

Attachment A

*August 13, 2021, Notice of Decision
for CUP #21-000005*



Clatsop County

Community Development – Planning

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

NOTICE OF DECISION

Date: August 13, 2021
Owners: Joy Brotherton and Janice McConahay
Applicant: Kathren Rusinovich
Property Description: T8N, R07W, Sec. 18, Tax Lot 700
Request: Conditional use approval for a single-family dwelling pursuant to LWDUO Section 3.563(22)
Action: **DENIAL**

Dear Ms. Brotherton, Ms. McConahay, and Ms. Rusinovich,

The Community Development Department has completed review of the request cited above. This decision includes a staff report with findings, attached. Based on the findings presented in the report, the proposal does or can satisfy most of the applicable criteria; however, the evidence in the record does not support a determination that the subject property cannot practicably be managed for farm use. Because the subject property is identified as high-value farmland, this is a requirement (Standards Document S3.512(3)); failure to meet this requirement is the basis for the denial.

If you, or a party with standing, wish to appeal this decision, you may do so, up to the date and time appearing at the bottom of this letter. The appeal must comply with Section 2.230 of the Clatsop County Land and Water Development and Use Ordinance #80-14 (procedure for an appeal).

If you have any questions regarding this decision, appeal procedures or any of the conditions of approval, please contact me at (503) 325-8611.

Sincerely,

Gail Henrikson, Director
Community Development Department

Attachments: Staff Report and Exhibits

LAST DAY TO APPEAL: August 25, 2021



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STAFF REPORT

Conditional Use Application #186-21-000002-PLNG

STAFF REPORT DATE: August 13, 2021

REQUEST: Conditional use approval to establish a single-family "lot of record dwelling" per LWDUO Section 5.363(22) and Standards Document S3.512.

APPLICANT: Kathren Rusinovich, Windermere Community Realty
175 14th Street, Suite 120
Astoria, OR 97103

OWNERS: Joy Brotherton Janice McConahay
42045 Logger Lane 92186 Crest Drive
Astoria, OR 97103 Astoria, OR 97103

PROPERTY DESCRIPTION: T8N, R07W, Sec. 18, Tax Lot 700 (+/- 4.0 acres)

Zoning Designation: Exclusive Farm Use (EFU)

Comprehensive Plan Designation: Rural Agricultural Lands

Soils: 45A - Mues Medial Silt Loam (+/- 68% of subject property)
66 - Tropofluvents (+/- 23% of subject property)
27 - Humitropepts (+/- 9% of subject property)

Overlays and Layers: Flood Hazard Overlay District (FHO; FEMA AE Floodway – an approx. 20-foot strip along the western property line);
Big Game Habitat (Peripheral);
Statewide Wetlands Inventory (SWI; regulated by the Oregon Department of State Lands)

PROPERTY LOCATION: At the northwest corner of the Waterhouse Road & Old Highway 30 intersection.

COUNTY STAFF REVIEWER: Ian Sisson, Senior Planner

TYPE II DECISION MAKER: Gail Henrikson, Community Development Director

DEEMED COMPLETE: April 16, 2021 (150 days: September 13, 2021)

EXHIBITS

1. Application Materials
2. Public Notice and Comments
3. Staff Correspondence
4. Maps & Tables prepared by Staff
5. *Friends of Linn County v. Linn County*, 39 Or LUBA 627 (2001)

PUBLIC COMMENTS: Howard Kem, 92878 Waterhouse Road

AGENCY COMMENTS:

Clatsop County Onsite Septic Program
Oregon Department of Fish and Wildlife

RECOMMENDATION:

DENIAL, based on lack of evidence to support a determination the subject property cannot practicably be managed for farm use, by itself or in conjunction with other land pursuant to Standards Document S3.512(3).

SUMMARY

On January 5, 2021, Kathren Rusinovich of Windermere Community Realty, on behalf of property owners Joy Brotherton and Janice McConahay, submitted an application to establish a single-family dwelling on property in the Exclusive Farm Use Zone (EFU) near the unincorporated rural community of Knappa. The application was deemed incomplete on January 26, 2021. After receiving additional information from the applicant, staff deemed the application complete on April 16, 2021.



The subject property is identified as Township 8 North, Range 7 West, Section 18, Tax Lot approximately 4.0 acres in size, located at the northwest corner of the Waterhouse Road / Old Highway 30 intersection.

According to soil survey data from the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), the subject property is predominately composed of Mues Medial Silt Loam (45A), 0 to 3 percent slopes, which is rated as a Class II soil for agricultural capability. Pursuant to Clatsop County Land and Water Development and Use Ordinance 80-14 (LWDUO), Section 1.030, property composed predominately of Class II soils constitutes "high value farmland." According to

County Assessor records, the property has historically been managed for timber production and is under a special tax assessment.

The applicant has requested conditional use approval pursuant to LWDUO Section 3.563(22), which provides for the establishment of one single-family dwelling on a lawfully created lot or parcel, subject to a Type II procedure and Standards Document sections S3.508(2) and S3.512.

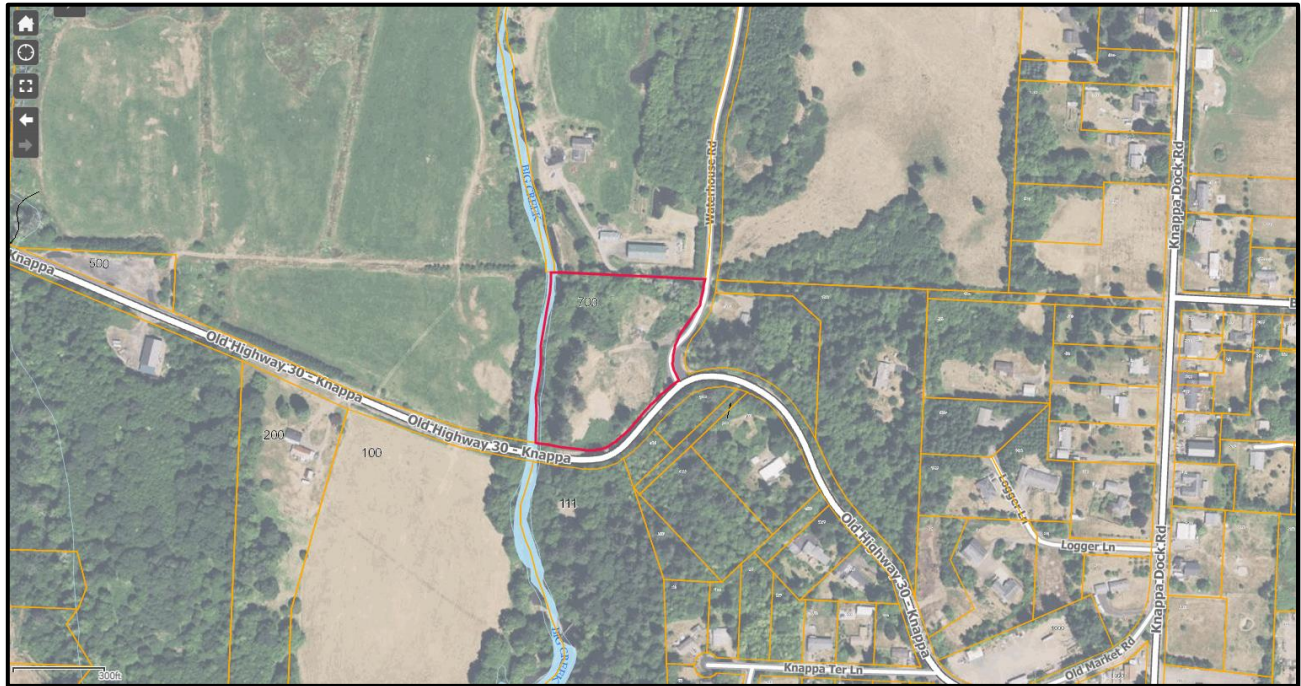
This staff report will evaluate the proposal against applicable County policies found in the Comprehensive Plan, Land and Water Development and Use Ordinance, and Standards Document. **The findings and conclusions of this report will demonstrate that the proposal meets most, but not all of the review criteria. Most importantly, due to a lack of substantial evidence in the record, there is no support for a determination that the subject property cannot practicably be**

managed for farm use, by itself or in conjunction with other land. As a result, staff has recommended denial of the application.

PROPERTY STATUS

According to Lot of Record Determination #20-000510, issued by Clatsop County Community Development on August 13, 2020, the subject TL 700 is a discrete land use parcel created by the recording of a warranty deed with the Clatsop County Clerk on July 17, 1958 (Book 236, Pages 476-478, Clatsop County Records). The subject property meets the County's definition of a "lot of record", Section 1.030, LWDUO, and can be developed in accordance with applicable criteria and standards.

2018 AERIAL PHOTO



I. APPLICABLE REVIEW CRITERIA

The applicable criteria for this land use application are contained in LWDUO – Ordinance 80-14, the Clatsop County Standards Document, and the Clatsop County Comprehensive Plan:

A. Clatsop County Land and Water Development and Use Ordinance 80-14

Section 1.000 Article I Introductory Provisions
Section 2.020 Type II Procedure
Section 2.115 Mailed Notice for a Type II Procedure
Section 3.560 Exclusive Farm Use Zone (EFU)
Section 4.000 Flood Hazard Overlay District (FHO)
Section 5.000 Conditional Development and Use

B. Clatsop County Standards Document 80-14

Chapter 2 – Site Oriented Improvements
Chapter 3 – Structure Siting and Development
Chapter 4 - Environmental Protection

C. Clatsop County Comprehensive Plan

Goal 1 - Citizen Involvement

Goal 2 - Land Use Planning
Goal 3 – Agricultural Lands
Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources
Goal 6 - Air, Water, and Land Quality
Goal 7 - Areas Subject to Natural Disasters and Hazards
Goal 11 – Public Facilities and Services
Northeast Area Community Plan

II. ASSESSMENT OF APPLICATION VERSUS APPLICABLE CRITERIA

A. LAND AND WATER DEVELOPMENT AND USE ORDINANCE 80-14

ARTICLE 1. INTRODUCTORY PROVISIONS.

Section 1.030. Definitions.

ACCEPTED FARMING PRACTICES -- A mode of operation that is common to farms of a similar nature, necessary for the operation of such farms to obtain a profit in money, and customarily utilized in conjunction with farm use. As applied to composting operations on high-value farmland, “accepted farming practice” includes composting operations that either 1) compost only materials produced on the subject tract, or 2) compost materials brought from off-site and processed alone or in conjunction with materials generated on the subject tract, and use all on-site generated compost for on-farm production in conjunction with, and auxiliary to, the farm use on the subject tract. [Ord. 18-02]

AGRICULTURAL LAND --

- 1)(A)Lands classified by the U.S. Soil Conservation Service (SCS) or Natural Resources Conservation Service (NRCS) as predominantly Class I-IV soils;
(B) Land in other soil classes that is suitable for farm use as defined in ORS 215.203(2)(a), taking into consideration soil fertility; suitability for grazing; climatic conditions; existing and future availability of water for farm irrigation purposes; existing land use patterns; technological and energy inputs required; and accepted farming practices; and
(C)Land that is necessary to permit farm practices to be undertaken on adjacent or nearby agricultural lands.
- 2) Land in capability classes other than I-IV that is adjacent to or intermingled with lands in capability classes I-IV within a farm unit, shall be inventoried as agricultural lands even though this land may not be cropped or grazed;
- 3) “Agricultural Land” does not include land within acknowledged urban growth boundaries or land within acknowledged exception areas for Goal 3 or 4.

CONDITIONAL USE -- A type of development which requires special consideration prior to being permitted in a particular zone because of its possible impact on adjacent developments, land and water resources and the growth and development of the County. The characteristics of designated conditional developments shall be reviewed to determine whether or not the development is appropriate and compatible in the particular location proposed and what, if any, conditions are necessary to ensure compatibility. A conditional development may be permitted or denied at the discretion of the Community Development Director or hearings body based on findings of fact.

CULTURED CHRISTMAS TREES -- Means trees:

- 1) Grown on lands used exclusively for that purpose, capable of preparation by intensive cultivation methods such as plowing or turning over the soil;
- 2) Of a marketable species;

- 3) Managed to produce trees meeting U.S. No. 2 or better standards for Christmas trees as specified by the Agriculture Marketing Services of the U.S. Department of Agriculture; and
- 4) Evidencing periodic maintenance practices of shearing for Douglas Fir and pine species, weed and brush control and one or more of the following practices: Basal pruning, fertilizing, insect and disease control, stump culture, soil cultivation, irrigation.

FARM USE -- The current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops or the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. "Farm use" includes the preparation and storage of the products raised on such land for human use and animal use and disposal by marketing or otherwise. "Farm use" also includes the current employment of land for the primary purpose of obtaining a profit in money by stabling or training equines including but not limited to providing riding lessons, training clinics and schooling shows. "Farm use" also includes the propagation, cultivation, maintenance and harvesting of aquatic species. It does not include the use of land subject to the provisions of ORS Chapter 321, except land used exclusively for growing cultured Christmas subsection ORS 215.203(3) or land described in ORS 321.267(1)(e) or 321.415(5). "Current Employment", as used in this definition, includes:

- 1) Farmland, the operation or use of which is subject to any farm-related government program;
- 2) Land lying fallow for one year as a normal and regular requirement of good agricultural husbandry;
- 3) Land planted in orchards or other perennials, other than land specified in sub-paragraph (4) of this paragraph, prior to maturity;
- 4) Land not in an Exclusive Farm Use zone which has not been eligible for assessment at special farm use value in the year prior to planting the current crop and has been planted in orchards, cultured Christmas trees or vineyards for at least three years;
- 5) Wasteland, in an Exclusive Farm Use zone, dry or covered with water, neither economically tillable nor grazeable, lying in or adjacent to and in common ownership with a farm use land and which is not currently being used for an economic farm use;
- 6) Land under buildings supporting accepted farm practices;
- 7) Water impoundments lying in or adjacent to and in common ownership with farm use land;
- 8) Any land constituting a woodlot, not to exceed 20 acres, contiguous to and owned by the owner of land specially valued for farm use even if the land constituting the woodlot is not utilized in conjunction with farm use;
- 9) Land lying idle for no more than one year where the absence of farming activity is due to the illness of the farmer or member of the farmer's immediate family. For purposes of the paragraph, illness includes injury or infirmity whether or not such illness results in death;
- 10) Any land described under ORS 321.267(1)(e) or 321.415(5); and
- 11) Any land in an Exclusive Farm Use zone used for the storage of agricultural products that would otherwise be disposed of through open field burning or propane flaming.

HIGH VALUE FARM LAND -- Is described as:

(1) High Value Farmland: Land in a tract composed predominantly of soils that are:

- a) Irrigated and classified prime, unique, Class I or II; or
- b) Not irrigated and classified prime, unique, Class I or II.

(2) In addition to that land described in Subsection (1), high-value farmland, if outside the Willamette Valley, includes tracts growing specified perennials as demonstrated by the most recent aerial photography of the Agricultural Stabilization and Conservation Service of the U.S. Department of Agriculture taken prior to November 4, 1993. "Specified perennials" means perennials grown for market or research purposes including, but not limited to, nursery stock, berries, fruits, nuts, Christmas trees, or vineyards, but not including seed crops, hay, pasture or alfalfa;

(3) In addition to that land described in Subsection (1), high-value farmland, if west of the summit of the Coast Range and used in conjunction with a dairy operation on January 1, 1993, includes tracts composed predominantly of the following soils in Class III or IV or composed predominantly of a combination of the soils described in Subsection (1) and the following soils:

- a) Subclassification IIIe, specifically, Astoria, Hembre, Knappa, Meda, Quillayutte and Winema;
- b) Subclassification IIIw, specifically, Brenner and Chitwood;
- c) Subclassification IVe, specifically, Astoria, Hembre, Meda, Nehalem, Neskowin and Winema; and
- d) Subclassification IVw, specifically, Coquille.

[Ord. 18-02]

IRRIGATED -- Agricultural land watered by an artificial or controlled means, such as sprinklers, furrows, ditches, or spreader dikes. An area or tract is "irrigated" if it is currently watered, or has established rights to use water for irrigation, including such tracts that receive water for irrigation from a water or irrigation district or other provider. An area or tract within a water or irrigation district that was once irrigated shall continue to be considered "irrigated" even if the irrigation water was removed or transferred to another tract. [Ord. 18-02]

LOT OF RECORD -- Any lot or parcel lawfully created by a subdivision or partition plat of record in the County Clerk's Office, or lawfully created by deed or land sales contract prior to land use partitioning requirements, and of record in the Deed Records of Clatsop County. Development of a "lot of record" must meet all other applicable development standards, except for the minimum lot size or lot dimensions of the zone. Development standards include all applicable requirements of the zone, overlay district, the Land and Water Development and Use Ordinance and the Standards Document, and state and federal statutes and administrative rules. Lot of record status does not authorize development of a lot or parcel without compliance with the requirements in Clatsop County Standards Document, Section S1.030.

RIPARIAN -- Of, pertaining to, or situated on the edge of the bank of a river or other body of water.

STAFF FINDING: The definitions listed above are included for information purposes as the terms apply to the proposal and will be used throughout this report.

ARTICLE 2. PROCEDURES FOR LAND USE APPLICATIONS

Section 2.020 Type II Procedure.

1) Type II land use actions generally involve uses or development for which review criteria are reasonably objective, requiring only limited discretion. Impacts on nearby properties may be associated with conditions of approval to minimize those impacts or ensure compliance with this code.

- 2) Those actions identified in this code as a conditional development and use, development permitted with review, subdivisions containing six lots or less, partitions, and applications related to non-conforming uses/structures under the Type II procedure are Type II actions.
- 3) Except as provided in subsection (5), under the Type II procedure an application for a development permit shall be processed without a need for public hearing. The Community Development Director shall determine whether or not the proposed development meets the required development standards. The Director may obtain technical assistance from a review committee or local or state agencies.
- 4) If the Director finds that the development appears to satisfy the required standards, the Director shall mail a notice of intent to issue a development permit to the applicant and to other persons pursuant to Sections 2.115 to 2.120.
- 5) If the Community Development Director believes that persons other than the applicant can be expected to question the application's compliance with the Ordinance, the Director may treat the application as a Type IIa procedure.
- 6) The Community Development Director shall review any information received under subsection (4) and make a finding for each of the points in dispute. The Director shall make a decision on the application by approving, conditionally approving, or denying the application.
- 7) A decision by the Community Development Director may be appealed to the Hearings Officer by the applicant or by a person who responded to the notice, pursuant to Section 2.230.

STAFF FINDINGS: Pursuant to Section 3.563(22), one single-family dwelling on a lawfully created lot or parcel may be permitted in the EFU Zone subject to S3.508(2) and S3.512. This staff report demonstrates the requirements for a Type II procedure have been followed to review and process the applicant's request. A Notice of Decision will be provided to the applicant based on the findings and conclusions contained in this report. The applicant or other parties with standing may appeal the decision to the Hearings Officer pursuant to Section 2.230.

Section 2.045 Pre-application Conference.

1) An applicant or the applicant's authorized representative shall request the Director to arrange a pre-application conference. Unless the applicant and Director agree that a conference is not needed, the conference shall be held within 15 days of the request. The purpose of the conference shall be to acquaint the applicant with the substantive and procedural requirements of the Ordinance, provide for an exchange of information regarding applicable elements of the Comprehensive Plan and development requirements, arrange such technical and design assistance as will aid the applicant, and to otherwise identify policies and proposed development. The Director, if requested by the applicant, shall provide the applicant with a written summary of the conference within 5 days of the conference. The summary shall include confirmation of the procedures to be used to process the application, a list of materials to be submitted and the criteria and standards which may apply to the approval of the application.

STAFF FINDINGS: Community Development staff held a pre-application conference with the applicant on November 30, 2020. A summary of the meeting was also provided to the applicant on November 30, 2020 and is attached to this report as Exhibit 3.

Section 2.115 Mailed Notice for a Type II Procedure.

STAFF FINDINGS and CONCLUSION: Notice of the application was provided in accordance with the requirements for a Type II procedure, including mailed notice to affected property owners, interested parties, and government agencies (see Exhibit 2). **The mailed notice criteria for a Type II Procedure have been met.**

Section 2.180 Burden and Nature of Proof.

- 1) Except as otherwise provided, the applicant shall bear the burden of proof that the proposal is in compliance with the applicable standards. In addition, evidence of mistake of adoption of the plan designation or development regulations or subsequent change in the affected area are relevant considerations.
- 2) Unless specifically identified as jurisdictional, failure to comply with a provision of this Article shall invalidate an action only if it prejudices the substantial rights of the person alleging the error. Persons alleging procedural error shall have the burden of proof as to whether the error occurred and whether the error has prejudiced the person's substantial rights.

STAFF FINDING: This section is included for information purposes. Applicants for a conditional use permit bear the burden of proof that the proposal meets the applicable review criteria. Information provided by the applicant is referenced throughout this report and attached as Exhibit 2.

SECTION 3.560. EXCLUSIVE FARM USE ZONE (EFU).

Section 3.561. Purpose. [Ord. 18-02]

The purpose of the Exclusive Farm Use (EFU) Zone is to protect and maintain agricultural lands for farm use, consistent with existing and future needs for agricultural products. The EFU zone is also intended to allow other uses that are compatible with agricultural activities, to protect forests, scenic resources and fish and wildlife habitat, and to maintain and improve the quality of air, water and land resources of the county. It is also the purpose of the EFU zone to qualify farms for farm use valuation under the provisions of ORS Chapter 308.

The provisions of the EFU zone reflect the agricultural policies of the Comprehensive Plan as well as the requirements of ORS Chapter 215 and OAR 660-033. The minimum parcel size and other standards established by this zone are intended to promote commercial agricultural operations.

Section 3.563. Conditional Development and Use. [Ord. 18-02]

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.

