



# CLATSOP COUNTY PLANNING COMMISSION

## REGULAR MEETING AGENDA

GoTo Meeting

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**Tuesday, October 13, 2020 at 10:00 AM**

### GOTO MEETING INSTRUCTIONS

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### CALL MEETING TO ORDER

### ROLL CALL

### ADOPT AGENDA

**BUSINESS FROM THE PUBLIC:** This is an opportunity for anyone to give a brief presentation about any land use planning issue or county concern that is not on the agenda.

Those wishing to provide testimony on public hearings or provide oral communication at the designated time must register in advance by calling 503-325-8611 or emailing [ghenrikson@co.clatsop.or.us](mailto:ghenrikson@co.clatsop.or.us). You will be notified when your three-minute presentation is scheduled. Comments may also be submitted via email to [ghenrikson@co.clatsop.or.us](mailto:ghenrikson@co.clatsop.or.us) to be read at the meeting.

### MINUTES:

- 2.** September 8, 2020 Regular Meeting
- 3.** September 18, 2020 Regular Meeting

### PUBLIC HEARING, WPD METEOROLOGIC TESTING TOWER

- 4. 186-20-000568:** Joseph Wood, WPD Wind Projects, Inc., authorized representative of the property owner, PH Timber LLC, c/o Forest Investment Associates, has submitted a request to construct a temporary 196-foot-tall tubular steel, guyed meteorological testing tower. The proposed tower would be installed for meteorological research purposes as a prelude to a potential wind energy utility project. Any additional meteorological towers or wind turbines would require separate conditional use review. The proposed meteorological tower would be constructed within an approximately 225' x 235' area (including guy wires) that has been previously cleared of timber.

The installation area is part of an approximately 620-acre parcel that is zoned F-80 (Forest-80). The approximately 225' x 235' installation area 2-acre area subject to the conditional use application is located within Major Big Game Habitat.

The subject property is located in rural Clatsop County near the unincorporated Westport community. The parcel is bound by Highway 30 on the north and is south and east of Hunt Creek Road. The subject property is further described as Township 8N, Range 6W, Tax Lot 3100.

## RESILIENCY PROJECT PRESENTATION

- [5.](#) The Assistant County Manager and Public Works staff will provide information during the presentation. Background materials from the October 6, 2020, Board of Commissioners work session are included with this item.

## COMPREHENSIVE PLAN UPDATE

- [6.](#) Draft 1 of Goal 3 - Agricultural Lands, including comments from the Department of Land Conservation and Development (DLCD).

## SPECIAL PROJECTS UPDATE (verbal updates provided at meeting, unless otherwise noted.)

- [7.](#) Updates on various special projects of interest to the Planning Commission

## PROJECT STATUS REPORT

- [8.](#) October 2020 update on projects reviewed and/or approved by the Planning Commission

## OTHER BUSINESS

## ADJOURN

**NOTE TO PLANNING COMMISSION MEMBERS:** Please contact the Community Development Department (503-325-8611) if you are unable to attend this meeting.

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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

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Agenda packets also available online at [www.co.clatsop.or.us](http://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.**



# Clatsop County

## Community Development – Planning

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

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## Clatsop County Planning Commission Regular Meeting GoTo Meeting Instructions

During the COVID-19 pandemic, the Clatsop County Planning Commission remains committed to broad community engagement and transparency of government. To provide an opportunity for public testimony while physical distancing guidelines are in effect, the Commission will host virtual meetings on GoTo Meeting.

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**Minutes of September 8, 2020**  
**Clatsop County Planning Commission Regular Session**  
**Online Meeting**

*The regular meeting was called to order at 10:02 a.m. by Chair Francis.*

<u>Commissioners Present</u>	<u>Commissioners Excused</u>	<u>Staff Present</u>
Bruce Francis	Nadia Gardner	Gail Henrikson
Myrna Patrick	Lam Quang	Clancie Adams
Robert Stricklin		Julia Decker
Christopher Farrar		Joanna Lyons-Antley
John Orr		

**Minutes:**

***Commissioner Patrick moved and Commissioner Farrar seconded to adopt the August 11, 2020 Clatsop County Planning Commission Regular Meeting minutes as presented. Motion passed unanimously.***

Due to power outages in the county that limited commissioner attendance and participation, and the desire for input by all commission members on the agenda topics, it was unanimously decided to reschedule the Clatsop County Planning Commission Regular Meeting to Friday, August 18, 2020 at 10:00 a.m.

***As there was no further business or discussion, Chair Francis adjourned the meeting at 10:15 a.m.***

Respectfully Submitted,

\_\_\_\_\_  
Bruce Francis  
Chairperson - Planning Commission

1 **Minutes of September 18, 2020**  
2 **Clatsop County Planning Commission Regular Session**  
3 **Online Meeting**  
4

5 *The regular meeting was called to order at 10:01 a.m. by Chair Francis.*  
6

<u>Commissioners Present</u>	<u>Commissioners Absent</u>	<u>Staff Present</u>
8 Bruce Francis	Lam Quang	Gail Henrikson
9 Myrna Patrick		Clancie Adams
10 Robert Stricklin		Julia Decker
11 Christopher Farrar		Joanna Lyons-Antley
12 Nadia Gardner		
13 John Orr		

14  
15 **Adopt Agenda:**

16 *Commissioner Farrar moved and Commissioner Gardner seconded to adopt the agenda as modified to delete*  
17 *the minutes of August 19, 2020 as they had been adopted at a previous meeting. Motion passed unanimously.*  
18

19 **Business from the Public:**

20 **There was no business from the public.**  
21

22 **Code Consolidation and Modernization Update:**

23 The code consolidation update is being reviewed by County Counsel, Joanna-Lyons Antley, and a first draft will  
24 be presented to the Board of Commissioners some time in October or November.  
25

26 **Comprehensive Plan Update, Gail Henrikson, Community Development Director:**

27 Ms. Henrikson advised that a draft of Goals 1, 3 and 4 had been reviewed by the Department of Land  
28 Conservation and Development (DLCD) and their comments had been made available to the Citizen Advisory  
29 Committees, the public and the Planning Commission for input. The Goal 1 draft was presented and discussion  
30 ensued regarding the use of the term citizen versus public in the document. Comments also were made about  
31 encouraging diversity, creating an inclusive culture, digital opportunities and the option of continuing to use  
32 technology/virtual meetings into the future, how to contact and include underrepresented groups, and the  
33 formation and future use of Citizen Advisory Committees. Commissioner Gardner requested a presentation by  
34 the Executive Director of Consejo Hispano at a future meeting.  
35

36 **Special Projects Update – Gail Henrikson, Community Development Director:**

37 **Clatsop Plains Elk:** An update was presented to the Board of Commissioners (BOC) at the September 1, 2020  
38 work session. A declaration of cooperation is expected to be completed in October 2020.

39 **Short Term Rentals:** Information was presented to the (BOC) at the September 1<sup>st</sup> work session. This issue will  
40 be readdressed in January after the installation of the new board. This will provide time to obtain staff input.

41 **Strategic Plan:** A BOC work session was held on August 20, 2020 to prepare a draft vision, mission and value  
42 statement. Five focus areas were identified; infrastructure, economic development, environmental quality,  
43 social services, governance. The focus groups will begin meeting in the near future and make recommendations  
44 to the board for prioritization and work schedules.

45 **Tsunami Evacuation Facilities Improvement Plan-TGM Grant:** Consultants have completed their draft scope of  
46 work which has been provided to ODOT for review and comment. Open houses will be scheduled to provide  
47 public input.

48 **Child Care Code:** The contract with DLCD has been signed and the code audit regarding home day care facilities  
49 has begun. Project is expected to finish in January 2021.

50 **Resiliency Project:** Surveys have been provided to the public. An update has been scheduled to be presented to  
51 the Planning Commission at the October Meeting.

52 **Other Business:**

1 **HB2001:** Joanna Lyons Antley presented information on HB2001 that passed in 2019. She does not feel that it  
2 currently impacts Clatsop County but will monitor future populations and present updates as needed.  
3 **Affordable Housing Fund:** Commissioner Stricklin presented his concept to create an affordable housing fund.  
4 Discussion ensued and it was decided by consensus to add this item to a future agenda for more in depth  
5 discussion on funding sources and management options.  
6 **Warrenton Water Moratorium:** Discussion among board members on alternate potable water sources such as  
7 wells, catchment systems, surface water etc. to be utilized on the Clatsop Plains.  
8 **October Planning Commission Meeting:** A public hearing for a meteorological tower located on Nikolai Ridge  
9 has been scheduled along with the Resiliency Project presentation.  
10 **Request:** Planning Commissioners Francis, Orr, Patrick, and Farrar requested hard copies of agenda packets be  
11 provided in the future.

12  
13 ***As there was no further business or discussion, Chair Francis adjourned the meeting at 11:36 a.m.***

14  
15 Respectfully Submitted,

16  
17  
18  
19 \_\_\_\_\_  
20 Bruce Francis  
Chairperson - Planning Commission



## **STAFF REPORT**

### **Conditional Use Permit Application #20-000568 WPD Meteorological Tower**

**STAFF REPORT DATE:** October 13, 2020

**HEARING BODY:** Clatsop County Planning Commission

**REQUEST:** Application for new 196-foot-tall tubular steel, guyed meteorological testing tower. The proposed tower would be installed for meteorological research purposes as a prelude to a potential wind energy utility project.

**APPLICANT:** Joseph Wood  
WPD Wind Projects, Inc.  
205 SE Spokane Street, suite #300  
Portland, OR 97202

**OWNER:** PH Timber LLC  
c/o Forest Investment Associates  
15 Piedmont Road NE  
Building #15-1250  
Atlanta, GA 30305-1631

**PROPERTY DESCRIPTION:** T8N, R06W, Tax Lot 03100

**PROPERTY LOCATION:** South side of Highway 30, and south and east of Hunt Creek Road

**PROPERTY ZONING:** Forest-80 (F-80)  
*Overlay:* GHO (Geologic Hazard Overlay)  
*Other:* NWI (National Wetlands Inventory)  
Peripheral and Major Big Game Habitat

**PROPERTY SIZE:** TL 3100: 320 acres  
Lease area: 225' x 235' (52,875 square feet / 1.2 acres)

**COMPREHENSIVE PLAN DESIGNATION:** Conservation Forest Lands

**COUNTY STAFF REVIEWER:** Gail Henrikson, Community Development Director

**DEEMED COMPLETE:** September 3, 2020 (150 days: January 31, 2021)

**STAFF RECOMMENDATION:** Approval with conditions

**AGENCY COMMENTS:** Seth Thompson, Aviation Planner, Oregon Department of Aviation  
Karen Strauss, PE, Oregon Department of Transportation

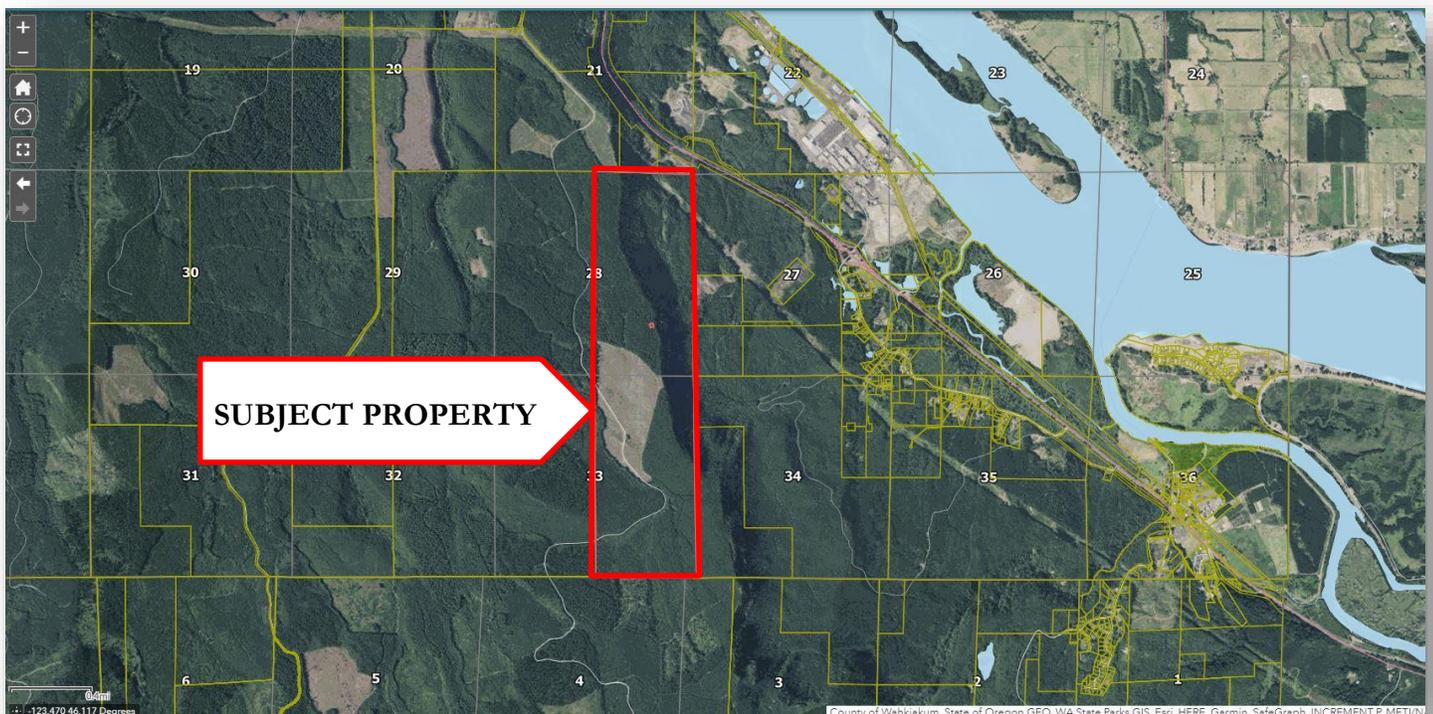
**EXHIBITS:**

- 1 – Application
- 2 – Applicant-Neighborhood Meeting Materials
- 3 – Public Notice and Affidavit of Posting
- 4 – Agency Comments

### SUMMARY

On August 5, 2020, Joseph Wood, WPD Wind Projects, Inc., submitted to the Clatsop County Community Development Department an application for 196-foot-tall tubular steel, guyed meteorological testing tower. The proposed tower would be installed for meteorological research purposes as a prelude to a potential wind energy utility project. The application was deemed complete on September 3, 2020.

The proposed meteorological tower would be placed adjacent to an existing access road that would be located approximately 2.69 miles southeast of the intersection of Highway 30 and Hunt Creek Road (see map below). The site proposed for the 196-foot-tall tubular steel monopole tower has been previously harvested for timber. No new clearing is proposed. The proposed lease area for the proposed tower is approximately 225' x 235', or 52,875 square feet in area. The tower would be stabilized by guy wires. No utilities would



be required to service the proposed tower.



### **PROPERTY STATUS**

The subject property, TL 3100 was created by recording of a deed (Clatsop County Deed Books, Book 238, Page 52) with the Clatsop County Clerk on November 7, 1956. The subject property meets the county's definition of "lot of record", as defined by Section 1.030, Clatsop County *Land and Water Development and Use Ordinance* (LWDUO). The Clatsop County Assessor records do not indicate the presence of any improvements on the subject property.

### **PROPERTY CONDITIONS**

The lease area is accessed via Highway 30, Hunt Creek Road, and an unnamed access road. The lease area is a relatively level site at an elevation of approximately 1,320 feet. Immediately east of the lease area, the property drops steeply from an elevation of 1,320 feet to an elevation of 640 feet. While there are lands subject to mass wasting, those areas are located east of the subject lease area and the access roads. The majority of the subject property is heavily forested, with the exception of the subject lease area. The National Wetlands Inventory (NWI) indicates the potential presence of wetlands west of the lease area.

The surrounding area is comprised almost exclusively of mountainous forest lands. Highway 30 lies north and east of the lease area and the Wauna Mill is also located on the north side of Highway 30, northeast of the lease area.

**I. APPLICABLE CRITERIA**

<i>Land and Water Development and Use Ordinance 80-14 (LWDUO)</i>	<i>Standards Document</i>
1.030 Definitions	S2.500 Erosion Control Standards
2.046 Applicant-Neighborhood Meeting	S3.194 Archeological Site Protection
2.100-2.260 Public Deliberations and Hearings	S3.523 Utility, Power Generation, Solid Waste Uses
3.550 Forest-80 (F-80) Zone	S3.525 Conditional Use Review Criteria
5.000 Conditional Use	S3.526 Siting Standards from Dwellings and Structures
5.300 Site Plan Review	S3.527 Fire Protection Standards for Dwellings and Structures
	S3.530 Development of Historic and/or Archaeological Sites
<i>Clatsop County Comprehensive Plan</i>	
Goal 1 Citizen Involvement	Goal 6 Air, Water, and Land Quality
Goal 2 Land Use Planning	Goal 11 Public Facilities and Services
Goal 4 Forest Lands	<i>Northeast Community Plan</i>
Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources	

**II. APPLICATION EVALUATION**

**A. Land and Water Development and Use Ordinance (80-14)**

**Section 1.030 Definitions**

**BUILDING** -- A structure built or placed for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

**COMMERCIAL POWER GENERATING FACILITY** -- A facility for the production of energy and its related or supporting facilities that:

- (1) Generates energy using means listed in ORS or OAR such as solar power, wind power, fuel cells, hydroelectric power, thermal power, geothermal power, landfill gas, digester gas, waste, dedicated energy crops available on a renewable basis or low-emission, nontoxic biomass based on solid organic fuels from wood, forest or field residues but not including the production of biofuel as authorized by ORS 215.203(2)(b)(K) in all zones that allow "Farm Use" and 215.283(1)(r) and 215.283(2)(a) in the EFU zone;
- (2) Is intended to provide energy for sale; and
- (3) Does not include a net metering project established consistent with ORS 757.300 and OAR chapter 860, division 39 or a Feed-in-Tariff project established consistent with ORS 757.365 and OAR chapter 860, division 84.

[Ord. 18-02]

**STRUCTURE** -- Anything constructed, erected or air-inflated, permanent or temporary, which requires location on the ground or water, or attached to an existing structure.

Among other things, structure includes residences, apartments, barns, cabins, buildings,

walls, fences, billboards, poster panels, food stands and parking lots. [Ord. 18-02]

UTILITIES NECESSARY FOR PUBLIC SERVICE – Unless otherwise specified in this Article/ Chapter, any facility owned or operated by a public, private or cooperative company for the transmission, distribution or processing of its products or for the disposal of cooling water, waste or by-products, and including, major trunk pipelines, water towers, sewage lagoons, cell towers, electrical transmission facilities (except transmission towers over 200' in height) including substations not associated with a commercial power generating facilities and other similar facilities. [Ord. 18-02]

**STAFF FINDING and CONCLUSION:** The above definitions are included for informational purposes and may be referenced throughout the report.

**Section 2.046 Applicant-Neighborhood Meeting.** [Ord. #17-02]

The purpose of a neighborhood meeting is to ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their proposed development may have on the neighborhood. The meeting is not intended to produce complete consensus on all applications; it is intended to encourage applicants to be good neighbors. Applicants are encouraged to reconcile as many public concerns as possible before submitting their land use application(s). County staff may attend the neighborhood meeting in an advisory capacity to answer questions.

- 1) The applicant shall hold a neighborhood meeting before submitting the following types of land use applications:
  - (A) Multi-family development that abuts a single-family zoning district;
  - (B) Commercial or industrial development that abuts any residential zoning district;
  - (C) Manufactured home park adjacent to any residential zoning district;
  - (D) Major subdivisions;
  - (E) Cluster and planned development;
  - (F) Quasi-judicial map amendments;
  - (G) For other applications or revisions to applications that the Director determines may have a significant neighborhood impact, such as conditional uses, expansion of nonconforming uses, rezones, goal exceptions, variances. In these cases, the Director shall determine the minimum notice area for the neighborhood meeting.
- 2) Neighborhood Meetings must meet the following requirements:
  - (A) The applicant shall consult with County staff to determine an appropriate meeting date, time, and place given the location of the proposed development and availability of staff to attend.
  - (B) The applicant shall send mailed notice of the public meeting to the Community Development Department Director and all property owners within a minimum distance of 300 feet of the boundaries of the subject property with the specific area to be determined by the Director based on the project scale, land use and transportation patterns or anticipated public interest in the project. If any part of the subject property is within the boundaries of a neighborhood or community organization as defined by Section 1.030, notice shall be sent to the designated representative(s) of such neighborhood or community organization. The property owner list shall be

provided by the county and shall be compiled from county tax assessor's property owners of record from the most recent property tax assessment roll.

The notice shall be sent a minimum of 10 days and no more than 30 days before the meeting, and shall include:

- 1) Date, time and location of the public meeting;
  - 2) A brief written description of the development proposal and proposed use(s) with enough specificity so that the project is easily discernable;
  - 3) The location of the subject property(ies), including address (if applicable), nearest cross streets and any other easily understood geographical references, and a map that depicts the subject property.
- (C) The applicant's presentation at the neighborhood meeting shall include:
- 1) A map depicting the location of the subject property(ies) proposed for development.
  - 2) A visual description of the project including a site plan, tentative subdivision plan and elevation drawings of any proposed structures, when applicable.
  - 3) A description of the nature of the proposed use(s) including but not limited to, sizes and heights of structures, proposed lot sizes, density, etc.
  - 4) The expected or anticipated impacts from the proposed development (e.g. traffic, storm drainage, tree removal, etc.).
  - 5) Mitigation proposed by the applicant to alleviate the expected/anticipated impacts.
  - 6) An opportunity for the public to provide comments.
- (D) The applicant shall take meeting notes and submit them to the County, including:
- 1) Meeting date and time;
  - 2) Name and address of all in attendance;
  - 3) Summary of issues raised and comments made at the meeting, and the applicant's responses.
- 3) A land use application will not be deemed complete until the applicant demonstrates substantial compliance with this section by including the results of the neighborhood meeting and supporting documentation with the application. This includes:
- (A) A copy of the notice to surrounding property owners;
  - (B) A signed affidavit of mailing the required notice of neighborhood meeting;
  - (C) A copy of any verbal or written comments received, including any issues raised via telephone, fax, email at the meeting, and the applicant's responses;
  - (D) A copy of the meeting notes as described in Subsection (2)(D) above.
  - (E) If responses to the meeting notice were not received by the applicant and no one attended the neighborhood meeting, the applicant shall submit evidence as indicated above with the meeting notes reflecting the absence of comment and/or attendance.

**Staff Findings and Conclusion:** The applicant was required to conduct an applicant-neighborhood meeting. Because of limitations on in-person gatherings due to the coronavirus pandemic, the applicant was allowed to contact surrounding property owners

individually and through email and telephone calls in order to discuss the property and obtain input. Due to the remote location of the project, the notification area was increased from the minimum distance of 300 feet to 3,500 feet. The applicant contacted surrounding property owners in late June. A copy of the notice forwarded by the applicant to property owners within 3,500 feet of the subject property, along with responses received from those owners, is included in **Exhibit 2. These criteria have been satisfied.**

**Section 2.111 Posted Notice of a Public Hearing. [Ord. #17-02]**

Development sites that are the subject of quasi-judicial public hearings shall be posted unless otherwise noted in this Code.

- 1) County and Applicant's Responsibilities:
  - (A) The County shall supply the notices that the applicant is required to post on the subject property and shall specify the dates the notices are to be posted and the earliest date on which they may be removed.
  - (B) The County shall provide an affidavit to be signed and returned by the applicant certifying that the notice(s) were posted at the correct time and that if there is any delay in the County's land use process caused by the applicant's failure to correctly post the subject property for the required period of time and in the correct location, the applicant agrees to extend the 150-day period in a timely manner.
  - (C) The Applicant shall post the notice either ten or twenty consecutive days before the first scheduled public hearing on the matter in accordance with Section 2.110
  - (D) The Applicant shall return the signed affidavit of posting, with a photo of the sign attached, at least seven full days before any hearing.
  - (E) If the subject property is not properly posted as described in Section 2 below, the Director may postpone the hearing until such provisions are met.
- 1) Number and Location. The applicant must place the notices:
  - (A) On each frontage of the subject property in a location visible from a traveled public road or street abutting the property. If no public street abuts the property, the notice shall be placed so as to be generally visible to the public.
  - (B) Notices shall not be posted within the public right-of-way or on trees.
  - (C) The applicant shall remove all signs and return them to the County within ten days following the public hearing that is the subject of the notice.
  - (D) If the subject property is located where the posting would not be visible to anyone other than adjacent property owners who received written notice, alternative locations visible to the public may be determined by the Community Development Director. These may include posting in a conspicuous place at the point the property obtains access to a County or public road.

**STAFF FINDING:** The applicant posted the subject property on September 18, 2020. A copy of the signed affidavit and required photos are included in **Exhibit 3**. Based upon the remoteness of the lease area, staff required the public notice sign to be placed at the intersection of Highway 30 and Hunt Creek Road. **As provided in Exhibit 3, all requirements pertaining to the posted notice have been met.** In addition to the required mailed notice, the public notice was also emailed to members of the Northeast

Citizen Advisory Committee and members of the public who had signed up for email notifications for that planning area.

**Section 2.125 Procedure for Published Notice.**

Notice shall be published at least once in a newspaper of general circulation for a public hearing. The notice shall identify the time, date, location and agenda of the public hearing.

**STAFF FINDING:** A public notice was published in *The Astorian* newspaper on October 6, 2020. **The requirement pertaining to the published notice has been met.**

**Section 3.550. FOREST-80 ZONE (F-80).**

**Section 3.554. Conditional Development and Use.** [Ord. 18-02]

**Section 3.555. Conditional Development and Use.** [Ord. 18-02]

The following forest and non-forest developments and uses and their accessory developments and uses may be permitted under a Type IIA procedure and Sections 5.000-5.030, subject to applicable criteria, development standards and site plan review.

- (12)** Commercial utility facilities for the purpose of generating power subject to S3.523(1) and S3.525.

**STAFF FINDING and CONCLUSION:** The applicant is proposing a new 196-foot-tall tubular steel, guyed meteorological testing tower. The proposed tower would be installed for meteorological research purposes as a prelude to a potential wind energy utility project. Meteorological testing towers are not listed as either a permitted or conditional use in the Forestry 80 (F-80) zone. Because the testing tower is proposed in order determine the feasibility of establishing a permanent wind turbine facility and therefore is accessory to it, it was determined that the proposed meteorological tower should be classified as a commercial power generating facility, as defined above in section 1.030. A commercial power generating facility may be permitted as a Type IIA conditional use in the F-80 Zone, subject to Standards S3.523 and S3.525, addressed later in this report, and to the regulations of the code and conditions of approval.

**The proposed development is a Type IIA conditional use in the F-80 Zone. This request is consistent with this criterion.**

**Section 3.556. Development Standards.** [Ord. 18-02]

All dwellings and structures approved pursuant to Section 3.550 shall be sited in accordance with this Section.

- (1)** Lot Size Standards. Lot size shall be consistent with the requirements of Section 3.557.
- (2)** Setbacks.
- (A) Front Yard: All buildings or structures with the exception of fences shall be setback a minimum of 30 feet from the property line.
- (B) Side and Rear Yard: 30 feet
- (3)** Maximum building height: 45 feet

**STAFF FINDING:** The 320-acre subject parcel exceeds the minimum-required 80-acre lot size. The proposed tower would be over 1,000 feet from any property line, exceeding the minimum-required 30-foot setback. As defined in Section 1.030, LWDUO, the proposed

monopole tower is not a building as it is not intended for the “support, shelter, or enclosure of persons, animals, chattels, or property of any kind.” Therefore, the building height limitation does not apply. In order to verify that setbacks required are met, a commercial site plan review will be a Condition of Approval.

**This criterion will be satisfied with a Condition of Approval (Condition #1).**

**Condition #1:** The applicant shall provide a final commercial site plan to Community Development for review and approval. The plan shall demonstrate conformance with the applicable development standards and conditions of approval and shall be submitted to the Planning Division prior to the issuance of a development or building permit. The plan shall include:

- a. all existing and proposed temporary and permanent improvements and structures;
- b. distance of existing and proposed structures from property lines;
- c. vehicular access, circulation, and one (1) vehicle parking space;
- d. size and location of all existing and proposed signage;
- e. type and location of all outdoor lighting;
- f. outdoor storage areas;
- g. any significant natural and physical features;
- h. location of all fencing, including materials and height;
- i. slope percentage of surrounding lands;
- j. minimum 30-foot-wide primary safety zone around the tower base; and
- k. landscaping and clear zones.

Site Plan Review currently is \$210 and requires Director’s review.

**Section 3.558. State and Federal Permits.**

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

**STAFF FINDING and CONCLUSION:** As noted in the Agency comments, the Oregon Department of Aviation (ODA) will require that the applicant submit FAA form 7460-1 prior to obtaining building permits with Clatsop County. The Oregon Department of Energy (ODE) was also provided with a copy of the mailed public notice. No comments were received from ODE. In a supplemental email, the applicant has indicated that he is not aware of any state or federal permits that would be required for the installation of this proposed meteorological testing tower. A condition of approval will require that copies of all required state and federal permits be provided to Community Development staff prior to the issuance of any development or building permits.

**This criterion will be met through a condition of approval (Condition #2).**

**Condition #2:** A copy of any state or federal permit or approval that is required for development or use of the subject property, including approvals and permits from FAA, ODA, or the Oregon Department of Energy, shall be submitted to Clatsop County Community Development Department, prior to the issuance of any development or building Permits.

**Section 5.000-5.030 Conditional Development and Use**

**Section 5.010. Application for a Conditional Development and Use.**

If a development and use is classified as conditional in a zone, it is subject to approval under Sections 5.000 to 5.030. An applicant for a proposed conditional development and use shall provide facts and evidence and a site plan in compliance with Section 5.300 sufficient to enable the Community Development Director or hearing body to make a determination.

**Section 5.015. Authorization of a Conditional Development and Use.**

(1) A new, enlarged or otherwise altered development classified by this Ordinance as a conditional development and use may be approved by the Community Development Director under a Type II procedure except that the following conditional developments and uses may be approved by the Hearings Officer under a Type IIa procedure:

- (A) Dog kennel or Kennel;
- (B) Airport;
- (C) Bed & Breakfast over 3 units;
- (D) Golf courses;
- (E) Automobile service station or repair shop, including body work, used car sales, wrecking yard;
- (F) Public or private recreation such as riding stable, fishing or boating docks or ramps, gun club, golf course, or resort type establishment in association with recreation;
- (G) Non-farm partition;
- (H) Non-farm dwelling;
- (I) Farm help relative dwelling;
- (J) Home occupations related to auto/machinery repair or painting;
- (K) Firearms training facility;
- (L) Solid waste disposal site;
- (M) Small scale, light industrial developments such as assembly, fabricating, processing, compounding, packing and similar operations within an enclosed building.
- (N) Automobile wrecking yard.
- (O) Amusement enterprises such as games of skill and science, thrill rides, penny arcades, and shooting galleries.

