



Columbia County Planning Commission
114 South 2nd Street, Dayton, Washington 99328
Meeting Agenda
Monday, January 22nd, 2018 @ 5:30 PM

- 1) Call to Order
- 2) Roll Call
- 3) Review of Minutes
 - a. December 11, 2017
- 4) Old Business
 - a. P.U.D. Ordinance
 - i. Review of P.U.D. ordinance
 - ii. Questions, comments, suggestions?
 - iii. Next step—public hearing during the next regular Columbia County Planning Commission meeting if warranted
- 5) New Business
 - a. Planning Commission Chair Elections
 - b. Comprehensive Plan Update—2020 Extension
 - c. Update on Department of Planning and Building staffing
 - d. Variance 2018—001
 - i. Introduction, discuss variance processing procedures (see item 5d.)
 - e. Title 18—Variance
 - i. Process, procedure
 - ii. Updates?
- 6) Adjournment
 - a. Next meeting: Monday, February 12th, 2017 @ 5:30 PM



Columbia County Planning Commission
114 South 2nd Street, Dayton, Washington 99328
Meeting Minutes
Monday, December 11th, 2017 @ 5:30 PM

Call to Order: Chair Bryan Martin called the regular meeting of the Columbia County Planning Commission to order on December 11, 2017 at 5:32 PM.

Roll Call: Members present: Chair Bryan Martin, Jay Ball, Swan Eaton, and Jason Towery.
Members absent: Cara Watts
Also in attendance: Greg Abramson, Columbia County Staff

Old Business: Discussion of Planned Unit Development ordinance. Various changes were discussed and recommended.

New Business: None presented or discussed.

Adjournment: Towery motioned to adjourn the regular meeting of the Columbia County Planning Commission at 6:34 PM; Ball 2nd that motion.
Next scheduled meeting: January 8th, 2018 at 5:30PM

Approved, January 8th, 2019:

Bryan Martin, Columbia County Planning Commission Chair; Date

Attest:

Jay Ball, Planning Commission Member

Chapter 18.70

PLANNED UNIT DEVELOPMENT (PUD) OVERLAY ZONE

Sections:

- 18.70.010 PUD overlay designation does not alter existing underlying zone.
- 18.70.020 Purpose.
- 18.70.030 Where permitted.
- 18.70.040 Permitted uses.
- 18.70.050 Minimum standards.
- 18.70.060 Relationship to adjacent areas.
- 18.70.070 Preapplication consultation – Preapplication conference.
- 18.70.080 Application submission.
- 18.70.090 Procedure for approval of preliminary master site plan (PMSP).
- 18.70.100 Master site plan (MSP).
- 18.70.110 Phased development and revisions.

18.70.010 PUD overlay designation does not alter existing underlying zone.

When approved in accordance with this chapter, a PUD is established as an overlay zone and, as such, does not alter the existing underlying zoning designation. ~~{Ord. 95-01 § 32; Ord. 94-02; Ord. 90-02 § 32.}~~

18.70.020 Purpose.

A. The purpose of the planned unit development (PUD) overlay zone is to enhance and diversify the ~~recreational~~ residential and economic opportunities in Columbia County through the development of planned unit developments that complement the natural and cultural attractiveness of the area without unmitigated significant adverse effect on environmental and natural features (pursuant to Chapter 16.05 CCC, Chapter 43.21C RCW et seq.), cultural or historic resources and their settings, and other significant resources. The PUD overlay zone allows for ~~the~~ development ~~of destination resorts communities~~ which provides a designed mixture of ~~visitor oriented and full-time accommodations, including a variety of~~ residential, recreational, and commercial facilities, consistent with the comprehensive plan.

B. It is the intent of this chapter to establish procedures and standards for developing large-scale ~~recreational~~ communities while ensuring that all applicable land use requirements are achieved and available resources are used productively and efficiently. The aim of this chapter is to encourage imaginative design and layout of all facilities governed by this chapter in a manner that:

1. Reflects sensitivity to the natural environment;
2. Preserves open space and wildlife habitat;
3. Promotes compatibility among land uses within the development;
4. Utilizes the highest-quality architectural design and a harmonious use of materials; and
5. Results in a positive and aesthetic contribution to the community.

