



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

AMENDED NOTICE OF ADOPTED AMENDMENT

December 21, 2007

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Clatsop County Plan Amendment
DLCD File Number 005-07



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: January 7, 2008

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Doug White, DLCD Community Services Specialist
Laren Woolley, DLCD Regional Representative
Patrick Wingard, Clatsop County

<paa> n

FORM 2

DLCD Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

In person electronic mailed
DEPT OF
DEC 18 2007
LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: **Clatsop County**

Local file number: **Ordinance No. 07-09**

Date of Adoption: **12/12/2007**

Date Mailed: **12/17/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 8/8/2007

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amend the Clatsop County Comprehensive Plan Map / Zoning Map by rezoning an 11.36 acre parcel from Quarry-Mining (QM) to Agriculture-Forestry (AF). The applicant, City of Seaside, intends to construct a new municipal finished water storage reservoir on the property (a conditionally permitted development in the AF zone).

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **Conservation Other Resources** to: **Conservation Forest Land**

Zone Map Changed from: **Quarry and Mining (QM)** to: **Agriculture-Forestry (AF)**

Location: **East of Hwy 101, 0.75 miles no. of Hwy 101/26 Jct**

Acres Involved: **11.36**

Specify Density: Previous: **0**

New: **0**

Applicable statewide planning goals:

1 **2** **3** **4** **5** **6** **7** **8** **9** **10** **11** **12** **13** **14** **15** **16** **17** **18** **19**

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

005-07(16296)

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

City of Seaside, Clatsop County, DLCD, ODOT, Dept. of Forestry, Water Resources Dept., DEQ, Clatsop Soil and Water Conservation, CREST

Local Contact: **Patrick Wingard**

Phone: (503) 325-8611 Extension: 1705

Address: **800 Exchange Street, Suite 100**

Fax Number: **503-338-3666**

City: **Astoria**

Zip: **97103-**

E-mail Address: **pwingard@co.clatsop.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

SEP 13 2007

IN THE BOARD OF COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

2007120002

AN ORDINANCE AMENDING THE)
CLATSOP COUNTY COMPREHENSIVE)
PLAN / ZONING MAP)

ORDINANCE NO. 07-09

WHEREAS, on August 7, 2007 the City of Seaside filed an application for an amendment to the Clatsop County Comprehensive Plan / Zoning Map to amend the comprehensive plan designation of property in Clatsop County (the "property") described as T5N, R10W, Sec. 4A, TL 201 from Conservation Other Resources to Conservation Forest Land and amend the zoning from QM, Quarry and Mining, to AF, Agriculture-Forestry.

WHEREAS, the application was considered by the Planning Commission at a public hearing on October 9, 2007 and the Commission unanimously recommended approval, which recommendation is attached as Exhibit "PC"; and

WHEREAS, consideration for this ordinance complies with the Post Acknowledgement rules of the Oregon Land Conservation and Development Commission and the Clatsop County Planning Commission has sought review and comment and has conducted the public hearing process pursuant to the requirements of ORS 215.050 and 215.060, and the Board of Commissioners received and considered the Planning Commission's recommendations on this request and held a public hearing on this ordinance pursuant to law on November 20, 2007; and

WHEREAS, public notice has been provided pursuant to law; now therefore,

THE BOARD OF COMMISSIONERS OF CLATSOP COUNTY ORDAIN AS FOLLOWS:

SECTION 1. The Clatsop County Comprehensive Plan / Zoning Map is hereby amended as shown in attached Exhibit A.

SECTION 2. The Board of Commissioners hereby approves the application and findings of fact contained in the Exhibit "PC" Planning Commission recommendation.

SECTION 3. In support of this ordinance, the Board adopts the October 1, 2007 Staff Report and recommendation attached as Exhibit "PC".

Approved this 12th day of December, 2007

THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

By Richard H. Lee
Richard Lee, Chair

By Valerie Crawford
Recording Secretary

EXHIBIT "PC"

BEFORE THE PLANNING COMMISSION
FOR CLATSOP COUNTY, OREGON

In the matter of an amendment to the
Clatsop County Comprehensive Plan /
Zoning Map by the City of Seaside

RESOLUTION AND ORDER

07-10-02

RECITALS

A. Pursuant to Article 2 of the Clatsop County Land and Water Use Development Ordinance, the City of Seaside applied for a comprehensive plan/zoning map amendment (Exhibit 1 of the attached Exhibit A Staff Report) on August 7, 2007 regarding property in Clatsop County (the "Property") described as:

T5N, R10W, Section 4A, Tax Lot 201

B. Pursuant to County Procedures for Land Use Applications, staff examined the application and submitted a report dated October 2, 2007 regarding the request. The Staff Report is attached as Exhibit A.

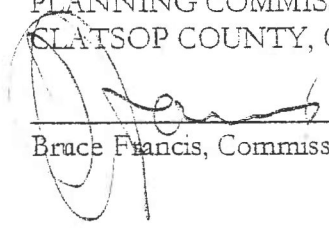
C. Pursuant to County procedures, a hearing was held on the Exhibit A matter on October 9, 2007 for which appropriate notice was provided.

WHEREFORE, the Planning Commission finds and resolves:

1. That the Community Development Department is directed to present the Planning Commission's recommendation to approve the request to the Board of Commissioners for their consideration.
2. That the Exhibit A Staff Report is adopted by reference in support of this recommendation.

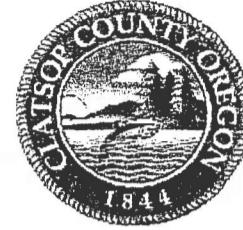
SO ORDERED this 10th day of October 2007.

PLANNING COMMISSION FOR
CLATSOP COUNTY, OREGON



Bruce Francis, Commission Chair

EXHIBIT A



Clatsop County Community Development Department
800 Exchange Street, Suite 100, Astoria, OR 97103
www.co.clatsop.or.us

ph: 503-325-8611
fx: 503-338-3666
em: comdev@co.clatsop.or.us

STAFF REPORT

STAFF REPORT DATE: October 2, 2007

HEARING DATE: October 9, 2007

HEARING BODY: Planning Commission

REQUEST: The applicant proposes a comprehensive plan map / zoning map amendment (zone change) for the subject property.

Current Zone: Quarry and Mining (QM)
Proposed Zone: Agriculture-Forestry (AF)

Current Plan Designation: Conservation Other Resources
Proposed Plan Designation: Conservation Forest Land

APPLICANT/AGENT: Murray, Smith & Associates, Inc.
Tom Boland, P.E.
121 SW Salmon, Suite 900
Portland, OR 97204

PROPERTY OWNER: City of Seaside
989 Broadway
Seaside, OR 97138

PROPERTY DESCRIPTION: T5N, R10W, Sec. 4A, TL 201

PROPERTY LOCATION: Southeast of the City of Seaside and 0.75 miles north of the Hwy 101/26 junction.

PROPERTY SIZE: 11.36 acres

COUNTY STAFF REVIEWER: Patrick Wingard, AICP, Principal Planner *Patrick*

STAFF RECOMMENDATION: Approve

SUGGESTED MOTION: Adopt the findings of fact of the staff report and recommend approval of the zone change to the Board of Commissioners.

EXHIBITS:

1 -- Comprehensive Plan / Zoning Map Amendment application

SUMMARY

On August 7, 2007 Tom Boland of Murray, Smith & Associates representing the City of Seaside submitted to the Clatsop County Community Development Department an application for a comprehensive plan / zoning map amendment for an 11.36-acre parcel property located southeast of the City of Seaside and about 0.75 miles north of the Hwy 101/26 junction. See maps below. The applicant proposes changing the property's zoning from QM, Quarry and Mining, to AF, Agriculture-Forestry. The application also includes a change in the comprehensive plan designation on the property from Conservation Other Resources to Conservation Forest Land. The applicant intends to build a new municipal finished water reservoir on the property; a use that is not allowed in the QM zone but conditionally-permitted in the AF zone.

PROPERTY STATUS

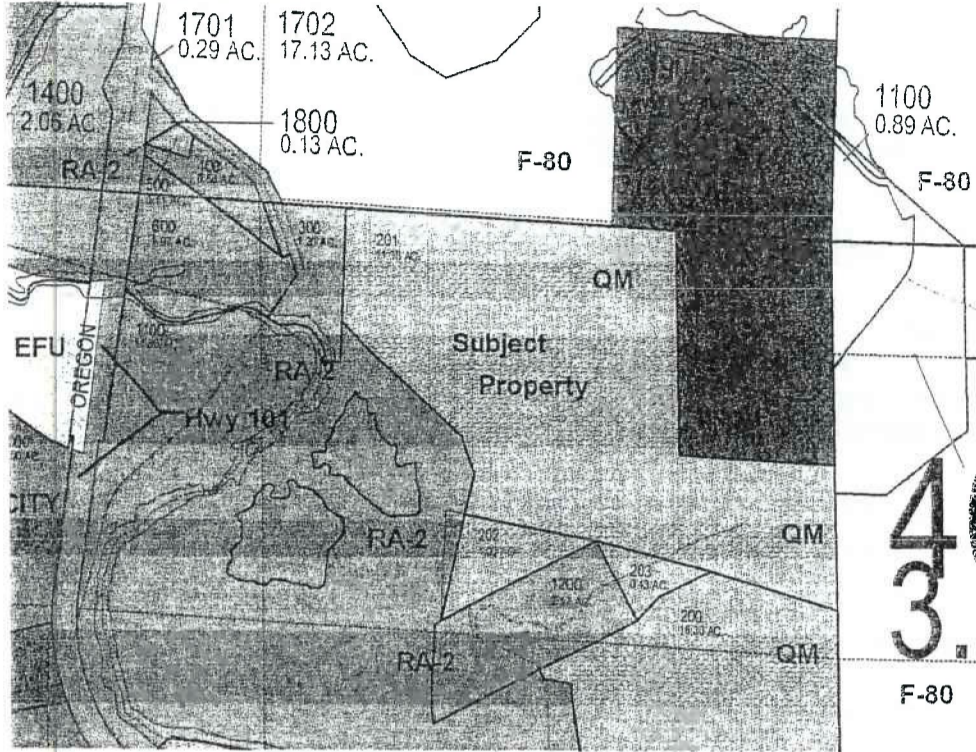
The subject property (T5N, R10W, Sec. 4A, TL 201) was created by recording of a warranty deed with the County Clerk's Office on March 21, 1980 (Volume 524, Pages 21-22). On April 10, 1989 two small tracts of land (0.43 acres and 1.00 acres) were broken off of the property and sold by recording of a bargain and sale deed with the Clatsop County Clerk's Office (Clatsop County Deed Records Volume 714, Page 508). County staff finds no evidence of land use approvals (i.e., partition or subdivision) associated with the April 10, 1989 action. On June 16, 1989 the current property owner, City of Seaside, acquired the subject property (minus the two aforementioned tracts).

