

Vice Chairperson Cary T. Johnson called the October 14, 2008, Clatsop County Planning Commission meeting to order at 10:00 a.m. Planning Commissioners (PC) present: Mike Autio, Christine Bridgens, Marcia Harper-Vellutini, Cary T. Johnson, Brian Pogue, and Clarke W. Powers.

Staff present: Michael J. Weston II, Planner, and Julia Decker, staff assistant, Transportation and Development Services.

### **Announcements**

Staff assistant Julia Decker reported briefly for Principal Planner Patrick Wingard, saying:

- Mr. Wingard is on medical leave through the end of October.
- The joint work session of the county commission and planning commission was used to bring the county commissioners up-to-date on the code revision project. Mr. Wingard will elaborate when he returns in November.
- A planning commission meeting is tentatively scheduled for October 28, in the event a second meeting is necessary this month.
- It appears a November meeting will be necessary, as it is likely a director's decision will be appealed. Because the second Tuesday falls on November 11, Veterans Day, a national holiday, staff has scheduled the Boyington Building for the third Tuesday, November 18. Ms. Decker asked if there were objections or problems with the date, and none was stated.
- The code revision project is continuing in Mr. Wingard's absence, with Planner Teri Allen working on the resource zones portion and other parts delegated to other staff. Mr. Wingard will provide an update in November.

### **Business from the Public**

No one asked to speak.

### **Public Hearings**

#### **Comprehensive Plan/Zoning Map Amendment: Dellmoor Loop Area – continued from September 9, 2008**

There were no conflicts of interest, *ex parte* contacts, or objections to the planning commission's jurisdiction to hear the matter.

Chairperson Johnson opened the quasi-judicial hearing continued from September 9, 2008, regarding rezoning approximately 17 acres in the Dellmoor Loop area.

Mr. Weston reviewed the proposed changes briefly and walked planning commissioners through his staff report addendum and recommendations. He called the county's proposal to provide four density credits generous, noting the Anderson Estate property is under three feet of water. The proposed resolution and order would outline the building envelope on tax lot 400, centered

1 on the upland portion of the bog area, he added. The density credits would be available for use  
2 anywhere on the Clatsop Plains, he explained. Mr. Weston walked planning commissioners  
3 through a map, tax lot by tax lot, indicating how each parcel is zoned currently, how its zoning  
4 would change, and whether it would be developable after the “swap.”

5  
6 In response to questions from PC Pogue, who was concerned about how neighbors might react  
7 to a development for which the density is increased through the use of the credits, Mr. Weston  
8 said he didn’t foresee a problem. Because the density is moved to higher and drier land,  
9 preserving the water table, everyone in the area benefits, he explained.

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11 In response to a question from PC Powers, Mr. Weston said the building envelope alleviated the  
12 need for a variance.

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14 Chairperson Johnson opened public testimony. No public agency representatives requested to  
15 speak.

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17 Karl Muller, 89736 Seals, Road, Warrenton, a nearby property owner, spoke, asking a number  
18 of questions about density credits, buildability, zoning and whether land deemed inappropriate  
19 for building by the Department of Environmental Quality could really be considered buildable,  
20 regardless of its zoning. Planning commissioners and Mr. Weston discussed the matter with  
21 Mr. Muller at length.

22  
23 Mr. Muller said he didn’t understand why owners of unbuildable land would get density credits  
24 and asked if everyone else had to get wetlands delineations, commenting his had cost \$10,000.  
25 Mr. Weston said others would have to get wetlands delineations as well.

26  
27 Mr. Muller wondered if he would have needed a wetlands delineation if his property had been  
28 zoned correctly in the first place and asked if the county had found its error because of his work  
29 and expense, asking if the county should reimburse him. Mr. Weston replied the zoning,  
30 technically speaking, was not in error; Mr. Muller’s property was zoned as habitat for wetland  
31 species when he acquired it, and he would have needed the wetlands delineation regardless.

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33 As there were no others wishing to speak, planning commissioners discussed the matter briefly.  
34 Mr. Weston, in response to a question from PC Pogue, stated the department was on legal high  
35 ground with the density transfers for Clatsop Plains.

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37 **PC Powers moved and PC Pogue seconded to adopt the proposed amendment as**  
38 **presented. Motion approved unanimously.**

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40 **Comprehensive Plan/Zoning Map Amendment Request by Betty Sandy, continued from**  
41 **September 9, 2008**

42  
43 After hearing no conflicts of interest, *ex parte* contacts, or objections to the planning  
44 commission’s jurisdiction to hear the matter, Chairperson Johnson opened the hearing on  
45 Comprehensive Plan/Zoning Map Amendment requested by Betty Sandy to rezone  
46 approximately 3.5 acres to the west of Dellmoor Loop Road, north of the cranberry bogs, from  
47 Exclusive Farm Use (EFU) to Residential Agriculture – 2-acre minimum (RA2). The request  
48 would require taking an exception to Goal 3, he said.

49  
50 Mr. Weston reviewed findings he and Ms. Sandy developed for goals 7 and 9, outlined in Exhibit  
51 A, which he distributed. Mr. Weston said both goals were satisfied and recommended

1 appending Exhibit A to the original staff report and adopting the staff report, findings and  
2 appended findings provided by the applicant and the exception to Goal 3.

3  
4 No one wished to provide testimony.

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6 Chairperson Johnson closed public testimony and, hearing no discussion among planning  
7 commissioners, requested a motion.

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9 **PC Harper-Vellutini moved and PC Powers seconded “to accept this as presented  
10 to us,” (adopting the staff report and findings and appending the additional  
11 findings as presented by staff). Motion approved unanimously.**

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13 **Adjournment**

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15 Chairperson Johnson adjourned the meeting at 10:55 a.m.

16  
17 Respectfully submitted,

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20 **SIGNED ORIGINAL ON FILE**

21 Cary T. Johnson  
22 Chairperson, Planning Commission  
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