



CLATSOP COUNTY PLANNING COMMISSION

REGULAR MEETING AGENDA

Hybrid Meeting Judge Guy Boyington Building, 857 Commercial St., Astoria
Via Zoom

Tuesday, December 12, 2023 at 10:00 AM

ZOOM MEETING INSTRUCTIONS

- [1.](#) ZOOM Meeting Instructions

CALL MEETING TO ORDER

FLAG SALUTE

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.

PUBLIC HEARINGS

- [2.](#) Ordinance 24-02: Comprehensive Plan Goal 5 Update

DISCUSSION

- [3.](#) Implementation of HB 3197: Clear and Objective Standards

PROJECT STATUS REPORT

- [4.](#) DECEMBER 2023 PROJECT STATUS REPORT

DIRECTOR'S REPORT

- [5.](#) [December](#) 2023 Director's Report

GOOD OF THE ORDER

ADJOURN

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



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 Zoom Meeting Instructions

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

Hi there,

You are invited to a zoom webinar.

WHEN: December 12, 2023 10:00 AM Pacific Time (US and Canada)

TOPIC: Planning Commission Monthly Meeting

Please click the link below to join the webinar:

<https://co-clatsop-or-us.zoom.us/j/83932736797?pwd=WFJePkI6GtLHn9X65CJ98MITFCwVuw.ktR3J85BQYT5EiEk>

PASSCODE:000068

Dial by your location: 1 253 215 8782 US

Webinar ID: 839 3273 6797

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 comdev@clatsopcounty.gov. You will be notified when your three-minute presentation is scheduled. Comments may also be submitted via email to comdev@clatsopcounty.gov to be read at the meeting.



Clatsop County – Land Use Planning

800 Exchange Street, Suite 100
Astoria, OR 97103
(503) 325-8611 | (503) 338-3606 (Fax) | comdev@clatsopcounty.gov

TO: Planning Commission Members

CC: Anthony Pope, County Counsel
Land Use Planning Staff

FROM: Gail Henrikson, AICP, CFM – Community Development Director

DATE: December 12, 2023

RE: **COMPREHENSIVE PLAN GOAL 5 UPDATE**

OVERVIEW

The Clatsop County Comprehensive Plan describes the long-term vision for unincorporated Clatsop County, looking ahead to set direction for the county’s growth over the next 20 years. It contains common goals that guide development within the County, including in the areas of land use, environment, transportation, economic development, housing and resource use. On June 28, 2023, the Board of Clatsop County Commissioners adopted Ordinance 23-06, which approved updates and amendments to Comprehensive Plan Goals 1-4, 6-14 and 19. Revisions to Goal 5 were placed on a separate schedule for review and approval.

[Statewide Planning Goal 5](#) is an extremely broad and complex goal. Almost all of the 15 required and recommended inventoried resources can be found within the county’s borders:

Required Inventories

- Riparian Corridors
- Wetlands
- Wildlife Habitat
- Groundwater Resources
- Oregon Scenic Waterways
- Federal Wild and Scenic Rivers
- Oregon Recreation Trails
- Natural Areas
- Wilderness Areas
- Mineral and Aggregate Resources
- Energy Sources
- Cultural Areas

Recommended Inventories

- Historic Resources
- Open Spaces
- Scenic Views and Sites

Statewide Planning Goal 5 relies on inventories that have been conducted by state or federal entities or, for some resource categories, requires local inventories to be developed.

Inventoried resources are assessed to identify those that are high value or “significant.”

Inventories and assessments are the basis for developing a local program to protect significant resource sites and plan for development and conflicting uses.

Protection of these diverse resources requires a variety of approaches. The role of land use planning in this protection involves a threefold approach:

- Collecting and maintaining data and other inventories of assets;
- Coordinating with local, regional, state and federal programs; and
- Administering local and state regulations that protect the sustainability and quality of the resources.

Goal 5 is implemented through Oregon Administrative Rules (OAR) [660-016](#) and [660-023](#). Each of the required inventories is discussed in further detail below.

RIPARIAN CORRIDORS

Per OAR 660-023-0090, “riparian corridors” are defined as Goal 5 resources that include the water areas, fish habitat, adjacent riparian areas, and wetlands with the riparian area boundaries. “Riparian areas” are defined as the areas adjacent to a river, lake or stream, consisting of the area of transition from an aquatic ecosystem to a terrestrial ecosystem.

Clatsop County’s existing and acknowledged Goal 5 element does not contain an inventory of any riparian corridors. Clatsop County has, however, adopted a shoreland overlay that requires a 50-foot buffer from significant estuarine and coastal shorelands identified in Goals 16 and 17. The County has also adopted standards related to the protection of riparian vegetation in Section 6.5000, LAWDUC. Oregon Administrative Rule (OAR) 660-023-0250, adopted in 1996, requires local governments to amend acknowledged plans and land use regulations during periodic review. Because the County is no longer subject to mandatory periodic review requirements, an inventory for this resource has not been developed, and the rule otherwise does not impose a deadline on the county to conduct an inventory. No new riparian inventories are proposed as part of this comprehensive plan update and the County will continue to provide riparian protections to the waterways and water bodies identified in Goals 16 and 17.

WETLANDS

OAR 660-023-0100 requires local governments to notify the Oregon Department of State Lands when development permit applications or other land use permit applications are submitted that may affect wetlands. On lands outside of Urban Growth Boundaries (UGB) or in Urban Unincorporated Communities, local jurisdictions are required to determine the need for Department of State Lands (DSL) notification based on the Statewide Wetland Inventory (SWI). Counties are not required to amend their comprehensive plan to add or amend a list of locally-

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significant wetlands. If a county chooses to conduct a local wetland inventory and protect locally significant wetlands, the process steps described for areas inside UGBs apply.

In 1983, Duncan Thomas prepared a report entitled *Significant Shoreland and Wetland Habitats in the Clatsop Plains*. This report identified 58 significant wetlands, primarily within the Clatsop Plains planning area. That initial report and list was further reviewed and subsequently the nine sites shown on Table 1 were included as Goal 5 locally-significant wetlands. In 2020, Clatsop County contracted with the Columbia River Estuary Study Taskforce (CREST) to prepare an updated report – *Clatsop County Significant Wetlands; Wetland and Riparian Inventory in Unincorporated Clatsop County*. The County may utilize the information in the 2020 CREST report as a basis for future identification of locally-significant wetlands and development of appropriate local protection program elements. No changes are proposed to the wetlands inventory as part of this update.

WILDLIFE HABITAT

Per OAR 660-023-0110, “wildlife habitat” is defined as an area upon which wildlife depend in order to meet their requirements for food, water, shelter, and reproduction. Examples include wildlife migration corridors, big game winter range, and nesting and roosting sites. The county is also required to obtain current habitat inventory information from ODFW for the following:

- Threatened, endangered, and sensitive wildlife species habitat information;
- Sensitive bird site inventories; and
- Wildlife species of concern and/or habitats of concern identified and mapped by ODFW

The County is required to develop programs to protect wildlife habitat following the standard procedures and requirements of OAR 660-023-0040 and 660-023-0050 and to coordinate with appropriate state and federal agencies when adopting programs intended to protect threatened, endangered, or sensitive species habitat areas.

Two state agencies’ missions include monitoring and protection of fish and wildlife areas and habitats:

- The Oregon Department of Fish and Wildlife (ODFW) is covered in Chapter 635 of the Oregon Administrative Rules. Divisions under Chapter 635 are vast in scope and address topics that range from tax incentives, fishing seasons, hatchery management, harvest licensing and seasons, to enhancement programs, wildlife rehabilitation, conservation programs and wildlife management programs.
- The Oregon Department of Forestry (ODF) administers the Forest Practices Act (FPA), which sets standards for all commercial activities involving the establishment, management, or harvesting of trees on Oregon’s forestlands. Key elements of the act are aimed at protection of water resources. Regulations require landowners to leave forested buffers and other vegetation along streams, wetlands, and lakes to protect water quality and fish and wildlife habitat. Timber harvesting, road building, and chemical use are restricted near streams, rivers, lakes, and wetlands. Wildlife protections, including timing of operation, leaving nesting habitat for birds, bats and

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other mammals, and modifying harvest activities to protect sensitive areas used by species identified as sensitive, threatened, or endangered.

The current comprehensive plan lists the following fish and wildlife types as Goal 5 inventoried resources:

- **Major Big Game Range:** That portion of the county which supports the majority of big game. In general, these lands are sparsely developed forest lands.
- **Peripheral Big Game Range:** Foothill areas of the county, generally located between commercial forest lands and productive agricultural lands.
- **Excluded Big Game Range:** Developed areas that are only occasionally used by big game.
- **Upland Game Birds (grouse, mountain quail, band-tailed pigeons):** This resource generally corresponds with Major & Peripheral Big Game Range and includes riparian areas and mineral springs and other watering areas. See also: Sensitive Bird Habitat Overlay District (SBHO).
- **Waterfowl:** Estuarine and coastal shoreland areas; water areas; riparian areas.
- **Furbearers and Hunted Non-Game Wildlife (aquatic species – beaver, muskrat, mink; terrestrial species – skunk, bobcat, coyote):** Aquatic furbearers: estuarine and coastal shoreland habitat; riparian areas; Terrestrial furbearers: areas considered Major and Peripheral Big Game Range.
- **None-game Wildlife (eagles, hawks, osprey, herons):** Refer to SBHO and map.
- **Snowy Plover:** Sparsely vegetated, active dune areas just inland from the high tide line; beach from Necanicum River north to Columbia River. See also: SBHO.
- **Fish Habitat:** All rivers and streams with a perennial flow; non-coastal shoreland lakes (including Big Creek Pond, Fishhawk Lake, Lost Lake 1, Lost Lake 2, Spruce Run Lake, Riverside Lake, Quartz Lake, Soapstone Lake, Carnahan Lake, and Cullaby Lake); riparian areas along rivers, streams, and lakes.

No changes are proposed to the Fish and Wildlife Habitat inventory as part of these updates. Page references from the current comprehensive plan are proposed for deletion.

GROUNDWATER RESOURCES

OAR 660-023-0140 defines “Groundwater” as “any water, except capillary moisture, beneath the land surface or beneath the bed of any stream, lake, reservoir, or other body of surface water.” While Statewide Planning Goal 5 specifically calls out groundwater resources as a required inventory, policies related to or affecting groundwater resources are found in several goals throughout the comprehensive plan, as well as in the individual community plans for each planning area. In addition to the inventoried wetlands and fish and wildlife habitats included in Goal 5, 15 distinct groundwater resources are also listed as inventoried groundwater resources on Table 1, Goal 5.

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In Oregon, the Department of Environmental Quality (DEQ) has the primary responsibility for groundwater protection. DEQ, in coordination with the Oregon Health Authority's Drinking Water Program, the Oregon Water Resources Department, and the Oregon Department of Agriculture implement the majority of federal and state programs related to groundwater.

The Oregon Water Resources Department has identified a portion of the Clatsop Plains planning area where limited groundwater yield has been noted as a groundwater resource concern. The areas around Big Creek and Gnat Creek have been identified as an area of significant concern.

OREGON SCENIC WATERWAYS

OAR 660-023-0130 requires local governments to amend acknowledged plans and land use regulations to address any Oregon Scenic Waterway (OSW) and associated corridor that is not addressed by the plan. A 17.5-mile section of the Nehalem River was designated as a State Scenic Waterway in June 2019. Approximately ¼ of this section is located in Clatsop County, while the rest is in Tillamook County.

Per OAR 660-023-0130(4), no later than the next time the County is subject to periodic review, the County must either adopt a Goal 5 program for this segment of the Nehalem River by conducting an Economic, Social, Environmental and Energy (ESEE) analysis to identify consequences that could result from a decision to allow, limit, or prohibit a conflicting use on or adjacent to this resource. Alternatively, the County may adopt a "safe harbor" approach, which would require the County to adopt implementing ordinances necessary to carry out the Nehalem River Scenic Waterway Management Plan that has been approved by the Oregon Parks and Recreation Commission. The management plan rules are set forth in OAR 736-040-0120.

This section was previously entitled "Wild and Scenic Waterways". The title has been changed to correspondence with nomenclature in OAR 660-023 and the designated waterway has been listed as required. The section was also relocated on Table 1, to correspond with the order of the inventories provided above.

FEDERAL WILD AND SCENIC RIVERS

Local governments are required to amend acknowledged comprehensive plans and land use regulations to address any federal Wild and Scenic River (WSR) and associated corridor established by the federal government that is not addressed by the acknowledged plan. While WSRs are required to be designated as significant Goal 5 resources, they are not subject to the full Goal 5 inventory process, economic-social-environmental-energy consequences analysis (ESEE), or development of implementing ordinances.

There currently are no designated or pending WSRs within Clatsop County.

OREGON RECREATION TRAILS

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Pursuant to OAR 660-023-0150, “recreation trail” means an Oregon Recreation Trail designated by rule adopted by the Oregon Parks and Recreation Commission (OPRC). Recreation trails are designated by OPRC in cooperation with local governments and private land owners. Local governments are not required to inventory recreation trails under OAR 660-023-0030. Instead, local governments are required to designate all recreation trails designated by OPRC as significant Goal 5 resources. As each jurisdiction’s comprehensive plan is updated, the local government must amend its plan to recognize any recreation trails designated by OPRC subsequent to acknowledgment or a previous periodic review.

Designated trails in Clatsop County include the Saddle Mountain Trail and the Oregon Coast Trail. These trails have been added to the inventory list as required by OAR 660-023-0150.

NATURAL AREAS

The Oregon Natural Areas Program was established by the 1979 Legislature in the Natural Heritage Act (ORS 273.561-.591 [SB 448]), to help protect natural areas in Oregon. The law was based on a tradition of natural area inventory and conservation. Updated, expanded and revised numerous times, more recent review of the now “Oregon Natural Heritage Act and Natural Heritage Program” affirmed that natural areas continue to provide important places for public education and baseline research and that it remains important for Oregon to maintain a natural areas program.

For Goal 5 purposes, “natural areas” are those sites that are listed in the Oregon State Register of Natural Heritage Resources. At the time of adoption of Goal 5 in 1979/1980, several Clatsop County sites were to be added to the Oregon Islands Wilderness. The new sites are mentioned, but not shown as listed in the goal. Also, other sites may have been included in the interim. The comprehensive plan update will verify that all the sites in the federal listing are included in the County’s Goal 5 list of resources. Sites currently listed in the Oregon State Register of Natural Heritage Resources include:

- Blind Slough Swamp Preserve
- Knappa Slough Island
- Saddle Mountain
- Humbug Mountain

The above sites have been added to the inventory table as required by OAR 660-023-0160.

It should be noted that the current comprehensive plan includes a listed of locally identified natural areas that are included in the inventory. Those sites have been relabeled “Natural Areas – Locally Identified” to distinguish them from the OAR-required inventory.

WILDERNESS AREAS

Per OAR 660-023-0170, wilderness areas are designated by the federal government, under the National Wilderness Preservation System, signed into law by President Lyndon Johnson in 1964. Oregon was among the first states to gain wilderness area under the act.

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In Clatsop County, one Wilderness Area is designated: The Oregon Islands Wilderness, managed by the US Fish and Wildlife Service, which runs the length of the Oregon Coast. In Clatsop County, this includes:

- Tillamook Head Rocks
- Bird Rocks
- Sea Lion Rocks
- Haystack Rock
- and Castle Rock

Local governments are not required to inventory wilderness areas, but they are required to list all federally designated wilderness areas as significant Goal 5 resources.

MINERAL AND AGGREGATE RESOURCES

Clatsop County is home to significant natural resources. While natural resources are most often associated with the county's forests, the Pacific Ocean, and the Columbia River, as well as all the streams, wetlands and wildlife habitat, Clatsop County currently is home to 13 active mines and quarries that also are Goal 5 resources. This is in addition to five active county rock pits, but does not include an unknown number of rock pits on forest lands used for roads covered by the Forest Practices Act. These quarries and mines produce aggregate, crushed rock, basalt and sand, materials that are used extensively in road building, road maintenance, and other construction activities.

Four state agencies regulate the development and operation of aggregate mining and processing projects in Oregon. The role that each play depends on the scale, design, and associated impacts.

The primary agencies and their specialty areas are:

- **Oregon Department of Environmental Quality** – air quality, stormwater runoff, and wastewater. (DEQ noise standards apply. However, if no DEQ permit is required, the local government addresses noise violations.)
- **Oregon Department of Geology and Mineral Industries** – site reclamation and mine safety standards.
- **Oregon Department of State Lands** – earth removal and fill permits for activities conducted in wetlands, waterways, and other state lands.
- **Oregon Water Resources Department** – water rights for consumptive use of water for processing.

Per OAR 660-023-0180(2), local governments are not required to amended acknowledged inventories or plans except in response to an application to amend the plan or during periodic review. Because the County is no longer subject to mandatory periodic review, and because no applications have been submitted or are currently under review to amend the acknowledged

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plan, the County is not required to amend its acknowledged inventories as part of this process. The inventoried Goal 5 mineral and aggregate resources include:

- Clatsop County – Clifton
- Clatsop County – Big Creek
- Howard Johnson – US 101
- Bayview Transit Mix – US 101
- George Ordway
- Teevin Bros. Logging
- Daren Berg, Humbug Rock
- M. Nygaard Logging
- A. Riekkola
- Tagg
- Horecny

ENERGY SOURCES

OAR 660-023-0190 defines an “energy source” as including naturally occurring locations, accumulations, or deposits of one or more of the following resources used for the generation of energy:

- Natural gas
- Surface water (i.e., dam sites)
- Geothermal
- Solar
- Wind

Energy sources applied for or approved through the Oregon Energy Facility Siting Council (EFSC) or the Federal Energy Regulatory Commission (FERC) shall also be deemed significant energy sources for purposes of Goal 5. Per information on the Oregon Department of Energy website, there are no EFSC or FERC facilities within Clatsop County at this time.

Additional discussion of energy sources may be found in Goal 13.

CULTURAL AREAS

The State Historic Preservation Office (SHPO) houses a statewide GIS database of more than 30,000 known archaeological sites in Oregon. According to SHPO, 90 of these known archaeological sites are located within Clatsop County. In order to discourage looting or vandalism, the locations of these sites are not published.

Per Oregon Revised Statute (ORS 390.235 and 358.905-961), an Oregon Archaeological Permit is needed to excavate or collect from an archaeological site on non-federal public or private lands. A permit is also needed to probe for an archaeological site on non-federal public lands. A permit is not required for pedestrian survey if no materials will be collected. Sections 6.700-6.7030, LAWDUC, include language related to the protection of archaeological areas. Standard

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conditions of development permit approval require property owners to notify SHPO if cairns, graves or other significant archaeological resources are uncovered.

HISTORIC RESOURCES

While historic resources, which are often closely related to cultural areas, are not a required inventory under Goal 5, Clatsop County choose to conduct an inventory when the comprehensive plan was originally adopted. Clatsop County has a long and diverse history and the current inventory includes the following sites:

- Fort Clatsop National Monument
- Cannon at Cannon Beach
- Tillamook Rock Lighthouse
- Ecola State Park
- Lindgren House
- R. W. Morrison Houses (aka Tagg Place)
- Clatsop Plains Memorial Church
- Clatsop Plains Cemetery
- The Mill Site of the Falls Pulp Company
- The Shepherd and Morse Sawmill Site
- Westport Log Tunnel

In 2017, the Goal 5 rule for historic resources, OAR 660-023-0200, was amended. It now requires that new sites added to the National Register of Historic Places be automatically recognized as locally-significant sites. Baseline protections in the Goal 5 rule are automatically applied. Any additional protections proposed by a local jurisdiction would require approval through a public hearing process. Table 6 in Goal 5 lists sites in unincorporated Clatsop County that have been listed on the National Register of Historic Places.

This inventory was previously named “Historic Areas, Sites, Structures and Objects.” The title has been changed for consistency with nomenclature used in Statewide Planning Goal 5. No changes are proposed to the inventory.

OPEN SPACES

Per OAR 660-023-0220, “open space” includes parks, forests, wildlife preserves, nature reservations or sanctuaries, and public or private golf courses. Local governments are encouraged, but not required to identify open space resources in acknowledged comprehensive plans. If local governments decide to establish or amend open space inventories, the Goal 5 inventory process outlined in OAR 660-023-0030 through 660-023-0050 applies. Local governments may also adopt a list of significant open space resource sites as part of an open space acquisition program. Such sites do not require the full Goal 5 inventory process unless land use regulations are adopted to protect sites prior to acquisition.

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Open space is inclusive of land used for agriculture or forest uses and any land area that would, if preserved and continued in its present use:

- a) Conserve and enhance natural or scenic resources;
- b) Protect air or streams or water supply;
- c) Promote conservation of soils, wetlands, beaches or tidal marshes;
- d) Conserve landscaped areas such as public or private golf courses, that reduce air pollution and enhance the value of abutting or neighboring property;
- e) Enhance the value to the public or abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space;
- f) Promote orderly urban development.

The following three categories of open space resources have been identified within Clatsop County, along with potentially-conflicting uses and methods for protection from conflicting uses:

- **General Open Space** (farm and forest land, estuarine areas, the Pacific Ocean and beaches):
 - Conflicting uses: intensive rural residential, commercial, and industrial development; filling and draining estuarine areas.
 - Protections: Farm and forest zones with large minimum lot sizes and limited land uses; locational criteria for residential, commercial and industrial uses; natural and conservation zoning for estuarine areas; the ocean and beaches are regulated by the State of Oregon.
- **Site-Specific Resources** (parks, wildlife refuges, natural areas, specific scenic sites, and fresh water wetlands)
 - Conflicting uses and protections: The Open Space element refers to other elements of Goal 5 and Goal 8 which specifically address these resources.
- **Open Spaces Provided in Conjunction with a Specific Development**
 - Conflicting uses: development, generally.
 - Protections: policies that encourage cluster development and the retention of open space in residential developments; subdivisions in the Clatsop Plains sub-area are required to have clustered lots in order to maintain open space values.