- 22) One single-family dwelling on a lawfully created lot or parcel subject to S3.508(2) and S3.512.

STAFF FINDINGS and CONCLUSIONS: The subject property is located in the EFU Zone. As stated in Section 3.561, above, the purpose of the EFU Zone is to protect and maintain agricultural lands for farm use, consistent with existing and future needs for agricultural products. Certain other uses can be permitted if it can be demonstrated those uses meet applicable review criteria and will not interfere with accepted farming practices. **The applicant has requested approval to establish a single-family dwelling pursuant to Section 3.563(22), which is subject to a Type II conditional use procedure and Standards Document S3.508(2) and S3.512. This staff report will evaluate the applicable review criteria.**

Section 3.566. Development Standards. [Ord. 18-02]

All dwellings and structures approved pursuant to Section 3.560 shall be sited in accordance with this Section.

(2) Setbacks.

(A) Front Yard: All buildings or structures with the exception of fences shall be setback a minimum of thirty (30) feet from the property line.

(B) Rear Yard:

1) Dwellings: Twenty (20) feet.

(C) Side Yard:

1) Dwellings: Thirty (30) feet, except twenty (20) feet on a corner lot.

(3) Height.

(A) Dwellings or accessory farm dwellings shall not exceed a height of forty-five (45) feet.

STAFF FINDING and CONCLUSION: The applicant's proposed site plan (Exhibit 1) depicts building footprints for a dwelling (approximately 3,800 sq. ft) and an accessory structure (approximately 2,400 sq. ft). According to the site plan, both structures would be located at least one hundred feet from all property lines, meeting the setback requirements listed in Section 3.566. The proposed building heights are unknown. If the conditional use request is approved, a condition of approval will require the applicant to obtain a development permit prior to construction. As part of the development permit submittal, a final site plan and building height information would be required. **This criterion can be satisfied with a condition of approval (Condition #1).**

Section 3.567 State and Federal Permits.

If any state or federal permit is required for a development or use, an applicant, prior to issuance of a development permit or action, shall submit to the Planning Department a copy of the state or federal permit.

STAFF FINDING and CONCLUSION: If any state and/or federal permits are required for the proposed development, copies shall be provided to the Planning Division prior to issuance of a development permit. **This criterion can be satisfied with a condition of approval (Condition #2).**

ARTICLE 4. SPECIAL DISTRICTS.

SECTION 4.000. FLOOD HAZARD OVERLAY DISTRICT (/FHO). (Ord. 18-03)

Section 4.010. Purpose

The purpose of the flood hazard overlay district is to identify those areas of the County subject to the hazards of periodic flooding and establish standards and regulations to reduce flood damage or loss of life in those areas. This district shall apply to all areas of special flood hazards within the unincorporated areas of Clatsop County as identified on Flood Insurance Rate Maps (FIRM) and Flood Boundary and Floodway Maps. In advancing these principles and the general purposes of the Clatsop County Comprehensive Plan, the specific objectives are:

- (1) To promote the general health, welfare and safety of the County;
- (2) To prevent the establishment of certain structures and land uses unsuitable for human habitation because of the danger of flooding, unsanitary conditions or other hazards;
- (3) To minimize the need for rescue and relief efforts associated with flooding;
- (4) To help maintain a stable tax base by providing for sound use and development in flood-prone areas and to minimize prolonged business interruptions;
- (5) To minimize damage to public facilities and utilities located in flood hazard areas;
- (6) To insure that potential home and business buyers are notified that property is in a flood area.

STAFF FINDINGS and CONCLUSION: Clatsop County Webmaps indicates a small portion of the subject property, along the bank of Big Creek, is located in the FHO (FEMA AE Floodway). While the applicant's site plan does not indicate any development within this area, the applicant is advised that development activity within the FHO area is subject to this section and requires a floodplain development permit. **This section can be satisfied with a condition of approval (Condition #3).**

SECTION 5.000. CONDITIONAL DEVELOPMENT AND USE.

Section 5.015. Authorization of a Conditional Development and Use.

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

- (A) The proposed use does not conflict with any provision, goal, or policy of the Comprehensive Plan.
- (B) The proposed use meets the requirements and standards of the Clatsop County Land and Water Development and Use Ordinance (Ordinance 80-14).

APPLICANT RESPONSE: (A) The proposed use does not conflict with any provision, goal, or policy of the Comprehensive Plan. In regard to preserving farm production in Clatsop County under goal 3 it is noted that farm production has declined over the last 15-30 years based on increasing costs, terrain and the extensive wet climate in Clatsop County. In fact records historically Clatsop County has not been successful with agricultural food production regardless of soil quality. Grazing and dairy farming are the main source of farming income. However smaller parcels are not suitable for year round grazing use. Soil compaction is prevents grass from re-seeding. Hay production is limited by the weather. If there is excessive during hay season they value of hay as a feed product for livestock is diminished. The economic importance of such a small parcel as the subject is of no economic significance to the economic stability of Clatsop County. Irrigation is not necessary however no water right use of Big Creek exist for the subject property.

(B) The proposed use meets the requirements and standards of the Clatsop County Land and Water Development and Use Ordinance (Ordinance 20-03). Not capable of producing more than at least 50 cubic feet per acre per year of wood fiber. However some income can be derived from the onsite maintenance of a Christmas tree farm which would encompass approximately one acre of the property. The lot is a legally created tax lot. A copy of the lot of record verification has submitted with the original CUP application. The lot has been preserved by the family with intent of rebuilding a home on the site at some point in the future.

STAFF FINDINGS and CONCLUSION:

(A) The applicable goals and policies of the Comprehensive Plan are addressed in Section IIC of this report. The findings in that section demonstrate the proposal does or can satisfy Goal 1, Goal 5, Goal 6, Goal 7, and Goal 11. However, the proposal does not satisfy Goal 2, Goal 3, or the Northeast Area Community Plan because the proposal does not satisfy the review criteria which implement those goals and the related policies. Most importantly, because the subject property is identified as high-value farmland, pursuant to Standards Document S3.512(3), approval of a single-family dwelling requires a determination that the subject property cannot practicably be managed for farm use, by itself or in conjunction with other land. The record does not contain sufficient evidence to support such a determination. In fact, the evidence in the record (for example, the applicant's written testimony that the subject property is already an "established Christmas tree farm") suggests that the property can reasonably be put to farm use. **This criterion is not satisfied.**

(B) Sections IIA and IIB of this report demonstrate that the proposal satisfies, most, but not all applicable review criteria found in the LWDUO and Standards Document. The criteria that have not been satisfied are related to the overall requirement that, in order to establish a single-family dwelling on high-value farmland under LWDUO Section 3.563(22), it must be determined that the subject property cannot practicably be managed for farm use, by itself or in conjunction with other land. Because there is not sufficient evidence to support such a determination, the proposal fails to meet applicable review criteria. **This criterion is not satisfied.**

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

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

APPLICANT RESPONSE: Development plan has been submitted with the CUP application. The single family residence will be located in the SE corner of the property. Any replanted tree impacted will be relocated on site to an area with better growth potential. Standard development requirements and recommendations including erosion protection, hours of operation limited preserve the quiet enjoyment of the neighboring properties during construction will be followed. There will be no need for special lighting or signage.

- 2) The adequacy of transportation access to the site, including street capacity and ingress and egress to adjoining streets.

APPLICANT RESPONSE: Transportation access is improved for ingress and egress for a single family dwelling and fire suppression equipment. The county roads are paved two lane roads. The county roads are maintained through Clatsop County. The improved access to the site is located in an approved location that would not impede access to Old Highway 30 or Water House Rd., or create a traffic hazard. The density use of a single family dwelling will have less impact on traffic and road wear and tear in comparison to the neighboring park and Big Creek Lodge, which has a potentially higher density of traffic due to public activities.

- 3) The adequacy of public facilities and services necessary to serve the use.

APPLICANT RESPONSE: The subject property is located with a fire suppression district. Onsite access and county road access is sufficient room for fire suppression units from the Knappa/Svensen fire Dept. The power available for the subject property is through Pacific Power and Light, water service is provided by Knappa Water District. Approval of onsite septic service will be verified prior to occupancy certification. Water, garbage, power, fire suppression, are all services available for a habitable property.

- 4) The natural and physical features of the site such as topography, natural hazards, natural resource values, and other features.

APPLICANT RESPONSE: The subject property sits below grade with a slope adjacent to county roads likely exceeds a 3 percent slope which reduces the usable acreage for farming. Fencing, buildings, waters features and parking requirements prevent any shared farming practices on adjacent property zoned EFU. The natural and physical features of the site such as topography, natural hazards, natural resource values, and other features. Minimizing the farming impact is important to preserve the riparian integrity along Big Creek. As a farming resource the subject property could provide is minimal.

STAFF FINDINGS and CONCLUSION:

(1) and (2) The applicant's proposed site plan (Exhibit 1) demonstrates that the size and shape of the subject property are adequate to support the proposed development, exceeding all setback requirements and providing adequate space for an onsite sewage disposal system, vehicular ingress, egress and off-street parking. No fencing/buffering, lighting, or signage are required or proposed. According to the site plan, the property would be accessed from an existing road approach on Waterhouse Road, a County road classified as a Rural Local street. If the conditional use request is approved, the applicant will be required to demonstrate road approach approval for the residential use from Clatsop County Public Works (Condition #9). Condition #1 would require the applicant to obtain a development permit from the Planning Division prior to construction, which is required to be accompanied by a final site plan and outdoor lighting plan (Condition #1). **This section can be satisfied with conditions of approval (Conditions #1 and #9).**

(3) According to the applicant, the property is served by the Knappa Water Association, the Knappa-Svensen-Burnside Rural Fire Protection District, and Pacific Power; sewage would be disposed in an onsite septic system; and waste collection services are available. For all new dwellings in Clatsop County, a Development Permit is required and must be accompanied by a completed Agency Review and Approval Form. This form is the tool the Planning Division uses to verify adequate water supply, sewage disposal, and fire protection services are available to serve new dwellings. Condition #1 would require the applicant to submit a Development Permit application, with a completed Agency Review and Approval Form, to the Planning Division prior to construction of the proposed dwelling. **This criterion can be satisfied with a condition of approval (Condition#1).**

(4) The property contains gentle to moderate slopes which are not anticipated to present any challenges for the proposed scope or location of development. Natural features include Big Creek, along the western boundary of the property, and Peripheral Big Game Habitat. According to the applicant's proposed site plan, all development would be over 100 feet from the creek. According to correspondence with ODFW staff (Exhibit X), the proposed use and site plan are not anticipated to have a significant impact on big game habitat. Based on these factors, the subject property is suitable for the proposed use. **This criterion is satisfied.**

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

STAFF FINDINGS and CONCLUSION: Based on the factors in Subsection (C), the subject property itself is suitable for the proposed use, with appropriate conditions of approval. The proposed single-family dwelling can be assumed to be compatible with existing single-family dwellings in the vicinity, as well as undeveloped land zoned for residential use. Compatibility with resource land uses is addressed in much greater detail in Section IIB of this report. The findings in that section support a conclusion that the proposed dwelling will not have a significant impact on surrounding resource uses, which implies it is compatible with those uses. **This criterion is satisfied.**

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

APPLICANT RESPONSE: Protecting the natural riparian habitat along Big Creek is important to the property owner. As with other local area development within the big game habitat we have experienced little impact. Elk, whitetail and blacktail populations have been increasing. Some of it is due to moderate winters of 2019 and 2020 reducing mortality. Most big game residents and human residents have become accustomed to living amongst each other successfully. A single family dwelling has proved to be less of an impact than commercial development, which presents more human activity and traffic.

STAFF FINDINGS and CONCLUSION: According to the Clatsop County Comprehensive Plan, the subject property is designated Rural Agricultural Lands and is located within an area identified as Peripheral Big Game Habitat. According to Oregon Department of Fish and Wildlife (ODFW) staff (via email, Exhibit 2), the applicant can likely expect elk to use the open grassy areas of the subject property during the winter and early spring months; however, given the proximity of large, open pastures nearby, ODFW does not anticipate a substantial impact to elk herds from siting a dwelling and accessory building on the subject property as proposed. The Comprehensive Plan does not contain specific siting requirements or density limits for dwellings in Peripheral Big Game Habitat areas. Based

on the correspondence from ODFW, the proposed use is not expected to have a significant impact. **This criterion is satisfied.**

B. STANDARDS DOCUMENT

CHAPTER 2. SITE ORIENTED IMPROVEMENTS.

S2.500 Erosion Control Development Standards

S2.501 Purpose.

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

S2.503 Erosion Control Plan

- (1) An Erosion Control Plan shall be required for land disturbing activities, in conjunction with a development permit.

STAFF FINDINGS and CONCLUSION: If the conditional use request is approved, prior to construction and in conjunction with the development permit application, the applicant will be required to submit an erosion control plan commensurate with Standards Document S2.500. **This section can be satisfied with a condition of approval (Condition #1).**

SECTION S3.500. FARM ZONE STANDARDS. [Ord. 18-02]

Section 3.508. General Standards.

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

STAFF FINDING and CONCLUSION: The document described in this section is required by LWDUO Section 3.563(22). **This section can be satisfied with a condition of approval (Condition #4).**

Section 3.509. Conditional Use Review Criteria.

- (1) These requirements are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands. The use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and
- (2) The use will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.
- (3) The proposed use will be compatible with vicinity uses, and satisfies all relevant requirements of this ordinance and the following general criteria:
 - (A) The use is consistent with those goals and policies of the Comprehensive Plan which apply to the proposed use;
 - (B) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features;
 - (C) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;

- (D) The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
- (E) The use is or can be made compatible with existing uses and other allowable uses in the area.

STAFF FINDINGS and CONCLUSION:

(1) and (2): The broad types of farm use in the study area include crop production (predominately non-irrigated forage crops), holly trees, and livestock raising (pasture/grazing land for horses and cattle; and one mink farm). Farming practices associated with field crops and holly trees can be expected to include soil preparation, sowing seeds, spreading manure and/or fertilizing, weeding and/or pruning, harvesting, storing harvested crops, and storing and maintaining farm equipment. Farming practices associated with raising livestock can be expected to include providing animals with food, water, and healthcare; storage of food, water, and supplies; storing and recycling or disposing of animal waste; building and maintaining structures for sheltering animals; building and maintaining fences; and herding animals between various locations.

The subject property is a corner lot, 4.0 acres in size, which is far smaller than the 80-acre minimum lot size of 80 acres in the EFU Zone; with road frontage on its eastern and southern boundaries; Big Creek along the western boundary; and a fence, driveway and large accessory building just across the northern boundary. These conditions result in the property being physically isolated from farm uses on surrounding lands, so the addition of a dwelling structure and accessory building is not expected to impact the associated farming practices on those lands. The typical use characteristics of a single-family residential property, such as recreation, maintenance, gardening, small gatherings, and trips to and from work and/or school, are low intensity, normally not generating a significant number of vehicle trips (approximately 10/day on average), noise, dust, odor, vibration, glare, or other nuisances that would affect surrounding farm operations. Several other dwellings are in close proximity to the subject property, and the proposed dwelling would be expected to blend in with the surrounding land use pattern and use characteristics. Considering the physical characteristics of the subject property, the characteristics of typical single-family residential uses, and the proximity to multiple existing single-family residences, the proposed use is not expected to force a significant change or significantly increase the cost of accepted farming practices on surrounding lands. Additionally, pursuant to Standards Document S3.508(2) and Condition #4, the property owner would be required to record a document prohibiting the owner or their successors from pursuing a claim of relief or cause of action alleging injury from nearby farming or forest practices, a requirement which helps to ensure the siting of a dwelling on agricultural/forest land will not significantly increase the cost or difficulty of farming or forest practices. **Subsections (1) and (2) are satisfied.**

(3) Because the proposed use would not force a significant change or significantly increase the cost of accepted farming practices on surrounding lands, and considering the presence of multiple other dwellings within close proximity, the addition of a single-family dwelling and accessory building to the subject property is anticipated to be compatible with the uses on surrounding land. Findings for Subsections (A) – (E) are listed below:

(A) The applicable goals and policies of the Comprehensive Plan are addressed in Section IIC of this report. The findings in that section demonstrate the proposal does or can satisfy Goal 1, Goal 5, Goal 6, Goal 7, and Goal 11. However, the proposal does not satisfy Goal 2, Goal 3, or the Northeast Area Community Plan because the proposal does not satisfy the review criteria which implement those goals and the related policies. Most importantly, because the subject property is identified as high-value farmland, approval of a single-family dwelling requires a determination that the subject property cannot practicably be managed for farm use, by itself or in conjunction with other land.

The record does not contain sufficient evidence to support such a determination. In fact, the evidence in the record (for example, the applicant's written testimony that the subject property is already an "established Christmas tree farm") demonstrates that the property can reasonably be put to farm use. **This subsection is not satisfied.**

(B) The applicant's proposed site plan (Exhibit 1) demonstrates that the size and shape of the subject property are adequate to support the proposed development, exceeding all setback requirements and providing adequate space for an onsite sewage disposal system, vehicular ingress, egress and off-street parking. The property contains gentle to moderate slopes which are not anticipated to present any challenges for the proposed scope or location of development. Natural features include Big Creek, along the western boundary of the property, and Peripheral Big Game Habitat. According to the applicant's proposed site plan, all development would be over 100 feet from the creek. According to correspondence with ODFW staff (Exhibit 2), the proposed use and site plan are not anticipated to have a significant impact on big game habitat. Based on these factors, the subject property is suitable for the proposed use. **This subsection is satisfied.**

(C) Based on the factors cited under Subsections (1) and (2), above, the proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning districts. **This subsection is satisfied.**

(D) The subject property is served by the Knappa Water Association and Knappa-Svensen-Burnside Rural Fire Protection District. Sewage would be disposed of in an onsite septic system. If the proposed use can be approved, Condition #1 would require the applicant to submit a completed Agency Review and Approval Form to the Planning Division, which would confirm the appropriate public facilities and services are available to support the proposed use. **This subsection can be satisfied with a condition of approval (Condition #1).**

(E) The surrounding zoning designations are Exclusive Farm Use (EFU) to the north; Residential-Agriculture-2 (RA-2) to the west; Agriculture-Forestry (AF) to the south; and Knappa-Svensen-Rural Community Residential (KS-RCR) to the east. The factors cited under Subsections (1) and (2), above, demonstrate the proposed use would not interfere with uses permitted in the EFU and AF Zones. The proposed single-family residential use is consistent, and therefore assumed to be compatible with the single-family residential uses predominantly found in the RA-2 and KS-RCR Zones. **This subsection is satisfied.**

While the proposed use does or can meet the majority of the conditional use criteria listed under Section S3.509, the criteria are written such that all sections must be satisfied. Because the proposal does not satisfy Section S3.509(3)(A), Section S3.509 is not satisfied.

Section 3.512. Lot of Record Dwellings.

(1) A lot of record dwelling may be approved on a pre-existing lot or parcel if:

(A) The lot or parcel on which the dwelling will be sited was lawfully created and was acquired and owned continuously by the present owner as defined in Subsection (5):

1) Prior to January 1, 1985; or

2) By devise or by intestate succession from a person who acquired and had owned continuously the lot or parcel prior to January 1, 1985.

(B) The tract on which the dwelling will be sited does not include a dwelling;

(C) The lot or parcel on which the dwelling will be sited was part of a tract on November 4, 1993, no dwelling exists on another lot or parcel that was part of that tract;

(D) The proposed dwelling is not prohibited by, and will comply with, the requirements of the acknowledged comprehensive plan and land use regulations and other provisions of law;

(E) The lot or parcel on which the dwelling will be sited is not high-value farmland except as provided in Subsections (3) and (4); and

(F) When the lot or parcel on which the dwelling will be sited lies within an area designated in the comprehensive plan as habitat of big game, the siting of the dwelling is consistent with the limitations on density upon which the acknowledged comprehensive plan and land use regulations intended to protect the habitat are based.

APPLICANT RESPONSE:

(A) Confirmed lot of record documents included with the application including the chain of title submitted with this document. The property has been owned by the same family prior to 1985 and was a legally created tax lot. Lot of record application number is identified as #20-000510.

(B) The tract that is identified as Tax Lot 870180000701 is bare land with no current dwellings or other structures on site. Historically there was a home located on the property.

(C) Structures on the property no longer exist have not been sited on any part of the subject tract as of 1993 and after.

(D) The development plan will meet Section 3.509. Conditional Use Review Criteria. The use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and (2) The use will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use lot of record Dwelling plans submitted will meet setbacks, and any proposed C(A) The use is consistent with those goals and policies of the Comprehensive Plan which apply to the proposed use; (B) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features; (C) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district; (D) The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and (E) The use is or can be made compatible with existing uses and other allowable uses in the area. Clatsop County Development standards and subject to the planning department recommendations. Lot of Record Dwellings. ORS 215.705(l)(c) does not allow a county to deny a "lot of record" dwelling because it fails to comply with code provisions previously adopted to implement ORS 215.283(3) (1991) or with comprehensive plan provisions generally requiring protection of agricultural land. *Blondeau v. Clackamas County*, 29 Or LUBA 115 (1995)(attached as exhibit A).

(E) High valued farmland is not determined by the soil survey alone. Suitability for Farm Use In addition to NRCS soil capability classes, OAR 660-033-0020(1) further defines agricultural land as land in other soil classes that is suitable for farm use, taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land use patterns, technological and energy inputs required, and accepted farming practices. Land may also be suitable for farm use if it is necessary to allow farm practices to occur on nearby lands or if it is intermingled with lands in capability classes IIV/I-VI within a farm unit. A property specific evaluation is most likely necessary to definitively ascertain whether or not a specific parcel meets the agricultural lands definition by these additional criteria, if the definition is not met by NRCS soil capability class. The subject property has not been used in conjunction with dairy farming at any time in the history of the tax lots creation. The subject property is not contiguously owned with other high valued farmland adjacent to the subject property. The constitutional bundle of rights that come with property ownership contradicts the enacted zoning changes of 1993, (The right of possession, The right of control, The right of

exclusion, The right of enjoyment, The right of disposition.)