The subject property does not meet the county's definition of "lot of record" per LWDUO §1.030. Before Clatsop County can approve development on the subject property, including issuance of a conditional use permit for the planned water reservoir, the subject property must be lawfully created by recording of a subdivision or partition plat with the County Clerk's Office. The applicant has been apprised of this situation and county staff is prepared to act on the forthcoming partition application expeditiously.

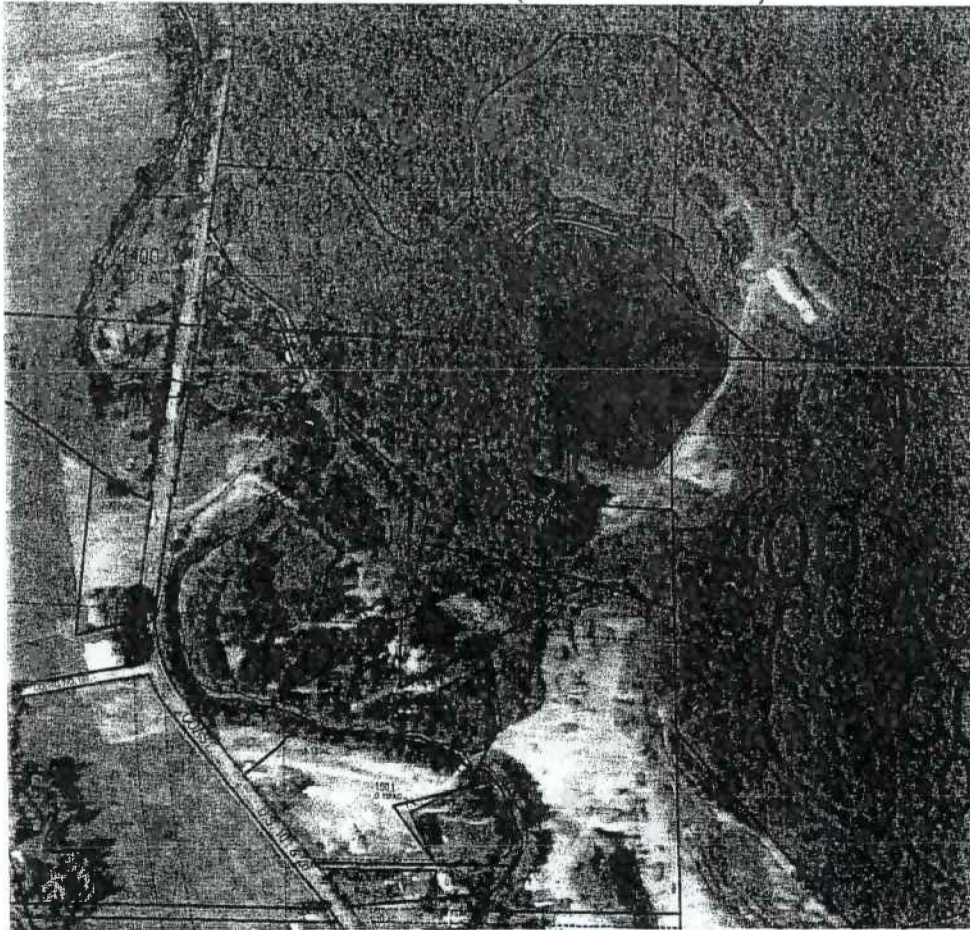
PROPERTY CONDITIONS

The subject property is in rolling terrain in the foothills of the coast range. Forestry uses and quarries typify the area. The City of Seaside currently maintains municipal water system facilities on land that adjoins the subject property. See maps on the following pages.

AREA ZONING MAP



NEIGHBORHOOD CONDITIONS (2005 Aerial Photo)



BACKGROUND

The current property owner, City of Seaside, acquired the subject property in June 1989. Based on discussions with the applicant and information contained in the attached land use application (Exhibit 1), the County understands that the City of Seaside intends to construct a new municipal finished water storage reservoir on the property. Water reservoirs are not a permissible land use in the current Quarry and Mining (QM) zone but are permitted conditionally in the proposed Agriculture-Forestry (AF) zone.

APPLICABLE CRITERIA

The applicable criteria for this land use application is contained in LWDUO Section 5.412 which reads:

Section 5.412. Zone Change Criteria.

The governing body shall approve a non-legislative zone designation change if it finds compliance with Section 1.040, and all of the following criteria:

- (1) The proposed change is consistent with the policies of the Clatsop County Comprehensive Plan.
- (2) The proposed change is consistent with the statewide planning goals (ORS 197).
- (3) The property in the affected area will be provided with adequate public facilities and services including, but not limited to:
 - (A) Parks, schools and recreational facilities
 - (B) Police and fire protection and emergency medical service
 - (C) Solid waste collection
 - (D) Water and wastewater facilities
- (4) The proposed change will insure that an adequate and safe transportation network exists to support the proposed zoning and will not cause undue traffic congestion or hazards.
- (5) The proposed change will not result in over-intensive use of the land, will give reasonable consideration to the character of the area, and will be compatible with the overall zoning pattern.
- (6) The proposed change gives reasonable consideration to peculiar suitability of the property for particular uses.
- (7) The proposed change will encourage the most appropriate use of land throughout Clatsop County.
- (8) The proposed change will not be detrimental to the health, safety and general welfare of Clatsop County.

ASSESSMENT OF APPLICATION VERSUS APPLICABLE CRITERIA

The following section examines the application versus the eight applicable criteria of LWDUO § 5.412.

(1) Consistency with Comprehensive Plan

Analysis:

As part of its land use application (attached, Exhibit 1), the applicant evaluates the application against the applicable elements of the Clatsop County Comprehensive Plan. The applicant's assessment provides satisfactory evidence that conversion of the 11.36-acre parcel from QM zoning to AF zoning would be consistent with the applicable policies of the Comprehensive Plan.

All requirements pertaining to the public notices (LWDUO § 2.105 - § 2.125) for the land use matter have been met.

Finding of Fact:

Based on the analysis above, the application satisfies Zone Change Criterion No. 1, LWDUO § 5.412(1).

(2) Consistency with Statewide Planning Goals

Analysis:

Clatsop County's acknowledged comprehensive plan implements the 19 Statewide Planning Goals. The determination in the preceding section that confirms the application's consistency with the Comprehensive Plan provides satisfactory evidence that the application is in conformance with the applicable Statewide Planning Goals.

Finding of Fact:

Based on the analysis above, the application satisfies Zone Change Criterion No. 2. LWDUO § 5.412(2).

(3) Adequacy of Public Facilities and Services

Analysis:

In its application (Exhibit 1; Goal 11 assessment), the applicant explains that the zone change would allow the City of Seaside to consolidate its critical water system facilities to efficiently serve existing and planned development within the City of Seaside and its water service district boundaries.

Finding of Fact:

Based on the analysis above, the application satisfies Zone Change Criterion No. 3. LWDUO § 5.412(3).

(4) Adequacy of Transportation Facilities

Analysis:

In its application (Exhibit 1; Goal 12 assessment), the applicant explains that the future water reservoir would be an unattended facility that generates minimal traffic in conjunction with routine maintenance activities. The applicant explains that existing roads are suitable to accommodate the future development.

As a function of the future conditional use permit application for the planned water reservoir, the applicant must demonstrate that suitable access roads exist to serve the proposed development site and must gain consent from ODOT for expanded use of approach road(s) to Hwy 101, as appropriate.

Finding of Fact:

Based on the analysis above, the application satisfies Zone Change Criterion No. 4. LWDUO § 5.412(4).

(5) Compatibility with Area

Analysis:

The subject property abuts other property owned by the City of Seaside that contain municipal water facilities. In its application, the applicant explains that areas outside of the construction zone will be left in a natural state to provide natural buffers of forestland between the city water facilities and quarry operations in the area. The proposed reservoir is not expected to preclude forest operations on surrounding lands.

Finding of Fact:

Based on the analysis above, the application satisfies Zone Change Criterion No. 5. LWDUO § 5.412(5).

(6) Peculiar Suitability of Site for Particular Uses

Analysis:

The applicant explains that the proposed reservoir is locationally dependent and that the site's proximity to existing water system facilities make it ideally suited for a future water reservoir.

In its application, the applicant references analyses performed in conjunction with permits for nearby quarry operations that identify the subject property as being unsuitable for use as a quarry. The Clatsop County Comprehensive Plan does not identify the subject property as a significant quarry site.

Finding of Fact:

Based on the analysis above, the application satisfies Zone Change Criterion No. 6. LWDUO § 5.412(6).

(7) Zone Change Promotes Appropriate Use of Land in County

Analysis:

In its application, the applicant explains that the subject property is limited with regard to conducting quarry and mining operations. The property's proximity to existing City of Seaside water system facilities make it ideally suited to accommodate a new finished water reservoir.

Finding of Fact:

Based on the analysis above, the application satisfies Zone Change Criterion No. 7. LWDUO § 5.412(7).

(8) Health, Safety, and General Welfare

Analysis:

In its application, the applicant explains that the proposed zone change would facilitate development of a non-polluting water reservoir on the subject property. The proposed 4.0 mg storage reservoir would meet the goals of the City's previous planning and engineering studies that have identified the need for more water storage facilities in this area to provide for public health and safety requirements.

Finding of Fact:

Based on the analysis above, the application satisfies Zone Change Criterion No. 8. LWDUO § 5.412 (8).

Overall Conclusion

Based on the findings provided above, the application satisfies the applicable approval criteria. Staff advises the Planning Commission to forward a recommendation to the Board of Commissioners to approve the request.

Respectfully submitted,

Patrick Wingard, AICP
Clatsop County Principal Planner

EXHIBIT 1

CITY OF SEASIDE, OREGON NARRATIVE IN SUPPORT OF THE APPLICATION FOR A COMPREHENSIVE PLAN/ZONING MAP AMENDMENT FOR THE PROPOSED PETERSON POINT MUNICIPAL FINISHED WATER STORAGE RESERVOIR

SUPPLEMENTAL NARRATIVE INFORMATION – August 6, 2007

Project Location: City of Seaside Raw Water Reservoir and Water Treatment Plant Facility, located south of the City of Seaside, approximately 2,000 feet southeast of the intersection of U.S. Highway 101 and Underhill Road and approximately 0.75 miles north of the junction with State Highway 26.

Subject Property
Legal Description: T5N, R10W, Sec. 4A, TL 201

Applicant: City of Seaside
989 Broadway
Seaside, OR 97138
c/o Murray, Smith & Associates, Inc.
121 SW Salmon St., Suite 1020
Portland, OR 97204

Property Owner: City of Seaside
989 Broadway
Seaside, OR 97138

I. INTRODUCTION:

The purpose of this application is to request approval for a Comprehensive Plan/Zoning Map Amendment from Clatsop County to allow approximately 11.36 acres of the City of Seaside's Peterson Point Raw Water Reservoir and Water Treatment Plant (WTP) Facility site to be rezoned from Quarry and Mining Zone (QM) to Agricultural-Forestry Zone (AF), to accommodate the construction of a new municipal finished water storage reservoir. The QM zone does not permit reservoirs and water impoundment facilities. The proposed zone

Proposed Peterson Point Reservoir
 Comprehensive Plan/Zoning Map Amendment Application
 August 6, 2007

change from QM to AF corresponds to a change in the Comprehensive Plan Designation from *Conservation Other Resources* to *Conservation Forest Land*, and would provide the City an opportunity to develop a new reservoir as a permitted conditional use, at a location adjacent to existing municipal water system facilities and provide for a natural buffer of forested land between the city's existing open reservoir and the existing quarry operation to the south of TL 201, and State Hwy 101 to the west.

