



Oregon

Theodore R. Kubongski, 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



NOTICE OF ADOPTED AMENDMENT

02/20/2009

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Tillamook County Plan Amendment
DLCD File Number 006-08

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: Thursday, March 05, 2009

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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.

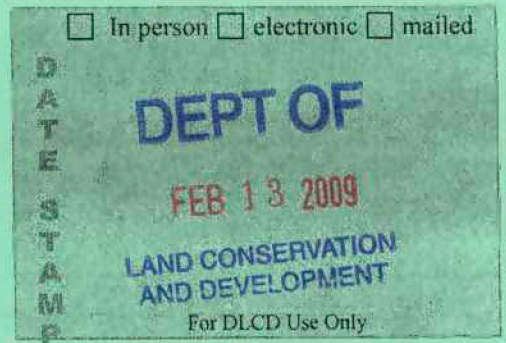
***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Lisa Phipps, Tillamook County
Doug White, DLCD Community Services Specialist
Laren Woolley, DLCD Regional Representative

<pa> YA

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



Jurisdiction: **Tillamook County**

Local file number: **OA-08-04**

Date of Adoption: **2/11/2009**

Date Mailed: **2/12/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 9/23/2008

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".

Adoption of an addendum to Goal 14 of the Tillamook County Comprehensive Plan acknowledging the actions fo the City of Rockaway Beach amending its comprehensive plan, updating urban growth management policies and the buildable lands inventory.

Does the Adoption differ from proposal? Please select one

No, no explanation is necessary.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
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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

DLCD # 006-08 (17026)

DLCD file No. _____

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

City of Rockaway Beach, DLCD

Local Contact: **Valerie Soilihi**

Phone: (503) 842-3408 Extension: 3375

Address: **201 Laurel Avenue**

Fax Number: **503-842-1819**

City: **Tillamook**

Zip: **97141-**

E-mail Address: **vsoilihi@co.tillamook.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**.

- (4) The Board of County Commissioners opened a public hearing on the Ordinance Amendment on December 31, 2008. The hearing was properly noticed according to the requirements of ORS 197 and 215.
- (5) No public testimony was presented at the hearing.
- (6) After reviewing the Planning Commission's recommendation, the staff report containing findings and conclusions, the record and file pertaining to OA-08-04, the Board made the following motion:
 - a) Vice-Chair Josi moved to approve the request on OA-08-04 to amend the Tillamook County Comprehensive Plan to acknowledge the actions of the City of Rockaway Beach amending its comprehensive plan, updating urban growth management policies and the buildable lands inventory. The motion carried unanimously with 2 voting in favor.

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF TILLAMOOK COUNTY, OREGON, ORDERS AS FOLLOWS:

The Tillamook County Comprehensive Plan is hereby amended as shown in Exhibit A. The record shall identify these changes and associated actions as described herein by the Tillamook County Department of Community Development as OA-08-04.

DATED THIS 11th DAY OF February, 2009.

BOARD OF COUNTY COMMISSIONERS

FOR TILLAMOOK COUNTY, OREGON

Aye Nay Abstain/Absent

Tim Josi

Tim Josi, Chair

Mark Labhart

Mark Labhart, Vice-Chair

Charles J. Harliman

Charles J. Harliman, Commissioner

ATTEST: Tassi O'Neil,
County Clerk

Deann L. Beckett
Special Deputy

APPROVED AS TO FORM:

William K. Sargent
William K. Sargent, County Counsel





Land of Cheese, Trees and Ocean Breeze

DEPARTMENT OF COMMUNITY DEVELOPMENT
BUILDING, PLANNING & ON-SITE SANITATION SECTIONS

201 Laurel Avenue
Tillamook, Oregon 97141

Building (503) 842-3407
Planning (503) 842-3408
On-Site Sanitation (503) 842-3409
FAX (503) 842-1819
Toll Free 1 (800) 488-8280

ORDINANCE AMENDMENT REQUEST

OA-08-04

**ACKNOWLEDGEMENT OF THE ACTIONS OF THE
CITY OF ROCKAWAY BEACH AMENDING ITS COMPREHENSIVE PLAN,
UPDATING URBAN GROWTH MANAGEMENT POLICIES AND THE BUILDABLE
LANDS INVENTORY**

STAFF REPORT DATE: November 6, 2008

PLANNING COMMISSION HEARING DATE: November 13, 2008

BOARD OF COUNTY COMMISSIONERS HEARING DATE: December 31, 2008

PREPARED BY: Valerie Soilihi, AICP, Coastal Resource Planner

I. GENERAL INFORMATION:

Request: A request for approval of legislative amendments to the Tillamook County Comprehensive Plan Ordinance No. 32 to acknowledge adoption of revised urban growth management policies, buildable lands inventory and urbanization study by the City of Rockaway Beach through City Ordinance No. 08-01, dated February 13, 2008.

