



CLATSOP COUNTY

BOARD OF COMMISSIONERS AGENDA WORK SESSION & REGULAR MEETING JUDGE GUY BOYINGTON BUILDING, 857 COMMERCIAL ST., ASTORIA

Wednesday, February 22, 2023

BOARD OF COMMISSIONERS:

Mark Kujala, Dist. 1 – Chair
Courtney Bangs, Dist. 4 – Vice Chair
John Toyooka, Dist. 2
Pamela Wev, Dist. 3
Lianne Thompson, Dist. 5

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www.co.clatsop.or.us

Join the meeting from your computer, tablet or smartphone ([Zoom link](#))

You can also dial in using your phone.
1-253-215-8782

Meeting ID: 503 325 1000
Passcode: 384761

Public Testimony

You must register in advance if you want to provide testimony virtually on public hearings or speak at the designated time. There are three ways to do this: On our website at [public comment](#), emailing commissioners@co.clatsop.or.us or by calling 503-325-1000. Once registered, we will notify you when it is your opportunity to speak for a two-minute comment. You also may submit written comments which will be provided to the Board and submitted into the record.

WORK SESSION: 5:00 PM

Work Sessions are an opportunity for Board members to discuss issues informally with staff and invited guests. The Board encourages members of the public to attend Work Sessions and listen to the discussion, but there is generally no opportunity for public comment. Members of the public wishing to address the Board are welcome to do so during the Board's regularly scheduled meetings held twice monthly.

Discuss Formal Agenda {5 min}

TOPICS:

- [1.](#) Strategic Planning Retreat #3 {50 min} {Page 3}
-

REGULAR MEETING: 6:00 PM

The Board of Commissioners, as the Governing Body of Clatsop County, all County Service Districts for which this body so acts, and as the Clatsop County Local Contract Review Board, is now meeting in Regular Session.

FLAG SALUTE

ROLL CALL

AGENDA APPROVAL

PROCLAMATION

- [2.](#) National FFA Week Proclamation {Page 44}

BUSINESS FROM THE PUBLIC – *Individuals wishing to provide oral communication at the designated time must register in advance by calling 503-325-1000 or email commissioners@co.clatsop.or.us by 3 p.m. on the day of the meeting.*

CONSENT CALENDAR

- [3.](#) Ambulance Service Advisory (ASAA) Committee Membership Modification {Page 47}
- [4.](#) Board of Commissioners Minutes 1-25-23 {Page 61}

COMMISSIONER'S LIAISON REPORTS

COUNTY MANAGER'S REPORT

BUSINESS AGENDA

- [5.](#) Project Turnkey 2.0 Purchase Approval – Columbia Inn and Execution of Funding Agreement {Page 69}

PUBLIC HEARINGS

- [6.](#) Ordinance 23-05 Ending Moratorium on Short Term Rental Licenses {Page 82}
- [7.](#) Ordinance 23-02: LAWDUC Legislative Amendments {Page 87}

GOOD OF THE ORDER

ADJOURNMENT

As necessary Executive Session will be held in accordance with but not limited to: ORS 192.660 (2)(d) Labor Negotiations; ORS 192.660 (2)(e) Property Transactions; ORS 192.660 (2)(f) Records exempt from public inspection; ORS 192.660 (2)(h) Legal Counsel

Agenda packets also available online at www.co.clatsop.or.us

This meeting is accessible to persons with disabilities or wish to attend but do not have computer access or cell phone access. Please call 325-1000 if you require special accommodations at least 48 hours prior to the meeting in order to participate.

Board of Commissioners Clatsop County

WORK SESSION AGENDA ITEM SUMMARY

February 22, 2023

Topic: Strategic Planning Retreat #3
Presented By: County Manager Don Bohn and
Management/Policy Analyst Amanda Rapinchuk

Informational Summary: Clatsop County's current strategic planning process is the structure through which the County Board of Commissioners:

1. Examines the County's progress implementing current priorities,
2. Considers what needs to be prioritized for FY 23-24, and
3. Updates the Strategic Plan accordingly (Amendment 2)

Today the Board will discuss and solidify their desired actions for each FY 23-24 priority. The attached Assigning Actions to FY 23-24 Priorities document is intended to assist the Board's discussion.

Following this retreat, County staff will draft a proposed amendment (Amendment 2). If adopted, Amendment 2 will update the Strategic Plan with the Board's agreed upon FY 2023-24 priorities that would go into effect on July 1, 2023. Amendment 2 is scheduled to go before the Board on Wednesday, March 22, 2023 for their consideration.

The following outlines previous activities from this fiscal year's strategic planning process, also identified in the attached Strategic Planning Process Outline.

STRATEGIC PLAN REVIEW – October 12, 2022

During this Work Session, the Clatsop County Board of Commissioners confirmed:

- Components of the Strategic Plan that will remain the same for FY 23-24 (Vision, Mission, Guiding Values, and Focus Areas) and
- This fiscal year's strategic planning process

STRATEGIC PLANNING SURVEY #1 – October 18, 2022

Following the Strategic Plan Review, a survey was distributed to County Commissioners, County staff, and local stakeholders to gather input on desired priorities for the upcoming fiscal year (FY 23-24). Survey respondents reviewed the County's current progress in completing FY 22-23 priorities and identified which, if any, they want to continue (carry-over) into FY 23-24. Additionally, respondents listed new priorities, if any, they would like the Board to consider for FY 23-24.

STRATEGIC PLANNING RETREAT #1 – December 7, 2022

The Board reviewed the preliminary list of FY 23-24 priorities staff compiled from the results of the survey and discussed their desired changes.

STRATEGIC PLANNING SURVEY #2 – December 19, 2022

A follow-up survey was distributed to the County Commissioners for their feedback on assigning tiers (levels of importance) to each potential FY 23-24 priority.

STRATEGIC PLANNING RETREAT #2 – January 25, 2023

The Board reviewed the results of the second survey and the first draft of FY 23-24 priorities (staff suggestions) and discussed their desired changes to this list. Following their discussion, the Board reviewed staffs' notes on possible actions for their desired FY 23-24 priorities and provided initial feedback.

Attachment List

- A. Strategic Planning Process Outline
- B. Assigning Actions to FY 23-24 Priorities (notes for the Board's discussion)
- C. Outline and Partial Draft of Amendment 2

October 

Strategic Plan Review (Oct 12)

Staff present on upcoming strategic planning process



Board, Staff, & Stakeholder Survey (Oct 19)

Suggestions for FY 23-24 priorities

November 

Staff compile survey results

December 

Strategic Planning Retreat #1 (Dec 7)

Board discusses survey results & preliminary list of priorities, resulting in updated (draft) list



Board Survey (following week)

Commissioners review updated list and identify preferred FY 23-24 priorities & tier (level of importance)



Staff update draft list of priorities (per survey results)

January 

Strategic Planning Retreat #2 (Jan 25)

Board solidifies FY 23-24 priorities & assigned tier
Board discusses desired action for each priority



Staff draft suggested actions

 February 

Strategic Planning Retreat #3 (Feb 22)

Board reviews suggested actions & discusses any desired changes




Staff draft Amendment 2 to the Strategic Plan

March 

Adoption of FY 23-24 Priorities (Mar 22)

Board adopts new strategic plan priorities for FY 23-24 (Amendment 2 to the Strategic Plan)



Assigning Actions to FY 23-24 Priorities

Strategic Planning Retreat #3

Notes for the Board of County Commissioners' Discussion

**CLATSOP
COUNTY**



INTRODUCTION

The Clatsop County Board of Commissioners' 2nd Strategic Planning Retreat took place on January 25, 2023. During this meeting, the Board confirmed their desired Strategic Plan priorities for the upcoming fiscal year (FY 2023-24, July 1, 2023 - June 30, 2024) and engaged in a preliminary discussion on the actions they would like assigned to each priority.

On February 22, 2023, the Board is scheduled to meet again for Strategic Planning Retreat #3 and solidify their desired actions. This document (created by County staff) is intended to assist the Board's discussion as they consider how to successfully address each individual FY 2023-24 priority.

Organized by the Strategic Plan's five focus areas (**Governance**, **Infrastructure**, **Economic Development**, **Environmental Quality**, and **Social Services**), each of the following pages includes:

- One FY 2023-24 priority (bolded and underlined at the top of each page)
- The assigned tier (level of importance)
 - Tier 1 = high priority
 - Tier 2 = medium priority
 - Tier 3 = low priority
- Possible action (derived from preliminary Board direction and further review of the County's current efforts)
- Considerations and staffs' best guess (when possible)
 - Deliverable (measurable outcome)
 - The County's Role (lead, collaborative partner, participant, etc.)
 - Others Involved
 - Type of Project (planning, implementation, or evaluation)
 - Additional Funds Required (outside of County's budget)
 - Estimated Month and Year of Completion
- Notes from the previous discussion during Strategic Planning Retreat #2

GOVERNANCE

County Operations Sustainability Plan (Tier 1)

Possible Action:

Create a plan for sustainable County operations that addresses:

1. How and what the County procures,
2. Feasible energy efficiency goals for County facilities and equipment, and
3. Fiscal sustainability.

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	County plan for sustainable County operations
The County's Role (lead, collaborative partner, participant, etc.)	Lead
Others Involved	
Type of Project (planning, implementation, or evaluation)	Planning
Additional Funds Required (outside of County's budget)	None
Estimated Month and Year of Completion	June 2024

Notes from SP Retreat #2

- No comments/questions

Community & Stakeholder Engagement (Tier 2)

Possible Action:

Develop the County's community engagement plan.

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	Adopted community engagement plan
The County's Role (lead, collaborative partner, participant, etc.)	Lead
Others Involved	
Type of Project (planning, implementation, or evaluation)	Planning
Additional Funds Required (outside of County's budget)	
Estimated Month and Year of Completion	June 2024

Notes from SP Retreat #2

- No comments/questions

Equity Plan for Access to Services (Tier 2)

Possible Action:

Create a plan to ensure equitable access to County services.

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	County plan for equitable access to services
The County's Role (lead, collaborative partner, participant, etc.)	Lead
Others Involved	Community partners
Type of Project (planning, implementation, or evaluation)	Planning
Additional Funds Required (outside of County's budget)	
Estimated Month and Year of Completion	December 2025

Notes from SP Retreat #2

- No comments/questions

INFRASTRUCTURE

Consolidated Emergency Communications (Tier 1)

Possible Action:

Continue collaboration with city partners to develop a feasible plan for integrated/consolidated emergency communications (9-1-1).

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	Agreement with community partners for County-wide integration of emergency communications (9-1-1)
The County's Role (lead, collaborative partner, participant, etc.)	Collaborative partner / process lead
Others Involved	Cities and emergency communications service providers
Type of Project (planning, implementation, or evaluation)	Planning
Additional Funds Required (outside of County's budget)	
Estimated Month and Year of Completion	June 2024

Notes from SP Retreat #2

- No comments/questions

State/County Transportation Safety Improvements (Tier 1)

Possible Action:

Identify funding for feasibility study of Astoria-Megler bridge (as it relates to suicide prevention improvements) and develop a plan for safety improvements along HWY 30.

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	<ol style="list-style-type: none">1. Secured funding source for Astoria-Megler bridge feasibility study2. County/State plan for safety improvements along HWY 30
The County's Role (lead, collaborative partner, participant, etc.)	Collaborative partner
Others Involved	ODOT, neighboring cities, and Knappa School District
Type of Project (planning, implementation, or evaluation)	Planning
Additional Funds Required (outside of County's budget)	
Estimated Month and Year of Completion	June 2024

Notes from SP Retreat #2

- Comm. Thompson: Concerned about focusing efforts on a long-term plan (feasibility study, required by ODOT) for improvements to Astoria-Megler bridge in light of ODOT's funding deficit and would like more consideration of immediate intervention, such as a county traffic safety committee
- Vice-Chair Bangs: Recognizes the importance of immediate intervention, but would like to continue efforts to obtain funding for feasibility study in coordination with Rep. Weber's work at the State-level

Rural Broadband Expansion (Tier 2)

Possible Action:

Jewell/Elsie/Vinemapple Areas

Install wireless internet infrastructure and confirm internet service provider (ISP).

or

Secure funding for wireless internet infrastructure and confirm internet service provider (ISP).

Knappa/Svensen Area

Network with Charter and other ISPs to enhance broadband.

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	<u>Jewell/Elsie/Vinemapple Areas</u> Installation of wireless internet infrastructure and County agreement with ISP or Secured funding for wireless internet infrastructure and County agreement with ISP <u>Knappa/Svensen Area</u> County plan or strategy to support broadband improvements
The County's Role (lead, collaborative partner, participant, etc.)	Collaborative partner
Others Involved	Public & private stakeholders and ISPs
Type of Project (planning, implementation, or evaluation)	Planning & Implementation
Additional Funds Required (outside of County's budget)	ARPA fund (already allocated to this project)
Estimated Month and Year of Completion	June 2024

Notes from SP Retreat #2

- Vice-Chair Bangs: Would like to include the Knappa/Svensen area in this work
- Comm. Thompson: Would also like to include the Knappa/Svensen area

Tide Gates & Levees (Tier 2)

Possible Action:

In collaboration with local tide gate and levee districts, enroll all of the County's eligible levee systems in the U.S. Army Corps of Engineers Levee Safety Program. Of the remaining tide gates and levees, examine options and develop a strategy for disbanding/dissolving those that are damaged and overburdened.

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	<ol style="list-style-type: none">1. Enrollment of eligible levee systems in the U.S. Army Corps of Engineers Levee Safety Program2. County strategy for disbanding/dissolving damaged and overburdened tide gates and levees that are not eligible for Levee Safety Program
The County's Role (lead, collaborative partner, participant, etc.)	Collaborative partner
Others Involved	
Type of Project (planning, implementation, or evaluation)	Planning
Additional Funds Required (outside of County's budget)	
Estimated Month and Year of Completion	December 2024

Notes from SP Retreat #2

- Chair Kujala: Noted that most of the County's levees are not a part of the Corp. of Engineers' annual inspection program and recommends the County:
 - 1) Assess which levee systems are eligible for the program
 - 2) Examine what can be done to disband/dissolve the levee systems that are not eligible for the program
- Vice-Chair Bangs: Recommends the County establish clear lines of communication with each tide gate and levee district and ensure that they are engaged in this conversation
- Comm. Wev: Appreciated Chair Kujala's remarks

Carrying Capacity Analysis (Tier 3)

Possible Action:

Conduct an analysis of the County's carrying capacity and cost of needed expansion to accommodate growth, as it relates to infrastructure, economic development, and environmental quality in unincorporated areas.

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	Carrying capacity analysis (County needs and possible solutions)
The County's Role (lead, collaborative partner, participant, etc.)	Collaborative partner
Others Involved	Local jurisdictions
Type of Project (planning, implementation, or evaluation)	Planning
Additional Funds Required (outside of County's budget)	Funds for contracted analysis
Estimated Month and Year of Completion	June 2026

Notes from SP Retreat #2

- Comm. Toyooka: Recommends the County examine what metrics/methodologies are currently used to measure carrying capacity and consider which are most relevant to the County's unique needs and challenges when accommodating for growth

Evacuation Routes (Tier 3)

Possible Action:

Begin implementation of the County's Tsunami Evacuation Facilities Improvement Plan by designating land for assembly areas.

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	County land designated for assembly areas (designated places for evacuees and survival equipment in the event of a tsunami)
The County's Role (lead, collaborative partner, participant, etc.)	Lead
Others Involved	Local jurisdictions
Type of Project (planning, implementation, or evaluation)	Implementation
Additional Funds Required (outside of County's budget)	Funds for signage, improvements, and survival equipment
Estimated Month and Year of Completion	June 2026

Notes from SP Retreat #2

- No comments/questions

Impacts of Sea Level Rise (on public infrastructure) (Tier 3)

Possible Action:

Work in partnership with the City of Cannon Beach, Fort Stevens State Park, the Department of Land Conservation and Development, and a NOAA Coastal Management Fellow to develop a plan for sea level adaptation.

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	Plan for sea level adaptation in unincorporated Clatsop County
The County's Role (lead, collaborative partner, participant, etc.)	Collaborative partner
Others Involved	City of Cannon Beach, Fort Stevens State Park, DLCD, & NOAA Coastal Management Fellow
Type of Project (planning, implementation, or evaluation)	Planning
Additional Funds Required (outside of County's budget)	
Estimated Month and Year of Completion	May 2024

Notes from SP Retreat #2

- No comments/questions

ECONOMIC DEVELOPMENT

Economic Development Strategies Plan (Tier 1)

Possible Action:

Implement feasible recommendations from the County's local development barriers code audit and engage local jurisdictions and partners in discussions about possible creation of a County-wide economic development plan or strategy for each sector.

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	1. Updated local development code 2. Regional consensus about whether or not to pursue a County-wide economic development plan or strategy for each sector
The County's Role (lead, collaborative partner, participant, etc.)	Collaborative partner
Others Involved	Local jurisdictions, chambers of commerce, CEDR, & other local partners.
Type of Project (planning, implementation, or evaluation)	Implementation & Planning
Additional Funds Required (outside of County's budget)	
Estimated Month and Year of Completion	June 2024

Notes from SP Retreat #2

- No comments/questions

Increase Workforce Housing Inventory (Tier 2)

Possible Action:

Continue to participate in the Clatsop Regional Housing Taskforce and develop a plan or identify a strategy to support workforce housing development within the County.

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	County plan or strategy to support workforce housing development
The County's Role (lead, collaborative partner, participant, etc.)	Collaborative partner
Others Involved	Clatsop Regional Housing Taskforce and other community partners
Type of Project (planning, implementation, or evaluation)	Planning
Additional Funds Required (outside of County's budget)	
Estimated Month and Year of Completion	June 2024

Notes from SP Retreat #2

- Comm. Wev: Suggested that the County may want to consider creating staff positions and/or more robust leadership at the County-level to address housing (similar to Tillamook County's approach)
- Vice-Chair Bangs: Hesitant to consider creating new staff positions when currently focused on addressing the future impacts of the Habitat Conservation Plan on the County's budget
- Comm. Toyooka: Agreed with Vice-Chair Bang's remarks and understands the County's role as supporting the work of private and nonprofit agencies that are developing housing and related programs

ENVIRONMENTAL QUALITY

Water Quality & Needs Assessment (Tier 1)

Possible Action:

Assess local watershed quality and needs in collaboration with local watershed councils and the Columbia River Estuary Study Taskforce (CREST).

