



CLATSOP COUNTY PLANNING COMMISSION

REGULAR MEETING AGENDA

GoTo Meeting

Tuesday, September 08, 2020 at 10:00 AM

GO TO MEETING

Instructions for accessing the GoTo Meeting platform.

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.

MINUTES:

- [1.](#) August 11, 2020 Regular Meeting Minutes

CODE CONSOLIDATION AND MODERNIZATION

COMPREHENSIVE PLAN UPDATE:

- [2.](#) Review of Goal 1, Draft 1 of the Clatsop County Comprehensive Plan

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

- [3.](#) Update on various land-use related and other special countywide projects.

PROJECT STATUS REPORT:

- [4.](#) September 2020 Project Status Report

OTHER BUSINESS:

- [5.](#) County Counsel Review of HB 2001
- [6.](#) Discussion Item - Affordable Housing Fund
- [7.](#) On September 1, 2020, Community Development staff will provide information to the Board of Commissioners regarding the Clatsop Plains. While the main purpose of this work session item is to update the Board on the status of the Clatsop Plains Elk Project, there are several interconnected issues and developments occurring in this same area, of which the Board should be aware. These issues are primarily connected to residential development in the Clatsop Plains. This item is presented for informational purposes only.
- [8.](#) On September 1, 2020, Community Development staff will present information at a Board of Commissioners work session related to short-term rental units and code compliance. The discussion will primarily focus on the July 28, 2020, meeting conducted with residents and property owners in the Falcon Cove Beach area. This item is presented for informational purposes only.

ADJOURN

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

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

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

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



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

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.

To join the meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/717331381>

You can also dial in using your phone.

United States (Toll Free): [1 877 568 4106](tel:18775684106)

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Access Code: 717-331-381

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/717331381>

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. You will be notified when your three-minute presentation is scheduled. Comments may also be submitted via email to ghenrikson@co.clatsop.or.us to be read at the meeting.

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Minutes of August 11, 2020
Clatsop County Planning Commission Regular Session
Online Meeting

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

Commissioners Present

Commissioners Excused

Staff Present

Bruce Francis

Myrna Patrick

Robert Stricklin

Christopher Farrar

Nadia Gardner

John Orr

Lam Quang

Gail Henrikson

Clancie Adams

Julia Decker

Adopt Agenda:

Commissioner Gardner moved and Commissioner Farrar seconded to adopt the agenda as presented. Motion passed unanimously.

Business from the Public:

There was no business from the public.

Minutes:

Commissioner Farrar moved and Commissioner Patrick seconded to adopt the July 14, 2020 Clatsop County Planning Commission Regular Meeting minutes as presented. Motion passed unanimously.

Code Consolidation and Modernization, Gail Henrikson, Community Development Director:

Ms. Henrikson provided a presentation on August 4, 2020 during the Board of Commissioners work session to introduce them to the concept and summary of the proposed consolidations. The strike through/underlined format is currently being reviewed by county counsel and upon completion of her review, the document will be scheduled for two public hearings before the Board of Commissioners. Those dates have not been determined at this time. Ms. Henrikson stressed that the changes were consolidation changes only and not changes to any regulations.

Comprehensive Plan Update, Gail Henrikson, Community Development Director:

Ms. Henrikson advised that comprehensive plan review committee meetings are ongoing and continuing to address Goal Five which deals with natural resources, open spaces, historic resources and mining. This review will take significantly longer than the three months originally scheduled due to the length and scope of Goal Five. There will be a presentation on Wednesday, August 12, 2020 to the Board of Commissioners to provide an update of the process. She also noted staff is seeing a number of member resignations from the committees for various reasons and will need to reach out to the public in the near future in order to fill existing vacancies. Commissioner Farrar posed a question about the resignations and if they were due to the virtual meeting format and poor connectivity and bandwidth in certain areas of the county. Commissioner Gardner suggested having resigning members recommend possible replacements.

Special Projects Update, Gail Henrikson, Community Development Director:

Solutions Oregon Clatsop Plains Elk Project. BOC work session on September 1, 2020 at noon to address the status and larger issues that are being encountered, including a decision by the City of Warrenton to not provide water outside of their boundaries for new development. A Declaration of Cooperation which spells out city, county and other agency involvement is set to be completed in October 2020. Upon completion the document will be presented to the BOC for review.

1 **Short Term Rentals.** On July 28, 2020 a meeting was held with residents of the Falcon Cove area regarding short
2 term rental issues and complaints. Two BOC work sessions will be scheduled to discuss the comments provided,
3 the possible purchase of third party compliance software to handle complaints and the possible changes to the
4 current short term rental ordinance. The meeting dates are September 1, 2020 at noon and September 9,2020
5 at 5:00 p.m.

6
7 **Strategic Plan.** The BOC will hold a work session on the strategic plan on August 25, 2020 at 1:00 p.m.
8

9 **Transportation and Growth Management Grant.** This will develop a tsunami evacuation facilities improvement
10 plan. A consultant has been selected and the county is negotiating the final scope of work and budget for the
11 project. Expected completion, late 2021.

12
13 **Technical Assistance Award.** The Department of Land Conservation and Development has awarded the county a
14 technical assistance award to study the establishment of residential and commercial childcare facilities and the
15 possible code changes required.

16
17 **Public Works Resiliency Project.** The resiliency project consists of the purchase of the old sorting yard property
18 with the intention to relocate the public works facilities out of the inundation zone and the possible creation of
19 alternative lifeline routes. A public meeting will be held on August 13, 2020 at 5:30 p.m. which will be in a
20 webinar format rather than a go to meeting format.

21
22 **Other Business:**

23 **Affordable Housing.** Informational item to provide commission members with a copy of the agenda package
24 submitted to the Board of Commissioners for review at the work session to be held on August 12, 2020.

25 **Planning Commission Orientation Materials:** Discussion of items that would be useful and relevant to new
26 planning commission members as well as identification of training options that would be beneficial to all
27 commission members.

28 **House Bill 2001.** Commissioner Farrar requested information on House Bill 2001. Ms. Henrikson will schedule
29 county counsel to speak on the topic at the September Planning Commission meeting.

30
31 ***As there was no further business or discussion, Chair Francis adjourned the meeting at 11:02 a.m.***

32
33 Respectfully Submitted,
34

35
36
37 _____
38 Bruce Francis
Chairperson - Planning Commission



Clatsop County

Community Development – Planning

800 Exchange St., Suite 100
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www.co.clatsop.or.us

TO: Clatsop County Planning Commission

FROM: Gail Henrikson, Community Development Director

DATE: August 28, 2020

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

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 committee 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. No comments have been returned to staff on Goal 2 as of the date this memo was prepared.

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 1 is attached (**Attachment A**). This draft includes comments from DLCD. Comments received from the public or citizen advisory committee members on Goal 1, Draft 1, are included as **Attachment B**. Goal 1, Draft 1, is also under review by County Counsel, who has not yet provided comments back to staff.

[Statewide Planning Goal 1 \(Attachment C\)](#) addresses Citizen Involvement. Public involvement in the land use planning process is a foundation block in Oregon's land use planning program. Statewide Planning Goal 1 calls for citizens to be involved in all phases of the planning process. This goal requires each city and county to have a citizen involvement program that addresses the following:

- Opportunities for widespread public involvement
- Effective two-way communication with the public
- The ability for the public to be involved in all phases of the planning process
- Making technical information easy to understand
- Feedback mechanisms for policy-makers to respond to public input, and
- Adequate financial support for public involvement efforts

It also requires each jurisdiction to have a committee for citizen involvement (CCI). In Clatsop County, the Planning Commission also acts as the CCI.

Clatsop County's comprehensive plan dates back to the late 1970s and 1980. In the intervening 40 years, there have been significant changes in technology that influence how and when the public communicates. Generational shifts in communication patterns and methods are also more prevalent now than was the case 40 years ago. A copy of adopted Clatsop County Goal 1 is included as **Attachment D**. Supplemental information is also provided in the links at the end of this memo

ACTION REQUESTED

Please review Goal 1, 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 1, Draft 1 for compliance with Statewide Planning Goal 1.

ATTACHMENTS

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

SUPPLEMENTAL INFORMATION

- A. [Clatsop County Comprehensive Plan Update Public Involvement Plan](#)
- B. [Putting the People in Planning](#) (DLCD Publication)

ATTACHMENT A

Goal 1, Draft 1, with DLCDC Comments

GOAL 1: CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

INTRODUCTION

Citizen participation is desirable in many areas of governmental activity. In the planning process, where governmental policies are being established, citizen participation is not only desirable, but essential. Statewide Planning Goal 1 requires the opportunity for citizens to be involved in the planning process.

Clatsop County is fortunate to have a community that is interested and involved in decision-making for their county. The objective of the Citizen Involvement goal of the Comprehensive Plan is to encourage and provide opportunities for community members to participate in all phases of the planning process, to keep the public informed, and to open lines of communications for the sharing of questions, problems, and suggestions regarding the Comprehensive Plan and land use regulations.

EXISTING CONDITIONS

Following adoption and acknowledgement of the original Comprehensive Plan in 1980, the majority of the citizen advisory committees were disbanded. With the exception of Southwest Coastal. This committee continued to operate, albeit with a changing understanding of its role, until 2017, when it was also dissolved by the Board of Commissioners. With the dissolution of the citizen advisory committees, the Planning Commission became the Committee for Citizen Involvement.

Clatsop County continues to employ many conventional modes of outreach as part of its public involvement plan. These methods include:

- Legal notices published in the local paper
- Public notices mailed to property owners within a prescribed distance from a subject property
- Submission of events to local radio station event calendars
- Notices, agendas and minutes posted on the official County website
- Use of social media to promote upcoming events and meetings

Summary of comments: DRAFT 01 GOAL 1 - DLCD COMMENTS.pdf

Page:1

 Number: 1 Author: scarney Subject: Sticky Note Date: 2020-04-08 13:50:03

Many governments now say "Public Participation", because "citizen" is a word that has been politicized and in some cases weaponized against immigrant and migrant communities.

 Number: 2 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:27:21

This aspirational paragraph runs pretty counter to the idea of keeping the Planning Commission as the CCI. Unless I am missing something, that is the proposed?

 Number: 3 Author: scarney Subject: Sticky Note Date: 2020-04-08 14:39:30

huh?!!

Author: scarney Subject: Sticky Note Date: 2020-04-08 14:40:17

is this coming from a county level perspective?

 Number: 4 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:20:57

This document should address what practices the Planning Commission plans to take specific to Goal 1 - will they hold a separate meeting? will there be a specific agenda item where they take off their PC hat and consider Goal 1 issues? There are best practices that could and should be considered.

FUTURE CONDITIONS

Planning for Future Citizen Involvement 1

Larger trends relating to citizen involvement, coupled with Clatsop County's strong community culture and willingness of its community members to engage in planning for the future, create a variety of assets which can be drawn from when thinking about how to approach citizen involvement in the future.

The Changing Idea of Engagement

Traditional community engagement  2  3 in the past has included events such as town hall meetings or public hearings. These are events where a community member  6 most likely comes  4 to Astoria and has  5 time to commit to community engagement. As technology changes and community members have more demands placed on their time, it is important that the County explore and utilize alternative methods of interacting with stakeholders. Examples might include the use of online questionnaires or social mediation. The County could also use translation services to make it easier for non-English speakers to participate. Community groups and organizations might be utilized to spread the word about upcoming events and information about the comprehensive plan update, while also reaching populations that might not ordinarily be engaged in County events.

Lack of Diversity

According to the 2010 US Census, the County's population identifies as follows:

- White: 90.9%
- Hispanic or Latino: 7.7%
- Black or African American: 0.5%
- Asian: 1.2%
- American Indian or Alaskan Native: 1%

Planning for the future should also include ways to increase and engage more diverse communities.

Diversity can also be viewed in terms of appointed representation on various county advisory committees, including the Planning Commission, which serves as the County's Committee for Citizen Involvement. While the County has six planning areas (see map  7), not all planning areas are represented. Specifically, the Planning Commission has no representatives from either the Seaside Rural or Elsie-Jewell planning areas. It is important that representatives from all areas of the County are equally present in planning activities.

Page:2

 Number: 1 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:25:17

I think this part of the plan needs to address what a vision is for either the planning commission or a CIC/CCI - I don't get a sense for what body is actually taking responsibility for these tasks (aside from the internal departments that are being charged with newsletters and things). There should be an appointed or elected authority - who appoints? what will be considered as qualifying for a representative? It is fine if this "finer points" language is elsewhere, in code or bylaw, I think.

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redundant

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 Number: 4 Author: scarney Subject: Sticky Note Date: 2020-04-08 14:47:19

comes

 Number: 5 Author: scarney Subject: Sticky Note Date: 2020-04-08 14:47:33

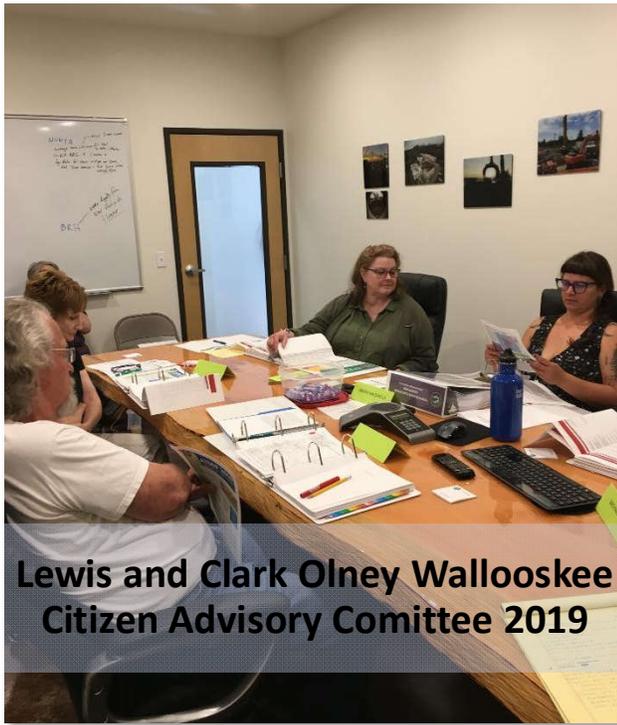
makes

 Number: 6 Author: scarney Subject: Sticky Note Date: 2020-04-08 14:46:45

awkward, remove 'must'

 Number: 7 Author: scarney Subject: Sticky Note Date: 2020-04-08 14:55:44

map is below



**Lewis and Clark Olney Wallooskee
Citizen Advisory Committee 2019**



Digital Technology

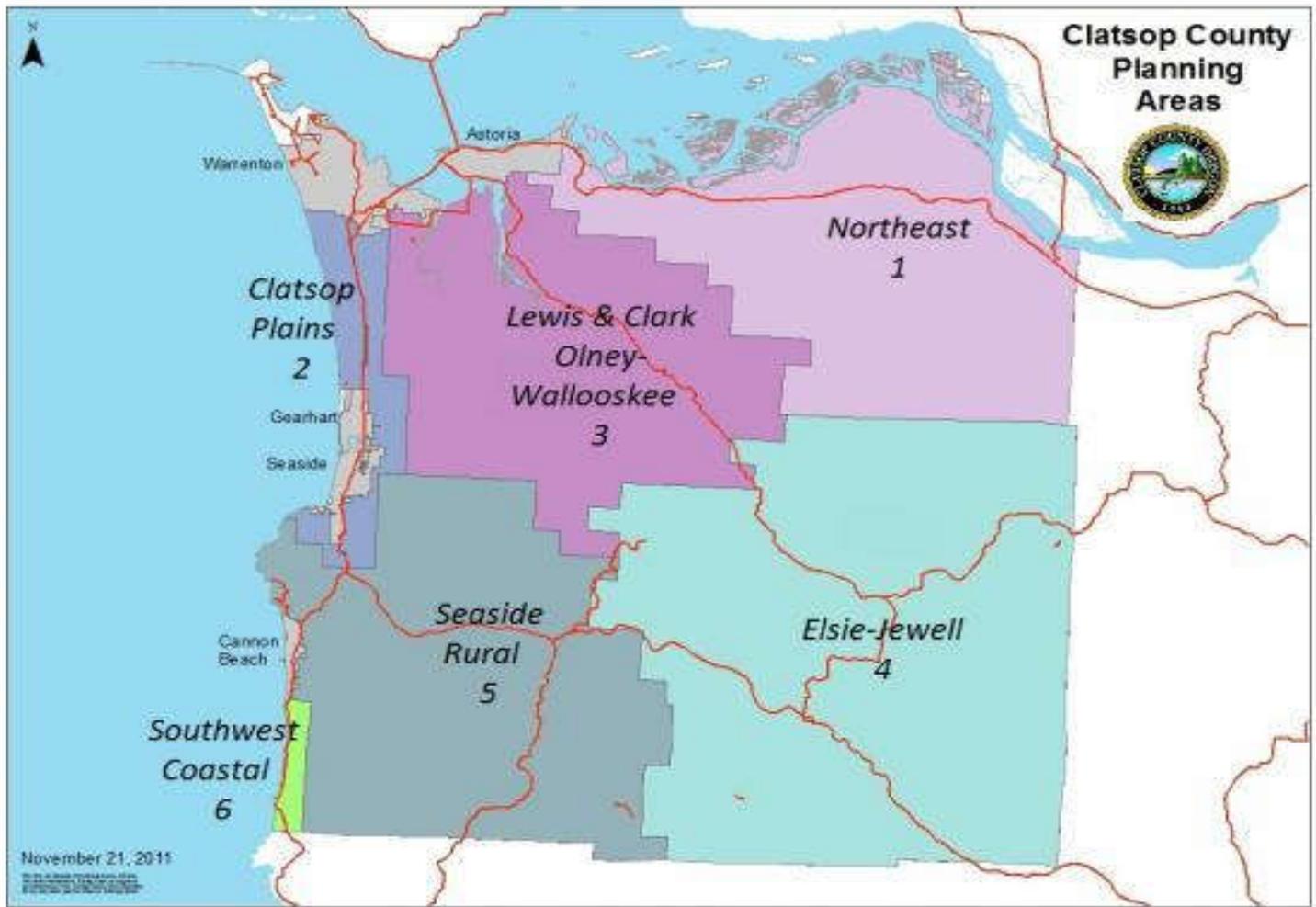
As discussed above, the current Comprehensive Plan was initially adopted in 1980. Although revisions have been made to various Goals and community plans over the ensuing decades, this will be the first comprehensive review of the plan in almost 40 years. Technology, particularly digital technology, has dramatically changed since  time. Widespread use of the internet and smartphones has changed how people communicate and conduct business. Technology can be used to enhance community engagement; however, it is vital to remember that there is still a divide between citizens that have access to digital technology and those that don't. While the County maintains a website and provides access to documents and information online, it is important that the County also ensure that information is also compatible with smartphone technology. During this update of the Comprehensive Plan, residents, stakeholders, staff and appointed and elected officials will have the opportunity and the responsibility to reflect on these technological changes, to consider how technology may change in the future, and to incorporate recommendations and strategies into the updated plan that will ensure access is available to all who choose to participate, regardless of the manner of the participation.

 Number: 1 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:31:02

I don't get who is in this picture, or what they are doing, or if they are still around - Are there CACs for each planning area that are somehow feeding into the overall county efforts for Goal 1? I am not getting that elsewhere in this representation of Goal 1 comp planning for Clatsop.

 Number: 2 Author: scarney Subject: Sticky Note Date: 2020-04-08 14:53:08

"since the plan was adopted"



OBJECTIVES AND POLICIES

OBJECTIVE 1: Improve the availability of planning information to all of the residents in the County.

- Policy A:** Hold at least one citizen advisory group meeting per year in each planning area. Other meetings shall be held as needed to inform the group of proposed changes in the Comprehensive Plan or other land use actions.
- Policy B:** The chair of each planning area citizen advisory committee shall be advised on all agency meetings or hearings on actions affecting land use.
- Policy C:** Make all pertinent land use information from all agencies available to the citizen advisory committee chairs.
- Policy D:** The Clatsop County Community Development Department shall prepare an annual newsletter summarizing land use actions that have occurred during the course of the calendar year within each planning area.
- Policy E:** The Clatsop County Planning Division shall continue post information regarding pending conditional use permits on its website.
- Policy F:** Create a voluntary email notification system for land use-related hearings, meeting and events.

OBJECTIVE 2: The County's Public Involvement Plan shall encourage the participation of citizens representing a broad cross-section of the County's population.

- Policy A:** A diversified geographic, demographic and cross-section of citizens will be encouraged to participate in citizen advisory committees.
- Policy B:** The Clatsop County Planning Division shall provide clear and concise notice of the opportunities for citizen involvement.
- Policy C:** Encourage open attendance and participation by all people at citizen advisory committee meetings.
- Policy D:** Provide citizen advisory committees and the Planning Commission an opportunity to review and update the Public Involvement Plan on an annual basis.

OBJECTIVE 3: Encourage involvement of citizens and property owners in the land use planning process.

- Policy A:** Notices of all citizen advisory committee meetings shall be provided at least ten (10) days prior to the meetings.
- Policy B:** Notices of all citizen advisory committee meetings shall be:
- i. posted in the Clatsop County Planning Office;
 - ii. posted on the Clatsop County website;
 - iii. posted on the Community Development Facebook page;
 - iv. mailed to all property owners within each planning area;
 - v. submitted to local radio station(s) events calendars; and

Page:5

 Number: 1 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:33:50

What is a "citizen advisory group" and how do they inform planning activities and the Planning Commission as the CIC? Do they exist now? Should be in existing conditions section.

 Number: 2 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:34:37

How many meetings are held now? What is the scale of change represented by this?

 Number: 3 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:35:35

For the entire county or for the planning area? The former would be a lot of potentially unnecessary emails, I think.

 Number: 4 Author: scarney Subject: Sticky Note Date: 2020-04-08 15:04:40

it is difficult to identify actions for this objective - soft language

 Number: 5 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:37:07

Is there a tribal element of consultation for this county that could/should be included?

 Number: 6 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:39:03

With all of the prior emphasis on "new technologies" it might be useful here to include the opportunity to submit comments by email or to be included in ways that DON'T require "attendance and participation".

 Number: 7 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:39:42

It would be great if this was a live link.

 Number: 8 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:40:52

and mailed/mailed to each Planning Area CAC Chair - right? Per previous section.

OBJECTIVES AND POLICIES

vi. published in a local newspaper

Policy C:  Increase mailed public notice distances to a minimum of 1,000 for properties designated as “Development” and increase to three (3) miles for all other designations.

This seems like a very significant cost increase - has the county determined what a success metric would be for ROI?

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... the Southwest Coastal Committee. This committee...

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is this coming from a county level perspective?

 Number: 5 Author: stevef Subject: Note Date: 2020-04-09 10:29:39

Was this done officially? Goal one states: If the governing body wishes to assume the responsibility for, development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Conservation and Development Commission for the state Citizen Involvement Advisory Committee's review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is to be used in lieu of an independent CCI, its members shall be selected by an open, well-publicized public process.

