

JUN 27 1984

IN THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

ORDINANCE 84-10

(AN ORDINANCE AMENDING THE TEXT
(OF THE CLATSOP COUNTY COMPREHENSIVE PLAN
(COMMUNITY PLANS, BACKGROUND REPORTS AND
(COUNTY-WIDE ELEMENTS AND AMENDING THE
(CLATSOP COUNTY LAND AND WATER
(DEVELOPMENT AND USE ORDINANCE 80-14, AS
(ADOPTED BY THE BOARD OF COMMISSIONERS
(AND RESCINDING INCONSISTENT PROVISIONS
(AND DECLARING AN EMERGENCY.

The Board of County Commissioners of Clatsop County, Oregon ordains as follows:

SECTION 1. SHORT TITLE.

This ordinance shall be known as the 1984 LCDC Delayed Signing In Order to Comply Statement Admendments.

SECTION 2. FINDINGS.

The Board of County Commissioners of Clatsop County, Oregon recognizes that the Clatsop County Comprehensive Plan Background Reports, County-wide Elements, Community Plans , and Clatsop County Land and Water Development and Use Ordinance No. 80-14, as amended, are in need of revision and amendment. In the interest of the health, safety and welfare of the citizens of Clatsop County and in consideration of the recommendations of the Clatsop County Planning Commission and pursuant to State law, the Board of Commissioners hereby determines the necessity of amending said Comprehensive Plan and Land and Water Development and Use Ordinance to comply with Oregon Statewide Planning Goals and Guidelines.

1 The Board of Commissioners finds that said Ordinance amendments comply
2 with the goals of the Land Conservation and Development Commission.

3 The Board of County Commissioners further determines and takes notice
4 that the adoption procedure for this ordinance amending the Clatsop County
5 Comprehensive Plan and County Land and Water Development and Use Ordinance
6 (No. 80-14) particularly complies with Goal 1 of the Land Conservation and
7 Development Commission, the Citizen Involvement Goal. The County Planning
8 Commission has sought review and comment and has conducted the public
9 hearing process pursuant to the requirements of ORS 215.050 and 215.060. A
10 Planning Commission hearing was held on June 26, 1984. The Planning
11 Commission adopted recommendations to the Board of Commissioners on June 26,
12 1984. The Board received and considered the Planning Commission's
13 recommendations on this proposed amendment. The Board of Commissioners held
14 hearings pursuant to law on this ordinance on June 27, 1984.

15 SECTION 3. CONFORMITY WITH THE LAW.

16 This ordinance shall not substitute for nor eliminate the necessity for
17 conformity with any and all laws or rules of the State of Oregon or its
18 agencies, or any ordinance, rule or regulation of Clatsop County.

19 SECTION 4. INCONSISTENT PROVISIONS.

20 This ordinance shall supercede, control and repeal any inconsistent
21 provision of the Clatsop County Comprehensive Plan and Clatsop County Land
22 and Water Development and Use Ordinance No. 80-14, as amended, or any other
23 ordinance regulation made by Clatsop County.

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1 SECTION 5. SEPARABILITY.

2 If any section, subsection, sentence, clause, phrase or any portion of
3 this ordinance is for any reason held invalid or unconstitutional by a court
4 of competent jurisdiction, such portion shall be deemed as a separate,
5 distinct, and independent provision and such holding shall not affect the
6 validity of the remaining portions of this ordinance.

7 SECTION 6. EFFECTIVE DATE.

8 This ordinance shall be in full force and effective immediately upon
9 adoption as set forth in the emergency clause.

10 SECTION 7. EMERGENCY CLAUSE.

11 In order to implement the recommendations of the Planning Commission
12 and findings of the Board with the greatest expedience and in order to
13 realize the benefits to be derived from the adoption of this ordinance to
14 the Comprehensive Plan Background Reports, County-wide Elements, Community
15 Plans and the Clatsop County Land and Water Development and Use Ordinance
16 (80-14) an emergency is declared to exist and this ordinance shall become
17 effective immediately upon its passage.

18 SECTION 8. ADOPTION CLAUSE.

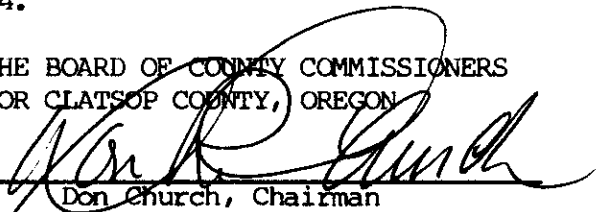
19 This Ordinance amending the Clatsop County Comprehensive Plan
20 Background Reports, County-wide Elements, Community Plans and the Clatsop
21 County Land and Water Development and Use Ordinance (80-14) attached hereto
22 and marked Exhibit A, is hereby adopted by reference and incorporated herein
23 in its entirety.