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	Water quality & needs analysis (County needs and possible solutions)
The County's Role (lead, collaborative partner, participant, etc.)	Collaborative partner
Others Involved	Local watershed councils & CREST
Type of Project (planning, implementation, or evaluation)	Planning
Additional Funds Required (outside of County's budget)	
Estimated Month and Year of Completion	December 2024

Notes from SP Retreat #2

- Chair Kujala: Unsure where the regional water study completed about 15 (or more) years ago currently stands, but knows the attorney who worked on it and will reach out to them for more information
- Comm. Thompson: Recommends the County invite Comm. Magruder to provide an update to the Board on the implementation of HB 5006 (2021), as they have been working with Representatives Owens and Helm on this effort
- Comm. Wev: Suggests this action will require a significant amount of research and recommends the County reach out to local watershed councils to obtain data and then have staff conduct an in-house analysis to better understand next steps
- Comm. Thompson: Concerned County staff do not have the capacity to collect data and conduct an in-house analysis
- Chair Kujala: Recommends the County coordinate with CREST and watershed councils to minimize the level of work that will be required of staff to analyze data

FEMA's BiOp (Tier 2)

Possible Action:

Work with the Federal Emergency Management Agency (FEMA) the Oregon Department of Land Conservation and Development (DLCD) to review and update the County's local floodplain development ordinances and process for obtaining floodplain development permits to comply with new minimum federal requirements for the National Flood Insurance Program (NFIP).

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	Updated County floodplain development ordinance(s) and process for obtaining floodplain development permits
The County's Role (lead, collaborative partner, participant, etc.)	Lead
Others Involved	FEMA & DLCD
Type of Project (planning, implementation, or evaluation)	Planning
Additional Funds Required (outside of County's budget)	
Estimated Month and Year of Completion	

Notes from SP Retreat #2

- Chair Kujala: Noted the need to coordinate with other counties that have already done a lot of this work (e.g. Tillamook County) and make sure the County links up with the right people/resources to address the complex legal components of this process

Proper Dumping of Septage (Tier 3)

Possible Action:

(in need of further direction from the Board)

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	
The County's Role (lead, collaborative partner, participant, etc.)	
Others Involved	
Type of Project (planning, implementation, or evaluation)	
Additional Funds Required (outside of County's budget)	
Estimated Month and Year of Completion	

Notes from SP Retreat #2

- No comments/questions

SOCIAL SERVICES

Child Care (Tier 1)

Possible Action:

Continue to support the expansion of local child care services through the County's Retention and Expansion Child Care Grant Program.

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	Distribution FY 2023-24 award to grant recipients
The County's Role (lead, collaborative partner, participant, etc.)	Collaborative partner
Others Involved	Clatsop Child Care Advisory Group
Type of Project (planning, implementation, or evaluation)	Implementation
Additional Funds Required (outside of County's budget)	ARPA funds (already allocated to this grant program)
Estimated Month and Year of Completion	June 2024

Notes from SP Retreat #2

- Chair Kujala: Recommends the County continue to support the local child care taskforce
- Comm. Thompson: Noted the importance of engaging Coordinated Care Organizations (CCOs) in the County's strategic plan priorities for Social Services (focus area) and recommends identifying how to better utilize Columbia Pacific CCO to access related public funds
- Comm. Web: Noted how quickly and efficiently the County's work to expand child care services evolved and recommends continued support of local child care services through all means possible, keeping this as a priority until the issue is solved

Homelessness Initiatives/Actions (Tier 2)

Possible Action:

Develop:

1. County's time, place, and manner ordinance for HB 3115 (2022) compliance and
2. A long-term plan to support sustainable operations at the new Project Turnkey 2.0 emergency shelter (formerly the Columbia Inn).

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	<ol style="list-style-type: none">1. New Clatsop County time, place, and manner ordinance2. County plan to support new emergency shelter (Project Turnkey 2.0)
The County's Role (lead, collaborative partner, participant, etc.)	Lead & collaborative partner
Others Involved	Local jurisdictions and social service partners
Type of Project (planning, implementation, or evaluation)	Planning
Additional Funds Required (outside of County's budget)	ARPA fund (allocation amount is still to be determined)
Estimated Month and Year of Completion	June 2025

Notes from SP Retreat #2

- Comm. Toyooka: Noted that the micro housing project is a collaborative effort with community partners that will provide a needed services to the community

Crisis Stabilization Plan (Tier 3)

Possible Action:

Facilitate/coordinate round table discussions with community providers about next steps for expanding the County's crisis stabilization capacity.

Considerations	Staffs' Best Guess
Deliverable (measurable outcome)	County-wide strategy or plan to expand local crisis stabilization capacity
The County's Role (lead, collaborative partner, participant, etc.)	Collaborative partner
Others Involved	Local jurisdictions, health care providers, and law enforcement agencies
Type of Project (planning, implementation, or evaluation)	Planning
Additional Funds Required (outside of County's budget)	
Estimated Month and Year of Completion	June 2025

Notes from SP Retreat #2

- No comments/questions

STRATEGIC PLAN UPDATE

FY 2023-24 Priorities



Clatsop County

Amendment 2 to the Strategic Plan **(DRAFT)**

Table of Contents

County Manager's Message.....	03
Introduction.....	04
FY 2023-24 Priorities.....	05
Attachment 1: Strategic Plan Overview.....	08
Attachment 2: Progress Report.....	16
FY 2021-22 Priorities.....	17
FY 2022-23 Priorities.....	18



County Manager's Message



(content pending...)

Introduction

(content pending...)

FY 2023-24 Priorities

The remaining pages detail the Strategic Plan priorities for FY 2023-24 and how the Board of County Commissioners and County employees will address them.

KEY



FOCUS AREA

Objective (Tier)
Action

GOVERNANCE

County Operations Sustainability Plan (Tier 1)
[to be determined]

Community & Stakeholder Engagement (Tier 2)
[to be determined]

Equity Plan for Access to Services (Tier 2)
[to be determined]

INFRASTRUCTURE

Consolidated Emergency Communications (Tier 1)

[to be determined]

State/County Transportation Safety Improvements (Tier 1)

[to be determined]

Rural Broadband Expansion (Tier 2)

[to be determined]

Tide Gates & Levees (Tier 2)

[to be determined]

Carrying Capacity Analysis (Tier 3)

[to be determined]

Evacuation Routes (Tier 3)

[to be determined]

Impacts of Sea Level Rise (on public infrastructure) (Tier 3)

[to be determined]

ECONOMIC DEVELOPMENT

Economic Development Strategic Plan (Tier 1)

[to be determined]

Increase Workforce Housing Inventory (Tier 2)

[to be determined]

ENVIRONMENTAL QUALITY

Water Quality & Needs Assessment (Tier 1)

[to be determined]

FEMA's BiOp (Tier 2)

[to be determined]

Proper Dumping of Septage (Tier 3)

[to be determined]

SOCIAL SERVICES

Child Care (Tier 1)

[to be determined]

Homelessness Initiatives/Actions (Tier 2)

[to be determined]

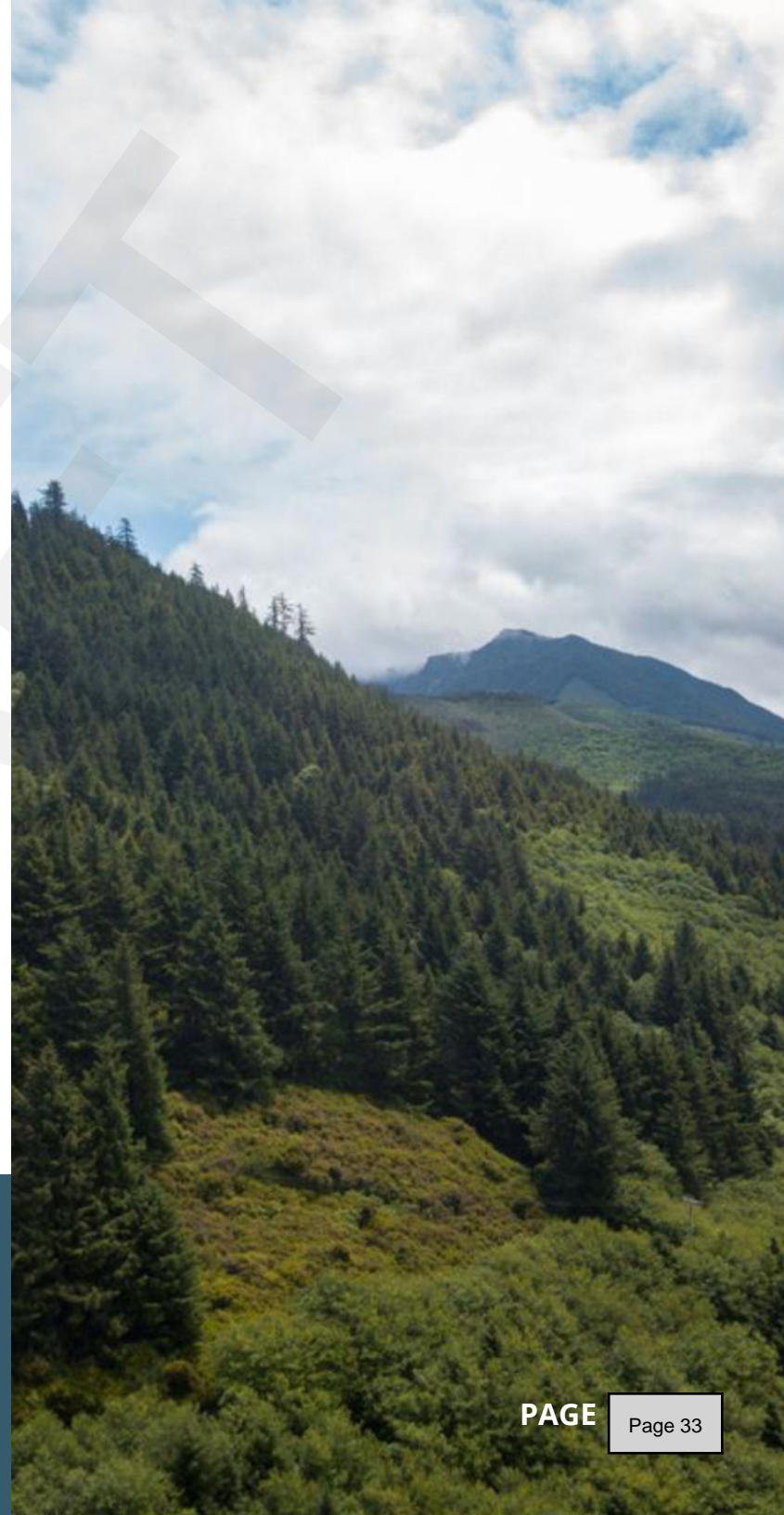
Crisis Stabilization Plan (Tier 3)

[to be determined]

Attachment 1

STRATEGIC PLAN OVERVIEW

CLATSOP COUNTY



OVERVIEW

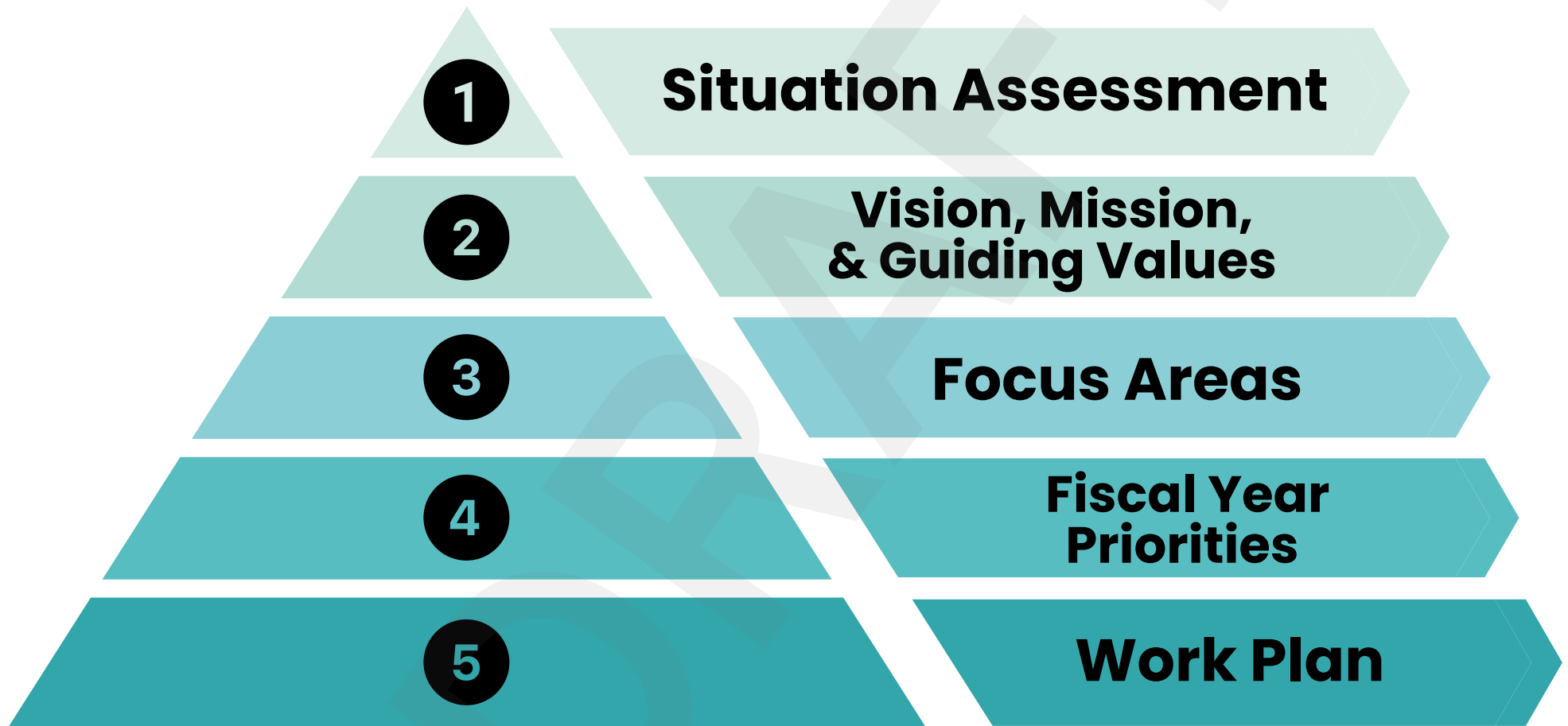
Strategic Plans are **important tools** that are built from **public input** and help people **understand the County's vision** and the **direction it is taking and why**. Clatsop County began its year-long strategic planning process in January 2020.

This **collaborative effort** engaged elected officials, staff, stakeholder groups, and the general public and was conducted in partnership with the Center for Public Service at Portland State University. The result is the **County's new Strategic Plan**, adopted by the Board of County Commissioners in January 2021.

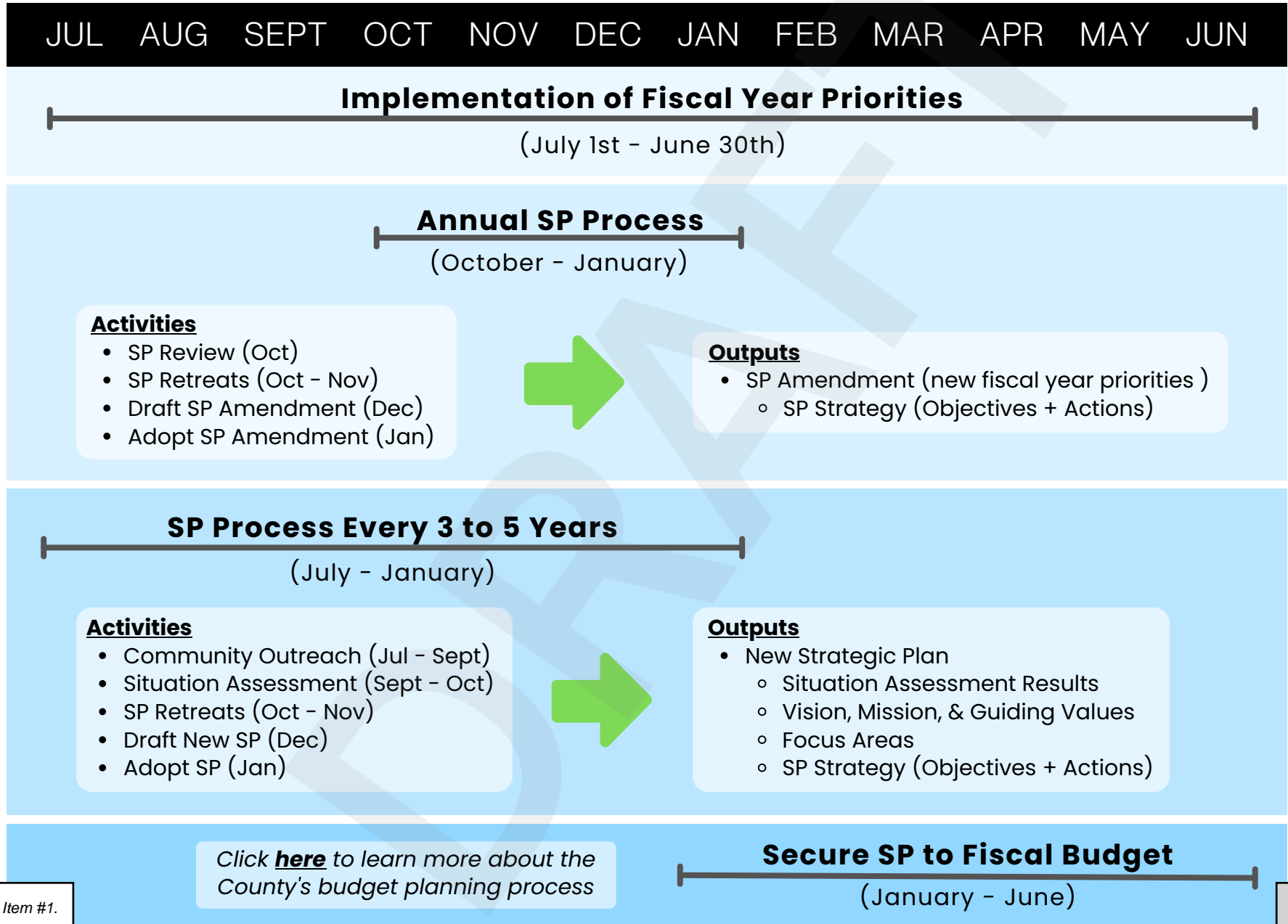
In June 2022, the Board adopted the first amendment to the Strategic Plan (**Amendment 1**), establishing **new FY 22-23 priorities** (effective July 1, 2022). Some FY 21-22 priorities (or certain of them) have carried over into FY 22-23.



