



Clatsop County

Community Development – Planning

Exhibit B

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STAFF REPORT

Conditional Use Permit #186-23-000089-PLNG

DATE: July 19, 2023

REQUEST: Conditional Use Permit (CUP)- Type II application for a single-family dwelling subject to the "template test" per LAWDUC 4.3440(14) and 3.9180.

APPLICANT/OWNER: Jason Palmberg
PO BOX 173, Astoria, Oregon 97103

PROPERTY DESCRIPTION: T7N, R09W, Sec. 18, Tax Lot 1400 (±109.14-acres)

ZONING DESIGNATION: **AF:** Agriculture-Forestry
AC-2: Aquatic Conservation Two

OVERLAYS/LAYERS: **FHO:** Flood Hazard Overlay, AE-100 yr. zone
GHO: Compressible Soils
NWI: Freshwater Forested/Shrub Wetland
SO: Shoreland Overlay
SWI: Statewide Wetlands Inventory (regulated by the Oregon Department of State Lands)

COUNTY STAFF REVIEWER: Jason Pollack, Planner

TYPE II DECISION MAKER: Community Development Director

APPLICATION SUBMITTED: March 7, 2023

DEEMED COMPLETE: March 17, 2023 (150 days: August 14, 2023)

STAFF RECOMMENDATION: **DENIAL – The template as checked by Clatsop County GIS does not include three dwellings that existed on January 1, 1993, as outlined in LAWDUC Section 3.9190 (3)(C).**

PUBLIC COMMENTS: Clatsop County Onsite Septic

EXHIBITS:

1. CUP Application
2. Public Notice and Comments
3. Lot of Record Determination #98-686
4. National Resources Conservation Service (NRCS) - Forest Productivity Maps

APPLICATION SUMMARY

On March 7, 2023, Jason Palmberg submitted an application to Clatsop County Community Development to establish a single-family dwelling on property he owns in unincorporated Clatsop County. The subject property is described as Township 7N, Range 09W, Section 18, Tax Lot 1400, approximately 109.14 acres in size, split zoned Agriculture-Forestry Zone (AF) and Aquatic Conservation Two Zone (AC-2). The proposed single-family dwelling is within the AF Zoned portion of Tax Lot 1400. The parcel has a section of Floodplain (FHO), including Floodway and the 100-year zone. The proposed site for the dwelling is not within the floodplain. The Statewide Wetlands Inventory (SWI; regulated by the Oregon Department of State Lands) indicates Predominantly Hydric Soils on the east half of the parcel. The proposed dwelling site is outside of this area. The riverine area includes the Lewis and Clark River and Walford Johnson Creek. Additionally, the parcel is within the Shoreland Overlay District (SO); the applicants site plan confirms the proposed building site is not within the Shoreland Overlay.

According to a preliminary site plan submitted by the applicant (Exhibit 1), the proposed single-family dwelling would be located over 1,478 feet from the front property line. The front property line and access to the proposed dwelling would be via a driveway from Lewis & Clark Mainline on Tax Lot 700. Lewis & Clark Mainline is under private ownership and provides access to Lewis and Clark Road, a County road. The applicant has also shown a 60-foot by 20-foot (1,200 sq. ft.) fire truck turnaround at the terminus of the driveway adjacent to the proposed driveway. The proposed single-family dwelling will be located at least 190-feet from Walford Johnson Creek. The amount of land used to site the dwelling, fire truck turnaround, and new driveway would be approximately 0.81 acres.

Single-family dwellings can be permitted in the AF Zone under a Type II conditional use procedure subject to the “template test” per Land and Water Development and Use Code 20-03 (LAWDUC) Section 4.3440(14)(C). The application was deemed complete by staff on March 17, 2023. Notice of the application was mailed to interested parties and surrounding property owners on March 21, 2023. (Exhibit 2).

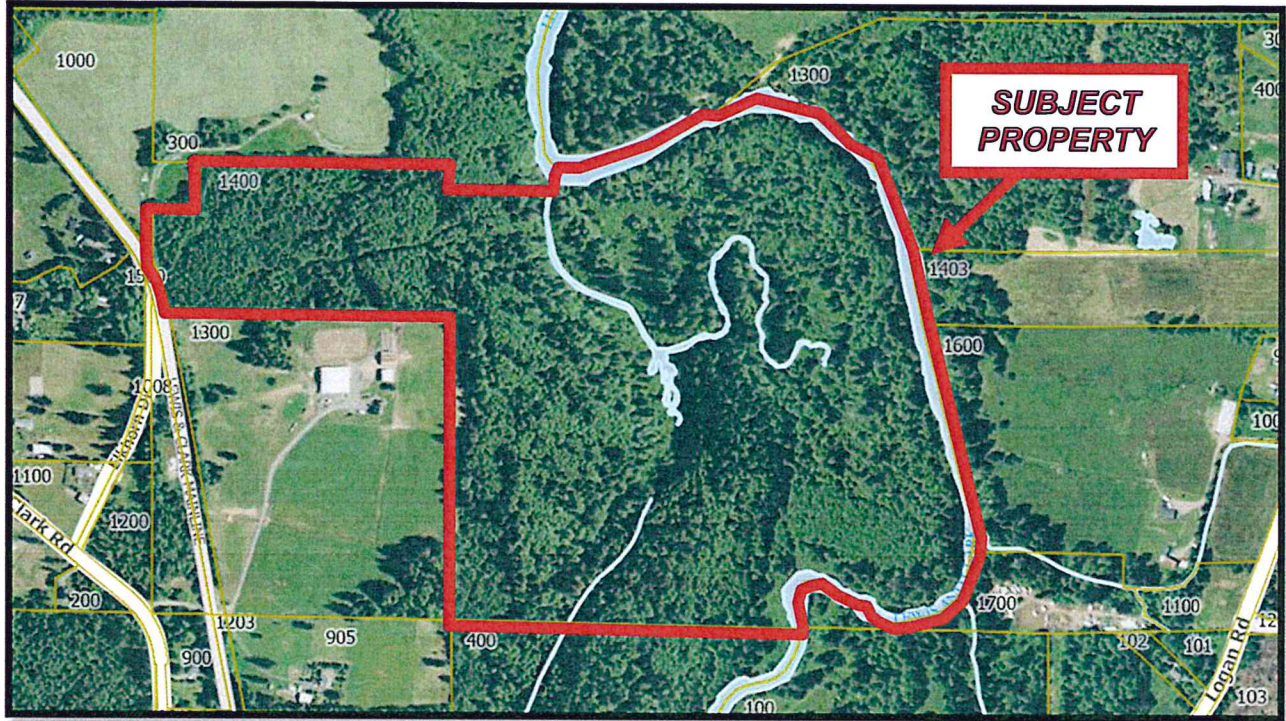
This staff report evaluates the proposal against applicable Clatsop County policies found in the Comprehensive Plan and LAWDUC.

The findings and conclusions of this report will demonstrate that the proposal meets most, but not all of the review criteria. Specifically, the applicant does not meet the requirements for a template test per LAWDUC Section 3.9190 (3)(C). As a result, staff has recommended denial of the application. The template test requirements will be discussed in further detail throughout this report below. If the final decision maker determines that the request can be approved, staff has included recommended conditions of approval to ensure compliance with the Comp Plan and LAWDUC.

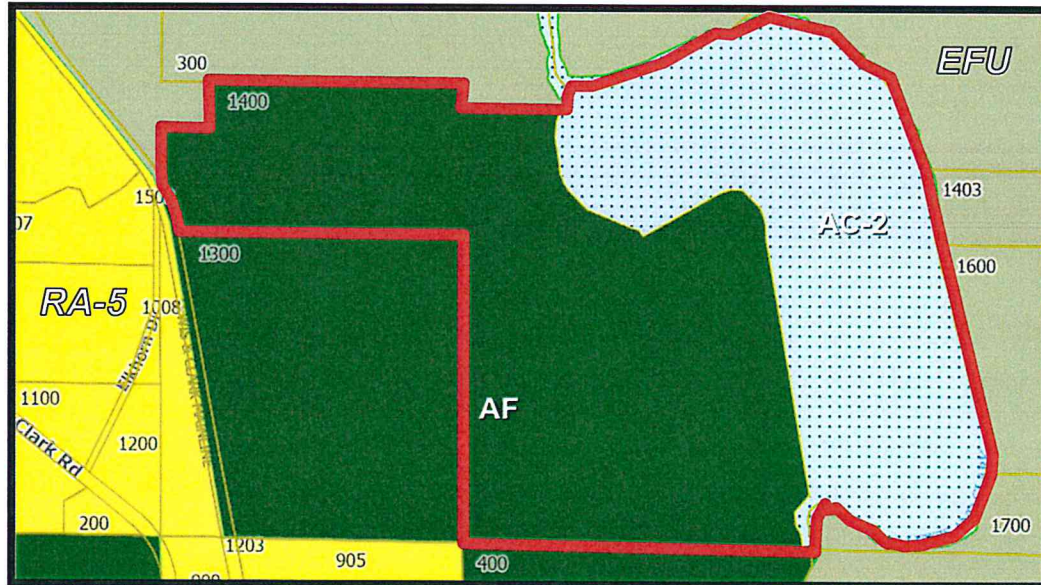
PROPERTY STATUS

According to Lot of Record Determination #98-686, August 4, 1998 (Exhibit 3), the subject property meets the definition of a “lot of record” (Section 1.0500, LAWDUC) and is a single parcel for land use purposes. Assessor records do not indicate the presence of any structures on the property.

