

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

In the Matter of:

AN ORDINANCE ADOPTING LEGISLATIVE  
TEXT AMENDMENTS TO THE  
COMPREHENSIVE PLAN AND LAND AND  
WATER DEVELOPMENT AND USE  
ORDINANCE #80-14 REGARDING THE  
SOUTHWEST COASTAL CITIZENS  
ADVISORY COMMITTEE, ARCH CAPE  
RURAL COMMUNITY, AND ADDITIONAL  
REQUIREMENTS FOR CITIZEN  
INVOLVEMENT COUNTYWIDE

**ORDINANCE NO. 17-02**

*(replaces Ordinance No. 16-03)*

Doc # 2017050031

Recording Date: 5-25-17

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**RECITALS**

WHEREAS, it is appropriate to amend the Clatsop County Comprehensive Plan ("Comprehensive Plan") and Land and Water Development and Land Use Ordinance #80-14 ("Development Code") from time to time to address changes in social, physical, or economic conditions or public need; and

WHEREAS, under the Development Code, the Southwest Coastal Citizens Advisory Committee ("SCCAC") is required to review land use applications related to development in the Arch Cape Rural Community; and

WHEREAS, the Board of Commissioners directed the Community Development Director to initiate amendments to the Clatsop County Comprehensive Plan ("Comprehensive Plan") and the Development Code to discontinue the SCCAC; and

WHEREAS, the Community Development Director prepared legislative text amendments to the Comprehensive Plan and Development Code to discontinue the SCCAC and enhance citizen involvement countywide; and

WHEREAS, notice of the proposed text amendments was provided to the Department of Land Conservation and Development on March 21, 2016, as required by ORS 197.610; and

WHEREAS, public notice of the proposed text amendments was mailed to all owners of real property in the Arch Cape Rural Community Overlay District on July 1, 2016; and

WHEREAS, public notice of the legislative hearing before the SCCAC was published in the Daily Astorian on July 5, 2016 pursuant to LWDUO Section 2.125; and

WHEREAS, the SCCAC considered the proposed legislative text amendments at a public hearing on July 12, 2016 and recommended the Planning Commission recommend denial based on their findings that the amendments are not consistent with Goal 1 of the Comprehensive Plan and the Southwest Coastal Community Plan; and

WHEREAS, public notices of the legislative hearings before the Planning Commission were published in the Daily Astorian on July 19 and September 6, 2016 pursuant to LWDUO 2.125; and

WHEREAS, the Planning Commission received and considered the SCCAC's recommendation and held public hearings on the proposed legislative text amendments on July 26 and September 13, 2016; and

WHEREAS, the Planning Commission recommended the Board of Commissioners adopt the proposed text amendments based on the findings in the staff report; and

WHEREAS, the Board of Commissioners received and considered the Planning Commission's recommendation and held a public hearing on September 28, 2016; and

WHEREAS, The Board of Commissioners adopted the proposed amendments to the Comprehensive Plan and Land and Water Development and Use Ordinance on September 28, 2016 and declared an emergency; and

WHEREAS, that decision was appealed to the Land Use Board of Appeals (LUBA); and

WHEREAS, LUBA ruled that the decision is consistent with Statewide Planning Goal 1- Citizen Participation; and

WHEREAS, LUBA found that the County failed to publish notice of the September 28 Board meeting in a newspaper of general circulation as required by ORS 215.060 and remanded the Board decision on that basis; and

WHEREAS, Notice of the May 10, 2017 Board meeting was published in the Daily Astorian on April 28, 2017 as required by ORS 215.060; and

WHEREAS, the Board of Commissioners held a public hearing on May 10, 2017, at which the Board received evidence, heard testimony, and continued the hearing until May 24, 2017; and

WHEREAS, after due consideration of the matter, including the public testimony and evidence in the record, the Board of Commissioners has determined it is reasonable, necessary, and in the public interest to amend the Comprehensive Plan and Development Code as proposed; now, therefore:

**THE BOARD OF COMMISSIONERS OF CLATSOP COUNTY ORDAINS AS FOLLOWS:**

SECTION 1. The findings of the Staff report dated May 15, 2017, contained in the attached **Exhibit A**, including all interpretations of the Comprehensive Plan and Land and Water Development Ordinance contained therein, are hereby adopted in support of this decision.


SECTION 2. The Clatsop County Comprehensive Plan text is hereby amended as shown in the attached **Exhibit B**.

