



**Clatsop County**  
Community Development – Planning

800 Exchange St., Suite 100  
Astoria, OR 97103  
(503) 325-8611 phone  
(503) 338-3606 fax  
[www.co.clatsop.or.us](http://www.co.clatsop.or.us)

## **NOTICE OF DECISION**

**CONDITIONAL USE PERMIT #186-23-000608-PLNG**

**Date:** January 31, 2024  
**Owner:** Lisa Tarabochia  
23255 Bear Creek Road  
Bend, OR 97401  
**Applicant:** Precision Form Construction  
Alexandra and David Nowlin  
**Property Description:** T8N, R09W, Sec. 24BC, TL 1500  
**Action:** **APPROVAL – WITH CONDITIONS**

Precision Form Construction,

The Community Development Department has completed review of the request cited above. This decision includes findings and conditions of approval, attached.

If you, or a party with standing, wish to appeal this decision, you may do so, up to the date and time appearing at the bottom of this letter. The appeal must comply with Section 2.2190 of the Clatsop County Land and Water Development and Use Code #21-05 (procedure for an appeal). This department will not issue development permits for any activities or structures until the 12-day appeal period has expired.

If you have any questions regarding this decision, appeal procedures or any of the conditions of approval, please contact me at (503) 325-8611.

Sincerely,

Gail Henrikson, Director  
Community Development Department

Attachments: Staff Report

**LAST DAY TO APPEAL: Monday, February 12, 2024**



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## **CONDITIONS OF APPROVAL**

### **CONDITIONAL USE PERMIT #186-23-000608-PLNG**

The criteria relevant to this request have been met or will be met through conditions of approval.  
**Staff recommends approval, subject to the following conditions:**

1. Prior to the issuance of any building permit:
  - a. A Development Permit shall be obtained. A Development Permit requires the approval of the public agencies which would serve the proposed development.
  - b. A Grading, Drainage, and Erosion Control Plan Permit shall be obtained.
  - c. A Floodplain Development Permit shall be obtained. A Floodplain Development Permit is accompanied by an Elevation Certificate which is prepared and certified by a licensed engineer.
  - d. A Geologic Hazard Permit shall be obtained. A Geologic Hazard Permit requires the preparation of a Geologic Hazard Report which is prepared by a licensed geologist or certified engineer geologist.
2. A Site Plan shall be submitted in conjunction with the Development Permit described in Condition 1a. This Site Plan shall conform to the standards described in the LAWDUC Section 2.9400, 1.1040, & 1.1050. The Site Plan shall contain information including, but not limited to: structure locations, structure elevation sheets, off-street parking areas, floor plans, and distance to property lines and other site features.
3. Any future outdoor light fixtures shall comply with Ordinance #20-02 Outdoor Lighting.
4. The proposed use shall substantially conform to the project description provided in this staff report as well as the project application materials. Substantial change from this approved conditional use permit may require further permitting.

### **The following regulations shall also apply:**

1. If any state or federal permit is required for a development or use, an applicant, prior to issuance of a development permit or action, shall submit to the Planning Division a copy of the state or federal permit.
2. Authorization of this Conditional Use Permit shall be void after two years unless substantial construction or action pursuant thereto has taken place. The Community Development Director may extend authorization an additional year upon request, provided the request is submitted in writing at least 10 days and not more than 30 days prior to the expiration of the permit.
3. No public disturbances are permitted between the hours of 10:00pm and 7:00am pursuant to the Clatsop County Code of Regulations Chapter 8.12.



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### **STAFF REPORT**

#### **CONDITIONAL USE PERMIT APPLICATION**

#### **PERMIT #186-23-000608-PLNG**

**STAFF REPORT DATE:** January 31, 2024

**REQUEST:** Construct a new 2,400 square-foot structure for the storage and maintenance of commercial fishing equipment.

**OWNER:** Lisa Tarabochia  
23255 Bear Creek Road  
Bend, OR 97701

**APPLICANT:** Precision Form Construction  
Alexandra and David Nowlin

**PROPERTY DESCRIPTION:** T8N, R09W, Sec. 24BC, TL 1500

*Size/Structures:* 1.87 acres; former auto repair shop  
County Assessor's records indicate three miscellaneous commercial structures on-site, ranging from 1,488 square feet to 3,888 square feet

*Zoning Designation:* General Commercial (GC)

*Overlays and Layers:* Flood Hazard Overlay – A 100-year zone  
Geologic Hazard Overlay – Landslide Topography & Compressible Soils  
State Mapped Wetland Inventory – Hydric Soils  
Big Game Habitat Overlay - Peripheral

**PROPERTY LOCATION:** 92630, 92643, & 92651 John Day River Road, Astoria, approximately three miles east of Astoria

**COUNTY STAFF REVIEWER:** David Cook, Planner

**DEEMED COMPLETE:** December 8, 2023 (150 Days: May 6, 2024)

**STAFF RECOMMENDATION:** **APPROVAL - with conditions**

**AGENCY/PUBLIC COMMENTS:** None

**EXHIBITS:** A - Conditional Use Application  
B - Public Notice  
C – Property History

## **APPLICATION SUMMARY**

On November 16, 2023, Precision Form Construction on behalf of owner Lisa Tarabochia submitted an application for a conditional use permit to construct a new 2,400 square-foot structure for the storage and maintenance of commercial fishing equipment. As described by the applicant, the three existing miscellaneous commercial structures are not proposed to be used as a part of this application. The applicant further describes that this application does not propose the use of any water, sewer/septic, or electrical utility. The property formerly had a permitted auto repair business whose use has since expired.

The subject property is located in the General Commercial Zone (GC) which permits extensive commercial services such as contractor's offices and storage of equipment, and more, provided building or buildings for each commercial use does not exceed 3,000 square feet of floor area. The use must follow a Type II permit procedure subject to the applicable review criteria and development standards. The application was deemed complete on December 8, 2023. A public notice was provided to surrounding property owners and public agencies on December 19, 2023 and no public comments were received. This staff report will outline how the proposed activities, as presented by the applicant, can be permitted as a contractor's office and storage of equipment through compliance with applicable review criteria, standards, and required conditions of approval.

The property falls within several of the County's overlay districts including the Flood Hazard Overlay, A 100-year flood zone, Geologic Hazard Overlay for Landslide Topography and Compressible Soils, and the Big Game Overlay, Peripheral Game Habitat. The property also falls within the State Mapped Wetland Inventory for Hydric Soils.

## **PROPERTY STATUS AND CHARACTERISTICS**

The subject property T8N, R09W, Sec. 24BC, TL 1500 (TL 1500) was originally created through the recording of a deed between Henry O. Coles, a single man (grantor) and Lincoln B. Nelsen (grantee) on October 10, 1961 (Book 261, Page 436, Clatsop County Deed Books).