No changes are proposed to this inventory.

SCENIC VIEWS AND SITES

Pursuant to OAR 660-023-0230, “scenic views and sites” are lands that are valued for their aesthetic appearance. Local governments are not required to amend acknowledged comprehensive plans in order to identify scenic views and sites. If local governments decide to provide or amend inventories of scenic resources, the requirements of OAR 660-023-0030 through 660-023-0050 apply (Goal 5 inventory process; ESEE analysis; development of implementing ordinances to protect the identified resource).

The Clatsop Comprehensive Plan currently includes an inventory of 12 scenic views and sites:

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1. Box Canyon
2. Knappa Gorge at Big Creek
3. Gnat Creek Falls
4. Plympton Creek Falls
5. Fall Creek Falls
6. Youngs River Falls
7. Nehalem River from Cronin to Gorge Creek
8. Lewis and Clark Road above Thompson Falls
9. U.S. Highway 101 Scenic Corridor, Cannon Beach Junction to Silver Point
10. Westport - Scenic Conservancy, Highway Corridor
11. Highway 53 Scenic Conservancy, Highway Corridor
12. North Fork Nehalem River - Scenic Conservancy, River Corridor

This section was previously entitled “Outstanding Scenic Views and Sites.” The title has been changed to be consistent with nomenclature used in OAR. No changes are proposed to the inventory.

RECOMMENDED ACTION:

The Planning Commission has several possible actions that it could take on this proposed ordinance:

- Recommend the Board approve the amendments as submitted
- Recommend the Board approve the amendments with further revisions
- Recommend the Board deny the amendments
- Continue the item to a date certain for further discussion and review
- Table the item indefinitely

Suggested Motion:

“I recommend the Board of Commissioners approve Ordinance 24-02 as presented.”

**BEFORE THE BOARD OF COMMISSIONERS
FOR THE COUNTY OF CLATSOP**

In the Matter of:

An Ordinance adopting Amendments to Clatsop County Comprehensive Plan Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces.

ORDINANCE NO. 24-02

Doc # _____

Recording Date: _____

RECITALS

WHEREAS, the Oregon State Legislature approved Senate Bill 100 on May 29, 1973, creating the Land Conservation and Development Commission and establishing the foundation for the statewide land planning system; and

WHEREAS, the Board of Clatsop County Commissioners approved Resolution and Order 74-11-4 adopting *A Plan for Land and Water Use Clatsop County, Oregon Phase I*; and

WHEREAS, the Board of Clatsop County Commissioners approved Ordinance 80-13 on September 30, 1980, amending Resolution and Order 74-11-4 by adopting new background reports and countywide elements into the Comprehensive Plan; and

WHEREAS, the Board of Clatsop County Commissioners adopted amendments to Goals 1-4, 6-14 and 19 on June 28, 2023; and

WHEREAS, the Board of Clatsop County Commissioners recognizes that the Clatsop County Comprehensive Plan and supporting community plans continue to need periodic revision and amendment; and

WHEREAS, the Board of Commissioners finds that updated Clatsop County Comprehensive Plan Goal 5 complies with the respective Statewide Planning Goals; and

WHEREAS, the Board of Commissioners further determines that the adoption procedure for this Ordinance amending the Comprehensive Plan complies with Statewide Planning Goal 1 – Citizen Involvement; and

WHEREAS, the Clatsop County Planning Commission held a public hearing on these amendments on December 12, 2023; and

WHEREAS, the Board of Commissioners has received and considered the Planning Commission’s recommendations on these proposed amendments

THE BOARD OF COMMISSIONERS OF CLATSOP COUNTY ORDAINS AS FOLLOWS:

Ordinance 24-02

1st Public Hearing: January 10, 2024

2nd Public Hearing: January 24, 2024

Agenda Item # 2.

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SECTION 1. ADOPTION

The Board of County Commissioners hereby adopts Comprehensive Plan Goal 5 as shown in Exhibit 1, and adopts the Goal 5 Background Report, as shown in Exhibit 2, attached hereto and incorporated herein by this reference, and adopts all other listed supporting documents by reference.

SECTION 2. SEPARABILITY

The provisions of this ordinance are severable. If any portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. CONFORMANCE OF STATE LAW

This Ordinance shall not substitute for nor eliminate the necessity for conformity with any and all laws or rules of the state of Oregon, or its agencies, or any ordinance, rule, or regulation of Clatsop County.

SECTION 4. INCONSISTENT PROVISIONS

This Ordinance shall supersede, control and repeal any inconsistent provision of any County Ordinance as amended or any other regulations made by Clatsop County.

SECTION 5. APPLICABILITY

This Ordinance shall apply within the unincorporated areas of Clatsop County but shall not apply within the boundaries of any incorporated City.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect on the 30th day following adoption by the Board of Commissioners as provided in Chapter III, Section 8(B) of the Home Rule Chapter for the Government of Clatsop County.

Approved this ____ day of _____, 2024

THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

By _____
Chair

Date _____

By _____

Theresa Dursse, Recording Secretary

First Reading: January 10, 2024

Second Reading: January 24, 2024

Effective Date: February 23, 2024

Ordinance 24-02

1st Public Hearing: January 10, 2024

2nd Public Hearing: January 24, 2024

Agenda Item # 2.

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EXHIBIT 1

Ordinance 24-02

1st Public Hearing: January 10, 2024

Agenda Item # 2. ng: January 24, 2024

GOAL 5



NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES

STATEWIDE PLANNING GOAL 5:

To protect natural resources and conserve scenic and historic areas and open spaces.

CLATSOP COUNTY GOAL 5:

To protect natural resources and conserve scenic and historic areas and open spaces.

OVERVIEW

Goal 5 is an extremely broad and complex goal. LCDC implements the goal primarily through OAR Chapter 660, division 23. Almost all of the 15 resources addressed by Statewide Planning Goal 5 can be found within the county's borders. The Goal requires local governments to inventory many of the resources, and encourages the inventory of others.

Required Inventories

- Riparian Corridors
- Wetlands
- Wildlife Habitat
- Groundwater Resources
- Oregon Scenic Waterways
- Federal Wild and Scenic Rivers
- Oregon Recreation Trails
- Natural Areas
- Wilderness Areas
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Recommended Inventories

- Historic Resources
- Open Space
- Scenic Views and Sites

Goal 5 relies on inventories that have been conducted by state or federal entities or, for some resource categories, requires local inventories be developed. Inventoried resources are assessed to identify those that are high value or "significant". Inventories and assessments are the basis for developing a local program to protect significant resource sites and plan for development and conflicting uses.

Protection of these diverse resources requires a variety of approaches. The role of land use planning in this protection

CLATSOP COUNTY COMPREHENSIVE PLAN

involves a threefold approach:

- Collecting and maintaining data and other inventories of assets;
- Coordinating with local, regional, state and federal programs; and
- Administering local and state regulations that protect the sustainability and quality of the resources.

The following Goal 5 significant resource sites have been identified and are listed in the Clatsop County Comprehensive Plan:

DRAFT

TABLE 1: CLATSOP COUNTY GOAL 5 RESOURCE INVENTORY

Riparian Corridors

No Riparian Corridors are included in the current Goal 5 inventory. The County’s Shoreland Overlay (Goals 16 and 17) includes a 50’ buffer for specified estuarine resources and coastal shorelands. Section 6.5000, LAWDUC, includes standards for the protection of riparian vegetation.

Wetlands

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Notes</u>
Site 1 (CP 9)	Along the Skipanon River, south of Warrenton and SE of Hwy 101	Clatsop Plains	Size: 98 acres
Site 2 (CP 13)	Taylor Lake, north of Cullaby Lake	Clatsop Plains	Size: 17 acres
Site 3 (CP 14)	Cullaby Lake	Clatsop Plains	Size: 280 acres
Site 4 (CP 15)	Between Cullaby Lake and Hwy 101	Clatsop Plains	Size: 230 acres
Site 5 (CP 16)	East of Hwy 101 from the south end of Dellmoor Loop Rd south to Palmberg Gravel Works	Clatsop Plains	Size: 380 acres
Site 6 (CP 18)	Two small lakes and adjacent wetlands on Cullaby Creek, 4000 ft south of Cullaby Lake	Clatsop Plains	Size: 160 acres
Site 7 (CP 19)	North of the road to the Crown site, up to the Palmberg Gravel Co. east of Hwy 101 and Seaside airport	Clatsop Plains	Size: 130 acres
Site 8	Southeast of Seaside; south of the Millponds, east of Hwy 101	Clatsop Plains	Size: 132 acres
Site 9 (EC 35)	Driscoll Slough marshes, between Wauna Mill and Westport	Northeast	Size: 360 acres

Fish and Wildlife Habitat

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Notes</u>
Major Big Game Range	"That portion of the county which supports the majority of big game. In general, these lands are sparsely developed forest lands."	Multiple	
Peripheral Big Game Range	"Foothill areas of the county, generally located between commercial forest lands and productive agricultural lands."	Multiple	
Excluded Big Game Range	"Developed areas that are only occasionally used by big game."	Multiple	
Upland Game Birds (grouse, mountain quail, band-tailed pigeons)	Generally corresponds with Major & Peripheral Big Game Range and includes riparian areas and mineral springs and other watering areas. See also: Sensitive Bird Habitat Overlay District (SBHO)	Multiple	
Waterfowl	Estuarine and coastal shoreland areas; water areas; riparian areas	Multiple	
Furbearers and Hunted Non-game Wildlife (aquatic species - beaver, muskrat, mink; terrestrial species - skunk, bobcat, coyote)	Aquatic furbearers: estuarine and coastal shoreland habitat; riparian areas; Terrestrial	Multiple	

<p>Non-game Wildlife (eagles, hawks, osprey, herons) Snowy Plover</p>	<p>furbearers: areas considered Major and Peripheral Big Game Range. Refer to SBHO and map on page 92 Sparsely vegetated, active dune areas just inland from the high tide line; beach from Necanicum River north to Columbia River. See also: SBHO</p>	<p>Multiple Clatsop Plains</p>
<p>Fish Habitat</p>	<p>All rivers and streams with a perennial flow; non-coastal shoreland lakes (including Big Creek Pond, Fishhawk Lake, Lost Lake, Lost Lake (yes there are two), Spruce Run Lake, Riverside Lake, Quartz Lake, Soapstone Lake, Carnahan Lake, and Cullaby Lake); riparian areas along rivers, streams, and lakes.</p>	<p>Multiple</p>
<p>Groundwater Resources</p>		
<p><u>Resource Description</u> Clatsop Plains Area * See also: Goal 6 - Air, Water, and Land Resources Quality</p>	<p><u>Location</u></p>	<p><u>Planning Area</u> Clatsop Plains</p>
<p>Oregon Scenic Waterways</p>		
<p><u>Resource Description</u> Nehalem River</p>	<p><u>Location</u> ~4.38 miles, between Henry Rierson Spruce Run Park and the Clatsop/ Tillamook County line</p>	<p><u>Planning Area</u> Elsie-Jewell</p> <p><u>Notes</u> This terminology replaces “Wild and Scenic Waterways”</p>
<p>Federal Wild and Scenic Rivers</p>		
<p>No Federal Wild and Scenic Rivers are located in Clatsop County</p>		
<p>Oregon Recreation Trails</p>		
<p><u>Resource Description</u> Saddle Mountain Trail Oregon Coast Trail</p>	<p><u>Location</u> North of Highway 26, west of Highway 202 Fort Stevens State Park to Clatsop/ Tillamook County line</p>	<p><u>Planning Area</u> Elsie-Jewell Clatsop Plains Seaside Rural Southwest Coastal</p>
<p>Also refer to Goal 8 Recreational Lands</p>		
<p>Natural Areas (Oregon State Register of Natural Heritage Resources)</p>		
<p><u>Resource Description (Per OAR 660-023-0160, sites listed in the Oregon State Register of Natural Heritage Resources are required to be included in local inventories)</u></p>		
<p>Blind Slough Swamp Preserve</p>	<p>North of Highway 30</p>	<p>Northeast</p>
<p>Knappa Slough Island</p>	<p>North of Highway 30</p>	<p>Northeast</p>
<p>Saddle Mountain</p>	<p>North of Highway 26, west of Highway 202</p>	<p>Elsie-Jewell</p>
<p>Natural Areas (Locally-Identified Ecologically- and Scientifically-Significant Natural Areas)</p>		
<p><u>Resource Description</u> Bradwood Cliffs Walker Creek Old Growth Forest</p>	<p><u>Location</u> T 8N, R 6W, Sections 9 and 16 T 6N, R 6W, Sections 7 and 18</p>	<p><u>Planning Area</u> Northeast Elsie-Jewell</p> <p><u>Notes</u> - -</p>

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Elsie County Park (aka Nehalem Park or Red Bluff Park)	T 5N, R 7W, Section 32	Elsie-Jewell	-
David Douglas County Park	T 5N, R 8W, Section 21	Elsie-Jewell	-
Onion Peak	T 4N, R 10W, Section 22-23	Seaside Rural	-
Sugarloaf Mountain	T 4N, R 10W, Section 1	Seaside Rural	-
Klootchey Creek Park	T 5N, R 10W, Section 14	Seaside Rural	-
Saddle Mountain State Park	T 6N, R 8W, Sections 28, 29, 32, 33, 24	Seaside Rural	-
Bradley State Park	T 8N, R 6W, Section 16	Northeast	-
Oswald West State Park	T4N, R 10W, Section 30-31	SW Coastal	-

Wilderness Areas

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Notes</u>
Oregon Islands Wilderness	Tillamook Head Rocks; Bird Rocks; Sea Lion Rocks; Haystack Rock; Castle Rock; Jockey Cap; Tim Rock; Gull Rock; Unnamed Rocks located in Section 12, Township 5W, Range 10W	Seaside Rural Southwest Coastal	

Mineral and Aggregate Resources

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Notes</u>
Clatsop County - Clifton	T 8N, R 6W, Section 17	Northeast	Rock
Clatsop County - Big Creek	T 8N, R 7W, Section 29	Northeast	Gravel
Howard Johnson - US 101	T 5N, R 10W, Section 4	Clatsop Plains	Rock
Bayview Transit Mix - US 101	T 5N, R 10W, Section 4	Clatsop Plains	Basalt
George Ordway	T 5N, R 10W, Section 14	Seaside Rural	Basalt
Teevin Bros. Logging	T 8N, R 6W, Section 27	Northeast	Rock
Daren Berg, Humbug Rock	T 5N, R 8W, Section 18	Elsie-Jewell	Rock
M. Nygaard Logging	T 7N, R 9W, Section 31	Lewis & Clark, Olney- Wallooskee	Rock
A. Riekkola	T 7N, R 8W, Section 18	Lewis & Clark, Olney- Wallooskee	Basalt
Tagg	T 7N, R 10W, Section 3	Clatsop Plains	Sand
Horecny	T 5N, R 9W, Section 23	Seaside Rural	Rock

Various "Other Sites" are also listed, but are not protected from conflicting uses under Goal 5. Multiple

Energy Sources

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Notes</u>
Defined by OAR 660-023-0190 as naturally-occurring locations, accumulations, or deposits of natural gas, surface water (dam sites), geothermal, solar and wind. No energy sources have been identified or inventoried in Clatsop County. Energy sources applied for or approved through the Oregon Energy Facility Siting Council (EFSC) or the Federal Energy Regulatory Commission (FERC). There are no EFSC or FERC facilities within Clatsop County. Also refer to Goal 13 Energy Conservation			

Cultural Areas

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Notes</u>
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Various archeological sites

An inventory of 90 known archeological sites is maintained in confidential status at the State Historic Preservation Office. Because of the limited number of archeological surveys undertaken, there are undoubtedly other undiscovered archeological sites in Clatsop County.

Multiple

Historic Resources

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Notes</u>
Fort Clatsop National Monument	T 7N, R 10W, Section 35	Lewis & Clark, Olney-Wallooskee	-
Cannon at Cannon Beach	East side of Hwy 101 between Cannon Beach and Arch Cape	SW Coastal	-
Tillamook Rock Lighthouse	T 5N, R 11W, Section 1	Seaside Rural	-
Ecola State Park	T 5N, R 10W, Sections 6, 7, 18 T 5N, R 11W, Sections 1, 12 T 6N, R 10W, Sections 29, 30, 31, 32	Seaside Rural, Clatsop Plains	-
Lindgren House	T 7N, R 10W, Section 22	Clatsop Plains	-
R.W. Morrison House (aka Tagg Place)	T 7N, R 10W, Section 4	Clatsop Plains	-
Clatsop Plains Memorial Church	T 7N, R 10W, Section 4	Clatsop Plains	-
Clatsop Plains Cemetery	T 7N, R 10W, Section 4	Clatsop Plains	-
The Mill Site of the Falls Pulp Company	T 7N, R 10W, Section 27	Lewis & Clark, Olney-Wallooskee	-
The Shepherd and Morse Sawmill Site	T 8N, R 6W, Section 36	Northeast	-
Westport Log Tunnel	T 8N, R 6W, Section 36	Northeast	-

Open Spaces

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Notes</u>
General Open Space	Forest lands, agricultural lands, estuarine areas, Pacific Ocean and adjacent beaches.	All	Forest and agricultural land comprise 80% of the County's land area.
Parks, wildlife refuges, natural areas, specific scenic sites, and fresh water wetlands	Countywide	All	These categories are addressed in the corresponding section(s) of Goal 5 and Goal 8.
Areas provided in conjunction with a specific development, usually residential.	Countywide	All	Subdivisions in the Clatsop Plains area are required to have clustered lots in order to maintain open space values.

Scenic Views and Sites

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Notes</u>
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Box Canyon	T 6N, R 10W, Section 13 and T 6N, R 9W, Sections 18-19	Lewis & Clark, Olney- Wallooskee and Seaside Rural	-
Knappa Gorge at Big Creek	T 8N, R 7W, Sections 28, 29, 32, 33	Northeast	-
Gnat Creek Falls	T 7N, R 6W, Section 6	Northeast	-
Plympton Creek Falls	T 7N, R 6W, Sections 2 and 11	Northeast	-
Fall Creek Falls	T 4N, R 8W, Section 20	Seaside Rural	-
Youngs River Falls	T 7N, R 8W, Section 27	Lewis & Clark, Olney- Wallooskee	-
Nehalem River from Cronin to Gorge Creek	T 4N, R 8W	Elsie-Jewell	-
Lewis and Clark Rd above Thompson Falls	T 6N, R 10W, Section 14	Clatsop Plains	-
U.S. Hwy 101 Scenic Corridor	Cannon Beach Junction to Silver Point	Seaside Rural, SW Coastal	-
Westport - Scenic Conservancy, Hwy Corridor	T 8N, R 6W, Sections 35, 36	Northeast	-
Hwy 53 - Scenic Conservancy, Hwy Corridor	T4N, R 9W, Sections 20, 27	Seaside Rural	-
North Fork Nehalem River - Scenic Conservancy, River Corridor	T 4N, R 9W, Section 25 and T 4N, R 8W, Sections 19, 20	Seaside Rural	-

Watersheds			
Resource Description - Major Waterway(s)	Location	Planning Area	Notes
Plympton Creek / West Creek	-	Northeast	Size: 8,900 acres
Hunt Creek	-	Northeast	Size: 5,100 acres
Blind Slough / Grizzly Slough	-	Northeast	Size: 24,700 acres
Big Creek / Little Creek / Fertile Valley Creek	-	Northeast	Size: 29,000 acres
Mary's Creek / Bear Creek / Ferris Creek	-	Northeast	Size: 14,500 acres
John Day River	-	Northeast	Size: 4,400 acres
Youngs River / Klaskanine River / Walluski River	-	Lewis & Clark, Olney-Wallooskee	Size: 80,300 acres
Lewis & Clark River	-	Lewis & Clark, Olney-Wallooskee	Size: 42,800 acres
Neawanna Creek / Thompson Creek	-	Clatsop Plains, Seaside Rural	Size: 4,700 acres
Canyon Creek	-	Seaside Rural	Size: 2,100 acres
Necanicum River	-	Seaside Rural	Size: 30,300 acres
Nehalem River	-	Elsie-Jewell	Size: 213,200 acres
Elk Creek	-	Seaside Rural	Size: 15,200 acres
Arch Cape Creek / Asbury Creek / Shark Creek / Fall Creek / Red Rock Creek	-	SW Coastal, Seaside Rural	Size: 7,100 acres
Clatsop Plains (Skipanon River and Neacoxie Creek)	-	Clatsop Plains	Not listed

* See also: Goal 6 - Air, Water, and Land Resources Quality

OBJECTIVES AND POLICIES

CLIMATE CHANGE

OBJECTIVE 1: Clatsop County shall work to protect watersheds, surface waters, aquifers and drinking water supplies from the impacts of climate change.

- Policy A:** The County should promote water conservation and reduced use to avoid unnecessary waste and consumption.
- Policy B:** The County should encourage the use of natural processes and functions to mitigate projected changes in climate.
- Policy C:** The County should review the need for increased riparian protection on public lands.
- Policy D:** Clatsop County should encourage state agencies and property owners to develop a framework to protect cold water streams that will serve as thermal refugia.
- Policy E:** The County may develop incentives for projects that voluntarily increase riparian and floodplain connectivity.
- Policy F:** The County will include the future planning concerns of the infrastructure districts, including water, sanitary sewer, and fire districts, in looking at future development. Such review will include the number of homes supplied.

RIPARIAN CORRIDORS

OBJECTIVE 1: The County will preserve riparian areas to provide for productive ecological function.