C. Chapter More Specifically to Achieve the Following.

1. Imaginative design and the creation of permanent open space by permitting greater flexibility in design and density or other standards.
2. More efficient use of those public facilities required in connection with such development.
3. Compatibility with adjacent land uses.
4. Preserve or create environmental amenities superior to those generally found in conventional developments.

Formatted: Font color: Auto

Formatted: Font color: Auto

Formatted: Font color: Auto

Formatted: Font color: Auto

Formatted: Font color: Auto

Formatted: Font color: Auto

5. Preserve to the greatest possible extent the natural characteristics of the land, including topography, vegetation, shoreline areas, wildlife habitat, and views.

6. Encourage development of a variety of housing types. ~~{Ord. 95-01 § 32; Ord. 94-02; Ord. 90-02 § 32.}~~

18.70.030 Where permitted.

The planned unit development overlay zone may be permitted in the following land use zones subject to the terms and conditions herein:

A. A-1 zone.

B. A-2 zone.

C. A-3 zone.

D. AR-1 zone.

E. AR-2 zone. ~~{Ord. 95-01 § 32; Ord. 94-02; Ord. 90-02 § 32.}~~

18.70.040 Permitted uses.

A planned unit development, when approved in accordance with this title, is established as an overlay zone and as such, does not alter the existing underlying zone designation or the uses therein. Development standards of this title shall, as applied to an approved master site plan, supersede those of the underlying zone. The following uses are permitted, provided the uses are part of a PUD pursuant to an approved master site plan (MSP) and this chapter; and provided, that the uses permitted herein are not prohibited by the underlying zone of the particular property.

A. Visitor-oriented accommodations such as lodges, hotels, resorts, motels, bed and breakfast facilities, rental homes and cabins, condominiums, townhouses, time-share units, similar transient lodging facilities, convention and conference facilities.

B. Residential dwellings such as single-family dwellings, multifamily dwellings, condominiums, townhouses, time-share units, and other residential dwellings ~~compatible with the purposes of this chapter.~~

C. Developed recreational facilities such as golf courses, clubhouses, pro shops, and sports and spa facilities, and undeveloped recreational areas.

D. Commercial facilities and services such as restaurants, barber shops, beauty salons, specialty shops, real estate and other professional offices, convenience store with gas service facilities, and other such services which provide for the needs of the community's residents and visitors and which are compatible with the purposes of this chapter.

E. Open space areas such as wetlands, golf courses, green belts, buffers, and wildlife preserves.

F. Facilities necessary for public safety such as fire and security stations, waste disposal, and utilities within the PUD or the county, notwithstanding any limiting provision of this chapter to the contrary.

G. Transportation-related facilities, emergency medical facilities, and storage structures and areas, provided these uses are ancillary to the PUD.

H. Cultural, community, educational and entertainment facilities such as theaters, churches, amphitheaters, galleries, and arts and crafts centers which are compatible with the purposes of this chapter.

I. Boat docks and marinas compatible with the purpose of this chapter and the Columbia County shoreline master program. ~~{Ord. 95-01 § 32; Ord. 94-02; Ord. 90-02 § 32.}~~

18.70.050 Minimum standards.

The following minimum standards apply to all planned unit developments:

Formatted: Font color: Auto

~~A. Planned unit developments shall not be permitted on a parcel or combined parcels of land less than 40 acres in size or in an urban growth area less than five acres one acre in size.~~

~~A. B. At least 75 percent of the total of the acreage for all approved planned unit developments shall be dedicated to a mixture of permanent open space, natural areas, and/or active recreational areas, excluding streets and parking areas.~~ Minimum open space requirements:

1. Rural areas-50% of the land proposed for a PUD shall remain as open space, natural areas and/or active recreational uses, excluding streets and parking areas.

2. Within UGAs-25% of the land proposed for a PUD shall remain as open space, natural areas and/or active recreational uses, excluding streets and parking areas.