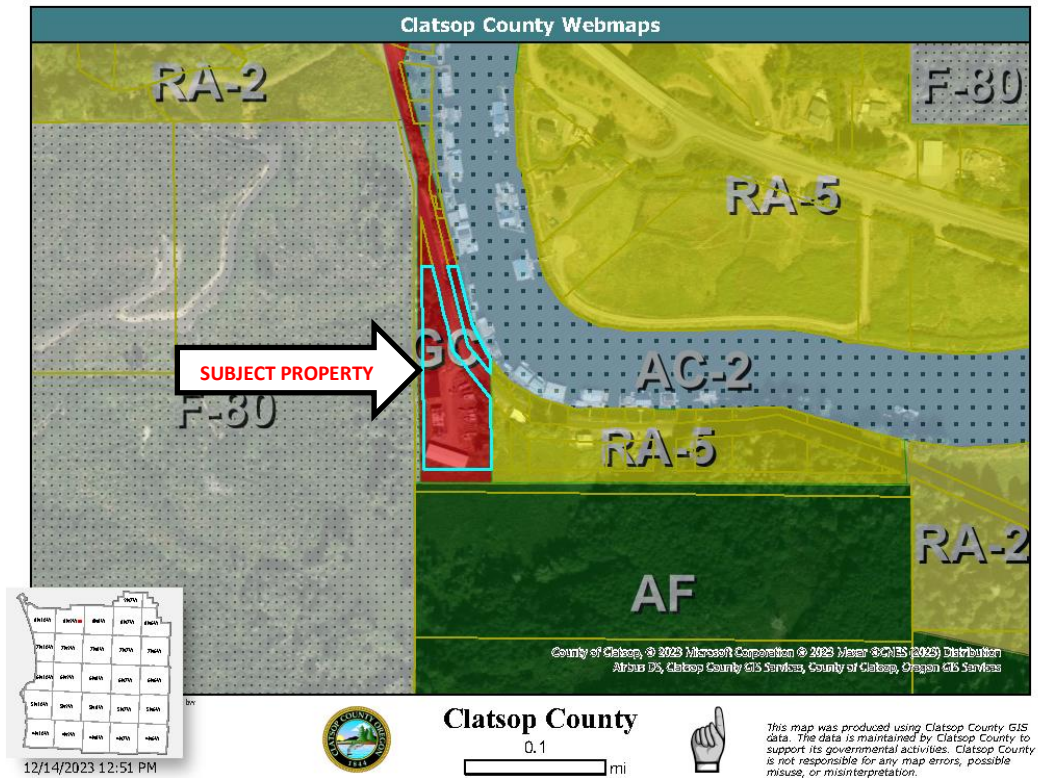
TL 1500 was created in its current configuration through the recording of a Quitclaim Deed between Violet Knudsen, Lorna Kairala, and Ralph Larson (grantors) and Lincoln B. Nelsen (grantee) on September 18, 1972 (Book 369, Pages 76 & 77, Clatsop County Deed Books).

Based on the above findings, TL 1500 is considered legal Lots of Record.

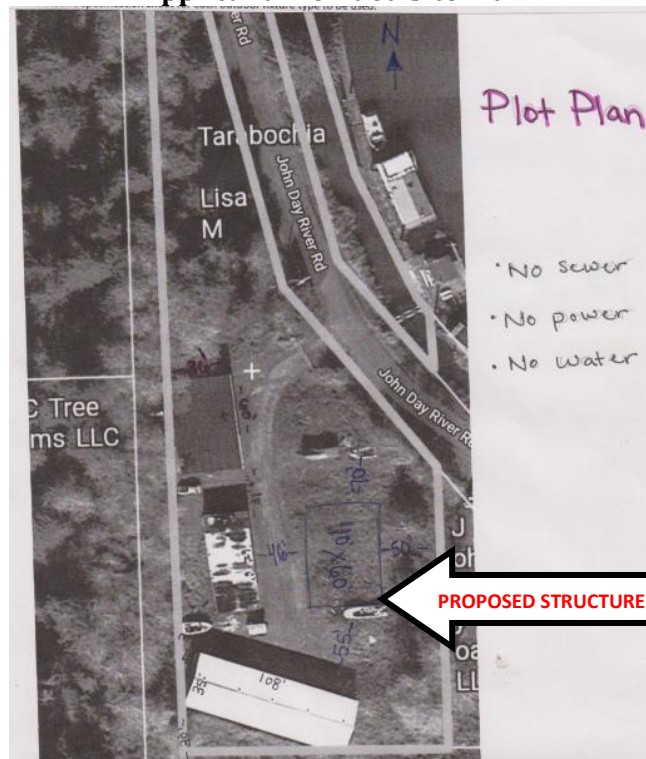
According to the County Assessor's records, TL 1500 contains three existing miscellaneous commercial structures. These structures are not proposed to be used as a part of this conditional use permit application.



## 2021 AERIAL and ZONING PHOTO



## Applicant Provided Site Plan



## **I. APPLICABLE CRITERIA**

### **Clatsop County Land and Water Development and Use Code 21-05 (LAWDUC)**

Section 2.0200 State and Federal Permit Requirements  
Section 2.1020 Type II Procedure  
Section 2.2040 Mailed Notice for a Type II Procedure  
Section 2.2050 Procedure for Mailed Notice  
Section 2.4000 Conditional Development and Use  
Section 2.9400 Site Plan Review  
Section 4.3000 General Commercial Zone (GC)  
Section 5.1000 Flood Hazard Overlay (FHO)  
Section 5.3000 Geologic Hazards Overlay District (GHO)

## **II. STAFF EVALUATION**

### **A. Clatsop County Land and Water Development and Use Ordinance (21-05)**

#### **Section 2.0200. State and Federal Permit Requirements**

If any state or federal permit is required for a development or use, an applicant, prior to issuance of a development permit or action, shall submit to the Planning Division a copy of the state or federal permit.

**STAFF FINDINGS and CONCLUSION: The applicant is responsible for understanding state and federal permitting requirements and shall provide copies of any required permit to the Land Use Planning Division (Regulation #1).**

#### **Section 2.1020. Type II Procedure**

#### **Section 2.2050. Procedure for Mailed Notice**

**STAFF FINDINGS and CONCLUSION:** Extensive commercial services such as contractor's offices and storage of equipment, hereafter referred to as equipment storage, can be permitted in the GC Zone under a Type II procedure pursuant to LAWDUC Section 4.3040(17). When the application was deemed complete by the Planning Division, a mailed notice was issued on December 19, 2023, in accordance with the requirements for a Type II procedure.

**The application is being processed in accordance with the procedural requirements listed above.**

### **SECTION 4.3000. GENERAL COMMERCIAL (GC)**

#### **Section 4.3040. Conditional Development and Use**

The following developments and their accessory developments may be permitted under a Type II procedure and Sections 2.4000 to 2.4050 subject to applicable criteria and development standards and site plan review.

(17) Extensive commercial services such as cabinet shop, contractor's offices and storage, equipment, rentals, mini-storage, sheet metal, plumbing and machine shops, tire shops including incidental recapping, printing and publishing provided building or buildings for each commercial use does not exceed 3,000 square feet of floor area.