II. PROJECT DESCRIPTION:

The City of Seaside proposes to construct a 4.0 million gallon (mg) ground level finished water storage reservoir adjacent to the existing Peterson Point Raw Water Reservoir and WTP Facility. The proposed reservoir site will include construction on four adjoining properties described as follows:

Property Legal Description	Property Size (Acres)	Current Zoning	Property Owner
T5N, R10W, Sec. 4A, TL 201	11.36	QM	City of Seaside
T5N, R10W, Sec. 4A, TL 100	4.02	AF	City of Seaside
T5N, R10W, TL 400	3.60	F-80	City of Seaside
T5N, R10W, TL 300	500.86	F-80	Weyerhaeuser

The proposed reservoir structure will straddle the existing property line between Tax Lot 201, T5N, R10W, Sec. 4A and Tax Lot 300, T5N, R10W. The general vicinity of the project site and conceptual site layout are illustrated on the attached Figure 1. Current zoning in the project area is illustrated on the attached Figure 2. The proposed reservoir will provide water service to existing developed areas and to developable areas within the City's Urban Growth Boundary (UGB). The proposed facility will include a welded steel reservoir structure with a diameter of approximately 155 feet and a height of approximately 35 feet, site drainage facilities, underground water system piping and other appurtenances associated with water storage reservoirs. The reservoir will be an unattended facility with an access road and parking area adequate to accommodate service vehicles. It is anticipated that, following construction, the facility may generate, on average, one vehicle trip per week.

III. PROJECT BACKGROUND AND NEED:

A. Project Planning

The City of Seaside's existing water distribution system contains two pressure zones served from a single 2.6 mg storage reservoir. The City's Water System Master Plan Update dated October 2005 recommended the construction of an additional new water storage reservoir to provide approximately 4.0 mg of additional storage at the City's Peterson Point Raw Water Reservoir and WTP Facility to serve the Main Pressure Zone. The Main Pressure Zone is the

Proposed Peterson Point Reservoir
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largest pressure zone in the City of Seaside. It serves the majority of customers in the City's water system, and is composed primarily of residential, resort, commercial and industrial land uses. The proposed 4.0 mg of additional storage is part of the staged planning to alleviate existing and future water storage deficits within the City's water system, as outlined in the Master Plan Update. The additional storage proposed at the Peterson Point WTP site was also part of the water system improvements identified in the City of Seaside's Water Facilities Preliminary Engineering Report dated May 1994. This report laid the groundwork for the 1997 expansion of the raw water open storage reservoir and construction of the WTP at the Peterson Point Site, and also identified the need for future finished water storage at this location.

B. Project Objectives

A new finished water reservoir at the WTP site would provide significant benefits. In addition to having a deficit of available finished water storage, the water distribution system presently experiences service pressure fluctuations that are attributable to lack of storage capacity and to the hydraulic configuration at the WTP. Finished water leaving the WTP is disinfected in the chlorine contact basin and enters the distribution system through the basin outlet, which functions as an overflow weir. The transmission main operates by gravity and is not subject to a constant pressure head at the WTP. The system relies on pressure created by continuous overflow of the chlorine contact basin in order to fill the North Reservoir and maintain service pressure throughout the Main Pressure Zone. Under normal conditions the water surface elevation in the transmission main is about equal to the approximate overflow weir elevation of 214 feet. Water system pressures can typically fluctuate as much as 20 psi. During periods of high demand these fluctuations can be as much as 30 psi or more and occur when production at the WTP slows or stops during periods of moderate to high demand due to filter backwashing or maintenance. The hydraulic grade of the system decreases as the water level in the transmission main falls well below the outlet elevation when water production is surpassed by demand.

A new finished water reservoir at the WTP site would serve as a finished water storage structure supplied from the chlorine contact basin. The new reservoir would supply the distribution system by gravity from an outlet near the bottom of this reservoir, thus maintaining consistent system pressure and minimizing pressure fluctuations, as well as providing additional needed water distribution storage.

C. Site Suitability and Need

The proposed reservoir meets the goals of the City's previous planning and engineering studies that have identified the necessity for water storage facilities in this area to provide for public health and safety requirements. The proposed facility is locationally dependant. The location of a water storage reservoir, by its nature, is governed by the ground elevation of the

Proposed Peterson Point Reservoir
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area the reservoir must serve. Correspondingly, the reservoir structure must be placed at an elevation to fit the water system hydraulic conditions. To meet the hydraulic conditions, the floor elevation of the proposed reservoir will need to match the floor elevation of the City's only other existing reservoir, which is approximately 175 feet above mean sea level. Several areas were investigated as potential locations for the reservoir within the Peterson Point Raw Water Open Reservoir and WTP Facility. Recent geotechnical engineering studies have confirmed that it would not be feasible to site the proposed reservoir structure on Tax Lot 400 adjacent to the existing open reservoir and WTP, due to shallow groundwater conditions associated with the existing adjacent raw water impoundment. The proposed reservoir, located on the subject Tax Lot 201 and the adjoining Tax Lot 300, is at a ground elevation ideally suited to meet the hydraulic criteria for service to the City's Main Pressure Zone. Tax Lot 201 and the adjoining Tax Lot 300 are the only properties within the vicinity of the Peterson Point WTP that not only have ground elevations that fall at or above the ground elevation requirement, but also have enough area to allow the construction of the necessary finished water storage reservoir and related facilities, and have subsurface conditions suitable for founding the proposed structure.

IV. PROPOSED COMPREHENSIVE PLAN/ZONING MAP AMENDMENT:

As described above the proposed reservoir site will include construction on four adjoining properties. The reservoir structure itself will span the existing property lines of the City owned lot Tax Lot 201, T5N, R10W, Sec. 4A and the Weyerhaeuser owned lot TL 300, T5N, R10W. A property line adjustment will be completed to modify the existing property lines between TL 300 and TL 201 to allow the proposed project limits to be integrated onto TL 201 from TL 300. Of the four properties, only the City owned TL 201 is designated under the QM zone, which does not permit reservoirs and water impoundment facilities. The other properties are zoned F-80 or AF, which both allow reservoirs to be conditionally permitted. The proposed zone change from QM to AF would provide the City an opportunity to develop the reservoir as a permitted conditional use at a location adjacent to existing municipal water system facilities, and provide for a natural buffer of forested land between the city's existing open reservoir and the existing quarry operation to the south of TL 201, and State Hwy 101 to the west.

V. ZONE CHANGE JUSTIFICATION INFORMATION AND FINDINGS:

A. General

The subject property, Tax Lot 201, T5N, R10W, Sec. 4A, is part of the City of Seaside's Peterson Point Raw Water Reservoir and Water Treatment Plant (WTP) Facility and was purchased by the City in 1989 for the purpose of providing future expansion of the water system facilities as well as to provide a forested buffer between the raw water open reservoir and existing quarry operations to the south, and State Hwy 101 to the west. Although the

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property is zoned QM it is not designated as a “significant” Goal 5 quarry resource. The City does not operate the land as a quarry, and does not intend to develop a quarry on the property at any point in the future. The City intends to obtain approval for the rezoning to AF in order to preserve the forested buffer and expand the water system facilities at the existing Peterson Point site.

B. Property History (Tax Lot 201, T5N, R10W, Sec. 4A)

The following summary of property history for Tax Lot 201, T5N, R10W, Sec. 4A is provided as supplemental information.

- March 21, 1980 – Howard E. Johnson & Sons Construction sold a 12.79-acre portion of T5N, R10W Tax Lot 200 to Crown Zellerbach Corporation. This property is now comprised of Tax Lots 201, 202, and 203, T5N, R10W, Sec. 4A.
- December 26, 1986 – Crown Zellerbach sold the 12.79-acre parcel described above to Cavenham Forest Industries.
- April 3, 1989 – Cavenham Forest Industries sold 1.00-acre and 0.42-acre portions of the property described above to Laurel Underhill. These parcels are now described as Tax Lots 202 and 203, T5N, R10W, Sec. 4A.
- June 16, 1989 – Cavenham Forest Industries sold the 11.36-acre remainder of the property described above to the City of Seaside. The property is now described as Tax Lot 201, T5N, R10W, Sec. 4A.

C. Findings in Support of Rezoning

The following summary is provided to document findings in support of rezoning the subject property on the basis that it is not a designated “significant” Goal 5 mineral and aggregate resource, and as such, may have been inappropriately included in the QM zone. Findings will also present information that suggests the subject is not suitable for quarry and mining operations. Segments of the findings are taken from the Clatsop County Goal 5 County-Wide Element, Open Spaces, Scenic/Historic Areas, and Natural Resources.

Identification of Significant Quarry Resources

In accordance with the Clatsop County Goal 5 Mineral and Aggregate Resources Comprehensive Plan Policies, the County originally protected five “significant” sites with a special Quarry and Mining (QM) zone. Those five sites are identified in the County’s Exception Statement for Clatsop County Quarry/Mining Sites - Ordinance 88-2, pg. 1 (Exception Statement) as:

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1. Howard Johnson & Sons (Johnson), Department of Geology and Mineral Industries (DOGAMI) Permit No. 04-0011;
2. Clatsop County Road Department (Fishhawk Falls), DOGAMI No. 04-0025;
3. Clatsop County Road Department (Big Creek Pit), DOGAMI No. 04-0027;
4. J.C. Compton Company (Taylorville Quarry), DOGAMI No. 04-0053;
5. Oregon State Highway Department (Elderberry Quarry), DOGAMI No. 04-0055.

The subject property, Tax Lot 201, T5N, R10W, Sec. 4A, is not part of any of the “significant” sites, but is located north of, and adjacent to, the original Johnson QM site identified as Tax Lot 200, T5N, R10W, Sec. 4A. As part of the County’s process of establishing a single exception document for its QM-zoned mineral and aggregate sites, the County took exception to Goal 4 for the Johnson Quarry in the County’s Exception Statement, and redefined the boundaries of the Johnson QM site, expanding the exception to include Tax Lots 301, 100, and 101, T5N, R10W, Sec. 4A. The following description of the Johnson Quarry is provided from the Exception Statement, pg. 12:

“.. The Johnson Quarry, also known as the “Traprock” Quarry, is located about .75 miles north of the junction of Highway 26 with U.S. 101, on U.S. 101. The site consists of four parcels, one of which, described above, was among the five original sites zoned QM by the County. The original site, Tax Lot 200, is 16.3 acres in size. The adjacent parcels, Tax Lots 301, 100 and 101 are respectively 10.45, 12.44, and 2.06 acres in size...”