**STAFF FINDING:** The proposed use is listed as a Type IIA use in Section 3.555(12).

**This criterion does not apply.**

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

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

**APPLICANT'S STATEMENT:** The proposed tower does not conflict with any

Comprehensive Planning Goal and Guideline. While the parcel is zoned for forestry use, the proposed tower is a compatible supplemental use, which has less impacts than other allowed uses in forestry zones, e.g., communications towers, rock pits, transmission line ROWs, campgrounds, and OHV trails uses. The tower involves no permanent improvements and, being in a relatively recently harvested clear cut, does not interfere with replanting and later timber harvest.

**STAFF FINDING:** The applicable provisions, goals and policies of the Comprehensive Plan are addressed individually below in this staff report. The application will be found to not conflict with them, with the appropriate conditions of approval.

**This criterion is satisfied.**

- (B) The proposed use meets the requirements and standards of the Clatsop County Land and Water Development and Use Ordinance (Ordinance 80-14).

**APPLICANT'S STATEMENT:** Applicant believes the proposed test tower would meet all requirements, answered herein, of the conditional permitting and utility facilities ordinances.

**STAFF FINDING:** The proposed facility is permissible as a Type IIA conditional use in the F-80 Zone. The proposed development meets, or will meet by conditions of approval, the requirements and standards of the LWDUO, which are addressed individually below.

**This criterion can be satisfied with county regulations and conditions of approval.**

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

**APPLICANT'S STATEMENT:** The proposed 196' tall round metal tower (Exhibit E of the application materials) occupies a small footprint, which mainly is for anchoring the guy wires in 4 quadrants around the tower. The tower is a tube less than 1' in diameter and is supported by the guy wires. The guy wires would have orange marker balls to facilitate visibility to low flying aircraft. It's sensors all operate silently, with battery operation and do not reflect the sun. The instrumentation sends data via cellular service, which minimizes the need to visit the tower to just maintenance activities. There is no lighting, signage, chemicals usage or storage, building, new access road or gate, fencing, or foundation.

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

**APPLICANT'S STATEMENT:** Existing public and private logging roads provide all the needed access to the tower location. Two vehicles' crews can bring in the materials and install the tower in two days.

use.

**APPLICANT'S STATEMENT:** No new public facilities or services are needed for the proposed tower or its installation, use or removal. It will use the cellular network to daily transmit each day's data.

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

**APPLICANT'S STATEMENT:** The tower's location is within recently clear cut timberland, all of which is under management for timber production. The replacement trees are not nor would be high enough to affect the wind data over the typical measurement term, even though they would be growing close to the tower, and none would be removed. The location is near a ridgeline, but set back from it and within the gently shallow rolling topography of the clear cut. See Exhibits C,D & G (of the application materials). There are no natural hazards, water courses or bodies within the clear cut. There is a dirt main road along the SE side of the clear cut (Exhibit G (of the application materials) was taken from it) and a gated dirt road into and along the North side of the clear cut.

**STAFF FINDING:** The proposed 196-foot-tall meteorological testing tower would be located on a remote site accessed by an existing logging road. Access to the service road is from Highway 30 and Hunt Creek Road. According to information provided by the applicant the only visits to the site that would be required would be for maintenance purposes. All instrument data is transmitted via cellular service. No lighting, signage, chemical usage or storage, buildings, new access roads, gates, fencing or foundations are proposed.

The applicant response indicates that no parking or loading areas are required for this project. However, the applicant also notes that maintenance vehicles will visit the site on an as-needed basis and that two "vehicles' crews" can bring in the materials to install the tower. The lease area is in an area of the subject property that has been harvested and the aerial photo shows that there is adequate space to provide a maintenance vehicle parking space. **A commercial site plan depicting the access, 225' x 235' lease area, and the parking for the maintenance vehicle will be required as a condition of approval (Condition #1).**

The subject property rises in elevation from approximately 640 feet along Highway 30 to 1,320 feet at the lease area. Despite the steepness of the property, the identified geological hazard areas are located north and east of the access road and lease area. Utilities are not required to service the proposed use.

Seth Thompson, with the Oregon Department of Aviation (ODA), provided an agency comment that will require the applicant to submit FAA form 7460-1 to ODA. Based upon ODA review of this form, ODA will determine whether notice to the Federal Aviation Administration (FAA) is required. ODA will also verify that no marking or lighting is recommended or required for the new tower. If the FAA requires safety lighting, the lighting shall comply with state and federal standards. **The applicant shall be required to demonstrate compliance with FAA and ODA regulations, in writing, as a condition**

**of approval (Condition #2).**

The site proposed for the meteorological testing tower is up and away from the highway and is not located in any wetland, flood or geologic hazard areas. In this regard, the site is suitable. Neither the subject property, the existing access road, nor the associated lease area is listed as a Goal 5 scenic area. The applicant did not include any documentation in the application materials to verify whether an archaeological study had been completed for this site and, if so, whether a copy of the archaeological study had been submitted to the State Historic Preservation Office for review. **A condition of approval will require the applicant to demonstrate that all required materials have been submitted to the State Historic Preservation Office (SHPO) and that SHPO has either approved the materials or determined that no information is required (Condition #3 and Regulation #1). An additional condition of approval will require immediate cessation of work and notification to SHPO in the event an archaeological object or site is encountered during development of this project (Condition #4).**

**These criteria can be satisfied with conditions of approval (Conditions #1-#4, and Regulation #1)**

**Condition #3:** Prior to the issuance of a development permit, the applicant shall demonstrate that all required materials have been submitted to the State Historic Preservation Office (SHPO) and that SHPO has either approved the materials or determined that no information is required.

**Condition #4:** In the event an archaeological object or site is encountered during development of the site or project implementation, all ground disturbance shall cease immediately and a professional archaeologist shall be contacted to evaluate the discovery. In addition, the Oregon State Historic Preservation Office shall be notified of the discovery immediately.

**Regulation #1:** If any state or federal permit is required for a development or use, the applicant, prior to issuance of a development permit or action, shall submit to the Planning Division a copy of the state or federal permit.

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

**APPLICANT'S STATEMENT:** Applicant finds no impacts on surrounding lands, nor was any raised in the neighbor's consultations. See Exhibits A, B & H (of the application materials). A visual impact review was done from highway 30 (Exhibit F (of the application materials)) and the tower would be hard to discern among the tree line. The existing and likely future primary use of the subject parcel and surrounding parcels is forestry, which would not be impacted by the tower or a potential wind project. The applicant has provided a declaration to this effect, See Exhibit I. There is a commercial rock and gravel pit nearby on another parcel, which would not be affected by the tower or any proposed wind project.

**STAFF FINDING:** This use has been identified in the Land and Water Development and Use Ordinance 80-14 as a use that is compatible with the uses of the surrounding lands and the

underlying F-80 Zone when the appropriate conditions of approval are applied.

**This criterion is satisfied with conditions of approval (Conditions #1 and #2).**

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

**APPLICANT'S STATEMENT:** The proposed tower and any subsequent wind project at this location are 25 miles from the nearest coastal shore at Surf Pines Oregon. So it would not interfere in any way.

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

**APPLICANT'S STATEMENT:** The propose use would not impact any aquatic or shoreland area.

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

**APPLICANT'S STATEMENT:** The proposed tower would have no impact on the biology and habitat of the area.

**STAFF FINDING:** Staff concurs with the applicant regarding (E) and (F); the two criteria do not apply. Regarding (G): The subject property is located within both Peripheral and Major Big Game Habitat, and the lease area is entirely within Major Big Game Habitat. As discussed above, based upon aerial photos and information from the applicant, the lease area has been recently clear-cut. The proposed meteorological testing tower is approximately one foot in diameter and will be supported by guy wires that will extend approximately 200 feet from the pole. The applicant has not submitted any documentation from any state or federal agencies to verify whether any additional studies or permitting will be required. Staff at the Oregon Department of Fish and Wildlife (ODFW) were provided with a copy of the mailed public notice. No comments were received from ODFW. The proposed tower should not conflict with big game animals any more than the existing logging activities that have historically occurred on the subject property. Vast acreages surrounding the leased tower area would remain available for large game animal habitat. The proposed use is not anticipated to have an impact on big game habitat areas.

**Criteria (E) and (F) do not apply; criterion (G) is met.**

(H) In addition to compliance with the criteria as determined by the hearing body and with the requirements of Sections 1.040 and 1.050, the applicant must accept those conditions listed in Section 5.025 that the hearing body finds are appropriate to obtain compliance with the criteria.

all appropriate conditions and requirements.

**STAFF FINDING:** The applicant has adequately addressed the criteria of Section 5.015. The proposed development does not conflict with any provision, goal, or policy of the Comprehensive Plan as addressed later in this report.

**The criteria set forth in Section 5.015 have been met or can be satisfied with conditions of approval addressed elsewhere in this staff report.**

**Section 5.025. Requirements for Conditional Development and Use.**

In permitting a conditional development and use, the hearing body may impose any of the following conditions as provided by Section 5.015:

- (1) Limit the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.

**APPLICANT'S RESPONSE:** The tower would make no noise, vibration, air pollution, glare or odor. Installation, maintenance and removal activities would all occur during daylight hours.

- (2) Establish a special yard or other open space or lot area or dimension.

**APPLICANT'S RESPONSE:** The proposed tower would not create any yard or open space, it's installed on the location as it is.

- (3) Limit the height, size or location of a building or other structure.

**APPLICANT'S RESPONSE:** The tower is 196 feet tall and there is no other building or other structure. Objects under 20 feet high are not required to be reported to the FAA or the OR Aviation Department – there is no authority, process or need to do so. The location of the tower was selected by an experienced wind energy meteorologist and should not be relocated without expert consultation.

- (4) Designate the size, number, location or nature of vehicle access points.

**APPLICANT'S RESPONSE:** Only existing vehicle access points and roads would be used, and no new ones would be created. The existing roadways would not need any improvements.

- (5) Increase the amount of street dedication, roadway width or improvements within the street right-of-way.

**APPLICANT'S RESPONSE:** The existing access roads would be used as is.

- (6) Designate the size, location, screening, drainage, surfacing or other improvement of a parking or truck loading areas.

**APPLICANT'S RESPONSE:** The proposed use does not include any parking or loading areas.

- (7) Limit or otherwise designate the number, size, location, height of or lighting of signs.

**APPLICANT'S RESPONSE:** The proposed use has no signage.

- (8) Limit the location and intensity of outdoor lighting or require its shielding.

**APPLICANT'S RESPONSE:** The proposed use has no lighting.

- (9) Require diking, screening, landscaping or another facility to protect adjacent or nearby property and designate standards for installation or maintenance of the facility.

**APPLICANT'S RESPONSE:** The proposed use has no effect on adjacent or nearby properties, nor is grading needed, so no diking or water control features are needed. Landscaping is not planned since the clear cut is not in public view and the vegetation priority is growing timber already in place.

- (10) Designate the size, height, location or materials for a fence.

**APPLICANT'S RESPONSE:** The tower requires no fence. Only if, as and when the land owner allows grazing would fencing be used to protect the guy wires and tower, to maintain tower safety.

- (11) Require the protection of existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.

**APPLICANT'S RESPONSE:** The existing trees and vegetation the site would not be affected. If, as and when a tree or shrub grows up high enough under a guy wire would any limited vegetation control be necessary.

- (12) Require provisions for public access (physical and visual) to natural, scenic and recreational resources.

**APPLICANT'S RESPONSE:** The proposed tower or the clear cut is not a scenic resource and the land is private property. The applicant would no create any additional access to the parcel, clear cut or the tower than already exists. However, the proposed tower would be marginally visible from highway 30 (Exhibit F (in the application materials)) and clearly visible from the closest forest road (Exhibit G (in the application materials)).

- (13) Specify other conditions to permit the development of the County in conformity with the intent and purpose of the classification of development.

**APPLICANT'S RESPONSE:** The applicant is not aware of any other appropriate conditions.

No issues were raised in the neighbors' comments (Exhibit H (in the application materials)) and the tower's use of the parcel is minimal.

**STAFF FINDING:** The site is served by an existing access road. This private road is used as a service road for logging activities conducted by the property owner, PH Timber, LLC. The additional impact of traffic related to the proposed meteorological testing tower, estimated at one maintenance vehicle per month after construction, will be insignificant. However, as a requirement to obtain a development permit, the road will require review by the county's Public Works Director and the Knappa-Svensen-Burnside Rural Fire Protection District Chief to ensure it will meet the minimum requirements of a service road and fire/emergency services vehicles. Both Public Works and the fire district were provided with the mailed public notice. No comments were received from either agency.

The proposed tower would be 196 feet in height and will be taller than surrounding trees. The photo visualizations provided by the applicant indicate that the tower will be white and red/orange striped for safety and visibility reasons. There will also be orange balls affixed to the guy wires near the top of the tower. Per information provided in a supplemental email from the applicant, the white and orange tower striping is standard FAA-compliant coloration.

As noted above the lease area and surrounding subject property have been clear-cut in the recent past. Based upon information from the applicant, this area has been replanted. However, in compliance with the requirements of this code and to maintain consistency with the policies of the Comprehensive Plan, the applicant shall be required to maximize preservation of existing trees and vegetation, water resources and wildlife habitat.

**The criteria set forth in Section 5.025 have been met or can be satisfied with a condition of approval (Condition #5 and Regulation #2).**

**Condition #5:** Prior to obtaining a development permit, the road will require review by the county's Public Works Director and the Knappa-Svensen-Burnside Rural Fire Protection District Chief to ensure it will meet the minimum requirements of a service road and fire/emergency services vehicles.

### **Section 5.030. Time Limit on Permit for Conditional Use.**

- 1) Authorization of a conditional use shall be void after two years unless substantial construction or action pursuant thereto has taken place (as per Section S2.011). However, the County may, at the discretion of the Community Development Director, extend authorization for an additional one year upon request, provided such request is submitted in writing at least 10 days and not more than 30 days prior to expiration of the permit. The County may grant conditional use approvals for activities such as dike maintenance for a period of time up to five years; such approvals will normally correspond with parallel state and/or federal permits.

**APPLICANT'S RESPONSE:** The nature of the weather is it varies from year to year. The longer the wind measurements can continue prior to final project financing, the better because the initial measurements duration sets the unchangeable production, pricing and financial expectations for the 20-25 ear life of the wind project. The applicant would know

within 2 years if the wind is sufficient, and, if it is, would seek additional time to continue data collection.

**STAFF FINDING:** The two-year window is actually the period of time that the applicant has to install and begin operation of the proposed use. Once the use is established, it is allowed in perpetuity, unless it is abandoned for a period of more than one year. **Section 5.030 is provided for informational purposes only.**

## **SECTION 5.300. SITE PLAN REVIEW.**

### **Section 5.302. Site Plan Review Requirements.**

Before a permit can be issued for development in a special purpose district or for a conditional development and use or a development and use permitted with review, a site plan for the total parcel and development must be approved by the Community Development Director or Planning Commission. Information on the proposed development shall include sketches or other explanatory information the Director may require or the applicant may offer that present facts and evidence sufficient to establish compliance with Sections 1.040, 1.050 and the requirements of this Section.

**STAFF FINDING:** Conditions of approval shall include that the applicant submit a site plan that depicts the elements required as part of the conditional approval.

**The criterion shall be met through a condition of approval (Condition #1)**

## **B. STANDARDS DOCUMENT**

### **S2.500 Erosion Control Development Standards**

#### **S2.501 Purpose.**

The objective of this section is to manage development activities including clearing, grading, excavation and filling of the land, which can lead to soil erosion and the sedimentation of watercourses, wetlands, riparian areas, public and private roadways. The intent of this section is to protect the water quality of surface water, improve fish habitat, and preserve top soil by developing and implementing standards to help reduce soil erosion related to land disturbing activities. In addition, these standards are to serve as guidelines to educate the public on steps to take to reduce soil erosion.

#### **S2.503 Erosion Control Plan**

- (1) An Erosion Control Plan shall be required for land disturbing activities, in conjunction with a development permit.

**STAFF FINDING:** An erosion control plan commensurate with the requirements of S2.500-S2.504 shall be required as part of the submittal for a development permit. The proposed development will meet the applicable criteria set forth in S2.500-4. **(Regulation #3)**

### **Section S3.523 Utility, Power Generation, Solid Waste Uses.**

- (1) A Commercial Utility Facility for the purpose of generating power shall not preclude more than 10 acres from use as a commercial forest operation.

**APPLICANT'S STATEMENT:** The gross footprint of the tower's guy wires is 200 by 200

feet, see Exhibit D (in the application materials). That is 40,000 square feet or .92 acre. The net dedicated footprint of a full scale wind farm is a very small percentage of it's host land, but this cannot be established until all surveys, tests, plans, turbine selections, etc., are completed.

**STAFF FINDING:** The tower itself would be approximately one foot in diameter. The supporting guy wires would extend approximately 200 feet from the tower. The total proposed lease area is approximately 225' x 235' (52,875 square feet or 1.2 acres).

**The project, as proposed, complies with this standard.**

### **Section S3.525. Conditional Use Review Criteria.**

A use authorized in a forest zone by LWDUO Sections 3.554 and 3.555 may be allowed provided the following requirements or their equivalent are met. These requirements are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands.

- (1) The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.

**APPLICANT'S STATEMENT:** The proposed tower and any subsequent wind project would not compromise the existing forestry uses of all the surrounding land. The proposed tower merely sits between the low growing trees in the clear cut. The applicant's lease (Exhibit J (in the application materials)) for wind development does not expect or anticipate any change in the underlying and prior land use.

**STAFF FINDING:** The tower itself would be approximately one foot in diameter. The supporting guy wires would extend approximately 200 feet from the tower. The total proposed lease area is approximately 225' x 235' (52,875 square feet or 1.2 acres). There will be minimal human-based activity at the tower, as instrument data will be directly transmitted via cellular service. It is not anticipated that the proposed use will force a significant change in, or significantly increase the cost of, accepted forestry practices on this forest land.

**This criterion is met.**

- (2) The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.

**APPLICANT'S STATEMENT:** The proposed use does not involve any heavy machinery, welding, fuels, chemicals, engines (other than crew vehicles and maybe a back hoe), electric utility service, or need for any open flames. Once installed, the tower runs on 9V batteries, which are not sufficient to start a fire in worst case conditions.

**STAFF FINDING:** Per information provided by the applicant, the tower will be battery-operated. The tower itself will be made from tubular steel. No chemicals or hazardous materials will be stored at or used on-site. It is not anticipated that the proposed use will significantly increase fire hazard, fire suppression costs or risks to fire suppression personnel.

**This criterion is met.**

- (3) A written statement recorded with the deed or written contract with the county or its equivalent is obtained from the land owner that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for uses authorized in OAR 660-006-0025 Subsection 5(c).

**APPLICANT'S STATEMENT:** This is provided by Exhibit I (in the application materials).

**STAFF FINDING:** The applicant's application materials include Exhibit J (identified as Exhibit I in the applicant's response). Exhibit J explicitly states that the lease with WPD Wind Projects, Inc., "in no way prohibits or restricts PH Timber LLC / FIA from performing ongoing forest operations consistent with the Forest Practices Act." The letter also states that WPD Wind Projects, Inc. "recognizes the rights of PH Timber LLC / FIA and adjacent and nearby landowners to continue forestry-related operations consistent with the Forest Practices Act."

**This criterion is met.**

- (4) The proposed use will be compatible with vicinity uses, and satisfies all relevant requirements of this ordinance and the following general criteria:
- (A) The use is consistent with those goals and policies of the Comprehensive Plan which apply to the proposed use;

**APPLICANT'S STATEMENT:** The proposed use is compatible with Goal 4 Forest Lands as a supplemental use and other Goals as described above.

**STAFF FINDING:** As will be shown in Section C of this report, the proposed project is consistent, or can be made consistent with conditions of approval, with the goals and policies of the comprehensive plan.

**This criterion can be met with conditions of approval (Conditions #1-#5).**

- (B) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features;

**APPLICANT'S STATEMENT:** The location of the proposed use, the test tower, was selected precisely due to the location, topography, elevation, climatology, absence of population and compatible land use of Nicolai Ridge. Whether the location ultimately is suitable would be determined by the results of the test tower's measurements, plus all the other surveys needed to design a commercial wind project. If, as and when the wind resource is proven commercial, the applicant intends to conduct all other appropriate surveys as needed to design a fully compliant wind project.

**STAFF FINDING:** The selection of this site, which is situated at the peak of Nicolai Ridge, is appropriate for the proposed meteorological testing tower. The tower is being installed in

order to determine whether there is sufficient wind generation to support a wind turbine facility. The lease area has already been clear-cut as part of a timber harvesting operation. The lease area is also the minimum size required to accommodate the guy wires that will support the proposed tower.

**This criterion is met.**

- (C) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;

**APPLICANT'S STATEMENT:** The proposed use will barely be visible to the surrounding area, see Exhibit F (in the application materials). And the proposed use and any wind project would be designed to meet the requirements of the FPA, see Exhibit J (in the application materials).

**STAFF FINDING:** The surrounding properties are all zoned Forest 80 (F-80). As is discussed elsewhere in this report, the proposed meteorological testing tower, which consists of a 196-foot-tall, approximately one-foot-diameter tubular steel pole, supported by guy wires, is not expected to impair use of the surrounding resource lands. Conditions of approval will further ensure compliance with all code regulations and consistency with the County's comprehensive plan.

**This criterion will be met through conditions of approval and application of existing regulations.**

- (D) The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and

**APPLICANT'S STATEMENT:** The tower needs no public facilities beyond cellular service and use of the existing Southbound dirt access road from highway 30 to the gated access to the clear cut.

**STAFF FINDING:** No utilities are required to support this proposed use. A condition of approval (Condition #5) will require the applicant to obtain approval from the Knappa-Svensen-Burnside fire district prior to the issuance of any development or building permits.

**This criterion can be met with a condition of approval (Condition #5).**

- (E) The use is or can be made compatible with existing uses and other allowable uses in the area.

**APPLICANT'S STATEMENT:** As described above, the tower imposes no impacts on the ongoing forestry use of the host and nearby parcels. The applicant anticipates a future showing a commercial wind farm would be compatible with the prevailing land uses.

**STAFF FINDING:** The use of the surrounding parcels is predominately forest-related. As noted above, the proposed tower will be 196 feet tall and will extend above the surrounding tree line. The narrow diameter of the tower – approximately one foot – will minimize visual impacts. The proposed lease area is the minimum required to install the tower and the supporting guy wires. Minimization of the land area proposed for this use will also assist in limiting conflicts with the surrounding forestry uses.

**This criterion has been met.**

### **S3.526. Siting Standards for Dwellings and Structures.**

The following siting criteria or their equivalent shall apply to all new dwellings and structures in forest zones. These criteria are designed to make such uses compatible with forest operations, to minimize wildfire hazards and risks and to conserve values found on forest lands. A governing body shall consider the criteria in this section together with the requirements of Section S0 to identify the building site:

- (1) Dwellings and structures shall be sited on the parcel so that:
  - (A) They have the least impact on nearby or adjoining forest or agricultural lands;
  - (B) The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;
  - (C) The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and
  - (D) The risks associated with wildfire are minimized.
- (2) Siting criteria satisfying Subsection (1) may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.
- (3) The applicant shall provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices rules (OAR chapter 629). For purposes of this section, evidence of a domestic water supply means:
  - (A) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water;
  - (B) A water use permit issued by the Water Resources Department for the use described in the application; or
  - (C) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.
- (4) As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.

Approval of a dwelling shall be subject to the following requirements:

- (A) Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in department of Forestry administrative rules;
- (B) The planning department shall notify the county assessor of the above condition at the time the dwelling is approved;
- (C) Stocking survey report:
  - 1) If the lot or parcel is more than 10 acres in western Oregon or more than 30 acres in eastern Oregon, the property owner shall submit a stocking survey report to the county assessor and the assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules;
  - 2) Upon notification by the assessor the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If that department determines that the tract does not meet those requirements, that department will notify the owner and the assessor that the land is not being managed as forest land. The assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax; and
- (A) The county governing body or its designate shall require as a condition of approval of a single-family dwelling under ORS 215.213, 215.383 or 215.284 or otherwise in a farm or forest zone, that the landowner for the dwelling sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937. A governing body shall consider the criteria in this section together with the requirements of Section 3.527 to identify the building site.

**STAFF FINDING:** The proposed meteorological testing tower and lease area is situated along an existing logging road, approximately 2.69 miles south of Highway 30. No new roads are proposed, although the existing logging road may require additional improvements, as discussed elsewhere in this report. The lease area, which is approximately 52,875 square feet in size, is sized specifically to contain only the tower, guy wires and parking space and is the minimum square footage necessary to accommodate the proposed use. This remote location, in an area that has been recently clear-cut, will ensure that adverse impacts on forest operations will be minimized.

With regard to siting criteria, the 52,875-square-foot lease area is located near the center of a 320-acre parcel. The proposed meteorological tower will be more than 1,000 feet from any property line. The tower will be located on an existing logging road in an area that has been recently harvested of timber.

Water, electric and on-site septic service are not required for the proposed wireless communications facility.

The proposed development, while meeting the definition of “structure” in Section 1.030, LWDUO, is not a dwelling. Therefore, criteria 4 and 5 do not apply.

**These criteria have been met.**

**S3.527. Fire Protection Standards for Dwellings and Structures.**

The following fire-siting standards or their equivalent shall apply to all new dwelling or structures in a forest zone:

- (1) The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the governing body determines that inclusion within a fire protection district or contracting for residential fire protection is impracticable, the governing body may provide an alternative means for protecting the dwelling from fire hazards that shall comply with the following:
  - (A) The means selected may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable, given the site conditions;
  - (B) If a water supply is required for fire protection, it shall be a swimming pool, pond, lake, or similar body of water that at all times contains at least 4,000 gallons or a stream that has a continuous year round flow of at least one cubic foot per second;
  - (C) The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use; and
  - (D) Road access shall be provided to within 15 feet of the water's edge for firefighting pumping units. The road access shall accommodate the turnaround of firefighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.
- (2) Road access to the dwelling shall meet road design standards described in OAR 660-006-0040.
- (3) The owners of the dwellings and structures shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, published by the Oregon Department of Forestry; and shall also demonstrate compliance with Table S3.527.

**Table S3.527. Minimum Primary Safety Zone.**

<u>Slope</u>	<u>Feet of Primary Safety Zone</u>	<u>Feet of Additional Primary Safety Zone Down Slope</u>
<u>0%</u>	<u>30</u>	<u>0</u>
<u>10%</u>	<u>30</u>	<u>50</u>
<u>20%</u>	<u>30</u>	<u>75</u>
<u>25%</u>	<u>30</u>	<u>100</u>
<u>40%</u>	<u>30</u>	<u>150</u>

**STAFF FINDING:** The proposed development, while meeting the definition of “structure” in Section 1.030, LWDUO, is not a dwelling. Therefore, criteria 1 and 2 do not apply.

The lease area where the tower will be installed is relatively level at an elevation 1,320 feet. A minimum 30-foot primary safety zone will be required around the base of the tower, which must be shown on the commercial site plan.

**These criteria will be met with a condition of approval (Condition #1).**

### **S.3.194. ARCHEOLOGICAL SITE PROTECTION**

#### **S3.195. Archeological Site Protection.**

- (1) The Community Development Director and Building Official shall review building permits, excavation permits or other land use actions that may affect known archeological sites. If it is determined that a proposed building permit, excavation permit or other land use action may affect the integrity of an archeological site, the Community Development Director shall consult with the State Historic Preservation Office on appropriate measures to preserve or protect the site and its contents. No permit shall be issued until either the State Historic Preservation Office determines that the proposed activity will not adversely affect the archeological site, or the State Historic Preservation Office has developed a program for the preservation or excavation of the site.
- (2) Indian cairns, graves and other significant archeological resources uncovered during construction or excavation shall be preserved intact until a plan for their excavation or reinternment has been developed by the State Historic Preservation Office.

### **S3.530. DEVELOPMENT OF HISTORIC AND/OR ARCHEOLOGICAL SITES.**

#### **S3.531. Development of Historic and/or Archeological Sites.**

- (1) No development shall be allowed on land which has been identified as a historical-archeological site without review and approval by the Director and appropriate agencies. Development adjacent to lands identified as historical-archeological sites shall be subject to the Director's review and shall not adversely impact the adjacent historical- archeological site.
- (2) The County shall work with the local Historical Advisory Committee and other organizations to identify and protect important local historical and archeological sites. Compatible uses and designs of uses should be encouraged for property adjacent to important historical or archeological sites.
- (3) Clatsop County shall protect significant historical resources by:
  - (A) encouraging those programs that make preservation economically possible;
  - (B) implementing measures for preservation when possible;
  - (C) recognizing such areas in public and private land use determinations subject to County review.

**STAFF FINDING:** The application materials submitted by the applicant did not include a copy of an archaeological survey or any documentation from the State Historic Preservation Office regarding the status of this site. The proposed meteorological tower will occur in an area that has already been disturbed through timber harvesting activities. It is therefore unlikely, but not impossible, that artifacts or other items of archaeological significance may be unearthed during this project. **A condition of approval will require**

**the applicant to demonstrate that all required materials have been submitted to the State Historic Preservation Office (SHPO) and that SHPO has either approved the materials or determined that no information is required (Condition #3).**

Should unanticipated archaeological or historical resources be encountered during future activities at this location, all ground-disturbing activity in the vicinity of the find should be halted and SHPO notified immediately. In the event that evidence of human skeletal remains is encountered during future work, all ground-disturbing activity in the vicinity of the discovery should be immediately halted, efforts be taken to protect such evidence in place, and the Oregon SHP, Oregon State police, appropriate Tribes, and the Clatsop County Medical Examiner promptly be notified to ensure compliance with ORS 97.745.

**The requirements of S3.194 and S5.130 will be met through conditions of approval (Conditions #3 and #4 and Regulation #1).**

## **C. COMPREHENSIVE PLAN GOALS AND POLICIES**

### Goal 1 – Citizen Involvement

7. Clatsop County shall use the news media, mailings, meetings, and other locally available means to communicate planning information to citizens and governmental agencies. Prior to public hearings regarding major plan revisions, notices shall be publicized.
8. Clatsop County shall establish and maintain effective means of communication between decision-makers and those citizens involved in the planning process. The County shall ensure that ideas and recommendations submitted during the planning process will be evaluated, synthesized, quantified, and utilized as appropriate.
9. Public notices will also be sent to affected residents concerning zone and comprehensive plan changes, conditional uses, subdivisions and planned developments.

**APPLICANT’S STATEMENT:** This has started with the neighbors’ consultation which preceded this application, and would continue through the CUP’s public process for both this tower and any subsequent wind project. The initial citizen involvement was conducted shown in Exhibits A-H.

**Staff Finding:** Appropriate measures, including the pre-submittal applicant-neighborhood meeting (**Exhibit 2**), published notice, mailed public notice to adjacent property owners, and the applicant’s affidavit of property posting (**Exhibit 3**) have been taken to assure that the Type IIA Conditional Use Application has been processed in accordance with the applicable Citizen Involvement (Goal 1) policies of the County Comprehensive Plan (7-9) listed above.