**STAFF FINDINGS and CONCLUSION:** The applicant proposes a new 2,400 square-foot structure for the storage and maintenance of commercial fishing equipment, meeting the intent of LAWDUC Section 4.3040(17). Finding that the project proposes new development for a commercial use, the section applies. The project is required to process a Type II, Conditional Use Permit, subject to the standards in Section 2.4000.

**This staff report will evaluate the applicant's request against applicable review criteria. A development permit will be required to verify compliance with all conditions of approval (see Condition #1).**

#### **SECTION 2.4000. CONDITIONAL DEVELOPMENT AND USE**

##### **Section 2.4030. Authorization of a Conditional Development and Use.**

(3) In addition to the other applicable standards of this ordinance, the hearing body must determine that the development will comply with the following criteria to approve a conditional development and use.

(A) The proposed use does not conflict with any provision, goal, or policy of the Comprehensive Plan.

(B) The proposed use meets the requirements and standards of this ordinance.

**APPLICANT RESPONSE:** (A) The placement of the new structure will be an addition to the already firmed placed structures on the property working to improve to use of the land.

(B) The proposed use of land is a working storage structure placed along with in the boundaries of already placed structures. The project has received sign off with required officials for placement of new [*the response ends here*]

**STAFF FINDINGS and CONCLUSION:** Commercial development can be permitted in the GC Zone, meaning the use has been reviewed in general terms and was found to be compatible with the goals and policies in the Comprehensive Plan through compliance with criteria and standards found in LAWDUC, with additional conditions of approval as appropriate. The applicable LAWDUC criteria are addressed in this section. It will be demonstrated that the equipment storage use will not conflict with LAWDUC or the Comprehensive Plan, through compliance with applicable criteria and standards, and with conditions of approval as appropriate. Staff notes that the project had not received sign off from required officials for any portion of the proposed project at the time of application.

**These criteria can be satisfied through compliance with development standards and conditions of approval.**

(C) The site under consideration is suitable for the proposed use considering:

- 1) The size, design, and operating characteristics of the use, including but not limited to off-street parking, fencing/buffering, lighting, signage, and building location.
- 2) The adequacy of transportation access to the site, including street capacity and ingress and egress to adjoining streets.

- 3) The adequacy of public facilities and services necessary to serve the use.
- 4) The natural and physical features of the site such as topography, natural hazards, natural resource values, and other features.

**APPLICANT RESPONSE:**

(C)

1. The placement of the structure is within all the boundaries necessary and comply with already signed off with sewer, water and fire requirements. Having an already existing address.
2. The site has an existing address and its driveway is accessible to ingress and egress adjoining streets.
3. The property will and has had the facilities necessary to serve for use and will continue for future use.
4. This property will continue to hold value. There will be no impact on the topography, natural hazards, natural resources values or other features.

**STAFF FINDINGS and CONCLUSIONS:**

1. The proposed 2,400 square-foot equipment structure is similar in form and size to the existing miscellaneous commercial structures on-site. The project has not proposed any fencing, lighting, or signage. Off-street parking has not been shown and a condition of approval will require a site plan which shows required off-street parking as well as other required site features (Condition #2). The Specialty trade, Contractor or General Contractor category of use requires 1.75 parking spaces for every 1,000 square feet of gross leasable area. Therefore, the proposed 2,400 square-foot equipment storage structure requires 4.2 spaces, rounded down to four.

No authorizations from the Knappa-Svensen-Burnside Rural Fire Protection District have been included in this application. Condition #1 will require a development permit prior to the issuance of any building permit where required agencies will provide their authorization. No agency has commented on this conditional use permit application.

In the project description prepared by the applicant, it is stated that the proposed hours of operation are 'typical business hours', with an average of 1 – 3 employees on site approximately 20 hours per week, depending on the season. While the LAWDUC does not have standards which restrict the hours of operation for a commercial use, staff notes that the Clatsop County Code of Regulations Chapter 8.12 contains standards related to public disturbances between the hours of 10:00pm and 7:00am, which will apply.

2. The project is not proposing any new site access. The project is not anticipated to increase traffic to or from the project site.

3. Public agencies were noticed as a part of the public notice period for this project. The applicant does not propose the use of any utility including water, sewer/septic, or electricity. The property falls within the service area of the Knappa-Svensen-Burnside Rural Fire Protection District; Condition #1 will require the applicant to obtain a development permit which includes an authorization from the fire chief of this district.

4. The property is in the GC Zone and has historically been used as an automobile auction yard and repair shop. The proposed development is similar in size and form to existing structures on-site. There are natural hazards located on the property, the FEMA 100-year Floodplain and Landslide

Topography. How this project is consistent, or can be conditioned to be consistent, with these overlay districts will be described later in this report.

**These criteria are met or will be met through conditions of approval.**

- (D) The proposed use is compatible with existing and projected uses on surrounding lands, considering the factors in (C) above.

**APPLICANT RESPONSE:** The land will stay compliant and compatible with existing surrounding areas.

**STAFF FINDINGS and CONCLUSION:** The property has historically been used as an auto auction yard and repair shop. The proposed use is similar in intensity to historic uses on the property. Currently, the property has no primary use established for land use purposes. Due to the relatively small-scale of proposed development, the proposed use will be compatible with existing and projected uses on surrounding lands. The GC Zone has an adopted setback when abutting a residentially zoned property of 10-feet. The applicant has proposed a new equipment storage structure approximately 50-feet from their eastern property line, which abuts a residential zone.

**Through conditions of approval, this criterion is met. (See Conditions #1 and #2.)**

- (E) The proposed use will not interfere with normal use of coastal shorelands.  
(F) The proposed use will cause no unreasonably adverse effects to aquatic or coastal shoreland areas.  
(G) The use is consistent with the maintenance of peripheral and major big game habitat on lands identified in the Comprehensive Plan as Agricultural or Conservation Lands. In making this determination, consideration shall be given to the cumulative effects of the proposed action and other development in the area on big game habitat.

**APPLICANT RESPONSE:**

(E) The land is located off the shorelands and does not interfere with any of the surrounding areas.  
(F) & (G) The land has been established and within the zones of big game, shore land and agriculture or conservation forest lands. The use remains the same.

**STAFF FINDINGS and CONCLUSION:** The proposed use is more than 50 feet away from the regulatory boundary of the coastal shoreland within the John Day River subarea as defined in Goal 17 of the Clatsop County Comprehensive Plan. Additionally, the property has historically been used as an auto auction yard and repair shop. No significant impacts to the John Day River subarea and coastal shoreland are anticipated.

The proposed equipment structure is approximately 130 feet from the John Day River aquatic area and does not proposed to utilize the aquatic area as a part of this application. There are no anticipated impacts to the nearby aquatic or coastal shoreland areas.