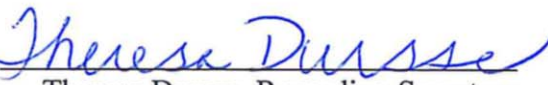
SECTION 3. The Clatsop County Land and Water Development and Use Ordinance 80-14 text is hereby amended as shown in attached **Exhibit C**.

SECTION 4. Pursuant to Chapter III, Section 8(C) of the County Charter, this Ordinance takes effect 30 days from the date it is adopted.

Approved this 24<sup>th</sup> day of May, 2017

THE BOARD OF COUNTY COMMISSIONERS  
FOR CLATSOP COUNTY, OREGON

By   
Scott Lee, Chair

By   
Theresa Dursse, Recording Secretary  
5-24-17

**CLATSOP COUNTY**

**ORDINANCE 17-02 (*replaces Ord 16-03*):**  
**LEGISLATIVE TEXT AMENDMENTS REGARDING THE**  
**SOUTHWEST CITIZENS ADVISORY COMMITTEE, ARCH**  
**CAPE RURAL COMMUNITY, AND ADDITIONAL**  
**REQUIREMENTS FOR CITIZEN INVOLVEMENT**  
**COUNTYWIDE**

**PROPOSED COMPREHENSIVE PLAN**  
**TEXT AMENDMENTS**





## Goal 1 - Citizen Involvement

### Goal

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

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

### Policies

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

Adoption, Minor Changes and Major Revisions in the Plan and Implementation Measures.

65. Clatsop County shall encourage organizations and agencies of local, state and federal government and special districts to participate in the planning process.
76. Clatsop County shall use the news media, mailings, meetings, and other locally available means to communicate planning information to citizens and governmental agencies. Prior to public hearings regarding major Plan revisions, notices shall be publicized.
87. Clatsop County shall establish and maintain effective means of communication between decision-makers and those citizens involved in the planning process. The County shall ensure that ideas and recommendations submitted during the planning process will be evaluated, synthesized, quantified, and utilized as appropriate.
98. Public notices will also be sent to affected residents **and community organizations** concerning ~~zone and Comprehensive Plan~~ **amendments, zone** changes, conditional use **applications**, subdivisions, ~~and planned developments~~ **and other land use actions that require written notice**.

Recommended Action:

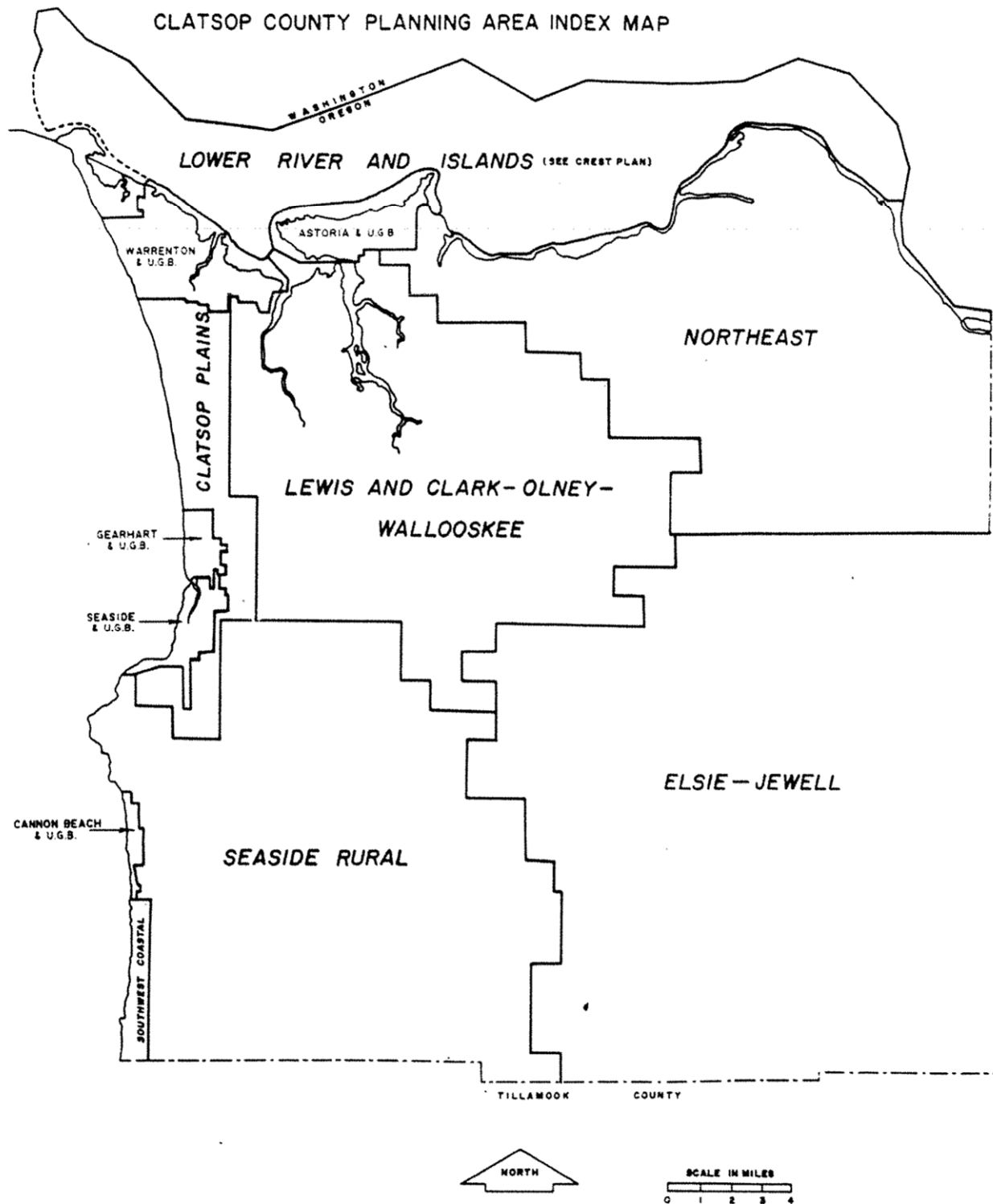
**Consider adding a requirement for applicants to hold neighborhood meetings and post notices on the property for certain types of land use applications, such as major subdivisions, multi-family that abuts single-family, manufactured home park adjacent to residential, commercial or industrial that abut residential, cluster and planned developments, density transfer receiving sites, upzoning. The applicant-neighborhood meetings would ensure that applicants pursue early and effective citizen participation in conjunction with their applications. This would give the applicant the opportunity to understand and try to mitigate any real or perceived impacts the application may have on the neighborhood. The meeting is not intended to produce complete consensus on all applications; it is intended to encourage applicants to be good neighbors. County staff would attend the neighborhood meeting in an advisory capacity only.**

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

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

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

Section II: Community Plans



### Introduction

Each Community Plan is broken down into five (5) main sections. They are:

Introduction; (planning process, statewide planning program)

Landscape Units; the planning area was broken down into landscape units each of which have unique physical and environmental characteristics: i.e. geology soils, moisture, vegetation, wildlife etc. The opportunities and limitations of these units provide a framework for development.

Community Concerns; this section details the community's goals and policies toward public facilities, housing type and density, community appearance, etc.

Development Patterns; this section contains the community's goals and policies toward growth including amounts and types of commercial development, excavation, density, location of development etc.

Appendices; various



Southwest Coastal Community Plan

Citizen Involvement Policies

- 1. The Committee for Citizen Involvement shall be the seven members of the Clatsop County Planning Commission. The Planning Commission shall strive to represent a cross section of county residents in all phases of the planning process. As an appropriate component, five Planning Commission members shall be representatives of the six designated geographic areas (with a seven member Commission, one area may have two members). No more than two Planning Commission members may reside within incorporated cities. Each member of the Planning Commission shall be selected by an open, well-publicized, public process by the Board of Commissioners.**
- 2. The Board of County Commissioners may appoint advisory committees to address specific land use issues as needed.**
- 3. Public notice will be sent to affected residents and community organizations concerning Comprehensive Plan amendments, zone changes, conditional use applications, subdivisions, planned developments, and other land use actions that require written notice.**
- ~~1. The Southwest Coastal Citizen Advisory Committee shall constitute the officially recognized body to represent the community on matters of land use planning.~~
- ~~2. The CAC shall be composed of residents and property owners of the community and shall be chosen in a well-publicized community meeting. A broad spectrum of people from the community shall be included on the CAC.~~
- ~~3. The CAC shall hold its meetings in such a way that the public is notified well in advance and given the opportunity to attend and participate in a meaningful fashion.~~
- ~~4. Technical assistance shall be made available to the CAC through the County Planning Department and other resources of the County.~~
- ~~5. The Policy Advisory Committee, Planning Commission and Board of County Commissioners shall provide to the CAC written acknowledgement of the CAC's recommendations along with their rationale used to make final policy decisions.~~
- ~~6. The Board of County Commissioners, through the Planning Department, shall provide adequate and reasonable financial support, along with technical assistance to the CAC.~~