**This application is consistent with Goal 1.**

## Goal 2 – Land Use Planning

The County's land and water have been placed in one of six (6) Plan designations. They are:

### 3. Conservation Forest Lands

Forest lands are those lands that are to be retained for the production of wood fiber and other forest uses.\*

In land use changes involving a change from Conservation Forest Lands or Rural Agricultural Lands to Rural Lands or Development designations an Exception to the Agricultural Lands or Forest Lands Goals must be taken.\*

**Staff Finding:** The subject property is in the F-80 Zone, and commercial utility facilities for the purpose of generating power are listed as a conditional use in the F-80 Zone. This means the use has been reviewed in general terms during review of the Comprehensive Plan at some point and found to be consistent with F-80 zoning and the Conservation Forest Lands designation as long as appropriate conditions of approval are applied. The development will be up on the hill, away from most of the rest of the property, and will take very little space. With appropriate conditions that are addressed elsewhere in this staff report and county regulations, it will not conflict with the forestry use of the subject parcel.

**The use will not conflict with Goal 2 with appropriate conditions of approval, addressed elsewhere in this report. (Conditions #1 and #5; Regulations #1-6).**

## Goal 4 - Forest Lands

### Goal

To preserve and maintain agricultural lands.

### Policies

1. Forest lands shall be conserved for forest uses, including the production of trees and the processing of forest products, open space, buffers from noise, visual separation from conflicting uses, watershed protection, wildlife and fisheries habitat, soils protection from wind and water, maintenance of clean air and water, outdoor recreational activities compatible with these uses, and grazing land for livestock.
13. Existing utility right-of-ways shall be utilized to the maximum extent possible before new right-of-ways are created.

**APPLICANT'S STATEMENT:** The tower and any subsequent wind farm are compatible supplemental uses in forest lands because they occupy such small footprints, a full project typically less than 5% of their host lands, and contribute to the primary use via multiple access roads, additional land owner income which can be used to support the primary use, and can provide habitat diversity.

**STAFF FINDING:** The proposed development would be located in an area that has already been recently harvested for timber and will be accessed by an existing logging road. No utilities are required to service this project. The subject property is in the F-80 Zone.

Commercial utility facilities for the purpose of generating power are listed as a conditional use within the F-80 Zone, which means the use has been reviewed in general terms during review of the Comprehensive Plan at some point and found to be consistent with F-80 zoning as long as appropriate conditions of approval are applied. The footprint for the lease area, which includes the tower and supporting guy wires, is 52,875 square feet, which is minimal and will not conflict with the forestry uses of the property.

**The application is consistent with Goal 4.**

### Goal 5 - Open Spaces, Scenic & Historic Areas and Natural Resources

#### Goal

To conserve open space and protect natural and scenic resources.

#### Cultural Areas

1. The County will review land use activities that may affect known archeological sites. If it is determined that a land-use activity may affect the integrity of an archaeological site, the County shall consult with the State Historic Preservation Office on appropriate measures to preserve or protect the site and its contents.
2. Indian cairns, graves and other significant archeological resources uncovered during construction or excavation shall be preserved intact until a plan for their excavation or re-internment has been developed by the State Historic Preservation Office.

**APPLICANT'S STATEMENT:** The tower would provide information which indicates the quantity and quality of the wind energy resource, which might justify subsequent ordinance development. Plans and ordinances addressing wind development minimizes risks, resolves potential conflicts and facilitates additional development where permitted.

**STAFF FINDING:** The subject property is located on Nicolai Ridge. As discussed in additional detail elsewhere in this report, the applicant did not include a copy of an archaeological survey or any documentation from the Oregon State Historic Preservation Office verifying that a study had been approved or was not required. A condition of approval will include language requiring development to be stopped in the event of remains or artifacts being found.

**A condition of approval shall ensure consistency with Goal 5. (Condition#4).**

### Goal 6 – Air, Water, and Land Resources Quality

Goal – To maintain and improve the quality of air, water, and land resources of the state.

13. Any development of land, or change in designation of use of land, shall not occur until it is assured that such change or development complies with applicable state and federal environmental standards.

**Staff Finding:** County regulations and conditions of approval shall ensure the development complies with applicable state and federal environmental standards.

**This development will not conflict with Goal 6.**

Goal 9 – Economic Development

Goal

To diversify and improve the economy of the state and Clatsop County.

**APPLICANT’S STATEMENT:** Every wind project adds many \$Ms to the local tax base (while consuming minimal public services) and typically provides \$10-15k/year to the land owner for each wind turbine. Co-development of properties with wind energy helps achieve highest and best use of the land and resources, to everyone’s economic benefit.

**Staff Finding:** The proposed meteorological testing tower is proposed in order to measure wind generation to determine whether it is sufficient to support a wind turbine facility. If such a facility were to be ultimately established in Clatsop County it would assist in diversifying the economy of the state. Additionally, the provision of cleaner energy, even if it is not directly provided to the residents of Clatsop County, results in overall improved air quality, which is ultimately beneficial to the economies of Clatsop County and the State of Oregon.

**This development will not conflict with Goal 9.**

Goal 11 - Public Facilities and Services

Overall Policy Regarding Appropriate Levels of Public Facilities in the County

Six different Plan designations exist for lands in the County. Differing levels of public facilities and services are appropriate for the different types of development planned for the County. Certain facilities and services are available to all County residents, such as County health services, Sheriff’s protection and many other social services.

4. Conservation Forest Lands – The primary purpose of this Plan designation is to conserve lands for commercial timber production. Generally, residences are in conjunction with a forest use, but in many areas with this designation residences on substandard parcels are common. Therefore, community water systems are often present already. As with agricultural lands, the parcel size and use are controlled by the zoning present. Therefore it is not inappropriate to extend community water to residences. The large minimum parcel sizes and distances of lines will limit extensions, and the Plan designation removes the ability to develop land just for residential purposes. The primary function of Conservation Forest Lands is forest use. Any extension of public water will only be to support a development in conjunction with a resource use and will not be the basis for future conversion to non-resource use.

Public fire protection may be present here, and is appropriate since so many residences currently exist, but is not necessary for development and is not encouraged in sparsely settled forest areas.

Community sewage systems are not appropriate in this Plan designation.

**APPLICANT’S STATEMENT:** Commercial wind farms are part of the regional and local electricity network upon which everyone depends for modern life and economic

development. Oregon’s statutory policies include increasing and facilitating greater use of renewable resources, minimizing greenhouse gasses and enhancing sustainability, which wind projects all provide.

**Staff Finding:** The proposed development is for a commercial utility facility for the purpose of generating power. No residential development is proposed and no utilities are required to service the property. The subject parcel, including the lease area, is in the Knappa-Svensen-Burnside Rural Fire Protection District. A 30-foot-wide primary safety zone will be required around the base of the tower. Vegetation will be maintained or removed from this area as needed in order to eliminate potential fire fuel.

The proposed monopole, while 196 feet in height, is only approximately one foot in diameter. The supporting guy wires will extend approximately 200 feet from the tower itself, resulting in a total lease area of 52,875 square feet, or 1.2 acres. The tower will be located interior to the subject property away from surrounding non-forest uses.

The proposed use does not require public services, water or sewage. Fire protection is available to the subject property.

**The proposed communications facility does not conflict with Goal 11.**

### Goal 13 – Energy Conservation

#### Goal

To conserve energy.

#### Policy 3

The County shall promote the application of renewable and alternative energy sources, by encouraging the use of total energy systems where, for example, electricity is generated and the waste heat is utilized for space heating and cooling purposes.

**Staff Finding:** The proposed meteorological testing tower is proposed in order to measure wind generation to determine whether it is sufficient to support a wind turbine facility. If such an alternative energy facility were to be ultimately established in Clatsop County there may be the potential for the creation of a total energy system as envisioned in Policy 3.

**This development will not conflict with Goal 13.**

### **Northeast Community Plan**

#### Basaltic Highlands

#### Basaltic Highlands Policy

1. The highlands are primarily a resource unit, and uses other than forest uses, wildlife habitat, recreation, preservation of natural features and development of mineral resources shall be discouraged.

#### Scenic and Natural Areas:

Scenic views that characterize the Northeast area include the vistas of Wickiup, Nicolai and other Coast Range Mountains and views of the Columbia River. The Coast Range Mountains

dominate the landscape of the area and can be viewed traveling along the Columbia River Highway as well as through much of the planning area.

Public Facilities and Services Policies:

7. Power systems which utilize solar (i.e. solar farms) and wind generated energy are well suited for the Northeast County and shall be encouraged to locate here.

Community Development

Conservation Forest Lands and Conservation Other Resources Policies

CONSERVATION FOREST LANDS: Forest Lands are those lands that are to be retained for the production of wood fiber and other forest uses.

1. Forest lands shall be conserved for forest uses.

**Staff Finding:** The subject property is in the F-80 Zone, and commercial utility facilities for the purpose of generating power are listed as a conditional use in the F-80 Zone, which means the use has been reviewed in general terms during review of the Comprehensive Plan at some point and found to be consistent with F-80 zoning and the Conservation Forest Lands designation as long as appropriate conditions of approval are applied. The development will be up on the hill, away from most of the rest of the property, and will take very little space. While the proposed tower will be tall – 196 feet in height – its narrow one-foot diameter will minimize visual impacts. A condition of approval would also require painting the tower a more natural color, if permitted by state and federal agencies. With appropriate conditions that are addressed elsewhere in this staff report and county regulations, it will not conflict with the forestry use of the subject parcel.

**With a condition of approval, the use is consistent with the Northeast Community Plan (Condition #1).**

**III. COMMENTS RECEIVED**

Two agency comments were received - one from the Oregon Department of Aviation (ODA) and one from the Oregon Department of Transportation. Both comments were emailed and are attached to this report as **Exhibit 4**. The comments, as well as staff response, are shown below.

**SETH THOMPSON, OREGON DEPARTMENT OF AVIATION:** Mr. Thompson states that prior to the approval of any building permits, the applicant must file FAA FORM 7460-1 with both the Federal Aviation Administration (FAA) and the Oregon Department of Aviation (ODA) and receive a determination for the proposed construction.

**KAREN STRAUSS, PE, OREGON DEPARTMENT OF TRANSPORTATION (ODOT):** Ms. Strauss states that as the proposed project does not request to modify or gain access from and ODOT facility, the agency has no comments.

**Staff Response:** These comments will be addressed through existing regulations in the Clatsop County *Land and Water Development and Use Ordinance (Regulation #3)*

**CONCLUSION, DECISION, and CONDITIONS OF APPROVAL**

The criteria relevant to this request have been met. The application is hereby **APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:**

1. The applicant shall provide a final commercial site plan to Community Development for review and approval. The plan shall demonstrate conformance with the applicable development standards and conditions of approval and shall be submitted to the Planning Division prior to the issuance of a development or building permit. The plan shall include:
  - a. all existing and proposed temporary and permanent improvements and structures;
  - b. distance of existing and property structures from property lines;
  - c. vehicular access, circulation, and one (1) vehicle parking space;
  - d. size and location of all existing and proposed signage;
  - e. type and location of all outdoor lighting;
  - f. outdoor storage areas;
  - g. any significant natural and physical features;
  - h. location of all fencing, including materials and height;
  - i. slope percentage of surrounding lands;
  - j. minimum 30-foot-wide primary safety zone around the tower base; and
  - k. landscaping and clear zones.

Site Plan Review currently is \$210 and requires Director's review.

2. A copy of any state or federal permit or approval that is required for development or use of the subject property, including approvals and permits from FAA, ODA, or the Oregon Department of Energy, shall be submitted to Clatsop County Community Development Department, prior to the issuance of any development or building Permits.
3. Prior to the issuance of a development permit, the applicant shall demonstrate that all required materials have been submitted to the State Historic Preservation Office (SHPO) and that SHPO has either approved the materials or determined that no information is required.
4. In the event an archaeological object or site is encountered during development of the site or project implementation, all ground disturbance shall cease immediately and a professional archaeologist shall be contacted to evaluate the discovery. In addition, the Oregon State Historic Preservation Office shall be notified of the discovery immediately.
5. Prior to obtaining a development permit, the road will require review by the county's Public Works Director and the Knappa-Svensen-Burnside Rural Fire Protection District Chief to ensure it will meet the minimum requirements of a service road and fire/emergency services vehicles.

The following regulations also apply:

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

2. Existing trees and vegetation, water resources, and wildlife habitat shall be preserved to the greatest extent possible.
3. An erosion control plan commensurate with the requirements of S2.500-S2.504 is required as part of the development permit application submittal.
4. Setbacks of the F-80 Zone shall apply for the tower and the enclosure.
5. Prior to the commencement of construction, the applicant must obtain the appropriate development and building permits from the Clatsop County Community Development. Please consult with Community Development for additional development and building permit requirements.
6. Per Clatsop County Land and Water Development and Use Ordinance #80-14, Section 5.030, authorization of this conditional use shall be void after two years unless substantial construction or action pursuant thereto has taken place (as per Section S2.011). The Community Development Director may extend authorization an additional year upon request, provided the request is submitted in writing at least 10 days and not more than 30 days prior to the expiration of the permit.

# EXHIBIT 1

## *Application Materials*



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

**Conditional Use Permit Fee:**

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

(Double if a violation exists)

**Owner:** wpd wind projects Inc. Email: j.wood@wpd-usa.com  
 Mail Address: 205 SE Spokane St. Ste. #300 City/State/Zip: Portland, OR 97202  
 Phone: 206.412.4764 Phone: \_\_\_\_\_

**Owner:** PH Timber LLC c/o Forest Investment Associates Email: jstover@forestinvest.com  
 Mail Address: 15 Piedmont Rd NE Bldg #15-1250 City/State/Zip: Atlanta, GA 30305-1631  
 Phone: (404) 261-9575 Phone: (360) 957 - 0212

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

**Property Address:** Clatsop County Taxlot # 806000003100

**Proposed Use:** Meteorological Tower

**Comprehensive Plan Designation:** Forest Lands

**Existing Zoning:** Forest 80 (F-80) **Overlay District:** \_\_\_\_\_

**Property Description:** Township 8N Range 6W Section 33 Tax Lot(s) # 806000003100

**Directions to the property from Astoria:** US Hwy 30 / Leif Erickson Drive approx 20 miles East. Turn right onto Nicolai Mainline road. Drive North on Nicolai Mainline road approx 3 miles South.

**What is the nearest "Community" (i.e. Svensen, Arch Cape, Westport)?** Westport, OR

**General description of the property:**

**Existing Use:** Clear-cut area within timber harvest area on private property

**Topography:** Flat / Gently Rolling

**Proposed Development:** Meteorological Testing Tower

**General description of adjoin property:**

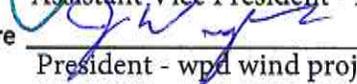
**Existing Use:** Timber harvest / Forest products

**Topography:** Flat / Gently Rolling

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

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

Signature  Date: 9/27/2020  
Assistant Vice President - Forest Investment Associates (Manager)

Signature  Date: 8/5/2020  
President - wpa wind projects Inc. (Lessee)

**The following sections are from the Clatsop County Land and Water Development and Use Ordinance #80-14.**

**Section 5.000 Conditional Development and Use.**

**Section 5.005 General.** Although each zoning district is primarily intended for a predominate type of use and development, there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, all may indicate that the circumstances of the development and use needs to be individually reviewed. It is the intent of this section to provide a system of review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this ordinance and the objectives of the comprehensive plan.

**Section 5.010. Application for a Conditional Development and Use.** If a development and use is classified as conditional in a zone, it is subject to approval under Sections 5.00 to 5.030. An applicant for a proposed conditional development and use shall provide facts and evidence and a site plan in compliance with Section 5.300 sufficient to enable the Community Development Director or hearing body to make a determination.

**Section 5.015. Authorization of a Conditional Development and Use.**

- (1) A new, enlarged or otherwise altered development classified by this Ordinance as a conditional development and use may be approved by the Community Development Director under a Type II procedure except that the following conditional developments and uses may be approved by the Hearings Officer under a Type IIa procedure:
  - (A) Dog kennel or Kennel;
  - (B) Airport;
  - (C) Bed & Breakfast over 3 units;
  - (D) Golf courses;
  - (E) Automobile service station or repair shop, including body work, used car sales, wrecking yard;
  - (F) Public or private recreation such as riding stable, fishing or boating docks or ramps, gun club, golf course, or resort type establishment in association with recreation;
  - (G) Non-farm partition;
  - (H) Non-farm dwelling;
  - (I) Farm help relative dwelling;
  - (J) Home occupations related to auto/machinery repair or painting;
  - (K) Firearms training facility;
  - (L) Solid waste disposal site;
  - (M) Small scale, light industrial developments such as assembly, fabricating, processing, compounding, packing and similar operations within an enclosed building;
  - (N) Automobile wrecking yard;
  - (O) Amusement enterprises such as games of skill and science, thrill rides, penny arcades, and shooting galleries.

Where the proposed development involves a non-water dependent use or activity in the Marine Industrial Shoreland Zone, Section 3.620, mailed notice shall also be provided to any interested party who has submitted a written request concerning the proposed development, and to state and federal agencies with statutory planning and permit issuance authority in aquatic areas. Including the Oregon Division of State Lands, Department of Fish and Wildlife, U.S. Fish and Wildlife Service, National Marine Fisheries Service, Corps of Engineers, and the Environmental Protection Agency.

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

- (2) In addition to the other applicable standards of this ordinance, the hearing body must determine that the development will comply with the following criteria to approve a conditional development and use.
- (A) The proposed use does not conflict with any provision, goal, or policy of the Comprehensive Plan.
  - (B) The proposed use meets the requirements and standards of the Clatsop County Land and Water Development and Use Ordinance (Ordinance 80-14)
  - (C) The site under consideration is suitable for the proposed use considering:
    - 1) The size, design, and operating characteristics of the use, including but not limited to off-street parking, fencing/buffering, lighting, signage, and building location.
    - 2) The adequacy of transportation access to the site, including street capacity and ingress and egress to adjoining streets.
    - 3) The adequacy of public facilities and services necessary to serve the use.
    - 4) The natural and physical features of the site such as topography, natural hazards, natural resource values, and other features.
  - (D) The proposed use is compatible with existing and projected uses on surrounding lands, considering the factors in (C) above.
  - (E) The proposed use will not interfere with normal use of coastal shorelands.
  - (F) The proposed use will cause no unreasonably adverse effects to aquatic or coastal shoreland areas and;
  - (G) The use is consistent with the maintenance of peripheral and major big game habitat on lands identified in the Comprehensive Plan as Agricultural Lands or Conservation Forest Lands. In making this determination, consideration shall be given to the cumulative effects of the proposed action and other development in the area on big game habitat.
- (3) In addition to compliance with the criteria as determined by the hearing body and with the requirements of Sections 1.040 and 1.050, the applicant must accept those conditions listed in Section 5.025 that the hearing body finds are appropriate to obtain compliance with the criteria.

**Section 5.025 Requirements for Conditional Development and Use.** In permitting a conditional development and use, the hearing body may impose any of the following conditions as provided by Section 5.015:

- (1) Limit the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.
- (2) Establish a special yard or other open space or lot area or dimension.
- (3) Limit the height, size or location of a building or other structure.
- (4) Designate the size, number, location or nature of vehicle access points.
- (5) Increase the amount of street dedication, roadway width or improvements within the street right-of-way.
- (6) Designate the size, location, screening, drainage, surfacing or other improvement of a parking or truck loading areas.
- (7) Limit or otherwise designate the number, size, location, height or lighting of signs.
- (8) Limit the location and intensity of outdoor lighting or require its shielding.
- (9) Require diking, screening, landscaping or another facility to protect adjacent or nearby property and designate standards for installation or maintenance of the facility.
- (10) Designate the size, height, location or materials for a fence.
- (11) Require the protection of existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.
- (12) Require provisions for public access (physical and visual) to natural, scenic and recreational resources.
- (13) Specify other conditions to permit the development of the County in conformity with the intent and purpose of the classification of development.

**Section 5.030. Time Limit of Permit for Conditional Use.** Authorization of a conditional use shall be void after two years unless substantial construction or action pursuant thereto has taken place (as per Section S2.011). However, the County may, at the discretion of the Community Development Director, extend authorization for an additional one year upon request, provided such request is submitted in writing at least 10 days and not more than 30 days prior to expiration of the permit. The County may grant conditional use approvals for activities such as dike maintenance for a period of time up to five years; such approvals will normally correspond with parallel state and/or federal permits.

August 5, 2020

Clatsop County Community Development Dept.  
800 Exchange Street, Suite 100  
Astoria, OR 97103



**RE: CONDITIONAL USE PERMIT APPLICATION FOR METEOROLOGICAL TOWER**

Wpd wind projects Inc. herein submits the enclosed application for a Conditional Use Permit to install a temporary, 196-foot, tubular steel, guyed meteorological testing tower within Clatsop County tax parcel # 806000003100 according to a Type IIa permitting procedure. Prior to this submission wpd conducted a neighbor's consultation process which is documented in the exhibits to the application. All comments requested from neighbors were received with no objections, with the exception of comments not received from the Wauna Mill (Georgia Pacific). A contact log showing communication attempts is attached as Exhibit I.

The proposed tower would be installed for meteorological research purposes as a prelude to a potential wind energy utility project, which would be subject to future additional conditional review of any further project-related improvements requiring permitting. Should the tower reveal commercial-level winds, wpd may seek additional permitting of additional test towers at other locations to support delineation of a project's size and scope. Of course, full design of a project would require many surveys of various potential issues, all of which could impact what's ultimately proposed.

Please find enclosed CUP application materials including:

1. CUP application form signed by Jack Stover of Forest Investment Associates (FIA) (Manager) and Jeff Wagner (Lessee).
2. Check for \$1,500.00.
3. Responses to Section 5.015(2) of Clatsop County Land & Water & Use Ordinance (LWDUO) #80-14.
4. Exhibits:

Exhibit A - List of Neighbors consulted within 3,500ft of property line of Taxlot #806000003100.

Exhibit B - Generic neighbor comments solicitation letter.

- Exhibit C - Overview map of location with parcel boundaries.
- Exhibit D - Drawing of structure location and distances to adjacent property boundaries.
- Exhibit E - Example picture and Drawing of Structure.
- Exhibit F - Visual Simulation of structure from Highway 30.
- Exhibit G - Visual Simulation of structure from nearby forest road.
- Exhibit H - Neighbors' responses to solicitation letter.
- Exhibit I - Wauna Mill Contact Log.
- Exhibit J - Forest Practices Act declaration letter.
- Exhibit K - Memorandum of Lease with PH Timber LLC signed by Jonathon Sokol (FIA).
- Exhibit L - FIA Officer Resolution - Jonathon Sokol
- Exhibit M - FIA Managing Member Consent - Jack Stover
- Exhibit N - Written Consent of Sole Member of PH Timber LLC for FIA Management.
- Exhibit O - wpd wind projects Inc. - Amendment to Cert. of Incorporation - Jeffrey Wagner.

Exhibits K through O document the authority of the co-applicants to sign the CUP application form. Exhibit K documents the rights in wpd's lease on the property. Exhibit L documents the authority of Jonathon Sokol, who signed the lease to wpd. Exhibit M shows Jack Stover as an officer of FIA. Exhibit N shows the land owner (PH Timber LLC) grant of authority to FIA. Lastly Exhibit O documents the status of Jeffrey Wagner as an officer, who signed the lease with FIA.



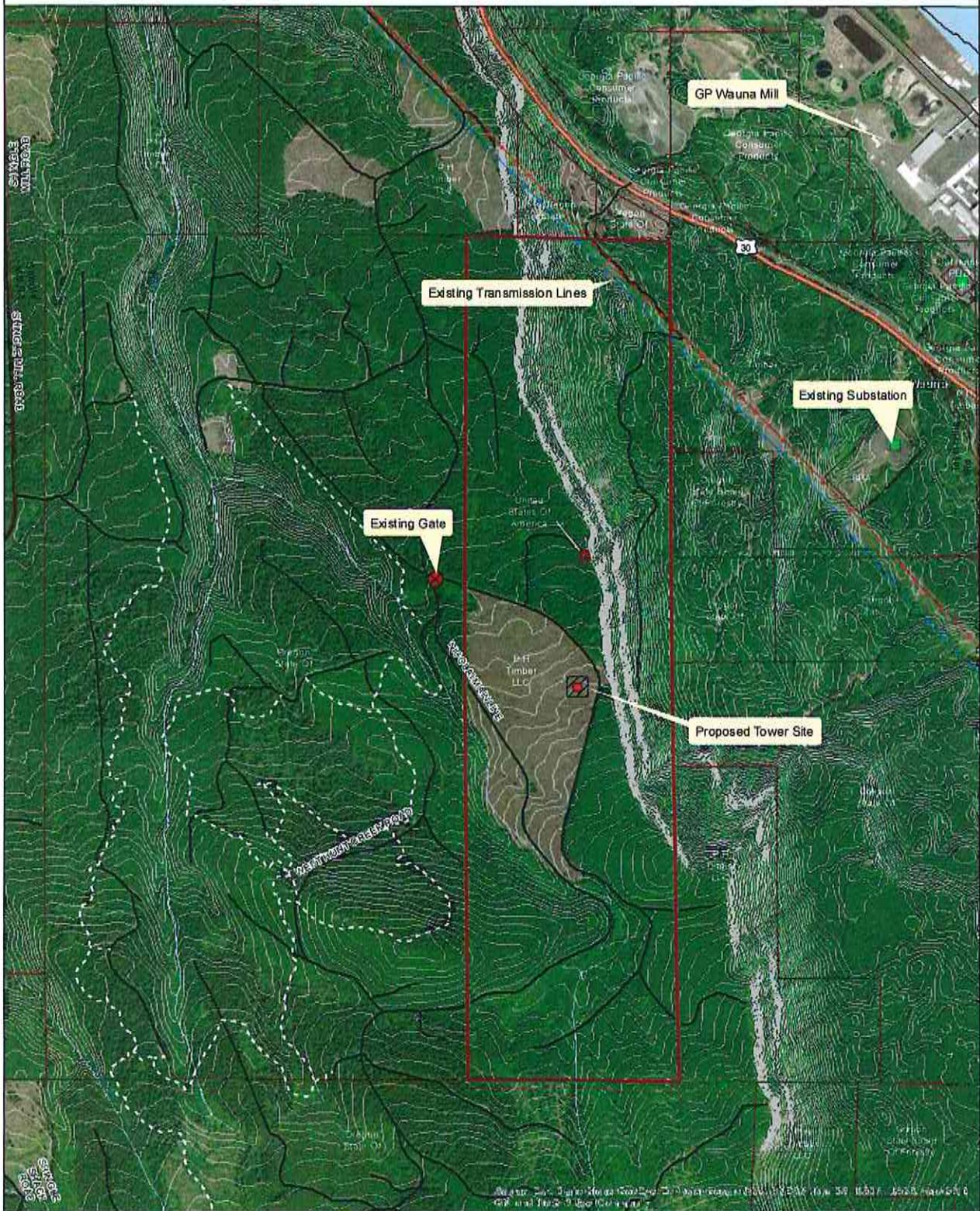
We look forward to working with the department and community on the potential for a wind project in Clatsop County.

Sincerely,

A handwritten signature in black ink that reads "Joseph Wood". The signature is written in a cursive, flowing style.

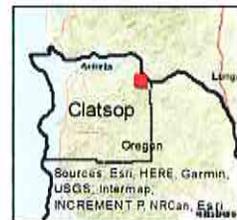
Joseph Wood  
Project Manager, wpd wind projects Inc.

think energy



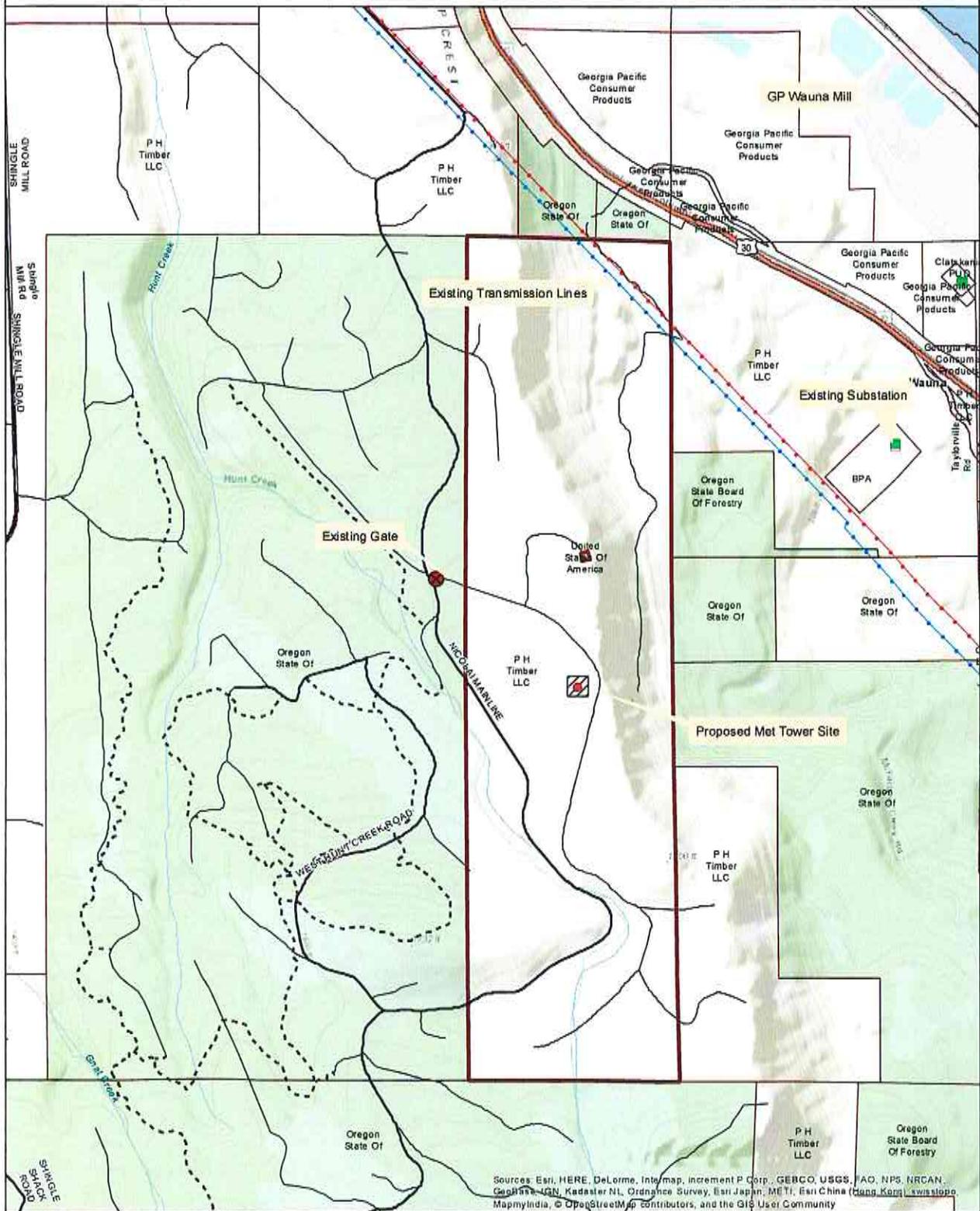
**Legend**

- Proposed 60m tubular tower
- ▨ 235'x235' Guy Wire Footprint
- ▭ Subject Parcel Boundaries
- ▭ Parcel Boundaries
- Existing Forest Roads
- OHV Network
- BPA Transmission**
- 115kV
- 230kV
- Substation
- ⊗ Gate
- Streams/Ephemeral Streams



This map is for information purposes only. The accuracy of data and features are dependent on the accuracy of the data provided to the project. The user assumes all responsibility for any errors or omissions on the map and any conclusions drawn from such information.