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awkward, remove 'must'

 Number: 7 Author: stevef Subject: Note Date: 2020-04-09 10:31:33

social media?

 Number: 8 Author: leahrausch Subject: Sticky Note Date: 2020-04-15 12:40:18

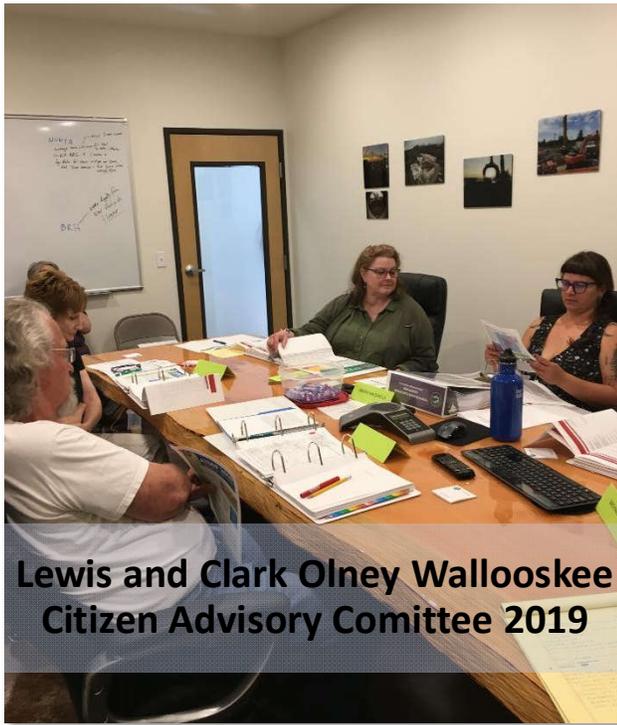
Both print/media and in-person events? What is the % of non-English speakers in the county?

 Number: 9 Author: leahrausch Subject: Sticky Note Date: 2020-04-15 12:41:18

It's unclear whether you actually plan to take on these strategies, or if these are just general best practices. What community groups would you partner with? What parts of the community are you targeting that are not ordinarily engaged?

 Number: 10 Author: scarney Subject: Sticky Note Date: 2020-04-08 14:55:44

map is below



Digital Technology

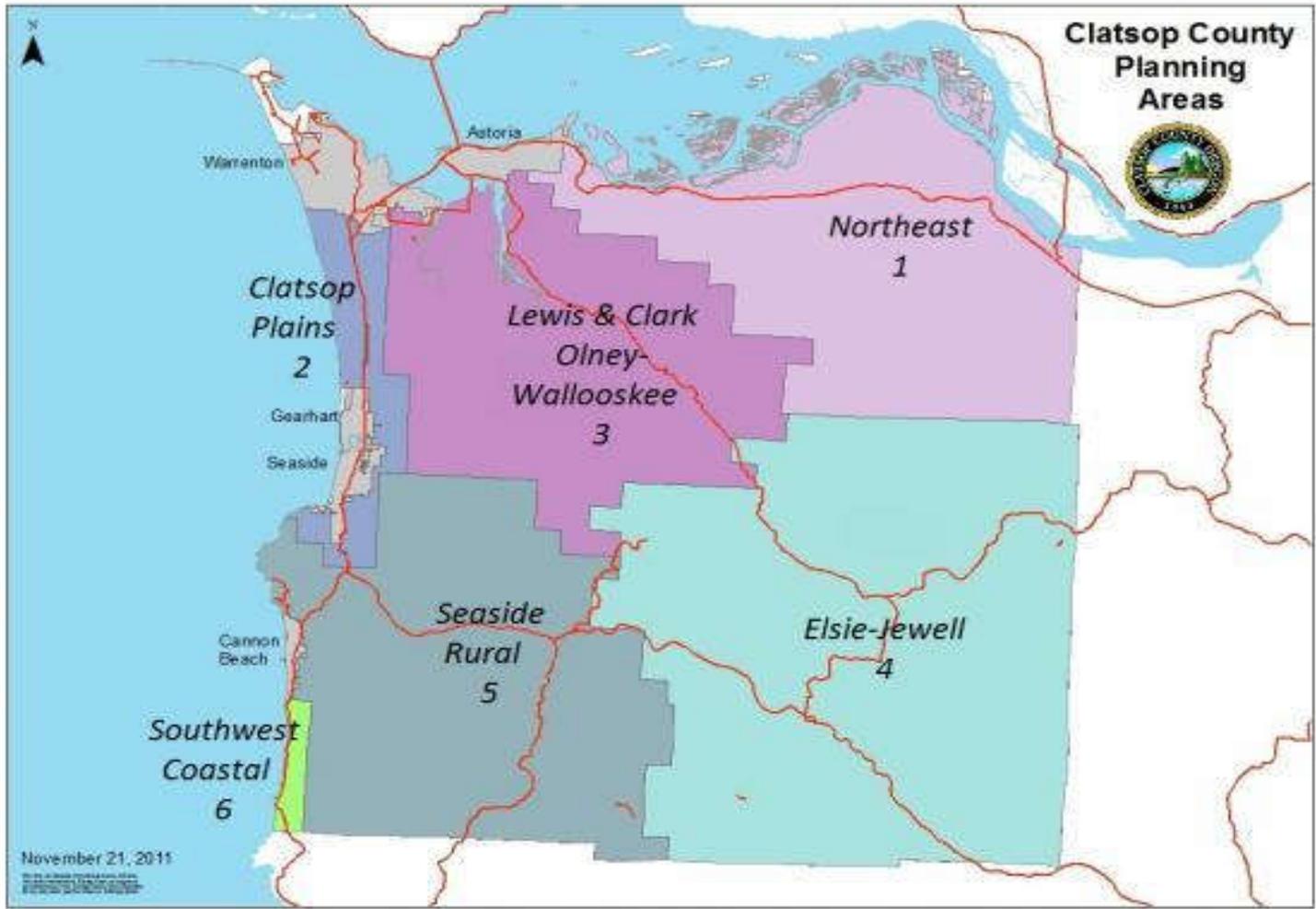
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 Number: 2 Author: scarney Subject: Sticky Note Date: 2020-04-08 14:53:08

"since the plan was adopted"



OBJECTIVES AND POLICIES

OBJECTIVE 1: Improve the availability of planning information to all of the residents in the County.

- Policy A:** Hold at least one citizen advisory group meeting per year in each planning area. Other meetings shall be held as needed to inform the group of proposed changes in the Comprehensive Plan or other land use actions.
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- Policy A:** A diversified geographic, demographic and cross-section of citizens will be encouraged to participate in citizen advisory committees.
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 Number: 1 Author: leahrausch Subject: Sticky Note Date: 2020-04-15 12:43:04

Page 1 of this document leads me to believe that these groups have been disbanded. Is the intent to start a new Group for each planning area? Will they remain post-comp plan or serve temporarily? Who will be recruited onto these bodies?

 Number: 2 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:33:50

What is a "citizen advisory group" and how do they inform planning activities and the Planning Commission as the CIC? Do they exist now? Should be in existing conditions section.

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How many meetings are held now? What is the scale of change represented by this?

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For the entire county or for the planning area? The former would be a lot of potentially unnecessary emails, I think.

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it is difficult to identify actions for this objective - soft language

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Is there a tribal element of consultation for this county that could/should be included?

 Number: 7 Author: leahrausch Subject: Sticky Note Date: 2020-04-15 12:44:26

This could be a lot more specific. Who are you targeting? How will you recruit them? A public notice generally isn't sufficient for diverse representation.

 Number: 8 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:39:03

With all of the prior emphasis on "new technologies" it might be useful here to include the opportunity to submit comments by email or to be included in ways that DON'T require "attendance and participation".

 Number: 9 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:39:42

It would be great if this was a live link.

 Number: 10 Author: leahrausch Subject: Sticky Note Date: 2020-04-15 12:45:21

On the previous page, you mention translation services and partnering with community organizations... I do not see that reflected here.

 Number: 11 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:40:52

and mailed/emailed to each Planning Area CAC Chair - right? Per previous section.

OBJECTIVES AND POLICIES

vi. published in a local newspaper

Policy C:  increase mailed public notice distances to a minimum of 1,000 for properties designated as “Development” and increase to three (3) miles for all other designations.

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Clatsop County is fortunate to have a community that is interested and involved in decision-making for their county. The objective of the Citizen Involvement goal of the Comprehensive Plan is to encourage and provide opportunities for community members to participate in all phases of the planning process, to keep the public informed, and to open lines of communications for the sharing of questions, problems, and suggestions regarding the Comprehensive Plan and land use regulations.

EXISTING CONDITIONS

Following adoption and acknowledgement of the original Comprehensive Plan in 1980, the majority of the citizen advisory committees were disbanded. With the exception of Southwest Coastal. This committee continued to operate, albeit with a changing understanding of its role, until 2017, when it was also dissolved by the Board of Commissioners. With the dissolution of the citizen advisory committees, the Planning Commission became the Committee for Citizen Involvement.

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This aspirational paragraph runs pretty counter to the idea of keeping the Planning Commission as the CCI. Unless I am missing something, that is the proposed?

 Number: 3 Author: stevef Subject: Note Date: 2020-04-09 10:25:23

... the Southwest Coastal Committee. This committee...

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huh?!!

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is this coming from a county level perspective?

 Number: 5 Author: stevef Subject: Note Date: 2020-04-09 10:29:39

Was this done officially? Goal one states: If the governing body wishes to assume the responsibility for, development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Conservation and Development Commission for the state Citizen Involvement Advisory Committee's review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is to be used in lieu of an independent CCI, its members shall be selected by an open, well-publicized public process.

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This document should address what practices the Planning Commission plans to take specific to Goal 1 - will they hold a separate meeting? will there be a specific agenda item where they take off their PC hat and consider Goal 1 issues? There are best practices that could and should be considered.

FUTURE CONDITIONS

Planning for Future Citizen Involvement

Larger trends relating to citizen involvement, coupled with Clatsop County's strong community culture and willingness of its community members to engage in planning for the future, create a variety of assets which can be drawn from when thinking about how to approach citizen involvement in the future.

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Traditional community engagement  in the past  has included events such as town hall meetings or public hearings. These are events where a community member  most likely comes  Astoria and has  time to commit to community engagement. As technology changes and community members have more demands placed on their time, it is important that the County explore and utilize alternative  methods of interacting with stakeholders. Examples might include the use of online questionnaires or social media. The County could also use translation services to make it easier for non-English speakers to participate. Community groups and organizations might be utilized to spread the word about upcoming events and information about the comprehensive plan update, while also reaching populations that might not ordinarily be engaged in County events.

Lack of Diversity

According to the 2010 US Census, the County's population identifies as follows:

- White: 90.9%
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Planning for the future should also include ways to increase and engage more diverse communities.

Diversity can also be viewed in terms of appointed representation on various county advisory committees, including the Planning Commission, which serves as the County's Committee for Citizen Involvement. While the County has six planning areas (see map )⁸, not all planning areas are represented. Specifically, the Planning Commission has no representatives from either the Seaside Rural or Elsie-Jewell planning areas. It is important that representatives from all areas of the County are equally present in planning activities.

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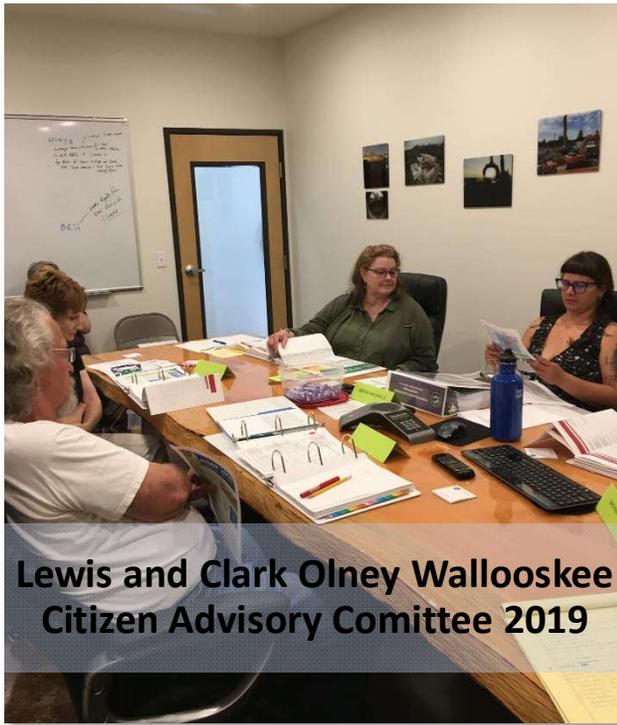
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**Lewis and Clark Olney Wallooskee
Citizen Advisory Committee 2019**



Digital Technology

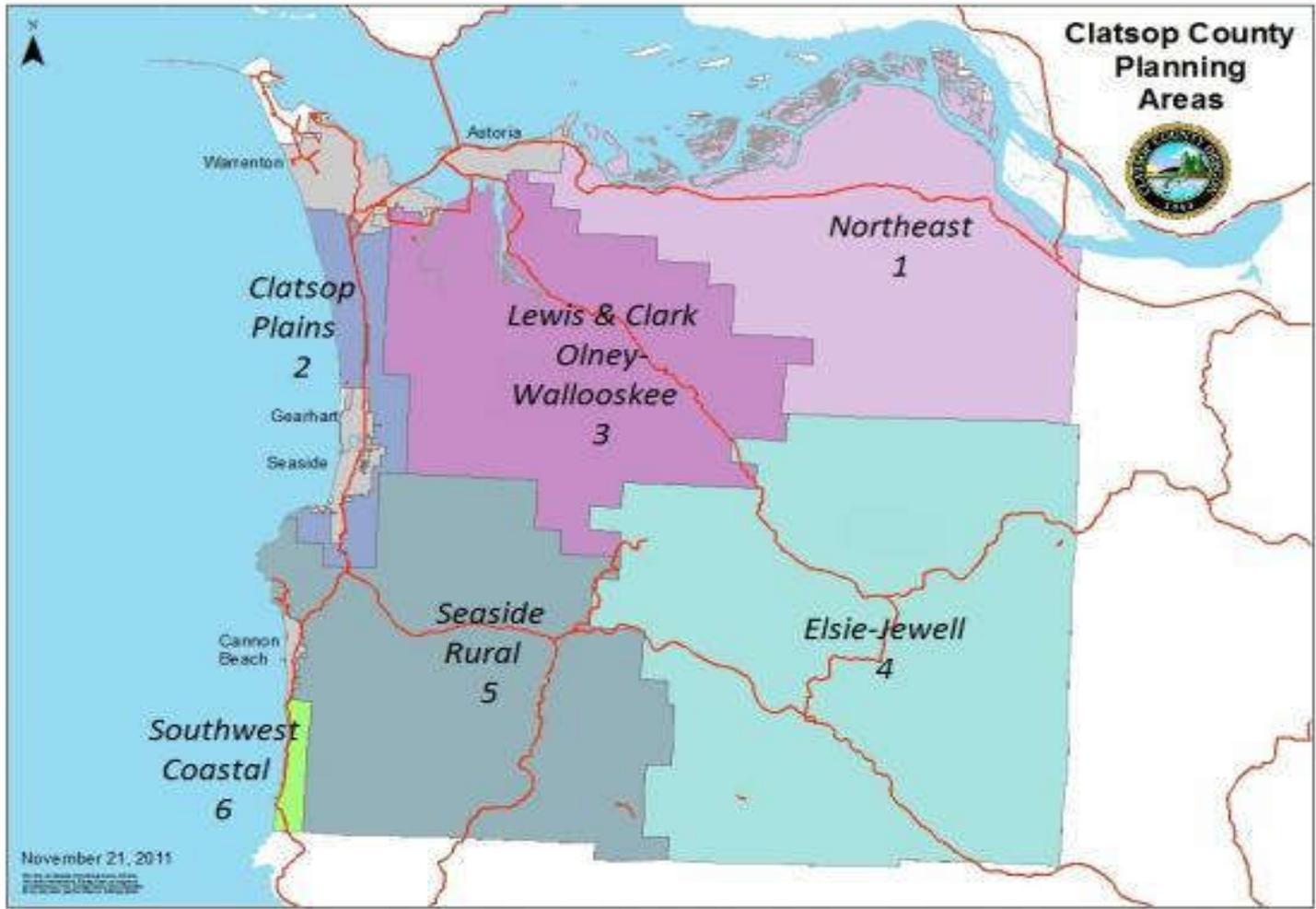
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Author: zechh Subject: Sticky Note Date: 2020-04-15 20:24:33

I agree. We should encourage "public participation" as best nomenclature to use.

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This aspirational paragraph runs pretty counter to the idea of keeping the Planning Commission as the CCI. Unless I am missing something, that is the proposed?

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I recommend reworking this paragraph. I'm not sure the history of the citizen committees is helpful, especially seeing they were all disbanded.

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modes seems like an awkward word choice.. maybe techniques?

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I think this paragraph needs more to it. What ideas are there to engage the public in the future. Refer to the goals/policies.

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redundant

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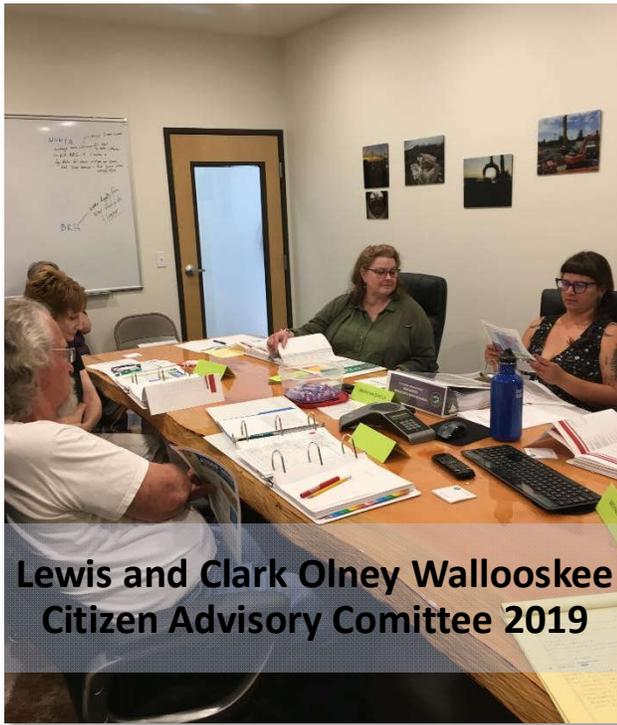
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Author: zechh Subject: Sticky Note Date: 2020-04-15 20:38:43

Agreed. It is confusing to have this photo and then the earlier paragraph that said all CACs were disbanded...

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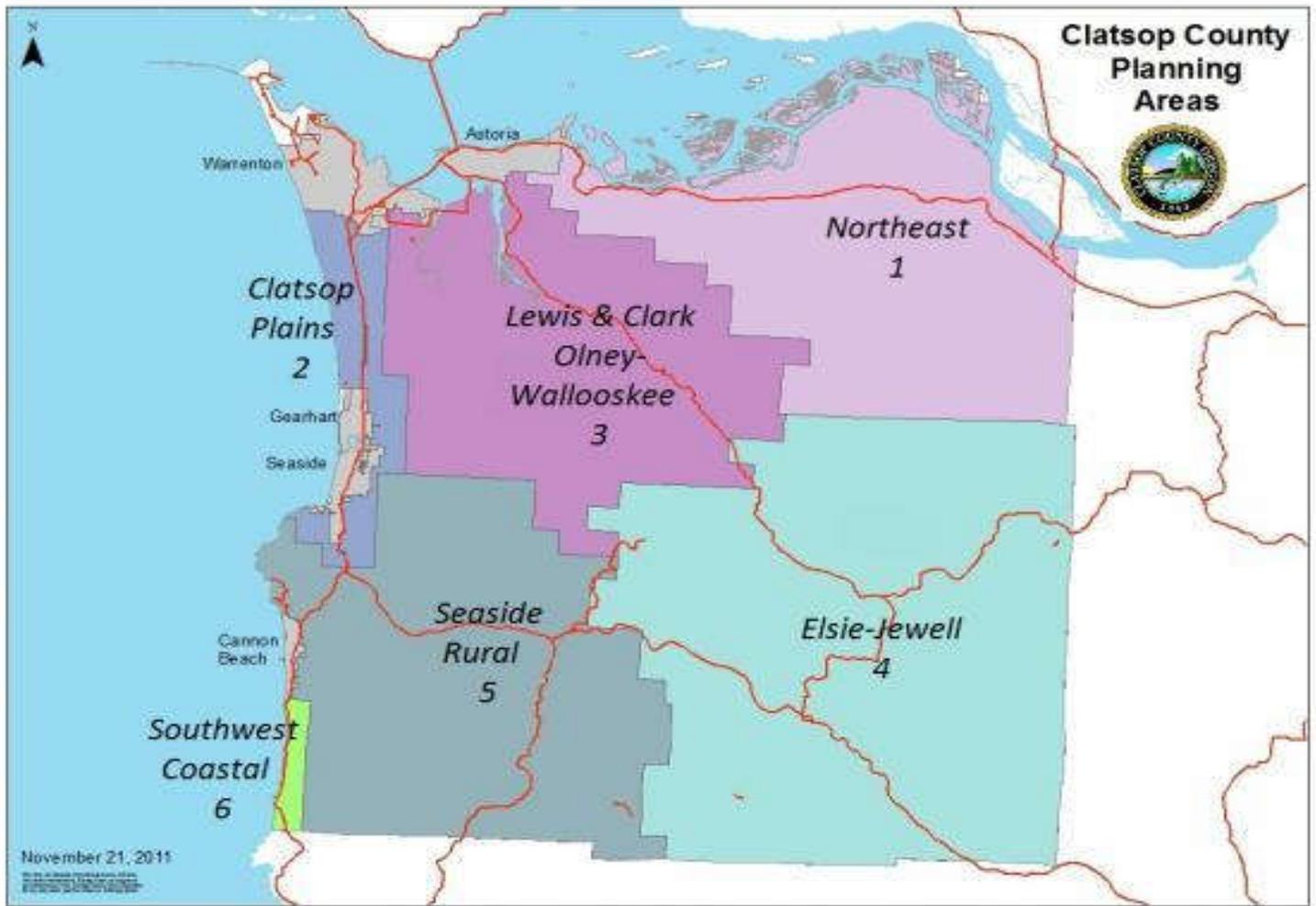
"since the plan was adopted"

 Number: 3 Author: zechh Subject: Sticky Note Date: 2020-04-15 20:39:55

Excellent point. Check out APA's recent blog posts on this exact issue.

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Or non-digital forms of communication...



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Objectives should be measurable. How would this be measured? Consider rephrasing.

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This is good!

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 Number: 8 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:37:07

Is there a tribal element of consultation for this county that could/should be included?

 Number: 9 Author: zechh Subject: Sticky Note Date: 2020-04-15 20:45:27

Speak to the option of providing notice in different languages here?