- Policy A:** The County may explore creating comprehensive and continuous riparian area protections across all land uses.
- Policy B:** The County may restore riparian buffers, structure and function on County-owned lands.
- Policy C:** The County may continue to work with the Columbia River Estuary Study Taskforce (CREST) to identify significant riparian areas within Clatsop County.
- Policy D:** At such time as the County chooses to conduct a riparian corridor inventory, the County shall use the Goal 5 Administrative Rule to conduct an ESEE analysis to determine which riparian corridors should be included in the County's Goal 5 resource inventory.
- Policy E:** At such time as the County chooses to conduct a riparian corridor inventory, the County shall work with property owners, community members, elected and appointed officials to determine the level of regulation necessary to protect any riparian corridors identified as a Goal 5 resource.
- Policy F:** The County shall encourage the protection of riparian corridors, recognizing that

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they support fish and wildlife habitat and the health of the communities.

Policy G: The county may adopt a hybrid approach for riparian corridors.

Policy H: Grading, excavation or filling in the riparian zone of rivers, streams and creeks shall continue to be reviewed by Clatsop County, the Oregon Department of State Lands, and/or the US Army Corps of Engineers, as applicable. Filling, grading, and excavation of lands is prohibited within the shoreland overlay.

WETLANDS

OBJECTIVE 1: The County will protect significant freshwater wetlands as identified in the Statewide Wetland Inventory.

Policy A: The County will protect identified significant freshwater wetlands, for which no conflicting uses have been identified, from incompatible uses.

Policy B: The following requirements shall apply to Wetland Site 7 (which also contains white-tail deer habitat).

1. All industrial development shall be located north of the railroad right-of-way. The area between the railroad right-of-way and U.S. Highway 30 shall be designated for protection of its wetland characteristics.
2. Development of land adjacent to Driscoll Slough shall minimize the alteration of riparian vegetation, degradation of water quality and stream sedimentation.
3. Piling is preferred to filling for any access corridor across Driscoll Slough.
4. Industrial development on the eastern portion of the site shall be designed to minimize or avoid the removal of riparian vegetation along Westport Slough. Riparian vegetation removal shall be permitted where direct access to the water is required.
5. Filling of the site shall not be permitted until a specific development proposal has been reviewed and approved by the County.

Policy C: The County should encourage protection and restoration of wetlands and floodplains to improve watershed functions and soil water retention.

Policy D: The Board of Commissioners may review the work of the ad hoc wetlands advisory committee and establish buffer areas around ecologically significant areas as recommended by that committee.

Policy E: The County should identify newly emergent wetlands and utilize the Goal 5 Administrative Rule and ESEE process to determine which sites should be included in its wetlands resource inventory or used for potential wetland mitigation.

Policy F: The County may continue to work with the Columbia River Estuary Study Taskforce (CREST) to identify significant wetlands within Clatsop County.

Policy G: If significant wetlands are identified and added to the County's Goal 5 inventory, the County shall work with property owners and elected and appointed official to determine the necessary level of protection required.

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- Policy H:** The County may work with CREST to develop educational materials to inform property owners about the importance of wetlands and to encourage maintenance and preservation of wetlands wherever possible.
- Policy I:** Clatsop County may work with realtors to advise sellers and buyers of the possibility of wetlands when properties are transferred.
- Policy J:** The County may digitize wetland delineations approved by the Oregon Department of State Land in order to reflect ground-truthed conditions on WebMaps.
- Policy K:** The County may work with DSL to refine procedures and policies to facilitate development on properties in Clatsop County that contain potential wetlands.
- Policy L:** The County should develop a process to allow zoning boundaries to be relocated based on ground-truthed evidence, such as DSL-approved wetland delineations.
- Policy M:** The County should finalize the CREST Wetlands Report (2021), submit the report to the Department of State Lands for review and approval and adopt the final DSL-approved-report. The report may be used as a basis for a workplan to pursue the identification of significant wetlands and adoption of appropriate local protection. The County shall explore adopting the Arch Cape Cove Beach Local Wetland Inventory and going through the appropriate Goal 5 process (ESEE or safe harbor).
- Policy N:** The County may develop a transfer of development rights (TDR) program to encourage further protection wetlands and other sensitive natural areas.
- Policy O:** The County may develop incentive programs to encourage the voluntary preservation of wetlands.

WILDLIFE HABITAT

GOAL 1: Clatsop County recognizes the importance of riparian vegetation in protecting fish and wildlife habitat resources. Vegetated riparian areas are vital to water quality function including the following:

1. Providing shade to maintain or reduce stream temperatures to meet state water quality standards
2. Supporting wildlife in the stream corridors
3. Minimizing erosion and nutrient loading into water
4. Maintaining natural hydrology
5. Stabilizing slopes to prevent landslides that contribute to sedimentation of water.

Clatsop County strongly encourages the protection of riparian vegetation to the greatest extent feasible from the impacts of development consistent with the best available ecological science.

- Policy A:** To ensure that future development does not unduly conflict with Major Big Game Range, the County shall:
1. require that review uses and conditional uses in the F-80 and AF zones be

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- allowed only if they are found to be consistent with the maintenance of big game range;
2. require that review uses and conditional uses in the F-80 and AF zones be subject to clustering and siting criteria;
 3. submit proposed review use and conditional use applications to the Oregon Department of Fish and Wildlife for their comments on consistency with Major Big Game habitat and recommendations on appropriate siting criteria to minimize any conflicts; and
 4. submit all proposed comprehensive plan and zone changes of land zoned F-80, and AF to a more intensive use zone to the Oregon Department of Fish and Wildlife for a determination of possible conflicts with big game habitat requirements. If the Department identifies conflicts, the County will consider recommendations for resolving these conflicts.
 5. Residential development in areas of big game habitat shall be of a low density so that potential conflicts (i.e. damage to gardens, yards, etc.) can be minimized.

- Policy B:** To ensure that future development does not unduly conflict with Peripheral Big Game Range, the County shall:
1. require that review use and conditional uses in the F-80 and AF zones be allowed only if they are found to be consistent with the maintenance of big game range;
 2. require that review of conditional uses in the F-80 and AF zones be subject to clustering and siting criteria;
 3. submit proposed review use and conditional use applications to the Oregon Department of Fish and Wildlife for their comments on consistency with Peripheral Big Game Range and recommendations on appropriate siting criteria to minimize any conflict; and
 4. submit all proposed comprehensive plan and zone changes of land zoned F-80 and AF to the Oregon department of Fish and Wildlife for a determination of possible conflicts with big game habitat requirements. If the Department identifies conflicts, the County will consider recommendations for resolving these conflicts.
 5. Residential development in areas of big game habitat shall be of a low density so that potential conflicts (i.e. damage to gardens, yards, etc.) can be minimized.

- Policy C:** The County shall rely on strict enforcement of support and promote enforcement of current riparian vegetation and stream protection standards in the Oregon Forest Practices Act to protect riparian vegetation along Type F streams and lakes, and Type N streams affecting Type F streams. The county may seek changes to the Forest Practices Act when necessary to better protect riparian vegetation and water quality, from potential adverse effects of forest practices.

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- Policy D:** Existing riparian vegetation along streams and lakes not subject to the Forest Practices Act should be maintained to the greatest extent feasible to provide fisheries and wildlife habitat, minimize erosion and scouring, retard water velocities and suppress water temperatures. To protect riparian vegetation along streams and lakes not covered by the Forest Practices Act, the County may implement buffers as required by OAR 629-635-0310, and shall require a minimum setback for non-water dependent uses of 35 feet or as determined by best available ecological practices. The County should amend buffer requirements as the best available science is updated or when Forest Practices Act-required buffers are amended.
- Policy E:** The County shall rely on the State Department of Water Resources to ensure that minimum stream flow standards required for the maintenance of fish habitat are developed and implemented.
- Policy F:** The County shall rely on the Division of State Lands' permit process, under the Fill and Removal Law, to ensure that proposed stream alterations such as bridges, channelization, or filling do not adversely affect the stream's integrity or its value as fish and wildlife habitat.
- Policy G:** The County shall submit all proposals with a potential for impact on identified Columbian White-tail deer habitat (e.g. subdivision, dredge material disposal, industrial development, and land clearing of more than 3,000 square feet) to the Oregon Department of Fish and Wildlife and the U.S. Fish & Wildlife for their determination of conflicts. If either agency identifies conflicts and makes recommendations for resolving these conflicts, the County shall implement those recommendations to the maximum extent feasible, consistent with other land use planning requirements. If in the future subpopulation of the Columbia White-tailed deer are located which are not within identified essential habitat, the County will consider recommendations for protection of these areas to the extent feasible consistent with other land use planning requirements including but not limited to the Goal 5 Administrative Rule.
- Policy H:** The County will notify USFW and ODFW when processing applications for development and activities in nesting areas and habitat sites of sensitive, threatened, and endangered species from incompatible uses and activities.
- Policy I:** The County, in coordination with property owners and state agencies, may explore the use of mechanisms to protect large, contiguous areas that currently have high-quality habitats for fish and wildlife.
- Policy J:** The County may explore developing incentives for projects that enhance connectivity between existing high-quality habitats or habitats that could be feasibly enhanced and connected.
- Policy K:** The County should identify areas of county-owned lands that contain connected, less-fragmented habitats suitable for long-term protection.

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- Policy L:** The County may identify areas of county-owned lands that may be small, fragmented, or isolated, but which may still be suitable for long-term habitat preservation.
- Policy M:** The County shall add language to its zoning code that would allow projects for restoration and enhancement of fish and wildlife habitat to be added as permitted and conditional uses in all zones.
- Policy N:** The County should consider requiring cluster developments to provide more open space. The County should encourage ODFW to identify and protect wildlife migration corridors that are usable and provide forage and water.
- Policy O:** Clatsop County should coordinate with local Native American tribes and other signing jurisdictions and agencies to implement the requirements of the Declaration of Cooperation.
- Policy P:** Unnecessary removal of shoreline vegetation shall be prohibited.
- Policy Q:** The County shall maintain important fish and wildlife sites by protecting vegetation along many water bodies through the use of riparian corridors with appropriate setbacks.
- Policy R:** Private and public owners of property on which valuable habitat is located will be encouraged to adequately protect important fish and wildlife sites. The private owners which participate in preserving the natural character of these sites will be assisted in taking advantage of reduced property taxes for protecting such areas.
- Policy S:** New subdivisions in the Clatsop Plains Planning Area in the Rural Lands designation and cluster partitions in any Comprehensive Plan designation shall be required to leave undeveloped 30% common open space, which may benefit fish and wildlife habitat.
- Policy U:** Development within crucial habitat areas shall conform to Oregon Department of Fish and Wildlife (ODFW) regulations.
- Policy V:** Habitat of all species indicated as endangered, threatened or vulnerable shall be preserved as directed by ODFW and USFW.
- Policy W:** New culverts, roads, bridges, etc. that impact rivers and streams shall be designed to minimize removal of shoreline vegetation and shall be installed in a manner that will not impede the flow of water or passage of fish.
- Policy X:** The County shall coordinate with ODFW to evaluate any proposal to change the use or modify lands that are habitat of threatened, endangered or otherwise listed species to determine possible effects on the species. Habitats of all species indicated as endangered, threatened or vulnerable should be preserved. Nesting sites of endangered bird species should be protected and buffered from conflicting uses.
- Policy Y:** Clatsop County will cooperate with governmental agencies to conserve and protect identified fish and wildlife habitat, including notifying appropriate agencies of applications that may affect fish and wildlife habitat and working on land use

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compatibility statements for Department of State Lands and/or US Army Corps of Engineers projects.

- Policy Z:** To conserve and protect fish and wildlife habitat, new developments shall be designed and constructed so as to:
1. Maintain wherever possible a natural, vegetative buffer strip along wetlands and streams;
 2. Minimize the alteration of land and vegetation; and
 3. Preserve open space, including agricultural and forest lands.
 4. The County should revise stream and riparian setback language to align with the Oregon Forest Practice Act (FPA) as defined in OAR 629-635-0310.

FEDERAL WILD AND SCENIC RIVERS

- Policy A:** If any federal Wild and Scenic Rivers are designated within Clatsop County, the designated area(s) shall be added to the Comprehensive Plan Goal 5 resource inventory; and corresponding land use policies shall be added to the Land and Water Development and Use Code in accordance with OAR 660-023-0120.

STATE SCENIC WATERWAYS

- Policy A:** The OSW-designated section of the Nehalem River shall be included in the Comprehensive Plan Goal 5 resource inventory and corresponding land use policies shall be added to the Land and Water Development and Use Code in accordance with OAR 660-023-0130.
- Policy B:** If any Oregon Scenic Waterways are designated within Clatsop County, the designated area(s) shall be added to the Comprehensive Plan Goal 5 resource inventory; and corresponding land use policies shall be added to the Land and Water Development and Use Code in accordance with OAR 660-023-0130.

GROUNDWATER AND SURFACE WATER RESOURCES

- Policy A:** The County should cooperate and coordinate with State and Federal Agencies in assuring the beneficial use of all water areas in the County.
- Policy B:** In partnership with private landowners and state and federal agencies, Clatsop County may monitor impacts to groundwater resources caused by climate change, and will develop strategies to mitigate those impacts.
- Policy C:** The County may establish an education and outreach program to raise awareness of the value and fragility of groundwater resources and the role of the Clatsop Plains aquifer in water regeneration, supply and quality.
- Policy D:** In partnership with private landowners and state and federal agencies, The County may monitor the cumulative impacts of pollution on groundwater and surface water. Ensure that inappropriate development is directed to appropriate commercial and

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industrial districts.

- Policy E:** The County should encourage state and federal agencies to monitor impacts from potential sea level change, including the potential for salt water intrusion into coastal aquifers.

OREGON RECREATION TRAILS

- Policy A:** The Oregon Coast Trail and Saddle Mountain Trail shall be added to the Comprehensive Plan Goal 5 resource inventory.
- Policy B:** If any Oregon Recreation Trails are designated within Clatsop County, the designated trail(s) shall be added to the Comprehensive Plan Goal 5 resource inventory. Corresponding land use policies may be added to the Land and Water Development and Use Code in accordance with OAR 660-023-0150.
- Policy C:** The County is encouraged to cooperate with public and private property owners and the Oregon Parks and Recreation Commission to support the designation of new Oregon Recreation Trails in Clatsop County.

NATURAL AREAS

- Policy A:** Significant natural and scientific areas and scenic sites should be set aside for preservation and managed so as to protect the unique characteristics of the area.
- Policy B:** The County will cooperate with appropriate State and Federal agencies and private groups to ensure that examples of the full range of Clatsop County's natural ecosystem are preserved for future study and enjoyment.
- Policy C:** As resources permit, Clatsop County shall continue to identify sites for possible voluntary listings as Goal 5 inventoried natural area resources, assisting property owners who wish to participate, by entering into conservation easements, or using other instruments, such as Oregon State Register of Natural Heritage Resources, to preserve natural areas. These may be areas not previously addressed in periodic reviews. Participation would be completely at the property owner's option.
- Policy D:** The Natural designation for Sugar Loaf Mountain shall not affect the continued operating and maintenance of the radio transmitter facility located there.

WILDERNESS AREAS

- Policy A:** Clatsop County shall work with federal agencies in the protection of federal wilderness areas.
- Policy B:** Clatsop County shall periodically verify that all Clatsop County sites in the Oregon Islands Wilderness Area are listed as Goal 5 resources in the County's comprehensive plan as required by OAR 660-023-0160.

MINERAL AND AGGREGATE RESOURCES

- GOAL 1:** To protect and ensure appropriate use of mineral and aggregate resources of the county, while minimizing any adverse effects of mining and processing upon surrounding land uses.
- Policy A:** The County shall maintain an inventory of mineral and aggregate resources sites and shall protect significant mineral and aggregate resources consistent with Statewide Planning Goal 5 and the process for complying with the Goal specified in Oregon Administrative Rules Chapter 660, Division 16.
- Policy B:** In making a decision whether to protect a significant mineral or aggregate site from conflicting uses, the County shall recognize that Goal 5 requires the protection of natural resources for future generations, and that the requirements of other applicable Statewide Planning Goals must be considered in any analysis of conflicting uses.
- Policy C:** For each site determined to be significant, the county shall complete the remainder of the Goal 5 process of identifying conflicting uses, analyzing the ESEE consequences of the conflicting use(s), and designating a level of protection from conflicting uses. If the final decision concerning the site is to fully preserve or partially protect the resource from conflicting uses, the site shall be zoned with the Mineral and Aggregate Resources Overlay.
- Policy D:** The County shall require increased setbacks, insulation, screening, or similar measures as conditions of approval for any new conflicting use within an impact area surrounding a mineral or aggregate resource site when such measures are deemed necessary to resolve conflicts identified in a site-specific Goal 5 analysis.
- Policy E:** Mineral and aggregate resource maps shall be kept updated with active/inactive quarry/reclamation/mining overlays and layers.
- Policy F:** The Quarry/Mining Zone shall be updated to reflect the actual uses.
- Policy G:** Quarry/Mining Zone and Overlay shall be revised to accurately apply to all sites, as the zone and overlay are intended to protect the resource from conflicting uses developing next to them.
- Policy H:** The County shall review its acknowledged inventory of mineral and aggregate resources during its regular review of Goal 5.

ENERGY SOURCES

- Policy A:** Development shall not be allowed to preclude use of adjacent properties for potential wind generating facilities.
- Policy B:** The County will rely on state and federal permitting processes to govern the location of low-head hydro projects and to resolve any conflicts that may result from such projects.
- Policy C:** Clatsop County shall apply the Goal 5 Administrative Rule to oil, gas, nuclear,

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geothermal, and large-scale hydro that are proposed in the future.

- Policy D:** If and when the City of Astoria intends on constructing a hydroelectric facility at the Youngs River Falls site, Clatsop County shall, in cooperation with the City of Astoria, apply the Goal 5 Administrative Rule.
- Policy E:** The County should coordinate with Camp Rilea personnel and appropriate agencies to encourage the installation and use of solar panels to generate electricity.
- Policy F:** Clatsop County may identify possible sites that could be candidates for wind generation facilities.
- Policy G:** Clatsop County may review and monitor developments in ocean thermal energy conversion to determine and evaluate impacts to and benefits for Clatsop County.

CULTURAL AREAS

- Policy A:** The County will review land use activities that may affect known archeological sites. If it is determined that a land-use activity may affect the integrity of an archaeological site, the County shall consult with local Native American tribes and the State Historic Preservation Office on appropriate measures to preserve or protect the site and its contents.
- Policy B:** Native American cairns, graves and other significant archaeological resources uncovered during construction or excavation shall be preserved intact until a plan for their excavation or reinternment has been developed by local Native American tribes and the State Historic Preservation Office.
- Policy C:** Clatsop County should seek to work cooperatively countywide with state agencies, cities, the Clatsop County Historical Society and local historic preservation organizations, and local Native American tribes to recognize and protect cultural and historic sites.
- Policy D:** Clatsop County shall create a standard condition of approval for all development permits advising permit holders of requirements for Oregon Archaeological Permits.
- Policy E:** Clatsop County should encourage the State Historic Preservation Office and local Native American tribes to coordinate on an archaeological survey of and protection for Native American villages within Clatsop County.
- Policy F:** Clatsop County shall review development on properties adjacent to significant archaeological sites to ensure that activities are not in compatible with adjacent cultural resources and do not conflict with known archaeological sites.
- Policy G:** The County should identify ways to incorporate more input and cultural and historical knowledge from the federally recognized and unrecognized local Native American tribes.

HISTORIC RESOURCES

- Policy A:** Clatsop county shall seek to work cooperatively countywide with state and federal agencies, cities, the Clatsop County Historical Society and local historic preservation

CLATSOP COUNTY COMPREHENSIVE PLAN

organizations local Native American tribes to recognize and protect cultural and historic sites.

- Policy B:** The County Parks Department, to the extent funding permits, will continue to maintain the Lindgren House.
- Policy C:** The County should encourage the Clatsop County Historical Society, the State Historic Preservation Office and local Native American tribes to place commemorative plaques at the sites of the Falls Pulp Mill and the Shepherd and Morse Sawmill.
- Policy D:** The County will continue to protect the historical character of the Tillamook Lighthouse, Morrison House, the Clatsop Plains Memorial Church and the Westport Log Tunnel through appropriate provisions in the zoning ordinance.
- Policy E:** Clatsop County should work with the State Historic Preservation Office and local historic preservation organizations to evaluate the historical significance of sites and buildings identified through this comprehensive plan update process. The County will protect National Register resources as required by OAR 660-023-0200.
- Policy F:** The County should identify ways to incorporate more input and cultural and historical knowledge from the federally-recognized and unrecognized local Native American tribes.
- Policy G:** The County should identify and map historic rural places and buildings in order to preserve that knowledge for future generations.
- Policy H:** The County should consider opportunities to designate historic routes, including information about structures that may no longer physically exist.
- Policy I:** The County should encourage adaptive reuse of old buildings and encourage preservation of historic buildings.
- Policy J:** The County should inventory and evaluate the following resources to determine historic significance:
- Bradwood and Clifton, particularly the Clifton net shed
 - Svensen Cemetery
 - Arch Cape Tunnel
 - Wagon Trail in Arch Cape
 - Hug Point and surrounding geological sites
 - Hamlet School
 - Hamlet Cemetery
 - All sites on the National Register of Historic Places
 - Sites on the State Historic Sites inventory
 - State-identified archaeological sites
 - Historic cemeteries
- Policy K:** The County should explore whether there is public support for the County becoming a Certified Local Government.
- Policy L:** The County should develop a public education and outreach program to inform

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property owners about how to properly handle and report found artifacts.

Policy M: All sites and structures within unincorporated Clatsop County that are included on the National Register of Historic Places are also included in the Clatsop County Goal 5 historic resource inventory. Appropriate protective measures shall be developed for these sites.

Policy N: Clatsop County shall protect significant historical resources by:

1. encouraging those programs that make preservation economically possible;
2. implementing measures for preservation when possible;
3. recognizing such areas in public and private land use determinations subject to County review.

Policy O: Clatsop County shall review development on properties adjacent to significant historic sites to ensure that activities are not incompatible with adjacent historic resources and do not conflict with known historic sites.