~~B. C.~~ Active recreational uses such as golf courses, pools, tennis courts and playing fields ~~shall should~~ be provided to adequately meet the needs of the residents and the guests of the planned unit development.

~~C. D.~~ The initial density for residential dwellings ~~including hotel and motel units shall not exceed one unit per two acres of the overall master site plan~~ shall be as follows:

1. In rural areas, the density shall be one unit per ten acres.

2. Within UGAs, the density shall be 6 units per acre.

Densities noted above may be increased through the provision of addition features incorporated within the development:

1. Recreation Areas. A five percent density bonus may be authorized if at least ten percent of the site is utilized for recreational purposes, including but not limited to jogging or walking trails, children's play areas, etc. Only that percentage of space contained within accessory structures that are directly used for recreation purposes can be included in the ten percent for recreation requirements.

2. Mixed Housing Types. A five percent density bonus may be authorized if a development features a mix of residential housing types. Single-family residences, attached single units, condominiums, apartments and townhomes are examples of housing types. The mix need not include some of every type.

Any density bonus calculation that results in a fraction may be rounded up to the nearest whole unit.

~~E. D.~~ Parking provisions shall be in accordance with a transportation management plan as submitted with the application and approved for the project.

~~F. E.~~ The minimum lot area, width, frontage and yard requirements, setback standards, road standards, and building heights otherwise applying to development in the underlying zone(s) may be modified consistent with the master site plan of the planned unit development.

~~F. G.~~ The tracts, or tracts of land, included in this planned unit development must be in one ownership or control of the subject or a joint application by the owners of all the property included.

~~H. G.~~ All uses within the planned unit development shall be harmonious with each other through the use of special design, placement, or screening.

~~H. L.~~ Unless otherwise approved in accordance with applicable sign regulations, on-premises signs shall be designed and erected in conformance with design guidelines, as submitted and approved with the project.

~~L. J.~~ Commercial services provided as part of the planned unit development shall be contained within the development and shall be oriented to serve the planned unit development. The protection of public views shall be considered in orienting such uses.

~~J.K.~~ All development within the planned unit development will comply to CCC 18.135.040, Standards relating to physical limitations of land. ~~{Ord. 2010-03 § 1; Ord. 95-01 § 32; Ord. 94-02; Ord. 90-02 § 32.}~~

~~K.L.~~ PUDs in rural areas shall comply with Chapter 18.135.030, with regard to animals. PUDs within UGAs with comply with the appropriate city or town ordinances regarding animals, unless the applicant provides different standards based on proposed needs of the development.

Formatted: Font color: Auto

18.70.060 Relationship to adjacent areas.

The PUD shall be designed to take into account the relationship of the site to the surrounding area. The perimeter of the PUD zone shall be so designed as to minimize undesirable impacts on adjacent property. ~~{Ord. 95-01 § 32; Ord. 94-02; Ord. 90-02 § 32.}~~

18.70.070 Preapplication consultation – Preapplication conference.

A property owner or developer who considers developing property in accordance with these regulations may request an informal review with the planning department regarding the provisions of this section prior to submitting a formal application or making binding commitments in preparation of plans, surveys, and other data necessary for processing the PUD application. Upon receiving a written request for an informal review, the planning department will request a meeting with appropriate county and other resource agencies and the owner or developer to acquaint staff with the proposal and the applicant with the procedures and development standards of this title, and to identify design deficiencies or conflicts, if any. ~~{Ord. 95-01 § 32; Ord. 94-02; Ord. 90-02 § 32.}~~

18.70.080 Application submission.

The request for authorization and development of PUD pursuant to this section shall be submitted in three steps: (1) a notice of application and a State Environmental Policy Act (SEPA) checklist; (2) review of preliminary master site plan (PMSP) for the entire development; and (3) subsequent administrative review and authorization for each phase of development pursuant to the final master site plan (MSP).

