter, and each shall also have separate business license certificates.*

*G. There shall be no storage and/or distribution of toxic or flammable materials, and spray painting or spray finishing operations that involve toxic or flammable materials which in the judgment of the fire marshal pose a dangerous risk to the residence, its occupants, and/or surrounding properties. Those individuals which are engaged in home occupations shall make available to the fire marshal for review the material safety data sheets which pertain to all potentially toxic and/or flammable materials associated with the use.*

*H. The following uses shall not be allowed as home occupations:*

- 1. Auto-body repair and painting;*
- 2. Ongoing mechanical repair conducted outside of an entirely enclosed structure;*
- 3. Junk and salvage yards;*
- 4. Storage and/or sale of fireworks or firearms.*

*I. There shall be no exterior storage of vehicles of any kind used for the business except that one commercially licensed vehicle may be parked outside of a structure.*

**Finding:** The applicant's response to the applicable approval criteria is attached as **Exhibit 2**. No outside employees are proposed; no business-related deliveries are anticipated; no offensive off-site impacts will be generated; the business will be confined to approximately 131 square feet within the existing structure; the Building Official will verify that the structure meets building code; and only one business is proposed. The applicant further states in their narrative that the daily customer count will be limited to 6;



*Blades Barber Shop Home Occupation Permit*

material storage will not exceed the limitations imposed by the provisions of the building, fire, health, and housing codes and that there will be no vehicle storage of any kind for the business. Section 17.142.050 is satisfied.

17.142.060 Permit Procedures

[...]

*B. Type II. A person wishing to engage in a Type II home occupation must be a principal occupant of the property, agree to abide by the provisions of this chapter, acquire an annual business license certificate and receive planning commission approval for a Type II home occupation.*

*1. The planning commission shall approve, approve with conditions, or deny any application for a Type II home occupation. The decision to approve, approve with conditions, or deny an application for a Type II home occupation permit shall be made by the planning commission upon findings of whether or not the proposed use:*

- a. Is in conformance with the standards contained in this chapter;*
- b. Will be subordinate to the residential use of the property;*
- c. Is undertaken in a manner that is not detrimental nor disruptive in terms of appearance or operation to neighboring properties and residents;*
- d. All Type II home occupations are subject to Chapter 17.130.*

**Finding:** The applicant is the owner and principal occupant of the property and will be required to abide by the provisions of this chapter and acquire an annual business license.

The application contains evidence that it is in conformance with the standards contained in this chapter and will be subordinate to the residential use since the business will only occupy 131 square feet. The applicant has demonstrated and states in the narrative (**Exhibit 2**) that the business will be carried out in a manner that is not detrimental nor disruptive in terms of appearance or operation to neighboring properties since the business will be conducted inside the garage, and patrons will enter through a gate at the side of the house. Findings related to Chapter 17.130 are below. Section 17.142.060 is satisfied.

Chapter 17.130 CONDITIONAL USE

17.130.050 Approval standards and conditions. *A. The planning commission shall approve, approve with conditions, or deny an application for a conditional use based on findings of fact with respect to each of the following criteria:*

- 1. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography and natural features;*
- 2. All required public facilities have adequate capacity to serve the proposal;*
- 3. The applicable requirements of the zoning district are met;*
- 4. The use is compatible with surrounding properties or will be made compatible by imposing conditions.*

*Blades Barber Shop Home Occupation Permit*

**Finding:** The site is suitable for the home occupation because it will take place in an existing single-family residence. No additional buildings are proposed that would impact the topography or natural features, or be constrained by the lot size, shape or location. The existing utilities to the site are adequate to serve a barber shop within a residence. The R-4 zone requirements (setbacks, etc.) are satisfied as previously reviewed at the time the house was constructed. Based on the evaluation of the approval criteria for home occupations, the proposed home occupation appears compatible with surrounding residential uses as previously discussed. Section 17.130.050(A) is satisfied.

[...]

