



CLATSOP COUNTY

BOARD OF COMMISSIONERS AGENDA

WORK SESSION

VIRTUAL MEETING

Wednesday, August 07, 2024

BOARD OF COMMISSIONERS:

Mark Kujala, Dist. 1 – Chair
Courtney Bangs, Dist. 4 – Vice Chair
John Toyooka, Dist. 2
Pamela Wev, Dist. 3
Lianne Thompson, Dist. 5

commissioners@co.clatsop.or.us

CONTACT:

800 Exchange, Suite 410
Astoria, OR 97103
Phone (503) 325-1000
Fax (503) 325-8325

www.co.clatsop.or.us

JOIN THE BOARD OF COMMISSIONERS VIRTUAL MEETINGS

To access the meeting by phone – Please dial 1-253-215-8782.

Webinar ID: 839 0214 6422

Passcode: 812640

[\(Zoom link\)](#)

WORK SESSION: 10:15 AM

Work Sessions are an opportunity for Board members to discuss issues informally with staff and invited guests. The Board encourages members of the public to attend Work Sessions and listen to the discussion, but there is generally no opportunity for public comment. Members of the public wishing to address the Board are welcome to do so during the Board's regularly scheduled meetings held twice monthly.

TOPICS:

1. Agenda Review {10 min}
- [2. LAWDUC Housing Amendments – Discussion of Public Input {Page 2}](#)

ADJOURNMENT

As necessary Executive Session will be held in accordance with but not limited to: ORS 192.660 (2)(d) Labor Negotiations; ORS 192.660 (2)(e) Property Transactions; ORS 192.660 (2)(f) Records exempt from public inspection; ORS 192.660 (2)(h) Legal Counsel

Agenda packets also available online at www.co.clatsop.or.us

This meeting is accessible to persons with disabilities or wish to attend but do not have computer access or cell phone access. Please call 325-1000 if you require special accommodations at least 48 hours prior to the meeting in order to participate.

Board of Commissioners Clatsop County

WORK SESSION AGENDA ITEM SUMMARY

August 7, 2024

Topic: LAWDUC Housing Amendments – Discussion of Public Input
Presented By: Gail Henrikson, Community Development Director

Informational Summary:

Beginning in 2023, your board directed staff to move forward with a package of amendments to the *Land and Water Development and Use Code* (LAWDUC) to facilitate construction of housing at all price points.

Your Board initially discussed the proposed amendments during a [work session](#) on October 4, 2023. At that work session, your Board directed staff to prepare the draft amendments and obtain public input. A virtual [public information session](#) was held January 17, 2024. Input from that public meeting was collected and presented to your Board at a second [work session](#) on February 14. Following additional direction from your board, staff prepared a detailed [first draft](#) of the proposed revisions and posted them for public comment on May 30, 2024 (**Exhibit B**). The deadline to submit comments was July 21, 2024.

Per Oregon Administrative Rule (OAR) [660-022-0060\(5\)](#), notices were also mailed to each of the five cities and to all special districts within the County (**Exhibit A**). Public Affairs staff prepared a press release, issued a public announcement to all subscribers of the Community Development e-newsletter, and included links and information in the County's *Weekly Bulletin*. Additionally, a [webpage](#) dedicated to the proposed amendments was created.

As of the July 21 deadline to submit comments, only one special district – the Falcon Cove Beach Domestic Water District – provided comments. All comments are included in **Exhibit C**.

NEXT STEPS

Staff is requesting direction from your Board with regard to the following:

1. Should staff continue to proceed with the proposed housing amendments?
2. Based upon public comment submitted, are there additional revisions that your Board would direct staff to make?

Dependent upon your Board's direction, staff will either continue to revise the proposed amendments and schedule for an additional work session or begin drafting an ordinance for consideration by the Planning Commission and your Board.

Attachment List

- A. Notice to Special Districts
- B. Summary of Proposed LAWDUC Amendments
- C. Public Comments

EXHIBIT A

Notice to Special Districts



Clatsop County

Community Development – Land Use Planning

800 Exchange St., Suite 100
Astoria, OR 97103
(503) 325-8611 phone
(503) 338-3606 fax
www.clatsopcounty.gov

May 31, 2024

Mark Waddell
Olney-Waullski Water Association
90029 Highway 202
Astoria, OR 97103

NOTICE OF PROPOSED ZONING AMENDMENTS

Clatsop County is proposing several amendments to its *Land and Water Development and Use Code* (LAWDUC), to facilitate housing construction at all price points. The majority of the proposed revisions are focused on the County's rural communities of Arch Cape, Miles Crossing/Jeffers Gardens, Knappa-Svenson, and Westport, where more dense development is permitted. Oregon Administrative Rules (OAR), Chapter 660, Division 22, Section 0060, requires the County to notify all special districts that are potentially impacted by the proposed code changes and to provide a 45-day comment period. The purpose of this letter is to officially notify your organization of the draft code changes.

The proposed amendments are available on the County's website:

<https://www.clatsopcounty.gov/landuse/page/lawduc-amendments-facilitate-housing-construction>

The deadline to provide comments is 11:59PM, Sunday, July 21, 2024.

You may also mail comments the following address:

Clatsop County Community Development Department
Land Use Planning Division
800 Exchange Street, Suite 100
Astoria, OR 97103

You may also submit via email at comdev@clatsopcounty.gov

Thank you for your participation in the planning process.

Sincerely,

Gail Henrikson, AICP, CFM
Community Development Director

Unincorporated Community	Special Service District Name	Contact Person		Contact Person Title	Address	City	State	Zip Code
		Last Name	First Name					
Arch Cape								
	Arch Cape Sanitary District	Gardner	Matt	Manager	32065 E Shingle Mill Lane	Arch Cape	OR	97102
	Arch Cape Water District	Gardner	Matt	Manager	32066 E Shingle Mill Lane	Arch Cape	OR	97102
	Seaside School District	Penrod	Susan	Superintendent	2600 Spruce Drive Suite 100	Seaside	OR	97138
	Cannon Beach Rural Fire District	Reckmann	Mark	Chief	188 Sunset Blvd	Cannon Beach	OR	97110
	Road District #1	Hendryx	Terry	Director	1100 Olney ave	Astoria	OR	97103
	Northwest Regional Educational Service District	Griffin	Lynne	Clatsop County Administrator	785 Alameda Ave	Astoria	OR	97103
	MEDIX Service District	Cuthbert	Krista	Billing Manager	2325 SE Dolphin Ave	Warrenton	OR	97146
	Union Health District							Waiting for info
	City of Cannon Beach	Denis	Bruce	City Manager	163 E Gower	Cannon Beach	OR	97110
	Sunset Empire Transit District	Boothe-Schmidt	Debbie	Board Chair	900 Marine Drive	Astoria	OR	97103
	Clatsop County Soil and Water Conservation District	Kahl	Katherine	Secretary	750 Commercial st Suite 207	Astoria	OR	97103
Miles Crossing/Jeffers Gardens								
	Astoria School District	Landwehr	Mindy	Business Manager	785 Alameda Ave	Astoria	OR	97103
	Road District #1	Hendryx	Terry	Director	1100 Olney ave	Astoria	OR	97103
	Northwest Regional Educational Service District	Griffin	Lynne	Clatsop County Administrator	785 Alameda Ave	Astoria	OR	97103
	MEDIX Service District	Cuthbert	Krista	Billing Manager	2325 SE Dolphin Ave	Warrenton	OR	97146
	Youngs River Lewis and Clark Water District	Gifford	Carl		34583 HWY 101 Business	Astoria	OR	97103
	Miles Crossing Sewer District	Gifford	Carl		34584 HWY 101 Business	Astoria	OR	97103
	Lewis and Clark Fire Department	Golightly	Jeff	Chief	34571 Hwy 101 business	Astoria	OR	97103
	City of Astoria	Spence	Scott	City Manager	1095 Duane st	Astoria	OR	97103
	Sunset Empire Transit District	Boothe-Schmidt	Debbie	Board Chair	900 Marine Drive	Astoria	OR	97103
	Clatsop County Soil and Water Conservation District	Metcalf	Misty	District Manager	750 Commercial st Suite 207	Astoria	OR	97103
	City of Warrenton	Moberg	Esther	City Manager	PO Box 251	Warrenton	OR	97103
	Jeffers Garden Diking District							unable
Knappa								
	Knappa Svensen Burnside Rural Fire District	Donaldson	Kurt	Chief	43114 Hillcrest Lp	Astoria	OR	97103
	Knappa School District	Barendse	Diane	Business Manager	41535 Old Hwy 30	Astoria	OR	97103
	Road District #1	Hendryx	Terry	Director	1100 Olney ave	Astoria	OR	97103
	Northwest Regional Educational Service District	Griffin	Lynne	Clatsop County Administrator	785 Alameda Ave	Astoria	OR	97103
	MEDIX Service District	Cuthbert	Krista	Billing Manager	2325 SE Dolphin Ave	Warrenton	OR	97146
	Clatsop Care Center Health District	Remley	Mark	CEO	646 16th St	Astoria	OR	97103
	Knappa Water Association	Hebert	Lidia		92755 Allen Rd	Astoria	OR	97103
	Sunset Empire Transit District	Boothe-Schmidt	Debbie	Board Chair	900 Marine Drive	Astoria	OR	97103
	Clatsop County Soil and Water Conservation District	Metcalf	Misty	District Manager	750 Commercial st Suite 207	Astoria	OR	97103
Svensen								
	Knappa Svensen Burnside Rural Fire District	Donaldson	Kurt	Chief	43114 Hillcrest Lp	Astoria	OR	97103
	Knappa School District	Barendse	Diane	Business Manager	41535 Old Hwy 30	Astoria	OR	97103
	Road District #1	Hendryx	Terry	Director	1100 Olney ave	Astoria	OR	97103 unable
	Northwest Regional Educational Service District	Griffin	Lynne	Clatsop County Administrator	785 Alameda Ave	Astoria	OR	97103
	MEDIX Service District	Cuthbert	Krista	Billing Manager	2325 SE Dolphin Ave	Warrenton	OR	97146
	Clatsop Care Center Health District	Remley	Mark	CEO	646 16th St	Astoria	OR	97103
	Wikiup Water District	Bolton	Michelle		92648 Svensen Market Rd	Astoria	OR	97103
	Sunset Empire Transit District	Boothe-Schmidt	Debbie	Board Chair	900 Marine Drive	Astoria	OR	97103
	Clatsop County Soil and Water Conservation District	Metcalf	Misty	District Manager	750 Commercial st Suite 207	Astoria	OR	97103
Westport								
	Westport Fire and Rescue	Brody	Greg	Chief	91177 Ferry Rd	Westport	OR	97016
	Clatskanie Peoples Utility District	Don	Hopper	Director	PO Box 216	Clatskanie	OR	97016
	Clatskanie School District	Hudson	Danielle	Superintendent	660 SW Bryant St	Clatskanie	OR	97016
	Road District #1	Hendryx	Terry	Director	1100 Olney ave	Astoria	OR	97103
	MEDIX Service District	Cuthbert	Krista	Billing Manager	2325 SE Dolphin Ave	Warrenton	OR	97146
	Clatsop Care Center Health District	Remley	Mark	CEO	646 16th St	Astoria	OR	97103
	Wauna Water District	Culbertson	Jo		91685 Taylorville Rd	Clatskanie	or	97016
	Westport Sewer District				1100 Olney Ave	Astoria	OR	97103
	Sunset Empire Transit District	Boothe-Schmidt	Debbie	Board Chair	900 Marine Drive	Astoria	OR	97103
	Clatsop County Soil and Water Conservation District	Metcalf	Misty	District Manager	750 Commercial st Suite 207	Astoria	OR	97103

EXHIBIT B

Summary of Proposed LAWDUC Amendments

This draft will remain open for public comment through
11:59PM, Sunday, July 21 2024
Comments on the proposed amendments may be
submitted via email to comdev@clatsopcounty.gov
Updates and additional information can be found on the
Clatsop County [website](#).



CLATSOP COUNTY PROPOSED HOUSING AMENDMENTS DRAFT 1



Agenda Item #2.

PREPARED BY: CLATSOP COUNTY COMMUNITY DEVELOPMENT -
LAND USE PLANNING DIVISION

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INTRODUCTION

Beginning in 2023, the Board of Clatsop County Commissioners directed staff to move forward with a package of amendments to the *Land and Water Development and Use Code* (LAWDUC) in order to facilitate construction of housing at all price points.

An initial Board of Commissioners work session to generally discuss the proposed amendments was held on October 4, 2023. At that work session, the Board directed staff to prepare the draft amendments and obtain public input. A virtual public information session was held January 17, 2024. Input from that public meeting was collected and presented to the Board at a second work session held on February 14, 2024. Following additional direction from the Board, staff has prepared a detailed first draft of the proposed revisions.

**This draft will remain open for public comment through 11:59PM,
Sunday, July 21 2024**

**Comments on the proposed amendments may be submitted via email to
comdev@clatsopcounty.gov**

**Updates and additional information can be found on the Clatsop County
[website](#).**

As staff prepared this detailed first draft, changes were made from the initial proposals originally presented to the board. The changes fall into two categories: 1) to provide additional opportunities to facilitate housing growth and 2) to ensure compliance with Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR). These changes include:

- Adding “Cottage cluster developments” as a Type I use in rural communities. Cottage cluster developments were not originally considered as a possible housing product type during the Board work sessions.
- Changing existing code to allow one single-family dwelling for the owner/operator/caretaker of a new or existing commercial use as a Type I use. This use was not originally identified as a potential revision. In commercial/industrial zones where this use is currently allowed, it is processed as a Type II conditional use, which would require public notice, but not a public hearing. A Type I use does not require a public notice or a public hearing.
- Establish development standards for newly-added housing product types and uses
- Create definitions for new housing types
- Administrative revisions to:
 - Correct spelling/grammatical errors
 - Establish uniform nomenclature
 - Reorganize for clarity

The majority of the code changes are proposed on lands that are within the County’s rural communities of Arch Cape, Miles Crossing/Jeffers Garden, Knappa-Svensen and Westport. Rural communities are areas that are often served by community water and sewer and are designated as areas suitable for increased density. Because OAR 660-004-0040(8)(f) limits development on rural residential lands to one single-family dwelling per lot or parcel, duplex, triplex, quadplex and multi-family development is not permitted.

More information on rural communities and rural residential lands is provided below.

Rural Community v. Rural Residential	
Rural Community	Rural Residential
<ul style="list-style-type: none"> • Regulated by OAR 660-022 	<ul style="list-style-type: none"> • Regulated by OAR 660-004
<ul style="list-style-type: none"> • Goal 3/4 Exception Area 	<ul style="list-style-type: none"> • Goal 3/4 Exception Area
<ul style="list-style-type: none"> • Often served by community water and/or sewer 	<ul style="list-style-type: none"> • Sometimes served by community water and no sewer
<ul style="list-style-type: none"> • Defined as: An unincorporated community which consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including, but not limited to schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area. 	<ul style="list-style-type: none"> • Since October 4, 2000, 2-acre minimum parcel size required for new rural residential parcels.
<ul style="list-style-type: none"> • 2003: Rural Communities created: <ul style="list-style-type: none"> • Arch Cape • Miles Crossing/Jeffers Gardens • Knappa-Svensen • Westport 	<ul style="list-style-type: none"> • In new exception areas, 10-acre minimum parcel size required
<ul style="list-style-type: none"> • Per OAR 660-022-0030(2): County plans and land use regulations may authorize any residential use and density in unincorporated communities. 	<ul style="list-style-type: none"> • Clatsop County Rural Residential Zones include: <ul style="list-style-type: none"> • RA-1 • RA-2 • RA-5 • RA-10 • Coastal Residential • Coastal Beach Residential • Single-Family Residential-1 (SFR-1)
	<ul style="list-style-type: none"> • Ordinance 03-11 approved a Goal 14 Exception for specific parcels in Cove Beach, Arcadia Beach and the Clatsop Plains, to allow parcels less than 2 acres in size.

Following the close of the public comment period on July 21, 2024, staff will present the public input to the Board a work session that has tentatively been scheduled on August 7, 2024, at 10AM. Based upon direction from the Board of Commissioners at that work session, staff will prepare any revisions, submit the draft ordinance to the Department of Land Conservation and Development, and schedule the ordinance for public hearings before the Planning Commission and the Board.

ARTICLE 1: INTRODUCTORY PROVISIONS AMENDMENTS

1.0500: DEFINITIONS

1. **Add the following definitions:**

COTTAGE CLUSTER – A grouping of at least four detached dwelling units per acre. Dwelling units have a building footprint of less than 900 square feet per dwelling unit that includes a common courtyard with at least 150 square feet per cottage. Units may be located on a single lot or parcel or on individual lots or parcels. A maximum of eight cottages shall be permitted per courtyard. For example, 150 square feet of common courtyard area for eight cottages equals 1,200 square feet of common courtyard area.

COTTAGE CLUSTER PROJECT – A development site with one or more cottage clusters. Each cottage cluster as part of a cottage cluster project must have its own common courtyard.

DWELLING, ATTACHED – Two or more dwelling units attached by common walls, roof or other structural part, at a common property line between separate lots or parcels.

DWELLING, DETACHED – A single dwelling unit whose construction does not share a common wall, roof or other structural part with another unit.

DWELLING, DUPLEX – Two attached or detached dwelling units on a lot or parcel.

DWELLING, MULTI-FAMILY – Five or more attached dwelling units on a lot or parcel with common walls, roofs or other structural parts.

DWELLING, HEALTH HARDSHIP – A manufactured dwelling or recreational vehicle, or the temporary use of an existing building, in conjunction with an existing dwelling as a temporary use for the term of a health hardship suffered by the existing resident or a relative of the resident.

DWELLING, TRIPLEX – Three attached dwelling units on a lot or parcel with common walls, roofs or other structural parts.

DWELLING, QUADPLEX – Four attached dwelling units on a lot or parcel with common walls, roofs or other structural parts.