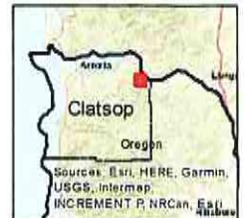
PROPOSED MET TOWER LOCATION, EXISTING FOREST ROADS, OHV TRAILS & LAND OWNERSHIP



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GEBCO, IGN, Kadaster NL, Orange Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Legend

- Proposed 60m tubular tower
- ▨ 235'x235' Guy Wire Footprint
- ▭ Subject Parcel Boundaries
- ▭ Parcel Boundaries
- ▭ Department of Forestry
- Existing Forest Roads
- - - OHV\_Network
- BPA Transmission
- 100-161
- 230-287
- Substation
- Gate
- Streams/Ephemeral Streams



This map is for information purposes only. The locations of all data and features are shown as they are and are not intended to be used as a representation of their accuracy or completeness. We warrant only that we have prepared this map in accordance with the standards and any other applicable laws and regulations. We do not warrant the accuracy or completeness of the information shown on this map or the results of any use of this information.

NICOLA RIDGE  
CLATSOP CO., OR

# EXHIBIT D

## Legend

- Proposed 60m Tower Location
- 235'x235' Guy Wire Footprint
- Existing Forest Roads
- Parcel Boundary
- Photo Point 1



NICOLAI RIDGE  
CLATSOP CO., OR

## PROPOSED TOWER LOCATION



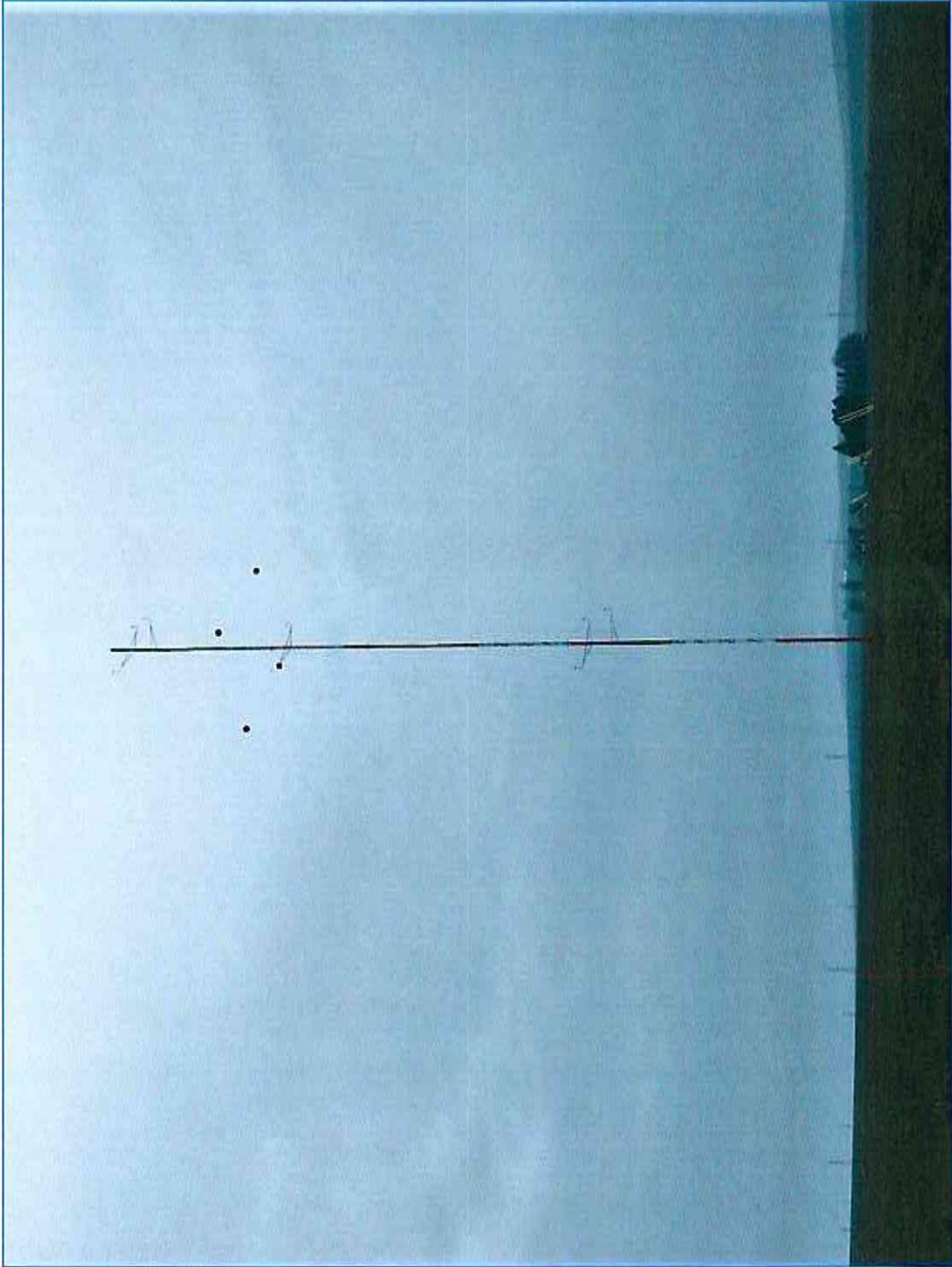
This map is for informational purposes only. The location of all proposed towers is for informational purposes only. We do not warrant the accuracy of the information shown on this map. The user assumes all responsibility for the use of this map.

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WPD Environmental, Inc.  
205 SE Spokane St., Ste 300  
Astoria, OR 97103  
Tel: 503.325.6000  
www.wpd-env.com

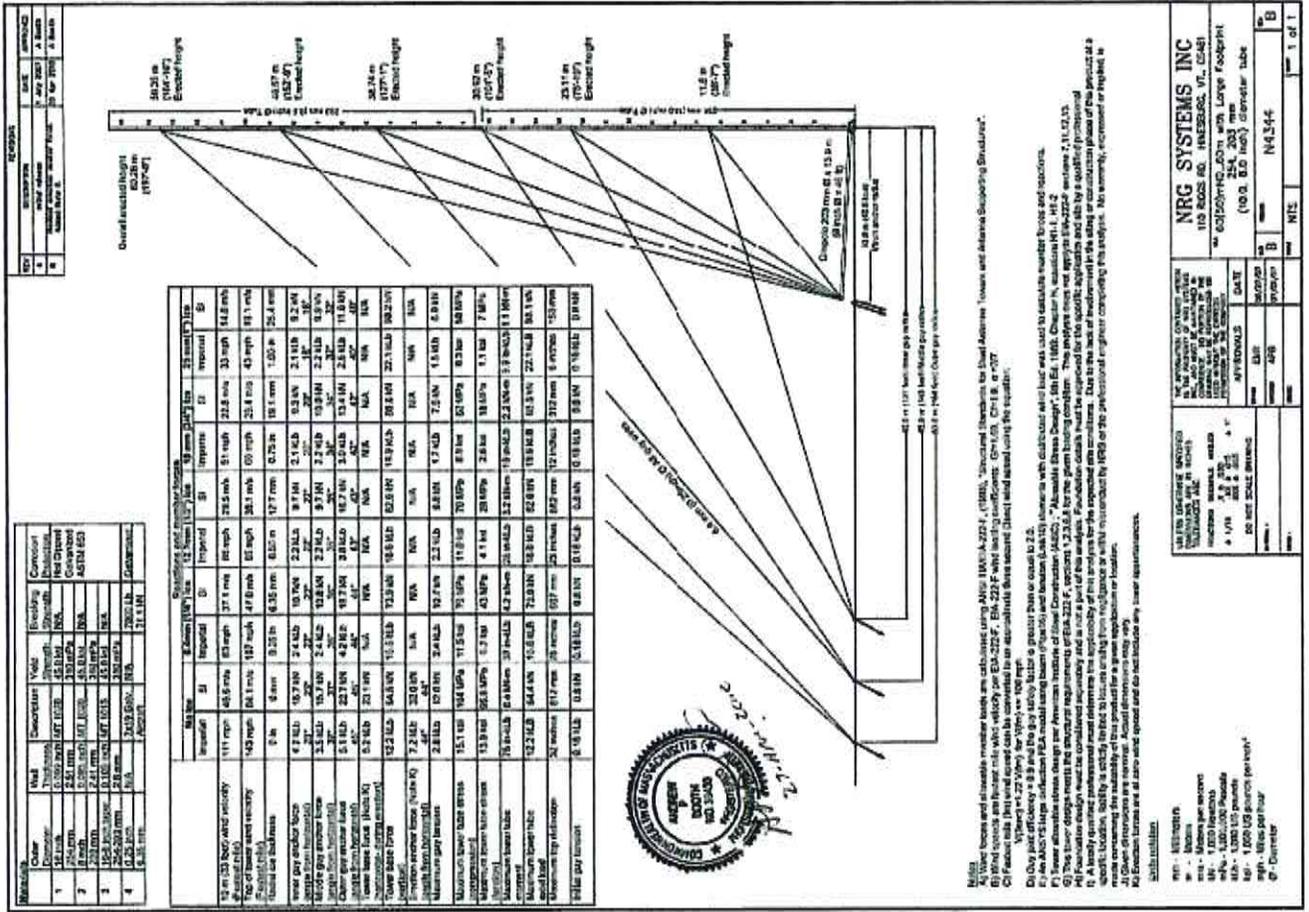
Draw: #P12C3



PHOTO OF PROPOSED 60m XHD METEOROLOGICAL TESTING TOWER IN EASTERN WASHINGTON



Stamped Drawing



December 5, 2018

NRG\_60m\_and\_50M\_XHD\_Installation\_Manu  
Rev. 11.0



# Wind Measurement Tower Visualization, Nicholai Ridge

PHOTO TAKEN FROM:  
466396m, 5109788m UTM Z10



## EXHIBIT G

### Legend

- Observation Point
- + Tower



CLATSOP COUNTY, OREGON



This map is for informational purposes only. The designers of all wind measurement towers are not responsible for the accuracy of the information. The information is provided for your information only. We are not responsible for any consequences or your loss of any information. We are not responsible for the use of the information.

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WPD Inc.  
201 SE Columbia St.  
Astoria, OR 97103  
Tel: 503.326.1400  
www.wpdinc.com

Date: 6/11/2020

July 30, 2020



**RE: RIGHTS OF LANDOWNERS IN FOREST ZONE**

To Whom it May Concern:

Wpd wind projects Inc., has entered into a long-term development lease (Clatsop County recording instrument number 01909042) on land owned by PH Timber LLC and managed by Forest Investment Associates (FIA) (Taxlots #806000003100). This parcel is zoned Forest-80 (F-80), and is currently managed by FIA for timber harvest and forest operations.

Wpd's wind development lease grants all the rights to create a wind project on the property. The lease in no way prohibits or restricts PH Timber LLC / FIA from performing ongoing forest operations consistent with the Forest Practices Act. Moreover, wpd wind projects Inc., recognizes the rights of PH Timber LLC / FIA and adjacent and nearby landowners to continue forestry-related operations consistent with the Forest Practices Act. Wpd does not anticipate any negative impacts on such operations by a wind project and any project access roads would be multiple use to support such operations.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey Wagner", is written over a light blue circular watermark.

Jeffrey Wagner  
President, wpd wind projects Inc. and wpd USA

Cc by email:  
Gail Henrikson, Clatsop County Planning Director  
Julia Decker, Planning Manager  
Don Bohn, County Manager

# EXHIBIT 2

## *Applicant-Neighborhood Meeting Materials*

[Date]

[Addressee]

RE: NEIGHBORS CONSULTATION FOR OUR PROPOSED METEOROLOGICAL TESTING TOWER

Dear [ ]:

Wpd wind projects Inc. intends to install a tall tubular steel tower on Nicholai Ridge to test the wind resource. Before we can do this we need to get a Conditional Use Permit (CUP) from Clatsop county. The CUP process requires us to inform and consult with nearby neighbors and other rights holders of the parcel our proposed tower would be on. This must be done before we can apply for the tower's CUP. This letter and the enclosed information marks the start of the neighbors consultation process. Please review, comment and ask any of your questions about what we intend to do.

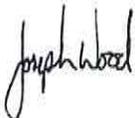
Wpd wind projects Inc. wants to install a temporary (no new foundations, roads or utilities on site, battery powered), 196-foot, tubular steel (<1' dia), guyed tower within a small footprint on Nicolai Ridge in eastern Clatsop County. The proposed tower would be on land (tax parcel Nr. 80600003100) owned by P.H. Timber LLC., a private timber company, with whom wpd has a lease agreement allowing for the tower. The tower's footprint is in a clear-cut area that's been replanted and the tower would remain in place for several years while we collect climatological data. No trees would be removed, nor chemicals used.

Please find enclosed:

1. Aerial and topographic vicinity maps showing the proposed tower location and general vicinity, parcel boundaries, land ownership, existing roads, water bodies, etc.
2. Aerial and topographic site maps showing the proposed structure site location, parcel boundaries, land ownership, existing roads, water bodies, contour lines etc.
3. A photo and structural diagram of the proposed tower.
4. Two photo depictions of what the tower would look like from some distance away (note photo points in inset location map and site maps).

We look forward to your comments and questions, and would provide additional information upon request. We need your feedback within 2 weeks to keep on schedule, even if you have 'no comment' or concern we should be aware of. We are available to meet in person or on site upon request.

Sincerely,



Joseph Wood

205 SE Spokane Street, Suite 300 • Portland, OR 97202 • Tel (206) 412-4764 • Fax (503) 296-2295  
www.wpd-usa.com j.wood@wpd-usa.com

**EXHIBIT A**

List of Neighbors consulted within 3,500ft of property line of taxlot #8060000003100

Owner	Contact Name	Phone	Address	City	mail address	Email
Clatskanie PUD	Tom Brittain (Ops Manager)	(503) 728-2163	495 E Columbia River Hwy, Clatskanie, OR 97016	Clatskanie, OR 97016-0216	495 E Columbia River Hwy, Clatskani e, OR 97016	<a href="mailto:Tbrittain@clatskaniepud.com">Tbrittain@clatskaniepud.com</a>
Georgia Pacific Consumer Prod LP	Kristi Ward (Communications Director)	(503) 455-3214	92326 Taylorville Rd,	Clatskanie, OR 97016		<a href="mailto:Kristi.Ward@gapac.com">Kristi.Ward@gapac.com</a>
Oregon State Board Of Forestry	Cullen Bangs	503.330.1360	2600 State St	Salem, OR 97310-1336	92219 OR-202, Astoria, OR 97103	<a href="mailto:Cullen.Bangs@oregon.gov">Cullen.Bangs@oregon.gov</a>
Teevin Bros Land & Timber Co	Paul Langner	503.741.0175	PO Box 247	Rainier, OR 97048-0247		<a href="mailto:plangner@TeevinBros.com">plangner@TeevinBros.com</a>
United States Of America Bpa	Charlene Belt	503.230.3000	PO Box 6321	Portland, OR 97208-3621		<a href="mailto:crbelt@bpa.gov">crbelt@bpa.gov</a>

**Joseph Wood**

---

**From:** Belt,Charlene R (BPA) - TERR-ROSS MHQA <crbelt@bpa.gov>  
**Sent:** Wednesday, July 1, 2020 11:06 AM  
**To:** Joseph Wood  
**Cc:** Jeffrey Wagner; Don Bain  
**Subject:** RE: Clatsop County Met Tower Neighbor Notification Info

Hi Joe,

The parcel identified (Parcel ID: 18436) is a communication site owned in fee by the United States of America. We also have beam path easements associated with the site. The easements extend to the east and should not interfere with your project. We do have an non-exclusive access road easement on the road you are proposing to use to access your site.

Research indicates that there should be no conflict with BPA and your proposed project.

Please keep my information if you have any additional questions or need any additional information.

Thank you,

**Charlene Belt**  
Realty Specialist / COR  
Real Property Field Services, Ross MHQA  
Bonneville Power Administration  
1211 NE Minnehaha St, Vancouver, WA 98665  
(503) 230-5518 (office) / [crbelt@bpa.gov](mailto:crbelt@bpa.gov)

---

**From:** Joseph Wood <j.wood@wpd-usa.com>  
**Sent:** Friday, June 26, 2020 3:09 PM  
**To:** Belt,Charlene R (BPA) - TERR-ROSS MHQA <crbelt@bpa.gov>  
**Cc:** Jeffrey Wagner <j.wagner@wpd-usa.com>; Don Bain <d.bain@wpd-usa.com>  
**Subject:** [EXTERNAL] Clatsop County Met Tower Neighbor Notification Info

Hi Charlene,

As discussed please find attached letter and information regarding our proposed 60m meteorological testing tower in Clatsop County, OR. Note in the vicinity map the BPA property around the existing Driscoll substation. Also note the very small, square parcel in the vicinity map just north of the proposed tower location labeled "United States of America". This is the parcel which we have verified as being owned by BPA. Currently there is no structure existing on this parcel, and access to this parcel would not be obstructed in any way by the proposed action. For questions/comments please reply to this email and cc Don Bain. Alternatively you can reach me by phone at the number in my signature below or Don Bain via phone at 503.730.3798.

Thanks,  
Joe

**Joe Wood**  
Project Manager

## Joseph Wood

---

**From:** Tom Brittain <TBrittain@clatskaniepud.com>  
**Sent:** Tuesday, July 7, 2020 11:33 AM  
**To:** Joseph Wood  
**Subject:** proposed tower site

Joe,

Clatskanie PUD has no issues with the proposed tower location.

Thanks,

Tom Brittain  
Operations Manager  
Clatskanie People's Utility District  
(503)369-6930 Cell  
(503)308-4595

Hours Monday-Thursday 7am-5:30pm



## Joseph Wood

---

**From:** BANGS Cullen \* ODF <Cullen.Bangs@oregon.gov>  
**Sent:** Monday, July 27, 2020 11:52 AM  
**To:** Joseph Wood  
**Subject:** RE: ODF Neighbor Consultation - Nicolai

Hello Joe, thanks for the information.

Cullen R. Bangs  
Forest Roads Coordinator  
Oregon Department of Forestry  
Astoria District  
(503) 325-5451

---

**From:** Joseph Wood <j.wood@wpd-usa.com>  
**Sent:** Monday, July 27, 2020 11:37 AM  
**To:** BANGS Cullen \* ODF <Cullen.Bangs@oregon.gov>  
**Subject:** RE: ODF Neighbor Consultation - Nicolai

Hi Cullen,

I wanted to follow up regarding notification of the State Department of Aviation –

You are correct in noting the 196' height of the tower, which would be ~100-125' above the nearby trees. After consulting our permitting resource, we have verified current FAA regulations do not require FAA notification, permitting or lighting of structures below 200'. FAA sectional maps do not automatically show structures lower than 200' as air navigation hazards, but may show large scale landmarks to aid in visual navigation. However, current wind industry best practices call for large orange marker balls on the guy wires in addition to FAA approved paint on the tower itself consisting of alternating orange and white bands. The structure would be quite visible to a helicopter during fire suppression activities or aerial spraying of the clear cut it's located within.

Our review of the Dept of Aviation's laws & rules show the department cannot be more restrictive than federal standards. The tower is less than 200' high and is not within the imaginary plane of an airport or heliport, so notice to the department is not required under OAR 738-070-0070. Basically, the tower would not be a hazard to air navigation.

Let me know if you have any questions, and again, we'd like to include this email chain (and your response(s)) as part of our comments submitted to the County along with our application.

Thanks  
Joe

**Joe Wood**  
Project Manager  
wpd wind projects Inc.  
205 SE Spokane Street, Suite 300  
Portland, OR 97202

T +1 (503) 236-4900

C +1 (206) 412-4764  
F +1 (503) 296-2295  
[j.wood@wpd-usa.com](mailto:j.wood@wpd-usa.com)  
<http://www.wpd-usa.com>

Parent Headquarters: Stephanitorsbollwerk 3, 28217 Bremen  
AG Bremen HR B 19186  
Vorstand: Dr. Gernot Blanke, Dr. Hartmut Brösamle  
Aufsichtsratsvorsitzender: Dr. Klaus Meler  
Disclaimer: [www.wpd.de/disclaimer.html](http://www.wpd.de/disclaimer.html)

---

**From:** BANGS Cullen \* ODF <[Cullen.Bangs@oregon.gov](mailto:Cullen.Bangs@oregon.gov)>  
**Sent:** Wednesday, July 22, 2020 2:20 PM  
**To:** Joseph Wood <[j.wood@wpd-usa.com](mailto:j.wood@wpd-usa.com)>  
**Subject:** RE: ODF Neighbor Consultation - Nicolai

Yes, that would be fine. Thanks Joe.

Cullen R. Bangs  
Forest Roads Coordinator  
Oregon Department of Forestry  
Astoria District  
(503) 325-5451

---

**From:** Joseph Wood <[j.wood@wpd-usa.com](mailto:j.wood@wpd-usa.com)>  
**Sent:** Wednesday, July 22, 2020 10:05 AM  
**To:** BANGS Cullen \* ODF <[Cullen.Bangs@oregon.gov](mailto:Cullen.Bangs@oregon.gov)>  
**Subject:** RE: ODF Neighbor Consultation - Nicolai

Thanks Cullen,

Would you be ok with us using this email chain to provide to Clatsop County Planning Dept as DOF's comments to our testing tower proposal?

Joe

**Joe Wood**  
Project Manager  
wpd wind projects Inc.  
205 SE Spokane Street, Suite 300  
Portland, OR 97202

T +1 (503) 236-4900  
C +1 (206) 412-4764  
F +1 (503) 296-2295  
[j.wood@wpd-usa.com](mailto:j.wood@wpd-usa.com)  
<http://www.wpd-usa.com>

Parent Headquarters: Stephanitorsbollwerk 3, 28217 Bremen  
AG Bremen HR B 19186

---

**From:** BANGS Cullen \* ODF <[Cullen.Bangs@oregon.gov](mailto:Cullen.Bangs@oregon.gov)>  
**Sent:** Wednesday, July 22, 2020 7:51 AM  
**To:** Joseph Wood <[j.wood@wpd-usa.com](mailto:j.wood@wpd-usa.com)>  
**Subject:** RE: ODF Neighbor Consultation - Nicolai

Hello Joe,

For your temporary testing project, a temporary special use permit is not necessary since you are operating as a permittee under the existing ODF-Crown Z. easement. Thanks for the information about the contact with Oregon Department of Aviation.

Cullen R. Bangs  
Forest Roads Coordinator  
Oregon Department of Forestry  
Astoria District  
(503) 325-5451

---

**From:** Joseph Wood <[j.wood@wpd-usa.com](mailto:j.wood@wpd-usa.com)>  
**Sent:** Tuesday, July 21, 2020 4:04 PM  
**To:** BANGS Cullen \* ODF <[Cullen.Bangs@oregon.gov](mailto:Cullen.Bangs@oregon.gov)>  
**Subject:** RE: ODF Neighbor Consultation - Nicolai

Hi Cullen,

Since Brent Keller at Mason, Bruce, and Girard has indicated he believes it is satisfactory for wpd to operate as a permittee under the existing ODF – Crown Zellerbach Corp (1972) easement, would a temporary special use permit for road use be necessary? As a current permittee of PH Timber, we agree to and qualify with Special Provisions (1. Maintenance of Roadway and 2. Insurance) of the 1972 Nicolai Mainline road Easement. During a 3-5 yr period of wind resource testing, we would likely go up to the tower only a handful of times in a small truck. Installation would likely require a one-time trip of a truck and trailer to transport tower sections.

Also, I have been in contact with the Oregon Department of Aviation about this structure and agencies using this airspace would be notified.

Thanks,  
Joe

**Joe Wood**  
Project Manager  
wpd wind projects Inc.  
205 SE Spokane Street, Suite 300  
Portland, OR 97202

T +1 (503) 236-4900  
C +1 (206) 412-4764  
F +1 (503) 296-2295

[j.wood@wpd-usa.com](mailto:j.wood@wpd-usa.com)  
<http://www.wpd-usa.com>

Parent Headquarters: Stephanitorsbollwerk 3, 28217 Bremen  
AG Bremen HR B 19186  
Vorstand: Dr. Gernot Blanke, Dr. Hartmut Brösamle  
Aufsichtsratsvorsitzender: Dr. Klaus Meier  
Disclaimer: [www.wpd.de/disclaimer.html](http://www.wpd.de/disclaimer.html)

---

**From:** BANGS Cullen \* ODF <[Cullen.Bangs@oregon.gov](mailto:Cullen.Bangs@oregon.gov)>  
**Sent:** Thursday, July 9, 2020 2:25 PM  
**To:** Joseph Wood <[j.wood@wpd-usa.com](mailto:j.wood@wpd-usa.com)>  
**Cc:** CATE Patty S \* ODF <[Patty.S.CATE@oregon.gov](mailto:Patty.S.CATE@oregon.gov)>; BANGS Cullen \* ODF <[Cullen.Bangs@oregon.gov](mailto:Cullen.Bangs@oregon.gov)>  
**Subject:** RE: ODF Neighbor Consultation - Nicolai

Joe,

I have reviewed the information that you have provided and been in contact with Mason, Bruce, and Girard (MB&G) who is my local contact for management of the parcel on behalf of PH Timber, LLC. PH Timber, LLC has an easement over the portion of Nicolai Mainline that is on Oregon Department of Forestry (ODF) ownership that will be needed to access your proposed tower site. After discussion with MB&G, they would prefer that we issue a temporary special use permit for road use associated with this project rather than utilize their easement.

We are ok issuing a temporary special use permit for road use to accommodate access for this project up to 5 years. The permit will require insurance and include road maintenance requirements based on use. I will draft the agreement and be the contact for the permit.

Will the tower have a light/beacon on it and how will aviation be given notice of a potential hazard? I noticed that it will be 196 feet tall. This area is used by Life Flight, Coast Guard, commercial aviation, and fire aviation resources if necessary.

Please let me know a timeline needed for issuance of a temporary special use permit. Thank you for the opportunity to comment.

Cullen R. Bangs  
Forest Roads Coordinator  
Oregon Department of Forestry  
Astoria District  
(503) 325-5451

---

**From:** Joseph Wood [<mailto:j.wood@wpd-usa.com>]  
**Sent:** Thursday, July 09, 2020 7:20 AM  
**To:** BANGS Cullen \* ODF <[Cullen.Bangs@oregon.gov](mailto:Cullen.Bangs@oregon.gov)>  
**Subject:** RE: ODF Neighbor Consultation - Nicolai

Cullen,

Thanks for your response. We look forward to receiving comments.

Cheers,

Joe

**Joe Wood**

Project Manager  
wpd wind projects Inc.  
205 SE Spokane Street, Suite 300  
Portland, OR 97202

T +1 (503) 236-4900  
C +1 (206) 412-4764  
F +1 (503) 296-2295  
[j.wood@wpd-usa.com](mailto:j.wood@wpd-usa.com)  
<http://www.wpd-usa.com>

Parent Headquarters: Stephanitorsbollwerk 3, 28217 Bremen  
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Aufsichtsratsvorsitzender: Dr. Klaus Meier  
Disclaimer: [www.wpd.de/disclaimer.html](http://www.wpd.de/disclaimer.html)

---

**From:** BANGS Cullen \* ODF <[Cullen.Bangs@oregon.gov](mailto:Cullen.Bangs@oregon.gov)>  
**Sent:** Wednesday, July 8, 2020 2:04 PM  
**To:** Joseph Wood <[j.wood@wpd-usa.com](mailto:j.wood@wpd-usa.com)>  
**Subject:** ODF Neighbor Consultation - Nicolai

Hello Joe, hope everything is well. I wanted to let you know that I received your letter and packet of information regarding your proposed temporary testing tower on PH Timber ownership on Nicolai. I will have some comments for you, just waiting to hear back if there are any other questions and then I'll forward them to you. I'll try to get it to you this week.

Cullen R. Bangs  
Forest Roads Coordinator  
Oregon Department of Forestry  
Astoria District  
(503) 325-5451

## Joseph Wood

---

**From:** Paul Langner <plangner@teevinbros.com>  
**Sent:** Monday, July 6, 2020 1:37 PM  
**To:** Joseph Wood; Gail Henrikson (ghenrikson@co.clatsop.or.us); jdecker@co.clatsop.or.us  
**Subject:** Proposed Meteorological Tower - Nicholai Ridge

Mr. Wood –

It is great to see your proposal moving forward.

Thank you for providing Teevin Bros the detailed information on WPD Wind Projects proposed meteorological testing tower.

As you neighbor, we find no objection to your placing the structure as shown on the attachments to your cover letter.

We wish you success in completing the conditional use permit process.

We hope you can make the late summer/fall construction period so you may begin obtaining empirical data over the upcoming winter.

Respectfully

Paul Langner

Wauna Mill Contact Log

- July 7, 2020 - Info packet sent to Wauna Mill mailing address 92326 Taylorville Rd, Clatskanie, OR.
- July 14, 2020 - Contact via phone w/ Kristi Ward (Communications director) to discuss proposal and request for comments.
- July 15, 2020 - Sent neighbor info packet via email directly to Kristi Ward.

**Joseph Wood**

---

**From:** Joseph Wood  
**Sent:** Wednesday, July 15, 2020 8:26 PM  
**To:** 'Kristi.Ward@gapac.com'  
**Cc:** Don Bain  
**Subject:** GP Neighbor Consultation - Nicolai Proposed Tower  
**Attachments:** Vicinity Map - Aerial and Topo.pdf; Site Plan - Aerial and Topo.pdf; 60m XHD Met Tower - Example Pic and Drawing.pdf; Tower Visualization.pdf; Letter - Clatsop Co Met Tower Comment Invite - Georgia Pacific - 2020June25.pdf

Hi Kristi,

As discussed please find attached letter and information regarding our proposed 60m meteorological testing tower on Nicolai Ridge in Clatsop County, OR. As I mentioned, I don't see any negative affect this proposal would have on Wauna Mill operations. If you could reply with comments or questions please reply to this email and cc Don Bain. Alternatively you can reach me by phone at the number in my signature below or Don Bain via phone at 503.730.3798.

