



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



NOTICE OF ADOPTED AMENDMENT

11/07/2011

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

FROM: Plan Amendment Program Specialist

SUBJECT: Clatsop County Plan Amendment
DLCD File Number 006-11

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: Wednesday, November 23, 2011

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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Patrick Wingard, Clatsop County
Jon Jinings, DLCD Community Services Specialist
Matt Spangler, DLCD Regional Representative
Thomas Hogue, DLCD Economic Development Policy Analyst

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person electronic mailed

DATE STAMP

DEPT OF

NOV 03 2011

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **Clatsop County**

Local file number: **Ord. 11-06**

Date of Adoption: **10/26/2011**

Date Mailed: **11/2/2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date:

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".

This proposal is part of the Westport Corridor and Community Plan project, amending the comprehensive plan designation from Conservation-Other Resources to Development and the zoning designation from Lake and Wetland (LW) to Aquatic Development (AD) on 0.86 acres of land owned by Clatsop County. The amendment will permit improvements to the ferry landing at Westport.

Does the Adoption differ from proposal? Yes, Please explain below:

Acreage changed from 0.60 to 0.86 per recommendation of County Engineer.

Plan Map Changed from: **Conservation - Other Resources** to: **Development**

Zone Map Changed from: **Lake and Wetland** to: **Aquatic Development**

Location: **Twp. 8 N, Rng. 6 W, Sec. 36, TL405**

Acres Involved: **0**

Specify Density: Previous: **n/a**

New: **n/a**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

DLCD file No. 006-11 (18811) [16821]

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

DLCD, ODFW, DSL, ODOT, OR State Marine Board, Army COE

Local Contact: **Hiller West, Principal Planner**

Phone: (503) 338-3664 Extension: 1705

Address: **800 Exchange St., Ste. 100**

Fax Number: 503-338-3606

City: **Astoria**

Zip: **97103-**

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

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS [197.615](#) and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on **light green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information ([ORS 197.615](#)).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption ([ORS 197.830 to 197.845](#)).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. ([ORS 197.615](#)).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

<http://www.oregon.gov/LCD/forms.shtml>

Updated April 22, 2011

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

In the Matter of:

AN ORDINANCE AMENDING THE ZONING AND COMPREHENSIVE PLAN DESIGNATION ON 0.86 ACRES OF LAND OWNED BY CLATSOP COUNTY. THE SUBJECT 0.86 ACRES IS DESCRIBED AS PARTS OF PROPERTY KNOWN AS T8N R6W SEC36, TL405 AND ADJOINING WATER AREAS.

ORDINANCE NO. 11-06

Doc # 2011110009

Recording Date: 11/1/11

RECITALS

WHEREAS, on April 29, 2011, Clatsop County applied for an amendment to the Clatsop County Zoning map to amend the zoning on 0.86 acres of the subject property from Lake and Wetlands (LW) to Aquatic Development (AD).

WHEREAS, on April 29, 2011, Clatsop County applied for an amendment to the Clatsop County Comprehensive Plan map to amend the plan designation on 0.86 acres of the subject property from Conservation-Other Resources to Development.

WHEREAS, the requests were considered by the Planning Commission at public hearings on June 14, July 12 and September 13, 2011 and the Commission unanimously recommended approval, which is attached as Planning Commission Resolution and Order #11-09-03; and,

WHEREAS, consideration for this ordinance complies with the Post Acknowledgment 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 October 26, 2011 on this ordinance pursuant to law; 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 Zoning Map and Comprehensive Plan Map are hereby amended as shown in the attached Exhibit A.

SECTION 2. In support of this ordinance, the Board adopts the findings in the Staff Report dated September 5, 2011 as shown in the attached Exhibit B.

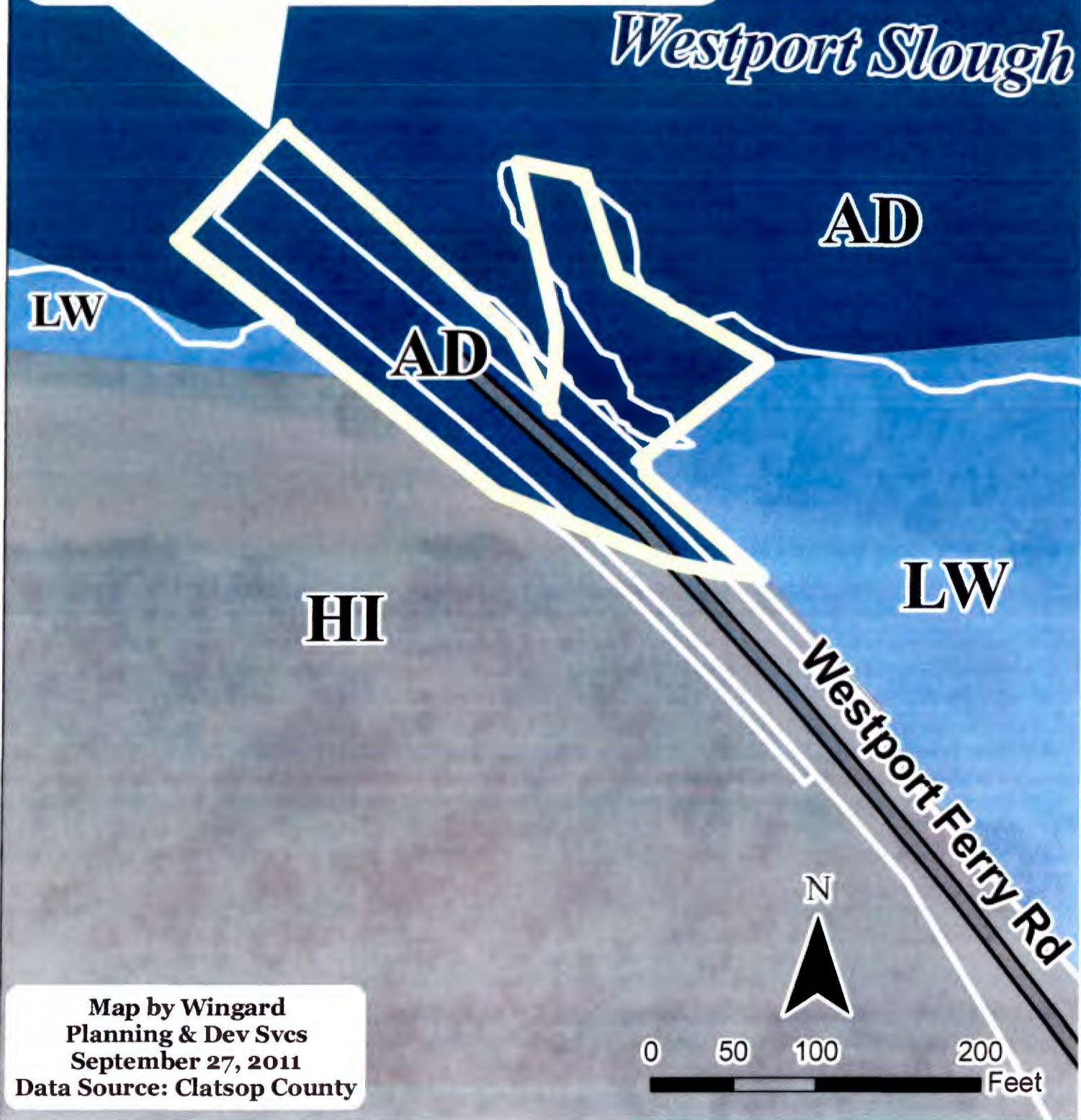
Approved this 26th day of October, 2011

THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

By 
Dirk Rohne, Chair

**EXHIBIT A, Ordinance No. 11-06
Westport Ferry Landing Zoning and Plan Map Amendments**

**Westport Ferry Landing (0.86 acres):
Zone Map Change: LW to AD
Plan Map Change: Conservation -
Other Resources to Development**



**Map by Wingard
Planning & Dev Svcs
September 27, 2011
Data Source: Clatsop County**

EXHIBIT B

BEFORE THE PLANNING COMMISSION FOR THE COUNTY OF CLATSOP

In the Matter of

A REQUEST TO AMEND THE ZONING AND
COMPREHENSIVE PLAN DESIGNATION ON
0.86 ACRES

Applicant: Clatsop County
Property Owner: Clatsop County
Subject Property: T8N, R6W, Sec. 36, Tax Lot 405
Zone Change: LW, Lake and Wetlands to
AD, Aquatic Development
Plan Change: Conservation – Other Resources to
Development

RESOLUTION AND ORDER

11-09-03

Recording Date: September 16, 2011

RECITALS

THE ABOVE ENTITLED MATTER came before the Planning Commission on June 14, 2011 for public hearing in accordance with Clatsop County's Land Water Development and Use Ordinance (LWDUO) Section 2.105. In accordance with LWDUO Sections 2.115-2.120, staff notified all interested parties, property owners and public agencies.

The Planning Commission continued the June 14, 2011 public hearing to July 12, 2011 and September 13, 2011. Staff provided evidence and testimony to the Planning Commission for consideration. There were comments from the applicant, public agencies and interested citizens. Comments from the public concerned economic opportunities on industrial-zoned lands that adjoin the ferry landing site.

All applicable criteria and standards against which the proposal was tested, the hearing body's interpretation of what would be required to achieve compliance with the criteria and standards, and facts used by the hearing body to establish compliance and assurance of compliance with applicable standards are contained in Exhibit A, Staff Report.

The Commission finds and resolves that the evidence provided by the applicant and staff thereby satisfy the criteria for the request.

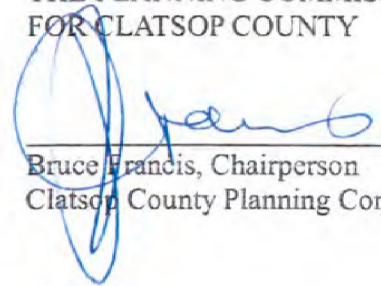
WHEREFORE:

THE PLANNING COMMISSION, considering all evidence and testimony provided by the Planning Department Staff, the Applicant, Public Agencies and Interested Citizens, hereby **adopts the findings of fact and conclusions as amended by this document and attached Exhibit A Staff**

Report, attached hereto and by this reference made a part hereof.

Dated this 16th day of September 2011.

THE PLANNING COMMISSION
FOR CLATSOP COUNTY



Bruce Francis, Chairperson
Clatsop County Planning Commission



EXHIBIT A STAFF REPORT

-FOR-

THE WESTPORT FERRY LANDING IMPROVEMENTS ZONE CHANGE REQUEST

APPLICANT: CLATSOP COUNTY

PROPERTY OWNER: CLATSOP COUNTY

PARCEL NO.: T8N, R6W, Sec. 36, TL 405

**REPORT BY: Patrick Wingard AICP,
Clatsop County Project Planner**

September 5, 2011

**WESTPORT FERRY LANDING IMPROVEMENTS
ZONE CHANGE REQUEST
EXHIBIT A - STAFF REPORT**

Background

Since 1925, ferry service has linked Clatsop County, Oregon and Wahkiakum County, Washington by way of the Westport and Puget Island Ferry Landings. Federal and other funding will provide for a larger replacement ferry to begin running between the two riverine communities in 2014. The new ferry will be able to carry 23 vehicles and will have space to accommodate log/chip trucks and tour busses. The current ferry can hold 11 vehicles and is unable to accommodate large trucks or busses.

This zone change request is being made to facilitate future improvements at the Westport Ferry Landing in support of the larger vessel.

Overview of Zoning and Plan Designations

This proposal involves a zone change from LW to AD and a change in plan designation from Conservation – Other Resources to Development. The purpose of the zone change is to facilitate planned improvements at the Westport Ferry Landing in support of the larger vessel that is scheduled to begin operating at the ferry terminal in 2014.