Policy P: Clatsop County should encourage the use of identifying signs or markers for historic landmarks, historically-significant buildings and other historic sites. The Clatsop County Historical Society and other local preservation organizations should be encouraged to assist in this project.

OPEN SPACE

Policy A: The County should consider maximum-allowed lot coverage limitations countywide.

Policy B: The County should consider developing an open space acquisition program for the purposes of protecting Clatsop County's Goal 5 resources such as open space, wetlands, historic sites, and outstanding scenic sites; and for hazard mitigation functions such as flood storage or protection of landslide-prone areas. Consideration should include short and long-term funding sources. Acquisitions as part of this program would be opportunistic, as properties become available, rather than a use of eminent domain.

Policy C: The County should consider developing a program to encourage and facilitate private property owners to create conservation easements or other related instruments for the purposes of protecting Clatsop County's open space values.

Policy D: The County should consider developing a program to encourage and facilitate private property owners to eradicate noxious and/or invasive plant species.

Policy E: The County should consider requiring subdivisions to be clustered countywide in order to provide increased open space, preserve views and protect wildlife habitat to the maximum extent possible.

Policy F: Land owners should be encouraged to retain or preserve large parcels of undeveloped land as open space under the provisions of the open space taxation program.

Policy G: Permanent open space should include, whenever possible, steep dunes which would

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require substantial alterations for building, buffers along streams, water bodies, deflation plains, areas abutting military lands, and farm and forest lands.

Policy H: The County is encouraged to develop standards for dedicated open space in subdivisions that support continuity of natural resources / sensitive areas / wildlife habitat.

Policy I: The County should encourage the use of conservation easements where transfer of development rights and other regulatory approaches are not workable or achievable, and coordinate with land trusts, cities, state and federal agencies, and other agency partners, in educating property owners on the benefits and stewardship responsibilities that come with having a conservation easement.

SCENIC VIEWS AND SITES

Policy A: Protection of Goal 5 scenic views and sites should include best management practices to reduce wildfire risk.

Policy B: Review of energy production facilities, including but not limited to wind or off-shore production, should include an evaluation of potential impacts to Goal 5 scenic views and sites.

Policy C: The County should encourage owners of private property containing Goal 5 scenic views and sites to enter into conservation easements. Facilitate opportunities for property owners to voluntarily enter into conservation easements (or other instruments).

Policy D: The County should consider conducting an Economic, Social, Environmental, Energy (ESEE) evaluation for the following sites to determine if those areas should be included as inventoried scenic view and site resources:

- Clatsop Plains planning area, or portions thereof
- Fishhawk/Lee Wood Park Falls
- Jewell Meadows
- Red Bluff Park
- Twilight Eagle Sanctuary
- Svensen Island
- Bradley Hill
- Knappa Docks
- Fort-to-Sea Trail
- Highway 101 to the south County border
- Oswald West State Park
- Ecola State Park
- Fort Stevens State Park
- Saddle Mountain State Park
- Arcadia State Recreation Area
- Hug Point State Recreation Area
- Cape Falcon Marine Reserve

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- Ecola Forest Reserve

IMPLEMENTING OREGON ADMINISTRATIVE RULES (OAR):

660-023 – Procedures and Requirements for Complying with Goal 5

660-016 – Complying with Statewide Planning Goal 5

660-031 – State Permit Compliance and Compatibility

COORDINATING STATE AND LOCAL AGENCIES:

Oregon Department of Fish and Wildlife (ODFW)

Oregon Department of Agriculture (ODA)

Oregon Parks and Recreation Department (OPRD)

Oregon Department of Energy (ODOE)

State Historic Preservation Office (SHPO)

Oregon Department of State Lands (DSL)

Oregon Health Authority (OHA)

Department of Geology and Mineral Inventories (DOGAMI)

Oregon Department of Land Conservation and Development (DLCD)

Columbia River Estuary Study Taskforce (CREST)

BACKGROUND REPORTS AND SUPPORTING DATA:

- Threatened, Endangered, Candidate Fish and Wildlife Species, ODFW 2021
- *Fifth Oregon Climate Assessment*, Oregon Climate Change Research Institute, January 2021
- *Future Climate Projects Clatsop County*, Oregon Climate Change Research Institute, February 2020
- *Regional Framework for Climate Adaptation Clatsop and Tillamook Counties*, Sea Grant Oregon, 2010
- *Oregon Climate Change Adaptation Framework 2021*, Department of Land Conservation and Development
- *Clatsop County Significant Wetlands; Wetland and Riparian Inventory in Unincorporated Clatsop County* – Columbia River Estuary Study Taskforce (CREST) (2021)
- Goal 5 Background Report

EXHIBIT 2
Goal 5 Background Report

Ordinance 24-02

1st Public Hearing: January 10, 2024

Agenda Item # 2. ng: January 24, 2024

GOAL 5: NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES BACKGROUND REPORT

PURPOSE: To protect natural resources and conserve scenic and historic areas and open spaces.

HISTORICAL PERSPECTIVE

When Clatsop County first developed its Goal 5 plan, the community reviewed existing information on the Goal 5 resources that occurred locally and were important to address. The County then reviewed land uses allowed on or near each resource site that might have a negative impact on the resource. It then decided on a level of protection appropriate for each resource site and adopted codes to put its policies into effect. State rules for implementing Goal 5 have been adopted and amended over the years. As Clatsop County works through this update of its comprehensive plan and community plans, it has the opportunity to identify new resources and to adopt policies and codes that are consistent with the current state rules for Goal 5.

The "Goal 5 Process" starts with an inventory of Goal 5 resources. Resource sites are assessed and significant sites are protected. Rules for some Goal 5 resource categories rely on inventories and assessments that have been conducted by state or federal entities. There are four Goal 5 resource categories found in Clatsop County that rely on state or federal inventories:

- State scenic water ways
- Ground water resources
- Oregon recreation trails
- Wilderness areas

Three categories require local inventories:

- Riparian areas
- Wetlands
- Wildlife habitat

There are three categories for which local Goal 5 programs are optional, which also rely on local inventories:

- Historic resources
- Open space
- Scenic views and sites

Aggregate is a Goal 5 resource for which a county-wide local inventory was initially required. Since 1996, sites are added to the local inventory on a site-by-site basis in response to applications made by applicants to the county.

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The following Goal 5 significant resource sites have been identified and are listed in the Clatsop County Comprehensive Plan:

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TABLE 1: CLATSOP COUNTY GOAL 5 RESOURCE INVENTORY

Riparian Corridors

No Riparian Corridors are included in the current Goal 5 inventory

The County’s Shoreland Overlay (Goals 16 and 17) includes a 50’ buffer for specified estuarine resources and coastal shorelands. Section 6.5000, LAWDUC, includes standards for the protection of riparian vegetation.

Wetlands

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Comprehensive Plan Page Reference(s)</u>	<u>Notes</u>
Site 1 (CP 9)	Along the Skipanon River, south of Warrenton and SE of Hwy 101	Clatsop Plains	69-70	Size: 98 acres
Site 2 (CP 13)	Taylor Lake, north of Cullaby Lake	Clatsop Plains	69, 71	Size: 17 acres
Site 3 (CP 14)	Cullaby Lake	Clatsop Plains	69, 71	Size: 280 acres
Site 4 (CP 15)	Between Cullaby Lake and Hwy 101	Clatsop Plains	69, 72	Size: 230 acres
Site 5 (CP 16)	East of Hwy 101 from the south end of Dellmoor Loop Rd south to Palmberg Gravel Works	Clatsop Plains	69, 72	Size: 380 acres
Site 6 (CP 18)	Two small lakes and adjacent wetlands on Cullaby Creek, 4000 ft south of Cullaby Lake	Clatsop Plains	69, 73	Size: 160 acres
Site 7 (CP 19)	North of the road to the Crown site, up to the Palmberg Gravel Co. east of Hwy 101 and Seaside airport	Clatsop Plains	69, 73	Size: 130 acres
Site 8	Southeast of Seaside; south of the Millponds, east of Hwy 101	Clatsop Plains	69, 74	Size: 132 acres

Site 9 (EC 35)	Driscoll Slough marshes, between Wauna Mill and Westport	Northeast	69, 74	Size: 360 acres
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Fish and Wildlife Habitat				
<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Comprehensive Plan Page Reference(s)</u>	<u>Notes</u>
Major Big Game Range	"That portion of the county which supports the majority of big game. In general, these lands are sparsely developed forest lands."	Multiple	22-30, 40	See map on page 40
Peripheral Big Game Range	"Foothill areas of the county, generally located between commercial forest lands and productive agricultural lands."	Multiple	22-30, 40	See map on page 40
Excluded Big Game Range	"Developed areas that are only occasionally used by big game."	Multiple	22-30, 40	See map on page 40
Upland Game Birds (grouse, mountain quail, band-tailed pigeons)	Generally corresponds with Major & Peripheral Big Game Range and includes riparian areas and mineral springs and other watering areas. See also: Sensitive Bird Habitat Overlay District (SBHO)	Multiple	31-33	
Waterfowl	Estuarine and coastal shoreland areas; water areas; riparian areas	Multiple	33-34	
Furbearers and Hunted Non-game Wildlife (aquatic species - beaver, muskrat, mink; terrestrial species - skunk, bobcat, coyote)	Aquatic furbearers: estuarine and coastal shoreland habitat; riparian areas; Terrestrial furbearers: areas considered	Multiple	34	

	Major and Peripheral Big Game Range.			
Non-game Wildlife (eagles, hawks, osprey, herons)	Refer to SBHO and map on page 92	Multiple	34-49, 92	See map on page 92
Snowy Plover	Sparsely vegetated, active dune areas just inland from the high tide line; beach from Necanicum River north to Columbia River. See also: SBHO	Clatsop Plains	42	
Fish Habitat	All rivers and streams with a perennial flow; non-coastal shoreland lakes (including Big Creek Pond, Fishhawk Lake, Lost Lake, Lost Lake (yes there are two), Spruce Run Lake, Riverside Lake, Quartz Lake, Soapstone Lake, Carnahan Lake, and Cullaby Lake); riparian areas along rivers, streams, and lakes.	Multiple	43-47	

Federal Wild and Scenic Rivers

No Federal Wild and Scenic Rivers are included in the Goal 5 inventory

Groundwater Resources

Resource Description

Location

Planning Area

Comprehensive Plan Page Reference(s)

Notes

Clatsop Plains Area

Clatsop Plains

97

* See also: Goal 6 - Air, Water, and Land Resources Quality

Water Areas

Resource Description

Location

Planning Area

Comprehensive
Plan Page
Reference(s)

Notes

See Wetlands, Watersheds, and Fish and Wildlife Habitat.

Watersheds

Resource Description - Major Waterway(s)

Location

Planning Area

Comprehensive
Plan Page
Reference(s)

Notes

Plympton Creek / West Creek

-

Northeast

96

Size:
8,900
acres

Hunt Creek

-

Northeast

96

Size:
5,100
acres

Blind Slough / Grizzly Slough

-

Northeast

96

Size:
24,700
acres

Big Creek / Little Creek / Fertile Valley Creek

-

Northeast

96

Size:
29,000
acres

Mary's Creek / Bear Creek / Ferris Creek

-

Northeast

96

Size:
14,500
acres

John Day River

-

Northeast

96

Size:
4,400
acres

Youngs River / Klaskanine River / Walluski River

-

Lewis & Clark,
Olney-
Wallooskee

96

Size:
80,300
acres

Lewis & Clark River

-

Lewis & Clark,
Olney-
Wallooskee

96

Size:
42,800
acres

Neawanna Creek / Thompson Creek

-

Clatsop Plains,
Seaside Rural

96

Size:
4,700
acres

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Canyon Creek	-	Seaside Rural	96	Size: 2,100 acres
Necanicum River	-	Seaside Rural	96	Size: 30,300 acres
Nehalem River	-	Elsie-Jewell	96	Size: 213,200 acres
Elk Creek	-	Seaside Rural	96	Size: 15,200 acres
Arch Cape Creek / Asbury Creek / Shark Creek / Fall Creek / Red Rock Creek	-	SW Coastal, Seaside Rural	96	Size: 7,100 acres
Clatsop Plains (Skipanon River and Neacoxie Creek)	-	Clatsop Plains	96-97	Not listed

* See also: Goal 6 - Air, Water, and Land Resources Quality

Oregon Recreation Trails

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Comprehensive Plan Page Reference(s)</u>	<u>Notes</u>
Refer to Goal 8 Recreational Lands			85	

Wild and Scenic Waterways

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Comprehensive Plan Page Reference(s)</u>	<u>Notes</u>
Refer to Goal 8 Recreational Lands			85	

Ecologically and Scientifically Significant Natural Areas

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<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Comprehensive Plan Page Reference(s)</u>	<u>Notes</u>
Bradwood Cliffs	T 8N, R 6W, Sections 9 and 16	Northeast	48-61	-
Walker Creek Old Growth Forest	T 6N, R 6W, Sections 7 and 18	Elsie-Jewell	48-61	-
Elsie County Park (aka Nehalem Park or Red Bluff Park)	T 5N, R 7W, Section 32	Elsie-Jewell	48-61	-
David Douglas County Park	T 5N, R 8W, Section 21	Elsie-Jewell	48-61	-
Onion Peak	T 4N, R 10W, Section 22-23	Seaside Rural	48-61	-
Sugarloaf Mountain	T 4N, R 10W, Section 1	Seaside Rural	48-61	-
Kloutchy Creek Park	T 5N, R 10W, Section 14	Seaside Rural	48-61	-
Saddle Mountain State Park	T 6N, R 8W, Sections 28, 29, 32, 33, 24	Seaside Rural	48-61	-
Bradley State Park	T 8N, R 6W, Section 16	Northeast	48-61	-
Oswald West State Park	T4N, R 10W, Section 30-31	SW Coastal	48-61	-

Wilderness Areas

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Comprehensive Plan Page Reference(s)</u>	<u>Notes</u>
Oregon Islands Wilderness	Tillamook Head Rocks; Bird Rocks; Sea Lion Rocks; Haystack Rock; Castle Rock; Jockey Cap; Tim Rock; Gull Rock; Unnamed Rocks located in Section 12, Township 5W, Range 10W	SW Coastal	79	

Mineral and Aggregate Resources

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Comprehensive Plan Page Reference(s)</u>	<u>Notes</u>
Clatsop County - Clifton	T 8N, R 6W, Section 17	Northeast	15-19, 94	Rock
Clatsop County - Big Creek	T 8N, R 7W, Section 29	Northeast	15-19, 94	Gravel
Howard Johnson - US 101	T 5N, R 10W, Section 4	Clatsop Plains	15-19, 94	Rock
Bayview Transit Mix - US 101	T 5N, R 10W, Section 4	Clatsop Plains	15-19, 94	Basalt
George Ordway	T 5N, R 10W, Section 14	Seaside Rural	15-19, 94	Basalt

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Teevin Bros. Logging	T 8N, R 6W, Section 27	Northeast	15-19, 94	Rock
Daren Berg, Humbug Rock	T 5N, R 8W, Section 18	Elsie-Jewell	15-19, 94	Rock
M. Nygaard Logging	T 7N, R 9W, Section 31	Lewis & Clark, Olney- Wallooskee	15-19, 94	Rock
A. Riekkola	T 7N, R 8W, Section 18	Lewis & Clark, Olney- Wallooskee	15-19, 94	Basalt
Tagg	T 7N, R 10W, Section 3	Clatsop Plains	15-19, 94	Sand
Horecny	T 5N, R 9W, Section 23	Seaside Rural	15-19, 94	Rock
Various "Other Sites" are also listed, but are not protected from conflicting uses under Goal 5.		Multiple	15-19, 94	

Energy Sources

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Comprehensive Plan Page Reference(s)</u>	<u>Notes</u>
Refer to Goal 13 Energy Conservation				

Cultural Areas

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Comprehensive Plan Page Reference(s)</u>	<u>Notes</u>
Various archeological sites	"An inventory of 53 known archeological sites is maintained in confidential status at both the Clatsop County Planning Department and the State Historic Preservation Office. Because of the limited number of archeological surveys undertaken, there are undoubtedly other	Multiple	84-85	

undiscovered archeological sites in Clatsop County."

Historic Areas, Sites, Structures and Objects

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Comprehensive Plan Page Reference(s)</u>	<u>Notes</u>
Fort Clatsop National Monument	T 7N, R 10W, Section 35	Lewis & Clark, Olney-Wallooskee	79-84, 93	-
Cannon at Cannon Beach	East side of Hwy 101 between Cannon Beach and Arch Cape	SW Coastal	79-84, 93	-
Tillamook Rock Lighthouse	T 5N, R 11W, Section 1	Seaside Rural	79-84, 93	-
Ecola State Park	T 5N, R 10W, Sections 6, 7, 18 T 5N, R 11W, Sections 1, 12 T 6N, R 10W, Sections 29, 30, 31, 32	Seaside Rural, Clatsop Plains	79-84, 93	-
Lindgren House	T 7N, R 10W, Section 22	Clatsop Plains	79-84, 93	-
R.W. Morrison House (aka Tagg Place)	T 7N, R 10W, Section 4	Clatsop Plains	79-84, 93	-
Clatsop Plains Memorial Church	T 7N, R 10W, Section 4	Clatsop Plains	79-84, 93	-
Clatsop Plains Cemetery	T 7N, R 10W, Section 4	Clatsop Plains	79-84, 93	-
The Mill Site of the Falls Pulp Company	T 7N, R 10W, Section 27	Lewis & Clark, Olney-Wallooskee	79-84, 93	-
The Shepherd and Morse Sawmill Site	T 8N, R 6W, Section 36	Northeast	79-84, 93	-
Westport Log Tunnel	T 8N, R 6W, Section 36	Northeast	79-84, 93	-

Open Space

<u>Resource Description</u>	<u>Location</u>	<u>Planning Area</u>	<u>Comprehensive Plan Page Reference(s)</u>	<u>Notes</u>
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General Open Space

Forest lands, agricultural lands, All estuarine areas, Pacific Ocean and adjacent beaches.

8-9

Forest and agricultural land comprise 95% of the County's land area.

Parks, wildlife refuges, natural areas, specific scenic sites, and fresh water wetlands

Countywide

All

8-9

These categories are addressed in the corresponding section(s) of Goal 5 and Goal 8.

Areas provided in conjunction with a specific development, usually residential.

Countywide

All

8-9

Subdivisions in the Clatsop Plains area are required to have clustered lots in order to maintain open space values.

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Outstanding Scenic Views and Sites				
Resource Description	Location	Planning Area	Comprehensive Plan Page Reference(s)	Notes
Box Canyon	T 6N, R 10W, Section 13 and T 6N, R 9W, Sections 18-19	Lewis & Clark, Olney- Wallooskee and Seaside Rural	62-69	-
Knappa Gorge at Big Creek	T 8N, R 7W, Sections 28, 29, 32, 33	Northeast	62-69	-
Gnat Creek Falls	T 7N, R 6W, Section 6	Northeast	62-69	-
Plympton Creek Falls	T 7N, R 6W, Sections 2 and 11	Northeast	62-69	-
Fall Creek Falls	T 4N, R 8W, Section 20	Seaside Rural	62-69	-
Youngs River Falls	T 7N, R 8W, Section 27	Lewis & Clark, Olney- Wallooskee	62-69	-
Nehalem River from Cronin to Gorge Creek	T 4N, R 8W	Elsie-Jewell	62-69	-
Lewis and Clark Rd above Thompson Falls	T 6N, R 10W, Section 14	Clatsop Plains	62-69	-
U.S. Hwy 101 Scenic Corridor	Cannon Beach Junction to Silver Point	Seaside Rural, SW Coastal	62-69	-
Westport - Scenic Conservancy, Hwy Corridor	T 8N, R 6W, Sections 35, 36	Northeast	62-69	-
Hwy 53 - Scenic Conservancy, Hwy Corridor	T4N, R 9W, Sections 20, 27	Seaside Rural	62-69	-
North Fork Nehalem River - Scenic Conservancy, River Corridor	T 4N, R 9W, Section 25 and T 4N, R 8W, Sections 19, 20	Seaside Rural	62-69	-

CURRENT CONDITIONS

RIPARIAN CORRIDORS

Riparian areas, similar to the functions of wetlands, provide habitat for nursery salmonids; and they absorb and can hold carbon. Clatsop County’s existing and acknowledged Goal 5 element does not contain an inventory of any riparian corridors. Clatsop County has, however, adopted a shoreland overlay that requires a 50-foot buffer from significant estuarine and coastal shorelands identified in Goals 16 and 17. The County has also adopted standards related to the protection of riparian vegetation in Section 6.5000, LAWDUC. Oregon Administrative Rule (OAR) 660-023-0250, adopted in 1996, requires local governments to amend acknowledged plans and land use regulations during periodic review. Because the County is no longer subject to mandatory periodic review requirements, an inventory for this resource has not been developed, and the rule otherwise does not impose a deadline on the county to conduct an inventory. No new riparian inventories are proposed as part of this comprehensive plan update and the County will continue to provide riparian protections to the waterways and water bodies identified in Goals 16 and 17.

WETLANDS RESOURCES

Wetlands provide habitat for nursery salmonids; and they absorb and can hold carbon. Clatsop County supports the beneficial use of all water areas within the County, including:

- domestic water supply
- fishing
- industrial water supply
- boating
- irrigation
- water contact recreation
- livestock watering
- aesthetic quality
- fish and aquatic life
- hydropower
- wildlife and hunting
- commercial navigation and transportation
- non-use
- critical habitat for salmonids

OAR 660-023-0100 requires local governments to notify the Oregon Department of State Lands when development permit applications or other land use permit applications are submitted that may affect wetlands. On lands outside of Urban Growth Boundaries (UGB) or in Urban Unincorporated Communities, local jurisdictions are required to determine the need for Department of State Lands (DSL) notification based on the Statewide Wetland Inventory (SWI). Counties are not required to amend their comprehensive plan to add or amend a list of locally-significant wetlands. If a county chooses to conduct a local wetland inventory

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and protect locally significant wetlands, the process steps described for areas inside UGBs apply.