- (F) There will be little or no impact on big game habitat with the construction of a single family home/lot of record dwelling. Grazing and dairy farming pose a greater impact on big game habitat. A single family dwelling is consistent with the neighborhood density standards within a 1-2 mile radius. The building site will meet setback requirements to the fish bearing stream habitat providing the appropriate riparian habitat for the minimal big game in the area. Big game in the area are accustomed to residential living and are undaunted by regular neighborhood activity, cars, kids and pets. The big game habitat extends into residential areas within 2 miles from the subject featuring new and newer construction after 1993 with little or no impact on Big Game or development requirements for big game. (See Attached MLS Data)

STAFF FINDINGS and CONCLUSION:

- (A) According to Lot of Record Determination #20-000510, issued by Clatsop County Community Development on August 13, 2020, the subject TL 700 is a discrete land use parcel created by the recording of a warranty deed with the Clatsop County Clerk on July 17, 1958 (Book 236, Pages 476-478, Clatsop County Records). The referenced deed conveyed the subject property to Clarence J. and Carol D. Barendse, husband and wife. On May 5, 1993, the property was conveyed to the Barendse Family Trust, with Clarence J. and Carol D. Barendse as trustees (Book 810, Page 848). On October 28, 2003, the property was conveyed back to Clarence J. and Carol D. Barendse (Recording Instrument #200316323). Clarence J. Barendse passed away in 2004 (Certificate of Death, Instrument #200413822), leaving Carol D. Barendse as the sole owner. Carol D. Barendse passed away in 2017 (Certificate of Death, Instrument #201706457) and on August 9, 2017, Joy Brotherton and Janice McConahay, the current property owners and daughters of Clarence J. and Carol D. Barendse, inherited the subject property by intestate succession (Affiant's Bargain and Sale Deed, Instrument #201706456). Pursuant to Section 3.512(5), for the purposes of this subsection, "owner" includes the daughter(s) of the owner. **Based on these findings, the subject property qualifies for a lot of record dwelling because it was lawfully created and owned continuously by the present owner as defined in Subsection (5) by intestate succession from a person who acquired and had owned the property continuously prior to January 1, 1985, per Section 3.512(1)(A)(2). Subsection (A) is satisfied.**
- (B) and (C): TL 700 does not contain a dwelling. The property is a discrete land use parcel and, since its creation in 1958, has not been part of a tract with any contiguous lots or parcels (see Lot of Record Determination #20-000510). **Subsections (B) and (C) are satisfied.**
- (D) This staff report examines the applicable provisions and policies of the Clatsop County Comprehensive Plan, Land and Water Development and Use Ordinance, and Standards Document. The findings contained in this report demonstrate the proposal is able to satisfy most, but not all, applicable requirements. As demonstrated under Subsection (A), the subject property qualifies for a Lot of Record Dwelling based on ownership history and the fact that no other dwellings exist on the property. However, as will be addressed in greater detail in the following sections of this report, substantial evidence has not been produced by the applicant, or discovered by staff, to support the necessary findings of fact to confirm compliance with all applicable criteria. **Due to a lack of substantial evidence in the record to demonstrate all applicable criteria are or can be met, Subsection (D) has not been satisfied.**
- (E) According to the USDA Natural Resources Conservation Service (NRCS) Web Soil Survey (WSS), the subject property is composed of the following soil types, with the percentage of the subject property containing each soil type listed in parentheses: 45A - Mues Medial Silt Loam, 0 to 3 percent slopes (68%); 66 - Tropofluvents, 0 to 3 percent slopes (23%); 27 - Humitropepts, 25 to

60 percent slopes (9%). See Exhibit 4 for the WSS map and summary table. The predominant soil type, 45A, is rated in the WSS as a Class II soil with regard to agricultural capability. Pursuant to the County's definition of "high value farmland", which is consistent with the definition found in ORS 215.710, land which is composed predominantly of Class II soils (irrigated or non-irrigated) constitutes high-value farmland. **Staff finds the subject property is high-value farmland; therefore, the proposed dwelling cannot be approved unless it complies with Subsections (3) and (4). These sections will be evaluated below.**

(F) According to the Clatsop County Comprehensive Plan, Goal 5, the subject property is within an area identified as Peripheral Big Game Habitat. According to Oregon Department of Fish and Wildlife (ODFW) staff (via email, Exhibit 2), the applicant can likely expect elk to use the open grassy areas of the subject property during the winter and early spring months; however, given the proximity of large, open pastures nearby, ODFW does not anticipate a substantial impact to elk herds from siting a dwelling and accessory building on the subject property as proposed. The Comprehensive Plan does not contain specific siting requirements or density limits for dwellings in Peripheral Big Game Habitat areas. Pursuant to LWDUO Section 5.015(3)(G), uses on designated Agricultural Lands are required to be consistent with maintenance of big game habitat. Based on the correspondence from ODFW, the proposed use is not expected to have a significant impact. **Subsection (F) satisfied.**

(3) Notwithstanding the requirements of Subsection S3.501(1)(E), a single-family dwelling may be sited on high-value farmland if:

(A) It meets the other requirements of Subsections (1) and (2);

(B) The lot or parcel is protected as high-value farmland as defined in OAR 660-033-0020(8)(a);

(C) The county determines that:

1) The lot or parcel cannot practicably be managed for farm use, by itself or in conjunction with other land, due to extraordinary circumstances inherent in the land or its physical setting that do not apply generally to other land in the vicinity.

a) For the purposes of this Section, this criterion asks whether the subject lot or parcel can be physically put to farm use without undue hardship or difficulty because of extraordinary circumstances inherent in the land or its physical setting. Neither size alone nor a parcel's limited economic potential demonstrates that a lot or parcel cannot be practicably managed for farm use.

b) Examples of "extraordinary circumstances inherent in the land or its physical setting" include very steep slopes, deep ravines, rivers, streams, roads, railroad or utility lines or other similar natural or physical barriers that by themselves or in combination separate the subject lot or parcel from adjacent agricultural land and prevent it from being practicably managed for farm use by itself or together with adjacent or nearby farms.

c) A lot or parcel that has been put to farm use despite the proximity of a natural barrier or since the placement of a physical barrier shall be presumed manageable for farm use;

2) The dwelling will comply with the provisions of 3.509; and

3) The dwelling will not materially alter the stability of the overall land use pattern in the area by applying the standards set forth in Subsection 3.513(2).

APPLICANT RESPONSES:

(A) It provides a property owner the ability to properly manage the established Christmas tree farm. Christmas tree farms need constant onsite management to have the best chance of being productive. High valued farmland in Clatsop County does not have the same value as other county's due the weather conditions, no agricultural manufacturing facilities and the high cost to improve

food crop success. Property West of the Willamette Valley as described in goal three is considered high value farmland if used in conjunction with dairy farming as well as irrigated farm land.

(B) The Land is not suitable for farm use as defined in ORS 215.203(2)(a), taking into consideration soil fertility; suitability for grazing; climatic conditions; existing and future availability of water for farm irrigation purposes; existing land use patterns; technological and energy inputs required; and accepted farming practices; it is not practicable to use adjoining land because the property owners do not own any adjoining parcels and have not used the property in conjunction with a dairy farm on or before 1993. The subject property does not contribute in a substantial way to the area's existing agricultural economy or help maintain agricultural processors and established farm markets for any location within Clatsop County. The property is also not irrigated and does not impact the agricultural economy of the state. The main income from the neighboring property is from an established conditional use not related to farming. Once you combine all conditions including size, lack of potential profitability, neighboring use, close proximity to residential properties, setbacks, 3.5 acres of high valued soil substantially reduced by the improved onsite access road, stream culvert, pond, and setbacks, it is clear that the extraordinary circumstances verify practicability is minimal. The County has also required the neighboring property owner to dedicate parking spaces on high valued farmland that will no longer be used for farming. All of these conditions create the assertion a lot of dwelling should be approved without consideration of how the state may interpret the counties decision.

(C) (1) The Western border, approximately 600 feet +/-, is adjacent to a significant fish bearing habitat with an important hatchery upstream that is all located within the Nicolai-Wickiup Watershed. Across Big Creek the property there is approximately 10-20 zoned RA-2. (survey attached) The Northern border is fenced lined with trees and a very large shop, pond, trees, and wetlands. The adjacent acreage does not have contiguous ownership with the subject property. Another condition mandated by Clatsop county requires the neighbor to dedicate a portion of his high valued farmland to 60 parking spaces. It is also noted there is no record of an impact study required for the conditional use permit for the Big Creek Lodge. The southern border is adjacent to Old Highway 30 highway and across the highway is a park and a residential property. The Southeastern border is adjacent to Waterhouse Road and two residential dwellings. Maps, and photos have been included with the application to verify this information. Clatsop county planning department has indicated they are familiar with the location.

- a. When you combine size, profitability and considerable expense to physically farm such a small parcel it would create an unnecessary financial burden which is far from the intent and purpose of the EFU zone as we have interpreted. In addition grazing would destabilize the sloped ground and impact the protected stream and creek within the acreage. Changing the use to year round grazing would be harmful to the natural habitat, compacting the soil, creating significant runoff. Many climate advocates believe grazing animals contribute to an inordinate amount of greenhouse gasses. The property is not set up to be used in conjunction with a dairy farm. The property has approximately 1 acre established for a tree farm and should be managed on site for the best results.
- b. The parcel is not entirely made up of high valued soil. The terraced parcel would cause drainage issues that would have severe impact on the Big Creek habitat.
- c. The parcel has never been put to farm use, it has been a forested property since the 1950's. The property owners had a responsible expectation in 1993 they would have the right to build a home on the subject property. As a replanted parcel Christmas trees need extensive maintenance to thrive. At this time the trees are not thriving.

(C) (2) The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and (E) The use is or can be made compatible

with existing uses and other allowable uses in the area. The subject property is located within a water district and a fire suppression district, power is also available.

(C) (3) There would be little or no impact to the land use patterns. The prominent use in the area is rural residential with the exception of the Big Creek Lodge. Development of a single family dwelling will not impact traffic as all construction equipment would be on site and not blocking any roads or access to neighboring properties. There are no wetlands identified or geological hazards that affect the building site. Development standards require contractor's take precautions to protect the stability site in order to protect surrounding property. For the county to sign on off on the occupancy certificate the standards would have to be met. A lot of record dwelling will not interfere with the neighboring land use. The intent of a lot of record is to protect the property owner's legal right to build a dwelling on their property. ORS 215.705 precisely states comprehensive criteria that govern one of the most important criteria is the legal precedents of previously approved conditional use permits throughout the state of Oregon. Jackson County approved two lot of record dwellings on high valued farm land between 2016 and 2017 as described in the 2016-2017 Clatsop County's Oregon Farm and Forest Report. The report also lists a total of 67 approved lot of record dwellings and 221 non-farm dwellings in Oregon between 2016-2017 when lot-of-record dwelling may be allowed. Under ORS 183.400 and ORS 215.304(3), OAR 660-33-020(4) cannot be interpreted to prohibit what that statute otherwise allows. *DeBates v. Yamhill County*, 32 OR LUBA 276(1997).

STAFF FINDINGS and CONCLUSION: The section reference in the first sentence of Subsection (3), above, contains a typographical error and should be S3.512(1)(E), which relates to siting a lot-of-record dwelling on high-value farmland. As discussed above, the subject property is considered high-value farmland based on the fact that it is composed predominately of Class II soils. Because the property is high-value farmland, compliance with the standards of S3.512(3) is required.

(A) As demonstrated under Section S3.512(1), above, the proposal meets the requirements of Subsection (1)(A), (B), (C), and (F). The proposal does not satisfy Subsection (D). Whether the proposal satisfies Subsection (E) will be determined by the evaluation of this section, Subsection (3). Subsection (2) does not apply.

(B) The subject property is considered high-value farmland based on the fact that it is predominately composed of Class II soils (LWDUO Section 1.030 and OAR 660-033-020(8)(A)). The zoning designation of the property, EFU, was established to protect and maintain agricultural land in Clatsop County for farm use, which is generally achieved by limiting non-farm uses, including non-farm dwellings.

(C) (1) This subsection requires a determination that the subject property cannot practicably be managed for farm use, by itself or in conjunction with other land, due to extraordinary circumstances inherent in the land or its physical setting that do not apply generally to other land in the vicinity.

According to the applicant, the following characteristics cause farm use to be impracticable on the subject property, by itself and in conjunction with other land: the small size of the parcel; its proximity to a fish-bearing stream and hatchery; and natural and physical barriers including roads, trees, wetlands, and structures. The applicant states these factors would result in high expenses and difficulty associated with farming the property. However, the applicant does not describe why the cited factors would result in high farming-related expenses or difficulty; how the cited factors constitute extraordinary circumstances; or how the same factors do not apply generally to other land in the vicinity. Furthermore, according to the applicant, the subject property is an "established Christmas tree farm." Growing cultured Christmas trees is specifically listed as a farm

use in the definitions found in LWDUO Section 1.030 and ORS 215.203. Pursuant to S3.512(3)(C)(1)(c), “a lot or parcel that has been put to farm use despite the proximity of a natural barrier or since the placement of a physical barrier shall be presumed manageable for farm use.”

Notwithstanding the applicant’s written testimony regarding the current use of the property as an “established Christmas tree farm,” the applicant has not demonstrated why or how the property cannot practicably be managed for any other farm uses, with the exception of grazing, which the applicant argues is undesirable because it would degrade the soil, water, air, and fish and wildlife habitat. While grazing may be undesirable for those reasons, this criterion requires a determination that farm uses are impracticable; and in order to reach that conclusion, it is necessary to demonstrate, with supporting evidence, how the range of possible farm uses that would be common and appropriate for the area are impracticable. The information presented by the applicant and discovered by staff through research does not support such a determination; in fact, the applicant’s testimony supports a finding that the property can be practicably managed for farm use.

According to County Assessor Data compiled by County GIS staff, within a two-mile radius of the subject property, there are twelve properties under special assessment for farm use and eight properties under special assessment for mixed farm/forest uses. Of the twelve properties under special assessment for farm use only, the median size is 11.97 acres; four of the properties are five acres or smaller. According to ORS 308A.071(2)(a), a property under six acres in size must generate at least \$650 in annual revenue from farming to qualify for the special assessment.

The Oregon Land Use Board of Appeals (LUBA) has established that “...the impracticability standard is a demanding one. *Jackson County Citizens League v. Jackson County*, 38 Or LUBA 357, 365 (2000); *1000 Friends of Oregon v. Yamhill County*, 27 Or LUBA 508, 519 (1994). Farm use is not ‘impracticable’ simply because it is not easy to manage the subject property for farm use and obstacles must be overcome to do so.” *Friends of Linn County v. Linn County*, 39 Or LUBA 627 (Exhibit 5). In the same case, LUBA also established that the minimum gross income levels established by the legislature in ORS 308A.071(2)(a) for non-EFU-zoned parcels to qualify for a special assessment are the best available indication of the level of gross income that the legislature believes demonstrates practicable farm use. The fact that at least four properties located within two miles, which are similar in size or smaller than the subject property, qualify for a special assessment for farm use demonstrates it is not necessarily impracticable to manage a small plot of land in this area for farm use.

Considering the lack of substantial evidence in the record to confirm the subject property is encumbered by extraordinary circumstances inherent in the land or its physical setting which make farm use impracticable and which do not apply generally to other land in the vicinity; the applicant’s written testimony that the subject property is already “an established Christmas tree farm;” the lack of substantial evidence in the record that any other possible farm uses are impracticable; and the fact that at least four other plots of land in the vicinity, similar in size or smaller than the subject property, are actively farmed, staff is unable to support a determination that the subject property cannot practicably be managed for farm use, by itself or in conjunction with other land. This criterion is not satisfied.

(C) (2) Section S3.509 is addressed above. The findings and conclusions for this section demonstrate the dwelling can comply with the provisions of S3.509 with conditions of approval as appropriate.

(C) (3) Section S3.513(2) is addressed below. The findings and conclusions for this section demonstrate the dwelling will not materially alter the stability of the overall land use pattern, with conditions of approval as appropriate.

Based on the above findings and conclusions, the proposal would satisfy most, but not all, of the siting criteria for a dwelling on high-value farmland. Most importantly, there is not sufficient evidence in the record to support a determination that the subject property cannot practicably be managed for farm use, by itself or in conjunction with other land. As a result, this section is not satisfied.

(5) For purposes of Subsection (1), “owner” includes the wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent or grandchild of the owner or a business entity owned by any one or a combination of these family members;

STAFF FINDING: According to the applicant, the current owners of the subject property are the daughters of the original owners.

(6) The county assessor shall be notified that the governing body intends to allow the dwelling.

STAFF FINDING and CONCLUSION: If the proposed dwelling can be permitted, a condition of approval will require the applicant to notify the County Assessor. **This subsection can be satisfied with a condition of approval (Condition #5).**

(7) An approved single-family dwelling under this Section may be transferred by a person who has qualified under this Section to any other person after the effective date of the land use decision.

STAFF FINDING: This subsection is provided for the applicant’s information.

(8) The county shall provide notice of all applications for lot of record dwellings on high value farmland to the State Department of Agriculture. Notice shall be provided in accordance with land use regulations and shall be mailed at least 20 calendar days prior to the public hearing.

STAFF FINDINGS and CONCLUSION: Notice of the application was provided to the Oregon Department of Agriculture in accordance with the requirements for a Type II procedure. No response has been received as of the date of this report. **This subsection has been satisfied.**

Section 3.513. Dwellings Not in Conjunction with Farm Use.

(2) The dwelling will not materially alter the stability of the overall land use pattern of the area. In determining whether a proposed nonfarm dwelling will alter the stability of the land use pattern in the area, a county shall consider the cumulative impact of nonfarm dwellings on other lots or parcels in the area similarly situated by applying the standards set forth in (A) through (C) below. If the application involves the creation of a new parcel for the nonfarm dwelling, a county shall consider whether creation of the parcel will lead to creation of other nonfarm parcels, to the detriment of agriculture in the area by applying the standards set forth in (A) through (C) below;

(A) Identify a study area for the cumulative impacts analysis. The study area shall include at least 2,000 acres or a smaller area not less than 1,000 acres, if the smaller area is a distinct agricultural area based on topography, soil types, land use pattern, or the type of farm or ranch operations or practices that distinguish it from other, adjacent agricultural areas. Findings shall describe the study area, its boundaries, the location of the subject parcel within this area,

why the selected area is representative of the land use pattern surrounding the subject parcel and is adequate to conduct the analysis required by this standard. Lands zoned for rural residential or other urban or nonresource uses shall not be included in the study area;

(B) Identify within the study area the broad types of farm uses (irrigated or non-irrigated crops, pasture or grazing lands), the number, location and type of existing dwellings (farm, nonfarm, hardship, etc.), and the dwelling development trends since 1993. Determine the potential number of nonfarm/lot-of-record dwellings that could be approved under Subsection 3.512(1) and 3.513, including identification of predominant soil classifications, the parcels created prior to January 1, 1993 and the parcels larger than the minimum lot size that may be divided to create new parcels for nonfarm dwellings under ORS 215.263(4). The findings shall describe the existing land use pattern of the study area including the distribution and arrangement of existing uses and the land use pattern that could result from approval of the possible nonfarm dwellings under this Subsection; and

(C) Determine whether approval of the proposed nonfarm/lot-of-record dwellings together with existing nonfarm dwellings will materially alter the stability of the land use pattern in the area. The stability of the land use pattern will be materially altered if the cumulative effect of existing and potential nonfarm dwellings will make it more difficult for the existing types of farms in the area to continue operation due to diminished opportunities to expand, purchase or lease farmland, acquire water rights or diminish the number of tracts or acreage in farm use in a manner that will destabilize the overall character of the study area;

STAFF FINDINGS and CONCLUSION:

(A) In creating a study area for the stability analysis, to capture at least 2,000 acres of resource land in the vicinity of the subject property, staff applied a two-mile buffer to the property boundaries. The subject property is located at the center of the study area. A map of the study area, its boundaries, and the location of the subject parcel is attached as Exhibit 4.

Within the study area are 1,158 taxlots, the vast majority of which are zoned rural-community-residential or residential-agriculture. A large portion of the land within the study area boundary is the designated rural community of Knappa. Approximately 39% of the land in the study area is zoned for nonresource uses. As for the resource land, there are approximately 380 acres zoned EFU; 1,306 acres zoned AF (Agriculture-Forestry); and 4,247 acres zoned F-80 (Forest-80), for a total of approximately 5,933 acres.

While the study area contains nearly three times more resource land than the minimum acreage required, the purpose of the stability analysis is to evaluate the impact of the proposed dwelling on farm uses and accepted farming practices, and most of the resource land present is zoned for forest uses (4,247 acres in the F-80 Zone). The two-mile buffer is appropriate because, of the 5,933 acres of resource land within the buffer, only 380 acres are zoned EFU; a total of 1,686 acres are zoned for EFU or AF. The two-mile buffer was also determined to be appropriate because it captures the broad land use pattern of the area, which is farm- and forest land on the fringe of relatively dense residential development. The relatively large scale of the study area is necessary to capture this pattern and to adequately evaluate the impact siting new dwellings on resource land would have on the stability of the land use pattern in the area.

(B) Farm uses: The broad types of farm uses in the study area include crop production (predominately non-irrigated forage crops), holly trees, and livestock raising (pasture/grazing land for horses and cattle; and one mink farm).

Number, location and type of existing dwellings; dwelling development trends:

According to County Assessor and GIS data, the total number of existing dwellings within the study area is 585; of those, 39 are located on resource land: two in the EFU Zone, four in the F-80 Zone, and 34 in the AF Zone. The location of existing dwellings in the study area is shown on the study area maps (Exhibit 4).