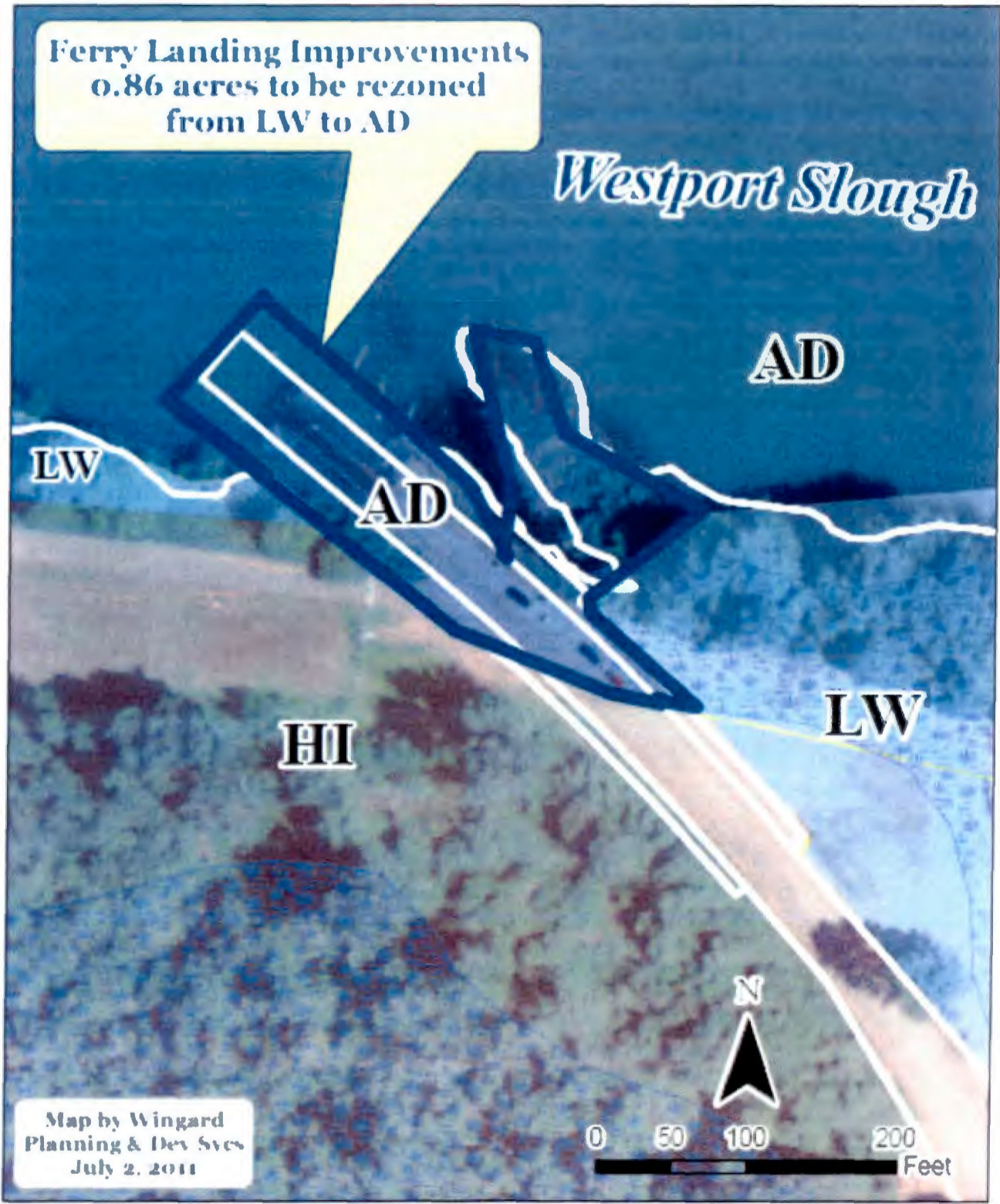
<u>Current Zoning:</u>	Lake & Wetland [LWDUO Sec. 3.610]
<u>Current Plan Designation:</u>	Conservation – Other Resources
<u>Proposed Zoning:</u>	Aquatic Development [LWDUO Sec. 3.740]
<u>Proposed Plan Designation:</u>	Development
<u>Overlay Zoning:</u>	Flood Hazard Overlay (/FHO) [LWDUO Sec. 4.000]
<u>Affected Acres:</u>	0.86

Zoning Considerations

The current LW zone is meant to conserve important shoreland and wetland biological habitats and a diversity of natural ecosystem types in the county. The LW zone only allows low intensity uses which do not result in major alterations to land or water resources. Water-dependent industrial uses, such as a ferry landing, are not listed as permissible uses in this zone.

Conversely, the AD zone classifies water-dependent industrial and port uses as outright permitted uses. The ferry landing is much better suited in this zone than the LW zone.

**Westport Corridor and Community Plan Zone Changes
-- WESTPORT FERRY LANDING IMPROVEMENTS --**



SECTION 3.740. AQUATIC DEVELOPMENT ZONE (AD).

Section 3.742. Purpose and Areas Included.

The purpose of the AD zone is to provide for navigation, and other identified needs for public, commercial, and industrial water-dependent uses, consistent with the level of development or alteration allowed by this zone and the need to minimize damage to the Columbia River estuarine ecosystem. The objective of the AD zone is to ensure optimum utilization of appropriate aquatic areas by providing for intensive development.

Such areas include deep water areas adjacent to or near the shoreline, navigation channels, turning basins, subtidal areas for in- water disposal of dredged materials, areas of minimal biological significance needed for uses requiring alteration of the estuary not included in Aquatic Conservation-Two Zone, Aquatic Conservation-One Zone, and Aquatic Natural Zone, and areas for which an exception to Statewide Planning Goal 16, Estuarine Resources has been adopted.

Uses of the AD zone shall maintain the integrity of the estuary and coastal waters. Water-dependent development uses receive highest priority, followed by water-related uses. Permissible uses in areas managed for water dependent activities include navigation, water-dependent commercial and industrial uses, water transport channels, water-storage areas when needed for products used in or resulting from commerce or recreation, flowline disposal of dredged material, and marinas. Other uses, including uses which are not water-dependent or water-related are provided for when consistent with the purposes of the AD zone, and if they do not foreclose options for future higher priority uses or do not limit the potential for more intensive use of the area.

Section 3.744. Permitted Developments.

The following uses and activities, and their accessory uses and activities, are permitted in the AD zone under a Type I procedure, Section 2.015, and subject to the provisions of Section 3.754, Development Standards:

1. Undeveloped low intensity water-dependent recreation.
2. Passive restoration measures.
3. Navigational aids.
4. Vegetative shoreline stabilization.
5. Research and educational observation.
6. Maintenance and repair of existing structures or facilities, including dikes.
7. Temporary dikes for emergency flood protection, subject to state and federal requirements.
8. Projects for the protection of habitat, nutrient, fish, wildlife and aesthetic resources.
9. **Water-dependent commercial, industrial and port uses including but not limited to:**
 - a. docks, moorages, piers or wharves
 - b. fuel storage and dispensing facilities
 - c. cargo loading and unloading facilities
 - d. vessel construction, maintenance or repair facilities
 - e. seafood receiving, processing and storage
 - f. cargo marshaling, assembly and storage facilities
 - g. ice making and sales establishments
 - h. integrated manufacturing and shipping facility where a significant portion of the operation is water-dependent
 - i. marine railway facilities
 - j. other water-dependent uses meeting the criteria in Section S4.243(1), Water-dependent use criteria.
10. Piling and dredging in conjunction with permitted uses 3, and 5 through 9 listed above, pursuant to the applicable standards in Sections S4.208 and S4.232.
11. Fill in conjunction with permitted uses 6 through 9 listed above, pursuant to the applicable standards in Section S4.235.
12. Property line adjustment.
13. Communication facilities subject to the standards in Section S4.700.

Section 3.746. Review Developments.

The following uses and activities, and their accessory uses and activities, may be permitted as Review Uses in the AD zone under a Type II procedure, Section 2.020, when authorized in accordance with Sections 5.040-5.051 Development and Use Permitted with Review, and subject to the provisions of Section 3.754, Development Standards:

1. Pipelines, cables and utility crossings.
2. Water-dependent public recreational and commercial facilities, such as boat ramps and moorages, but not including marinas.
3. Installation of new tidegates in existing functional dikes.
4. Communication facilities subject to the standards in Section S4.700.
5. Estuarine in-water disposal of dredged material at sites designated in the Comprehensive Plan.
6. Minor navigational improvements.
7. Water storage areas where needed for products used in or resulting from industry, commerce and recreation.
8. Structural shoreline stabilization.
9. Estuarine enhancement.
10. Temporary alterations.
11. Active restoration measures.
12. Dredging to obtain fill material for dike maintenance.
13. Bridge crossings.
14. Piling in conjunction with the review uses 1 through 4, and 6 through 10, listed above, pursuant to the applicable standards in Section S4.208.
15. Dredging in conjunction with the review uses 1 through 4, and 6 through 12, listed above, pursuant to the applicable standards in Section S4.232.
16. Fill in conjunction with the review uses 1, 2, 4, 5, and 8 through 11 listed above, pursuant to the applicable standards in Section S4.235.

Section 3.748. Conditional Developments.

The following uses and activities, and their accessory uses and activities, may be permitted as Conditional Uses in the AD zone under a Type II procedure, Section 2.020, when authorized in accordance with Sections 5.000-5.030 Conditional Development and Use, and subject to the provisions of Section 3.754, Development Standards. It must also be shown that these uses and activities are consistent with the purpose of the Aquatic Development zone and with the purpose of the adjacent shoreland zones.

1. Navigational structures.
2. New navigation projects or water transport channel improvements.
3. Mining or mineral extraction.
4. Bridge crossing support structures.
5. Aquaculture facilities.
6. Marinas.
7. Storm water and treated waste water outfalls.
8. Water-related uses including, but not limited to:
 - a) administrative offices of a water-dependent business
 - b) marine hardware sales and repair
 - c) charter fishing offices
 - d) sports fish cleaning facilities
 - e) seafood market
 - f) net storage
 - g) other water related uses meeting the criteria in Section S4.243(2), Water-related Use Criteria.
 - h) security guard quarters in conjunction with a water-dependent use.
9. Non-water dependent, non-related uses involving minimal capital investment, including temporary uses.
10. Piling in conjunction with the conditional uses 1 through 9 listed above, pursuant to the applicable standards in Section S4.208.
11. Dredging in conjunction with the conditional uses 1 through 7 listed above, pursuant to the applicable standards in Section S4.232.
12. Fill in conjunction with the conditional uses 1 and 4 through 6 above pursuant to the applicable standards in Section S4.235.
13. Communication facilities subject to the standards in Section S4.700.

Section 3.754. Development Standards.

1. All uses and activities shall satisfy regional policies contained in the Comprehensive Plan, Estuarine Resources and Coastal Shorelands element.
2. All uses and activities shall satisfy applicable Columbia River Estuary Shoreland and Aquatic Use and Activity Standards contained in the Development and Use Standards Document.
3. All other applicable ordinance requirements shall be satisfied.
4. A proposal which requires new dredging, fill, in-water structures, riprap, new log storage areas, water intake or withdrawal and effluent discharge, in-water disposal of dredged material, beach nourishment, application of pesticides and herbicides, or other activities which could affect the estuary's physical processes or biological resources is subject to an Impact Assessment, Sections 5.810-5.840.
5. When a development proposal includes several uses, the uses shall be reviewed in aggregate under the more stringent procedure.
6. Uses that are water-dependent must meet the criteria in Section S4.243(1). Uses that are water-related must meet the criteria in Section S4.243(2).
7. Uses that are water-dependent shall not preclude or conflict with existing or probable future water dependent uses on the site or in the vicinity.
8. Piling, dredging, filling or other estuarine alteration permitted under Section 3.744 of this zone are subject to the public notice provisions of Sections 2.115, if an impact assessment is required pursuant to Sections 5.810 through 5.840; or if a determination of consistency with the purpose of the AD zone is required pursuant to Section 5.880; or if the Community Development Director determines that the permit decision will require interpretation or the exercise of factual, policy, or legal judgment.

Section 3.756. State and Federal Permits.

If any state or federal permit is required for a development or use, an applicant, prior to issuance of a development permit or action, shall submit to the Planning Department a copy of the state or federal permit.

Comprehensive Plan Designation Considerations

All land and water areas within Clatsop County have been placed into one of six (6) Plan designations. They are: **Development**, Rural Agricultural Lands, Conservation Forest Lands, **Conservation Other Resources**, Natural and Rural Lands.

The Ferry Landing rezone proposal involves reclassifying 0.86 acres from the **Conservation Other Resources** Plan designation to the **Development** Plan designation.

The Clatsop County Comprehensive Plan describes the Development and Conservation Other Resources Plan designation as follows:

Development

Development areas are those with a combination of physical, biological, and social/economic characteristics which make them necessary and suitable for residential, commercial, or industrial development and includes those which can be adequately served by existing or planned urban services and facilities.

In Clatsop County, the County has three types of such areas: cities and their urban growth boundaries; rural communities; and rural service areas, which are areas similar to cities (sewer and water) but lack size and a government structure.

Rural Communities. Clatsop County has identified and established boundaries for the following rural communities: Miles Crossing - Jeffers Gardens, Arch Cape, Svensen, Knappa, and **Westport**. Land use plans in these areas recognize the importance of communities in rural Clatsop County. These communities are established through a process that applies OAR 660 Division 22 requirements.

Conservation Other Resources

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.

Applicable Criteria

In determining the suitability for the proposed zone change, the proposal must be evaluated against the following criteria contained in Section 5.410 of the Clatsop County Land and Water Development and Use Ordinance (LWDUO) which reads:

Section 5.400. Zone Changes.

Section 5.410. Purpose.

This section provides the criteria for amending the boundaries of any base zone or overlay district delineated on the official Clatsop County "Comprehensive Plan/Zoning Map". A change in a base zone or overlay district may be made according to the criteria set forth in Section 5.412. The process for changing a zone designation shall be a Type IV procedure initiated by the governing body, Planning Commission, or by petition of a majority of property owners in the area proposed for change. Mailed notice of the hearing shall include the owners of property within (250) feet of the area proposed for change. **If the change involves a Goal 5 resource, a Plan amendment must also be requested and the Goal 5 Administrative Rule used to justify the decision.**

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.

Zone Change Criterion 1 - Consistency with the Comprehensive Plan

The Clatsop County Comprehensive Plan implements Oregon's 19 Statewide Planning Goals. The proposal must be measured against the applicable policies and provisions of the Plan, as follows:

Goal 1 – Citizen Involvement

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.

Policies

1. The Committee for Citizen Involvement shall be the Clatsop County Planning Commission, consisting of seven members. The Planning Commission shall strive to represent a cross section of affected citizens in all phases of the planning process. As an appropriate component, five Planning Commission members shall be representatives of the six designated geographic areas (with a seven member Commission, one area may have two members). No more than two Planning Commission members may reside within incorporated cities. Each member of the Planning Commission shall be selected by an open, well-publicized, public process by the Board of Commissioners.
2. The Planning Commission and active Citizen Advisory Committees shall hold their meetings in such a way that the public is notified in advance and given the opportunity to attend and participate in a meaningful fashion.
3. Active Citizen Advisory Committees may submit their comments to the Clatsop County Department of Planning and

Development, Clatsop County Planning Commission and Clatsop County Board of Commissioners. These bodies shall answer the CAC request in a timely manner.