RESIDENTIAL FACILITY – A facility licensed by or under the authority of the State of Oregon which provides residential care alone or in conjunction with treatment or training or a combination thereof for six (6) to fifteen (15) individuals who need not be related. Staff persons required to meet State of Oregon licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.

1.0500: DEFINITIONS

RESIDENTIAL HOME – A home licensed by or under the authority of the State of Oregon which provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet State of Oregon licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

2. Revise the following definitions:

BOARDING HOUSE – A building or portion thereof, other than a motel, restaurant or hotel, where meals or lodging or both are provided for compensation for three or more persons. ~~A building or premises where meals or lodging are offered for compensation for three (3) or more persons but not more than nine (9) persons, and having no more than five sleeping rooms for this purpose. An establishment where meals are served for compensation for more than nine (9) persons shall be deemed a restaurant. An establishment with more than five (5) sleeping rooms shall be deemed a hotel.~~

3. Delete the following definitions:

~~**HANDICAPPED HOUSING FACILITY** – A residential home for five (5) or fewer handicapped persons and for staff who need not be related to each other or to any other home resident. As used herein, a handicapped person is an individual who has a physical or mental impairment which for the individual constitutes or results in a functional limitation to one or more major life activities (these are self-care, ambulation, communication, transportation, education, socialization, employment and the ability to acquire and maintain adequate, safe and decent shelter).~~

ARTICLE 3: STRUCTURE SITING AND DEVELOPMENT STANDARDS AMENDMENTS

ARTICLE 3: STRUCTURE SITING AND DEVELOPMENT STANDARDS

1. Summary of proposed change:

Create new Section 3.0200 to establish standards applicable to all cottage cluster developments, including:

- A. Maximum building footprint: 900 SF
- B. Minimum separation between structures: 10' or as required by the applicable building codes
- C. Minimum number of cottages per courtyard: 4
- D. Maximum number of cottages per courtyard: 8
- E. Minimum common courtyard area:
 - I. 150 SF / unit
- F. Each group of up to 8 cottage clusters must have its own common courtyard

2. Summary of proposed change:

Revise Section 3.0060(1) as follows:

- A. Require 1 parking space per cottage cluster dwelling
- B. Require 1 parking space per triplex or quadplex dwelling unit
- C. Require 0.5 parking spaces per bed for rooming and boarding houses
- D. Require 1 parking space per employee for residential care facilities
- E. Require 0.25 parking spaces per employee for employee housing

3. Summary of proposed change:

Create new Section 3.0210 to establish the following standards applicable to all employee housing facilities:

- A. Housing must be located on the same parcel as the business; or
- B. Housing may be located on a separate commercially-zoned parcel within 1,000 feet of the parcel where the business is located.

PROPOSED RURAL COMMUNITY AMENDMENTS

4.0600: ARCH CAPE RURAL COMMUNITY RESIDENTIAL (AC-RCR)

1. Summary of Proposed Change:

Amend Section 4.0620 to allow two-unit residential dwellings (duplex) as a Type I use. Duplex dwellings are currently allowed as a conditional use that requires public notice, but no public hearing. A Type I use does not require public notice or a public hearing.

2. Summary of Proposed Change:

Revise Sections 4.0300, 4.0620 and 4.0630 to address construction of public or private roads within existing rights-of-way. Currently, new public or private road development or road extensions in the AC-RCR zone are allowed as a Type II use, which requires a public notice, but not a public hearing. This requirement applies even if the road is proposed within an existing publicly-dedicated right-of-way. The proposed change would change this to a Type I use, which does not require a public notice or a public hearing.

3. Summary of Proposed Change:

Amend Section 4.0640 to make the following changes to lot sizes for properties with community sewer and water:

- A. Reduce minimum lot size for a one-unit dwelling from 7,500 SF to 5,000 SF
- B. Reduce minimum lot width for a one-unit dwelling from 60' to 50'
- C. Reduce minimum lot size for a duplex from 15,000 SF to 10,000 SF

4. Summary of Proposed Change:

Amend Section 4.0630 to add the following residential uses as Type II uses (requires public notice, but no public hearing):

- A. Triplex
- B. Quadplex
- C. Cottage Cluster Development (subject to requirements of Sections 2.9400 and 3.0200)

5. Summary of Proposed Change:

Amend Section 4.0640 to create lot size and dimensional requirements for the following:

- A. Triplex
 - 1. Lot Size: 5,000 SF/unit
 - 2. Lot Width: 75'
- B. Quadplex:
 - 1. Lot Size: 5,000 SF/unit
 - 2. Lot Width: 75'

4.0600: ARCH CAPE RURAL COMMUNITY RESIDENTIAL (AC-RCR)

- C. Cottage Cluster Development:
 - 1. Lot Size: 1,500 SF/unit
 - 2. Lot Width: 75'

6. Summary of Proposed Change:

Revise Section 4.0640 to amend setback requirements for the following:

- A. One-unit dwelling:
 - 1. Side Yard Setback: Change required setback from 10' to 7.5' to accommodate reduced lot width.

Create setbacks for the following:

- B. Duplex, Triplex, Quadplex and Cottage Cluster Development:
 - 1. Front Setback: Use existing setbacks currently in Section 4.0640
 - 2. Rear Setback: Use existing setbacks currently in Section 4.0640
 - 3. Side Setback: 10'

7. Summary of Proposed Change:

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

8. Summary of Proposed Change:

Amend Section 4.0640(11) to clarify that exterior lighting must comply with the requirements of Section 8.20, Clatsop County Code. The outdoor lighting requirements of Section 8.20 were adopted by Ordinance 20-02. This proposed change would ensure the lighting requirements in LAWDUC are consistent with County Code.

4.0700: MILES CROSSING, JEFFERS GARDENS AND WESTPORT RURAL COMMUNITY RESIDENTIAL (RCR)

1. Summary of Proposed Change:

Revise Section 4.0720 to allow two-unit residential dwellings (duplex) as a Type I use. Duplex dwellings are currently allowed as a conditional use that requires public notice, but no public hearing. A Type I use does not require public notice or a public hearing.

2. Summary of Proposed Change:

Revise Section 4.0740 to make the following changes to lot sizes for properties with community sewer and water:

- A. Reduce minimum lot size for a one-unit dwelling from 7,500 SF to 5,000 SF
- B. Reduce minimum lot width for a one-unit dwelling from 75' to 50'
- C. Reduce minimum lot size for a duplex from 15,000 SF to 10,000 SF
- D. Reduce minimum lot width for a duplex from 75' to 60'

3. Summary of Proposed Change:

Revise Section 4.0730 to add the following residential uses as Type II uses (requires public notice, but no public hearing):

- A. Triplex
- B. Quadplex
- C. Cottage Cluster Development (subject to requirements of Sections 2.9400 and 3.0200)

4. Summary of Proposed Change:

Revise Section 4.0740 to create lot size and dimensional requirements for the following:

- A. Triplex
 - 1. Lot Size: 5,000 SF/unit
 - 2. Lot Width: 75'
- B. Quadplex:
 - 1. Lot Size: 5,000 SF/unit
 - 2. Lot Width: 75'
- C. Cottage Cluster Development:
 - 1. Lot Size: 1,500 SF/unit
 - 2. Lot Width: 75'

5. Summary of Proposed Change:

Revise Section 4.0740 to amend setback requirements for the following:

4.0700: MILES CROSSING, JEFFERS GARDENS AND WESTPORT RURAL COMMUNITY RESIDENTIAL (RCR)

A. One-unit dwelling:

1. Side Yard Setback: Change required setback from 10' to 7.5' to accommodate reduced lot width.

Create setbacks for the following:

A. Duplex, Triplex, Quadplex and Cottage Cluster Development:

1. Front Setback: Use existing setbacks currently in Section 4.0740
2. Rear Setback: Use existing setbacks currently in Section 4.0740
3. Side Setback: 10'

6. Summary of Proposed Change:

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

4.1000: KNAPPA AND SVENSEN RURAL COMMUNITY RESIDENTIAL (KS-RCR)

1. Summary of Proposed Change:

Amend Section 4.1020 to allow two-unit residential dwellings (duplex) as a Type I use. Duplex dwellings are currently allowed as a conditional use that requires public notice, but no public hearing. A Type I use does not require public notice or a public hearing.

2. Summary of Proposed Change:

Amend Section 4.1040 (formerly Section 4.1050) to make the following changes to lot sizes for properties without community sewer:

- A. Establish minimum 1-acre parcel size for duplex units

3. Summary of Proposed Change:

Amend Section 4.1030 to add the following residential uses as Type II uses (requires public notice, but no public hearing):

- A. Triplex
- B. Quadplex
- C. Cottage Cluster Development (subject to requirements of Sections 2.9400 and 3.0200)

4. Summary of Proposed Change:

Revise Section 4.1040 (Formerly 4.1050(1)) to clarify that lot size for conditional uses, including triplex, quadplex and cottage cluster residential, must be sufficient to meet the needs of the proposed use.

5. Summary of Proposed Change:

Delete Section 4.1040, which specifically calls out “subdivisions” as a Type III use. A Type III use requires public notice and a public hearing. Subdivisions are permitted in all residential zones. By calling “subdivision” out in one zone, but not in all zones, it prohibits subdivisions unless that use is specifically listed. No procedural changes are proposed with regard to how subdivisions are reviewed or approved. Renumber subsequent sections.

6. Summary of Proposed Change:

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

4.1100: RURAL SERVICE AREA-SINGLE FAMILY RESIDENTIAL (RSA-SFR)

1. Summary of Proposed Change:

Amend Section 4.1120 to allow two-unit residential dwellings (duplex) as a Type I use. Duplex dwellings are currently allowed as a conditional use that requires public notice, but no public hearing. A Type I use does not require public notice or a public hearing.

2. Summary of Proposed Change:

Amend Section 4.1140 to make the following changes to lot sizes for properties **with** community sewer and water:

- A. Reduce minimum lot size for a one-unit dwelling from 7,500 SF to 5,000 SF
- B. Reduce minimum lot width for a one-unit dwelling from 60' to 50'
- C. Reduce minimum lot size for a duplex from 15,000 SF to 10,000 SF

3. Summary of Proposed Change:

Amend Section 4.1140 to clarify and combine lot size information for one-unit and duplex dwellings properties **without** community sewer. No regulations changes proposed for one-unit and duplex dwellings.

4. Summary of Proposed Change:

Amend Section 4.1140 to create lot size and dimensional requirements for triplex, quadplex and cottage cluster developments **with** water and sewer:

- A. Triplex:
 - 1. Lot Size: 5,000 SF/unit
 - 2. Lot Width: 75'
- B. Quadplex:
 - 1. Lot Size: 5,000 SF/unit
 - 2. Lot Width: 75'
- C. Cottage Cluster Development:
 - 1. Lot Size: 1,500 SF/unit
 - 2. Lot Width: 75'

5. Summary of Proposed Change:

Amend Section 4.1140 to create lot size and dimensional requirements for triplex, quadplex and cottage cluster development **without** water and sewer:

- A. Triplex:
 - 1. Lot Size: 15,000 SF/unit
 - 2. Lot Width: 120'

4.1100: RURAL SERVICE AREA-SINGLE FAMILY RESIDENTIAL (RSA-SFR)

- B. Quadplex:
 - 1. Lot Size: 15,000 SF/unit
 - 2. Lot Width: 120'
- C. Cottage Cluster Development:
 - 1. Lot Size: 10,000 SF/unit
 - 2. Lot Width: 120'

6. Summary of Proposed Change:

Revise Section 4.1130 to add the following residential uses as Type II uses (requires public notice, but no public hearing):

- A. Triplex
- B. Quadplex
- C. Cottage Cluster Development (subject to requirements of Sections 2.9400 and 3.0200)

7. Summary of Proposed Change:

Revise Section 4.1140(1)(D) to clarify that the minimum lot size for conditional uses, including triplex, quadplex and cottage cluster residential, may be increased based upon site-specific circumstances to reduce impacts on nearby properties and to meet state sanitation requirements.

8. Summary of Proposed Change:

Amend Section 4.1140 to create the following minimum side yard setbacks for triplex, quadplex and cottage cluster development:

- A. 20'

9. Summary of Proposed Change:

Administrative revisions/corrections to:

- D. Correct grammar and spelling errors
- E. Reorganize content for clarity
- F. Use uniform nomenclature throughout code

4.1200: RURAL COMMUNITY MULTI-FAMILY RESIDENTIAL (RC-MFR)

1. Summary of Proposed Change:

Amend Section 4.1220 to change “Multi-Family Dwelling” from a Type II to a Type I procedure. Type II procedures require a public notice, but no public hearing. A Type I procedure does not require either a public notice or a public hearing.

As this zone is specifically created to allow multi-family dwellings, and there are already clear and objective standards established regarding setbacks, building height, and parking requirements, it would appear that multi-family dwellings that met all requirements could be permitted outright in a zone that allows multi-family development.

New language would require site plan review for multi-family dwellings to ensure that all required standards have been met.

2. Summary of Proposed Change:

Amend Section 4.1220 to change “Boarding or rooming house or other group housing” from a Type II procedure to a Type I procedure. Type II procedures require a public notice, but no public hearing. A Type I procedure does not require either a public notice or a public hearing.

As this zone is specifically created to allow multi-family dwellings, and there are already clear and objective standards established regarding setbacks, building height, and parking requirements, it would appear that boarding or rooming houses or other group housing facilities that met all requirements could be permitted outright in a zone that allows multi-family development.

New language would require site plan review for boarding or rooming houses or other group housing to ensure that all required standards have been met.

3. Summary of Proposed Change:

Amend Section 4.1220 to change “Mobile home or manufactured home park” from a Type II procedure to a Type I procedure. Type II procedures require a public notice, but no public hearing. A Type I procedure does not require either a public notice or a public hearing.

As this zone is specifically created to accommodate areas that were “historically developed with mobile home parks, manufactured home parks and multi-family housing”, and there are already clear and objective standards established regarding setbacks, building height, and parking requirements, it would appear that mobile home or manufactured home parks

4.1200: RURAL COMMUNITY MULTI-FAMILY RESIDENTIAL (RC-MFR)

that met all requirements could be permitted outright in a zone that allows multi-family development.

New language would require site plan review for mobile home or manufactured home parks to ensure that all required standards have been met.

4. Summary of Proposed Change:

Amend Section 4.1240 to make the following changes to lot sizes for properties **with** community sewer and water:

- A. Reduce minimum lot size for a one-unit dwelling from 7,500 SF to 5,000 SF
- B. Reduce minimum lot width for a one-unit dwelling from 75' to 50'
- C. Reduce minimum lot size for a duplex from 15,000 SF to 10,000 SF
- D. Reduce minimum lot width for a duplex dwelling from 75' to 60'

5. Summary of Proposed Change:

Add the following Type I uses to Section 4.1220:

- A. Triplex
- B. Quadplex
- C. Cottage cluster development, subject to the requirements of Sections 2.9400 and 3.0200

6. Summary of Proposed Change:

Amend Section 4.1240 to create lot size and dimensional requirements for triplex; quadplex; multi-unit dwellings; boarding/ rooming houses/other group housing facilities; and cottage cluster developments **with** water and sewer:

- A. Triplex/quadplex:
 - 1. Lot Size: 5,000 SF/unit
 - 2. Lot Width: 75'
- B. Multi-Unit Dwelling:
 - 1. Lot Size: 5,000 SF/unit
 - 2. Lot Width: 75'
- C. Boarding/rooming houses:
 - 1. Lot Size: 5,000 SF/unit
 - 2. Lot Width: 75'
- D. Cottage Cluster Development:
 - 1. Lot Size: 1,500 SF/unit
 - 2. Lot Width: 75'

4.1200: RURAL COMMUNITY MULTI-FAMILY RESIDENTIAL (RC-MFR)

7. Summary of Proposed Change:

Amend Section 4.1240 to create lot size requirements for triplex; quadplex; and cottage cluster developments **without** sewer:

- A. Triplex/quadplex:
 - 1. Lot Size: 15,000 SF/unit
- B. Cottage Cluster Development:
 - 1. Lot Size: 10,000 SF/unit

Revise lot size requirement for multi-unit dwellings **without** sewer:

- A. **Current:** Multi-unit dwellings: 2 acres for the first 2 units, plus one acre for each additional unit
- B. **Proposed:** Multi-unit dwellings: 2 acres for the first 2 units, plus ½ acre for each additional unit

No changes to the lot size for one-unit and duplex dwelling **without** sewer are proposed.

8. Summary of Proposed Change:

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

4.1300: RESIDENTIAL SERVICE AREA-MULTI-FAMILY RESIDENTIAL (RSA-MFR)

1. Summary of Proposed Change:

Amend Section 4.1320 to change “Multi-Family Dwelling” from a Type II to a Type I procedure. Type II procedures require a public notice, but no public hearing. A Type I procedure does not require either a public notice or a public hearing.

As this zone is specifically created to allow residential development are urban densities, and there are already clear and objective standards established regarding setbacks, building height, and parking requirements, it would appear that multi-family dwellings that met all requirements could be permitted outright in a zone that allows multi-family development.

New language would require site plan review for multi-family dwellings to ensure that all required standards have been met.

2. Summary of Proposed Change:

Amend Section 4.1320 to change “Boarding or rooming house or other group housing” from a Type II procedure to a Type I procedure. Type II procedures require a public notice, but no public hearing. A Type I procedure does not require either a public notice or a public hearing.

As this zone is specifically created to allow multi-unit dwellings at urban densities, and there are already clear and objective standards established regarding setbacks, building height, and parking requirements, it would appear that boarding or rooming houses or other group housing facilities that met all requirements could be permitted outright in a zone that allows multi-family development.

New language would require site plan review for boarding or rooming houses or other group housing to ensure that all required standards have been met.

3. Summary of Proposed Change:

Amend Section 4.1320 to change “Mobile home or manufactured home park” from a Type II procedure to a Type I procedure. Type II procedures require a public notice, but no public hearing. A Type I procedure does not require either a public notice or a public hearing.