 Number: 10 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:39:03

With all of the prior emphasis on "new technologies" it might be useful here to include the opportunity to submit comments by email or to be included in ways that DON'T require "attendance and participation".

 Number: 11 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:39:42

It would be great if this was a live link.

 Number: 12 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:40:52

and mailed/mailed to each Planning Area CAC Chair - right? Per previous section.

OBJECTIVES AND POLICIES

vi. published in a local newspaper

Policy C:  increase mailed public notice distances to a minimum of 1,000 for properties designated as “Development” and increase to three (3) miles for all other  gnations.

 Number: 1 Author: scarney Subject: Sticky Note Date: 2020-04-08 16:17:53

This seems like a very significant cost increase - has the county determined what a success metric would be for ROI?

 Number: 2 Author: zechh Subject: Sticky Note Date: 2020-04-15 20:47:11

It is unclear what this means. What does a designation of "development" mean?

ATTACHMENT B

Public and CAC Comments

MEMORANDUM

To: Gail Henrikson, Clatsop County Community Development Director
From: Linda Eyerman
Date: August 7, 2020
Subject: Comments on Goal 1 draft

The following comments address the Goal 1 draft as currently posted on the County's website.

Need for Additional Objectives

The draft as posted does a good job of addressing new issues such as technology and diversity, and includes ideas as to how the County might expand its delivery of information to the public. Thank you for that. What seems to be missing, however, are objectives which address how the County intends to determine the public's views and desires once the Comprehensive Plan update process has been concluded. According to Statewide Goal 1, a citizen involvement program must be ongoing, and it requires two-way communication. Getting information from the public is just as important as getting it to them. So I propose the following three objectives be added to the draft so a process is in place to meet these mandates.

- 1) Establish and maintain a Citizen Involvement Program which ensures the extensive, ongoing involvement of local citizens in planning and land use issues.
- 2) Establish and maintain Citizen Advisory Committees for each region to serve as area advisory committees on a broad range of planning and land use issues.
- 3) Appoint and maintain a Committee for Citizen Involvement that assists with the development of a program that promotes and enhances citizen involvement in land use planning, assists in the implementation of a Citizen Involvement Program, and evaluates the process used for citizen involvement.

These objectives are consistent with the goal set out in the draft (*To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process*), but take it from planning to reality. Adding these objectives would be tantamount to approval of a development plan and would be a commitment by the County to actually building a program.

Memorandum
Gail Henrikson
Page 2

The above language mirrors the definitions for the Statewide Planning Goals. For example, “Citizen Involvement Program” is defined as “[a] program established by a city or county to ensure the extensive, ongoing involvement of local citizens in planning. Such programs are required by Goal 1, Citizen Involvement, and contain or address the six components described in that goal.” As the County’s draft is set up, the six components would be policy statements under the objective.

Regarding the Citizen Advisory Committees, I appreciate that the draft makes reference to CACs as if they were standing committees, requiring annual meetings and specifying information to be made available to the chairs. But in fact the only CACs which currently exist have Bylaws which say they are to “be automatically dissolved following adoption of the updated Comprehensive Plan and Community Plans by the Board of Clatsop County Commissioners.” The Plan needs to provide for the establishment of standing committees and include policies defining their membership, duties, interaction with County staff, and the like. The Southwest Coastal Community Plan would be a good source for community input on policies.

Regarding the Committee for Citizen Involvement, the draft assumes the Planning Commission will continue in this role. Whether this is a good idea or not might depend on what the PC has done to foster citizen involvement in the three years since it was established as the CCI for Clatsop County. Nothing was presented to us during our discussion of Goal 1 that suggests the Planning Commission has been active in this role, but this might have been an oversight. An independent CCI seems to be what most jurisdictions favor, and the Southwest Coastal committee preferred this option over having an already-busy public body wear a second hat as citizen involvement advocate.

Again, the proposed CCI objective tracks the State law definition of CCI as “[a] local group appointed by a governing body for these purposes: assisting the governing body with the development of a program that promotes and enhances citizen involvement in land use planning; assisting in the implementation of a citizen involvement program; and evaluating the process being used for citizen involvement.” The definition distinguishes a CCI from a CAC, the former “advises the local government only on matters pertaining to citizen involvement and Goal I. A CAC, on the other hand, may deal with a broad range of planning and land use issues. Each city or county has only one CCI, whereas there may be several CACs.”

Memorandum
Gail Henrikson
Page 3

Adding these additional objectives would bring Clatsop County into compliance with Goal 1, the language and spirit of the original Plan, and the desire of County residents and property owners to be a part of the process going forward. As the historical facts in the draft make clear, citizen involvement has not been a County priority over past decades. Five of the six CACs in existence when the Plan was adopted in 1980 were disbanded shortly thereafter, despite the Plan stating that the CACs were “intended to function continuously.” Only the Southwest Coastal committee remained active, and it too eventually was dissolved after it fell into disfavor with the County. As for a CCI, the County had none from Plan inception until 2017 when the County designated the Planning Commission for this role.

Comments on Objectives Included in Draft

During the pandemic we are being forced to conduct citizen advisory committee meetings via technology, and my limited experience suggests it’s working adequately for committee members and staff. But attendance and participation by the general public has fallen off, when compared to in-person meetings. This is a concern with the emphasis the draft is placing on the use of technology.

The goal of preventing meeting attendees from having to travel to Astoria is a good one, as that definitely has a chilling effect on participation. But meetings in the regions themselves have been well-attended with much give-and-take. To the extent possible, meetings in the local communities should be encouraged.

Additional Consideration

The overall guiding principle should be that citizen involvement take place, and citizen input be gathered and considered, before land use decisions are made. In order to be involved and provide input, citizens must be given advance notice of proposed development permits and a meaningful opportunity to be heard. For communities in the Southwest Coastal region, this includes new structures on vacant lots, which are the primary type of development in that region. I hope this goal can and will be clearly stated in the objectives and/or policies for Goal I.

I hope this information is helpful, and thank you for considering it.

Linda Eyerman
Arch Cape, OR
linda@gaylordeyerman.com

ATTACHMENT C

Statewide Planning Goal 1

Oregon's Statewide Planning Goals & Guidelines

GOAL 1: CITIZEN INVOLVEMENT

OAR 660-015-0000(1)

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process.

The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Federal, state and regional agencies and special-purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

The citizen involvement program shall incorporate the following components:

1. Citizen Involvement -- To provide for widespread citizen involvement.

The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process. As a component, the program for citizen involvement shall include an officially recognized committee for citizen involvement (CCI) broadly

representative of geographic areas and interests related to land use and land-use decisions. Committee members shall be selected by an open, well-publicized public process.

The committee for citizen involvement shall be responsible for assisting the governing body with the development of a program that promotes and enhances citizen involvement in land-use planning, assisting in the implementation of the citizen involvement program, and evaluating the process being used for citizen involvement.

If the governing body wishes to assume the responsibility for, development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Conservation and Development Commission for the state Citizen Involvement Advisory Committee's review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is to be used in lieu of an independent CCI, its members shall be selected by an open, well-publicized public process.

2. Communication -- To assure effective two-way communication with citizens.

Mechanisms shall be established which provide for effective communication between citizens and elected and appointed officials.

3. Citizen Influence -- To provide the opportunity for citizens to be involved in all phases of the planning process.

Citizens shall have the opportunity to be involved in the phases of the planning process as set forth and defined in the goals and guidelines for Land Use Planning, including Preparation of Plans and Implementation Measures, Plan Content, Plan Adoption, Minor Changes and Major Revisions in the Plan, and Implementation Measures.

4. Technical Information -- To assure that technical information is available in an understandable form.

Information necessary to reach policy decisions shall be available in a simplified, understandable form. Assistance shall be provided to interpret and effectively use technical information. A copy of all technical information shall be available at a local public library or other location open to the public.

5. Feedback Mechanisms -- To assure that citizens will receive a response from policy-makers.

Recommendations resulting from the citizen involvement program shall be retained and made available for public assessment. Citizens who have participated in this program shall receive a response from policy-makers. The

rationale used to reach land-use policy decisions shall be available in the form of a written record.

6. Financial Support -- To insure funding for the citizen involvement program.

Adequate human, financial, and informational resources shall be allocated for the citizen involvement program. These allocations shall be an integral component of the planning budget. The governing body shall be responsible for obtaining and providing these resources.

GUIDELINES

A. CITIZEN INVOLVEMENT

1. A program for stimulating citizen involvement should be developed using a range of available media (including television, radio, newspapers, mailings and meetings).

2. Universities, colleges, community colleges, secondary and primary educational institutions and other agencies and institutions with interests in land-use planning should provide information on land-use education to citizens, as well as develop and offer courses in land-use education which provide for a diversity of educational backgrounds in land-use planning.

3. In the selection of members for the committee for citizen involvement, the following selection process should be observed: citizens should receive notice they can understand of the opportunity to serve on the CCI; committee appointees should receive official notification of their selection; and

committee appointments should be well publicized.

B. COMMUNICATION

Newsletters, mailings, posters, mail-back questionnaires, and other available media should be used in the citizen involvement program.

C. CITIZEN INFLUENCE

1. Data Collection - The general public through the local citizen involvement programs should have the opportunity to be involved in inventorying, recording, mapping, describing, analyzing and evaluating the elements necessary for the development of the plans.

2. Plan Preparation – The general public, through the local citizen involvement programs, should have the opportunity to participate in developing a body of sound information to identify public goals, develop policy guidelines, and evaluate alternative land conservation and development plans for the preparation of the comprehensive land-use plans.

3. Adoption Process – The general public, through the local citizen involvement programs, should have the opportunity to review and recommend changes to the proposed comprehensive land-use plans prior to the public hearing process to adopt comprehensive land-use plans.

4. Implementation - The general public, through the local citizen involvement programs, should have the opportunity to participate in the development, adoption, and application of legislation that is needed to carry out a comprehensive land-use plan. The

general public, through the local citizen involvement programs, should have the opportunity to review each proposal and application for a land conservation and development action prior to the formal consideration of such proposal and application.

5. Evaluation - The general public, through the local citizen involvement programs, should have the opportunity to be involved in the evaluation of the comprehensive land use plans.

6. Revision - The general public, through the local citizen involvement programs, should have the opportunity to review and make recommendations on proposed changes in comprehensive land-use plans prior to the public hearing process to formally consider the proposed changes.

D. TECHNICAL INFORMATION

1. Agencies that either evaluate or implement public projects or programs (such as, but not limited to, road, sewer, and water construction, transportation, subdivision studies, and one changes) should provide assistance to the citizen involvement program. The roles, responsibilities and timeline in the planning process of these agencies should be clearly defined and publicized.

2. Technical information should include, but not be limited to, energy, natural environment, political, legal, economic and social data, and places of cultural significance, as well as those maps and photos necessary for effective planning.

E. FEEDBACK MECHANISM

1. At the onset of the citizen involvement program, the governing body should clearly state the mechanism through which the citizens will receive a response from the policy-makers.

2. A process for quantifying and synthesizing citizens' attitudes should be developed and reported to the general public.

F. FINANCIAL SUPPORT

1. The level of funding and human resources allocated to the citizen involvement program should be sufficient to make citizen involvement an integral part of the planning process.

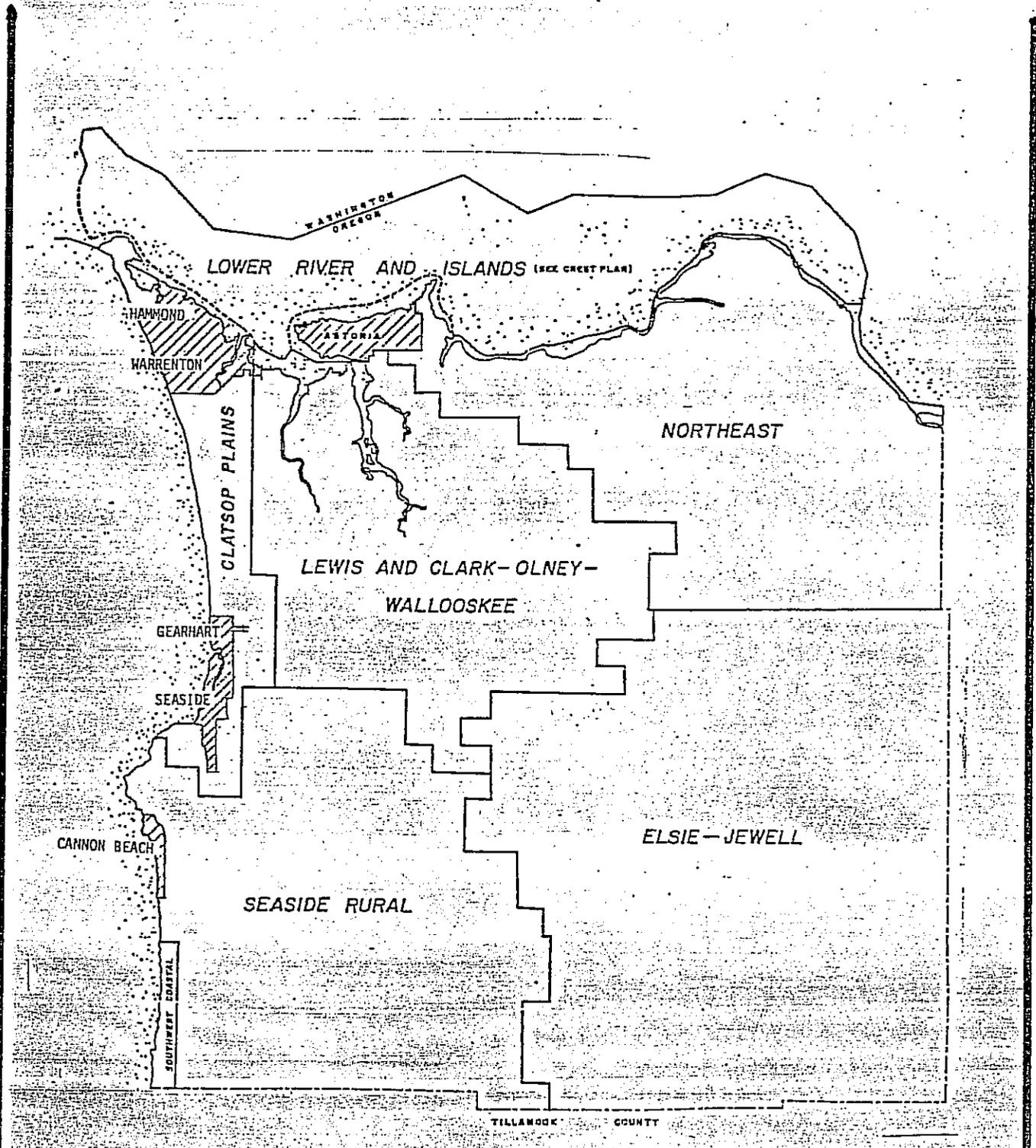
ATTACHMENT D

Clatsop County Goal 1

Goal 1

CLATSOP COUNTY GOAL 1 COUNTY-WIDE ELEMENT

CITIZEN INVOLVEMENT



CLATSOP COUNTY PLANNING INDEX MAP

COUNTY-WIDE ELEMENT

Goal 1

Citizen Involvement

Adopted July 23, 1980
Ordinance 80-7

Revised December 1989

Introduction

Citizen participation is desirable in many areas of governmental activity. In the planning process, where governmental policies are being established, citizen participation is not only desirable but essential. The Land Conservation and Development Commission (LCDC) Citizen Involvement Goal #1 requires the opportunity for citizens to be involved in the planning process. In the preparation of the Clatsop County Comprehensive Plan, citizens participated in all phases of the planning process.

Basic Findings

A strong citizen involvement program was felt to be essential to the success of the Clatsop County planning program. In 1972, an attitude survey was conducted of various interest groups and selected individuals within the County. Two years later, with the assistance of Oregon State University Extension Service, a Citizens Advisory Committee was developed for the Clatsop Plains. Subsequently other Citizen Advisory Committees evolved throughout the rest of the County. (see Figure [1.] A).

Figure A is shown in order to accurately define the six geographic planning areas:

[Figure 1.]

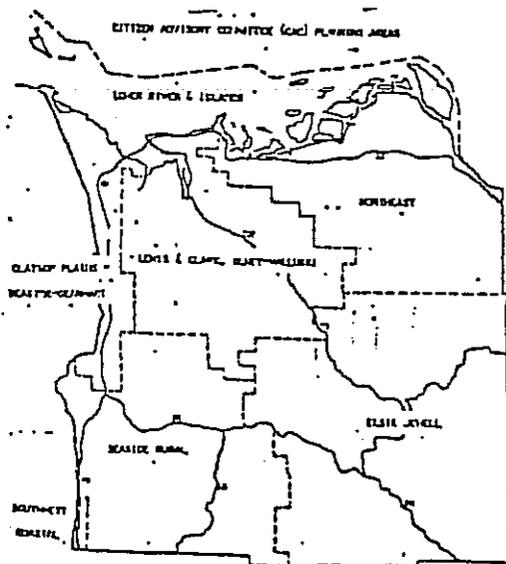
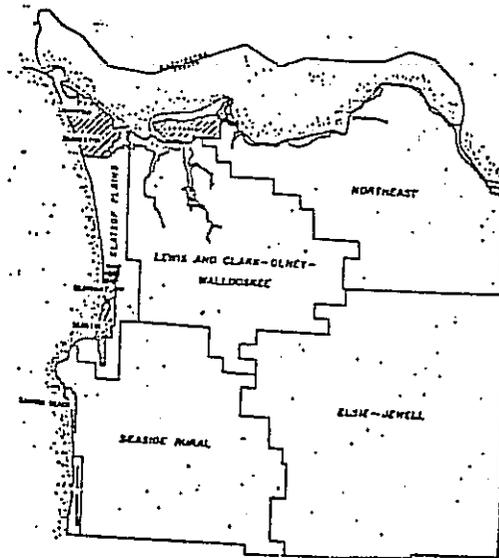


Figure A. - Citizen Involvement



Notes regarding Planning Areas:

1. The area labeled "Lower River and Islands" was originally delineated, however at a later date it was felt it was more efficient to incorporate this sparsely populated area with the "Northeast" Community Plan. (More precise planning for this area will be included in the detailed ongoing study with CREST (Columbia River Estuary Study Taskforce)).
2. All six incorporated areas and their adjacent Urban Growth Boundaries (UGB) should be shown as separate planning areas, with individual plans (1. Astoria, 2. Warrenton, 3. Hammond, 4. Gearhart, 5. Seaside, 6. Cannon Beach).

[The County now has six Citizen Advisory Committees which together with the planning staff developed the various Community Plans, as well as providing guidance and recommendations on planning issues. In developing the Community Plans, the Citizen Advisory Committees had several area-wide public meetings in addition to the regular Citizen Advisory Committee meeting to obtain resident's views concerning development in their area. From this and other input the Citizen Advisory Committees developed their Community Plans which the County mailed to property owners in the form of a tabloid containing maps and policies of the proposed designations and hearing dates. The Planning Commission and Board of Commissioners each had public hearings in the various planning areas with additional hearings at the courthouse. Changes made in the Community Plans and other sections of the Comprehensive Plan were made available in the Department of Planning and Development and covered in the local papers.]

The County had six Citizen Advisory Committees, which together with the planning staff, developed the various Community Plans through guidance and recommendations on planning issues. The development of the Community Plans, involved several area-wide public meetings, obtaining viewpoints and concerns of the residents. The Citizen Advisory Committees utilized this information to develop the proposals for policies, property designations and each Community Plan. Both the Planning Commission and the Board of Commissioners held additional public hearings and adopted the final Comprehensive Plan.

[The Citizen Advisory Committees are intended to function continuously, beyond Plan adoption, as a forum to provide for community input to the Planning Commission and Board of Commissioners on land use matters and related social and economic development issues. In recognition of the necessity and value of participation of the citizenry in the local government making process, Clatsop County adopts the following policies:]

The Citizen Advisory Committees were intended to function continuously. The Planning Commission represents an equitable cross section of the County and all six previously designated geographic areas.

The County has recognized the importance, necessity and value of citizen participation in assisting the County government in the decision-making process. In order to assure a continuum of citizen involvement, the following policies are adopted:

Goal

[To have an ongoing Citizen Involvement Program consisting of areawide Citizens Advisory Committees, which provide a method of communication between citizens, administrative departments, Planning Commission and the Board of County Commissioners.]

To have continuity of citizen participation consisting of a seven member Planning Commission, with each member representing diverse geographic areas of the County, thus providing a method of ensuring communication between the citizens, administrative departments and the Board of County Commissioners.

Only the Southwest Coastal Planning Area still retains an active Citizen Advisory Committee (CAC). Should any of the remaining five designated planning areas determine that Citizen Advisory Committees are necessary for ensuring communication between the citizens, the administrative departments, the Planning Commission and the Board of Commissioners they may reorganize a CAC. The Board of Commissioners shall appoint CAC members. The CAC may continue to function and be an active, integrated segment of Clatsop County's planning process as long as persistent involvement and active participation is demonstrated.

Policies

1. [The citizen involvement program shall involve a cross section of affected citizens in all phases of the planning process. As a component, the program for citizen involvement shall include an officially recognized citizen advisory committee or committees broadly representative of geographic areas and interests related to land use and land use decisions. Citizen advisory committee members shall be selected by an open, well-publicized public process.]
1. The Committee for Citizen Involvement shall be the Clatsop County Planning Commission, consisting of seven members. The Planning Commission shall strive to represent a cross section of affected citizens in all phases of the planning process. As an appropriate component, five Planning Commission members shall be representatives of the six designated geographic areas (with a seven member Commission, one area may have two members). No more than two Planning Commission members may reside within incorporated cities. Each member of the Planning Commission shall be selected by an open, well-publicized, public process by the Board of Commissioners.
2. The [Citizen Advisory Committees] Planning Commission and active Citizen Advisory Committees shall hold their meetings in such a way that the public is notified in advance and given the opportunity to attend and participate in a meaningful fashion.
3. Active Citizen Advisory Committees may submit their comments to the Clatsop County Department of Planning and Development, Clatsop County Planning Commission and Clatsop County Board of Commissioners. These bodies shall answer the CAC request in a timely manner.
4. The Board of Commissioners, through the Planning Department, should provide adequate and reasonable financial support; [along with] technical assistance [to the Citizen Advisory Committees.] shall be available and presented in a simplified form, understandable for effective use and application.
5. Citizens shall be provided the opportunity to be involved in the phases of the planning process as set forth and defined in the goals and guidelines for Land Use Planning, including Preparation of Plans and Implementation Measures, Plan Content, Plan Adoption, Minor Changes and Major Revisions in the Plan and Implementation Measures.

6. Clatsop County shall encourage organizations and agencies of local, state and federal government and special districts to participate in the planning process.
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 Citizen Involvement Program] in the planning process. [It shall] The County shall ensure that ideas and recommendations submitted [through the Citizen Involvement Program will receive a response from decision-makers] during the planning process will be evaluated, synthesized, quantified, and utilized as appropriate.
- [8. Notices of public hearings on major plan revisions should be publicized at least 30 days prior to the hearing.]
9. Public notices [should] will also be sent to affected residents concerning zone and Comprehensive Plan changes, conditional uses, subdivisions and planned developments.