4. The Board of Commissioners, through the Planning Department, should provide adequate and reasonable financial support; technical assistance shall be available and presented in a simplified form, understandable for effective use and application.
5. Citizens shall be provided the opportunity to be involved in the phases of the planning process as set forth and defined in the goals and guidelines for Land Use Planning, including Preparation of Plans and Implementation Measures, Plan Content, Plan Adoption, Minor Changes and Major Revisions in the Plan and Implementation Measures.
6. Clatsop County shall encourage organizations and agencies of local, state and federal government and special districts to participate in the planning process.
7. Clatsop County shall use the news media, mailings, meetings, and other locally available means to communicate planning information to citizens and governmental agencies. Prior to public hearings regarding major Plan revisions, notices shall be publicized.
8. Clatsop County shall establish and maintain effective means of communication between decision-makers and those citizens involved in the planning process. The County shall ensure that ideas and recommendations submitted during the planning process will be evaluated, synthesized, quantified, and utilized as appropriate.
9. Public notices will also be sent to affected residents concerning zone and Comprehensive Plan changes, conditional uses, subdivisions and planned developments.

FINDINGS OF FACT – GOAL 1, CITIZEN INVOLVEMENT

Prior to the June 14, July 13 and September 13, 2011 public hearings, proper notification was provided to affected property owners, citizens and agencies in accordance with LWDUO Sections 2.110, 2.120 & 2.125 and ORS 197.763. In addition, the Planning Commission at the June 14th hearing, requested that additional mailed notices of the pending land use action be provided to all property owners within the Westport Rural Community Boundary. This task was completed on July 1, 2011. The list of notified property owners is attached in the Staff Report Appendices. Goal 1 has been satisfied.

Goal 2 – Land Use Planning

The County's land and water have been placed in one of six (6) Plan designations. They are:

1. Development

Development areas are those with a combination of physical, biological, and social/economic characteristics which make them necessary and suitable for residential, commercial, or industrial development and includes those which can be adequately served by existing or planned urban services and facilities.

In Clatsop County, the County has three types of such areas: cities and their urban growth boundaries; rural communities; and rural service areas, which are areas similar to cities (sewer and water) but lack size and a government structure.

c. **Rural Communities.** Clatsop County has identified and established boundaries for the following rural communities: Miles Crossing - Jeffers Gardens, Arch Cape, Svensen, Knappa, and Westport. Land use plans in these areas recognize the importance of communities in rural Clatsop County. These communities are established through a process that applies OAR 660 Division 22 requirements. Portions of land identified in the Miles Crossing and Jeffers Gardens rural community plan take an exception to Statewide Planning Goal 3 and Goal 4 for portions of land zoned EFU or AF. The exceptions documentation for a portion of the Miles Crossing and Jeffers Gardens rural community boundary is adopted as part of the Comprehensive Plan, and is located at the end of this section.

4. Conservation Other Resources

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.

FINDINGS OF FACT – GOAL 2, LAND USE PLANNING

The 0.86 acres affected by the proposal is currently designated in the comprehensive plan as Conservation Other Resources (Lake and Wetland zoning). The proposal would change the site's plan designation to Development (Aquatic Development zoning). The affected area is well suited for inclusion in the AD zone. The Ferry Landing could be classified as a non-conforming use in the LW zone subject to significant zoning constraints. The site abuts other AD-zoned lands to the north and HI-zoned lands to the south. The site offers limited riparian vegetation on a small peninsula just to the northeast of the ferry landing. The Clatsop County Engineer has indicated in writing to County Planning staff that this 0.2-acre area of land should be included in the proposed zone change as this area may be needed to support the planned larger ferry landing. The engineer's memo is included in the attached Staff Report Appendices. Goal 2 has been satisfied.

Goal 3 – Agricultural Lands

FINDING OF FACT: Goal 3 plan provisions do not apply to the request.

Goal 4 – Forest Lands

FINDING OF FACT: Goal 4 plan provisions do not apply to the request.

Goal 5 – Open Spaces, Scenic/Historic Areas, and Natural Resources

To conserve open space and protect natural and scenic resources.

Mineral and Aggregate Resources

Goal

To protect and ensure appropriate use of mineral and aggregate resources of the county, while minimizing any adverse effects of mining and processing upon surrounding land uses.

Policies

1. The County shall protect significant mineral and aggregate resources consistent with Statewide Planning Goal 5 and the process for complying with the Goal specified in Oregon Administrative Rules Chapter 660, Division 16.

FINDINGS OF FACT – GOAL 5, MINERAL AND AGGREGATE RESOURCES

The Westport Ferry Landing is not identified as a mineral or aggregate site. This Goal 5 plan provision does not apply to the request.

Energy Sources

1. Development shall not be allowed to impair the feasibility of potential wind generating facilities at sites identified as appropriate for such generation.

FINDINGS OF FACT – GOAL 5, ENERGY SOURCES

The Westport Ferry Landing is not identified as a potential wind generating facility site. This Goal 5 plan provision does not apply to the request.

Fish and Wildlife Areas and Habitats

8. New developments shall not restrict existing public access to rivers, streams, or lakes. New developments are encouraged to provide additional public access to rivers, streams and lakes where such access is consistent with the area's environmental characteristics.

FINDINGS OF FACT – GOAL 5, FISH AND WILDLIFE AREAS AND HABITATS

The proposal will facilitate future ferry landing improvements and increase public access to area waterways. This Goal 5 policy has been satisfied.

Water Resources and Watersheds

1. The County will cooperate and coordinate with State and Federal agencies in assuring the maximum beneficial use of all water areas in the County.

FINDINGS OF FACT – GOAL 5, WATER RESOURCES AND WATERSHEDS

Notice of the pending action has been provided to the Oregon Division of State Lands, Oregon Dept. of Land Conservation and Development, Oregon Dept. of Fish and Wildlife and Clatsop County Soil and Water Conservation Commission. Clatsop County is coordinating this project with Wahkiakum County, WA. This Goal 5 policy has been satisfied.

Cultural Areas

1. The County will review land use activities that may affect known archeological sites. If it is determined that a land-use activity may affect the integrity of an archaeological site, the County shall consult with the State Historic Preservation Office on appropriate measures to preserve or protect the site and its contents.
2. Indian cairns, graves and other significant archeological resources uncovered during construction or excavation shall be preserved intact until a plan for their excavation or reinterment has been developed by the State Historic Preservation Office.

FINDINGS OF FACT – GOAL 5, CULTURAL AREAS

The proposal does not affect any known archeological sites. As part of any future ferry landing improvement projects, appropriate actions shall be taken to ensure that any significant archeological resources that may be uncovered will be reported to the State Historic Preservation Office. These Goal 5 provisions have been satisfied.

OREGON ADMINISTRATIVE RULE 660-023

-0250 Applicability

(1) This division replaces OAR 660, Division 16, except with regard to cultural resources, and certain PAPAs (*Post Acknowledgement Plan Amendments (Zone Changes)*) and periodic review work tasks described in sections (2) and (4) of this rule. Local governments shall follow the procedures and requirements of this division or OAR 660, Division 16, whichever is applicable, in the adoption or amendment of all plan or land use regulations pertaining to Goal 5 resources. The requirements of Goal 5 do not apply to land use decisions made pursuant to acknowledged comprehensive plans and land use regulations.

(2) The requirements of this division are applicable to PAPAs initiated on or after September 1, 1996. OAR 660, Division 16 applies to PAPAs initiated prior to September 1, 1996. For purposes of this section "initiated" means that the local government has deemed the PAPA application to be complete.

(3) Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;

(b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or

(c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.

(4) Consideration of a PAPA regarding a specific resource site, or regarding a specific provision of a Goal 5 implementing measure, does not require a local government to revise acknowledged inventories or other implementing measures, for the

resource site or for other Goal 5 sites, that are not affected by the PAPA, regardless of whether such inventories or provisions were acknowledged under this rule or under OAR 660, Division 16.

FINDING OF FACT – GOAL 5, OAR 660-023-0250, APPLICABILITY
Oregon Administrative Rule 660-23 applies to the request. The zone change proposal involves a Goal 5 resource (LW-zoned lands along Westport Slough) and the Goal 5 Administrative Rule must be used to justify the decision.

-0000

Purpose and Intent

This division establishes procedures and criteria for inventorying and evaluating Goal 5 resources and for developing land use programs to conserve and protect significant Goal 5 resources. This division explains how local governments apply Goal 5 when conducting periodic review and when amending acknowledged comprehensive plans and land use regulations.

-0030

Inventory Process

(1) Inventories provide the information necessary to locate and evaluate resources and develop programs to protect such resources. The purpose of the inventory process is to compile or update a list of significant Goal 5 resources in a jurisdiction. This rule divides the inventory process into four steps. However, all four steps are not necessarily applicable, depending on the type of Goal 5 resource and the scope of a particular PAPA or periodic review work task. For example, when proceeding under a quasi-judicial PAPA for a particular site, the initial inventory step in section (2) of this rule is not applicable in that a local government may rely on information submitted by applicants and other participants in the local process. The inventory process may be followed for a single site, for sites in a particular geographical area, or for the entire jurisdiction or urban growth boundary (UGB), and a single inventory process may be followed for multiple resource categories that are being considered simultaneously. The standard Goal 5 inventory process consists of the following steps, which are set out in detail in sections (2) through (5) of this rule and further explained in sections (6) and (7) of this rule:

- (a) Collect information about Goal 5 resource sites;
- (b) Determine the adequacy of the information;
- (c) Determine the significance of resource sites; and
- (d) Adopt a list of significant resource sites.

(2) Collect information about Goal 5 resource sites: The inventory process begins with the collection of existing and available information, including inventories, surveys, and other applicable data about potential Goal 5 resource sites. If a PAPA or periodic review work task pertains to certain specified sites, the local government is not required to collect information regarding other resource sites in the jurisdiction. When collecting information about potential Goal 5 sites, local governments shall, at a minimum:

- (a) Notify state and federal resource management agencies and request current resource information; and
- (b) Consider other information submitted in the local process.

(3) Determine the adequacy of the information: In order to conduct the Goal 5 process, information about each potential site must be adequate. A local government may determine that the information about a site is inadequate to complete the Goal 5 process based on the criteria in this section. This determination shall be clearly indicated in the record of proceedings. The issue of adequacy may be raised by the department or objectors, but final determination is made by the commission or the Land Use Board of Appeals, as provided by law. When local governments determine that information about a site is inadequate, they shall not proceed with the Goal 5 process for such sites unless adequate information is obtained, and they shall not regulate land uses in order to protect such sites. The information about a particular Goal 5 resource site shall be deemed adequate if it provides the location, quality and quantity of the resource, as follows:

- (a) Information about location shall include a description or map of the resource area for each site. The information must be sufficient to determine whether a resource exists on a particular site. However, a precise location of the resource for a particular site, such as would be required for building permits, is not necessary at this stage in the process.
- (b) Information on quality shall indicate a resource site's value relative to other known examples of the same resource. While a regional comparison is recommended, a comparison with resource sites within the jurisdiction itself is sufficient unless there are no other local examples of the resource. Local governments shall consider any determinations about resource quality provided in available state or federal inventories.
- (c) Information on quantity shall include an estimate of the relative abundance or scarcity of the resource.

FINDINGS OF FACT – GOAL 5, OAR 660-023-0030(1)-(3), INVENTORY PROCESS
Precise maps of the 0.86-acre area to be rezoned from Lake and Wetland to Aquatic Development are provided in this staff report. The Westport Ferry Landing is not identified as a historic or cultural resource in the Goal 5 element of the Clatsop County Comprehensive Plan. The Shepherd and Horse Sawmill Site which was owned by Dant and Russell in 1979 is marked by old pilings east of Wauna Mill and next to the Westport Ferry Landing. The proposal does not affect this historic Goal 5 resource. The Ferry Landing is referenced as a Human Use in the Goal 16/17 plan element but is not identified as a significant resource. The Westport Ferry Landing is not an identified Goal 5 resource and rezoning the facility from LW to AD does not conflict with any provision of OAR 660-23.

(4) Determine the significance of resource sites: For sites where information is adequate, local governments shall determine whether the site is significant. This determination shall be adequate if based on the criteria in subsections (a) through (c) of this section, unless challenged by the department, objectors, or the commission based upon contradictory information. The determination of significance shall be based on:

(a) The quality, quantity, and location information;

(b) Supplemental or superseding significance criteria set out in OAR 660-023-0090 through 660-023-0230; and

(c) Any additional criteria adopted by the local government, provided these criteria do not conflict with the requirements of OAR 660-023-0090 through 660-023-0230.

(5) Adopt a list of significant resource sites: When a local government determines that a particular resource site is significant, the local government shall include the site on a list of significant Goal 5 resources adopted as a part of the comprehensive plan or as a land use regulation. Local governments shall complete the Goal 5 process for all sites included on the resource list except as provided in OAR 660-023-0200(7) for historic resources, and OAR 660-023-0220(3) for open space acquisition areas.

FINDINGS OF FACT – GOAL 5, OAR 660-023-0030(4)-(5), INVENTORY PROCESS
The ferry landing is not a significant Goal 5 resource. Thorough review of Clatsop County Comprehensive Plan and Community Plan documents confirm this finding. Rezoning the facility from LW to AD does not conflict with any provision of OAR 660-23.