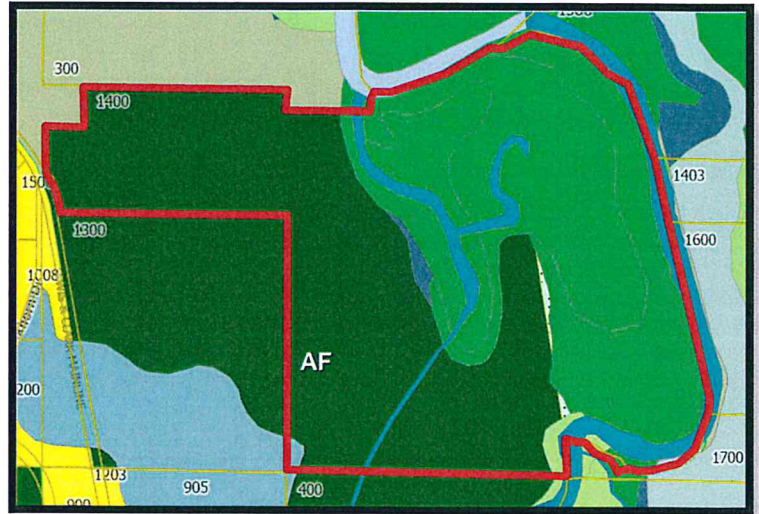
AERIAL PHOTO



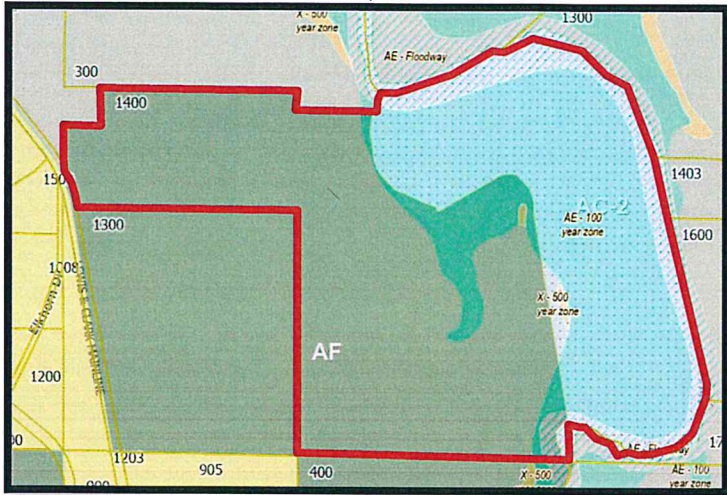
ZONING MAP



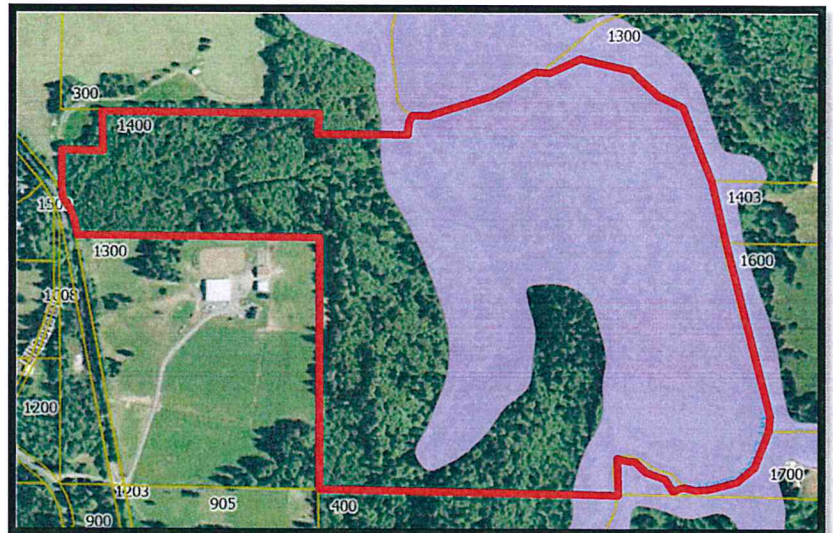
WETLANDS, NWI



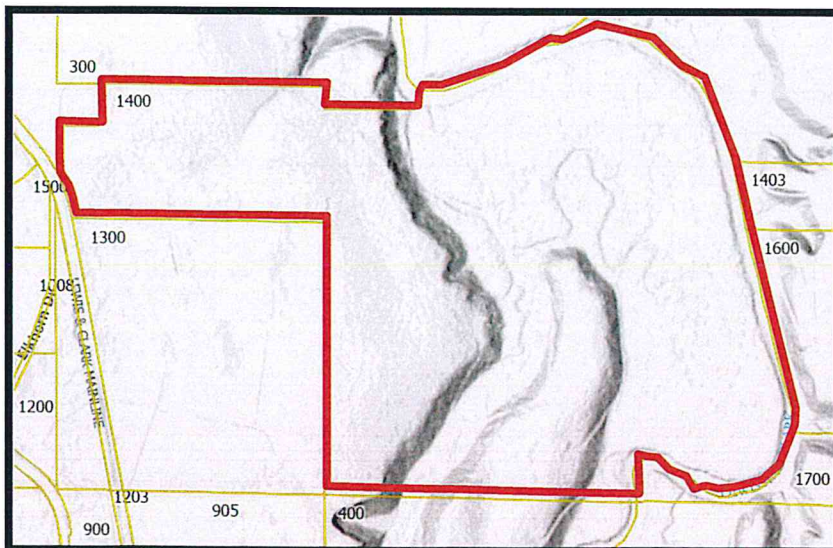
FLOOD HAZARDS - NFHL, FEMA



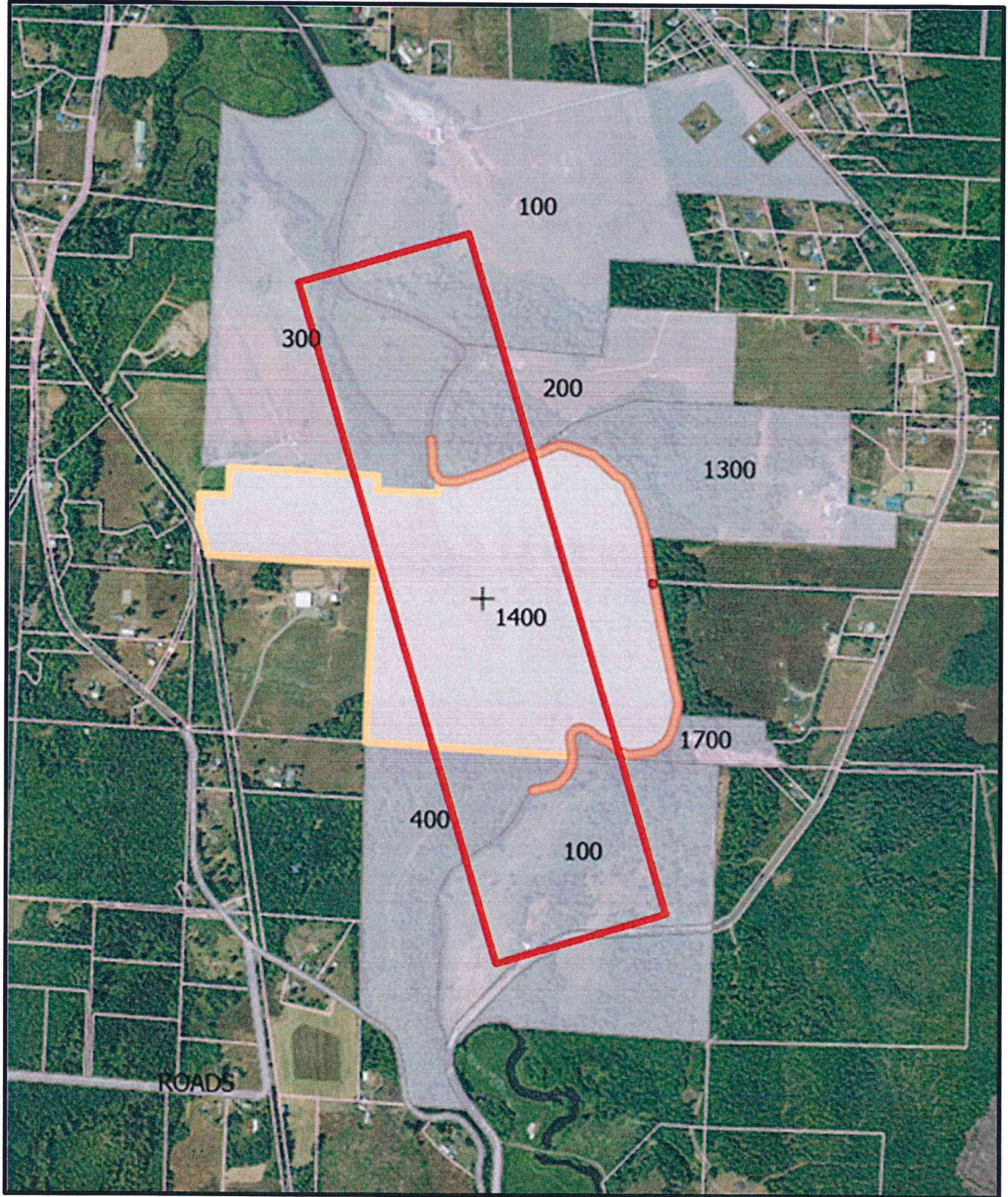
SHORELAND OVERLAY



HILLSHADE AND SLOPE



TEMPLATE WITH CENTROID



Source: Clatsop County GIS

I. APPLICABLE CRITERIA

The applicable criteria for this land use application are contained in the following documents and sources:

Land and Water Development and Use Code 20-03 (LAWDUC):

- 1.0500 Definitions
- 2.1020 Type II Procedure
- 2.2040 Mailed Notice for a Type II Procedure
- 2.2050 Procedure for Mailed Notice
- 2.4000 Conditional Development and Use
- 2.9400 Site Plan Review
- 3.2000 Erosion Control Development Standards
- 3.9180 Forest Zone Standards
- 3.9190 Residential Uses
- 3.9240 Siting Standards for Dwellings and Structures
- 3.9250 Fire Protection Standards for Dwellings and Structures
- 3.9550 Vehicle Access Control and Circulation
- 3.9800 Transportation Improvements and Road Standard Specifications
- 4.3400 Agriculture-Forestry Zone (AF)
- 5.1000 Flood Hazard Overlay District (FHO)
- 5.4100 Shoreland Overlay District (SO)

II. APPLICATION EVALUATION

The following section examines the application versus the applicable criteria.

A. Clatsop County Land and Water Development and Use Code (20-03)

ARTICLE 1. INTRODCUTORY PROVISIONS

Section 1.0500. Definitions

CENTER OF THE SUBJECT TRACT -- The mathematical centroid of the tract. [ORD 23-02]

CUBIC FOOT PER ACRE -- The average annual increase in cubic foot volume of wood fiber per acre for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS) soil survey. The cubic foot per acre value is calculated by dividing the total volume of the stand by its age, at the point where the stand reaches its maximum annual rate of growth. [Ord. 18-02]

CUBIC FOOT PER ACRE PER YEAR -- The average annual increase in cubic foot volume of wood fiber per acre for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS) soil survey. [Ord. 18-02]

ARTICLE 2. PROCEDURES FOR LAND USE APPLICATIONS.

Section 2.1020. Type II Procedure.

Section 2.2040. Mailed Notice for a Type II Procedure.

Section 2.2050. Procedure for Mailed Notice.

STAFF FINDINGS and CONCLUSION: Notice of the application was mailed to property owners within 750 feet of the subject property in accordance with the requirements of Section 2.2040 (see Exhibit 2). Comments received during the 10-day public comment period are summarized in Section III of this report. **The criteria for a Type II review procedure have been satisfied.**

ARTICLE 4. ZONES AND SPECIAL PURPOSE DISTRICTS.

SECTION 4.3400. AGRICULTURAL-FORESTRY ZONE (AF).

Section 4.3440. Conditional Development and Use.

(14) The following residences may be approved on land that was predominantly in forest use on January 1, 1993:

- (C) A single-family dwelling may be allowed subject to the “template test” described in Section 3.9190, and subject to the approval criteria and conditions in Section 3.9240, 3.9800, and 3.9190.

STAFF FINDINGS AND CONCLUSION: The applicant has requested authorization to develop the subject property with a single-family dwelling via the template test, which is a Type II conditional use in the AF Zone per Section 4.3440(14)(C), subject to applicable review criteria.

The proposed use can be permitted in the AF Zone under a Type II procedure, subject to applicable criteria, development standards and site plan review. This report will demonstrate the proposal does not comply with Section 3.9190, but could satisfy all other applicable criteria with appropriate conditions of approval. Conditions of approval are included should the final decision maker determine that the request can be approved.

Section 4.3460. Development and Use Standards.

The following standards are applicable for permitted and conditional development in this zone:

- 3) Setbacks for buildings:
 - (A) Front yard: 30 feet
 - (B) Side and rear yard: 20 feet

APPLICANT RESPONSE: The tentative site plan shows as ±1,470 ft. front yard setback, ±85 ft. side yard and ±190 ft. rear yard.

- 4) Maximum building height: 45 feet

APPLICANT RESPONSE: The subsequent dwelling will not exceed 45 feet.

- 5) Dwellings and structures in the AF Zone are subject to the F-80 siting standards in Section 3.9240 and the fire siting standards in Section 3.9250.

APPLICANT RESPONSE: The applicant’s responses to Sections 3.9240 and 3.9250 are included later in this report and demonstrate the proposal does or can satisfy the applicable criteria through conditions of approval.

STAFF FINDINGS AND CONCLUSION: The applicant has provided a preliminary site plan and responses demonstrating the siting of the proposed dwelling would satisfy the AF Zone setback requirements and building height limit, as well as the siting standards in Section 3.9240 and 3.9250, which are addressed specifically later in this report. Prior to construction, the applicant shall obtain a Type I Development

Permit and provide the Planning Division a final site plan and building plans to verify all development standards will be satisfied (Condition of Approval #1).

The proposal will satisfy the applicable AF Zone development and use standards through a condition of approval (Condition of Approval #1).

SECTION 2.4000. CONDITIONAL DEVELOPMENT AND USE.

Section 2.4020. Application for a Conditional Development and Use.

If a development and use is classified as conditional in a zone, it is subject to approval under Sections 2.4000 to 2.4050. An applicant for a proposed conditional development and use shall provide facts and evidence and a site plan in compliance with Section 2.9400 sufficient to enable the Community Development Director or hearing body to make a determination.

Section 2.4030. Authorization of a Conditional Development and Use.

(3) In addition to the other applicable standards of this ordinance, the hearing body must determine that the development will comply with the following criteria to approve a conditional development and use.

(A) The proposed use does not conflict with any provision, goal, or policy of the Comprehensive Plan.

APPLICANT RESPONSE: Since the development code (LAWDUC) is consistent with and implements the Comprehensive Plan, a single-family dwelling conditional use, by dint of the template test in LAWDUC Sections 4.3440(14)(C), does not conflict with the provisions, goals, and policies of either Goal 3 Agricultural Lands or Goal 4 Forest Lands.

(B) The proposed use meets the requirements and standards of this ordinance.

APPLICANT RESPONSE: The proposed use will meet the following standards: [applicant goes on to address applicable LAWDUC criteria; responses are included elsewhere throughout this report].

STAFF FINDINGS and CONCLUSION: Single-family dwellings can be permitted in the AF Zone, as documented above; therefore, the use has been determined to be generally compatible with the Comprehensive Plan and LAWDUC, subject to applicable criteria and appropriate conditions of approval. **This report evaluates the proposal against the applicable criteria found in the Comprehensive Plan and LAWDUC, demonstrating all criteria are satisfied or can be satisfied with conditions of approval.**

(C) The site under consideration is suitable for the proposed use considering:

- 1) The size, design, and operating characteristics of the use, including but not limited to off-street parking, fencing/buffering, lighting, signage, and building location.
- 2) The adequacy of transportation access to the site, including street capacity and ingress and egress to adjoining streets.
- 3) The adequacy of public facilities and services necessary to serve the use.
- 4) The natural and physical features of the site such as topography, natural hazards, natural resource values, and other features.