FRAMEWORK



PLANNING PROCESS



GUIDING VALUES



Engagement and Collaboration

Leadership in County-wide coordination of services and problem solving by bringing together, engaging, listening to, and cooperating with community members and stakeholders of diverse backgrounds, experiences, thoughts, and perspectives.

Effectiveness and Efficiency

Decision-making and operations that effectively and efficiently achieve outcomes consistent with the vision.

Equity

Equitable treatment, access, opportunity, and advancement for all.

Transparency and Accountability

Public policy decisions are made in open meetings. The County is accountable for its decisions and their implementation.

VISION



In a world of change and uncertainty, people trust Clatsop County to provide public services and facilities in an effective, efficient, and equitable manner. These essential elements of a high quality of life, including economic prosperity, ecosystem integrity, health, safety, and social connection are provided by working collaboratively and in partnership with other public, non-profit, and private sector service providers.

MISSION



Clatsop County will (1) identify the broad services it understands community members want and are willing to support, and then (2) provide those services effectively, efficiently, equitably, within budget, and in partnership with other public, non-profit, and private sector service providers.

FOCUS AREAS



GOVERNANCE

...roles, relationships, and processes that allow the County to effectively, efficiently, and transparently choose and deliver valued services that are consistent with the County's vision, mission, and values.



INFRASTRUCTURE

...public spaces and utilities provided/maintained by the County, such as roads, water and wastewater treatment plants, and pipes.



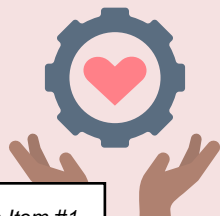
ECONOMIC DEVELOPMENT

...actions that help create and sustain a strong, diverse, and resilient economy, such as job creation and retention, supporting livable wages, expanding public transportation, comprehensive community planning, and removal of regulatory barriers where feasible and appropriate.



ENVIRONMENTAL QUALITY

...natural resources that provide life and sustenance to the County, such as the ocean, rivers, streams, the immense forest, local wildlife, and the actions that conserve, protect, and promote the sustainability of our intertwined ecosystem.



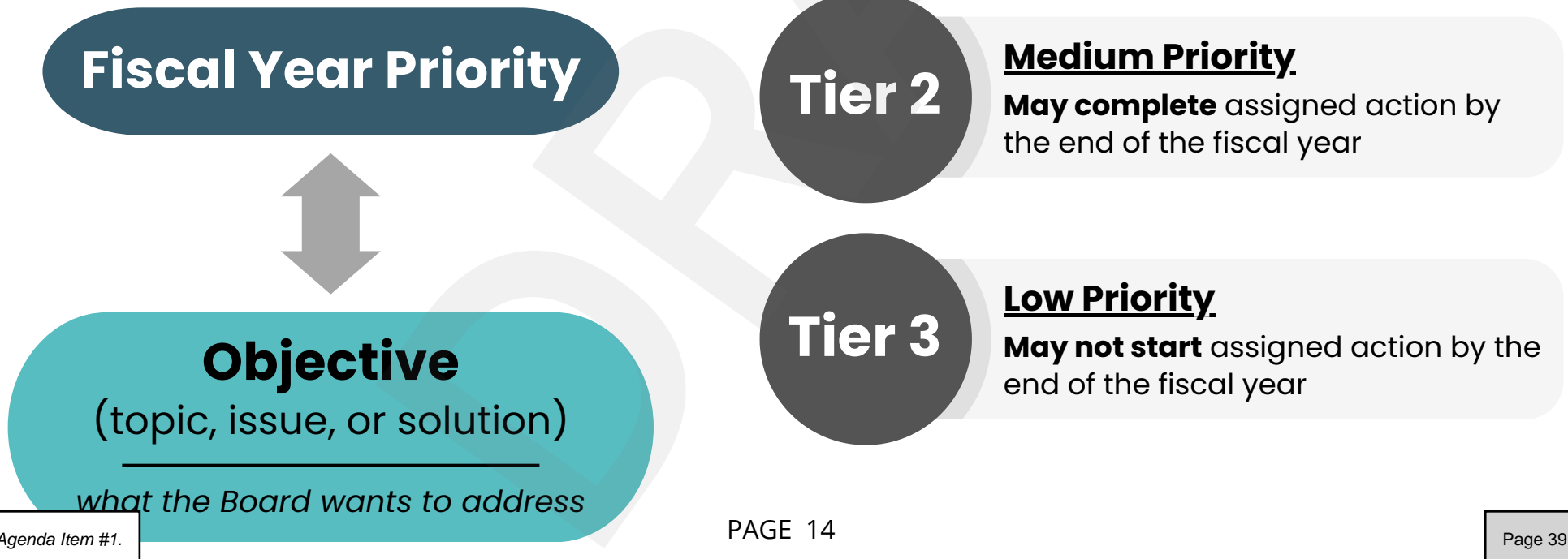
SOCIAL SERVICES

...issues and services that impact the ability of individuals, families, and communities to thrive and must be addressed in collaboration with state, regional, and community partners, such as mental health, addiction, houselessness, child care, and trauma.

FISCAL YEAR PRIORITIES

During the County's annual strategic planning process, the Board of County Commissioners **establishes new and/or continued priorities** for each focus area. In the County's Strategic Plan, fiscal year priorities are also referred to as objectives.

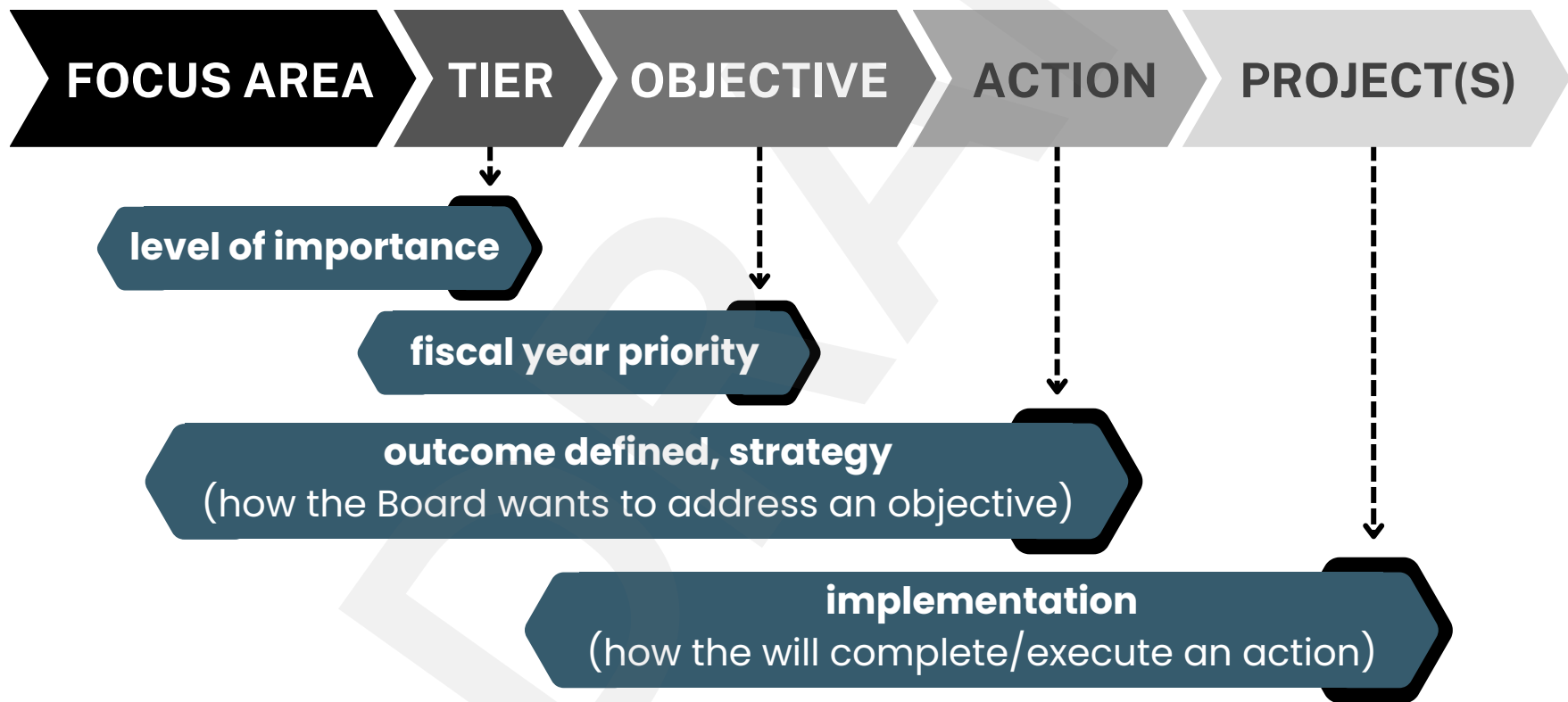
The Board then ranks each objective by its level of importance (Tier 1, Tier 2, or Tier 3).



WORK PLAN

Each fiscal year, County staff create a work plan to establish a formal roadmap for addressing the Board's new Strategic Plan priorities.

Outline



Attachment 2

Progress Report

FY 21-22 & FY 22-23 Strategic Plan Priorities



FY 21-22 Priorities

(content pending...)

FY 22-23 Priorities

(content pending...)

Board of Commissioners Clatsop County

AGENDA ITEM SUMMARY

February 22, 2023

Agenda Title: National FFA Week Proclamation
Category: Proclamation
Presented By: Northwest District FFA President Jena Russell

Issue Before the Commission: Proclaiming February 18-25, 2023 as National FFA Week

Informational Summary: According to Oregon FFA:
“Future Farmers of America” was founded by a group of young farmers back at the National level in 1928. Their mission was to prepare future generations for the challenges of feeding a growing population. They taught us that agriculture is more than planting and harvesting – it’s a science, it’s a business, and it’s an art. In 1988, the official name of the organization was changed from “Future Farmers of America” to “FFA” to reflect the growing diversity of agriculture. Today we are still the Future Farmers of America, but we are the Future Biologists, Future Chemists, Future Veterinarians, Future Engineers, and Future Entrepreneurs of America too.

Oregon FFA was founded in 1929 and today consists of 114 FFA chapters—totaling 15,043 members state-wide.

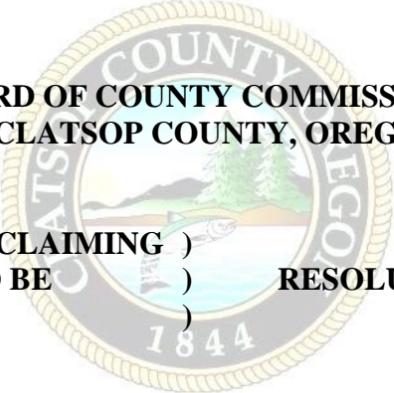
Fiscal Impact: None.

Requested Action:

Approve Resolution and Order proclaiming February 18-25, 2023 to be National FFA Week and authorize the Chair to read, then sign the proclamation.

Attachment List

A. Resolution and Order



**THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON**

**IN THE MATTER OF PROCLAIMING)
FEBRUARY 18-25, 2023 TO BE) RESOLUTION AND ORDER
NATIONAL FFA WEEK)**

WHEREAS, FFA and agricultural education provide a strong foundation for the youth of America and the future of food, fiber, and natural resources systems; and

WHEREAS, FFA promotes premier leadership, personal growth, and career success among its members; and

WHEREAS, agricultural education and FFA ensure a steady supply of young professionals to meet the growing needs in the science, business, and technology of agriculture; and

WHEREAS, state, regional, county, and local governments are taking actions to address climate change and that these efforts are led by elected officials and community partners; and

WHEREAS, the FFA motto—“Learning to Do, Doing to Learn, Earning to Live, Living to Serve”—gives direction and purpose to these students who take an active role in succeeding in agricultural education; and

WHEREAS, FFA promotes citizenship, volunteerism, leadership, patriotism, and cooperation.

NOW, THEREFORE, BE IT HEREBY RESOLVED that Clatsop County Board of Commissioners does hereby proclaim February 18-25, 2023 as

“NATIONAL FFA WEEK”

in Clatsop County and invites the community to celebrate FFA members, students and their families, faculty and staff, participating businesses, alumni, and supporters of our local Astoria FFA Chapter.

DATED this 22nd day of February, 2023.

BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

Board Chair

Board of Commissioners Clatsop County

AGENDA ITEM SUMMARY

February 22, 2023

Agenda Title: Ambulance Service Advisory (ASAA) Committee Membership Modification
Category: Consent Calendar
Presented By: Tiffany Brown, Emergency Manager

Issue Before the Commission: Adding two new member positions to the ASAA Committee in order to improve representation for the fire service and hospital providers in Clatsop County.

Informational Summary: The Ambulance Service Area Advisory Committee provides advice and recommendations to the Board of Commissioners regarding provisions of the Ambulance Service Ordinance and the Ambulance Service Area Plan. The following members currently comprise the ASAA Committee:

1. County Health Officer or Public Health Director
2. Physician familiar with EMS
3. Fire Department Representative
4. ASA Franchise Agreement Representative
5. Registered Nurse who has worked in an Emergency Department
6. Four (4) citizens not associated with the EMS

The current member positions are pre-defined by the Clatsop County Ambulance Service Area Ordinance. The Ordinance provides that the Board may appoint additional persons to the Committee to serve as ex-officio member advisors; the Board may also appoint alternates to serve in the absence of appointment Committee members.

At their 4th quarter meeting on 10/11/22, the ASAA Committee engaged in discussion and approved a proposal to expand representation by adding two positions related to the Fire Department Representative and Registered Nurse positions.

Historically, the Registered Nurse position has been filled by staff at either Providence Seaside or Columbia Memorial Hospital, which necessarily leaves one hospital unrepresented on the ASAA Committee. This portion of the proposed change will serve to strengthen representation on the Committee by formalizing engagement of both

hospitals. The current position is filled with CMH staff, so if approved, the Committee will seek to identify a PSH-affiliated nurse to fill the new position.

Similarly, the Committee wishes to create an additional fire representative position, so that both rural and municipal agencies are represented, because the two environments can differ greatly with respect to EMS. The Fire Representative position is currently (and has historically been) represented by a rural fire protection district Chief, so if approved, the ASAA would identify a municipal Chief.

As proposed, the new member positions will serve as additional committee advisors in ex-officio capacity at all times and as a voting member when the primary member is not present. If approved, the Committee will proceed with advertising and identifying candidates to consider for recommendation at the next meeting in April 2023.

Fiscal Impact: None.

Requested Action:

Approve the Resolution & Order authorizing the addition of two positions to serve as ex-officio advisory members to and designated alternates for the Fire Representative and Registered Nurse member positions of the ASAA Committee.

Attachment List

- A. Current ASAA Membership Roster
- B. Meeting minutes (10/11/22)
- C. Clatsop County Ambulance Service Area Ordinance
- D. Resolution & Order

Ambulance Service Area Advisory Committee

The Ambulance Service Area Advisory Committee provides advice and recommendations to the Board of Commissioners regarding provisions of the Ambulance Service Ordinance and the [Ambulance Service Area Plan](#).

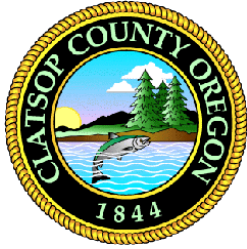
MEETINGS

The committee meets quarterly on the 2nd Tuesday at 1:00 p.m. during the months of January, April, July and October, though additional meetings are sometimes scheduled in the course of special projects such as franchise renewal or plan updates. Find more information in "Meetings & Agendas" or in "Calendar".

MEMBERSHIP

Members are recommended by the Committee and appointed by the Board of Commissioners. After an initial first term of three years, each member serves in 2-year increments and fills a specific position relevant to the ASAA. This table reflects the current ASAA Committee membership:

Name	Position	Term Expiration
Thomas Duncan	County Health Officer	N/A
Jill Tillotson	Registered Nurse/ER	06/2023
Marc Reckmann	Fire Department	06/2024
Tom Strecker	ASA Franchise Agreement	N/A
Shannon Berry	Physician Advisor (Medix)	06/2024
Lila Wickham	Citizen	03/2024
Duane Johnson	Citizen	06/2023
Regina Mysliwec	Citizen	03/2023
VACANT	Citizen	00/0000
<div>Agenda Item #3.</div> Th	Administrator	N/A



Clatsop County

County Manager's Office

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Phone (503) 325-1000

Fax (503) 325-8325

MINUTES

Ambulance Services Area Advisory Committee Meeting

Tuesday, October 11, 2022 at 1:00 p.m.

1. **Call to Order**

The meeting was called to order at 1:04 p.m. In attendance were Tom Strecker, Tiffany Brown, Hannah St. Denis, Shannon Berry, Jiancheng Huang, Jill Tillotson, Marc Reckmann, Lila Wickham, Bridgette Blakesley, Regina Mysliwiec

2. **Approval to Minutes/Agenda**

No changes to minutes/agenda, Berry made a motion to approve and Strecker seconded.

3. **Old Business**

None.

4. **New Business**

Medix Quarterly Reports. Strecker distributed the reports for discussion regarding summer months. He advised that they had employed travel paramedics during the summer to fill staff gaps. He advised that the proposed changes aimed at improving response times had not yet been approved by the County Commission.

Proposal to add Committee Stakeholders. Crutchfield said he thought it would be beneficial to have representation from both city and rural fire departments due to the differences between the two. He suggested adding a new stakeholder position within the ASAA committee, and said that Chief Alsbury was willing to commit to the role. Brown said she believed the (odd) number of committee members was intentional from an organizational standpoint, so suggested adding 2 more stakeholder positions, which would also give both hospitals an opportunity to participate as members. Currently Removing the Registered Nurse position and calling them Providence and CMH.

Member(s) suggested revisiting all positions and ask what each position represents, e.g. Medical vs Physician advisor. Brown advised that Dr. Duncan is the county's physician advisor and that Medix maintains the Medical Advisor (also a County requirement). She added that though Duncan was retiring from private practice, he had indicated he is still interested in public health.

Strecker made and Mysliwiec seconded a motion to modify the current committee stakeholder makeup by adding 2 additional positions: The first is a hospital position

intended to include both hospitals, and the second is a city fire department to include both rural and municipal representation. As a matter of course, the currently identified “Registered Nurse/Emergency Room” and “Fire Representative” positions will be renamed to reflect the change. Brown advised she would prepare the matter for the BCC and the committee would nominate members at a subsequent meeting.

