



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

06/03/2013

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 001-13

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: Friday, June 14, 2013

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

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

***NOTE:** The 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: Jennifer Bunch, Clatsop County
Jon Jinings, DLCD Community Services Specialist
Katherine Daniels, DLCD Farm/Forest Specialist
Patrick Wingard, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **20-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

DATE STAMP	<input type="checkbox"/> In person <input type="checkbox"/> electronic <input type="checkbox"/> mailed
	DEPT OF
	MAY 28 2013
	LAND CONSERVATION AND DEVELOPMENT
For Office Use Only	

Jurisdiction: **Clatsop County**Local file number: **Ordinance 13-01**Date of Adoption: **5/22/2013**Date Mailed: **5/24/2013**Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: **2/4/2013**☐ 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".

Effective February 1, 2013, Oregon Administrative Rule 660-006-0025(4) authorizes "Storage Structures for Emergency Use" on forest lands. Clatsop County proposes legislative amendments to add the definition in section L1.030 and the conditional use in the Forest 80 (L3.554) and Agriculture Forestry (L3.518) zones. The proposed amendments are included in this notice.

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

A slight change in the adopted language. The term 'government entity' was changes to read "city or county government in the text of the Forest 80 and Agriculatural Forestry zones.

Plan Map Changed from: _____ to: _____

Zone Map Changed from: _____ to: _____

Location: _____ Acres Involved: _____

Specify Density: Previous: _____ New: _____

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☒ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD File No. 001-13 (19684) [17463]

DLCD file No. _____

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

DLCD, City of Cannon Beach, City of Astoria, City of Gearhart, City of Seaside, City of Warrenton, County Emergency Management, ODF, OEM

Local Contact: **Jennifer Bunch, Senior Planner**

Phone: (503) 325-8611 Extension:

Address: 800 Exchange Street, Ste 100

Fax Number: 503-338-3666

City: Astoria

Zip: 97103-

E-mail Address: jbunch@co.clatsop.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 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.



Clatsop County

Community Development

800 Exchange St., Suite 100
Astoria, Oregon 97103
www.co.clatsop.or.us

Phone (503) 325-8611

Fax (503) 338-3666

NOTICE OF FINAL DECISION

File Number: Ordinance No. 13-01

Decision Date: May 22, 2013

Action: APPROVAL

Action Described: Legislative text amendments to the Land and Water Development and Use Ordinance #80-14 authorizing emergency storage structures on forest lands.

Clatsop County has completed its review of the application described above. The Board of County Commissioners approved the legislative amendments on May 22, 2013. A complete copy of the decision document, including the ordinance, resolution and order, and adopted findings of fact, is available for review at the following location during normal business hours (8-5, M-F):

Clatsop County Land Use Planning Office
800 Exchange Street, Suite 100
Astoria, OR 97103

The decision document is also available for review on the Clatsop County website. To access the document online please visit the County's website at the following address, www.co.clatsop.or.us. Once on the homepage, click on the Land Use Planning page.

The requirements for appeal of this decision are set forth in ORS 197.830 to 197.845. In general, the requirements for appeal require a "Notice of Intent to Appeal" the decision, to be filed with the Oregon Land Use Board of Appeals (LUBA) in Salem, Oregon. The Notice of Intent to Appeal the decision must be filed with LUBA not later than 21 days from the date of this notice. Please call LUBA at 503-373-1265 if you have questions regarding appeal procedures.

If you have questions about this notice, please contact the Clatsop County Land Use Planning Department at (503) 325-8611.

CERTIFICATE OF MAILING

I, Jennifer Bunch, hereby certify that I mailed this Notice of Final Decision via the United States Postal Service on May 24, 2013.