APPLICANT RESPONSE: 1) The subsequent development site will be developed in compliance with these and other development standards as necessary and appropriate.

2) Adequate transportation access to the site will be developed as described in the response under Section 3.9250(2), subject to the approval of a Public Works Department road approach permit.

3) Public facilities and services are adequate for the numerous homes developed in this area, and the applicant will obtain signoffs for the proposed new dwelling from the respective responsible agencies.

4) The topography of the subject property and area is generally suitable for the small-scale structures and infrastructure associated with single-family dwelling. The subject property is not mapped within the Geological Hazard Overlay. The parcel is mostly forested. Wetlands, which are confined to the eastern side of the property, will be avoided.

STAFF FINDINGS and CONCLUSIONS: (1) and (2): According to the applicant's tentative site plan (Exhibit 1), the proposed development consists of a single-family dwelling and new driveway access. The proposed driveway will provide access to Lewis & Clark Mainline, a private logging road on Tax Lot 700, which is owned by a private party for access to Lewis and Clark Road, a County road.

The west (front) property line is 1,478 feet from the proposed single-family dwelling. The dwelling would be sited over 1,600 feet from the Lewis and Clark River, which acts as the east (rear) property line and 190 feet from Walford Johnson Creek, which goes through the midpoint of the parcel. The northern (side) property line is 85 feet from the proposed single-family dwelling. The closest south (side) property line is over 360 feet from the proposed single-family dwelling. The furthest south property line of Tax Lot 1400 is over 1,670 feet from the proposed dwelling. The siting of an onsite septic system wasn't included on the proposed site plan (see Exhibit 1, Site Plan).

The subject property is in the AF Zone, where a single-family dwelling can be permitted as a conditional use, subject to specific siting standards, which are addressed later in this report under Section 3.9240 and 3.9250, provided the requirements of Section 3.9190 are met. Condition of Approval #1A would require submittal of a final site plan demonstrating compliance with all applicable development standards, including two off-street parking spaces. Any outdoor lighting would be required to be fully shielded and installed in accordance with Ordinance #20-02 (Condition #1B). Elements such as buffering, fencing, and signage do not apply. Grading, Drainage and Erosion Control Plan Review would be required prior to constructing the proposed driveway connection (Condition #1C), and the applicant would be required to provide documentation of road approach approval from Clatsop County Public Works and an ingress-egress easement through TL 700 (Conditions #1D). Road design and construction would have to meet the minimum requirements described in LAWDUC Section 3.9800.

(3) The subject property is within the Lewis and Clark Rural Fire Protection District. The applicant has indicated water would be provided from the Youngs River Lewis & Clark Water District, a public water system. The applicant has proposed to use an onsite septic system for sewage disposal. Comments received from the Clatsop County Onsite Septic Program (Exhibit 2) indicate a site evaluation has not been conducted and would be required prior to obtaining a construction permit. A completed Agency Review & Approval Form would have to be provided to the Planning Division prior to issuance of a development permit to provide final confirmation that all necessary facilities and services would be available to serve the proposed dwelling (Condition of Approval #1E).

(4) According to Google Earth and Clatsop County Webmaps information, there is a downward slope to Walford Johnson Creek near the midpoint of the parcel (see included Hillshade and Slope Map). The proposed site for the single-family dwelling would be flat and not situated on a slope. The mapped wetlands on the property are near the Lewis and Clark River and Walford Johnson Creek. The proposed development would not impact the wetlands. The other natural features of the site include good soil for the production of forest products on about 28.2 acres of the parcel's 109.14 acres. According to the National Resources Conservation Service (NRCS) Web Soil Survey (WSS), the predominant soil type (34.6-acres) present on the subject property is 27 – Humitropepts. The WSS does not list a rating for cubic feet per acre per year of forest productivity. The second most predominant soil type (28.2-acres) present on the subject

property is 20B – Grindbrook silt loam, identified in the WSS as capable of producing 214 cubic feet or more of wood fiber per acre per year.

Compliance with Section 2.4030(3)(A)(B)(C) could be satisfied through conditions of approval (Conditions of Approval #1A, #1C, #1D, and #1E).

(D) The proposed use is compatible with existing and projected uses on surrounding lands, considering the factors in (C) above.

APPLICANT RESPONSE: Existing uses on surrounding lands are a mix of farm and forest uses, including portions of at least three dwellings within the 160-acre one-mile-long template test rectangle aligned with the stream. The proposed single-family dwelling will follow the same established development model of dispersed rural residences on resource-land parcels.

STAFF FINDINGS and CONCLUSION: Based on the existing and projected development pattern in the area, a mix of rural acreage homesteads and farm and forestland, the placement of a dwelling on the subject property would not be expected to have a significant impact on existing or projected uses on surrounding land. Development would also have to comply with the forest-zone siting standards set forth in Sections 3.9240 and 3.9250, which would ensure compatibility with the surrounding forestland.
This criterion is satisfied.

(E) The proposed use will not interfere with normal use of coastal shorelands.

APPLICANT RESPONSE: The subject property does not include coastal shorelands.

(F) The proposed use will cause no unreasonably adverse effects to aquatic or coastal shoreland areas, and

APPLICANT RESPONSE: The subject property does not include aquatic or coastal shorelands and does not have the potential to adversely affect said lands.

STAFF FINDINGS and CONCLUSION: The parcel is only partially within the Shoreland Overlay (SO) (see SO map) and based on the provided site plan the proposed single-family dwelling, driveway, and fire department turn-around would not be within the SO Special District. Based on the applicant-supplied site plan, the dwelling would be approximately 100 feet from the SO on TL1400.
This criterion is satisfied.

(G) The use is consistent with the maintenance of peripheral and major big game habitat on lands identified in the Comprehensive Plan as Agricultural Lands or Conservation Forest Lands. In making this determination, consideration shall be given to the cumulative effects of the proposed action and other development in the area on big game habitat.

APPLICANT RESPONSE: The subject property is not within the mapped peripheral or major big game habitat areas.

STAFF FINDINGS AND CONCLUSION: The subject property is not within the mapped Peripheral Big Game Habitat or Major Big Game Habitat according to Clatsop County Webmaps. TL1400 is over 100-acres in size, the proposed single-family dwelling site, would total approximately 80' x 50' in size, as described by the applicant verbally. It is reasonable to believe big game habitat would not be significantly impacted; the property would have sufficient space for large animals transiting through or living on TL1400.
This criterion is satisfied.

SECTION 2.9400. SITE PLAN REVIEW

Section 2.9410. Site Plan Review Requirements. Before a permit can be issued for development in a special purpose district or for a conditional development and use or a development and use permitted with review, a site plan for the total parcel and development must be approved by the Community Development Director or Planning Commission. Information on the proposed development shall include sketches or other explanatory information the Director may require or the applicant may offer that present facts and evidence sufficient to establish compliance with Sections 1.1040, 1.1050 and the requirements of this Section.

STAFF FINDINGS AND CONCLUSION: The application includes a preliminary site plan (see Exhibit 1). Review and approval of a final site plan would be required prior to site preparation or construction (Condition of Approval #1).

This section would be satisfied with a condition of approval (Condition of Approval #1).

ARTICLE 3. STRUCTURE SITING AND DEVELOPMENT STANDARDS

Section 3.0040. Water Improvement Standards.

A year-round supply of at least 250 gallons of water per day by one of the following sources:

Source	Standard	Proof
Public or Community Water	Within Water Utility or area of service	Written correspondence from Water Utility stating water is available at the property line or conditions to the satisfaction of the Water Utility to make water available at the property line
Well	Existing well or easement provided no more than three (3) households use one well as a potable water source. Over three households must meet state potable requirements (ORS 448.115)	Well log data as to required quantity from certified well driller. Potability test from certified water lab.
Spring	Application from the State of Oregon Water Dept. for domestic water rights of at least .005 CFS (2.25 gals/min). Existing spring on property or easement to spring on adjacent property. Minimal development collection system and sediment box	Permit from the State of Oregon Water Resources Department for domestic water right. Certified to required quantity by Oregon Registered Engineer, Land Surveyor or qualified hydrologist. Potability test from certified water lab
River, stream, pond or hand dug well	Application from the State of Oregon Water Department for domestic water right of at least .005 CFS (2.25 gals/min)	Permit from the State of Oregon Water Resources Department for domestic water right. Potability test from certified water lab.
Rainwater Catchment System	Oregon Building Codes	Design approved by Clatsop County Building Codes

APPLICANT RESPONSE: Water will be provided by Youngs River Lewis & Clark Water District.

STAFF FINDINGS AND CONCLUSION: The applicant has proposed to satisfy Section 3.0040 by connecting to Youngs River Lewis & Clark Water District, a public water system. A letter accompanying the application from Youngs River Lewis & Clark Water District, confirms water service is available to Tax Lot 1400. The

applicant would be required to provide a completed Agency Review and Approval Form, including a signature from the water district, prior to issuance of a development permit for the proposed dwelling.
This section would be satisfied with a condition of approval (Condition of Approval #1E).

Section 3.2000. EROSION CONTROL DEVELOPMENT STANDARDS

Section 3.2010. Purpose.

The objective of this section is to manage development activities including clearing, grading, excavation and filling of the land, which can lead to soil erosion and the sedimentation of watercourses, wetlands, riparian areas, public and private roadways. The intent of this section is to protect the water quality of surface water, improve fish habitat, and preserve top soil by developing and implementing standards to help reduce soil erosion related to land disturbing activities. In addition, these standards are to serve as guidelines to educate the public on steps to take to reduce soil erosion.

STAFF FINDINGS AND CONCLUSION: Prior to site preparation and development, the applicant would be required to provide an erosion control plan to the Planning Division commensurate with Section 3.2000 (Condition of Approval #1G). Grading, Drainage and Erosion Control Plan Review would be required prior to constructing the proposed driveway connection and dwelling (Condition of Approval #1C).

This section would be satisfied with a condition of approval (Conditions of Approval #1C and 1G).

SECTION 3.9000. FARM AND FOREST ZONE STANDARDS

Section 3.9080. General Standards.

(2) Single-family dwelling deeds. The landowner shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

APPLICANT RESPONSE: Following approval of the Template Test, the applicant shall record such instrument in the deed records.

STAFF FINDING AND CONCLUSION: This deed requirement, commonly referred to locally as a Waiver of Remonstrance, must be required as a condition of approval if the final decision maker determines the request can be approved (Condition of Approval #2).

SECTION 3.9180. FOREST ZONE STANDARDS. [Ord. 18-02]

Section 3.9190. Residential Uses.

(3) A single family "template" dwelling authorized under ORS 215.750 on a lot or parcel located within a forest zone if the lot or parcel is predominantly composed of soils that are:

(A) Capable of producing zero to 49 cubic feet per acre per year of wood fiber if:

1. All or part of at least three other lots or parcels that existed on January 1, 1993, are within a 160 acre square centered on the center of the subject tract; and
2. At least three dwellings existed on January 1, 1993 and continue to exist on the other lots or parcels.

(C) Capable of producing more than 85 cubic feet per acre per year of wood fiber if:

1. All or part of at least 11 other lots or parcels that existed on January 1, 1993, are within a 160 acre square centered on the center of the subject tract; and
2. At least three dwellings existed on January 1, 1993 and continue to exist on the other lots or parcels.

(D) Lots or parcels within urban growth boundaries shall not be used to satisfy eligibility requirements.

(E) A dwelling is in the 160-acre template if any part of the dwelling is in the 160-acre template.

(F) Except as provided by paragraph (G), if the subject tract abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and 1/4-mile-wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road.

(G) The following applies where a tract 60 acres or larger abuts a road or perennial stream.

1. The measurement shall be made in accordance with paragraph (F). However, one of the three required dwellings shall be on the same side of the road or stream as the tract, and:
 - a) Be located within a 160-acre rectangle that is one mile long and one-quarter mile wide centered on the center of the subject tract and that is, to the maximum extent possible aligned with the road or stream; or
 - b) Be within one-quarter mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.

(H) A proposed "template" dwelling under this ordinance is not allowed:

1. If it is prohibited by or will not comply with the requirements of an acknowledged comprehensive plan, acknowledged land use regulations, or other provisions of law;
2. Unless it complies with the requirements of Sections 3.9240 and 3.9250;
3. Unless no dwellings are allowed on other lots or parcels that make up the tract and deed restrictions established under paragraph (1)(C) or 4.3500(4) for the other lots or parcels that make up the tract are met; or
4. If the tract on which the dwelling will be sited includes a dwelling.