(6) Local governments may determine that a particular resource site is not significant, provided they maintain a record of that determination. Local governments shall not proceed with the Goal 5 process for such sites and shall not regulate land uses in order to protect such sites under Goal 5.

(7) Local governments may adopt limited interim protection measures for those sites that are determined to be significant, provided:

(a) The measures are determined to be necessary because existing development regulations are inadequate to prevent irrevocable harm to the resources on the site during the time necessary to complete the ESEE process and adopt a permanent program to achieve Goal 5; and

(b) The measures shall remain effective only for 120 days from the date they are adopted, or until adoption of a program to achieve Goal 5, whichever occurs first.

-0040

ESEE Decision Process

(1) Local governments shall develop a program to achieve Goal 5 for all significant resource sites based on an analysis of the economic, social, environmental, and energy (ESEE) consequences that could result from a decision to allow, limit, or prohibit a conflicting use. This rule describes four steps to be followed in conducting an ESEE analysis, as set out in detail in sections (2) through (5) of this rule. Local governments are not required to follow these steps sequentially, and some steps anticipate a return to a previous step. However, findings shall demonstrate that requirements under each of the steps have been met, regardless of the sequence followed by the local government. The ESEE analysis need not be lengthy or complex, but should enable reviewers to gain a clear understanding of the conflicts and the consequences to be expected. The steps in the standard ESEE process are as follows:

(a) Identify conflicting uses;

(b) Determine the impact area;

(c) Analyze the ESEE consequences; and

(d) Develop a program to achieve Goal 5.

(2) **Identify conflicting uses.** Local governments shall identify conflicting uses that exist, or could occur, with regard to significant Goal 5 resource sites. To identify these uses, local governments shall examine land uses allowed outright or conditionally within the zones applied to the resource site and in its impact area. Local governments are not required to consider allowed uses that would be unlikely to occur in the impact area because existing permanent uses occupy the site. The following shall also apply in the identification of conflicting uses:

(a) **If no uses conflict with a significant resource site, acknowledged policies and land use regulations may be considered sufficient to protect the resource site.** The determination that there are no conflicting uses must be based on the applicable zoning rather than ownership of the site. (Therefore, public ownership of a site does not by itself support a conclusion that there are no conflicting uses.)

(b) A local government may determine that one or more significant Goal 5 resource sites are conflicting uses with another significant resource site. The local government shall determine the level of protection for each significant site using the ESEE process and/or the requirements in OAR 660-023-0090 through 660-023-0230 (see OAR 660-023-0020(1)).

(3) **Determine the impact area.** Local governments shall determine an impact area for each significant resource site. The impact area shall be drawn to include only the area in which allowed uses could adversely affect the identified resource. The impact area defines the geographic limits within which to conduct an ESEE analysis for the identified significant resource site.

(4) **Analyze the ESEE consequences.** Local governments shall analyze the ESEE consequences that could result from decisions to allow, limit, or prohibit a conflicting use. The analysis may address each of the identified conflicting uses, or it may address a group of similar conflicting uses. A local government may conduct a single analysis for two or more resource sites that are within the same area or that are similarly situated and subject to the same zoning. The local government may establish a matrix of commonly occurring conflicting uses and apply the matrix to particular resource sites in order to facilitate the analysis. A local government may conduct a single analysis for a site containing more than one significant Goal 5 resource. The ESEE analysis must consider any applicable statewide goal or acknowledged plan requirements, including the requirements of Goal 5. The analyses of the ESEE consequences shall be adopted either as part of the plan or as a land use regulation.

(5) **Develop a program to achieve Goal 5.** Local governments shall determine whether to allow, limit, or prohibit identified conflicting uses for significant resource sites. This decision shall be based upon and supported by the ESEE analysis. A decision to prohibit or limit conflicting uses protects a resource site. A decision to allow some or all conflicting uses for a particular site may also be consistent with Goal 5, provided it is supported by the ESEE analysis. One of the following determinations shall be reached with regard to conflicting uses for a significant resource site:

(a) A local government may decide that a significant resource site is of such importance compared to the conflicting uses, and the ESEE consequences of allowing the conflicting uses are so detrimental to the resource, that the conflicting uses should be prohibited.

(b) A local government may decide that both the resource site and the conflicting uses are important compared to each other, and, based on the ESEE analysis, the conflicting uses should be allowed in a limited way that protects the resource site to a desired extent.

(c) A local government may decide that the conflicting use should be allowed fully, notwithstanding the possible impacts on the resource site. The ESEE analysis must demonstrate that the conflicting use is of sufficient importance relative to the resource site, and must indicate why measures to protect the resource to some extent should not be provided, as per subsection (b) of this section.

FINDINGS OF FACT – GOAL 5, OAR 660-023-0040, ESEE DECISION PROCESS			
The Westport Ferry Landing is not a significant Goal 5 resource. An ESEE analysis for the proposal is provided:			
	<u>Retain in LW Zone</u>	<u>Rezone to AD</u>	<u>Comment</u>
Environmental	+	-	Some riparian vegetation to the northeast of the existing facility could be lost upon expansion of the ferry landing.
Social	0	+	Westport is the only community in Oregon to have a ferry landing that crosses the Columbia River. Improvements are highly desired by residents. Visitors to the area enjoy the uniqueness of the facility.
Economical	-	+	Zoning limitations in the LW zone could prohibit ferry improvements much to the detriment of the local economy. Expanding the ferry will allow additional use by industrial operators (Teevin Bros et al.).
Energy	0	+	The ferry provides a viable connect between Astoria and Longview upon bridge closure or following severe weather events (i.e, the '07 great gale).
Total	0	+2	ESEE analysis favors rezone from LW to AD

Goal 6 – Air, Water and Land Quality

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

Policies

1. The County shall encourage the maintenance of a high quality of air, water and land through the following actions:
 - (a) encouraging concentration of urban development inside Urban Growth Boundaries,
 - (b) encouraging maintenance and improvement of pollution control facilities,
 - (c) cooperating with the State Highway Department to provide an efficient transportation system. Methods to reduce congestion and air pollution on Marine Drive/Commercial Street should be explored.
 - (d) encouraging indigenous, clean industries such as fishing, boat building, tourism, and forest products utilization and
 - (e) encouraging development of resource recovery mechanisms such as recycling centers and wood waste processing.

13. Any development of land, or change in designation of use of land, shall not occur until it is assured that such change or development complies with applicable state and federal environmental standards.

FINDING OF FACT – GOAL 6, AIR, WATER AND LAND QUALITY
 The ferry supplements the state highway system by providing a connection between Oregon and Washington at the approximate midpoint between Astoria and Longview. No site improvements will be made until all applicable state and federal permits have been obtained. Goal 6 has been satisfied.

GOAL 7 – Natural Hazards

To protect life and property from natural disasters and hazards.

1. Clatsop County recognizes the value of an integrated flood hazard management program in order to protect life and property and shall continue participation in the Federal Flood Insurance Program.
2. Through an integrated flood hazard management program, the county will implement and administer appropriate land use planning techniques and construction standards.
3. Agriculture, forestry, open space and recreation shall be the preferred uses of flood prone areas.

FINDINGS OF FACT – GOAL 7, NATURAL HAZARDS

The ferry landing is a water-dependent facility that is permitted in the flood zone. Appropriate construction materials and techniques will be used to ensure that no adverse effects to area drainage patterns will occur. Goal 7 has been satisfied.

Goal 8 – Recreational Lands

FINDING OF FACT: Goal 8 plan provisions do not apply to the request.

Goal 9 – Economy

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

Marine Resources Policies

1. The County shall enhance and protect the marine resource environment through participation in the Columbia River estuary regional planning process.

FINDINGS OF FACT – GOAL 9, ECONOMY, MARINE RESOURCES

The findings and analyses provided in this report under Goals 5, 16 and 17 demonstrate how the proposal fits in with the comprehensive planning process for the Columbia River estuary. This Goal 9 policy has been satisfied

Travel Industry Policies

1. The County Planning Commission, in cooperation with the Recreation/Tourism Subcommittee should act in unison to insure that future Recreation/Tourism high intensity activity is located in Urban Growth Boundaries and Rural Service Areas which have the capacity to handle them at the lowest possible public cost. Tourist facilities should be developed in these areas before developing new facilities elsewhere.

FINDINGS OF FACT – GOAL 9 ECONOMY, TRAVEL INDUSTRY

As an established rural community, Westport is capable of handling the increases in traffic that would result from future improvements to the Westport Ferry Landing. This Goal 9 policy has been satisfied

Goal 10 – Population and Housing

FINDING OF FACT: Goal 10 plan provisions do not apply to the request.

Goal 11 – Public Facilities and Services

FINDING OF FACT: Goal 11 plan provisions do not apply to the request.

Goal 12 – Transportation

Goal 1: Mobility

Develop a multimodal transportation system that serves the travel needs of Clatsop County residents, businesses, visitors, and freight transport.

Objectives:

1. Provide a network of arterials and collectors that are interconnected, appropriately spaced, and reasonably direct.
2. Balance the simultaneous needs to accommodate local traffic and through-travel.
3. Minimize travel distances and vehicle-miles traveled.
4. Safely, efficiently, and economically move motor vehicles, pedestrians, bicyclists, transit, trucks, and trains to and through the County.
5. Use appropriate, adopted Clatsop County road standards during development of new roadways.
6. Encourage development patterns that offer connectivity and mobility options for members of the community.
7. Work to enhance the connection of the Port of Astoria and the Warrenton Harbor to the surrounding communities.
8. Coordinate with rail and shipping entities to promote intermodal linkages for passengers and goods.
9. Recognize and balance freight needs with needs for local circulation, safety, and access.
10. Provide an interconnected system of roads, pedestrian and bicycle facilities, and other forms of transportation that will link communities.
11. Promote intercity connectivity between major population areas, including linkages to the Portland metropolitan area.

FINDINGS OF FACT – GOAL 12, TRANSPORTATION, MOBILITY

The Westport Ferry minimizes travel distances and vehicle-miles for many users on a daily, weekly or monthly basis. The Ferry provides an economical means of travel between Westport, OR and Cathlamet, WA and is a viable alternate mode of transportation that links communities. The application meets these Transportation objectives.

Goal 7: Environment

Provide a transportation system that balances transportation services with the need to protect the environment and significant natural features.

Objectives:

1. Provide a transportation system that encourages energy conservation, in terms of efficiency of the roadway network and the standards developed for road improvements.
2. Encourage use of alternative modes of transportation and encourage development that minimizes reliance on the automobile.
3. Work to balance transportation needs with the preservation of significant natural features and viewsheds.
4. Minimize transportation impacts on wetlands and wildlife habitat.

FINDING OF FACT – GOAL 12, TRANSPORTATION, ENVIRONMENT

The Westport Ferry encourages energy conservation by providing a direct route between Westport, OR and Puget Island/Cathlamet, WA. The ferry represents an alternate mode of transportation that reduces vehicle-miles traveled for users. The application meets these Transportation objectives.

Goal 11: Safety

Provide a transportation system that maintains adequate levels of safety for all users.

Objectives:

1. Undertake, as needed, special traffic studies in problem areas, especially around schools, to determine appropriate traffic controls to effectively and safely manage automobile and pedestrian traffic.
2. Work to improve the safety of rail, bicycle, and pedestrian routes and crossings.
3. **Coordinate lifeline and tsunami evacuation routes with local, State, and private entities.**

FINDINGS OF FACT – GOAL 12, TRANSPORTATION, SAFETY

Geologists agree that the Pacific Northwest is overdue for a significant earthquake (magnitude 8.8 or higher) and a resultant tsunami. The Westport Ferry represents a critical lifeline in the case of catastrophic bridge failures and area landslides that block roadways. This Transportation policy has been satisfied.

Goal 13 – Energy Conservation

Goal: To conserve energy.

FINDINGS OF FACT, GOAL 13 – ENERGY CONSERVATION

The application promotes energy conservation by reducing out-of-the-way travel for users. The transportation connection between Westport, OR and Puget Island, WA provided by the ferry reduces vehicle miles traveled for local citizens and workers, particularly those employed at Wauna Mill. The proposal satisfies Goal 13.

Goal 14 – Urbanization

FINDING OF FACT: Goal 14 plan provisions do not apply to the request.

Goal 15 – Willamette River Greenway

FINDING OF FACT: Goal 15 plan provisions do not apply to the request.

**Goal 16 – Estuarine Resources and
Goal 17 – Coastal Shorelands**

Goal 16

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.

Goal 17

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.

I. COLUMBIA RIVER ESTUARY LAND AND WATER USE PLAN

P10. INTRODUCTION AND BACKGROUND

The Estuary Planning Area

The Columbia River Estuary planning area includes aquatic areas and shorelands from the 3-mile limit offshore to the eastern boundary of Wahkiakum County in Washington (RM 53) and the eastern boundary of Clatsop County in Oregon (RM 45). All tributary streams to the head of tide and their adjacent shorelands are included within the estuary planning area. In Oregon, the coastal zone, as defined by the Land Conservation and Development Commission, extends only to the downstream end of Puget Island (RM 38). Although shorelands generally extend to the landward limit of the floodplain for planning purposes, jurisdictional boundaries of the shorelands zones define a much smaller area. This Plan's informational sections, such as descriptions of shoreland features and human uses, apply to the entire floodplain area. Regulatory sections, such as aquatic and shoreland designations and policies, apply to the narrower jurisdictional shoreland area. Refer to the Goal 16 & 17 element of the Clatsop County Comprehensive Plan for a complete overview of the estuary planning process including use and area designations and use and activity tables for aquatic and shoreland areas.