Of the 39 dwellings sited on resource land within the study area, 22 were built prior to 1993 and 17 were built 1993-present. Of the two dwellings sited in the EFU Zone, one was built in 1974 and one was built in 1978. Both dwellings are on land that is actively farmed; one is used as a primary farm dwelling and the other as a short-term rental. Of the dwellings in the F-80 Zone, one is on land in forest use, one is on land in mixed farm/forest use, and two are on land not in resource use. Of the dwellings in the AF Zone, eight are on land in farm use, six are on land in mixed farm/forest use, ten are on land in forest use, and nine are on land not in resource use.

The total number of dwellings on resource-zoned land in farm use is nine (9); the total on land in mixed farm/forest use is seven (7); the total on land in forest use is eleven (11); and the total on land in nonresource use is twelve (12).

Existing land use pattern: The subject property is situated at the edge of Knappa, which is a designated rural community and consists predominately of single-family residential homesites on relatively small parcels (0.5 – 1 acre); and small-scale commercial and light industrial uses are located along Highway 30. The rural community occupies approximately 8% of the study area.

Resource lands, predominately zoned AF or EFU, surround the rural community boundary. These areas are generally used for forage crop production, pasture/grazing land, and small-tract forestry; many (approximately 35) are developed with dwellings. Land in the AF and EFU Zones occupies approximately 17% of the study area.

The southwest and eastern portions of the study area consist of low-density rural residential land (zoned RA-2 and RA-5), generally one to five-acre parcels, most of which are developed with single-family dwellings. Rural residential land occupies approximately 14% of the study area.

The northern portion of the study area contains the Columbia River and islands, zoned Aquatic Natural (AN), Natural Shorelands (NS), and Aquatic Conservation-2 (AC-2), occupying approximately 16% of the study area. The remaining land, approximately 44% of the study area, is generally industrial forestland, zoned F-80.

Immediately surrounding the subject property, to the north, is a single-family dwelling and accessory structures on approximately 80 acres in the EFU Zone; to the northeast is an approximately 34-acre parcel in the AF Zone used for grazing/pasture; to the east and southeast are several dwellings on two- to five-acre parcels in the KS-RCR Zone; to the south is a 14-acre forested parcel in the Open Space, Parks, and Recreation Zone (OPR) owned by ODFW; to the southwest is a 24.7-acre parcel in the AF Zone used for forage crop production; and to the west is approximately 24 acres zoned RA-2 (two-acre minimum lot size), currently undeveloped, used for forage crop production.

Potential number of nonfarm / lot of record dwellings: Standards Document Sections S3.512 and S3.513 apply only to land in the EFU Zone. Other than the subject property, there are 11 taxlots zoned EFU within the study area. Two of those lots are already developed with dwellings; three are part of a property already authorized for up to three homesites under Measure 49 Final Order and Home Site Authorization E133338A; and three are part of another property also already authorized for up to three homesites under a different Measure 49 Final Order and Home Site

Authorization (E133338B). Two additional nonfarm dwellings could potentially be established, subject to applicable review criteria, on the remaining properties under S3.513, for a possible total of eight new dwellings on land in the EFU Zone within the study area. See table below for reference:

Map/Taxlot	Size (Acres)	Date Created	Predominant Soils	High-Value Farmland?	Dwellings?	Notes
807180000600	132.15	1962	51A	Yes	(1) c. 1974	
807190000701	3.04	1978	59D	No	-	Formerly had a dwelling until 2019
807190000800	6.75	1957	59D	No	-	Measure 49 Claim for up to three homesites
807190000600	51.75	1957	59D	No	-	Part of above claim
808240000100	38.91	1957	59D	No	-	Part of above claim
808140000100	43.16	1957	12A	Yes	(1) c. 1978	
807210000701	45.4	1958	35B	Yes	-	Measure 49 Claim for up to three homesites
807200000100	10	1957	20B	Yes	-	Part of above claim
807200000200	78.11	1956	21D	Yes	-	Part of above claim
807090000700	39.25	1929	12A	Yes	-	
807090000780	0.75	1989	59E	No	-	Part of a tract with parcel above

Potential land use pattern resulting from approval of nonfarm dwellings: Within the study area, on land in the AF and EFU Zones, there currently are 35 dwellings across approximately 1,700 acres, or one dwelling for every 48.6 acres. The addition of the proposed dwelling on the subject property, plus the eight potential dwellings discussed above, would result in 44 dwellings across the same acreage, or one dwelling for every 39.5 acres. The new dwellings would be located in close proximity to existing development; and the location and distribution of the new dwellings would be consistent with the current pattern of resource-zone dwelling development in the study area. Because the addition of the potential new dwellings would be located within close proximity to existing development and consistent with the current location and distribution of resource-zone dwellings within the study area, the buildout of the potential dwellings would not be expected to have a significant effect on the overall land use pattern.

(C) This subsection requires a determination of whether approval of the proposed dwelling on the subject property, in addition to the eight potential nonfarm dwellings discussed above, will materially alter the stability of the land use pattern in the area based on the ability of the existing types of farm uses in the area to continue operation. The findings in Subsection (B), above, demonstrate that the new dwellings are not expected to have a substantial effect on the overall land use pattern in the area, based on the consistency in location and distribution of the potential new dwellings with the existing development pattern, and the proximity of the new dwellings to existing development.

With regard to impacting the ability of farms to continue, it is noted that, of the existing 39 resource-zone dwellings in the study area, 28 are on land engaged in resource uses and 17 have been developed since 1993. This suggests that the area has historically supported the comingling of residential uses with farm and forest uses and that the addition of new dwellings over time has not significantly affected the ability of farmers to continue farming. Based on the consistency of the potential development pattern with the existing and historical development patterns, and the apparent ability of farms to continue operating in the area over the years, approval of the proposed dwelling on the subject property together with existing and potential nonfarm dwellings is not expected to materially alter the stability of the land use pattern in the area.

Based on the findings for Subsections (A), (B), and (C), above, the proposed dwelling is not expected to materially alter the stability of the overall land use pattern in the area. This section is satisfied.

S4.500. PROTECTION OF RIPARIAN VEGETATION

S4.501. Purpose and Areas Included.

Riparian vegetation is important for maintaining water temperature and quality, providing bank stabilization, thus minimizing erosion, providing habitat for the feeding, breeding, and nesting of aquatic and terrestrial wildlife species, and protecting and buffering the aquatic ecosystem from human disturbances. This section establishes standards to protect riparian vegetation on lands not subject to the requirements of the Oregon Forest Practices Act.

Areas of riparian vegetation are identified as follows:

(2) Lakes, reservoirs, and river segments outside of Estuarine or Coastal Shoreland areas: a riparian vegetation zone 50 feet wide shall be maintained. Where emergent wetland vegetation exists adjacent to a lake, reservoir, or river, the 50 feet shall be measured from the landward extent of the emergent wetland area. If a shrub or forested wetland area exists adjacent to the lake, reservoir or river, the zone of riparian vegetation shall be the entire area of the shrub or forested wetland.

Measurements are taken horizontally and perpendicular from the line of non-aquatic vegetation. Where no aquatic vegetation is present, the measurement shall occur in estuarine and coastal shoreland areas from the mean higher high-water line and from the ordinary high-water line in non-estuarine areas.

S4.504. Development Standards.

(1) All development, as defined by LWDUO section 1.030, shall be located outside of the zone of riparian vegetation areas defined in S4.500 above, unless direct water access is required in conjunction with a water dependent or water-related use or as otherwise provided by this Ordinance.

STAFF FINDINGS and CONCLUSION: The western edge of the subject property is defined by Big Creek. While the proposed site plan does not appear to involve land-disturbing activities near Big Creek, the applicant is advised all development shall be located outside the zone of riparian vegetation as defined in this section. **This section can be satisfied with a condition of approval (Condition #6).**

S5.033 Access Control Standards.

(3) Access Options. When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (a minimum of 10 feet per lane is required). These methods are “options” to the developer/subdivider.

(C) Option 3. Access is from a public street adjacent to the development parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in Subsection (6) below.

STAFF FINDINGS and CONCLUSION: According to the applicant’s proposed site plan, the property would be accessed from an existing road approach on Waterhouse Road. If the conditional use request is approved, the applicant will be required to demonstrate road approach approval for the residential use from Clatsop County Public Works. **This section can be satisfied with a condition of approval (Condition #7).**

C. COMPREHENSIVE PLAN POLICIES AND GOALS

Goal 1 – Citizen Involvement

Policies

7. Clatsop County shall use the news media, mailings, meetings, and other locally available means to communicate planning information to citizens and governmental agencies. Prior to public hearings regarding major plan revisions, notices shall be publicized.
8. Clatsop County shall establish and maintain effective means of communication between decision-makers and those citizens involved in the planning process. The County shall ensure that ideas and recommendations submitted during the planning process will be evaluated, synthesized, quantified, and utilized as appropriate.
9. Public notices will also be sent to affected residents concerning zone and comprehensive plan changes, conditional uses, subdivisions and planned developments.

STAFF FINDINGS and CONCLUSION: A public notice was sent to all property owners within 750 feet of the subject property and to public agencies per Section 2.115, LWDUO, on May 24, 2021 (Exhibit 2). Public notice was also posted on the County’s website (www.co.clatsop.or.us/projects). Copies of the application materials were made available to the public via the Oregon ePermitting System (aca-oregon.accela.com/oregon/). Appropriate measures have been taken to assure that the Type II conditional use application has been processed in accordance with the applicable Citizen Involvement (Goal 1) policies of the County Comprehensive Plan (7-9) listed above.

The Type II conditional use procedure used to process this application satisfies Goal 1.

Goal 2 – Land Use Planning

The County’s land and water have been placed in one of six (6) Plan designations. They are:

2. Rural Agricultural Lands

Agricultural lands are those lands that are to be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space.

STAFF FINDINGS and CONCLUSION: Land in the EFU Zone is designated “Rural Agricultural Lands” in the Comprehensive Plan. Goal 2 states that these areas are to be preserved and maintained for farm use. A single-family dwelling can be approved on Rural Agricultural Lands pursuant to LWDUO Section 3.563(22). Uses permitted, or permitted with conditions, in any zone have been reviewed in general terms for consistency with the Comprehensive Plan, implying the uses do not conflict with Goal 2 if it can be demonstrated a proposal satisfies applicable review criteria and development standards. This staff report demonstrates the proposal satisfies most, but not all, applicable review criteria. As discussed in Section IIB of this report, there is a lack of substantial evidence in the record to support a determination that the subject property cannot practicably be managed for farm use, by itself or in conjunction with other land. Based on the applicant’s written testimony, the property is “an established Christmas tree farm”, which demonstrates the property can and has been managed for farm use. Because the proposal does not satisfy the applicable review criteria for the proposed use, which were developed to implement Goal 2 for Rural Agricultural Lands, approval of the proposal would be inconsistent with Goal 2.

Without a determination the property cannot practicably be managed for farm use, by itself or in conjunction with other land, neither the applicant nor staff can demonstrate the proposal is consistent with Goal 2.

Goal 3 – Agricultural Lands

Statewide Planning Goal: To preserve and maintain agricultural lands.

Agricultural lands shall be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space and with the state’s agricultural land use policy expressed in ORS 215.243 and 215.700.

STAFF FINDINGS and CONCLUSION: Clatsop County’s Comprehensive Plan Goal 3 element contains background information on agriculture in Clatsop County, as of 1980 when it was adopted, but does not contain any specific policies. While there are no specific policies listed under Goal 3, the Exclusive Farm Use Zone implements the statewide planning goal and related statutes. As discussed throughout this report, a single-family dwelling can be permitted in the EFU Zone pursuant to LWDUO Section 3.563(22), subject to applicable review criteria which were established to ensure the overall goal of preserving and maintaining agricultural lands for farm use is upheld.

The primary criteria for a single-family dwelling under Section 3.563(22) are found in Standards Document Section S3.512, which was addressed in Section IIB of this report, above. The review criteria were developed to implement Goal 3 and the related statutes. This section requires a determination that the subject property cannot practicably be managed for farm use, by itself or in conjunction with other land. The findings and conclusions for that section demonstrate that there is a lack of substantial evidence in the record to support such a determination. **Research conducted by staff suggests the property can be managed for farm use without substantial hardship, based on the distribution and size of farm uses in the vicinity. Additionally, according to the applicant, the subject property is already an “established Christmas tree farm.” Cultivation of cultured Christmas trees is considered a farm use under the definitions found in LWDUO Section 1.030. Pursuant to Section S3.512(3)(C)(1)(C), “a lot or parcel that has been put to farm use despite the proximity of a natural barrier or since the placement of a physical barrier shall be presumed manageable for farm use.”**

Because it has not been established that the property cannot practicably be managed for farm use, by itself or in conjunction with other land, and the applicant’s written testimony demonstrates the property can and has been managed for farm use (cultivated Christmas trees), the proposal does not satisfy the requirements for a single-family dwelling under LWDUO Section 3.563(22) and Standards Document S3.512; thus, it cannot be demonstrated the proposal is consistent with Goal 3.

Without support for a determination the property cannot practicably be managed for farm use, by itself or in conjunction with other land, it cannot be demonstrated the proposal is consistent with Goal 3.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces

The overall goal of the Statewide Planning Goal 5, Open Space, Scenic and Historic Areas, and Natural Resources, is: “To conserve open space and protect natural and scenic resources.”

To achieve this goal, Clatsop County is required to undertake an inventory of the following twelve types of resources:

- a) Fish and wildlife areas and habitats;
- b) Water areas, wetlands, watersheds and groundwater resources;
- c) Historic areas, sites, structures and objects;

Fish and Wildlife Areas and Habitats Policies

Policy 2: To ensure that future development does not unduly conflict with Peripheral Big Game Range, the County shall: (C) Submit proposed review and conditional use applications to the Oregon

Department of Fish and Wildlife for their comments on consistency with Peripheral Big Game Range and recommendations on appropriate siting criteria to minimize any conflict;

Policy 4: To protect riparian vegetation along streams and lakes not covered by the Forest Practices Act, the County shall require a setback for non-water dependent uses.

STAFF FINDINGS and CONCLUSION: The subject property contains resources inventoried under Goal 5, including a portion of the Big Creek watershed, and the riparian zone along Big Creek. The property is also identified as Peripheral Big Game Range. The applicable Goal 5 policies are listed above. With regard to Fish and Wildlife Habitat Policy 2, staff notified ODFW of the proposed use and received a response from ODFW staff (Exhibit 2) which indicated the proposal is not expected to have any significant impacts on big game habitat. Policy 4 is implemented by Standards Document Section S4.500 Protection of Riparian Vegetation, which is addressed by Condition #6.

With a condition of approval, the proposal will not conflict with Goal 5 (Condition #6).

Goal 6 – Air, Water, and Land Quality

The Statewide planning goal pertaining to air, water and land resources quality is as follows: “To maintain and improve the quality of the air, water and land resources of the state.”

Policies

3. The cumulative effect of development on the County's environment should be monitored and, where appropriate, regulated. When evaluating proposals that would affect the quality of the air, water or land in the County, consideration should be given to the impact on other resources important to the County's economy such as marine resource habitat and recreational and aesthetic resources important to the tourist industry.

STAFF FINDINGS and CONCLUSION: As discussed throughout this report, the subject property includes a portion of Big Creek, which is identified as a watershed protected under Goal 5. Protection of the watershed and land and water quality is achieved through compliance with Standards Document Sections S2.500 and S4.500. Condition #1 would require compliance with S2.500 and Condition #6 would require compliance with S4.500. There are no concerns related to air quality from construction of a single-family dwelling.

With conditions of approval, the proposal will not conflict with Goal 6 (Conditions #1 and 6).

Goal 7 – Areas Subject to Natural Disasters and Hazards

To protect life and property from natural disasters and hazards.

STAFF FINDINGS and CONCLUSION: Clatsop County Webmaps indicates a small portion of the subject property, along the bank of Big Creek, is located in the FHO (FEMA AE Floodway). While the applicant's site plan does not indicate any development within this area, the applicant is advised that development activity within the FHO area is subject to this section and requires a floodplain development permit and compliance with the criteria found in LWDUO Section 4.000. **Goal 7 can be satisfied with a condition of approval (Condition #3).**

Goal 11 – Public Facilities and Services

OVERALL POLICY REGARDING APPROPRIATE LEVELS OF PUBLIC FACILITIES IN THE COUNTY

Six different Plan designations exist for lands in the County. Differing levels of public facilities and services are appropriate for the different types of development planned for the County. Certain

facilities and services are available to all County residents, such as County health services, Sheriff's protection and many other local services.

3. Rural Agricultural Lands – These are lands preserved for agricultural use. Generally, residences are allowed only in conjunction with farm use. Some parcels in this Plan designation are served by community water systems but generally water supply is on an individual basis. Since parcel size and use are controlled by the Exclusive Farm Use (EFU) zoning district, it is not appropriate to extend community water to parcels in this Plan designation since it would not lead to pressure to further develop land for residences. The primary function of Rural Agricultural Lands is for agricultural use. Any extension of public water will only be to support a development in conjunction with resource use and will not be the basis for future conversion to non-resource use.

As with the Rural Lands Plan designation, public fire protection may be present here, and is appropriate, but is not necessary for development.

Community sewage systems are not appropriate in this Plan designation.

GENERAL PUBLIC FACILITIES POLICIES

1. Clatsop County recognizes the level of public facilities and services described in the section "Overall Policy Regarding Appropriate Levels of Public Facilities in the County" above, as that which is reasonable and appropriate for development in different Plan designations in the County. Development of facilities and services in excess of those levels and types shall not be approved by the County.

STAFF FINDINGS and CONCLUSION: The subject property is in the EFU Zone, which is under the "Rural Agricultural Lands" designation in the Comprehensive Plan. According to the applicant, the property is served by the Knappa Water Association, the Knappa-Svensen-Burnside Rural Fire Protection District, and Pacific Power; sewage would be disposed in an onsite septic system; and waste collection services are available. For all new dwellings in Clatsop County, a Development Permit is required and must be accompanied by a completed Agency Review and Approval Form. This form is the tool the Planning Division uses to verify adequate water supply, sewage disposal, and fire protection services are available to serve new dwellings. Condition #1 would require the applicant to submit a Development Permit application, with a completed Agency Review and Approval Form, to the Planning Division prior to construction of the proposed dwelling.

With a condition of approval, the proposal will not conflict with Goal 11 (Condition #1).

Northeast Area Community Plan

Alluvial Lowlands Policies

Policy 1: Low density activities, such as agriculture, shall be preferred uses in the alluvial lowlands.

STAFF FINDINGS and CONCLUSION: The subject property is in an area identified as "alluvial lowlands" according to the Northeast Area Community Plan. Alluvial Lowlands Policy 1 states that low-density activities, such as agriculture, shall be the preferred uses in those areas. The subject property is zoned EFU, a zoning district which was established for the purpose of preserving and protecting land for agricultural uses. The predominant soil type on the subject property, 45A – Mues medial silt loam, is identified by the USDA as a Class II soil type. According to LWDUO Section 1.030, a property composed predominately of Class II soils is considered "high-value farmland." The review criteria for new dwellings in the EFU Zone on high-value farmland require a determination that the subject property cannot practicably be managed for farm use, by itself or in conjunction with other land. As

discussed throughout this report, there is a lack of substantial evidence in the record to make such a determination. As a result, the proposal cannot be found to satisfy Alluvial Lowland Policy 1.

Because it has not been demonstrated that the subject property cannot practicably be managed for farm use, by itself or in conjunction with other land, the proposal cannot be found to be consistent with the Northeast Area Community Plan.

COMMENTS RECEIVED

Howard Kem, 92878 Waterhouse Road: Mr. Kem noted that the address for the subject property listed in the public notice appeared to be an error, because it was the address for his property.

STAFF RESPONSE: County Assessor records indicate the address for the subject property is 92878 Waterhouse Road, which was included in the public notice to identify the property. However, this is the same address listed for Mr. Kem's property, which is developed with a single-family dwelling. It appears the address listed by the Assessor for the subject property is in error and that there actually is no address for the subject property. The legal description for the subject property was also included in the public notice, so the property could still be properly identified. The property owner is advised to contact Clatsop County Public Works to resolve addressing issues.

Annette Brodigan, Clatsop County Public Health: Ms. Brodigan said the property owners will be required to obtain a site evaluation report for an onsite septic system, as well as a construction/installation permit for the septic system to serve the proposed dwelling.

STAFF RESPONSE: If the conditional use request for a single-family dwelling is approved, a condition of approval would require the applicant to provide the Planning Division a completed Agency Review and Approval Form, which will demonstrate site approval for a septic system. The applicant is advised to coordinate with Clatsop County Public Health to understand permitting requirements for onsite septic systems.

David Nuzum, Oregon Department of Fish and Wildlife (ODFW): Mr. Nuzum said the applicant can likely expect elk to use the open grassy areas of the subject property during the winter and early spring, which he said is common in Peripheral Big Game Habitat. He said, given the proximity of large, open pastures nearby that the proposed dwelling and accessory building are not expected to have a significant impact to elk herds.

STAFF RESPONSE: The review criteria for this application require an evaluation of the impact to big game habitat and notification of the proposal to ODFW. According to ODFW staff, the proposed dwelling and accessory building are not expected to have a significant impact on big game (elk) habitat.

OVERALL CONCLUSION & RECOMMENDATION

Based on the findings presented in this report, staff recommends DENIAL of the conditional use request. While the proposal does or can satisfy most of the applicable criteria, the evidence in the record does not support a determination that the subject property cannot practicably be managed for farm use. Because the subject property is identified as high-value farmland, this is a requirement (Standards Document S3.512(3)); failure to meet this requirement is the basis for staff's recommendation.