APPLICANT RESPONSE: According to the NRCS Clatsop County Soil Survey, the predominant soils on the parcel are Capability Class III, IV, and VI, which have relatively poor potential for wood fiber production. Neither the NRCS nor the Oregon Department of Forestry have bestowed productivity ratings on the soil types (Webmaps contains Site Class designations that differ, but Webmaps does not quantify productivity). Hence, as advised by Oregon Dept. of Forestry staff and Clatsop County Planning staff, the property is considered to be capable of producing zero to 49 cubic feet per acre per year of wood fiber and is therefore subject to 3.9190(3)(A). See attached soil survey notes.

STAFF FINDINGS AND CONCLUSION: According to the Natural Resources Conservation Service (NRCS) Web Soil Survey (WSS) (Exhibit 4), the predominant soil type within the AF Zone (34.6-acres) present on the subject property is 27 – Humitropepts, the WSS does not list a rating for cubic feet per acre per year of forest productivity. The second most predominant soil type within the AF Zone (28.2-acres) present on the subject property is 20B – Grindbrook silt loam, identified in the WSS as capable of producing 214 cubic feet or more of wood fiber per acre per year. Because the soil productivity is greater than 85 cubic feet of wood fiber per acre per year, Section 3.9190(3)(C) applies, requiring at least three dwellings and 11 other lots or parcels that existed on January 1, 1993, within a 160-acre rectangular template centered on the subject property.

The applicant is using a rectangular template, as provided in Section 3.9190(3)(G), which requires the 160-acre template to be centered on the center of the subject property. Exhibit 1 includes a map of the applicant's proposed alignment, which, based on staff analysis, appears to show the correct dimensions for the template and is centered on the center of the subject property.

By no later than November 1, 2023, Clatsop County is required by HB 2225 to determine the mathematical centroid of a tract as part of the review for a template test in order to ensure existing law regarding new forest dwellings, under ORS 215.750, is being applied and interpreted by local jurisdictions in a manner consistent with the original purpose of the statute. The Board of Clatsop County Commissioners adopted Ordinance 23-02 on February 22, 2023, which amended the Land and Water Development and Use Code (LAWDUC), Section 1.0500, to define "center of the subject tract" as the mathematical centroid of the tract. At this time, Clatsop County Community Development uses the centroid to determine the center of the subject tract for placement of the 160-acre template for template tests. The mathematical centroid applies to all template shapes, whether square or rectangular.

Recognizing the Legislature's intent to remove ambiguity and inconsistency from the way criteria for forest template dwellings are applied and interpreted, Clatsop County Community Development has further refined its template test procedure. LAWDUC Section 3.9190 3)(F-G) provide that a rectangular template one mile long by 1/4 mile wide may be used for tracts that abut a road that existed in January 1, 1993, or, in the case where a tract is 60 acres or larger, the tract abuts a road or perennial stream. Section 3.9190 3)(F-G) both stipulate the center of the rectangle is "aligned with" the road or stream "to the maximum extent possible."

To alleviate subjectivity when determining whether the alignment is to the maximum extent possible, Clatsop County GIS staff, at the request of Community Development, researched and evaluated a Linear Directional Mean ("LDM") tool by ESRI. LDM takes a collection of lines and calculates the average of the direction and length. The statistic used to calculate the trend is known as the directional mean. While the statistic itself is termed the directional mean, it is used to measure either direction or orientation. Staff finds this tool objectively calculates the alignment for the rectangular template with the road or perennial stream to the maximum extent possible, reducing subjectivity and error.

Calculating the directional mean of a one-mile road or stream segment, centered on the frontage of the subject property abutting the road or stream, to determine the appropriate alignment of the rectangular template, is consistent with the one-mile length of the rectangular template (see GIS #1 and GIS #2 below). The result is a determination of alignment that is consistent and objective and in keeping with the intent of the Legislature to apply template test criteria without bias or error.

Community Development staff will use this method to determine template alignment for rectangular templates unless new legislation supersedes use of this tool.

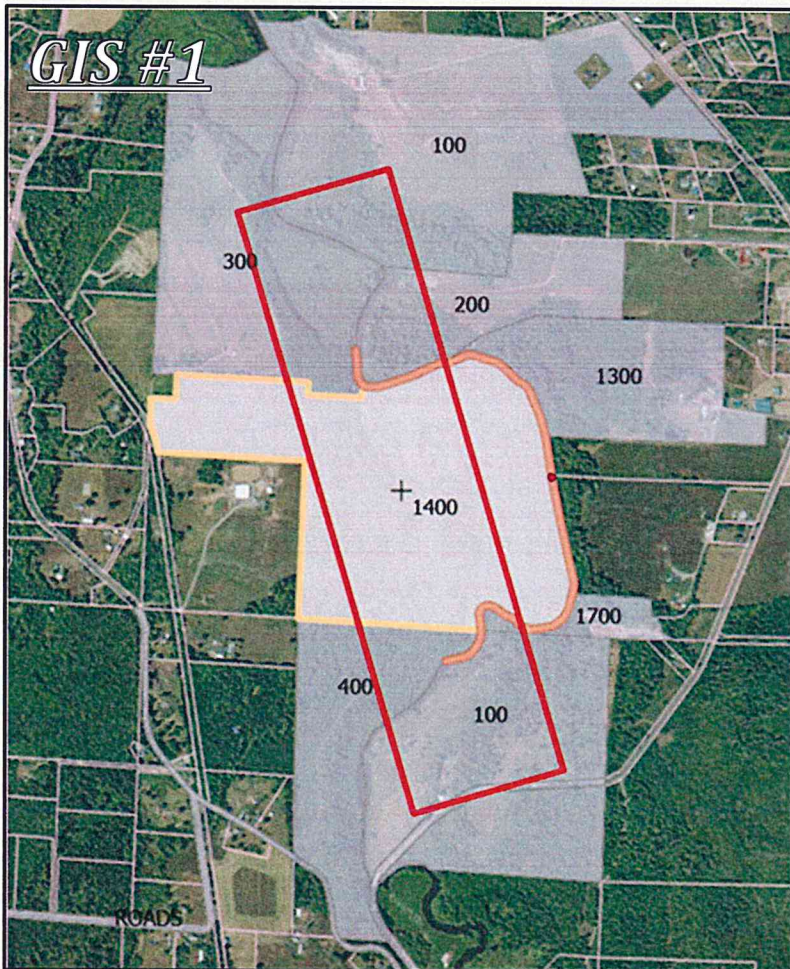
The applicants proposed template placement and alignment does not satisfy the requirements of a 160-acre rectangle per Section 3.9190(3)(G)(A). The proposed template provided by the applicant is not in alignment with a perennial stream or the road as Clatsop County Community Development staff understand Section 3.9190(3)(A) and (3)(G).

Exhibit 1 also includes a table prepared by the applicant which lists the parcels and dwellings within the proposed template. According to the provided application and supporting maps, the template contains 14 lots or parcels in addition to the subject property that existed on January 1, 1993, as well as three dwellings that existed on January 1, 1993 and continue to exist. Staff confirmed this information with County Assessor information. The applicant-prepared information was based on meeting the requirements of Section 3.9190(3)(A) and (G). After reviewing NRCS WSS information it was determined that the application would be required to meet the requirements of 3.9190(3)(C) and (G), which requires all or part of at least 11 other lots or parcels that existed on January 1, 1993, are within a 160-acre rectangle aligned with the road or stream on the center of the subject tract; and have at least three dwellings which existed on January 1, 1993 and continue to exist on the other lots or parcels.

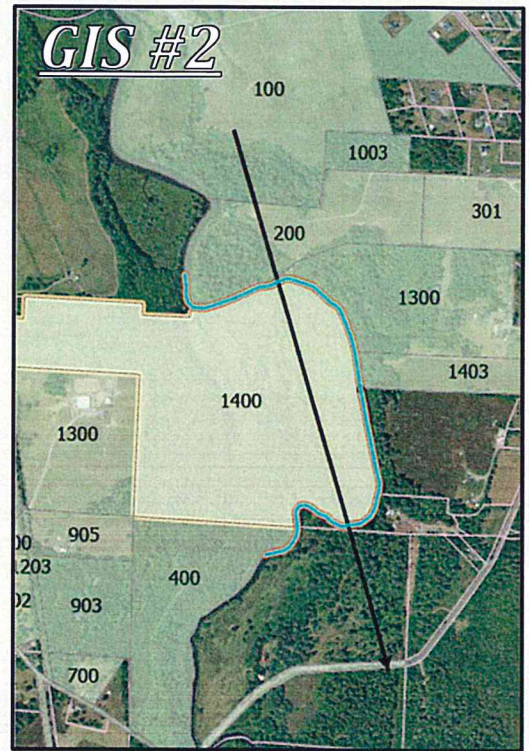
Staff have concluded that only one parcel contains a dwelling within the template created by Clatsop County GIS, as reviewed above. The proposed template does not meet the requirements of

Section 3.9190(3)(C), (E), and (G), as the template does not include three dwellings which existed on January 1, 1993.

MAP ID#	Date Created	Dwelling Within Template
709170001300	1971	-
709170001700	1952	-
709180000100	1973	-
709180000200	1965	-
709180000300	1956	-
709180001400	1961	-
709190000100	1957	1965
709190000400	1955	-



Source: Clatsop County GIS



With regard to subsection (H):

- (1) This staff report demonstrates the proposal does not satisfy all applicable requirements of Clatsop County Land Use regulations. Specifically, LAWDUC Section 3.9190 (3)(C).
- (2) The proposal is evaluated against the requirements of Sections 3.9240 and 3.9250, below, finding the criteria could be met through conditions of approval.
- (3) The subject property is not part of a tract. This criterion does not apply.
- (4) There are no dwellings currently sited on the subject property.

The proposal does not satisfy the criteria listed in Section 3.9190(3)(H), specifically subsection one.

Section 3.9230. Conditional Use Review Criteria

A use authorized in a forest zone by Sections 4.3400 and 4.3500 may be allowed provided the following requirements or their equivalent are met. These requirements are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands.

- 1) The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.
- 2) The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.
- 3) A written statement recorded with the deed or written contract with the county or its equivalent is obtained from the land owner that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for uses authorized in OAR 660-006-0025 Subsection 5(c).
- 4) The proposed use will be compatible with vicinity uses, and satisfies all relevant requirements of this ordinance and the following general criteria:
 - (A) The use is consistent with those goals and policies of the Comprehensive Plan which apply to the proposed use;
 - (B) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features;
 - (C) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
 - (D) The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
 - (E) The use is or can be made compatible with existing uses and other allowable uses in the area.

STAFF FINDINGS AND CONCLUSION:

(1) The subject property is irregular in shape and follows the shape of the Lewis and Clark River on its East boundary. The subject property is approximately 109.14 acres, predominantly surrounded by land in the EFU and AF Zones. The west property line is adjacent to the RA-5 Zone. According to the applicant's proposed site plan (Exhibit 1), the proposed dwelling would be sited approximately 1,478 feet from the west property line for access to Lewis & Clark Mainline (Front). The dwelling would be sited approximately 190 feet from the Walford Johnson Creek, which goes through the midpoint of the parcel. The proposed dwelling would be over 1,600 feet from the eastern (rear) property line. The northern (side) property line is 85 feet from the proposed single-family dwelling. The closest south (side) property line is over 360 feet from the proposed single-family dwelling. The furthest south property line of Tax Lot 1400 is over 1,670 feet from the proposed dwelling (see Exhibit 1, Site Plan).

Based on the existing development pattern in the area (a mix of rural homesteads, farms and forestland), the proximity of development to the road, and compliance with Subsections 2, 3, and 4, below, the placement of the dwelling would not be expected to force a significant change in, or significantly increase the cost of accepted farming or forest practices on surrounding land. Additionally, the proposal would be required to comply with Section 3.9240, Siting Standards for Dwellings and Structures, and Section 3.9250, Fire Protection Standards for Dwellings and Structures, both of which have been devised to mitigate potential impacts to forest uses on surrounding land.

This criterion is satisfied.

(2) The subject property is served by the Lewis and Clark Rural Fire Protection District. Condition #1E would require the applicant to submit an Agency Review & Approval Form, signed by the fire department, to confirm the department has the capacity to serve the proposed development. Condition #4 would require compliance with Section 3.9250, Fire Protection Standards for Dwellings and Structures, which is specific to forest zones.