The estuary is divided into 46 planning subareas. These subareas were drawn to represent distinct planning units with common features and needs. Land use patterns, physical and biological characteristics, and jurisdictional boundaries were used to determine subarea boundaries. The subarea plans which are under, or in part under Clatsop County jurisdiction are described in P 30. Refer to the Goal 16 & 17 element of the Clatsop County Comprehensive Plan to review the Columbia River Subarea Plans (P 30).

P20.13. PUBLIC ACCESS TO THE ESTUARY AND ITS SHORELINE

Policies in this subsection apply to all uses and activities in Columbia River Estuary shoreland and aquatic areas which directly or indirectly affect public access. "Public access" is used broadly here to include direct physical access to estuary aquatic areas (i.e. boat ramps), aesthetic access (i.e. viewing opportunities), and other facilities, designations, or opportunities that provide some degree of public access to Columbia River Estuary shorelands and aquatic areas.

1. Federal, state and local activities in the estuary shall, when feasible, provide for maintenance and improvement of estuarine public access.
2. Public access in urban areas shall be preserved and enhanced through waterfront restoration and construction of public facilities, and other actions consistent with local public access plans.
3. Public access in rural areas shall be preserved and enhanced through development of trails, scenic viewing areas, boat ramps and other actions consistent with local public access plans.
4. Proposed major shoreline developments shall not, individually or cumulatively, exclude the public from shoreline access to areas traditionally used for fishing, hunting or other shoreline activities.
5. Publicly owned shorelands with water access should remain in public hands.
6. Special consideration shall be given toward making the estuary accessible for the physically handicapped or disabled.
7. Public access to publicly owned shorelands and aquatic areas shall be maintained and improved where feasible.
8. Clatsop County will develop and implement programs for increasing public access.

FINDINGS OF FACT – GOAL 16/17, PUBLIC ACCESS TO THE ESTUARY AND SHORELINE
The viability of the ferry is enhanced by this application. The larger vessel that would be supported by the improved/expanded ferry landing will be ADA accessible. The proposal expands the public's ability to access area waterways in accordance with these Goal 16/17 policies.

P 30.22 WAUNA/WESTPORT SUBAREA PLAN

General Description

This subarea includes the Wauna Mill, Driscoll Slough, Westport Slough, the unincorporated community of Westport, and a private recreational home development east of Westport Slough. The subarea extends between the Clatsop/Columbia County line and downstream end of Puget Island. It extends to the state boundary, and landward to Oregon Highway 30.

Aquatic Features

There is little information about the biological and physical characteristics of Westport Slough. The slough supports warm-

water game fish. Plympton Creek, which drains into the slough, has a run of fall Chinook and some steelhead, coho, cutthroat, and chum.

Issues

Portions of this subarea are low-lying with considerable wetland habitat value. This is especially true of the area between the railroad and the highway. North of the railroad there are some areas of wetland and a strip of mature riparian vegetation along the west bank of Westport Slough.

Aquatic and Shoreland Designations

The following aquatic areas are designated Development:

2. Westport Slough

Subarea Policies

2. Except where direct access to water is required for wharves, docks or piers, riparian vegetation along Westport Slough shall be protected for bank stabilization, wildlife habitat, water quality, and a visual and noise buffer.

FINDINGS OF FACT – GOAL 16/17, WAUNA/WESTPORT SUBAREA PLAN

The Westport Ferry Landing has direct water access. No riparian vegetation exists at the site due to the presence of the inwater structure and associated land transportation facilities. The proposal is consistent with the applicable provisions of the Goal 16/17 Wauna/Westport Subarea Plan.

Goal 18 – Beaches and Dunes

FINDING OF FACT: Goal 18 plan provisions do not apply to the request.

Goal 19 – Ocean Resources

FINDING OF FACT: Goal 19 plan provisions do not apply to the request.

Northeast Community Plan

Landscape Units

Alluvial Lowland Policies

2. Commercial or industrial uses proposed in alluvial lowlands should be water dependent or water-related when adjacent to the water.

FINDING OF FACT – NORTHEAST COMMUNITY PLAN, LANDSCAPE UNITS

The Westport Ferry Landing is an appropriate water-dependent industrial use in alluvial lowlands. The application satisfies this Northeast Community Plan policy.

Zone Change Criterion 2 - Consistency with the Statewide Planning Goals

FINDINGS OF FACT – CONSISTENCY WITH STATEWIDE PLANNING GOALS

The Clatsop County Comprehensive Plan implements the 19 Statewide Planning Goals. Findings of Fact in this report demonstrate the proposal's consistency with the county plan and, therefore, the statewide planning goals. Additional analyses are provided under Goal 5 to assure consistency with OAR 660-23. This standard has been met.

Zone Change Criterion 3 - Adequacy of Public Facilities and Services

FINDINGS OF FACT – ADEQUACY OF PUBLIC FACILITIES AND SERVICES

The proposal will have no immediate effect on area, schools, emergency service providers, solid waste collection and water/wastewater facilities. Vehicular traffic may increase on Westport Ferry Rd once the planned ferry landing improvements are completed. Efforts are currently underway to build a new ferry access road with improved road width and capacity. Westport has adequate public facilities and services in place (public water and sewer systems, fire protection, etc.) to handle any increases in demand for services that may result from future ferry landing improvements. This standard has been met.

Zone Change Criterion 4 – Adequate and Safe Transportation Network

FINDINGS OF FACT – ADEQUATE AND SAFE TRANSPORTATION NETWORK

The application promotes modal choice for travelers in Clatsop County and surrounding areas. The ferry provides a critical connection between Oregon and Washington when land transportation facilities are closed due to weather, accidents and other events. The proposal lessens traffic congestion on area highways by providing a direct transportation link between Westport, OR and Puget Island/Cathlamet, WA. This standard has been met.

Zone Change Criterion 5 - Compatibility with Surrounding Character and Land Uses

FINDINGS OF FACT – COMPATIBILITY WITH SURROUNDING CHARACTER, USES

The proposal represents one of six interrelated projects known collectively as the Westport Corridor and Community Plan that have been developed in collaboration with Westport residents, business owners, agency officials and other stakeholders. Improvements to the existing ferry landing are desired by the community and will complement the surrounding character and land uses. This standard has been met.

Zone Change Criterion 6 - Property Suitability for Particular Uses

FINDINGS OF FACT – PROPERTY SUITABILITY FOR PARTICULAR USES

The ferry landing is better suited for inclusion in the proposed AD zoning district than the current LW zoning district. The site abuts other lands that are zoned AD and HI and future ferry expansions could be stymied by the LW zoning constraints. This standard has been met.

Zone Change Criterion 7 - Appropriate Use of Land Throughout Clatsop County

FINDINGS OF FACT – APPROPRIATE USE OF LAND THROUGHOUT COUNTY

This proposal directly relates to five other projects currently under consideration in the Westport community: Improvements to the Westport Boat Ramp, park and recreation improvements, active restoration of Plympton Creek, highway and pedestrian improvements along Hwy 30, and a new ferry access road. These projects together will greatly improve local economic and recreation opportunities and improve livability for area residents. All projects are located within the Westport Rural Community boundary thereby taking advantage of existing infrastructure and proximity to urban-style amenities. This standard has been met.

Zone Change Criterion No. 8 - Impact to Health, Safety and General Welfare of Clatsop County

FINDINGS OF FACT – IMPACT TO HEALTH, SAFETY AND GENERAL WELFARE
The proposal will facilitate future improvements to the existing Westport Ferry Landing. The proposal will not be detrimental to the health, safety or general welfare of Clatsop County.

OPTIONS

- 1. Recommend to the Clatsop County Board of Commissioners APPROVAL of the request and adopt the findings of fact in the September 5, 2011 Staff Report in support of the recommendation.**
- 2. Continue the public hearing to a specified date, time and location.**
- 3. Take other action as deemed appropriate by the Planning Commission.**

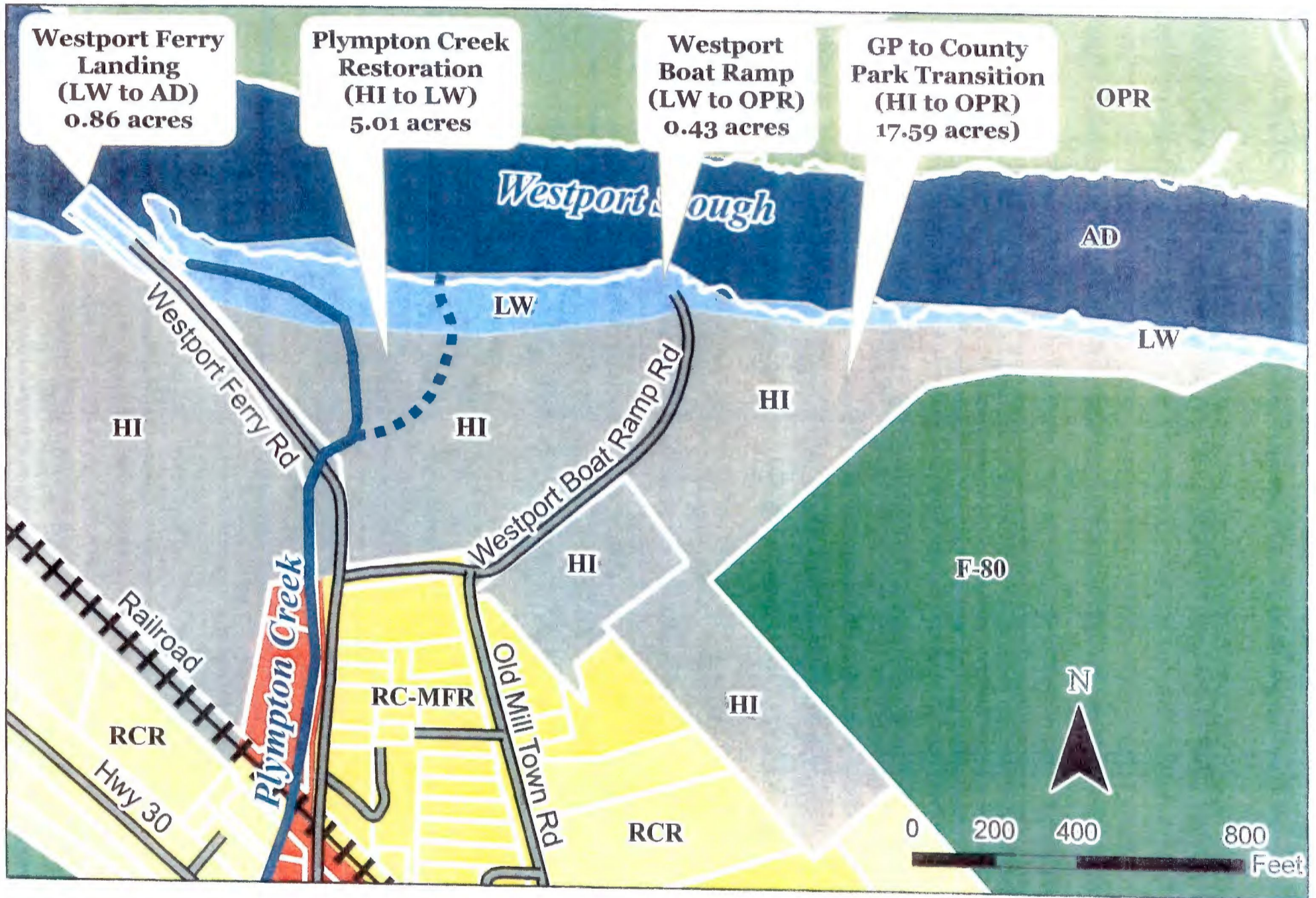
STAFF RECOMMENDATION
Option No. 1

APPENDICES

- **WESTPORT CORRIDOR AND COMMUNITY PLAN ZONE CHANGE MAPS (CURRENT AND PROPOSED ZONING)**
 - *To show the relationship of this request to other related requests in the Westport community*
- **EMAIL AND MAP FROM RON ASH, PE, CLATSOP COUNTY ENGINEER**
 - *To illustrate how the area proposed for rezone was derived*
- **STATE AGENCY COMMENTS**
 - *Oregon Dept. of Land Conservation and Development*
 - *Oregon Division of State Lands*
- **MAILING LIST - PROPERTY OWNERS WITHIN WESTPORT RURAL COMMUNITY BOUNDARY and MAILED NOTICE OF OCTOBER 26, 2011 PUBLIC HEARING**