The property is located in Peripheral Big Game Habitat and the development area is approximately 100 feet west from an area identified as Forest Lands. However, the property is not identified in the Comprehensive Plan as Agricultural Forest or Conservation Lands. Because of this, criterion G does not apply.



**These criteria are met.**

#### **SECTION 2.9400. SITE PLAN REVIEW**

##### **Section 2.9410. Site Plan Review Requirements.**

Before a permit can be issued for development in a special purpose district or for a conditional development and use or a development and use permitted with review, a site plan for the total parcel and development must be approved by the Community Development Director or Planning Commission. Information on the proposed development shall include sketches or other explanatory information the Director may require or the applicant may offer that present facts and evidence sufficient to establish compliance with Sections 1.1040, 1.1050 and the requirements of this Section.

**STAFF FINDINGS and CONCLUSION:** Extensive commercial services such as contractor's offices and storage of equipment uses are a conditional use requiring site plan review in the GC Zone. A condition of approval will require the applicant to submit a site plan that meets the requirements described in Section 2.9400.

**Through a condition of approval, this criterion is met (See Condition #2).**

#### **SECTION 5.1000. FLOOD HAZARD OVERLAY (FHO)**

**STAFF FINDINGS and CONCLUSION:** The location of the proposed equipment storage structure falls within the adopted Flood Hazard Overlay (FHO). Development in the FHO shall conform to the standards and requirements of the LAWDUC Section 5.1000 et al, including the approval of a Floodplain Development Permit, prior to the issuance of any building permit.

**Through a condition of approval, this criterion is met (See Condition #1c).**

#### **SECTION 5.3000 GEOLOGIC HAZARDS OVERLAY DISTRICT (GHO)**

**STAFF FINDINGS and CONCLUSION:** The location of the proposed equipment storage structure falls within the adopted Geologic Hazard Overlay (GHO) for landslide topography. Development in the GHO shall conform to the standards and requirements of the LAWDUC Section 5.3000 et al, including the approval of a Geologic Hazard Permit, prior to the issuance of any building permit.

**Through a condition of approval, this criterion is met (See Condition #1d).**

### **III. AGENCY/PUBLIC COMMENTS**

**STAFF RESPONSE:** No agency or public comments were received.

### **IV. CONDITIONS OF APPROVAL**

The criteria relevant to this request have been met or will be met through conditions of approval. **Staff recommends approval, subject to the following conditions:**

1. Prior to the issuance of any building permit:
  - a. A Development Permit shall be obtained. A Development Permit requires the approval of the public agencies which would serve the proposed development.

- b. A Grading, Drainage, and Erosion Control Plan Permit shall be obtained.
  - c. A Floodplain Development Permit shall be obtained. A Floodplain Development Permit is accompanied by an Elevation Certificate which is prepared and certified by a licensed engineer.
  - d. A Geologic Hazard Permit shall be obtained. A Geologic Hazard Permit requires the preparation of a Geologic Hazard Report which is prepared by a licensed geologist or certified engineer geologist.
- 2. A Site Plan shall be submitted in conjunction with the Development Permit described in Condition 1a. This Site Plan shall conform to the standards described in the LAWDUC Section 2.9400, 1.1040, & 1.1050. The Site Plan shall contain information including, but not limited to: structure locations, structure elevation sheets, off-street parking areas, floor plans, and distance to property lines and other site features.
  - 3. Any future outdoor light fixtures shall comply with Ordinance #20-02 Outdoor Lighting.
  - 4. The proposed use shall substantially conform to the project description provided in this staff report as well as the project application materials. Substantial change from this approved conditional use permit may require further permitting.

**The following regulations shall also apply:**

- 1. If any state or federal permit is required for a development or use, an applicant, prior to issuance of a development permit or action, shall submit to the Planning Division a copy of the state or federal permit.
- 2. Authorization of this Conditional Use Permit shall be void after two years unless substantial construction or action pursuant thereto has taken place. The Community Development Director may extend authorization an additional year upon request, provided the request is submitted in writing at least 10 days and not more than 30 days prior to the expiration of the permit.
- 3. No public disturbances between the hours of 10:00pm and 7:00am pursuant to the Clatsop County Code of Regulations Chapter 8.12.



## *EXHIBIT A – Conditional Use Permit Application*





**Clatsop County**  
Community Development  
800 Exchange Street, Suite 100  
Astoria, Oregon 97103  
Phone 503 325-8611 Fax 503 338-3606  
comdev@co.clatsop.or.us www.co.clatsop.or.us

## Conditional Use Permit

**Fee: Type II \$1,200 Type Ila-III: \$1,500**

(Double if a violation exists)

**Owner:** LISA M. TARABOCHIA **Email:** LM.TARA@YAHOO.COM  
**Mail Address:** 23255 BEAR CREEK RD **City/State/Zip:** BEND, OR 97401  
**Phone:** 541-647-8432 **Phone:** \_\_\_\_\_

**Owner:** \_\_\_\_\_ **Email:** \_\_\_\_\_  
**Mail Address:** \_\_\_\_\_ **City/State/Zip:** \_\_\_\_\_  
**Phone:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Other:** \_\_\_\_\_ **Email:** \_\_\_\_\_  
**Mail Address:** \_\_\_\_\_ **City/State/Zip:** \_\_\_\_\_  
**Phone:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Property Address:** 92631 JOHN DAY River Rd Astoria, OR 97103

**Proposed Use:** Commercial fishing storage, maintenance and support

**Comprehensive Plan Designation:** RC

**Existing Zoning:** Commercial **Overlay District:** \_\_\_\_\_

**Property Description – Map ID:** 8 9 24bc

**Directions to the property from Astoria:** Head South toward Exchange St 100ft+, Turn Left onto Exchange St 0.1 mi, turn right to stay on Exchange St 0.6 mi turn right onto marine Dr 4.8 mi Turn left onto John Day River Rd 0.4 mi. Address on right  
**What is the nearest "Community" (i.e. Svensen, Arch Cape, Westport)?** Astoria OR

### General description of the property:

**Existing Use:** ~~State~~ Commercial fishing storage, maintenance and support  
**Topography:** Flat lot  
**Proposed Development:** 40x60 Steel building

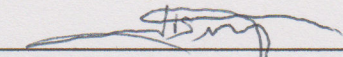
### General description of adjoin property:

**Existing Use:** homes, Rural  
**Topography:** Flood plain Forest hill

**Attach** a site plan of the property showing lot dimensions, sizes, and location of all existing and proposed structures setbacks of existing and proposed structures to all property lines, access to the site, parking area layout that includes the space sizes and location and the width of any parking aisles. Also, identify the location of any stream, wetland, lake or other resource on or adjacent to the property.



**SIGNATURES:** All owners of record, per Clatsop County Assessment records, must sign the application. Representatives of public agencies, corporations, trusts, etc. must provide documentation of signing authority. The information contained in this application is in all respects true, complete and correct to the best of my knowledge.