Recommended Action:

[At the first update Clatsop County should document its citizen involvement efforts. This should minimally include: (1) listing those people, past and present, who have participated in the development of the plan; and (b) totalling the effort made by Clatsop County government.]

The acknowledged Comprehensive Plan, recommended that Clatsop County should document the Citizen Involvement efforts at the first update.

The six community planning areas had active citizen involvement dating from 1977 through 1980, when the Plan was acknowledged. During that period of time, each committee met at least once per month, and as increased involvement dictated, two meetings per month were held. Southwest Coastal, Clatsop Plains and Elsie-Jewell Citizen Involvement Committees continued for a short duration, while the others disbanded. [Today] As of the date of adoption, only the Southwest Coastal Committee remains active.

A list of the members for each area, in addition to the citizens who were concerned, is on file with the Clatsop County Department of Planning and Development.



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

TO: Clatsop County Planning Commission Members

FROM: Gail Henrikson, Community Development Director

DATE: August 28, 2020

RE: **SPECIAL PROJECT STATUS UPDATES**

Clatsop Plains Elk

- [September 1, 2020 - Board of Commissioners Work Session](#)
- A copy of the agenda materials provided to the Board is included in this agenda package
- Declaration of Cooperation expected to be completed in October 2020

Short-Term Rentals

- [September 1, 2020 - Board of Commissioners Work Session](#)
- A copy of the agenda materials provided to the Board is included in this agenda package
- **September 9, 2020 – Board of Commissioners Work Session**
- Initial discussion of possible revisions to address issues identified by the compliance software.
- **Assessment and Taxation staff have requested a meeting prior to any work session to discuss any proposed changes to the short-term rental ordinance so that all staff are working in a coordinated manner. In order to accommodate staff schedules, this item will be rescheduled to a date to-be-determined.**

Strategic Plan

- [BOC Work Session](#): August 25, 1PM
- Prepared draft Vision, Mission and Values statements
- Identified five focus areas:
 - 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

- [Public information meeting](#): August 13, 5:30PM

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



SEPTEMBER 2020

PROJECT STATUS REPORT – SEPTEMBER 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 ONE YEAR EXTENSION APPROVED 11-14-19	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	Under construction	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 – SEPTEMBER 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	Building permit issued	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

*Expiration date for projects that are not completed or substantially completed



COUNTY COUNSEL

MEMORANDUM

To: Planning Commission

From: County Counsel Joanna Lyons-Antley

Date: August 20, 2020

Subject: House Bill 2001 (2019)

You asked me to review House Bill 2001, enacted in 2019. Per the new law, cities with populations of more than 10,000 and a local government in a metropolitan service district are required to amend the comprehensive plan and adopt regulations to allow middle housing. Currently, all of the incorporated cities have populations of less than 10,000 and the County is not within a metropolitan service district, so at this point, the law does not apply to the County.

However, if the cities choose to utilize a new, alternative process for allowing conversions of single family residences into up to 4 dwelling units, the County Building Official will need to be aware of this process.

Overall, this is a law that is intended to allow additional middle housing units in areas currently zoned single family house, but applies primarily to cities and not the County.



Clatsop County

Community Development – Planning

800 Exchange St., Suite 100
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www.co.clatsop.or.us

TO: Clatsop County Planning Commission

FROM: Gail Henrikson, Community Development Director

DATE: August 28, 2020

RE: **DISCUSSION ITEM – AFFORDABLE HOUSING FUND**

SUMMARY

On July 31, 2020, Commissioner Stricklin forwarded an email to the Planning Commission members and staff regarding the possible creation of an Affordable Housing Fund. A copy of this email is attached (**Attachment A**).

Staff has also provided supplemental information regarding the construction excise tax that was adopted by Cannon Beach in 2017 (**Attachment B**) and a City of Eugene Housing Policy Board Memo from December 4, 2017 (**Attachment C**), which describes the use of the city's efforts to fund affordable housing through the use of a construction excise tax. These two items are included as examples only to demonstrate different funding mechanisms that may be available to the county.

ACTION REQUESTED

This item is included in the packet to determine whether the Planning Commission would like to schedule it as a formal work topic at a future meeting. If the consensus of the members is to schedule it as a formal work topic, staff requests that the Planning Commission identify what information staff should include in order to facilitate future discussions.

ATTACHMENTS

- A. Robert Stricklin email dated July 31, 2020
- B. Cannon Beach Construction Excise Tax Ordinance 17-07
- C. City of Eugene Housing Policy Board Memo dated December 4, 2017

For project information and updates, visit us on the web!
www.co.clatsop.or.us/landuse/page/comprehensive-plan-update
www.facebook.com/ClatsopCD

ATTACHMENT A

Robert Stricklin Email – July 31, 2020

Gail Henrikson

From: Robert Stricklin <rstricklin@gmail.com>
Sent: Friday, July 31, 2020 10:46 AM
To: Gail Henrikson
Cc: Bruce Francis (bruce@breakerspointhoa.com); Christopher Farrar; John Orr - Planning Commission (johnorrattorney@gmail.com); Lam Quang (lam@hiihlights.com); Myrna Patrick; Nadia Gardner - Planning Commission (nadiaegardner@gmail.com)
Subject: Re: FW: Affordable housing

Dear Director and Fellow planning commissioners,

This item has not been discussed with you all as a commission topic, but I hope the concept has been shared with you by me during the past couple of years since the county charter review process - which I mention only as having been a lovely time for affordable housing to have been addressed as the important issue it was and remains. I won't say the concept has fallen on hearing impaired ears, but can say there has been no groundswell of response on the order of "what a nifty concept." I'd be happy to throw it into the pot of workshop ideas, with at most the idea that it has been raised and offered by an individual planning commissioner as a specific part toward a total solution. It is formatted as if it were a ballot referendum, but the same concept can be implemented any budget cycle by the county commission then seated.

Robert

"In adopting each fiscal year's budget and capital program, the county commission shall appropriate a minimum of one-half of one percent (0.5%) of the total property taxes certified for collection to a fund known as the Affordable Housing Fund. Revenues in this fund shall be utilized to acquire and fund operations of dwellings within the county of 600 square feet or less for management through a public agency at rental rates of thirty percent (30%) of occupants' federal adjusted gross income. Any

balance remaining in this fund at the end of the fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The revenues in this fund shall not be used for any purpose except those listed in this section."

On Thu, Jul 30, 2020 at 5:00 PM Gail Henrikson <ghenrikson@co.clatsop.or.us> wrote:

Good afternoon, everyone. Attached is a draft of what is to be provided to the Board of Commissioners for a work session on August 12 (5PM). Thank you to Commissioner Gardner, who prepared the vast majority of the document. I did remove the language stating "Clatsop County cities should permit ADUs outright in all residential zones....." There were two reasons:

1. The County Board of Commissioners does not have jurisdiction over the cities.
2. Creating a scenario where it even appears that the County is trying to dictate and control how an independent government develops its regulations, which supposedly reflect the character of the community and will of the people, is entering into a political morass that would not result in any productive end.

I did include language encouraging the County to consider allowing ADUs in parts of unincorporated Clatsop County where such residences are currently not permitted.

If you do not believe the attached documents accurately reflect the discussion and recommendations of the Planning Commission, please let me know by 4PM tomorrow (Friday, July 31).

Thanks.

Gail

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

Clatsop County Community Development

800 Exchange Street, Suite 100

Astoria, OR 97103

503.325.8611

ATTACHMENT B

*Cannon Beach Construction Excise Tax
Ordinance 17-07*

BEFORE THE COMMON COUNCIL OF THE CITY OF CANNON BEACH

FOR THE PURPOSE OF AMENDING)
CANNON BEACH MUNICIPAL CODE) ORDINANCE NO. 17- 07
TITLE 3, REVENUE AND FINANCE,)
BY ADDING CHAPTER 3.20,)
CONSTRUCTION EXCISE TAX)

WHEREAS, Title 3 of the Cannon Beach Municipal Code concerns Revenue and Finance; and

WHEREAS, The Common Council of the City of Cannon Beach finds that a shortage of affordable housing impairs the economic and social well-being of the City; and

WHEREAS, The Common Council of the City of Cannon Beach finds that programs for mitigating the affordable housing problem, including financial incentives for builders and developers of affordable housing, and City programs to provide affordable housing, require funding; and

WHEREAS, The State of Oregon authorizes cities to impose a construction excise tax on residential and commercial building permits for the purpose of addressing affordable housing problems; and

NOW, THEREFORE, based on the foregoing, the Common Council of the City of Cannon Beach does ordain as follows:

Chapter 3.20 Construction Excise Tax

3.20.010. Purpose. This Chapter establishes a Construction Excise Tax on commercial and residential improvements to provide funding for affordable housing in the City of Cannon Beach.

3.20.030. Definitions.

- A. "Commercial" means any structure designed or intended to be used, or actually used, for occupancy for other than residential purposes.
- B. "Construct" or "Construction" means erecting, constructing, enlarging, altering, repairing, improving, or converting any building or structure for which the issuance of a building permit is required pursuant to the provisions of Oregon law.
- C. "Improvement" means any improvements to real property resulting in a new structure, additional square footage added to an existing structure, or the addition of living space to an existing structure.

D. "Median family income" means median family income by household size for the City of Cannon Beach as defined by the United States Department of Housing and Urban Development as adjusted for inflation and published periodically.

E. "Net Revenue" means revenues remaining after the administrative fees described in Section 3.20.210.A are deducted from the total Construction Excise tax collected.

F. "Residential" means structure designed or intended to be used, or actually used, for occupancy for residential purposes including any residential structure, dwelling, or dwelling unit.

G. "Value of Improvement" means the total value of the improvement as determined by the construction permit or building permit for the improvement.

3.20.050. Administration and Enforcement Authority.

A. The City Manager is responsible for the administration of this Chapter. In exercising the responsibilities of this Chapter, the City Manager may act through designated representatives.

3.20.070. Imposition of Tax.

A. Each person who applies to construct a commercial improvement in the City of Cannon Beach shall pay a commercial construction excise tax in the amount of 1 percent of the value of the improvement.

B. Each person who applies to construct a residential improvement in the City of Cannon Beach shall pay a residential construction excise tax in the amount of 1 percent of the value of the improvement.

C. The construction excise tax shall be due and payable prior to the issuance of any building permit.

3.20.070. Exemptions.

A. No tax imposed under this Chapter shall be imposed upon the following improvements:

1. Residential housing units guaranteed to be affordable, under guidelines established by the United States Department of Housing and Urban Development, to households that earn no more than 80 percent of the median household income, for a period of at least 10 years following the date of construction of the residential housing;
2. Public school improvements;
3. Public improvements as defined in ORS 279A.010;
4. Public or private hospital improvements;

5. Improvements to religious facilities primarily used for worship or education associated with worship;
6. Long term care facilities, as defined in ORS 442.015, operated by a not-for-profit corporation;
7. Residential care facilities, as defined in ORS 443.400, operated by a not-for-profit corporation;
8. Continuing care retirement communities, as defined in ORS 101.020, operated by a not-for-profit corporation.

B. The City may require any person seeking an exemption to demonstrate that the person is eligible for an exemption and to establish all necessary facts to support the exemption.

3.20.090. Failure to Pay.

The City may not issue a building permit to any person who has failed to pay the tax required by Section 3.20.070.

3.20.110. Statement of Entire Value of Improvement Required.

It is a violation of this Chapter for any person to fail to state or to misstate the full value of the improvement.

3.20.130. Interest and Penalties for Failure to Comply.

A. Interest. If the City Manager determines that a person has failed to pay to the City all or any part of the construction excise tax due under this Chapter, interest shall be due on the entire unpaid amount, assessed at the rate of 0.833 percent simple interest per month or fraction thereof (10 percent per annum), computed from the original due date of the fee to the 15th day of the month following the date of the underpayment. Interest amounts properly assessed in accordance with this Section may not be waived or reduced by the City Manager.

B. Penalties. In addition to assessing interest, the City Manager may assess a penalty of five percent of the otherwise applicable tax liability upon:

1. Any person that initially qualifies for an exemption under Subsections 3.20.070.A.2, and the housing units subsequently fail to qualify for the exemption;
2. Any person who intentionally fails to state the full value of an improvement.

C. Penalties and interest merged with tax. Any accrued interest and imposed penalties under the provisions of this Section shall be merged with and become a part of the construction excise tax required to be paid under this Chapter. If delinquency continues, requiring additional penalty and interest calculations, previously assessed penalty and interest are added to the tax due. This amount becomes the new base for calculating new interest amounts.

3.20.150. Enforcement by Civil Action.

The construction excise tax, and any assessed interest and penalties, due and owing under this Chapter constitutes a debt owing to the City by the person liable for the tax as set forth in Section 3.20.070.

3.20.170. Refunds.

A. The City shall issue a refund to any person who has paid a construction excise tax the amount of the tax actually paid:

1. If the person establishes that the tax was paid for improvements that were otherwise eligible for an exemption under Section 3.20.070.
2. If the person establishes that construction of the improvements was not commenced and the associated building permit has been cancelled by the City;
3. Upon a determination by the City Manager that the amount of any construction excise tax, penalty, or interest has been erroneously collected or paid to the City under this Chapter.

B. The City shall either refund all amounts due under this section within 30 days of a complete request for the refund or give written notice of the reasons why the request has been denied. Claims for refunds shall be made upon forms provided by the City. The request for the refund must be submitted within three years from the date of payment of the construction excise tax.

C. Denial of a request for refund may be appealed as provided for in Section 3.20.190.

3.20.190. Appeals.

A. **Administrative Review.** Any written determination issued by the City applying the provisions of this Chapter believed to be in error may be reviewed by the City Manager if requested in writing by the recipient. The request for administrative review must be received within 10 days of the determination, and must include all documentation supporting the request. The City Manager's determination in the administrative review shall be served by regular mail.

B. **Appeals.** Any written determination from the City Manager applying the provisions of this Chapter regarding liability for payment of construction excise taxes may be appealed to the City Council.

C. The filing of any notice of appeal shall not stay the effectiveness of the written determination unless the City Manager so directs.

3.20.210. Dedication of Revenue.

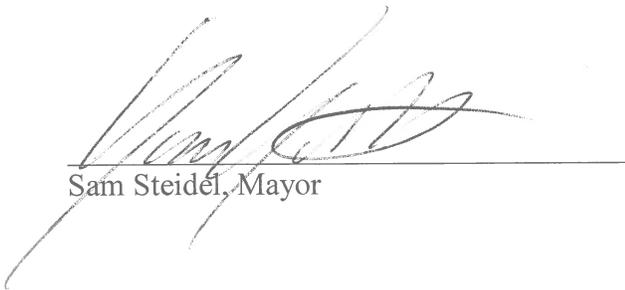
- A. The City may retain up to four percent of the taxes collected for payment toward administrative expenses related to collection and distribution of the tax.

- B. For the tax imposed on residential improvements, the net revenues, after deducting administrative expenses, will be distributed as follows:
 - 1. Fifteen percent of net revenue will be remitted to the Oregon Department of Housing and Community Services to fund home ownership programs.
 - 2. Fifty percent of net revenue will be transferred to the Affordable Housing Fund to support developer/builder incentives for affordable housing authorized by the City.
 - 3. Thirty-five percent of net revenue will be transferred to the City's Affordable Housing Fund to support the City's affordable housing program.

- C. For the tax imposed on commercial improvements, 100 percent of net revenue will be distributed to the Affordable Housing Fund to support the City's affordable housing program.

ADOPTED by the Common Council of the City of Cannon Beach this 6th day of June, 2017, by the following role-call vote:

YEAS: Councilors Benefield, McCarthy, Ogilvie and Mayor Steidel
NAYS: Councilor Vetter
EXCUSED: None



Sam Steidel, Mayor

Attest:



Brant Kucera, City Manager

Approved as to Form:



Tammy Herdener, City Attorney

ATTACHMENT C

City of Eugene Housing Policy Board Memo

December 4, 2017

HOUSING POLICY BOARD

The mission of the Housing Policy Board is to increase the availability of decent, affordable housing for low and very low income families and individuals in Lane County.

Date: 12/4/2017
To: Eugene City Council
From: Intergovernmental Housing Policy Board
Subject: The Affordable Housing Trust Fund and How to Fund It

Eugene City Council asked the Housing Policy Board to develop a recommendation for the creation of a local dedicated source of funding for affordable housing in its work session on April 12, 2017. Over the past year, members of the Housing Policy Board have gathered research on newly developed local funding sources in other Oregon communities and have worked to develop a recommendation for Council consideration. Over the past three months, the Housing Policy Board has met six times and members have reached out to multiple community stakeholders to inform its recommendation.

As a result of these conversations, it is clear there is significant and growing concern about access to affordable housing within Eugene and Lane County. Conversations with local affordable housing providers reveal that a local dedicated source of funding would greatly increase their ability to move forward a wide range of affordable housing developments. In particular, this resource would have much greater flexibility than federal and state resources that are currently available.

Background Information

Hundreds of local jurisdictions around the country have created housing trust funds to support the development and preservation of affordable housing. These trust funds typically augment federal and state grants with a locally controlled flexible resource. Eugene has previously created such a fund, but has never been able to establish a sustained source of revenue to adequately support it.

In 2016, the Oregon legislature created a new way to generate funding that can be used for affordable housing through the adoption of Senate Bill (SB) 1533. As a result of this legislation, local jurisdictions may choose to: 1) adopt a tax on construction permits (called a Construction Excise Tax or "CET") to generate revenue for affordable housing; and 2) implement inclusionary housing requirements (commonly called inclusionary zoning or "IZ"). This document discusses the first of those, the proceeds of which can go into a housing trust fund. A local jurisdiction may choose to adopt a CET without also adopting IZ.

Eugene may adopt a construction excise tax to support affordable housing. The tax may not exceed 1% for residential construction; there is no limit on the rate for commercial or industrial construction. The tax is assessed on the permit valuation of the improvements. The land value is not included. For residential construction, it includes both new construction and improvements to existing structures that add square footage to the living space.

If a jurisdiction implements a residential CET but does not implement a mandatory IZ program, the proceeds may be used as follows:

- 81% must be allocated to programs and incentives related to affordable housing as defined by the city.
- 15% must be transferred to Oregon Housing and Community Services (OHCS) to fund home ownership programs. (OHCS determines how these resources will be used and has communicated that these resources will be made available to the community where they were generated.)
- 4% may be retained to cover administrative expenses.

If a jurisdiction implements a residential CET and also implements a mandatory IZ program, the proceeds must be used as follows:

- 50% of the resources must be reserved for incentives to compensate a developer for IZ developments.
- 31% must be allocated to programs and incentives related to affordable housing as defined by the city.
- 15% must be transferred to Oregon Housing and Community Services (OHCS) to fund home ownership programs. (OHCS determines how these resources will be used and has communicated that these resources will be made available to the community where they were generated.)
- 4% may be retained to cover administrative expenses.

If a jurisdiction implements a commercial CET, the proceeds must be used as follows:

- 48% must be used to fund programs “related to housing” as defined by the City.
- 48% may be used by the city without restriction (including for administration of this program).
- 4% may be retained to cover administrative expenses.

There are numerous statutory exemptions from the tax including: 1) construction by governmental entities (for example, the school districts and the University of Oregon); 2) affordable housing developments that meet the state’s long-term affordability restrictions; 3) public or private hospitals; 4) religious facilities; 5) private schools; 6) nonprofit long-term care facilities, residential care facilities, and continuing care retirement facilities; and 7) agricultural buildings. The local jurisdiction may add more exemptions, such as Accessory Dwelling Units (ADUs), low income homeownership programs, etc.

What Other Jurisdictions Are Doing

Portland, Hood River County, Hood River City, Corvallis, Newport, Cannon Beach and Milwaukie have all adopted a CET pursuant to SB 1533. Portland is the only jurisdiction to adopt a mandatory IZ ordinance, though Corvallis has adopted a voluntary IZ ordinance. In addition, Sisters, Astoria, McMinnville, Salem, and Newberg are also considering a CET.

The adopted ordinances are quite similar but with a few substantive differences. All have adopted a 1% tax on all construction, except Corvallis which assesses a 1.5% tax on non-residential construction. Several allow for the rate to be set annually by the city council. Hood River County has a special rate

for new or replaced manufactured homes, at 75¢ per square foot.

Portland has added several exemptions including: ADUs (though the City will review this after two years); improvements valued at \$100,000 or less; and owner-occupied homes that qualify for Portland’s low-income single-family property tax exemption. Hood River City and County also add both ADUs and some other minor exemptions. Tillamook exempts any facilities owned and operated by a 501(c)(3) corporation.

There are some variations regarding the use of proceeds, targeting different Area Median Income (AMI) levels:

- Portland targets affordable housing units at or below 60% of AMI for its non-IZ incentives; under SB 1533, its IZ incentives must serve people at 80% AMI and above.
- Corvallis targets affordable rental housing for those below 60% AMI and home ownership for those below 80%.
- Hood River County targets affordable housing up to 120% AMI.
- Hood River City targets affordable housing below 80% of AMI.
- Tillamook directs the residential CET to affordable housing below 80% of AMI, and all of the commercial CET to workforce housing below 200% of AMI.

These jurisdictions direct CET revenue into their own housing trust funds to support affordable housing programs. In addition, their ordinances do not provide specific definitions of affordable housing.

In Eugene, the Area Median Income for a family of four is \$59,000. A reasonable housing budget for this family would be up to \$1,475 for rent and utilities (about \$1,300 for rent alone). For a household of two, the Area Median Income is \$41,300, which translates into a monthly affordable housing budget of \$1,032 for rent and utilities (about \$900 for rent alone). Table 1 shows information on 100% AMI, 80% AMI, and 60% AMI income levels by household size in our region as defined by HUD HOME and CDBG programs. Table 2 shows gross rents for the corresponding income levels by unit size, which includes utility costs.

Table 1: Income Limits by Household Size

Income	Number of people					
	1	2	3	4	5	6
60% AMI*	\$24,780	\$28,320	\$31,860	\$35,400	\$38,280	\$41,100
80% AMI*	\$33,050	\$37,800	\$42,500	\$47,200	\$51,000	\$54,800
100% AMI**	\$41,300	\$47,200	\$53,100	\$59,000	\$63,800	\$68,500

* HUD HOME program

** HUD CDBG program

Table 2: Gross Rents for Corresponding Income Limits, Which Includes Utilities

Rent Limits	0 Bd	1 Bd	2 Bd	3 Bd	4 Bd	5 Bd
60% AMI	\$620	\$708	\$797	\$885	\$957	\$1,028
80% AMI	\$826	\$945	\$1,062	\$1,180	\$1,275	\$1,370
100% AMI	\$1,032	\$1,180	\$1,328	\$1,475	\$1,595	\$1,712

Potential Impact

CET revenue will fluctuate with real estate cycles. Based on Eugene construction activity over the last two years, a 1% tax on all construction is likely to generate about \$3 million per year. If the City decides on a different tax rate, the proceeds are likely to be as follows:

Commercial @ 0.5%	Commercial @ 1.0%	Commercial @ 1.5%	Residential @ 0.5%	Residential @ 1.0%
974,671	1,949,342	2,924,013	527,889	1,055,778

Because the use of CET proceeds is so flexible (especially without an accompanying mandatory IZ ordinance), it will enable expanding and preserving the supply of affordable housing. This can be done by providing additional gap financing to make housing more affordable. Other possible uses include funding for transitional housing, “housing first” projects, housing related operational support, permanent supportive housing, “missing middle” housing, conestoga huts, tiny housing, shelters, and land banking. Especially important is that these could be accomplished without the sometimes overwhelming, costly, and counter-productive HUD requirements. In addition, the funds could be used for projects when federal funds are prohibited.