*C. The planning commission may impose conditions on its approval of a conditional use, which it finds are necessary to ensure the use is compatible with other use in the vicinity. These conditions may include, but are not limited to, the following:*

- 1. Limiting the hours, days, place and manner of operation;*
- 2. Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor and dust;*
- 3. Requiring additional setback areas, lot area, or lot depth or width;*
- 4. Limiting the building height, size or lot coverage, or location on the site;*
- 5. Designating the size, number, location and design of vehicle access points;*
- 6. Requiring street right-of-way to be dedicated and the street to be improved;*
- 7. Requiring landscaping, screening, drainage and surfacing of parking and loading areas;*
- 8. Limiting the number, size, location, height and lighting of signs;*
- 9. Limiting or setting standards for the location and intensity of outdoor lighting;*
- 10. Requiring berming, screening or landscaping and the establishment of standards for their installation and maintenance;*
- 11. Requiring and designating the size, height, location and materials for fences;*
- 12. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas and drainage areas;*
- 13. Requiring the dedication of sufficient open land area for a greenway adjoining and within the floodplain when land form alterations and development are allowed within the one hundred-year floodplain.*

**Finding:** The Planning Commission may impose conditions of approval that reflect any of the above criteria. Section 17.130.050(C) is satisfied.

*Chapter 17.162 PROCEDURES FOR DECISION MAKING—QUASI-JUDICIAL*

*17.162.090 Approval authority responsibilities. [...]*

*C. The planning commission shall conduct a public hearing in the manner prescribed by this chapter and shall have the authority to approve, approve with conditions, approve with modifications or deny the following development applications:*

[...]

- 4. Conditional use pursuant to Chapter 17.130;*

[...]

*Blades Barber Shop Home Occupation Permit**7. Type II home occupation pursuant to Chapter 17.142;*

**Finding:** The applicant has submitted a Type II Home Occupation Permit and Conditional Use Permit application on forms provided by the City of Scappoose and has paid the applicable land use fees. The Planning Commission is the appropriate review body and the application will be reviewed in a public hearing. Based on the submitted materials and the staff report, and as conditioned within this report, the proposed Home Occupation Type II Permit complies with the City's Comprehensive Plan, and with the requirements of Title 17 of the Scappoose Municipal Code. Section 17.162.090(C) is satisfied.

**RECOMMENDATION**

Based on the Findings of Fact and the materials submitted by the applicant, staff recommends that the Planning Commission **APPROVE** HO 6-19, subject to the following:

1. The applicant shall obtain a City business license and renew it annually as long as the Home Occupation is in operation.
2. The applicant shall observe the sign requirements for Type II Home Occupations; One nonilluminated sign, not exceeding 1.5 square feet, may be attached to the residence or accessory structure or placed in a window. No other signage is allowed on site.
3. The business shall have no more than six customers per day.
4. The applicant shall coordinate with the Scappoose Building Official to obtain building and plumbing permits, as applicable.



# Type II Home Occupation Permit HO6-19 Vicinity Map

*Exhibit 1*

33926 Seven Oaks Drive, Columbia County Assessor's Map Number 3213-AD-02100



Scappoose GIS

## Legend

- Streets
- Taxlots Boundary





**Scappoose Planning Department**  
 33568 E. Columbia Ave. Scappoose, OR 97056  
 Phone: 503-543-7184 Fax: 503-543-7182  
[www.ci.scappoose.or.us](http://www.ci.scappoose.or.us)

## HOME OCCUPATION PERMIT APPLICATION (TYPE II)

### Note to Applicant:

- Approval of a Home Occupation Permit is required to operate a business from a home within a residential zone in the City Limits.
- The applicant is responsible for obtaining approval for this use from their Home Owner's Association prior to beginning business activity.

### SITE LOCATION & DESCRIPTION

Site Address 33926 SEVEN OAKS DR. SCAPPOOSE OR 97056  
 Nearest Cross Street SE 8<sup>th</sup> ST.

### BUSINESS INFORMATION

Business Name BLADES BARBER SHOP  
 Type of Business: (please explain business activities proposed at this site) BARBER SHOP : HAIRCUTS

Are there other home occupations at this address? ☐ Yes ☒ No  
 If Yes, Associated Permit #(s) \_\_\_\_\_

### GENERAL INFORMATION

#### PLEASE PROVIDE THE FOLLOWING INFORMATION:

- 1) Combined square footage of all structures on the site: 2328 sq.ft.  
 2) Square footage of floor area that will be used for business purposes: 131 sq.ft.

**NOTE:** No more than 25% of the floor area or 600 square feet, whichever is less, can be used for the business.

- 3) List all Individuals engaged in the business, including name, address and relationship to principal residents.