Through compliance with development standards and conditions of approval, the proposed development would not be anticipated to significantly increase fire hazard, fire suppression costs, or risks to fire suppression personnel (Conditions of Approval #1E and #4).

Condition #2 would require the landowner to sign and record a written statement in accordance with this section.

This criterion would be satisfied with a condition of approval (Condition of Approval #2).

The criteria in this section are the same as those found in Section 2.4000 Conditional Use Review Criteria. The staff findings for Section 2.4000 demonstrate the proposed development would satisfy these criteria.

These criteria are satisfied or would be satisfied through conditions of approval.

Section 3.9240. Siting Standards for Dwellings and Structures.

The following siting criteria or their equivalent shall apply to all new dwellings and structures in forest zones. These criteria are designed to make such uses compatible with forest operations, to minimize wildfire hazards and risks and to conserve values found on forest lands. A governing body shall consider the criteria in this section together with the requirements of Section 3.9250 to identify the building site:

(1) Dwellings and structures shall be sited on the parcel so that:

- (A)** They have the least impact on nearby or adjoining forest or agricultural lands;
- (B)** The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;
- (C)** The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and
- (D)** The risks associated with wildfire are minimized.

(2) Siting criteria satisfying subsection (1) of this section may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.

APPLICANT RESPONSE: The tentative site plan places the dwelling at the maximum distance possible from adjacent forest lands and in a location that is reasonably close to the road.

STAFF FINDINGS AND CONCLUSION: (1)(A) The subject property covers approximately 109.14 acres. According to the applicant's tentative site plan, the proposed dwelling would be sited in the middle of the property, over 1,600-feet from the Lewis and Clark River. The land surrounding the subject property is predominantly in forest and agricultural use with a development pattern that includes small-acreage lots developed with single-family dwellings and accessory structures near the road frontage. Many of the homesites appear to include small forested lot and/or farm uses. Considering the proposal would be

consistent with this development pattern, the proposed siting would not be expected to have a significant impact on nearby or adjoining forest or agricultural lands.

This criterion is satisfied.

(1)(B) As described in Subsection (1)(A), the subject property covers 109.14 acres. The proposed dwelling would be sited approximately 1,478-feet from the front property line. The proposed siting would ensure that any adverse impacts on farm and/or forest uses on the property would be minimized.

This criterion is satisfied.

(1)(C) The amount of land used to site the proposed dwelling, as verbally described by the applicant would be 80'x 50' in size, or 4,000 sq. ft, not including the fire truck turnaround, and the new access driveway. Access to the dwelling would be via a driveway access from a private logging road (Lewis & Clark Mainline) through Tax Lot 700 for access to Lewis and Clark Road, a County road. The developed area would be situated close to current development on adjacent properties and the new driveway would not be expected to create an impediment to forest uses.

This criterion is satisfied.

(1)(D) As described in greater detail, below, the proposed development would be required to satisfy the fire protection standards set forth in Section 3.9250.

If the final decision maker determines that the request can be approved, a final site plan shall be required as part of the development permit application, ensuring the final configuration complies with the applicable fire protection standards to minimize wildfire risks (Conditions of Approval #1A and #4).

The siting standards in Section 3.9240 are satisfied or will be satisfied through conditions of approval (Conditions of Approval #1A and #4).

(3) The applicant shall provide evidence to the County that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices rules (OAR Chapter 629). For purposes of this subsection, evidence of a domestic water supply means:

(A) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or

(B) A water use permit issued by the Water Resources Department for the use described in the application; or

(C) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the County upon completion of the well.

STAFF FINDINGS AND CONCLUSION: The applicant has indicated water would be supplied from the Youngs River Lewis & Clark Water District, a public water system.

This criterion would be satisfied with a condition of approval (Conditions of Approval #1E and #1G).

(4) As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.

STAFF FINDINGS AND CONCLUSION: The applicant has proposed to access the property via a private logging road through TL700 (Lewis & Clark Mainline) which is owned by a private party. If the final decision maker determines that the request can be approved, the applicant shall provide proof of an access easement in accordance with this section.

This criterion would be satisfied with a condition of approval (Condition of Approval #1D).

- (5) Approval of a dwelling shall be subject to the following requirements:
- (A) Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules. "Tract" means one or more contiguous lots or parcels in the same ownership.
 - (B) The Community Development Department shall notify the County Assessor of the above condition at the time the dwelling is approved.
 - (D) The county governing body or its designate shall require as a condition of approval of a single-family dwelling under ORS 215.213, 215.383 or 215.284 or otherwise in a farm or forest zone, that the landowner for the dwelling sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937. A governing body shall consider the criteria in this section together with the requirements of Section 3.9250 to identify the building site.

APPLICANT RESPONSE: The applicant shall ensure that the property is stocked to comply with current Department of Forestry requirements.

STAFF FINDINGS AND CONCLUSION: Pursuant to Subsection (5)(A), the applicant is required to demonstrate the property would meet Oregon Department of Forestry (ODF) stocking requirements. A stocking report shall be provided to the Planning Division prior to issuance of a development permit (Condition #3), if the final decision maker determines that the request can be approved.

Subsection (5)(D) would be satisfied by Condition #2, which requires signing and recording of a Waiver of Remonstrance, a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for injury from farming or forest practices for which no claim is allowed under ORS 30.936 or 30.937 acknowledging the activities on adjacent resource lands would not conflict with the use of the property as a dwelling.

This section would be satisfied through conditions of approval (Conditions of Approval #2 and #3).

Section 3.9250. Fire Protection Standards for Dwellings and Structures.

The following fire-siting standards or their equivalent shall apply to all new dwelling or structures in a forest zone:

- (1) The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. (Remainder of section inapplicable.)

APPLICANT RESPONSE: The subject parcel is within the Lewis and Clark Fire Protection District.

- (2) Road access to the dwelling shall meet road design standards described in OAR 660-006-0040.

APPLICANT RESPONSE: This OAR statute states that, "The governing body shall establish road design standards...which ensure that public roads, bridges, private roads and driveways are constructed so as to provide adequate access for firefighting equipment." The proposed driveway developed from Lewis and Clark Road will provide adequate access for fire apparatus, subject to the approval of the Lewis and Clark Fire Chief.

- (3) The owners of the dwellings and structures shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, published by the Oregon Department of Forestry; and shall also demonstrate compliance with Table 3.1.

APPLICANT RESPONSE: The owners shall maintain primary and secondary fuel-free break areas in compliance with Table 3.1 and ODF standards.

- (4) The dwelling shall have a fire-retardant roof.

APPLICANT RESPONSE: The dwelling will have a fire-retardant roof.

- (5) The dwelling shall not be sited on a slope of greater than 40 percent.

APPLICANT RESPONSE: The subject property does not contain any slopes greater than 40 percent.

- (6) If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.

APPLICANT RESPONSE: Each chimney in the dwelling will be fitted with a spark arrester.

STAFF FINDINGS AND CONCLUSION: (1) The subject property is in the Lewis and Clark Rural Fire Protection District. Condition #1E require submittal of a completed Agency Review & Approval Form, which would confirm the fire department is able to serve the proposed development.

This criterion would be satisfied with a condition of approval (Condition of Approval #1E).

(2) OAR 660-006-0040 requires local jurisdictions to establish road design standards for private roads and driveways to provide adequate access for firefighting equipment. The standards are required to "address maximum grade, road width, turning radius, road surface, bridge design, culverts, and road access taking into account seasonal weather conditions." Clatsop County's road design and construction standards for private roads and driveways are found in Section 3.9800. The applicant has proposed to access the subject property via a new driveway with access to Lewis & Clark Mainline (Tax Lot 700), a private logging road, under different ownership. Condition of Approval #1D would require the applicant to provide the Planning Division with documentation of the easement access to Lewis & Clark Mainline, prior to issuance of a development permit. The driveway shall be a minimum width of 10 feet and maximum width of 24 feet.

This criterion will be satisfied with a condition of approval (Condition of Approval #1D).

(3)-(6) The applicant would be required to demonstrate the final design complies with these criteria prior to issuance of a development permit (Condition #4).

The criteria set forth in Subsections (3)-(6) would be satisfied with a condition of approval (Condition of Approval #4).

Table 3.1. Minimum Primary Safety Zone.

Slope	Feet of Primary Safety Zone	Feet of Additional Primary Safety Zone Down Slope
0%	30	0
10%	30	50
20%	30	75
25%	30	100
40%	30	150

STAFF FINDINGS AND CONCLUSION: Based on Clatsop County Webmaps data and Google Earth imagery, the proposed site for the single-family dwelling is relatively flat. However, a condition of approval would require the applicant's final site plan to indicate the slopes surrounding the dwelling site and depict the required safety zone boundary around the propose single-family dwelling (Condition #1A).
This criterion would be satisfied with a condition of approval (Condition of Approval #1A).

SECTION 3.9500. VEHICLE ACCESS CONTROL AND CIRCULATION

Section 3.9530. Clear Vision Area (Ord. 21-05)

A clear vision area shall be maintained on the corners of all property at the intersection of two streets or a street and a railroad.

Section 3.9540. Access Control Standards

8) **Number of Access Points.** For single-family (detached and attached), two-family, and three-family housing types, one street access point is permitted per lot, when alley access cannot otherwise be provided;

10) **Street Connectivity and Formation of Blocks Required.** In order to promote efficient vehicular and pedestrian circulation throughout the county, land divisions and large site developments, as determined by the Community Development Director, shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

(C) **Driveway Openings.** Driveway openings or curb cuts shall be the minimum width necessary to provide the required number of vehicle travel lanes (12 feet for each travel lane). The following standards (i.e., as measured where the front property line meets the sidewalk or right-of-way) are required to provide adequate site access, minimize surface water runoff, and avoid conflicts between vehicles and pedestrians:

1. Single family, two-family, and three-family uses shall have a minimum driveway width of 10 feet, and a maximum width of 24 feet.

11) **Fire Access and Parking Area Turn-Arounds.** A fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing public street or approved fire equipment access drive, or an alternative acceptable to the local Fire District and Public Works Director, County Engineer or designee. Parking areas shall provide adequate aisles or turn-around areas for service and delivery vehicles so that all vehicles may enter the street in a forward manner. For requirements related to cul-de-sacs, please refer to Section 3.9620(10) - Cul-de-Sac.

13) **Vision Clearance.** See Section 3.6530. Clear Vision Area.

14) **Vision Clearance.** See Section 3.6530. Clear Vision Area.

15) **Construction.** The following development and maintenance standards shall apply to all driveways and private streets, except that the standards do not apply to driveways serving one single-family detached dwelling:

- (A) **Surface Options.** Driveways, parking areas, aisles, and turn-arounds may be paved with asphalt, concrete or comparable surfacing, or a durable non-paving material may be used to reduce surface water runoff and protect water quality. Paving surfaces shall be subject to review and approval by the Public Works Director, County Engineer or designee.

- (B) **Surface Water Management.** When a paved surface is used, all driveways, parking areas, aisles and turn-arounds shall have on-site collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with standards approved by the Public Works Director, County Engineer or designee.
- (C) **Driveway Aprons.** Driveway approaches or “aprons” are required to connect driveways to the public right-of-way when the existing roadway is constructed of asphalt or concrete. Driveway aprons shall be paved with concrete or asphalt surfacing.

STAFF FINDINGS AND CONCLUSION:

Access and Driveway:

According to the applicant’s site plan (Exhibit 1), access to the proposed dwelling would be via a private access driveway from Lewis & Clark Mainline. The proposed driveway would include a firetruck turn-around, and then continue approximately 100 feet from the firetruck turn-around to the proposed single-family dwelling. The proposed driveway would connect to Lewis & Clark Mainline which is within Tax Lot 700. Tax Lot 700 and Lewis & Clark Mainline are under private ownership and would be used to access Lewis and Clark Road, a County road. The applicant or property owner shall provide the Planning Division with documentation of the easement access to Lewis & Clark Mainline, prior to issuance of a development permit. The driveway shall be a minimum width of 10 feet and maximum width of 24 feet.

This section would be satisfied with a condition of approval (Condition of Approval #1D).

Fire Access and Parking Area Turn-Arounds:

Parking areas shall provide adequate aisles or turn-around areas for service and delivery vehicles so that all vehicles may enter the street in a forward manner. The two (2) required parking spaces for the single-family dwelling should not be included be within the 60-foot by 20-foot fire truck turn-around adjacent to the proposed single-family dwelling.

This criterion would be satisfied with a condition of approval (Condition of Approval #1 (A)(i)).

Construction:

A Grading, Drainage and Erosion Control Plan Review would be required prior to constructing the proposed driveway and dwelling.

This section would be satisfied with a condition of approval (Condition of Approval #1C).