As this zone is specifically created to accommodate residential developments at urban densities, and there are already clear and objective standards established regarding setbacks, building height, and parking requirements, it would appear that new

4.1300: RESIDENTIAL SERVICE AREA-MULTI-FAMILY RESIDENTIAL (RSA-MFR)

manufactured home parks that met all requirements could be permitted outright in a zone that allows multi-family development.

New language would require site plan review for mobile home or manufactured home parks to ensure that all required standards have been met.

4. Summary of Proposed Change:

Add the following Type I uses to Section 4.1320:

- A. Triplex
- B. Quadplex
- C. Cottage cluster development, subject to the requirements of Sections 2.9400 and 3.0200.
- D. Accessory dwelling units, subject to Section 3.0180 (A-C)

5. Summary of Proposed Change:

Amend Section 4.1340(1) to revise lot sizes for properties **with** state-approved sewer systems as follows:

- A. Reduce minimum lot size for a one-unit dwelling from 7,500 SF to 5,000 SF
- B. Delete separate lot size requirement for mobile home, as manufactured homes are reviewed as a one-unit dwelling
- C. **NEW:** Triplex/quadplex: 5,000 SF / unit
- D. **NEW:** Cottage cluster development: 1,500 SF / unit

6. Summary of Proposed Change:

Amend Section 4.1340(2) to revise lot sizes for properties **without** state-approved sewer systems as follows:

- A. Delete separate lot size requirement for mobile home, as manufactured homes are reviewed as a one-unit dwelling
- B. **NEW:** Triplex/quadplex: 15,000 SF for 1st unit, plus 5,000 SF for each additional unit
- C. **NEW:** Cottage cluster development: 10,000 SF for 1st unit, plus 2,500 SF for each additional unit

No lot size changes proposed for one-unit and duplex dwellings **without** state-approved sewer.

7. Summary of Proposed Change:

Amend Section 4.1340(4) to reduce minimum lot width from 60' to 50'

4.1300: RESIDENTIAL SERVICE AREA-MULTI-FAMILY RESIDENTIAL (RSA-MFR)

8. Summary of Proposed Change:

Amend Section 4.1340(9) to eliminate separate 5-foot side yard setback from lots created prior to September 30, 1980, that are less than the minimum lot size, as the minimum wide yard setback for all parcels/lots is already 5 feet.

9. Summary of Proposed Change:

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

4.1400: RURAL COMMUNITY COMMERCIAL (RCC)

1. Summary of Proposed Change:

Amend Section 4.1420 to add the following Type I uses:

- A. Alteration, repair, replacement or expansion of a residential use or structure existing on or before January 1, 2024.
- B. Employee housing, subject to the requirements of Sections 2.9400 and 3.0210
- C. One residential dwelling for an owner, caretaker or manager in association with a new or existing commercial or industrial use.

2. Summary of Proposed Change:

Amend Section 4.1430 to change “Mixed Use or Residential developments in association with a Commercial or Retail component” from a Type IIA to a Type II procedure. Type IIA procedures require a public notice and a public hearing. A Type II procedure requires a public notice but not a public hearing.

Because commercially-zoned land is limited within areas of unincorporated Clatsop County, additional residential uses should be more closely reviewed to ensure that mixed-use properties remain primarily commercial in nature.

3. Summary of Proposed Change:

Amend Section 4.1430 to add the following Type II uses:

- A. Multi-unit dwellings
- B. Manufactured home parks

Type II uses require a public notice, but do not require a public hearing. Because commercially-zoned land is limited within areas of unincorporated Clatsop County, additional residential uses should be more closely reviewed to ensure that the overall character of the zone remains commercial. Providing higher density residential units can help support unincorporated commercial areas by potentially providing workforce housing in close proximity to employment centers.

4. Summary of Proposed Change:

Amend Section 4.1450(5) to increase allowed building height for commercial uses from 35’ to 45’.

Maximum building height would remain at 35’ if the use is within 100 feet of a residential zone.

4.1400: RURAL COMMUNITY COMMERCIAL (RCC)

5. Summary of Proposed Change:

Amend Section 4.1450(12)(C) to clarify that exterior lighting must comply with the requirements of Section 8.20, Clatsop County Code. The outdoor lighting requirements of Section 8.20 were adopted by Ordinance 20-02. This proposed change would ensure the lighting requirements in LAWDUC are consistent with County Code.

6. Summary of Proposed Change:

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

4.1500: RURAL COMMUNITY LIGHT INDUSTRIAL (RCI)

1. Summary of Proposed Change:

Amend Section 4.1520 to add the following Type I uses:

- A. Alteration, repair, replacement or expansion of a residential use or structure existing on or before January 1, 2024.
- B. Employee housing, subject to the requirements of Sections 2.9400 and 3.0210
- C. One residential dwelling for an owner, caretaker or manager in association with a new or existing commercial or industrial use.

2. Summary of Proposed Change:

Amend Section 4.1550(2)(H) to clarify that exterior lighting must comply with the requirements of Section 8.20, Clatsop County Code. The outdoor lighting requirements of Section 8.20 were adopted by Ordinance 20-02. This proposed change would ensure the lighting requirements in LAWDUC are consistent with County Code.

3. Summary of Proposed Change:

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

4.1600: RURAL COMMUNITY COMMERCIAL AND LIGHT INDUSTRIAL (RCC-LI)

1. Summary of Proposed Change:

Amend Section 4.1620 to add the following Type I uses:

- A. Alteration, repair, replacement or expansion of a residential use or structure existing on or before January 1, 2024.
- B. Employee housing, subject to the requirements of Section 3.0210
- C. One residential dwelling for an owner, caretaker or manager in association with a new or existing commercial or industrial use.

2. Summary of Proposed Change:

Amend Section 4.1600 to change “Residential developments in association with a development that is permitted or conditional, such as a dwelling for the owner or operator of a commercial development” from a Type IIA to a Type I procedure. Type IIA procedures require a public notice and a public hearing. A Type I procedure does not require either a public notice or a public hearing.

3. Summary of Proposed Change:

Amend Section 4.1660(2)(H) to clarify that exterior lighting must comply with the requirements of Section 8.20, Clatsop County Code. The outdoor lighting requirements of Section 8.20 were adopted by Ordinance 20-02. This proposed change would ensure the lighting requirements in LAWDUC are consistent with County Code.

4. Summary of Proposed Change:

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

4.1700: LIGHT INDUSTRIAL (LI)

1. Summary of Proposed Change:

Amend Section 4.1720 to add the following Type I uses:

- A. Alteration, repair, replacement or expansion of a residential use or structure existing on or before January 1, 2024.
- B. Employee housing, subject to the requirements of Section 3.0210
- C. One residential dwelling for an owner, caretaker or manager in association with a new or existing commercial or industrial use.

2. Summary of Proposed Change:

Amend Section 4.1740(2)(H) to clarify that exterior lighting must comply with the requirements of Section 8.20, Clatsop County Code. The outdoor lighting requirements of Section 8.20 were adopted by Ordinance 20-02. This proposed change would ensure the lighting requirements in LAWDUC are consistent with County Code.

3. Summary of Proposed Change:

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

4.1800: HEAVY INDUSTRIAL (HI)

1. Summary of Proposed Change:

Amend Section 4.1820 to add the following Type I uses:

- A. Alteration, repair, replacement or expansion of a residential use or structure existing on or before January 1, 2024.
- B. Employee housing, subject to the requirements of Section 3.0210
- C. One residential dwelling for an owner, caretaker or manager in association with a new or existing commercial or industrial use.

2. Summary of Proposed Change:

Amend Section 4.1840(3)(H) to clarify that exterior lighting must comply with the requirements of Section 8.20, Clatsop County Code. The outdoor lighting requirements of Section 8.20 were adopted by Ordinance 20-02. This proposed change would ensure the lighting requirements in LAWDUC are consistent with County Code.

3. Summary of Proposed Change:

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

PROPOSED RURAL LANDS AMENDMENTS

4.2200: COASTAL BEACH RESIDENTIAL (CBR)

1. Summary of Proposed Change:

Amend Section 4.2220 to allow attached dwellings as a Type I use. Attached dwellings are currently not allowed in this zone. Attached dwellings are two dwellings that share a common wall, but are on separate lots or parcels.

No new lot widths or building heights are proposed for attached dwellings.

2. Summary of Proposed Change:

Amend Section 4.2240(1) to establish a minimum-required parcel size for attached dwellings

- A. **NEW:** Attached Dwellings: 1 acre, unless outside of an exception area, in which case two acres would be required

Attached dwellings would be subject to current lot width, front and rear setbacks and building height requirements.

3. Summary of Proposed Change:

Amend Section 4.2240(5) to establish a side yard setback for attached dwellings

- A. **NEW:** Attached Dwellings (Interior Side): 0'
- B. **NEW:** Attached Dwellings (Exterior Side): 10', except on a corner lot, the minimum street side yard shall be 20'

Attached dwellings would be subject to current lot width, front and rear setbacks and building height requirements.

4. Summary of Proposed Change:

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

4.2300: COASTAL RESIDENTIAL (CR)

1. Summary of Proposed Change:

Amend Section 4.2320 attached dwellings as a Type I use. Attached dwellings are currently not allowed in this zone. Attached dwellings are two dwellings that share a common wall, but are on separate lots or parcels.

No new lot widths or building heights are proposed for attached dwellings.

2. Summary of Proposed Change:

Amend Section 4.2350(7) to establish a side yard setback for attached dwellings

A. **NEW:** Attached Dwellings (Interior Side): 0'

B. **NEW:** Attached Dwellings (Exterior Side): 10', except on a corner lot, the minimum street side yard shall be 20'

Attached dwellings would be subject to current lot width, front and rear setbacks and building height requirements.

3. Summary of Proposed Change:

Amend Section 4.2350(2) to establish a minimum-required parcel size for attached dwellings

A. **NEW:** Attached Dwellings: 20,000 SF, unless outside of an exception area, in which case two acres would be required

Attached dwellings would be subject to current lot width, front and rear setbacks and building height requirements.

4. Summary of Proposed Change:

Administrative revisions/corrections to:

A. Correct grammar and spelling errors

B. Reorganize content for clarity

C. Use uniform nomenclature throughout code

4.2400: SINGLE FAMILY RESIDENTIAL (SFR-1)

1. Summary of Proposed Change:

Amend Section 4.2420 to allow attached residential dwellings as a Type I use. Attached dwellings are currently not allowed in this zone. Attached dwellings are two dwellings that share a common wall, but are on separate lots or parcels.

No new lot widths or building heights are proposed for attached dwellings.

2. Summary of Proposed Change:

Amend Section 4.2440(6) to establish a side yard setback for attached dwellings

A. **NEW:** Attached Dwellings (Interior Side): 0'

B. **NEW:** Attached Dwellings (Exterior Side): 10', except on a corner lot, the minimum street side yard shall be 20'

Attached dwellings would be subject to current lot width, front and rear setbacks and building height requirements.

3. Summary of Proposed Change:

Amend Section 4.2440(1) to establish a minimum-required parcel size for attached dwellings

A. **NEW:** For residential uses, including attached dwellings: one (1) acre except for the following parcels which are not exceptions areas and therefore, require two (2) acres:

1. T.4N., R.10W., Section 7CD, Tax Lot 100, 200 and 300.

2. T.7N., R.10W., Section 34B, Tax Lot 3300 and 3400.

Attached dwellings would be subject to current lot width, front and rear setbacks and building height requirements.

4. Summary of Proposed Change:

Administrative revisions/corrections to:

A. Correct grammar and spelling errors

B. Reorganize content for clarity

C. Use uniform nomenclature throughout code

4.2500: RESIDENTIAL-AGRICULTURE-1 (RA-1)

NOTE: Because the RA-1 Zones *are not* located within Goal 14 exception areas, OAR 660-004 requires new parcels to be a minimum of 2 acres and only allows one dwelling unit per lot or parcel. If the lot or parcel is at least 2 acres in size, an Accessory Dwelling Unit may be allowed. A health hardship dwelling may also be permitted.

Because these are the only exceptions allowed by Oregon Administrative Rules, and because a minimum of two acres would be required for each attached dwelling, no changes are proposed to the RA-1, other than noted below.

1. **Summary of Proposed Change:**

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

4.2600: RESIDENTIAL-AGRICULTURE-2 (RA-2)

NOTE: Because the RA-2 Zones *are not* located within Goal 14 exception areas, OAR 660-004 requires new parcels to be a minimum of 2 acres and only allows one dwelling unit per lot or parcel. If the lot or parcel is at least 2 acres in size, an Accessory Dwelling Unit may be allowed. A health hardship dwelling may also be permitted.

Because these are the only exceptions allowed by Oregon Administrative Rules, and because a minimum of two acres would be required for each attached dwelling, no changes are proposed to the RA-2, other than noted below.

1. **Summary of Proposed Change:**

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

4.2700: RESIDENTIAL-AGRICULTURE-2 (RA-5)

NOTE: Because the RA-5 Zones *are not* located within Goal 14 exception areas, County zoning requires a minimum of 5 acres and OAR 660-004 only allows one dwelling unit per lot or parcel. Duplex units are already permitted as a Type I use, but require a minimum 10 acre parcel size. If the lot or parcel is at least 2 acres in size, an Accessory Dwelling Unit may be allowed. A health hardship dwelling may also be permitted.

Because these are the only exceptions allowed by Oregon Administrative Rules, and because a minimum of five acres would be required for each attached dwelling, no changes are proposed to the RA-5, other than noted below.

1. Summary of Proposed Change:

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

4.2800: RESIDENTIAL-AGRICULTURE-2 (RA-10)

NOTE: Because the RA-10 Zones *are not* located within Goal 14 exception areas, County zoning requires a minimum of 10 acres and OAR 660-004 only allows one dwelling unit per lot or parcel. Duplex units are already permitted as a Type I use, but require a minimum 20 acre parcel size. If the lot or parcel is at least 2 acres in size, an Accessory Dwelling Unit may be allowed. A health hardship dwelling may also be permitted.

Because these are the only exceptions allowed by Oregon Administrative Rules, and because a minimum of five acres would be required for each attached dwelling, no changes are proposed to the RA-10, other than noted below.

1. **Summary of Proposed Change:**

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

4.2900: NEIGHBORHOOD COMMERCIAL (NC)

1. Summary of Proposed Change:

Amend Section 4.2920 to add the following Type I uses:

- A. Alteration, repair, replacement or expansion of a residential use or structure existing on or before January 1, 2024.
- B. Employee housing, subject to the requirements of Sections 2.9400 and 3.0210
- C. One residential dwelling for an owner, caretaker or manager in association with a new or existing commercial or industrial use.

2. Summary of Proposed Change:

Amend Section 4.2930 to add the following use as a Type II procedure. A Type II procedure requires a public notice but not a public hearing.

- A. Residential developments in association with a new or existing commercial or retail component

Because commercially-zoned land is limited within areas of unincorporated Clatsop County, additional residential uses should be more closely reviewed to ensure that mixed-use properties remain primarily commercial in nature.

3. Summary of Proposed Change:

Amend Section 4.2930 to add the following Type II uses. Type II uses require a public notice, but do not require a public hearing.

- A. Multi-unit dwellings
- B. Manufactured home parks

Because commercially-zoned land is limited within areas of unincorporated Clatsop County, additional residential uses should be more closely reviewed to ensure that the overall character of the zone remains commercial. Providing higher density residential units can help support unincorporated commercial areas by potentially providing workforce housing in close proximity to employment centers.

4. Summary of Proposed Change:

Amend Section 4.2950 to require a minimum of 10,000 SF of lot area for each dwelling unit.

5. Summary of Proposed Change:

Administrative revisions/corrections to:

4.2900: NEIGHBORHOOD COMMERCIAL (NC)

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

4.3000: GENERAL COMMERCIAL (GC)

1. Summary of Proposed Change:

Amend Section 4.3030 to add the following Type I uses:

- A. Alteration, repair, replacement or expansion of a residential use or structure existing on or before January 1, 2024.
- B. Employee housing, subject to the requirements of Sections 2.9400 and 3.0210
- C. One residential dwelling for an owner, caretaker or manager in association with a new or existing commercial or industrial use.

2. Summary of Proposed Change:

Amend Section 4.3040 to add “Mixed Use or Residential developments in association with a Commercial or Retail component” as a Type II procedure. A Type II procedure requires a public notice but not a public hearing.

Because commercially-zoned land is limited within areas of unincorporated Clatsop County, additional residential uses should be more closely reviewed to ensure that mixed-use properties remain primarily commercial in nature.

3. Summary of Proposed Change:

Change “One residential use in association with a permitted or conditional, such as a dwelling for the owner or operator or caretaker of a commercial activity” from a Type II to a Type I procedure. Type II procedures require a public notice, but do not require a public hearing. A Type I procedure does not require either a public notice or a public hearing.

Because industrially- and commercially-zoned land is limited within areas of unincorporated Clatsop County, additional residential uses should be more closely reviewed to ensure that mixed-use properties remain primarily non-residential in nature.

4. Summary of Proposed Change:

Amend Section 4.3040 to add the following Type II uses:

- A. Multi-unit dwellings, subject to Section 2.9400
- B. Manufactured home parks, subject to the Sections 2.9400 and 3.4000

Type II uses require a public notice, but do not require a public hearing. Because commercially-zoned land is limited within areas of unincorporated Clatsop County, additional residential uses should be more closely reviewed to ensure that the overall character of the zone remains commercial. Providing higher density residential units can

4.3000: GENERAL COMMERCIAL (GC)

help support unincorporated commercial areas by potentially providing workforce housing in close proximity to employment centers.

5. Summary of Proposed Change:

Amend Section 4.3060(2) to require a minimum of 10,000 SF of lot area for each dwelling unit.