Thanks,  
 Joe

**Joe Wood**  
 Project Manager  
 wpd wind projects Inc.  
 205 SE Spokane Street, Suite 300  
 Portland, OR 97202

**T** +1 (503) 236-4900  
**C** +1 (206) 412-4764  
**F** +1 (503) 296-2295  
[j.wood@wpd-usa.com](mailto:j.wood@wpd-usa.com)  
<http://www.wpd-usa.com>

- July 17, 2020 - Left message RE receipt of info packet @ Kristi Ward phone number. No Response.

- July 22, 2020 - Email to Kristi Ward RE info packet/comment status.

**Joseph Wood**

---

**From:** Joseph Wood  
**Sent:** Wednesday, July 22, 2020 10:06 AM  
**To:** 'Kristi.Ward@gapac.com'  
**Cc:** Don Bain  
**Subject:** RE: GP Neighbor Consultation - Nicolai Proposed Tower

Hello Kristi,

Just checking in to see if you've been able to review the info I sent regarding our testing tower and if you have any comments.

Thanks!  
Joe

**Joe Wood**  
Project Manager  
wpd wind projects Inc.  
205 SE Spokane Street, Suite 300  
Portland, OR 97202

**T** +1 (503) 236-4900  
**C** +1 (206) 412-4764  
**F** +1 (503) 296-2295  
[j.wood@wpd-usa.com](mailto:j.wood@wpd-usa.com)  
<http://www.wpd-usa.com>

- July 23, 2020 - Received email response for Kristi Ward - "have not yet been able to review, following up with team" status.
- July 24, 2020 - wpd acknowledges July 23 response.

**Joseph Wood**

---

**From:** Joseph Wood  
**Sent:** Friday, July 24, 2020 7:53 AM  
**To:** 'Ward, Kristi L'  
**Cc:** Don Bain  
**Subject:** RE: GP Neighbor Consultation - Nicolai Proposed Tower

Understood. Thanks Kristi.

Joe

**Joe Wood**  
Project Manager  
wpd wind projects Inc.  
205 SE Spokane Street, Suite 300  
Portland, OR 97202

**T** +1 (503) 236-4900  
**C** +1 (206) 412-4764  
**F** +1 (503) 296-2295  
[j.wood@wpd-usa.com](mailto:j.wood@wpd-usa.com)  
<http://www.wpd-usa.com>

- July 27, 2020 - Email to Kristi Ward RE status. No response.

**Joseph Wood**

---

**From:** Joseph Wood  
**Sent:** Monday, July 27, 2020 2:09 PM  
**To:** 'Ward, Kristi L'  
**Cc:** Don Bain  
**Subject:** RE: GP Neighbor Consultation - Nicolai Proposed Tower

Hi Kristi,

As you are the last remaining comment to be collected, is there someone from your team I could contact directly to answer any questions? I would also be happy to meet with someone briefly in person at the mill or nearby if that makes sense.

Thanks again,  
Joe

**Joe Wood**  
Project Manager  
wpd wind projects Inc.  
205 SE Spokane Street, Suite 300  
Portland, OR 97202

**T** +1 (503) 236-4900  
**C** +1 (206) 412-4764  
**F** +1 (503) 296-2295  
[j.wood@wpd-usa.com](mailto:j.wood@wpd-usa.com)  
<http://www.wpd-usa.com>

- July 27, 2020 - Left message @ Kristi Ward cell # RE comment status. No response
- July 31, 2020 - Left message @ Kristi Ward cell # RE comment status. No response

# EXHIBIT 3

*Public Notice*

OWNER 01

Oregon State Of  
Georgia Pacific Consumer Products  
P H Timber LLC  
Clatskanie People's Utility District  
P H Timber LLC

WPD Wind Projects

ODOT

ODFW

DLCD

David Kloss

Ted Mclean

Terry Hendryx

Dean Keranen

ODA

OEA

Mike McNickle

OPRD

Steve Meshke

Knappa-Svensen-Burnside RFPD

Clatsop Soil and Water Conservation District

North Coast Watershed Association

ODFW

OWNER 02

American Tower Lessee

ADDRESS

2600 State St  
PO Box 105681  
15 Piedmont Rd NE Bldg #15-1250  
P. O. Box 216

CITY STATE ZIP

Salem OR 97310-1336  
Atlanta GA 30348  
Atlanta GA 30305-1631  
Clatskanie OR 97016

jstover@forestinvest.com

j.wood@wpd-usa.com

ODOTR2PLANMGR@ODOT.STATE.OR.US

michael.sinnott@state.or.us

Lisa.phippis@state.or.us

dkloss@co.clatsop.or.us

tmclean@co.clatsop.or.us

thendryx@co.clatsop.or.us

dkeranen@co.clatsop.or.us

Seth.THOMPSON@aviation.state.or.us

duane.kilsdonk@oregon.gov

mmcnicke@co.clatsop.or.us

Jay.Sennewald@oregon.gov

Steve Meshke <spmeshke@co.clatsop.or.us>

kdonaldson@knappafire.com

office@clatsopswcd.org

northcoastwatershedcouncils@gmail.com

Michael.Sinnott@state.or.us

CERTIFICATE OF MAILING

I hereby certify I served a copy of the attached public notice to those listed on the attached page with postage paid and deposited in the US Post Office, Astoria, Oregon, on said day.



Clancie Adams, Permit Tech

09.18.20

Date: *Clancie Adams*



# Clatsop County

## Community Development – Planning

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

### NOTICE OF PUBLIC HEARING BEFORE THE CLATSOP COUNTY PLANNING COMMISSION CONDITIONAL USE APPLICATION #20-000568

**DATE OF HEARING:** Tuesday, October 13, 2020  
**TIME:** 10:00 AM  
**ADDRESS:** GoTo Meeting  
<https://global.gotomeeting.com/join/717331381>  
United States (Toll Free): 1 877 568 4106  
United States: +1 (312) 757-3129  
**Access Code:** 717-331-381

**CONTACT PERSON:** Gail Henrikson, Community Development Director

*You are receiving this notice because you own property within 750 feet of the request listed below, or you are considered to be an affected state or federal agency, local government, or special district.*

NOTICE IS HEREBY GIVEN that Clatsop County Community Development has scheduled a public hearing on the following matter before the Planning Commission at 10:00 AM on Tuesday, October 13, 2020. A link to the virtual meeting is provided above.

Joseph Wood, WPD Wind Projects, Inc., authorized representative of the property owner, PH Timber LLC, c/o Forest Investment Associates, has submitted a request to construct a temporary 196-foot-tall tubular steel, guyed meteorological testing tower. The proposed tower would be installed for meteorological research purposes as a prelude to a potential wind energy utility project. Any additional meteorological towers or wind turbines would require separate conditional use review. The proposed meteorological tower would be constructed within an approximately 225' x 235' area (including guy wires) that has been previously cleared of timber.

The installation area is part of an approximately 620-acre parcel that is zoned F-80 (Forest-80). The approximately 225' x 235' installation area 2-acre area subject to the conditional use application is located within Major Big Game Habitat.

The subject property is located in rural Clatsop County near the unincorporated Westport community. The parcel is bound by Highway 30 on the north and is south and east of Hunt Creek Road. The subject property is further described as Township 8N, Range 6W, Tax Lot 3100.

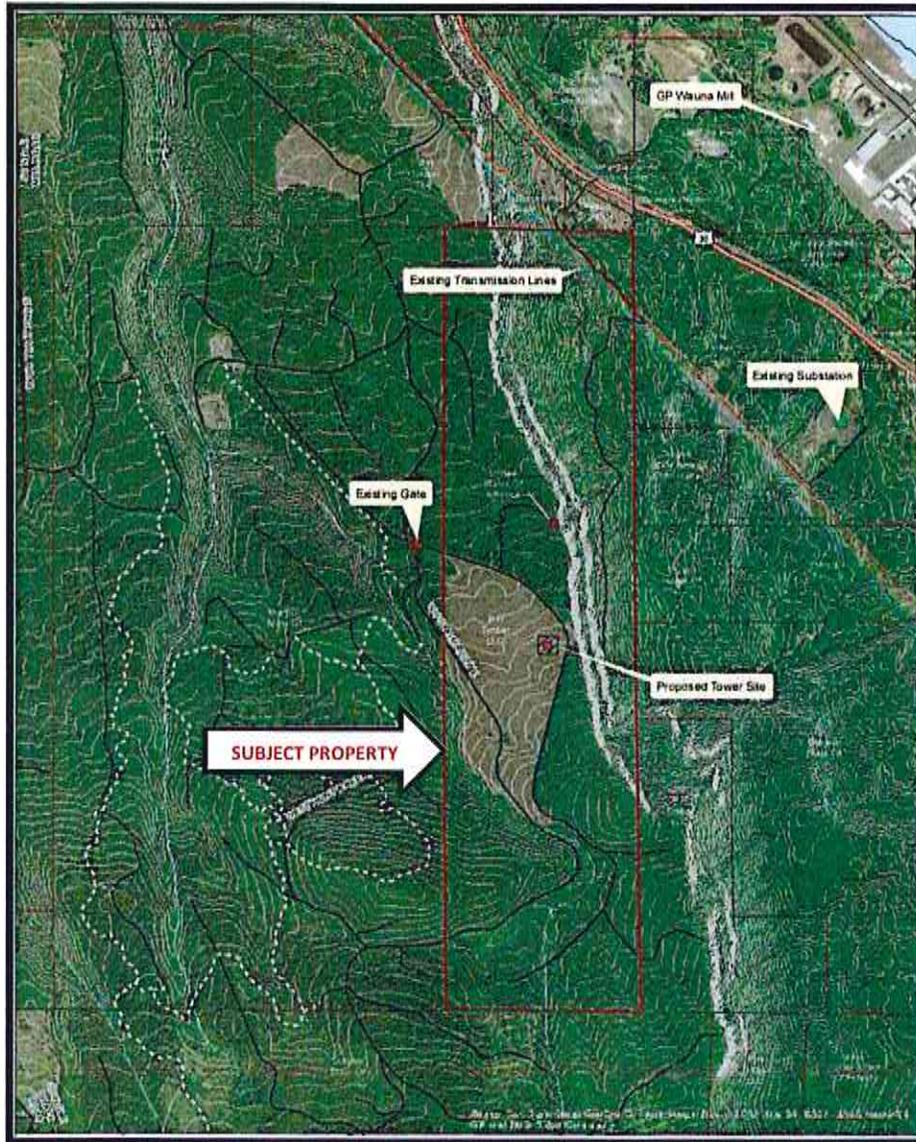
**See following pages for vicinity map and diagram of proposal.**

Interested persons are invited to submit testimony in writing or by attending the electronic hearing. Those wishing to provide testimony on public hearings or provide oral communication at the designated time on the agenda must register in advance by calling 503-325-8611 or emailing [ghenrikson@co.clatsop.or.us](mailto:ghenrikson@co.clatsop.or.us). You will be notified when your three-minute presentation is scheduled. Alternately, interested persons may submit testimony in writing for Staff to present by addressing a letter to the Clatsop County Planning Commission, 800 Exchange Street, Suite 100, Astoria, OR 97103. Written comments may also be sent via FAX to [503-338-3606](tel:503-338-3606) or via email to [comdev@co.clatsop.or.us](mailto:comdev@co.clatsop.or.us).

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

Written comments must be received in this office no later than **4PM on Thursday, October 1, 2020**, in order to be included in the staff report, or by **4PM on Monday, October 12, 2020**, in order to be presented to the Planning Commission by Staff. Planning representative for the application is **Gail Henrikson**, Community Development Director, (503) 325-8611 or [ghenrikson@co.clatsop.or.us](mailto:ghenrikson@co.clatsop.or.us). Failure to raise an issue in a hearing, in person, or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes an appeal based on that issue.

**VICINITY MAP:**



*Aerial Photo from Applicant Materials*

(Natural Resources, Scenic and Historic Areas, and Open Spaces); Goal 6 (Air, Water, and Land Quality); Goal 9 (Economic Development); Goal 11 (Public Facilities and Services); and Goal 13 (Energy Conservation).

All documents listed above are available by appointment for review at the Clatsop County Community Development Department office, 800 Exchange Street, Suite 100, Astoria, Oregon, and on-line at the county's website, [www.co.clatsop.or.us](http://www.co.clatsop.or.us).

**The following criteria apply to the request:**

**A. Clatsop County Land and Water Development and Use Ordinance 80-14:**

Article 1 Provisions; Section 2.025 Type IIa Procedure; Section 2.046 Applicant-Neighborhood Meeting; Section 2.100 - 2.260 Public Deliberations and Hearings; Section 3.550 Forest-80 Zone (F-80); Section 5.000 - 5.030 Conditional Development and Use; Section 5.300 Site Plan Review.

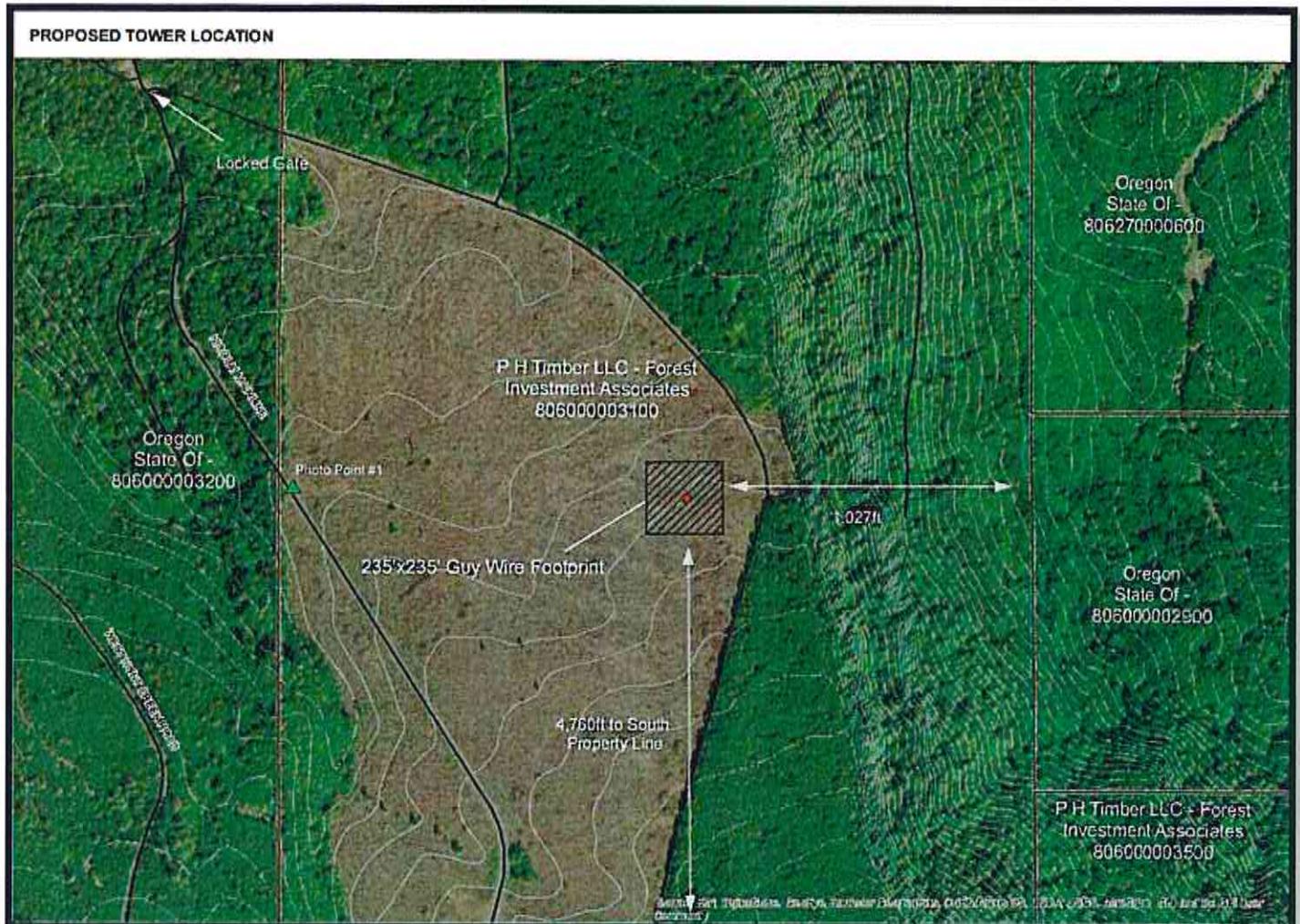
**B. Clatsop County Standards Document 80-14:**

Chapter 2 Site Oriented Improvements; S3.194 Archaeological Site Protection; S3.523 Utility, Power Generation, Solid Waste Uses; S 3.525 Conditional Use Review Criteria; 3.530 Development of Historic and/or Archaeological Sites.

**C. Clatsop County Comprehensive Plan:**

Goal 1 (Citizen Involvement); Goal 2 (Land Use Planning); Goal 4 (Forest Lands); Goal 5

## PROPOSED SITE PLAN:



A copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost by appointment only at the Community Development Department office during normal business hours (M-F, 7:30-4:00). Copies will be provided at reasonable cost. A copy of the staff report will be available at the Community Development Department office and [www.co.clatsop.or.us](http://www.co.clatsop.or.us) at no cost, seven days prior to the scheduled hearing.

## Gail Henrikson

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**From:** Gail Henrikson  
**Sent:** Friday, September 18, 2020 7:34 AM  
**To:** Gail Henrikson  
**Subject:** Notice of Public Hearing - Proposed Meteorological Tower  
**Attachments:** Public Notice WPD Meteorological Tower CUP.pdf

Good morning, everyone.

I wanted to let you know about an application the County has received from WPD Wind Projects. They have applied for a 196-foot-tall meteorological tower on Nikolai ridge. The tower is for the purpose of testing to determine if a future wind turbine project in that location would be feasible. There will be a public hearing before the Planning Commission at 10AM on Tuesday, October 13. A link to the meeting is including in the attached notice.

Please feel free to contact me if you have any questions.

Thanks.

Gail

[Gail Henrikson, AICP, CFM, Director](#)

Clatsop County Community Development

800 Exchange Street, Suite 100

Astoria, OR 97103

503.325.8611

503.338.3666 Fax

[ghenrikson@co.clatsop.or.us](mailto:ghenrikson@co.clatsop.or.us)

[www.co.clatsop.or.us](http://www.co.clatsop.or.us)

[Facebook](#)

**COVID-19 AND LAND USE PLANNING:** In order to protect the health of our employees, clients and the overall public, please be advised that beginning March 18, the Land Use Planning Division will be working on an appointment-only basis. Whenever possible emails and phone meetings are encouraged. If you or anyone in your party is ill, coughing, or has a fever, please reschedule your meeting. We understand that this may be an inconvenience and we appreciate your cooperation in working to protect the health of our community.

Take our [customer satisfaction survey](#)



**Affidavit for Posted Notice of a Public Hearing**  
(per LWDUO Section 2.111)

Please submit this completed declaration at least 7 days prior to the scheduled hearing.

Conditional Use Permit Number 20-000568

I, Don Bain, do hereby declare as follows:

1. On 9/18/20 (date), I posted the "Notice of Public Hearing" sign(s) provided by Clatsop County Community Development on the project site at the Hunt Creek Road intersection with Highway 30:

806000003100

Address (if no address assigned, use Map and Lot Number)

2. Attached to this declaration are photographs showing the duly posted public notice on the project site.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this date, 9/19/20

Don Bain  
Signature

Don Bain  
Print name

Consultant  
Relationship to Project, e.g., owner, architect, attorney



# EXHIBIT 4

## *Agency Comments*

## Gail Henrikson

---

**From:** Clatsop Development  
**Sent:** Friday, September 18, 2020 10:14 AM  
**To:** Gail Henrikson  
**Subject:** FW: ODA Comment: Conditional Use Application #20-000568  
**Attachments:** FAA\_Form\_7460-1.pdf

**Clancie Jo Adams** | Permit Technician  
Clatsop County Community Development  
Land Use Planning Division  
800 Exchange Street, Suite 100  
Astoria, OR 97103  
Phone: 503.325.8611 | Fax: 503.338.3666

This message has been prepared on resources owned by Clatsop County, Oregon. It is subject to the Internet and Online Services Use Policy and Procedures of Clatsop County.

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**From:** THOMPSON Seth <Seth.THOMPSON@aviation.state.or.us>  
**Sent:** Friday, September 18, 2020 10:14 AM  
**To:** Clatsop Development <comdev@co.clatsop.or.us>  
**Subject:** ODA Comment: Conditional Use Application #20-000568

Good morning,

Thank you for providing the opportunity for the Oregon Department of Aviation (ODA) to comment on Conditional Use Application #20-000568.

The ODA has reviewed the proposal referenced with the above file number and has prepared the following comments.

Prior to approval of any building permits, the applicant must file a FAA FORM 7460-1 with the ODA and FAA and receive a determination for the proposed construction.

I have attached a FAA FORM 7460-1 for reference.

Thank you and please let me know if you have any questions.

Best regards,

**Seth Thompson**  
OREGON DEPARTMENT OF AVIATION  
AVIATION PLANNER



**OFFICE** 503-378-2529 **CELL** 503-507-6965  
**EMAIL** [seth.thompson@aviation.state.or.us](mailto:seth.thompson@aviation.state.or.us)  
**3040 25<sup>TH</sup> STREET SE, SALEM, OR 97302**  
**[WWW.OREGON.GOV/AVIATION](http://WWW.OREGON.GOV/AVIATION)**

## Gail Henrikson

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**From:** Clancie Adams  
**Sent:** Tuesday, September 22, 2020 8:54 AM  
**To:** Gail Henrikson; Julia Decker; Ian Sisson; Victoria Sage  
**Subject:** FW: DRS\_Wood  
**Attachments:** PublicNotice WPDMeteorologicalTowerCUP.pdf

**Clancie Jo Adams** | Permit Technician  
Clatsop County Community Development  
Land Use Planning Division  
800 Exchange Street, Suite 100  
Astoria, OR 97103  
Phone: 503.325.8611 | Fax: 503.338.3666

This message has been prepared on resources owned by Clatsop County, Oregon. It is subject to the Internet and Online Services Use Policy and Procedures of Clatsop County.

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**From:** STRAUSS Karen A <Karen.A.STRAUSS@odot.state.or.us>  
**Sent:** Tuesday, September 22, 2020 8:51 AM  
**To:** Clancie Adams <cadams@co.clatsop.or.us>  
**Subject:** FW: DRS\_Wood

Hi Clancie,

This application doesn't request to modify or gain access from an ODOT facility, so we have no comments.

Thanks,  
Karen

*Karen A. Strauss, PE*

Development Review Coordinator, District I  
Desk 503-986-2849 (note: I am teleworking so this will forward to my mobile phone.)  
Mobile 503-509-7173

---

**From:** SCHATZ Duane <Duane.SCHATZ@odot.state.or.us> **On Behalf Of** ODOT Reg 2 Planning Manager  
**Sent:** Friday, September 18, 2020 10:16 AM  
**To:** SHONKWILER Kenneth D <Kenneth.D.SHONKWILER@odot.state.or.us>; STRAUSS Karen A <Karen.A.STRAUSS@odot.state.or.us>  
**Subject:** DRS\_Wood

*Public Notice - WPD Wind Projects CUP*

*Duane M. Schatz  
Project Delivery Compliance Specialist/  
Development Review Administrator Region 2  
ODOT Highway Region 2 Headquarters*



# Clatsop County

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**TO:** Clatsop County Planning Commission

**FROM:** Gail Henrikson, Community Development Director

**DATE:** October 13, 2020

**RE: RESILIENCY PROJECT PRESENTATION**

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Clatsop County Assistant County Manager, and staff from Clatsop County Public Works will present information regarding the Resiliency Project. Materials from the October 6, 2020, Board of Commissioners work session are attached to this cover memo.

For project information and updates, visit us on the web!  
[www.co.clatsop.or.us/landuse/page/comprehensive-plan-update](http://www.co.clatsop.or.us/landuse/page/comprehensive-plan-update)  
[www.facebook.com/ClatsopCD](https://www.facebook.com/ClatsopCD)

# Board of Commissioners Clatsop County

## WORK SESSION AGENDA ITEM SUMMARY

October 6, 2020

---

**Topic:** Clatsop County Resiliency Project  
**Presented By:** Ted McLean, Public Works Director  
Terry Hendryx, Assistant Public Works Director  
Dean Keranen, County Engineer  
Monica Steele, Assistant County Manager

---

**Informational  
Summary:**

Pre-disaster planning ensures that an affected community is ready to undertake an organized process and does not miss opportunities to rebuild in a sustainable, resilient way. With a planning framework in place, a community is better situated to address pre-existing local needs, take advantage of available resources, and seize opportunities to increase local resiliency, sustainability, accessibility, and social equity. Having an advanced understanding of these needs and vulnerabilities helps communities be better prepared to begin recovery immediately rather than struggle through a planning process in the wake of a disaster.

As previously mentioned in work sessions with the Board, Clatsop County plays a critical role in county-wide emergency preparedness, response and recovery. When a natural disaster occurs (wind storm, flooding, earthquake, tsunami), the County protects and preserves life and property; and coordinates longer-term rebuilding and recovery efforts.

While conversations regarding evacuation and alternate routes goes back over a decade it was first listed in the 2012 Strategic Plan where it was identified as a project named “Countywide Bypass, Truck, Evacuation Road.”

County staff brought before the current Board at a work session in February of 2019 a list of properties that staff had evaluated. At that work session, staff requested authorization from the Board to move forward with further review of a possible alternate location for the current Astoria Public Works Facility. The goal of the proposed relocation is to move the facility out of the inundation zone in which it is currently situated. Staff also requested Board input and direction regarding alternate /evacuation routes in the event of a disaster.

Since the February 2019 work session staff has come before the Board on a number of occasions to provide updates on where they are at in the

process as well as bringing forward locations that they would like to enter into purchase sale agreements based on narrowing down the potential sites on the following criteria:

1. Out of the inundation zone
2. Availability of land
3. Available public access
4. Adequate size and shape for operations (15-50 acres) to accommodate current and future storage of materials, debris removal, equipment circulation, etc.
5. Located on the west side of both the Lewis & Clark and Young's River
6. Terrain and geological hazards
7. Availability of multiple ways to and from facility for redundant access in a potential emergency
8. Availability of utilities to serve the site
9. Avoidance of extensive and costly wetland mitigation
10. If goal exceptions are required, select the property that would most likely receive approval – Further conversations with DLCD over has shown that they are supportive of relocating both Public Works and the EOC. Specific properties have really not been the influencing factor.
11. A site that would not be negatively impacted by future surrounding development (traffic, safety, noise, etc.)
12. Potential ability to co-locate with other county departments (Planning, Building Codes, etc.)
13. Overall cost to develop a turnkey site

There has been a total of six (6) sites evaluated as possible facility locations based on the afore mentioned criteria:

- North Coast Business Park – While this site is currently owned by the county it has always been the intention to have this property returned to the tax roll for the benefit of several taxing districts; the cost to mitigate the wetlands would be upwards of \$1.5M - \$2M (wetlands cost approx. \$175K-\$200K to mitigate and it would take approx. 8 to 10 credits to develop this site) which significantly increases the overall cost to develop; future development of the area and the increased vehicle and pedestrian traffic would negatively impact operations for both the surrounding businesses as well as making this an inappropriate location for a rural public works facility.
- Dolphin Avenue (co-location with ODOT) – ODOT has outgrown their current location. Therefore, this would not be a large enough site for both county and state operations. Furthermore, increased development of the area, resulting in increased vehicle traffic, would not make this an appropriate site for a rural public works facility. Additionally, it is not preferred to put all resources in one location.

- Neikes Property – This property is approximately 64 acres and zoned EFU which would require a goal exception; this property has since sold and is no longer available.
- Crown Camp – This is approximately 29 acres and is zoned F-80. This property is located inconveniently for the majority of the population for walk-in services. However, this site would be advantageous to acquire as a site for material stock piling, debris removal, and emergency response. This property would require a goal exception.
- Warrenton Fiber/Nygaard Logging Sort Yard – This option is approximately 51 acres, is zoned F-80, and would require a goal exception.
- Angus Property – This property is approximately 28 acres, zoned AF and would require a goal exception; this property has since sold and is no longer available.

In addition to evaluating various facility location and options as well as possible recovery route locations, staff has been working on community outreach. A public meeting was held on August 13<sup>th</sup> that had over 60 community members in attendance. On August 24<sup>th</sup> staff sent out a county-wide questionnaire to all residents within Clatsop County and collected those responses through September 24<sup>th</sup>.

The county received 2,522 responses (as of 9/24) with the following outcomes:

1. Do you support moving the Public Works Facility out of the tsunami inundation zone?  
 Yes 69%    No 28%    Not sure 3%
2. Do you think that the Lewis & Clark Sorting Yard would be an appropriate location for a relocated Public Works Facility?  
 Yes 30%    No 25%    Not sure 46%
3. How proactive should the County be in pursuing emergency and alternate routes in preparation for a seismic event?  
 Very Proactive 56%  
 Somewhat Proactive 30%  
 Not Proactive 12%  
 Not sure 2%
4. Do you think that the County should acquire existing private roads for alternate or emergency routes if they are currently available?  
 Yes 66%    No 29%    Not sure 5%
5. If yes, should these alternate or emergency routes be improved to County Standards?  
 Yes 54%    No 19%    Not applicable 17%    Not sure 10%

6. If these alternate routes were obtained and improved should they be open for general public access?  
 Yes 64%       No 28%       Not sure 8%
7. Please rank the following potential projects in order of importance with 1 being the most important and 4 being the least important.

Public Works Facility Relocation

- 1 - 44%
- 2 - 7%
- 3 - 4%
- 4 - 25%
- Not sure - 20%

Pipe Line Road

- 1 - 17%
- 2 - 16.6%
- 3 - 11%
- 4 - 27%
- Not sure - 29%

Lewis & Clark Mainline N Section

- 1 - 7%
- 2 - 22%
- 3 - 24%
- 4 - 15%
- Not sure - 32%

Lewis & Clark Mainline S Section

- 1 - 8%
- 2 - 16%
- 3 - 19%
- 4 - 25%
- Not sure - 32%

The county is currently under contract for the potential acquisition of one property and has a less formal letter of intent for a second property. One property is proposed for the relocation of the Public Works Facility and has a due-diligence period that expires in January of 2021; and the other property is proposed for a recovery route in an effort to reach south county with a due-diligence period that expires in December of 2021. The County may terminate the Purchase Sale Agreement or Letter of Intent at any time without expense to the County.

County staff is now seeking direction from the Board on how they would like staff to proceed with both of these agreements based on the community responses to date.

Options before the Board are as follows:

- Continue with current due diligence process on all existing signed agreements.
- Adjust project goals to focus on relocation of the Public Works Facility and defer the recovery routes for future projects.
- Put all resiliency projects on hold.