In 1983, Duncan Thomas prepared a report entitled *Significant Shoreland and Wetland Habitats in the Clatsop Plains*. This report identified 58 significant wetlands, primarily within the Clatsop Plains planning area. That initial report and list was further reviewed and subsequently the nine sites shown on Table 1 were included as Goal 5 locally-significant wetlands. In 2020, Clatsop County contracted with the Columbia River Estuary Study Taskforce (CREST) to prepare an updated report – *Clatsop County Significant Wetlands; Wetland and Riparian Inventory in Unincorporated Clatsop County*. The County may utilize the information in the 2020 CREST report as a basis for future identification of locally-significant wetlands and development of appropriate local protection program elements.

WILDLIFE HABITAT

Clatsop County is historically an area of rich, abundant rivers and forests. Fish and wildlife are among the county's major attributes. Two state agencies' missions include monitoring and protection of fish and wildlife areas and habitats:

- The Oregon Department of Forestry (ODF) administers the Forest Practices Act (FPA), which sets standards for all commercial activities involving the establishment, management, or harvesting of trees on Oregon's forestlands. Key elements of the act are aimed at protection of water resources. Regulations require landowners to leave forested buffers and other vegetation along streams, wetlands, and lakes to protect water quality and fish and wildlife habitat. Timber harvesting, road building, and chemical use are restricted near streams, rivers, lakes, and wetlands. Wildlife protection practices include timing of operation, leaving nesting habitat for birds, bats and other mammals, and modifying harvest activities to protect sensitive areas used by species identified as sensitive, threatened, or endangered.
- More substantially, the Oregon Department of Fish and Wildlife's (ODFW) programs and authorities are covered in Chapter 635 of the Oregon Administrative Rules. Divisions under Chapter 635 are vast in scope and address topics that range from tax incentives, fishing seasons, hatchery management, harvest licensing and seasons, to enhancement programs, wildlife rehabilitation, conservation programs and wildlife management programs.

Per OAR 660-023-0110, "wildlife habitat" is defined as an area upon which wildlife depend in order to meet their requirements for food, water, shelter, and reproduction. Examples include wildlife migration corridors, big game winter range, and nesting and roosting sites. The county is required to obtain current habitat inventory information from ODFW for the following:

- Threatened, endangered, and sensitive wildlife species habitat information;
- Sensitive bird site inventories; and
- Wildlife species of concern and/or habitats of concern identified and mapped by ODFW

If the County chooses to update its Goal 5 program for wildlife habitat, it would be required to follow the standard procedures and requirements of OAR 660-023-0100 or 660-023-0030 for inventory work and 660-023-0040 and 660-023-0050 for developing a program to protect significant resource sites.

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The County must also coordinate with ODFW and should consult with appropriate federal agencies when adopting programs intended to protect species listed under the US Endangered Species Act.

The current comprehensive plan identifies the following fish and wildlife habitats:

- **Major Big Game Range:** That portion of the county which supports the majority of big game. In general, these lands are sparsely developed forest lands.
- **Peripheral Big Game Range:** Foothill areas of the county, generally located between commercial forest lands and productive agricultural lands.
- **Excluded Big Game Range:** Developed areas that are only occasionally used by big game.
- **Upland Game Birds (grouse, mountain quail, band-tailed pigeons):** Generally, corresponds with Major and Peripheral Big Game Range and includes riparian areas and mineral springs and other watering areas. See also: Sensitive Bird Habitat Overlay District (SBHO) in the Land and Water Development and Use Code.
- **Waterfowl:** Estuarine and coastal shoreland areas; water areas; riparian areas.
- **Furbearers and Hunted Non-Game Wildlife (aquatic species – beaver, muskrat, mink; terrestrial species – skunk, bobcat, coyote):** Aquatic furbearers: estuarine and coastal shoreland habitat; riparian areas; Terrestrial furbearers: areas considered Major and Peripheral Big Game Range.
- **None-game Wildlife (eagles, hawks, osprey, herons):** Refer to SBHO and map.
- **Snowy Plover:** Sparsely vegetated, active dune areas just inland from the high tide line; beach from Necanicum River north to Columbia River. See also: SBHO.
- **Fish Habitat:** All rivers and streams with a perennial flow; non-coastal shoreland lakes (including Big Creek Pond, Fishhawk Lake, Lost Lake 1, Lost Lake 2, Spruce Run Lake, Riverside Lake, Quartz Lake, Soapstone Lake, Carnahan Lake, and Cullaby Lake); riparian areas along rivers, streams, and lakes.

Specific standards designed to minimize impacts to Major and Peripheral Big Game Habitat were adopted into the county's zoning code and development standards.

Threatened and Endangered Species

The Federal Endangered Species Act (ESA) was passed in 1973. The ESA helps to stabilize populations of species at risk of extinction. A primary focus of the ESA is to conserve the habitats upon which threatened and endangered species depend. Additionally, land use planning in Clatsop County can be used to protect wildlife habitat and improve species populations. Local governments can be held liable under the ESA if permits issued by that local government result in killing or harming a listed species so that it cannot continue to survive or reproduce. This is known as a "take". In some instances, destruction of habitat can result in a take.

The State of Oregon and the federal government maintain separate lists of Threatened and Endangered species. Under ORS 496.171-496.192, the Fish and Wildlife Commission, through the Oregon Department of Fish and Wildlife (ODFW), maintains a list of native wildlife species in Oregon that have been determined to be either "threatened" or "endangered". Per information from ODFW

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released in July 2021, the following Threatened, Endangered, and Candidate Fish and Wildlife Species have been identified in Oregon:

TABLE 2: THREATENED, ENDANGERED, AND CANDIDATE FISH AND WILDLIFE SPECIES			
Common Name	Scientific Name	State Status*	Federal Status
FISH			
Bull Trout (range-wide)	<i>Salvelinus confluentus</i>		T
Columbia River Chum Salmon	<i>Oncorhynchus keta</i>		T
Green Sturgeon (Southern DPS)	<i>Acipenser medirostris</i>		T
Hutton Spring Tui Chub	<i>Siphateles bicolor ssp</i>	T	T
Lahontan Cutthroat Trout	<i>Oncorhynchus clarki henshawi</i>	T	T
Lost River Sucker	<i>Deltistes luxatus</i>	E	E
Lower Columbia River Chinook Salmon	<i>Oncorhynchus tshawytscha</i>		T
Lower Columbia River Coho Salmon	<i>Oncorhynchus kisutch</i>	E	T
Lower Columbia River Steelhead	<i>Oncorhynchus mykiss</i>		T
Middle Columbia River Steelhead	<i>Oncorhynchus mykiss</i>		T
Oregon Coast Coho Salmon	<i>Oncorhynchus kisutch</i>		T
Pacific Eulachon/Smelt (Southern DPS)	<i>Thaleichthys pacificus</i>		T
Shortnose Sucker	<i>Chasmistes brevirostris</i>	E	E
Snake River Chinook Salmon (Fall)	<i>Oncorhynchus tshawytscha</i>	T	T
Snake River Chinook Salmon (Spring/Summer)	<i>Oncorhynchus tshawytscha</i>	T	T
Snake River Sockeye Salmon	<i>Oncorhynchus nerka</i>		E
Snake River Steelhead	<i>Oncorhynchus mykiss</i>		T
Southern Oregon/Northern California Coast Coho Salmon	<i>Oncorhynchus kisutch</i>		T
Upper Columbia River Spring Chinook Salmon	<i>Oncorhynchus tshawytscha</i>		E
Upper Columbia River Steelhead	<i>Oncorhynchus mykiss</i>		T
Upper Willamette River Chinook Salmon	<i>Oncorhynchus tshawytscha</i>		T
Upper Willamette River Steelhead	<i>Oncorhynchus mykiss</i>		T
Warner Sucker	<i>Catostomus warnerensis</i>	T	T

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AMPHIBIANS AND REPTILES			
Green Sea Turtle	<i>Chelonia mydas</i>	E	T
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	E	E
Loggerhead Sea Turtle	<i>Caretta</i>	T	E
Olive Ridley Sea Turtle	<i>Lepidochelys olivacea</i>	T	T
Oregon Spotted Frog	<i>Rana pretiosa</i>		T
BIRDS			
California Brown Pelican	<i>Pelecanus occidentalis californicus</i>	E	
California Least Tern	<i>Sternula antillarum browni</i>	E	E
Marbled Murrelet	<i>Brachyramphus marmoratus</i>	E	T
Northern Spotted Owl	<i>Strix occidentalis caurina</i>	T	T
Short-tailed Albatross	<i>Phoebastria albatrus</i>	E	E
Streaked Horned Lark	<i>Eremophila alpestris strigata</i>		T
Western Snowy Plover	<i>Charadrius nivosus nivosus</i>	T	T (Pacific Coast population DPS)
Yellow-billed Cuckoo (Western DPS)	<i>Coccyzus americanus</i>		T
MAMMALS			
Blue Whale	<i>Balaenoptera musculus</i>	E	E
Canada Lynx	<i>Lynx canadensis</i>		T
Columbian White-tailed Deer (Columbia River DPS)	<i>Odocoileus virginianus leucurus</i>		T
Fin Whale	<i>Balaenoptera physalus</i>	E	E
Gray Whale	<i>Eschrichtius robustus</i>	E	
Humpback Whale	<i>Megaptera novaeangliae</i>	E	E
Killer Whale (Southern Resident DPS)	<i>Orcinus orca</i>		E
Kit Fox	<i>Vulpes macrotis</i>	T	
North Pacific Right Whale	<i>Eubalaena japonica</i>	E	E
Red Tree Vole (North Oregon Coast DPS)	<i>Arborimus longicaudus</i>		C
Sea Otter	<i>Enhydra lutris</i>	T	T
Sei Whale	<i>Balaenoptera borealis</i>	E	E

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Sperm Whale	<i>Physeter macrocephalus</i>	E	E
Washington Ground Squirrel	<i>Uroditellus washingtoni</i>	E	
Wolverine	<i>Gulo gulo</i>	T	

(T= Threatened, E= Endangered, C= Candidate, DPS= Distinct Population Segment)

* Listed under the Oregon Endangered Species Act (ORS 496.171 through 496.192); Revised July, 2021

Listings of threatened or endangered invertebrates is overseen by the U.S. Fish and Wildlife Service and the Oregon Biodiversity Information Center (ORBIC), which is based at Portland State University. The list of rare, threatened and endangered species is updated every two to three years, with the last update released in July 2019. This report has inventoried the following invertebrate species in Clatsop County:

TABLE 3: THREATENED OR ENDANGERED INVERTEBRATES				
SCIENTIFIC NAME	COMMON NAME	S_RANK	ODFW_STRAT	HP_LIST
<i>Danaus plexippus</i> <i>pop. 1</i>	Monarch - California overwintering population	S1S2B	Strategy species	1
<i>Margaritifera falcata</i>	Western pearlshell (mussel)	S3		2
<i>Bombus fervidus</i>	Yellow bumblebee	S3S4		3
<i>Anodonta oregonensis</i>	Oregon floater (mussel)	S3?		2
<i>Bombus suckleyi</i>	Suckley's cuckoo bumblebee	S1?		1
<i>Anodonta nuttalliana</i>	Winged floater (mussel)	S2?	Strategy species	3
<i>Speyeria cybele</i> <i>pugetensis</i>	Puget Sound fritillary	S3?	Strategy species	3
<i>Megomphix hemphilli</i>	Oregon megomphix (snail)	S3		4
<i>Fluminicola virens</i>	Olympia pebblesnail	S2		2
<i>Bombus caliginosus</i>	Obscure bumblebee	S2?		3
<i>Tanypteryx hageni</i>	Black petaltail	S3?	Strategy species	4
<i>Pristiloma johnsoni</i>	Broadwhorl tightcoil (snail)	S3		3
<i>Lycaena mariposa</i> <i>junia</i>	June's copper	S1?		2
<i>Anodonta californiensis</i>	California floater (mussel)	S2	Strategy species	3

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<i>Vorticifex neritoides</i>	Nerite ramshorn (snail)	SH		1
<i>Physella columbiana</i>	Rotund physa (snail)	SH		1
<i>Bembidion tigrinum</i>	Cryptic beach carabid beetle	S4		3
<i>Fluminicola fuscus</i>	Columbia pebblesnail	S1		2
<i>Speyeria zerene hippolyta</i>	Oregon silverspot (butterfly)	S1	Strategy species	1
<i>Polites sonora siris</i>	Sonora skipper (butterfly)	S3?		3
<i>Pristiloma pilsbryi</i>	Crowned tightcoil (snail)	S1		1
<i>Hemphillia glandulosa</i>	Warty jumping-slug	S1?		3

The most widely used NatureServe rank in the United States are the State Ranks, which describe the rarity of a species within each state's boundary. These State Ranks begin with the letter "S". Global, National, and State ranks all use a 1-5 ranking system, summarized below:

- 1 = Critically imperiled because of extreme rarity or because it is somehow especially vulnerable to extinction or extirpation, typically with 5 or fewer occurrences.
- 2 = Imperiled because of rarity or because other factors demonstrably make it very vulnerable to extinction (extirpation), typically with 6-20 occurrences.
- 3 = Rare, uncommon or threatened, but not immediately imperiled, typically with 21-100 occurrences.
- 4 = Not rare and apparently secure, but with cause for long-term concern, usually with more than 100 occurrences.
- 5 = Demonstrably widespread, abundant, and secure.
- H = Historical Occurrence, formerly part of the native biota with the implied expectation that it may be rediscovered.
- X = Presumed extirpated or extinct.
- U = Unknown rank.
- ? = Not yet ranked or assigned rank is uncertain.

The Native Plant Conservation Program, operated by the Oregon Department of Agriculture, oversees the conservation and management of Oregon's listed plant species. Statewide, there are 59 protected plants. In Clatsop County, the following plant species have been listed:

TABLE 4: PROTECTED PLANTS			
ENDANGERED		THREATENED	
Common Name	Scientific Name	Common Name	Scientific Name
Pink Sandverbena	<i>Abronia umbellata</i>	Nelson's checkermallow	<i>Sidalcea Nelsoniana</i>

*Source: Oregon Department of Agriculture, August 27, 2016

Under federal law, the U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration (NOAA) share responsibility for implementing the federal Endangered Species Act of 1973, with USFWS overseeing terrestrial and freshwater species and NOAA having responsibility for marine and anadromous species.

Clatsop Plains Elk Project

In April 2019, Governor Kate Brown designated the Clatsop Plains Elk Collaborative as an Oregon Solutions Project. The Governor designated Warrenton Mayor Henry Balensifer and Seaside Mayor Jay Barber as co-conveners of the project and Oregon Solutions formed a project team of 26

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members consisting of key stakeholders, private landowners, state agency staff, local community and government leaders, academics, Governor’s Regional Solutions staff, and area non-profit representatives to focus on the goals of reducing conflict between elk-human interactions, increasing safety, and promoting cohabitation between elk and people in the Clatsop Plains area.

A kick-off meeting with the entire project team was held on May 28, 2019. At that meeting, the team drafted the following purpose statement in order to form the scope of the project:

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 sub-committees:

- Elk Management
- Human Behavior Management
- Land Use
- Data

A steering committee oversaw the general work of the sub-committees and full project team.

The work of these four sub-committees culminated in a Declaration of Cooperation, which was signed by Clatsop County on September 1, 2021. By signing the Declaration, the County committed to undertaking the following actions:

- Pass a “no feeding” ordinance for unincorporated areas west of Highway 101
- Assist in the guidance and education of residents and tourists regarding elk safety, landscaping, and best practices for pets; support the development of content, printed materials, and community outreach.
- Conduct community outreach and education to assist residents when making elk fencing options
- 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. Build necessary partnerships for support and implementation.
- Review subdivision ordinances, develop educational campaigns, 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

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Cooperation as consideration and guidance for zoning code discussions (open space requirements, locations, designs) and density transfer discussions.

- Develop and implement 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 state to residential or commercial use. An informal process might include:
 - Ensuring that developers and land owners are aware of wildlife buffers and other land use recommendations from the Clatsop Plains Elk Collaborative
 - Providing an additional disclaimer on over-the-counter building permits to advise applicants of the possible presence of elk
 - Providing mapping of wildlife areas in conjunction with notifications
 - Working with real estate agents to build support for notifying potential buyers of the presence of wildlife where they are buying a home or setting up a business
- Provide ODFW with copies of all public notices for conditional use permits, even in areas not officially designated as Big Game Habitat
- Assist in education and outreach, in coordination with Warrenton and Gearhart, to inform the public and local officials on the relationship between land use planning and wildlife interactions
- House and administer GIS data for the Clatsop Plains Elk Collaborative map
- Review the County's density transfer program and adjust as needed to disperse density transfers throughout appropriate areas of unincorporated Clatsop County
- Support requests for culling permits made by cities within the Clatsop Plains area that would be conducted on unincorporated land outside of city limits when the elk are understood to be biologically attached to the city making the request. This does not require a formal resolution.
- Consider passing a formal resolution for a culling permit from ODFW when requests are made by private entities for elk on unincorporated land that are not biologically attached to a city.

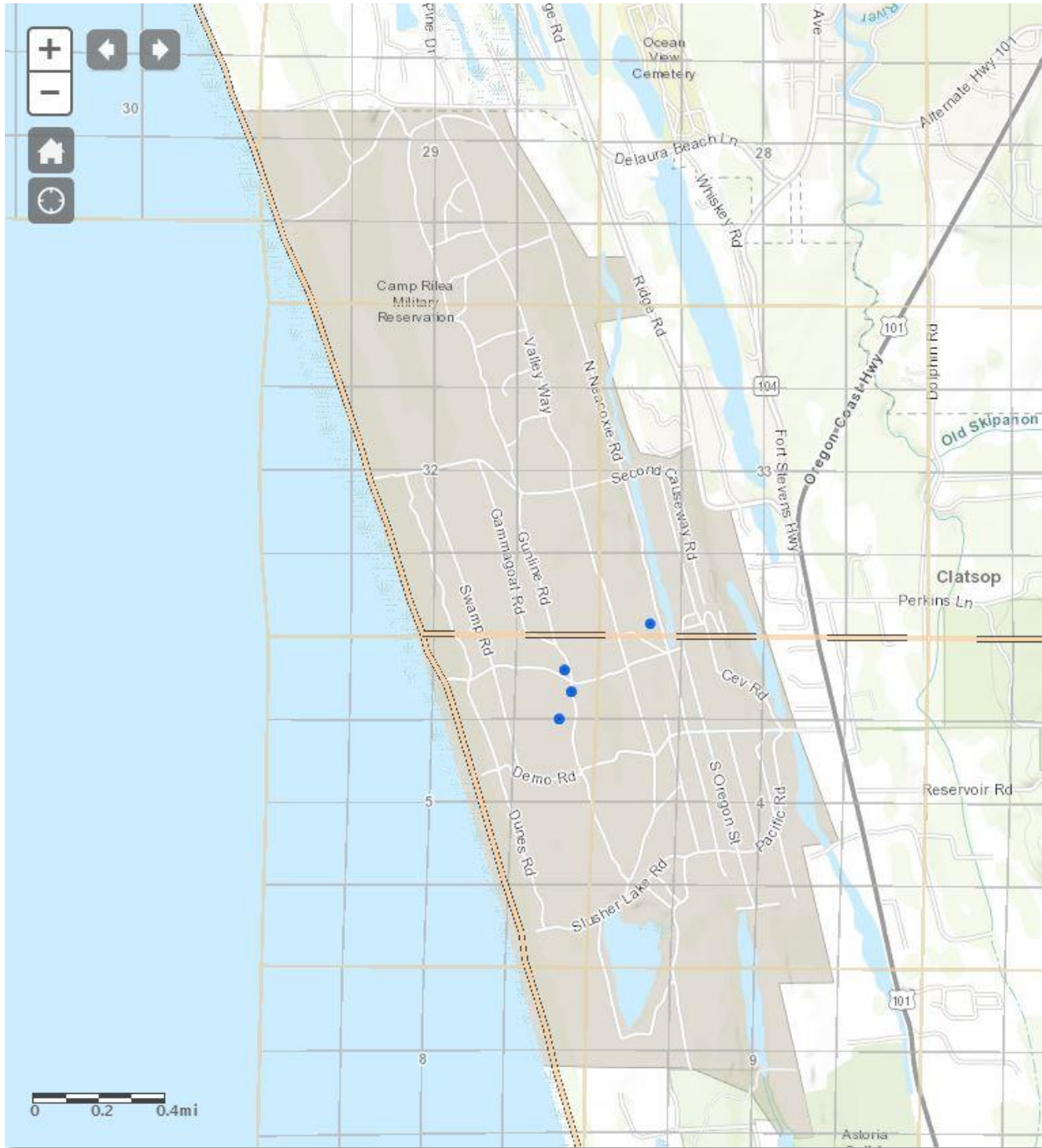
GROUNDWATER RESOURCES

OAR 660-023-0140 defines "Groundwater" as "any water, except capillary moisture, beneath the land surface or beneath the bed of any stream, lake, reservoir, or other body of surface water." While Statewide Planning Goal 5 specifically calls out groundwater resources as a required inventory, policies related to or affecting groundwater resources are found in several goals throughout the comprehensive plan, as well as in the individual community plans for each planning area. In addition to the inventoried wetlands and fish and wildlife habitats included in Goal 5, 15 distinct groundwater resources are also listed as inventoried groundwater resources on Table 1.

In Oregon, the Department of Environmental Quality (DEQ) has the primary responsibility for groundwater protection. DEQ, in coordination with the Oregon Health Authority's Drinking Water Program, the Oregon Water Resources Department, and the Oregon Department of Agriculture implement the majority of federal and state programs related to groundwater. Per information from

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the Oregon Water Resources Department there are four observation wells currently located at Camp Rilea.