Jennifer Bunch May 24, 2013
Jennifer Bunch, Senior Planner Date

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

In the Matter of:

LEGISLATIVE AMENDMENTS TO THE
LAND AND WATER DEVELOPMENT AND
USE ORDINANCE #80-14 AUTHORIZING
THE PLACEMENT OF STORAGE
STRUCTURES FOR EMERGENCY
SUPPLIES

ORDINANCE NO. 13-01

Doc # 2013050027

Recording Date: 5-24-13

RECITALS

WHEREAS, in the interest of the health, safety and welfare of the citizens of Clatsop County and pursuant to State and Federal law, the Board of Commissioners hereby determines the necessity of amending the Clatsop County Land and Water Development and Use Ordinance, and

WHEREAS, the proposed text amendments were considered by the Planning Commission at a public hearing on March 12, 2013, The Commission unanimously recommended approval, which is attached as Exhibit "PC"; and

WHEREAS, consideration for this ordinance complies with the Post Acknowledgement rules of the Oregon Land Conservation and Development Commission and the Clatsop County Planning Commission has sought review and comment and has conducted the public hearing process pursuant to the requirements of ORS 215.050 and 215.060, and the Board of Commissioners received and considered the Planning Commission's recommendations on this request and held a public hearing on this ordinance pursuant to law on April 24, 2013 and May 22, 2013; 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 text of the Clatsop County Land and Water Development is hereby amended as shown in the attached Exhibit "A".

SECTION 2. In support of this ordinance, the Board adopts the findings and associated exhibits contained in Exhibit "PC".

Approved this 22nd day of May, 2013

THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

By  _____
Peter Huhtala, Chair

By  _____
Valerie Crafard, Recording Secretary

EXHIBIT 'A'

PROPOSED AMENDMENTS TO THE CLATSOP COUNTY LAND AND WATER DEVELOPMENT AND USE ORDINANCE #80-14

Proposed text amendments are underlined.

Add the following definition:

Section 1.030. Definitions.

As used in this Ordinance, the following words and phrases shall have the following meanings:

STORAGE STRUCTURES FOR EMERGENCY SUPPLIES -- Structures to accommodate those goods, materials and equipment required to meet the essential and immediate needs of an affected population in a disaster. Such supplies include food, clothing, temporary shelter materials, durable medical goods and pharmaceuticals, electric generators, water purification gear, communication equipment, tools and other similar emergency supplies.

Add the following use:

SECTION 3.510. AGRICULTURE-FORESTRY ZONE (AF).

Section 3.518. Conditional Development and Use.

The following developments and uses and their accessory uses may be permitted under a Type II procedure and Sections 5.000 to 5.030, subject to applicable criteria, development standards and site plan review.

- (17) Storage structures for emergency supplies to serve communities and households that are located in tsunami inundation zones, if:
- (A) Areas within an urban growth boundary cannot reasonably accommodate the structures;
 - (B) The structures are located outside tsunami inundation zones and consistent with evacuation maps prepared by DOGAMI or the local jurisdiction;
 - (C) Sites where the structures could be co-located with an existing use approved under this section are given preference for consideration;
 - (D) The structures are of a number and size no greater than necessary to accommodate the anticipated emergency needs of the population to be served;
 - (E) The structures are managed by a city or county government for the single purpose of providing for the temporary emergency support needs of the public; and
 - (F) Written notification has been provided to the County Office of Emergency Management of the application for the storage structures.

Add the following use:

SECTION 3.550. FOREST-80 ZONE (F-80).

Section 3.554. Conditional Development and Use.

The following uses and activities and their accessory uses may be permitted under a Type II procedure and Section 5.000 to 5.030, subject to applicable criteria, development standards and site plan review.

- (13) Storage structures for emergency supplies to serve communities and households that are located in tsunami inundation zones, if:
- (A) Areas within an urban growth boundary cannot reasonably accommodate the structures;
 - (B) The structures are located outside tsunami inundation zones and consistent with evacuation maps prepared by DOGAMI or the local jurisdiction;
 - (C) Sites where the structures could be co-located with an existing use approved under this section are given preference for consideration;
 - (D) The structures are of a number and size no greater than necessary to accommodate the anticipated emergency needs of the population to be served;
 - (E) The structures are managed by a city or county government for the single purpose of providing for the temporary emergency support needs of the public; and
 - (F) Written notification has been provided to the County Office of Emergency Management of the application for the storage structures.