While the Exception Statement did include one other “significant” site in addition to the original five “significant” sites, it clearly shows that the subject property was not included in this unified document that was intended to address exceptions for all QM-zoned sites within Clatsop County. For future reference, the additional site included in the Exception Statement was the Bayview Quarry, located west of U.S. Highway 101 near the intersection of State Highway 26. Documentation of the inclusion of the subject property in the QM zone, and basis for doing so, is not apparent in the Goal 5 Element of the Comprehensive Plan.

Documentation of Non-Suitability for Quarry and Mining Operations.

As noted above, the City does not operate the subject property as a quarry, and does not intend to develop a quarry on the property at any point in the future. It is also relevant to note that the subject property does not have an existing DOGAMI Surface Mining Operating Permit, and the property appears to have significant limitations with regard to its suitability for quarry and mining operations. Several County Ordinances have documented these

limitations associated with the feasibility of operating the subject property as a quarry. The first example includes findings from Ordinance No. 87-11, known as the Bayview Transit Mix Rock Quarry Project Amendment, which approved the rezoning of the Bayview property to QM zone. The relevant findings presented below are from Part IV "Alternative Exception Analysis" of Exhibit "A" of the adopted ordinance findings and conclusions, and refer to the subject property as the "Seaside Reservoir QM zone" (Bayview findings pg. 37-38):

... "The characteristics of the Seaside Reservoir QM zone (no DOGAMI permit) which we find relevant to this standard are summarized on Exhibit E. We note that a fair quantity of rock (1 million cubic yards) appears to be available for excavation at the Seaside Reservoir QM site. However, we note several important reasons why this site would be an extremely poor choice for a rock quarry. First, three residences are immediately adjacent to this zone, and a multi-space trailer park is located 350 feet from the border of the zone. An additional residence is located 600 feet from the western edge of this zone. Extraction and crushing on this site cannot meet DEQ noise standards, given the close proximity of the zone to existing residences. Of equal importance, the sole water source for the City of Seaside (a large reservoir) sits directly adjacent to the zone. Two water transmission lines transverse the zone, and a treatment center is located nearby. The City of Seaside has expressed great concern over aggregate extraction activities on this site. In addition, the land owner of the property (Cavenham) has stated that this site will not be considered for a quarry and mining. Finally deep overburden and vibration control present additional costs of operating on this site. The negative factors present at the site would not only increase the cost of material extracted from this site, but would also provide a separate reason for allowing NO mining activity on the site. Because of all these negative factors, we conclude that the Seaside Reservoir QM zone cannot reasonably accommodate the use proposed by the applicant." ...

The second example documenting the limitations of the subject property's quarry feasibility includes findings from the County's Resolution dated March 9, 1988 that approved an exemption for the Johnson Quarry site, redefining the boundary of the Johnson QM site. The relevant findings presented below are from pages 8-9, and 12-13 of the Johnson Quarry exemption and refer to the subject property as the "Seaside Reservoir" and the "Seaside Reservoir QM site":

"... The Seaside Reservoir contains a significant amount of rock (1,000,000 cubic yards), but for reasons explained in the Bayview findings, negative factors associated with the site render it unreasonable to accommodate the use. Findings, 37-38..." (Johnson Quarry exemption pg. 8).

"... Because of significant negative factors, including DEQ noise standard violations and potential contamination of Seaside's water supply, the county finds, as it did in the Bayview application, that the Seaside Reservoir QM site cannot reasonably accommodate

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the use, and therefore its rock reserves cannot presently be considered as available for meeting the demonstrated need. See Bayview Findings, 35-36, 41 ...”(Johnson Quarry exemption pg. 9).

“... E. Areas Which do not Requires a New Exception Cannot Reasonably Accommodate the Use.

The inability of other sites within this market area to accommodate the use was fully addressed in the county’s findings for the Bayview site (pp. 35-48). Rather than repeat those findings here, the county incorporates them by a reference (except as expressly noted below) as if fully set forth herein. The county continues to abide by those findings, except as they relate to the Johnson F-80 site and to Johnson pricing policies for sale of aggregate.

Sites that do not require a new exception are the Johnson QM site, the Seaside Reservoir site and the Bayview site. In addition to the findings contained in the Bayview exception, the county finds that the Johnson QM site only has 70,000 cubic yards of material remaining above the quarry floor, plus 221,000 cubic yards in the reserves below the quarry floor. This quantity of rock is not sufficient to meet the county needs for the planning period. The county continues to find that the Seaside Reservoir site is not an adequate choice for a rock quarry due to the close proximity of residences (immediately adjacent to the zone), a trailer park within 350 feet of the zone, the inability of the site to meet DEQ noise standards, and the possibility of contamination of Seaside’s sole water source (a matter of deep concern to the city). Moreover, the landowner of the property has stated that the property will not be considered for a quarry and mining. (Bayview Findings, 37-38.) The county continues to find that this site cannot accommodate the use...” (Johnson Quarry exemption pg. 12-13).

Subsequently, Ordinance 93-17 amended the Comprehensive Plan and Zoning Ordinance to provide for the Quarry and Mining Overlay Zone and to establish the Mineral and Aggregate Impact Area with a minimum width of 1000 feet from the extraction area. Relevant findings presented below identify the subject property and the existing Seaside Reservoir as part of the impact area (Request for Quarry and Mining Overlay Zone Johnson Rock Quarry May 24, 1993):

“...Description of the Impact Area:

A one thousand foot radius includes most of the Cannon Beach Junction which is a Commercial environment. Commercial activities included are: A lumber company storage yard, a restaurant, a yard and garden store and an auto wrecking business. Directly to the south, the area includes a farm operation and directly west is a horse riding and boarding farm. The impact area also includes 11 single family residences. To

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the north is a mobile home park and campground with fifteen permanent residential units and the City of Seaside's water reservoir. To the east is forest land. The Necanicum River also transverses the site..."

From the Ordinance 93-17 findings "ESEE Analysis, Environmental Consequences":

"...The City of Seaside water reservoir is located within the 1000 foot impact area. The City has two concerns, one is having dust and particulate carried airborne into the reservoir. The City has been acquiring additional property to buffer the reservoir site. Further, future plans for the reservoir call for treatment after the water leaves this particular reservoir. The second concern is that continued mining in the area of the material that also supports the reservoir could cause an impact in the ability of the reservoir to hold water. However, this has not been a problem in the past and all future mining operations are moving away from the reservoir site ..."

From the Ordinance 93-17 findings "CONCLUSIONS":

"...3. Protection of the Seaside Water Reservoir.

Although there has not been conflict between the mining operation and the water reservoir in the past, to prevent problems in the future, the city is acquiring additional buffer land to protect its own reservoir. Also, the city is under a DEQ order to either cover this reservoir or treat the water after it leaves the reservoir. The protection of the reservoir is enhanced as mining operations are moved away from the reservoir to the opposite end of the property..."

These relevant findings, that document that the subject property is not an adequate choice for a rock quarry due to the close proximity of residences (immediately adjacent to the zone), a trailer park within 350 feet of the zone, the inability of the site to meet DEQ noise standards, and the possibility of contamination of Seaside's sole water source, sufficiently justify the rezoning of the subject property.

VI. FINDINGS OF CONSISTENCY WITH CLATSOP COUNTY ZONE CHANGE CRITERIA AND STANDARDS

1. The map change must be consistent with the Comprehensive Plan. The Comprehensive Plan elements are listed below with findings to document consistency with the applicable goals:

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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.

All applicable Comprehensive Plan and Land and Water Development and Use Ordinance goals and standards were developed with citizen involvement. The required hearing will address the goal requirements for this application.

Goal 2 – Land Use Planning

The County's land and water have been placed in one of six (6) Plan designations including: 1. Development; 2. Rural Agricultural Lands; 3. Conservation Forest Lands; 4. Conservation Other Resources; 5. Natural; and 6. Rural Lands. The proposed amendment would rezone the subject property from Quarry and Mining Zone (QM) to Agricultural-Forestry Zone (AF) which corresponds to a change in the Comprehensive Plan Designation from Conservation Other Resources to Conservation Forest Lands. The County's Goal 2 plan element states:

*Conservation areas provide important resource or ecosystem support functions but because of their value for low-intensity recreation or sustained yield resource (e.g. forestry), or because of their unsuitability for development (e.g. hazard areas) should be designated for nonconsumptive uses. Nonconsumptive uses are those uses which can utilize resources on a sustained yield basis while minimally reducing opportunities for other future uses of the area's resources.**

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

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

Conservation Other Resources areas provide important resource or ecosystem support functions such as lakes and wetlands and federal, state and local parks. Other areas designated Conservation Other Resources include lands for low intensity uses which do not disrupt the resource and recreational value of the land. Most of the Columbia River Estuary is in this designation.*

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The proposed zone change complies with the applicable Goal 2 policies. Findings presented previously from the Clatsop County Goal 5 County-Wide Element, Open Spaces, Scenic/Historic Areas, and Natural Resources document, indicate that the subject property is not appropriately zoned as a quarry resource due to its significant limitations with respect to its ability to actually support the intended use, quarry and mining operations. The property is better suited for the proposed AF zoning which would preserve its important ecosystem support function as forested buffer for the existing Peterson Point Reservoir, and establish a vital nonconsumptive use for the property.

As previously noted, the proposed reservoir's 4.0 mg of additional storage is part of the staged planning to alleviate existing and future water storage deficits within the City's water system, as outlined in the 2005 Water System Master Plan Update. The additional storage proposed at the Peterson Point WTP site was also part of the water system improvements identified in the City of Seaside's Water Facilities Preliminary Engineering Report dated May 1994. This report laid the groundwork for the 1997 expansion of the raw water open storage reservoir and construction of the WTP at the Peterson Point Site, and also identified the need for future finished water storage at this location. The proposed reservoir will provide water service only to existing developed areas and to developable areas within the City's UGB and as such, will not introduce an urban service outside the UGB. This project will not prevent the County from implementing land use planning related goals.

Goal 3 – Agricultural Lands

Goal - To preserve and maintain agricultural lands.

The subject property, proposed for the zone change and new finished water reservoir site, is not designated as farm land, and has not been used for agricultural purposes. Therefore the Goal 3 policies are not applicable to the proposed zone change.

Goal 4 – Forest Lands

Goal - To conserve forest lands for forest uses.