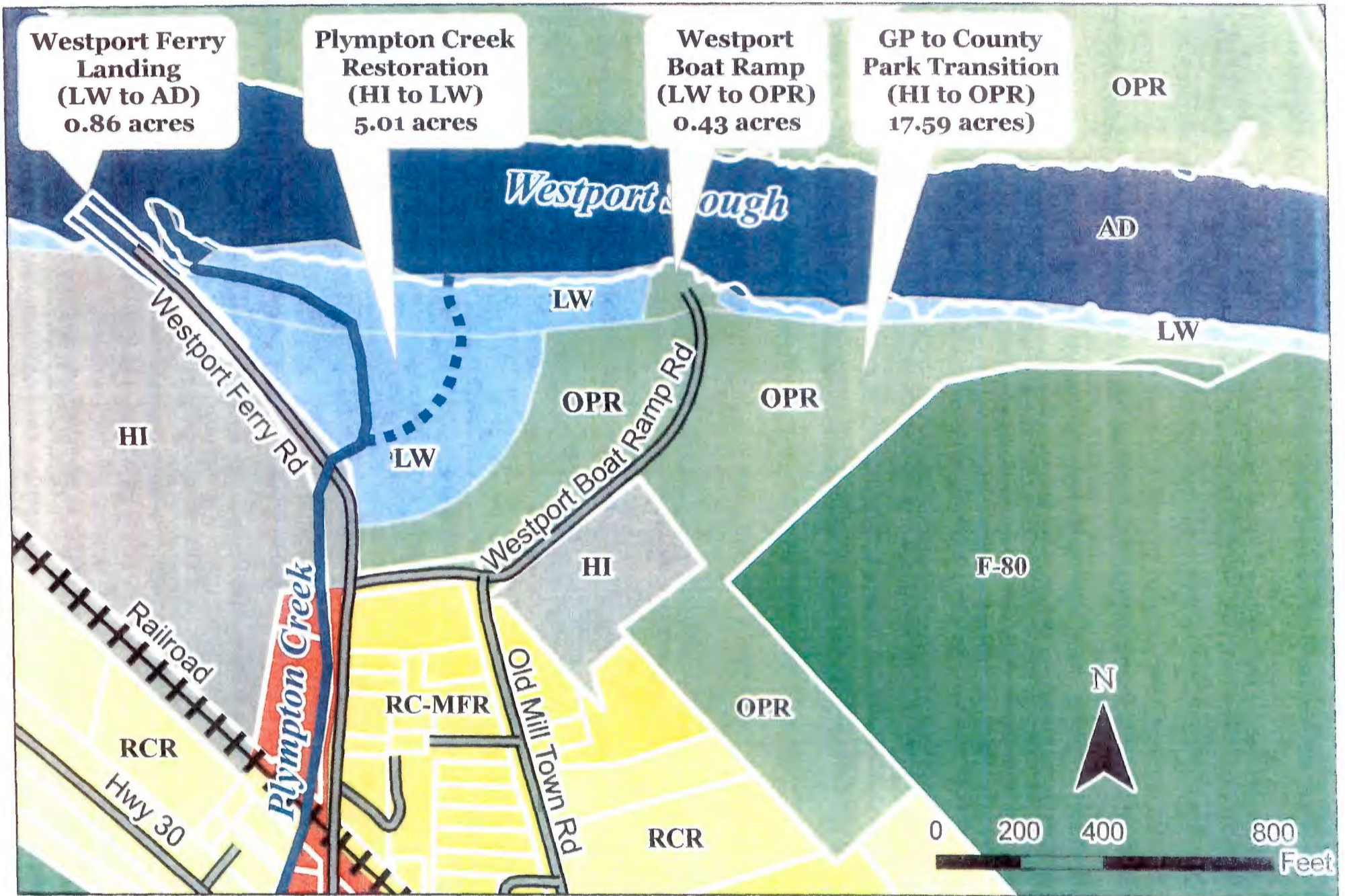
Westport Corridor and Community Plan Zone Changes Current Zoning

Map by Wingard
Planning & Dev Svcs
July 5, 2011

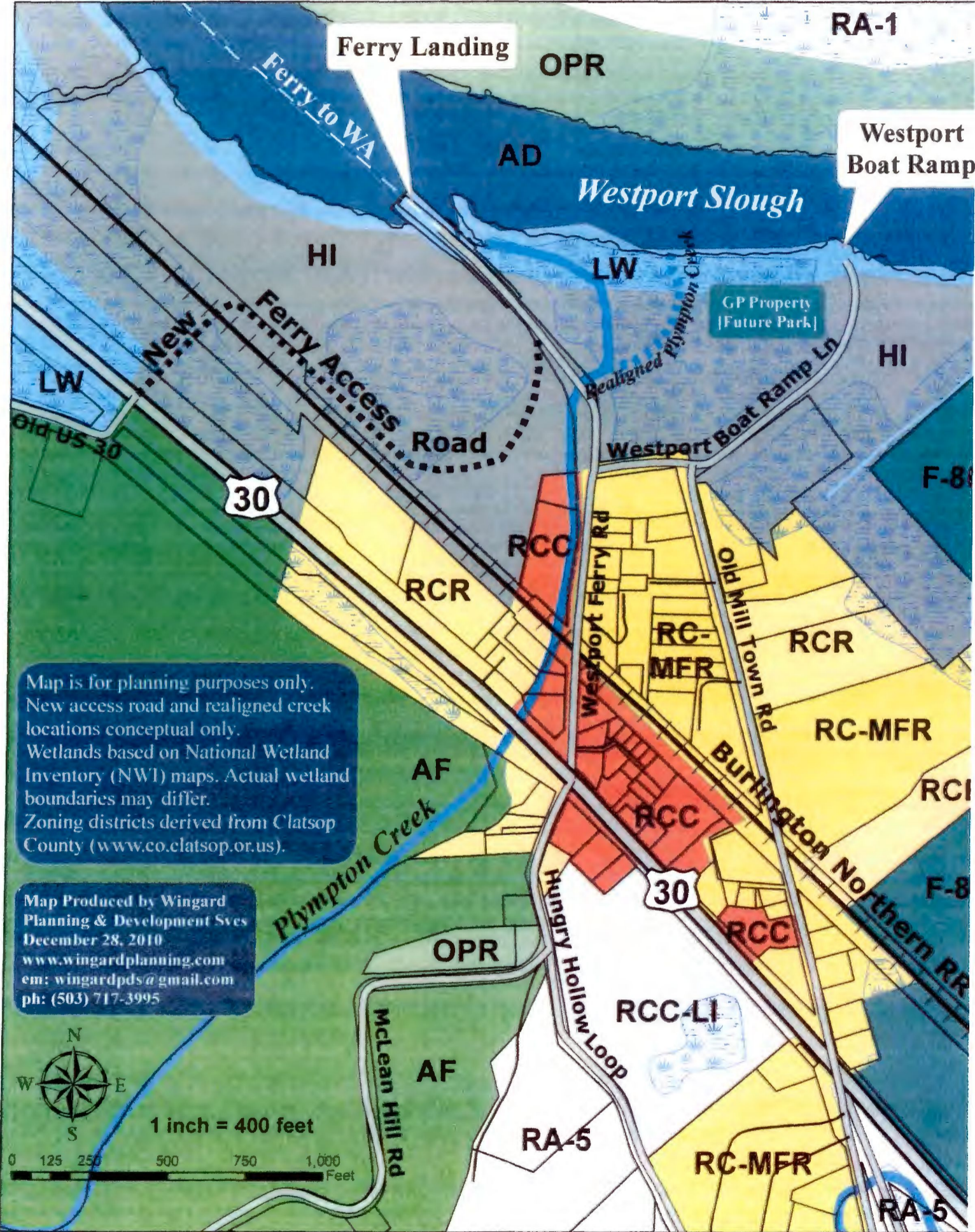


Westport Corridor and Community Plan Zone Changes Proposed Zoning

Map by Wingard
Planning & Dev Svcs
July 5, 2011



Westport Corridor and Community Plan - Zoning View



6/6/2011

Gmail - Westport Zone Amendments



Patrick Wingard <wingardpds@gmail.com>

Westport Zone Amendments

1 message

Ron Ash <RASH@co.clatsop.or.us>
To: wingardpds@gmail.com

Tue, May 24, 2011 at 2:35 PM

Patrick,

Attached is a representation of the additional zone change from LW to AD to accommodate the possible location of the new Westport Ferry Ramp.

Let me know if you have any questions,
Ron

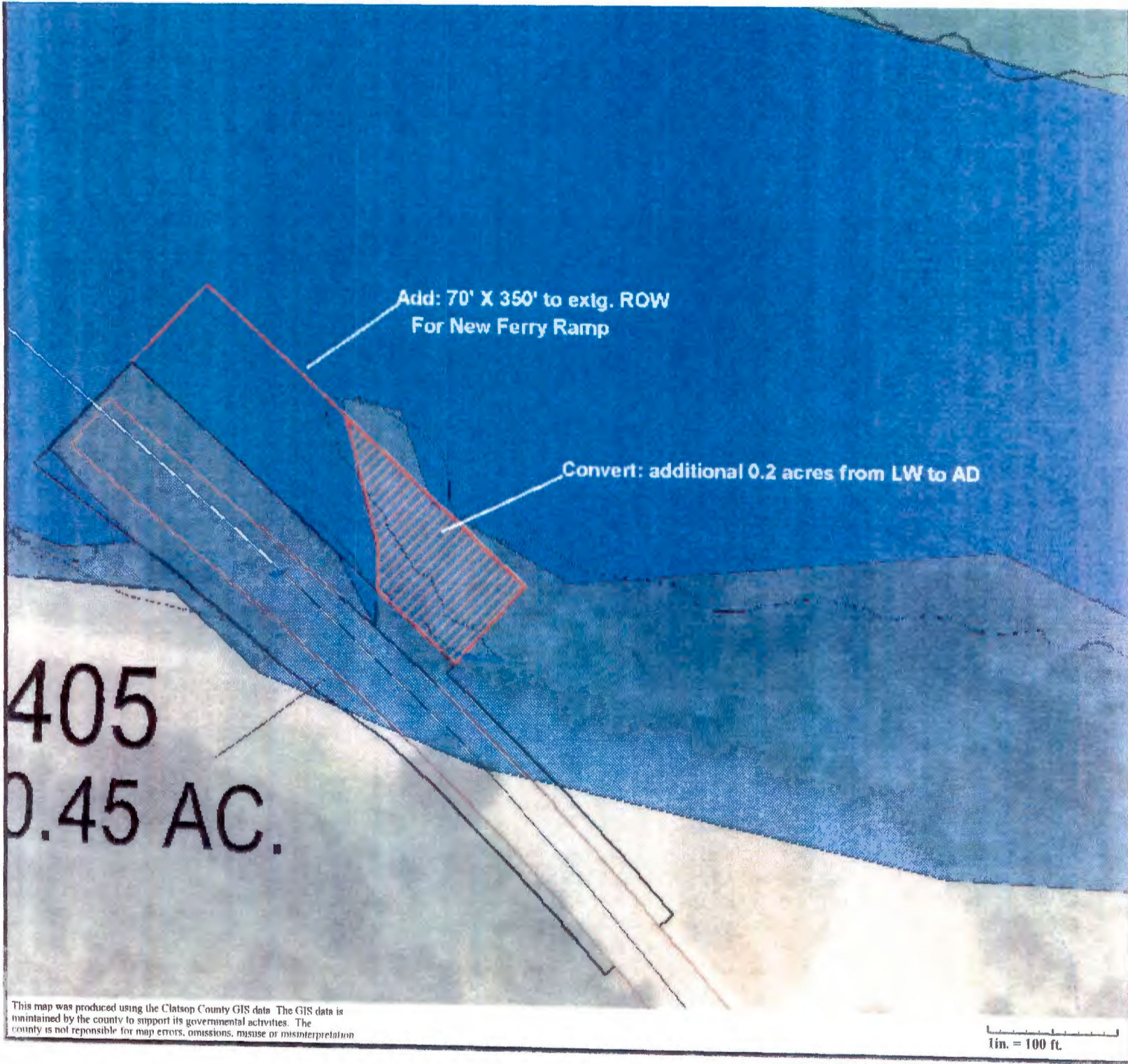
Ron Ash, P.E., P.L.S., County Engineer
Technical Services Manager
Department of Transportation & Development
1100 Olney Ave
Astoria, OR 97103
[503.325.8631](tel:503.325.8631) voice [503.325.9312](tel:503.325.9312) fax
rash@co.clatsop.or.us



This message has been prepared on resources owned by Clatsop County, Oregon. It is subject to the Internet and Online Services Use Policy and Procedures of Clatsop County.

 **Map.pdf**
3343K

Westport Zone Change



- PLS
- PLS Townships
- Roads
 - Local Road
- Tax Map
 - Tax Lot Arrows
 - River
 - Creek
 - Parcel Boundary
 - Supplemental Boundary
 - Road R-O-W
- Zoning
 - AD
 - HI
 - LW
 - OPR



1 in. = 100 ft.

This map was produced using the Clatsop County GIS data. The GIS data is maintained by the county to support its governmental activities. The county is not responsible for map errors, omissions, misuse or misinterpretation.

6/6/2011

Gmail - RE: PAPA Review Opportunity -...



Patrick Wingard <wingardpds@gmail.com>

RE: PAPA Review Opportunity - Clatsop County 003-11, 004-11, 005-11, 006-11

1 message

Punton, Amanda <amanda.punton@state.or.us>

Wed, May 4, 2011 at 1:20 PM

To: "matt.spangler@state.or.us" <matt.spangler@state.or.us>

Cc: "thomas.hogue@state.or.us" <thomas.hogue@state.or.us>, "Jinings, Jon" <jon.jinings@state.or.us>, "wingardpds@gmail.com" <wingardpds@gmail.com>

Matt

I think there are some Goal 5 process issues to be aware of for these PAPAs. The proposal includes moving land in and out of the county's Lake/wetland Zone which in Westport was probably applied to Goal 5 resources under Division 16. Division 23 will need to be followed to make any changes to their current Goal 5 program. I talked with Patrick today to make sure I understood things correctly. Maybe the three of us can talk when you get back next week.