**BEFORE THE PLANNING COMMISSION
FOR THE COUNTY OF CLATSOP**

In the Matter of

ORDINANCE 13-01: LEGISLATIVE TEXT
AMENDMENTS TO THE CLATSOP COUNTY
LAND AND WATER DEVELOPMENT AND
USE ORDINANCE 80-14.

RESOLUTION AND ORDER

13-03-03

THE ABOVE ENTITLED MATTER came before the Planning Commission on March 12, 2013, for a public hearing and consideration of legislative text amendments to the Land and Water Development and Use Ordinance 80-14 to allow 'storage structures for emergency supplies' on forest lands as authorized by OAR 660-006-0025(4).

THE PLANNING COMMISSION after reviewing the findings of fact in Exhibit "A" (*Staff Report*) has determined the proposed changes are consistent with Clatsop County's Comprehensive Plan and Statewide Planning Goals.

THE PLANNING COMMISSION considering all evidence provided by the Planning Department staff and public testimony provided at the public hearing, hereby **RECOMMENDS APPROVAL** of the text amendments and findings as presented in "*Exhibit A - Staff Report*" attached hereto and by this reference made part hereof.

WHEREFORE, the Planning Commission finds and resolves:

To recommend that the Board of County Commissioners adopt the proposed Legislative Text Amendments to the Land and Water Development and Use Ordinance #80-14.

SO ORDERED this 12th day of March 2013.

THE PLANNING COMMISSION FOR
CLATSOP COUNTY



Bruce Francis, Chair

Resolution and Order

Clatsop County
Community Development
800 Exchange Street, Suite 100
Astoria, OR 97103



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

"Exhibit A"
Staff Report
Ordinance 13-01

REPORT DATE: March 5, 2013

HEARING DATE: March 12, 2013

HEARING BODY: Clatsop County Planning Commission

REQUEST: Legislative Amendments to the Land and Water Development and Use Ordinance #80-14 authorizing Emergency Storage Structures on forestlands.

STAFF: Jennifer Bunch, Senior Planner

EXHIBITS:

1. Proposed Text Amendments
2. Examples of storage structures
3. Notice of Hearing
4. Public Comment

I. SUMMARY

The Land Conservation and Development Commission (LCDC) has adopted amendments to OAR 660-006-0005 and -0025(4) that allows the siting within forest zones of storage structures for emergency supplies to serve local communities as part of tsunami preparedness planning. The proposed legislative amendments to the Land and Water Development and Use Ordinance #80-14 will add the definition of "storage structures for emergency supplies" in section L1.030 and the conditional use in the Forest 80 (L3.554) and Agriculture Forestry (L3.518) zones. The adoption of these amendments would allow the county to begin processing applications for storage structure placement. Clatsop County is the first county to pursue adoption of these provisions.

II. RECOMMENDED ACTION

Staff recommends the Planning Commission adopt the findings of fact contained in this staff report and recommend approval of the legislative text amendments to the Clatsop County Board of Commissioners.

III. BACKGROUND

In 2011, the City of Cannon Beach approached Clatsop County Planning about the siting of emergency storage structures, in the form of 'cargo containers' in forest land outside city limits and the tsunami inundation area. The city was evaluating options for the storage of essential supplies in the event of a seismic event and a resulting tsunami. After a review of the allowed uses in the Forest 80 (F-80) and Agriculture Forestry (AF) zones and consultation with the Department of Land Conservation and Development (DLCD) county staff determined that the use could not be allowed because it was not authorized by the county code and the Oregon Administrative Rule that governs development and uses on forest lands. In the fall of 2012, the City of Cannon Beach requested that DLCD consider an amendment that would allow the storage structures in forest lands. The department considered the request and agreed to proceed with rulemaking. Appointed members of the Rules Advisory Committee included Clatsop County's senior planner and the city planner from Cannon Beach. This committee assisted in the development of the rule amendments. At its January 25, 2013, meeting the LCDC adopted the amendments as proposed by the advisory committee and the rules became effective on February 1, 2013.