The proposed zone change and finished water reservoir proposed for this site are consistent with the applicable policies of Goal 4. The proposed zone change is from QM to AF, a zone which is intended to protect the forest resource. The proposed zone change and reservoir are not anticipated to conflict with the protection of forest land, forest practices, or other activities necessary and appropriate for management of soil, air, water, fish and wildlife resources, the provision for recreational opportunities, and agricultural uses. The proposed reservoir site should not preclude forest activities on surrounding lands. The existing Peterson Point WTP access road will serve the proposed reservoir from U.S. Highway 101. An additional driveway and parking area at the site will be constructed for maintenance vehicle access, and will be limited to the minimum width necessary for traffic management

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and safety. The proposed zone change for the 11.36 acre subject property, is in accordance with County acreage criteria that identifies lands in the AF-20 zone to be comprised predominantly of ownership smaller than 40 acres. The proposed zone change from QM to AF would provide the City an opportunity to develop the reservoir as a permitted conditional use at a location adjacent to existing municipal water system facilities, and provide for a natural buffer of protected forested land between the city's existing open reservoir and the existing quarry operation to the south of TL 201, and State Hwy 101 to the west. This project will not prevent the County from implementing forest land related goals.

Goal 5 – Open Space

Goal - To conserve open space and protect natural and scenic resources.

The proposed zone change and finished water reservoir proposed for this site are consistent with the applicable policies of Goal 5, and will not prevent the County from implementing any of the open space related goals.

Mineral and Aggregate Resources

With regard to consistency with Goal 5 policies associated with Aggregate and Mineral Resources, it is of great relevance that, although the subject property is zoned QM, it is not designated as a "significant" Goal 5 quarry resource, it does not have an existing DOGAMI Surface Mining Operating Permit, and the property appears to have significant limitations with regard to its suitability for quarry and mining operations. As noted previously, several County Ordinances have documented these limitations associated with the feasibility of operating the subject property as a quarry.

For these reasons, it is suspected that the subject property may have been inappropriately included in the QM zone.

The subject property, Tax Lot 201, T5N, R10W, Sec. 4A, is part of the City of Seaside's Peterson Point Raw Water Reservoir and Water Treatment Plant (WTP) Facility and was purchased by the City in 1989 for the purpose of providing future expansion of the water system facilities as well as to provide a forested buffer between the raw water open reservoir and existing quarry operations to the south, and State Hwy 101 to the west. The City does not operate the land as a quarry, and does not intend to develop a quarry on the property at any point in the future. The City intends to obtain approval for the rezoning to AF in order to preserve the forested buffer and expand the water system facilities at the existing Peterson Point site. The proposed use will be consistent with the properties underlying QMO protection for the existing Teevin & Fisher Quarry operating on the adjacent property to the south, described as T5N, R10W, Sec. 4A, TL 200.

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Energy Sources

The proposed zone change is for development of a potable water storage reservoir and will not involve development at sites that are identified as potential wind generating facilities, low-head hydro projects, or oil, gas, nuclear, and large-scale hydro that are proposed in the future, therefore energy source policies are not applicable to the project.

Scenic Sites, Wetlands, Historic Sites, Cultural Areas

The proposed zone change and finished water reservoir is not located near any of the Clatsop County Scenic Conservancy Areas, Historic Sites or Significant Wetland resources, therefore policies related to these resources do not apply to this project.

Furthermore, the proposed zone change and finished water reservoir does not impact any known archeological sites. Indian cairns, graves and other significant archeological resources uncovered during construction or excavation will be preserved intact until a plan for their excavation or reinternment can be developed by the State Historic Preservation Office.

Fish and Wildlife Areas and Habitats

It appears the proposed zone change and proposed finished water reservoir may be located near or in a Peripheral Big Game Range. While the subject property appears to be unsuitable for the intended use of its current underlying QM zoning, the property is better suited for the proposed AF zoning which would preserve its important ecosystem support function as forested buffer for the existing Peterson Point Reservoir, and establish a vital nonconsumptive use for the property. The proposed use as a forested buffer and municipal water reservoir would be less disruptive to big game than the intended quarry and mining uses associated with the QM zone.

The proposed zone change and proposed finished water reservoir will not affect riparian vegetation along streams and lakes within forest land, and will not affect minimum stream flows required for the maintenance of fish habitat.

The proposed zone change and proposed finished water reservoir will not use a stream as a water source, and will not involve alterations such as bridges, channelization, or filling that would adversely affect the stream's integrity or its value as fish habitat. Nor will the proposed zone change and proposed finished water reservoir restrict existing public access to rivers, streams, or lakes.

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Natural Areas

The project area is not listed as a Natural Area in the County's Goal 5 element or designated as a Natural Area on the Comprehensive Plan map, therefore the Natural Areas policies are not applicable to the project.

Water Resources and Watersheds

The proposed zone change and finished water reservoir will not have a negative impact on any water resources or watersheds. A new finished water reservoir at the WTP site would provide significant water resource benefits. In addition to a having a deficit of available finished water storage, the City of Seaside water distribution system presently experiences service pressure fluctuations that are attributable to lack of storage capacity and to the hydraulic configuration at the WTP. The new reservoir sited at the proposed location would supply the additional needed water distribution storage for the City. In addition, siting a reservoir at the proposed location will allow it to supply the water distribution system by gravity, and enable it to maintain consistent system pressure, minimizing pressure fluctuations currently experienced in the City's water system.

Wilderness Areas

The proposed zone change and finished water reservoir is not located in or near a Federal Wilderness area, therefore the Wilderness Areas policies are not applicable to the project.

Goal 6 – Air, Water and Land Resources Quality

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

The proposed zone change and finished water reservoir proposed for this site are consistent with the applicable policies of Goal 6. The proposed zone change is for development of a potable water storage reservoir and will not involve generation or emission of noise, refuse, water pollution or impacts to air quality in any way. The project will comply with all applicable state and federal environmental standards. The construction contractor will be required to obtain a DEQ 1200-C general NPDES permit for construction stormwater and will develop and implement the Erosion and Sediment Control Plan (ESCP) required by the permit. This project will not prevent the County from implementing air, water and land resources quality related goals.

Goal 7 – Natural Hazards

Goal - To protect life and property from natural disasters and hazards.

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The proposed zone change and finished water reservoir proposed for this site are consistent with the applicable policies of Goal 7.

The subject property has ground elevations ranging from approximately 175 feet to in excess of 200 feet above mean sea level, therefore the proposed zone change and reservoir construction will not involve any development within the floodplain. The proposed reservoir does not involve development adjacent to any dikes, rivers or streams, and as such, the Goal 7 policies associated with flood hazard and streambank erosion and deposition are not applicable.

The proposed zone change and finished water reservoir proposed for this site are consistent with the Goal policies associated with mass movement. A geotechnical investigation and site-specific seismic hazard study for proposed reservoir site was conducted by the project geotechnical Engineer, GRI, as part of the preliminary engineering for the project. The investigation included review of available pertinent information for the site and vicinity, site reconnaissance, subsurface explorations, laboratory testing, and engineering and seismic analyses. The report, titled "Geotechnical Investigation and Site-Specific Seismic Hazard Study, Proposed 4-MG Reservoir for City of Seaside, Oregon" dated June 27, 2007, documents the work accomplished and provides conclusions and recommendations for founding the proposed reservoir on the site.

In addition, GRI reviewed historical geotechnical information developed by Fujitani Hilts & Associates, Inc. and Foundation Engineering for the existing dam at Peterson Point Reservoir. The historical information was provided in reports entitled, "Geologic Reconnaissance, South Fork Necanicum River Basin, Seaside, Oregon" dated December 10, 1992, and "Seaside Raw Water Alternative," dated September 23, 1993, respectively.

The subsurface explorations made for GRI's investigation indicate the reservoir site is mantled with up to 5 ft of medium stiff to very stiff, clayey silt underlain by siltstone that becomes less weathered and harder with depth. The siltstone appears to generally slope down to the northeast across the site. The local groundwater level is anticipated to be relatively close the bottom of the proposed excavation and perched groundwater conditions may occur in the surficial soils during periods of prolonged or intense precipitation. Infiltration of precipitation may also result in seepage from more permeable zones in the sedimentary rock within the depth of the planned excavation and permanent cut slope.

Geotechnical considerations associated with the project appear to include the potential for localized slope instability across the planned reservoir excavation, due to localized folding within the siltstone and variable weathering. Slope instability associated with the local siltstone has occurred to the northwest of the site, associated with the earthen dam at Peterson Point Reservoir. The excavation required to construct the proposed reservoir and install a subdrainage system will range from about 10 to 35 ft deep. The geotechnical findings

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recommend temporary excavation slopes should be no steeper than approximately 1H:1V, and permanent cut slopes should be no steeper than 2H:1V. There is some risk that the excavation slope could experience instability following construction. Although the overall properties and orientation of the siltstone appear favorable, local folding and alteration of the rock may not become evident until the excavation is made, or local instability occurs. Instability of the cut slope is most likely to occur during the wet winter and spring months following prolonged and/or intense rainfall. Remedial measures would most likely include removal of slide debris and construction of a buttress fill of fragmental rock.

Due to the proximity of the site to the Cascadia Subduction Zone, there is the potential for substantial ground accelerations during a design earthquake. The tank will be established in siltstone, which will provide satisfactory foundation support with relatively small total and differential settlements. Due to the geometry of the subduction zone, there is minimal risk of fault rupture at the site. Based on the findings of the investigation, it is anticipated that the risk of liquefaction and liquefaction-induced lateral spreading, settlement, and subsidence is absent. Based on the site topography, it is anticipated that the risk of earthquake-induced slope instability is low. The near-vertical walls of the existing Teevin & Fisher Quarry are approximately 200 feet south of the tank site. It is understood that the quarry will not be excavated further northward toward the tank site. As a precautionary measure, an inclinometer was installed on the tank site, approximately 100 ft north of the quarry cut, to monitor the long-term stability of the site relative to the quarry. Based on the elevation of the site and review of the Oregon Department of Geology and Mineral Industries (DOGAMI) tsunami hazard map for the area, the risk of damage by tsunamis is absent.

The proposed reservoir will be located on stable and less steep portions of site, enabling steeper or unstable slopes to be maintained in their natural conditions. Final grading of excavation cut slopes at the reservoir site will be limited to no greater than 2H:1V or 3H:1V, depending on the properties of the excavated material. The proposed driveway will follow slope contours, as best practicable, to reduce the need for grading and filling, reduce erosion, and prevent the rapid discharge of runoff into natural drainage ways. Development of the site will generally leave the natural topography and existing vegetation of the site intact, where feasible. Final excavation cut slopes will be re-vegetated with native species as part of the project's long-term erosion control measures. This project will not prevent the County from implementing goals related to natural hazards.

Goal 8 – Recreational Needs

Goal - To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

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The subject property, proposed for the zone change and new finished water reservoir site, is not located in a designated park or recreation site, therefore the Goal 8 policies are not applicable to the proposed zone change or reservoir project. None of the policies establish development standards or approval criteria applicable to the project.