Amanda

Amanda Punton | Natural Resource Specialist
Planning Services Division | Oregon Coastal Management Program
Oregon Dept. of Land Conservation and Development
800 NE Oregon #18 | Portland, OR 97232
Office: (971) 673-0961 | Fax: (971) 673-0911
amanda.punton@state.or.us | www.oregon.gov/LCD/

From: Jinings, Jon [mailto:jon.jinings@state.or.us]

Sent: Wednesday, May 04, 2011 11:05 AM

To: 'matt.spangler@state.or.us'

Cc: 'amanda.punton@state.or.us'; 'thomas.hogue@state.or.us'; Huck, Angela

Subject: PAPA Review Opportunity - Clatsop County 003-11, 004-11, 005-11, 006-11

Good Morning,

These four plan amendments from Clatsop County appear to represent several components of a single project in one of the county's unincorporated communities. I'd like Tom and Amanda to take a quick look if they get a second and let Matt know if there is anything he should be conveying to the county. Overall it looks like it is probably a good project.

6/6/2011

Gmail - The Westport Corridor and Co...



Patrick Wingard <wingardpds@gmail.com>

The Westport Corridor and Community Plan Zone Changes

2 messages

CARY Dan <dan.cary@state.or.us>
To: condev@co.clatsop.or.us
Cc: jim.grimes@state.or.us, wingardpds@gmail.com

Tue, May 31, 2011 at 3:51 PM

Patrick,

This comment is regarding Land Use applications No.'s 20110163, 20110164, 20110165, 20110166

My comment is not directly applicable to the proposed zoning changes. The zoning changes do not affect our jurisdiction and do not require a permit from the Department. I am only taking this opportunity to remind you that based on the proposed drawings and description of future projects related to this rezoning, that realignment of Plympton Creek and the new Ferry Access Road both appear to impact wetland and waters of the state and would require a permit from the Department of State Lands prior to land disturbance. If you have any questions please give me a call. I have forwarded the notice to our Land Management Division as the zoning changes may affect state-owned lands managed by them.

Dan

Dan Cary, PWS, CWD
Resource Coordinator
Marion, Polk, and Clatsop counties
Oregon Department of State Lands
Western Region
Voice [\(503\) 986-5302](tel:5039865302)
Fax [\(503\) 378-4844](tel:5033784844)
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
www.oregonstatelands.us
www.statelandsonline.com

CARY Dan <dan.cary@state.or.us>
To: comdev@co.clatsop.or.us

Tue, May 31, 2011 at 4:03 PM

<https://mail.google.com/mail/?ui=2&ik...>

Westport Corridor & Community Plan Zone Changes Mailed Notices

Owner line	Ownerline(2)	Owner Address	Ownerline(3)	City	State	Zip Code
Akin Rocky L/Connie J		91112 Old Mill Town Rd		Westport	OR	97016
Akin Rocky L/Connie J		91110 Old Mill Town Rd		Westport	OR	97016
Atkins Gerald	Sigman Lillian Christine	91106 Old Mill Town Rd		Westport	OR	97016
Bailey Michael G		14125 SW Linda Ln		Beaverton	OR	97006
Bethea Carmen		91207 Douma Ln		Westport	OR	97016
Bethea Carmen		91207 Douma Rd		Clatskanie	OR	97016
Blackburn Norma Jeanne (rulli)		91167 Westport Ferry Rd		Westport	OR	97016
Brubaker Gerald D/Carol M	Brubaker Living Trust	90976 Hungry Hollow Lp		Westport	OR	97016
Buoy Robert A		91159 Hungry Hollow Lp #A		Westport	OR	97016
Bylsma Clifford L 1/2	Bylsma Fred O 1/2	PO Box 1533	Jones Robert/Marge (c)	Clatskanie	OR	97016
Capps Linda May		37573 Old Hwy 30 Quarters L		Astoria	OR	97103
Chamblee Ronald D/Kathe A		200 Bruno Pl		Longview	WA	98632
Clatsop County	Westport Water Assoc Lessee					
Clatsop County		820 Exchange St		Astoria	OR	97103
Community Church Of Westport						
Davila Irene		PO Box 835		Clatskanie	OR	97016
Dawley Earl M/Loretta S Tr	Dawley E M/L S Revoc Living Trust	10562 Hwy 30		Clatskanie	OR	97016
Degandi William D/Linda M		91237 Westport Ferry Rd		Westport	OR	97016
Devries Wilma		91240 Westport Ferry Rd		Westport	OR	97016
Dias William K	Dias Jenifer R	324 W F St		Rainier	OR	97048
Douma Leoann	Douma Leoann Rev Liv Trust	47006 River Ranch Ln		Westport	OR	97016
Douma Leoann Tr	Douma Leoann Rev Liv Trust	47006 River Ranch Ln		Westport	OR	97016
Drabandt Donald E/Lois L		47318 Fire Station Alley Ln		Westport	OR	97016
Egaas Stanley J		77129 Watach Dr		Clatskanie	OR	97016
Filkowski Linda D	Well Billy Lee	49215 Hwy 30		Westport	OR	97016
Georgia Pacific Consumer Products		133 NE Peachtree St		Atlanta	GA	30303
Gorley Michael A/Gayle M		49261 Hwy 30		Westport	OR	97016
Greenwood Resources Inc		1500 SW First Ave #940		Portland	OR	97201
Gundram Judith		1610 93rd Pl SW		Everett	WA	98204
Halverson Leslie W/Ann M		47329 Fire Station Alley Ln		Westport	OR	97016
Harwager Joseph		91060 Robinson Rd		Westport	OR	97016
Havens Gary L	Havens David H	1005 Columbia St	Havens Dennis W	Cathlamet	WA	98612
Havens Gary L/Jody O 1/3	Havens Dennis W 1/3 And	1005 Columbia St	Havens David H/Lillian E	Cathlamet	WA	98612
Hill William D/Claudia C		91238 Old Mill town Rd		Westport	OR	97016
Holten Arthur/Lillian		49305 Hwy 30 Westport		Clatskanie	OR	97016
Holum Daniel R/Laurie L		79945 Bodine Rd		Clatskanie	OR	97016
House Travis J	West William H	90994 Hungry Hollow Lp		Westport	OR	97016
Hubler Steven K/Esther I		91174 Hungry Hollow Lp		Clatskanie	OR	97016
Jacob Sherri Kay		91241 Westport Ferry Rd		Westport	OR	97016
Jacobson Albert L/Judith H		49238 Hwy 30		Westport	OR	97016
Jenks Ronald E Sr	Jenks Maria T	90659 Alderwood Rd	Jenks Ronald E Jr	Westport	OR	97016
Jenks Ronald E/Maria Teresa G		90659 Alderwood Rd		Westport	OR	97016
Johnson Elizabeth M		90657 Alderwood Rd		Clatskanie	OR	97016
Johnson Richard Allan		91731 Smith Lake Rd		Warrenton	OR	97146
Jones Robert E/Marge J		PO Box 1533		Clatskanie	OR	97016
Kallio Reino A/Candice L		47310 Fire Station Alley Ln		Westport	OR	97016-3219
Koljonen George A/Margaret E		47302 Finn Ln		Westport	OR	97016

Koljonen Timothy J		91101 Old Mill Town Rd		Westport	OR	97016
Mai Hiep H		10755 SW Tigard St		Tigard	OR	97223
Mcleod Evalyn S		407 E Elm Ave		Absecon	NJ	08205-4329
Morrisey Michael J/Cheryl D Tr	Morrisey Living Trust	414 Grey Cliff Dr		St Helens	OR	97051
Nachbaur Lorene		22161 Lindberg Rd		Clatskanie	OR	97016
Nachbaur Lorenz		22161 Lindberg Rd		Westport	OR	97016
Neitzel Gregory Lowell and	Neitzel Izumi Okada Trustees	18210 NW Fieldstone Dr		Beaverton	OR	97006
Nosack Angela M		PO Box 1500		Clatskanie	OR	97016
Odoms Dales/Barbara A		PO Box 1332		Clatskanie	OR	97016
Oregon Dept of Transportation	Morrisey Michael Dba	4040 Fairview Industrial Dr SE #MS#	Westmart Stores Inc Les	Salem	OR	97302-1142
Oregon Dept of Transportation		555 NE 13th St #Suite 3		Salem	OR	97301 4179
Oregon Dist Council Assembly		91104 Hungry Hollow Lp		Westport	OR	97016
Oregon State Board Of Forestry				Salem	OR	97138
Par-Lenz Hele O		PO Box 971		Astoria	OR	97103
Payne Gary F		47338 Condon Dr		Westport	OR	97016
Phillips Daryl R/Carolyn P		870 Russell Dr		Hammond	OR	97121
Qwest Corporation		1801 California St #4800		Denver	CO	80202
Reddington Steven A		47307 Fire Station Alley Ln		Clatskanie	OR	97016
Reeves Donald L/Cynthia L		91207 Westport Ferry Rd		Westport	OR	97016
Reeves Roy D Jr/Kathy R		PO Box 806		Clatskanie	OR	97016
Reeves Roy F/Carol Sue		90966 Hungry Hollow Lp		Westport	OR	97016
Robinson Debra Lee	Robinson Richard T	91051 Robinson Rd		Westport	OR	97016
Robinson Geraldine W		91060 Robinson Rd		Westport	OR	97016
Robinson Robert W/Phyllis		91178 Westport Ferry Rd		Westport	OR	97016
Ross Michael S	Jacobs Elaine fka	91014 Hungry Hollow Lp	Hannu Elaine nka	Westport	OR	97016
Russell Lester L/Bonnie		722 Sugar Ave		Ontario	OR	97914
Russell Lester Leroy		722 Sugar Ave		Ontario	OR	97914
Schmele Carl		91198 Old Mill Town Rd		Westport	OR	97016
Seamans Gary W		700 NE Johnson St #16		Myrtle Creek	OR	97457-9011
Smith Dale O	Smith Teri L	PO Box 1597		Clatskanie	OR	97016
Sutfin Allan Keith		91000 Hungry Hollow Lp		Westport	OR	97016
Sutfin Allen K/ Darcy L		91000 Hungry Hollow Lp		Westport	OR	97016
Teevin Bros Land & Timber Co		PO Box 247		Rainier	OR	97048
Thompson David A/Reta A		PO Box 1582		Rainier	OR	97048
United Paperworkers Internat'l		91237 Old Mill Town Rd		Westport	OR	97016
Verley Corda Lee		90988 Hungry Hollow Lp		Clatskanie	OR	97016
Vice Harold L/Gail E		1220 SW 3rd Ave #1255		Portland	OR	97204
Vidos Timothy L/ Paulette M		91063 Old Mill Town Rd		Westport	OR	97016
Walters Harriet	Walters John A (c)	1010 NE Knott St		Portland	OR	97212
Wauna Federal Credit Union		PO Box 67		Clatskanie	OR	97016
Welch Patrick S		36534 Ordway Ln		Astoria	OR	97103
Weldon Emroy J/Stephanie R		PO Box 1272		Clatskanie	OR	97016
Westport Cemetery Assn						
Westport Community Church		PO Box 5218		Westport	OR	97016
Westport Sewer Service Dist						
Westport Villas I MHP LLC		6255 SW Tower Way		Portland	OR	97221
Westport Villas II MHP LLC		6255 SW Tower Way		Portland	OR	97221
Westport Water Assc						
Westport Wauna Rural Fire Dist		47135 Koko Ln		Westport	OR	97016-5162
Young Chad		47325 Green Alley Ln		Westport	OR	97016



NOTICE OF PUBLIC HEARING
CLATSOP COUNTY BOARD OF COMMISSIONERS
Ordinance 11-06

A Zoning and Comprehensive Plan Map Amendment application from Clatsop County to change the zoning on 0.86 acres from Lake and Wetlands (LW) to Aquatic Development (AD) and change the plan designation from Conservation-Other Resources to Development. The subject property is described as parts of T8N, R6W, Sec 36 – TL 405 and adjoining water areas at the Westport Ferry Landing along Westport Slough in Westport, Oregon.

You are receiving this notice because you either own property within 250 feet of the property that serves as the subject of the land use application described in this letter or you are considered to be an affected state or federal agency, local government, special district or citizen. A vicinity map for the subject property is attached. The Planning Commission decision document (Resolution and Order No. 11-09-03), including recommendation to approve the request, adopted findings of fact, staff report, and exhibits, is available for review at the Clatsop County Transportation & Development Services office located at 800 Exchange Street, Suite 100, Astoria, and online at www.co.clatsop.or.us.

DATES and LOCATIONS

1st Reading of ORD 11-06

Wednesday, October 12, 2011 – 10:00 A.M.

Public Testimony will not be accepted

Judge Guy Boyington Building

857 Commercial Street

Astoria, OR 97103

Public Hearing/2nd Reading of ORD 11-06

Wednesday, October 26, 2011 – 6:00 P.M.