6. Summary of Proposed Change:

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity
- C. Use uniform nomenclature throughout code

4.3100: TOURIST COMMERCIAL (TC)

1. Summary of Proposed Change:

Amend Section 4.3130 to add the following Type I uses:

- A. Alteration, repair, replacement or expansion of a residential use or structure existing on or before January 1, 2024.
- B. Employee housing, subject to the requirements of Sections 2.9400 and 3.0210
- C. One dwelling for the owner or operator of a new or existing commercial use located on the same parcel

2. Summary of Proposed Change:

Amend Section 4.3140 to add “Mixed Residential developments in association with a new or existing commercial or retail use” as a Type II procedure. A Type II procedure requires a public notice but not a public hearing.

Because commercially-zoned land is limited within areas of unincorporated Clatsop County, additional residential uses should be more closely reviewed to ensure that mixed-use properties remain primarily commercial in nature.

3. Summary of Proposed Change:

Amend Section 4.3140 to add the following Type II uses:

- A. Multi-unit dwellings, subject to Section 2.9400
- B. Manufactured home parks, subject to Sections 2.9400 and 3.4000

Type II uses require a public notice, but do not require a public hearing. Because commercially-zoned land is limited within areas of unincorporated Clatsop County, additional residential uses should be more closely reviewed to ensure that the overall character of the zone remains commercial. Providing higher density residential units can help support unincorporated commercial areas by potentially providing workforce housing in close proximity to employment centers.

5. Summary of Proposed Change:

Amend Section 4.3160(2) to require 10,000 SF of lot area for each dwelling unit.

6. Summary of Proposed Change:

Administrative revisions/corrections to:

- A. Correct grammar and spelling errors
- B. Reorganize content for clarity

4.3100: TOURIST COMMERCIAL (TC)

C. Use uniform nomenclature throughout code

EXHIBIT C

Public Comments



ARCH CAPE FALCON COVE BEACH COMMUNITY CLUB

79729 Highway 101, Arch Cape, OR 97102

July 18, 2024

Community Development Department
800 Exchange Street, Suite 100
Astoria, OR 97103
comdev@clatsopcounty.gov

RE: Public Comments – Housing Amendments (Draft 1)

TO: Clatsop County Commissioners and Staff

The Arch Cape Falcon Cove Beach Community Club (Community Club) appreciates the opportunity to submit comments on the proposed LAWDUC zoning changes known as the “Housing Amendments.” The Community Club is a 501(c)(3) non-profit community organization founded in 1966 to maintain and enhance the livability and sense of community in Arch Cape - Falcon Cove Beach, and to protect the natural, scenic, open space, historical and cultural aspects of the area and land. We submit these comments in order to further that mission.

Support for Community Housing. But Amendments Need More Work

The Community Club supports development of additional housing for our workforce and efforts to address the skyrocketing cost of home ownership. We appreciate the County’s concern for these problems and its desire to take action. But we strongly believe that some of the proposed zoning changes are unnecessary to achieve these goals and have the potential to do significantly more harm than good, at least in Arch Cape.

Consider Impacts on Each Community

We note that the four rural residential communities impacted by these changes are very different from each other. This is why the various communities have their own zoning. We are able to speak only to potential impacts on our community, which includes both the AC-RCR (residential) and AC-RCC (commercial) zones. We urge the County to tailor the proposed changes to meet the needs and desires of each community, rather than moving forward with a countywide one-size-fits-all approach.

The Comprehensive Plan (2023) Goal 10 – Housing for County Residents

Clatsop County’s newly adopted Comprehensive Plan Goal 10 strives to increase housing for residents.

- The newly-adopted Clatsop County Comprehensive Plan Goal 10 (2023) reads:
“To provide for the housing needs of the *residents of Clatsop County*.”

- The Housing Goal reads:
“To provide adequate numbers of housing units at price ranges and rent levels commensurate with financial capabilities of the households *in the region...*”

Yet, the likely outcome of the proposed housing amendments in our community would be to increase housing for visitors --- not residents. The Housing Amendments were drafted based on a Board of Commissioners directive “to remove barriers for housing production *at all price points.*” That sounds benign, but the reality is different for a tourist lodging community like ours.

The majority of property owners in our community are not residents of Clatsop County, and that seems unlikely to change in the foreseeable future. Given the market value of homes in our community and the proliferation of short-term rentals (STRs), we expect many if not most of the new homes in our community will be constructed as vacation homes or investment properties and will be used as STRs. We expect this to be true of single family as well as multi-unit dwellings.

A number of Goal 10 policies make clear that the focus should be on housing for County residents. See, for example:

- Urbanization and Development Policy R: “Consideration should be given to revising development standards to facilitate ‘middle housing’ in all types of residential zones.”
- Housing Policies – Residential Development Policy B: “Clatsop County shall collaborate with cities and other stakeholders in planning for the availability of adequate numbers of housing units at price ranges and rent levels commensurate with the financial capabilities of County residents.”
- Housing Policies – Residential Development Policy P: “The County should explore strategies to create incentives attractive to developers of affordable and workforce housing.”

See also, the Clatsop County Housing Study (2019) which concluded that STRs are the reason Arch Cape no longer has long-term rental housing for residents or housing for sale at prices working families can afford.

We would like to see the County narrow the scope of these Housing Amendments to comply with and carry out the goal, objectives and policies of the Comprehensive Plan, which look to support the resident population of our communities and not the visitor population.

We also urge you not to treat housing in a vacuum, as the housing problem cannot be solved without also solving the STR problem. We need restrictions on how any new units are used. If duplexes, triplexes and quadplexes are to be permitted in the AC-RCR zone, there should be a prohibition on using them as STRs. If multi-family (5+) structures and manufactured home parks are to be permitted in the AC-RCC zone, there should be a prohibition on using them as STRs. For single family residences, STR caps have been under consideration and should be put in place before any new zoning changes are enacted. The County also might consider limiting STRs to properties with larger lot sizes, possibly lots 7500 sq’ or more, which would make the undersized (50x100) lots ineligible for STR use.

Arch Cape Should Remain “Low Density”

To be clear, the Community Club welcomes new residents and families and does not oppose zoning amendments which facilitate bringing them to our community. For example, duplexes, triplexes and quadplexes do not raise significant concern - PROVIDED they are used as residences and not used as STRs, and PROVIDED there is meaningful public involvement in the planning and permitting processes. Type I permitting may be cheaper for the County, and Type IIA public hearings may be contentious at times, but eliminating public involvement harms small rural communities like ours where residents want and need to be informed for public health and safety reasons.

That being said, reducing the minimum buildable lot size from 7500 sq’ to 5000 sq’ per dwelling unit is not a change we can support. Our community is “low density” by ordinance and needs to stay that way for good reasons, as LAWDUC Section 4.0610, Purpose and Intent, explains.

“The Arch Cape RCR zone is intended to accommodate the immediate and foreseeable demand for low density housing in Clatsop County’s rural communities. This zone has been developed with the purpose to: (1) Allow residential development that is compatible with rural communities that wish to maintain a primarily single family rural residential character, (2) do not adversely impact adjacent resource lands, (3) allow for minimum lot sizes and densities, that will provide for an ultimate build out that is more commensurate with actual physical, and (4) environmental constraints, and the availability of community water and sewer facilities, and may provide for non-residential uses that are small in scale, intended for the needs of the local community or for people traveling through the rural community, and are compatible with surrounding uses.”

The history behind this ordinance is revealing. Arch Cape was platted in 1906 and 1926 by developers who used a ruler and graph paper to create a city grid with 50x100 lots without regard to topography or the carrying capacity of the air, land and water. This was well before Highway 101 was completed in 1932 and divided the community into east and west. After the highway was put in, the lots on the west side (ocean side) were developed, but the east side remained relatively untouched. Even today most of the east side of Arch Cape is forest land, mostly second growth Sitka Spruce, with a challenging topography: steep slopes, lowlands, streams and wetlands. When the State adopted its land use planning goals in the 1970s, minimum lot sizes were set at 7500 sq’ despite the fact this left many platted lots unbuildable. Over time lots were combined until today the majority of land is owned as large tax lots comprised of some buildable land and some not. Thanks to modern technology and the fact the State allows infill, homes are now being constructed on the portions of those tax lots which are suitable for development. But there remains a number of small 50x100 lots which should never be developed because they are too steep or are under water some or all of the year.

We relate this story because we want you to understand that the challenge in our community is not a shortage of land; there is land for development but not for new dwellings every 50 feet and new roads every 300 feet. Returning this land to city-size lots on city-size blocks with a road every block would in no way help advance the County’s goals of increasing workforce housing.

And from an environmental standpoint, increased density has the potential to devastate the forest canopy which protects our water, supports wildlife, helps with climate change by removing carbon from the air, and provides both residents and visitors with hiking and other healthy recreational activities. Increased density would also destroy our already-threatened wetlands which, among other benefits, serve as our natural storm water drainage system. Again, citing the Comprehensive Plan Goal 10 Urbanization and Development Policies, Policy B provides:

“Clatsop County shall promote growth within areas where it will have minimal negative impacts on the County’s environment and natural resources.”

Policy E provides:

“The County shall prioritize development of land with less resource value.”

Finally, a note on the County’s Lot Size Comparison Matrix. It is not helpful to compare lot sizes for rural residential communities with lot sizes in incorporated cities. 7500 sq’ is typical for buildable lots in rural residential communities in other counties such as Tillamook, but not in Cannon Beach or Seaside. Trying to compare Arch Cape with Cannon Beach is like comparing a blueberry with a grapefruit. Arch Cape and the entire Southwest Coastal Planning Region does not have even one store, restaurant, public restroom, or any other commercial service except for lodging.

Minimum Lot Size Reduction – Lack of Data

The Community Club has been in contact with the County in an effort to obtain background data on the Housing Amendments. What we learned is that much of the data that is needed to evaluate the proposals is either unavailable or has been left to be gathered after the public comment period closes. This leads us to ask that the Board of Commissioners either table this proposed legislation or at least put a hold on it until there is demonstrable evidence that the changes are necessary to meet projected housing needs and feasible given the infrastructure which exists (or does not exist) to service a higher density population.

A) Are More Buildable Lots Necessary?

OAR 660-008-0005(2) requires a “buildable lot” to be “suitable, available *and necessary* for residential uses” (*emphasis added*). Comprehensive Plan Housing Policy E states: “The County shall provide a sufficient quantity and variety of residentially-zones land to meet community needs.” The County has informed us that data is not available on how many 7500 sq’ buildable lots are currently available in the AC-RCR zone, and how many more will be available if minimum lot sizes were reduced to 5000 sq.’ The County also was unable to supply data on projected population growth.

We did learn that data is being gathered. The County is currently participating with the cities to conduct a buildable lands inventory for its rural communities through a grant from DLCD. GIS is working to extrapolate population data for Arch Cape and Cove Beach. Why is the County moving forward with legislation without data to determine community needs and while studies to obtain it are in progress?

B) Can Existing Infrastructure Support Higher Density?

The Comprehensive Plan Goal 10 Overview provides:

“As the County develops policies to increase housing options in unincorporated areas, consideration must be given to the carrying capacity of the land, water and air.”

Urbanization and Development Policy G requires “an analysis of the impact on infrastructure and public facilities and services, including roads, emergency services, schools, and sanitary waste and water systems” before creating or expanding residentially zoned land boundaries.

Policy N provides: “The County shall work with the local water and sewer and road agencies districts to ensure that development does not exceed the capacity of these facilities.”

Coordinating with the Special Districts which would be directly impacted by reducing lot size is also required by OAR 660-022-0050.

(1) Water and Sanitary.

Arch Cape has Water and Sanitary Districts, but what is the current capacity of each? The County does not yet have these answers. Is a public facilities plan needed and if so, how will it be paid for? How will increased density impact rates? County Staff is waiting for the Districts to submit public comments, but both State and County laws and/or policies would appear to require coordination earlier in the process. This is an important issue for all property owners in our community.

(2) Stormwater Drainage.

Current zoning requires most proposed developments to provide a drainage plan for stormwater on its own property. With a proposal to reduce the size of buildable lots to 5000 sq’ per unit, and reduce both lot widths and setbacks, where is all the water going to go? A stormwater drainage study is needed to determine if it’s feasible for the current manner of handling stormwater to continue, or if the County will need to provide infrastructure and funding. County Staff has informed us that no storm water drainage study has been conducted, nor is one proposed.

(3) Roads and Road Maintenance.

The east side of Arch Cape has very few roads, each of which was privately constructed by a developer in order to access a specific property. Each developer must figure out access for a new development, then build it to public road standards, then maintain it with minimal assistance from the County. This is not consistent with urbanization, as each road developer is planning only for their own needs and not for community needs. The Clatsop County Transportation System Plan does not address these roads, nor does it provide guidance for new development in Arch Cape. If higher density is the future of this area, a traffic study is needed to determine the best sites for the main roads and how they can be safely integrated with Highway 101. In addition, ODOT needs to weigh in on the feasibility of these zoning changes since they impact ingress and egress to Highway 101. Goal 10 Urbanization and Development Policy P advises: “Housing developments should be encouraged to locate along existing roads and avoid the creation of new roads. When new roads are created they should be as short as possible and designed to serve as many residents as possible by the use of clustering techniques or other means to minimize travel distances and long stretches of pavement.” In other words, if Arch Cape is to be urbanized, then the County needs to take responsibility for traffic and safety issues.

(4) Emergency Preparedness.

Arch Cape is located in a tsunami zone. There is wildfire risk due to adjacent forestland. There is only one main road in and out (Highway 101). It is six miles to services north and twelve miles south. Whether struck by a tsunami, earthquake, wind storm, or fire, while some residents are prepared for an emergency, the community as a whole is not. The Community Club is currently engaged in a project to install three or more caches stocked with food, water, warming items, medical supplies, and other items which might be needed in the event of a major catastrophe which leaves our community without outside assistance for an extended period of time. The County is supportive but not directly participating in this project. In the event of an emergency, it is likely we would have to provide for not only property owners in our community but also day visitors to our beaches, STR occupants, people using Hug Point or Oswald West State Parks, and those in vehicles passing through on Highway 101. We raise this issue because increasing density without increasing services is not something our community can handle on our own. The higher the density, the bigger the challenge when it comes to saving lives.

The AC-RCC Zone

The commercial zone in Arch Cape is small in acreage and straddles Highway 101. Both sides are in close proximity to the ocean and would not be appropriate for buildings of any type which reach 45' in height. We ask you to leave the height limit at 35.'

We support the amendments intended to bring existing residential housing and employee housing in the commercial zone under the same development ordinances as other residential housing.

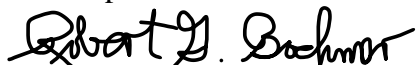
The Community Club opposes the amendments which would allow multi-family dwellings and manufactured home parks in the commercial zone. Many of the reasons discussed above apply here as well (limited infrastructure, no commercial services), plus we feel the limited amount of land in this small zone should be reserved for commercial services which our community very much needs. Most importantly, the County in 2023 adopted a Comprehensive Plan policy (Housing Policy – Residential Development Policy G) that provides:

“Clatsop County should encourage multi-family housing and mobile home park developments to develop within the various urban growth boundaries and within rural service areas.”

Thank you for your attention to this lengthy explanation as to why more work is needed before some of these zoning changes should be imposed on our community. The Community Club is always willing to work with the County and appreciates being consulted.

Respectfully,

Arch Cape Falcon Cove Beach Community Club, Inc.



Bob Boehmer, President
duxboehmer@gmail.com



Linda Eyerman, Board Member
linda@gaylordeyerman.com

July 21, 2024

Community Development Department
800 Exchange Street, suite 100
Astoria, Oregon 97103
comdev@clatsopcounty.gov

Dear Clatsop County Commissioners and Staff,

As long time residents of Arch Cape we would like to take this opportunity to comment on the proposed LAWDUC zoning changes known as “Housing Amendments.” For 22 years we have enjoyed our time in Arch Cape and have appreciated the service and cooperation we have experienced when dealing with the different agencies of Clatsop County.

We whole heartily agree with the July 18th, 2024 letter that was sent by our Arch Cape Falcon Cove Community Club signed by President Bob Boehmer and Board Member Linda Everman. They do an excellent job of summarizing the areas of concern that we have about the above zoning changes being proposed and why we think more work is needed before these changes are adopted and imposed on our community.

Sincerely,

Bill and Pat George
31973 Montbrecia Lane
Arch Cape, Oregon 97102

FW: LAWDUC Public Comment

Clatsop Development <comdev@clatsopcounty.gov>

Mon 7/15/2024 7:48 AM

To: Gail Henrikson <ghenrikson@clatsopcounty.gov>

Hi Gail,

Please see public comments below.

Rebecca Sprengeler (she/her)

Permit Technician

Community Development Department

800 Exchange Street, Suite 100, Astoria, OR 97103

Tel: 503•325•8611 | Fax: 503•338•3606

rsprengeler@clatsopcounty.gov

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From: cheryl waitkevich <c.waitkevich@gmail.com>

Sent: Sunday, July 14, 2024 5:45 PM

To: Clatsop Development <comdev@clatsopcounty.gov>

Subject: LAWDUC

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear County Commissioners:

I read the proposed changes that the county is attempting to implement to the Land and Water Development Use Code. As A home owner in Arch Cape, I think some of the proposed changes are not necessary and agree with the information provided below.

Please heed the wisdom written here and do not make far reaching changes that may very well be detrimental to the well being and safety of the people who live in rural Clatsop County.

Cheryl Waitkevich

A) Maintain current Lot size

Keep the minimum lot size at no less than 7,500 square feet / dwelling unit, where a single- family home and each cottage in a cluster is 1 dwelling unit, a duplex is 2 dwelling units, a triplex is 3 dwelling units and a quadraplex is 4 dwelling units.

Infrastructure: The population density of urban communities requires cost-effectively scalable fire response capacity and water / sewer services, which is not the case in rural communities.

In rural communities, fire departments are typically staffed with volunteers who have larger distances to travel between station and a burning home. For safety purposes to mitigate the risk of travel time delay, houses are separated by more space to prevent fires from easily spreading. Reducing the lot size to 5,000 sq ft decreases safety as homes will be closer together and fires can more quickly spread, while waiting for fire response which is coming from farther distances.