**LANDSCAPE UNITS**

General Landscape Unit Policies

1. Steep slopes are at or near natural equilibrium and further steepening through excavation could initiate sliding. Excavations in these areas should be restricted and should be properly engineered.
2. Excavations in sedimentary highland (Toms) should be properly engineered to assure against slope failure (see Appendix D).
3. Proposed projects involving modifications of established drainage patterns should be evaluated in terms of potential for altering land stability.
4. Loss of ground cover for moderately to steeply sloping lands may cause erosion problems by increasing runoff velocity and land slippage. Vegetative cover for moderately to steeply sloping areas shall be maintained.

~~Southwest Coastal CAC~~ **Coastal and Stream Shorelands Goal**: To conserve, protect, and where appropriate, develop the coastal and stream shorelands in the Southwest Coastal area. The following policies are in addition to those found in the Estuarine Resources and Coastal Shorelands Element.

#### **Coastal and Stream Shorelands Policies**

1. Grading, excavation or filling in the vicinity of the streams shall be carefully controlled in order to prevent sedimentation of the water. Filling of lands shall be prohibited within stream buffers.
2. In order to provide the greatest view potential for properties throughout the Rural Lands and Rural Service Area, the ~~Design Review Committee shall review the effects of new building plans on adjacent property in the RSA. The building height shall be limited to 26 feet through the Community Plan area, with ocean front property limited to 18 feet subject to variances approved by the County Planning Commission.~~

Those owners of vacant lots which are located in the "V Zone" of the Clatsop County Floodplain Map should be encouraged to apply for variances to the floodplain elevation height when restrictions are economically unfeasible and adjacent properties do not conform to floodplain elevations.

3. A buffer shall be provided along either side of Arch Cape Creek, Asbury Creek and other creeks and drainage ways critical to local water supply and erosion control in order to protect riparian vegetation, prevent loss of property due to erosion, and protect the aesthetic value of the streams. Buffers shall generally be 25 feet wide, measured perpendicular to the normal streambank unless the size of lot and natural topography would create a hardship. **A hardship variance may be considered by the Planning Commission or Hearings Officer** ~~The Advisory Design Review Committee may review the building permit and recommend to the Planning Commission a variance based on~~ opin the individual situation, but

in no event shall an impediment or alteration be permitted in a natural drainage way.

4. Gravel removal from the streams shall be prohibited.
5. Placement of riprap or other shoreline protection on coastal beaches or stream shorelands shall only be permitted for lots where the protection is necessary to prevent an erosion hazard and only where development existing on January 1, 1977.
6. Development in the vicinity of Arch Cape Creek shall be designed in a manner that is compatible with the beauty of the area. Controls on the removal of vegetation or filling or alteration of the shoreline shall be included in the Zoning Ordinance.
7. Open space or neighborhood park sites should be encouraged as part of subdivisions or planned developments.
8. Activities of the State Parks Division which pertain to the Southwest Coastal planning area shall be reviewed by ~~the Citizen Advisory Committee through the~~ **Community Development** Department of Planning and Development to insure their compatibility with the community.
9. Emergency vehicles shall have access to the beach at all times. All other vehicles shall be prohibited from beach access south of Hug Point to the County line. The County supports the vehicle restrictions on the beach north of Hug Point.

#### Recommendation

1. Access points to the beach and streams should be provided for at the ends of platted and vacated streets, and shall not be unnecessarily impeded by shoreline protection, flood protection, and other structures. Access to the beach where possible should be made passable for the elderly or other persons with limited mobility. Further work needs to be done on who would maintain these access points.
2. It is recommended that horse traffic on the beach at Arch Cape should not be allowed by the Department of Transportation.
3. Mapping of the drainage systems in the planning area is necessary and should be considered as a future project when funds become available.