**NOTE:** There shall be no outside volunteers or employees to be engaged in the business activity other than the persons principally residing on the premises.

GREGORY DENEUX - OWNER/RESIDENT



4) Days and hours of operation for the business: THROUGH SUNDAY  
MONDAY - TUESDAY - FRIDAY 2-6

5) Number and type of vehicles to be used in connection with the business and location of vehicle parking on the site:  
0

6) Anticipated number of customer vehicles coming to business each day: FEWER THAN 6

7) Expected number of business deliveries per week: (Do not count US Postal Service deliveries)  
0

8) Will your business include activities which generate noises, vibrations, odors, heat, glare, or visual or audible electrical interference in line voltage beyond any property line? ☐ Yes ☒ No (If Yes, Please explain)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### APPLICANT AND OWNERSHIP INFORMATION

Applicant: Name GREGORY DEMBAUX

Business Name BLADES BARBER SHOP

Mailing Address 33926 WAKS DR. City SCAPPOOSE State OR Zip 97056

Phone # (503) 866-0762 Fax # - Email Address GSDEMBAUX@GMAIL.COM

I hereby certify that my business will continually conform to the standards of Scappoose Development Code (SDC), Section 17.142.070 pertaining to Type II Home Occupations, and to any conditions of approval attached to the Type II Home Occupation Permit. I understand that the home occupation permit for my home occupation is subject to revocation at any time by the City Planner for cause, pursuant to the Scappoose Development Code, under the following circumstances: 1) violation of any provision of the SDC; 2) violation of any terms or conditions of applicable permit.

Applicant's Signature Gregory Dembaux Date: 3-1-19

*If the applicant is not the property owner, permission from the owner must be provided below or on a separate attached letter:*

Property Owner(s): Name(s) \_\_\_\_\_

Business Name \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email Address \_\_\_\_\_

Property Owner(s) Signature(s) \_\_\_\_\_ Date: \_\_\_\_\_

Gregory Demeaux  
33926 Seven Oaks Dr.  
Scappoose, OR 97056

City of Scappoose  
33568 East Columbia Avenue  
Scappoose, OR 97056

To Whom it May Concern:

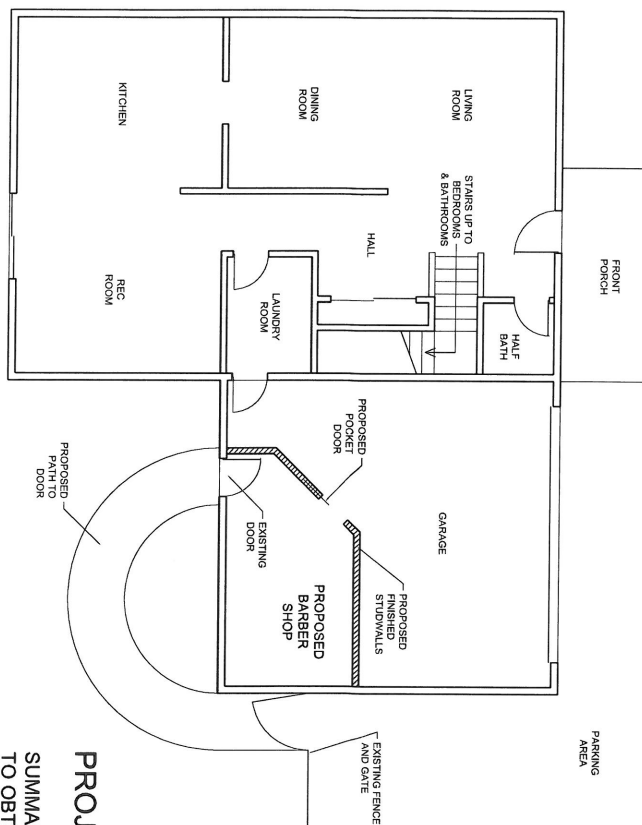
I am applying for a Type II Home Occupation permit in order to operate a barber shop from my home. The business will be operated within a remodeled portion of my home's garage and will not be disruptive or detrimental in terms of appearance or operation to neighboring properties and residents. As the home owner and resident of the property, I will be the sole employee of my business. There will be no deliveries to the residence and my business will not cause noise, vibration, smoke, heat or glare noticeable at or beyond the property line resulting from its daily activities. My business will operated within the remodelled section of my home's garage and measures 131 square feet, which conforms to and is below the 600 square feet maximum requirement. The storage of materials and products to operate my business will not exceed the limitations imposed by the provisions of the building, fire, health, and housing codes. The changes to the existing garage will not make any changes to and will meet all Uniform Building Codes of the dwelling unit. There will be no storage, spraying, or distribution of toxic or flammable materials that the fire marshal would pose a dangerous risk to the residence, its occupants, or surrounding properties. There will be no exterior storage of vehicles of any kind for the business.