Housing Policy Board Recommendation

The Housing Policy Board recommends that the City adopt a construction excise tax with the following policy elements:

Tax rate - The HPB recommends that the rate be set at 1% for all types of construction.

Exemptions - Besides the statutorily required exemptions, the HPB recommends exempting affordable housing developments that received an Affordable Housing System Development Charge exemption from the City.

Use of funds – The HPB recommends that all CET revenue (including the discretionary 48% from commercial) be used for affordable housing production and implementation costs (collection costs plus 1.0 FTE). The desired outcome of implementing the CET is to see a dramatic increase in affordable housing production. For rental units, the HPB recommends an emphasis for households earning 60% AMI and below. However, the guidelines should be set at 80% AMI and below to allow for greater flexibility. For home ownership units, the HPB recommends an emphasis on households earning 80% AMI and below. However, the guidelines should be set at 100% AMI and below to allow for greater flexibility. HPB anticipates the City would provide deeper subsidies for projects serving lower income residents and shallower subsidies for higher income levels within the above ranges.

Process for making funds available - The HPB recommends that the City put the proceeds into Eugene’s Affordable Housing Trust Fund, that staff develop an RFP process (similar to the process for HOME and CDBG funds) with proposed uses reviewed by an advisory committee which would contain some members of the HPB, and that City Council makes final funding decisions.

Board of Commissioners Clatsop County

WORK SESSION AGENDA ITEM SUMMARY

September 1, 2020

Topic: Clatsop Plains Elk Project and Related Items of Note
Presented By: Gail Henrikson, Community Development Director

**Informational
Summary:**

While the main purpose of this work session item is to update the Board on the status of the Clatsop Plains Elk Project, there are several interconnected issues and developments occurring in this same area, of which the Board should be aware. These issues, which are primarily connected to residential development in the Clatsop Plains (**Exhibit A**) planning area, are summarized below.

Clatsop Plains Elk Project / Oregon Solutions

Background

The Clatsop Plains Elk Collaborative was designated an Oregon Solutions Project by Governor Kate Brown in April 2019. The mayors of Warrenton and Seaside were designated as co-conveners who, together with Oregon Solutions, formed a project team of stakeholders from state agencies, local governments, universities, private property owners, and area non-profits.

The project team approved the following purpose statement designed to guide the work of the group:

The community in and around the greater Clatsop Plains study area seeks to reduce elk-human related conflicts. We have expressed a sense of urgency and willingness to work collaboratively to identify management solutions and implementation strategies. The purpose of this collaborative is to find viable ways to improve public safety, and reduce property damage, through outreach and education, and a community-wide approach to reducing urban elk interactions while maintaining healthy and viable herds as a valuable cultural and natural resource.”

The project team organized its work through four different subcommittees:

- Elk Management
- Human Behavior Management
- Land Use

- Data

A steering committee oversaw the general work of the subcommittees and full project team.

Each of the above-listed subcommittees developed recommendations related to achieving the overall goals of the project's purpose statement. Those recommendations were presented to the full project team on March 10, 2020. Since March 2020, the four subcommittees have focused their efforts on preparing a draft list of commitments for jurisdictions, agencies and non-profit organizations to review prior to signing the Declaration of Cooperation.

It is anticipated that the draft Declaration of Cooperation will be released in September 2020. This project is scheduled to be completed by the end of October 2020.

Elk Project Land Use Subcommittee

As discussed above, the Clatsop Plains Elk Project consisted of four subcommittees, one of which reviewed the intersections between land use and human/elk conflict. Among the subcommittee's recommendations, the following list of land use tools are proposed to be included in the draft Declaration of Cooperation:

- Assist in building partnerships to identify land to be maintained in an undeveloped state for the purpose of creating wildlife corridors, open space requirements for subdivisions, and other practices that will decrease pressure on elk habitat and reduce conflict between residents and elk in urban spaces.
- Review subdivision ordinances, develop an educational campaign, and work with private property owners to build support for requiring minimum open space requirements and regulations that provide adequate elk habitat and forage within and between adjacent developments.
- Integrate land use issues regarding the Clatsop Plains Elk Collaborative into the Clatsop County Comprehensive Plan Update process. Use the Clatsop Plains Elk Collaborative Declaration of Cooperation as consideration and guidance for zoning code discussions (open space requirements, locations, designs) and density transfer regulations.
- Assist in developing and implementing an informal process of coordinating with and notifying developers and private landowners of the presence of elk in areas they may be converting from a more natural to residential or commercial use.
- Ensure developers and landowners are aware of wildlife buffers and other land use recommendations from the Clatsop Plains Elk Collaborative. Provide additional disclaimer of elk presence on over-the-counter permits.

- Work with real estate agents and build support for notifying potential buyers of the presence of wildlife where they are buying property or setting up business.
- Provide all notices for conditional use permits from all jurisdictions to ODFW for review and comment.
- Assist in education and outreach (and hold joint discussions with Warrenton and Gearhart) on informing the public and local officials on the relationship between land use planning and wildlife interactions.

Water

On November 13, 2019, [The Astorian](#) published an article (**Exhibit B**) detailing the City of Warrenton’s concerns regarding supplying water to development on the Clatsop Plains. The concerns centered around water availability and the ability of the City of Warrenton to maintain infrastructure outside of city limits at city taxpayer expense. Questions were also raised as to how and whether the provision of water to residential developments outside of Warrenton would impact development within the incorporated city limits.

In March 2020, the City of Warrenton adopted a New Water Connection Policy (**Exhibit C**). The policy states that Warrenton “Public Works will not approve any new water system development or new water system connections outside City Limits.” This policy, which was approved on March 9, 2020, will remain in effect for 18 months, with the possibility of six-month renewal periods, as needed.

Residential Developments and Density Transfers

The County’s Comprehensive Plan and cluster development standards promote the transfer of density from environmentally sensitive lands to the Clatsop Plains area. While minimum lot sizes in this area would typically range from two to five acres, the density transfer and cluster development regulations allow one-acre minimum lot sizes.

There are currently several residential developments that are either in the planning stages or under construction within the Clatsop Plains Planning Area:

- West Dunes, Phase 2 (11 single-family lots): Infrastructure under construction
- Dune Estates, Phase 1 (30 single-family lots): Houses under construction
- Dune Estates, Phase 2 (30 single-family lots): Infrastructure under construction
- Cottages at Gearhart (21 single-family lots): Preliminary planning stage

Staff was recently notified by the developer of the Dune Estates subdivision that the City of Warrenton would not be supplying water to Phase 3 of the development (**Exhibit D**) based on the New Water

Connection Policy. The developer is now considering installing individual wells on each of the 27 lots. If that occurs, the request to approve an alternate water source will be required to be reviewed and approved by the Planning Commission.

Other Items for Consideration

As development continues on the Clatsop Plains there are other potential impacts that will also require future consideration, discussion, and coordination:

- Cumulative traffic impacts
- Long-term impacts on the aquifer if wells become more common
- Septic eutrophication and associated environmental impacts
- Increased risk as more persons reside in a tsunami inundation zone

Summary

These items are presented only to make the Board of Commissioner members aware of the convergence of several land use- and infrastructure-related issues on the Clatsop Plains linked primarily to residential development. Addressing the issues and determining next steps will require on-going dialogues between the Board of Commissioners, the cities of Warrenton and Gearhart, private property owners, community stakeholders, and various advisory committees.

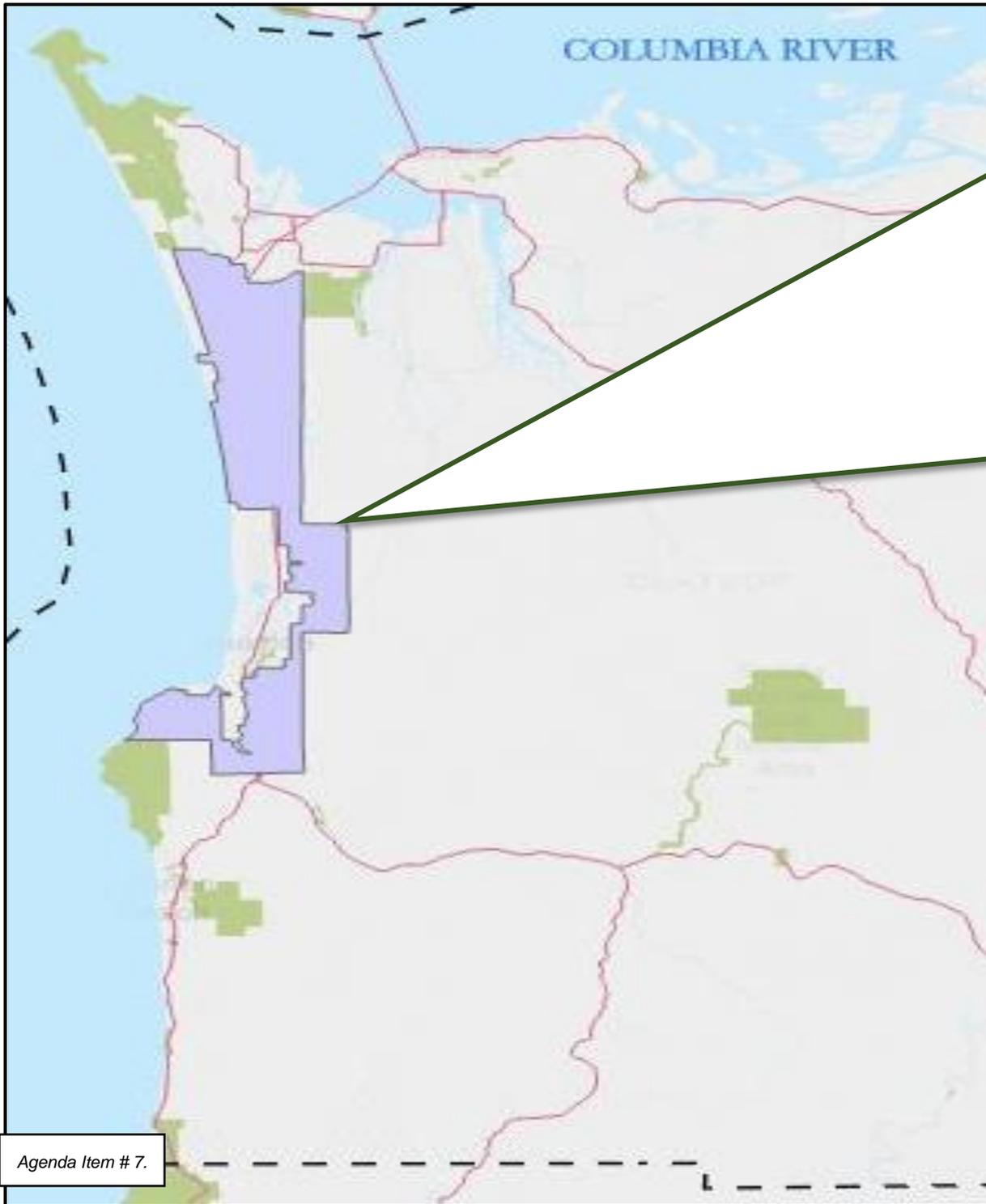
This item is presented for informational purposes only.

Attachment List

- A. Map – Clatsop Plains Planning Area
- B. November 13, 2019, *Astorian* article
- C. City of Warrenton Water Connection Policy, March 9, 2020
- D. Dune Estates No Water Email, July 31, 2020

EXHIBIT A

Map – Clatsop Plains Planning Area



Clatsop County Planning App

Map navigation controls: +, -, Home, Refresh, Full Screen, Back, Forward.

Map labels: 101, Butler, Gearhart, Newburgh, Station, Seaside.

Scale: 2mi

Coordinates: -123.607 46.082 Degrees

EXHIBIT B

November 13, 2019, Astorian Article

https://www.dailyastorian.com/news/local/warrenton-wants-water-equity/article_53d87f82-065d-11ea-a363-07dea738c130.html

TOP STORY

Warrenton wants water equity

Concern about growth in Clatsop Plains and Gearhart

By Edward Stratton, The Astorian
Nov 13, 2019

WARRENTON — Already one of the 15 largest cities in Oregon by area at more than 17 square miles, Warrenton sends about one-third of the water it treats to customers outside city limits, mostly to the south in Clatsop Plains and Gearhart.

With the city at about 70% of capacity and the region experiencing rapid growth, officials plan to have a conversation with neighbors to the south on how to equitably keep the water flowing.



Warrenton is concerned about the impact of regional growth on water treatment.

Erick Bengel/The Astorian

Mayor Henry Balensifer, who has established the new mantra “Warrenton for Warrenton,” said he is concerned about the sprawl in Clatsop Plains and the potential impact an overstretched water supply could have on future industrial development.

The mayor said during a City Commission meeting on Tuesday that he had been hearing people talk about, “Oh, we’re just going to build everything in Clatsop

Plains. ‘Well that’s all well and good, but if housing in Clatsop Plains is going to keep industrial development in Warrenton from happening, we need to look to our city limits first and foremost.’”

Developers often locate outside city limits for lower building costs while hooking up to municipal utilities. But the extra 50% customers pay for water outside the city limits likely doesn’t cover the cost to the city to maintain pipes, Balensifer said.

Collin Stelzig, the city’s public works director, estimated the city should be spending about \$1 million a year on replacing pipes, with connections per mile two to three times higher farther outside city limits. That’s something the city needs to explain to Gearhart and the county, he said.

“I don’t think we need to be enabling developing infrastructure that we may or may not be able to afford to maintain, and that ends up going on our taxpayers to do so,” he said.

Warrenton’s main water treatment plant and reservoir are located east of Gearhart and Seaside. The city has water rights to pull water from four dams along upper forks of the Lewis and Clark River and Camp Creek.

“Our water treatment plant has great capacity,” Stelzig said. “This has more to do with what water’s available.”

The city has struggled to maximize the water it’s allowed to take from the creeks, he said, and has looked at various solutions, such as building larger reservoirs or removing the dams and taking in water more directly from larger sections of the Lewis and Clark downstream.

Stelzig said he plans to speak with consultants on the city’s master water plan before reaching out to neighbors in the coming months.

On Tuesday, the City Commission unanimously approved an amendment to its urban renewal plan meant to guide redevelopment from the Warrenton Marina south along Main Avenue to Warrenton High School. The amendment would increase the maximum indebtedness of the

urban renewal district from the original \$1.7 million for downtown improvement projects to nearly \$12 million.

After recessing to meet as the city's Urban Renewal Agency, the City Commission on Tuesday also approved a renewed license for Tres Bro's, a Nicaraguan food cart that opened in the spring on a vacant lot next to City Hall. Commissioners also approved a new license for Sasquatch Sandwiches, which started in Astoria but has added a food truck that will split time between Clatsop Community College campuses and downtown Warrenton.

The City Commission approved spending \$6,000 in urban renewal funds on a local match for a state Department of Land Conservation and Development grant that will pay for the creation of an economic development strategy to bring more business downtown.

Commissioner Rick Newton described it as Warrenton's version of Advance Astoria, an economic development plan Kevin Cronin, Warrenton's community development director, spearheaded when he worked for Astoria.

The commission also approved the first reading of a \$750 flat-rate application fee for deferred submittals in building permits. Bob Johnson, the city's building official, argued that reviewing building permits anew after deferred submittals is time-consuming. The higher flat fee is meant to incentivize developers submitting complete applications the first time around, he said.

Edward Stratton

Edward Stratton is a reporter for The Astorian. Contact him at 971-704-1719 or estratton@dailyastorian.com.

EXHIBIT C

*City of Warrenton Water Connection Policy –
March 9, 2020*



New Water Connection Policy

To: Linda Engbretson, City Manager

From: Collin Stelzig, Public Works Director

Cc:

Date: March 9, 2020

Re: A Policy Restricting New Water System Development and Connections Outside the City of Warrenton

The Warrenton City Public Works adopts the following findings:

WHEREAS, the City of Warrenton operates a municipal water system and utility serving homes and businesses inside and outside the City of Warrenton; and

WHEREAS, the City's Water Utility operates under the rules and regulations codified in Chapter 13.04 (WATER DEPARTMENT REGULATIONS) of the Warrenton Municipal Code; and

WHEREAS, the City's supply of potable water is limited, and the City is nearing the planned capacity of its water supply and utility. Without measures to conserve and increase the current municipal water system capacity, peak water demand in the City will exceed the City's water supply and system capacity during the times of year when the supply is most limited; and

WHEREAS, the City completed a Water Master Plan dated July 2018, the water master plan states actual water flow in the Lewis and Clark River may be less than the 8.2 cfs of developed water rights during summer months, and by 2037, the maximum day demand (MDD) will be just under the 8.2 cfs estimated available water rights, and the City should evaluate the adequacy of its water rights and source of supply as the regulatory review process proceeds; and

WHEREAS, the City recently contracted with Murrsmith to review the City's water supply capacity, provide options to increasing surface water supply, develop an Outside-City rate multiplier calculation, and help the City determine if they should continue to allow water service expansion outside city limits; and

WHEREAS, until the City has determined measures for increasing water system capacity, implemented these measures, and generated additional water system capacity, the City desires to preserve system capacity for in City expansion; and

WHEREAS, the City is aware of several undeveloped and underdeveloped areas outside the City that may be the subject of development proposals in the future. If approved, these

developments could significantly increase water system demand by creating new connections that would reduce the available future in-city connections; and

WHEREAS, utility Code Section 13.04.090.D states the following: The water department may furnish surplus water which would not affect the City's supply to areas outside the City boundaries, and charge the rates currently in force. Furnishing of water shall be conditioned by terms of a contract drawn for this service; and

WHEREAS, the City has determined that the City does not have any legal obligation to provide water service outside of its jurisdictional boundary; and

WHEREAS, the City may disallow new water system development and water system connections outside City limits to prevent impacts to the City's water system capacity.

NOW THEREFORE, based on the foregoing findings, Public Works resolves as follows:

1. No New Water Connections. Public Works will not approve any new water system development or new water system connections outside City Limits. The City shall not accept, process or approve any application for new water system developments or water connections that entail one or more new water system connections.
2. No Expansion of Water Use. Public Works will not allow an existing customer to expand its use of an existing water meter located outside City Limits. Expansion of use could include, change of use, change of occupancy, substantial remodels, increased occupancy load, increased water service connections within an existing development or City, and other situations that could increase water demand from an existing customer.
3. Exceptions to Policy. The following development types shall be exempt from this Policy:
 - a. A development that submitted engineering plans within the last year, and submitted engineering plans prior to the date of this Policy. This exemption includes one single-family home built on each lot created in associated with those engineering plans.
 - b. One single family home on an existing lot created prior to the date of this Policy. An existing water main of sufficient size must abut the proposed lot. No water main extensions will be allowed to provide service to this single-family home. Water availability applications must detail how the single-family home will incorporate and employ water conservation measures.
 - c. Projects not associated with a development, and will increase capacity and/or system resilience.
4. Policy Duration. This Policy shall remain in effect for a period of 18 months following the date of this Policy and may be renewed for successive 6-month periods as needed.

EXHIBIT D

Dune Estates No Water Email – July 31, 2020

Gail Henrikson

From: Harry Henke <harry.henke4@gmail.com>
Sent: Friday, July 31, 2020 1:17 PM
To: Dean Keranen; Erik Hoovestol; Gail Henrikson; Harry Henke; Michael Neff
Subject: Phase three Dunes Estates water supply.

Hello Gail:

Recently my project engineer, Erik Hoovestol, submitted a request to the City of Warrenton to inquire as to the designs needed to connect our Phase Three waterline to the City's existing line on Sunset Lake Road in preparation of submitting Phase Three designs.

As a response we were informed that the City no longer will supply my project with water for Phase Three since the City has passed a recent water supply Ordinance stopping water supply to new developments outside the City limits. Since I already had approved plans for Phase Two that Phase was still allowed to have water.

As I had originally attempted to get well permits on Phase One I am now in process to get State approval for wells on Phase Three. I have contacted Bill Eddy at Gearhart Fire to discuss his requirements, we are meeting next week.

Please advise me should you have any thoughts or advice regarding this matter.

Best Regards,

Harry Henke

Board of Commissioners Clatsop County

WORK SESSION AGENDA ITEM SUMMARY

September 1, 2020

Topic: Short-Term Rentals and Code Compliance
Presented By: Gail Henrikson, Community Development Director

Informational Summary:

Background

Clatsop County adopted its Short-Term Rental (STR) Ordinance in January 2018. The ordinance, which does not cover hotels, motels, hostels and B&B establishments, was intended to address health and safety requirements of guests staying in otherwise unlicensed and uninspected vacation rentals. The ordinance also addressed occupancy, notice to neighbors, parking and solid waste.

The ordinance has been amended twice since adoption in order to clarify procedural issues. The ordinance does not include Arch Cape, which has its own STR ordinance.

Since adoption of the ordinance, Code Compliance staff have received an increasing number of complaints about real and perceived violations of the STR ordinance. The majority of those complaints are about:

- Noise
- Garbage
- Parking
- Over-Occupancy (especially during COVID)
- Trespassing

Because many of these rental units are located in the Arch Cape / Falcon Cove Beach area, the majority of complaints received by staff also originate from those places.

Falcon Cove Beach Short-Term Rental Meeting

On July 28, 2020, Code Compliance staff held a virtual community meeting with property owners and residents of the Falcon Cove Beach area. The purpose of the meeting was to begin a community conversation between residents and owners of short-term rental units. Over 50 people were in attendance at the meeting.

The majority of comments centered around quality of life issues and how short-term rental homes – essentially a commercial business in a residential neighborhood – affected the character of the community. Areas of concern identified included:

- Visitor vehicles blocking private driveways and public rights-of-way and potentially blocking access for emergency vehicles
- Visitors trespassing on private property
- Guests putting themselves and/or others at risk due to lack of knowledge about beach and fire safety
- Excessive noise continuing into late evening and early morning hours
- Overflowing trash attracting animals or blowing around throughout the neighborhood
- Lack of communication between year-round residents, part-time residents, and absentee property owners
- Environmental concerns related to overburdened septic systems in short-term rental units
- Frustration over unsubstantiated code complaints and/or perceived lack of action by county code compliance staff

Follow-up and Next Steps – Community Members

Following the meeting, several attendees continued to communicate with each other. Some short-term rental owners offered to voluntarily scale back occupancy at their homes and agreed to put in place other measures to address the concerns that had been raised.