SECTION 3.9800. TRANSPORTATION IMPROVEMENTS AND ROAD STANDARD

SPECIFICATIONS FOR DESIGN AND CONSTRUCTION

Section 3.9810. General Road and Access Policies (Ord. 21-05)

4) Standards, Generally:

- (A) The following are a variety of types or forms of access used to gain ingress and egress to property within Clatsop County:

8. Private roads

STAFF FINDINGS AND CONCLUSION: Access to the proposed dwelling would be via a private access driveway from Lewis & Clark Mainline. The proposed driveway would connect to Lewis & Clark Mainline which is within Tax Lot 700. Tax Lot 700 and Lewis & Clark Mainline are under private ownership and would be used to access Lewis and Clark Road, a County road.

This section would be satisfied with a condition of approval (Condition of Approval #1D).

III. COMMENTS RECEIVED

Clatsop County Public Health: Annette Brodigan, permit technician for the Onsite Septic program, said there were no records of a septic site evaluation for the subject property and that the applicant will be required to apply for the site evaluation report with Clatsop County Public Health prior to development.

STAFF RESPONSE: Condition of approval #1E would require the applicant to provide a completed Agency Review and Approval Form, which would include a signature from the Onsite Septic program, prior to issuance of a development permit for the proposed dwelling.

IV. CONCLUSION AND DECISION

Based on the findings presented in this report, staff recommends DENIAL of the conditional use request. While the proposal does or can satisfy most of the applicable criteria, the evidence in the record does not support a determination that the subject property meet the requirements of a template test per LAWDUC Section 3.9190(3)(C).

IF THE FINAL DECISION-MAKER FINDS THAT THE REQUEST IS ABLE TO BE APPROVED, STAFF RECOMMENDS THE FOLLOWING CONDITIONS OF APPROVAL AND REGULATIONS:

1. Prior to construction, the applicant shall obtain a Type I Development Permit from the Planning Division and all appropriate building permits from the Building Codes Division. The Development Permit application shall include the following items:
 - A. A final site plan per LAWDUC Section 4.3400 (AF Zone development standards), Section 3.9250 (Fire Protection Standards for Dwellings and Structures), and Section 3.9540 (Access Control Standards);
 - i. The applicant shall show the location of two (2) parking spaces for the single-family dwelling per Section 3.0060 (Minimum Off-Street Parking Space Requirements), and these parking spaces shall not be within the fire truck turn-around as reviewed in Section 3.9540 (Access Control Standards);
 - B. An outdoor lighting plan commensurate with Ordinance 20-02;
 - C. Grading, Drainage and Erosion Control Plan Review application for the proposed driveway access and house.
 - D. Documentation of the easement access to Lewis & Clark Mainline for access to Lewis and Clark Road and the driveway shall be a minimum width of 10 feet and maximum width of 24 feet.;
 - E. A completed Agency Review & Approval Form;
 - F. An erosion control plan commensurate with Section 3.2000 Erosion Control Development Standards;
 - G. Verification of an adequate year-round supply of potable water in accordance with Section 3.0040 and Section 3.9240(3).
2. The landowner for the parcel shall sign and record in the deed records for the County a Waiver of Remonstrance binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937. Community Development shall be provided with a copy of the recorded document prior to the issuance of the development permit for the dwelling.

3. A sufficient number of trees shall be planted on the property in accordance with Oregon Department of Forestry (ODF) stocking requirements. The applicant/owner shall provide the Land Use Planning Division documentation that the property satisfies the ODF requirements.
4. All development shall comply with the following fire protection standards:
 - A. The owners of the dwellings and structures shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the structures that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, published by the Oregon Department of Forestry; and shall also demonstrate compliance with Table 3.1.
 - B. All structures shall have a fire-retardant roof.
 - C. Structures shall not be sited on a slope of greater than 40 percent.
 - D. If the structure has a chimney or chimneys, each chimney shall have a spark arrester.

OTHER REGULATIONS ALSO APPLY, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

1. Development shall comply with all applicable state, federal and local laws and regulations. Copies of all required state and/or federal permits shall be provided to the Planning Division.
2. Authorization of a conditional use dwelling in the AF zone shall be void after four years unless substantial construction or action pursuant thereto has taken place as defined in Section 1.0500. However, the County may, at the discretion of the Community Development Director, extend authorization for an additional two years upon request, provided such request is submitted in writing at least 10 days and not more than 30 days prior to expiration of the permit. The county may approve no more than five additional one-year extensions of a permit if:
 - a) The applicant makes a written request for the additional extension period prior to the expiration of an extension;
 - b) The applicable residential development statute has not been amended following the approval of the permit; and
 - c) An applicable rule or land use regulation has not been amended following the issuance of the permit, unless allowed by the county, which may require that the applicant comply with the amended rule or land use regulation.
 - d) An extension of a permit under subsection (2) of this section is not a land use decision as defined in ORS 197.015. [ORD. 23-02]

Exhibit 1:

CUP Application



Clatsop County
Community Development
800 Exchange Street, Suite 100
Astoria, Oregon 97103
Phone 503 325-8611 Fax 503 338-3606
comdev@co.clatsop.or.us www.co.clatsop.or.us

2867
23-000089

Conditional Use Permit

Fee: Type II \$1,200 Type IIa-III: \$1,500

(Double if a violation exists)

Owner: <u>Jason Palmberg</u>	Email: <u>jwpalmberg@yahoo.com</u>
Mail Address: <u>P.O. Box 173</u>	City/State/Zip: <u>Astoria, OR 97103</u>
Phone: <u>(503) 791-1603</u>	Phone: _____
Owner: _____	Email: _____
Mail Address: _____	City/State/Zip: _____
Phone: _____	Phone: _____
Other: _____	Email: _____
Mail Address: _____	City/State/Zip: _____
Phone: _____	Phone: _____

Property Address: _____

Proposed Use: Template Test for a single family residence per LAWDUC 4.3440(14)(C)

Comprehensive Plan Designation: Conservation Forest Lands

Existing Zoning: Agriculture-Forestry Zone (AF) **Overlay District:** FHO, NWI, GHO

Property Description – Map ID: 7 9 18 1400

Directions to the property from Astoria: Old Youngs Bay Bridge to Miles Crossing, follow Lewis & Clark Rd approx. 5.5 miles, left on Elkhorn Dr., property is on the east side of intersection of Elkhorn Dr. and Lewis & Clark Mainline.

What is the nearest "Community" (i.e. Svensen, Arch Cape, Westport)? Warrenton

General description of the property:

Existing Use: Forestry, vacant

Topography: Low hills, slopes and drainage to east, river channel along east boundary.

Proposed Development: Single family rural residence with accessory buildings.

General description of adjoin property:

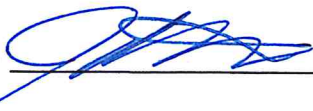
Existing Use: North, East, South, and West: mixed agriculture/forestry/residential.

Topography: North, East, South, and West: mixed low hills & pastureland.

Attach a site plan of the property showing lot dimensions, sizes, and location of all existing and proposed structures setbacks of existing and proposed structures to all property lines, access to the site, parking area layout that includes the space sizes and location and the width of any parking aisles. Also, identify the location of any stream, wetland, lake or other resource on or adjacent to the property.

SIGNATURES: All owners of record, per Clatsop County Assessment records, **must sign the application**. Representatives of public agencies, corporations, trusts, etc. must provide documentation of signing authority. **The information contained in this application is in all respects true, complete and correct to the best of my knowledge.**

Signature



Date:

3-6-23

Signature

Date:

The following sections are from the Clatsop County Land and Water Development and Use Ordinance #20-03.

Section 2.4000. Conditional Development and Use.

Section 2.4010. General. Although each zoning district is primarily intended for a predominate type of use and development, there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, all may indicate that the circumstances of the development and use needs to be individually reviewed. It is the intent of this section to provide a system of review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this ordinance and the objectives of the comprehensive plan.

Section 2.4020. Application for a Conditional Development and Use. If a development and use is classified as conditional in a zone, it is subject to approval under Sections 2.4000 to 2.4050. An applicant for a proposed conditional development and use shall provide facts and evidence and a site plan in compliance with Section 2.9400 sufficient to enable the Community Development Director or hearing body to make a determination.

Section 2.4030. Authorization of a Conditional Development and Use.

- (1) A new, enlarged or otherwise altered development classified by this Ordinance as a conditional development and use may be approved by the Community Development Director under a Type II procedure except that the following conditional developments and uses may be approved by the Hearings Officer under a Type IIa procedure:
 - (A) Dog kennel or Kennel;
 - (B) Airport;
 - (C) Bed & Breakfast over 3 units;
 - (D) Golf courses;
 - (E) Automobile service station or repair shop, including body work, used car sales, wrecking yard;
 - (F) Public or private recreation such as riding stable, fishing or boating docks or ramps, gun club, golf course, or resort type establishment in association with recreation;
 - (G) Non-farm partition;
 - (H) Non-farm dwelling;
 - (I) Farm help relative dwelling;
 - (J) Home occupations related to auto/machinery repair or painting;
 - (K) Firearms training facility;
 - (L) Solid waste disposal site;
 - (M) Small scale, light industrial developments such as assembly, fabricating, processing, compounding, packing and similar operations within an enclosed building;
 - (N) Automobile wrecking yard;
 - (O) Amusement enterprises such as games of skill and science, thrill rides, penny arcades, and shooting galleries.
- (2) Where the proposed development involves a non-water dependent use or activity in the Marine Industrial Shoreland Zone, Section 4.1900, mailed notice shall also be provided to any interested party who has submitted a written request concerning the proposed development, and to state and federal agencies with statutory planning and permit issuance authority in aquatic areas. Including the Oregon Division of State Lands, Department of Fish and Wildlife, U.S. Fish and Wildlife Service, National Marine Fisheries Service, Corps of Engineers, and the Environmental Protection Agency.
- (3) In addition to the other applicable standards of this ordinance, the hearing body must determine that the development will comply with the following criteria to approve a conditional development and use.

- (A) The proposed use does not conflict with any provision, goal, or policy of the Comprehensive Plan.
- (B) The proposed use meets the requirements and standards of is Ordinance.
- (C) The site under consideration is suitable for the proposed use considering:
 - 1) The size, design, and operating characteristics of the use, including but not limited to off-street parking, fencing/buffering, lighting, signage, and building location.
 - 2) The adequacy of transportation access to the site, including street capacity and ingress and egress to adjoining streets.
 - 3) The adequacy of public facilities and services necessary to serve the use.
 - 4) The natural and physical features of the site such as topography, natural hazards, natural resource values, and other features.
- (D) The proposed use is compatible with existing and projected uses on surrounding lands, considering the factors in (C) above.
- (E) The proposed use will not interfere with normal use of coastal shorelands.
- (F) The proposed use will cause no unreasonably adverse effects to aquatic or coastal shoreland areas, and
- (G) The use is consistent with the maintenance of peripheral and major big game habitat on lands identified in the Comprehensive Plan as Agricultural Lands or Conservation Forest Lands. In making this determination, consideration shall be given to the cumulative effects of the proposed action and other development in the area on big game habitat.
- (H) In addition to compliance with the criteria as determined by the hearing body and with the requirements of Sections 1.1040 and 1.1050, the applicant must accept those conditions listed in Section 2.4040 that the hearing body finds are appropriate to obtain compliance with the criteria.

Please address the following standards on a separate sheet of paper. Be as specific as possible. "Yes" and "No" responses are not sufficient.

- (1) In addition to the other applicable standards of this ordinance, the hearing body must determine that the development will comply with the following criteria to approve a conditional development and use.
 - (A) The proposed use does not conflict with any provision, goal, or policy of the Comprehensive Plan.
 - (B) The proposed use meets the requirements and standards of the Clatsop County Land and Water Development and Use Ordinance (Ordinance 20-03).
 - (C) The site under consideration is suitable for the proposed use considering:
 - 1) The size, design, and operating characteristics of the use, including but not limited to off-street parking, fencing/buffering, lighting, signage, and building location.
 - 2) The adequacy of transportation access to the site, including street capacity and ingress and egress to adjoining streets.
 - 3) The adequacy of public facilities and services necessary to serve the use.
 - 4) The natural and physical features of the site such as topography, natural hazards, natural resource values, and other features.
 - (D) The proposed use is compatible with existing and projected uses on surrounding lands, considering the factors in (C) above.
 - (E) The proposed use will not interfere with normal use of coastal shorelands.
 - (F) The proposed use will cause no unreasonably adverse effects to aquatic or coastal shoreland areas and;
 - (G) The use is consistent with the maintenance of peripheral and major big game habitat on lands identified in the Comprehensive Plan as Agricultural Lands or Conservation Forest Lands. In making this determination, consideration shall be given to the cumulative effects of the proposed action and other development in the area on big game habitat.
- (2) In addition to compliance with the criteria as determined by the hearing body and with the requirements of Sections 1.1040 and 1.1050, the applicant must accept those conditions listed in Section 2.4040 that the hearing body finds are appropriate to obtain compliance with the criteria.