## **Attachment List**

A. February 13, 2019 – Work Session Minutes

**RECORDED**

**MAR 14 2019**

**Clatsop County Board of Commissioners  
Work Session  
February 13, 2019**

**Doc# 2019030012**

Chair Sarah Nebeker called the work session to order at 5:00 p.m. in the Judge Guy Boyington Building, 857 Commercial Street, Astoria, Oregon. Also present were Commissioners Kathleen Sullivan, Mark Kujala, Pamela Wev and Lianne Thompson.

Staff Present:           Monica Steele, Interim County Manager  
                                  Ted McLean, Interim Public Works Director  
                                  Michael Summers, County Engineer  
                                  Alejandro Bancke, GIS Project Planner

**Mainline/Facilities Project**

McLean said they have been searching for a new location for the Public Works facility and looking at alternate routes/evacuation routes in the event of a disaster. They tried to pick a route that would not impact people and their homes and tried to get around water, wetlands and bridges. McLean said they wanted to move their facility so they could better serve the residences of the coastal communities and south county. Five sites have been identified:

- North Coast Business Park – This would not be ideal as it is a very busy area and is not the most appropriate location for a rural county Public Works Facility.
- Dolphin Avenue (Near ODOT) - This is not preferred as this would put all the resources in one location as opposed to spreading it over the county.
- Neikes Property – This is almost 64 acres but unfortunately it is zoned Exclusive Farm use (EFU), which would create permitting difficulties.
- Crown Camp – This is approximately 29 acres and is zone F-80. This is too far from the majority of the population. However, this property would be advantageous to acquire as a public asset.
- Warrenton Fiber-Nygaard Logging Sort Yard – This option is approximately 37 acres which was most recently used as a sort yard and debarking site. The property is zoned for F-80 and will require a goal exception to locate the Public Works Facility.

Nebeker asked if these proposed facilities are currently being used and McLean said no. Wev said she has done a few goal exceptions for municipal use and didn't have any trouble getting them through. If additional property is purchased beyond the need, McLean said the use for that property could be investigated. McLean said they want to move forward on getting the appraisals.

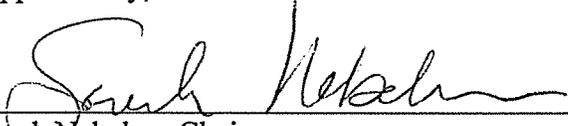
McLean said they have been working with ODOT on seismic lifeline routes with the intention to get around bridges. Sullivan asked if there may be more than one lifeline route and McLean said the terrain is small so the mainline is the best possibility.

Wev asked Tiffany Brown, Emergency Services Manager, if there are sites identified for emergency services and Brown said sites have not been identified at this time. Brown said they are working on assessments to identify shelter space locations. Wev asked if there is a possibility

1 of creating a very large site to meet both the needs of a Public Works Facility and the needs for  
2 an emergency shelter. McLean said they are still looking at properties that would be very  
3 strategic for the county. Brown said it is not recommended to put an evacuation shelter by the  
4 operations center because you do not want your evacuees in the same area supplies are being  
5 delivered by helicopter and it needs to be a secured scene. They have completely different  
6 support functions.

7  
8 McLean said the Crown Camp property could be used for mass care but also the road department  
9 could use year round for stock piling materials and supplies. There is a storage facility there that  
10 could possibly store emergency operations equipment. Wev asked how this would be paid for  
11 and Steele said the road fund has been building up a contingency to plan for this. The funds  
12 would cover the land acquisition and the design of a new facility. McLean said the sale of the  
13 current property would also take place. Steele said there may be grant opportunities for the road  
14 as an alternative route. Sullivan appreciates all the work done on this project.

15  
16 Approved by,

17  
18   
19 \_\_\_\_\_  
20 Sarah Nebeker, Chairperson



# Clatsop County

## Community Development – Planning

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

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**TO:** Clatsop County Planning Commission

**FROM:** Gail Henrikson, Community Development Director

**DATE:** October 2, 2020

**RE:** **COMPREHENSIVE PLAN UPDATE: GOAL 3, DRAFT 1 REVIEW**

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### SUMMARY

The update of the County's Comprehensive Plan began in February 2019, with an announcement requesting applicants for the six citizen advisory committees. The advisory committees met continuously from June through December 2019.

A three-month hiatus was scheduled during January-March, 2020 in order to allow staff time to prepare draft revisions to Goals 1-4. During the period of January-March 2020, staff prepared revisions to Goals 1-4 and provided copies to the Department of Land Conservation and Development (DLCD) for a courtesy review. Comments have been received from DLCD on Goals 1, 3 and 4. Comments on Goal 2 were received on September 15, 2020, and have been posted for public comment. Goal 2 will be brought to the Planning Commission for review in December 2020.

As the Citizen Advisory Committees resume their meetings the intent of staff is to involve the Planning Commission at an early stage in the process, specifically in obtaining input and recommendations regarding the initial draft rewrites of each goal.

The first draft rewrite of Goal 3 is attached (**Attachment A**). This draft includes comments from DLCD. Only one comment was received from the public or citizen advisory committee members on Goal 3, Draft 1. That comment is included as **Attachment B**. The document referenced in the public comment is included at the end of this memo as a link. Goal 3, Draft 1, is also under review by County Counsel, who has not yet provided comments back to staff.

[Statewide Planning Goal 3 \(Attachment C\)](#) addresses Agricultural Lands. Statewide Planning Goal 3 seeks to preserve and maintain agricultural lands. A copy of adopted Clatsop County Goal 3 is included as **Attachment D**.

### ACTION REQUESTED

Please review Goal 3, Draft 1, including the comments from DLCD, the public, and citizen advisory committee members. Be prepared to provide comments on the draft, with special attention to the draft policies. Identify recommended changes to the draft and new policies that should be included in the next draft. Review Goal 3, Draft 1 for compliance with Statewide Planning Goal 3.

### ATTACHMENTS

- A. Goal 3, Draft 1, with DLCD Comments
- B. Public and Citizen Advisory Committee Member Comments
- C. Statewide Planning Goal 3
- D. Clatsop County Goal 3

**SUPPLEMENTAL INFORMATION**

- [\*Death by 1000 Cuts: A 10-Point Plan to Protect Oregon's Farmland\*](#)

# ATTACHMENT A

*Goal 3, Draft 1, with DLCDC Comments*

### GOAL 3: AGRICULTURAL LANDS

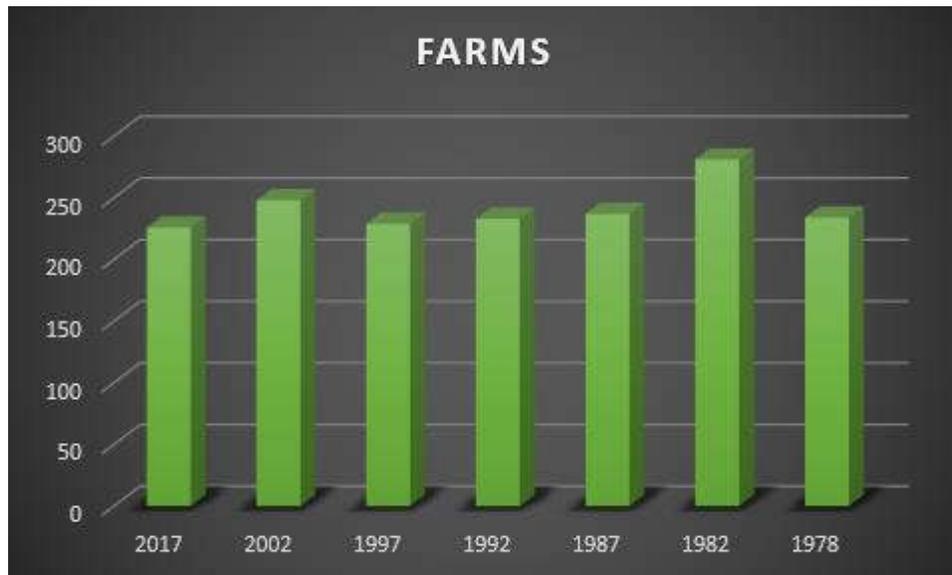
To preserve and maintain agricultural lands.



When the Clatsop County Comprehensive Plan was adopted in 1980, there was a general downward decline in farming activities. The plan at that time, dismissed “small farm sizes” that were “interspersed with rural tracts, difficult terrain, a wet climate, and competition from other land uses” as being uncondusive to farming activities as such parcels could not be consolidated into “large, efficient farm units which are characteristic of other areas of the state where agriculture is thriving.”

That view has been shown as being outdated following a surge in the farm-to-table movement and the emergence of artisanal, local and small-batch culinary supporters. As shown on Figures 3.1 and 3.2, while the total number of farms in Clatsop County has remained relatively stable between 1978 and 2017 (down from 234 to 226), the total overall acreage of farmland has declined from 22,681 acres in 1978 to 15,070 acres in 2017. Additionally, as shown in Figure 3.3, the average market value of farmland has tripled since 1978. As land values rise and the shortage of affordable housing units remains, the pressure to convert farmland to non-farm uses will only increase.

FIGURE 3.1



Source: 2017 Census of Agriculture, United States Department of Agriculture (USDA). National Agricultural Statistics Service

# Summary of comments: GOAL 3 TEXT DRAFT 01.pdf

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Page:1

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Number: 1 Author: hfoote Subject: Comment on Text Date: 2020-05-13 18:10:14

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I might add the NASS statistics here on sales and acreage to support this statement. Is the conclusion that Clatsops Goal 3 policies should promote preservation of substandard and isolated agricultural lands as well as the large tracts of agricultural lands promoted by statewide planning goal3?



Number: 2 Author: hfoote Subject: Comment on Text Date: 2020-05-13 17:17:24

---

Is this acreage in farm use (assessed under special farm tax program) or land zoned EFU and mixed Farm/Forest, or NASS?  
It may be worth adding additional stats like acres in HV farmland under 215.203 and 195.300 definitions, acres in EFU, acres in mixed farm/forest zoning to more thoroughly contextualize the agricultural landscape..



Number: 3 Author: hfoote Subject: Comment on Text Date: 2020-05-13 13:53:23

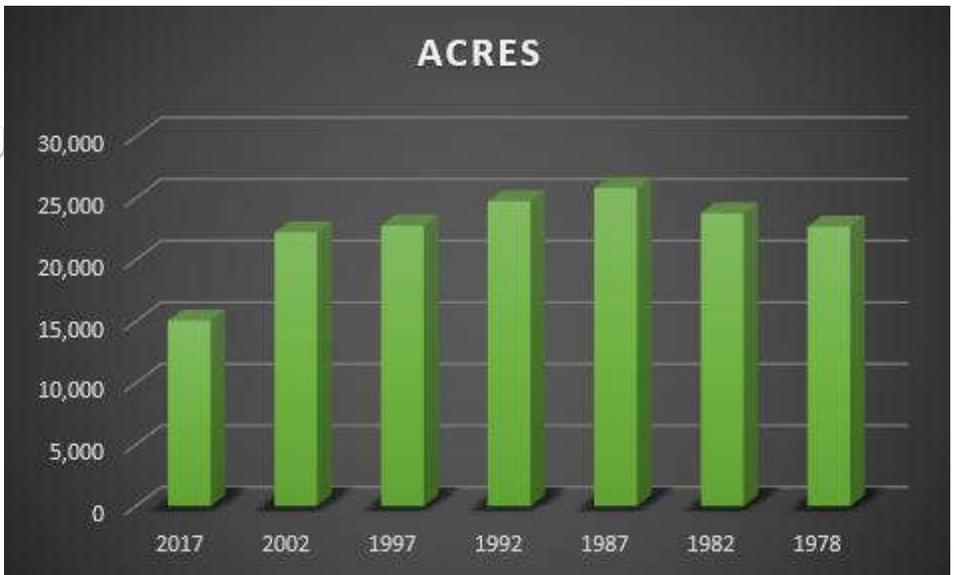
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I'd further describe what ag looks like in Clatsop - 38% Pasture, 29% cropland, 25% Woodlots...Majority of sales come from dairy, beef cattle and nursery stock.

In January 2019, the Department of Land Conservation and Development released its *2016-2017 Farm Forest Report*, which details how much farmland was converted to non-farm uses during that period. Clatsop County approved one non-farm dwelling and six replacement dwellings on farmland. No primary farm dwelling approvals were granted by the County. **Since 1994, Clatsop County has approved 78 total dwellings on farmland.** Since 1978, farmland in Clatsop County decreased from 22,691 acres to 15,070 acres—a loss of 7,621 acres.

The *2017 Census of Agriculture*, conducted by the United States Department of Agriculture, National Agricultural Statistics Service, also notes that the face of farming has changed over the years. **As shown in Figures 3.4 and 3.5, over 50% of farmers in Clatsop County self-identified as female.** The average age of a farmer in Clatsop County is 59.29 years compared to 51.2 years in 1978.

FIGURE 3.2



Source: 2017 Census of Agriculture, United States Department of Agriculture (USDA). National Agricultural Statistics Service

FIGURE 3.3



Source: 2017 Census of Agriculture, United States Department of Agriculture (USDA). National Agricultural Statistics Service

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 Number: 1 Author: hfoote Subject: Comment on Text Date: 2020-05-13 18:07:37

---

Would you like me to look up historical nonfarm approval stats?

 Number: 2 Author: hfoote Subject: Comment on Text Date: 2020-05-13 18:11:47

---

I think thats a NASS statistic which is land in farm use and not necessarily land zoned EFU meeting the definition of 'agricultural land' as defined in rule?

 Number: 3 Author: hfoote Subject: Comment on Text Date: 2020-05-13 18:12:10

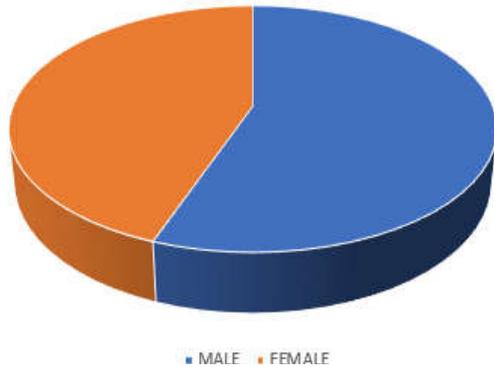
---

Fig 3.4 shows 44% female and 66% male so does 2017 NASS?

NASS has 31% of farms self-identifying as new and beginning farmers and almost all are family farms which is an interesting statistic.

FIGURE 3.4

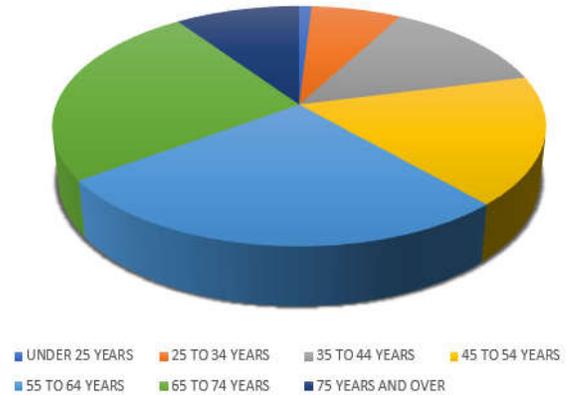
REPORTED GENDER



Source: 2017 Census of Agriculture, United States Department of Agriculture (USDA). National Agricultural Statistics Service

FIGURE 3.5

AGE GROUPS



Source: 2017 Census of Agriculture, United States Department of Agriculture (USDA). National Agricultural Statistics Service

### GOAL 3 AND CLIMATE CHANGE

The temperature of the earth's surface is warming and it is largely due to an increase in greenhouse gas concentrations caused by human activities. Consequences of this warming are already being felt by Oregonians and within Clatsop County. In 2019, the Oregon Climate Change Research Institute (OCCRI) released a draft report documenting the expected changes to temperature and climate in Clatsop County. Snowpack is declining, summer streamflow is lowering, wildfire activity is increasing, sea level is rising, and coastal waters are acidifying. The consequences of climate change are expected to continue for decades to come. In 2015, global and Oregon temperatures were the warmest on record, and suggests what typical conditions may look like by the middle of this century.

Climate change consequences likely to occur in Clatsop County are:

- More summer droughts
- More frequent and longer forest fires
- Greater vulnerability of forests to insects and disease
- Water resource conflicts
- Longer and more intense allergy seasons
- Decreased water quality
- More stress on fish, including salmon
- Higher sea levels and more erosion in coastal areas
- More frequent and harmful floods

These changes in climate will have a significant impact on agricultural activities within the County. Additional emphasis on farm-to-table activities, support of sustainable locally-produce food, and the addition of local food processing facilities will assist in reducing the greenhouse gas emissions associated with transportation of foodstuffs. Policies that support the capture and use of rainwater for irrigation will help sustain agricultural activities as periods of drier weather increase, but may have other unintended consequences caused by the diversion of precipitation that feed watersheds used for fish habitat and drinking water.

---

 Number: 1 Author: hfoote Subject: Comment on Text Date: 2020-05-13 17:21:37

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Other policy objectives to support/strengthen local food systems value chains? Processing, cold storage, distribution, food hubs...

 Number: 2 Author: hfoote Subject: Comment on Text Date: 2020-05-13 18:13:08

---

NASS has some statistics on #farmers in Clatsop using no til and minimal til - that might be worth mentioning. May also be worth getting from OSU # farmers in Clatsop participating in their dryland crop trials. I know there are a couple. These are the types of crop practices that contribute to sequestration.

 Number: 3 Author: hfoote Subject: Comment on Text Date: 2020-05-13 17:22:16

---

I think that may be regulated by OWRD, I'd check. Seniority of irrigation rights will certainly become more of an issue. State climate reports also highlight climate related pressures contributing to increases in invasive weed species, diseases and pests impacting ag (OR 2010 climate adaptation framework has a discussion on impacts to ag). May consider how these and water are addressed in reviewing use compatibility and addressing 215.296 criteria

A significant amount of grazing land is located with floodplains and was created through the construction of a system of dikes, levees and tidegates, some of which are now approaching 100 years in age. Some of the diking districts are no longer in operation and maintenance and repair of dikes may not be occurring on a regular basis. **These areas of the County may become more vulnerable to flood events and to sea level rise,**<sup>1</sup> **which may raise the overall height of adjacent rivers and streams.**

## **AGRICULTURE AND THE CONTINUED DEMAND FOR HOUSING**

In 2019, Clatsop County, in partnership with the five municipalities, completed a countywide housing study. The study determined that there is adequate buildable land within unincorporated Clatsop County and that there are sufficient dwellings available to meet the County's current and projected population growth. However, the study also determined that there is a lack of housing within certain price points, which is creating unnecessary pressure and prohibiting residents from being able to find affordable housing. Adding to this situation is the high number of dwellings that are either used as second homes or offered as short-term rental units, which further decrease the supply of available permanent housing.

The housing situation may continue to worsen if climate change continues unmitigated. As other areas of the state and the western United States endure increased heat, drought and wildlife, climate change refugees may seek to relocate to this area which will still remain relatively livable, despite its own changes to climate. That increased need for housing will in turn create additional pressures to **convert farm land to residential**<sup>2</sup> **developments.** If agricultural land is transitioned to housing, this will require even more food to be imported into the county from other locations, generating a spiral of increased greenhouse gas emissions, worsening climate change, an influx of even more new residents and the resulting demand to convert even more farm land to build dwellings.

## **AGRICULTURE AND WILDLIFE**<sup>3</sup>

In 2019, Clatsop County participated with the cities of Warrenton, Gearhart and Seaside, in a Solutions Oregon project designed to reduce the number and severity of interactions between elk and humans in the Clatsop Plains planning area. While the purpose of this project was primarily to address interactions in areas that were more densely developed, there remains a potential for increased conflict between wildlife and areas of agricultural development. Because there is only a limited supply of land within the county, increasing residential and non-residential develop will force wildlife behaviors and migratory patterns to change. As seen in the Clatsop Plains planning area, as natural habitat is replaced with manicured landscapes and gardens, wildlife will adapt and replace their natural foraging areas with these human-created landscapes. The county's original comprehensive plan cited the impacts from elk on agricultural crops and included recommendations that the State Wildlife Commission be officially requested to resolve the existing adverse impacts on agricultural lands associated with elk, including, but not limited to, one or more of the following measures:

- revision of hunting laws to sustained management levels;
- reduce the elk population in Clatsop County;
- indemnify the owners for damage on their property resulting from elk; and
- pay for and install adequate fencing.



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Number: 1 Author: hfoote Subject: Comment on Text Date: 2020-05-13 17:24:09

---

The wetlands/ag lands conversation is an interesting one. Are you anticipating SLR models to result in conversion of ag lands to estuary? How might that impact agricultural communities and the general sustainability of agricultural economy? It would be interesting to know #acres of EFU that would be submerged under a 1 foot SLR model. I believe that would be fairly easy to obtain in a GIS analysis.



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Number: 2 Author: hfoote Subject: Comment on Text Date: 2020-05-13 17:25:05

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I might highlight that pressure to convert rural lands (vs adding density to urban lands) for affordable residential development results in additional infrastructure costs to county and locates lower-income populations farther away from services (childcare, medical, social services, food, community centers, etc), increases their commute times, increases their transportation costs, etc. 1,000 Friends has a good paper on the cost to rural jurisdictions of extending services to rural areas.



---

Number: 3 Author: hfoote Subject: Comment on Text Date: 2020-05-13 17:25:52

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How does this relate with the Goal 5 policies and designated big game range?

The original plan also called for any requests to change zoning to assess the need to establish additional wildlife refuges and game management areas adjacent to agricultural lands.

The potential impacts of climate change, along with increased demand for residential units, will continue to result in habitat loss for elk and other big game within the county. Policies encouraging the use of appropriate landscaping and fencing materials should be considered in order to minimize damage from game whose interactions with agricultural lands, both larger for-profit facilities and small family gardens and farms, may become more commonplace over the next 20 years.

## CANNABIS AND INDUSTRIAL HEMP

### *Cannabis*

#### *Medical Marijuana*

In 1998, Oregon voters approved the use of marijuana for medical purposes although ballot measures to allow retail sales of medical marijuana were routinely turned down by voters. Beginning October 1, 2015, following passage of Ballot Measure 91, adults 21 and older were able to purchase a quarter ounce of marijuana from participating medical marijuana dispensaries. The *Oregon Medical Marijuana Program Statistical Snapshot January, 2020* lists 65 growers with a total of 61 distinct grow sites within all of Clatsop County. Because the OHA data does not break out records by address, some of these grow sites may be located within incorporated areas of the county. There are no medical dispensaries or medical processing sites in Clatsop County. Medicinal cannabis is currently administered by the Oregon Health Authority (OHA).

#### *Recreational Marijuana*

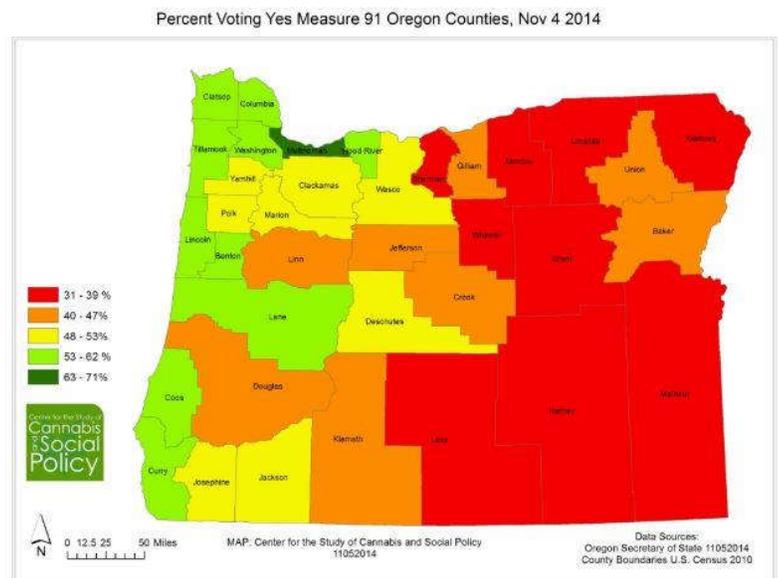
Ballot Measure 91, approved by Oregon voters in 2014, legalized the recreational use of marijuana. Adults age 21 and older are permitted to purchase up to one ounce of marijuana, 16 ounces of marijuana products in solid form and up to 72 ounces of marijuana products in liquid form. Recreational cannabis is overseen by Oregon Liquor Control Commission (OLCC). Per information from the OLCC, as of February 10, 2020, there are 10 licensed recreational producers and 17 licenses recreational retailers in all of Clatsop County. The licensing recorded do not list addresses, so these totals may contain locations that are within incorporated areas of the county.

#### *Industrial Hemp (Information from Oregon State University Extension Service)*

Industrial hemp was grown as a commodity fiber crop in the United States from the mid-18<sup>th</sup> century until the mid-1930s. Cannabis sativa, or industrial hemp was banned and was considered an illegal crop in the United States for several decades.

## Oregon Measure 91 Approval Rates by County

November 10, 2014 corvad Uncategorized



In Oregon, the state Department of Agriculture established a statewide hemp program in 2015. The 2018 Federal Farm Bill decriminalized the cultivation of industrial hemp and designated the USDA Agricultural Market Service to develop regulations regarding hemp production. As of February 2020, the guidelines for legal industrial hemp cultivation have not yet been finalized.

### GOAL 3 – AGRICULTURAL LANDS

The various economic products of *Cannabis sativa* include:

- fiber hemp
- oilseed hemp
- hemp products for medicinal markets
- hemp products for recreational markets

Fiber and oilseed hemp are collectively known as industrial hemp. As of February 2020, the State of Oregon was still waiting for the U.S. Department of Agriculture to approve its State Hemp Plan. Because of the discrepancies between state and federal rules regarding cannabis transactions between the public, growers, processors and sellers of cannabis products are typically conducted on a cash-only basis, as many financial institutions are concerned about violating federal laws. While the number of retailers, producers and processors is limited within Clatsop County, there is likely an unknown trickle down effect on the economy related to this economic disconnect.

Both cannabis and hemp are considered farm crops in Clatsop County and are thus permitted to be grown<sup>1</sup> anywhere where farm use is permitted. In 2018, Clatsop County adopted Ordinance 18-05, which established time, place and manner regulations associated with the production, processing, sale and testing of cannabis.



Number: 1 Author: hfoote Subject: Comment on Text Date: 2020-05-13 17:27:58

In other areas we are getting a lot of feedback on conflicts between nearby residential uses and grow operations and CBD processing operations. Has Clatsop experienced these types of conflicts yet?

**GOAL: TO PRESERVE AND MAINTAIN AGRICULTURAL LANDS.**

**OBJECTIVE 1: Preserve agricultural land for the valuable role it plays in providing food and health needs for all Oregonians.**

**Policy A:** Clatsop County shall encourage agricultural activities by preserving and maintaining agricultural lands through the use of the Exclusive Farm Use zone consistent with ORS 215 and OAR 660 Division 33.

**Policy B:** The County shall encourage and support increased residential densities within incorporated areas and urban growth boundaries.

**Policy C:**<sup>1</sup> The County shall work with state agencies and legislators to:

- explore the possibility of allowing residential units on resource-zoned parcels that do not meet the minimum required lot size
- revise income resources required in order to construct a single-family dwelling on resource land
- allow temporary housing on resource lands in order to allow farmers to establish the income level required for permanent housing.

**Policy D:** Clatsop County should avoid converting agricultural lands to urban uses, or other non-farm uses, through the use of EFU zones, limitations on non-farm uses, minimum lot sizes and dwelling approval standards.

**OBJECTIVE 2: Support and enhance the viability of small farming operations.**

**Policy A:** Explore ways in which right-to-farm protections can be applied to farming operations outside of resource zones.<sup>2</sup>

**Policy B:** Continue to support and promote agri-tourism events and opportunities on smaller farm facilities outside of resource zones.<sup>3</sup>

**Policy C:** The County shall encourage the creation of small specialty and artisan farms.

**Policy D:** The County shall support agricultural diversity and discourage agricultural monocultures.<sup>4</sup>

**Policy E:** The County shall examine the viability of allowing accessory dwelling units (ADUs) within Residential Agriculture zones.<sup>5</sup>

**OBJECTIVE 3: Encourage irrigation, drainage and flood control projects that benefit agricultural use with minimum environmental degradation in accordance with existing state and federal regulations.**

**Policy A:** The County shall engage with state agencies, local non-profit agencies and individual property owners to monitor flooding and sea level rise in relation to agricultural activities.



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Number: 1 Author: hfoote Subject: Comment on Text Date: 2020-05-13 17:35:04

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These are all fairly significant legislative asks that would likely be very contentious. Is the county committing to pursuing a legislative agenda/advocacy work by incorporating these concepts as policy objectives its comp plan? Depending on the actual proposal, there is a possibility DLCD could determine to oppose some of these concepts.



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Number: 2 Author: hfoote Subject: Comment on Text Date: 2020-05-13 17:47:27

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RTF applies to farm vehicles and animal transport on public roads. This policy appears to apply to exception lands and UUCs? How does this relate to goal3/agricultural lands? Increasing visibility of RTF laws?



---

Number: 3 Author: hfoote Subject: Comment on Text Date: 2020-05-13 17:39:16

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This appears to be a policy directed to uses on exception lands. Im not sure the goal 3 element is the appropriate place for that objective unless it is intended to encourage agri-tourism related activities into more urbanized areas in order to minimize conflicts with agricultural operations.



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Number: 4 Author: hfoote Subject: Comment on Text Date: 2020-05-13 14:28:44

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What does that look like?



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Number: 5 Author: hfoote Subject: Comment on Text Date: 2020-05-13 17:48:24

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Is this an exception area? If so how does this relate to Goal 3 Agricultural Lands?

**Policy B:** The County shall explore funding sources for dike repair and maintenance and for the restoration of wetlands.

**OBJECTIVE 4: Provide maximum protection to agricultural activities by minimizing activities, particularly residential, that conflict with such use.**

**Policy A:** Whenever possible planning goals, policies and regulations should be interpreted in favor of agricultural activities.

**Policy B:** The County shall continue to monitor **cannabis production and processing activities** within the unincorporated county areas to ensure that conflicts with other agricultural uses are not created or exacerbated.

**Policy C:** The County should prohibit, whenever possible, expansion of urban growth boundaries on high-value farmlands.

**Policy D:** The County shall consider allowing solar and wind energy facilities on **low-value** farmland.

**OBJECTIVE 5: Support agricultural best practices and locally-adapted sustainable agricultural techniques.**

**Policy A:** The County shall promote policies that encourage consumption of local farm products to reduce greenhouse gas emissions associated with the transportation of crops and products.

**Policy B:** The County shall support and promote the use of best management practices relating to agriculture and reduction of carbon footprints associated with agriculture.

**Policy C:** The County shall continue to support and promote the work of the Clatsop County Soil and Water Conservation District.

**Policy D:** The County shall support the use of agro-ecology and promote sustainable, holistic and regenerative approaches to food production.