Follow-up and Next Steps – County Staff

Clatsop County Sheriff's Office staff, who also attended the July 28 meeting, will continue to respond to after-hours noise complaints. However, the goal is to minimize law enforcement involvement in what are essentially civil issues.

Code Compliance staff is proposing to continue hosting these community meetings on a quarterly basis, in order to keep property owners and residents apprised of what code issues may have arisen during the past three months and how those were addressed. Other topics that could be addressed by subject matter experts other than staff during these meetings include providing information on beach safety and the use of fires, particularly during parts of the year when burn bans are in effect. Such experts might include staff from the Oregon Department of Forestry to talk about fire safety and burn permits and staff from the Oregon Parks and Recreation Department to address beach safety and regulations.

Staff is also proposing to begin these community meetings in other areas of the county, such as Arch Cape, where short-term rental issues are also prevalent.

Follow-up and Next Steps – Code Compliance Monitoring Software

Over the past two months, County staff have been meeting with representatives of two different companies that provide services to government agencies to assist with monitoring short-term rental units. While these companies offer a full spectrum of services from identifying unlicensed STRs to collecting lodging taxes, the critical component that

is particularly needed relates to monitoring complaints that are received after hours and on weekends and holidays.

The majority of complaints received about short-term rental units occur on holidays, weekends, and after 5PM – all times when code compliance staff is not on shift. Obtaining the services of a third-party monitoring company would assist staff in verifying complaints and a create a transparent record that could then be used to initiate code compliance action.

The two companies reviewed by staff – Granicus/Host Compliance and LodgingRevs – both offered very similar services. After a review of start-up times; costs; and ease of use, staff will be recommending that the County enter into a contract with LodgingRevs to provide short-term rental code compliance monitoring services. The estimated costs for these services are:

- **Initial Implementation:** \$2,000
- **Annual Monitoring:** \$6,300
- **Installation of Code Compliance Hotline:** \$500.00
- **Annual Hotline Fee:** \$3,600
- **TOTAL:** \$12,400

Summary

The information provided at this work session is presented for informational purposes and to obtain any additional input and direction the Board would like to provide. A second work session is scheduled for September 9, at which staff will present possible revisions to the short-term rental ordinance to assist in addressing any gaps in the ordinance in order to benefit the community, STR owners and staff.

Attachment List

- A. Short-Term Rental Meeting Presentation Slides
- B. Falcon Cove Beach STR Meeting Comments

FALCON COVE SHORT-TERM RENTAL PUBLIC MEETING

July 28, 2020

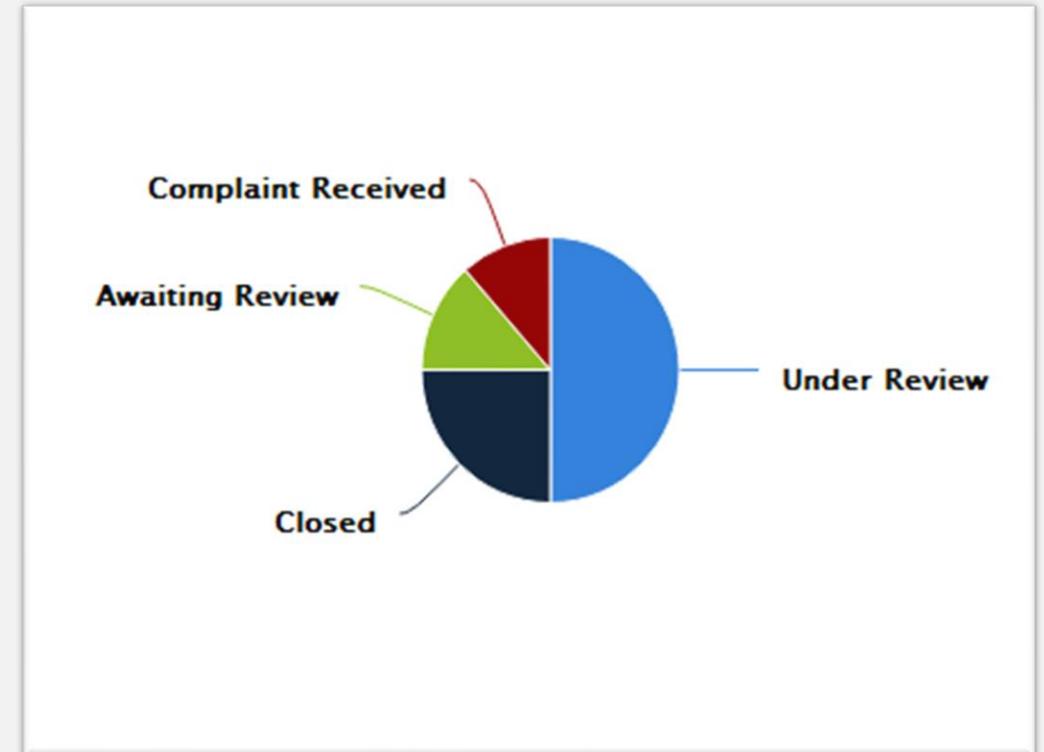
Start Time: 10:30am

WIDE VARIETY OF REPORTED VIOLATIONS

Since October 2019, Over 100 code violations of various degrees and types have been reported.

The Graph indicates the status of those violations

In general, Code Compliance is a slow process as the goal is to achieve compliance, not collect fines and penalties.



Count(RECORD ID)	STATUS
13	Awaiting Review
24	Closed
11	Complaint Received
48	Under Review

PRIORITIZING RESPONSES

- Category 1. 24-hour Response: Hazardous Waste, Active Burning, Surface Waters (ie dumping of human waste in rivers/streams)
- Category 2. 72-hour Response: (Holding Tank Issues)
- Category 3. 7 – 10 day Response: (Septic Tank Issues, Building without Permits)
- Category 4. Low priority. (RV Occupancy/squatting. Land use violations and not safety issues)

AUTO WRECKING YARDS



UNPERMITTED DEVELOPMENT



UNSAFE STRUCTURE



TENT OCCUPATION



SOLID WASTE ACCUMULATION



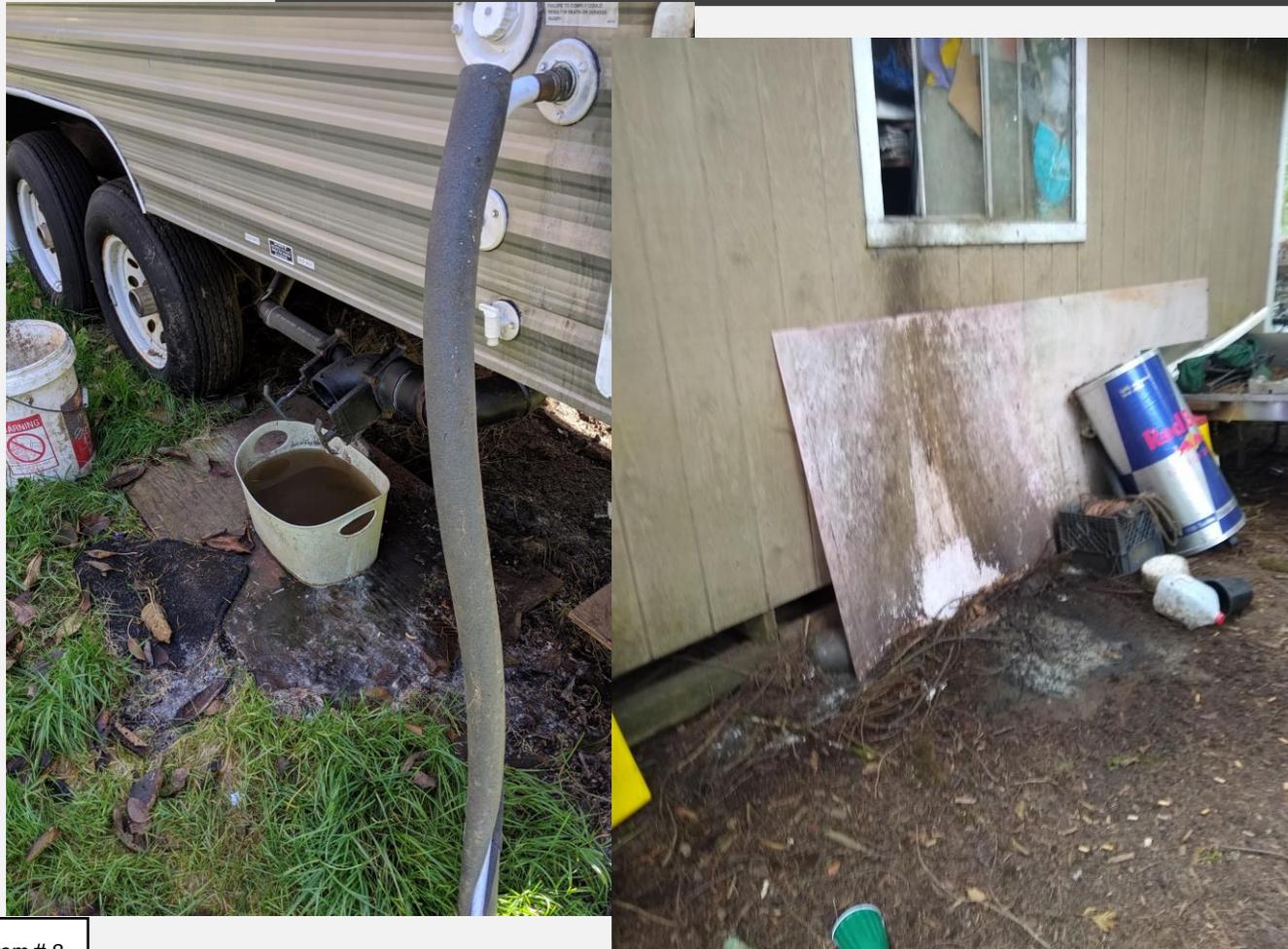
FAILING SEPTIC



Bubbling Septic



NO SEPTIC



STR ORDINANCE OVERVIEW AND HISTORY

- Short-Term Rental Ordinance originally adopted in January 2018.
- Does not cover hotels, motels, hostels and B&B establishments.
- Intended to address health and safety requirements of guests staying in otherwise unlicensed and uninspected vacation rentals.
- Ordinance also addressed occupancy, notice to neighbors, parking and solid waste.
- Amended twice since adoption to clarify procedural issues.
- Ordinance does not include Arch Cape, which has its own STR ordinance.
- 5.12.020 – Purpose and Findings
 - A. The purpose of Chapter 5.12 is to regulate short-term Rentals in order to enhance public safety and livability within Clatsop County

5.12.080- STR STANDARDS

- C. The hours of 10:00 pm until 7:00 am the next day are required quiet time. **Renters** who violate this standard may be issued a citation and be subject to a fine pursuant to Clatsop County Code Chapter 8.12.
- D. The owner or contact person shall notify every renter, in writing, of the quiet times and that a renter may be fined for violations under this chapter
- E. The owner or contact person shall attempt to contact a renter by phone or in person within 20 minutes of receiving any complaint concerning the conduct of a renter.
- G. The owner shall provide covered garbage containers that can be secured. All garbage must be placed and be kept in secured containers provided for that purpose. Containers shall not block access to the property or dwelling unit. Garbage shall be removed a minimum of one timer per week unless the short-term rental is not rented. Owners shall provide guests with information about recycling opportunities.

5.12.090-PERMITS REQUIRED

- G. All short-term rental permits shall be renewed every five years on their application anniversary date and are subject to a permit fee on renewal.
- H. The short-term rental permit is transferable to a new owner, so long as the new owner submits a short-term rental permit application and agrees in writing to comply with the requirements of this chapter.

5.12.110 – STR COMPLAINT PROCESS

- All complaints shall proceed as follows:
- The complaining party shall first attempt to communicate with the contact person designated on the permit and describe the problem.
- The contact person shall promptly respond to the complaint and make reasonable efforts to remedy any situation that is out of compliance with the chapter.
- If the response is not satisfactory to the complaining party, the complaining party may lodge a complaint with the County by submitting a signed written complaint including the time, date and nature of the alleged violation.
- The County may investigate and determine whether a violation of this chapter has occurred. The property owner shall allow the County to inspect any records related to the short-term rental dwelling unit upon request of the County.
- If a violation is found to have occurred, the County may take enforcement Action or issue a citation for the violation, pursuant to Section 5.12.120

5.12.120 – COMPLIANCE, REVOCATION, & APPEALS

- A. Compliance
 - 1. Owners of short-term rental units shall comply with this chapter and obey all applicable ordinances and regulations of the County, and shall be subject to the enforcement and penalty proceedings contained in this chapter.
 - 2. **If a violation of this chapter is found by the County Enforcement Officer to have occurred**, the County may issue a citation pursuant to Clatsop County Code Chapter 1.11, or initiate enforcement action pursuant to Clatsop County Code Chapter 1.12.
 - 3. In addition to any other remedy allowed under chapters 1.11 and 1.12 of the Clatsop County Code, the County Enforcement Official may:
 - (a) attach conditions to the existing short-term rental permit;
 - (b) require another inspection;
 - (c) suspend the short-term rental permit until conditions are met; or
 - (d) revoke the short-term rental permit.

CCC 1.12.110 – ABATEMENT BY OWNER, ADMINISTRATIVE REVIEW

- Within 30 days after service of a notice of infraction, a responsible party shall remove and abate such nuisance or show that no nuisance in fact exists.
- Such showing may be made by filing a written statement with the Clatsop County code compliance specialist.
- Upon expiration of 30 days from service of the notice, the code compliance specialist shall schedule the matter for administrative review.

CCC 1.12.120 – ADMINISTRATIVE REVIEW

- A. The code compliance specialist shall review all actions and decisions concerning the alleged nuisance.
- B. The responsible party may present evidence to the code compliance specialist in the course of said review regarding the presence or abatement of the alleged nuisance.

FALCON COVE SHORT TERM RENTALS

20 Short-Term Rentals permitted in
Falcon Cove



PRIMARY COMPLAINTS WITH SHORT-TERM RENTALS

1. Noise
2. Garbage
3. Parking
4. Over-Occupancy (especially during COVID)
5. Trespassing

COMPLIANCE SOFTWARE

Coming Soon

PUBLIC COMMENT

Written Comment's Submitted

PUBLIC COMMENT

Pre-Registrant's

NEXT STEPS

THANK YOU

Public Comment will remain open for an additional 7 days (5 pm August 3)

Comments can be sent to Rob Ledgerwood at:

rledgerwood@co.clatsop.or.us

All public input will be compiled and will be sent to the County Manager to schedule a work session date/time with the Board for further discussion and direction.

Thank you all for your time and consideration.

FALCON COVE BEACH SHORT-TERM RENTAL MEETING – JULY 28, 2020

Comment #1	Alan Solares:
Comment #2	Nancy Chase: Owns STR for 25 years at Cove Beach. Many residents who built or live full-time chose to live there after renting from her or another STR. Beautiful natural area. Benefits all persons, especially children. More that residents can handle STR complaints, the better. Ex: Over-occupancy. Contact a neighbor to go over and see what is happening at STR. Pays for extra garbage pick-up and uses bungee cords on garbage cans. Would like a group of residents to find a positive way of handling situations. Would love for this to be handled as neighbors and to problem solve some of the issues.
Comment #3	Scott and Carol Harn: New owners in the area. Just wanted to listen and get educated.
Comment #4	Aaron Barker:
Comment #5	Guido Paparoni: Supports use of code compliance software. What proportion of transient room tax goes to road improvements in this area? (Monica Steele: on average ~ \$60K per year) Who receives the funds? (Monica: this is work done by the Roads Department. County is reimbursed through these funds for work on non-county roads.) Are there any penalties for false reporting of complaints? (Rob: No. There is misuse of 911, but nothing in County Code re: false complaints.)
Comment #6	Jeff Stehr: Have owned in the Cove since 2003 and rebuilt cabin in 2005. Have 5 rentals around them. They have never had an issue with surrounding rentals. Sometimes wind will knock over garbage cans, rare situation, but they will pick it up if it happens. Have not had to deal with any noise issues. Cited neighboring property owner as very responsible landlord. If there is one property that is causing problems, hopefully it can be dealt with between property owners. With regard to roads, kudos to group that manages and maintains roads on Clatsop County side. The biggest concern is the dark skies efforts. Rentals may have a tendency to keep lights on for obvious reasons. If landlords would let renters know to turn off lights, that would be appreciated. He would be concerned with efforts to limit the number of short-term rentals. Would hope county would be up front about that and involve as many people as possible and offer equitable settlement/access. How many STR complaints in Falcon Cove? How many of those complaints are widespread between rentals or is it one or two problem rentals? (Rob: Bulk of STRs in Arch Cape and FC. There are a handful of rental units that he deals with commonly. Does not have a specific # of how many complaints are specifically in Falcon Cove. 3 rd party complaint software may help with this.
Comment #7	Reba Owen: Owns a cabin in Cove Beach since late 1940s. She is very alarmed about the increase in STRs, due to noise, garbage, over-occupancy, dogs, trespassing, fires on beach, fires in yards, open sewage flowing down street. Used to be a beautiful, quiet, pristine area – may as well just have hotels. Does not have a solution. Is uncomfortable videoing or taping someone without their permission – may not even be legal. Understands that code compliance needs proof. It is easy to track the number of vehicles. The beach/area is different than it was in 1940. She would personally prefer no vacation rentals. It is too fragile and area. Would prefer the road to be in the worst condition possible, to discourage people from just driving down the road. Recently, two children died and there was another near miss on the beach involving a mother and small child. People come from out of the area and don't realize how dangerous the beach and surf are.

FALCON COVE BEACH SHORT-TERM RENTAL MEETING – JULY 28, 2020

Comment #8	<p>Beth Radich: Has been great to listen to variety of opinions and experiences. This may speak to the day-to-day life of being a resident and seeing different things at different times. The impacts from the increase of numbers of people, especially in larger houses, are exceeding the capacity of residents to assist. Main concern is absentee owners who aren't available or responsible or have local knowledge and experience. These are more commercial uses, larger group size and volume and increase in number of rental homes. Concerns about equitable distribution of STR licenses/permits. They have doubled in the past few years. More than 30 STRs in the community, including Tillamook portion. Past the tipping point of calling a neighbor. Reporting is also hitting residents hard. Residents are trying to educate but it is difficult. Residents not seeing violations being addressed by County or decreasing. Software may help with that. It is a person/resource gap. Concerns about properties with multiple violations not being penalized. Would prefer a three-strikes type of enforcement/process. County needs to making report/verification more straightforward and consistent. Need investment on STR policy. Why does Arch Cape have different rules and why? Residents should have a voice and meaningful input. The community is being treated like a hotel zone and note a residential community. Glad to hear from law enforcement. Some residents are conflicted about that. It should be the owner dealing with these STR issues, especially late at night. It's harder to fix issues than to prevent them. Would like much more rapid enforcement and penalties for repeat violations.</p>
Comment #9	<p>Carolyn Crawford: Appreciates time for the meeting, would like more organization with short-term rentals. Wants a list of STR owners. Has owned since 1986, it is a precious place to all. Most STR owners try to obey the ordinance. She limits water, posts signs in house, tries to make sure that lights are turned off. Compliance mostly due to respect for neighbors. Doesn't want one bad apple to spoil the whole bunch. Would like more coordination be rentals so they can work to solve problems together.</p>
Comment #10	<p>Leslie Smith:</p>
Comment #11	<p>Dale Major and Viviane Simon-Brown: Dale: Agrees with everything already stated regarding inconvenience in a residential area. However, there needs to be a solution. One solution would be for the county to require an on-site host/hostess 24/7 when renters are on-site. Could educate about community and beach safety. Hotels, motels, B&Bs have an on-site manager. Viviane: Long-time part-time resident. Will be sending letter to county. Concerned about non-reportable impacts. Historically, there have always been summer visitors at Cove Beach and local residents have always looked out for them. Some visitors stayed for the summer or came for a long weekend. They were considered long-term visitors, not tourists. They were educated about sneaker waves, beach safety and were familiar with etiquette for long-term residents. Knew they had to be vigilant about wildfires and that they shouldn't pick all the blackberries and were expected to pitch in if something happened. This knowledge is now lost. While there are stories about successful rescues, there are also stories of unsuccessful efforts where people drowned. Why isn't it working like it used to? Now being inundated with new people every single day. They don't know community norms. Owners are no longer on site and addressing situations that arise. Property management not open on weekends. Code enforcement doesn't work on weekends. Calling law enforcement is</p>

FALCON COVE BEACH SHORT-TERM RENTAL MEETING – JULY 28, 2020

	<p>inefficient use of resources. Residents act as de facto hosts for STR renters. Renters don't call property owners or management – talk to residents. Residents are trying to keep renters safe and are endangering themselves in the effort. Residents point out evacuation routes, which visitors aren't reading. Advise about sneaker waves and vigilantly watching children, not shooting off fireworks on the beach, not building fires in undesignated places, inform about NOAA tsunami warnings, help look for lost children. STR owners do not do that as they are not here. Residents are repeating this process every time renters change. This is tiring for the residents. When residents complain, they are accused of trying to lock up STR. STRs have been a detriment to residents' quality of life.</p>
<p>Comment #12</p>	<p>Amber Geiger: Has lived in the community for over 10 years and started renting cabin a few years back. Diligently educate visitors about community rules and ocean safety and check with neighbors about any issues they are experiencing. Hopes community can work together to solve issues. Concerns about FCBDWD trying to limit STRs. The Oregon coast is for everyone. She personally rented in FC for anniversaries and other celebrations before buying. Data showing STRs as largest water consumers is not accurate. Concerned this is a campaign to limit rights of property owners and use of beach by the public.</p>
<p>Comment #13</p>	<p>Ted Morgan: Has been coming to beach for about 20 years. A modest family couldn't afford a big beautiful home, but they were fortunate to find a 500 SF cabin. When they purchased it, they created a charter/vision to share the community with their friends and family. It is irresponsible to do it in a way that many of his fellow neighbors are complaining about. Following both the written and unwritten laws of being a good neighbor. He makes sure neighbors have his contact information. He has been fortunate to not face some of these issues that his neighbors are complaining about. He does vet all guests to make sure that the cabin is not being used for purposes that would go against what they would want the cabin to be used for. When he does receive complaints, he can give the renter negative review. Does not rent to people with negative reviews or no reviews. Emphasizes specialness of the place. It is not a party place. Contributes to the road fund, environmental restoration, beach clean-ups, finding lost children. He is there in good times and bad. Goes to memorial services for neighbors. If we can work as a community and weed out bad apples and embrace what they have together. Appreciates having rules in place for STRs. Sets goals for what a community should be. Can a name be associated with a complaint in the complaint system in order to create dialogue between owners and complainants. May also discourage dubious complaints.</p>
<p>Comment #14</p>	<p>Erin Levingood:</p>
<p>Comment #15</p>	<p>Brian Lippy:</p>
<p>Comment #16</p>	<p>Ericka Anntonette and Joe: Now full-time residents, but have rented their cottage in the past. Understands both sides, but didn't realize the impacts until they moved here full-time. Live near a large rental house that has large groups partying. Management company is in Benton area. Have called law enforcement for noise complaints, but is not comfortable with this. Feels like she is having to play police. Has had to deal with fires and informing renters about safety issues. This is a</p>

