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IN THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

FEB 11 1982

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Ordinance No. 82-3

(AN ORDINANCE OF THE CLATSOP PLAINS COMMUNITY PLAN
(AMENDING TEXT AS ADOPTED BY THE BOARD OF COUNTY
COMMISSIONERS AND AS AMENDED. BY PROHIBITING
(CLUSTERING IN THE SURF PINES AREA.

The Board of County Commissioners of Clatsop County, Oregon ordain as follows:

SECTION 1. SHORT TITLE.

This ordinance shall be known as the Clustering Prohibition in Surf Pines Area
amendment.

SECTION 2. PURPOSE.

The Board of County Commissioners of Clatsop County, Oregon recognizes that the
Clatsop County Comprehensive Plan for the Clatsop Plains area as adopted by the Board
of County Commissioners by Ordinance 79-10, as amended, needs periodic revision and
amendment. The Board of Commissioners has been advised by the Clatsop County Planning
Commission that it is necessary to amend the Comprehensive Plan to comply with the Oregon
Statewide Planning Goals and Guidelines and that said amendment would be in the best
interests of the citizens of Clatsop County.

The amendment as included herein shall be an element of the Clatsop County
Comprehensive Plan and the Board of Commissioners finds that the amendment complies
with the following Goals of the Land Conservation and Development Commission: 1
through 14 and 16 through 18.

The Board of County Commissioners further determines and takes notice that the
adoption procedure for this ordinance amending the Comprehensive Plan particularly
complies with Goal 1 of the Land Conservation and Development Commission, the Citizen
Involvement Goal. The County Planning Commission has sought review and comment and

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1has conducted the public hearing process pursuant to the requirements of ORS 215.050.
2and 215.060. A Planning Commission hearing was held on November 24, 1981. The
3Board received and considered the Planning Commission's recommendations on this
4proposed amendment. The Board of Commissioners held hearings pursuant to law on this
5ordinance on December 17, 1981 and January 13, 1982.

6SECTION 3. CONFORMITY WITH THE LAW.

7 This ordinance shall not substitute for nor eliminate the necessity for conformity
8with any and all laws or rules of the State of Oregon or its agencies, or any
9ordinance, rule or regulation of Clatsop County.

10SECTION 4. INCONSISTENT PROVISIONS.

11 This ordinance shall supercede, control and repeal any inconsistent provision of
12the Clatsop County Comprehensive Plan, as amended, the Clatsop County Land and
13Water Development and Use Ordinance, as amended, or any other ordinance or regulation
14made by Clatsop County.

15SECTION 5. SEPARABILITY.

16 If any section, subsection, sentence, clause, phrase or any portion of this
17ordinance is for any reason held invalid or unconstitutional by a court of competent
18jurisdiction, such portion shall be deemed as a separate, distinct, and independent
19provision and such holding shall not affect the validity of the remaining portions
20of this ordinance.

21SECTION 6. EFFECTIVE DATE.

22 This ordinance will be in full force and effective 30 days following its passage
23and enactment by the Board of County Commissioners.

24SECTION 7. ADOPTION CLAUSE.

25 Exhibit "A", entitled "Addition to Policy 4 Open Space Policies of the Clatsop
26Plains Community Plan" and labeled A-1 through A-4, is adopted in its entirety and by

1reference herein each made a part of this ordinance.

2ENACTED this 10 day of February 1982.

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BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

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By

Bob Westerberg, Chairman

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By

Roger A. Berg, Commissioner

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By

Don R. Church, Commissioner

10

11VOTE:

Aye

Roger A. Berg

Don R. Church

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Nay

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Absent

Bob Westerberg

14ATTEST:

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Norma Hunsinger, Recording Secretary to the Board

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18Date: February 10, 1982

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Addition to Policy 4 Open Space Policies of the Clatsop Plains Community Plan.

This policy shall apply in all RURAL areas in the Clatsop Plains except for the area commonly known as Surf Pines. Clustering shall be prohibited in the area known as Surf Pines. (see description in Footnote 1 and shown on the accompanying map).