Section 2.4040. Requirements for Conditional Development and Use. In permitting a conditional development and use, the hearing body may impose any of the following conditions as provided by Section 2.4030:

- (1) Limit the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.
- (2) Establish a special yard or other open space or lot area or dimension.
- (3) Limit the height, size or location of a building or other structure.

- (4) Designate the size, number, location or nature of vehicle access points.
- (5) Increase the amount of street dedication, roadway width or improvements within the street right-of-way.
- (6) Designate the size, location, screening, drainage, surfacing or other improvement of a parking or truck loading areas.
- (7) Limit or otherwise designate the number, size, location, height or lighting of signs.
- (8) Limit the location and intensity of outdoor lighting or require its shielding.
- (9) Require diking, screening, landscaping or another facility to protect adjacent or nearby property and designate standards for installation or maintenance of the facility.
- (10) Designate the size, height, location or materials for a fence.
- (11) Require the protection of existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.
- (12) Require provisions for public access (physical and visual) to natural, scenic and recreational resources.
- (13) Specify other conditions to permit the development of the County in conformity with the intent and purpose of the classification of development.

Section 2.4050. Time Limit of Permit for Conditional Use.

- (1) Authorization of a conditional use shall be void after two years unless substantial construction or action pursuant thereto has taken place as defined in Section 1.0500. However, the County may, at the discretion of the Community Development Director, extend authorization for an additional one year upon request, provided such request is submitted in writing at least 10 days and not more than 30 days prior to expiration of the permit. The County may grant conditional use approvals for activities such as dike maintenance for a period of time up to five years; such approvals will normally correspond with parallel state and/or federal permits.
- (2) Authorization of a conditional use dwelling in the AF, EFU and F-80 zones shall be void after four years unless substantial construction or action pursuant thereto has taken place as defined in Section 1.0500. However, the County may, at the discretion of the Community Development Director, extend authorization for an additional two years upon request, provided such request is submitted in writing at least 10 days and not more than 30 days prior to expiration of the permit

Jason Palmberg/Tax Lot 709180001400 Template Test CUP Supplemental responses

(Bullet points are applicant's responses)

(A) The proposed use does not conflict with any provision, goal, or policy of the Comprehensive Plan.

- Since the development code (LAWDUC) is consistent with and implements the Comprehensive Plan, a single-family dwelling conditional use, by dint of the template test in LAWDUC Sections 4.3440(14)(C), does not conflict with the provisions, goals, and policies of either Goal 3 Agricultural Lands or Goal 4 Forest Lands.

(B) The proposed use meets the requirements and standards of the Clatsop County Land and Water Development and Use Ordinance (Ordinance 20-03).

- The proposed use will meet the following standards:

Section 4.3460 Development and Use Standards

(3) Setbacks for buildings: (A) Front yard: 30 feet. (B) Side and rear yard: 20 feet.

- The tentative site plan shows setbacks as, ± 1470 ft. front yard, ± 85 ft. side yard, and ± 190 ft. rear yard.

(4) Maximum building height: 45 feet.

- The subsequent dwelling will not exceed 45 feet.

(7) Uses in this zone which are in either a Major or Peripheral Big Game Range, as shown on the map in the County's Comprehensive Plan, are subject to the standards in Section 3.9170.

- See Response (G).

Section 3.0040. Water Improvement Standards

A year-round supply of at least 250 gallons of water per day by one of the following sources:

Source	Standard	Proof
Public or Community Water	Within Water Utility or area of service	Written correspondence from Water Utility stating water is available at the property line or conditions to the satisfaction of the Water Utility to make water available at the property line

- Water will be provided by the Youngs River Lewis & Clark Water District.

Section 3.9080 General Standards

2) Single-family dwelling deeds. The landowner shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

- Following approval of the Template Test, the applicant shall record such instrument in the deed records.

Section 3.9190. Residential Uses

3) A single family "template" dwelling authorized under ORS 215.750 on a lot or parcel located within a forest zone if the lot or parcel is predominantly composed of soils that are:

(A) Capable of producing zero to 49 cubic feet per acre per year of wood fiber if: 1. All or part of at least three other lots or parcels that existed on January 1, 1993, are within a 160 acre square centered on the center of the subject tract; and 2. At least three dwellings existed on January 1, 1993 and continue to exist on the other lots or parcels.

- According to the NRCS Clatsop County Soil Survey, the predominant soils on the parcel are Capability Class IV and Class VI, which have relatively poor potential for wood fiber production. Neither the NRCS nor the Oregon Department of Forestry have bestowed productivity ratings on the soil types (Webmaps contains Site Class designations that differ, but Webmaps does not quantify productivity). Hence, as advised by Oregon Dept. of Forestry staff and Clatsop County Planning Department staff, the property is considered to be capable of producing zero to 49 cubic feet per acre per year of wood fiber and therefore is subject to §3.9190(3)(A).
- See the attached Soil Survey notes.
- At least three other lots and parcels existed, and contained the existing dwellings, on January 1, 1993:

Tax Lot	Address	Parcel Date	Dwelling Date
709190000900	89469 Lewis & Clark Rd	12/27/1979	1956
709180001100	89526 Elkhorn Rd	6/28/1935	1967
709170001300	89732 Logan Rd	11/22/1971	1973

(F) Except as provided by paragraph (G), if the subject tract abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and 1/4 mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road.

(G) The following applies where a tract 60 acres or larger abuts a road or perennial stream.

1. The measurement shall be made in accordance with paragraph (F). However, one of the three required dwellings shall be on the same side of the road or stream as the tract, and:

a) Be located within a 160-acre rectangle that is one mile long and one-quarter mile wide centered on the center of the subject tract and that is, to the maximum extent possible aligned with the road or stream; or
b) Be within one-quarter mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.

- All or part of at least three other lots or parcels that existed on January 1, 1993 are within a 160-acre rectangle centered on the subject parcel, per subsection (G) above.
- The required rectangle is aligned to the maximum extent possible with the river.
- See the attached Template Test Analysis.

Section 3.9230. Conditional Use Review Criteria

3) A written statement recorded with the deed or written contract with the county or its equivalent is obtained from the land owner that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for uses authorized in OAR 660-006-0025 Subsection 5(c).

- The instrument noted above under Response (B)(2) following Section 3.9080 will include such a written statement.

Section 3.9240. Siting Standards for Dwellings and Structures

1) Dwellings and structures shall be sited on the parcel so that: (A) They have the least impact on nearby or adjoining forest or agricultural lands; (B) The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized; (C) The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and (D) The risks associated with wildfire are minimized.

2) Siting criteria satisfying Subsection 1) may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.

- The tentative site plan places the dwelling at the maximum distance possible from adjacent forest lands and in a location that is reasonably close to the road.

5) Approval of a dwelling shall be subject to the following requirements: (A) Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in department of Forestry administrative rules;

- The applicant shall ensure that the property is stocked to comply with applicable current Department of Forestry requirements.

Section 3.9250. Fire Protection Standards for Dwellings and Structures

1) The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district.

- The subject parcel is within the Lewis and Clark Fire Protection District.

2) Road access to the dwelling shall meet road design standards described in OAR 660-006-0040.

- This OAR statute states that, "The governing body shall establish road design standards...which ensure that public roads, bridges, private roads and driveways are constructed so as to provide adequate access for firefighting equipment." The applicant will obtain an access easement to cross the the Lewis and Clark Mainline and develop the proposed driveway from the Mainline. The Mainline and the driveway will provide adequate access for fire apparatus, subject to the approval of the Lewis and Clark Fire Chief.

3) The owners of the dwellings and structures shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, published by the Oregon Department of Forestry; and shall also demonstrate compliance with Table 3.1.

Slope	Feet of Primary Safety Zone	Feet of Additional Primary Safety Zone Down Slope
0%	30	0
10%	30	50

- The owners shall maintain primary and secondary fuel-free break areas in compliance with Table 3.1 and ODF standards.

4) The dwelling shall have a fire-retardant roof.

- The dwelling will have a fire-retardant roof.

5) The dwelling shall not be sited on a slope of greater than 40 percent.

- The subject property does not contain any slopes greater than 40 percent.

6) If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.

- Each chimney in the dwelling will be fitted with a spark arrester.

(C) The site under consideration is suitable for the proposed use considering:

1) The size, design, and operating characteristics of the use, including but not limited to off-street parking, fencing/buffering, lighting, signage, and building location.

- **The subsequent development site will be developed in compliance with these and other development standards as necessary and appropriate.**
 - 2) The adequacy of transportation access to the site, including street capacity and ingress and egress to adjoining streets.*
- **Adequate transportation access to the site will be developed as described in the response under Section 3.9250(2), subject to the approval of a Public Works Department road approach permit.**
 - 3) The adequacy of public facilities and services necessary to serve the use.*
- **Public facilities and services are adequate for the numerous homes developed in this area, and the applicant will obtain signoffs for the proposed new dwelling from the respective responsible agencies.**
 - 4) The natural and physical features of the site such as topography, natural hazards, natural resource values, and other features.*
- **The topography of the subject property and area is generally suitable for the small-scale structures and infrastructure associated with a single-family dwelling. The subject property is not mapped within the Geological Hazard Overlay. The parcel is mostly forested. Wetlands, which are confined to the east side of the parcel, will be avoided.**

(D) The proposed use is compatible with existing and projected uses on surrounding lands, considering the factors in (C) above.

- **Existing uses on surrounding lands are a mix of farm and forest uses, including portions of at least three dwellings within the 160-acre one-mile-long template test rectangle aligned with the stream. The proposed single-family dwelling will follow the same established development model of dispersed rural residences on resource-land parcels.**

(E) The proposed use will not interfere with normal use of coastal shorelands.

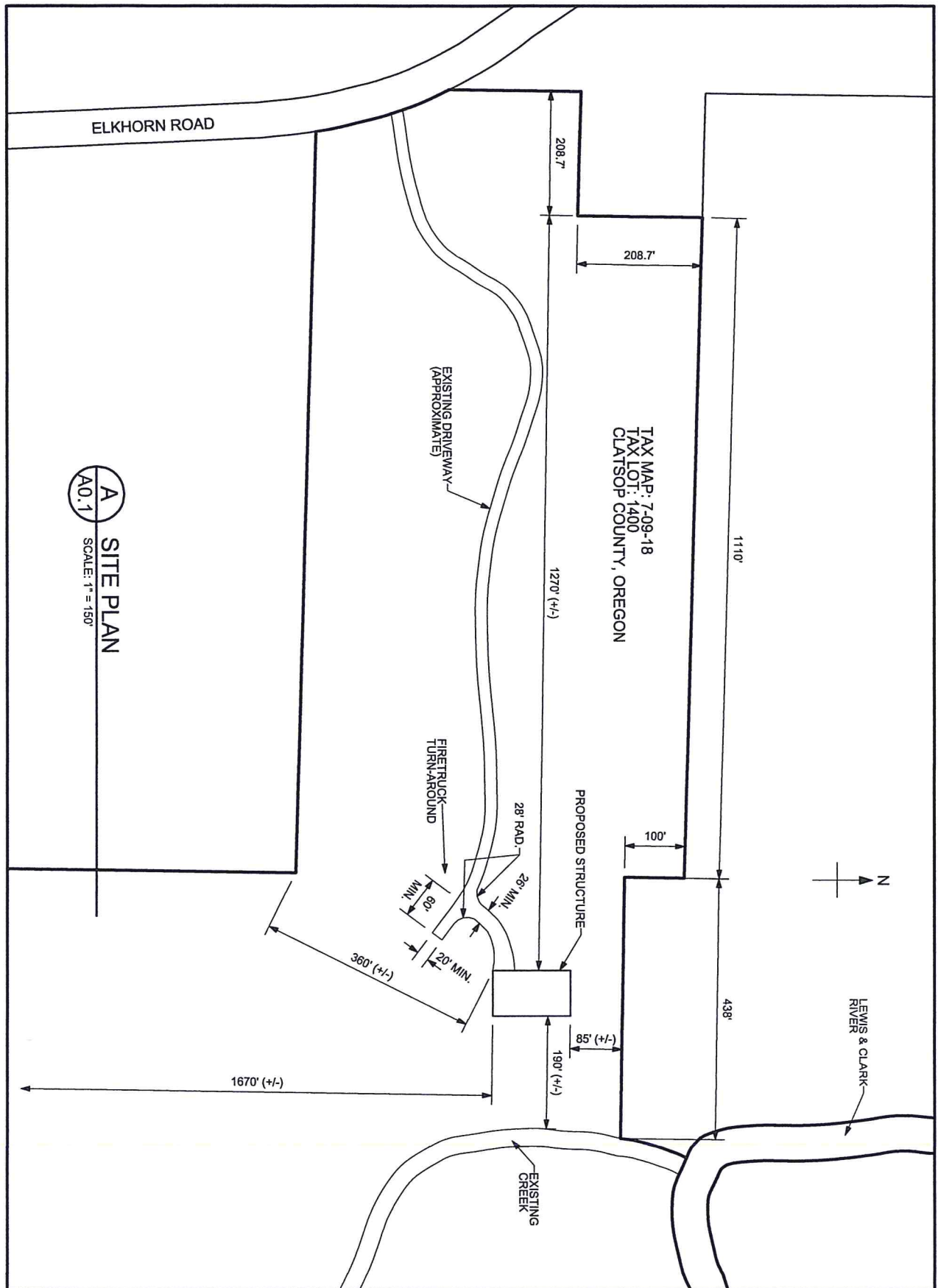
- **The subject property does not include coastal shorelands.**

(F) The proposed use will cause no unreasonably adverse effects to aquatic or coastal shoreland areas and;

- **The subject property does not include aquatic or coastal shorelands and does not have the potential to adversely affect said lands.**

(G) The use is consistent with the maintenance of peripheral and major big game habitat on lands identified in the Comprehensive Plan as Agricultural Lands or Conservation Forest Lands. In making this determination, consideration shall be given to the cumulative effects of the proposed action and other development in the area on big game habitat.