FALCON COVE BEACH SHORT-TERM RENTAL MEETING – JULY 28, 2020

	<p>sacred special place. There is nowhere that compares with this area. Living here full-time, she is seeing the impact of trash, noise, large groups, dogs (barking). She is a yoga teacher who wanted to bring in small groups, but was told by the county that it is a residential neighborhood and businesses are not allowed. However, STRs are businesses within a residential area. Having yoga students would have less impact than an STR. Has another STR in the area that she constantly has to monitor. Owners of that STR are responsive, but it is exhausting. Everyone needs to do their part, but county needs to step in and preserve their neighborhood. Joe: Agrees with many of the complaints mentioned so far: noise, garbage, parking, over-occupancy; pick-up loading up a load of rocks from the beach. Basically it comes down to a lack of respect for the community. There are a small amount of full-time residents, but it shouldn't be the responsibility of those residents to handle it. Would support some restrictions on STRs. Infrastructure is not set up to handle unlimited STRs. Ericka: Agrees with idea of having an on-site host. Lake Oswego did not have STR for a long time. Recently approved it, but it had to be the owner's full-time home, rather than using it as a business. Joe: Need the right steps for the long-term vision. It is a pristine place and it needs to stay like that for the long term.</p>
Comment #17	<p>Lisa Glenn: Trying to make sure that rentals go as smoothly as possible. Encouraged residents to contact them if there are problems with renters. She will share comments with rest of company.</p>
Comment #18	<p>Elyse Shoop: Agrees with many previous speakers. Most of the residents years ago were second home owners. The community does not receive funds from rental taxes. There is no supporting retail, so it is different than Cannon Beach. People are not coming to enjoy the solitude of the beach. If they want to party, they should go somewhere else. While residents might be able to talk to renters, many are not comfortable doing so. Agrees with having an on-site host. All rentals should have local contact name and number posted outside house, for safety of renters and residents. Residents are asked to donate to the road fund every year, but these are supposedly county roads. The two beach access points at the north and south ends of the beach were built by a private property owner. County needs to make sure that room tax funds go back into the community in which they are collected. Concerns about limited amount of water and impacts from overflowing drain fields. Need to support the community. Real estate agents and others looking to make a profit off of their property are not a part of the community. Falcon Cove is a small paradise.</p>
Comment #19	<p>Katherine May: She is a renter. It is as valuable to her and her family to spend time in the community as it is for full-time residents. It is where she can spend time with her sons and build her family memories and teach them about all the Pac NW has to offer. Having an on-site host is not feasible for her house. It is not set up for full-time residents and is not rented out year-round. It is a two-bedroom home and is advertised for 4-5 people. They try hard to be respectful and vet all their clients. Discuss parking with renters. Would like to get to know neighbors better in order to understand how to fit in better with community. Thinks it is ridiculous that a yoga studio would not be permitted. Problem with three-strikes rule, is that the majority of the complaints against her property has been false. County reviewed and didn't find a violation. These issues also need to be addressed. Don't allow pets, so there are no barking dogs or pet waste. Try very hard to be respectful of</p>

FALCON COVE BEACH SHORT-TERM RENTAL MEETING – JULY 28, 2020

	<p>community and neighbors. Do not allow fireworks or fires and protect neighboring properties and values. It is as much of a waste of resources to have a three-strikes rule and to revoke a permit based on invalid claims. The resources and invaluable property can be shared by all. It doesn't have to be full-time residents vs. renters. The community can be shared. The community will continue to change, just as it has changed over time. Change has to be respectful. Everyone has to realize that there will be some guests who do not respect the community and those people should not be invited/allowed back. Their housekeeper lets them know if someone has disrespected the house. Will recording be made available? (Gail: Yes).</p>
<p>Comment #20</p>	<p>Patrick Chapman: He is a new community member. New mostly full-time resident. It is a special place that everyone wants to share and cherish, but he also wants his friends to be able to rent his neighboring housing. There has to be a way to accommodate everyone. Perhaps an owner can partner with a full-time resident. Seems that for some of the houses with a majority of the complaints, there could be a three-strikes type of policy. He leaves for the weekends, so he misses a lot of the chaos in the summertime. Concerns about speeding. People who don't know the area, drive fast. County should install 20 MPH signs. There are some 10 MPH unofficial signs, which is unreasonable. In general, people don't like change. As a new member of the community, some long-time residents have not been nice to him for no good reason. There has to be a way to better community as neighbors and property owners.</p>
<p>Comment #21</p>	<p>Charles Dice: Has lived in area for 20 years. Moved here on purpose because it is beautiful and tranquil. Verified residential zoning. That was a large part of the reason they built their home here. He is on FCBDWD board, including 15 years with Cannon Beach fire as a volunteer. Have been significant changes with regard to STRs over the last 10 years. Roads and water system were never intended for this intensity of use. Roads are public, not county, which means county does not maintain them. STR renters don't respect that parking is a big issue, which makes it unsafe for residents who don't have room to drive down roads where vehicles are parked. Would be difficult or impossible for fire engines to get through. Supports "No Parking" signs. Comm Dev Staff to contact Public Works to initiate. He has been frustrated by complaint procedure. Residents take time to file complaints, but may not receive acknowledgement or follow-up from staff. For complaint procedure to be fair, equitable and productive, complainants need to be kept apprised about status of complaint. If complaint is not resolved to satisfaction of complainant, it needs to be entered into a log and the STR permit needs to be revoked after three complaints. He has complained about a couple of different STRs over the years and no STR permit has been revoked. There are 95 homes in the FCB comments. Over 30 are now STRs. This is out of proportion. Other jurisdictions have put caps on STRs.</p>
<p>Comment #22</p>	<p>Monica: County can't post speed limit signs on non-county roads. Could get a right-of-way permit to post something in the right-of-way, such as a speed limit sign. However, county cannot enforce it or post it. Same with "No Parking" signs.</p>
<p>Comment #23</p>	<p>Danna Kattell: Owns Starfish Vacation Rentals. First house they ever owned was in Arch Cape. They now manage 35 homes in the area. Supports having an on-site host. Try to meet face-to-face with guests as they arrive. Many guests do not read all of the information that is sent to the prior to their stay. Want renters to know this is not just an entity they are renting from.</p>

FALCON COVE BEACH SHORT-TERM RENTAL MEETING – JULY 28, 2020

	<p>Want to create a rapport by having a face/manager to relate to. Having an opportunity to meet rental manager who can explain safety/guidelines helps to alleviate or reduce problems. It can be uncomfortable for a neighbor to have to approach a renter, it is more appropriate for a rental manager to handle that type of situation.</p>
Comment #24	<p>Margi Felix-Lund: Hi there! I am entering written comments as I have a sleeping baby on my lap. I just wanted to take a moment to introduce our family as possibly the newest addition to the Falcon Cove Community, taking ownership last week. We look forward to learning more about the community and being caring neighbors and thoughtful STR property owners. We are so grateful for this incredible place and look forward to having the opportunity for our young daughters to grow up making memories in thiis magical place. We look forward to being in touch with neighbors and short term rental property owners alike. Apologies for any typos. -Margi & Jonathan Felix-Lund</p>
Comment #25	<p>Joanne Cornelius: Has lived in area for 48 years and has seen many changes. She and her husband both served on the water district board. Water has become an issue. Rentals are not necessarily single-family dwellings. They used to be second homes, but now people own 50 homes. That is commercial. Single-family dwellings are for rural communities. Commercial uses were not allowed in the community and the district would not provide water to commercial uses. It is against the rules to take rocks from the beach. Covering trash cans with bungee cords can be dangerous as it could hit the garbage collector. If you live here, you know what's going on, you know what the beaches are like. Commercial activities just don't go in rural areas. Clatsop and Tillamook cannot police small rural communities – they don't need thousands of rules. However, by allowing commercial, that's what rural communities are being forced into.</p>

Rob Ledgerwood

STR Falcon Cove Written Comment

From: jeffreyweil7@gmail.com
Sent: Sunday, July 26, 2020 7:01 PM
To: Rob Ledgerwood
Cc: jeffreyweil7@gmail.com
Subject: Comments: re: Falcon Cove short term rental public meeting
Attachments: ordinance_18-09_signed.pdf

As I am unable to attend the virtual meeting I would like to submit my comments to you in writing in lieu of attendance. I am full time resident of Falcon Cove and live in Tillamook county but there are at least 2 Clatsop county short term rentals within 300 ft of me. I have never received notice from them per the regulation 5.12.080F. Ordinance attached.

The issues I have are more than likely consistent with other comments you will hear but I will list them here nonetheless;

- **Trash:** Pure and simple renters do not value the neighborhood and treat it like the own personal dump. If they do put the trash bin on the curb they do not secure the lid. The owners are absent so that trash often ends up on the ground as the raccoons work the neighborhood after dark. It is not the fault of the raccoon that it has been made so easy for them.
- **Noise:** As I mentioned we have never received notice from the owners about contact information for the rental homes. Even if we did that leaves the issue up to us, the residents of the neighborhood, to police the issue. Renters do not respect the fact that there are families living in ear shot from them. They are on vacation after all and too many of them treat the event like a bachelor party with no limits and no rules and are allowed to do so because there is no enforcement of the quiet hours unless the neighborhood seeks to enforce it. Once again allowing those that seek to profit from property take precedence over those that actually live and vote in the county.
- **Traffic:** Neither Clatsop nor Tillamook takes any responsibility for the roads in Falcon Cove and the volume of cars has dramatically increased in recent years as all of the rental homes turnover renters every few days. The roads are horrible and rapidly deteriorating because of this increased traffic

Final issue. There is no obvious enforcement of any of the regulations. There appears to be no limit to the number of rentals the county will allow. When you combine the fact that homes are occupied regularly beyond the carrying capacity of the infrastructure (read roads, water and especially septic) to support it without county leadership on the issue the county is willingly letting this and every other unincorporated neighborhood fall prey to the profiteers who care not one bit about the neighborhood but only about profiting from their business.

Lastly, how does the county justify preventing small businesses from establishing themselves in the homes that would be vastly less resource intensive but then allow unlimited short term rentals with essentially no limits (as the limits that are codified are not actively enforced)?

I do appreciate you listening to my neighbors on the call and reading the comments sent in. I do hope the county can find a way to establish a better set of commitments to its residents versus acquiescing to those that seek to profit from property at the expense of Clatsop county residents.

Jeff Weil
 6085 Columbia Street
 Arch Cape OR 9710
 503-403-8630

Rob Ledgerwood

STR Falcon Cove Written Comment

From: Falcon Cove Beach Water District <fcbdwd@gmail.com>
Sent: Tuesday, July 28, 2020 8:21 AM
To: Rob Ledgerwood
Subject: Public comment for Transient Rental Meeting

Hello and thank you for meeting with the Falcon Cove Beach Community,

Please accept the following testimony from The Falcon Cove Beach Water District:

We are a small, all volunteer water district located in the South part of the County. The community was established as a residential community, and is zoned residential. In the formation of the community, vacation rentals were specifically prohibited. The Water District, and it's residents, have planned around that and rely on our local government to enforce related community and livability code that supports residential communities.

This community relies on the Water District to provide clean reliable water service, residents can not live here without that, it is an essential need.

Increasingly, we see our limited water supply is consumed by transient--not residential--consumption, particularly during the drier summer period when what are zoned to be single family homes are instead filled with large groups of transient vacationers.

We know that on average, a typical US family/household is 2.5 people. Most of the transient rental properties are advertising for 3 or more times that many people--even 4 and 5 times that.

We also know that the typical US citizen uses 75-100 gallons of water a day. Add to that the frequent 'turnover day' burden of intensive laundry for 10 people every couple of days. With houses and septic systems designed and built for a typical household, with a water system planned to provide water to a typical US household size and use, this commercial transient usage of many times the typical residential use has serious and critical implications, not just to the consumption of water, but also to the burden of the septic systems, related erosion, roads, noise, affordable housing, and overall community health and livability--it is all related.

The District has noted that along with the excessive water consumption in a majority of transient rental properties, the overall number of these commercial properties has doubled just in the past few years. Again, the impact to an essential resource like clean, reliable and affordable drinking water is significant.

Our recommendation as an agency partner is to discontinue the transient commercial use of single family residences in rural residential areas like ours. The undue burdens put on our drinking water system and our community as a whole are not sustainable.

Thank you,
FCBDWD Board of Commissioners

--

Thank you for your email. Note we have an All-Volunteer District. We appreciate your patience on replies.

To Clatsop County Transient Rental Managers: The rental next door to me is advertised for 10 people. I'm confident more than 10 people have stayed in this house. I've witnessed it and so have others. It has been reported to your office more than once.

The near daily routine is 3 to 4 cars show up. The house garage is never used even though the permit says it must be, and many times the driveway isn't used and cars are lined up the road. The vacationing party starts the day by celebrating. They are often yelling at each other from the deck to the ground. Walking around the property and in many cases trespassing on neighboring properties to get a better view of the ocean or get cell service or just snoop.

They then open and close each car door 3 to 4 times to unload their gear.

Then the gear is hauled all around the property and sometimes neighboring properties, and continue to party on and off throughout their stay. The noise is elevated throughout the stay. In contrast, we have other neighbors that come down to use their 2nd homes and they are hardly noticed because they respect the neighborhood and don't bring an 'I am paying \$300 a night and getting every penny's worth' mentality. Residents and part time residents understand this is a residential family neighborhood and we are not all on vacation.

After dark the outdoor fires start, sometimes in the firepit that's 10' from our property line (on a failed septic field), sometimes on neighbor's property. We can hear them inside our home. They wake and frighten my child, often. Of course, quiet hours are 10:00 but it doesn't get dark till 10:00 and they continue to party outside well into the night. They're on vacation – right? Well, we are not.

They often leave every exterior light on, usually throughout the night. The light floods ours and neighboring homes with light and keeps people up.

The septic field for this house was built originally for 2 bedrooms per the original septic application. They advertise as 3 bedrooms. So how could 10 people even stay there? How could this even be allowed, much less more than 10 as mentioned before? That is not single family use, and is likely a major reason they have been polluting the neighborhood with sewage.

This number of people uses 2 to 3 times the water as a single family in a place that continues to have a water supply issue and major erosion. Allowing these large group sizes has so many negative impacts and is so outside the residential norm of typical use or family size.

Once the large party leaves, the house cleaners show up, often idling in two cars behind our house, and we can hear and see them for the next 3 hours opening the doors and windows. Back and forth to their cars and opening and closing the car doors multiple times throughout the day. Smoking cigarettes and smoking pot, trespassing on neighbors property, trying to get cell service, or smoking.

The cleaners and guest often leave the trash overflowing and critters knock the trash over and spread it up and down the road. And then it starts all over again.

Issues are never dealt with immediately. The property manager is 30 minutes away and never answers the phone. The owners are hours away and often don't answer their phone. Usually issues happen well into the night, no one wants to leave their house at midnight and come to Falcon Cove to address issues.

Final point is that this is this is a residential neighborhood. We live here full time. These properties are nothing more than a hotel. They are a commercial interest. People now buy these houses strictly to make money. This is the definition of a business. These neighborhoods are not zoned commercial and they violate the intended zoning. There are places for short term rentals, but rural clatsop county should not be one of them.

I plead for you to think about your home and how you would feel if your life was constantly disrupted , every few days by a new group of unregulated strangers. What would you expect from your local officials and elected government to uphold the spirit of community to maintain livability in your home.

Thank You for addressing these concerns,

Respectfully

Jason 

Thank you for the opportunity to speak about short term rentals and their impacts on Cove Beach. I'd like to address problems we have observed and propose some solutions. My family used to own the Warren Hotel and the Major Motel in Tolovana Park.

1. A vacation rental is a commercial business, located in a residential zone. At present, there are at least 26 short-term rentals in Cove Beach, or about 30% of the existing homes. Some rentals here are obviously family homes which are rented out just enough to offset taxes and upkeep. However at least five rentals in our community are full-scale, high occupancy usage – they are money-making enterprises, similar to hotels and motels. And a few more are flying under the radar, without being permitted by the County.

Restricting the number of rentals allowed, requiring a minimum distance between rentals, and not grandfathering in rentals when they are sold, are several ways to slow the growing numbers. Other resort communities use these techniques to balance quality of life with entrepreneurship.

2. Short term rentals in our area have almost destroyed our neighborhood. They infuse the area with strangers. We don't know who they are. We don't feel as safe as we used to. The renters require attention since they are unfamiliar with coastal hazards and cultural norms. Most rental owners don't live nearby; some live in other states. We've never even met the owners. Accountability is an issue.

Motels, hotels, B&B's provide on-site staff to monitor their guests, take care of any problems, and offer safety information. Why should a commercial business in a residential area have less oversight? It seems like we the residents, are expected to provide these services. If the County issues a permit for a short-term rental business, then they should require the business owner to provide on-site staffing.

3. As property owners, we apparently have no say in whether we want commercial uses in our neighborhood. If we announced we plan to build a 6-unit motel, we wouldn't be able to – because of zoning regulations. But, the equivalent number of guests in a large vacation rental – with no on-site staff – is acceptable. It doesn't make sense.

4. While the County's rural guidelines for short-term rentals is a start, it doesn't provide much recourse for other property owners. There is a pronounced lack of County supervision and enforcement.

Code enforcement officers should do frequent assessments after permits have been issued. Other commercial businesses have regular inspections. Somehow, short-term rentals, once they are approved, drop off the County radar. When code enforcement staff members are in the neighborhood, they could take the time to ask residents if they've noticed any problems. Also, vacation rentals are busiest on weekends and holidays; staffing is needed at that time.

5. While these commercial enterprises are earning money, the community as a whole doesn't reap any benefits from the rentals. Our roads on the Clatsop County side are private, maintained by voluntary annual fees. Many vacation rental owners don't chip in for roads maintenance, yet their customers and their housecleaners and their yard crews, all use the roads. At times water is in short supply. Are customers advised of the situation and do they take part in conservation? The biggest consumers of our water supply are short-term rentals.

As far as we know, the lodging tax revenues also don't directly support our area. A few vacation home owners are actively involved in our community – thank you for your service. Most make no investment in Cove Beach beyond their own property.

In my experience, the shift to short-term vacation rentals has been a detriment to our community.

Dale Major
79028 Cove Beach Rd and
1314 NW Taylor, Corvallis

Thank you for this opportunity to comment on the impacts short-term rentals have on our community. I'll talk about impacts that generally are not reportable to the County Sheriff nor to Code Enforcement. First, historical perspective:

- * There have always been summer visitors at Cove Beach, and
- * Local residents have always looked out for them.

Last century before short-term rentals, many families would rent a cabin or camp on undeveloped land belonging to friends, for the entire summer. Others came for long weekends. These people often came back year after year. We thought of the summer people almost like part-time residents, not as tourists. Most were escaping the heat of the Willamette Valley or eastern Oregon. For the most part, they were aware of our coastal hazards – rip currents, sneaker waves, wild surf, rolling logs. They also generally followed the unwritten courtesies of sharing a neighborhood – turn lights out at night, don't have big parties (unless we were invited), be vigilant about wildfires, douse your beach fire, don't pick all the blackberries, and pitch in when needed.

In return, the locals welcomed them, and watched out for them. If problems arose, we helped. Besides the usual lost dog, flat tire, or downed trees mishaps, there were many more serious situations – kids caught in the surf, beach walkers stuck on sandbars, surfers injured on the rocks, people standing on logs which then rolled. There are plenty of stories of successful rescues. Unfortunately, there are also numerous stories of rescue attempts that failed, mostly drownings.

What's different now? Why are short-term rentals so controversial?

First, we didn't used to be inundated with new people every single day. Now, year round, we have literally hundreds of people staying here, many from out-of-state, with no inkling of coastal hazards or community norms.

Second, back then, cabin or property owners were on-site. They knew their guests. If guests were behaving badly, the owners took care of the situation. Now, the home owner might live in another state, the property management company isn't open on weekends, and the contact person doesn't respond to calls. Code Enforcement also doesn't work on weekends, and calling the County Sheriff for nuisance infractions is inappropriate use of their resources.

For the third comment, let me address the rental owners directly: We take care of your customers. As de facto hosts, we welcome, inform, look out for and help your renters. When they are locked out, their cell phone doesn't work, their dog is lost, or the electricity is off, we're the ones they ask for help. They don't call you or your manager, they see us. As on-site hosts, we also politely let them know when they've parked on someone else's property or are blocking the roadway, or their campfire should be below the high tide mark, and to please leash their dog.

However most significantly, we try to keep them safe. We've endangered ourselves by grabbing them off the beach during winter high tides. We've pointed out what rip currents look like, and also the tsunami evacuation routes. We've warned them about crab holes and sneaker waves. We've mentioned it's not a good idea to let little kids play in the water while parents watch them from 100 ft away – the Pacific Ocean isn't a lake. We've stopped people shooting off fireworks, threatening the entire cove with wildfire. We've knocked on their door in the middle of the night to let them know about NOAA tsunami warnings. We've searched for lost children. You don't do any of that because you're not here.

Then those visitors leave after 2-3 days – and your next batch shows up. And we do it all again and again and again. Your customers are delighted with their experience, write you great reviews, and your client base gets bigger. All we get... is more tired. You are taking advantage of our hospitality. We are being used.

When we complain about short-term rentals, we're accused of taking away livelihoods, harassing guests, and trying to lock Cove Beach for our exclusive use. The proliferation of short-term rental units in Cove Beach has been a detriment to our quality of life.

Sincerely,

Viviane Simon-Brown
79028 Cove Beach Rd and
1314 NW Taylor Ave, Corvallis

Gail Henrikson

From: Ericka Anntionette - Into The Wild Yoga <healthbyericka@gmail.com>
Sent: Tuesday, July 28, 2020 8:39 PM
To: jeffreyweil7@gmail.com; Gail Henrikson; Lianne Thompson
Subject: Re: Comments: re: Falcon Cove short term rental public meeting

Hello Gail, Lianne and Rob,

Thank you again for holding today's meeting on short-term rentals here in Falcon Cove.

We wanted to add a final comment to take into consideration as you figure out what to do about the issues around the rentals here.

As full-time residents seeing first hand the impact short-term rentals have on our neighborhood and community, our first vote would be to not have any short-term rentals here.

However, if we do continue to have them then we would request a regulation like Cannon Beach where rentals are only allowed one booking every two weeks.

Also, owners shouldn't be allowed to be running the short-term rental as a business in an area zoned for residential use only. I was told I couldn't run a small private yoga business within my house for the same reasons, so it should be enforced for all types of businesses within Falcon Cove.