#### Headlands and Points Policies

1. The Arch Cape headland represents an important scenic landmark for the community, the region and the State. Although the upper portions of the headland lie within the boundaries of Oswald West State Park, the lower area abutting Arch Cape creek east of Highway 101 is not part of the area inventoried as a headland. It is privately owned and may be developed

in the future. Development in this area shall be carefully controlled to insure that it is compatible with the headland. This may be accomplished by the maintenance of existing trees and natural vegetation, the requirements of the use of natural building materials such as cedar and stone, and the maintenance of low profile structures. As previously mentioned, buffers should be required adjacent to the Oregon Coast Trail, and the Arch Cape Creek. In addition, see Rural Service Area policy number 7.

#### Coast Range Foothills, Basaltic Highlands, Sedimentary Uplands Policies

1. These landscape units are resource units and should be reserved primarily for timber production, wildlife habitat, recreation and mineral resources.

#### **CRITICAL HAZARD AREAS**

~~SOUTHWEST COASTAL~~ **Landslides/Erosion** Goal: To prevent hazards to people and property through the use of reasonable building controls.

#### Policies

1. Chapter 70 of the Uniform Building Code should be applied to all development within the Southwest Coastal planning area.
2. In addition to where required in Chapter 70 of the Uniform Building Code, favorable site-specific investigations (conducted by qualified geotechnical experts at the developer's expense) shall be prerequisites for the issuance of building or excavation permits in any area recognized as geologic hazard area as shown on the Hazards map included herein.
3. Density of development in the RURAL SERVICE AREA shall be related to the degree of slope present on the site, and shall conform to these categories:
  - a. Zero to 12% slopes, moderate density (7,500 sq. ft.).
  - b. 13% to 25%, low density (2 dwellings per acre).
  - c. Greater than 25% slopes, very low density (1 dwelling per acre or less, depending on favorable geologic site investigation).
4. Densities may be increased for those areas affected by 3.b. and 3.c. to a maximum of 7,500 sq. ft. in a RURAL SERVICE AREA where site investigations indicate the area can withstand greater development, or may be reduced where evidence of landsliding is present or the site investigation is unfavorable.
5. Development on slopes or greater than 15% should generally leave the natural topography of the site intact. Existing vegetation, particularly trees, should be retained on the site. Cut and fill construction methods should be discouraged. Access roads and driveways should follow slope contours in a manner that prevents rapid discharge, and prevents erosion.



Excavations and fills should be controlled through the enactment of Chapter 70 of the Uniform Building Code. The policy will be enforced by the County Department of Planning and Development and Building Department with assistance from the County Engineer.

6. Vacating or re-platting of old subdivisions in hazardous or in steeply sloping areas shall be encouraged through the use of incentives such as waiving fees.
7. Shoreline protective devices such as seawalls, revetments or dikes shall be evaluated for their impacts on adjacent property, visual impacts, impact on public access, and potential public costs. Beachfront protective devices shall be evaluated, both those located east and west of the State Zone Line.
8. Construction on poles or pilings shall be the preferred method of construction in areas of storm drainage problems (identified above). Where filling is proposed, the amount of fill shall be the minimum necessary for the placement of structures or driveways.

### **COMMUNITY CONCERNS**

~~Southwest Coastal CAC~~ **Housing Goal**: To provide for a wide range of housing needs in the community. To maintain the current residential character of the community.

#### Policies

1. A high quality of housing in the area shall be promoted through the use of the natural landscape, existing vegetation, and good design.
2. Planned development and re-platting old subdivisions shall be encouraged in order to preserve steep slopes and other sensitive areas in their natural condition.
3. Housing developments and subdivisions should be designed to emphasize the rural, coastal appearance of the community; that is, less emphasis should be placed on curbs, sidewalks, and wide streets and more emphasis placed on the maintenance of trees, natural drainages, open space and larger lot sizes.
4. Housing shall be developed where services are readily available. Subdivision of land and planned development shall be allowed only where septic tank, sewer and water capacity is sufficient to meet its needs.
5. Housing for low and moderate income persons should be encouraged in Arch Cape through agencies such as the County Housing Authority, Northwest Oregon Housing Association, Farmers Home Administration, U.S. Department of Housing and Urban Development, and the State Housing Division.

~~Southwest Coastal CAC~~ **Public Facility Goal**: To provide public facilities and services capable

of meeting existing and future needs at appropriate levels for the RURAL SERVICE AREA and RURAL areas in the most cost effective manner.