Initiated by: Tillamook County, Department of Community Development

Background: Pursuant to Goal 2, Land Use Planning, the City and County are required to have coordinated and consistent comprehensive plans establishing an Urban Growth Boundary (UGB) and addressing development of the Urban Growth Area (UGA), the area lying between the City's corporate boundary and the UGB. There is a joint Urban Growth Area Management Agreement (UGAMA) between the County and City intended to provide for the orderly transition from rural to urban land uses within the City's UGA. The City has committed to work with the County to revise the existing UGAMA to reflect the revised urban growth management policies and strategies of the Rockaway Beach Comprehensive Plan.

A copy of *Ordinance 08-01: An Ordinance Amending the City of Rockaway Beach's Comprehensive Plan*, is attached as Exhibit I. This document contains numerous amendments to the City's comprehensive plan, revising urban growth management policies, and incorporating findings of the updated buildable lands inventory from the *June 2007 Urbanization Study* prepared for Rockaway

EXHIBIT 'A'

Beach by ECONorthwest. The study determined that there is an adequate supply of buildable land within the existing UGB to meet the 20-year need, from 2007-2027, based on the County's coordinated population forecast. Therefore, no change to the City's UGB is warranted at this time. The City determined that a minor shortage of the projected demand for employment land (4.4 acres) can be accommodated by rezoning a portion of the existing surplus of residentially zoned property, or through other means, such as redevelopment and/or code changes to allow mixed use.

Proposed County Actions:

1. Acknowledge City of Rockaway Beach actions adopting comprehensive plan amendments, including revised urban growth management policies and updated buildable lands inventory.
2. Resolve to pursue amendments to the joint Urban Growth Area Management Agreement between Tillamook County and the City of Rockaway Beach to reflect revised urban growth management policies.

II. APPLICABLE STATE LAW, COUNTY ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS

1. Oregon Administrative Rules (OARs) Chapter 660, Division 008, Goal 10, Housing.
2. Oregon Administrative Rules (OARs) Chapter 660, Division 009, Goal 9, Economic Development.
3. Tillamook County Comprehensive Plan, Urbanization (Goal 14)
4. Tillamook County Land Use Ordinance, Article IX, Amendment Process

III. ANALYSIS

1. *Oregon Administrative Rules (OARs) Chapter 660, Division 008, Goal 10, Housing.*

OAR 660-008-0000 Purpose (1) states that the purpose of this rule is to assure opportunity for the provision of adequate numbers of needed housing units, the efficient use of buildable land within urban growth boundaries, and to provide greater certainty in the development process so as to reduce housing costs. This rule is intended to define standards for compliance with Goal 10 "Housing" and to implement ORS 197.303 through 197.307.

Findings: The *Rockaway Beach Urbanization Study (June 2007)* includes a housing needs analysis consistent with Goal 10 that examines relevant residential development trends and forecasts new housing units that will be needed over the 2007-2027 planning period.

OAR 660-008-0010 Allocation of Buildable Land, states that the mix and density of needed housing is determined in the housing needs projection. Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection. The local buildable lands inventory must document the amount of buildable land in each residential plan designation.

Findings: The *Urbanization Study* identifies vacant and partially vacant land in each zoning category that will be available to meet the forecasted needs. The study found that the City has a

surplus of about 57 acres of residential land beyond the 24 gross buildable acres needed to accommodate both year-round residential growth and seasonal units anticipated over the 20-year planning period.

2. Oregon Administrative Rules (OARs) Chapter 660, Division 009, Economic Development

OAR 660-009-0000 Purpose, states that the intent and purpose of this rule is to provide an adequate land supply for economic development and employment growth in Oregon. The intent of this division is to link planning for and adequate land supply to infrastructure planning, community involvement and coordination among local governments and the state.

Findings: The *Urbanization Study* found that the City has a deficit of approximately 4.4 acres of land available to meet the forecasted need for commercial uses over the planning period. The City has identified the possibility of expanding the commercial district east of Highway 101 by rezoning vacant residentially zoned properties. In addition, the study suggests that the shortfall of employment land could potentially be made up through redevelopment of existing commercial uses, or by requiring condominium units to include ground floor commercial space.