Having said that, vacation rentals should be only allowed if it's someone's full time home and not an investment property. This is what the city of Lake Oswego does in regards to short-term rentals which has worked well.

The idea of having an on-site host would be rather helpful to lighten the burden off the full-time residents having to play police.

Lastly, having permits being revoked with 3 complaints would be nice to see actually enforced with hopes of the owners will start taking more responsibility and make sure their guests are treating the neighborhood and residents with respect.

We look forward to the new complaint software and also look forward to the county stepping in to help resolve these issues around short-term rentals here in Falcon Cove.

Gratefully,

Ericka Anntionette and Joe Blecha

From: ALLAN SOLARES <solaresam@aol.com>
Sent: Wednesday, July 29, 2020 3:15 PM
To: Rob Ledgerwood <rledgerwood@co.clatsop.or.us>
Cc: ALLAN SOLARES <solaresam@aol.com>
Subject: STR meeting Tuesday 7/28

Rob -

Regarding the meeting on STRs yesterday -- I tried to utilize the link to the meeting on my smartphone but it only took me to the promo page for GoTo Meeting. So instead, I phoned in and listened. But apparently my phone call was automatically muted as you were unable to hear me when you called on me to speak.

Also I did not receive a notice about the meeting and only knew about it from other Cove Beach residents reaching out to let me know. It's strange since I am a permitted STR and pay the county tax on STRs. I'm concerned there may be other STR owners that were not notified. So that this can be rectified in the future, **please check on why I was not included in the mailing notice.**

Also I am a member of the Cove Beach Road Fund committee which raises private donations to maintain the "public roads" in the Clatsop County portion of Falcon Cove/Cove Beach. A comment, which was made during the meeting, about the poor condition of the roads is simply inaccurate. Every year, the roads are graded, and graveled where needed, ditches and culverts cleared, and foliage and limbs cut back. The roads are in the very good condition. Please feel free to contact me if there are issues that are road related.

Lastly, I was actively involved and communicated with county staff in the development and drafting of the Arch Cape STR code. I'd be happy to share any perspective that this familiarity with the design and rationale for it might provide.

Allan Solares
79560 Ray Brown Road
503-320-2080

From: "Burns, Patrick" <pburns@peacehealth.org>
Date: July 29, 2020 at 4:37:49 PM PDT
To: Rob Ledgerwood <rledgerwood@co.clatsop.or.us>
Cc: "bulldogburns53@gmail.com" <bulldogburns53@gmail.com>
Subject: 28th meeting thoughts.

Hi,

Just wanted to follow up with you after the short-term meeting. Several thoughts come to mind. In no particular order. First would be great meeting! I think it was a great start to address the problems. Be as transparent as possible.

1. There should be a penalty for false reporting.
2. There should be a penalty for violating rules.
3. You said there is 20 rentals. Can you send me that map you had up on the screen with the locations of those. I think there is more??
4. The house you and I have talked about previously by Beth's house. I just got a thing in the mail and it said they could have 11 occupants. That house has had a problem with its septic for years. I agree with Beth and Jason on that. I live on a septic. There is no way that house should be allowed to have that many renters at once. I think if you limited the amount of people that could go into that house, you'd cut the complaints in half. Unless they are deemed false reports.
5. There seems to be some thoughts from the new arrivals and several of the old ones that the water board there isn't playing fair. This is based on the one phone testimony and several phone conversations I've had with others. Is someone in Clatsop county attending these meetings and over seeing that board, or are they free to do what they please?
6. Also, has anyone tested the ditch in front of Beth and Jason's house for fecal bacteria? Seems pretty easy.
7. I also think if you have a back-up meeting with some follow-up to concerns it would hopefully pull everyone on the same page a little better.

Thanks Patrick Burns

This message is intended solely for the use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable state and federal laws. If you are not the addressee, or are not authorized to receive for the intended addressee, you are hereby notified that you may not use, copy, distribute, or disclose to anyone this message or the information contained herein. If you have received this message in error, immediately advise the sender by reply email and destroy this message.

Gail and Rob,

Thank you for hosting the meeting on Short Term Rentals (STR) and posting the meeting video and citizen comments on the County website. Very Helpful!

Requests:

1. I am assuming staff will be making a recommendation to the County commissioners to use as a basis for the work sessions? Prior to the Commissioner's workshop could you hold another electronic meeting for concerned parties to comment on the staff proposed revisions to the STR ordinance?
2. Testimony was submitted by Charles Dice representing the Falcon Cove Beach Domestic Water District. Mr. Dice and others claim that the highest water usage in the summer is by STR units. I disagree with this claim and prior to passing on this information to the Board of County Commissioners Mr Dice should present data to support his claim. This should be water meter readings and addresses for all water hook ups from June to Sept. 2019 and June and July 2020. This is also true regarding statements of " limited water resources. I will forward documentation from State agencies regarding the water available to the District which far surpasses the anticipated need at full build out. Mis-information should not be presented as fact to the County Commissioners when making this important decision.
3. Comments were made about investors, owning as many as 50 homes, operating STRs as a business enterprise. At today's home prices it is hard to imagine that this would be a profitable investment. Is this a documented fact?

Questions:

Was the meeting notice sent to all property owners in the Cove including owners of undeveloped lots? How many complaints were logged for Cove Beach? (I have attached the County's list for STR with Cove Beach addresses highlighted.)

Were the majority of complaints initiated by a few people or focused on a few STRs?

Comment: There were concerns voiced about failing septic systems. As part of obtaining the STR permit the septic system is tested to make sure it is in good shape and can handle the anticipated number of users. I suspect that STR septic systems are in better working shape than many of the full time residents' systems. Maybe all septic systems should be tested every 5 years to deal with this health concern.

My email is nchase34@gmail.com . Please feel free to pass this on to others in the community. As a long term resident of Cove Beach I would like to work with my neighbors to problem solve the legitimate complaints.

Sincerely,

Nancy Chase

From: Elyse Shoop <shooptroopies@yahoo.com>

Sent: Monday, August 3, 2020 12:11 PM

To: nchase34 <nchase34@gmail.com>

Cc: Gail Henrikson <ghenrikson@co.clatsop.or.us>; rledgerwqood@co.clatsop.com; Arnold & Malia Jacobsen <outlook_12E2F6583DD49964@outlook.com>; bradich@gmail.com; Carolyn Crawford <carolyncrawford@cbbain.com>; Danna Kittell (danna@starfishluxuryrentals.com) <danna@starfishluxuryrentals.com>; Daryn Murphy (d.murphy@commonwealthco.net) <d.murphy@commonwealthco.net>; David Zava (dzava@zrtlab.com) <dzava@zrtlab.com>; Ericka Anntionette (healthbyericka@gmail.com) <healthbyericka@gmail.com>; Erin Livengood (erinl@windermere.com) <erinl@windermere.com>; Guido Paparoni and Margaret Rozendaal (gtaparoni@tx.rr.com) <gtaparoni@tx.rr.com>; Jim May (JPM999@comcast.net) <JPM999@comcast.net>; Jonathan Felix-Lund (jonathanwlund@gmail.com) <jonathanwlund@gmail.com>; Kathie May <Kathie_May@comcast.net>; Lianne Thompson (liannegaea@gmail.com) <liannegaea@gmail.com>; Margi Felix-Lund (margifelixlund@gmail.com) <margifelixlund@gmail.com>; Patrick Chapman (chapmannd@gmail.com) <chapmannd@gmail.com>; Reba Owen (rowen_1@charter.net) <rowen_1@charter.net>; Sue Birkemeier (sbirke@aol.com) <sbirke@aol.com>; Tim Bingham (timbingham@hotmail.com) <timbingham@hotmail.com>; Nancy Mendoza <nmendoza@co.clatsop.or.us>; Monica Steele <MSteele@co.clatsop.or.us>; Paul Williams <PWilliams@co.clatsop.or.us>; Mary Solares <solaresam@aol.com>

Subject: Re: Follow-Up from Short-Term Rental Discussion

In response to your **“Comment”** below regarding septic systems. Yes, certainly all septic systems should be monitored. As we continue to grow, this will become an increasingly difficult issue. Three homes that I know of have already had to put in Holding Tanks. This means we pay for the water coming in, we pay for the wastewater to be pumped and properly disposed of (in our case, this costs more each year than our water) **and** we also get to pay random recurring fees to DEQ for this “privilege”. *The meeting, however, was about Short Term Rentals.* The STR closest to our home has overflowed twice into the drainage ditch in the last year (that I have smelled and seen and I am not a full time resident). If a septic system is on record as being designed for a 2-3 bedroom home only, it seems a bit outrageous to me that the same home is being advertised as being suitable for 11 people. This leads me to believe that there is some sort of “disconnect” in the STR licensing process. Thank you, Elyse

On Jul 30, 2020, at 5:02 PM, nchase34 <nchase34@gmail.com> wrote:

Gail and Rob,

Thank you for hosting the meeting on Short Term Rentals (STR) and posting the meeting video and citizen comments on the County website. Very Helpful!

Requests:

1. I am assuming staff will be making a recommendation to the County commissioners to use as a basis for the work sessions? Prior to the Commissioner's workshop could you hold another electronic meeting for concerned parties to comment on the staff proposed revisions to the STR ordinance?
2. Testimony was submitted by Charles Dice representing the Falcon Cove Beach Domestic Water District. Mr. Dice and others claim that the highest water usage in the summer is by STR units. I disagree with this claim and prior to passing on this information to the Board of County Commissioners Mr Dice should present data to support his claim. This should be water meter

readings and addresses for all water hook ups from June to Sept. 2019 and June and July 2020. This is also true regarding statements of " limited water resources. I will forward documentation from State agencies regarding the water available to the District which far surpasses the anticipated need at full build out. Mis-information should not be presented as fact to the County Commissioners when making this important decision.

3. Comments were made about investors, owning as many as 50 homes, operating STRs as a business enterprise. At today's home prices it is hard to imagine that this would be a profitable investment. Is this a documented fact?

Questions:

Was the meeting notice sent to all property owners in the Cove including owners of undeveloped lots? How many complaints were logged for Cove Beach? (I have attached the County's list for STR with Cove Beach addresses highlighted.)

Were the majority of complaints initiated by a few people or focused on a few STRs?

Comment: There were concerns voiced about failing septic systems. As part of obtaining the STR permit the septic system is tested to make sure it is in good shape and can handle the anticipated number of users. I suspect that STR septic systems are in better working shape than many of the full time residents' systems. Maybe all septic systems should be tested every 5 years to deal with this health concern.

My email is nchase34@gmail.com . Please feel free to pass this on to others in the community. As a long term resident of Cove Beach I would like to work with my neighbors to problem solve the legitimate complaints.

Sincerely,

Nancy Chase

From: Susan Paduano <spaduano1@msn.com>
Sent: Monday, August 3, 2020 1:53 PM
To: Rob Ledgerwood <rlledgerwood@co.clatsop.or.us>
Subject: Falcon Cove Short Term Rentals

Dear Mr.
Ledgerwood,

August 3, 2020

I am writing to express my concerns about the Short Term Rental situation in Falcon Cove and also want to thank you for your participation in the meeting held on July 28th.

My husband and I live in Idaho and bought a vacation home at 79210 Ray Brown Road in 2014, at the time there were no rentals near to our home and we were told by the selling realtor that there were restrictions in the area for how often houses could be rented. I did not research this but in reflection that is exactly what we need.

In our time at our vacation home in Falcon Cove, I have encountered renters on the beach burning fires in areas that are clearly posted to be not allowed, seen renters setting off lit lanterns into the sky in celebration, seen renters with many more than the allowable number per house, seen renters parking cars along the roadways in areas not associated with the house they are staying at, have dealt with the near-constant bother of lights at the home across the street from us, have seen renters not securing their trash in the proper way and the trash gets strewn along the roadway, seen renters setting off fireworks when it is clearly posted that it is illegal and a couple days ago, I stopped a baseball game being played in the yard of the house next to a rental.

Last year, the house across the street became a short term rental and this has brought the concerns and issues much more to the forefront for me, as I witness activity much more often. VaCasa leaves the outside lights on when expecting guests and those guests leave outside lights on while staying there and when they leave. In our cove, we try to limit the light pollution so that the sky can be part of the landscape we enjoy. The outside light shines across the street to the side of my home where the bedroom is. This is very annoying and I have left notes to renters, called VaCasa and have alerted the owners to the problem but the problem persists.

The simple fact is that renters do not treat the area the way they would treat their own home. The renters perhaps do not realize that there are homes here where people live year round. Vacationers act differently than they would in their own space.

One other HUGE issue is the lack of water. Oregon is in the 8th (?) year of a drought. Last year our area had a moratorium on water; no new permits were issued and we were not able to use outside water. This situation was clearly not communicated to the renters, as I witnessed renters washing their cars and spraying off toys. The house across the street is allowed 11 occupants. That's 11 people taking showers, flushing toilets, washing dishes, doing laundry and a cleaner coming in between each group. I have seen that home be rented to 3 different groups in the space of a week. Imagine the water usage at that home - and I couldn't water outside plants or wash windows!

The lack of uniformity and enforcement creates a situation where residents are put in the position of needing to intervene or let those renters know the rules. It is my opinion that the short term rental situation should be re-worked.

#1: there should be a limit to the number of times per month that a house can be rented. My suggestion is no more than 14 days every 30 days.

#2: the county should model rules after communities who have been dealing with this issue and tweaking the rules to fit. In Palm Springs guests of vacation rental homes must sign a city regulations form in person confirming their understanding of the area's good neighbor policies on parking, noise, trash and pets. In our area I would add information to that about light pollution and the tsunami information.

#3: there should be a local entity who takes on the task of enforcement. One house in our area advertises their home as 2 separate rentals, I believe that is against the rules also.

It is my sincere hope that we can get regulations in place to avoid issues with short term rentals or this area could be ruined for those of us who do not rent out our homes.

Thank you for your time and attention,
Sue and Paul Paduano
3233 W. Edson St., Boise, ID 83705
79210 Ray Brown Rd., Arch Cape, OR 97102
spaduan01@msn.com
Sue cell: (208) 250-6373

From: ALLAN SOLARES <solaresam@aol.com>

Sent: Monday, August 3, 2020 3:10 PM

To: shooptroopies@yahoo.com; nchase34@gmail.com

Cc: Gail Henrikson <ghenrikson@co.clatsop.or.us>; rledgerwqood@co.clatsop.com; outlook_12E2F6583DD49964@outlook.com; bradich@gmail.com; carolyncrawford@cbbain.com; danna@starfishluxuryrentals.com; d.murphy@commonwealthco.net; dzava@zrtlab.com; healthbyericka@gmail.com; erinl@windermere.com; gtaparoni@tx.rr.com; JPM999@comcast.net; jonathanwlund@gmail.com; Kathie_May@comcast.net; liannegaea@gmail.com; margifelixlund@gmail.com; chapmannd@gmail.com; rowen_1@charter.net; sbirke@aol.com; timbingham@hotmail.com; Nancy Mendoza <nmendoza@co.clatsop.or.us>; Monica Steele <MSteele@co.clatsop.or.us>; Paul Williams <PWilliams@co.clatsop.or.us>; ALLAN SOLARES <solaresam@aol.com>

Subject: Re: Follow-Up from Short-Term Rental Discussion

Hello everyone,

I am a STR permit holder and do my best to adhere to the letter and spirit of the STR law/regulations. The process to get a permit was rigorous and included an onsite inspection, fire extinguishers, posted notices of STR requirements on site as well as in the mailed agreement with renters, and a great many other considerations. I think this is all for the good. We take extra steps like posting 'good neighbor' policies on the refrigerator like-- don't litter, help clean up the beach, drive slowly, etc.. It should be noted that conditions throughout Falcon Cove and Cove Beach vary. Houses at the south end tend to be clustered closely. Houses in the north end tend to be well spaced and more private. So the impacts from people (including the homeowners themselves) around these houses will naturally vary.

I would implore other homeowners who are allowing parking, garbage, sewage (septic overflows?) noise, and other violations of the STR requirements to take immediate steps to stop their renters from doing so. **And to the extent that a few STR owners have renters who violate the requirements, they should be educated then warned then penalized including fines or license suspension or revocation as provided under the STR regulations.** As stated by the county staff, the goal is compliance not penalties. The County can't monitor or police much of the activity being complained about. They have bigger fish to fry. Septic tank spillages should be addressed but that is the job of the DEQ and county health dept. It is up to rental owners to work to comply with the good intentions and requirements of the STR ordinance.

Philosophically speaking, I do not think it is right to stake a claim on enjoyment of our coast. The public right to access to and enjoyment of the beaches is something that most Oregonians are rightly proud of. The notion that rural Clatsop County, and the coast specifically, is not the proper place for people to rent their homes is self centered and in contradiction of the law. When I visit another state and enjoy renting a home there, I am appreciative and respectful of the home and the neighbors. I don't park where I'm not supposed to, spill garbage, litter, play loud music. But I can't imagine never being allowed to enjoy a lovely home that someone has cared for and offered to allow me to enjoy as well. Most everyone has rented vacation homes in other communities. And undoubtedly those neighbors have some of the same complaints at times. But they don't prohibit people from visiting.

Let's keep these problems in perspective. Bad behavior should not be tolerated. But people celebrating, enjoying the outdoors, closing cars doors, bringing their pets, making cell phone calls, leaving on lights...those are human activities that owners do as well. This is not to say that there aren't other regulations that may help to mitigate some of these impacts. But I think it's also fair to ask that when new requirements are placed on STRs then it should be considered whether home owners as well as their friends and guests, should also have to meet them. This is already true regarding noise after 10pm which

is a requirement for both homeowners and STRs. A new restriction, such as replacing exterior lights that shine on a neighbor's houses (by using 'dark sky' light fixtures), should apply to everyone.

I am interested in receiving answers to the questions raised in Nancy Chase's letter especially learning about how many complaints were reported in Falcon Cove/Cove Beach, as well as the distribution of complainers (how many were by one or just a few people) and complainees (how many were about just one or a few homes).

I did not receive a notice/flyer about the meeting and only knew about it from other Cove Beach residents reaching out to let me know. It's strange since I am a STR permittee and pay the county tax on STRs. I'm concerned there may be other STR owners that were not notified. So that this can be rectified in the future, I am requesting county staff to please check on why I (and others?) were not included in the mailing notice.

During the virtual meeting on STRs, the GoTo Meeting link did not work on my smartphone. However I was able to join the meeting using the phone-in number. So I was able to *listen* but no one could to hear me when I was called on to speak. Apparently my phone call was *automatically muted*. This was not noted in the flyer or in the county's acknowledgement to my pre-registration requesting to speak at the meeting. Please either fix this or notify participants in future meetings.

Thank you for your consideration. And please include my comments in the record.

Allan Solares

Falcon Cove STR Meeting
Felix-Lund Public Comment

Like the full-time residents and second home owners in this community, we cherish the Oregon Coast and know that Falcon Cove is truly a special place. As Oregonians, we all take a lot of pride in our public beaches. We, as a family, find it meaningful to offer folks a chance to enjoy the beautiful Oregon Coast for a shorter stay. The short term permit holders we heard from during this public forum are not nameless corporate profiteers, but folks that care about their neighborhood and overwhelmingly communicated their openness to compromise.

We agree with others that there should be enforcement concerning short term permit violations, but that they should be weighted by severity. When processing complaints there should be transparency and a process to confirm their validity before moving into punitive action.

It is important for safety and transparency that short term rentals are regulated by the County. These stays also provide meaningful tax revenue and bring dollars into the local economy. Extreme measures have the possibility of reducing transparency, hindering regulation, and driving short term stays underground. It would be nice to know how much tax revenue makes it back into the neighborhood and push for more to be diverted directly back into the community.

As a family, we certainly are open to all sorts of adjustments due to community concerns and find it very encouraging that others have expressed that posture as well.

We hope the county will be able to successfully identify solutions that respect all property owners and facilitate compromises and conversation between parties that have different visions for how we all share such a special place.

Margi & Jonathan Felix-Lund

From: Charles Dice <cadice@hotmail.com>

Sent: Wednesday, August 5, 2020 8:35 AM

To: Gail Henrikson <ghenrikson@co.clatsop.or.us>; Rob Ledgerwood <rledgerwood@co.clatsop.or.us>

Cc: Beth Radich <bradich@gmail.com>; Charles Dice <cadice@hotmail.com>

Subject: RE: Follow-Up from Short-Term Rental Discussion

Importance: High

Hello Gail and Rob,

Thank you for setting up the Teleconference regarding Short Term Rental issues in Falcon Cove Beach and for inviting the Sheriff's Department to attend. I think this session did a lot of good in surfacing and identifying specific problems in our Community with Short Term Rental as well as with Enforcement of the existing Clatsop County Short Term Rental rules. I do have few comments regarding this topic and the meeting:

1. In the report from Rob that shows Short Term Rental complaints from Oct 2019 to July 2020 I did NOT see my complaints (there were at least two written complaint forms submitted) about Bears Head STR (79058 Cove Beach Road)
2. This report also does not show a number of other complaints that were submitted by at least two community members regarding the Jim May STR (79138 Tide Road)
3. In an earlier version of the email below you noted that Short Term Rentals would be discussed at the CC BOC meetings on 4 Aug and 12 Aug – is this still true?? I do not see any Agenda for the 12 Aug or beyond BOC meetings on the Clatsop County BOC Meetings page – do you know why this is the case?? Shouldn't the public get a some notice about what is on the Agenda for these near term BOC meetings??
4. Will the public have an opportunity to provide testimony at the 9/1 and/or 9/9 BOC meetings noted in your email below??
5. Below is a list of a few specific improvements that we would like to see to the Enforcement piece of the STR Rules/Ordinance
 - a. Written acknowledgement (by email) from the County in response to submission of a written and signed Complaint Form with the Complaint duly logged against that specific STR permit
 - b. Written response to the complaint that details what actions the County plans to take in response to the written and signed Complaint
 - c. Written response regarding the action taken (or not taken) by the County to the complaining party and an explanation of why.
 - d. A survey maintained by the County that is "provided" to each person filing a complaint to gather data about how well the County's Enforcement process/procedure is working (or not working).
 - e. Specific information that the County might require from the person filing a complaint to document the complaint to the satisfaction of the County – contact by the community member with the offending party at the STR property?? Video of the offensive actions?? Audio of the offensive Actions?? Other Requirements?? We want the act of filing the Complaint to be considered a "self-verified" act – meaning that the filing of the

Complaint is registered as a “valid” Complaint that “Counts” against that STR unless the County Enforcement officer can prove that the Complaint was NOT valid (and provide documentation to substantiate that it was not valid).

- f. Revocation or suspension of the STR Permit upon any STR that receives 3 Complaints in any year
- g. STR Permits should NOT be automatically renewed – they should be for a fixed period (3 or 5 years) and then terminate and, if the STR is in good standing, then the property owner can apply for another STR Permit (if available at that time)
- h. STR Permits are NOT transferrable to new owners

Thanks,

Charles A. Dice

Tel=503-436-0146

Email = cadice@hotmail.com