Goal 9 – The Economy

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

The proposed zone change and finished water reservoir proposed for this site are consistent with the applicable policies of Goal 9. A viable and robust economy is dependant on having a safe, adequate, reliable and economical supply of water for the local community. The proposed reservoir will provide water service to existing developed areas and to developable areas within the City's UGB. The City's Water System Master Plan Update dated October 2005 recommended the construction of an additional new water storage reservoir to provide approximately 4.0 mg of additional storage at the City's Peterson Point Raw Water Reservoir and WTP Facility to serve the Main Pressure Zone. The Main Pressure Zone is the largest pressure zone in the City of Seaside. It serves the majority of customers in the City's water system, and is composed primarily of residential, resort, commercial and industrial land uses. The proposed 4.0 mg of additional storage is part of the staged planning to alleviate existing and future water storage deficits within the City's water system, as outlined in the Master Plan Update. The proposed reservoir is a critical piece of the water system infrastructure of which the local and regional economy relies upon. This project will not prevent the County from implementing economic related goals.

Goal 10 – Housing

Goal - To provide for the housing needs of citizens of the state.

The proposed reservoir will provide water service to existing developed areas and to developable areas within the City's UGB. The proposed zone change and new finished water reservoir do not add or subtract from the inventory of buildable land in the County that can be used to meet housing needs, or increase the demand for housing. Therefore the Goal 10 policies are not applicable to the proposed zone change.

Goal 11 – Public Facilities and Services

Public Facilities Goals

1. *Urbanizable Areas - To provide public facilities in accordance with coordinated land use and transportation systems in a manner which encourages the orderly conversion of land from rural to urban use.*

2. *Outside of Urbanizable Areas –*

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a. To support the provision of needed public facilities for rural areas at levels appropriate for rural densities;

b. To discourage the development of inappropriate public facilities on resource lands which would result in pressure for conversion to more intense use.

Goal 11 requires adequate public services to be available to serve a proposed use and the uses already present in the area where the new use is proposed. The proposed zone change and finished water reservoir proposed for this site are consistent with the applicable policies of Goal 11. The proposed zone change would provide the City an opportunity to develop the proposed reservoir as a permitted conditional use at a location adjacent to the City of Seaside's Peterson Point Raw Water Reservoir and Water Treatment Plant (WTP) Facility, allowing use of the existing public facilities that currently serve that site.

The existing Peterson Point water system facility currently has adequate public services to provide for fire protection, police, emergency medical services, roads, and water service. The existing Peterson Point WTP access road will serve the proposed reservoir from U.S. Highway 101. An additional driveway and parking area at the site will be constructed from the existing access road for maintenance vehicle access. The reservoir will be an unattended facility with parking facilities adequate to accommodate service vehicles. It is anticipated that, following construction, the facility may generate, on average, one vehicle trip per week. The proposed reservoir will have onsite drainage facilities, but as an unsafe facility will not generate wastewater and therefore will not require any new sanitary sewer services. Sanitary sewer facilities at the adjacent existing WTP can serve maintenance staff. The proposed reservoir will include onsite water service for reservoir maintenance purposes only. The proposed reservoir will not generate solid waste. The proposed reservoir will provide water service only to lands inside the City's Urban Growth Boundary and therefore will not introduce an urban service outside the Urban Growth Boundary. The proposed zone change and reservoir will not result in pressure for conversion of non-urbanizable lands to more intense uses. This project will not prevent the County from implementing goals related to public facilities and services.

Goal 12 – Transportation

Goal - To develop and assist in the development of a safe, convenient, and economic transportation system consistent with Clatsop County Comprehensive Land Use Plan.

The proposed zone change and finished water reservoir proposed for this site are consistent with the applicable policies of Goal 12. The existing Peterson Point WTP access road will serve the proposed reservoir from U.S. Highway 101, with an additional short driveway for maintenance vehicle access, to extend from the access road. As an unattended facility, the proposed reservoir will require minimal traffic for routine maintenance activities. It is anticipated that, following construction, the facility may generate, on average, one vehicle

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trip per week, therefore traffic impacts will be minimal. This project will not prevent the County from implementing transportation related goals, policies and objectives identified in the Clatsop County Comprehensive Plan and the County's TSP.

Goal 13 – Energy Conservation

Goal - To conserve energy.

The proposed zone change and finished water reservoir proposed for this site are consistent with the applicable policies of Goal 13. The proposed reservoir, if constructed at the subject property, would supply the City's water distribution system by gravity, without the need for additional pumping and the energy consumption associated with pumping. The reservoir will be an unattended facility with electrical service to supply site lighting, telemetry and monitoring equipment, all having minimal energy consumption. The proposed zone change would provide the City an opportunity to develop the proposed reservoir as a permitted conditional use at a location adjacent to the City of Seaside's Peterson Point Raw Water Reservoir and Water Treatment Plant (WTP) Facility. The consolidation of water system facilities in this manner would allow City staff to make routine site visits at a single location, avoiding travel to multiple sites. This project will not prevent the County from implementing energy conservation related goals.

Goal 14 – Urbanization

Goal - To provide for an orderly and efficient transition from rural to urban land use.

The proposed zone change and finished water reservoir proposed for this site are consistent with the applicable policies of Goal 14. The proposed reservoir will provide water service only to existing developed areas and to developable areas within the City's UGB and as such, will not introduce an urban service outside the UGB. The proposed infrastructure development will not prevent the County from implementing urbanization related goals.

Goal 15 – Willamette River Greenway (Not Applicable)

Goal 16– Estuarine Resources

Goal - To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries.

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The subject property, proposed for the zone change and new finished water reservoir site, is not located in the vicinity of any estuarine resources, therefore the Goal 16 policies are not applicable to the proposed zone change or reservoir project.

Goal 17 – Coastal Shorelands

Goal - To conserve, protect, where appropriate, development and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and

To reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands.

The subject property, proposed for the zone change and new finished water reservoir site, is not located in the vicinity of any coastal shoreline resources; therefore the Goal 17 policies are not applicable to the proposed zone change or reservoir project.

Goal 18 – Beaches and Dunes

Goal - To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and to reduce the hazard to human life and property from natural or man-induced actions associated with these areas.

The subject property, proposed for the zone change and new finished water reservoir site, is not located on a shoreline or in an inventoried beach and dune area; therefore the Goal 18 policies are not applicable to the proposed zone change or reservoir project.

Goal 19 – Ocean Resources

The subject property, proposed for the zone change and new finished water reservoir site, is not located in Oregon off-shore territorial waters; therefore the Goal 19 policies are not applicable to the proposed zone change or reservoir project.

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Community Plans

The subject property, proposed for the zone change and new finished water reservoir site, is located within the boundary of the Clatsop Plains Community Plan; therefore the other County Community Plans are not applicable to the proposed zone change or reservoir project.

Clatsop Plains Community Plan

OVERALL GOAL

The Clatsop Plains Community Plan shall provide for planned and orderly growth of the Clatsop Plains planning area which is in keeping with a majority of its citizens and without unduly depriving landowners and/or residents of the reasonable use of their land. The Plan shall:

1. *protect and maintain the natural resources, natural environment and ecosystems,*
2. *respect the natural processes,*
3. *strive for well designed and well placed development, and*
4. *preserve the semi-rural, agricultural, open space and marine characteristics of the area.*

In order to meet the Goal, the County shall:

1. *Use the physical characteristics described in the section on landscape units as the major determinants of the location and intensity of the use of the land.*
2. *Retain as much of the land as possible in its natural state.*
3. *Review, update and amend the Plan on a regular basis as needs, additional data and/or economics demand.*

General Landscape Units

Excavation cut slopes for the reservoir development will be properly engineered to assure against slope failure. Loss of ground cover will be minimized during project construction and vegetative cover for moderately to steeply sloping areas shall be maintained, where practicable. Final excavation cut slopes, and cleared areas will be re-vegetated with naïve species as part of the project's long-term erosion control measures.

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Coastal Shorelands and Other Shorelands

The subject property, proposed for the zone change and new finished water reservoir site, is not located in the vicinity of any Coastal Shorelands or Other Shorelands, therefore these policies are not applicable.

Beaches

The subject property, proposed for the zone change and new finished water reservoir site, is not located on a shoreline or in an inventoried beach and dune area, therefore these policies are not applicable.

Dunes

The subject property, proposed for the zone change and new finished water reservoir site, is not located on a shoreline or in an inventoried beach and dune area, therefore these policies are not applicable.

Fort Stevens State Park Subarea Policy

The subject property, proposed for the zone change and new finished water reservoir site, is not located in Fort Stevens State Park Subarea, therefore these policies are not applicable.

Alluvial Lowlands Policy

The subject property, proposed for the zone change and new finished water reservoir site, is not located on Alluvial Lowlands, therefore these policies are not applicable.

Alluvial Terraces Policy

The subject property, proposed for the zone change and new finished water reservoir site, is not located on Alluvial Terraces, therefore these policies are not applicable.

Coast Range Foothills Policy

The subject property, proposed for the zone change and new finished water reservoir site, appears to be in the Coast Range Foothills area. The proposed zone change from QM to AF would provide the City an opportunity to develop a new reservoir as a permitted conditional use, at a location adjacent to existing municipal water system facilities, allowing consolidation of the City's water system infrastructure. The zone change would also allow for a natural buffer of forested land between the city's existing open reservoir and the existing quarry operation to the south of TL 201, and State Hwy 101 to the west. The

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proposed use is consistent with this policy, which recommends that predominant land uses on this landscape unit be forestry and low density residential use.

Natural Resources

Post 208 Water Quality Study

The proposed zone change is for development of a potable water storage reservoir and will not adversely affect Clatsop County groundwater aquifer quality, quantity, protective vegetation, or salinity, therefore this policy is not applicable.

Clatsop Plains Aquifer Policy

The proposed zone change is for development of a potable water storage reservoir and will not adversely affect Clatsop County groundwater aquifer quality, quantity, protective vegetation, or salinity, therefore this policy is not applicable.

Critical Hazards

Wind and Ocean Shoreline Erosion Policies

The proposed zone change and finished water reservoir is not located near any of the Clatsop County beach, dune, foredune or shoreline resources, therefore policies related to these resources do not apply to this project.

Cultural

The proposed reservoir will provide water service to existing developed areas and to developable areas within the City's UGB. The proposed zone change and new finished water reservoir do not add or subtract from the inventory of buildable land in the County that can be used to meet housing needs, or increase the demand for housing. Therefore these housing policies are not applicable to the proposed zone change.

Public Facilities and Services

Sewer Policies

The proposed reservoir will have onsite surface water drainage facilities, but as an unstaffed facility will not generate wastewater and therefore will not require any new sanitary sewer services. Sanitary sewer facilities at the adjacent existing Peterson Point WTP can serve maintenance staff.

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Transportation

Goal - The County will develop policies which minimize the number of access points on U.S. 101.

The proposed zone change and finished water reservoir will not include development of new access points onto U.S. 101. The existing Peterson Point WTP access road will serve the proposed reservoir from U.S. Highway 101, with an additional short driveway for maintenance vehicle access, to extend from the access road. As an unattended facility, the proposed reservoir will require minimal traffic for routine maintenance activities. It is anticipated that, following construction, the facility may generate, on average, one vehicle trip per week; therefore traffic impacts will be minimal. This project will not prevent the County from implementing transportation related goals, policies and objectives identified in the Clatsop County Comprehensive Plan and the County's TSP.