#### Policies

1. No filling shall be permitted which would raise the water level on adjacent property, or overtax existing storm drains. Developers shall be responsible for installing storm drainage systems the distance necessary to drain their property and property in those areas which may be affected.
2. All developments shall indicate on the plot plan or building plans how storm water is to be drained. The Planning Commission or Building Official shall require the installation of culverts, dry wells or retention facilities in developments with major storm drainage impacts.
3. Developments shall be allowed only if the systems (water, sewer, and fire protection) are capable of supporting increased loads. Phasing of development may be allowed if improvement of public facilities is assured by the time construction and the additional loads are anticipated.
4. Utility rights-of-way, where not located within highway rights-of-way, should be reserved for future utilization as part of a greenbelt or pathway.
5. If water and sewer services are to be utilized either in the development of a subdivision or the building of individual residences, the local water and sewer districts shall approve the development prior to the issuance of either plat approvals or building permits.

#### RURAL SERVICE AREA

1. All new development including single lots shall install underground utilities such as electricity, telephone, and television cable. Efforts to place existing lines underground in already developed areas should be encouraged.
2. Any extensions of utilities to new developments within the respective boundaries of Arch Cape Service District and Arch Cape Water Service District shall be financed according to the determination of the appropriate governing body. In determining the proper financing for such extensions, the governing body shall take in consideration the benefit, if any, occasioned by extension of the system, new demands placed on the system, increased costs of maintenance, operation, improvements and depreciation, and other factors relevant to distributing the benefit and burdens occasioned by the system's extensions.
3. New development within the service districts' boundaries shall bear an appropriate share of capital costs, capital improvement costs, and operation and maintenance costs of the respective district. Monies acquired from such new construction through connection charges will be used for improvement and depreciation of the utility systems as designated by the

governing body of the respective district. Costs of expanding the system's capability will be borne according to the determination of the governing body of the district, and the methods of financing selected to pay for the system's expansions.

4. Sewer or water services will not be extended outside of the RURAL SERVICE AREA.
5. If water and sewer services are to be utilized either in the development of a subdivision or the building of individual residences, the local water and sewer district shall approve the development prior to the issuance of either plat approval or building permits.
6. ~~Representatives of the Arch Cape community who serve on County designated liaison committees in the RURAL SERVICE AREA shall be nominated by the Southwest Coastal Citizen Advisory Committee to served three year terms, and confirmed by the County Commissioners. Examples of such liaison committees are Water and Sewer Committees and Advisory Design Review Committee.~~

#### RURAL LANDS

1. The capacity of rural water systems will be limited to that necessary for development at rural densities.
2. If water service is to be utilized, either in the development of a subdivision or the building of individual residences, the local water district shall approve the development prior to issuance of plat approvals or building permits.

#### CONSERVATION FOREST LANDS AND CONSERVATION OTHER RESOURCES

1. Public facilities will be discouraged from developing in these Plan designations.
2. Forest lands shall be designated Conservation Forest in the County's Comprehensive Plan. When considering a zone change to a forest zone, the Planning Commission or other reviewing body shall review the proposal against the acreage, management, and other approval criteria in County-wide Forest Lands Policies #19, #20, and #21.

#### NATURAL

1. There will be no public facilities in this Plan designation.

#### Recommendations

1. The County Sheriff's Department should hold some informational meetings in the area on crime prevention.
2. All the watersheds in the planning area need to be more clearly defined and mapped.

Additionally each watershed has individual problems which need to be identified.

~~Southwest Coastal CAC~~ **Transportation Goal:** To maintain an efficient and safe transportation system in keeping with the character of the community.

#### Policies

1. Access points onto U.S. Highway 101 shall be kept to a minimum to reduce the potential for accidents. New subdivisions or larger developments shall use common frontage roads, and lots shall be designed so as not to front or have access onto the highway.
2. Streets in new developments shall be designed to minimize disturbance of the land by following contour lines and avoiding cut-and fill construction techniques.
3. Unnecessary rights-of-way should be used as greenbelts, walking trails or bike paths where appropriate.
4. A buffer of existing or planted vegetation should be left between all developments and U.S. Highway 101 to reduce the effects of traffic on residences and to maintain the scenic character of the highway.
5. Improvements of U.S. Highway 101 in the Arch Cape area which involve a major action shall be reviewed by the CAC to insure it is compatible with the community. Major action as defined by the Oregon Action Plan: an action involving substantial planning, time, expenditures or environmental impact.
6. The County and State should continue in maintaining the visual clearance to oncoming traffic on U.S. 101.
7. Not only is it necessary for the County to adopt road standards which provide for economical and proper maintenance, but standards which consider the particular areas and the desires of the local citizens. To that end this plan encourages road standards which are suited to the character of development in the area. These roads generally are narrow, containing several dead ends, and serving few permanent users.
8. The County shall support the Clatsop County Senior Bug System for senior citizens and the handicapped.