In rural communities, water and sewer services are designed and built with a fixed capacity in mind and

Agenda Item #2.

to expand that capacity, especially when the cost is borne by relatively few residents in the

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community. Reducing the lot size to 5,000 sq ft increases the possible number of homes which will more quickly absorb the capacity of the utilities services so that all properties may not be able to get those services.

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Responsible Land Use Alliance



Greenspace: With the greater density of communities, greenspace tends to be decorative around residential area and provides common spaces, i.e., parks for people to recreate. Greenspaces are readily consumed by the need for more development.

In rural communities, green space is much more pervasive, i.e., fewer parks and more trees as a standard element of the geographic landscape. This type of greenspace provides an eco-system that benefits the County at large. Decreasing lot size in rural community will decrease green space so that the benefit of a tree ecosystem is lost to the entire County.

A final consideration is that a 5,000 sq ft lot size in rural community may not be consistent with the topographical landscape, i.e., slopes, wetlands, boulders, slide areas etc., and the building challenges they impose. 7,500 sq ft lot size reduces the risk that a meaningfully sized home cannot be built on the lot.

2. B) Public Hearings for Housing Approval

For duplexes, as well as triplexes, quadraplexes, and cottages, require Planning Department involvement and a public hearing (i.e., Type II Use), in conjunction with well-defined architecture review standards.

There is recognition that these types of buildings are intended to increase the availability of housing at all price points. Allowing for a Public Hearing on the design in no way decreases the opportunities to facilitate housing growth.

Adherence to architectural standards in conjunction with Public Hearings will take advantage of the knowledge of the associated community to help: a) ensure the location makes good sense, b) maintain the long-standing look and feel of communities and c) give members of the public a voice in how their community should look and feel.

3. C) Public Hearing for Road Approvals

For construction of new roads and/ or road extensions – whether public or private – require Planning Department involvement and a public hearing (i.e., Type II use)

Building unplatted roads has the risk of changing a fundamental characteristics of a “community” as well as the geological / wetlands environment. Furthermore, the impact of traffic flow would not be known. Current owners of land in the “community” had bought property assuming the characteristics at the time of purchase. These owners should be able to provide public comment before those characteristics are changed.

4. D) Restrict Short Term Rentals

Establish criteria outlining the conditions under which duplexes, triplexes, quadraplexes and cottages can be ‘permitted’ by the County for short term rental use.

Short term rentals of these dwelling are COMPLETELY INCONSISTENT with the intent of Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR) and specifically House

Page 3 of 4

Responsible Land Use Alliance

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Bill HB3197 which states: *“The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income ... is a matter of statewide concern”*

With short term rentals, these dwellings become a profitability investment and available to people for vacation rather than for an affordable residence, either to rent or to own.

[Click Here to Endorse Petition and add your own comments](#)

July 18, 2024

Community Development Department
800 Exchange Street, Suite 100
Astoria, OR 97103
comdev@clatsopcounty.gov

RE: Public Comments on Housing Amendments

Dear Clatsop County Commissioners and Staff

As a second-home owner in Arch Cape, I understand the demand for additional housing in Clatsop County and, as a native Oregonian, in the need to increase housing supply at all price points statewide. However, based on my 40 + years of experience in land use and transportation planning, I have some concerns about the environmental, safety and infrastructure impacts of your proposed housing amendments and their ability to accomplish your intended goal of more housing at all price points. I ask that reconsider the amendments in light of my recommendations below and those of others and delay action to allow for additional study and revisions.

Recommendations:

Establish environmental standards for the area. While State Land Use Goal 5 does not apply to rural areas, increased density in the Arch Cape community makes the area more urban in nature and increases the need for environmental protections. I recommend the County protect riparian and upland areas in Arch Cape and especially protect the wetlands that provide important water storage and habitat. In addition, new wildlife/urban area interface requirements may be needed.

Establish Stormwater management. Increased density translates to increased impervious surface and water runoff. The area needs a stormwater management plan and infrastructure investments to manage runoff resulting from proposed densities before development.

Develop a transportation plan with input from Oregon Department of Transportation. "Paper" lines for roads from the early 1900s are often not feasible and should not be taken as a given. Increased vehicle turns to/from Highway 101 increases risk of rear end and other crashes. Additional crossings of Highway 101 for new residents who access the coast, transit or bike/walk will also need consideration. ODOT review and recommendations for safe connections to the state highway are needed for this area.

Establish limits on Short Term Rentals . Without assurances that new housing won't function as commercial opportunity for STR income, new housing may not meet your goal of housing available to residents at all price points.

Develop coordinated county wide housing needs and production strategies.

Coordination between cities and unincorporated communities in Clatsop County in the development and implementation of housing needs and production strategies, as required by the state legislature (HB 2001 2023 session), provides an opportunity to meet forecast housing needs across the County in alignment with your goals. More strategic planning for housing can support infrastructure efficiencies and the environment. Delay housing amendments until this new analysis is completed.

Ensure water and sanitary infrastructure is available to meet planned growth. This could involve, for example, updating service demand forecasts, requiring a service letter of agreement for development or an Urban Service Agreement between the County and the Arch Cape Sewer and Water District.

Do not pursue Type 1 process at this time. A Type 1 process can work well with clear and objective standards that have been fully vetted. The proposal for the AC RCR (residential) and AC RCC (commercial) zones are not a good application for a Type 1 process at this time due the environmental, safety, and infrastructure questions which would benefit from broader public, agency and district review.

I urge you to revise the housing amendments with consideration for these and other public comments. I especially request your attention on the more detailed points identified in the letter from the Arch Cape Falcon Cove Community Club dated July 18, 2024. As a Community Club member, I appreciate the attention to details that these members have put into their comments on proposed amendments and support their recommendations.

Thank you for the opportunity to comment. My family and I enjoy Arch Cape, the Arch Cape community and the greater coastal area immensely. Please consider these comments as support for a continuation of a high quality community as it grows.


Chris Deffebach
79924 West Beach Road
Arch Cape OR 97102

Housing Amendments

misterc1@charter.net <misterc1@charter.net>

Sat 7/20/2024 5:57 PM

To: Clatsop Development <comdev@clatsopcounty.gov>

 2 attachments (662 KB)

ACFCBCC+comments+on+proposed+housing+development+ordinance+07162024.pdf; ORCA to Clatsop Co re Housing Amendments July 2024.pdf;

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We support the views of the Arch Cape Falcon Cove Beach Community Club and the Oregon Coast Alliance.

See attached documents.

Christopher & Judy Hartman
Arch Cape Residents
503-436-2612

FW: Public comment regarding Housing Amendments and zoning changes for Arch Cape/FCCB

Clatsop Development <comdev@clatsopcounty.gov>

Wed 7/17/2024 2:09 PM

To: Gail Henrikson <ghenrikson@clatsopcounty.gov>

Hi Gail,

Please see the below public comment regarding the housing amendments.

Rebecca Sprengeler (she/her)

Permit Technician

Community Development Department

800 Exchange Street, Suite 100, Astoria, OR 97103

Tel: 503•325•8611 | Fax: 503•338•3606

rsprengeler@clatsopcounty.gov

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From: Theo <tadownes@me.com>

Sent: Wednesday, July 17, 2024 1:51 PM

To: Clatsop Development <comdev@clatsopcounty.gov>

Cc: Nancy Downes-LeGuin <dl.nancyn@gmail.com>

Subject: Public comment regarding Housing Amendments and zoning changes for Arch Cape/FCCB

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To whom it may concern,

The Clatsop County Commission has articulated a contradictory position by removing short-term vacation rental restrictions while supporting zoning changes intended to foster higher density and affordable housing. Zoning and short term rental policies are manifestly related.

Data demonstrate that zoning changes, even in urban areas, lead to affordable housing only when coupled with meaningful, long-term incentives or subsidies. Otherwise, zoning changes lead to development targeting the current most profitable usage for developers—which at this time, in our area is short term vacation rentals and high-end second homes.

In a 2023 study published in *Urban Studies*, for example, Christina Stacy and co-authors found that "reforms that loosen restrictions and allow higher densities were associated with an 0.8% increase in housing supply three to nine years after reform passage...for units affordable to renters with higher-than-middle incomes. However, the authors found no evidence of an increase in units affordable for renters with low-to-moderate incomes."

The proposed packaged of reduced restrictions and rezoning seems like a thought experiment, without sufficient thought about how to assure desirable social outcomes (e.g. affordable or environmental outcomes (e.g. adequate infrastructure, water/sanitary). I urge the

Commission to demonstrate to itself how rezoning coupled with minimal STR restrictions will not simply support higher density of short-term vacation housing, which does not enhance options for those most in need of affordable housing or livability for current home-owners.

Thank you,

Theo & Nancy Downes-Le Guin
79385 Ray Brown Rd, Cove Beach
503 816 8402
tadownes@me.com

Falcon Cove Beach Domestic Water Supply District
79387 Ray Brown Road
Arch Cape, OR 97102

July 21, 2024

Clatsop County Community Development Department
800 Exchange Street, Suite 100
Astoria, OR 97103
comdev@clatsopcounty.gov

RE: Public comment for Proposed Zoning Amendments to LAWDUC

Dear Clatsop County Community Development Department,

As a Special District potentially impacted by the proposed LAWDUC Housing Amendments, Falcon Cove Beach Domestic Water Supply District (the District) responds herein to Clatsop County's invitation to submit written comments. The District supplies clean, safe drinking water to the small, rural Coastal Residential community of Falcon Cove Beach, the septic-only neighborhood immediately and southerly adjacent to Arch Cape, one of the County's unincorporated areas targeted in the County's proposed LAWDUC Housing Amendments. The protection of the neighborhood's water source and its dependable distribution to our low-density community's approximately 100 homes are the District's top priorities and provide the lens through which the District's Water Board presents its comments regarding the County's proposed LAWDUC Housing Amendments.

Although the County's proposed LAWDUC Housing Amendments may be perceived as not *directly* impacting the District or its constituents *at this time*, since our rural Water District's infrastructure supports only single-family homes on *septic systems*, the District nevertheless expresses concern regarding several matters communicated in the proposed code changes.

In alignment with the public comments provided to the County by the Arch Cape Falcon Cove Beach Community Club and Oregon Coast Alliance, and specific to the mission of our Special District, we emphasize these three concerns:

1. **Removing constituent voice by changing from Type 2 to Type 1 processing.** Clatsop County's proposal to increase the number and type of dwelling applications to Type 1 category processing will cause communities to lose valuable and important input on matters that impact those very communities. The exclusion of public notice, public dialog, public awareness, public comment, or the prospect of appeal – i.e., all citizen involvement – renders this code noncompliant with Goal One of Oregon's land use laws, which calls for "the opportunity for citizens to be involved in all phases of the [land-use] planning process." Clatsop County may prevent its constituents' perceiving its practices as autocratic by redlining the Type-2-to-Type-1 category processing changes from this set of proposed LAWDUC Housing Amendments.
2. **Putting the cart before the horse.** The District applauds the County on the start of its efforts to examine infrastructural impacts on the development of housing for county residents. As you know, the first steps of data collection and data analysis are critical to informing a sound plan.

The resulting plan, addressing the data analytic outcomes, *then* guides the careful decision whether and how to proceed with legislation modifications to accomplish the goals set forth in the plan.

In this vein, the District recommends that the County not bypass its important data collection and data analysis steps before soaring into legislation changes. First things first. Wait until the data indicate, as the Community Club advises, that “changes are necessary to meet projected housing needs and feasible given the infrastructure which exists (or does not exist) to service a higher density population,” and as ORCA counsels, the need to recognize the constraint of “carrying capacity of the land in terms of infrastructure, such as water, sewer/septic, floodwater, and stormwater, as a result of increasing density.” Only after examining the data and recognizing implications, then consider appropriate adjustments in legislation.

3. **Setting a dangerous precedent.** If the County can remove all citizen involvement from the District’s immediately-adjacent neighbor community, the precedent is set for the County to do the same in septic-only neighborhoods, such as Falcon Cove Beach. The District’s constituents count on its Water Board to ensure sufficient potable water for our little rural community’s needs in every season. Changing land-use code to increase density where the infrastructure and carrying capacity of the land don’t support a density increase would assuredly impact the District’s ability to provide sufficient water. A responsible and responsive Water Board acts on behalf of its current water customers to prevent the adoption of land-use code changes that would negatively impact its constituency. Hence, our comments.

Thank you for the invitation to comment on the County’s proposed LAWDUC Housing Amendments. The District appreciates your consideration.

Best regards,



Denise A. Davis
Commissioner, President
Falcon Cove Beach Domestic Water Supply District

Gail Henrikson

From: Clatsop Development
Sent: Tuesday, June 25, 2024 11:39 AM
To: Gail Henrikson
Subject: FW: Zoning Amendments for Clatsop Co

Rebecca Sprengeler (she/her)
Permit Technician
Community Development Department
800 Exchange Street, Suite 100, Astoria, OR 97103
Tel: 503•325•8611 | Fax: 503•338•3606
rsprengeler@clatsopcounty.gov

From: Gay Walker <gaywalker@gmail.com>
Sent: Monday, June 24, 2024 11:36 PM
To: Clatsop Development <comdev@clatsopcounty.gov>
Subject: Zoning Amendments for Clatsop Co

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Sir/Madam,

I am commenting on the proposed Zoning Amendments for Clatsop Co. (previously Ord 23-14). I own a property/house in Cove Beach and am most worried about the impact the proposed changes would have on the area in terms of density of people and the lack of any infrastructure to support them.

Already the roads in the Cove Beach and Falcon Cove area are heavily used and seriously pot-holed. The County does not care for the roads, and we landowners are called upon to pay for their upkeep on an annual basis.

The water supply is restricted, and a moratorium on building had to be put in place last year due to the shortage, as the supply is very limited by the two wells in the watershed. The volunteer group acting as the water board has been great, but harried and challenged by any new building project. There is no drainage provision and no sewage provision in our area -- we are on private septic tanks, and this is a real difficulty for large concentrations of people in single structures.

We have had serious trouble with the numbers of people coming in for short-term rentals even, and there is no inclusion of consideration for a short-term rental cap.

There has been no environmental impact study, and I believe it will be a disaster if even one triplex or quadplex or multi-family dwelling is permitted in this area without first paying attention to these infrastructure needs.

Many thanks for your consideration.

(Robin) Gay Walker -- with property at
79458 Ray Brown Road

Gail Henrikson

From: Clatsop Development
Sent: Monday, July 1, 2024 7:33 AM
To: Gail Henrikson
Subject: FW: No Zoning Amendments

Code amendment public comment.

Rebecca Sprengeler (she/her)
Permit Technician
Community Development Department
800 Exchange Street, Suite 100, Astoria, OR 97103
Tel: 503•325•8611 | Fax: 503•338•3606
rsprengeler@clatsopcounty.gov

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From: James Moline <jmoline@me.com>
Sent: Saturday, June 29, 2024 12:22 PM
To: Clatsop Development <comdev@clatsopcounty.gov>
Subject: No Zoning Amendments

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: The Clatsop County development department,

I'm going to try to keep this email brief. I think you already know how the residents in Arch Cape, Falcon Cove and other parts of the county feel about the proposed changes. We appreciate what you're trying to do, but it's the wrong approach. We have a lot of that in government nowadays - people who mean well but don't consider the future, or that a one size fits all approach just doesn't work. Unfortunately, that's what you're doing related to this ordinance.

We live in Arch Cape as full-time residents, so we know that the reality is you will forever change this community. You know what the environmental impacts are going to be. You also already know that this change will not alleviate homelessness, and you also know that this will create the exact opposite of what you're trying to do. A lot of of us are confused as to why you would proceed down this path.

The population of Arch Cape swells in the summer like the rest of the coast. We live at the end of Leech Lane. All summer long our driveway gets blocked, people feel free to walk up to our house and use our water, and people even use our Front yard as a toilet. Arch Cape does not have the infrastructure to handle the part-time surge of population it gets now and it absolutely does not have the infrastructure to handle what you're proposing long-term. The County being allowed to make sweeping changes without infrastructure planning and without public comment is not Democracy. It the exact opposite of that and you all know that.

Please let your conscience be your guide, let common sense prevail and don't include our communities in this ordinance.

Try to let democracy work for a change, and consider the people who live here are telling you this won't work. We know better than you, and we all know what you believe you're trying to do with this change. Which has nothing to do with helping homelessness.

James Moline
Arch Cape Resident

Clatsop County Zoning Amendments

Jeff Slemaker <jslemakersr@hotmail.com>

Sat 7/20/2024 12:11 PM

To: Clatsop Development <comdev@clatsopcounty.gov>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jeff Slemaker
31913 E. Shingle Mill Ln.
Arch Cape, Oregon 97102
jslemakersr@hotmail.com
702-236-8077
7/20/24

Clatsop County Board of Commissioners
800 Exchange St, Suite 410
Astoria, OR 97103

Dear Clatsop County Board of Commissioners,

I am writing to express my opposition to the proposed Zoning Amendments for Clatsop County, particularly the changes that will significantly impact the community of Arch Cape. The amendments under consideration include:

1. Reducing the minimum buildable lot size to 5,000 square feet from the current 7,500 square feet.
2. Allowing triplexes and quadplexes as permitted uses, which are currently not allowed.
3. Allowing multi-family dwellings (five units or more) in commercial zones, which are currently not allowed.
4. Allowing manufactured home parks in commercial zones, which are currently not allowed.
5. Allowing new public or private road construction as an outright use, currently permitted as a conditional use with public notice, public comment, and the right to appeal.