Rail

The proposed zone change and finished water reservoir is not located near any of the Clatsop County rail resources, therefore policies related to these resources do not apply to this project.

Air Transportation

The proposed zone change and finished water reservoir is not located near any of the Clatsop County air transportation resources, therefore policies related to these resources do not apply to this project.

Historic Areas

The proposed zone change and finished water reservoir is not located near any of the Clatsop County Historic Sites, therefore policies related to these resources do not apply to this project.

Fish and Wildlife Areas

The proposed zone change from QM to AF and proposed finished water reservoir will not prevent the County from implementing fish and wildlife related goals. The proposed public infrastructure development will not affect riparian vegetation along streams and lakes within forest land. The proposed use as a forested buffer and municipal water reservoir would be less disruptive to wildlife than the intended quarry and mining uses associated with the QM zone. The project area does not contain any documented endangered, threatened or vulnerable species habitat and there are no documented nesting sites of endangered bird species. The proposed

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project does not involve intensive recreational development or development within sensitive crucial habitat areas. The subject property, proposed for the zone change and new finished water reservoir site, is not located in an existing wildlife refuge or in other lowland areas. Based on these findings, these policies are not applicable to the proposed zone change or reservoir project.

Recreation

The subject property, proposed for the zone change and new finished water reservoir site, is not located in a designated park or recreation site; therefore these policies are not applicable to the proposed zone change or reservoir project. None of the policies establish development standards or approval criteria applicable to the project.

Scenic Areas

The proposed zone change and finished water reservoir is not located near any of the Clatsop County Scenic Conservancy Areas, therefore policies related to these resources do not apply to this project.

Open Space

The subject property is not designated as Development land. The proposed development area is not designated as Rural Lands. The proposed development does not include steep dunes which would require substantial alterations for building, buffers along streams, water bodies, deflation plains, and farm and forest lands. The proposed development is not a subdivision or planned development that would require buffers along property lines adjacent to arterials and/or collectors. The proposed property does not include areas that form a system of open space that require preservation. Based on the findings, the Clatsop Plains open space policies are not applicable to this project.

Community Development

General Development Policies

The proposed zone change and finished water reservoir does not include residential, commercial and industrial development. The final design for the proposed reservoir will include building plans that indicate how storm water is to be drained. Access permits shall be reviewed by the State Highway Department and County Road Department as required. The proposed zone change and finished water reservoir does not include commercial development.

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Rural Service Area

The project area is not designated as a Rural Service Area; therefore the Rural Service Area policies are not applicable to the project.

Rural Lands

The project area is not designated as Rural Lands on the Comprehensive Plan map; therefore the Rural Lands policies are not applicable to the project.

Rural Agricultural Lands

The project area is not designated as Rural Agricultural Lands on the Comprehensive Plan map; therefore the Rural Agricultural Lands policies are not applicable to the project.

Conservation Forest Lands

The proposed zone change and finished water reservoir are consistent with the goals and policies of the Clatsop County Comprehensive Plan Goal 4, and therefore are found to be consistent with this policy.

Conservation Other Resources

See Open Space, Scenic and Historic Areas and Natural Resources, Recreational Needs, Estuarine Resources and Coastal Shorelands and Beaches and Dunes Background Reports and County-wide Elements.

The proposed zone change and finished water reservoir are consistent with the goals and policies of the Clatsop County Comprehensive Plan's Open Space, Scenic and Historic Areas and Natural Resources, Recreational Needs, Estuarine Resources and Coastal Shorelands and Beaches and Dunes Background Reports and County-wide Elements and therefore are found to be consistent with this policy.

Natural

The project area is not listed as a Natural Area in the County's Goal 5 element or designated as a Natural Area on the Comprehensive Plan map; therefore the Natural Areas policies are not applicable to the project.

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2. *Section 5.412. Zone Change Criteria of the Clatsop County Land and Water Development and Use Ordinance #80-14.*

The Clatsop County Land and Water Development and Use Ordinance LDWUO section 5.412 establishes eight criteria for zone changes. The LDWUO 5.412 criteria are presented below with applicable findings for the proposed zone change.

1. The proposed change is consistent with the policies of the Clatsop County Comprehensive Plan

The applicable policies from the County Comprehensive Plan are addressed previously in this narrative, and find that the proposed zone change and finished water reservoir are consistent with the Clatsop County Comprehensive Plan.

2. The proposed change is consistent with the statewide planning goals (ORS 197)

The proposed zone change and finished water reservoir are consistent with the Clatsop County Comprehensive Plan Goals and Policies and therefore are found to be consistent with the statewide planning goals (ORS 197).

3. The property in the affected area will be provided with adequate public facilities and services including, but not limited to:

1. *Parks, schools and recreational facilities*
2. *Police and fire protection and emergency medical service*
3. *Solid Waste collection*
4. *Water and wastewater facilities*

The proposed zone change and finished water reservoir proposed for this site are consistent with the applicable policies of Goal 11, and therefore meet this LDWUO zone change criteria. The proposed zone change would provide the City an opportunity to develop the proposed reservoir as a permitted conditional use at a location adjacent to the City of Seaside's Peterson Point Raw Water Reservoir and Water Treatment Plant (WTP) Facility. The consolidation of these critical water system facilities will allow the existing public facilities that currently serve the WTP site to also dually serve the proposed public infrastructure development. Findings presented previously for documentation of Goal 11 consistency, are also applicable to this LDWUO zone change criterion, and illustrate how the proposed reservoir will be provided with adequate public facilities and services.

4. The proposed change will insure that an adequate and safe transportation network exists to support the proposed zoning and will not cause undue traffic congestion or hazards.

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The proposed zone change and finished water reservoir proposed for this site are consistent with the applicable policies of Goal 12, and therefore meet this LDWUO zone change criteria. As an unattended facility, the proposed reservoir will require minimal traffic for routine maintenance activities. It is anticipated that, following construction, the facility may generate, on average, one vehicle trip per week. Traffic impacts associated with the proposed reservoir will be minimal and will not cause undue traffic congestion or hazards. The existing Peterson Point WTP access road will serve the proposed reservoir from U.S. Highway 101. The existing transportation network is adequate to safely support the proposed zoning.

5. The proposed change will not result in over-extensive use of the land, will give reasonable consideration to the character of the area, and will be compatible with the overall zoning pattern.

The proposed zone change and finished water reservoir proposed for this site will not result in over-extensive use of the land, will give reasonable consideration to the character of the area, and will be compatible with the overall zoning pattern. The proposed zone change is for development of a potable water storage reservoir and will not involve generation or emission of noise, refuse, water pollution or impacts to air quality in any way. Use of the land will be minimized, and will be limited to the reservoir tank footprint and excavation area, parking area and driveway. The driveway and parking area at the site will be constructed for maintenance vehicle access, and will be limited to the minimum width necessary for traffic management and safety. Other areas outside of the construction zone on TL 201 will be left in a natural state to serve as a natural buffer of forested land between the city's existing open reservoir and the existing quarry operation to the south of TL 201, and State Hwy 101 to the west. As an unattended facility, the proposed reservoir will require minimal traffic for routine maintenance activities. It is anticipated that, following construction, the facility may generate, on average, one vehicle trip per week; therefore traffic impacts will be minimal.

Of the City owned properties that make up the Peterson Point Raw Water Reservoir and Water Treatment Plant (WTP) Facility, only the City owned TL 201 is designated under the QM zone, which does not permit reservoirs and water impoundment facilities. The other properties that make up the City's water system facility are zoned F-80 or AF. The zone change from QM to AF will be compatible with the overall zoning pattern of the area. The proposed zone change and reservoir are not anticipated to conflict with the protection of forest land, forest practices, or other activities necessary and appropriate for management of soil, air, water, fish and wildlife resources, the provision for recreational opportunities, and agricultural uses. The proposed reservoir site should not preclude forest activities on surrounding lands.

6. The proposed change gives reasonable consideration to peculiar suitability of the property for particular uses

The proposed zone change and finished water reservoir proposed for this site gives reasonable consideration to peculiar suitability of the property for a particular use. As noted previously, the City does not operate the subject property as a quarry, and does not intend to develop a quarry on the property at any point in the future. It is also relevant to note that the subject property does not have an existing DOGAMI Surface Mining Operating Permit, and the property appears to have significant limitations with regard to its suitability for quarry and mining operations. As noted previously, several County Ordinances have documented these limitations associated with the feasibility of operating the subject property as a quarry. While the subject property appears to be unsuitable for the intended use of its current underlying QM zoning, the property is uniquely or "peculiarly" suited for the proposed finished water reservoir. The QM zone does not permit reservoirs and water impoundment facilities. The proposed zone change from QM to AF would provide the City an opportunity to develop a new reservoir as a permitted conditional use, at a location adjacent to existing municipal water system facilities and provide for a natural buffer of forested land between the city's existing open reservoir and the existing quarry operation to the south of TL 201, and State Hwy 101 to the west.

The City of Seaside's existing water distribution system contains two pressure zones served from a single 2.6 mg storage reservoir. The City's Water System Master Plan Update dated October 2005 recommended the construction of an additional new water storage reservoir to provide approximately 4.0 mg of additional storage at the City's Peterson Point Raw Water Reservoir and WTP Facility to serve the Main Pressure Zone. The Main Pressure Zone is the largest pressure zone in the City of Seaside. It serves the majority of customers in the City's water system, and is composed primarily of residential, resort, commercial and industrial land uses. The proposed 4.0 mg of additional storage is part of the staged planning to alleviate existing and future water storage deficits within the City's water system, as outlined in the Master Plan Update.

As noted previously, the proposed reservoir facility is locationally dependant. The location of a water storage reservoir, by its nature, is governed by the ground elevation of the area the reservoir must serve. Correspondingly, the reservoir structure must be placed at an elevation to fit the water system hydraulic conditions. To meet the hydraulic conditions, the floor elevation of the proposed reservoir will need to match the floor elevation of the City's only other existing reservoir, which is approximately 175 feet above mean sea level.

Several areas were investigated as potential locations for the reservoir within the Peterson Point Raw Water Open Reservoir and WTP Facility. Recent geotechnical engineering studies have confirmed that it would not be feasible to site the proposed reservoir structure on Tax Lot 400 adjacent to the existing open reservoir and WTP, due to shallow groundwater conditions associated with the existing adjacent raw water impoundment. The proposed

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reservoir, located on the subject Tax Lot 201 and the adjoining Tax Lot 300, is at a ground elevation ideally suited to meet the hydraulic criteria for service to the City's Main Pressure Zone. Tax Lot 201 and the adjoining Tax Lot 300 are the only properties within the vicinity of the Peterson Point WTP that not only have ground elevations that fall at or above the ground elevation requirement, but also have enough area to allow the construction of the necessary finished water storage reservoir and related facilities, and have subsurface conditions suitable for founding the proposed structure.