The rule amendment authorizes the emergency storage structure use on forest lands and creates a review process. This process requires that all potential locations within the city or urban growth boundary are used before forest lands are considered. The inclusion of a definition of 'structures for emergency storage supplies' will ensure that supplies are limited to the essentials such as food, clothing, medical supplies, generators, and communication equipment.

IV. EVALUATION OF APPLICABLE CRITERIA

A. LWDUO 80-14

Section 2.035 Type IV Procedure.

Type IV actions are legislative processes. They involve the creation, broad scale implementation or revision of public policy. These include amendments to the text of the Comprehensive Plan, Community Plans, or Zoning Code. Large-scale changes in Community Development maps also may be characterized as legislative where a larger number of property owners are directly affected. The Type IV procedure is for use where indicated in this Ordinance.

- (1) Under the Type IV procedure, the Director shall schedule a public hearing pursuant to Section 2.105 before the Planning Commission.
- (2) The Director shall mail and publish a notice pursuant to Section 2.315.

SECTION 2.300 LEGISLATION.

Section 2.310 Legislative Action Under This Ordinance.

- (1) The following are legislative actions under this Ordinance:
 - (A) An amendment to this Ordinance.
 - (B) A district or zone change action the County Commission has designated as legislative after finding the matter at issue involves such a substantial area and number of property owners or such broad public policy changes that administrative processing would be inappropriate.
- (2) A legislative action shall follow the Type IV procedure subject to the modifications and supplements of Sections 2.310 to 2.335.

Section 2.315 Legislative Hearing Notice.

Notice of a hearing on a legislative decision under this Ordinance need not include a mailing to property owners where the matter at issue does not relate to a specific geographic area. Where such mailing or posting is omitted, the Community Development Director shall prepare a notice program designed to reach persons believed to have a particular interest and to provide the general public with a reasonable opportunity to be aware of the hearings on the proposal.

Analysis & Finding:

Clatsop County is processing this text amendment as a Type IV Legislative procedure with a public hearing to be held before the Planning Commission on March 12, 2013, and an additional hearing to be held at a later date before the Board of Commissioners. Published and mailed notice was provided in accordance with Section 2.035 and 2.315 (Exhibit 3).

B. COMPREHENSIVE PLAN GOALS AND POLICIES

Goal 1 – Citizen Involvement:

Policies

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.
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.
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.
9. Public notices will also be sent to affected residents concerning zone and Comprehensive Plan changes, conditional uses, subdivisions and planned developments.

Analysis & Finding:

Clatsop County is processing this text amendment as a Type IV Legislative procedure with a public hearing to be held before the Planning Commission on March 12, 2013, and an additional hearing to be held at a later date before the Board of Commissioners. Published and mailed notices were provided in accordance with Section 2.035 and 2.315 (Exhibit 3) which ensures consistency with policies 2, 5, 7, and 9 of the Goal 1 element.

Goal 4 – Forest Lands

Goal - To conserve forest lands for forest uses.

Policies

1. Forest lands shall be conserved for forest uses, including the production of trees and the processing of forest products, open space, buffers from noise, visual separation from conflicting uses, watershed protection, wildlife and fisheries habitat, soils protection from wind and water, maintenance of clean air and water, outdoor recreational activities compatible with these uses, and grazing land for livestock.

17. Expansion of existing non-forest developments and uses in forest zones may be permitted under a Type II procedure only when such expansion is substantially confined to the existing site.

Analysis & Finding:

The proposed text amendments will add the use as a Type II Conditional Use. Review criteria requires that the structures be unable to be accommodated within urban growth boundaries and preferably co-located with existing already-approved uses. In addition, the structures be of a number and size no greater than are necessary thus reducing or eliminating conflict with forest uses and activities. The proposed amendments do not conflict with policies 1 and 17.