**Policy E:** The County shall discourage non-sustainable practices that damage water, soil, and air quality.

**Policy F:** The County shall promote the use of locally-appropriate plant species and discourage the use of herbicides and pesticides on agricultural lands.

**Policy G:** The County shall encourage organic farm practices.

**OBJECTIVE 6: Reduce or eliminate climate change impacts derived from agricultural activities.**

**Policy A:** The County shall incorporate objectives and policies into the Comprehensive Plan and its implementing ordinances to mitigate or alleviate impacts from climate change.

**Policy B:** The County shall continue to promote **local farm-to-table and locavore programs** that reduce costs and emissions produced by transport of foodstuffs.



---

Number: 1 Author: hfoote Subject: Comment on Text Date: 2020-05-13 17:53:38

---

It is certainly appropriate to ensure that processing activities permitted on agricultural lands, generally, do not conflict with farming practices. I would suggest caution in promoting one type of crop over another.



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Number: 2 Author: hfoote Subject: Comment on Text Date: 2020-05-13 17:54:32

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how defined?



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Number: 3 Author: hfoote Subject: Comment on Text Date: 2020-05-13 18:03:00

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Most of these policy objectives are directed toward specific practices which may be contrary to Oregon's right to farm protections. Many of these policies are outside of the County's regulatory authority. I would encourage the County to think through how some of these statements might be used in a contentious land use hearing to support positions that are not aligned with the states land use program or right to farm protections or ODA/DEQ regulations.



---

Number: 4 Author: hfoote Subject: Comment on Text Date: 2020-05-13 18:06:34

---

Might suggest broadening this policy statement to 'encourage the development of a more resilient local food systems. Promote implies action. Or does the County intend a narrow focus on farm-to-table events? Broader policies might include encouraging/supporting development of first and last mile facilities like of processing, cold storage, distribution and food hubs.

# ATTACHMENT B

*Public and CAC Comments*

## Gail Henrikson

---

**From:** connellpc@comcast.net  
**Sent:** Monday, June 15, 2020 1:33 PM  
**To:** Gail Henrikson  
**Subject:** RE: DLCD Comments - Goals 1 and 3  
**Attachments:** AG land Death By 1000 Cuts\_2020.pdf

Hi Gail,

If you haven't had seen the recent Ag study and policy recommendations by 1000 Friends of OR, I attached it for you. There are good suggestions regarding new definitions, incentives for farmers and more ideas that could be included in the Goal 3 draft. If you'd like any help or ideas, let me know. The report provides methods for solving current ag land preservation conflicts, a bit outside the box.

*Carole W. Connell, AICP  
City Planner  
4626 SW Hewett Blvd.  
Portland, OR 97221  
503-297-6660; 971-227-0634 cell*

---

**From:** Gail Henrikson <ghenrikson@co.clatsop.or.us>  
**Sent:** Thursday, June 11, 2020 1:50 PM  
**To:** Gail Henrikson <ghenrikson@co.clatsop.or.us>  
**Cc:** Julia Decker <JDecker@co.clatsop.or.us>; Ian Sisson <isisson@co.clatsop.or.us>; Victoria Sage <vsage@co.clatsop.or.us>  
**Subject:** DLCD Comments - Goals 1 and 3

Good afternoon, everyone.

During our hiatus, staff prepared revisions to Goals 1-4, based upon input gathered during the various citizen advisory committee meetings in 2019. Those revisions were forwarded to the Department of Land Conservation and Development (DLCD) back in April. To date, we have received comments back from DLCD on Goals 1 and 3. (I mistakenly told the Southwest Coastal CAC yesterday that we had received comments on Goal 2 as well, but we have not yet received that feedback).

The DLCD comments are attached for your review. Additionally, the comments will be posted on the [County website](#) (scroll down to Supporting Documents) later today. You can read DLCD's comments by double-clicking on the "sticky notes" in the documents.

Comments and feedback are encouraged and welcome. Want to send us comments?

- Phone: 503-325-9611
- Fax: 503-338-3606
- Email: [comdev@co.clatosp.or.us](mailto:comdev@co.clatosp.or.us)
- Snail mail: 800 Exchange Street, Suite 100, Astoria, OR 97103

There is no deadline for input. Please forward to any and all that might be interested. And please always feel free to contact me if you have any questions.

# ATTACHMENT C

*Statewide Planning Goal 3*

# Oregon's Statewide Planning Goals & Guidelines

## GOAL 3: AGRICULTURAL LANDS

### OAR 660-015-0000(3)

#### **To preserve and maintain agricultural lands.**

Agricultural lands shall be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space and with the state's agricultural land use policy expressed in ORS 215.243 and 215.700.

#### **USES**

Counties may authorize farm uses and those nonfarm uses defined by commission rule that will not have significant adverse effects on accepted farm or forest practices.

#### **IMPLEMENTATION**

Zoning applied to agricultural land shall limit uses which can have significant adverse effects on agricultural and forest land, farm and forest uses or accepted farming or forest practices.

Counties shall establish minimum sizes for new lots or parcels in each agricultural land designation. The minimum parcel size established for farm uses in farmland zones shall be consistent with applicable statutes. If a county proposes a minimum lot or parcel size less than 80 acres, or 160 acres for rangeland, the minimum shall be appropriate to maintain the existing commercial agricultural enterprise within the area and meet the requirements of ORS 215.243.

Counties authorized by ORS 215.316 may designate

agricultural land as marginal land and allow those uses and land divisions on the designated marginal land as allowed by law.

LCDC shall review and approve plan designations and revisions to land use regulations in the manner provided by ORS Chapter 197.

#### **DEFINITIONS**

***Agricultural Land*** -- in western Oregon is land of predominantly Class I, II, III and IV soils and in eastern Oregon is land of predominantly Class I, II, III, IV, V and VI soils as identified in the Soil Capability Classification System of the United States Soil Conservation Service, and other lands which are suitable for farm use taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land-use patterns, technological and energy inputs required, or accepted farming practices. Lands in other classes which are necessary to permit farm practices to be undertaken on adjacent or nearby lands, shall be included as agricultural land in any event.

More detailed soil data to define agricultural land may be utilized by local governments if such data permits achievement of this goal.

Agricultural land does not include land within acknowledged urban growth boundaries or land within acknowledged exceptions to Goals 3 or 4.

**Farm Use** -- is as set forth in ORS 215.203.

**High-Value Farmlands** -- are areas of agricultural land defined by statute and Commission rule.

growth. The interchange of such lands should not be subject to tax penalties.

## **GUIDELINES**

### **A. PLANNING**

1. Urban growth should be separated from agricultural lands by buffer or transitional areas of open space.
2. Plans providing for the preservation and maintenance of farm land for farm use, should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

### **B. IMPLEMENTATION**

1. Non-farm uses permitted within farm use zones under ORS 215.213(2) and (3) and 215.283(2) and (3) should be minimized to allow for maximum agricultural productivity.
2. Extension of services, such as sewer and water supplies into rural areas should be appropriate for the needs of agriculture, farm use and non-farm uses established under ORS 215.213 and 215.283.
3. Services that need to pass through agricultural lands should not be connected with any use that is not allowed under ORS 215.203, 215.213, and 215.283, should not be assessed as part of the farm unit and should be limited in capacity to serve specific service areas and identified needs.
4. Forest and open space uses should be permitted on agricultural land that is being preserved for future agricultural

# ATTACHMENT D

*Clatsop County Goal 3*

# Goal 3

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**CLATSOP COUNTY  
GOAL 3  
COUNTY-WIDE ELEMENT**

---

**AGRICULTURAL LANDS**



County-wide Element

Goal 3

Agricultural Lands

Adopted Ordinance 80-7, July 23, 1980 =  
Clatsop County Board of Commissioners

Developed By  
Clatsop County Department of Planning and Development

## Introduction

Farming in Clatsop County has declined in the last 15-30 years and the future does not look particularly bright.

Small farm sizes interspersed with rural tracts, difficult terrain, a wet climate, and competition from other land uses all work against the consolidation of large, efficient farm units which are characteristic of other areas of the state where agriculture is thriving. As pressure for land for other uses increases, and the off-the-farm employment becomes more attractive, it is probable that farm acreage and the number of farms will decline below the present level. However, the pattern of small farms, producing a low income stream, with the operator working in other employment for part of the year, is likely to continue. This compliments the seasonal employment cycles of some of the County's industries and provides an appealing way of life for some people.

## Findings

1. Clatsop County's total acreage in farm land continues to be a very small percentage of the State and the regional farm land. Also, the County's acreage in farm land is a small percentage (5.1%) of its own total land area.
2. The average farm size in Clatsop County as of 1974 is 122 acres.
3. The number of farms in the County has declined to about one-quarter of what existed in 1949.
4. The total acres in agriculture has declined nearly 50% since 1949.
5. Average farm size, however, has increased nearly 50% since 1949.
6. A rapid drop has occurred in the number of small farms consisting of 10-49 acres.
7. The majority of farms are owned by older, long-time residents.
8. Approximately two-thirds (2/3) of all farms are operated on a part-time basis.
9. The economic importance of farming in the County is minor compared to other sectors. Farmers here must absorb additional transportation costs to get local products to distant markets, primarily to Portland.
10. There are no agricultural processing enterprises in the County.
11. The small scale of farming also supports very few farm related businesses. This has led to increased costs to farmers for farm equipment, supplies, and services.
12. There are 79,850 acres of Class I-IV soils in the County comprising 14.8% of the total land area. There are no Class I soils due to climatic limitations. Over 90% of the total land area is forest lands including the majority of areas having Class I-VI soils.

2. New proposals shall require a zone change and an assessment of public need and impacts of establishing additional wildlife refuges or game management areas adjacent to agricultural activities.
- b. The State Wildlife Commission shall be officially requested to resolve the existing adverse impacts on agricultural lands associated with elk, including but not limited to, one or more of the following measures:
1. revision of hunting laws to sustained management levels.
  2. reduce the elk population in Clatsop County.
  3. indemnify the owners for damage on their property resulting from elk.
  4. pay for and install adequate fencing.

9 "In land use changes involving a change from Conservation-Forest Lands or Rural Agricultural Lands to Rural Lands or Development designations an Exception to the Agricultural Lands or Forest Lands Goals must be taken.\*

\* Amended 84-9, dated May 23, 1984.

BACKGROUND REPORT

GOAL 3

AGRICULTURE IN CLATSOP COUNTY :

by

John Mills, Gail Hochhalter & Janet Young  
Clatsop County Department  
of Planning and Development

March 1980

Adopted July 23, 1980 by  
Clatsop County Board of Commissioners

Amended March 1983

*Handwritten:* H-1234-56789 / 10-11-12 County P.C.  
13-14 9, 1983

## TABLE OF CONTENTS

	<u>Page</u>
INTRODUCTION	1
FACTS AND TRENDS IN AGRICULTURE	2
THE PEOPLE WHO ARE FARMING	7
TYPES OF AGRICULTURE IN CLATSOP COUNTY	9
THE ROLE OF AGRICULTURE	11
ECONOMICS OF FARMING	12
SOILS SUITABILITY	16
CLIMATE	19
STATE AGRICULTURAL LAND USE POLICY	22
MINIMUM PARCEL SIZE	23

### INDEX TO TABLES AND FIGURES

TABLE 1. Trends in Farm Numbers and Acreages	2
TABLE 2. Land Rented from Others - Farms with Incomes over \$2500 ONLY	3
TABLE 3. Farms by Size 1959-1978	4
TABLE 4. Farms by Size - 1978 Only	4
TABLE 5. Farms, Land in Farms and Values 1969-1978	5
TABLE 6. Census of Farm Operators	7
TABLE 7. Breakdown of Principal Occupation by Type of Farm	8
TABLE 8. Breakdown of Farm Types	9
TABLE 9. Clatsop County--Estimated Gross Farm Sales 1969-1977 (in \$1000)	14
TABLE 10. Farm Sales and Farm Expenses: 1974 and 1969	15
TABLE 11. Inventory of Acreage by SCS, 1973	18
TABLE 12. Average Daily Cloud Cover--1977	21
TABLE 13. Rainfall in Inches for 1977	21

## INTRODUCTION

The protection and preservation of agricultural land is primarily for the purpose of maintaining the soil resource and farm industry as a basis of food and fiber production now and in the future.

The main tools to accomplish this goal are farm zoning and land division controls. Partially through the exercise of these controls, the agriculture industry can be maintained.

As part of the County Comprehensive Plan, this report describes the history, problems and limitations of agriculture in the County. It compares agriculture in Clatsop County to the industry in the entire State and suggests that this north coast area is distinguished from the rest of the state by the small role that agriculture plays in the County.

In addition, policies are included which address the County's commitment to the preservation of agricultural lands and the means to protect them. The commercial agricultural enterprises in the County are described and a minimum parcel size for farm land divisions defined.

The discussion of impacts of agriculture on air, water and land is contained in the Air, Water and Land Quality Background Report. Policies which relate to specific community concerns about agricultural practices can be found in the County Community Plans.

## FACTS AND TRENDS IN AGRICULTURE

Agriculture had a poor beginning in Clatsop County. Livestock and a variety of vegetable seeds were brought to the area by the Astor Fur Company in 1811, a few years after Lewis and Clark wintered here. Except for radishes, potatoes and turnips, the crops failed to mature. According to one party member, the turnips were huge, one measuring 33 inches around and weighing 15-1/2 pounds. But, due to mice infestation and other problems, all their crops came to nothing. The farm was abandoned in 1813.

By 1850 the increased business of ocean and river traffic caused the development of lumber mills, large livestock import for dairy and beef farms, and a fishing export industry. Agriculture grew.

Farming in the County was also strong in the 1940's to the early 1960's. There were 56 small poultry farms with from 1,000 to 10,000 hens. There were four milk processing plants, several raw milk distributors and many small 40 to 50 acre dairies. Other specialty crops and products that also experienced growth were mink, cranberries, holly and Astoria bent grass lawn seed.

Since 1949, agriculture in the County has declined to its present level. Several factors may have been responsible. Among these are:

1. The local agriculture processing industry and, consequently, a ready market for farm products gradually disappeared;
2. Farming required continuing improvement of management methods (i.e. mechanization);
3. The disappearance of very large farms (over 1,000 acres);
4. Increasing costs.

Since 1969, the amount of land in the County in farms has remained about the same, as has the average size of a farm.

Table 1. - Trends in Farm Numbers and Acreages

<u>Year</u>	<u>Acres</u>	<u>% Total Land Area</u>	<u>Total # Farms</u>	<u>Average Farm Size</u>	<u>Median Farm Size</u>
1949	57,000	11.1%	837	68.1 acres	--
1954	51,000	9.9%	NA	NA	--
1959	55,082	10.7%	457	120.5 acres	--
1964	39,501	6.6%	486	81.3 acres	--
1969	23,745	4.6%	258	92.0 acres	--
1974	26,560	5.1%	217	122.0 acres	--
1978	22,631	4.2%	234	96.9 acres	60.5 acres

Source: Census of Agriculture

The Census separates farms which have an income of \$2500 or more from all farms in the County. Of the 234 farms in the County, only 128 reported incomes of at least \$2500. Only two counties, Curry and Wheeler, had a fewer number of farms in this category in 1978. In the case of Wheeler County the average farm size was 8695 acres. Two of their farms would make up all the farm acreage in Clatsop County with incomes over \$2500. Curry County had 122 farms with incomes over \$2500 compared to Clatsop County's 128. Lincoln County had only slightly more, at 132. These three coastal counties appear similar in agricultural characteristics, although Tillamook and Coos counties have many more farms earning at least \$2500 as well as many more total farms.

Clatsop County had the highest number of farms in which all crops failed of all coastal counties.

Farms are defined by the Census of Agriculture as including crop land and pasture land but also include wood land, waste land, and land under houses, roads and ponds. For Clatsop County:

Woodland not pastured:	5,037 acres
Land in house lots, roads, ponds, etc.:	<u>1,893 acres</u>
	6,930 acres

Total farm acres in County: 22,681 acres

Therefore, 30.5% of farm land acreage is not used at all for crops or pasture land. This leaves 15,751 acres used as farm land in the County.

Reported farm acreage includes "all lands under the day-to-day control or supervision of one person or partnership." This includes land rented from others. For farm with incomes of over \$2500 rented lands are a significant amount of farm acreage.

Table 2. - Land Rented from Others  
Farms with Incomes over \$2500 ONLY

<u>Farm Acreage</u>	<u># of Farms</u>	<u>% of Farms Which Rent Land From Others</u>	<u>% of Acreage on Farm Rented From Others</u>
1-19 ac	13	7.7%	D*
20-39 ac	15	13.3%	D*
40-79 ac	32	15.6%	11.5%
80-159ac	35	31.4%	18.3%
160-319ac	23	47.8%	32.6%
320 or more	10	90%	39.9%

D\*: Reported at District level only

For farms over 160 acres, an average of 1/3 or more of the acreage is rented from others.

Table 3. shows the trends in farm acreage classes since 1959. Total numbers of farms, as well as most categories, dropped from 1959 to 1974. Since 1974, though the total number of farms has increased. What is most evident from the 1978 figures is the growth of small farms and the corresponding drop in the number of large farms. It is impossible to make any conclusions from these figures on how agricultural activities are conducted in Clatsop County. In combination, though, with figures listed later in this section showing the large number of part-time farms in the County, the figures may infer the growth of small, part-time farms replacing large farms.

Table 3. - Farms by Size 1959-1978

<u>Size</u>	<u>1978</u>	<u>1974</u>	<u>1969</u>	<u>1964</u>	<u>1959</u>
Under 10 acres	19	11	25	45	42
10-49 acres	80	68	100	232	203
50-179 acres	105	98	100	154	164
180-499 acres	26	35	29	44	39
500-999 acres	4	6	3	9	6
1000-1999 acres	0	1	1	1	1
2000+ acres	0	0	0	0	2
Total	234	217	258	486	457

A Census of Agriculture breakdown of farms in other size ranges is shown in Table 4. Is is useful for finer breakdown of smaller size ranges.

Table 4. - Farms by Size - 1978 Only

<u>Acreage</u>	<u>Number of Farms</u>
1-19 acres	46
20-39	36
40-79	61
80-159	51
160-319	29
320+	11
Total	234

From this table it can be determined that 61% of the farms in Clatsop County are 79 acres or less. A minimum parcel size of 40 acres in the EFU zone would require at least an 80 acre parcel before any farm use division could take place. Therefore, the majority of farms in the County would not be capable of any further division.

Table 5. compares agriculture in Clatsop County with the industry in the entire state.

In most cases, the trends for Clatsop County follow those of the state. The number of farms is one area which shows a difference - with farm numbers up almost 20% in the state but down 9% here. A drastic difference shows up in the "other cropland" category. In Clatsop County, almost 1/3 of that acreage was for crops which failed.

Table 5.

Farms, Land in Farms and Values 1969-1978

	Clatsop County				% Change 1969-1978	State of Oregon			
	1978	1974	1969			1978	1974	1969	1965-1978
Acres of Farm lands % of Total Area in Farm Land	22,681 4.2%	26,560 5.2%	23,745 4.6%		-4.5%	18,414,484 29.9%	18,241,455 29.6%	18,017,850 29.3%	19,500,000 31.2%
Number of Farms	234	217	258		-9%	34,612	26,753	29,063	31,000
Average Size of Farms (Acres)	97	122	92		+5.4%	532	682	620	620
Average Value of Land and Buildings Per Farm (\$)	127,698	82,326	40,235		+217%	267,149	170,145	93,134	110,000
Acres in Crop Land - Total	10,815	12,549	10,194		+6.1%	5,247,487	5,074,988	5,197,520	5,100,000
Acres Harvested									
Crop Land	3,799	4,692	3,684		+3%	3,280,005	3,213,399	2,893,632	4,100,000
Acres Pasture Only	6,187	7,607	6,455		+4.2%	814,484	815,197	1,077,257	1,000,000
Other Crop Land*	829	250	55		1407%	1,152,998	1,045,392	1,226,631	1,000,000
Acres of Woodland, Including Woodland Pasture	7,248	8,618	8,626		-15.9%	1,786,919	1,730,245	2,037,077	1,800,000
All Other Farm Land (Includes unimproved pasture land, barn lots, ponds, wasteland, etc.)	4,618	"	4,925		-6%	11,380,078	11,436,212	10,790,253	11,500,000

\*Other crop land includes crop land with cover crops or soil improvement grasses which is not harvested or pastured; crop land in summer fallow; crop land lying idle; and crop land on which all crops failed.

Findings:

1. The amount of land in the County in farms and the acreage size of a farm have stayed about the same since 1969.
2. Of coastal counties, Clatsop County had the highest number of farms in 1978 in which all crops failed.
3. In 1978, Clatsop County ranked 34th out of 36 counties in the State in the number of farms with incomes over \$2500.
4. Over 30% of the 22,631 acres defined as farm land in the County are in wood land or house lots, roads, ponds, etc.
5. For farms with incomes of over \$2500, lands rented from others are a significant amount of farm acreage.
6. In 1978, Clatsop County had a total of 234 farms; only 128 of these had incomes of \$2500 or more.
7. Since 1974, there has been an increase of small farms (49 acres or less) and a decrease of very large farms (500 acres or more).
8. In 1978, 61% of farms in Clatsop County are 79 acres or less.
9. The average size of a farm is 97 acres. The median, or middle sized farm is 60.5 acres. Therefore, half of the farms in the County are less than 60.5 acres, half greater (1978 data).
10. Between 1969 and 1978, Clatsop County had a decrease of 9% in the total number of farms, whereas the entire State had an increase of nearly 20%.

# THE PEOPLE WHO ARE FARMING

This section is to provide some general census information on the farm operators in the County.

Table 6.  
Census of Farm Operators

Days Reported Working Off Farm	1978		1974		1969	1964	1959
	All Farms	Farms w/sales of \$2500+	All Farms	Farms w/sales of \$2500+	All Farms	All Farms	All Farms
None	74	48	70	41	n/a	n/a	n/a
1-99 days	13	9	23	11	25	40	48
100+ days	143	68	106	32	144	237	225
<u>Total Farms</u>	234	128	217	95	258	486	457
<u>Principal Occupation</u>							
Farming	81	61	90	61	n/a	n/a	n/a
Other	153	67	125	32	n/a	n/a	n/a
<u>Average Age</u>	51.2	50.9	53.3	54.7	52.8	n/a	n/a
<u>Farms by Tenure</u>							
Full Owners	181	89	171	63	208	n/a	n/a
Part Owners	45	35	38	30	37	n/a	n/a
Tenants	8	4	8(3.7%)	2(2.1%)	13(5%)	n/a	n/a

Source: Census of Agriculture

The first category of Table 6. indicates the number of days that farm operators reported working off their farms. As can be seen from the number of days worked off the farms since 1959, part-time farming has been the usual in Clatsop County for many years. This category does not include spouses who may work off the farm.

It is interesting to note the difference between 1974 and 1978 in the number of operators of farms over \$2500 income per year with a principal occupation other than farming. The number of principal operators has remained the same at 61, but the number of part-time operators has increased from 32 to 67.

In the next category, "Average Age", the Table shows that farmers on an average are over 50 years old in Clatsop County, which is comparable with the rest of the State.

Table 7.  
Breakdown of Principal Occupation by Type of Farm

<u>Principal Occupation</u>	<u>Dairy Farms</u>	<u>Intensive Animal Husbandry</u>	<u>Extensive Animal Grazing</u>	<u>Horticultural Specialities</u>	<u>Total All Farming 250</u>
Farming	17	9	28	2	61
Non-farming	2	3	53	5	67

As would be expected, more operators of grazing operations have other principal occupations than in the other two major types of farming in the County. A grazing operation involves less intensive maintenance than dairying or mink ranching.

FINDINGS

1. The majority of farms are owned by older residents.
2. Almost 2/3 of all farms are operated on a part-time basis. Even of those farms earning over \$2500, over 1/2 are operated on a part-time basis.
3. Most operators of dairy farms and intensive animal husbandry farms list farming as their principal occupation. For grazing operations, only about 1/3 of the operators are principally employed by farming.

## TYPES OF AGRICULTURE IN CLATSOP COUNTY

Agriculture is not diverse in Clatsop County. Grazing, mink farming and dairying are predominant, with numerous miscellaneous crops and specialties such as cranberries, holly, small fruits and berries.

Intensive animal husbandry, a category which includes mink farming, comprises only 10.3% of the farms in the County but generates almost 1/3 of the farm income. The average parcel size of a farm in this category is 32.6 acres.

Extensive animal grazing, by contrast, constitutes 69.7% of the farms but generates less than 1/4 of the farm income. The average parcel size of a grazing operation is 81.5 acres.

Clatsop County has 19 dairies, compared to Tillamook County, our neighbor to the south, with 190. These 19 dairies constitute only 8.1% of the farms in the County but generate 42.8% of the farm income. Characteristics of climate and soils are similar for Clatsop and Tillamook counties as well as characteristics of the dairy operations themselves. Tillamook Dairy Cooperative is the market for most Clatsop County milk. It is reasonable that planning provisions which have been found to be adequate to protect the dairy industry of Tillamook County would also protect the much smaller dairy industry of Clatsop County.

In Tillamook County, the Soil and Water Conservation District and a majority of the County's citizen advisory committee members agreed that 40 or more acres are normally required for a viable dairy farm (source: Tillamook County Plan). They stated that a 40 acre minimum lot size requirement would help protect conversion of commercial agricultural land to non-farm uses.

Clatsop County's Exclusive Farm Use (EFU) zone has a 40 acre minimum parcel size, identical to the 40 acre parcel size for farms in Tillamook County.

Table 8. Breakdown of Farm Types

	<u>% of Total Farms</u>	<u>% of Farms Over \$2500+ Income</u>	<u>% of Total Income</u>
Extensive Animal Grazing	69.7	63.3	24
Intensive Animal Husbandry	10.3	9.3	29.3
Dairying	8.1	14.8	42.8
Horticultural Specialties	4.7	5.4	1.5

### Findings

1. Predominant agricultural activities in Clatsop County are grazing, dairying and mink farming.
2. The majority of farm income in the County is derived from dairying and intensive animal husbandry (including mink farming).
3. Grazing is the agricultural activity which comprises the majority of farms (69.7%) in the County but generates less than 1/4 of the

4. A 40 acre minimum parcel size has been found to be sufficient to protect the dairying industry of Tillamook County, the County adjacent to the south with a dairy industry 10 times the size of Clatsop County.

## THE ROLE OF AGRICULTURE

Employment in the agricultural sector has steadily declined in the County from 860 people in 1960 to 550 in 1970 to an estimated 182 (Input/Output Analysis) for 1977. The 1974 Agriculture Census, however, shows a gain in hired farm workers from 1969 to 1974, from 272 to 309 workers, respectively. The Census also shows that these hired workers were working for fewer days in 1974 than in 1964 and that the total dollar payroll went from \$211,000 to \$247,000. The 1977 estimate of 128 workers accounts for 1.6% of the total County employment.

Oregon State University's Extension Service has conducted an Input/Output Analysis of the County's economy from which the estimated farm employment for 1977 was derived. The Analysis also shows the Agricultural sector as representing 0.6% of the total export sales (dollars into the County) of Clatsop County.

The figures above place agriculture far down on the list in comparison with the County's top three industries: forestry, fisheries, and tourism. In export sales the lumber and wood products industry is 51.9%, the marine resources industry is 18.0%, and the retail/whole products and services sector (tourism) is 9.9% of the County's total.

The lumber and wood products industry employs 2,092 people or 17.8% of the total County employment (1977). This industry constitutes 474,000 acres of the County or 90% of the total land area.

There are no agricultural processing enterprises in Clatsop County except for preliminary processing of milk and mink occurring on the site.

There are also very few supportive businesses for agriculture. For example, there are only three slaughterhouse/butchers in the County for people wanting to butcher their cattle for personal consumption. Cattle operators must ship the cattle to Portland to market adding a transportation cost to expenses. There are no tractor sales or farm equipment repair shops in the County.

There are four outlets for fertilizer and feed and seed in the County. One outlet (Mayflower Farms, Inc.) adds \$13.00 freight per ton of fertilizer increasing the cost by 5-7% above the price in Portland.

### Findings

1. The economic importance of farming in the County is minor compared to other sectors. Farmers here must absorb additional transportation costs to get local products to distant markets, primarily to Portland.
2. There are no agricultural processing enterprises in the County.
3. The small scale of farming also supports very few farm related businesses. This has led to increased costs to farmers for farm equipment, supplies, and services.

## ECONOMICS OF FARMING

This section addresses the economic status and health of farming in the County in recent years and the economic importance of the agricultural sector in the County.

The gross cash sales for specific farm items in the County is shown in Table 9. The numbers have increased since 1970 but this is deceptive since inflation is not taken into account. The mainstays of agriculture in the County include hay crops, small fruits and berries, particularly cranberries, specialty products such as holly and forestry, cattle and calf operations, dairy products, and miscellaneous animal products, particularly mink. It is expected that these items will continue to be the County's predominant farm products.

Table 9. shows overall gains in total farm sales. However, in constant 1967 dollars the amounts are nearly equal. Farm expenses also increased by 3-1/2 times more than the sales rate, as shown on Table 10. The events that led to this situation of skyrocketing prices began with the grain crisis in 1973-74. The cost of grain had a dramatic impact on feed for cattle and poultry operators as shown in the "Cattle and Calves" and "Chicken Eggs" categories in Table 9. Another factor increasing expenses in those years was the price of petroleum, including fuel and fertilizers. This example is indicative of the effects and uncertainty that is caused by the lack of diversity in the County's agriculture.

Table 9. also shows the gradual disappearance of the "Grass and Legume Seeds", "Field Crops", and "Tree Fruits and Nuts" categories. Some field crops were combined into "Truck Crops". Astoria bent grass is no longer grown in this County due to a combination of climate and fluctuating market conditions.

It is not possible to directly correlate the information of Table 9. with the next chart, Table 10., which shows farm sales against farm expenses in the County. This is because Table 10. includes only the farms with sales of \$1000 or more.

For total farm sales from 1969 to 1974 Table 10. shows a very small increase of 18.9% for the County compared to the State's increase of 93%. This is due, partly, because 1974 was a poor year for cattle operations in the County and the decrease in this one item by 45% that year also significantly decreased the total sales figures (by 15%).

Farm expenses are also on the rise due to fencing needed to protect crops from elk damage. Total losses due to elk on farm land have not been documented but are well known in farming communities. For example, the annual Brownsmead Corn Feed was cancelled in 1979 because the farmer lost his entire crop to the elk.

The value of agricultural products for the County in 1977 represents 10% of the Tillamook-Clatsop-Columbia region's value of agricultural products. Clatsop County ranked 34th in the State in 1977 for the total value of farm sales, 35th in the percent of land in farm land and 36th in the total number of acres in farm land. Unlike other areas, a bad year in one farm item means a significant drop in total agricultural sales. These two factors, diversity, and a few other factors, such as the lack of investment in farming, agricultural processing, and related business in the County

## Findings

1. Clatsop County does not have a diverse agricultural base.
2. While the mainstays of agriculture have experienced a slight increase in total farm sales, some products are gradually disappearing.
3. The increase in farm expenses spurred by the skyrocketing cost of feed and fuel has decreased profits and caused uncertainty in farming in the County.
4. Clatsop County ranks very low in the state in total farm sales, total amount of farm land, and percent of land in farm land.