If the final decision-maker finds that the request is able to be approved, staff recommends the following conditions of approval and regulations:

1. Prior to construction of the proposed dwelling and accessory building, the applicant shall obtain a Development Permit from the Land Use Planning Division. The Development Permit application shall include a final site plan; an erosion control and stormwater drainage plan commensurate with Standards Document S2.500; an outdoor lighting plan commensurate with Ordinance 20-02; and a completed Agency Review and Approval Form.
2. If any state and/or federal permits are required for the proposed use, copies shall be provided to the Land Use Planning Division prior to issuance of the Development Permit.
3. Development within the Flood Hazard Overlay shall be subject to LWDUO Section 4.000 and will require a Floodplain Development Permit.
4. 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.
5. The landowner shall notify the County Assessor that the subject property has been approved for a single-family dwelling in accordance with this Conditional Use Permit.
6. All development shall be located outside the zone of riparian vegetation as defined in Standards Document Section S4.500.
7. The applicant shall demonstrate road approach approval for the proposed single-family dwelling from Clatsop County Public Works.

Other regulations, including, but not limited to, the following also apply:

- (1) This approval is valid for a period of two (2) years from the date of approval. The Community Development Director can authorize one extension of up to 12 months.
- (2) Development shall comply with all applicable state, federal and local laws and regulations.

Per Clatsop County Land and Water Development and Use Ordinance #80-14, Section 5.030, authorization of this conditional use shall be void after two years unless substantial construction or action pursuant thereto has taken place (as per Section S2.011). The Community Development Director may extend authorization an additional year upon request, provided the request is submitted in writing at least 10 days and not more than 30 days prior to the expiration of the permit.

EXHIBIT 1

Application and Supporting Documents

PERMIT APPLICATION



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

#2434

Conditional Use Permit

Fee: Type II \$1,200 Type Ila-III: \$1,500
(Double if a violation exists)

~~21-600002~~

21-600002

Owner: Joy Brotherton Email: jr64@centurytel.net
Mail Address: 42045 Logger Lane City/State/Zip: Astoria, OR 97103
Phone: 503-803-7498 Phone: _____
Owner: Janice McConahay Email: jmccon59@gmail.com
Mail Address: 92186 Crest Dr City/State/Zip: Astoria, OR 97103
Phone: 503-458-1158 Phone: _____
Other: Melanie and Nick Wyrwitzke Email: melwyrwitzke@hotmail.com
Mail Address: 92021 Hagen Drive City/State/Zip: Astoria, OR 97103
Phone: 503.717.3568 Phone: 503.717.3854

Property Address: Adjacent to 92878 Waterhouse Road, Astoria, OR 97103

Proposed Use: Non-farm single family residential dwelling (LWDUO Section 3-563(22)) 3.563(22) Lot of record

Comprehensive Plan Designation: rural agricultural

Existing Zoning: EFU 4.00 ac Overlay District: _____

Property Description: Township T8N Range RU7W Section SEC 18 Tax Lot(s) TL 00700

Directions to the property from Astoria: East on Hwy 30, left on Old Hwy 30 to Waterhouse Road property which is bordered on the south by Old Hwy 30 and Waterhouse Road on the East

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

General description of the property:

Existing Use: Current not in use as farmland; zoned EFU.

Topography: 0-3% slopes per Clatsop County Webmaps, Maximum elevation 40ft and minimum 20ft

Proposed Development: Non farm one family dwelling on 1 acre of the property w/EFU compliant barn

General description of adjoin property:

Existing Use: Fishing Lodge/Event Center

Topography: 0-3% slopes pursuant to Clatsop County webmaps

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

of public agencies, corporations, trusts, etc. must provide documentation or signing authority. The information contained in this application is in all respects true, complete and correct to the best of my knowledge.

DocuSigned by:
Signature Joy Brotherton Date: 11/4/2020
Signature Janice McConahay Date: 11/6/2020

The following sections are from the Clatsop County Land and Water Development and Use Ordinance #80-14.

Section 5.000 Conditional Development and Use.

Section 5.005 General. Although each zoning district is primarily intended for a predominate type of use and development, there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, all may indicate that the circumstances of the development and use needs to be individually reviewed. It is the intent of this section to provide a system of review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this ordinance and the objectives of the comprehensive plan.

Section 5.010. Application for a Conditional Development and Use. If a development and use is classified as conditional in a zone, it is subject to approval under Sections 5.00 to 5.030. An applicant for a proposed conditional development and use shall provide facts and evidence and a site plan in compliance with Section 5.300 sufficient to enable the Community Development Director or hearing body to make a determination.

Section 5.015. Authorization of a Conditional Development and Use.

- (1) A new, enlarged or otherwise altered development classified by this Ordinance as a conditional development and use may be approved by the Community Development Director under a Type II procedure except that the following conditional developments and uses may be approved by the Hearings Officer under a Type Ila procedure:
- (A) Dog kennel or Kennel;
 - (B) Airport;
 - (C) Bed & Breakfast over 3 units;
 - (D) Golf courses;
 - (E) Automobile service station or repair shop, including body work, used car sales, wrecking yard;
 - (F) Public or private recreation such as riding stable, fishing, or boating docks or ramps, gun club, golf course, or resort type establishment in association with recreation;
 - (G) Non-farm partition;
 - (H) Non-farm dwelling;
 - (I) Farm help relative dwelling;
 - (J) Home occupations related to auto/machinery repair or painting;
 - (K) Firearms training facility;
 - (L) Solid waste disposal site;
 - (M) Small scale, light industrial developments such as assembly, fabricating, processing, compounding, packing and similar operations within an enclosed building;
 - (N) Automobile wrecking yard;
 - (O) Amusement enterprises such as games of skill and science, thrill rides, penny arcades, and shooting galleries.

Where the proposed development involves a non-water dependent use or activity in the Marine Industrial Shoreland Zone, Section 3.620, mailed notice shall also be provided to any interested party who has submitted a written request concerning the proposed development, and to state and federal agencies with statutory planning and permit issuance authority in aquatic areas. Including the Oregon Division of State Lands, Department of Fish and Wildlife, U.S. Fish and Wildlife Service, National Marine Fisheries Service, Corps of Engineers, and the Environmental Protection Agency.

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

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

(A) The proposed use does not conflict with any provision, goal, or policy of the Comprehensive Plan. In regard to preserving farm production in Clatsop County under goal 3 it is noted that farm production has declined over the last 15-30 years based on increasing costs, terrain and the extensive wet climate in Clatsop County. In fact records historically Clatsop County has not been successful with agricultural food production regardless of soil quality. Grazing and dairy farming are the main source of farming income. However smaller parcels are not suitable for year round grazing use. Soil compaction prevents grass from re-seeding. Hay production is limited by the weather. If there is excessive rain during hay season the value of hay as a feed product for livestock is diminished. The economic importance of such a small parcel as the subject is of no economic significance to the economic stability of Clatsop County. Irrigation is not necessary however no water right use of Big Creek exists for the subject property.

(B) The proposed use meets the requirements and standards of the Clatsop County Land and Water Development and Use Ordinance (Ordinance 20-03). Not capable of producing more than at least 50 cubic feet per acre per year of wood fiber. However some income can be derived from the onsite maintenance of a Christmas tree farm which would encompass approximately one acre of the property. The lot is a legally created tax lot. A copy of the lot of record verification has been submitted with the original CUP application. The lot has been preserved by the family with intent of rebuilding a home on the site at some point in the future.

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

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

Development plan has been submitted with the CUP application. The single family residence will be located in the SE corner of the property. Any replanted tree impacted will be relocated on site to an area with better growth potential. Standard development requirements and recommendations including erosion protection, hours of operation limited to preserve the quiet enjoyment of the neighboring properties during construction will be followed. There will be no need for special lighting or signage.

2) The adequacy of transportation access to the site, including street capacity and ingress and egress to adjoining streets.

The improved access to the site is located in an approved location that would not impede access to Old Highway 30 or Water House Rd., or create a traffic hazard. The density use

of a single family dwelling will have less impact on traffic and road wear and tear in comparison to the neighboring park and Big Creek Lodge, which has a potentially higher density of traffic due to public activities.

- 3) The adequacy of public facilities and services necessary to serve the use.

The subject property is located with a fire suppression district. Onsite access and county road access is sufficient room for fire suppression units from the Knappa/Svensen fire Dept. The power available for the subject property is through Pacific Power and Light. Water service is provided by Knappa Water District. Approval of onsite septic service will be verified prior to occupancy certification.

- 4) The natural and physical features of the site such as topography, natural hazards, natural resource values, and other features.

The subject property sits below grade with a slope adjacent to county roads likely exceeds a 3 percent slope which reduces the usable acreage for farming. Fencing, buildings, water features and parking requirements prevent any shared farming practices on adjacent property zoned EFU.

- 2) The adequacy of transportation access to the site, including street capacity and ingress and egress to adjoining streets.

Transportation access is improved for ingress and egress for a single family dwelling and fire suppression equipment. The county roads are paved two lane roads. The county roads are maintained through Clatsop County.

- 3) The adequacy of public facilities and services necessary to serve the use.

Water, garbage, power, fire suppression, are all services available for a habitable property.

- 4) The natural and physical features of the site such as topography, natural hazards, natural resource values, and other features. Minimizing the farming impact is important to preserve the riparian integrity along Big Creek. As a farming resource the subject property could provide is minimal.

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

(C) above.

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

The setbacks for the Christmas trees and buildings/dwellings exceed the required setbacks to protect the riparian conditions along Big Creek. The subject property does not fall within known coastal shorelands.

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

Development standards require protection of run off from construction to be minimized with hay bales, etc. preventing any impact on coastal shorelands down stream. The planned home site is located beyond any riparian setback. The riparian strip along the Big Creek will remain forested in order to maintain bank stabilization and prevent erosion.

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

Protecting the natural riparian habitat along Big Creek is important to the property owner. As with other local area development within the big game habitat we have experienced little impact. Elk, whitetail and blacktail populations have been increasing. Some of it is due to moderate winters of 2019 and 2020 reducing mortality. Most big game residents and human residents have become accustomed to living amongst each other successfully. A single family dwelling has proved to be less of an impact than commercial development, which presents more human activity and traffic.

Section 3.512. Lot of Record Dwellings.

(1) A lot of record dwelling may be approved on a pre-existing lot or parcel if:

(A) The lot or parcel on which the dwelling will be sited was lawfully created and was acquired and owned continuously by the present owner as defined in Subsection (5):

1) Prior to January 1, 1985; or

APPLICANT'S RESPONSE: Confirmed lot of record documents included with the application including the chain of title submitted with this document. The property has been owned by the same family prior to 1985 and was a legally created tax lot. Lot of record application number is identified as #20-000510.

2) By devise or by intestate succession from a person who acquired and had owned continuously the lot or parcel prior to January 1, 1985.

APPLICANT'S RESPONSE: Joy and her sister Janice inherited the property from their father Mr. Barendse. The subject property has been a family estate since the 1950's. A title report from Tigor Title Company has been included as part of the application.

(B) The tract on which the dwelling will be sited does not include a dwelling;

APPLICANT'S RESPONSE: The tract that is identified as Tax Lot 870180000701 is bare land with no current dwellings or other structures on site. Historically there was a home located on the property.

(C) The lot or parcel on which the dwelling will be sited was part of a tract on November 4, 1993, no dwelling exists on another lot or parcel that was part of that tract;

APPLICANT'S RESPONSE: Structures on the property no longer exist have not been sited on any part of the subject tract as of 1993 and after..

(D) The proposed dwelling is not prohibited by, and will comply with, the requirements of the acknowledged comprehensive plan and land use regulations and other provisions of law;

APPLICANT'S RESPONSE: The development plan will meet Section 3.509. Conditional Use Review Criteria. The use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and (2) The use will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use. Lot of record Dwelling plans submitted will meet setbacks, and any proposed C(A) The use is consistent with those goals and policies of the Comprehensive Plan which apply to the proposed use; (B) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features; (C) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district; (D) The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and (E) The use is or can be made compatible with existing uses and other allowable uses in the area. Clatsop County Development standards and subject to the planning department recommendations. Lot of Record Dwellings. ORS 215.705(1)(c) does not allow a county to deny a "lot of record" dwelling because it fails to comply with code provisions previously adopted to implement ORS 215.283(3) (1991) or with comprehensive plan provisions generally requiring protection of agricultural land. *Blondeau v. Clackamas County*, 29 Or LUBA 115 (1995)(attached as exhibit A).

(E) The lot or parcel on which the dwelling will be sited is not high-value farmland except as provided in Subsections (3) and (4); and

APPLICANT'S RESPONSE: High valued farmland is not determined by the soil survey alone. Suitability for Farm Use In addition to NRCS soil capability classes, OAR 660-033-0020(1) further

defines agricultural land as land in other soil classes that is suitable for farm use, taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land use patterns, technological and energy inputs required, and accepted farming practices. Land may also be suitable for farm use if it is necessary to allow farm practices to occur on nearby lands or if it is intermingled with lands in capability classes IIV/I-VI within a farm unit. A property specific evaluation is most likely necessary to definitively ascertain whether or not a specific parcel meets the agricultural lands definition by these additional criteria, if the definition is not met by NRCS soil capability class. The subject property has not been used in conjunction with dairy farming at any time in the history of the tax lots creation. The subject property is not contiguously owned with other high valued farmland adjacent to the subject property. The constitutional bundle of rights that come with property ownership contradicts the enacted zoning changes of 1993,

**(The right of possession, The right of control, The right of exclusion
The right of enjoyment, The right of disposition.)**

(F) When the lot or parcel on which the dwelling will be sited lies within an area designated in the comprehensive plan as habitat of big game, the siting of the dwelling is consistent with the limitations on density upon which the acknowledged comprehensive plan and land use regulations intended to protect the habitat are based.

APPLICANT'S RESPONSE: There will be little or no impact on big game habitat with the construction of a single family home/lot of record dwelling. Grazing and dairy farming pose a greater impact on big game habitat. A single family dwelling is consistent with the neighborhood density standards within a 1-2 mile radius. The building site will meet setback requirements to the fish bearing stream habitat providing the appropriate riparian habitat for the minimal big game in the area. Big game in the area are accustomed to residential living and are undaunted by regular neighborhood activity, cars, kids and pets. The big game habitat extends into residential areas within 2 miles from the subject featuring new and newer construction after 1993 with little or no impact on Big Game or development requirements for big game. (See Attached MLS Data)

(2) When the lot or parcel on which the dwelling will be sited is part of a tract, the remaining portions of the tract are consolidated into a single lot or parcel when the dwelling is allowed;

APPLICANT'S RESPONSE: The subject property is one single parcel there is no consolidation of additional parcels with existing dwellings. The property has been approved for a split tax code. The documentation has been included in the application.

(3) Notwithstanding the requirements of Subsection S3.501(1)(E), a single-family dwelling may be sited on high-value farmland if:

(A) It meets the other requirements of Subsections (1) and (2);

APPLICANT'S RESPONSE: It provides a property owner the ability to properly manage the established Christmas tree farm. Christmas tree farms need constant onsite management to have the best chance of being productive. High valued farmland in Clatsop County does not have the same value as other county's due the weather conditions, no agricultural manufacturing facilities and the high cost to improve food crop success. Property West of the Willamette Valley as described in goal three is considered high value farmland if used in conjunction with dairy farming as well as irrigated farm land.

(B) The lot or parcel is protected as high-value farmland as defined in OAR 660-033-0020(8)(a);

APPLICANT'S RESPONSE: The Land is not suitable for farm use as defined in ORS 215.203(2)(a), taking into consideration soil fertility; suitability for grazing; climatic conditions; existing and future availability of water for farm irrigation purposes; existing land use patterns; technological and energy inputs required; and accepted farming practices; and the use of subject land is not necessary to permit farm practices to be undertaken on adjacent or nearby agricultural land. it is not practicable to use adjoining land because the property owners do not own any adjoining parcels and have not used the property in conjunction with a dairy farm on or before 1993. The property does not contribute in a substantial way to the area's existing agricultural economy or help maintain agricultural processors and established farm markets for any location within Clatsop County. The property is also not irrigated and does not impact the agricultural economy of the state. The main income from the neighboring property is from an established conditional use not related to farming. Once you combine all conditions including size, lack of potential profitability, neighboring use, close proximity to residential properties, setbacks, 3.5 acres of high valued soil substantially reduced by the improved onsite access road, stream culvert, pond, and setbacks, it is clear that the extraordinary circumstances verify practicability is minimal. The County has also required the neighboring property owner Thus creating assertion a lot of dwelling should be approved without consideration of how the state may interpret the counties decision.

(C) The county determines that:

- 1) The lot or parcel cannot practicably be managed for farm use, by itself or in conjunction with other land, due to extraordinary circumstances inherent in the land or its physical setting that do not apply generally to other land in the vicinity.

APPLICANT'S RESPONSE: The Western border, approximately 600 feet +/-, is adjacent to a significant fish bearing habitat with an important hatchery upstream that is all located within the Nicolai-Wickiup Watershed. Across Big Creek the property there is approximately 10-20 zoned RA-2.(survey attached) The Northern border is fenced lined with trees and a very large shop, pond, trees, and wetlands. The adjacent acreage does not have contiguous ownership with the subject property. Another condition mandated by Clatsop county requires the neighbor to dedicate a portion of his high valued farmland to 60 parking spaces. It is also noted there is no record of an impact study required for the conditional use permit for the Big Creek Lodge. The southern border is adjacent to Old Highway 30 highway and across the highway is a park and a residential property. The Southeastern border is adjacent to Waterhouse Road and two residential dwellings. Maps, and photos have been included with the application to verify this information. Clatsop county planning department has indicated they are familiar with the location.

- a) For the purposes of this Section, this criterion asks whether the subject lot or parcel can be physically put to farm use without undue hardship or difficulty because of extraordinary circumstances inherent in the land or its physical setting. Neither size alone nor a parcel's limited economic potential demonstrates that a lot or parcel cannot be practicably managed for farm use.

APPLICANT'S RESPONSE: When you combine size, profitability and considerable expense to physically farm such a small parcel it would create an unnecessary financial burden which is far from the intent and purpose of the EFU zone as we have interpreted. In addition grazing would destabilize the sloped ground and impact the protected stream and creek within the acreage. Changing the use to year round grazing would be harmful to the natural habitat, compacting the soil, creating significant runoff. Many climate advocates believe grazing animals contribute to an inordinate amount of greenhouse gasses. The property is not set up to be used in conjunction with a dairy farm.

The property has approximately 1 acre established for a tree farm and should be managed on site for the best results.

b) Examples of "extraordinary circumstances inherent in the land or its physical setting" include very steep slopes, deep ravines, rivers, streams, roads, railroad or utility lines or other similar natural or physical barriers that by themselves or in combination separate the subject lot or parcel from adjacent agricultural land and prevent it from being practicably managed for farm use by itself or together with adjacent or nearby farms.

APPLICANT'S RESPONSE: The parcel is not entirely made up of high valued soil. The terraced parcel would cause drainage issues that would have severe impact on the Big Creek habitat.

c) A lot or parcel that has been put to farm use despite the proximity of a natural barrier or since the placement of a physical barrier shall be presumed manageable for farm use;

APPLICANT'S RESPONSE: The parcel has never been put to farm use, it has been a forested property since the 1950's. The property owners had a responsible expectation in 1993 they would have the right to build a home on the subject property. As a replanted parcel Christmas trees need extensive maintenance to thrive. At this time the trees are not thriving.

2) The dwelling will comply with the provisions of 3.509; and

APPLICANT'S RESPONSE: The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and (E) The use is or can be made compatible with existing uses and other allowable uses in the area. The subject property is located within a water district and a fire suppression district.

3) The dwelling will not materially alter the stability of the overall land use pattern in the area by applying the standards set forth in Subsection 3.513(2).

APPLICANT'S RESPONSE: There would be little or no impact to the land use patterns. The prominent use in the area is rural residential with the exception of the Big Creek Lodge. Development of a single family dwelling will not impact traffic as all construction equipment would be on site and not blocking and roads or access to neighboring properties. There are no wetlands identified or geological hazards that affect the building site. Development standards require contractor's take precautions to protect the stability site in order to protect surrounding property. For the county to sign on off on the occupancy certificate the standards would have to be met. A lot of record dwelling will not interfere with the neighboring land use. The intent of a lot of record is to protect the property owner's legal right to build a dwelling on their property. ORS 215.705 precisely states comprehensive criteria that govern one of the most important criteria is the legal precedents of previously approved conditional use permits throughout the state of Oregon. Jackson County approved two lot of record dwellings on high valued farm land between 2016 and 2017 as described in the 2016-2017 Clatsop County's Oregon Farm and Forest Report. The report also lists a total of 67 approved lot of record dwellings and 221 non-farm dwellings in Oregon between 2016-2017 when lot-of-record dwelling may be allowed. Under ORS 183.400 and ORS 215.304(3), OAR 660-33-020(4) cannot be interpreted to prohibit what that statute otherwise allows. DeBates v. Yamhill County, 32 OR LUBA 276(1997).

(4) Notwithstanding the requirements of Subsection S3.501(1)(E), a single-family dwelling may be sited on high-value farmland if:

(A) It meets the other requirements of Subsections (1) and (2);

APPLICANT'S RESPONSE: The lot or parcel cannot practicably be managed for farm use, by itself or in conjunction with other land, due to extraordinary circumstances inherent in the land or its physical setting that do not apply generally to other land in the vicinity. It would create undo hardship to change the established use and create potential hazards to the natural habitat.