Goal 7 - Natural Hazards

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

Analysis & Finding:

The Goal 7 element of the Clatsop County Comprehensive Plan does not contain specific policies applicable to the proposed amendments. However, because the storage structures will contain supplies and equipment required to meet the essential and immediate needs of the public the proposed amendments are consistent with the overall goal of protecting life and property from natural disasters and hazards. The proposed standards require that the structures must be located outside tsunami inundation zones and be consistent with evacuation maps. Written notification to the County's Office of Emergency Management is required prior to the approval of any structures.

The following elements of the Clatsop County Comprehensive Plan do not contain applicable policies:

Goal 2 – Land Use Planning

Goal 3 – Agricultural Lands

Goal 5 – Open Space, Scenic, Historic Areas and Natural Resources

Goal 6 – Air, Water, and Land Quality

Goal 8 – Recreation

Goal 9 – Economy

Goal 10 – Population & Housing

Goal 11 – Public Facilities and Services

Goal 12 – Transportation

Goal 13 – Energy Conservation

Goal 14 – Urbanization

Goal 16/17 – Estuarine Resources and Coastal Shorlands

Goal 18 – Beaches and Dunes

Goal 19 Element – Ocean Resources

V. PUBLIC COMMENT *(Attached as Exhibit 4)*

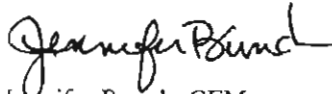
- **Katherine Daniels, DLCD Farm and Forest Lands Specialist**
Ms. Daniels provided positive comment regarding the proposed amendments and acknowledged that Clatsop County would be the first county to adopt these amendments.

VI. RECOMMENDATION

Staff recommends that the Planning Commission adopt the findings of fact of the staff report and recommend approval of the proposed text amendments to the Clatsop County Board of Commissioners.

Recommended motion: I move the Planning Commission adopt the findings of fact of the staff report and recommend approval of the proposed text amendments to the Clatsop County Board of Commissioners.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jennifer Bunch". The signature is written in a cursive, flowing style.

Jennifer Bunch, CFM
Senior Planner

Exhibit 1
Proposed Amendments

PROPOSED AMENDMENTS TO THE CLATSOP COUNTY
LAND AND WATER DEVELOPMENT AND USE ORDINANCE #80-14

Proposed text amendments are underlined.

Add the following definition:

Section 1.030. Definitions.

As used in this Ordinance, the following words and phrases shall have the following meanings:

STORAGE STRUCTURES FOR EMERGENCY SUPPLIES -- Structures to accommodate those goods, materials and equipment required to meet the essential and immediate needs of an affected population in a disaster. Such supplies include food, clothing, temporary shelter materials, durable medical goods and pharmaceuticals, electric generators, water purification gear, communication equipment, tools and other similar emergency supplies.

Add the following use:

SECTION 3.510. AGRICULTURE-FORESTRY ZONE (AF).

Section 3.518. Conditional Development and Use.

The following developments and uses and their accessory uses may be permitted under a Type II procedure and Sections 5.000 to 5.030, subject to applicable criteria, development standards and site plan review.

- (17) Storage structures for emergency supplies to serve communities and households that are located in tsunami inundation zones, if:
- (A) Areas within an urban growth boundary cannot reasonably accommodate the structures;
 - (B) The structures are located outside tsunami inundation zones and consistent with evacuation maps prepared by DOGAMI or the local jurisdiction;
 - (C) Sites where the structures could be co-located with an existing use approved under this section are given preference for consideration;
 - (D) The structures are of a number and size no greater than necessary to accommodate the anticipated emergency needs of the population to be served;
 - (E) The structures are managed by a local government entity for the single purpose of providing for the temporary emergency support needs of the public; and
 - (F) Written notification has been provided to the County Office of Emergency Management of the application for the storage structures.

Add the following use:

SECTION 3.550. FOREST-80 ZONE (F-80).

Section 3.554. Conditional Development and Use.

The following uses and activities and their accessory uses may be permitted under a Type II procedure and Section 5.000 to 5.030, subject to applicable criteria, development standards and site plan review.