Current observation wells at Camp Rilea. Source: Oregon Water Resources Department

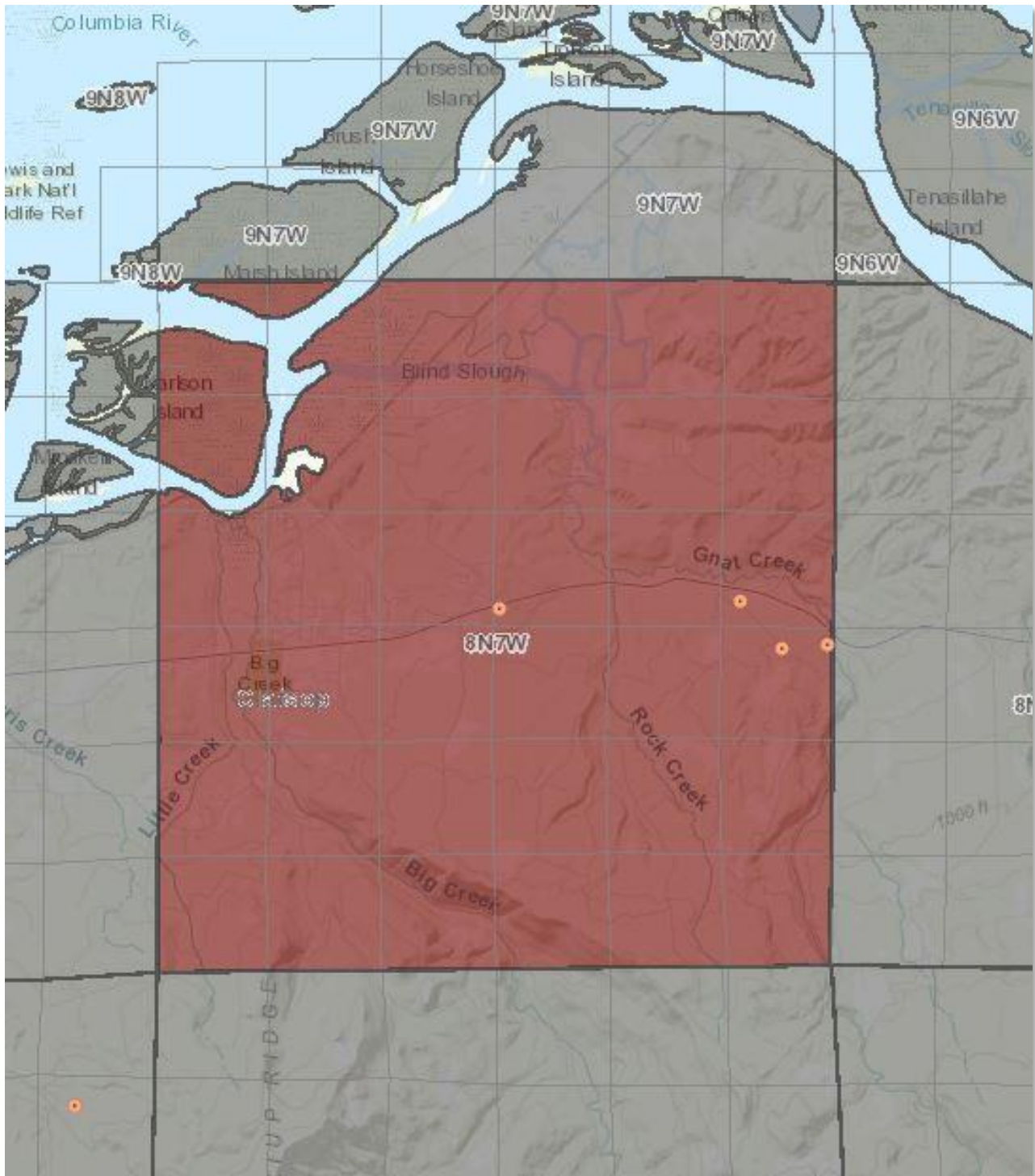
The Oregon Water Resources Department has identified a portion of the Clatsop Plains planning area where limited groundwater yield has been noted as a groundwater resource concern. The areas around Big Creek and Gnat Creek have been identified as an area of significant concern.

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Area of limited groundwater yield. Source: Oregon Water Resources Department

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Area of significant concern. Source: Oregon Water Resources Department

Groundwater and Drinking Water

While some drinking water districts obtain their supply from groundwater sources, surface water also plays a significant role as a drinking water resource. Clatsop County is developing a mapping layer on the GIS WebMaps tool to identify drinking water district watershed boundaries. **Table 5**, below is a

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list of 32 active public water systems in Clatsop County. These systems draw on both ground and surface water for the supply. Per information from the Oregon Health Authority (OHA), which inventories these systems, these active systems provide water to an estimated 40,693 people. Both groundwater and surface water systems are susceptible to contamination from chemicals, road runoff, and illegal dumping.

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TABLE 5: ACTIVE DRINKING WATER SYSTEMS, CLATSOP COUNTY							
PWS ID	PWS Name	Regulating Agency	System Type	Owner Type	Connections	Population Served	Primary Source
OR4100802	ARCH CAPE WATER DISTRICT	State - Reg 1	C	Local Government	293	150	SW
OR4100055	ASTORIA, CITY OF	State - Reg 1	C	Local Government	4,076	9,802	SW
OR4100054	BURNSIDE WATER ASSOCIATION	County	C	Private	112	315	SWP
OR4194481	CAMP 18	County	NC	Private	5	69	GW
OR4195443	CAMP RILEA	County	NTNC	State Government	75	136	GW
OR4100164	CANNON BEACH, CITY OF	State - Reg 1	C	Local Government	1,781	1,710	GW
OR4100044	CANNON VIEW PARK INC	County	NC	Private	50	75	GW
OR4100804	ELDERBERRY NEHALEM WS	County	C	Private	60	140	GW
OR4100805	EVERGREEN ACRES	County	C	Private	47	100	GW
OR4100045	FALCON COVE BEACH WD	County (Tillamook)	C	Local Government	92	200	GW
OR4100059	FERNHILL COMMUNITY WTR SYSTEM	County	C	Private	91	300	SWP
OR4100124	FISHHAWK LAKE RESERVE AND COMMUNITY	State - Reg 1	C	Private	250	350	SW
OR4100318	GEARHART WATER DEPARTMENT	County	C	Local Government	1,400	1,465	SWP
OR4190416	GEORGIA PACIFIC CO LLC WAUNA	State - Reg 1	NTNC	Private	1	700	SW
OR4194157	HAMLET QUICK-STOP	State - Reg 1	NC	Private	1	30	SW
OR4190531	JEWELL SCHOOL DISTRICT #8	State - Reg 1	NTNC	Local Government	10	200	GU
OR4100060	JOHN DAY WATER DISTRICT	County	C	Private	101	350	SWP
OR4100061	KNAPPA WATER ASSOCIATION	County	C	Private	574	1,800	GW
OR4195297	ODF NORTHRUP CREEK HORSE CAMP HP	County	NC	State Government	1	55	GW
OR4190762	ODF SPRUCE RUN PARK HP	County	NC	State Government	1	40	GW
OR4191097	ODOT HD SUNSET SPRINGS RA	County	NC	State Government	3	500	GW
OR4100057	OLNEY-WALLUSKI WATER ASSN	County	C	Private	233	530	SWP
OR4190413	ONEYS RESTAURANT/LOUNGE	County	NC	Private	6	60	GW
OR4191007	OPRD BRADLEY STATE WAYSIDE	County	NC	State Government	2	383	GW
OR4100799	SEASIDE WATER DEPARTMENT	State - Reg 1	C	Local Government	3,500	6,400	SW
OR4100800	STANLEY ACRES WATER ASSN	County	C	Private	112	315	SWP
OR4100933	SUNSET LAKE RV PARK	County	C	Private	100	170	GW
OR4100932	WARRENTON, CITY OF	State - Reg 1	C	Local Government	3,539	9,100	SW
OR4100951	WAUNA WATER DISTRICT	County	C	Local Government	68	188	GW
OR4100195	WESTPORT HEIGHTS	County	C	Private	40	90	GW
OR4100950	WESTPORT WATER ASSOCIATION	County	C	Private	165	550	GWP
OR4100063	WICKIUP WATER DISTRICT	State - Reg 1	C	Private	636	1,590	SW
OR4100058	WILLOW DALE WATER DISTRICT	County	C	Local Government	125	300	SWP
OR4100062	YOUNGS RIVER LEWIS & CLARK WD	State - Reg 1	C	Local Government	1,004	2,530	SW
TOTAL					18,554	40,693	

Source: Oregon Health Authority, Drinking Water Data Online, 2021

System Classification:

C = Community Water System: A water system that has 15 or more service connections used by year-round residents, or that regularly supplies drinking water to 25 or more year-round residents. Examples are cities, towns, subdivisions, and mobile home parks.

NTNC = Non-Transient Non-Community Water System: A water system that supplies water to 25 or more of the same people at least six months per year in places than their residences. Examples include schools, hospitals, and work places.

Agenda Item # 2.

TNC = Transient Non-Community Water System: A water system that provides water to 25 or more persons in a place where people do not remain for long periods of time, such as a restaurant or campground.

NP = Non-EPA (State Regulated) Water System ("Non-Public"): A water system that provides water to small residential communities between 4 and 14 connections, or serves from 10 to 24 persons a day at least 60 days a year, or is licensed by the Health Division or delegate county health department but is not a Transient Water System.

W = Wholesale System: A water system that produces finished water and delivers all of that finished water to one or more public water systems.

Agency:

Who has primary responsibility to provide oversight and help to the water system

S = Oregon Health Authority

A = Department of Agriculture

C = Local county health department

Source Type/Primary Source:

GW = Groundwater (wells, springs).

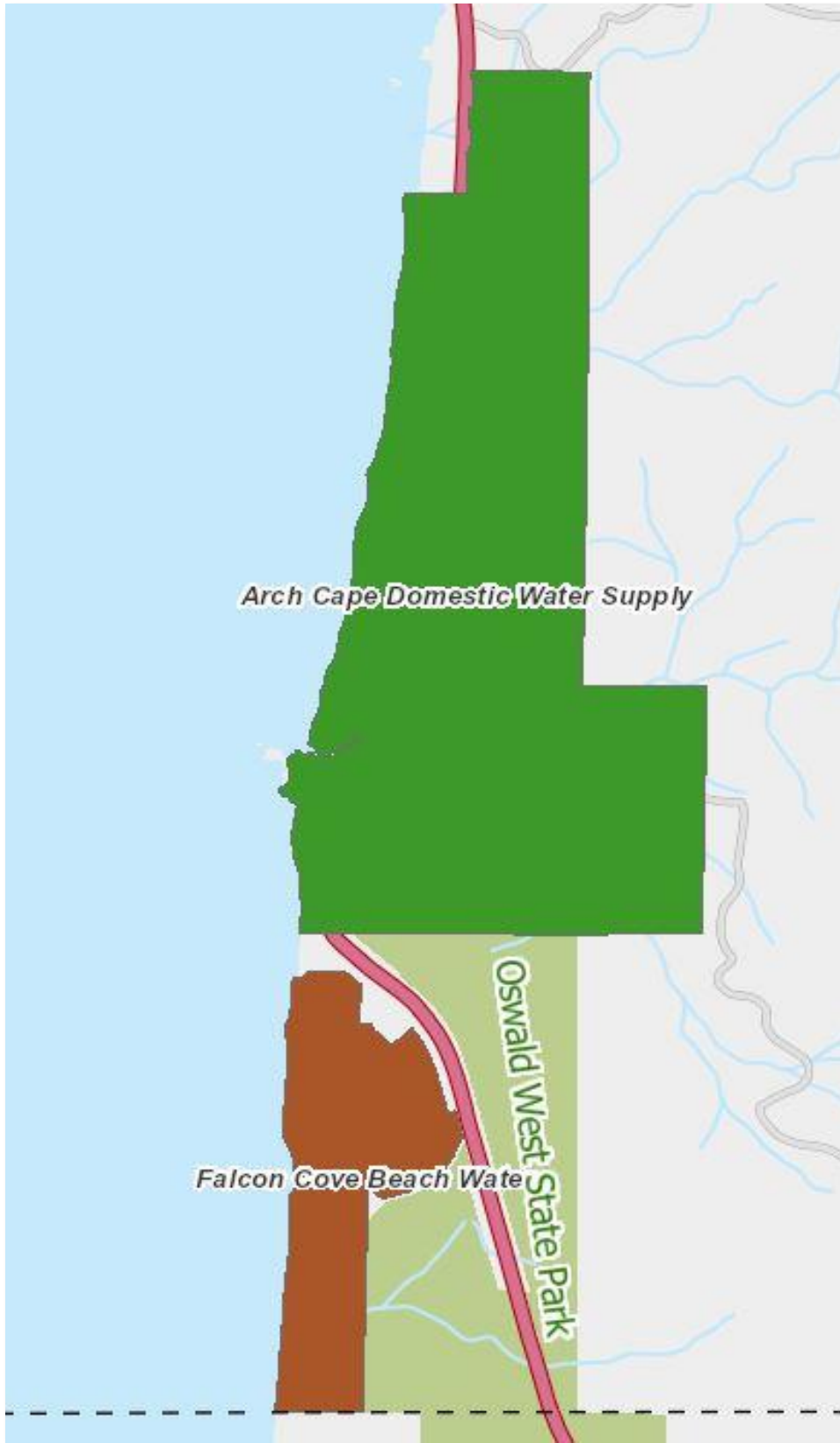
SW = Surface water (e.g., rivers, lakes, creeks).

GU = Groundwater under direct influence of surface water (GWUDI). GWUDI refers to groundwater sources located close enough to nearby surface water to receive direct surface water recharge.

GWP = Purchases water from another water system that uses ground water only.

SWP = Purchases water from another water system that uses surface water or surface water and ground water mixed.

GUP = Purchases water from another water system that uses GWUDI or GWUDI and ground water mixed.



Arch Cape and Falcon Cove Beach Water Districts
 Source – Clatsop County GIS

Surface Water Districts: Water is provided directly from runoff in rivers and creeks. There is a higher potential for surface water to come in contact with pollutants than naturally-filtered ground water. It is generally used by public or larger private/community water districts who have the ability to process and treat the water to meet water quality standards. These districts include the Arch Cape Water District, the Youngs River/Lewis and Clark Water District, and the City of Astoria Water District.

Ground Water Districts: Water is supplied from aquifers and wells. In Clatsop County, it is generally smaller districts and individual landowners who provide this type of water access. These districts include the Wauna Water District, Sunset Lake RV Park, and the Knappa Water Association. The Oregon Health Authority also oversees several smaller community water districts such as the one at Elderberry.

Individual and Small Group Systems: In addition to residents and businesses served by water districts, many households

CLATSOP COUNTY COMPREHENSIVE PLAN



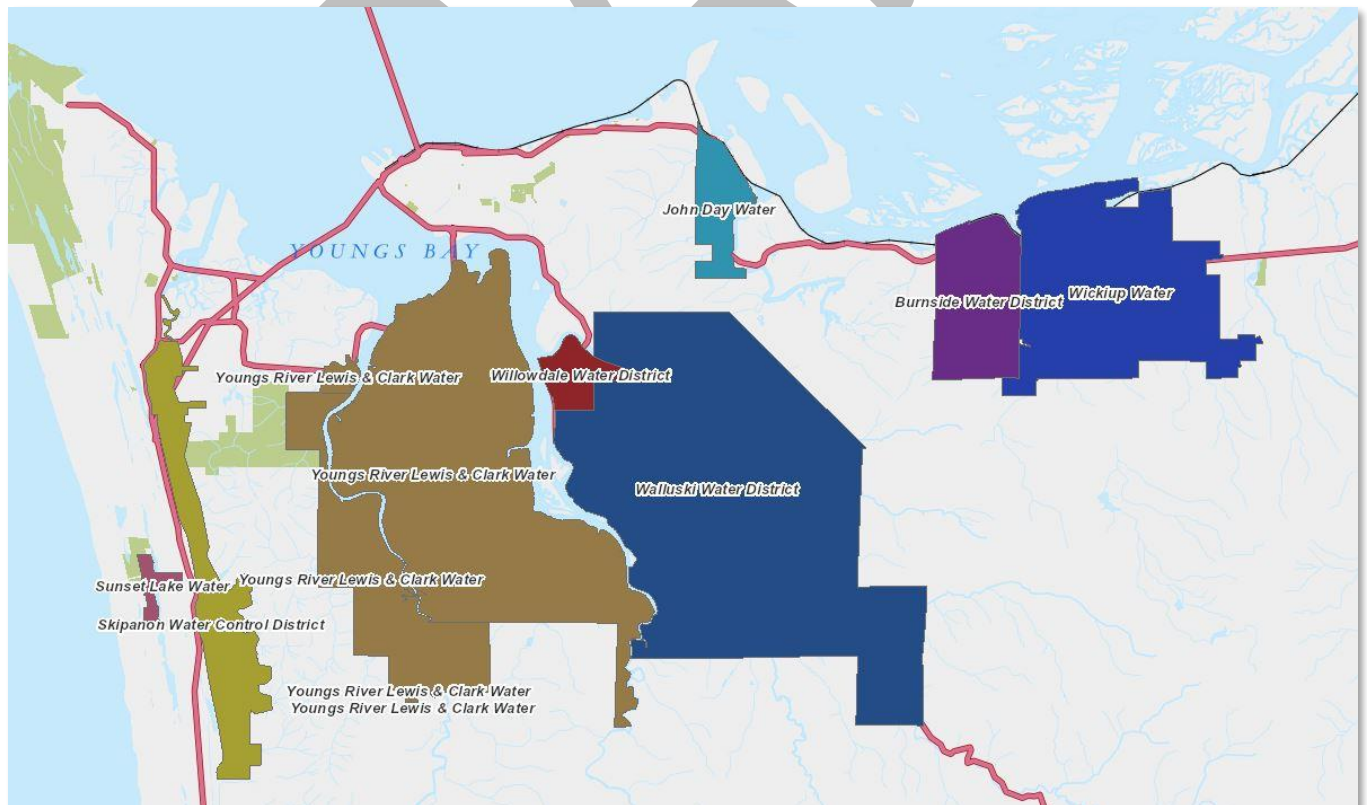
Wauna Water District: Source – Clatsop County GIS

and the quality of the Clatsop Plains Aquifer.

outside those districts are served by individual or small group water systems. These systems are vulnerable to drought, climate change, and contamination. These vulnerabilities may be accentuated by a lack of testing, impacts from activities on adjacent properties, and lack of expertise to maintain the systems.

During the citizen advisory committee meetings on ground water resources, many committee members addressed the issue of groundwater and surface water pollution and the cumulative impacts of existing and new development. Another common concern raised during these meetings related to the impacts of wildfire and climate change on groundwater resources and aquifer recharge areas. The Clatsop Plains CAC also noted the need to protect both the quantity

The Board of Clatsop County Commissioners recognized those concerns during the development of



North County Water Districts: Source – Clatsop County GIS

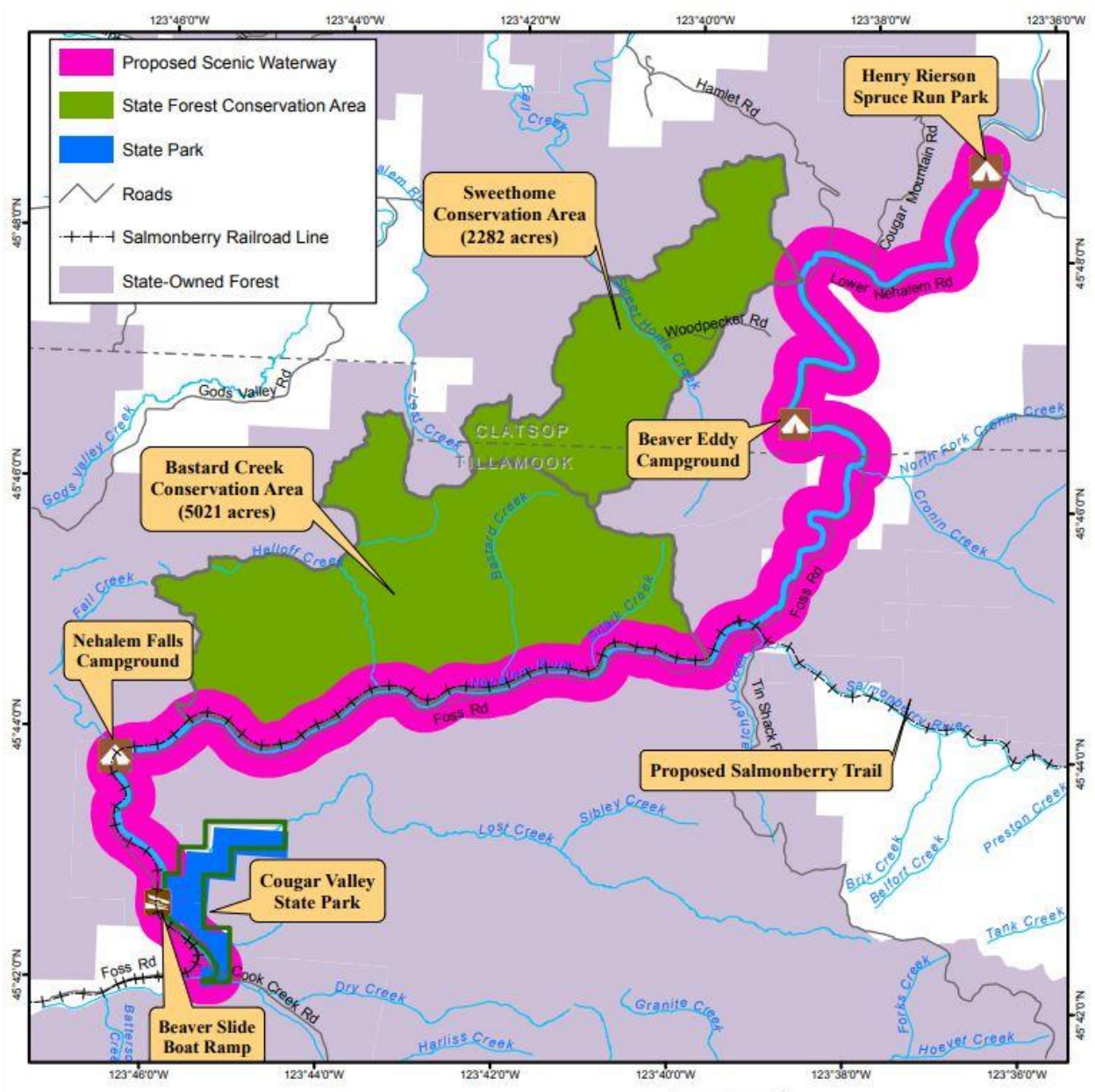
their

CLATSOP COUNTY COMPREHENSIVE PLAN

initial 2020 Strategic Plan. The FY 2023-24 priorities update to this strategic plan also include the Tier 3 priority of continuing to engage with local watershed councils to identify how to support their work. It is estimated that resulting support plan will be completed in December 2024.