5. Member Committee Reports

Medix. Strecker sent an email regarding changing shift cycle to make it more consistent coverage for transfers beginning October 16th. Tillotson said she’d like to get the quarterly reports earlier, in advance of the meeting, and Brown said it would be done.

Citizen Members: Wickham is interested in the discussion about metrics used to assess EMS, and whether changes will affect outcomes. Berry advised that within her role, she was responsible for reviewing calls that proper treatment was provided & that all the correct protocols were followed.

Adjourn at 1:39

Chapter 5.04

CLATSOP COUNTY AMBULANCE SERVICE AREA

Sections:

- 5.04.010 Policy and purpose.**
- 5.04.020 Definitions.**
- 5.04.030 Exemptions.**
- 5.04.040 Administration.**
- 5.04.050 Ambulance service area.**
- 5.04.060 Ambulance service providers regulated.**
- 5.04.070 Application for ambulance service franchise.**
- 5.04.080 Existing ambulance service providers.**
- 5.04.090 Review of application for franchise.**
- 5.04.100 Board action on application for franchise.**
- 5.04.110 Franchise terms and renewals.**
- 5.04.120 Early discontinuance of service by franchisee.**
- 5.04.130 Transfer of franchises.**
- 5.04.140 Enforcement of franchise provisions.**
- 5.04.150 Preventing interruption of service.**
- 5.04.160 Appeals, abatement and penalties.**
- 5.04.170 Duties of ambulance service franchisee.**
- 5.04.180 Ambulance Service Area (ASA) Advisory Committee.**
- 5.04.190 Regulations of ambulance service.**
- 5.04.200 Initial responder.**

5.04.010 Policy and purpose.

- A. ORS 823.180 requires Clatsop County to develop and adopt a plan for the County relating to the need for a coordination of emergency ambulance services and to establish an ambulance service area (ASA) consistent with the plan to provide efficient and effective emergency ambulance services.
- B. This chapter, together with the document known as the Clatsop County Ambulance Service Area Plan (ASA Plan) make up the complete plan for emergency ambulance services for Clatsop County.
- C. The provisions of ORS 221.485 and 221.495, 478.260(3), and 823.020 through 823.320 require Clatsop County to develop and adopt a plan for emergency ambulance services that recognizes the authority of cities and rural fire protection districts to operate and regulate emergency ambulance services within their own territories subject to the ASA Plan. That the provision of effective and efficient emergency ambulance services pursuant to the Clatsop County ASA Plan within cities and rural fire protection districts must be accomplished primarily on a cooperative basis. Clatsop County will employ formal sanctions and litigation to enforce the provisions of the Clatsop County ASA Plan when voluntary compliance cannot be obtained. (Ord. 95-6 § 3)

5.04.020 Definitions.

“Administrator” means a person designated by order of the Board to administer this chapter and the duly authorized deputy or assistant of such person.

“Ambulance service area (ASA)” means a geographical area which is served by one ambulance service provider, and may include all or a portion of a county, or all or portions of two or more contiguous counties.

“Ambulance Service Area Advisory Committee (Committee)” means the group that will advise the Board as it pertains to the ASA Plan.

“Board” means the Clatsop County Board of Commissioners for Clatsop County, Oregon.

“Franchise” means a franchise to provide emergency ambulance service issued by the Board pursuant to this chapter.

“Persons” means and includes individuals, corporations, associations, firms, partnerships, joint stock companies, cities, rural fire protection districts, and special service districts formed and existing pursuant to Oregon Revised Statute. (Ord. 95-6 § 4)

5.04.030 Exemptions.

This chapter shall not apply to:

- A. Ambulances owned or operated under the control of the United States Government;
- B. Vehicles and aircraft being used to render temporary assistance in the case of a major catastrophe or emergency with which the ambulance services of the surrounding locality are unable to cope, or when directed to be used to render temporary assistance by an official at the scene of an accident;
- C. Vehicles operated solely on private property or within the confines of institutional grounds, whether or not the incidental crossing of any public street, road or highway through the property or grounds is involved; or
- D. Ambulances or vehicles transporting patients from outside the County to a health care facility within the County, or which are passing through without a destination in the County. (Ord. 95-6 § 5)

5.04.040 Administration.

The administrator, under the supervision of the Board and with the assistance of the Committee, shall be responsible for the administration of this chapter. In order to carry out the duties imposed by this chapter, the administrator, or persons authorized by the administrator, are hereby authorized to enter on the premises of any person regulated by this chapter at reasonable times and in a reasonable manner to determine compliance with this chapter and regulations promulgated pursuant thereto. The administrator shall also have access to records pertaining to ambulance service operations of any person regulated by this chapter. These records shall be made available within five working days to the administrator at the person’s place of business, or copies made and provided as requested by the administrator. (Ord. 95-6 § 6)

5.04.050 Ambulance service area.

For the efficient and effective provision of emergency ambulance services in accordance with the ASA Plan, the ASA shown on the map attached thereto as Appendix #1, is adopted as the ASA for Clatsop County. The Board, after notice to the affected ASA providers and by the adoption of an order, may adjust the boundaries of an ASA from time to time as necessary to provide efficient and effective emergency ambulance services. (Ord. 95-6 § 7)

5.04.060 Ambulance service providers regulated.

Effective July 1, 1995, no person shall provide emergency ambulance service in Clatsop County, Oregon, unless such person is franchised in accordance with the applicable provisions of this chapter. (Ord. 95-6 § 8)

5.04.070 Application for ambulance service franchise.

- A. Applications for franchises shall be on forms provided by the administrator. In addition to information required on the forms, the Board may require additional information it deems necessary to insure compliance with this chapter.
- B. The applicant shall provide the following information:
 - 1. The name and address of the person or agency applying.
 - 2. The ASA the person desires to serve, the location(s) from which ambulance services will be provided, and the level of service to be provided.
 - 3. A statement as to whether or not the person will subcontract for any service to be provided. If some service will be provided by subcontract, a copy of that proposed subcontract shall be provided.
 - 4. A list of vehicles to be used in providing emergency ambulance services including year, make and model, and verification that each vehicle is or can be licensed as a basic life support and/or advance life support ambulance by the Oregon Health Division.
 - 5. A statement that all equipment and supplies in each ambulance will conform to Oregon Health Division standards.
 - 6. A list of personnel to be used in providing emergency ambulance service and their current emergency medical technician level and certificate number, or other appropriate certification.
 - 7. Proof of financial ability to operate, including an operating budget for public bodies or financial statement for private entities, references and/or statement of past ambulance service. Private companies must include a profit and loss statement in addition to the above materials. Other appropriate financial information, such as income, tax returns, or reports by governmental authorities shall also be submitted upon request. Public bodies must provide information regarding the sources and amounts of funding for emergency ambulance services.
 - 8. Proof of public liability insurance in the amount of not less than the tort liability limits set forth in ORS 30.272 and 30.273. Applicants may be self-insured. All policies shall be in a form satisfactory to the administrator and name Clatsop County as an additional insured.
 - 9. A statement of experience in providing emergency ambulance service of a comparable quality and quantity to insure compliance with this chapter, regulations promulgated thereunder, any franchise issued, and the ASA Plan.
 - 10. Proof of ability to comply with the terms and conditions of the ASA Plan and applicable County ordinances, in the form of a narrative summary.
 - 11. A description of any prepaid ambulance service plan, including number of members, number of years of operation, funding and term.
 - 12. Information, in the form of run logs, medical records, supervising physician correspondence, audit reports, training records, policy and procedure manuals and equipment records and inventories, and any other records or materials requested.

13. In the case of an application to transfer or take over an already assigned franchise:

- a. A detailed summary of how the proposed change will improve emergency ambulance response time, and the quality and level of services to the ASA. It shall include an assessment of how the proposed change will impact the existing first response system.
- b. Evidence that the call volume in the ASA is sufficient to financially or otherwise justify the change in service.
- c. Information, in the form of run logs, medical records, supervision physician correspondence, audit reports, training records, policy and procedure manuals and equipment records and inventories, and any other records or materials requested.

C. The Board may from time to time, by order, adopt fees to defray the actual reasonable costs incurred by Clatsop County in processing applications, and adopt annual franchise fees to defray the reasonable costs of Clatsop County in administering this chapter. (Ord. 95-6 § 9)

5.04.080 Existing ambulance service providers.

Persons who meet the application requirements of Section 5.04.070 and who were providing service on the effective date of the ordinance codified in this chapter shall be franchised to provide emergency ambulance service for the ASA they were serving on such effective date. (Ord. 95-6 § 10)

5.04.090 Review of application for franchise.

- A. Applications shall be reviewed by the administrator, who shall make such investigation as he or she deems appropriate, and who may request assistance of other persons as necessary.
- B. The administrator shall notify the holder of a franchise for providing emergency ambulance service to an ASA of any applications by another person to take over that franchise.
- C. Unless the time is extended by the Board for good cause, the administrator shall make his or her recommendation to the Board to grant, deny, modify or attach appropriate conditions to the application. The administrator shall transmit his or her recommendation within 90 days after the application and any required supplemental information has been received. (Ord. 95-6 § 11)

5.04.100 Board action on application for franchise.

Upon receipt of the administrator's recommendation, the Board:

- A. Shall publish notice of its intent to hold a public hearing on the application and recommendations at least ten days, but not later than 30 days following publication of notice.
- B. May require additional investigation by the administrator if it finds that there is insufficient information on which to base its action.
- C. Shall, upon the basis of the application, the administrator's recommendation, such other information as is permitted by this chapter, and such information as is presented to the Board at the public hearing make an order granting, denying or modifying the application or attaching conditions thereto.
- D. Shall not make an order adverse to the applicant or to the holder of, or applicant for, another franchise effective less than 30 days after the date of such order and shall notify such persons in writing of the order. The Board may suspend operation of this subsection and enter an emergency order if it finds that

there is an immediate and serious danger to the public or that a health hazard or public nuisance would be created by a delay.

- E. After the Board makes an order granting an emergency ambulance service franchise, with or without conditions, and the franchisee finds he or she is unable to provide a particular service, the administrator may permit the franchisee to subcontract such service to another person if the administrator finds that the quality and extent of the service would not be jeopardized. The administrator may require the filing of such information as he or she deems necessary. (Ord. 95-6 § 12)

5.04.110 Franchise terms and renewals.

- A. The initial ambulance service franchise in an ASA shall be valid for a period of seven years from the date of issuance.
- B. Thereafter, unless the Board finds that a longer or shorter term is required in the public interest, the term of an ambulance service franchise shall be five years.
- C. Unless grounds exist for refusal to renew a franchise under provisions for suspension or revocation as set forth in Section 5.04.140, or unless the franchise is to be given to a new person, franchises shall be renewable. Application for renewal shall be made on forms provided by the administrator.
- D. Not more than 180 days and not less than 120 days prior to the expiration of the franchise, a franchisee wanting to renew the franchise and any person desiring to take over the franchise shall submit an application to the administrator.
- E. Review of all applications for renewal or take over of a franchise shall be conducted in the same manner as for an application pursuant to Sections 5.04.070, 5.04.090 and 5.04.100. (Ord. 95-6 § 13)

5.04.120 Early discontinuance of service by franchisee.

- A. If a franchisee discontinues service before the expiration of his or her franchise, the Board shall set a time by which applications must be submitted for a new franchise in the ASA.
- B. The administrator shall develop an interim plan for coverage of the ASA, using existing franchisees and/or other available resources until the ASA can be reassigned.
- C. The administrator shall issue a temporary certificate valid for a stated period not to exceed six months, entitling a person to provide emergency ambulance service in all or part of the ASA. The administrator may renew a temporary certificate for one additional six-month period. (Ord. 95-6 § 14)

5.04.130 Transfer of franchises.

A franchisee may transfer his or her franchise to another person only upon written notice to and approval by the Board. Review of an application for transfer of a franchise shall be conducted in the same manner as for an application pursuant to Sections 5.04.070, 5.04.090 and 5.04.100. (Ord. 95-6 § 15)

5.04.140 Enforcement of franchise provisions.

- A. Subject to the policies stated in Section 5.04.010, and in addition to the remedy provided in Section 5.04.150, and penalties provided elsewhere in this chapter or at law, the administrator shall, upon reasonable cause, make an investigation to determine if there is sufficient reason and cause to suspend, modify, revoke or refuse to renew a franchise as provided in this subsection.

- B. If in the judgment of the administrator, there is sufficient evidence to constitute a violation of applicable local, state or federal law, this chapter, ORS Chapter 823 or the rules promulgated thereunder, the ASA Plan, or if the franchisee has materially misrepresented facts or information given in the application for the franchise, the administrator shall notify the franchisee in writing, by certified mail, return receipt requested, or by personal service, as is provided by law for the service of a summons, of the violation and what steps he or she must take to cure the violation. The administrator shall send a copy of the notice to the Board and to the Committee.
- C. Ten days following the receipt of notice of violation, the Board may enter its order of revocation, modification, suspension or non-renewal, and may thereby revoke, modify, suspend, or not renew the franchise, unless prior thereto the franchisee shall file with the Board his or her request for a hearing on the administrator's notice of violation. If said request is timely filed, or if the Board so moves on its own, revocation, modification, suspension, or non-renewal will be stayed until the Board can, at its earliest convenience, hold a public hearing thereon. Notice of said hearing shall be given to the franchisee by mail and to all others by publication in a newspaper of general circulation in the County or the ASA at least ten days prior to such hearing. The burden of proof at the hearing held hereunder shall be upon the franchisee.
- D. In lieu of the suspension or revocation of the franchise, the Board may order that the violation be corrected and make the suspension or revocation contingent upon compliance with the order within the period of time stated therein. Notice of the Board action shall be provided by mail to the franchisee. The notice shall specify the violation, the action necessary to correct the violation, and the date by which the action must be taken. The franchisee shall notify the Board of the corrective action taken. If the franchisee fails to take corrective action within the time required, the Board shall notify the franchisee by certified mail, return receipt requested, or by personal service that the franchise is suspended or revoked upon service of the notice.
- E. Should the franchisee fail to comply with the Board's order, then the Board may take any steps authorized by law to enforce its order. (Ord. 95-6 § 16)

5.04.150 Preventing interruption of service.

Whenever the Board finds that the failure of service or threatened failure of service would adversely impact the health, safety or welfare of the residents of this County, the Board shall, after reasonable notice, but not less than 24 hours' notice to the franchisee, hold a public hearing. Upon appropriate findings after the hearing, the Board shall have the right to authorize another franchisee or other person to provide services. (Ord. 95-6 § 17)

5.04.160 Appeals, abatement and penalties.

- A. All the decisions of the Board under this chapter shall be reviewable by the Circuit Court of the State of Oregon for the County of Clatsop, only by way of writ of review.
- B. The provision of emergency ambulance service by any person in violation of this chapter, or regulations promulgated thereunder, is a nuisance and the Board may, in addition to other remedies provided by law or by this chapter, institute injunctive abatement or other appropriate legal proceedings to temporarily or permanently enjoin or abate such emergency ambulance service.

- C. Any person who violates any of the provisions of this chapter is guilty of a violation. Failure from day to day to comply with the terms of these provisions shall be a separate offense for each day. Failure to comply with any provision shall be a separate offense for each such provision.
- D. Violations of these provisions are punishable, upon conviction, by a fine of not more than \$500.00 for a non-continuing offense; i.e., an offense not spanning two or more consecutive calendar days. In the case of a continuing offense, i.e., an offense which spans two or more consecutive calendar days, violation of the provisions is punishable by a fine of not more than \$500.00 per day up to a maximum of \$1,000.00 as provided by law. (Ord. 95-6 § 18)

5.04.170 Duties of ambulance service franchisee.

The franchisee:

- A. Shall conduct its operation in compliance with all applicable state and federal laws, rules and regulations, the terms of this chapter and the Clatsop County ASA Plan.
- B. Shall not fail or refuse to respond to an emergency call for service when an ambulance is available for service.
- C. Shall not respond to a medical emergency located outside its assigned ASA except:
 - 1. When a request for specific emergency ambulance service is made by the person calling for the ambulance and the call does not dictate an emergency response;
 - 2. When the franchisee assigned to the ASA is unavailable to respond and the franchisee is requested by another franchisee or 9-1-1 dispatch to respond; or
 - 3. When the response is for supplemental assistance or mutual aid.
- D. Shall not voluntarily discontinue service to his or her assigned ASA until he or she has:
 - 1. Given 90 days' written notice to the administrator, or
 - 2. Obtained written approval of the Board.
- E. Subsection D of this section shall not apply to:
 - 1. Change, restriction or termination of service when required by any public agency, public body or court having jurisdiction; or
 - 2. Transfer of franchises pursuant to Section 5.04.130 of this chapter. (Ord. 95-6 § 19)

5.04.180 Ambulance Service Area (ASA) Advisory Committee.

- A. There is hereby created an Ambulance Service Area (ASA) Advisory Committee.
- B. Members shall be appointed by and serve at the pleasure of the Board. The Board may appoint additional persons to the Committee to serve as ex-officio members or advisors. The Board may appoint or approve designation of alternates to serve in the absence of persons appointed to the Committee.
- C. Except for the ASA administrator and other Clatsop County staff, appointments shall be for staggered terms on the initial Committee for a term not to exceed three years. Subsequent appointments shall be for two-year terms. Members shall serve until their successors are appointed and qualified. Vacancies shall be filled by the Board for the balance of the unexpired term. Persons may be appointed to successive terms.