(B) The tract on which the dwelling will be sited is:

1) Identified in OAR 660-033-0020(8)(d);

APPLICANT'S RESPONSE: 1) For land to constitute "high-value farmland" under OAR 660-033-0020(8)(d), the land must be (1) West of the Coast Range summit (2) used in conjunction with a dairy operation January 1, 1993, and (3) part of a "tract" one or more contiguous parcels in the same ownership, composed predominantly of listed soils. Separately owned parcels are not part of the same "tract" for the purpose of OAR 660-033-0020(8)(d), even if those parcels were used together as part of a dairy operation on January 1, 1993. Tallman v. Clatsop County, 47 Or LUBA 240 (2004). Additional requirements outside of the county soil survey designation to qualify as high valued farmland would include a minimum of 10 acres to qualify as productive farmland. The subject property has less than 3 acres of high valued soil once you take into consideration, set backs, water features and improved road/driveway access. Much of the case law addresses different aspects to developing a lot of record dwelling. It is solely about the lot size and profitability. It is reasonable to say that weather, temperature, and habitat all play a part in what the best use of the property is. The County understands it much more difficult to apply for a zone change which really should occur. The subject property was never intended to be anything but a homesite. The zoning changes in 1993 were done without property owner approval or any methodical planning. Even with Tallman v. Clatsop County you can not use a neighbors property without permission or force a neighbor to lease their land to you simply because of soil classification or zoning.

2) Not high-value farmland defined in subsection 1 of the High-Value Farmland definition in LWDUO Section 1.030; and

APPLICANT'S RESPONSE: The subject property is not practicable with the addition of neighboring property because of roads, buildings, creeks including other water features and wetlands. Clatsop County has also stipulated under conditional approval #4 for the Big Creek Lodge requires 60 off street parking spaces thus limiting further the possibility of farming practicability with the neighboring property. Also noting a parking lot is being allowed/required on soil designated 45A which is equal to 3.5 acres of the subject property permanently changing the use from farming to a conditional commercial use. A use which is singular and exclusive in comparison to the majority use of the surrounding rural residential neighborhood. There are no other adjacent properties sharing a property line that reflect a continuance of the 45A soil classification that are being used for farming

3) Twenty-one a.

APPLICANT'S RESPONSE: After reviewing studies for Tillamook county and other areas the subject property has Less than the practicable standard of ten acres. Ten acres appears to be the practical standard for year round grazing animals. The subject property is being used to the greatest extent possible without onsite management. Use can only be improved by onsite management.

(C) The tract is bordered on at least 67 percent of its perimeter by tracts that are smaller than 21 acres, and at least two such tracts had dwellings on January 1, 1993; or

APPLICANT'S RESPONSE: There are two residential properties with dwellings and a park area all less than 21 acres.

(D) The tract is not a flag lot and is bordered on at least 25 percent of its perimeter by tracts that are smaller than 21 acres, and at least four dwellings existed on January 1, 1993, within one-quarter mile of the center of the subject tract. Up to two of the four dwellings may lie within an urban growth boundary, but only if the subject tract abuts an urban growth boundary; or

APPLICANT'S RESPONSE: To the East 92879 Waterhouse Rd, 42759 Old Hiway 30, 42736 Old Hiway 30, 42706 Old Hwy 30, 42764 Old Hiway 30 are located within a quarter of a mile from the subject property and are zoned KS-RCR.

(E) The tract is a flag lot and is bordered on at least 25 percent of its perimeter by tracts that are smaller than 21 acres, and at least four dwellings existed on January 1, 1993, within one-quarter mile of the center of the subject tract and on the same side of the public road that provides access to the subject tract. The governing body of a county must interpret the center of the subject tract as the geographic center of the flag lot if the applicant makes a written request for that interpretation and that interpretation does not cause the center to be located outside the flag lot. Up to two of the four dwellings may lie within an urban growth boundary, but only if the subject tract abuts an urban growth boundary:

1) "Flag lot" means a tract containing a narrow strip or panhandle of land providing access from the public road to the rest of the tract.

2) "Geographic center of the flag lot" means the point of intersection of two perpendicular lines of which the first line crosses the midpoint of the longest side of a flag lot, at a 90-degree angle to the side, and the second line crosses the midpoint of the longest adjacent side of the flag lot.

APPLICANT'S RESPONSE: The subject property is not a flag lot.

(5) For purposes of Subsection (1), "owner" includes the wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent or grandchild of the owner or a business entity owned by any one or a combination of these family members;

APPLICANT'S RESPONSE: The surviving owners are sisters.

(6) The county assessor shall be notified that the governing body intends to allow the dwelling.

(7) An approved single-family dwelling under this Section may be transferred by a person who has qualified under this Section to any other person after the effective date of the land use decision.

(8) The county shall provide notice of all applications for lot of record dwellings on high value farmland to the State Department of Agriculture. Notice shall be provided in accordance with land use regulations and shall be mailed at least 20 calendar days prior to the public hearing.

9. Slope

Slope is a measure of change in elevation. It is a crucial parameter in several well-known predictive models used for environmental management, including the Universal Soil Loss Equation and agricultural non-point source pollution models.

One way to express slope is as a percentage. To calculate percent slope, divide the difference between the elevations of two points by the distance between them, then multiply the quotient by 100. The difference in elevation between points is called the rise. The distance between the points is called the run. Thus, percent slope equals $(\text{rise} / \text{run}) \times 100$.

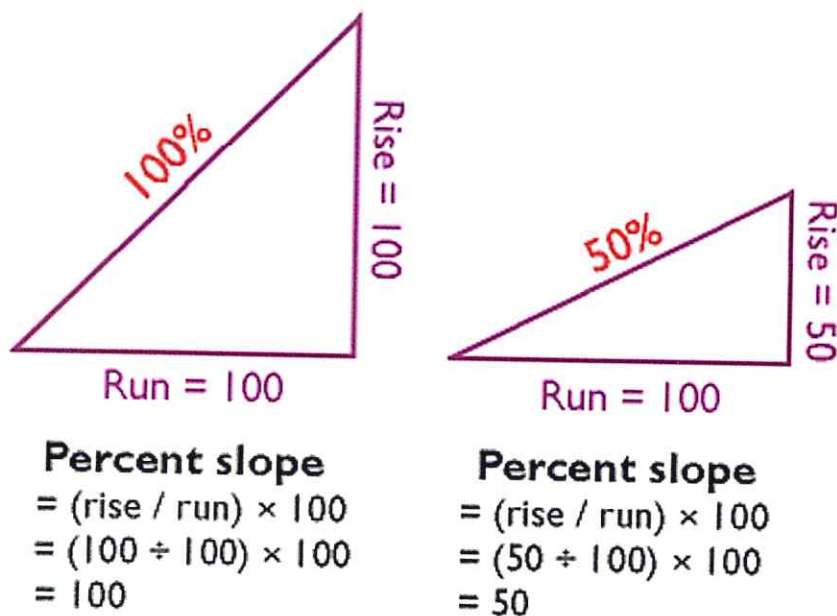


Figure 7.10.1 Calculating percent slope. A rise of 100 feet over a run of 100 feet yields a 100 percent slope. A 50-foot rise over a 100-foot run yields a 50 percent slope.

Another way to express slope is as a slope angle, or degree of slope. As shown below, if you visualize rise and run as sides of a right triangle, then the degree of slope is the angle opposite the rise. Since degree of slope is equal to the tangent of the fraction rise/run, it can be calculated as the arctangent of rise/run.

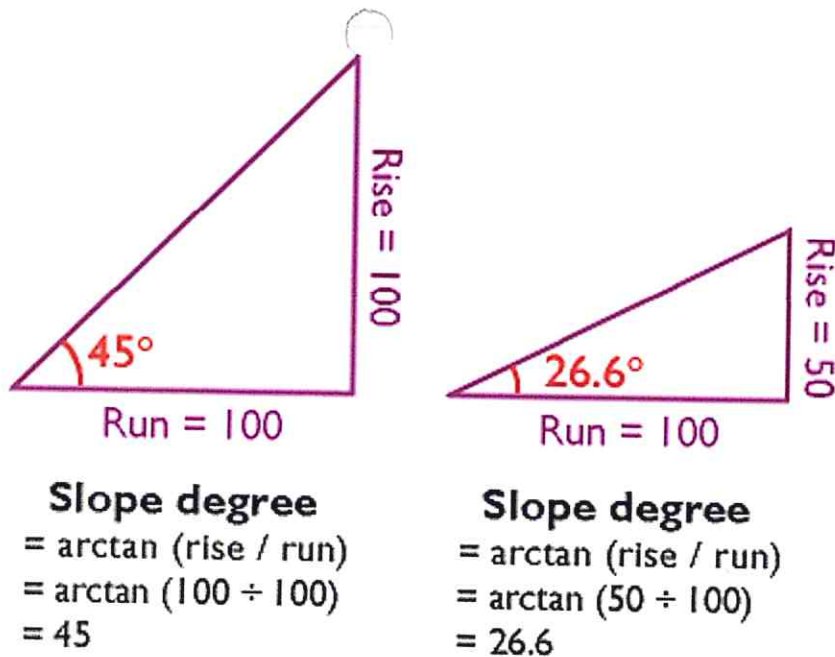


Figure 7.10.2 A rise of 100 feet over a run of 100 feet yields a 45° slope angle. A rise of 50 feet over a run of 100 feet yields a 26.6° slope angle.

You can calculate slope on a contour map by analyzing the spacing of the contours. If you have many slope values to calculate, however, you will want to automate the process. It turns out that slope calculations are much easier to calculate for gridded elevation data than for vector data, since elevations are more or less equally spaced in raster grids.

Several algorithms have been developed to calculate percent slope and degree of slope. The simplest and most common is called the **neighborhood method**. The neighborhood method calculates the slope at one grid point by comparing the elevations of the eight grid points that surround it.

Z_1	Z_2	Z_3
Z_4	Z_5	Z_6
Z_7	Z_8	Z_9

Figure 7.10.3 The neighborhood algorithm estimates the percent slope in cell 5 by comparing the elevations of neighboring grid cells.

The neighborhood algorithm estimates percent slope at grid cell 5 (Z_5) as the sum of the absolute values of east-west slope and north-south slope, and multiplying the sum by 100. Figure 7.10.4 illustrates how east-west slope and north-south slope are calculated. Essentially, east-west slope is estimated as the difference between the sums of the elevations in the first and third columns of the 3×3 matrix. Similarly, north-south slope

is the difference between the sums of elevations in the first and third rows (note that in each case the middle value is weighted by a factor of two).

$$S_5 = \left(\sqrt{S_{e-w}^2 + S_{n-s}^2} \right) \times 100$$

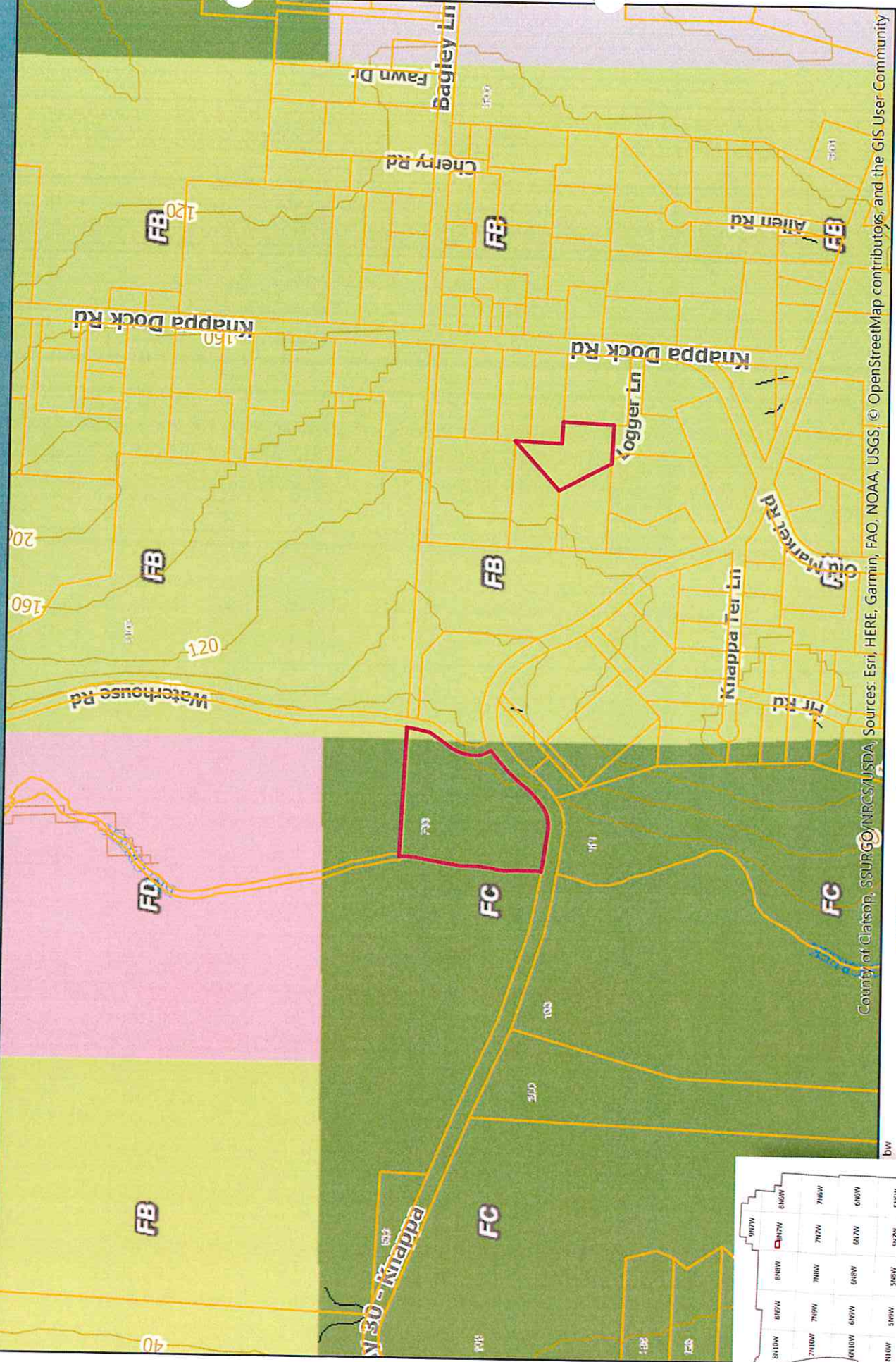
$$S_{e-w} = \frac{\begin{array}{|c|c|c|} \hline z_1 & & z_3 \\ \hline 2z_4 & - & 2z_6 \\ \hline z_7 & & z_9 \\ \hline \end{array}}{8 \times \text{Grid Spacing}} \quad S_{n-s} = \frac{\begin{array}{|c|c|c|} \hline z_1 & 2z_2 & z_3 \\ \hline & - & \\ \hline z_7 & 2z_8 & z_9 \\ \hline \end{array}}{8 \times \text{Grid Spacing}}$$

Figure 7.10.4 The neighborhood algorithm for calculating percent slope.
Click [here](#) for a text version of the equation shown in the image above

The illustration shows how the terrain slope at a given elevation grid cell can be calculated from elevations of the eight grid cells that surround it. First, north-south slope is calculated from the grid columns. Then east-west slope is calculated from the grid rows. The square root of the sum of the north-south slope and east-west slope, multiplied by 100, equals the percent slope at the original grid cell. The fancy technical term for the procedure is "neighborhood algorithm."

The neighborhood algorithm calculates slope for every cell in an elevation grid by analyzing each 3 x 3 neighborhood. Percent slope can be converted to slope degree later. The result is a grid of slope values suitable for use in various soil loss and hydrologic models.

Clatsop County, OR



County of Clatsop, SSURGO/NRCS/USDA, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

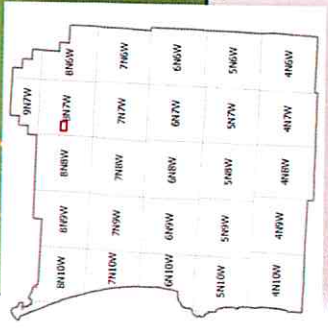


Clatsop County

0.2 mi



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Table 1.5. Typical watershed issues organized by major land use activity (WPN 1999)

Land Use Category	Habitat-Related Effects	Water Quality Effects
Forestry	Channel modification Pool quantity and quality Large wood abundance Shade and canopy Substrate quality Flow alteration Passage barriers	Temperature Turbidity Fine sediments Pesticides and herbicides
Crop-land grazing	Channel modification Pool quantity and quality Large wood abundance Shade and canopy Substrate quality Flow alteration	Temperature Dissolved oxygen Turbidity Fine sediments Suspended sediments Nutrients, bacteria Pesticides and herbicides
Feedlots and dairies	Channel modification	Suspended sediments Nutrients Bacteria Pesticides and herbicides
Urban areas	Flow alteration Channel modification Pool quantity and quality Large wood abundance Shade and canopy Substrate quality Passage barriers	Temperature Dissolved oxygen Turbidity Suspended sediments Fine sediments Nutrients Organic and inorganic toxics Bacteria
Mining	Channel modification Pool quantity and quality Substrate quality	Turbidity Suspended sediments Fine sediments Nutrients Organic and inorganic toxics
Dams and irrigation works	Flow alteration Channel modification Pool quantity and quality Substrate quality Passage barriers	Temperature Dissolved oxygen Fine sediments
Road networks	Flow alteration Channel modification Pool quantity and quality Substrate quality Passage barriers	Turbidity Suspended sediments Fine sediments

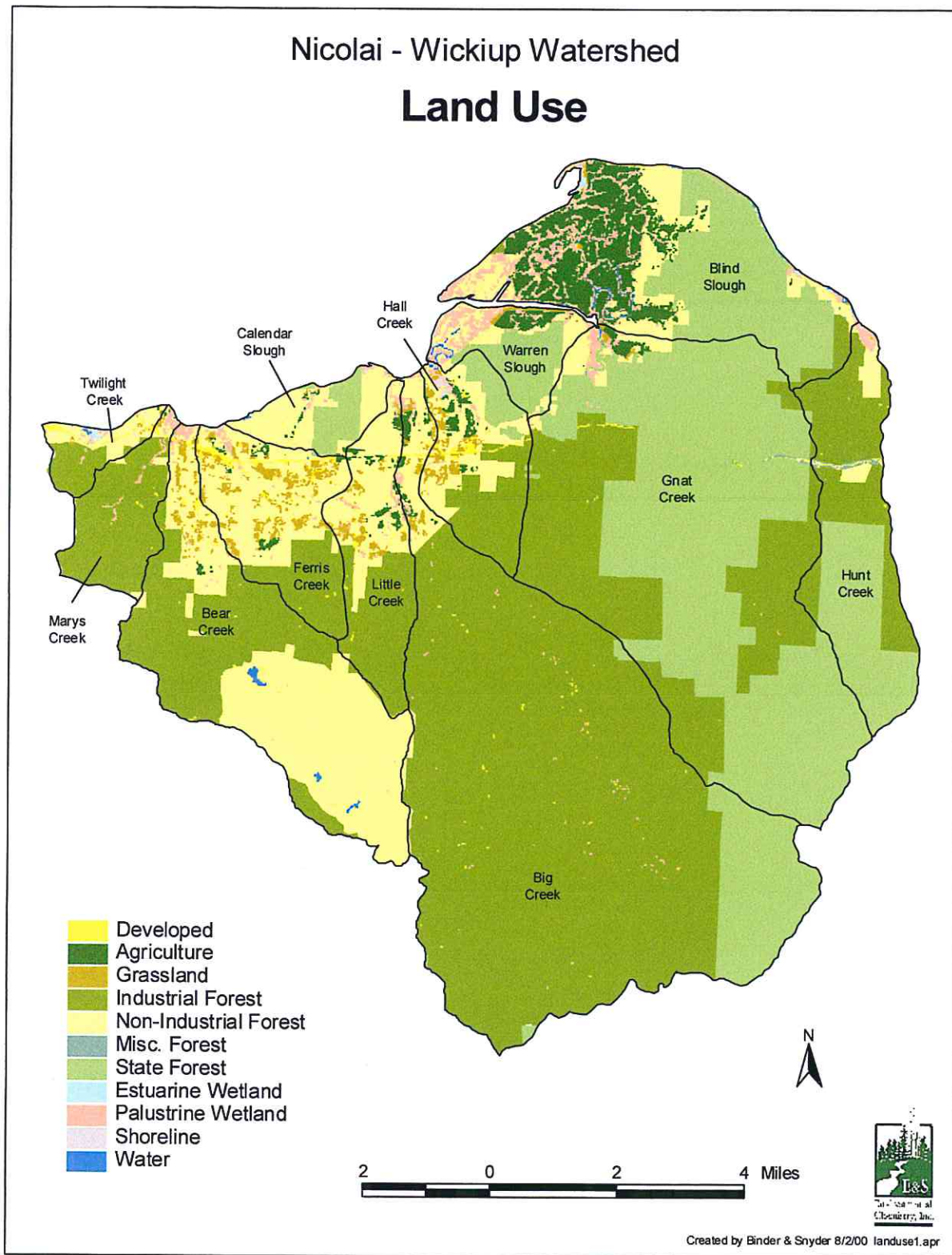


Figure 1.5. Land use in the Nicolai-Wickiup watershed. Data displayed are from the refined land use coverage.