The new reservoir sited at the proposed location would supply the additional needed water distribution storage for the City. In addition, siting a reservoir at the proposed location will allow it to supply the water distribution system by gravity, and enable it to maintain consistent system pressure, minimizing pressure fluctuations currently experienced in the City's water system.

7. The proposed change will encourage the most appropriate use of land throughout Clatsop County

The proposed zone change and finished water reservoir proposed for this site will encourage the most appropriate use of the land. As noted previously, the subject property appears to have significant limitations with regard to its suitability for quarry and mining operations. Findings from several County Ordinances, included previously in this narrative, have documented these limitations associated with the feasibility of operating the subject property as a quarry. While the subject property appears to be unsuitable for the intended use of its current underlying QM zoning, the property is uniquely suited for the proposed finished water reservoir and for use as a forested natural buffer for the City's existing water impoundment. The QM zone does not permit reservoirs and water impoundment facilities. The proposed zone change from QM to AF would provide the City an opportunity to develop a new reservoir as a permitted conditional use, at a location adjacent to existing municipal water system facilities, allowing consolidation of the City's water system infrastructure. The zone change would also allow for a natural buffer of forested land between the city's existing open reservoir and the existing quarry operation to the south of TL 201, and State Hwy 101 to the west.

8. The proposed change will not be detrimental to the health, safety, and general welfare of Clatsop County.

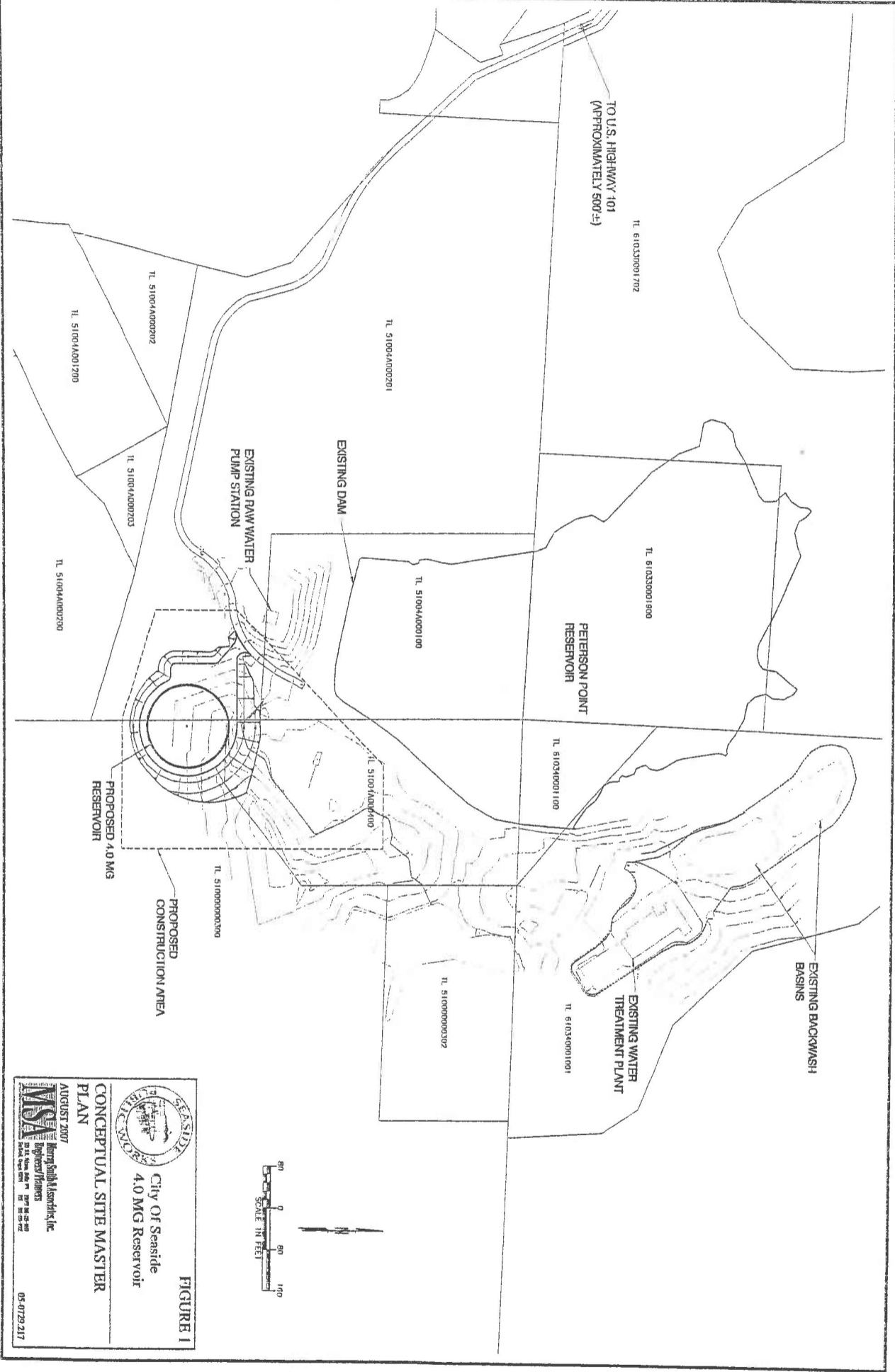
The proposed zone change and finished water reservoir proposed for this site will not be detrimental to health, safety, and general welfare of Clatsop County. The proposed zone change is for development of a potable water storage reservoir and will not involve generation or emission of noise, refuse, water pollution or impacts to air quality in any way. The proposed reservoir meets the goals of the City's previous planning and engineering studies that have identified the necessity for water storage facilities in this area to provide for

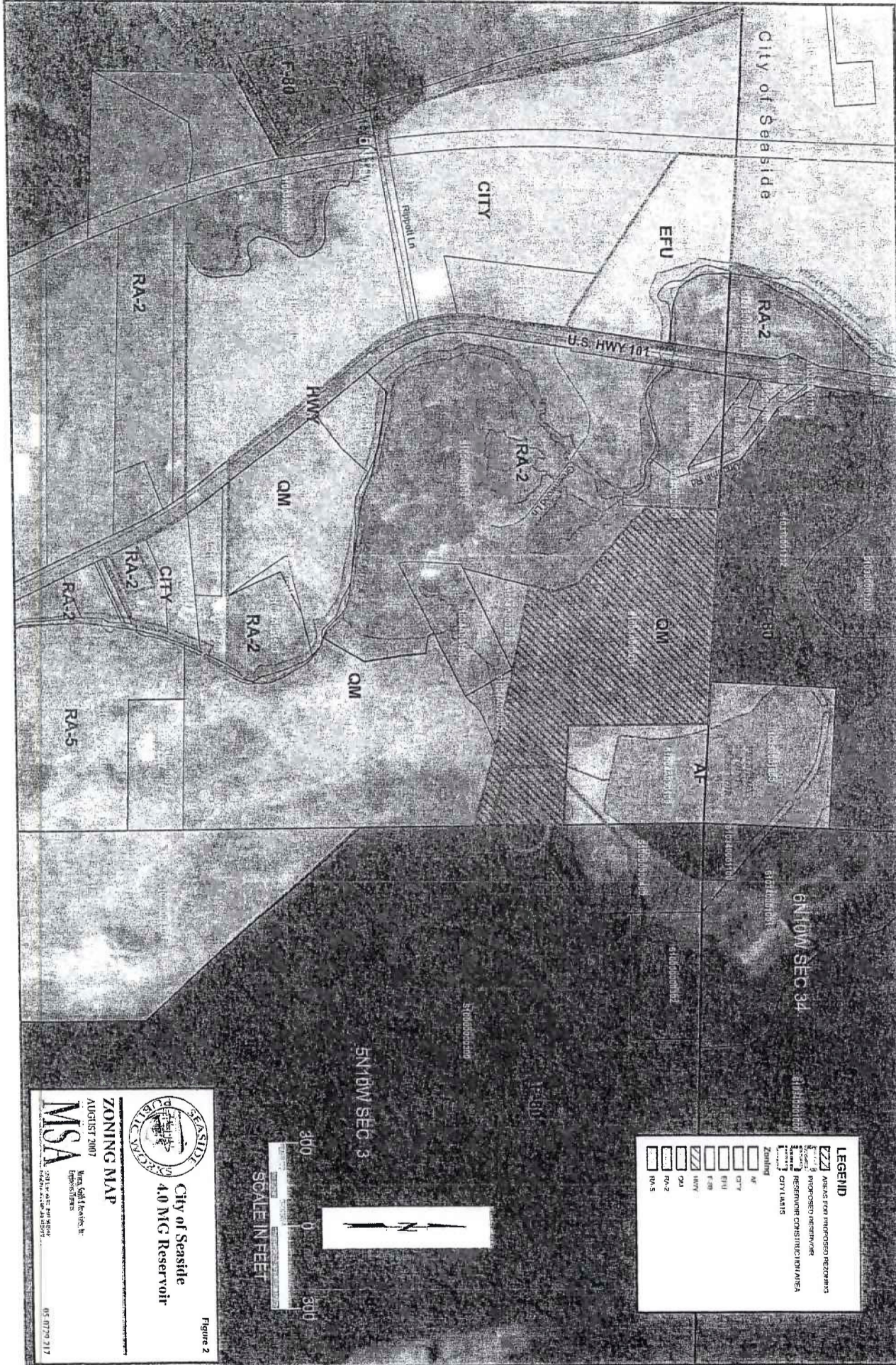
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public health and safety requirements. A new finished water reservoir at the WTP site would provide significant benefits. The proposed 4.0 mg of additional storage is part of the staged planning to alleviate existing and future water storage deficits within the City's water system, as outlined in the Master Plan Update, and will minimize pressure fluctuations currently experienced in the City's water system.

3. The property in the affected area must be presently provided with adequate public facilities, services and transportation networks to support the use; or the governing body by condition requires their provision by condition attached to any approval of use.

The property in the affected area is presently provided with adequate public facilities. The proposed zone change would provide the City an opportunity to develop the proposed reservoir as a permitted conditional use at a location adjacent to the City of Seaside's Peterson Point Raw Water Reservoir and Water Treatment Plant (WTP) Facility. The consolidation of these critical water system facilities will allow the existing public facilities that currently serve the WTP site to also dually serve the proposed public infrastructure development. Findings presented previously for documentation of Goal 11 consistency and the LDWUO Sect 5.412 Zone Change Criteria are also applicable to this criterion, and illustrate how the proposed reservoir will be provided with adequate public facilities and services.





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CLATSOP COUNTY
Transportation and Development Services
Land Use Planning

800 Exchange Street, Suite 100
Astoria, Oregon 97103
(503) 325-8611 • Fax (503) 338-3666

ATTN: Plans Amendment Specialist
DEPT. OF LAND CONS. & DEV.
635 CAPITOL ST. NE, Suite 150
SALEM, OR 97301-2540

FIRST CLASS MAIL