- D. The Committee shall elect a chairperson. The Committee shall meet at such times as it deems necessary or as called by the Administrator or the Board. The chairperson or any of the seven members of the Committee may call a special meeting with five days' notice to other members of the Committee; provided however, that members may waive such notice.
- E. Fifty percent plus one constitute a quorum for the transaction of business. A majority vote of those present and voting is required to pass motions.
- F. In addition to other duties prescribed by this chapter the Committee shall:
 - 1. Review and make recommendations to the Board regarding the selection criteria for determining a franchise to provide emergency ambulance service.
 - 2. Regularly provide information to the Board from prehospital care consumers, providers and the medical community.
 - 3. Periodically review the ASA Plan and make recommendations to the Board, including, but not limited to:
 - a. Review the standards established in the Plan and make recommendations regarding improvement of or new standards as required by OAR 333-260-050;
 - b. Monitor the coordination between emergency medical service resources;
 - c. Review dispatch procedures and compliance; and
 - d. Review the effectiveness and efficiency of the ASA boundaries.
 - 4. Implement the quality assurance program outlined in the ASA Plan to insure compliance with the ASA Plan.
 - 5. Perform such other duties as directed by the Board.
- G. Committee members shall avoid acting in any matters where a conflict of interest may arise. Any Committee member having a direct or indirect financial or pecuniary interest in any matter before the Committee for consideration shall withdraw from participation in any action by the Committee in said matter. Nothing in this section shall limit the ability of any person to provide testimony to the Committee. (Ord. 95-6 § 20)

5.04.190 Regulations of ambulance service.

Upon its own motion or upon a recommendation of the Committee, the Board may adopt ordinances, resolutions or orders regulating emergency ambulance service or implementing this chapter. Such regulations shall not conflict with ORS 823 and rules promulgated pursuant thereto. (Ord. 95-6 § 21)

5.04.200 Initial responder.

Nothing in these provisions prohibits a 9-1-1 agency, responsible for the dispatching of emergency services, from dispatching an initial responder to the scene of a medical emergency in addition to dispatching an emergency ambulance service provider. (Ord. 95-6 § 22)

1 IN THE BOARD OF COUNTY COMMISSIONERS
2
3 FOR CLATSOP COUNTY, OREGON
4

5 In the Matter of the Adding Ex-Officio)
6 Advisory Member and Alternate) RESOLUTION AND ORDER
7 Positions to the Ambulance Service)
8 Area Advisory (ASAA) Committee)
9

10 WHEREAS, administration of the ASA Plan overseen by the Board and
11 supported by the ASAA Committee; and
12

13 WHEREAS, the current ASAA Committee bylaws, created in 2012,
14 identifies a 7-member Committee appointed by and serving at the pleasure of
15 the Board; and
16

17 WHEREAS, the ASAA Committee has identified a need for increased and
18 improve member representation; and
19

20 WHEREAS, the Clatsop County Ambulance Service Area Ordinance 5.04
21 states that the Board may appoint additional members to serve as ex-officio
22 members, advisors or alternates to serve in the absence of persons appointed to
23 the Committee; now, therefore, it is
24

25 RESOLVED AND ORDERED that Clatsop County does hereby authorize and
26 approve the addition of two positions to the ASAA Committee, which will serve as
27 alternates and to augment representation for the Fire Representative and
28 Registered Nurse member positions.
29

30 APPROVED AND ADOPTED this 22nd day of February, 2023.
31

32 BOARD OF COUNTY COMMISSIONERS
33 FOR CLATSOP COUNTY, OREGON
34
35

36
37 _____
38 Mark Kujala, Chairperson
39
40

**Clatsop County
Board of Commissioners
Minutes
Wednesday, January 25, 2023**

REGULAR MEETING: 6:00 PM

FLAG SALUTE

ROLL CALL

PRESENT

Commissioner Lianne Thompson
Commissioner Pam Wev
Commissioner John Toyooka
Vice Chair Courtney Bangs
Chair Mark Kujala

AGENDA APPROVAL

Motion made by Commissioner Thompson, Seconded by Vice Chair Bangs to add Item 9 to the Business Agenda, a Resolution and Order requesting Clatsop County to be included in the State of Emergency Declaration due to homelessness and change the amended motion on Item 6 of the Business Agenda, Jail Relocation Project.

Voting Yea: Commissioner Thompson, Commissioner Wev, Commissioner Toyooka, Vice Chair Bangs, Chair Kujala

Motion made by Vice Chair Bangs, Seconded by Commissioner Toyooka to approve the agenda as amended.

Voting Yea: Commissioner Thompson, Commissioner Wev, Commissioner Toyooka, Vice Chair Bangs, Chair Kujala

PROCLAMATION

1. Cascadia Earthquake Awareness Day Proclamation {Page 40}

Justin Gibbs, Emergency Services Director, presented the Staff report on the Cascadia Earthquake Awareness Day proclamation.

Motion made by Vice Chair Bangs, Seconded by Commissioner Thompson to approve the Resolution and Order proclaiming January 26, 2023 to be Cascadia Earthquake Awareness Day and authorize the chair to read and sign the proclamation.

Voting Yea: Commissioner Thompson, Commissioner Wev, Commissioner Toyooka, Vice Chair Bangs, Chair Kujala

Chair Kujala read the proclamation into the record.

BUSINESS FROM THE PUBLIC

1 County Manager Bohn stated the Commission had received questions about the diligence
2 process for the use of the County's surplus lands. The County Manager would be outlining
3 the diligence process during the next work session on Wednesday. He noted that the
4 Commission met earlier that day to discuss strategic planning. The regional taskforce for
5 housing met earlier that day as well, and a housing dashboard had been put together to
6 identify current and future housing locations. The County has funded additional staff at
7 the Northwest Oregon Housing Authority (NOHA) with American Rescue Plan Act (ARPA)
8 funds. Project Turnkey 2.0 could provide 44 shelter beds for homeless people living in
9 Astoria. The County has asked the governor for resources to help rural counties address
10 homelessness and housing deficiencies. More than 30 tracks of surplus land had been
11 identified in the County that could potentially be developed with affordable housing. The
12 County has requested expressions of interest from municipalities and non-profits.
13 However, acquisition costs are the biggest barrier to building affordable housing. A
14 comprehensive diligence process would be forthcoming with all of the County's partner
15 agencies, which will take months to complete. Next steps are to receive the expressions
16 of interest, Commission review of the expressions of interest, begin the diligence process,
17 and then have a work session to discuss the Commission's options.

18 Cheryl Waikovich, 98344 Raven Hill Rd., Arch Cape, said the surplus land in Arch Cape
19 was being considered by North Coast Housing Solutions (NCHS) to build 25 duplexes or
20 50 units of workforce housing. The property is remote and the land is unstable, which
21 could be exacerbated by the deforestation necessary to build. Fire risk, limited water
22 service, and wetlands could delay the project and waste County resources. She had
23 worked with the homeless and knew how important housing and access to services was.
24 Giving this land to an inexperienced developer would be capricious. The Commission
25 needed to make sure housing could be built in a timely manner in an area where people
26 can live.

27 Eric Fast, 32081 Wildwood Ln., Arch Cape, said he was building a new home on Ravenhill
28 Rd. directly adjacent to the proposed development by NCHS. The County should not rush
29 to make decisions about how to develop the property. He wanted to make sure the County
30 followed through with their due diligence processes to build housing where it needs to be
31 built. He was concerned about seismic issues, water pressure and fire suppression
32 systems, and the removal of large boulders on the property. The County should consider
33 the type of development that is built. He believed conservation was a suitable use for the
34 property as well.

35 Ryan Ludwig, 11575 SW 13th St., Beaverton, said he was concerned about the diligence
36 process for giving public land to private developers. He wanted to make sure that the
37 County took the appropriate environmental considerations into account. He had spent
38 time on the property proposed for development, roaming around in the forest. The land
39 has mature mixed forest, sloping hills, seasonal creeks, and giant boulders, which make
40 the site difficult to build on. Additionally, there may be geologic instability. He also saw
41 signs of big game.

42 Robert Jorgensen, 98344 Raven Hill Rd., Arch Cape, said the County's diligence process
43 was a step in the right direction. Allowing an inexperienced developer to attempt this
44 proposed project without a detailed and transparent process would be irresponsible and
45 disastrous. The process should include the following considerations: Evaluate and rate

1 specific properties and areas of opportunity for housing according to the needs to the
2 people; consider all of the services and available infrastructure; set qualifications for
3 developers, consider their project experience, and evaluate evidence of sufficient staff;
4 clarify expectations about land ownership, deed restrictions, eligibility requirements for
5 tenants and buyers, conditions under which the title reverts to the County; and make sure
6 applications to build address all necessary County planning requirements. Without proper
7 feasibility studies, the County could end up giving away the land and an inexperienced
8 developer could attempt to build and fail. He expected the Commission to follow the
9 process recommended by the County Manager.

10 Bob Cerelli, 31897 Maxwell Ln., Arch Cape, said he knew that housing was needed in
11 Clatsop County, but the property being proposed for development was not the right place.
12 It would be unfair for the County to give the property to the developer. Two well-heeled
13 developers attempted a development on adjacent property but the project failed. Building
14 a house on a 75 by 100 foot lot in Arch Cape requires a presentation of about 75 pages
15 to get through everyone the project needs to go through, and that is with all of the
16 infrastructure at the property. There is no infrastructure at the property being proposed
17 for development. He did not want to see another development fail.

18 Paulette McCoy, 15310 NE 76 Cir., Vancouver, WA, said she owned property in Arch
19 Cape. She was concerned about the proposal to have workforce housing in the Arch
20 Cape forest. After purchasing a small lot in Arch Cape in 2020, she began the process of
21 permitting, geohazard reporting, digging an easement, and clearing the land of about 12
22 trees. The geotechnical firm she hired discovered the land was sitting on huge boulders
23 that made excavation difficult. The grade of the slope complicated her project and
24 connecting to water and sewer would cost \$17,000. She asked if the Commissioners had
25 visited the site and if they truly believed it was the best site for workforce housing.

26 Chris Mastrandrea, 32055 Walsh Ln., Arch Cape, Responsible Land Use Alliance, said
27 he had submitted a letter with 112 endorsers urging the Commissioners to put a process
28 in place to evaluate expressions of interest. He asked that the Commission consider the
29 following when evaluating the expressions of interest: the proposer has no experience in
30 development, estimation, project management, and construction; the non-profit was
31 formed immediately after the founder learned of the free property; the proposer has no
32 funding secured for the project; and all Arch Cape parcels are in a geological hazard
33 overlay, with many also in a high or very high landslide susceptibility overlay. There are
34 reasons the County should not devote public resources to house people where lives are
35 knowingly put at risk. A report to Fish and Wildlife indicated the characteristics of the land
36 and proximity to the ocean make the property a likely habitat of the marbled murrelet, a
37 protected and endangered species. The domestic water pressure is insufficient for the
38 existing homes and inadequate for firefighting. A water tank would be required to provide
39 sufficient pressure for a development of this size. The proposal indicates the housing
40 development would be for working members of Clatsop County who earn about 80
41 percent of the area median income (AMI), yet the developer has claimed in multiple town
42 hall meetings that he would be targeting people who earn from 80 to 120 percent of the
43 AMI. The proposal should be disqualified for failing to follow the requirements in Oregon
44 State Statutes.

1 Tevis Dooley, 31972 E. Ocean Ln, Arch Cape, said he supported low income housing
2 and was glad the County would do due diligence before giving away the land. He
3 requested that the County document and post the steps that would be followed and the
4 evaluation criteria prior to reviewing any of the expressions of interest. This would set
5 expectations for those who want land for housing and ensure that decisions made would
6 be based on concrete information evaluated by subject matter experts. After the
7 expressions of interest are scored, the County should ensure an open and transparent
8 due diligence process and allow for informed public comment before the land is given
9 away.

10 Sharon Chait, 80421 Big Cedar Dr., Arch Cape, said land for housing is an excellent trade
11 as long as the right type of housing can and will be built on that land. The due diligence
12 process recommended by the County Manager is intended to make sure that happens.
13 Without such a process, there are no checks and balances. The land that is given away
14 may be off the beaten path with no public transportation or mapped as a geologic hazard.
15 The land may be given to someone with no building experience or the plan may not be
16 for low income housing, which is required by State Statutes. There might not be a realistic
17 property management plan. The cost to clear the land, build roads, bring in water, sewer,
18 electricity and build housing could cost so much that the project goes into foreclosure.
19 The new process that was posted last night on the County's website needed to be flushed
20 out and have more details about the evaluation criteria to make it consistent with the 2021
21 recommendation. She asked the Commissioners to direct Staff to complete all steps using
22 standards and transparent evaluation criteria to score each step before presenting a Staff
23 report to the Commission. Otherwise, the needed housing may never come to fruition.

24 Jude Lally, 31972 E. Ocean Ln., Arch Cape, said she was concerned about the County
25 wanting low-income housing. She wanted to make sure the housing was located in an
26 appropriate place. The new process posted on the County's website is very general but
27 necessary. Before giving away County land, the County must be very clear about the
28 criteria under which it would be given. She recommended development of the land be
29 required to provide social benefits, be environmental suitable for housing, have a sound
30 design and property management plan, be financially viable and have conditions under
31 which the title would be transferred.

32 Bill Campbell, 80421 Big Cedar Dr., Arch Cape, said the new due diligence process to
33 evaluate expressions of interest for low-income housing says that the Staff report would
34 address feasibility and any conditions and considerations that may be appropriate. He
35 saw that more as a direction than a process. Given the very tight timeframe, he was not
36 surprised that the direction was general and listed no specific criteria to be used in
37 decision making. He requested that the County Manager's recommendation of June 2021
38 be the basis of a detailed due diligence. First, identify and evaluate potential target
39 development sites that are suitable County-owned sites. Prevent wasting time by
40 considering only the sites determined to be suitable for housing for an expression of
41 interest. Second, identify one or more housing development types for target populations
42 that would be tied to and supported by demographic and economic factors in the
43 community. To date, the social benefit of housing on any surplus land has not been tied
44 to any of these factors. Prepare and distribute a request for qualifications (RFQ). If
45 experienced developers are not submitting proposals, the County should ask why

1 developers are not interested. Partner with a selected developer to support the project
2 and conduct additional due diligence. Before giving away land, the County must make
3 sure the build plan is feasible, finances are viable, and the property management is
4 sound. Define the conditions of title transfer. Before the land is given away, the County
5 must make sure housing is completed timely and available in perpetuity. Each expression
6 of interest should be evaluated and scored on each step in the process so that the
7 Commission will have complete information vetted by subject matter experts.

8 Shannon Smith, 774 Pacific Way, Gearhart, said she wanted to know the locations of the
9 30 surplus sites and how those sites has been ranked. She also wanted to know how
10 surplus land was defined. The dictionary's definition of surplus is excess or left over. She
11 did not consider forested land to be excess or separate from the other land in the county.
12 She believed the developers had a vested interest in Arch Cape because one of the
13 developers owns a home in Arch Cape and another developer owns a home in Cannon
14 Beach. People who need low-income housing also needed transportation, food, and other
15 support to be close to where they live.

16 **CONSENT CALENDAR**

17 *Motion made by Commissioner Toyooka, Seconded by Vice Chair Bangs to approve the*
18 *Consent Calendar.*

19 *Voting Yea: Commissioner Thompson, Commissioner Wev, Commissioner Toyooka,*
20 *Vice Chair Bangs, Chair Kujala*
21

22 2. Board of Commissioners Minutes 12-14-22 {Page 43}

23 3. Interim HR Services Contract Amendment {Page 52}

24 4. Declaration of Surplus Property {Page 55}

25 **COMMISSIONER'S LIAISON REPORTS**

26 Commissioner Thompson reported that Commissioners from surrounding counties met
27 to consider regional approaches to housing, transportation, and sustainable
28 communities. She also noted that the County did not have a new due diligence process.
29 The County Manager's communication was from 2021, but it just takes time for the
30 County to get information out. She reviewed her past experience and said she was
31 fiscally prudent. The Commission and Staff was committed to the best public policy
32 possible. She encouraged everyone to approach each other with respect.

33 Vice Chair Bangs reported that the public comments were well-received. She believed
34 that the County being excluded from the governor's emergency declaration was a
35 travesty. The County must be self-reliant and resilient. The Warrenton School District
36 superintendent recently said almost 15 percent of their students did not have a
37 consistent home. The Commission would do everything in its power to improve that
38 number. She reported that her childcare bill would be going before the tax expenditures
39 committee. The childcare taskforce was interviewing for a project manager. A Hundred
40 Women Who Care would be meeting in February and one of her students would be
41 starting Fifty Girls Who Care. The natural resources awards dinner raised over
42 \$120,000 for high school programs, the fisheries program in Warrenton, Knappa

1 forestry programs, the Astoria Future Farmers of America (FFA), the Jewel natural
2 resources program, and the Seaside natural resources program.

3 Commissioner Toyooka reported that he attended the watershed event, which
4 supported the development of and opportunities for youth. At least \$20,000 was raised
5 for each group. He also attended the Clatsop Economic Development Resources
6 (CEDR) meeting to discuss opportunities for business development in the area, where
7 employees would live, and the impact of homelessness on businesses. The governor
8 had run on the promise of one Oregon, yet the first resolution indicated that Portland
9 metro was better than rural Oregon. Rural Oregonians need to speak up and remind the
10 governor of the importance of one Oregon. Clatsop County has the highest rate of
11 homelessness per capita in the state. He questioned how the governor justified omitting
12 Clatsop County.

13 Commissioner Wev reported that the Astoria-Warrenton Chamber of Commerce
14 received a grant from Travel Oregon for \$35,000 to work with Wheel the World, which
15 helps to make places more accessible to people in wheelchairs. Many people use the
16 organization's website to find accessible places when they travel. She also reported that
17 the Astoria Historic Landmarks Commission approved the new Owens-Adair building.
18 She believed the building's design would satisfy the tenants, the neighborhood, and
19 historic preservation supporters. The next step is to apply for construction permits.

20 Chair Kujala reported that he appreciated all of the public comments. He also thanked
21 Staff for the resolution to be included in the State's emergency declaration. He believed
22 Clatsop County was qualified to be part of the executive order. The cities would be
23 joining the County with their own resolutions.

24 **COUNTY MANAGER'S REPORT**

25 County Manager Bohn reported that he had been spending time with Astoria's new City
26 Manager, Scott Spence. They discussed the pier to the net pens and he would be
27 meeting with the City next week to discuss roles and timing because the gill netters
28 need access to offload fish. He reported that the departments had begun their budget
29 meetings and the next fiscal year would be a status quo year.

30 **BUSINESS AGENDA**

- 31 5. Jail Relocation Project – Guaranteed Maximum Price (GMP) Contract -
32 Amendment #6 to CM/GC Contract C6871. {Page 59}

33 Capital Improvement Projects Manager Dieffenbach presented the Staff report on
34 the amendment to the contract on the jail relocation project, increasing the
35 guaranteed maximum price to the contractor.

36 Sherriff Phillips announced the new facility's ribbon cutting would be on February
37 10th at 1:00 pm. Tours could be scheduled with Staff.

38 Commissioner Wev said she had seen very few public projects managed as well
39 as this project was.

40 *Motion made by Vice Chair Bangs, Seconded by Commissioner Toyooka to*
41 *approve the contract amendment for the jail relocation project to increase the*
42 *GMP by \$682,188 and extend the substantial completion date to December 8,*

2022, authorize the County Manager to sign Amendment #6 and the Substantial Completion Certificate.