Sincerely,  
Gregory Demeaux  
3/5/2019



**H. Weston Drumbheller**  
33144 Stone Rd. Warren, OR 97055  
Phone: (503) 396-8353  
e-mail: hwestond@yahoo.com

## SEVEN OAKS DRIVE



## PROJECT DATA:

**SUMMARY OF PROJECT:**  
TO OBTAIN A TYPE II HOME OCCUPATION  
FOR THE BLADES BARBER SHOP.

**PROJECT ADDRESS:**  
33926 SEVEN OAKS DRIVE  
SCAPPOOSE, OR 97056

OWNER:  
GREGORY & SHARON DEMAUX

BUILDER:  
OWNER

**BUILDING DEPARTMENT:**  
**SCAPOOSE BUILDING DEPARTMENT**

LOT SIZE: +/- 9500 S.F.  
EXISTING RESIDENCE & GARAGE: 2328 S.F.  
PROPOSED BARBER SHOP: 131 S.F.

2 FLOOR PLAN  
1/8" = 1'-0"

1/8" = 1'-0"

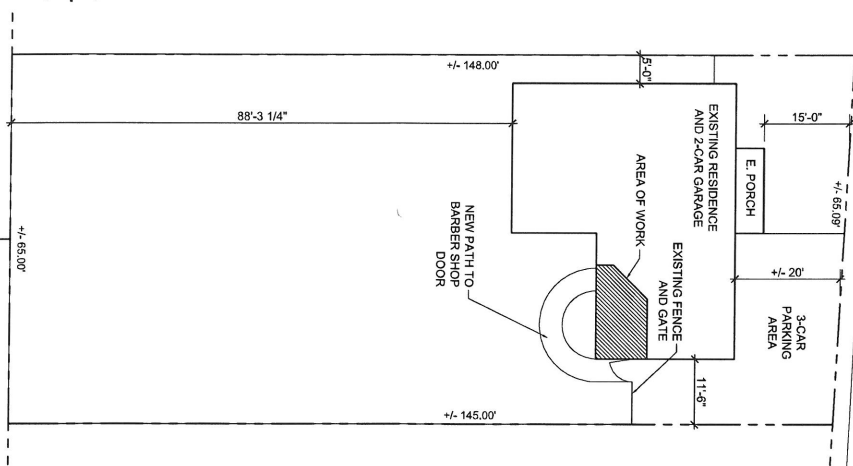


## VICINITY MAP

N.T.S.



# SITE PLAN

$$1'' = 20'$$


BLADES BARBER SHOP  
TYPE II HOME OCCUPATION

33926 SEVEN OAKS DRIVE  
SCAPPOOSE, OREGON 97056

**STAMP & SIGNATURE**



19	APPLICATION
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REVISIONS

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[illegible][illegible][illegible]

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PROJECT NUMBER: H

E:	AS
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SCALE: \_\_\_\_\_  
 1/4" = 1'

SET NUMBER:



100



Chief Norm Miller,  
Scappoose Police Dept.

# CITY OF SCAPPOOSE

33568 E. COLUMBIA AVE.  
SCAPPOOSE, OREGON 97056  
(503) 543-7184  
FAX: (503) 543-5679

LAND USE ACTION REFERRAL (HO 6-19)

March 13, 2019

RETURN TO: Laurie Oliver, City Planner, City of Scappoose, 33568 East Columbia Ave, Scappoose, OR, 97056 by **March 22, 2019**. Please email your response to: loliver@cityofscappoose.org.

**REGARDING:** Gregory Demeaux has requested a Type II Home Occupation permit to authorize a Barber Shop business within a residence. The site is located at 33926 Seven Oaks Drive, on property described as Columbia County Assessor Map No. 3213-AD-02100.