The stated goal of these amendments is to "increase development at all price points." While I understand the intent to provide more housing options, I believe these changes will increase density without adequately addressing the necessary urban services required to support such density. My specific concerns are as follows:

1. **Inadequate Water and Sewer Capacity:** The existing infrastructure is not equipped to handle the increased demand that would result from higher density housing. Without significant upgrades, this could lead to severe water shortages and overburdened sewer systems. Our water resources are particularly limited, as warmer weather continues to increase. Asbury Creek, a critical domestic water source for Arch Cape, is heavily relied upon from mid-June to mid-October each year when the flow in Shark Creek begins to diminish.. In an effort to protect the delicate fish ecosystem, the government places limits on the amount of water Arch Cape is allowed to use. Increased development would further strain this already limited resource.
2. **Lack of Storm Water Drainage Infrastructure:** Increased development will inevitably lead to more impervious surfaces, which in turn will increase stormwater runoff. Currently, there is no infrastructure in place to manage this, which could result in flooding and water quality issues.

3. **No Plan for Roads:** Increased density will lead to more traffic. However, there has been no comprehensive plan presented to address the impact on our roads. The lack of planning for road improvements or expansions could result in significant congestion and safety issues.
4. **Environmental Impact:** There has been no environmental impact study conducted to assess how these changes will affect the local ecosystem. Arch Cape and the surrounding areas are home to diverse wildlife and natural habitats that could be severely impacted by unchecked development.
5. **Lack of Short-Term Rental Controls:** The proposed amendments do not include any provisions for short-term rental caps or other controls. Without these, there is a risk of turning residential areas into transient communities, which could undermine the sense of community and stability in Arch Cape.

In conclusion, while I recognize the need for more housing, I believe the proposed zoning amendments are not the solution. They will increase density without providing the necessary infrastructure and services to support such growth. I urge the Clatsop County Board of Commissioners to reconsider these amendments and to conduct thorough studies and planning to ensure that any future development is sustainable and beneficial to all residents.

Thank you for considering my concerns.

Sincerely,

Jeff Slemaker

in opposition to Clatsop County proposals

James Jensvold <jpjensvold@aol.com>

Sun 7/21/2024 12:38 PM

To: Clatsop Development <comdev@clatsopcounty.gov>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern:

I am a resident and property owner in Arch Cape. I chose this community because of its unique character. I chose it because I prefer it over Seaside, Gearhart, Cannon Beach, at other communities, which are so different in so many ways.

Clatsop County's proposals, as I understand them, are likely to make significant changes in all rural communities.

We should preserve the diversity in character of different communities. These proposed changes may or may not be appropriate or desirable...or even practical. For example, there is little employment opportunity in Arch Cape and potable water is scarce and expensive.

I agree with the leaders of my Community Club and believe public involvement must be encouraged, not marginalized and eliminated.

Regardless of the intent of the County, it has not provided the data to back up the need for most of these changes, especially as regards "(a) increasing density by decreasing lot sizes; (b) modifying carrying capacity of the land in terms of infrastructure, such as water, sewer/septic, floodwater, and stormwater, as a result of increasing density." Also, there is no data to indicate that these proposals will increase workforce housing across the county. There is no known correlation between lowering lot size and increased workforce housing.

It appears the County has not done its homework and has little regard for the people who have chosen to make Arch Cape their home.

Sent from Jim Jensvold
80030 Pacific Road
Arch Cape

FW: Arch Cape new rules!

Clatsop Development <comdev@clatsopcounty.gov>

Fri 7/19/2024 1:02 PM

To: Gail Henrikson <ghenrikson@clatsopcounty.gov>

Hi Gail,

Please see the public comment below for the housing amendments.

Rebecca Sprengeler (she/her)

Permit Technician

Community Development Department

800 Exchange Street, Suite 100, Astoria, OR 97103

Tel: 503•325•8611 | Fax: 503•338•3606

rsprengeler@clatsopcounty.gov

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From: jkcornelius <jkcornelius@charter.net>

Sent: Friday, July 19, 2024 12:39 PM

To: Clatsop Development <comdev@clatsopcounty.gov>

Subject: Arch Cape new rules!

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

So sad! What happened to Goal 1 LCDC? Arch Cape changes you are proposing is so wrong for that community for all the reasons stated by the Community Club, the Sewer/Water district, and probably most of the people living in Arch Cape. Maybe with exception of realtors, and Clatsop County Commissioners, managers, ect. who wish to increase their budgets on the backs of Arch Capes voting population.

Sent from my T-Mobile 5G Device

July 21, 2024

Community Development Department
800 Exchange Street, Ste. 100
Astoria, OR 97103

Via email: comdev@clatsopcounty.gov

Dear Clatsop County Community Development,

We own a home in Cove Beach, which is zoned CR (Coastal Residential). We understand that there are some Housing Amendment changes proposed for the Coastal Residential zone that would impact Cove Beach and other areas in the County, namely:

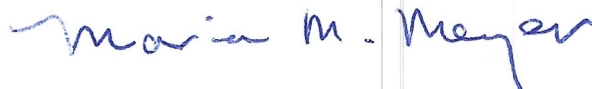
- Allow attached dwellings as a Type I use. Attached dwellings are basically duplexes where each half of the duplex, and the land underneath it, could be owned separately
- Create a minimum 20,000SF lot size for each half of an attached dwelling. Currently the minimum lot size for a single-family home is 20,000SF, so this proposed change would be consistent with that.
- Establish setback requirements for attached dwellings. The front and rear setbacks would be the same as single-family dwellings. Because the two halves of the attached dwellings would share a wall, one side yard setback would be 0'. The other side yard setback would be the same as single-family homes.

A change from single family residential dwellings to allow duplex construction is

inappropriate for Cove Beach. It may be less expensive to build two attached dwellings that share a common wall and electrical, sewer, water hookups and possibly public road access. However, this gain would be more than offset by the increased mass of the building structure (in effect double the current mass). For sure, it would impair the beauty of the coastal setting that is an essential characteristic of the Cove Beach residential community.

It goes without saying, attached dwellings constructed in this manner are out of character for Cove Beach and would result in lower overall community residential home values, leading to a loss of the very tax revenue the County needs to support its affordable housing initiatives. As such, the change results overall in less affordable workforce housing for the county, not more, and defeats the very goal of creating more affordable workforce housing. Further, because of the negative impact this type of construction could have on Cove Beach, classification of this construction type in this location as Type 1 use is inappropriate. It is in effect a taking of an existing property owner right to have a say in changes to the community. We urge you not to approve these changes in Cove Beach.

Sincerely,



John and Maria Meyer
31865 Clatsop Lane
Arch Cape, OR 97102

Gail Henrikson

From: Clatsop Development
Sent: Monday, July 1, 2024 7:34 AM
To: Gail Henrikson
Subject: FW: Do Not Approve Arch Cape Ordinance

Code amendment public comment.

Rebecca Sprengeler (she/her)
Permit Technician
Community Development Department
800 Exchange Street, Suite 100, Astoria, OR 97103
Tel: 503•325•8611 | Fax: 503•338•3606
rsprengeler@clatsopcounty.gov

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From: Kelley Moline <kecm@me.com>
Sent: Saturday, June 29, 2024 2:18 PM
To: Clatsop Development <comdev@clatsopcounty.gov>
Cc: James Moline <jmoline@me.com>
Subject: Do Not Approve Arch Cape Ordinance

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County Commissioners,

I am a resident of Arch Cape and I strongly urge you not to approve the proposed ordinance changes that are being considered.

This is a once size fits all proposal that doesn't make sense. Low income communities are only served by affordable housing in areas that have the infrastructure to support them. Arch Cape has no public transportation or businesses for employment. It is an expensive area with a high cost of daily living that will not change because of low income housing. The low income communities that you aim to serve will not be assisted and you will forever change this special little community.

Arch Cape is a rural, residential community. As a result we don't have the infrastructure that bigger towns have such as parking, public toilets and shopping. Already the summertime brings a huge influx of visitors who clog the streets with parking, relieve themselves on private land, and leave their trash all around. Making the lots smaller and the area more urban and dense will overwhelm us. The environment will be destroyed as the development of each lot will result in the felling of scores of trees. Much of Arch Cape is a wetlands that balances the water levels here. There have

been water table assessments in the neighborhood that conclude that building will create flooding and other water management issues.

Because your proposed changes will not actually support low income families, the likelihood is that newly built inexpensive residences on newly small lots will be snapped up as more vacation homes that will sit empty most of the year. In addition, changing to Type 1 building practices will indiscriminately change Arch Cape without considering the infrastructure of emergency services, utilities and public services. Removing community input and a careful longterm planning process will be devastating.

Do not approve this proposed ordinance change. It makes no sense and will destroy the land and the community of Arch Cape.

Thank you,
Kelley Moline

REC'D JUL 2 2024

Kirk Flatow
79906 Cannon Road
Arch Cape, Oregon 97102

kirk.flatow@gmail.com

June 26, 2024

Clatsop County Community Development Department
Land Use Planning Division
800 Exchange Street, Suite 100
Astoria, OR 97103

Subject: Concerns and Questions Regarding Proposed Zoning Changes in Arch Cape

Dear Development Department,

I am writing to you as a resident of Arch Cape to express my concerns and seek clarifications regarding the recent proposals outlined for zoning changes in our community. The changes aim to increase development at various price points by implementing several significant adjustments to our current zoning regulations.

While I understand and appreciate the efforts to provide more housing options, I am concerned about the broader impact of such dense development on existing infrastructure and the environment. In light of this, I have several questions and concerns that I hope can be addressed before any final decisions are made.

1. **Infrastructure Investments:** With the expected increase in population density from allowing triplexes, quadplexes, and larger multi-family dwellings, is there a plan from the county to invest in enhancing our water and sewer systems? If so, what are the specifics of these plans?
2. **Transportation and Roads:** The proposal allows for new road construction as an outright use. However, will there also be enhancements to existing road networks and transportation services to support the increased demand? What measures are being taken to improve public transportation options in Arch Cape?
3. **Environmental Impact:** The development of more buildings and hard surfaces could significantly impact natural drainage and local ecosystems. Has an environmental impact assessment been conducted? If so, what were the findings, and how does the county plan to mitigate negative impacts?
4. **Parking:** Parking is already a challenge in our area. With the increase in residences and potentially higher vehicle numbers, what solutions are being considered to address the likely shortfall in parking availability?
5. **Responsibilities and Regulations for Builders:** With the increase in permitted construction types, what regulations will be put in place to ensure that

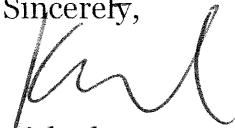
builders and developers contribute appropriately to the necessary infrastructure enhancements, such as parking? Or additional sewer or drainage requirements, or other potential impacts? How will the county enforce these regulations?

6. **Services:** My understanding is that some of the motivation for the planned changes is the affordability of housing. Has there been thought about making the housing and zoning of property contingent on proximity to services, such as pharmacies, full-service grocery stores, medical support, schools, public transportation, parking, and roads? Has there been discussion considering that perhaps in areas where these services are less accessible, the change in zoning changes might benefit developers and investors in vacation homes or short-term rentals more than people searching for affordable housing?

I believe addressing these concerns is crucial for sustainable growth that benefits all residents of Arch Cape as well as Clatsop County without compromising our community's character and environmental integrity. I look forward to your detailed responses and hope for a transparent and inclusive planning process.

Thank you for considering my concerns and questions. I am eager to see how the county plans to move forward with these proposed changes while ensuring the well-being of Clatsop County, Arch Cape, and its residents.

Sincerely,



Kirk Flatow

FW: Proposed zoning amendments

Clatsop Development <comdev@clatsopcounty.gov>

Fri 7/19/2024 1:01 PM

To: Gail Henrikson <ghenrikson@clatsopcounty.gov>

Hi Gail,

Please see the public comment below for the housing amendments.

Rebecca Sprengeler (she/her)

Permit Technician

Community Development Department

800 Exchange Street, Suite 100, Astoria, OR 97103

Tel: 503•325•8611 | Fax: 503•338•3606

rsprengeler@clatsopcounty.gov

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From: Kirk Flatow <kirk.flatow@gmail.com>

Sent: Friday, July 19, 2024 12:27 PM

To: Clatsop Development <comdev@clatsopcounty.gov>

Subject: Proposed zoning amendments

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Kirk Flatow

79906 Cannon Road

Arch Cape, Oregon 97102

kirk.flatow@gmail.com

July 18, 2024

Clatsop County Board of Commissioners

Clatsop County Courthouse

749 Commercial Street

Astoria, OR 97103

Dear Clatsop County Board of Commissioners,

I am writing to you to express my concerns and seek clarification regarding the County's plans to ensure that future housing development will prioritize the needs of Clatsop County residents rather than catering to the short-term rental market.

I am encouraged by the numerous policies under Goal 10 that emphasize housing for County residents. For instance:

- **Urbanization and Development Policy R:** "Consideration should be given to revising development standards to facilitate 'middle housing' in all types of residential zones."
- **Housing Policies – Residential Development Policy B:** "Clatsop County shall collaborate with cities and other stakeholders in planning for the availability of adequate numbers of housing units at price ranges and rent levels commensurate with the financial capabilities of County residents."
- **Housing Policies – Residential Development Policy P:** "The County should explore strategies to create incentives attractive to developers of affordable and workforce housing."

These policies clearly outline a focus on creating and maintaining housing that is accessible and affordable for our community members. However, with the growing trend of properties being converted into short-term rentals or second homes for people from outside the area, I am concerned that new regulations will not have the desired impact and will not increase the availability of affordable, long-term housing for residents.

Could you please provide more details on the specific measures Clatsop County is implementing to ensure that these policies and goals are upheld, and that future development will indeed prioritize the needs of residents, and not developers of second homes for people who live outside the county, or for short-term rentals? Furthermore, what strategies are being considered or put in place to prevent an excessive shift toward short-term rentals or second homes, which could exacerbate housing shortages for locals?

I appreciate your attention to this matter and look forward to your response. Ensuring that our community has adequate, affordable housing and that new development under proposed regulations does not result in more short-term rentals is crucial for the well-being and sustainability of Clatsop County.

Thank you for your time and consideration.

Sincerely,

Kirk Flatow

Zoning Amendments - public comments

Linetta Milne <akalenny2@aol.com>

Sat 7/20/2024 7:14 PM

To: Clatsop Development <comdev@clatsopcounty.gov>

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July 20, 2024

Linetta Milne

31913 E Shingle Mill Lane

Arch Cape, OR 97102

[Akalenny2@aol.com](mailto:akalenny2@aol.com)

206.295.7643

Clatsop County Board of Commissioners

800 Exchange St, Suite 410
Astoria, OR 97103

Dear Clatsop County Board of Commissioners,

I am writing to express my opposition to the proposed Zoning Amendments for Clatsop County. Especially the changes that will have a negative impact on small communities such as Arch Cape.

The changes under consideration which will adversely impact our area include:

Reducing the minimum buildable lot size to 5,000 square feet from 7,500 square feet.

Allowing triplexes and quadplexes as permitted uses.

Allowing multi-family dwellings (five units or more) in commercial zones.

Allowing manufactured home parks in commercial zones.

Allowing new public or private road construction as an outright use.

While the goal is to increase development at all price points, my concerns are that these changes will not achieve this goal while detrimentally altering the area.

Inadequate Infrastructure: These zoning amendments do not take into consideration the specific needs and abilities of individual neighborhoods or towns. Arch Cape lacks the infrastructure to support the aftermath of these new regulations, such as adequate water, sewer, and road systems. With limited water sources and sewer capacity, increasing density will put strain on an already delicate system.

State Funding and Preservation: The State of Oregon awarded Arch Cape \$2 million in 2021 to protect the limited water supply of Arch Cape's residents in addition to sustaining the character and beauty of Oregon's coastal rainforest for generations through this forest project. Changing the zoning and regulations now would set back the preservation efforts that Oregon state funding supported and was intended to accomplish for this area.

Housing Affordability and Land Capability: Increasing density through broad regulations will not solve the housing shortage. Instead, it will invite more developers to create unaffordable housing or increase density in areas unsuitable for such development, compromising the land's capabilities.

Neighborhood Character: The proposed changes threaten to undermine the character of Arch Cape. Adding housing should align with maintaining the feel of single-family homes to match the neighborhood's character, as seen in Bay City's recent approach to increasing density and providing more affordable homes.

I urge the Clatsop County Board of Commissioners to reconsider these amendments and focus on tailored solutions that respect the unique character and infrastructure capacities of our smaller communities.

Thank you for taking the time to listen to my concerns and take them into consideration when finalizing zoning amendments.

Sincerely,

Linetta

***Michele and Richard Wollert
79789 Third Road
Arch Cape, OR 97102***

July 20, 2024

Clatsop County Community Development
800 Exchange Street, Suite 101
Astoria, OR 97103

RE: Public Comments, Housing Amendments Draft 1

TO: Clatsop County Commissioners and Staff

We have been Arch Cape homeowners since 1993. We have a small home and the adjacent vacant lot immediately to its north. We appreciate being able to submit our comments on the proposed LAWDUC zoning changes.

We have read the public comments presented to you by the Arch Cape/Falcon Cove Community Club written by Bob Boehmer and Linda Eyerman as well as the letter from the Oregon Coast Alliance written by Cameron La Follette. We agree with all the excellent points presented in each of those documents and urge you to consider them carefully before you move forward with approving any of the LAWDUC amendments without further study and evidence-gathering.

For our part, we are very concerned at the proposals that circumvent public participation in the future development process. While this is very convenient for county staff, it sends the wrong message to the people you serve: that our input is not valued or of consequence to you.

We are very much in favor of finding ways to create affordable and workforce housing. But reducing buildable lot size does not guarantee that more affordable housing will be built by developers. In the 30 plus years we have lived in Arch Cape, we have never had any unsolicited queries about purchasing our vacant lot until this year and that was after the county proposed the LAWDUC amendments. The lot is 10,000 sq ft and would be dividable, I assume, under the new amendments, making it more valuable to investors who could erect lucrative short term rental multi-plexes, as opposed to affordable housing. If we want to encourage workforce housing, there needs to be incentives for developers. And there needs to be adequate sewer/water capability in Arch Cape to be able to safely handle the added demands asked of it.