Voting Yea: Commissioner Thompson, Commissioner Wev, Commissioner Toyooka, Vice Chair Bangs, Chair Kujala

6. Appointments to the Fair Board {Page 67}

Kyle Sharpsteen, Fair Manager, presented the Staff report on appointments to the Fair Board.

Vice Chair Bangs said she was impressed that most of the applicants were women.

Commissioner Toyooka thanked Mike Audio and Jack Ficken for their service on the Fair Board.

Motion made by Vice Chair Bangs, Seconded by Commissioner Thompson to appoint Kallie Linder term ending December 31, 2025, Brittany Bodway Israel term ending December 31, 2025, Mallory Litehiser term ending December 31, 2025, and Sarah Finn term ending December 31, 2023 to the Fair Board.

Voting Yea: Commissioner Thompson, Commissioner Wev, Commissioner Toyooka, Vice Chair Bangs, Chair Kujala

7. Human Services Advisory Council (HSAC) Membership {Page 81}

Assistant County Manager Steele presented the Staff report on nominations to the HSAC.

Motion made by Vice Chair Bangs, Seconded by Commissioner Toyooka to appoint Valerie Richards, Nicole Maki, John Morrison, and Craig Hoppes to the Human Services Advisory Committee with terms ending on February 28, 2026.

Voting Yea: Commissioner Thompson, Commissioner Wev, Commissioner Toyooka, Vice Chair Bangs, Chair Kujala

8. Resolution and Order requesting Clatsop County to be included in the State of Emergency Declaration due to homelessness

This item was added to the agenda during Agenda Approval.

County Manager Bohn stated that on January 10th, Governor Kotek issues an executive order declaring a state of emergency due to homelessness for 11 counties. Clatsop County has the highest rate of homelessness per capita in the state and is double the rate of the next highest county. Clatsop County does not have many of the resources that the urban counties have. Staff recommended the Commission approve the resolution to be included in the emergency declaration. The resolution has been shared with the cities and the cities would provide a letter of support or adopt their own resolution. If the Commission approves the resolution, Staff would submit it to the Office of Emergency Management (OEM) and share it with the Governor's office.

Motion made by Vice Chair Bangs, Seconded by Commissioner Toyooka to approve the Resolution and Order this day, January 25, 2023, for the Chair to read and then sign.

Voting Yea: Commissioner Thompson, Commissioner Wev, Commissioner Toyooka, Vice Chair Bangs, Chair Kujala

Chair Kujala read the resolution into the record.

GOOD OF THE ORDER

There was nothing for the good of the order.

ADJOURNMENT

There being no further business, the meeting was adjourned.

Approved by,

Mark Kujala, Chair

Board of Commissioners Clatsop County

AGENDA ITEM SUMMARY

February 22, 2023

Agenda Title:	Project Turnkey 2.0 Purchase Approval – Columbia Inn and Execution of Funding Agreement
Category:	Business Agenda
Presented By:	Monica Steele, Assistant County Manager

Issue Before the Commission:	Approve the Resolution and Order for the purchase of the Columbia Inn and the Execution of a funding agreement with the Oregon Community Foundation
-------------------------------------	---

Informational Summary:	<p>In August 2022, Clatsop County applied for Project Turnkey 2.0 through the Oregon Community Foundation (OCF). The application did not have a specific site or operator identified but instead made the case for an award based on 1) the County's highest per capita unsheltered population in the state, and 2) the existing network of capable not-for-profit social service providers eager to engage in either operation and/or wrap around services at a designated site.</p>
-------------------------------	---

The County was notified in September that we were selected for phase two of the project which includes technical support to identify potential properties. Through this process the County worked with Brian Resendez of SVN Bluestone, who reached out to potential hoteliers who might have an interest in selling their property for conversion to an emergency shelter and/or future permanent supportive housing. The owner of Columbia Inn in Astoria was responsive.

In October 2022 the Board approved the Purchase Sale Agreement (PSA) for the Columbia Inn in the amount of \$2.3M as a potential property to be utilized under Project Turnkey 2.0. Working with OCF, the due diligence process of the PSA has been completed and the OCF Advisory Committee and OCF Board have approved the award in the amount of \$2,806,042 for the acquisition and renovation of the Columbia Inn into shelter and transitional housing.

With final approvals, OCF and County will move toward a closing of the property acquisition; scheduled for no later than March 6, 2023.

Next Steps

- County will own and maintain the property.
- County will Contract with Clatsop Community Action (CCA) and The Harbor who will serve as the “Operator” and finalize the Operations Plan in partnership with other social service providers for wrap-around services.
- County will go through the procurement process to contract with vendors to complete identified work to be performed prior to December 31, 2023.
- Funding for operations is anticipated to come from the state, county and other funding sources.
- County staff, CCA and the Harbor will work diligently to begin providing shelter within 45 – 60 days of closing.

Fiscal Impact:

The property acquisition costs including funds to make repairs and renovations will be paid by the State through OCF. The operating and maintenance funding plan will continue to be developed and will include funding from the state, county and other partners.

Requested Action:

Authorize the Chair to sign the Resolution & Order for the purchase of the Columbia Inn and the execution of a project funding agreement with the Oregon Community Foundation.

Attachment List

- A. R&O for the purchase of the Columbia Inn and execution of a project funding agreement with the Oregon Community Foundation
- B. Project Turnkey Operational Plan – submitted by CCA and The Harbor

IN THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

APPROVAL OF THE PURCHASE OF THE)
COLUMBIA INN & EXECUTION OF A PROJECT) RESOLUTION AND ORDER
FUNDING AGREEMENT WITH OCF)

WHEREAS, in response to a Notice of Funding Availability for the Project Turnkey 2.0 Program issued by the Oregon Community Foundation (OCF), Clatsop County (County) applied for the opportunity to identify a motel that would help address the emergency shelter needs of Clatsop County; and

WHEREAS, the County entered into a purchase agreement to acquire the 22-unit Columbia Inn located at 495 Marine Drive, Astoria OR, 97103 for the purpose of operating a non-congregate shelter for homeless persons that may, after a period, be converted to permanent supportive housing. After due diligence on the property, OCF awarded a grant of approximately \$2.806M to the County to purchase the Columbia Inn property and make repairs and renovations for a shelter;


RESOLVED AND ORDERED:

That the purchase of the 22-unit Columbia Inn located at 495 Marine Drive, Astoria OR, 97103 is authorized; and the execution of a grant agreement with the Oregon Community Foundation as required for the grant funds in the approximate amount of \$2,806,000 is also authorized. The County Manager or their designee are authorized to execute, in the name of the applicant, the required funding and real estate documents, and to make the repairs and renovations described in the grant agreement.

Dated this 22nd day of February 2023.

BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

Mark Kujala, Chair

The background of the slide features a collage of architectural and design-related elements. On the left, there are blueprints with various room layouts, dimensions (e.g., 6'-1 7/16", 2'-6 15/64", 11 49/64", 5'-3 23/64"), and labels like "MEN WASHROOM". In the center, a white coffee cup with dark liquid is placed on a wooden surface. Below the cup, there are drafting tools including a black pen, a white eraser, and a black stapler. To the right, there are more blueprints, one labeled "Room plan 1st floor", and a "Furniture lists" document with checkboxes for items like "Dining table", "Cupboard", "Sink & stove", "Refrigerator", "Bedroom", "Bathroom", and "TV".

Project Turnkey 2.0 Operational Plan

A collaboration between Clatsop Community Action
and the Harbor

2 The Need for Shelter in Clatsop County

High Rates of Homelessness

Clatsop County features the highest rate of homelessness per 1,000 residents than any other county in the state.

Shelter Gap

Clatsop County does not currently operate a shelter that accommodates the unique needs of houseless families, individuals fleeing from domestic violence, LGBTQIA+, individuals with physical disabilities.

A Proposed SOLUTION

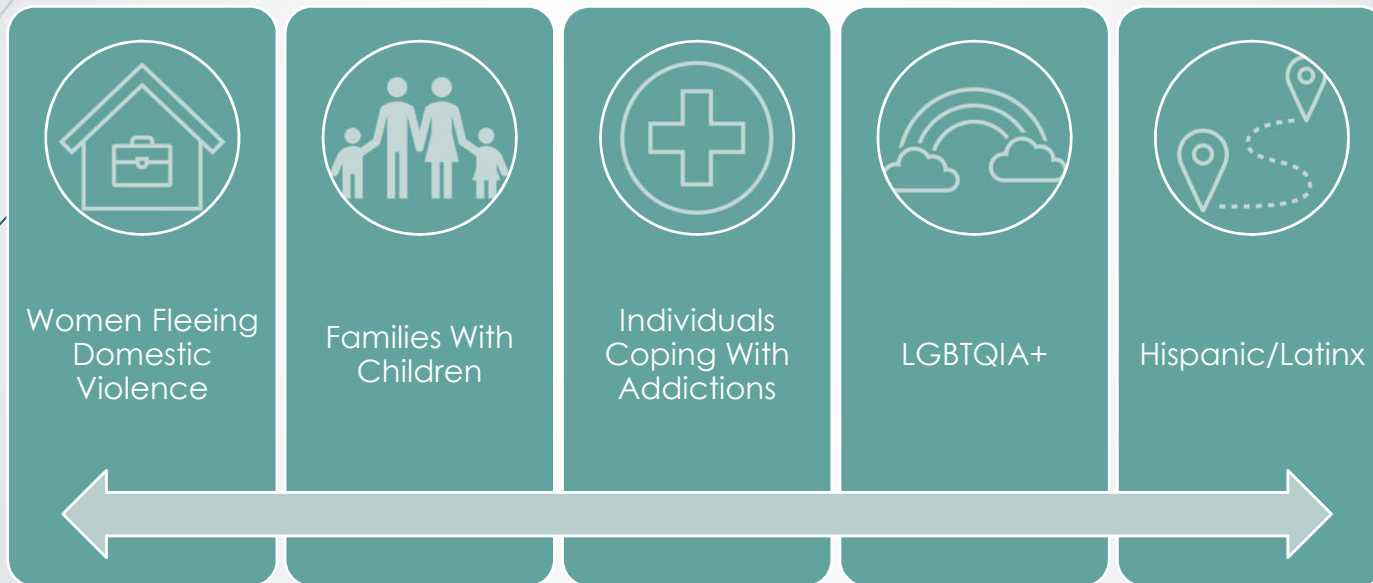
Project Turnkey 2.0

We propose operating the former Columbia Inn hotel as a full-service emergency shelter for individuals experiencing homelessness; focusing on the gap in services for many of our most marginalized local unhoused populations. The current 22-room hotel will serve as a temporary shelter accommodating up to an estimated 55 occupants, with one onsite apartment serving as a management office.

4

Population Served

This location will focus on serving those within the homeless demographic whose unique needs are often overlooked:



Project Turnkey 2.0 proposal

12/2022

5

Wrap-around support services will be provided to guests and residents on-site, with a focus on the following:



Domestic violence, sexual assault and stalking intervention services (i.e., case management, support groups, legal advocacy, crisis response, prevention/youth services, healthcare advocacy, information and referrals).



Social services (i.e., systems navigation, case management, food resources, long-term housing, rental assistance, deposit assistance, utilities payment assistance, personal care pantry, senior and Veteran services).



Bi-lingual services (Interpretation, accompanying clients to appointments, assistance in opening bank accounts, enrolling children in school, and completing rental, employment and health insurance applications).



· **Referrals** to appropriate services throughout Clatsop County (i.e., medical, mental health, recovery, employment, legal aid, child welfare, disability, LGBTQIA+, and other community services).

Project Turnkey 2.0 proposal

"Low Barrier Shelter"

What does it mean to be accessible?

Drugs and Alcohol

Drugs and Alcohol will NOT be allowed on site, but substance use will not be a barrier to staying. Guests who are not unreasonably intoxicated will have access to shelter, and to detox and substance use related services provided by the Harbor and other community partners, including Clatsop Behavioral Health.

Pet-Friendly

Pets are important members of the families they live with. By allowing them on-site, we will make shelter possible for families that might otherwise be left out in the cold.

ADA accessibility

ADA-Compliant rooms

Safety

High risk populations need a place to go where they do not feel threatened, and not in a place where their abusers may also be residing. Clatsop Community Action (CCA) and The Harbor understand the importance of providing a shelter where all guests feel safe.



Financials / Operational Logistics

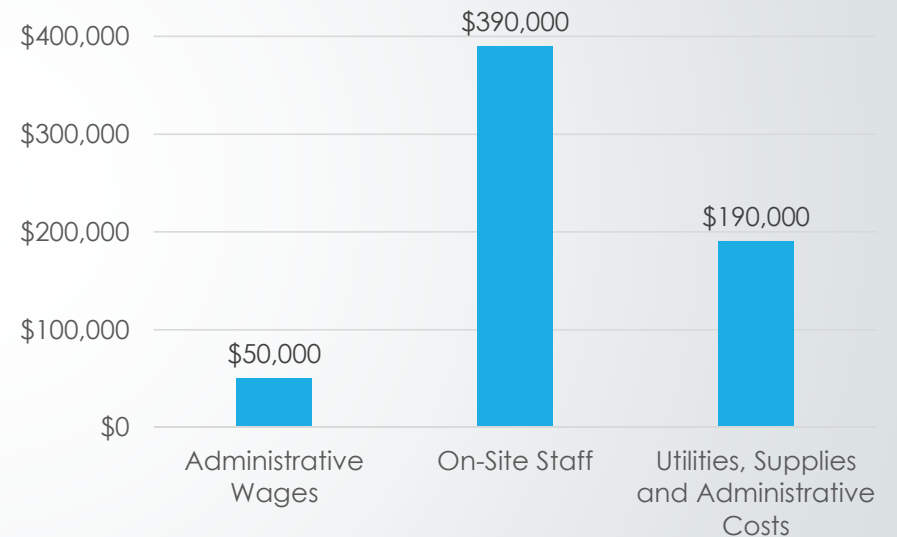
8

OPERATIONAL DRAFT BUDGET

The Project Turnkey 2.0 operational plan outlined in this proposal will cost an estimated \$600,000 per year.

ITEM	TOTAL
CCA Executive Director Wages 0.1	\$ 10,000
The Harbor Executive Director Wages 0.1	\$ 10,000
CCA Social Services Manager Wages 0.25	\$ 15,000
The Harbor Director of Services Wages 0.25	\$ 15,000
Case Manager Wages w/benefits	\$ 60,000
Case Manager Wages w/benefits	\$ 60,000
Shelter Coordinator w/benefits	\$ 60,000
Night Manager w/benefits 2	\$ 120,000
Maintenance Personnel Wages (2)	\$ 90,000
Administrative Costs (i.e., insurance, licensing, office expenses, equipment, postage, telephone/IT)	\$ 35,000
Utilities (water, electric)	\$ 20,000
Food	\$ 75,000
Shelter Supplies (bedding, toiletries, etc.)	\$ 60,000
TOTAL	\$ 630,000

Expenses BY CATEGORY



FUNDING SOURCES



Commitments from Current
Community Partners:
CCA Internal Budget
The Harbor Internal Budget
Providence Foundation



Governmental
agencies and
foundations
To be
Determined



Grantors and
other Fundraising
to be Determined

THANK YOU

CCA and The Harbor are committed to addressing the homelessness crisis in Clatsop County and to the long-term operation of the Columbia Inn emergency shelter well into the future.

Succession Plan:

No plans are in place to turn this facility over to another entity or alter its intended purpose. The emergency shelter will remain in operation and managed by these two organizations. If a future change in management were to occur, it would be with the stipulation that the facility continue to be operated as an emergency shelter as originally outlined in this operational plan.

Board of Commissioners Clatsop County

AGENDA ITEM SUMMARY

February 22, 2023

Agenda Title: Ordinance 23-05 Ending Moratorium on Short Term Rental Licenses
Category: Public Hearing
Presented By: Gail Henrikson - Community Development Director
Anthony Pope – County Counsel

Issue Before the Commission: Conduct the first public hearing regarding Ordinance 23-05 to rescind Moratorium on Short Term Rental (STR) License

Informational Summary: On August 25, 2021, the Board of Clatsop County Commissioners (Board) adopted Ordinance 21-03, which suspended new short-term rental license processing for a period of 120 days

The moratorium has since been extended four times and is set to expire on June 22, 2023.

Earlier in 2022, the County became aware that it was issuing STR permits outside of Arch Cape in error. In June 2022, the Board adopted Ordinance 22-05, which added short-term rentals as a permitted use in 16 zoning districts to correct this concern.

In September 2022, some Clatsop County citizens filed a petition to attempt to repeal Ordinance 22-05. This referendum will be decided during the May 16, 2023 election. Filing of the referendum has estopped Clatsop County from implementing the provisions of Ordinance 22-05 pending the outcome of the election.

It is the County's position that since Ordinance 22-05 is not in effect pending the election, the moratorium only has the effect of not allowing new STR's in the Arch Cape area.

By rescinding the Moratorium, it will allow the County to process renewals and new applications for STR's in the Arch Cape area.

Fiscal Impact: None

Requested Action:

Conduct the first reading of Ordinance 23-05 by title only, open the public hearing and take testimony, and continue the matter to March 8, 2023.