TABLE 9.  
Clatsop County--Estimated Gross Farm Sales  
1969-1977 (in \$1000)

	1969	1970	1971	1972	1973	1974	1975	1976	1977
Wheat	30	23	33	32	41	53	88	49	73
Hay	4	12	20	5	3	3	--	--	--
Grass and Legume Seeds	2	2	4	3	5	--	--	--	--
Field Crops	2	2	4	3	5	--	--	--	--
Tree Fruits and Nuts	2	2	2	3	4	--	--	--	--
Small Fruits and Berries	66	35	37	42	58	32	58	58	51
All Truck Crops	8	9	6	5	8	11	12	11	11
Specialty Crops (including Forestry)	128	118	52	162	175	315	425	500	620
ALL CROPS	240	201	154	252	294	414	583	618	774
Cattle and Calves	598	453	512	681	982	529	507	665	581
Pigs and Pigs	12	10	4	12	28	13	15	45	4
Sheep and Lambs	9	10	10	9	15	14	13	23	*
Dairy Products	667	387	411	517	617	620	621	949	913
Farm Chickens	97	n.a.	1	1	1	2	1	1	4
Duck and Eggs	121	n.a.	50	68	106	46	51	29	11
Misc. Animals & Products	538	n.a.	333	338	518	546	781	683	1401
ALL LIVESTOCK AND PRODUCTS	2042	n.a.	1321	1626	2267	1770	1989	2395	2921
ALL CROPS AND LIVESTOCK	2282	n.a.	1475	1878	2561	2184	2572	3013	3694

Source: Oregon State University

Extension Service

\*combined into misc. animals and

TABLE 10.  
Farm Sales and Farm Expenses: 1974 and 1969

	CLATSOP COUNTY--ALL FARMS		% of Change	STATE OF OREGON--ALL FARMS		% of Change
	1974	1969		1974	1969	
Total Farm Sales (\$1000)	2540	2136	+18.9%	1,025,082	531,209	+93.3%
Average per Farm	\$11,705.	\$8,279	+41.4%	\$38,317	\$18,277	+110.5%
Sales by Category (\$1000)						
Crops including nursery products and hay						
• Farms	65	56		15,457	16,825	
\$1000	227	189	+20.1%	651,552	260,416	+150.2%
Forest Products						
Farms	29	27		1,485	1,640	
\$1000	226	44	+413.6%	13,051	6,827	+51.2%
Livestock, Poultry, and products						
Farms	181	209		18,417	19,455	
\$1000	2,086	1,902	+9.7%	350,480	263,966	+33.2%
Total Farm Expenses (\$1000)	2,225	1,735	+71.8%	784,663	466,946	+68.1%

Source: Census of Agriculture

## SOILS SUITABILITY

Clatsop County is predominantly a mountainous upland area with over 90% of the land area being forest land. Because of its topography and the resulting high precipitation and runoff experienced here the County continues to have a very high potential for erosion.

Over time the erosion of sedimentary rock areas has formed deposits of fine grained sediments that make up the soils of the alluvial floodplains and river terraces in the County. When igneous rock areas have been eroded then deposits of sand and gravel are also likely to occur in these floodplain and terrace areas.

Estuarine deposits are fine sand, silt, and clay intermixed with peaty material that occur in the estuarine tidal flats of the Columbia River. Many of these areas have been protected by dikes and drainage systems to create soils suitable for agriculture.

Finally, peat and organic materials intermixed with fine sand make up the organic soils of the Clatsop Plains area.

~~Together these deposits make up the soils most commonly used for agriculture in the County.~~

The peat soils, the estuarine deposits called the Coquille and Clatsop soils, the alluvial floodplain deposits which are usually Nehalem soils, and the river and stream terrace deposits most often being Knappa, Walluski and Chitwood soils have all been ranked by the Soil Conservation Service into "Land Capability Classifications" with the other soils of the County. Soil characteristics such as permeability, water holding capacity, depth, inherent fertility, texture, structure, wetness, acidity, overflow hazards, slope, and also climatic conditions as they influence use, management, and productivity of land are considered in the grouping of soil types into eight land capability classes which are designated by Roman numerals. The hazards and limitations of the use of the groups increase as the class number increases so that Class VIII soils have the most limitations.

Table II. shows the number of acres in each of the classes for Clatsop County. Classes I, II, III and IV soils are considered suitable for agriculture. No Class I or Class V soils occur in Clatsop County. Each capability class is divided into subclasses that show the major cause of the limitations: "e" is for erosion hazard, "w" for wetness, "s" for root zone limitations, and "c" for climatic limitations. The definitions of each class are given below:

Class I soils have few limitations that restrict their use and are excellent for cultivated crops.

Class II soils have some limitations that reduce the choice of plants or require special conservation practices and are good for cultivated crops.

Class III soils have severe limitations that reduce the choice of plants or require special conservation practices, or both. They are fair for cultivated crops.

Class IV soils have very severe limitations that restrict the choice of plants, require very careful management or both. They are poor for cultivated crops. All four of the above classes can also be used for pasture or wood land.

Class V soils. There are no Class V soils in the County.

Class VI soils have severe limitations that make them generally unsuited for cultivation and limit their use largely to pasture and wood land. Physical conditions are such that pasture and wood land improvements can be made if needed. These soils are often on steep slopes.

Class VII soils have very severe limitations that make them unsuited for cultivation and that restrict their use largely to grazing, wood land or wildlife. Physical conditions are such that it is impractical to apply improvements.

Class VIII soils have limitations that prohibit their use for commercial plant production and restrict their use to recreation, wildlife, water supply, and aesthetic purposes.

The mapping of soils for EFU designations are based on detailed soils maps completed by the Soil Conservation Service. These maps were surveyed primarily from 1964 to 1976 although earlier surveys from 1939 to 1950 were done for the Necanicum River and Clatsop Plains areas. Not all of the County has been surveyed.

Beginning in November 1978, the Soil Conservation Service began examining the unsurveyed areas of the County and correlating them with past surveys to provide a complete detailed soils mapping of the County. Based on these revisions the acreage estimates in Table 11. may change.

The 1978 Agricultural Census shows a total of 22,681 acres in Clatsop County in farms. Some small percentage of these are probably in Classes VI-VIII, but most are on Class I-IV soils. Since there are almost 80,000 acres of Class I-IV soils in the County, and only about 1/4 are in farm use, the remainder are in either "built or committed" to residential development or in forest use.

### Findings

1. There are 79,850 acres of Class I-IV soils in the County comprising 14.8% of the total land area. There are no Class I soils due to climatic limitations. Over 90% of the total land area is forest lands including the majority of the areas having Class II-IV soils.
2. Over 3/4 of the land in the County is in soil Class VIe which has severe limitations for agricultural use and is subject to wind and water erosion.

TABLE 11.  
 Inventory of Acreage  
 by Soil Conservation Service Capability Class and Subclass  
 Clatsop County, 1973

<u>Class &amp; Subclass</u>	<u>Acreage</u>	<u>% of Total</u>
I	None	--
II	45,170	8.4%
--e	--17,445	
--w	--16,657	
--c	--11,070	
III	27,130	5.0%
--e	-- 6,150	
--w	--20,978	
IV	7,550	1.4%
--e	-- 1,080	
--w	-- 6,470	
Class I-IV Soils            79,850            14.8%		
V	None	--
VI	417,620	77.7%
--e	--417,620	
VII	16,945	3.2%
--e	-- 3,640	
--w	-- 1,520	
--s	-- 11,785	
VIII	23,085	4.3%
--w	-- 3,855	
--s	-- 19,228	
TOTAL	537,500	100.0%

Source: U.S. Soil Conservation Service

## CLIMATE

Climatic conditions in the County have significantly limited the potential and diversity of agriculture in the County. This limitation is reflected in the soils ratings described above. There are no Class I soils in the County because of a soil temperature factor which is directly related to the climate.

On the other hand the mild climate is beneficial for dairying, and for peas, lettuce, and other cool weather crops providing the excess precipitation can be drained.

The two climatic limitations are the heavy precipitation, which greatly shortens the growing season and invariably ruins hay crops each year, and also the lack of sunshine which contributes to an adverse soil temperature factor.

The heavy precipitation does substantially reduce a need for irrigation in the County whereas it is a necessary expense for other areas. However, the lack of sunshine is a limitation that will always plague farmers and gardeners here as anyone who has tried to grow tomatoes in the County can attest.

Table 12. shows the cloud cover on an average day for different areas of the State over the summer months and indicates that Astoria remains in the cloudy category for the entire summer unlike any of the other areas shown. The year 1977 was used because it was a typical year. Since 1953, the month of May has averaged 3.3 clear days; July averaged 6.0 clear days; August averaged 6.6 clear days; and September averaged 8.7 clear days.

The difference in Astoria's amount of sunshine compared to other areas is significant when it is related to soil temperature and to the advantage of other areas that have successive days of sunshine. Also, it is significant that the difference in Astoria's 7.1 to Portland's 6.1 average cloud cover (on a scale of 0-10) for the month of July is the result of 6 clear, 8 partly cloudy, and 17 cloudy days in Astoria compared to 14 clear, 8 partly cloudy, and 9 cloudy days in Portland.

A favorable climatic factor for agriculture is the mild temperature in Astoria which is very seldom cold enough to cause a concern about frost. The average duration of days with temperatures above 32 since 1953 is 207 days per year. These days generally occur between mid-April to mid-November. This factor can be advantageous, such as when local sweet corn reaches the Portland fresh market after other areas have finished, or when livestock require a mild climate. However, it is not an indication of a long growing season because the ground is usually too wet due to the precipitation.

Table 13. shows the amount of rain that is stopped by the mountains when a front passes from the Coast to the Willamette Valley. Generally there is almost twice as much precipitation at Astoria than in the Willamette Valley.

### Findings

1. A combined climatic condition of heavy precipitation and a lack of sunshine in the County seriously hampers farming because it limits the diversity of agriculture in the County and shortens the growing season.

Table 12.  
Average Daily Cloud Cover (in tenths) From Sunrise to Sunset--1977

	<u>May</u>	<u>June</u>	<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>
Astoria	8.1	7.7	7.1	7.3	7.2	7.0
Burns	7.6	5.4	3.1	5.3	5.0	4.6
Eugene	8.3	6.6	5.2	5.6	7.0	8.1
Medford	7.5	5.1	1.8	4.4	4.3	5.9
Pendleton	7.6	5.6	4.2	4.4	5.8	5.5
Portland	8.3	6.2	6.1	5.1	6.7	7.3
Salem	8.0	6.1	5.2	4.4	6.5	7.1

Clear: 0-3 Cloudy: 8-10 Partly: 4-7.

Source: National Weather Service

Table 13.  
Rainfall in Inches for 1977  
January through December

	<u>Astoria</u>	<u>Portland</u>	<u>Newport</u>	<u>Salem</u>	<u>Eugene</u>
January	3.20	1.07	2.31	.88	1.11
February	5.22	2.49	7.09	2.83	5.05
March	9.74	3.50	8.82	3.33	4.66
April	1.65	1.04	1.20	.62	1.47
May	6.00	4.30	6.21	3.76	2.84
June	1.36	.83	1.15	.73	.97
July	.44	.39	.25	.26	.11
August	3.85	3.26	3.07	1.70	1.70
September	5.44	3.33	5.38	2.36	2.39
October	4.38	2.28	4.18	2.37	2.87
November	12.37	5.56	11.94	6.19	9.14
December	14.34	8.98	15.55	8.73	14.60
Total	67.99	37.03	67.15	33.76	46.91

Source: National Weather Service

## STATE AGRICULTURAL LAND USE POLICY

As part of ORS 215 the State Legislature adopted a policy on agricultural lands. The County's Agricultural Plan element and Exclusive Farm Use zone must be consistent with this policy.

### 215.243 Agricultural Land Use Policy,

The Legislative Assembly finds and declares that:

(1) Open land used for agricultural use is an efficient means of conserving natural resources that constitute an important physical, social, aesthetic and economic asset to all of the people of this state, whether living in rural, urban or metropolitan areas of the state.

(2) The preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources and the preservation of such land in large blocks is necessary in maintaining the agricultural economy of the state and for the assurance of adequate, healthful and nutritious food for the people of this state and nation.

(3) Expansion of urban development into rural areas is a matter of public concern because of the unnecessary increases in costs of community services, conflicts between farm and urban activities and the loss of open space and natural beauty around urban centers occurring as the result of such expansion.

(4) Exclusive farm use zoning as provided by law, substantially limits alternatives to the use of rural land and, with the importance of rural lands to the public, justifies incentives and privileges offered to encourage owners of rural lands to hold such lands in exclusive farm use zones. (1973 c.503 §1).

The following section discusses minimum parcel size in the EFU zone. The 40 acre minimum parcel size for EFU lands in Clatsop County complies with the State Agricultural Land Use Policy by conserving land in large enough blocks to maintain the commercial agricultural economy of the County.

Since 50% of the farms in the County are under 60.5 acres and 61% are under 79 acres, these farms would not be capable of any further division, except under the very limited criteria for non/farm developments. Only 39% of farms would normally be capable of any land divisions. Many of the larger farms in the County are in long-time family ownership with no intentions of dividing up the commercial enterprise. Large enough parcel sizes to maintain the four major types of commercial agriculture in the County will continue to exist. The following section further discusses the minimum parcel size of 40 acres.

37

## MINIMUM PARCEL SIZE

Goal 3 requires that "such minimum lot sizes as are utilized for any farm use zones shall be appropriate for the continuation of the existing commercial agricultural enterprise in the area."

This standard is further explained in the Agricultural Lands Administrative Rule (OAR 660-05-015). The size needed to maintain the existing commercial agricultural enterprise shall be determined by identifying the types and sizes of commercial farm units in the area. Any divisions smaller than that minimum parcel size are considered non-farm divisions and are evaluated by the criteria in ORS 215.21(3)(3). Non-farm divisions are discouraged and the criteria will be strictly interpreted by the County. The minimum parcel size being discussed in this section is for farm land divisions, not non-farm. All divisions of EFU land for farm purposes must meet the minimum parcel size of 40 acres which is consistent with the State Agricultural Land Use Policy. Dwellings must be necessary to carry out the Agricultural activity on the parcel. Dwellings on parcels less than 40 acres must meet the same criteria as creation of a parcel less than 80 acres.

The Census of Agriculture describes certain agricultural characteristics on a county-wide basis. No analysis of agriculture in subareas of the County has been done. This is because agriculture is such a minor portion of Clatsop County's employment (1.6% - see Economic of Farming above) and total land area (1.2% - see Facts and Trends in Agriculture above) that examining it on a county-wide basis makes more sense than further dividing up an already small industry.

The Administrative Rule states that types and values of products produced and how they are marketed are more important in determining a minimum lot size than characteristics of part-time and full-time farming. Part-time farming is presently, and has been for some time, a major factor in Clatsop County agriculture. Figures listed above show that this category is a growing one.

The activities which constitute the commercial agricultural activities in Clatsop County are primarily:

- (1) Extensive animal grazing
- (2) Intensive animal husbandry
- (3) Dairying
- (4) Horticultural specialties

The average size of a farm in this County is 97 acres. Statistics above show that this figure commonly includes land rented from others. Farm acreage also includes non-contiguous parcels, often fields managed by one operator may be in different locations in a part of the County. The average size, then, of a farm which is in one contiguous block must be less than 97 acres. The median, or middle sized, farm in Clatsop County is 60.5 acres.

35

A minimum lot size of 40 acres in the EFU zone would require at least an 80 acre parcel to be eligible for division. 61% of the farms in the County are 79 acres or less. Median parcel size of 60.5 acres shows that well over half of Clatsop County farms would not even be eligible to request a farm land division.

Average Parcel Size

Extensive Animal Grazing	81.5 acres
Intensive Animal Husbandry	32.6 acres
Dairying	170.0 acres
Horticultural Specialties	93.4 Acres*

\*This figure is very skewed by one large farm. The median parcel size in this category is about 20 acres.

Median Parcel Size

All Farms in the County	60.5 acres
-------------------------	------------

Under Types of Agriculture (page 8), the relative values of the different major agricultural enterprises are discussed. Dairying is the largest percentage of total farm income with 42%. As discussed earlier, 40 acres has been found to be a reasonable minimum parcel size to protect the much larger dairy industry of Tillamook County. Although Tillamook has 10 times the number of dairies of Clatsop County, the other characteristics of the industries are similar. The average size of dairies is somewhat smaller in Clatsop County than Tillamook. In both counties farm acreage is often rented from others and farms commonly include non-contiguous parcels.

In Clatsop County most dairies are farms that have been operated by one family for quite some time. Some processing of milk occurs here but most is marketed through Tillamook County dairy cooperative. That Co-op has limitations on new dairies and on numbers of cows per dairy. This type of limited entry would make it difficult for a new dairy to become established.

Another limitation to dairies is the availability of adjacent land for expansion. The configuration of narrow river valleys with timbered uplands requires that, if more land is needed, it generally must be acquired a distance away from the main farm. A 40 acre parcel size preserves fields of a size necessary to maintain the dairying industry.

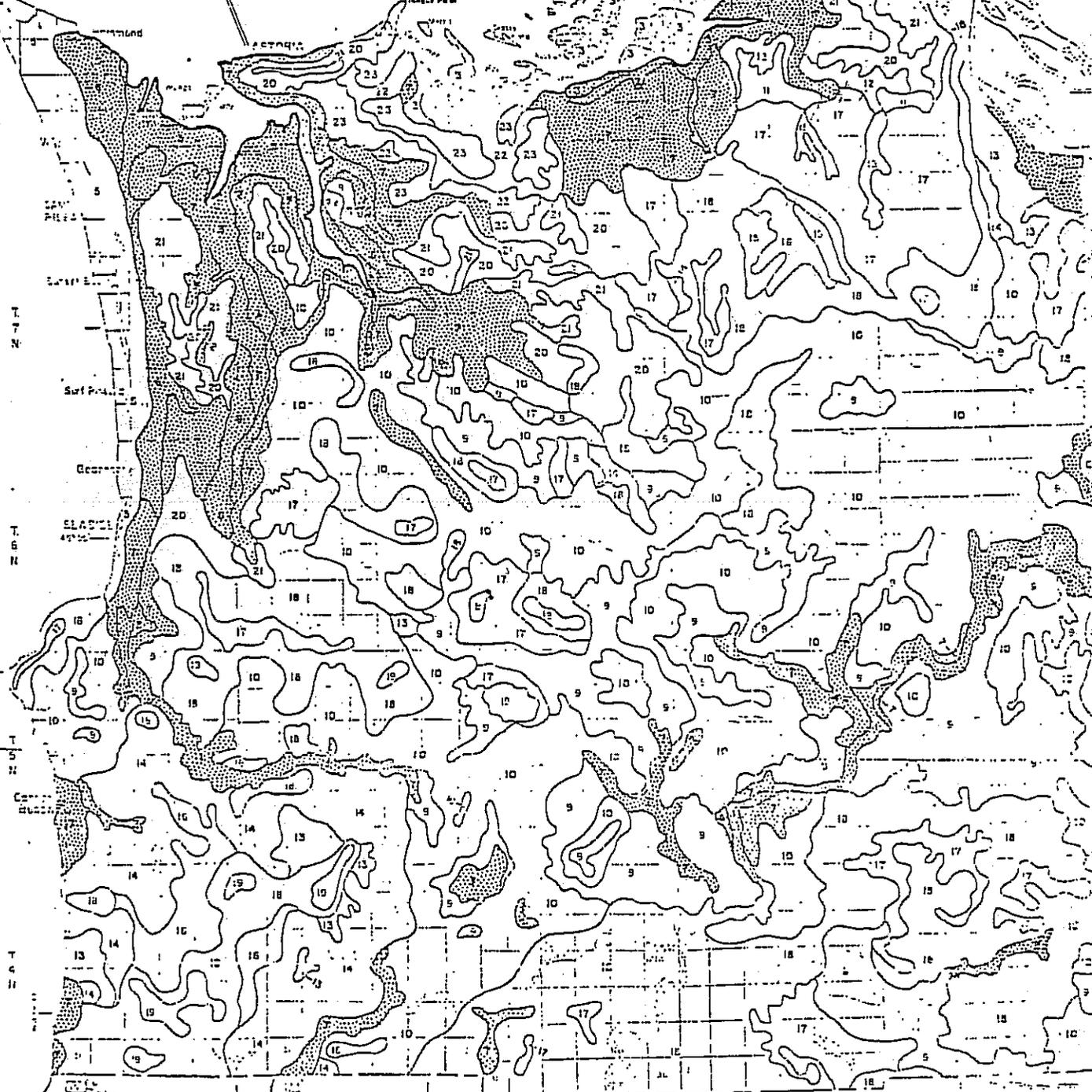
For Extensive Animal Grazing, Intensive Animal Husbandry and Horticultural Specialities, most of the farms would not be capable of further division for farm purposes with a 40 acre minimum parcel size. This parcel size will protect those agricultural enterprises.

For certain agricultural lands in the County where a block of parcels all less than 80 acres exist, there is a limited amount of Agriculture-Forestry 20 zoning. Since this zoning category often exists in forest lands or areas of mixed agricultural and forest uses, a discussion of the zone is found in the Forestry Element of the Plan.

COLUMBIA RIVER

ASTORIA

PACIFIC OCEAN



R10W R9W R8W R7W R6W  
TILLAMOOK COUNTY

# SOIL SUITABILITY FOR FARM CROPS CLATSOP COUNTY, OREGON

JANUARY 1973



Good soil suitability for farm crops. These soil associations have over 50 percent of their areas occupied by detailed soil mapping units that are in land capability classes I or II, and less than 50 percent of their areas in classes IV, VI or VII. The soils have slopes of less than 12 percent, good or moderately good drainage, or, if somewhat poor or poor drainage, good response to underground drainage systems, not more than occasional winter overflow, surface layer texture of sandy loam to silty clay loam, and depth to hard bedrock of over 40 inches.



Fair soil suitability for farm crops. (1) These soil associations have less than 50 percent of their areas occupied by detailed soil mapping units that are in land capability classes I or II, and less than 50 percent of their areas in classes IV, VI or VII. Up to 100 percent of their areas may be land capability class III. The soils may have slopes of 12 to 20 percent, good to poor drainage, moderately good response to open ditch or underground drainage systems, occasional to frequent winter overflow, surface texture of silty clay or clay, or depth to hard bedrock of 20 to 40 inches.



Poor soil suitability for farm crops. These soil associations have more than 50 percent of their areas occupied by detailed soil mapping units that are in land capability classes IV, VI or VII. The soils may have slopes steeper than 20 percent, good to poor drainage, with poor response to a drainage system, frequent winter overflow, or depth to hard bedrock of less than 20 inches.

(1) Only soils in soil association 3 that are protected by dikes have fair suitability. Unprotected areas have poor suitability.

## CLATSOP COUNTY GENERAL SOIL MAP LEGEND

AREAS DOMINATED BY NEARLY LEVEL, WELL TO POORLY DRAINED SOILS ON STREAM BOTTOM, AND MODERATELY WELL TO VERY POORLY DRAINED SOILS ON TIDE LANDS.

1. Nehalem association
2. Brenner-Nestucca association
3. Coquille-Tidal marsh (fresh)-Clatsop association
4. Sauvie-Peat association

AREAS DOMINATED BY EXCESSIVELY TO VERY POORLY DRAINED SOILS ON THE COASTAL PLAIN.

5. Westport-Gearhart-Dume land association
6. Brallier-Warrenton association

AREAS DOMINATED BY WELL TO POORLY DRAINED, NEARLY LEVEL TO MODERATELY STEEP SOILS ON TERRACES.

7. Walluski-Knapka association
8. Chitwood-Hebo association

AREAS DOMINATED BY WELL DRAINED, GENTLY SLOPING TO VERY STEEP SOILS ON THE COAST RANGE.

9. Astoria-Winema association, 3 to 30 percent slopes
10. Astoria-Winema association, 30 to 60 percent slopes
11. Svensen association, 0 to 30 percent slopes
12. Svensen association, 30 to 60 percent slopes
13. Astoria-Hembre-Klickitat association, 3 to 30 percent slopes
14. Astoria-Hembre-Klickitat association, 30 to 60 percent slopes
15. Hembre association, 3 to 30 percent slopes
16. Hembre association, 30 to 60 percent slopes
17. Hembre-Klickitat association, 3 to 30 percent slopes
18. Hembre-Klickitat association, 30 to 60 percent slopes
19. Rook outcrop-Kilchis-Klickitat association, 60 to 90 percent slopes
20. Tolovana association, 3 to 30 percent slopes
21. Tolovana association, 30 to 60 percent slopes
22. Tolovana association, sandstone substratum, 3 to 30 percent slopes
23. Tolovana association, sandstone substratum, 30 to 60 percent slopes

Svensen, Tolovana, and Walluski are tentative names subject to change in correlation.



# Clatsop County

## Community Development – Planning

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**TO:** Clatsop County Planning Commission Members

**FROM:** Gail Henrikson, Community Development Director

**DATE:** October 2, 2020

**RE:** **SPECIAL PROJECT STATUS UPDATES**

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**NOTE:** New updates highlighted in **yellow**.

### Clatsop Plains Elk

- The Declaration of Cooperation is tentatively schedule for Board of Commissioner review on November 4, 2020.

### Short-Term Rentals

- Upcoming meeting dates:
  - Arch Cape: October 14, 2020, 9AM ([GoTo Webinar](#))
  - Clatsop Plains: October 30, 2020, 9AM ([GoTo Webinar](#))
  - Falcon Cove Beach: November 13, 2020, 9AM ([GoTo Webinar](#))

### Strategic Plan

- Focus area groups have been meeting to identify and preliminarily prioritize issues to recommend to the Board of Commissioners. The focus groups consist of:
  - Infrastructure (Commissioner Thompson)
  - Economic Development (Commissioner Kujala)
  - Environmental Quality (Commissioner Wev)
  - Social Services (Commissioner Nebeker)
  - Governance (Commissioner Sullivan)

### TGM Grant (2019) – Tsunami Evacuation Facilities Improvement Plan

- Consultant selected – July 2020
- Negotiating final scope of work and budget

### Childcare Code Barriers Project (DLCD)

- The purpose of the project is to identify barriers to residential and commercial childcare facilities in the development codes of selected local jurisdictions in Oregon
- Clatsop County is the only county selected, other jurisdictions are all incorporated cities
- MOU signed May 2020
- DLCD in process of reviewing county codes to identify areas where county code is not coordinated with ORS; final evaluation from DLCD due August/September 2020
- County to prepare any needed code amendments after that

- Project to be completed in January 2020

#### **Code Consolidation and Modernization**

- BOC Work Session held August 4, 2020. Under review by County Counsel

#### **Resiliency Project**

- [BOC Work Session](#) scheduled for October 6, 2020, 12:00 PM.

#### **COVID-19 Housing Recommendations**

- Recommendations made by the Planning Commission on July 14, 2020
- Recommendations presented to the Board of Commissioners at a [work session](#) on August 12, 2020
- No action was taken or direction provided by the Board regarding the recommendations.
- The County Manager stated that staff would meet to determine next steps and schedule the item for another Board work session.
- Community Development staff met with the County Manager and Assistant County Manager on August 24 to discuss next steps in the process. The next step would be to schedule a joint session with the Board of Commissioners and the Planning Commission. However, based upon the Board's on-going work to develop the strategic plan, and the work to be completed in the five focus areas, the earliest this joint session might occur would be October 2020.

# CLATSOP COUNTY PROJECT UPDATE REPORT



## OCTOBER 2020

# PROJECT STATUS REPORT – OCTOBER 2020

PERMIT #	PROJECT NAME	LOCATION	DESCRIPTION	PC MEETING DATE	PC DECISION	BOC MEETING DATES	BOC DECISION	STATUS	EXPIRATION DATE*
20170352	Arch Cape Deli	T4N, R10W, Section 30BB, Tax Lots 00601 and 00605,  79330 Hwy 101	Conditional use permit to construct and operate a restaurant/grocery store/flex space with a manager's living quarters	11-14-17	APPROVED WITH CONDITIONS 7-0	N/A	N/A	No development permits or building permits issued <b>ONE YEAR EXTENSION APPROVED 11-14-19</b>	11-27-20
20180204	James Neikes	T8N, R9W, Section 19AD, Tax Lot 01800  35399 Hwy 101 Business	Conditional use permit to expand a single, existing conditional use (3,600 square-foot mini-storage), to a mixed use to include a 900-square-foot residential component	7-10-18	APPROVED WITH CONDITIONS 4-0	N/A	N/A	<b>COMPLETED</b>	N/A
20190305	McVay Livery	T8N, R06W, SEC. 36CA, TL00300 49215 HIGHWAY 30	Conditional use request to change the use of an existing walk-up/drive-through eating and drinking establishment to a mixed-use residential and commercial establishment.	7-26-19  8-13-19	CONTINUED TO 8-13-19 MEETING  APPROVED WITH CONDITIONS 6-0	N/A	N/A	Site plan approved. Building permits not yet applied for. Building for sale; recent damage from auto collision	8-25-21

# PROJECT STATUS REPORT – OCTOBER 2020

PERMIT #	PROJECT NAME	LOCATION	DESCRIPTION	PC MEETING DATE	PC DECISION	BOC MEETING DATES	BOC DECISION	STATUS	EXPIRATION DATE*
20190512 20190513	Benesch / Horton Trucking	34850 HIGHWAY 101 BUSINESS  T8N, R09, SEC. 30AC, TL02101	Similar use request to determine “commercial trucking” use is similar to other uses in the Type II conditional use category in the RCC zone	12-10-19	APPROVED WITH CONDITIONS 4-0	1-8-20	AFFIRM PC DECISION	Under construction	1-8-22
20-000031	Kinney Watchman Quarters	42852 OLD HIGHWAY 30  T8N, R07W, SEC. 20B, TL02100	Conditional use request to establish a night watchman’s dwelling, accessory to an existing mixed-use construction / excavation equipment storage and trucking yard.	3-10-20	APPROVED WITH CONDITIONS 5-0	N/A	N/A	Building permit issued 6-24-20	3-10-22
20-000088	Code Consolidation	N/A	Consolidation of the Land and Water Development and Use Ordinance and the Clatsop County Standards Document	6-9-20	APPROVED	8-4-20 (WORK SESSION)		Under review by County Counsel	N/A

# PROJECT STATUS REPORT – OCTOBER 2020

PERMIT #	PROJECT NAME	LOCATION	DESCRIPTION	PC MEETING DATE	PC DECISION	BOC MEETING DATES	BOC DECISION	STATUS	EXPIRATION DATE*
20-000568	WPD Meteorological Tower	T8N, R06W, TL3100	Construct 196-foot-tall test meteorological tower	10-13-20					

\*Expiration date for projects that are not completed or substantially completed