



Clatsop County

Community Development – Planning

800 Exchange St., Suite 100
Astoria, OR 97103
(503) 325-8611 phone
(503) 338-3606 fax
www.co.clatsop.or.us

PUBLIC NOTICE

CONDITIONAL USE PERMIT

Application #24-000029

COMMENT PERIOD ENDS:
SEND COMMENTS TO:

4:00 p.m. on February 20, 2024
Community Development Department
800 Exchange Street, Suite 100
Astoria, Oregon 97103
Jason Pollack, Planner

CONTACT PERSON:

You are receiving this notice because you own property within 750 feet of the request listed below, or you are considered to be an affected state or federal agency, local government, or special district.

NOTICE IS HEREBY GIVEN that Clatsop County's Community Development Department, Land Use Planning Division has received the application described in this letter. Pursuant to *Section 2.2040* of the Clatsop County Land and Water Development and Use Code (LAWDUC), the Department Director has the authority to approve the request in accordance with the requirements as depicted in the County Ordinance 20-03.

Columbia River Estuary Study Taskforce (CREST) has submitted a conditional use permit application to Clatsop County Community Development for a fish access and habitat restoration project. According to the applicant, the project would seek to enhance habitat divided by railroad infrastructure owned by Portland & Western Railroad Inc. (PNWR). The CUP application includes two project sites under one application; known as Agency Creek and Warren Slough at approximately river mile 23 of the Columbia River. The project will create new openings in the railroad prism to provide access to approximately 44 total acres of wetland habitat for migrating and juvenile salmonids.

The Agency Creek site includes removal of three undersized culverts to be replaced by one channel spanning bridge of 36-feet. The Agency Creek site is a 40.96-acre parcel owned by Agency Creek Management Co., identified as Township 8N, Range 07W, Section 18, Tax Lot 101 (807180000101), the property is split zoned Forest-80 (F-80) and Aquatic Natural (AN). The work site includes the railroad infrastructure owned by PNWR and the project area falls within the railroad right-of-way (ROW). The Agency Creek site includes the scrapedown of a failed levee, this work will take place within the floodplain and will be subject to the requirements of the Flood Hazard Overlay (FHO).

The Warren Slough site includes removal of two undersized culverts to be replaced by one channel spanning bridge of 60-feet. The Warren Slough site is roughly 17.5 acres in size and falls within the railroad ROW. The closest property to the Warren Slough site is identified as Township 8N, Range 07W, Section 8, Tax Lot 500 (807080000500), the project area is split zoned Aquatic Natural (AN) and Natural Shorelands (NS). The Warren Slough site also includes a staging area for equipment in the Exclusive Farm Use (EFU) Zone.

The railroad infrastructure is owned by PNWR, which has a permanent exclusive rail service easement over the railroad corridor. The state of Oregon, through the Oregon Department of Transportation (ODOT), owns the railroad corridor, but ODOT's ownership is subject to the PNWR rail service easement. The Agency Creek and Warren Slough sites are subject to a Type II conditional use review procedure.

See reverse side for a project map. Detailed project documents and drawings are available from the Community Development Department upon request.

All interested persons are invited to submit written comments relevant to the proposed development and applicable standards to the Clatsop County Community Development Department (address above). Written comments may also be sent via FAX to [503-338-3606](tel:503-338-3606), or email to comdev@clatsopcounty.gov. Written comments must be received in this office no later than **4:00 p.m. on February 20, 2024**, in order to be considered in the review. Planning representative for the application is Jason Pollack, Planner, (503) 325-8611 or jpollack@clatsopcounty.gov

Notice to Mortgagee, Lien Holder, Vendor or Seller: ORS Chapter 215 requires that if you receive this notice it must promptly be forwarded to the purchaser.

Mailing Date: February 8, 2024

If written objections are received regarding how the request fails to meet the standards of the zone or other ordinance requirements on or before the date above, the Community Development Director may place the request on the next appropriate Planning Commission agenda for review. Failure to raise an issue in person or by letter precludes appeal; and in raising an issue, the relevant Zoning Ordinance or Comprehensive Plan criterion to which the issue is directed must be specified. The following criteria apply to the request:

LAWDUC 20-03*

Article 1. Introductory Provisions
 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
 2.7000 Coastal Zone Consistency Review
 3.0000 Site Oriented Improvements
 3.2000 Erosion Control Development Standards
 4.3500 Forest-80 Zone (F-80)
 4.3300 Exclusive Farm Use (EFU)
 4.4600 Aquatic Natural Zone (AN)
 4.4700 Natural Shorelands (NS)
 5.1000 Flood Hazard Overlay (FHO)
 5.4100 Shoreland Overlay (SO)
 6.3000 Columbia River Estuary Impact Assessment and Resource Capability Determination