Attachment List

A. Ordinance 23-05

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

In the Matter of:

**An Ordinance rescinding Ordinance
21-03 which suspended new short
term rental license processing under
Clatsop County Code Sections
5.12.010 - 5.12.120.**

ORDINANCE NO. 23-05

Doc # _____

Recording Date: _____

RECITALS

WHEREAS, on August 25, 2021, the Board of Clatsop County Commissioners (Board) adopted Ordinance 21-03, which suspended new short term rental license processing under Clatsop County Code Sections 5.12.010-5.12.120 for a period of 120 days; and

WHEREAS, on December 8, 2021, the Board approved Resolution and Order 2021120022, extending the moratorium for an additional 120 days; and

WHEREAS, on April 27, 2022, the Board approved Resolution and Order 2022040035, extending the moratorium for an additional 120 days; and

WHEREAS, on July 13, 2022, the Board approved Resolution and Order 2022070028, extending the moratorium for an additional 120 days; and

WHEREAS, on December 14, 2022, the Board approved Resolution and Order 2022120021, which extended the moratorium an additional 180 days through June 22, 2023; and

WHEREAS, on June 22, 2022, the Board adopted Ordinance 22-05, which added short-term rentals as a permitted use in 16 zoning districts; and

WHEREAS, in September 2022, Clatsop County citizens filed a petition to place repeal of Ordinance 22-05 on the May 16, 2023 election ballot; and

WHEREAS, filing of the referendum has estopped Clatsop County from implementing the provisions of Ordinance 22-05; and

WHEREAS, Ordinance 22-05 does not apply to short-term rental owners within Arch Cape; and

WHEREAS, continuation of the moratorium fiscally impacts property owners within Arch Cape;

and

WHEREAS, Clatsop County is prohibited from issuing or renewing short-term rental permits for properties outside Arch Cape pending the May 16, 2023 election, thus rendering the moratorium redundant; and

WHEREAS, there are short term rental permits outside of Arch Cape that are set to expire prior to the May 16, 2023 election and currently these can not be legally renewed; and

WHEREAS, it would possibly cause undue hardship on these permit holders outside of Arch Cape if they were unable to operate after the expiration of their permits;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF CLATSOP COUNTY ORDAINS AS FOLLOWS:

SECTION 1. SUSPENSION OF SHORT TERM RENTAL LICENSING

- 1) The temporary suspension authorized by Ordinance 21-03 prohibiting acceptance, processing, and issuance of new short term rental licensing applications for owners and/or residences is rescinded.
- 2) That this Ordinance take effect April 7, 2023.
- 3) Any current Short Term Rental Permits issued for properties outside Arch Cape that are due to expire between January 1st, 2023 and July 31st, 2023 are administratively extended until August 1st, 2023. During this extention, transient room tax shall still be collected and all short term rental operating standards contained within Chapter 5.12 of the Clatsop County Code must be followed.

SECTION 2. SEPARABILITY

The provisions of this ordinance are severable. If any portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. CONFORMANCE OF STATE LAW

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

SECTION 4. INCONSISTENT PROVISIONS

This Ordinance shall supersede, control and repeal any inconsistent provision of any County Ordinance as amended or any other regulations made by Clatsop County.

SECTION 5. APPLICABILITY

This Ordinance shall apply to all unincorporated areas of Clatsop County and within the adopted Urban Growth Boundary of the City of Gearhart.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect April 7, 2023.

Approved this ____ day of _____, 2023

THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

By _____
Mark Kujala, Chair

Date _____

By _____
Theresa Dursse, Recording Secretary

First Reading: Febuary 22, 2023

Second Reading: March 8, 2023

Effective Date: April 7, 2023

Board of Commissioners Clatsop County

AGENDA ITEM SUMMARY

February 22, 2023

Agenda Title: Ordinance 23-02: LAWDUC Legislative Amendments
Category: Public Hearing
Presented By: Gail Henrikson, Community Development Director

Issue Before the Commission: Approval of amendments to the *Land and Water Development and Use Code* (LAWDUC), to address legislative land use changes to Oregon Revised Statutes

Informational Summary: Oregon Revised Statutes (ORS) 197.646 requires that “a local government shall amend its acknowledged comprehensive plan or... land use regulations implementing the plan...to comply with a new requirement in land use statutes, statewide land use planning goals or rules implementing the statutes or the goals.” This statute also states that when a local government does not adopt the required amendments, the new requirements “apply directly to the local government’s land use decisions.” Failure to adopt or enforce the new requirements is “basis for initiation of enforcement action” against the local jurisdiction.

Per ORS 197.646(2), the Department of Land Conservation and Development (DLCD) is required to notify local governments when a new requirement in land use statutes, statewide land use planning goals or rules implementing the statutes or the goals requires changes to an acknowledged comprehensive plan or to land use regulations implementing either plan.

The proposed LAWDUC amendments included in Exhibit A are designed to incorporate legislative changes to ORS affecting land use. The amendments cover legislative years 2018-2022. No legislation was adopted in 2020 and 2022 that affected land use regulations.

In the future, these legislative updates will become a component of the Community Development Department’s work plan. A draft of the proposed amendments was presented to the Planning Commission on October 11, 2022. Staff also presented the proposed amendments to the Board of Clatsop County Commissioners during a work session on November 2, 2022.

The Planning Commission conducted a public hearing on January 10, 2023. The Planning Commission voted unanimously, 6-0 (member Michael Magyar absent, excused), to recommend the Board adopt the proposed amendments as presented.

On February 8, 2023, your Board conducted the first public hearing for this ordinance. No members of the public spoke for or against the ordinance.

Fiscal Impact: None

Requested Action:

Approved Ordinance 23-02 and conduct the second reading by title only.

Attachment List

- A. Ordinance 23-02
- B. Planning Commission Cover Memo Dated January 10, 2023

EXHIBIT A

Ordinance 23-02

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

In the Matter of:

**An Ordinance adopting Amendments
to the Clatsop County *Land and
Water Development and Use Code* to
address legislative updates pertaining
to land use regulations.**

ORDINANCE NO. 23-02

Doc # _____

Recording Date: _____

RECITALS

WHEREAS, Oregon Revised Statutes (ORS) 197.646 requires that “a local government shall amend its acknowledged comprehensive plan or...land use regulations implementing the plan...to comply with a new requirement in land use statutes, statewide land use planning goals or rules implementing the statutes or the goals”; and

WHEREAS, if a local government does not adopt the required amendments, the new requirements “apply directly to the local government’s land use decisions”; and

WHEREAS, between 2018 and 2022 the Oregon Legislature adopted new land use legislation that requires Clatsop County to amend its land use regulations to comply with state statutes, statewide land use planning goals or rules implementing the statutes or the goals; and

WHEREAS, the Board of Clatsop County Commissioners has determined that including these revisions in the *Land and Water Development and Use Code* will comply with state law and will assist residents and property owners by including the changes in local codes; and

WHEREAS, the Clatsop County Planning Commission held a public hearing on these amendments on January 10, 2023; and

WHEREAS, the Board of Commissioners has received and considered the Planning Commission’s recommendations on these proposed amendments

THE BOARD OF COMMISSIONERS OF CLATSOP COUNTY ORDAINS AS FOLLOWS:

SECTION 1. ADOPTION

The Board of County Commissioners hereby adopts amendments to the Clatsop County *Land and Water Development and Use Code* as shown in Exhibit 1, attached hereto and incorporated herein by this reference.

Ordinance 23-02

1st Public Hearing: February 8, 2023

2nd Public Hearing: February 22, 2023

Agenda Item #7.

Page 90

SECTION 2. SEPARABILITY

The provisions of this ordinance are severable. If any portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. CONFORMANCE OF STATE LAW

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

SECTION 4. INCONSISTENT PROVISIONS

This Ordinance shall supersede, control and repeal any inconsistent provision of any County Ordinance as amended or any other regulations made by Clatsop County.

SECTION 5. APPLICABILITY

This Ordinance shall apply within the unincorporated areas of Clatsop County but shall not apply within the boundaries of any incorporated City.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect on the 30th day following adoption by the Board of Commissioners as provided in Chapter III, Section 8(2) of the Home Rule Chapter for the Government of Clatsop County.

Approved this _____ day of _____, 2023

THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

By _____
Mark Kujala, Chair

Date _____

By _____
Theresa Dursse, Recording Secretary

First Reading: February 8, 2023

Second Reading: February 22, 2023

Effective Date: March 24, 2023

Ordinance 23-02

1st Public Hearing: February 8, 2023

2nd Public Hearing: February 22, 2023

Agenda Item #7.

Page 91

EXHIBIT 1

Ordinance 23-02

1st Public Hearing: February 8, 2023

ing: February 22, 2023

Agenda Item #7.

ARTICLE I. INTRODUCTORY PROVISIONS

Revise or add the following definitions to Section 1.0500. Definitions

BIOFUEL - As defined in ORS 315.141, “biofuel” means liquid, gaseous or solid fuels, derived from biomass, that have been converted into a processed fuel ready for use as energy by a biofuel producer’s customers or for direct biomass energy use at the biofuel producer’s site.

CENTER OF THE SUBJECT TRACT – The mathematical centroid of the tract.

FAMILY -- An individual or two or more persons related by blood, marriage, adoption or legal guardianship, living together as one housekeeping unit using one kitchen, and providing meals or lodging to not more than two additional persons, excluding servants; or a group of not more than five (5) unrelated persons, excluding servants, living together as one housekeeping unit using one kitchen. Every additional group of five (5) or less persons living in such housekeeping unit shall be considered as a separate family. A group of persons living together as one housekeeping unit using one kitchen.

FARM PRODUCT PROCESSING FACILITY – A facility for:

- 1) Processing farm crops, including the production of biofuel, if at least one-quarter of the farm crops come from the farm operation containing the facility; or
- 2) Slaughtering, processing or selling poultry or poultry products from the farm operation containing the facility and consistent with the licensing exemption for a person under ORS 603.038(2).

ORGANIZER - Any person who holds, stages or sponsors an outdoor mass gathering and the owner, lessee or possessor of the real property upon which the outdoor mass gathering is to take place.

OUTDOOR MASS GATHERING – A gathering, as defined by ORS 433.735, that is an actual or reasonably anticipated assembly of more than 3,000 persons which continues or can reasonably be expected to continue for more than 24 consecutive hours but less than 120 hours within any three-month period, and which is held primarily in open spaces and not in any permanent structure. Any decision for a permit to hold an outdoor mass gathering as defined by statute is not a land use decision and is appealable to circuit court. Outdoor mass gatherings do not include agri-tourism events and activities as defined under ORS 30.671 and 215.283. [Ord. 18-02] An actual or reasonably anticipated assembly of more than 3,000 persons which is held primarily in open spaces and not in any permanent structure and within any three-month period is expected to continue for more than 24 hours and not more than 120 hours, excluding hours required for ingress to and egress from a gathering that is located on lands zoned for exclusive farm use that are 60 miles or farther from the nearest interstate highway.

OWNER OR A RELATIVE – The owner of the lot or parcel, or a relative of the owner or the owner’s spouse, including a child, parent, stepparent, grandchild, grandparent, step and parent, sibling, stepsibling, niece, nephew or first cousin of either.

PERMANENT STRUCTURE – As used in the definition of “Outdoor Mass Gathering”, a permanent structure includes a stadium, arena, auditorium, coliseum, fairgrounds or other similar established places for assemblies.

PROCESSING AREA - The floor area of a building dedicated to farm product processing. “Processing area” does not include the floor area designated for preparation, storage or other farm use.

TEMPORARY STRUCTURE – Includes tents, trailers, chemical toilet facilities and other structures customarily erected or sited for temporary use.

ARTICLE II. PROCEDURES FOR LAND USE APPLICATIONS

Section 2.0300. Exclusions from Development Permit Requirement

The activities listed below do not require a development permit. Exclusion from the requirement for a development permit does not exempt the development or its use from the other applicable requirements of the Ordinance.

- 12) A recreational vehicle may be occupied as a residential dwelling on a lot or parcel with an existing dwelling that is uninhabitable due to damages from a natural disaster, including wildfire, earthquake, flooding or storms, until no later than:**
- a) The dwelling has been repaired or replaced and an occupancy permit has been issued;**
 - b) The County determines that the owner of the dwelling is unreasonably delaying in completing repairs or replacing the dwelling; or**
 - c) Twenty-four months after the date the dwelling first became uninhabitable.**

SECTION 2.2000. PUBLIC DELIBERATIONS AND HEARINGS

Section 2.2250. LUBA Remand

- 1) If the County is acting on the remand of a decision from the Land Use Board of Appeals (LUBA), the governing body may authorize the planning commission or hearings officer to conduct hearings and make a decision for lands designated as agricultural or forest lands under Statewide Planning Goals 3 or 4.**
- 2) Following review by the planning commission or hearings officer the governing body shall review the decision and shall:**
- a. schedule a public hearing and issue a final decision on the application;**
 - b. leave the planning commission or hearings officer decision as the final county decision;**
or
 - c. adopt the planning commission or hearings officer decision by consent order as the decision of the governing body.**

SECTION 2.4000. CONDITIONAL DEVELOPOMENT AND USE

Section 2.4050. Time Limit on 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. **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.**

ARTICLE III. STRUCTURE SITING AND DEVELOPMENT STANDARDS

SECTION 3.1000. NON-CONFORMING USES AND STRUCTURES

Section 3.1070. Replacement and Damage

- 1) Legal Non-conforming structures and uses.

- 2) Non-conforming structures and uses.

- 3) Legal non-conforming mobile home parks destroyed by natural disaster may be replaced subject to Section 3.4095.**

Section 3.1090. Discontinuance of Use

If a Non-conforming use is discontinued for a period of one year, subsequent use of the property shall conform to this Ordinance.

Non-conforming uses and structures are not considered interrupted or abandoned for any period while a federal, state or local emergency order temporarily limits or prohibits the use or the restoration or replacement of the use.

SECTION 3.4000. MOBILE HOMES

SECTION 3.4010. MOBILE HOME PARK DEVELOPMENT

Section 3.4095. Replacement of a Mobile Home Park Destroyed by Natural Disaster

Mobile home parks, including legal non-conforming parks, may be replaced if:

- (1) The mobile home park was destroyed by a natural disaster that occurred on or after September 1, 2020 and resulted in the declaration of a state of emergency under ORS 401.165 or 401.309 for wildfires, floods, tsunamis, earthquakes or similar events, including disasters began by negligent or intentional acts;**

- (2) The replacement complies with Section 5.1000 and Section 5.3000, as applicable;
- (3) Mobile homes replaced under this section were assessed as a building or structure for purposes of ad valorem taxation for the most recent property tax year ending before the disaster.
- (4) The destroyed park was lawfully established under the existing land use regulations at the time, and/or at the time of interruption or destruction or at the time of the application.

SECTION 3.9000. FARM AND FOREST ZONE STANDARDS

Section 3.9030. Commercial Uses

- 6) Equine and Equine-Affiliated Therapeutic and Counseling Activities
 - (A) The activities are conducted in existing buildings that were lawfully constructed on the property before January 1, 2019, or in new buildings that are accessory, incidental and subordinate to the farm use on the tract; and
 - (B) All individuals conducting therapeutic or counseling activities are acting within the proper scope of any licenses required by the state.
- 7) A farm product processing facility may be allowed on land zoned for exclusive farm use, only if the facility:
 - (A) Uses less than 10,000 square feet for its processing area and complies with all applicable siting standards; or
 - (B) Notwithstanding any applicable siting standard, uses less than 2,500 square feet for its processing area. However, the County shall apply applicable standards and criteria pertaining to floodplains, geologic hazards, beach and dune hazards, airport safety, tsunami hazards and fire siting standards.
 - (C) Siting standards may not be applied in a manner that prohibits the siting of a farm product processing facility.

Section 3.9140. Alteration, Restoration or Replacement of a Lawfully-Established Dwelling (to be repealed January 2, 2024)

- 1) A lawfully established dwelling may be altered, restored or replaced if, when an application for a permit is submitted, the permitting authority finds to its satisfaction, based on substantial evidence that A lawfully established dwelling may be altered, restored or replaced under ORS 215.283 if the County determines that:
 - (A) The dwelling to be altered, restored or replaced has, or formerly had:
 - 1. Intact exterior walls and roof structure;
 - 2. Indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;
 - 3. Interior wiring for interior lights;
 - 4. A heating system; and
 - 5. The dwelling was assessed as a dwelling for purposes of ad valorem taxation for the previous five property tax years, or if the dwelling has existing for less than five years, from that time.
 - (B) Notwithstanding Section S3.5011(A)5, if the value of the dwelling was eliminated as a result of either of the following circumstances, the dwelling was assessed as a dwelling until such time as the value of the dwelling was eliminated:
 - 1. The destruction (by fire or natural hazard), or demolition in the case of restoration, of the dwelling; or
 - 2. The applicant establishes to the satisfaction of the permitting authority that the dwelling was improperly removed from the tax roll by a person other than the

current owner. "Improperly removed" means that the dwelling has taxable value in its present state, or had taxable value when the dwelling was first removed from the tax roll or was destroyed by fire or natural hazard, and the county stopped assessing the dwelling even though the current or former owner did not request removal of the dwelling from the tax roll.

(B) If the dwelling was removed, destroyed or demolished:

1. The dwelling's tax lot does not have a lien for delinquent ad valorem taxes; and
2. Any removal, destruction or demolition occurred on or after January 1, 1973.

(C) If the dwelling is currently in such a state of disrepair that the dwelling is unsafe for occupancy or constitutes an attractive nuisance, the dwelling's tax lot does not have a lien for delinquent ad valorem taxes; or

(D) A dwelling not described in subparagraph (A) or (B) of this section was assessed as a dwelling for purposes of ad valorem taxation:

1. For the previous five property tax years; or
2. From the time when the dwelling was erected upon or affixed to the land and became subject to assessment as described in ORS 307.010.

2) For replacement of a lawfully established dwelling under Section 4.3300(24):

(A) The dwelling to be replaced must be removed, demolished or converted to an allowable nonresidential use:

1. Within one year after the date the replacement dwelling is certified for occupancy pursuant to ORS 455.055; or
2. If the dwelling to be replaced is, in the discretion of the permitting authority County, in such a state of disrepair that the structure is unsafe for occupancy or constitutes an attractive nuisance, on or before a date set by the permitting authority the County that is not less than 90 days after the replacement permit is issued; and
- 3) ~~If a dwelling is removed by moving it off the subject parcel to another location, the applicant must obtain approval from the permitting authority for the new location.~~

~~(B) The applicant must cause to be recorded in the deed records of the county a statement that the dwelling to be replaced has been removed.~~

~~(B) The replacement dwelling:~~

1. May be sited on any part of the same lot or parcel.
2. Must comply with applicable siting standards. However, the standards may not be applied in a manner that prohibits the siting of the replacement dwelling.

(C) As a condition of approval, if the dwelling to be replaced is located on a portion of the lot or parcel that is not zoned for exclusive farm use, the applicant shall execute and cause to be recorded in the deed records of the county in which the property is located a deed restriction prohibiting the siting of another dwelling on that portion of the lot or parcel. The restriction imposed is irrevocable unless the county planning director Community Development Director, or the director's designee, places a statement of release in the deed records of the county to the effect that the provisions of 2013 Oregon Laws, chapter 462, Section 2 this section and ORS 215.283 regarding replacement dwellings have changed to allow the lawful siting of another dwelling.