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1 ENACTED this 27th day of June, 1984.

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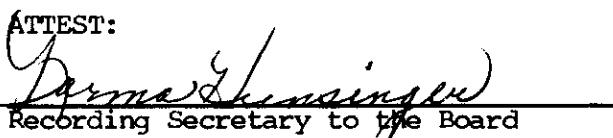
THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON


Don Church, Chairman


Joan M. Dukas, Commissioner


Roger A. Berg, Commissioner

Vote: Aye: JOAN M. DUKES, DON R. CHURCH & ROGER A. BERG
Nay: -0-
Abstention: -0-

ATTEST:

Recording Secretary to the Board

June 27, 1984
Date

Date of First Reading: June 27, 1984
Date of Second Reading: June 27, 1984

1. Amend a portion of the fourth paragraph of Section 4.438 of the Destination Resort Overlay District to read as follows (amended language is underlined):

Development pursuant to this Destination Resort Overlay District shall be reviewed and approved without reference to the provisions of the underlying zone or zones except to the extent that they proposed development includes uses permitted in those zones and not otherwise permitted in the Destination Resort Overlay District. The requirements of other applicable overlay districts and supplemental standards shall apply. A proposed zone change...

2. Amend the Goal 5 Background Report and County-wide Element of the Clatsop County Comprehensive Plan as amended (Ordinance 84-9 page 24 of Exhibit "A"). Add the word Peripheral to the last paragraph on the page (amended language is underlined) to read:

The majority of Peripheral Big Game Range is designated Conservation Forest Lands and Rural Agricultural Lands in the Comprehensive Plan and is zoned Forest-80 (F-80), Forest-38 (F-38), Exclusive Farm Use (EFU) and Agriculture-Forestry (AF-20). The remainder is designated Rural Lands...

3. Delete County-wide Forest Lands Policy No. 7(a); Seaside Rural Plan Fish and Wildlife Policy No. 6; Lewis and Clark Community Plan Fish and Wildlife Policy No. 4; Northeast Community Plan Fish and Wildlife Policy No. 12; Clatsop Plailns Community Plan Fish and Wildlife Policy No. 5; Elsie-Jewell Community Plan Fish and Wildlife Policy No. 1; and the Southwest Coastal Community Plan Open Space, Historic, Recreation, Scenic and Natural Areas Policy No. 8. Replace those policies with the following policy:

7a. Wildlife refuges:

*existing wildlife refuges which are owned/leased and managed by the Oregon Department of Fish and wildlife (ODFW) or by the United States Fish and Wildlife Service (USFWS) shall be designated Conservation-Other Resource and zoned Open Space, Parks and Recreation (OPR).

proposed wildlife management areas which are managed and either owned or leased by the ODFW located in areas designated Conservation Forest or in other lowland areas under any plan designation shall be reviewed by the County for compliance with the approval standards listed below. Such hearings shall be conducted according to a Type IV procedure at a time and place convenient to residents of the

affected planning area. ODFW shall provide an evaluation of the economic, social, environmental and energy consequences of the proposal and information sufficient to support findings with respect to the following criteria:

1. Identification of the need for the proposed new wildlife management area. "Need" means specific problems or conflicts that will be resolved or specific ODFW objectives that will be achieved by establishing the proposed area.
2. Alternative lands and management actions available to the ODFW, and an analysis of why those alternatives or management actions will not resolve identified problems or achieve objectives.
- [3. Discussion of the economic, social, environmental and energy consequences of the proposed management area.]

Underlined portions are new language. [Bracketed] language is deleted.

4. In the Goal 16 and 17 Element Columbia River Estuary Section of the Clatsop County Comprehensive Plan amend Transportation Policy 3 and Youngs Bay-Astoria Area Policy 2 to read:

Existing roads and railroads are identified as Development designations for the purpose of maintenance, repair, and necessary expansion. New roads and railroads shall be designed and located to take advantage of the natural topography and to cause minimal disruption of adjacent aquatic and shoreland areas. New roads and railroads should be located on existing uplands where feasible. No new transportation facilities, including but not limited to roads, railroads, bridge crossing, shall be located in Aquatic Natural areas or in Shoreland areas identified by Clatsop County as significant natural, scenic or historic areas.