Signature  \_\_\_\_\_

Date: 10-1-2023 \_\_\_\_\_

Signature \_\_\_\_\_

Date: \_\_\_\_\_

The following sections are from the Clatsop County Land and Water Development and Use Ordinance #20-03.

Section 2.4000. Conditional Development and Use.

Section 2.4010. General. Although each zoning district is primarily intended for a predominate type of use and development, there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, all may indicate that the circumstances of the development and use needs to be individually reviewed. It is the intent of this section to provide a system of review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this ordinance and the objectives of the comprehensive plan.

Section 2.4020. Application for a Conditional Development and Use. If a development and use is classified as conditional in a zone, it is subject to approval under Sections 2.4000 to 2.4050. An applicant for a proposed conditional development and use shall provide facts and evidence and a site plan in compliance with Section 2.9400 sufficient to enable the Community Development Director or hearing body to make a determination.

Section 2.4030. Authorization of a Conditional Development and Use.

- (1) A new, enlarged or otherwise altered development classified by this Ordinance as a conditional development and use may be approved by the Community Development Director under a Type II procedure except that the following conditional developments and uses may be approved by the Hearings Officer under a Type IIa procedure:
  - (A) Dog kennel or Kennel;
  - (B) Airport;
  - (C) Bed & Breakfast over 3 units;
  - (D) Golf courses;
  - (E) Automobile service station or repair shop, including body work, used car sales, wrecking yard;
  - (F) Public or private recreation such as riding stable, fishing or boating docks or ramps, gun club, golf course, or resort type establishment in association with recreation;
  - (G) Non-farm partition;
  - (H) Non-farm dwelling;
  - (I) Farm help relative dwelling;
  - (J) Home occupations related to auto/machinery repair or painting;
  - (K) Firearms training facility;
  - (L) Solid waste disposal site;
  - (M) Small scale, light industrial developments such as assembly, fabricating, processing, compounding, packing and similar operations within an enclosed building;
  - (N) Automobile wrecking yard;
  - (O) Amusement enterprises such as games of skill and science, thrill rides, penny arcades, and shooting galleries.
- (2) Where the proposed development involves a non-water dependent use or activity in the Marine Industrial Shoreland Zone, Section 4.1900, mailed notice shall also be provided to any interested party who has submitted a written request concerning the proposed development, and to state and federal agencies with statutory planning and permit issuance authority in aquatic areas. Including the Oregon Division of State Lands, Department of Fish and Wildlife, U.S. Fish and Wildlife Service, National Marine Fisheries Service, Corps of Engineers, and the Environmental Protection Agency.
- (3) In addition to the other applicable standards of this ordinance, the hearing body must determine that the development will comply with the following criteria to approve a conditional development and use.



Proposed Use: Shop / Storage  
Owner(s): Lisa M. T  
Applicant: Precision Form Construction  
MAP ID: 8 9 24 bc  
Situs Address: 92631 Johnday River rd. Astoria OR 97103

**Must include all of the following information in the space provided below**

All property lines

Location of all existing and proposed structures and distances of each structure from **ALL** property lines

Distance of all structures from surface waters (lakes, streams, wetlands, etc.)

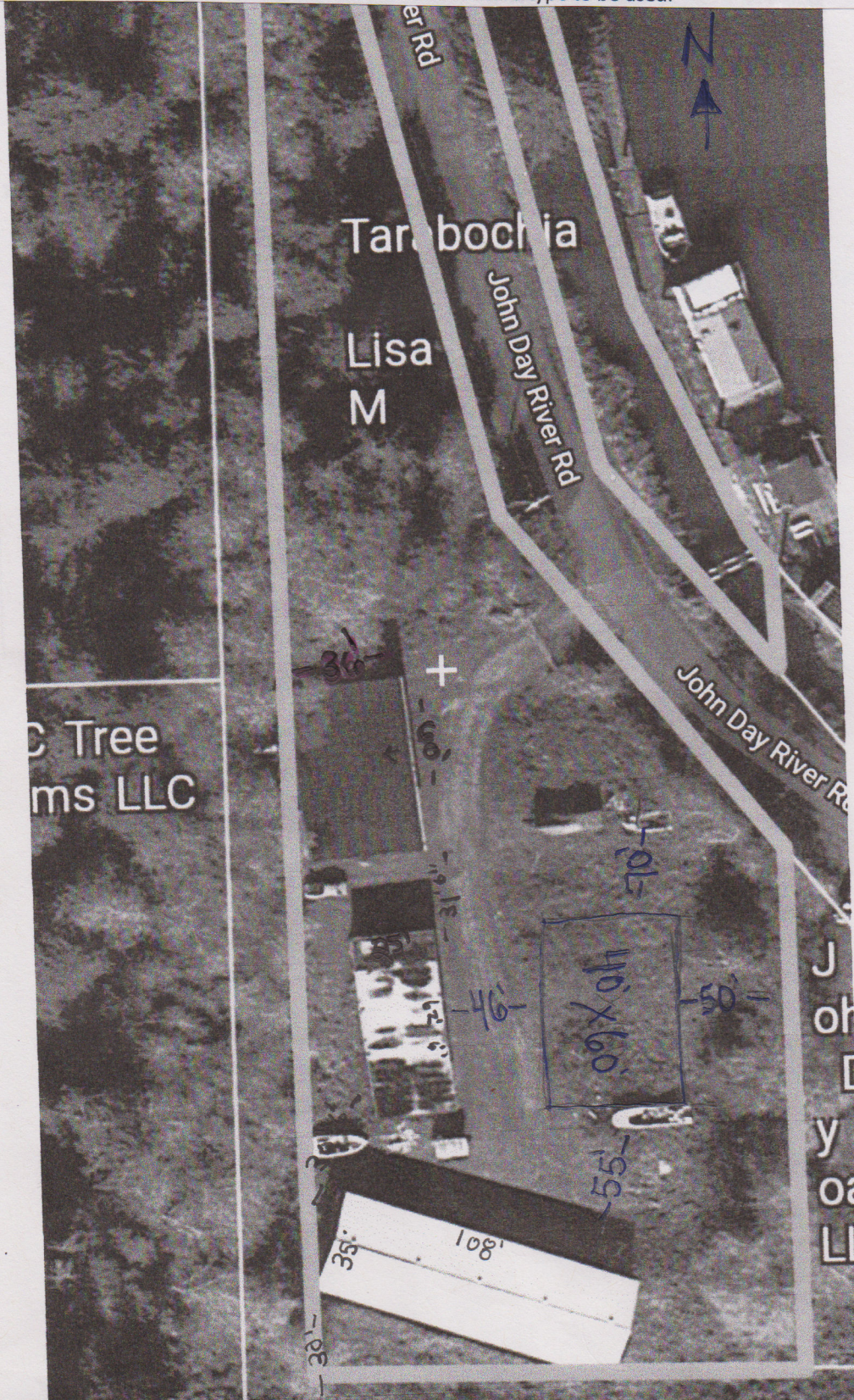
Location of all waste water systems, including septic tanks, drain fields, holding tanks, etc.