A. Notice of Application. A notice of application and SEPA environmental checklist shall be submitted to the director of planning, providing sufficient information to make a SEPA threshold determination, as required by Chapter 16.05 CCC. At the option of the applicant and with concurrence of the planning director, the applicant may submit a written request for a determination of significance in lieu of an environmental checklist. The SEPA process shall follow the procedures as outlined in Chapter 16.05 CCC.

B. Preliminary Master Site Plan (PMSP). The PMSP may be submitted subsequent to meeting the provisions of CCC 18.70.070, Preapplication consultation, and initiation of the SEPA review process. The PMSP provides the framework for approval of the planned ~~recreational~~ community and is intended to ensure that the proposal meets or will cumulatively meet the requirements of this section throughout the project build-out period. The PMSP shall include the following minimum information:

Formatted: Font color: Auto

1. A textual discussion of the proposal in sufficient detail to allow the planning commission information necessary to appraise and evaluate each of the following:

- a. A written description of the project elements;
- b. A legal description of the subject property;
- c. A general description of the project location in relation to the surrounding area;
- d. A discussion of the method of providing the development with water, power, and solid waste disposal;
- e. A sewage management plan describing the method of sewage disposal for the project;
- f. A description of the anticipated phasing of the proposal, if any, and the anticipated project completion date;
- g. A transportation management plan;

h. Design standards for minimum lot area, width, frontage and yard requirements, setback standards, street standards, and building heights within the PUD;

i. Design standards for on-premises signs and off-premises directional signs;

j. An operation and maintenance plan for common facilities such as sewer, water, open space, trails, and landscaping;

k. A description of the methods proposed for lighting ensuring minimum impact on adjacent properties and measures to provide security within the PUD;

l. A description of measures to be taken to protect natural resources, including wildlife within and near the PUD;

m. A fire protection plan;

n. A description of the elements within the PUD that will be restricted from public use and which elements will be available to the general public. Discussion shall include how public access will be provided, where appropriate;

o. Signature of the applicant; and

p. Signature of landowners or agent authorized to act on behalf of the landowners, if other than the applicant.

2. A topography map which includes one or more drawings at a scale to be pre-arranged with the planning director including:

a. Location of streets and roads, access points, open spaces, trails, buffers, recreational areas, and location and distribution of land uses;

b. Location of natural or artificial drainage ways on the development site and any proposed site drainage improvements;

c. A vicinity sketch showing the relationship of the proposed development to existing streets and nearby creeks or rivers, wetlands, shorelines, and other significant natural features;

d. A landscaping plan showing conceptual landscaping and screening;

e. Location of identified natural hazards such as flood lands and landslide areas; and

f. Schedule of anticipated phases, if any.

3. Such additional information as deemed materially necessary by the planning director to enable the county to review and take action on the project. ~~{Ord. 95-01 § 32; Ord. 94-02; Ord. 90-02 § 32.}~~

18.70.090 Procedure for approval of preliminary master site plan (PMSP).

The applicant shall submit three copies of the PMSP to the director.

A. Planning Director and Other County Department Review.

1. Within 30 days of receipt of the PMSP, the director shall determine if the application is complete and, if relevant, shall notify the applicant as to which portion of the application is incomplete. The applicant shall submit any additional information necessary to complete the application. When the application is determined to be complete, the applicant shall provide an additional 25 copies of the completed application.

2. The planning director shall prepare a written report including comments by the county engineer, health official, assessor, sheriff and any other agency notified for comment. Said report shall indicate therein whether

the proposed project does or does not comply with the purpose of the comprehensive plan and may include proposals which, if affected, would make the project conform.

B. Planning Commission Review and Recommendation.

1. The planning commission shall hold a public hearing to review the PMSP and shall provide notice of such hearing in accordance with CCC 18.05.070. The planning commission's public hearing shall be scheduled within 20 days of the receipt of a complete application or, if applicable, within 20 days of compliance with the SEPA procedures, whichever is later, and such hearing shall occur within 60 days of scheduling.

2. Written comment regarding the proposal, received by the director, shall be transmitted to the planning commission. At the public hearing or any continuations of the hearing, any interested persons may appear before the commission and submit oral or written testimony.