The best public policy decisions are evidence-based. There's much more research to be done to show that the zoning changes proposed by the county will actually produce the affordable housing needed without causing harm to the limited infrastructure available.

Thank you for considering our comments.

Regards,



Michele Wollert



Richard Wollert

Public Comments on Proposed LAWDUC "Housing Amendments"

Michael Manzulli <manzulli@gmail.com>

Sun 7/21/2024 6:33 PM

To: Clatsop Development <comdev@clatsopcounty.gov>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Board of Commissioners:

Thank you for serving Clatsop County. I stand to benefit financially from the County's proposal to reduce lot sizes and increase density in Arch Cape. With the proposed new rules, I would be able to partition my 100' x 100' lot and sell the northern 50' x 100' lot or add another residence. But my neighbors and I on the east side of Highway 101 bought and built houses in a Rural Community to have space between us, not new houses 10' away. **To be clear, these proposed amendments will physically and legally crush the rural nature of our neighborhood.**

OAR 660-022-0010 (7) defines "Rural Community" as *an unincorporated community which consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area.*

The County's proposal to reduce lot sizes and increase density without simultaneously capping short term rentals will inevitably result in a failure to meet the State's requirement that the community consist "primarily of permanent residential dwellings". Arch Cape will become "urban" with rural rules and regulations that do not meet the State's Urban Community requirements. This will necessitate more public process, more hearings, and more staff time to redraft Arch Cape's rules and regulations to meet urban land use standards. All of this will be unnecessary, expensive, and frankly, a waste of public funds.

For these reasons, **I ask that you vote no on these proposed amendments.** At the very least, please slow down this staff-initiated process and have staff perform an analysis on the Rural vs. Urban Community issue we will be facing if the County increases density without first securing that the increased development will be primarily for permanent residences.

Thank you,

Michael Manzulli
80285 Woodland Heights Rd,
Arch Cape, OR
503.440.7862
manzulli@gmail.com

Clatsop County
Community Development

July 12, 2024

RE LAWDUC Amendments to Facilitate Housing Construction

Dear Staff & Commissioners,

I am writing you yet another letter but have lost most hope that you will change course despite meaningful public feedback. It feels like a foregone conclusion that the County will reduce lot sizes in the designated areas, not meaningfully reducing the housing crisis and leaving our communities to deal with the negative consequences for generations to come. It is easy to brush me off as NIMBY, but I am truly supportive of providing housing to local workers and families. I'd love it if you would prove me wrong and help restore community faith that our voices matter.

There is NO state mandate that counties make these changes. They are asking/requiring that CITIES increase density. They are also providing CITIES with infrastructure help. By jumping the gun, we are possibly losing leverage for future asks and money from the state.

I go back again to the **2019 Clatsop County Housing Strategies Report**, which was very clear:

- 1) Clatsop County has sufficient housing supply, but not the right type. It is mostly single-family homes, and most of the new construction is being used for vacation homes.
- 2) Clatsop County should focus on adding “the right type” of supply, meaning multifamily and small cottage clusters. “This housing, if not located in highly sought after beach communities, should be less attractive to second home buyers.”
- 3) Clatsop County should control commercial uses of residential land, including limiting short term rentals (STRs).

As you know, the county does not have the money or interest in developing and maintaining community infrastructure like stormwater and roads. Our roads are already a mess and some areas flood. Increasing density will worsen these problems. Arch Cape continues to be beautiful and ecologically important forest and wetlands/creeks east of Highway 101 (elk, cougar, bobcat, bear, steelhead are common sights). We have few long term rentals and single family housing here is now very expensive due to proximity to the beach, investments, and unlimited short term rentals, unfortunately excluding most local working people and families. Our community agrees, our current, low density development is better for us. I'm sure our Community Club would be willing to work with the County to see if we could increase long term rentals in empty homes, support ADU development for local rentals (e.g. ADU tour, permit fee reduction in exchange for long term rentals), or other ways to support workforce housing.

Ask the County:

- Not decrease lot sizes to CITY-sized lots (7,500 to 5,000 sq feet, generally 50' by 100'). Houses need to keep their stormwater on the lot, and we need that larger size to do that. Also, our larger lot sizes help protect our many wetlands and streams and reduce tree loss.
- If you do allow multifamily housing, do not allow short term rentals in them. Otherwise, they will likely be STRs and could even effectively be small hotels as is happening in Manzanita. Staff is explicitly asking for your direction to do that. Please tell them, yes.
- Finally, put a STR cap in place as soon as possible. At minimum, 10% in areas with larger percentages now, but much lower caps in other areas to stop expansion.

Thank you for all the good work the County is doing to facilitate needed housing - multi-family, smaller, less expensive. I see it and am grateful.

Sincerely,

Nadia Gardner
Arch Cape



July 19, 2024

Community Development Department
800 Exchange Street, Ste. 100
Astoria, OR 97103

Via email: comdev@clatsopcounty.gov

Dear Clatsop County,

Oregon Coast Alliance (ORCA) is an Oregon nonprofit corporation with a mission of protecting coastal natural resources and working with coastal residents and visitors to enhance community livability. We write this letter to provide comments on the proposed “Housing Amendments” to LAWDUC.

Initial Concerns

At the outset, ORCA questions why the proposals outlined in the Housing Amendments are being considered at this time, as these proposals are neither mandated nor even suggested by the state. Many of the proposals are questionable, highly controversial and unsupported by any data known to us. Many of the proposals also seem somewhat backwards, in that the role of a county’s ordinances is to implement the county’s Comprehensive Plan, not the other way around.

Several provisions of Clatsop County’s Housing Goal do not seem to be reflected in the Housing Amendments, including its overall mission, which states that its purpose is “To provide for the housing needs of Clatsop County.” That is followed by language focusing on the county’s communities: “To provide adequate numbers of housing units at price ranges and rent levels commensurate with financial capabilities of the households in the region.”

The county’s insistence on changing housing ordinances to increase housing availability at *all* price points seems to run directly in contradiction to the above goals, which focus on providing housing for county residents. The great need in Clatsop County is for affordable/workforce housing, which clusters at the lower end of the price scale. Increasing housing at the upper end is scarcely necessary, as the market provides plenty of such

housing. Focusing on upper-end, more expensive, housing will increase the number of Short Term Rentals in Clatsop County, which are in more than plentiful supply. The 2019 housing study made it clear that STRs are a principal problem for increasing the supply of longterm rentals in various Clatsop County communities. The county cannot effectively change housing ordinances, and especially increasing density, without also focusing on capping STRs, which has not happened, and is not being considered concurrently with these proposed amendments. Since the county allowed STRs in all rural zones the number of these vacation rentals has burgeoned, with no caps, no restrictions or any decision about limiting their numbers.

The unincorporated communities that will be impacted by these Amendments are all quite different from one another. They have separate sub-plans in the Comprehensive Plan because they are different, with unique goals, infrastructure and settlement patterns. The only entity that gains from ‘streamlining’ the requirements and making them uniform across communities is the Community Development Department, which would be able to devote less time to working with the unique requirements of each community.

Clatsop County proposes to drastically increase the number and kind of dwelling applications that can be processed using the Type I category. Type I procedures *entirely eliminate* any public notice, knowledge, commentary or appeal in the decision-making. There is **no** notice, **no** public comment, and **no** appeal opportunity. This is directly contrary to Goal One of the land use laws, which prioritize public involvement in land use decision-making. Further, as currently LAWDUC contains no size limitation on Type I approvals, quite large projects may be approved without any public involvement at all. Perhaps the best example of this is the county’s approval of an approximately 10,000 sq. ft. mansion (the Alkire mansion), which included extensive European-style landscaping, on forested rural residential zoning just outside the Cannon Beach urban growth boundary. As there was no public dialogue many important questions went unanswered, including issues related to wildfire and water supply. It must be said that the only beneficiary of moving many housing types into the Type I category for processing is the Community Development Department, which will need much less time to process applications when public involvement is not required. The residents will not benefit; they will be robbed of involvement in the future of their community.

Finally, emergency preparedness is a question that the county has not addressed in any of these Amendments that will increase density countywide, across many zones. Emergencies come in many shapes, but thanks to the frequency or potential of windstorms, fire, tsunamis and similar natural catastrophes, the county *must* take emergency needs into consideration. Increasing density countywide will lead to logistical problems in emergencies, especially in the arena of transportation, and life-saving in the event of flooding. The recent approval of the Alkire mansion just outside Cannon Beach without public participation in the application – just to take one example – led to the public having no opportunity of discussing the many emergency problems such a dwelling will create for the city that would be providing any needed services.

Arch Cape

1. Lot size: ORCA requests Clatsop County **not** change the current 7,500 square feet lot size in Arch Cape to 5,000 square feet, and leave lot width at 60 feet. The Community Development Director admitted, in an email dated June 18, 2024, that the county has no data of the number of new lots for residential development that would be created if the lot size were 5,000 sq. ft. The county also has no data on population growth size for Arch Cape and Cove Beach that would allow them to determine if such a shrinking of lot size has any basis in actual need. The county has no data on the impact of increased density on stormwater discharge and the capacity of the land to absorb floodwaters or runoff from storms and heavy rainfall. As it has no jurisdiction over the Arch Cape Sanitary or Water Districts, it has no data on the capacity of the local infrastructure to absorb increased water and sewer needs with smaller lot sizes.
2. Duplex: Leave the requirement that duplexes in Arch Cape be Type II applications, requiring public notice and comment. There is no reason to limit public involvement in major community-changing proposals as duplexes, except to smooth the workflow at the Community Development Department.
3. Triplex and quadplex: it is particularly controversial to make larger dwellings such as triplex and quadplex units conform to a smaller lot size of 5,000 sq. ft. rather which eliminates almost any green space, yard or other neighborhood amenities. It also dramatically increases density without any data to support this as a change beneficial to the community or the land's carrying capacity.
4. Roads: The county is proposing that roads in Arch Cape become a Type I procedure. It is currently Type II, meaning that public notice and comment are part of the process. ORCA strongly **opposes** making roads a Type I use – again, this would benefit the Community Development Department, but not the residents. Arch Cape was platted more than a century ago in a manner that ignored all topographical constraints. This is one of the areas in which the differences between communities should remain paramount: Arch Cape is hilly and semi-surrounded by wetlands. Developers build stub “roads to nowhere” to provide future access. Having community say in these proposals is essential to community involvement in their own future, especially as the county does not maintain Arch Cape's roads, or platted rights of way, and has no data concerning local road use or necessity.
5. Though in general ORCA supports multifamily dwellings and manufactured dwellings in the Rural Commercial zone (RCC), in Arch Cape this leads to particular problems, as the RCC zone is small and straddles Highway 101. It should be used only for the commercial enterprises this small rural community needs, rather than housing.

Miles Crossing, Jeffers Gardens and Westport

1. ORCA opposes placing duplexes as a Type I use in these communities, eliminating all public involvement whatsoever. These are small, rural communities, and a duplex would be a major change. They should be Type II projects, providing public notice and opportunity for comment.
2. Similarly to Arch Cape, the lot size should remain at 5,000 sq. ft. for single family dwellings, triplex and quadplex. These are rural communities, not urban ones. Houses are set farther apart on larger lot sizes, and this has been historically true since the beginning of settlement.

Knappa and Svensen

1. Duplex: do not make duplex applications a Type I project that allows no public participation. The residents will know much more than planners about the specific conditions in the community that will affect an application.

4.1100: Rural Service Area-SFR: ORCA opposes allowing duplex applications to be processed as a Type I use. ORCA also opposes changing lot sizes to 5,000 sq. ft for one-unit, triplex and quadplex properties with community water and sewer. Water and sewer are not the only questions that need to be asked concerning lot sizes. The land's carrying capacity to handle flood and heavy rains, the need or lack thereof for increased density, and road/transportation requirements are all matters on which Clatsop County has no data that ORCA is aware of – yet these are major changes. They should not be implemented without data indicating such amendments are appropriate.

4.1200: Rural Community Multi-Family Residential: ORCA opposes changing Multi-family dwelling applications, boarding house/group housing and mobile home/manufactured home park from Type II to Type I, because, once again, it entirely shuts the public out from the decision-making process. It is the local residents who best know the limitations and carrying capacity of the land, and who have a direct interest in the future of their community or neighborhood. As in other zones, ORCA opposes changing to lot size for one-unit dwellings, triplex, quadplex, boarding houses and multi-unit developments with water and sewer to 5,000 sq. ft., for similar reasons as stated before, with special concern for the effects of increasing density on the community and the land's carrying capacity.

4.1300: Residential Service Area-Multi-Family Residential: The county proposes to change several kinds of dwelling applications, including multi-family dwellings, boarding house and group housing and mobile home parks from Type II to Type I applications. This is a bad idea, as has already been mentioned many times, because it robs residents and neighbors of a say in the future of their community. That “clear and objective standards” already exist is no cause for eliminating public participation and subverting Goal One.

ORCA also recommends not lowering minimum lot size to 5,000 sq. ft. for one-dwelling triplex and quadplex applications with sewer, nor lowering lot width to 50 feet. There is no data in county hands that supports a need for these revisions that increase density.

4.1400: Rural Community Commercial, 4.3000: General Commercial, 4.3100, Tourist Commercial: ORCA supports allowing multi-unit dwellings and manufactured home parks in these zones, provided (as proposed) that they remain Type II for processing. However, employee housing and a residential dwelling for a caretaker manager should not be demoted to Type I but should be Type II uses, so that the public can be involved in new building proposals.

4.1500: Rural Community Light Industrial, 4.1600: Rural Community Commercial and Light Industrial, 4.1700: Light Industrial, 4.1800: Heavy Industrial, 4.2900: Neighborhood Commercial, 4.300: General Commercial, 4.3100: Tourist Commercial: employee housing and residential dwelling for a caretaker/manager must be Type II developments, not be downgraded to Type I, as for all other zones in these proposed Housing Amendments.

4.2200: Coast Beach Residential, 4.2300: Coast Residential, 4.2400, Single Family Residential: In all these zones, the county is proposing to allow attached units to be processed as a Type I use. Merely because they share a wall with an existing dwelling does not mean their impact on a community and the neighbors is insubstantial. Areas subject to these zones are rather densely settled, and the opportunity to participate in the community's future is vital. This is all the more the case because attached dwellings are not currently allowed in any of these zones.

Conclusion

The county's proposals, though appearing innocuous, are in fact highly charged, and will, over time, make significant changes in all rural communities, residential and commercial zones. These changes may or may not be appropriate or desirable. But regardless, *public involvement must be succored and encouraged*, not marginalized and eliminated, as many of these changes, in every zone without exception, propose to do.

It is clear, from questions addressed to the Community Development Department, that the county does not have data to back up the need for most of these changes, especially as regards (a) increasing density by decreasing lot sizes; (b) modifying carrying capacity of the land in terms of infrastructure, such as water, sewer/septic, floodwater, and stormwater, as a result of increasing density. Carrying capacity is an absolute constraint, and the county, by failing to recognize it, is doing the people living in these areas a great disservice. Most disturbingly, there is no data to indicate that these proposals will increase workforce housing across the county. There is no known correlation between lowering lot size and increased workforce housing; if the county has such data, it should present this to the public at the first opportunity.

OAR 660-008-0005(2) has a specific requirement for a “buildable lot”: it must be “suitable, available and necessary for residential uses.” There is nothing in these changes that indicates the county has data clearly showing that reducing lot size is “necessary” for residential uses. Without such data showing necessity, these changes are inappropriate. They jump the gun: study of what is needed must precede the actual ordinance changes. This is especially true since STR policy is still in flux, and the county has no restrictions whatsoever in place.

These Housing Amendments will change people’s communities and lives. Before the county moves ahead, more data, and study of the effects of the changes, are necessary. If the changes are not grounded in need, they will cause far more difficulty than the county anticipates, for people, communities, the land, the wetlands, emergency services, and the transportation system.

Sincerely,

/s/ Cameron La Follette

Cameron La Follette
Executive Director



**Public Comment & Petition to Refine the Proposed Amendments to
Clatsop County’s Land and Water Development Use Code (LAWDUC)
For Rural Community Residential Zones**

We, the undersigned, understand that Clatsop County Board of Commissioners directed County Staff to “move forward with a package of amendments to the *Land and Water Development and Use Code (LAWDUC) in order to facility construction of housing at all price points.*” Those amendments, which are outlined in the [Clatsop County Proposed Housing Amendment Draft 1 document](#), are categorized by following objectives: 1) to provide additional opportunities to facilitate housing growth [at all price points] and 2) to ensure compliance with Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR).

Executive Summary

We support the above stated objectives for Rural Community Residential zones, but not the proposed amendments listed below. These proposed amendments have little, if any, relevance to the stated housing objectives. We do note however that they financially advantage the County in terms of additional revenue and less work for staff, which are not the stated objectives.

- ***The proposed reduction in lot size*** will have little if any impact on housing growth at different price points and it is not required by statute or rule. In actuality, it is the type and size of the houses themselves, more than the size of the lot, that are the primary drivers of price point differences. **Note:** the County is advantaged by smaller lots size (density) as it results in more tax and other revenues to them.
- ***The proposed elimination of public notice and hearing*** in the Planning Department’s Approval Process ***for Duplexes*** (from Type II to Type I Use) has nothing to do with facilitating housing growth nor is it required by statute or rule. Equally important, these changes do not reflect the value of giving the public a voice in continuing to shape the neighborhoods and communities that they have built and in which they live. **Note:** the County is advantaged by elimination of public notices and hearing as it results in less time spent by County staff.
- ***The proposed elimination of public notice and hearing*** in the Planning Department’s Approval Process ***for road development / extension*** (from Type II to Type I Use) has no impact on housing development and is not required by statute or rule. **Note:** the County is advantaged by elimination of public notices and hearing as it results in less time spent by County staff.