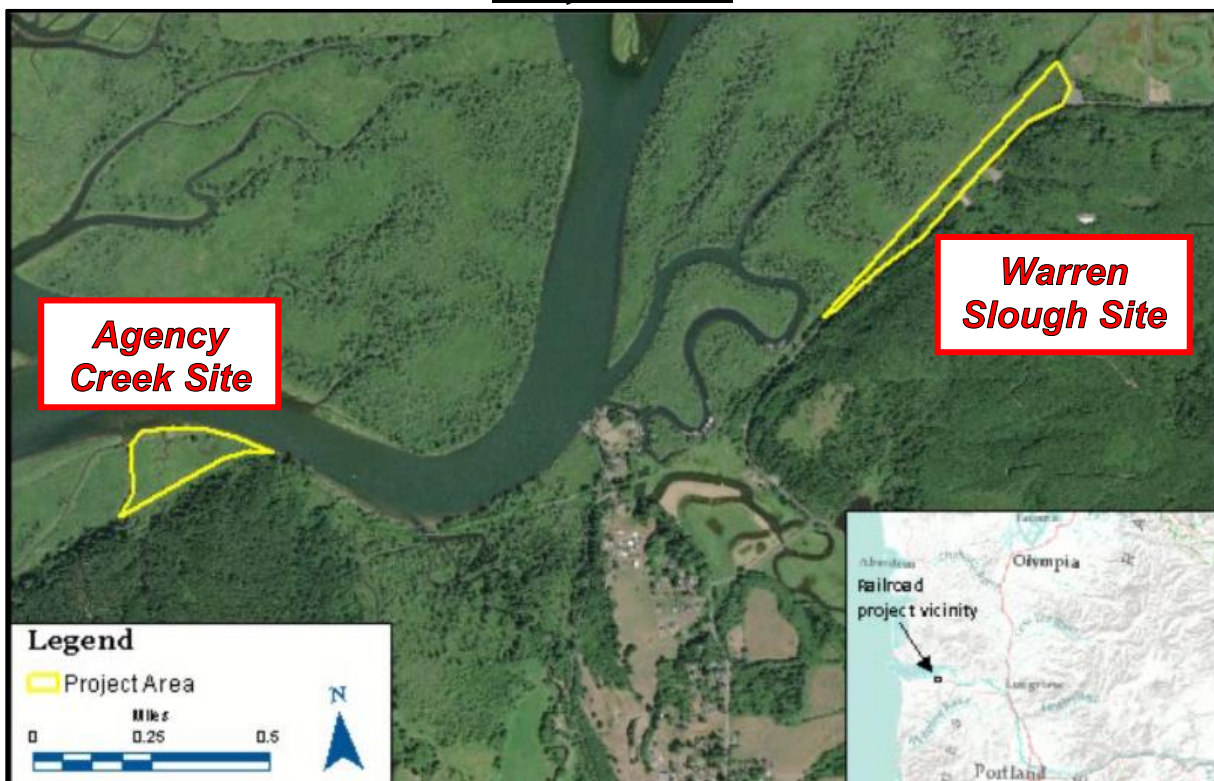
6.4000 Columbia River Estuary Shoreland and Aquatic Use and Activity Standards
 6.5000 Protection of Riparian Vegetation
 6.7000 Development of Historic and/or Archaeological Sites

Comprehensive Plan

Goal 1: Citizen Involvement
 Goal 2: Land Use Planning
 Goal 4: Forest Lands
 Goal 5: Open Space Scenic and Historic areas and Natural Resources;
 Goal 16: Estuarine Resources;
 Goal 17: Coastal Shorelands;
 Goal 6: Air, Water and Land Resources
 Goal 11: Public Facilities and Services
Northeast Community Plan

*All documents listed above are available for review at the Clatsop County Community Development Department office, 800 Exchange Street, Suite 100, Astoria, Oregon, and on-line at the county's website, www.clatsopcounty.gov.

PROJECT MAP



APPLICANT SUPPLIED PHOTO

A copy of the application is available for inspection at the Clatsop County Planning office at no cost and will be provided at a reasonable cost. Application materials can also be viewed online on the permitting website, <https://aca-oregon.accela.com/oregon/>, and on the county's website, www.clatsopcounty.gov.