- **The subject property is not within the mapped peripheral or major big game habitat areas.**



<p>A0.1</p> <p>SHEET</p>	<p>STABILITY ENGINEERING INC. 777 NE 2ND ST. SUITE 280 P.O. BOX 2646, CORVALLIS, OR 97339 TEL.: (541)223-5360 FAX: (541)223-5278</p>	<p>SHEET TITLE: SITE PLAN</p> <p>CLIENT: JASON PALMBERG</p>	<p>PROJECT: PALMBERG RESIDENCE</p> <p>LOCATION: TAX MAP: 7-09-18 TAX LOT: 1400 CLATSOP COUNTY, OREGON</p>
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Jason Pollack

From: Jason Palmberg <jwpalmberg@yahoo.com>
Sent: Thursday, July 13, 2023 2:55 PM
To: Jason Pollack
Subject: Re: questions for tax lot 400 site
Attachments: Palmberg Residence Site Plan.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This one is approx 1470 ft. Pull out areas about 350 ft apart. Fire truck turn turn around will be less than 100' from structure.
site plan attached

Jason

On Thursday, July 13, 2023 at 08:02:08 AM PDT, Jason Pollack <jpollack@clatsopcounty.gov> wrote:

Thank you for the email. What about the driveway for TL1400?

Regards,



Jason Pollack

Planner

Clatsop County

Clatsop County – Land Use

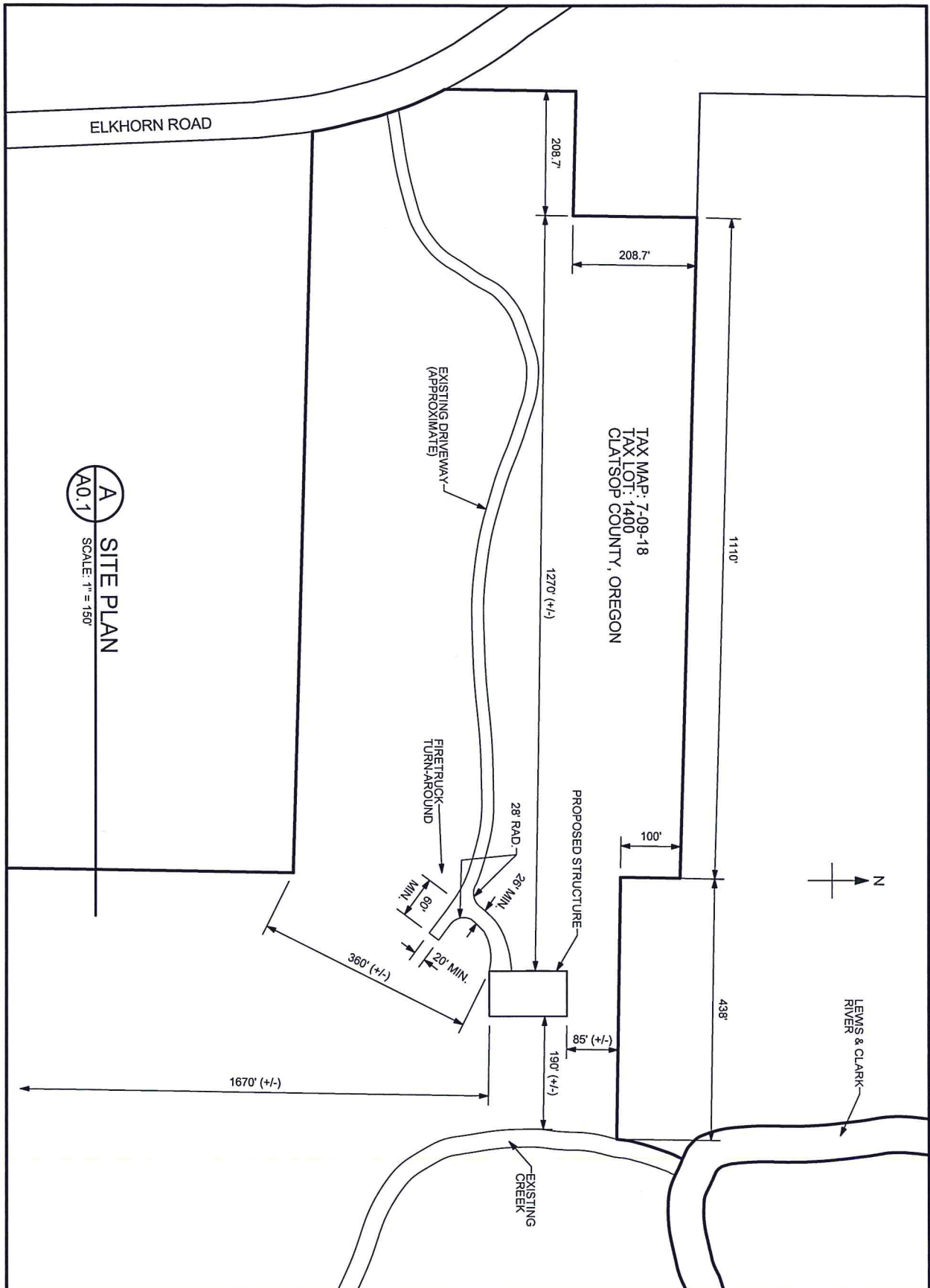
800 Exchange St., Suite 100

Astoria, OR

(503) 325-8611

(503) 338-3606 fax

www.clatsopcounty.gov



A SITE PLAN
A0.1 SCALE: 1" = 150'

A0.1

SHEET

SCALE: AS SHOWN

DRAWN: MB

DATE: 2/15/2023

JOB NO. 23-0144

STABILITY ENGINEERING INC.

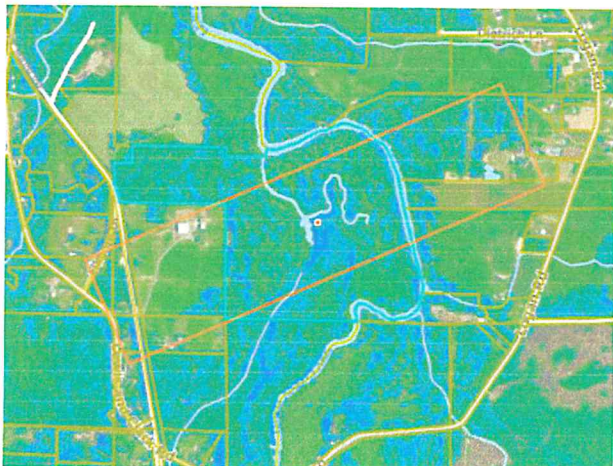
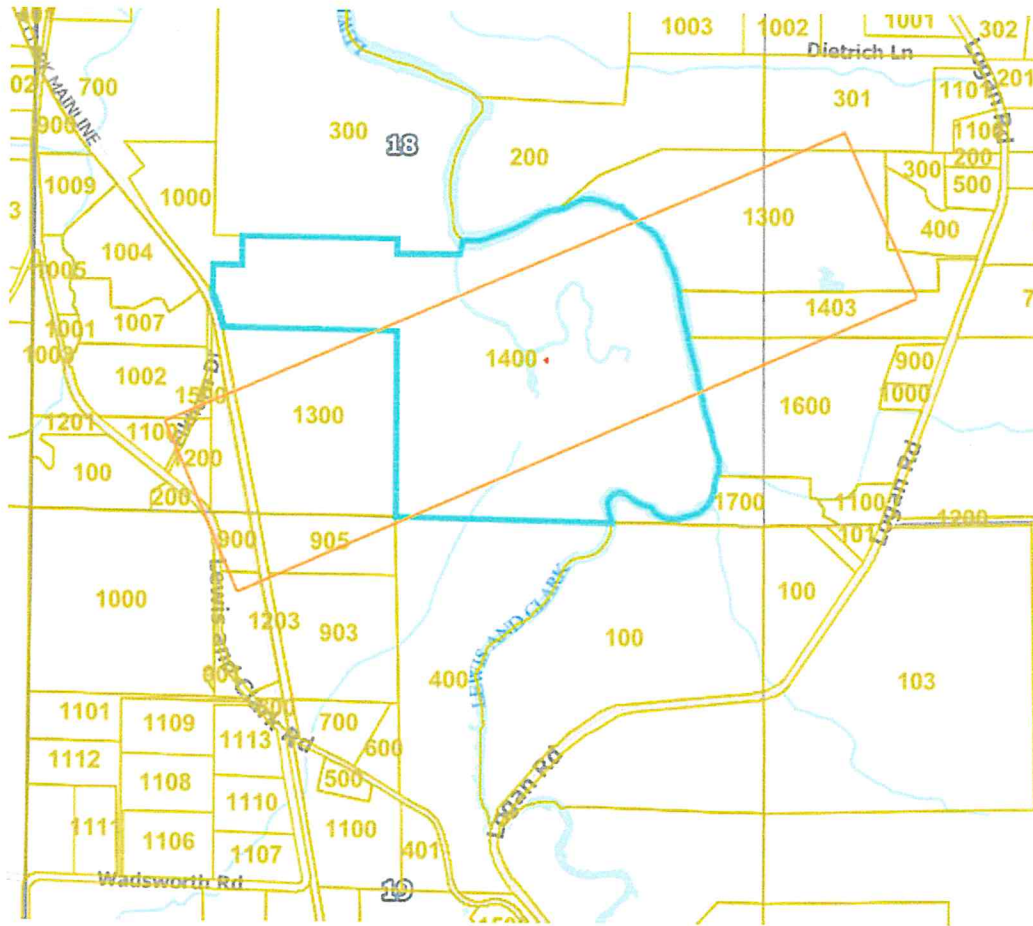
777 NE 2ND ST. SUITE 280
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TEL.: (541)223-5360 FAX: (541)223-5278

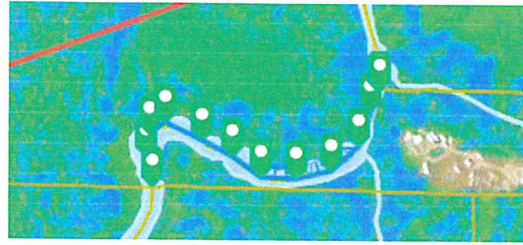
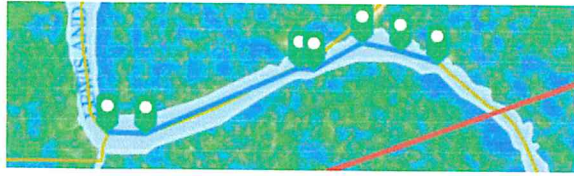
SHEET TITLE:
SITE PLAN

CLIENT:
JASON PALMBERG

PROJECT:
PALMBERG RESIDENCE

LOCATION:
TAX MAP: 7-09-18
TAX LOT: 1400
CLATSOP COUNTY, OREGON





Tax Lot	Address	Parcel Date	Dwelling Date
709190000900	89469 Lewis & Clark Rd	12/27/1979	1956
709180001100	89526 Elkhorn Rd	6/28/1935	1967
709170001300	89732 Logan Rd	11/22/1971	1973