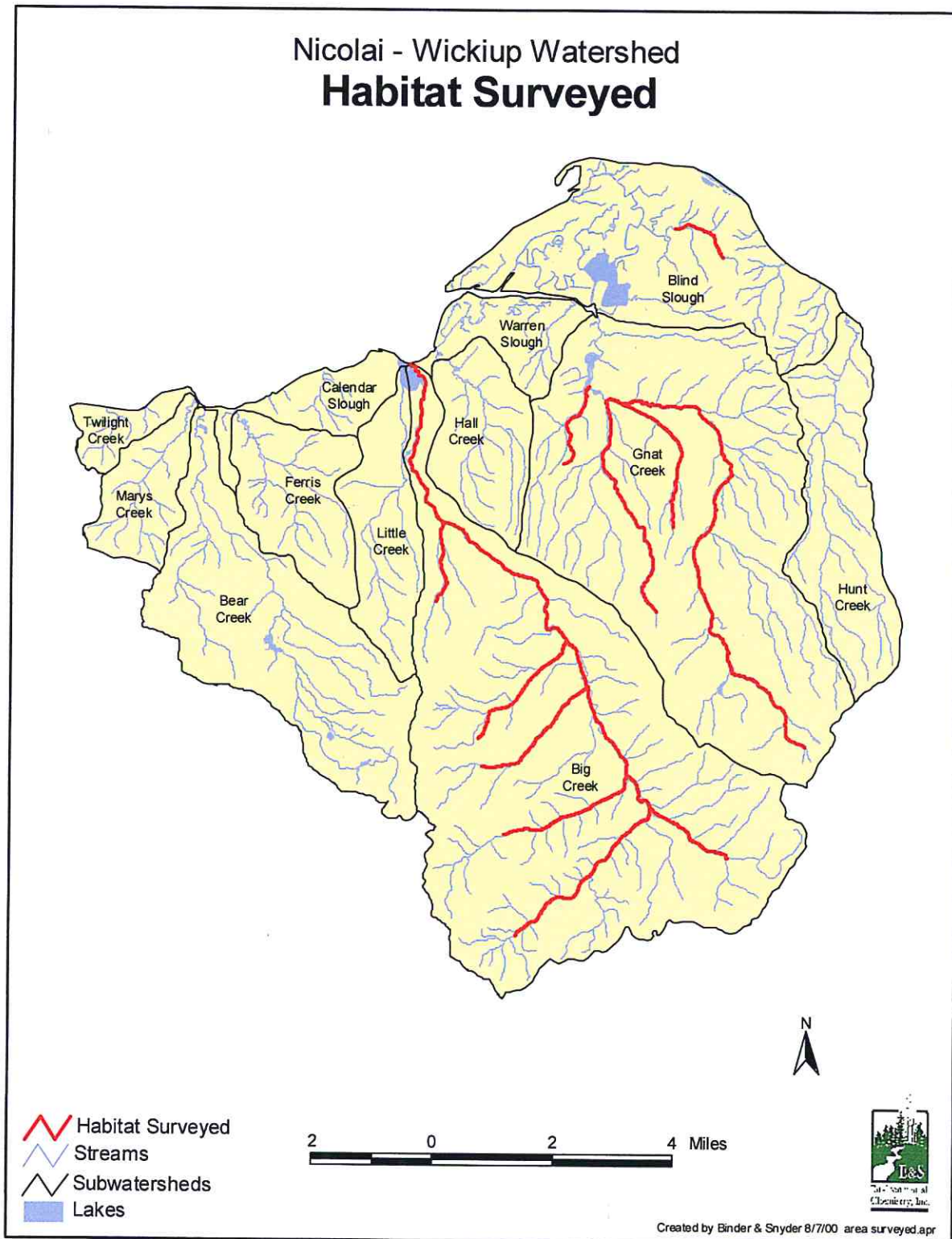


Figure 3.1. Streams surveyed for habitat conditions by ODFW. Survey dates are listed in Table 3.2.

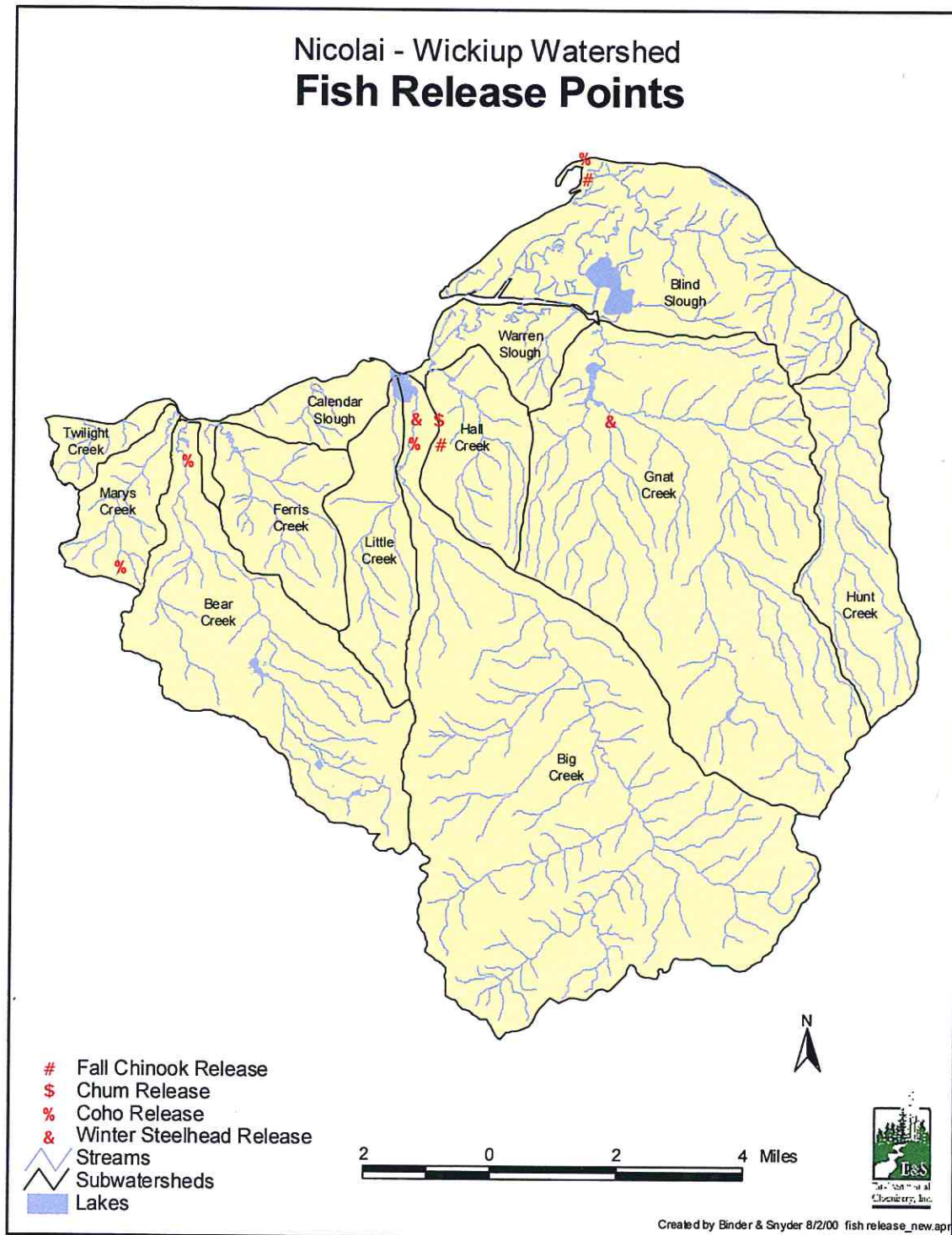


Figure 2.5. Coho, chinook, chum, and steelhead release locations in the Nicolai-Wickiup watershed. Data were obtained from the StreamNet database.

Clatsop County, OR

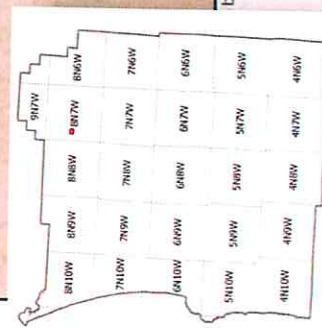


Clatsop County

0.1

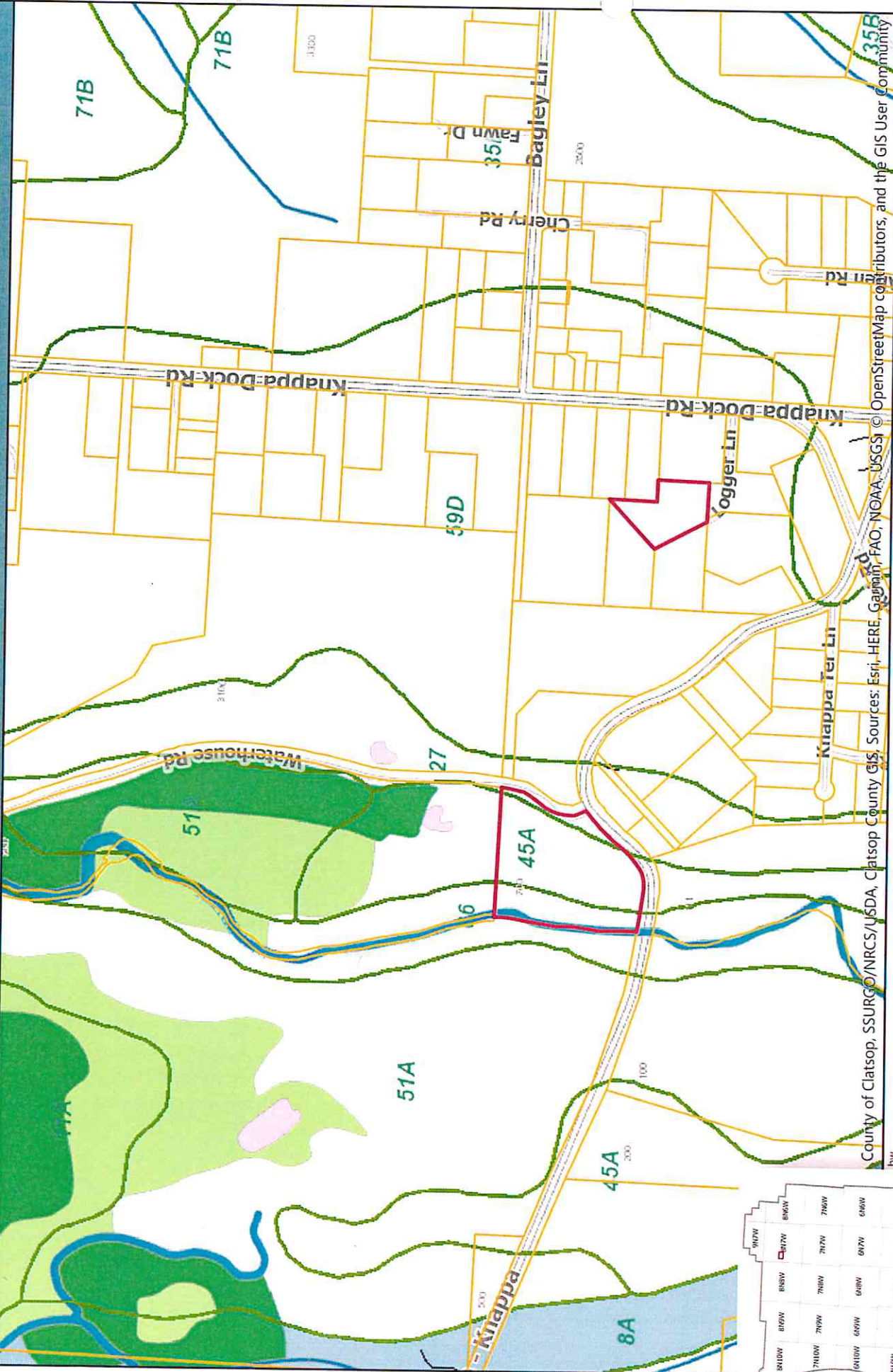


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Clatsop County

0.2 mi

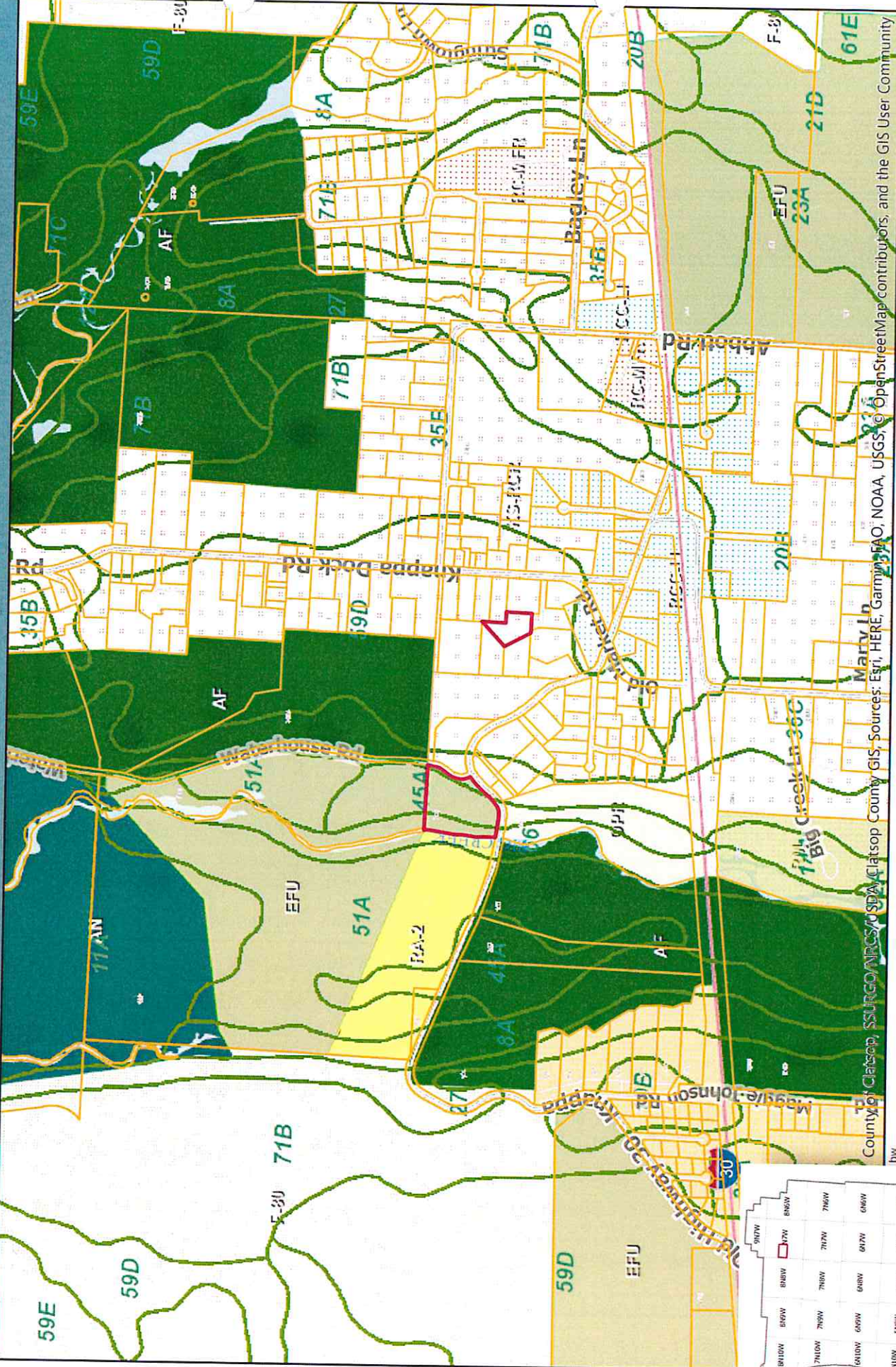


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8A	51A	45A	39D	71B	35B
8A	51A	45A	39D	71B	35B
8A	51A	45A	39D	71B	35B
8A	51A	45A	39D	71B	35B
8A	51A	45A	39D	71B	35B
8A	51A	45A	39D	71B	35B
8A	51A	45A	39D	71B	35B
8A	51A	45A	39D	71B	35B
8A	51A	45A	39D	71B	35B
8A	51A	45A	39D	71B	35B

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Clatsop County, OR



Clatsop County

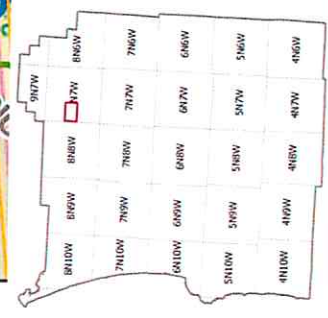


0.4

mi

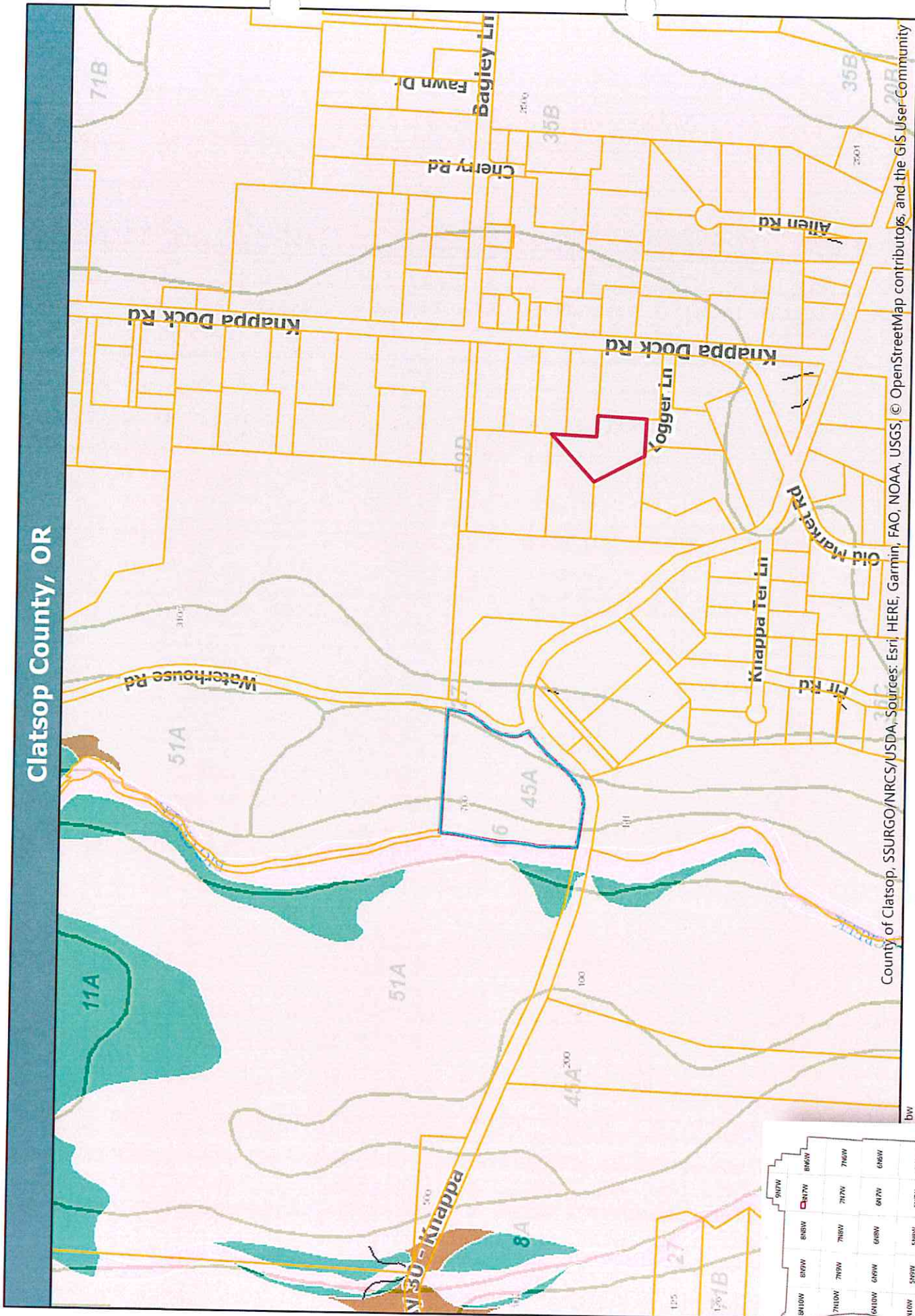


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Clatsop County, OR



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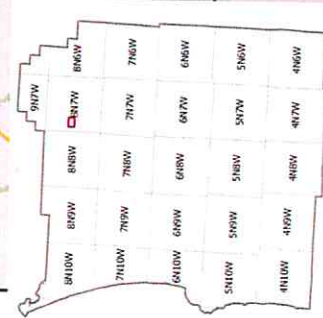


Clatsop County

0.2



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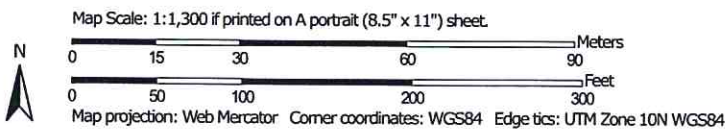


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Nonirrigated Capability Class—Clatsop County, Oregon



Soil Map may not be valid at this scale.