#### Recommendation

1. At the time County roads in Arch Cape are improved, speed controls such as speed limits or caution signs should be examined.

~~Southwest Coastal CAC~~ **Open Space, Historic, Recreation, Scenic and Natural Areas Goal:**



To preserve the open space and recreation qualities of Arch Cape Creek, the beach, and the surrounding forested areas.

#### Policies

1. The County shall support the efforts of the state in the improvements of bike lanes.
2. Open space or neighborhood park sites should be included as part of subdivisions or planned developments.
3. Activities of the State Parks Division which pertain to the Southwest Coastal area shall be reviewed by the Citizen Advisory Committee to insure their compatibility with the community.
4. The County shall cooperate with the State Parks Division to retain the scenic values of the Oregon Coast Hiking Trail. Development adjacent to the trail along Leech Avenue shall be designed in a manner that is harmonious with the Trail.
5. All development on highly visible promontories shall be evaluated for its effect on scenic vistas, both from the beach and Highway 101.
6. Because of the limited access and land area at the mouth of Arch Cape Creek and the potential conflict with the adjacent residential neighborhoods, a regional park or recreation site in this vicinity is not desirable. Regional parks are not intended to be a permitted use within Rural Service Areas. Parks and recreation sites within such communities are intended to be neighborhood oriented, low impact in terms of traffic generation, and designed in a compatible manner with the surrounding environment.
7. The County shall encourage the State Fish and Wildlife Commission to expand on a greater educational program on the marine organisms inhabiting the tidal pool areas. Additionally, greater enforcement of the existing regulations is needed with new daily limit standards to insure protection.
8. Wildlife refuges:

Existing wildlife refuges which are owned/leased and managed by the Oregon Department of Fish and Wildlife (ODFW) located in areas designated Conservation Forest or in other lowland areas under any plan designation shall be reviewed by the County for compliance with the approval standards listed below. Such hearings shall be conducted according to a Type IV procedure at a time and place convenient to residents of the affected planning area. ODFW shall provide an evaluation of the economic, social, environmental and energy consequences of the proposal information sufficient to support findings with respect to the following approval criteria:

1. Identification of the need for the proposed new wildlife management area. "Need" means

specific problems or conflicts that will be resolved or specific ODFW objectives that will be achieved by establishing the proposed area.

2. Alternative lands and management actions available to the ODFW, and an analysis of why those alternatives or management actions will not resolve identified problems or achieve objectives.

#### Recommendation

1. The County should make formal request to the State Fish Commission to have the "tidepool" areas declared "prohibited areas", or at least make collecting subject to permit. Local and State law enforcement officials should be made aware of the new status of these tidepools, until the Fish Commission can provide proper patrols. Perhaps during the summer months, when tourism is heaviest, trained persons could be hired to provide an educational function at the tidepools, as well as enforcement. Regardless, these areas should be posted at points of access informing people of the necessity of protecting the animals.

#### Development Patterns

#### Growth Policies

1. Large developments with sudden or massive impacts on the community and its services shall be discouraged. Developments shall be phased in an orderly manner in order to avoid disruption of the community.
2. Future residential development along U.S. Highway 101 shall be buffered from the highway in order to maintain the scenic corridor.
3. Chapter 70 of the State Uniform Building Code shall be enacted and enforced to control filling and grading.
4. Cut and fill techniques of land development shall be discouraged. Filling of lots or property shall be carried out only after a site investigation to insure that adjacent property will not be affected by drainage or storm water, erosion or visual intrusion onto other property.
5. All wetlands proposed for filling shall be examined by the Division of State Lands and the U.S. Army Corps of Engineers to determine if permits are required.

#### Rural Service Area Development

~~Southwest Coastal CAC Goal:~~ To maintain the low density, residential character of Arch Cape.

#### Policies

1. The standard building site in the Rural Service Area shall be at least 7,500 square feet,

unless smaller lots existed in single or contiguous ownership prior to the adoption of the Community Plan. Those persons who have paid or been assessed as of January 1, 1976 for two sewer connection fees with a parcel of 10,000 square feet or more would be allowed to divide their parcel in two.