3. Following the public hearing, the commission shall consider all submitted information, recommendations, and testimony and shall review the PMSP's consistency with the standards of this chapter. The planning commission shall render a recommendation within 30 days of the public hearing.

4. If the commission finds that the PMSP substantially complies with the county comprehensive plan and the purpose and standards set forth in this section, and does not negatively impact the general public health, safety and welfare, it shall recommend approval. If it finds that the PMSP does not substantially comply with such standards, the commission may recommend denial. In making its recommendation to the board of county commissioners, the commission may recommend conditions of approval, based on the requirements of this section, ensuring the project's consistency with the comprehensive plan and this section.

5. Within 14 days of the planning commission's decision, the director shall forward the project application and the planning commission's recommendation on the PMSP along with findings and conclusions and reasons in support of the planning commission's recommendation, to the board of commissioners, together with all the data considered by the commission in reaching its decision.

C. Board of Commissioners Review and Decision.

1. Upon receipt of the planning commission's recommendation, the board shall, at its next public meeting, set the date for the public meeting at which the board shall consider the planning commission's recommendation. The board's meeting to consider the PMSP shall occur no later than 30 days from receipt of the planning commission's recommendation.

2. The board, after reviewing the recommendation of the planning commission and accompanying reports, documentation, and any other relevant evidence presented to it, shall issue a decision either concurring with or rejecting the planning commission's recommendation based on review of the submitted record or shall hold a public hearing as provided in CCC 18.05.070.

3. If the board, after reviewing the submitted record, decides to hold a public hearing on the planning commission recommendation on the PMSP, or proposes to adopt major changes to the PMSP, or proposes to reject the planning commission recommendation, the board shall set a date for a public hearing at which all interested persons may appear before the board and be heard on the proposal to approve or disapprove the PMSP or the revised version thereof. The public hearing shall occur within 30 days of the board's initial review. At the conclusion of the public hearing, or any continued hearing, the board shall issue a decision to approve, modify, or disapprove the PMSP or a revised version thereof. The board may require conditions of approval based on the requirements of this title that ensure the project's consistency with the county comprehensive plan and this chapter. The board's action shall include written findings and conclusions supporting its decision.

4. The action by the board of commissioners shall be final and conclusive unless within 10 days from the date of said action the original applicant or an adverse party makes application to a court of competent jurisdiction of a writ of certiorari, a writ of prohibition or a writ of mandamus.

D. Processing the PMSP with Other Permits. When applicable, the review procedures for the PMSP may be combined with those procedures of other county ordinances, such as long and short plat subdivision ordinances (CCC Title 17), upon the option of the director. Public hearings and hearing notices may be consolidated as a result. ~~{Ord. 95-01 § 32; Ord. 94-02; Ord. 90-02 § 32.}~~

18.70.100 Master site plan (MSP).

Approval of the PMSP by the Columbia County board of commissioners shall render the document a final master site plan (MSP).

A. The MSP binds the project proponents and their successors to the proposed project as approved, applicable development standards of this section, and conditions of approval, if any. Approval of the MSP confirms that the proposal is consistent with the purpose of the provisions for planned unit developments and the comprehensive plan and provides the basis upon which subsequent permits, including building permits, may be reviewed and issued. Such approval affirms the county's commitment to the approval of subsequent development of the PUD consistent with the MSP.

B. The master site plan approval shall remain valid for 15 years from the time the developer can legally begin construction, provided the first phase of development has been approved and construction begun within three years of the master site plan approval. A one-time, one-year extension for the first phase of construction may be granted by the director upon receipt of a written request at least 30 days prior to the date of expiration.

C. If the master site plan is not fully implemented within 10 years of the MSP approval date, the project proponent shall prepare a status report for the board of county commissioners. The status report shall be submitted to the director for the board's review and shall include the following information:

1. A description of the process made to date toward full implementation of the MSP;
2. The anticipated completion date of remaining improvements; and
3. A description of how the project has met the intent and purpose of this chapter. ~~{Ord. 95-01 § 32; Ord. 94-02; Ord. 90-02 § 32.}~~

18.70.110 Phased development and revisions.

Following approval of the MSP, individual phases of the PUD and minor revisions to the MSP shall be reviewed and approved by the planning director. Site-specific development phases and minor MSP revisions shall be administratively approved, provided such proposals are substantially consistent with the approved MSP.