- (13) Storage structures for emergency supplies to serve communities and households that are located in tsunami inundation zones, if:
- (A) Areas within an urban growth boundary cannot reasonably accommodate the structures;
 - (B) The structures are located outside tsunami inundation zones and consistent with evacuation maps prepared by DOGAMI or the local jurisdiction;
 - (C) Sites where the structures could be co-located with an existing use approved under this section are given preference for consideration;
 - (D) The structures are of a number and size no greater than necessary to accommodate the anticipated emergency needs of the population to be served;
 - (E) The structures are managed by a local government entity for the single purpose of providing for the temporary emergency support needs of the public; and
 - (F) Written notification has been provided to the County Office of Emergency Management of the application for the storage structures.

Exhibit 2
Examples of Storage Structures

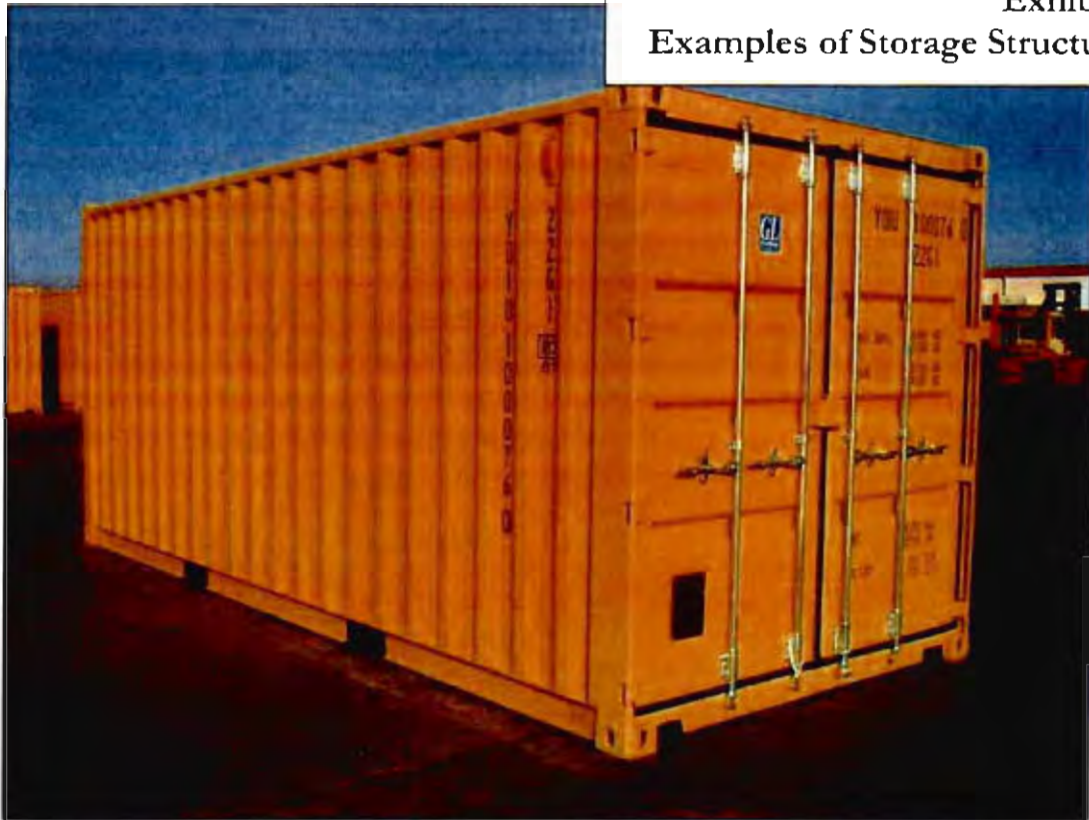


Exhibit 3
Notice of PC Hearing

Jennifer Bunch

From: Jennifer Bunch
Sent: Friday, February 15, 2013 8:02 AM
To: kcupples@cityofseaside.us; bartl@ci.cannon-beach.or.us; bestes@astoria.or.us; wcaplinger@campbellgroup.com; BANGS Cullen (cullen.bangs@state.or.us); Dean Perez; Thomas Manning; Tiffany Brown; 'Wingard, Patrick'; katherine.daniels@state.or.us; Skip Urling (cityplanner@ci.warrenton.or.us); Chad Sweet (citymgr@ci.gearhart.or.us); 'jimjamesoswa@yahoo.com'
Subject: Notice of Hearing - Structures for Emergency Storage
Attachments: ORD 13-01 Notice of Hearing PC.pdf

Good morning. Let me know if you have any questions about the attached notice.