2. In areas of steep slopes lot sizes shall be increased to account for these factors.
3. The designated Rural Service Area shall be limited to a land area capable of being serviced by community water, sewer, and fire protection systems based on a reasonable projection of growth.
4. The zoning and subdivision ordinances shall be used in establishing development standards as they relate to the Rural Service Area. Emphasis shall be on maintaining natural vegetation and terrain when siting development, and fitting structures into the landscape rather than allowing them to dominate.
5. Commercial development shall be restricted to the existing commercial area and shall be limited to neighborhood commercial uses such as grocery store, a gas station, a community motel with a minimum land area of 2,500 square feet per unit, and other small-scale, locally-oriented businesses.
6. There is a large parcel of land south of Arch Cape Creek and east of Highway 101. It abuts Oswald West State Park. The area has been previously platted. In order to protect the scenic values of the Arch Cape headland and Oswald West State Park the old plat shall be vacated or replatted prior to development of the tract. Clustering shall be required and directed away from the headland and State Park.

#### Recommendation

1. ~~The Southwest Coastal CAC shall initiate a study of the feasibility of establishing a local governing body for the Arch Cape Rural Community and, if the study is favorable, should take further action.~~

Southwest Coastal CAC Goal: To maintain high quality of residential development in keeping with the natural environment through the use of design standards.

#### Policies

1. Design review standards shall ~~be recommended~~ **apply to** for all construction in the Rural Service Area (Arch Cape Rural Community) ~~to the Planning Commission, by the Advisory Design Review Committee.~~ Standards shall apply to new commercial or residential construction, subdivision, site development, street construction or placement of public utilities.

- ~~2. Design standards shall be included in a special "design overlay zone", applicable in the Rural Service Area.~~

Southwest Coastal CAC Goal: To encourage the use of natural features of the land, such as existing topography and vegetation.

#### Policies

1. Design review standards shall require minimal disturbance of the landscape in land development and shall address the removal of trees, grading and excavation, protection of views of adjacent property, road construction and placement of utilities.
2. Future development along U.S. Highway 101 shall be buffered from the highway in order to maintain the scenic corridor.
3. Cut and fill techniques of land development shall be discouraged. Filling of lots or property shall be carried out only after a site investigation to insure that adjacent property will not be affected by drainage or storm water, raised flood elevations, erosion or visual intrusion onto other property.
- ~~4. Board of County Commissioners shall establish a Design Review District in the Rural Service Area. The members of the Advisory Design Review Committee shall be appointed by the Board of Commissioners to serve three year terms.~~

#### Rural Lands

##### Policies

1. The minimum parcel size for building sites in Rural Lands areas shall be 20,000 sq. feet. Smaller parcels legally existed at the time of adoption of this Plan are grandfathered, the specifics of which shall be handled in the Zoning Ordinance.
2. To evaluate all rural proposals for subdivision, major partitions and new public facilities or services, such as fire station and water systems, for the possible generation of unwanted urbanization which is reflected in the objectives of Rural Lands.
3. All watershed areas need to be defined and development in the surrounding vicinity shall void degradation of the water quality.

#### Conservation Forest Lands and Other Resources

##### Policies

1. Commercial forest lands shall be excluded from future development of the Southwest



Coastal area. Other undeveloped lands which are not owned by commercial timber production based on the forest site class shall be designated for resource protection.

2. Watersheds for the community water systems in the area shall be protected by the Forest Practices Act. Forest management in elevations above the watersheds, including road construction, shall take place only after the appropriate water districts are notified and efforts are made to prevent adverse impacts.
3. There shall be two building site intensities in Conservation Forest Lands areas designated for Small Woodland: 20 acres is within a fire and/or water district; 38 acres if within no districts. Commercial forest designation partition size shall be 80 acres.
4. Before designated forest land is changed to another use, the productive capacity of the land in each use should be considered and evaluated.
5. Before designated forest land is changed to another use, the impact of the proposed use should be considered on adjacent forest lands.
6. Transfer and/or consolidation of land for resource production is encouraged. No new lots for residential purposes shall be created on designated commercial forest land.
7. Residential development in areas designated for forest uses shall be minimized. Development adjacent to roads intended primarily for forest management and harvesting activities shall be discouraged.

#### Natural

#### Policies

1. Gull Rock, Castle Rock, Lion Rock, Jockey Cap, Unnamed Rock and the Needles shall be designated and preserved as Natural areas.