OAR 660-009-0015 Economic Opportunities Analysis, states that cities and counties must review and, as necessary, amend their comprehensive plans to provide economic opportunities analyses containing the information described in sections (1) to (4) of this rule. This analysis will compare the demand for land for industrial and other employment uses to the existing supply of land.

Findings: The *Urbanization Study* includes an Economic Opportunities Analysis consistent with this rule. The study identifies national, state and local economic trends, demographics, and the types of employment expected over the planning period. The analysis includes estimated demand for employment lands needed to accommodate jobs anticipated in the retail, service, industrial and government sectors.

3. Tillamook County Comprehensive Plan, Urbanization (Goal 14)

3.7 Establishing Urban Growth Boundaries Around Incorporated Communities, Policy

Tillamook County will cooperate with incorporated cities in the County to establish urban growth boundaries in accordance with the Urbanization Goal (Goal 14). The County will manage unincorporated lands within those boundaries in conformance with comprehensive plan and implementing ordinances adopted in cooperation with the cities and in accordance with Goal 14...

Findings: The County has established the urban growth boundaries for incorporated cities within the county in accordance with Goal 14. There is a joint Urban Growth Management Agreement (UGAMA) between the city of Rockaway Beach and the County regarding management of the unincorporated land within the city's UGB. The City has revised the urban growth management policies in its comprehensive plan and stated its intent to coordinate with the County as required to update the UGAMA to reflect these changes.

4. Tillamook County Land Use Ordinance, Article IX, Amendment Process

The Tillamook County Land Use Ordinance (LUO) Section 9.030, TEXT AMENDMENT PROCEDURE, subsection (3) requires notice of the proposed action to be provided according to the provisions of Land Use Ordinance, Section 10.060, NOTICE OF PUBLIC HEARING, subsection (3) (a) Legislative land Use Hearings to consider a Comprehensive Plan Amendment. This section requires publication in a newspaper of general circulation at least 10 days prior to the first meeting.

Findings: Notice of the public hearings before the Planning Commission and the Board of Commissioners on this matter were printed in the October 22nd, 2008 issue of the Headlight-Herald. No comments have been received by staff as of the date of this report.

1. Section 9.030(4) and (5) requires the Department and Commission consider the proposed amendment and the intent of the applicable Comprehensive Plan policies; the intent of the provisions being amended; the affect on the land use patterns in the County; administration and enforcement; and the benefits or costs to Departmental resources resulting from the proposed amendment. The Commission shall recommend that the Board of Commissioners adopt, adopt with modifications, or not adopt the proposed amendment.

Findings: The *Rockaway Beach Urbanization Study (June 2007)*, containing a housing needs analysis, economic opportunities analysis, and updated buildable lands inventory is consistent with applicable statutes and plan policies. It is not anticipated that there will be any impact on County administration or enforcement as a result of this request, nor is there any related cost or benefit. The Department of Community Development has not received any letters of comments from any agencies or citizens regarding the proposal.

IV. CONCLUSIONS: Staff concludes that the findings related to the *Rockaway Beach Urbanization Study (June 2007)* are consistent with applicable statutes, county comprehensive plan policies and land use ordinance provisions.

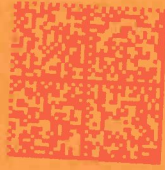
VII. RECOMMENDATION: Based on the findings of fact, conclusions and other relevant information contained within this report, Staff recommends **APPROVAL** of Ordinance Amendment Request OA-08-04, thereby acknowledging the actions of the City of Rockaway Beach as set forth in City Ordinance No. 08-01, adopted February 13, 2008. Staff further recommends that the County coordinate with the City to pursue recommended updates to the Urban Growth Management Agreement between the County and the City of Rockaway Beach to reflect the city's revised growth management policies.

VIII. EXHIBITS:

Exhibit I: *City of Rockaway Beach Ordinance No. 08-01*

Exhibit II: *City of Rockaway Beach Comprehensive Plan, as amended*
Exhibit III: *Rockaway Beach Urbanization Study*

LAMOOK COUNTY DEPARTMENT
OF COMMUNITY DEVELOPMENT
201 LAUREL AVENUE
WILLAMOOK, OREGON 97141



UNITED STATES POSTAGE
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MAILED FROM ZIP CODE 97141

DLCD
Attn: Plan Amendment Specialist
635 Capitol St. NE
Suite 150
Salem, OR 97301-2540