STATE SCENIC WATERWAYS

OAR 660-023-0130 requires local governments to amend acknowledged plans and land use regulations to address any Oregon Scenic Waterway (OSW) and associated corridor that is not addressed by the plan. A 17.5-mile section of the Nehalem River was designated as a State Scenic Waterway in June 2019. Approximately ¼ of this section is located in Clatsop County, while the rest is in Tillamook County.



Source: Oregon Forest Conservation Coalition

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Per OAR 660-023-0130(4), no later than the next time the County is subject to periodic review, the County must either adopt a Goal 5 program for this segment of the Nehalem River by conducting an Economic, Social, Environmental and Energy (ESEE) analysis to identify consequences that could result from a decision to allow, limit, or prohibit a conflicting use on or adjacent to this resource. Alternatively, the County may adopt a “safe harbor” approach, which would require the County to adopt implementing ordinances necessary to carry out the Nehalem River Scenic Waterway Management Plan that has been approved by the Oregon Parks and Recreation Commission. The management plan rules are set forth in OAR 736-040-0120.

FEDERAL WILD AND SCENIC RIVERS

Local governments are required to amend acknowledged comprehensive plans and land use regulations to address any federal Wild and Scenic River (WSR) and associated corridor established by the federal government that is not addressed by the acknowledged plan. While WSRs are required to be designated as significant Goal 5 resources, they are not subject to the full Goal 5 inventory process, economic-social-environmental-energy consequences analysis (ESEE), or development of implementing ordinances.

There currently are no designated or pending WSRs within Clatsop County.

OREGON RECREATIONAL TRAILS

Pursuant to OAR 660-023-0150, “recreation trail” means an Oregon Recreation Trail designated by rule adopted by the Oregon Parks and Recreation Commission (OPRC). Recreation trails are designated by OPRC in cooperation with local governments and private land owners. Local governments are not required to inventory recreation trails under OAR 660-023-0030. Instead, local governments are required to designate all recreation trails designated by OPRC as significant Goal 5 resources. As each jurisdiction’s comprehensive plan is updated, the local government must amend its plan to recognize any recreation trails designated by OPRC subsequent to acknowledgment or a previous periodic review.

Designated trails in Clatsop County include the Saddle Mountain Trail and the Oregon Coast Trail.

NATURAL AREAS

The Oregon Natural Areas Program was established by the 1979 Legislature in the Natural Heritage Act (ORS 273.561-.591 [SB 448]), to help protect natural areas in Oregon. The law was based on a tradition of natural area inventory and conservation. Updated, expanded and revised numerous times, more recent review of the now “Oregon Natural Heritage Act and Natural Heritage Program” affirmed that natural areas continue to provide important places for public education and baseline research and that it remains important for Oregon to maintain a natural areas program.

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For Goal 5 purposes, “natural areas” are those sites that are listed in the Oregon State Register of Natural Heritage Resources (OAR 660-023-0160). At the time of adoption of Goal 5 in 1979/1980, several Clatsop County sites were to be added to the Oregon Islands Wilderness. The new sites are mentioned, but not shown as listed in the goal. Also, other sites may have been included in the interim. The comprehensive plan update will verify that all the sites in the federal listing are included in the County’s Goal 5 list of resources. Sites currently listed in the Oregon State Register of Natural Heritage Resources, but not yet included in the County’s comprehensive plan, include:

- Blind Slough Swamp Preserve
- Knappa Slough Island
- Saddle Mountain
- Humbug Mountain

The county is home to a large number of natural areas that might be appropriate for future listing on the Natural Heritage Resource Register. It is important to note that listing is voluntary and areas can be delisted at the owner’s request. An example of potential candidate sites is Onion Peak, which is already included among the eight sites in Oregon listed as a Dedicated Natural Heritage Conservation Area.

WILDERNESS AREAS

Per OAR 660-023-0170, wilderness areas are designated by the federal government, under the National Wilderness Preservation System, signed into law by President Lyndon Johnson in 1964. Oregon was among the first states to gain wilderness area under the act.

In Clatsop County, one Wilderness Area is designated: The Oregon Islands Wilderness, managed by the US Fish and Wildlife Service, which runs the length of the Oregon Coast. In Clatsop County, this includes:

- Tillamook Head Rocks
- Bird Rocks
- Sea Lion Rocks
- Haystack Rock
- and Castle Rock

Unnamed Rocks located in T5N, R10W, Section 12, Jockey Cap, Tim Rock and Gull Rock were to be added at the time the Comprehensive Plan was being adopted.

Local governments are not required to inventory wilderness areas, but they are required to list all federally designated wilderness areas as significant Goal 5 resources.

MINERAL AND AGGREGATE RESOURCES

Clatsop County is home to significant natural resources. While natural resources are most often associated with the county’s forests, the Pacific Ocean, and the Columbia River, as well as all the streams, wetlands and

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wildlife habitat, Clatsop County currently is home to 13 active mines and quarries that also are Goal 5 resources. This is in addition to five active county rock pits, but does not include an unknown number of rock pits on forest lands used for roads covered by the Forest Practices Act. These quarries and mines produce aggregate, crushed rock, basalt and sand, materials that are used extensively in road building, road maintenance, and other construction activities.

As originally drafted and approved in 1980, Goal 5 is 626 pages in length. Despite the diversity of natural resources within Clatsop County, the majority of Goal 5 is dedicated to mineral and aggregate resources. This would appear to be indicative of the economic importance of mining activities at the time this goal was written. However, much of the material related to mineral and aggregate resources includes copies of staff reports and ordinances that rezone specific parcels for mining uses. The inventoried Goal 5 mineral and aggregate resources include:

- Clatsop County – Clifton
- Clatsop County – Big Creek
- Howard Johnson – US 101
- Bayview Transit Mix – US 101
- George Ordway
- Teevin Bros. Logging
- Daren Berg, Humbug Rock
- M. Nygaard Logging
- A. Riekkola
- Tagg
- Horecny

OAR 660-016-0030 states that when planning for and regulating the development of aggregate resources, local governments are required to complete the following three items:

1. Address the requirements of ORS 517.750 to 517.900 and OAR chapter 632, divisions 1 and 30.
2. Coordinate with the State Department of Geology and Mineral Industries (DOGAMI) to ensure that requirements for the reclamation of surface mines are incorporated into programs to achieve the Goal developed in accordance with OAR 660-016-0010.
3. Establish procedures designed to ensure that comprehensive plan provisions, land use regulations, and land use permits necessary to authorize mineral and aggregate development are coordinated with DOGAMI.

When this rule was instituted, the county had until January 1, 1993, to update its comprehensive plan and land use regulations to address these three items. Those items have been included in the acknowledged comprehensive plan and implementing ordinances.

Four state agencies regulate the development and operation of aggregate mining and processing projects in Oregon. The role that each play depends on the scale, design, and associated impacts.

The primary agencies and their specialty areas are:

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- [Oregon Department of Environmental Quality](#) – air quality, stormwater runoff, and wastewater. (DEQ noise standards apply. However, if no DEQ permit is required, the local government addresses noise violations.)
- [Oregon Department of Geology and Mineral Industries](#) – site reclamation and mine safety standards.
- [Oregon Department of State Lands](#) – earth removal and fill permits for activities conducted in wetlands, waterways, and other state lands.
- [Oregon Water Resources Department](#) – water rights for consumptive use of water for processing.

In Clatsop County, mineral and aggregate sites are typically protected by being designed as “Conservation Other Resources” on the comprehensive plan map and being zoned QM – Quarry and Mining; or by being placed in the Quarry and Mining Overlay. During the work of the citizen advisory committees it was noted that many quarry and mining sites are either not zoned QM or have not been placed in the overlay.

Per OAR 660-023-0180(2), local governments are not required to amend acknowledged inventories or plans except in response to an application to amend the plan or during periodic review. Because the County is no longer subject to mandatory periodic review, and because no applications have been submitted or are currently under review to amend the acknowledged plan, the County is not required to amend its acknowledged inventories as part of this process. In order to ensure that the plan remains accurate and consistent with OAR it is recommended that the list of acknowledged mineral and aggregate resources be reviewed within five years of the adoption of this plan. Otherwise, the County will follow OAR 660-023-0180 and apply those criteria directly to any applications to amend the plan to list a mineral and aggregate site.

ENERGY SOURCES

OAR 660-023-0190 defines “energy source” as including naturally occurring locations, accumulations, or deposits of one or more of the following resources used for the generation of energy:

- Natural gas
- Surface water (i.e., dam sites)
- Geothermal
- Solar
- Wind

Energy sources applied for or approved through the Oregon Energy Facility Siting Council (EFSC) or the Federal Energy Regulatory Commission (FERC) shall also be deemed significant energy sources for purposes of Goal 5. Per information on the Oregon Department of Energy website, there are no EFSC or FERC facilities within Clatsop County at this time.

Additional discussion of energy sources may be found in Goal 13.

CULTURAL AREAS

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The State Historic Preservation Office (SHPO) houses a statewide GIS database of more than 30,000 known archaeological sites in Oregon. According to SHPO, 90 of these known archaeological sites are located within Clatsop County. In order to discourage looting or vandalism, the locations of these sites are not published. Per Oregon Revised Statute (ORS 390.235 and 358.905-961), an Oregon Archaeological Permit is needed to excavate or collect from an archaeological site on non-federal public or private lands. A permit is also needed to probe for an archaeological site on non-federal public lands. A permit is not required for pedestrian survey if no materials will be collected. Sections 6.700-6.7030, LAWDUC, include language related to the protection of archaeological areas. Standard conditions of development permit approval require property owners to notify SHPO if cairns, graves or other significant archaeological resources are uncovered.

Discussions during the citizen advisory committee meetings emphasized the need to more fully acknowledge the first peoples that populated Clatsop County and subsequent ethnic and racial minority groups, such as Chinese immigrants.

HISTORIC RESOURCES

While historic resources, which are often closely related to cultural areas, are not a required inventory under Goal 5, Clatsop County choose to conduct an inventory when the comprehensive plan was originally adopted. Clatsop County has a long and diverse history and the current inventory includes the following sites:

- Fort Clatsop National Monument
- Cannon at Cannon Beach
- Tillamook Rock Lighthouse
- Ecola State Park
- Lindgren House
- R. W. Morrison Houses (aka Tagg Place)
- Clatsop Plains Memorial Church
- Clatsop Plains Cemetery
- The Mill Site of the Falls Pulp Company
- The Shepherd and Morse Sawmill Site
- Westport Log Tunnel

In 2017, the Goal 5 rule for historic resources, OAR 660-023-0200, was amended. It now requires that new sites added to the National Register of Historic Places be automatically recognized as locally-significant sites. Baseline protections in the Goal 5 rule are automatically applied. Any additional protections proposed by a local jurisdiction would require approval through a public hearing process. Table 6 lists sites in unincorporated Clatsop County that have been listed on the National Register of Historic Places.

TABLE 6: NATIONAL REGISTER OF HISTORIC PLACES LISTED SITES – UNINCORORATED CLATSOP COUNTY			
REF ID	Property Name	Date Listed	Location

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13001058	Astoria Marine Construction Company Historic District	1/8/2014	92134 Front Rd.
66000640	Fort Clatsop National Memorial	10/15/1966	4.5 mi. S of Astoria
89001385	ISABELLA Shipwreck Site and Remains	9/21/1989	Address Restricted
97000983	Bald Point Site (35CLT23)	9/10/1997	Address Restricted
97000984	Ecola Point Site (35CLT21)	9/10/1997	Address Restricted
97000982	Indian Creek Village Site (35CLT12)	9/10/1997	Address Restricted
71000678	Fort Stevens	9/22/1971	Fort Stevens State Park
84002959	Hlilusqahih Site (35CLT37)	4/26/1984	Address Restricted
81000480	Tillamook Rock Lighthouse	12/9/1981	SW of Seaside
84002960	Indian Point Site (35 CLT 34)	5/9/1984	Address Restricted
92000128	Goodwin--Wilkinson Farmhouse	3/9/1992	US 26/101 W of Cullaby Lake

Source: National Park Service; National Register of Historic Places

The citizen advisory committees identified a need to work more closely with local Native American tribes when identifying and protecting known historic resources. Local Native American tribes include both federally-recognized and unrecognized tribes. On June 23, 2021, the Board of Clatsop County Commissioners approved a resolution in support of tribal recognition for the Chinook Indian Nation. The citizen advisory committees also recognized the need to update terminology to reflect the diversity of native persons (i.e., change the term “Indian” to “Native American”). Representatives from the Chinook Indian Nation also identified areas within Goal 5 where references to and information about traditional activities of native persons could be incorporated.

The citizen advisory committees also encouraged the County to obtain public input and explore the possibility of becoming a Certified Local Government (CLG). Becoming a CLG would require the County to adopt a local historic preservation ordinance and create a historic preservation committee. However, local input would determine the extent of the regulations included in the ordinance, as there is not a “one-size-fits-all” guide to local preservation activities. Additionally, becoming a CLG would open up funding opportunities for the County with regard to historic preservation activities, including educational programs and restoration projects.

OPEN SPACE

Per OAR 660-023-0220, “open space” includes parks, forests, wildlife preserves, nature reservations or sanctuaries, and public or private golf courses. Local governments are encouraged, but not required to identify open space resources in acknowledged comprehensive plans. If local governments decide to establish or amend open space inventories, the Goal 5 inventory process outlined in OAR 660-023-0030 through 660-023-0050 applies. Local governments may also adopt a list of significant open space resource sites as part of an open space acquisition program. Such sites do not require the full Goal 5 inventory process unless land use regulations are adopted to protect sites prior to acquisition.

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Open space is inclusive of land used for agriculture or forest uses and any land area that would, if preserved and continued in its present use:

- a) Conserve and enhance natural or scenic resources;
- b) Protect air or streams or water supply;
- c) Promote conservation of soils, wetlands, beaches or tidal marshes;
- d) Conserve landscaped areas such as public or private golf courses, that reduce air pollution and enhance the value of abutting or neighboring property;
- e) Enhance the value to the public or abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space;
- f) Promote orderly urban development.

The following three categories of open space resources have been identified within Clatsop County, along with potentially-conflicting uses and methods for protection from conflicting uses:

- **General Open Space** (farm and forest land, estuarine areas, the Pacific Ocean and beaches):
 - Conflicting uses: intensive rural residential, commercial, and industrial development; filling and draining estuarine areas.
 - Protections: Farm and forest zones with large minimum lot sizes and limited land uses; locational criteria for residential, commercial and industrial uses; natural and conservation zoning for estuarine areas; the ocean and beaches are regulated by the State of Oregon.
- **Site-Specific Resources** (parks, wildlife refuges, natural areas, specific scenic sites, and fresh water wetlands)
 - Conflicting uses and protections: The Open Space element refers to other elements of Goal 5 and Goal 8 which specifically address these resources.
- **Open Spaces Provided in Conjunction with a Specific Development**
 - Conflicting uses: development, generally.
 - Protections: policies that encourage cluster development and the retention of open space in residential developments; subdivisions in the Clatsop Plains sub-area are required to have clustered lots in order to maintain open space values.

Specific open space resources are included in the inventory on Table 1.

SCENIC VIEWS AND SITES

Pursuant to OAR 660-023-0230, “scenic views and sites” are lands that are valued for their aesthetic appearance. Local governments are not required to amend acknowledged comprehensive plans in order to identify scenic views and sites. If local governments decide to provide or amend inventories of scenic resources, the requirements of OAR 660-023-0030 through 660-023-0050 apply (Goal 5 inventory process; ESEE analysis; development of implementing ordinances to protect the identified resource).

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The Clatsop Comprehensive Plan currently includes an inventory of 12 scenic views and sites. The Comprehensive Plan Citizen Advisory Committees have suggested the following additions to the Goal 5 inventory of scenic views and sites:

1. Clatsop Plains
2. Lee Wooden / Fishhawk Falls County Park
3. Jewell Meadows
4. Nehalem / Red Bluff Park
5. Elsie Cemetery
6. Twilight Eagle Sanctuary
7. Svensen Island
8. Bradley Hill
9. Knappa Docks
10. Remainder of U.S. Highway 101 corridor within Clatsop County
11. Ecola State Park
12. Oswald West State Park
13. Fort Stevens State Park
14. Arcadia State Recreation Area
15. Hug Point State Recreation Area

FUTURE CONDITIONS

Climate Change

In February 2020 the Oregon Climate Change Research Institute published a report entitled *Future Climate Projects Clatsop County*. This reported was prepared for the Oregon Department of Land Conservation and Development in conjunction with grant assistance to Clatsop County to prepare an update to its Natural Hazard Mitigation Plan. The county-specific future climate projections were derived from 10-20 global climate models and two scenarios of future global greenhouse gas emissions – early 21st Century (2010-2039) and mid-21st century (2040-2069).

While the State has not yet mandated policies or actions that local governments must undertake to mitigate or adapt to climate change, it is probable that such requirements will be codified within the 20-year planning horizon. In 2021, the Oregon Department of Land Conservation and Development released its *Oregon Climate Change Adaptation Framework 2021*, which details actionable adaptation strategies and approaches based on six themes:

- Economy
- Natural World
- Built Environment and Infrastructure
- Public Health
- Cultural Heritage
- Social Relationships and Systems

Clatsop County should continue to monitor discussions at the state level and adapt policies and requirements to address specific climate change-related concerns and issues within the county.

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As part of this comprehensive plan update process, a sub-committee of the Countywide Citizen Advisory Committee utilized strategies from the *Regional Framework for Climate Adaptation Clatsop and Tillamook Counties* to develop recommended policies specific to Clatsop County.

FEMA Biological Opinion (BiOp)

The [National Flood Insurance Program](#) (NFIP) provides flood insurance for homeowners and property owners. The NFIP is administered by the Federal Emergency Management Agency (FEMA). FEMA sets standards for local governments participating in the NFIP, including requirements for local floodplain development ordinances. The Department of Land Conservation and Development (DLCD) is designated as Oregon's NFIP coordinating agency and assists local governments with implementation of the federal standards.

Because the NFIP has a direct effect on development that occurs in areas adjacent to local streams, rivers, and waterbodies, the NFIP is required to consider its effects on endangered species. Marine and anadromous species are protected by the Endangered Species Act (ESA) which is administered by the National Marine Fisheries Service (NMFS), a branch of the National Oceanic Atmospheric Administration (NOAA). This branch is also known as NOAA-Fisheries. The ESA provides for the conservation of threatened and endangered plants and animals and the habitats in which they are found. The ESA requires federal agencies to ensure that actions they authorize, fund, or carry out do not jeopardize the continued existence of any ESA listed species.

For several years, the NMFS and FEMA have been discussing measures that could be used to reduce negative impacts from the National Flood Insurance Program (NFIP) on salmon, steelhead and other species listed as threatened under the Endangered Species Act (ESA). In April 2016, NMFS delivered a jeopardy Biological Opinion (BiOp) to FEMA, stating that parts of the NFIP could have a negative impact on the habitat of endangered salmon species.

Local governments, including Clatsop County, that participate in the NFIP will be required to change their review process for floodplain development permits. FEMA will use its legal authorities under the National Flood Insurance Act to respond to the findings and recommendations in the BiOp. FEMA Region 10 will work with Clatsop County and other affected communities to determine best ways to implement the interim measures described in the Reasonable and Prudent Alternatives (RPA). FEMA headquarters will review the entire biological opinion to determine best ways to address the full range of recommendations in the RPA.

In October 2021, FEMA released a draft of the *Oregon Implementation Plan for NFIP-ESA Integration*. Ultimately, NFIP communities in the 31 Oregon counties with ESA listed salmonids will need to increase habitat protections. Development that degrades floodplain functions includes: clearing of native riparian vegetation; increases in impervious surface; displacement or reduction of flood storage via fill or structures; interruption of habitat forming process; and increases of pollutant loading in receiving water bodies. Any new protective measures included in the final implementation plan will have significant economic and development impacts for property owners within unincorporated Clatsop County.

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Demand for Housing

In 2019, Clatsop County and the cities of Astoria, Warrenton, Gearhart, Seaside and Cannon Beach completed a housing study to identify opportunities and weaknesses associated with housing supply in Clatsop County. That report concluded that while the County has a surplus of potentially buildable lands, certain types of housing and housing products at specific price-points are either missing from the county's housing inventory, or are not provided in sufficient quantities.

In March 2020, the coronavirus pandemic resulted in changes worldwide that significantly altered housing markets, including in Clatsop County. Some people choose to leave more densely populated areas and relocate to more rural areas. Others benefited from remote work options, which no longer tied workers to a specific geographic location. As a result, the median selling price of a home in Clatsop County rose from \$322,500 in November 2018 to \$502,500 in September 2021 (Source: Realtor.com). While some of these home sales will be to households that become permanent Clatsop County residents, many will be vacation homes and some of those will be used for short-term rentals.