Location of all access roads, driveways, parking and easements

Storm water drainage plan. Show locations of downspouts, dry wells, culverts and the direction of surface water flow.

Identify the location(s) and type(s) of outdoor lighting to be installed

Attach a specification sheet for each outdoor fixture type to be used.



Plot Plan

- No sewer
- No power
- No water



Proposed use of land:

92631 John Day River rd.

Astoria Or, 97103

Please address the following standards on a separate sheet of paper. Be as specific as possible. "Yes" and "No" responses are not sufficient.

(1) In addition to the other applicable standards of this ordinance, the hearing body must determine that the development will comply with the following criteria to approve a conditional development and use.

(A) The proposed use does not conflict with any provision, goal, or policy of the Comprehensive Plan.

The placement of the new structure will be an addition to the already firmed placed structers on the property working to improve to use of the land .

(B) The proposed use meets the requirements and standards of the Clatsop County Land and Water Development and Use Ordinance (Ordinance 20-03).

The proposed use of land is a working storage structure placed along with in the boundaries of the already placed structures. The project has received sign off with required officials for placement of new

(C) The site under consideration is suitable for the proposed use considering: 1) The size, design, and operating characteristics of the use, including but not limited to off-street parking, fencing/buffering, lighting, signage, and building location.

The placement of the structure is within all the boundaries necessary and comply with already signed off with sewer, water and fire requirements. Having an already existing address.

2) The adequacy of transportation access to the site, including street capacity and ingress and egress to adjoining streets.

This site has an existing address and its driveway is accessible to ingress and egress adjoining streets.

3) The adequacy of public facilities and services necessary to serve the use.

This property will and has had the facilities and services necessary to serve for use and will continue for future use.

4) The natural and physical features of the site such as topography, natural hazards, natural resource values, and other features.

This property will continue to hold value. There will be no impact on the topography, natural hazards, natural resources values or other features.

. (D) The proposed use is compatible with existing and projected uses on surrounding lands, considering the factors in (C) above.

The land will stay compliant and compatible with existing surrounding areas.

(E) The proposed use will not interfere with normal use of coastal shorelands.

This land is located off the shorelands and does not interfere with any of the surrounding areas.

(F) The proposed use will cause no unreasonably adverse effects to aquatic or coastal shoreland areas and;

(G) The use is consistent with the maintenance of peripheral and major big game habitat on lands identified in the Comprehensive Plan as Agricultural Lands or Conservation Forest Lands. In making this determination, consideration shall be given to the cumulative effects of the proposed action and other development in the area on big game habitat.

The land has been established and within the zones of big game, shore land and agriculture or conservation forest lands. The use remains the same.

(2) In addition to compliance with the criteria as determined by the hearing body and with the requirements of Sections 1.1040 and 1.1050, the applicant must accept those conditions listed in Section 2.4040 that the hearing body finds are appropriate to obtain compliance with the criteria. Section 2.4040. Requirements for Conditional Development and Use. In permitting a conditional development and use, the hearing body may impose any of the following conditions as provided by Section 2.4030: (1) Limit the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor. (2) Establish a special yard or other open space or lot area or dimension. (3) Limit the height, size or location of a building or other structure. (4) Designate the size, number, location or nature of vehicle access points. (5) Increase the amount of street dedication, roadway width or improvements within the street right-of-way. (6) Designate the size, location, screening, drainage, surfacing or other improvement of a parking or truck loading areas. (7) Limit or otherwise designate the number, size, location, height or lighting of signs. (8) Limit the location and intensity of outdoor lighting or require its shielding. (9) Require diking, screening, landscaping or another facility to protect adjacent or nearby property and designate standards for installation or maintenance of the facility. (10) Designate the size, height, location or materials for a fence. (11) Require the protection of existing trees, vegetation, water resources, wildlife habitat or other significant natural resources. (12) Require provisions for public access (physical and visual) to natural, scenic and recreational resources. (13) Specify other conditions to permit the development of the County in conformity with the intent and purpose of the classification of development.

The new building is in compliance with 2-13 above. Already receiving sign offs from all required parties.

Property 92631 John Day River Rd. Astoria, Or 97103; is an already established site with existing structures that have been in use. Having a primary use as a commercial fishing storage, maintenance and support site. The requested building permit is for an addition building that complies with the zoning and building requirements. The new building will be providing more space to maintain boats. build, maintain and store fishing gear and equipment. The owner contracts with the state of Oregon to perform tagging and research fishing as well as commercial fishing. that requires them to switch between different fishing methods. the new structure provides needed storage and maintenance facilities to effectively perform these operations.

Primary use has been established on the property and is consistent with the General Commercial Zone and fall with in use of: Article 4 Zone Regulations Section 4.3040.

17) Extensive commercial services such as cabinet shop, contractor's offices and storage, equipment, rentals, mini-storage, sheet metal, plumbing and machine shops, tire shops including incidental recapping, printing and publishing provided building or buildings for each commercial use does not exceed 3,000 square foot of floor area.



Property: 92631 John Day River Rd.  
Astoria OR, 97103

*Please describe the proposed commercial activity.*

This will be a location to support a commercial fishing operation.

This will include many things like boat repair, maintenance, building and maintaining of fishing gear.

*What is the intended business/commercial operation?*

Commercial fishing operation

*Will the business be open to the public?*

No

*Will there be any employees on-site?*

No

*What are the hours of operation?*

Typical business hours.

*Will machinery be operated (anything larger than hand tools)?*

No

*What is the purpose of the proposed structure?*

The new structure is needed for building new fishing gear.

Boat and equipment maintenance and storage.

*Will work be taking place outside the structure?*

Not typically, but may be required for things like straightening out long fishing lines.

*Are there any sources of noise or dust?*

Hand power tools like saws and sanders.

*Describe what an average week might look like for the business. In your response, please be as specific as necessary.*

The amount of activity depends on many variables.

In an average 1-3 people will be there about 20 hrs week depending on the season.

That can change based on if the boat repairs are needed or if it is time to switch to the style of commercial fishing that is in season.

Regularly there will be one person there building fishing gear or maintaining fishing equipment 20 hrs week.

## *EXHIBIT B – Public Notice*



# Clatsop County

## Community Development – Planning

800 Exchange St., Suite 100  
Astoria, OR 97103  
(503) 325-8611 phone  
(503) 338-3606 fax  
[www.co.clatsop.or.us](http://www.co.clatsop.or.us)

## PUBLIC NOTICE

### CONDITIONAL USE PERMIT APPLICATION #186-23-000608-PLNG

**COMMENT PERIOD ENDS:****4:00 p.m. on Friday, December 29, 2023****SEND COMMENTS TO:**

Community Development Department  
800 Exchange Street, Suite 100  
Astoria, Oregon 97103

**CONTACT PERSON:**

David Cook, Planner

*You are receiving this notice because you own property within 250 feet of the request listed below, or you are considered to be an affected state or federal agency, local government, or special district.*

NOTICE IS HEREBY GIVEN that Clatsop County's Community Development Department, Land Use Planning Division has received the application described in this letter. Pursuant to *Section 2.1020* of the Clatsop County Land and Water Development and Use Code (LAWDUC), the Department Director has the authority to approve the request in accordance with the requirements as depicted in the County Ordinance 20-03.