Importantly, we also note that ***there is no proposed amendment to restrict short term rentals*** in the duplexes, triplexes, quadraplexes and cottages. Such an amendment would be directly relevant to the two stated objectives as it would insure that the intent of the housing growth at different price points is affordability of home rental and ownership rather than profitability to the owners and additional revenues to the County.



Petition

In regards to the proposed amendments to the Land and Water Development Use Code (LAWDUC) for Rural Community Residential zones, ***we request that the Board of Commissioners direct County Staff to make the following refinements:***

- A) Keep the minimum lot size at no less than 7,500 square feet / dwelling unit
- B) For duplexes, as well as for triplexes, quadraplexes and cottages, require Planning Department involvement and a public hearing in conjunction with well-defined architecture review standards.
- C) For construction of new roads and/ or road extensions – whether public or private – require Planning Department involvement and a public hearing.
- D) For duplexes, as well as triplexes, quadraplexes and cottages, establish criteria outlining the conditions under which short term rental use will be ‘permitted’ by the County.

Detail Explanation

We request that the Board of Commissioners direct County Staff to make the following refinements to the proposed amendments for Rural Community Residential zones:

A) Maintain current Lot size

Keep the minimum lot size at no less than 7,500 square feet / dwelling unit, where a single-family home and each cottage in a cluster is 1 dwelling unit, a duplex is 2 dwelling units, a triplex is 3 dwelling units and a quadraplex is 4 dwelling units.

Infrastructure: The population density of urban communities requires cost-effectively scalable fire response capacity and water / sewer services, which is not the case in rural communities.

In rural communities, fire departments are typically staffed with volunteers who have larger distances to travel between station and a burning home. For safety purposes to mitigate the risk of travel time delay, houses are separated by more space to prevent fires from easily spreading. Reducing the lot size to 5,000 sq ft decreases safety as homes will be closer together and fires can more quickly spread, while waiting for fire response which is coming from farther distances.

In rural communities, water and sewer services are designed and built with a fixed capacity in mind and it is costly to expand that capacity, especially when the cost is borne by relatively few residents in the community. Reducing the lot size to 5,000 sq ft increases the possible number of homes which will more quickly absorb the capacity of the utilities services so that all properties may not be able to get those services.



Greenspace: With the greater density of communities, greenspace tends to be decorative around residential area and provides common spaces, i.e., parks for people to recreate. Greenspaces are readily consumed by the need for more development.

In rural communities, green space is much more pervasive, i.e., fewer parks and more trees as a standard element of the geographic landscape. This type of greenspace provides an eco-system that benefits the County at large. Decreasing lot size in rural community will decrease green space so that the benefit of a tree ecosystem is lost to the entire County.

A final consideration is that a 5,000 sq ft lot size in rural community may not be consistent with the topographical landscape, i.e., slopes, wetlands, boulders, slide areas etc., and the building challenges they impose. 7,500 sq ft lot size reduces the risk that a meaningfully sized home cannot be built on the lot.

B) Public Hearings for Housing Approval

For duplexes, as well as triplexes, quadrplexes, and cottages, require Planning Department involvement and a public hearing (i.e., Type II Use), in conjunction with well-defined architecture review standards.

There is recognition that these types of buildings are intended to increase the availability of housing at all price points. Allowing for a Public Hearing on the design in no way decreases the opportunities to facilitate housing growth.

Adherence to architectural standards in conjunction with Public Hearings will take advantage of the knowledge of the associated community to help: a) ensure the location makes good sense, b) maintain the long-standing look and feel of communities and c) give members of the public a voice in how their community should look and feel.

C) Public Hearing for Road Approvals

For construction of new roads and/ or road extensions – whether public or private – require Planning Department involvement and a public hearing (i.e., Type II use)

Building unplatted roads has the risk of changing a fundamental characteristics of a “community” as well as the geological / wetlands environment. Furthermore, the impact of traffic flow would not be known. Current owners of land in the “community” had bought property assuming the characteristics at the time of purchase. These owners should be able to provide public comment before those characteristics are changed.

D) Restrict Short Term Rentals

Establish criteria outlining the conditions under which duplexes, triplexes, quadrplexes and cottages can be ‘permitted’ by the County for short term rental use.

Short term rentals of these dwelling are COMPLETELY INCONSISTENT with the intent of Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR) and specifically House



Bill HB3197 which states: *“The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income ... is a matter of statewide concern”*

With short term rentals, these dwellings become a profitability investment and available to people for vacation rather than for an affordable residence, either to rent or to own.

Petition Letter Endorsers

Name	City	Comment
Jan Priddy	Arch Cape	<p>I am particularly concerned that no provision addresses the use of lower cost housing. My family has lived year around in Arch Cape since the end of WW2 and my husband and I worked locally and raised our children here. As our older neighbors passed on, their homes have become small businesses devoted to short term rentals. Such land use destroys the ability of people working in local businesses to actually live locally. Minimum wage workers can't find housing. I worked with teachers who commuted more than an hour to their jobs because local rents are inflated by nightly rentals.</p> <p>My grandparents rented by the night, but my husband and I have chosen to rent monthly to locals since 1979. I wish the county would find a way to balance this rental issue. The tax income from short term is good for the county, but tourists expect to find people taking care of their needs, and this can't happen if homes are all rented for hundreds each night.</p>
Judith Lally Eugene Borkan	Arch Cape Arch Cape	<p>After reading this letter, I found ALL my personal points and concerns extremely well thought out, covered completely and I agree 100% with the whole letter.</p>
Alec Holser Mark V Hanna Carolyn Campbell	Arch Cape Arch Cape Arch Cape	<p>Increasing density on rural lands has nothing to do with affordable housing so please stop this fraudulent argument to the public. Anyone in real estate will tell you that it will essentially increase the per acre and place more expensive houses on smaller lots. The place to solve the housing issue is in the cities of the North coast that can be served by infrastructure , transportation and services.</p> <p>We will fight the change in permitting as it will negatively impact the community and result in chaos. This is not California this is a small beach community</p>
Ann Dudley Harold Brevig Sharon Chaitt Stuart Sandler Jim Jensvold Jennifer Conrad	Arch Cape Arch Cape Arch Cape Arch Cape Arch Cape Arch Cape	<p>Having smaller lot sizes with more houses would decrease the community feel of the area. Additionally, there are so many short-term rentals in Arch Cape that it's mind-boggling. Having so many decreases the sense of community. My family has watched Arch Cape change from an area where you know the owners and inhabitants of the houses around you to a revolving door of occupants.</p> <p>There should always be review of new construction. Lot size for construction should remain the same.</p> <p>Clatsop County respects only money. Please see separate letter</p>

Name	City	Comment
Judy Heumann	Arch Cape	
John Mersereau	Arch Cape	I would only add to this letter an emphasis on the issue of short-term rentals. As long as short-term rentals are in place , and not capped in number, price points and availability of full-time rentals will not be accomplished by this zoning change. I also feel like it is important for the community to have input into the developmental permit process in their neighborhood.
Cheryl Waitkevich	Arch Cape	
Michael Drais	Arch Cape	
Eeva Lantela	Arch Cape	
Matthew R. Gardner	Arch Cape	
Paul DeKoning	Arch Cape	
Regan DeKoning	Arch Cape	
Gilbert Kinch	Arch Cape	
Patty Kinch	Arch Cape	
Layton Borkan	Arch Cape	Deeply concerned about the lack of oversight re: the impact of short-term rentals; this oversight appears to be in direct contradiction to goals around providing more affordable housing.
Sharon Elmaleh	Arch Cape	
Francois Elmaleh	Arch Cape	
Dan Seifer	Arch Cape	Short Term Rentals are ruining our community.
Kathy Seifer	Arch Cape	
Julie DeMonico	Arch Cape	I particularly feel higher density (multi-unit especially) with more permissive short term rental use is not in keeping with the goal of providing more rental housing for middle and low middle income residents in the area. The proposed guidelines will result in more income for owners and investors, and more revenue for the county, but not housing for the working class. A review process should remain in place, as these issues have not been sufficiently addressed by the county.
Stephen Petruzelli	Arch Cape	
Dolores Petruzelli	Arch Cape	
Greg Nelson	Arch Cape	No change without a vote of the community served. No one wants a tri-plex or row houses in vulnerable coastal natural areas. Nor can Arch Cape build a water and system to serve higher density housing...let's pave away natural areas for housing density in rural areas makes no sense. Thank you
Linda Christensen	Arch Cape	I will reserve the right to make additional comments but for now ... It makes me angry to know that although I have moved to a place of tranquility in rural Clatsop county, that development could be exponential. I am not a fan of mixing rentals with regular homes. People who rent have totally different values from those who just

Name	City	Comment
Eric Fast	Arch Cape	live there. People on vacation tend to be noisy, and very hard on the environment. I have not seen enforcement of any laws at our beach community. There are a lot of violations committed by the relatively few rentals at the current time. More rentals equals more people who do not know the rules, nor care about them. Where in your plan is the full picture of how you will handle the conflict between those who need sleep because they work the next day and those who just want to drink and party all night because they are on vacation? Will you be doing regular water testing so we know when the water is too polluted to swim or fish? Will you patrol the beaches and ticket those who have dogs off leash or allow dogs to poop anywhere? Will you have regular patrols to enforce laws for fires, harassment of wildlife, and climbing on rocks where birds nest? You have offered half of an equation. It is pretty clear to me that this is to increase rentals and to decrease anyone's ability to have limits of any kind. Our resources are limited. People who rent will all shower every day and waste water without concern. We have no unlimited supply where I live. How are you going to address that? Your proposal creates lots of problems and does not seem very fun.
Tevis Dooley	Arch Cape	This petition does an excellent job of presenting the important points for consideration.
Micah Mastrandrea	Arch Cape	
Chris Mastrandrea	Arch Cape	
Bob Cerelli	Arch cape	
Roy Morey	Arch Cape	
Bill Campbell	Arch Cape	
Beth Morey	Arch Cape	
Marian Vollum	Arch Cape	
Richard Petrich	Arch Cape	
Laurie Miller	Arch Cape	
Mignon Ervin	Arch Cape	
Kirk Flatow	Arch Cape	I support affordable housing for county residents, so any proposals to increase this type of housing should prohibit development for short term rentals or second homes for out of county residents. If steps are not taken to avoid short term rental development or holiday use, regulations could have unforeseen and negative consequences that do not meet the stated goals of more affordable housing for year-round residents.
Nicolette Steele	Arch Cape	
Robert W. Steele	Arch Cape	
Joanne Cornelius	Arch Cape	
Thomas Rado	Arch Cape	

Name	City	Comment
Doug Caffall	Arch Cape	
Kathleen Walsh Caldwell	Arch Cape	
Marilynn Rothen	Arch Cape	
Kathleen Swihart	Arch Cape	
Linetta Milne	Arch Cape	
Jeff Slemaker	Arch Cape	
Martin Rothen	Arch Cape	
Douglas Deur	Arch Cape	
Faith Deur	Arch Cape	
Brendan Deur	Cannon Beach	
Ronald Long	Arch Cape	

Gail Henrikson

From: Clatsop Development
Sent: Wednesday, June 5, 2024 10:47 AM
To: Gail Henrikson
Subject: FW: Zoning amendments

Public comment

Rebecca Sprengeler (she/her)
Permit Technician
Community Development Department
800 Exchange Street, Suite 100, Astoria, OR 97103
Tel: 503•325•8611 | Fax: 503•338•3606
rsprengeler@clatsopcounty.gov

From: Richard Garbutt <rlgxjrgman@hotmail.com>
Sent: Tuesday, June 4, 2024 1:38 PM
To: Clatsop Development <comdev@clatsopcounty.gov>
Subject: Zoning amendments

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

What's magical about 900 sq feet. A family of 4 is really cramped in 900 one bath 2 beds. Seems like a max limit would work better. Seems pretty arbitrary to me

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LAWDUC

robert jorgensen <rbjorgensen@hotmail.com>

Sat 7/20/2024 11:22 PM

To: Clatsop Development <comdev@clatsopcounty.gov>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As a property owner in Arch Cape (98344 Raven Hill) the proposed changes by the Commission contain elements I find alarming. The petition by ORCA spells out these issues in clear language. Please thoughtfully consider the points being made here, because the implications are enormous for our quality of life, our safety, and the health of our beloved environment. If you do this important work well, generations to come will feel the benefits. Please do not create a fortress mentality by eliminating public inputs!

Respectfully signed, Robert B Jorgensen

Sent from my iPhone

July 19, 2024

Clatsop County Community Development
Land Use Planning Division
800 Exchange Street, Suite 100
Astoria, OR 97103
comdev@clatsopcounty.gov
ATTN: Clatsop County Commissioners and Staff
RE: Public Comments related to Housing Amendments Draft 1, June 1, 2024

Dear Commissioners and Staff:

This letter addresses the proposed LAWDUC changes known as the "Housing Amendments" as it relates specifically to the rural community of **Arch Cape**.

I appreciate the opportunity to submit my comments on the proposed zoning changes. I have owned a house in Arch Cape for the past 28 years and am a member of the Arch Cape Falcon Cove Beach Community (AC-FCBC). I have reviewed and strongly concur with the AC-FCBC's Public Comments presented in their letter to the County Commissioners dated July 18th, 2024. Many concerns were appropriately identified in their letter that must be addressed before any well-planned amendments can be made by the County. Although I am licensed in Oregon as a hydrogeologist and water rights examiner, the following comments regarding water supply are based on my technical background and express personal opinions and not professional assessments.

My comments expand on two issues; they are:

- 1.) Allowing increased development by **minimum lot size reduction (Section 4.0640)** without any knowledge of whether sufficient water resources exist to support the increased population density.
- 2.) The removing of public participation in the permitting process for certain development by degrading these permits from Type II to **Type I** for certain developments (**Sections 4.0300, 4.0620 and 4.0630**).

1.) Minimum lot size reduction (Section 4.0640)

I have practiced as a geohydrologist in the State of Oregon for the past 44 years. I have worked with municipalities, developers and conservation groups assessing water needs and availability of these resources. Water resources, both surface and groundwater, throughout the State of Oregon are under stress from population growth, climate change and over-allocation of water rights by the State. The source of **Arch Cape** drinking water is surface water from Ashbury Creek and its tributary Shark Creek. At present there are 295 connections reported by the Arch Cape Water District. Some future development in the community can be accommodated by the existing system, however, there are no estimates of the number of full build-out lots from the County's minimum lot size reduction amendment. The Arch Cape Service District has water right permits defining the amount of water that can be appropriated from each creek (permit #'s 53491 and #53492). Restrictions within these permits define a required minimum flow

to be maintained in each of the source creeks to sustain a viable environment for six federally listed threatened and state listed sensitive vulnerable fish and lamprey (source: Final Order Approving a Water Management and Conservation Plan for Arch Cape Domestic Water Supply District, March 20, 2017, Oregon Dept. of Water Resources). Within the water right permit documents for the Arch Cape community, it is stated (item #2 in permit) 'If it is subsequently determined by the Department in consultation with Oregon Department of Fish & Wildlife, based on information specific to the effects of the permittee's diversion and use under this Permit on fish resources, that a minimum flow larger than that described above (*in the permit*) is needed for the protection of fish population, the Department will modify this permit to reflect such minimum flow' (source Permit #53492). Therefore, increasing the population density in Arch Cape without sufficient knowledge of how many lots could be developed would lead the community into a conundrum of having not enough water resources. Amendments to existing minimum lot size must consider limits to the water resources to support any new population density. Finally, the proposed minimum lot size amendment appears to contradict the County's 2040 Coastal Community Plan draft of 12-23-2024 which its stated objective was 'To preserve the open space and recreation qualities of the riparian areas, wetlands, beaches, and the surrounding forest areas'.

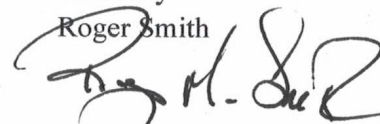
2.) Type I Permitting Changes (sections 4.0300, 4.0620 and 4.0630).

Restrictions to public interactions in the community development process by proposed amendments that change some permits to Type I is considered inappropriate. To respect property owners/citizens, the safeguards must continue without interference or restriction from the County. The desire of the County to increase the number of housing units in Arch Cape should have no bearing on whether the citizens who lives there have the right to know about and participate in community development (I consider the ability to participate a civil liberties issue).

In summary, Arch Cape presently has room for some additional new housing. Whether it can support the density implied by the proposed minimum lot size amendment (**Section 4.0640**) is presently unknown. Without more understanding of what may result from the proposed amendments it is impossible to determine if the community's available water resources are capable of supporting an unknown population density. And finally, any restrictions on public participation or notification of development (Type I changes) must be reconsidered.

Sincerely

Roger Smith



31932 Marshall Lane
Arch Cape, OR 97102

Gail Henrikson

From: Clatsop Development
Sent: Tuesday, July 2, 2024 12:09 PM
To: Gail Henrikson
Subject: FW: Proposed development plans

Public comment for housing code amendments.

Rebecca Sprengeler (she/her)
Permit Technician
Community Development Department
800 Exchange Street, Suite 100, Astoria, OR 97103
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From: Teresa Dufka <teresa.dufka@gmail.com>
Sent: Tuesday, July 2, 2024 10:43 AM
To: Clatsop Development <comdev@clatsopcounty.gov>
Subject: Proposed development plans

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day to you,

As it may be a good idea to allow for smaller lot sizes for homesites and businesses in Arch Cape, it will not aid in reducing the housing crisis as the price of houses and short term rentals coupled with no services will diminish any hopeful returns.

Most importantly, allowing for the development of roads without preexisting building plans will create roads to nowhere. We have that in our neighborhood now. The cost of the road was so high that the people now can't afford to build or their plans are on hold. 20 years ago we had to have an approved building permit prior to putting in roads. Sure, times have changed.

Lastly, the Greenleaf road off of highway 101 does not allow for two vehicles to maneuver simultaneously. It is so dangerous. Will you please advise the state to improve this access. Our requests go unanswered and sadly there could easily be an accident.

Most respectfully,

Teresa Dufka
79905 Anvil Rock
Arch Cape