A. Elements of Phased Proposals.

1. Each phase of the PUD may consist of one singular land use or combination and mixture of land uses, provided such phases, together with previously completed phases, if any, shall be consistent with the intent and purpose of this chapter.
2. A particular phase of the PUD may vary from the minimum standard set forth in the zoning ordinance, provided all phases of the PUD, in the approved MSP, cumulatively meet said minimum standards, i.e., setback, road standards, etc.
3. When applicable the review procedures for the proposal may, at the option of the director, be combined with those procedures of other county ordinances, such as the subdivision ordinance.
4. As a result of phased development, the director may require sureties or other performance guarantees for the completion of infrastructure and operation and management of facilities serving the development.
5. Each phase submitted for administrative review shall include the proposal's covenants, conditions and restrictions (CC&Rs) for administrative approval. The CC&Rs shall include, at a minimum, provisions for:

- a. Use, improvement and maintenance of all common open space areas which may be accomplished through a homeowners' or business owners' association, by the land developer, or by a public or private agency consistent with applicable state requirements;
- b. Architectural design standards for all residential dwellings and commercial structures and the establishment of an architectural design review committee; and
- c. Limitations on the nature and the extent of individual, on-premises business signage so that all commercial uses are publicized as an integral part of the PUD and are oriented toward the development.

B. Determination of Consistency.

1. A development phase or revision shall be considered substantially consistent with the MSP, as determined by the director, if the proposal meets the following standards:

- a. The proposal is within the scope and intent of the MSP; and
- b. The proposal presents similar environmental effects and is of a similar size and scale as identified during the MSP review process.

2. Any proposal that does not meet the above standards shall not be considered substantially consistent with the MSP and shall be reviewed in accordance with the procedures of CCC 18.70.080 or may be modified and resubmitted by the project applicant.

3. A proposal that is considered substantially consistent with the MSP shall be given administrative approval to proceed. This administrative approval shall not exempt the project proponent from obtaining any other required local, state or federal permits or approvals.

4. The director shall provide a written decision to the board of county commissioners and the project proponent within 15 days of receipt to the proposal as to whether the director considers the request:

- a. Substantially consistent with the MSP; or
- b. Substantially inconsistent with the MSP.

5. The determination that the proposal is substantially inconsistent with the MSP may be appealed by the project proponent to the board of county commissioners. A written request for the appeal must be submitted to the board and the director within 15 days of the director's written decision and shall be reviewed by the board no later than 30 days from the date of the proponent's appeal request. The board shall render a written determination on all such appeals based on the standards in subsection (B)(1) of this section within 15 days of the review of the appeal. If the board determines that the proposal is consistent with the MSP, the project shall proceed as permitted by other applicable regulations. If the board determines that the proposal is inconsistent with the MSP, the proposal shall undergo further review in accordance with the procedures of CCC 18.70.080, or may be modified and resubmitted by the project proponent.

6. A decision by the board of county commissioners that the proposal is substantially consistent shall be final.

~~{Ord. 95-01 § 32; Ord. 94-02; Ord. 90-02 § 32.}~~

Variance Process and Justification for Thomas E. and Marilyn J. Groom Short Plat located at 306 Payne Hollow Road, Dayton, WA 99362, Columbia County Project 2018-001.

1. The granting of the variance would not constitute a special privilege inconsistent with the limitations upon the other properties in the vicinity with the same zoning and under similar circumstances.

The parent parcel is 77.03 acres, granting of the variance would allow for one 40-acre and one 33.07-acre parcel which is not inconsistent with other properties in the vicinity with the same zoning and under similar circumstances.

2. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings the strict application of the zoning ordinance would deprive the owner and property of rights and privileges enjoyed by other properties in the vicinity and under identical zoning classification.