Jennifer Bunch, CFM
Senior Planner

Clatsop County
Community Development
800 Exchange Street, Ste 100
Astoria, OR 97103

503-325-8611 PH
503-338-3606 FAX
www.co.clatsop.or.us

Clatsop County
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800 Exchange Street, Suite 100
Astoria, OR 97103

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



**NOTICE OF PUBLIC HEARING
BEFORE THE CLATSOP COUNTY PLANNING COMMISSION
ORDINANCE 13-01**

Legislative Amendments to the Clatsop County
Land and Water Development and Use Ordinance #80-14

DATE OF HEARING:	March 12, 2013
TIME:	10:00 AM
LOCATION:	Judge Guy Boyington Building 857 Commercial Street, Astoria, Oregon 97103
CONTACT PERSON:	Jennifer Bunch, Senior Planner

You are receiving this notice because you are considered to be an affected state or federal agency, local government, special district, or interested party.

Effective February 1, 2013, Oregon Administrative Rule 660-006-0025(4) authorizes "Storage Structures for Emergency Use" on forest lands. Clatsop County proposes legislative amendments to add the definition in section L1.030 and the conditional use in the Forest 80 (L3.554) and Agriculture Forestry (L3.518) zones. See page 2 for the proposed amendments.

NOTICE IS HEREBY GIVEN that Clatsop County's Community Development department has scheduled a public hearing on this matter before the Planning Commission at **10:00 AM on Tuesday, March 12, 2013**, at the Judge Guy Boyington Building, 857 Commercial St, Astoria, OR 97103.

Interested persons are invited to submit testimony in writing or in person by attending the hearing. Alternately, interested persons may submit testimony in writing by addressing a letter to the Clatsop County Planning Commission, 800 Exchange Street, Suite 100, Astoria, OR 97103. Written comments may also be sent via FAX to 503-338-3666 or via email to comdev@co.clatsop.or.us. Written comments must be received in this office no later than **5PM on Monday, March 11, 2013**, in order to be presented by staff at the March 12, 2013, public hearing.

NOTE: Failure of an issue to be raised in a hearing, 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 an appeal based on that issue.

Copies of all documents are available for inspection at the Planning Office during normal business hours (M-F, 8-5) at no cost and will be provided at reasonable cost. A copy of the staff report will be available for inspection at the Clatsop County Planning office at no cost at least seven days prior to the hearing and will be provided at a reasonable cost. If you have questions about this land use matter or need more information, please contact Jennifer Bunch, Senior Planner, at (503) 325-8611 or via email at jbunch@co.clatsop.or.us.

In general, the procedure for conduct of the legislative public hearing is as follows:

- Introductory statements by the Planning Commission Chair
- Planning Commission disclosures
- Staff report
- Testimony in favor and in opposition
- Staff comments
- Closure of hearing
- Planning Commission deliberation
- Planning Commission recommendation to the Board of Commissioners

The Clatsop County Board of Commissioners will consider Ordinance 13-01 at a later date and additional notice will be issued.

PROPOSED AMENDMENTS TO THE CLATSOP COUNTY
LAND AND WATER DEVELOPMENT AND USE ORDINANCE #80-14

Proposed text amendments are underlined

Add the following definition:

Section 1.030. Definitions.

As used in this Ordinance, the following words and phrases shall have the following meanings.

STORAGE STRUCTURES FOR EMERGENCY SUPPLIES -- Structures to accommodate those goods, materials and equipment required to meet the essential and immediate needs of an affected population in a disaster. Such supplies include food, clothing, temporary shelter materials, durable medical goods and pharmaceuticals, electric generators, water purification gear, communication equipment, tools and other similar emergency supplies.