Public Testimony will be accepted

Judge Guy Boyington Building

857 Commercial Street

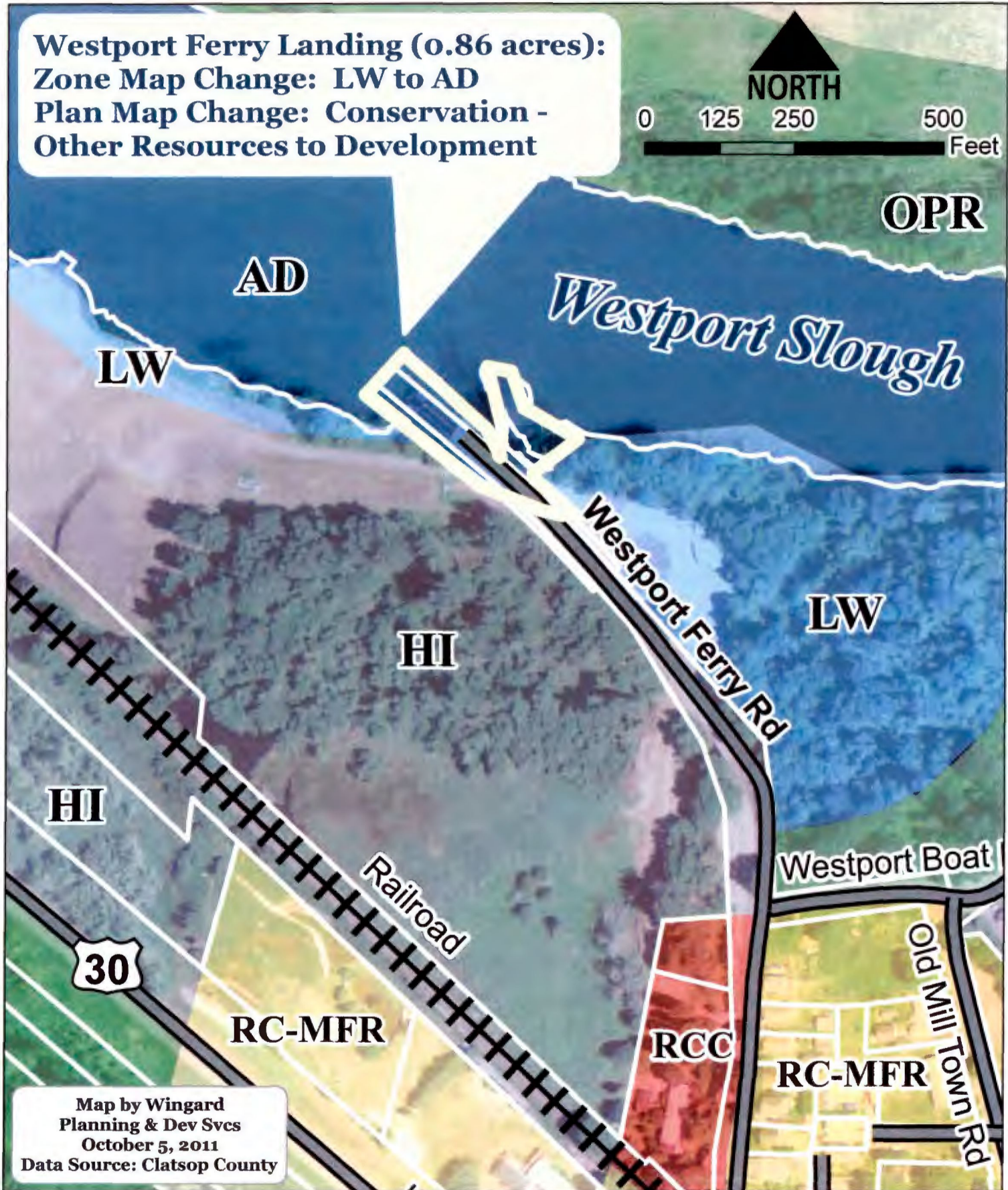
Astoria, OR 97103

Description of Application: The applicant, Clatsop County, proposes a zoning and comprehensive plan map amendment on 0.86 acres of land and water located at the Westport Ferry Landing in the unincorporated Westport area of Clatsop County. The subject property is identified as parts of T8N, R06W, Sec 36 – TL 405 and adjoining water areas. The applicant proposes changing the zoning on the subject property from **Lake and Wetlands (LW)** to **Aquatic Development (AD)** and the plan designation from **Conservation-Other Resources** to **Development**.

You are invited to submit comments in writing, by the deadline listed below, or in person at the October 26, 2011 hearing. Written comment should be addressed to the Clatsop County Board of Commissioners, 800 Exchange Street, Suite 100, Astoria, OR, 97103. Letters may also be emailed to comdev@co.clatsop.or.us or faxed to (503) 338-3666. In order for letters to be included in the written record for this land use matter, **the County must receive letters no later than 5:00 PM on October 25, 2011**. Alternatively, letters may be provided directly to the Board of Commissioners at the October 26, 2011 public hearing. Failure of an issue to be raised either at the Planning Commission or Board of Commissioners public hearings, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal based on that issue.

Please contact Patrick Wingard, Clatsop County Contract Planner, at (503) 717-3995 or wingardpds@gmail.com for more details.

**Vicinity Map (Zoning View) for
Westport Ferry Landing Zoning and Plan Map Amendments**



Minutes of September 13, 2011
Clatsop County Planning Commission **Regular** Session
Judge Guy Boyington Building
857 Commercial Street
Astoria, Oregon 97103

The meeting was called to order at 1000 by Chairperson Bruce Francis.

<u>PL Commissioners Present:</u>	<u>PC Absent:</u>	<u>Staff Present:</u>
Kay Foetisch-Robb		Ed Wegner
Bruce Francis		Blair Henningsgaard
Jan Mitchell		Hiller West
Robert Stricklin		Duane Cole
Lianne Thompson		
Michael Tiedeman		
Susana Gladwin (arrived @1015)		

Business from the Public:

No one from the public asked to speak.

Minutes:

PC Stricklin moved and PC Mitchell seconded to accept/approve the minutes of August 9, 2011 as presented by staff. Motion passed unanimously.

Ed Wegner, Director, Department of Transportation and Development, introduced Hiller West, new Principal Planner for the department.

Public Hearings:

(Continued from July 12, 2011):

Georgia-Pacific to Clatsop County Park Transition Zone Change and Westport Boat Ramp Zone Change:

Patrick Wingard, Planning Consultant, recommended these two items be tabled to a later date following discussions with Georgia-Pacific. Georgia-Pacific indicated to Mr. Wingard they needed additional time to work with state and federal agencies on various aspects of the property before moving forward on any land use actions.

In answer to questions from various Planning Commissioners, Mr. Wegner stated that Georgia-Pacific has been very cooperative and there is no indication from them this process won't move forward; they are just requesting more time. Staff will keep Planning Commissioners up to date with status reports.

PC Tiedeman moved and PC Thompson seconded to table the Georgia-Pacific to Clatsop County Park Transition Zone Change as well as the Westport Boat Ramp Zone Change until such time as the property owner directs Clatsop County to resume the processing of these requests. Motion passed unanimously.

1 Westport Ferry Landing Zone Change: Request by Clatsop County to rezone 0.6 acres
2 of land identified as Tax Map No. 80630000405, best described as the Westport Ferry
3 Landing itself from LW, Lake and Wetland, to AD, Aquatic Development.
4
5 Chairperson Francis reported an ex parte contact; he made a site visit to the Westport
6 Ferry Landing on Friday, September 9, 2011. No other ex parte contacts or conflicts of
7 interest were reported.
8
9 Mr. Wingard presented the staff report, beginning with a brief history of the ferry landing,
10 which has provided ferry service since 1925, linking Clatsop County, Oregon and
11 Wahkiakum County, Washington. Federal and other funding will provide for a larger
12 replacement ferry to begin running between the two riverine communities in 2014. The
13 new ferry will be able to carry 23 vehicles and will have space to accommodate log/chip
14 trucks and tour busses. The current ferry can hold 11 vehicles and is unable to
15 accommodate larger trucks or busses. This zone change request is being made to
16 facilitate future improvements at the Westport Ferry Landing in support of the larger
17 vessel.
18
19 In answer to a question from PC Stricklin, Mr. Wingard state that this parcel adjoins
20 Westport Slough and this avoids spot zoning. PCs Thompson and Foetisch-Robb
21 expressed some environmental concerns. Mr. Wegner explained that Wahkiakum
22 County spent one year getting permits, due to environmental (including protection of fish
23 habitat) concerns taking a top priority. Clatsop County can expect this to be a long,
24 drawn-out process.
25
26 Mr. Wegner addressed the issue of funding, informing the Planning Commission that
27 Clatsop County had received a federal grant of \$1.8 million to build these improvements.
28 Clatsop County is in the process of trying to hammer out an agreement with Oregon
29 Dept of Transportation which would provide Clatsop County up to \$150,000 worth of free
30 engineering assistance.
31
32 Responding to a question from PC Mitchell, Mr. Wegner anticipated that the sequence of
33 events will be: 1) ferry landing, 2) boat ramp, and finally, 3) and 4) will be the park and
34 Plympton Creek projects.
35
36 Mr. Wingard continued the staff report. Some of the items discussed were:
37 • Balancing the development with environmental concerns
38 • Discussion of why Plympton Creek is not in its original channel
39 • Traffic impacts
40 • New ferry access road in future; realignment is the top preference
41 • Facilities (including restrooms), part of the future boat ramp and park
42 improvements
43 Mr. Wingard described each goal and zone change criterion and how this proposal
44 meets those.
45
46 Public testimony was opened at 1113.
47
48 No public agencies asked to speak.
49

1 Lori Durheim, 398 Atlantic, Astoria, stated her support of the project, but also expressed
2 concern about future development beyond the ferry landing and boat ramp and hopes
3 that protections are in place.
4

5 Paul Langner, representing Teevin Brothers, PO Box 247, Rainier, is the neighbor to this
6 project. Mr. Langner expressed Teevin Brothers' full support of this project and
7 expressed his thanks to Clatsop County for their work on it. In answer to a question
8 from Chair Francis, Mr. Langner stated that the railroad is an active line and goes to
9 Wauna Mill about once a week.
10

11 Mr. Wegner, answering a question from PC Gladwin, stated that barges have their own
12 landing adjacent to the ferry; barges will not be docking at the ferry landing.
13

14 At 1127 public testimony was closed.
15

16 **PC Stricklin moved and PC Mitchell seconded that the Planning**
17 **Commission recommend to the Clatsop County Board of Commissioners approval**
18 **of the Westport Ferry Landing Zone Change request and adopt the findings of fact**
19 **in the September 5, 2011 Staff Report in support of the recommendation. Motion**
20 **passed unanimously.**
21

22 PCs Tiedeman and Mitchell both expressed their thoughts that this was a great project
23 for the Westport Community and Clatsop County.
24

25 **Other Business:**
26

27 Strategic Plan Update:
28

29 Duane Cole, County Manager, handed out copies of the draft strategic plan to all
30 Planning Commissioners and asked that everyone review it prior to the October 9, 2011
31 Planning Commission Meeting. Some items touched on were:
32

- Costs' estimates are still being worked on
- Needs help from Planning Commission on setting some of the priorities
- County-wide recycling from Western Oregon Waste
- Tsunami readiness
- Transportation issues

37 Mr. Cole will go into more depth at the next Planning Commission meeting in October.
38

39 Chair Francis and PC Foetisch-Robb will be absent from the October 9th meeting. Chair
40 Francis reminded PC members to please attend so there will be a quorum.
41

42 Mr. Wegner reminded everyone about the county-wide ocean planning meeting coming
43 up on October 17th from 7 to 9 p.m. at Seaside City Hall. Marc Barnes, Oregon Division
44 of State Lands, and the Ocean Coastal Zone Management Association will all have a
45 presence.
46
47
48
49
50

1 As there was no other business, the meeting was adjourned at 1147.
2
3
4
5
6
7
8
9
10

Respectfully Submitted,

Bruce Francis
Chairperson - Planning Commission



RECEIVED
OCT 12 1
CLATSOP COUNTY

October 11, 2011

KNAPPA OFFICE

42894
OLD HWY. 30
ASTORIA
OREGON
97103

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**WWW.
TEEVIN BROS.
COM**

Clatsop County Board of Commissioners
800 Exchange Street, Suite 100
Astoria OR 97103

Re: Ordinance 11-06

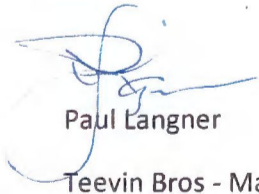
On behalf of Teevin Bros Land & Timber Co., an adjoining landowner of the property being rezoned at Westport, we write in support of this land use action.

Westport is more than a wide spot along Highway 30. Westport has the potential to become an economic engine within Clatsop County. With a great location, intermodal connectivity, and a truly supportive community, Westport is a diamond in the rough. Ed Wegner has done an exceptional job in bringing property owners, residents, and businesses together to move redevelopment of Westport forward. Duane Cole is constantly in touch with us, keeping momentum to the project. Both of these leaders, Ed and Duane, have inspired and invigorated the stakeholders in redeveloping Westport.

Platitudes aside, this is the first step of many to make Westport a viable, vibrant community. To accomplish the long-term vision Ed Wegner has inspired within us, land use issues must be brought in-line with future development goals. The action in front of the Commissioners accomplishes that goal. Mr. Wingard has done a thorough and lucid job in explaining why this makes sense and how this action today benefits all of Clatsop County in the future. Understated in this process is the broad, and deep, local support for this action. It is refreshing to participate in a public/private project that has such universal support.

We encourage the Commissioners to approve this ordinance and future related ordinances that build the foundation for the redevelopment of Westport.

Sincerely,



Paul Langner
Teevin Bros - Marine Properties

FIRST CLASS

DEPT OF

NOV 03 2011

**LAND CONSERVATION
AND DEVELOPMENT**



CLATSOP COUNTY

**Transportation and Development Services
Land Use Planning**

800 Exchange Street, Suite 100
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Dept of LCDC
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