Precision Form Construction, on behalf of Lisa Tarabochia, property owner, has submitted an application to develop the property located at 92631 John Day River Road for a commercial fishing storage, and maintenance and support use. The use would be accompanied by a new 2,400 square-foot structure for storage and maintenance of commercial fishing equipment purposes. The property has three existing storage and miscellaneous commercial structures that are not proposed for use as a result of this application. The property formerly had a permitted auto repair business whose use has since expired. The property is approximately three miles east of Astoria and is located at taxlot 80924BC01500. The property is zoned General Commercial (GC) which can permit the proposed use through a Type II, Conditional Use Permit, process. Access to the property is provided via John Day River Road, a County road. As a part of this application, no power, water, or septic services are proposed.

**See reverse side for vicinity map and diagram of proposed site.**

All interested persons are invited to submit written comments relevant to the proposed development and applicable standards to the Clatsop County Community Development Department (address above). Written comments may also be sent via FAX to [503-338-3606](tel:503-338-3606), or email to [comdev@clatsopcounty.gov](mailto:comdev@clatsopcounty.gov). Written comments must be received in this office no later than **4:00 p.m. on Friday, December 29, 2023**, in order to be considered in the review. Planning representative for the application is David Cook, Planner, (503) 325-8611 or [dcook@clatsopcounty.gov](mailto:dcook@clatsopcounty.gov). If written objections are received regarding how the request fails to meet the standards of the zone or other ordinance requirements on or before the date above, the Community Development Director may place the request on the next appropriate Planning Commission agenda for review. Failure to raise an issue in person or by letter precludes appeal; and in raising an issue, the relevant Zoning Ordinance or Comprehensive Plan criterion to which the issue is directed must be specified. The following criteria apply to the request:

**LAWDUC 21-05**

Article 1. Introductory Provisions  
2.1020 Type II procedure  
2.2040 Mailed Notice for a Type II Procedure  
2.2050 Procedure for Mailed Notice  
2.4000 Conditional Development and Use  
2.9400 Site Plan Review  
3.1000 Non-Conforming Uses and Structures

4.3000 General Commercial (GC)

5.1000 Flood Hazard Overlay

**Comprehensive Plan**

Goal 1 Citizen Involvement

Goal 2 Land Use Planning

Goal 7 Areas Subject to Natural Disasters and Hazards

Goal 11 Public Facilities and Services

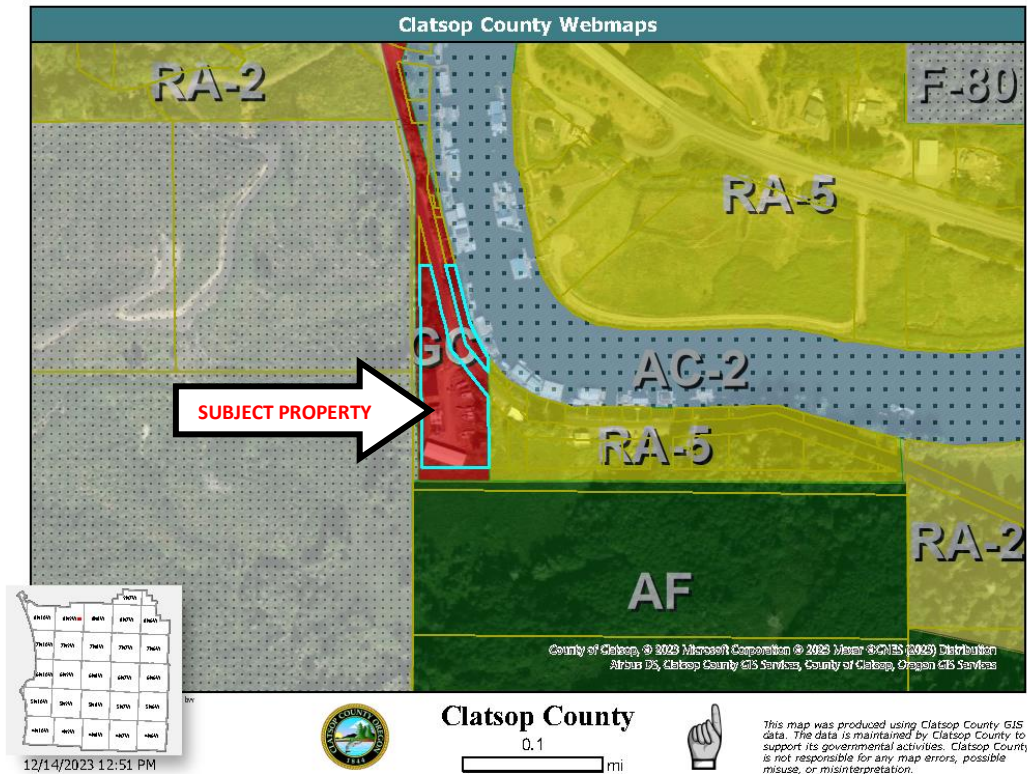
\* All documents listed are available for review at the Clatsop County Community Development Department office, 800 Exchange Street, Suite 100, Astoria, Oregon, and on-line at the county's website, [www.clatsopcounty.gov](http://www.clatsopcounty.gov).

**Notice to Mortgagee, Lien Holder, Vendor or Seller:** ORS Chapter 215 requires that if you receive this notice it must promptly be forwarded to the purchaser.