The property is 77.03 acres creating a 40-acre and a 33.03-acre parcel creates two parcels of sufficient size to support agricultural uses and still allows for the property owner to make the most efficient use of their property. A strict interpretation of the zoning code allows for a 5 acre or smaller homestead to be created, however, the existing homestead area exceeds the 5 acre maximum and the property owner desires to maintain sufficient land with the existing homestead to support agricultural use and still have a second parcel for a separate dwelling.

3. The granting of the variance would not result in development or use of the property in a manner which would be detrimental to the public welfare or injurious to public or private property or improvements in the vicinity and the zone in which the property is located.

Granting of the variance would not result in development or use of the property in a manner which would be detrimental to the public welfare or injurious to public or private property, the use would be in conformance with the underlying development regulations and harmonious with the current land uses in the zone and in the immediate area.

4. The granting of the variance would not result in the allowance of a use which is not classified permitted outright or conditional use in the zone wherein the use would be located.

The planned use for the parcel to be created as a result of the variance is to construct a home and outbuilding on the 40-acre parcel which are permitted outright in the A1 zone.

5. The granting of the variance would be in harmony with the general purpose and intent of the zoning ordinance and the zone in which the subject property is located.

The subject property is located in the A1 40-acre agricultural zone, the purpose of this zone is to preserve resource lands. Granting of the variance would create two parcels of sufficient acreage to support agriculture, the 33.07-acre parcel has an existing home and farm buildings located on it, the intent is to construct a home and outbuildings on the 40-acre parcel on a portion of the property that is located adjacent to the county road retaining the remainder for agricultural purposes.

18.05.055 Administrative Variances.

A. Definition. An administrative variance shall be defined as the following:

1. Deviation from the requirements of this title, relating to minimum lot size and lot dimensions.
2. Eligibility for an administrative variance shall include:
 - a. The project is naturally SEPA exempt per RCW 43.21C
 - b. The variance will not deviate from the requirements of Title 18 by more than 25%
 - c. The provisions of this chapter are physically restrictive and or confined by conditions including, but not limited to, the existing built environments, and parent lot size and existing lot configuration.

3. Ineligibility for an administrative variance shall include any application that requires SEPA review, Critical Areas Review, Floodplain Review, or other land use decisions as determined by the Planning Director. Any application received for an administrative variance that does not meet the criterion of 18.05.055 A.2 will be denied. If ineligible for an administrative variance, the applicant may apply for and follow the procedure as outlined in CCC 18.05.050: Variance.

B. General. The planning director shall have the authority to grant an administrative variance from the requirements of this title after considering the matter during a duly advertised public hearing with the planning commission and after giving notice to adjoining property owners as provided in CCC 18.05.080.

C. Findings. Before any variance can be granted, the planning director shall prepare findings of fact setting forth and showing that the following circumstances exist:

1. The granting of a variance shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated; and
2. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of rights and privileges enjoyed by other properties in the vicinity and under identical zone classification; and
3. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and
4. The granting of variance shall not result in the allowance of a use which is not classified permitted outright or conditional use in the zone wherein the use would be located; and
5. The granting of the variance shall be in harmony with the general purpose and intent of this title.

D. Limitations of Review. The fact that property may be utilized more profitably shall not be an element of consideration before the planning director in any review of a variance request.

E. Variances Subject to Conditions. The planning director may grant a variance subject to conditions and safeguards designed to ensure that the purpose and intent of this title and the Columbia County comprehensive plan will not be violated.

F. Application for a Variance. A property owner or his authorized agent may initiate a request for a variance by filing an application with the county planning director using forms prescribed for the purpose. The applicant shall pay a fee as established by resolution at the time the application is filed.

G. Appeals to the Hearing Examiner. Appeals of administrative variances shall be made to the hearings examiner. To be considered, appeals must be submitted in writing within 10 days of the final decision and include the specific nature of the appeal and justification for said appeal. The planning director shall submit the appeal to the Hearings Examiner via email within five working days. All costs of the appeal will be born to the appellant.