FOOTNOTE 1. Surf Pines, as referenced in Open Space Policy 4 above is further described by the following description and map:

A tract of land located in Sections 16, 21 and 28, Township 7 North, Range 10 West, Willamette Meridian:

Beginning at the intersection of the Pacific Ocean with the North line of the South 1/2 of Government Lot 3, Section 21, Township 7 North, Range 10 West, Willamette Meridian;

Said point being the Westerly extension of the south line of the Norman L. Yeon tract as described in Book 244, page 496, Clatsop County record of deeds;

thence Easterly along the South line and the Westerly extension of the said Yeon tract to the Southeast corner of said tract;

thence Northerly along the East line of said tract to the most Northerly Northwest corner of that tract conveyed to George B. Malarkey as described in Book 251, page 538, Clatsop County record of deeds;

thence Easterly along the North line of said tract to the most Northerly Northeast corner;

thence Southerly along the Easterly line of said tract to the Southwest corner of that tract conveyed to Robert S. and Mary J. Lovell and F. Warren and Mary M. Lovell as described in Book 363, page 219;

thence Easterly along the South line of said tract to the West bank of Neacoxie Creek or lake;

thence Southerly along the West bank of said creek or lake to the point of intersection with the South line of parcel No. 2 of that tract conveyed to Herbert and Elizabeth B. Malarkey as described in Book 210, page 633, Clatsop County record of deeds;

thence West along the South line of said tract to the Southwest corner of said tract;

thence running S.00°57'W. a distance of 700 feet to the Northeast corner of that tract conveyed to Ray C. and Helen J. Hansen as described in Book 207, page 195, Clatsop County record of deeds;

thence West 524 feet, more or less, along the North line of said Hansen tract to the East boundary of the Surf Pines Upper Road;

thence S.7°15'E. a distance of 1518 feet, more or less, along the East boundary of said road to the Southwest corner of that tract conveyed to Ray C. and Helen J. Hansen, described in Book 207, page 195, Clatsop County record of deeds;

thence N. 89° 30' E. a distance of 413 feet, more or less, to the Northeast corner of that tract conveyed to the Surf Pines Association described in Book 446, page 112, Clatsop County record of deeds;

thence S. 00° 57' W. 392 feet, more or less, to the North line of the Callender Donation Land Claim;

thence West along the North line of said Callender Donation Land Claim to the East boundary of the Surf Pines Upper Road, said point being the Northwest corner of that tract conveyed to J.D. Waterhouse, described in Book 276, page 401, Clatsop County record of deeds;

thence Southerly along the Surf Pines Upper Road to the Southwest corner of that tract conveyed to Waterhouse by said book and page, said point being the Northwest corner of that tract conveyed to Walter R. and Virginia C. McWalters, described in Book 307, page 421, Clatsop County record of deeds;

thence East along the North line of said McWalters tract to the West boundary of Neacoxie Creek;

thence Southerly along the West boundary of Neacoxie Creek to the Southeast corner of said McWalters tract;

thence West along the South line of said McWalters tract to the Southwest corner, being the East boundary of the Surf Pines Upper Road;

thence Southerly along the East boundary of the Surf Pines Upper Road to the Southwest corner of that tract conveyed to J.D. and Elizabeth H. Waterhouse, described in Book 269, page 599, Clatsop County record of deeds;

thence East along the South line of said Waterhouse tract to the West bank of Neacoxie Creek;

thence Southerly along the West boundary of Neacoxie Creek to the South boundary of that tract conveyed to William R. and Eunice H. Manion, described in Book 256, page 532, Clatsop County record of deeds;

thence West along the South boundary of said tract and the Westerly extension thereof to the Pacific Ocean;

thence Northerly along the boundary of the Pacific Ocean to the point of beginning.

The following map delineates the Surf Pines area described above.

PROPOSED
ZONE
CHANGE
SFR-1
TO
CBR

T7N
R10W
IN SECTIONS
16, 21 & 28

↑
NORTH