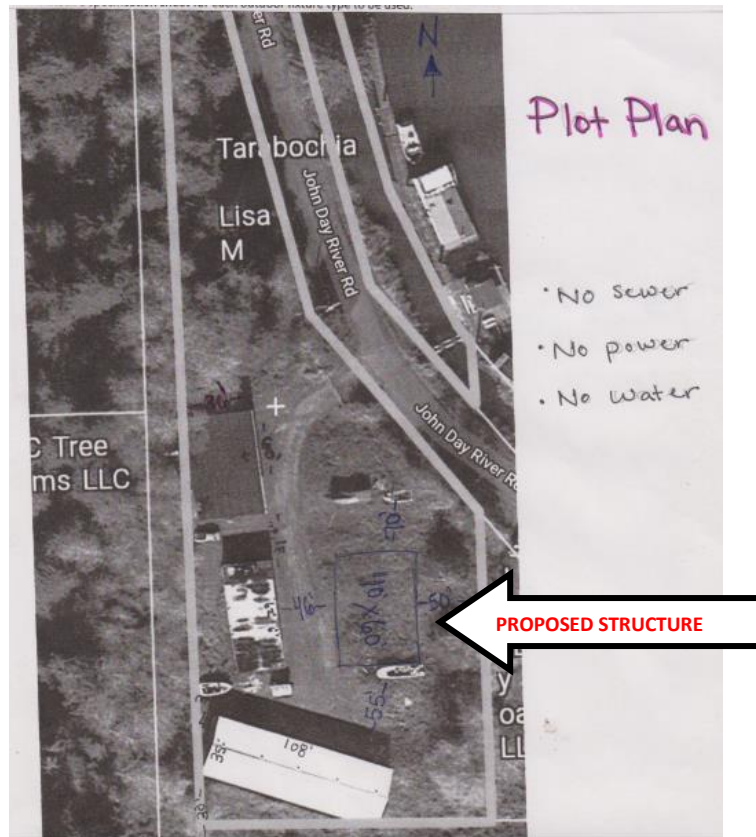
Mailing Date: Friday December 15, 2023

## CURRENT CONDITIONS:

2020 Aerial Photo



## PROPOSED PLOT PLAN:



A copy of the application is available for inspection at the Clatsop County Planning office at no cost and will be provided at a reasonable cost. Application materials can also be viewed online on the permitting website, <https://aca-oregon.accela.com/oregon/>, and on the county's website, [www.co.clatsop.or.us](http://www.co.clatsop.or.us).

Mailing Date: December 19, 2023

## *EXHIBIT C – Property History*

8\_09\_24\_B\_C\_01500\_0104

## Descriptions of Real Properties

1-4

1-2

ACCOUNT NUMBER

OFFICE OF COUNTY ASSESSOR, CLATSOP COUNTY, OREGON

CODE NUMBER

SECTION 24

TOWNSHIP 8 N

RANGE 9 W.W.M.

MAP NO.

AERIAL PHOTO

LOT 18 &amp;

BLOCK

NO. 2

ADDITION Easland Add. to Astoria

TAX LOT NUMBER

INDENT EACH NEW  
COURSE TO THIS LINE

## LEGAL DESCRIPTION

## DEED RECORDED

ACRES  
REMAINING

YEAR VOLUME PAGE

V

'61 261 436

QC '74 369 76-77

'74 369 78-83

'74 369 84-86

Nelsen, Lincoln B.

% Beerman, Clarence A./Dollie M. (c)

Nelson, Lincoln B.

%Beerman, Clarence A. &amp; Dollie M. (c) Assign/Cont. 9-29-77 459 258

Nelsen, Lincoln B. % Stewart, Donald F. &amp; Gladys F. (c)

% Brister, Rick & Jessica A.; Scarbrough, William E. &  
Clara Louise (c)

Cont 3-19-80 521 76

77 2-15-80

Probate 5-20-85

391 152 1-11-74

Foreclosure 5-20-85

CC# 81-155 12-11-81

BSD 5-20-85

636 356 5-1-85

Paavola, Kenneth A./Rose Marie

WD 5-20-85

636 357 4-17-85

Power of Attorney 4-27-89

715 47 3-27-89

Also Inc TL'S 1300 &amp; 1400

Req 05-21-91

## NEW DESCRIPTION:

EASTLAND ADDITION TO ASTORIA

Lots 18 &amp; 24 through 44, inclusive, Block 2

130 83

'61 259 160

'61 259 161 1.87 ac

PA 3-23-99 1004 267 3-27-89

BOOK 261 PAGE 436

KNOW ALL MEN BY THESE PRESENTS, That HENRY O. COLES, a single man

in consideration of Ten (\$10.00) and no/100 ----- Grantor  
and other good and valuable consideration ----- Do/Don  
to him paid by LINCOLN E. NELSEN -----

do hereby grant, bargain, sell and convey unto the said grantees, his heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Clatsop and State of Oregon, bounded and described as follows, to-wit:

Lots 24 through 44, Block 2, and Lot 18, Block 2,  
Eastland Addition to Astoria, and  
The frontage to Lot 18, and to Lots 24 through 32,  
also in Block 2, Eastland Addition to Astoria,  
All being in Clatsop County, Oregon.

To Have and to Hold, the above described and granted premises unto the said grantee, his  
heirs and assigns forever.

Witness my hand and seal this 10th day of October 1961

Henry O. Cobb (Bent)

**(S)**

— (Erat)

—(BULK)

**STATE OF OREGON,**

County of Clatsop  
 before me, the undersigned, a Notary Public in  
 within named Henry O. Coles

On this 10th day of October 1961

before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Henry O. Coles



known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public for Oregon  
Commission Expires 2/1/63

Mfg examination expires 2/1/63

Bargain and Sale  
DEED

**FRANK D. COLLS**

LINCOLN H. NELSON

**AFTER RECOVERING FROM THE**

Lincoln B. Nelson  
Rt 2, Box 95  
Astoria, Oregon

STATE OF OREGON,  
County of Washington,  
I, hereby certify that the within instrument  
was returned for record in the  
office of the County Clerk of said County of Washington, Oregon, on the 10th day of May, 1906.



22

1. **एक**

41

436

Don't be fooled by low prices. Get the best value for your money.

# DAY 17

Dr. C. A. Hall

INDIAN

Document No. 213472

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1. 369 76

QUITCLAIM DEED

VIOLET KNUDSEN, LORNA KAIRALA and RALPH LARSON release and  
quitclaim to LINCOLN B. NELSEN all our right, title and interest,  
if any, in that real property situated in Clatsop County, State of  
Oregon, described as:

Lot 18 and Lots 24 thru 44, Block 2,  
EASTLAND ADDITION TO ASTORIA, in the  
County of Clatsop, State of Oregon.

The true and actual consideration for this transfer is \$50.00

The foregoing recital of consideration is true as I verily  
believe.

Dated: September 18<sup>th</sup>, 1972.

Violet Knudsen  
Violet Knudsen

Lorna Kairala  
Lorna Kairala

Ralph Larson  
Ralph Larson

STATE OF OREGON :  
                  : ss  
County of Clatsop:

18 Sept, 1972.

Personally appeared the above-named Violet Knudsen, Lorna Kairala  
and Ralph Larson and acknowledged the foregoing instrument to be their  
voluntary act. Before me:

Thomas C. Hill  
Notary Public for Oregon

My Commission Expires: 6 Jan 76

389 77

Quitclaim Deed

Violet Knudsen, Iorna Kairala  
and Ralph Larson

to

Lincoln B. Nelsen

STATE OF OREGON  
County of Clatsop  
I, Violet Knudsen, Iorna Kairala and Ralph Larson, do hereby certify that the within quitclaim deed was executed by us on the 19th day of October, 1972, at Astoria, Oregon.

of said county on  
Oct 19 3 43 PM '72

In Teste  
on this 19th day of October, 1972

Witness my hand and seal of office affixed

County Clerk

By *James J. Howard*  
Deputy

NICHOLAS D. ZAFIRATOS  
ATTORNEY AT LAW  
178 6TH STREET - P.O. BOX 783  
ASTORIA, OREGON 97103  
329-1086

415 L B. N. 60-20  
①