~~3) A replacement dwelling must comply with applicable building codes, plumbing codes, sanitation codes and other requirements relating to health and safety or to siting at the time of construction. However, the standards may not be applied in a manner that prohibits the siting of the replacement dwelling.~~

~~(A) The siting standards of Subsection (B) apply when a dwelling qualifies for replacement because the dwelling:~~

1. Formerly had the features described in Section S3.5011(A);
 2. Was removed from the tax roll as described in Section S3.5011(B); or
 3. Had a permit that expired as described under Section S3.5014(C).
- (B) The replacement dwelling must be sited on the same lot or parcel:
1. Using all or part of the footprint of the replaced dwelling or near a road, ditch, river, property line, forest boundary or another natural boundary of the lot or parcel; and
 2. If possible, for the purpose of minimizing the adverse impacts on resource use of land in the area, within a concentration or cluster of structures or within 500 yards of another structure.
- (C) Replacement dwellings that currently have the features described in Section S3.5011(A) and that have been on the tax roll as described in Section S3.5011(B) may be sited on any part of the same lot or parcel.
- 3) Notwithstanding Subsection (2)(B)(1) of this section, a replacement dwelling under this section must be sited on the same lot or parcel:
- (A) Using all or part of the footprint of the replaced dwelling or near a road, ditch, river, property line, forest boundary or another natural boundary of the lot or parcel; and
- (B) If possible, for the purpose of minimizing the adverse impacts on resource use of land in the area, within a concentration or cluster of structures or within 500 yards of another structure.
- 4) A replacement dwelling permit that is issued under Section 4.3300(24):
- (A) Is a land use decision as defined in ORS 197.015 where the dwelling to be replaced:
1. Formerly had the features described in Section S3.5011(A); or
 2. Was removed from the tax roll as described in Section S3.5011(B);
- (B) Is not subject to the time to act limits of ORS 215.417; and
- (C) If expired before January 1, 2014, shall be deemed to be valid and effective if, before January 1, 2015, the holder of the permit:
1. Removes, demolishes or converts to an allowable nonresidential use the dwelling to be replaced; and
 2. Causes to be recorded in the deed records of the county a statement that the dwelling to be replaced has been removed, demolished or converted.
- 4) The Community Development Director, or the director's designee, shall maintain a record of the lots and parcels that do not qualify for the siting of a new dwelling under subsection (2) of this section, including a copy of the deed restrictions filed under subsection (2)(C) of this section.
- 5) If an applicant is granted a deferred replacement permit under this section:
- (A) The deferred replacement permit:
1. Does not expire but, notwithstanding subsection (2)(A)(1) of this section, the permit becomes void unless the dwelling to be replaced is removed or demolished within three months after the deferred replacement permit is issued; and
 2. May not be transferred, by sale or otherwise, except by the applicant to the spouse or a child of the applicant.
- (B) The replacement dwelling must comply with applicable building codes, plumbing codes, sanitation codes and other requirements relating to health and safety or to siting at the time of construction. However, the standards may not be applied in a manner that prohibits the siting of the replacement dwelling.

Section 3.9140. Alteration, Restoration or Replacement of a Lawfully-Established Dwelling (Effective January 2, 2024)

- 1) A lawfully established dwelling may be altered, restored or replaced under ORS 215.283(1)(p) if the County determines that the dwelling to be altered, restored or replaced has:
 - (A) Intact exterior walls and roof structure;
 - (B) Indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;
 - (C) Interior wiring for interior lights; and
 - (D) A heating system.
- 2) For replacement of a lawfully established dwelling under this section:
 - (A) The dwelling to be replaced must be removed, demolished or converted to an allowable nonresidential use within three months after the date the replacement dwelling is certified for occupancy pursuant to ORS 455.055.
 - (B) The replacement dwelling:
 1. May be sited on any part of the same lot or parcel.
 2. Must comply with applicable siting standards. However, the standards may not be applied in a manner that prohibits the siting of the replacement dwelling.
 - (C) As a condition of approval, if the dwelling to be replaced is located on a portion of the lot or parcel that is not zoned for exclusive farm use, the applicant shall execute and cause to be recorded in the deed records of the county a deed restriction prohibiting the siting of another dwelling on that portion of the lot or parcel. The restriction imposed is irrevocable unless the county planning director, or the director's designee, places a statement of release in the deed records of the county to the effect that the provisions of this section and either ORS 215.283 regarding replacement dwellings have changed to allow the lawful siting of another dwelling.
- 3) The Community Development Director, or the Director's designee, shall maintain a record of the lots and parcels that do not qualify for the siting of a new dwelling under 3.9140(2), including a copy of the deed restrictions filed under Section 3.9140(2)(C).
- 4) If an applicant is granted a deferred replacement permit under this section:
 - (A) The deferred replacement permit:
 1. Does not expire but the permit becomes void unless the dwelling to be replaced is removed or demolished within three months after the deferred replacement permit is issue; and
 2. May not be transferred, by sale or otherwise, except by the applicant to the spouse or a child of the applicant.
 - (B) The replacement dwelling must comply with applicable building codes, plumbing codes, sanitation codes and other requirements related to health and safety or to siting at the time of construction. However, the standards may not be applied in a manner that prohibits the siting of the replacement dwelling.

Section 3.9170A. Outdoor Mass Gatherings

- 1) An application for an outdoor mass gathering for which the County decides that a land use permit is required, or for any gathering of more than 3,000 persons, any part of which is held

outdoors and which continues, or can reasonably be expected to continue, for a period exceeding that allowable for an outdoor mass gathering, shall be allowed by the County if:

(A) The applicant has complied or can comply with the requirements for an outdoor mass gathering permit set out in ORS 433.750 and 433.755;

(B) Permits required by the applicable land use regulations have been granted; and

(C) The proposed gathering:

1. Is compatible with existing land uses; and

2. Does not materially alter the stability of the overall land use pattern of the area.

2) A hearings officer, county planning commission or other person or body that the county designates may make findings and approve or deny an application for a permit under this section. A decision granting or denying a permit under this section may be appealed to the County governing body as provided in ORS 215.402 to 215.438.

3) Notwithstanding Section 3.9170(A)(1), the County may not require a permit under ORS 433.750 for events otherwise permitted under ORS 215.213(11), 215.283(4), 215.449, 215.451 or 215.452.

4) The County may not require a land use permit for a gathering of 3,000 people or fewer, any part of which is held outdoors.

SECTION 3.9180. FOREST ZONE STANDARDS

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:

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

(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.

2. If a road crosses the tract on which the dwelling will be located, at least one of the three required dwellings **shall must** be on the same side of the road as the proposed dwelling.

(H) A proposed “template” dwelling under this ordinance is **not** allowed **only if**:

1. **If It it is prohibited by or** will **not** comply with the requirements of an acknowledged

comprehensive plan, acknowledged land use regulations, ~~or and~~ other provisions of law;

2. ~~Unless it It~~ complies with the requirements of Sections 3.9240 and 3.9250;
3. ~~Unless no No~~ dwellings are allowed on other lots or parcels that make up the tract and deed restrictions established under Section 1. 1)(C) or 4.3500(4) for the other lots or parcels that make up the tract are met; or
4. ~~If the The~~ tract on which the dwelling will be sited ~~includes does not include~~ a dwelling;

5. The lot or parcel on which the dwelling will be sited was lawfully established;

6. Any property line adjustment to the lot or parcel complied with the applicable property line adjustment provisions in Section 2.9000;

7. Any property line adjustment to the lot or parcel after January 1, 2019, did not have the effect of qualifying the lot or parcel for the dwelling under this section; and

8. If the lot or parcel on which the dwelling will be sited was part of a tract on January 1, 2019, no dwelling existed on the tract on that date, and no dwelling exists or has been approved on another lot or parcel that was part of the tract.

(I) Where other lots or parcels that make up a tract in Section 3.9130(3)(H);

1. The applicant shall provide evidence that the covenants, conditions and restrictions form adopted as "Exhibit A" in OAR Chapter 660, Division 6 has been recorded with the ~~Clatsop eCounty eClerk of the counties where the property subject to the covenants, conditions, and restrictions is located.~~
2. The covenants, conditions and restrictions are irrevocable, unless a statement of release is signed by an authorized representative of the county ~~or counties where the property subject to the covenants, conditions, and restrictions is located.~~

(J) Prior to November 1, 2023, a county may allow the establishment of a single-family dwelling on a lot or parcel that was part of a tract on January 1, 2021, if:

1. No more than one other dwelling exists or has been approved on another lot or parcel that was part of the tract; and

2. The lot or parcel qualifies, notwithstanding ORS 215.750 (5)(h), for a dwelling under ORS 215.750.

6) A new single-family dwelling unit on a lot or parcel zoned for forest use may be approved provided:

(A) The new single-family dwelling unit will be on a lot or parcel no smaller than the minimum size allowed under ORS 215.780;

(B) The new single-family dwelling unit will be on a lot or parcel that contains exactly one

existing single-family dwelling unit that was lawfully:

1. In existence before November 4, 1993; or

2. Approved under ORS 215.130 (6), 215.705, 215.720, 215.740, 215.750 or 215.755;

(C) The shortest distance between the new single-family dwelling unit and the existing single-family dwelling unit is no greater than 200 feet;

(D) The lot or parcel is within a rural fire protection district organized under ORS chapter 478;

(E) The new single-family dwelling unit complies with the Oregon residential specialty code relating to wildfire hazard mitigation;

(F) As a condition of approval of the new single-family dwelling unit, in addition to the requirements of ORS 215.293, the property owner agrees to acknowledge and record in the deed records for the county in which the lot or parcel is located, one or more instruments containing irrevocable deed restrictions that:

1. Prohibit the owner and the owner's successors from partitioning the property to separate the new single-family dwelling unit from the lot or parcel containing the existing single-family dwelling unit; and

2. Require that the owner and the owner's successors manage the lot or parcel as a working forest under a written forest management plan, as defined in ORS 526.455, that is attached to the instrument;

(G) The existing single-family dwelling unit is occupied by the owner or a relative;

(H) The new single-family dwelling unit will be occupied by the owner or a relative; and

(I) The owner or a relative occupies the new single-family dwelling unit to allow the relative to assist in the harvesting, processing or replanting of forest products or in the management, operation, planning, acquisition or supervision of forest lots or parcels of the owner.

(J) If a new single-family dwelling unit is constructed under this section, a county may not allow the new or existing dwelling unit to be used for vacation occupancy as defined in ORS 90.100.

67) For single-family dwellings, 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.

ARTICLE IV. ZONE REGULATIONS

SECTION 4.3300. EXCLUSIVE FARM USE ZONE (EFU)

Section 4.3320. Development and Use Permitted

The following developments and their accessory uses are permitted under a Type I procedure subject to applicable development standards.

Ordinance 23-02

1st Public Hearing: February 8, 2023

Agenda Item #7. Hearing: February 22, 2023

- 15) An outdoor mass gathering, subject to the standards and criteria in Section 3.9170A and ORS 433.763 of more than 3,000 persons that is expected to continue for more than 24 hours but less than 120 hours in any three-month period, as provided in ORS 433.735.

- 18) Farm product processing facility, subject to the standards and criteria in Section 3.9030(7).

Section 4.3330. Conditional Development and Use

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

- 26) Equine and equine-affiliated therapeutic and counseling activities, subject to 3.9030(6).

SECTION 4.3400. AGRICULTURE-FORESTRY ZONE (AF)

Section 4.3440. Conditional Development and Use

The following developments and their accessory uses may be permitted under a Type II procedure and Sections 2.4000 to 2.4050, subject to applicable criteria, development standards and site plan review.

- 14) The following residences may be approved on land that was predominantly in forest use on January 1, 1993:
- (A) A “small tract/poor soils” dwelling may be allowed subject to the approval criteria and conditions in Section 3.9110, 3.9120 and 3.9000.
 - (B) If a dwelling is not allowed pursuant to subsection (a) of this section, a “large tract” dwelling may be allowed subject to the approval criteria and conditions in Section 3.9120, 3.9000 and 3.9140.
 - (C) A single-family ~~single-family~~ dwelling may be allowed subject to the “template test” described in Section 3.9150, and subject to the approval criteria and conditions in Section 3.9120, 3.9800S6.000 and 3.9150.
 - (D) Second Forest Dwelling subject to the criteria and conditions in Section 3.9190(6).

- 19) Equine and equine-affiliated therapeutic and counseling activities, subject to 3.9030(6).

SECTION 4.3500. FOREST-80 ZONE (F-80)

Section 4.3530. Development and Use Permitted

The following uses and activities and their accessory uses may be permitted under a Type I procedure subject to applicable development standards.

- 16) An outdoor mass gathering, subject to the standards and criteria in Section 3.9170A and ORS 433.763 of more than 3,000 persons that is not anticipated to continue for more than 120 hours in any three-month period, as provided in ORS 433.735.

Section 4.3540. Conditional Development and Use

The following uses and activities and their accessory uses may be permitted under a Type II procedure and Section 2.4000 to 2.4050, subject to applicable criteria, development standards and site plan review.

- 15) Second Forest Dwelling subject to the criteria and conditions in Section 3.9190(6).

EXHIBIT B

Planning Commission Summary Memo



Clatsop County – Land Use Planning

800 Exchange Street, Suite 100
Astoria, OR 97103
(503) 325-8611 | (503) 338-3606 (Fax) | comdev@co.clatsop.or.us

TO: Planning Commission Members
FROM: Land Use Planning Staff
DATE: January 10, 2023
RE: **LAWDUC AMENDMENTS: 2018-2022 LEGISLATIVE UPDATES**

BACKGROUND

Oregon Revised Statutes (ORS) 197.646 requires that “a local government shall amend its acknowledged comprehensive plan or... land use regulations implementing the plan...to comply with a new requirement in land use statutes, statewide land use planning goals or rules implementing the statutes or the goals.” This statute also states that when a local government does not adopt the required amendments, the new requirements “apply directly to the local government’s land use decisions.” Failure to adopt or enforce the new requirements is “basis for initiation of enforcement action” against the local jurisdiction.

Per ORS 197.646(2), the Department of Land Conservation and Development (DLCD) is required to notify local governments when a new requirement in land use statutes, statewide land use planning goals or rules implementing the statutes or the goals requires changes to an acknowledged comprehensive plan or to land use regulations implementing either plan.

The proposed LAWDUC amendments included in Exhibit A are designed to incorporate legislative changes to ORS affecting land use. The amendments cover legislative years 2018-2022. No legislation was adopted in 2020 and 2022 that affected land use regulations.

In the future, these legislative updates will become a component of the Community Development Department’s work plan. A draft of the proposed amendments was presented to the Planning Commission on October 11, 2022. Staff also presented the proposed amendments to the Board of Clatsop County Commissioners during a work session on November 2, 2022.

SUMMARY OF PROPOSED AMENDMENTS

*** Indicates that non-revised language was not included. Used for document brevity.

Double-underlined text indicates new language proposed to be added

~~Strikethrough~~ text indicates existing material that is to be deleted

All changes are highlighted in yellow

ARTICLE I. INTRODUCTORY PROVISIONS

Add the following definitions to Section 1.0500:

- Biofuel ([HB 2844](#) – 2019)
- Center of the Subject Tract ([HB 2225](#) – 2019)
- Farm Product Processing Facility ([HB 2844](#) – 2019)
- Organizer ([HB 2790](#) – 2019)

- Owner or a Relative ([HB 2469](#) – 2019)
- Permanent Structure ([HB 2790](#) – 2019)
- Processing Area ([HB 2844](#) – 2019)
- Temporary Structure ([HB 2790](#) – 2019)

Amends the following existing definitions in Section 1.0500:

- Family ([HB 2583](#) – 2021)
- Outdoor Mass Gathering ([HB 2790](#) – 2019)

ARTICLE II. PROCEDURES FOR LAND USE APPLICATIONS

- Amend Section 2.0300 to list living in an RV following a natural disaster as a use that does not require a permit ([HB 2809](#) – 2021)
- Amend Section 2.2250 to include language procedures for the County to use when appealed cases are returned to the County from the Land Use Board of Appeals (LUBA) ([HB 4124](#) – 2018)
- Amend Section 2.4050 to authorize up to five additional one-year extensions for conditional use permits approved for residential projects on resource lands ([HB 2106](#) – 2019)

ARTICLE III. STRUCTURE SITING AND DEVELOPMENT STANDARDS

- Amend Section 3.1070 to authorize reconstruction of a legal non-conforming mobile home park following a natural disaster ([HB 3219](#) – 2021)
- Amend Section 3.1090 to clarify that a non-conforming use is not considered abandoned if an emergency order limits or prohibits the use or the ability to restore or replace the use ([SB 405](#) – 2021)
- Amend Section 3.4000 to create new Section 3.4095 to establish standards to replace mobile home parks destroyed by natural disasters ([HB 3219](#) – 2021)
- Amend Section 3.9030 to:
 - create subsection 6 to establish development standards for equine and equine-affiliated therapeutic and counseling activities ([SB 1533](#) – 2018)
 - create subsection 7 to establish development standards for farm product processing facilities ([HB 2844](#) – 2019)
- Amend Section 3.9140 to:
 - incorporate revised standards for the alteration, restoration or replacement of a lawfully-established dwelling on farm or forest lands ([HB3024](#) – 2019)
 - include new criteria for the alteration, restoration or replacement of a lawfully-established dwelling on farm or forest lands that will become effective January 2, 2024 ([HB3024](#) – 2019)
- Create Section 3.9170A to establish criteria and procedures for approval of outdoor mass gatherings ([HB 2790](#) – 2019)
- Amend Section 3.9190 to:
 - incorporate new template test dwelling criteria ([HB 2225](#) – 2019)
 - create subsection 6 to incorporate development standards for second dwellings on forestlands for relatives of the property owner that assist with forestry work ([HB 2469](#) – 2019)

IV. ZONE REGULATIONS

The following changes are proposed to the Exclusive Farm Use (EFU) Zone:

- Amend Section 4.3320 to:
 - update citations for outdoor mass gathering development standards

January 10, 2023

- add farm product processing facility as a Type I use
- Amend Section 4.3330 to add equine and equine-affiliated therapeutic and counseling activities as a Type II use

The following changes are proposed to the Agriculture-Forestry (AF) Zone:

- Amend Section 4.3440 to:
 - correct scrivener's errors and incorrect code citations in subsection (14)(C)
 - Add second forest dwelling as a Type II use
 - Add equine and equine-affiliated therapeutic and counseling activities as a Type II use

The following changes are proposed to the Forest-80 (F-80) Zone:

- Amend Section 3.3530(16) to update outdoor mass gathering development standards citations
- Amend Section 3.3540(15) to add second forest dwelling as a Type II use