- 1. \_\_\_\_\_ We have reviewed the enclosed application and have no objection to its approval as submitted.
- 2. X Please see either our comments (below) or attached letter.
- 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. Please see either our comments (below) or attached letter:

COMMENTS: MY CONCERN IS THE PARKING. ARE THEY USING  
THE STREET OR DRIVEWAY

Signed: 

Title: CITY CLERK

Date: 3/14/19

## CITY OF SCAPPOOSE

33568 E. COLUMBIA AVE.  
SCAPPOOSE, OREGON 97056  
(503) 543-7184  
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6. \_\_\_\_\_ We recommend denial of the application. Please see either our comments (below) or attached letter:

**COMMENTS:** Remodel of Garage will need to meet  
all current Oregon Structural, Plumbing & Mechanical  
Codes.

Signed: [Signature]

Title: ~~Building~~ Official

Building

Date: 3-13-19



**SCAPPOOSE**  
*Oregon*

3/14/19

Laurie Oliver  
City Planner  
Scappoose, OR

Dear Laurie,

I have reviewed the Proposal for Gregory Demeaux's request for a Type II Home Occupation permit. I have no objections to the permit as requested. However, it is my recommendation that the Building Official inspect the facility to confirm that the modifications to the garage do in fact meet all heating, ventilation and building codes.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Sukau", with a long horizontal flourish extending to the right.

Dave Sukau  
Public Works Director



Chris Negelspach,  
City Engineer

## CITY OF SCAPPOOSE

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5. \_\_\_\_\_ Please contact our office so we may discuss this.
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**COMMENTS:** LAURIE I VERIFIED THAT THE STREET SECTION WAS DESIGNED TO ALLOW PARKING ON BOTH SIDES SO THERE SHOULD BE NO ISSUE AS LONG AS THE APPLICANT DOES NOT ALLOW MORE CUSTOMERS THAN CAN SAFELY PARK WITHOUT CAUSING VISUAL CLEARANCE ISSUES AT THE INTERSECTIONS (SHOULD RECOMMEND THAT THE APPLICANT TAKE CUSTOMERS ON APPOINTMENT ONLY)

Signed: C. Negelspach

Title: CITY ENGINEER

Date: 3.22.2019

**Laurie Oliver**

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**From:** Erin Howarth <erin.e.howarth@gmail.com>  
**Sent:** Sunday, March 24, 2019 7:46 PM  
**To:** Laurie Oliver  
**Subject:** Barber Shop on Seven Oaks

**Laurie Oliver:**

I received a notice in the mail about one of neighbors operating a barbershop in his garage. I think this is a great idea, and I wish to register my support for issuing him a permit.

--

Erin Howarth  
Scappoose, Oregon  
(503) 750-1125 ~ voice or text

# April 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	<b>1</b> No City Council	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b> Planning Commission 7pm	<b>12</b>	<b>13</b> Spring Clean Up Day @ High School 8am-Noon
<b>14</b>	<b>15</b> Work Session 6pm  City Council 7pm	<b>16</b>	<b>17</b>	<b>18</b> EDC/Urban Renewal Tech. Advisory ~ noon  Park & Rec Comm. & Friends of Park meeting ~ 6pm	<b>19</b>	<b>20</b>  Earth Day Festival Heritage Park 10am-2pm
<b>21</b> 	<b>22</b>	<b>23</b>	<b>24</b> City Offices closed for staff training 8am-1pm	<b>25</b> Planning Commission 7pm	<b>26</b>	<b>27</b>
<b>28</b>	<b>29</b>	<b>30</b>				



# May 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6 Council Work City Council 7pm	7	8	9 Planning Commission 7pm	10	11
12 	13	14	15	16 EDC ~ noon  Park & Rec Comm. & Friends of Park meeting ~ 6pm	17	18 Scappoose Farmers Market Opens for Season 9am- 2pm
19	20 Council Work Session 6:00 pm City Council 7pm	21 Budget Committee meeting 6pm	22 Budget Committee meeting 6pm (If needed)	23	24	25 Scappoose Farmers Market 9am – 2pm
26	27 City Offices Closed ~ 	28 Budget Committee meeting 6pm (If needed)	29	30	31	