Add the following use:

SECTION 3.510. AGRICULTURE-FORESTRY ZONE (AF).

Section 3.518. Conditional Development and Use.

The following developments and uses and their accessory uses may be permitted under a Type II procedure and Sections 5.000 to 5.030, subject to applicable criteria, development standards and site plan review.

- (12) Storage structures for emergency supplies to serve communities and households that are located in tsunami inundation zones, if:
- (A) Areas within an urban growth boundary cannot reasonably accommodate the structures;
 - (B) The structures are located outside tsunami inundation zones and consistent with evacuation maps prepared by DOGAMI or the local jurisdiction;
 - (C) Sites where the structures could be co-located with an existing use approved under this section are given preference for consideration;
 - (D) The structures are of a number and size no greater than necessary to accommodate the anticipated emergency needs of the population to be served;
 - (E) The structures are managed by a local government entity for the single purpose of providing for the temporary emergency support needs of the public; and
 - (F) Written notification has been provided to the County Office of Emergency Management of the application for the storage structures.

Add the following use:

SECTION 3.550. FOREST-80 ZONE (F-80).

Section 3.554. Conditional Development and Use.

The following uses and activities and their accessory uses may be permitted under a Type II procedure and Section 5.000 to 5.030, subject to applicable criteria, development standards and site plan review.

- (13) Storage structures for emergency supplies to serve communities and households that are located in tsunami inundation zones, if:
- (A) Areas within an urban growth boundary cannot reasonably accommodate the structures;
 - (B) The structures are located outside tsunami inundation zones and consistent with evacuation maps prepared by DOGAMI or the local jurisdiction;
 - (C) Sites where the structures could be co-located with an existing use approved under this section are given preference for consideration;
 - (D) The structures are of a number and size no greater than necessary to accommodate the anticipated emergency needs of the population to be served;
 - (E) The structures are managed by a local government entity for the single purpose of providing for the temporary emergency support needs of the public; and
 - (F) Written notification has been provided to the County Office of Emergency Management of the application for the storage structures.



CERTIFICATE OF MAILING

I hereby certify that I served a copy of the attached **Notice of Public Hearing** to those listed on the attached pages with postage paid and deposited in the post office at Astoria, Oregon on said day.

Date: February 15, 2013



Clancie Adams, Staff Assistant
Clatsop County, Oregon

Lewis & Clark Oregon Timber, LLC		1 SW Columbia St, Ste 1700	Portland	OR	97258
Oregon Dept. of Forestry	Attn: Cullen Bangs	92219 Highway 202	Astoria	OR	97103
City of Astoria	Attn: Paul Benoit	1095 Duane Street	Astoria	OR	97103
City of Warrenton	Attn: Kurt Fritsch	PO Box 250	Warrenton	OR	97146
City of Gearhart	Attn: Chad Sweet	PO Box 2510	Gearhart	OR	97138
City of Seaside	Attn: Mark Winstanley	989 Broadway	Seaside	OR	97138
City of Cannon Beach	Attn: Rich Mays	163 E Gower	Cannon Beach	OR	97110
Oregon Emergency Management		PO Box 14370	Salem	OR	97309-5062

Published notice to be inserted.

Exhibit 5
Public & Agency Comment

Jennifer Bunch

From: Daniels, Katherine <katherine.daniels@state.or.us>
Sent: Monday, February 25, 2013 2:28 PM
To: Jennifer Bunch
Cc: Wingard, Patrick
Subject: PAPA 001-13 re emergency structures

Hi Jennifer,

Your proposed changes to code look good. You're the first to make the change!

Cheers,
Katherine

Katherine Daniels, AICP | Farm and Forest Lands Specialist
Community Services Division
Oregon Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Office: (503) 373-0050 ext. 329 | Fax: (503) 378-5518
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CLATSOP COUNTY

Transportation and Development Services
Land Use Planning

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

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

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DEPT OF

MAY 28 2013

LAND CONSERVATION
AND DEVELOPMENT