The increase in median housing prices, coupled with a lack of long-term rental units, will result in increased pressure to increase housing stock by constructing new residential units. While Goal 14 stresses that higher intensity uses and dense development be directed to urban areas, there is, and will continue to be, a movement to increase housing development on rural lands. Encroaching residential development has the potential to impact inventoried Goal 5 resources, including wildlife habitat, groundwater, and open spaces.

Transportation Congestion

As the demand for housing increases there is also a corresponding increase in the need to provide new roads to those homes. Again, while Goal 14 directs new housing development primarily to urban areas, partitioning and subdividing of rural lands continues to occur in unincorporated Clatsop County. The construction of new roads, or the expansion of existing roads, has the potential to eliminate or reduce wildlife habitat.

Tourism

Clatsop County has historically had a strong tourism base. Per information from Travel Oregon, in 2019 local recreationists and visitors spent \$785 million on outdoor recreation in Clatsop County. Many of those visitors are drawn by Goal 5 resources, including scenic views and sites, open spaces, and wildlife. As visitation increases there is the potential for conflicting uses and unintended consequences which may threaten inventoried Goal 5 resources.



Clatsop County – Land Use Planning

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TO: Planning Commission Members

CC: Land Use Planning Staff
Anthony Pope, County Counsel

FROM: Gail Henrikson, AICP, CFM – Community Development Director

DATE: December 12, 2023

RE: **IMPLEMENTATION OF HB 3197 – CLEAR AND OBJECTIVE STANDARDS FOR HOUSING**

During the regular 2023 legislative session, the Oregon Legislature adopted [HB 3197](#). Section 2 of the bill requires counties to adopt clear and objective housing standards for unincorporated communities, nonresource lands and areas zoned for rural residential use by July 1, 2025. Section 3 of the bill also prohibits counties from establishing standards for accessory farmworker housing that are in addition to those required under [ORS 215.283](#), unless those standards are clear and objective. Section 3 also becomes effective on July 1, 2025.

The evolution of the requirement to apply only clear and objective standards has occurred over several years. Prior to 2017, cities had been required to apply clear and objective standards for “needed housing”. The adoption of SB 1015 (2017) made the requirement mandatory for *all* housing within urban growth boundaries. The adoption of HB 3197 (2023) now expands this requirement to unincorporated areas.

The intent of clear and objective standards is to ensure that local governments provide a predictable path to approval for housing projects and that the path does not rely on discretionary or subjective criteria.

Local governments that provide clear and objective standards may also provide alternative or “discretionary” standards that developers may choose to follow. To provide the maximum amount of development flexibility, staff is recommending that the County adopt clear and objective standards, as required by HB 3197, while continuing to maintain an elective discretionary path. The elective discretionary path is basically the code in its current form. The requirements of the optional discretionary path are detailed in [OAR 660-008-0015](#). Discretionary pathways must allow the developer to revert back to clear and objective standards, if desired, and the alternative approval must authorize a density at or above the density level authorized in the zone.

In order to comply the July 1, 2025, deadline, staff is proposing a series of work sessions with the Planning Commission and Board of Commissioners to review and revise the County’s existing development standards. The tentative Planning Commission schedule is shown below:

HB 3197 IMPLEMENTATION SCHEDULE (DRAFT)		
Meeting Date	Topic	Comments
December 12, 2023	Introduction of HB 3197 and discussion of tentative schedule	
January 9, 2024	Article 1: Introductory Provisions	Article 1 includes: <ul style="list-style-type: none"> • Definitions • General Development Provisions
February 13, 2024	Article 2: Procedures for Land Use Applications	Article 2 includes: <ul style="list-style-type: none"> • Development permits • Condition Use permits • Appeals • Public notice requirements • Development and Use Permitted with Review • Temporary Use permits • Subdivisions • Partitions • Property Line Adjustments • Site Plan review • Transportation System Impact review
February 2024	Board of Commissioners Work Session	Discuss project initiation and process; obtain general direction and feedback from Board
March 12, 2024	Article 2: Procedures for Land Use Applications	
April 9, 2024	Article 3: Structure Siting and Development Standards	Article 3 includes: <ul style="list-style-type: none"> • Calculating average grade • Water supply • Parking • Signage

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HB 3197 IMPLEMENTATION SCHEDULE (DRAFT)		
Meeting Date	Topic	Comments
		<ul style="list-style-type: none"> • Oceanfront Setbacks • ADUs and Guesthouses • Health Hardship Dwellings • Non-conforming uses • Erosion Control • Cluster Development and Density Transfers • Mobile Home Parks • Mobile Homes • RV Parks • Farm and Forest Zone Standards • Communication Facilities Siting Standards • Vehicle Access Control and Circulation • Pedestrian and Bicycle Access and Circulation • Subdivision Design Standards • Transportation Improvements and Road Standard Specifications
May 14, 2024	Article 3: Structure Siting and Development Standards	
June 2024	Board of Commissioners Work Session	Discuss project progress and initial recommendations; obtain general direction and feedback from Board
June 11, 2024	Article 4: Zone Regulations	Article 4 includes: <ul style="list-style-type: none"> • Setback, lot coverage and building heights for all zones • Land Transportation Facilities
July 9, 2024	Article 4: Zone Regulations	
August 13, 2024	Article 4: Zone Regulations	
September 10, 2024	Article 5: Special Districts	Article 5 includes:

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HB 3197 IMPLEMENTATION SCHEDULE (DRAFT)		
Meeting Date	Topic	Comments
		<ul style="list-style-type: none"> • Flood Hazard Overlay • Tsunami Inundation Zone • Geologic Hazards Overlay • Beach and Dune Overlay • Shoreland Overlay • Aquifer Reserve Overlay • Destination Resort Overlay • Planned Development Overlay • North Clatsop Plains Overlay • Floating Residences and Recreational Cabins • Airport Overlay
October 8, 2024	Article 5: Special Districts	
October 2024	Board of Commissioners Work Session	Discuss project progress and initial recommendations; obtain general direction and feedback from Board
November 12, 2024	Article 6: Environmental and Resource Protection	Article 6 includes: <ul style="list-style-type: none"> • Columbia River Estuary Shoreland and Aquatic Use and Activity Standards • Protection of Riparian Vegetation • Development of Historic and/or Archaeological Sites
December 10, 2024	Notice to DLCD	Required 35-day PAPA notice prior to February PC public hearing
January 2025	Board of Commissioners Work Session	Review initial draft of recommendations discussed by the Planning Commission Staff revisions to address Board input

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HB 3197 IMPLEMENTATION SCHEDULE (DRAFT)		
Meeting Date	Topic	Comments
February 11, 2025	Public Hearing	Review of final ordinance and recommendation to Board of Commissioners
March 12, 2025	BOC 1st Public Hearing	
March 26, 2025	BOC 2nd Public Hearing	
March 30, 2025	Transmit adopted ordinance to DLCD	
April 30, 2025	Ordinance becomes effective	
July 1, 2025	HB 3197 becomes effective; amendments must be adopted prior to this deadline	

This schedule is based on an assumption that each LAWDUC article will require significant review and revision. Staff anticipates, however, that some of the updates will be completed as part of other code amendment processes currently underway, such as the revisions to the non-conforming use standards and the proposed housing amendments affecting Article 4. The schedule is intended to provide some flexibility in case of unanticipated delays. Any appeals or litigation related to the proposed changes would likely delay final adoption until after the July 1, 2025, deadline, placing the County out of compliance with state statutes.

NEXT STEPS

Staff is requesting that the Planning Commission review the proposed schedule and provide recommendations regarding any revisions or corrections.

EXHIBITS

Exhibit A: HB 3197 Enrolled

EXHIBIT A

HB 3197 Enrolled

Enrolled
House Bill 3197

Sponsored by Representative MCLAIN; Senator MANNING JR (at the request of Washington County)

CHAPTER

AN ACT

Relating to standards applicable to development of housing; creating new provisions; amending ORS 197.307 and 215.278; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 197.307, as amended by section 14, chapter 401, Oregon Laws 2019, section 2, chapter 54, Oregon Laws 2022, and section 81, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001), is amended to read:

197.307. (1) The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income, including agriculture workforce housing, is a matter of statewide concern.

(2) Many persons of lower, middle and fixed income depend on government assisted housing as a source of affordable, decent, safe and sanitary housing.

(3) A local government shall permit needed housing in one or more zoning districts or in zones described by some comprehensive plans as overlay zones with sufficient buildable land to satisfy that need.

(4) Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing, **on land within an urban growth boundary**. The standards, conditions and procedures:

(a) May include, but are not limited to, one or more provisions regulating the density or height of a development.

(b) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.

(5) The provisions of subsection (4) of this section do not apply to:

(a) An application or permit for residential development in an area identified in a formally adopted central city plan, or a regional center as defined by Metro, in a city with a population of 500,000 or greater.

(b) An application or permit for residential development in historic areas designated for protection under a land use planning goal protecting historic areas.

(6) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in subsection (4) of this section, a local government may adopt and apply an alternative approval process for applications and permits for residential development based on approval criteria [*regulating, in whole or in part, appearance or aesthetics*] that are not clear and objective if:

(a) The applicant retains the option of proceeding under the approval process that meets the requirements of subsection (4) of this section;

(b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and

(c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in subsection (4) of this section.

(7) Subject to subsection (4) of this section, this section does not infringe on a local government's prerogative to:

(a) Set approval standards under which a particular housing type is permitted outright;

(b) Impose special conditions upon approval of a specific development proposal; or

(c) Establish approval procedures.

SECTION 2. ORS 197.307, as amended by section 14, chapter 401, Oregon Laws 2019, section 2, chapter 54, Oregon Laws 2022, section 81, chapter 13, Oregon Laws 2023 (Enrolled House Bill 2001), and section 1 of this 2023 Act, is amended to read:

197.307. (1) The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income, including agriculture workforce housing, is a matter of statewide concern.

(2) Many persons of lower, middle and fixed income depend on government assisted housing as a source of affordable, decent, safe and sanitary housing.

(3) A local government shall permit needed housing in one or more zoning districts or in zones described by some comprehensive plans as overlay zones with sufficient buildable land to satisfy that need.

(4) Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing, on land within an urban growth boundary, **unincorporated communities designated in a county's acknowledged comprehensive plan after December 5, 1994, nonresource lands and areas zoned for rural residential use as defined in ORS 215.501.** The standards, conditions and procedures:

(a) May include, but are not limited to, one or more provisions regulating the density or height of a development.

(b) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.

(5) The provisions of subsection (4) of this section do not apply to:

(a) An application or permit for residential development in an area identified in a formally adopted central city plan, or a regional center as defined by Metro, in a city with a population of 500,000 or greater.

(b) An application or permit for residential development in historic areas designated for protection under a land use planning goal protecting historic areas.

(6) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in subsection (4) of this section, a local government may adopt and apply an alternative approval process for applications and permits for residential development based on approval criteria that are not clear and objective if:

(a) The applicant retains the option of proceeding under the approval process that meets the requirements of subsection (4) of this section;

(b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and

(c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in subsection (4) of this section.

(7) Subject to subsection (4) of this section, this section does not infringe on a local government's prerogative to:

- (a) Set approval standards under which a particular housing type is permitted outright;
- (b) Impose special conditions upon approval of a specific development proposal; or
- (c) Establish approval procedures.

SECTION 3. ORS 215.278 is amended to read:

215.278. (1) The Land Conservation and Development Commission shall revise administrative rules regarding dwellings customarily provided in conjunction with farm use to allow, under ORS 215.213 and 215.283, the establishment of accessory dwellings needed to provide opportunities for farmworker housing for individuals primarily engaged in farm use whose assistance in the management of the farm is or will be required by the farm operator on the farm unit.

(2) County land use regulations may not establish standards for accessory farmworker housing that are in addition to those required under this chapter or commission rules unless the standards are clear and objective.

[(2)] (3) As used in this section:

(a) "Farm unit" means the contiguous and noncontiguous tracts in common ownership used by the farm operator for farm use as defined in ORS 215.203.

(b) "Farmworker" means an individual who, for an agreed remuneration or rate of pay, performs labor, temporarily or on a continuing basis, for a person in the:

(A) Production of farm products;

(B) Planting, cultivating or harvesting of seasonal agricultural crops; or

(C) Forestation or reforestation of land, including but not limited to planting, transplanting, tubing, precommercial thinning and thinning of trees or seedlings, the clearing, piling and disposal of brush and slash and other related activities.

(c) "Farmworker housing" means housing:

(A) Limited to occupancy by farmworkers and their immediate families; and

(B) No dwelling unit of which is occupied by a relative of the owner or operator of the farmworker housing.

(d) "Owner" means a person that owns farmworker housing. "Owner" does not mean a person whose interest in the farmworker housing is that of a holder of a security interest in the housing.

(e) "Relative" means:

(A) A spouse of the owner or operator; and

(B) An ancestor, lineal descendant or whole or half sibling of the owner or operator or the spouse of the owner or operator.

SECTION 4. The amendments to ORS 197.307 and 215.278 by sections 2 and 3 of this 2023 Act become operative on July 1, 2025.

SECTION 5. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.

Passed by House May 9, 2023

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Dan Rayfield, Speaker of House

Passed by Senate June 23, 2023

.....
Rob Wagner, President of Senate

Received by Governor:

.....M,....., 2023

Approved:

.....M,....., 2023

.....
Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M,....., 2023

.....
Secretary of State

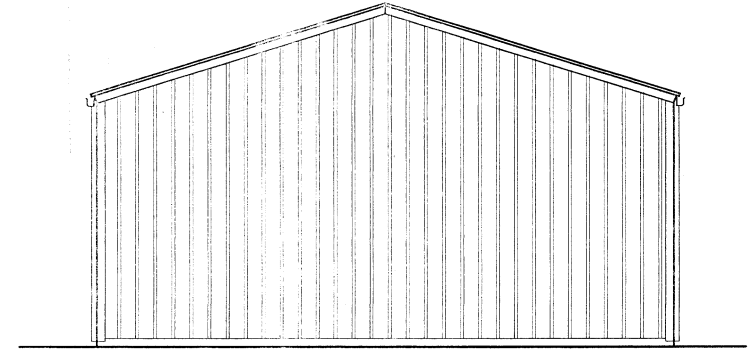
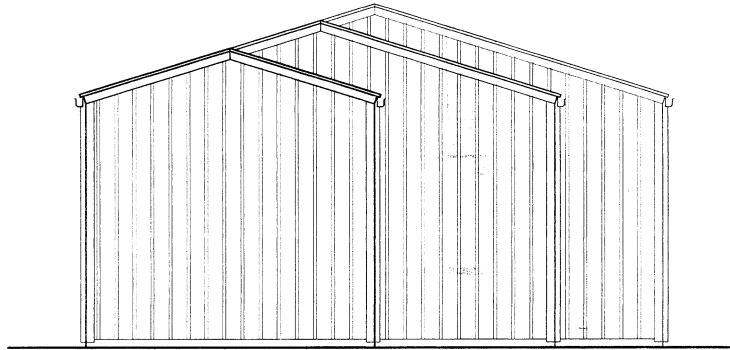
CLATSOP COUNTY

PROJECT STATUS REPORT

DECEMBER 2023

REAR ELEVATION

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



Agenda Item # 4.



EVIDENCE

EVIDENCE

MARINE PATROL

CRIMINAL

SEARCH AND RESCUE

SEARCH AND RESCUE

FRONT ELEVATION

SCALE: 1/4" = 1'-0"

PROJECT STATUS REPORT – DECEMBER 2023

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	Demolition and grading permits approved; property line adjustment approved; electrical, mechanical and fire suppression permits issued	Grading work begun Project is vested for land use; no expiration date Building permit expired 7-5-22 Permits for commercial alarm/suppression systems; electrical and mechanical issued
Ord 24-02 23-000586	Goal 5 Update	N/A	Continuing work to update Comprehensive Plan Goal 5	12-12-23		1-10-24 1-24-24		Awaiting public hearings	N/A

PROJECT STATUS REPORT – DECEMBER 2023

PERMIT #	PROJECT NAME	LOCATION	DESCRIPTION	PC MEETING DATE	PC DECISION	BOC MEETING DATES	BOC DECISION	STATUS	EXPIRATION DATE*
21-000665	Clatsop Plains Community Plan	N/A	Update of Clatsop Plains Community Plan	TBD		BOC Work Session 11-1-23		On-going	N/A
21-000666	Elsie-Jewell Community Plan	N/A	Update of Elsie-Jewell Community Plan	TBD		BOC Work Session 11-1-23		On-going	N/A
22-000378	Lewis and Clark Olney Wallooskee Community Plan	N/A	Update of Lewis & Clark Olney Wallooskee Community Plan	TBD		BOC Work Session 11-1-23		On-going	N/A
21-000668	Northeast Community Plan	N/A	Update of Northeast Community Plan	TBD		BOC Work Session 11-1-23		On-going	N/A
21-000669	Seaside Rural Community Plan	N/A	Update of Seaside Rural Community Plan	TBD		BOC Work Session 11-1-23		On-going	N/A

PROJECT STATUS REPORT – DECEMBER 2023

PERMIT #	PROJECT NAME	LOCATION	DESCRIPTION	PC MEETING DATE	PC DECISION	BOC MEETING DATES	BOC DECISION	STATUS	EXPIRATION DATE*
22-000377	Southwest Coastal Community Plan	N/A	Update of Southwest Coastal Community Plan	TBD		BOC Work Session 11-1-23		On-going	N/A
22-000578 Ordinance 22-15	GHO Update	Geologic Hazard Areas	LAWDUC amendments to update GHO mapping and permitting procedures and standards	09-13-22 11-08-22	RECOMMEND APPROVAL 7-0	Work Session 10-05-22		On hold pending new notification and meeting date notice to affected property owners	N/A
Ordinance 23-09	Goal 11 Exception – Cannon Beach RFPD	T4N, R10W, Section 19BC, Tax Lot 04000 79729 Hwy 101	Retroactive goal exception to finalize sewer district expansion from 2007	10-10-23	RECOMMEND APPROVAL 6-0	11-8-23 12-13-23	CONT'D		
Ordinance 23-10	Goal 11 Exception – Coastal Residential Zone	T4N, R10W, Section 19BB, Tax Lot 00401 79876 Hwy 101	Exception to Goal 11 to correct an oversight from 2002	10-10-23	RECOMMEND APPROVAL 6-0	11-8-23 12-13-23	CONT'D		

PROJECT STATUS REPORT – DECEMBER 2023

PERMIT #	PROJECT NAME	LOCATION	DESCRIPTION	PC MEETING DATE	PC DECISION	BOC MEETING DATES	BOC DECISION	STATUS	EXPIRATION DATE*
		T4N, R10W, Section 19BB, Tax Lot 00300 79878 Hwy 101							
23-000556 Ordinance 23-14	Housing Amendments	N/A	LAWDUC amendments to facilitate housing construction	10-10-23	Work Session	10-4-23 WS			Public input meeting to be scheduled to discuss proposed amendments
23-000552 Ordinance 24-01	2023 Legislative Updates	N/A	LAWDUC amendments to address changes in land use legislation from the 2023 regular session of the Oregon Legislature	10-10-23 11-14-23	Work Session Public Hearing	12-13-23 PH 1-10-24 PH			

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



Indicates change to project status



Clatsop County – Land Use Planning

800 Exchange Street, Suite 100
Astoria, OR 97103
(503) 325-8611 | (503) 338-3606 (Fax) | comdev@clatsopcounty.gov

TO: Planning Commission Members

FROM: Gail Henrikson, AICP, CFM – Community Development Director

DATE: December 12, 2023

RE: **DIRECTOR'S REPORT**

COMPREHENSIVE PLAN UPDATE

- **Economic Opportunities Analysis (EOA):**
The first meeting of the EOA Advisory Committee was held Wednesday, November 15, from 3-5PM. A link to the meeting video, agenda and presentation materials can be found [here](#).
- **Comprehensive Plan Goals 16 (Estuarine Resources) and 17 (Coastal Shorelands):**
Staff held a kick-off meeting with CREST on November 14. Staff is now in the process of identifying potential stakeholders and advisory committee members. It is anticipated that the first advisory committee meeting will be held in late January 2024.
- **Comprehensive Plan Goal 18 (Beaches and Dunes):**
Staff held a kick-off meeting with CREST on November 14. Staff is now in the process of identifying potential stakeholders and advisory committee members. It is anticipated that the first advisory committee meeting will be held in late January 2024.
- **Comprehensive Plan Community Plans:**
Staff presented revised versions of each of the six community plans to the Board during its November 1 work session. The three Board members who were present for the discussion indicated general support for the revisions. Staff is working with the County Manager's office to schedule meetings with the two remaining Board members before bringing the plans back to the Planning Commission for a public hearing. Staff anticipates the Planning Commission public hearing will occur at your January 9 meeting.

SHORT-TERM RENTAL (STR) CAPS

Staff presented a proposed methodology to establish caps on STRs to the Board during its October 18 work session. While there appears to be general consensus amongst the Board that limitations should be established, the Board has requested additional time to review the information provided by staff. A follow-up work session date has not yet been scheduled.

CLATSOP REGIONAL HOUSING TASK FORCE

The Clatsop Regional Housing Task Force did not hold a meeting in November. A date for the January meeting has not yet been determined.

LAWDUC AMENDMENTS TO FACILITY HOUSING DEVELOPMENT

County staff presented a proposed slate of amendments to the Board of Commissioners during a work session on October 4. At that work session, the Board indicated general support for the proposed amendments and directed staff to continue with the process. A hybrid meeting is scheduled for 5PM, Tuesday, January 16. A link to the meeting and the October 4 presentation can be found [here](#).

FARM AND FOREST IMPROVEMENTS PROJECT

The Farm and Forest Technical Working Committee met on December 7. The group has identified potential areas where new rule-making is needed to clarify regulations, address emerging issues, and codify case law. A final report containing the committee's recommendations is expected to be presented to the Land Conservation and Development Commission (LCDC) in January 2024.