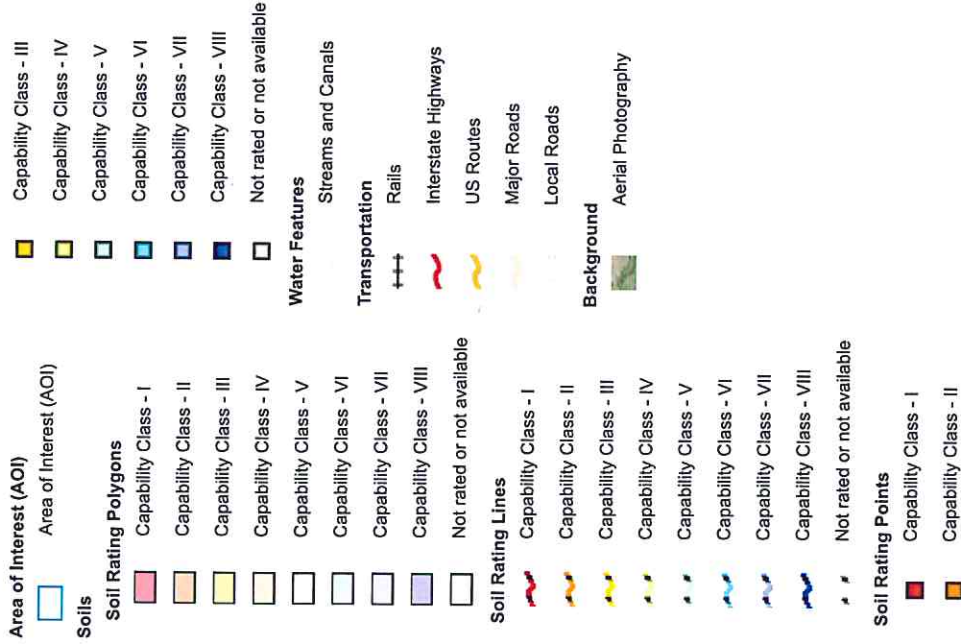


Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

3/4/2021
Page 1 of 5

MAP LEGEND



MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Clatsop County, Oregon
Survey Area Data: Version 18, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 16, 2015—Feb 12, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Nonirrigated Capability Class

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
27	Humitropepts, 25 to 60 percent slopes	6	0.5	9.2%
45A	Mues medial silt loam, 0 to 3 percent slopes	2	3.5	67.6%
66	Tropofluvents, 0 to 3 percent slopes	6	1.2	23.2%
Totals for Area of Interest			5.2	100.0%

C.S. # AA-3277

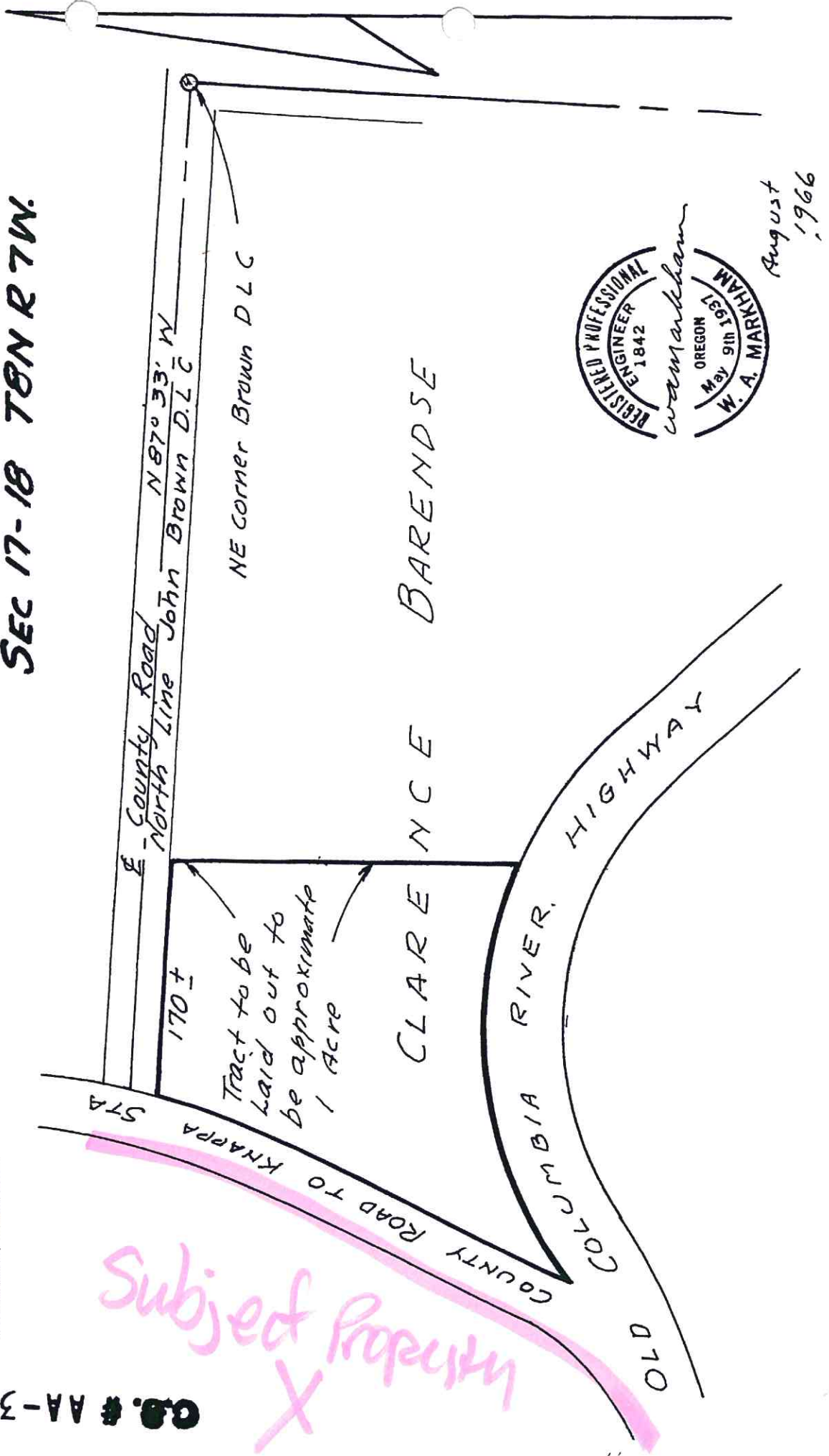
SCALE 1" = 100'
CLARENCE BARENDSE
PROPOSED ACRE TRACT
SEC 17-18 T8N R7W.

CLATSOP COUNTY
SURVEYOR
RECEIVED

MAR 06 1985

MAR 4-10-85 ST
ASTORIA, OREGON

C.S. # AA-3277



pa. 1000 x

OLD HIGHWAY 30

CLATSOP COUNTY
SURVEYOR
RECEIVED

MAR 06 1985

FILED 4-10-85 ST
ASTORIA, OREGON



CREEK

Center line of Big

N 17° 01' W
116.11 ±

N 18° 11 1/2' W
300.30

NW Corner Lot 8 Block 1
KNAPA TERRACE

N 02° 09' W 494.81

KNAPA TERRACE

SW Cor Lot 2 Block 2

S 02° 55' E
100.28

S 17° 12' W
120.07

S 14° 05' W
336.50 ±

NEW HIGHWAY 30



Surveyed June 28
July 3
1972

C.S. # AA-5458

CLATSOP COUNTY
SURVEYOR
RECEIVED

MAR 06 1985

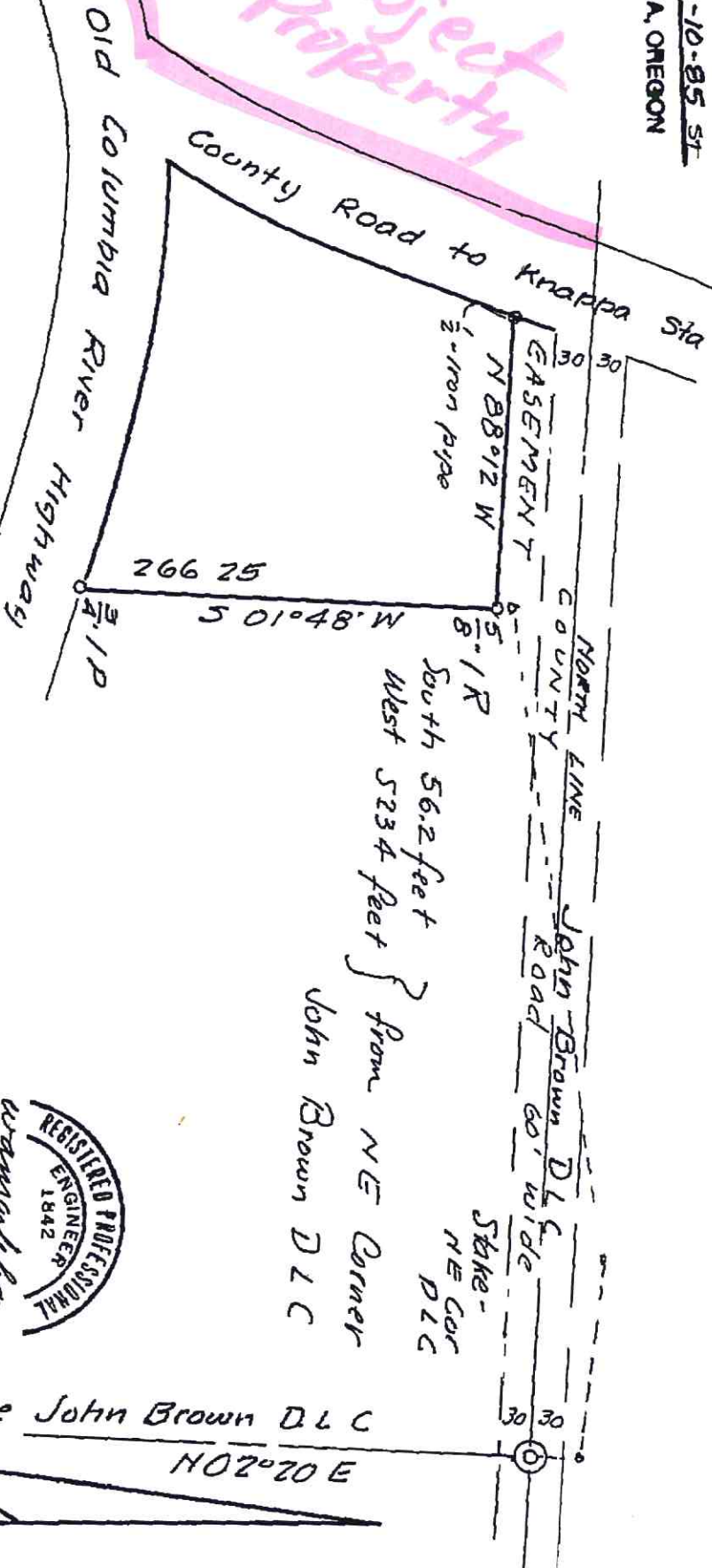
FILED 4-10-85 ST
ASTORIA, OREGON

C.S. # AA-815

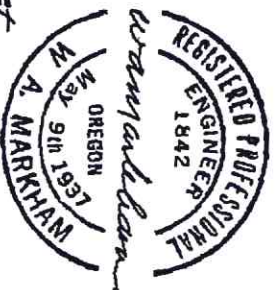
C.S. # AA-815
SCALE 1" = 100'

CLARENCE J. BARENSE
SEC 17-18 T8N R7W.

Subject
Property



Description for Tract "Beginning at a point West 523.4 feet and South 56.2 feet from the Northeast corner of John Brown D L C, running thence S 01°48'W, 266.25 feet, more or less, to north line of Old Columbia River Highway, thence westerly, along north line of Highway, to County Road's thence northerly, along east line of County Road, to a point which is N 88°12'W of the Point of Beginning, thence South 88°12'E to the Point of Beginning " PLUS: A non-exclusive EASEMENT for access and driveway, across the approximately 15 foot wide strip lying between the North line of tract conveyed D L C above, and a line 30 feet South of North line of John Brown D L C



East Line John Brown D L C
N 02°20' E

DESCRIBED IN BOOK 252, PG. 52, DEED RECORDS, CLATSOP
COUNTY, OREGON, & SURVEY OF A 30' R/W AS
SHOWN ON ACCOMPANYING MAP OF SAID TRACT

I Karl F. Foote certify that I surveyed the property described in Book 252, Page 52, Deed Records, Clatsop County, Oregon, and that I found the improvements thereon to be located as shown on the accompanying plat thereof and that they do not overlap or encroach upon the property lying adjacent thereto. I further certify that there are no visible easements over, across, through, or under said property. I also certify that the walls and projections of buildings on adjacent property do not encroach upon the property described herein.

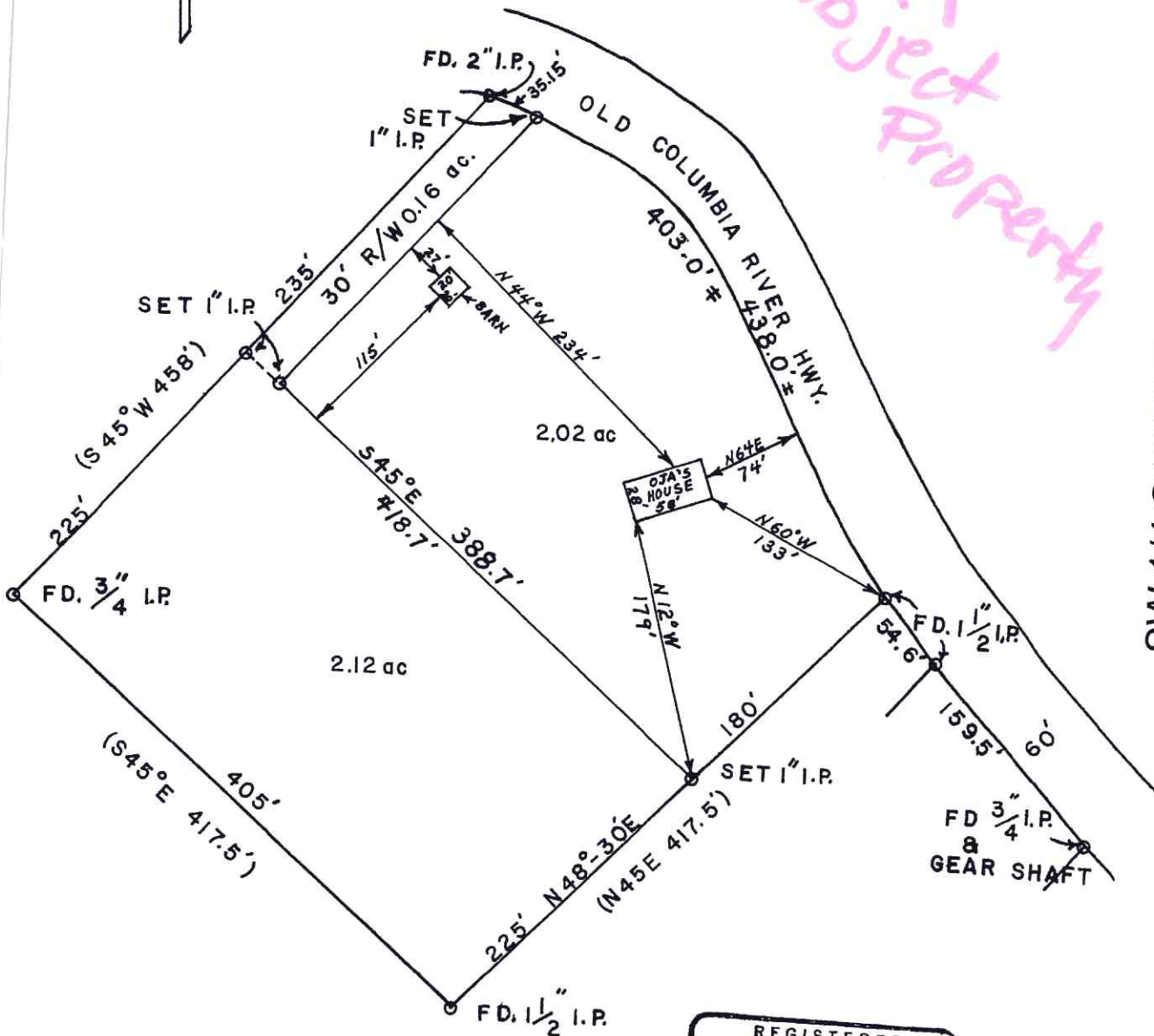
SEC. 18, T8N, R10W, W.M.

MERIDIAN FROM EXISTING
WEST LINE OF PROPERTY
SCALE: 1"=100'
MARCH 5, 1972



Subject Property

SW 1/4 S17 T8N R7W, SE 1/4 S18 T8N R7W



REGISTERED
PROFESSIONAL
LAND SURVEYOR

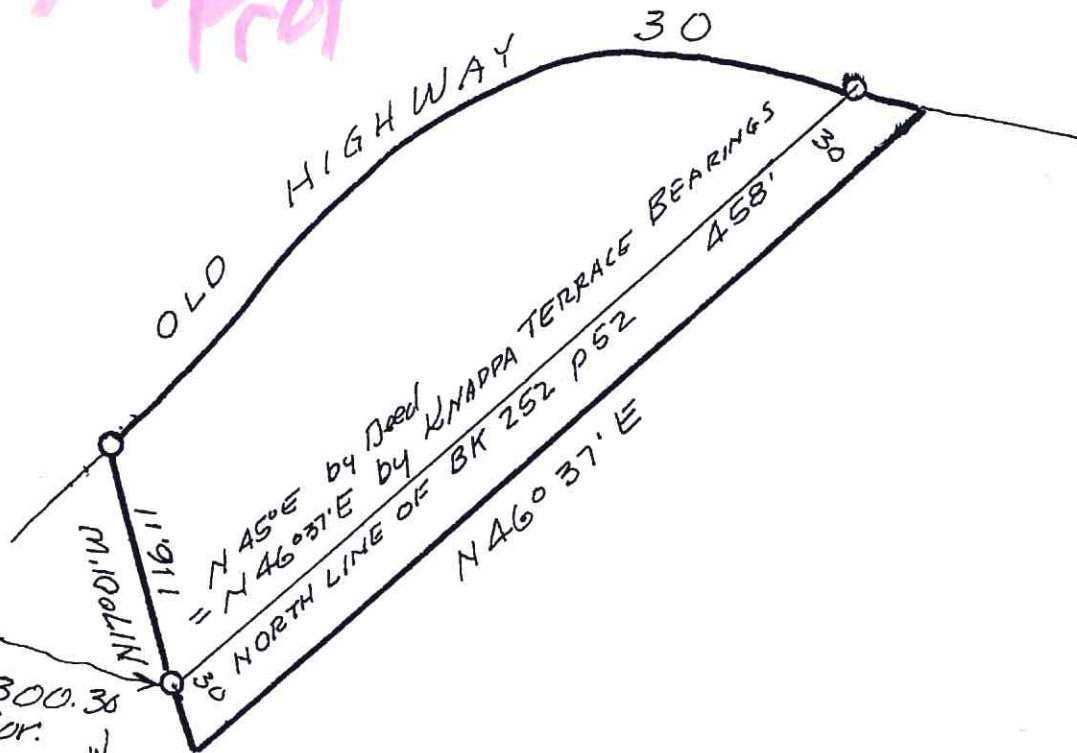
Karl F. Foote
OREGON

155-507

CLATSOP COUNTY, OREGON
SEC. 18-17 T8N R7W.

SCALE 1" = 100'

Subject Property



This Point
N18°11½'W 300.30
from NW Cor.
of Lot 8
Block 1
KNAPPA
TERRACE

N18°11½'W
33.15

Description for Tract:

"Beginning at the Northwest corner of the Richard Oja tract, Deed Book 252, page 52, which point is North 18° 11½' East, 300.30 feet, from the Northwest corner of Lot 8 of Block 1, KNAPPA TERRACE; and running thence South 18° 11½' East, 33.15 feet; thence North 46° 37' East, bearing based on KNAPPA TERRACE Bearings, which line is 30 feet southeasterly and parallel to the northwesterly line of the Oja tract, to the westerly line of Old Highway 30; thence, following the highway right of way line westerly and southwesterly, to a point which is North 17° 01' West, 116.11 feet, from the Point of Beginning; and thence South 17° 01' East, to the Point of Beginning. ""



July 6, 1972

CLATSOP COUNTY
SURVEYOR
RECEIVED

MAR 06 1985

FILED 4-10-85 ST
ASTORIA, OREGON

C.B. # AA-3279

S.E. 1/4 OF SECTION 18, T8N, R7W, W.M.

SURVEY FOR: HOWARD KEM

SURVEY BY: KARL F. FOESTE, 361 S.W. MAIN CT.
WARRENTON, OR 97146

DATE: 5/02/05

SCALE: 1" = 100'

NARRATIVE:

PURPOSE OF SURVEY IS TO MONUMENT THE BOUNDARIES OF A TRACT OF LAND BOUNDED ON THE SOUTH BY THE NORTHERLY RIGHT-OF-WAY BOUNDARY OF THE OLD HIGHWAY 30; BOUNDED ON THE NORTH BY A LINE LOCATED PARALLEL WITH AND 640 FEET NORTH OF, WHEN MEASURED AT RIGHT ANGLES TO, THE CENTER LINE OF SAID HIGHWAY; BOUNDED ON THE EAST BY THE CENTER LINE OF BIG CREEK; AND BOUNDED ON THE WEST BY THE WEST BOUNDARY OF THE D.C. RAHEY DONATION LAND CLAIM IN SECTION 18, T8N, R7W, W.M.; EXCEPTING THEREFROM THAT TRACT OF LAND CONVEYED TO THE STATE OF OREGON BY DEED RECORDED IN BOOK 134, PAGE 608, THE SUBJECT TRACT OF LAND IS A PORTION OF THAT TRACT OF LAND CONVEYED TO HOWARD KEM BY INSTRUMENT NO. 200310129, RECORDS OF CLATSOP COUNTY, OREGON; AND IS THAT PORTION OF NEW'S LAND THAT IS ZONED "RA-2" (2 ACRE RESIDENTIAL AGRICULTURAL). THIS SURVEY MONUMENTS THE BOUNDARIES OF THE "RA-2" ZONE AND DOES NOT CONSTITUTE A PARTITION OR LOT LINE ADJUSTMENT.

BASIS OF BEARINGS IS ASSUMED RECORD BEARING, AS RECORDED ON OREGON STATE HIGHWAY DRAWING 28-5-1 AND IN DEED BOOK 134, PAGE 608, OF S87°57'E ALONG THE NORTH BOUNDARY OF THE JOHN BROWN D.L.C. (SOUTH BOUNDARY OF D.C. RAHEY D.L.C.).

TIED THE CENTER LINE OF THE BRIDGE OVER BIG CREEK AND THE CENTER LINE OF OLD HIGHWAY 30 AT THE HIDEOUT BETWEEN VISIBLE OUTSIDE EDGES OF OLD CONCRETE ROAD (AS EVIDENCED BY CRACKS AND RIDGES IN THE OVERLAP ASPHALT ROAD). HELD THE HIDEOUT OF THE RESULTING TANGENTS AND ROUNDED THE BEARINGS OF SAID TANGENTS TO THE NEAREST MINUTE. HELD RECORD RADIIUSES, AS RECORDED ON 0001 WESTERLY OF P. 1, 1245+59.1. ESTABLISHED THE P.C. FOR CURVE #2 AT RECORD TANGENT LENGTH OF 1539.4 FEET OF THE RESULTING CENTER LINE.

IN SURVEYING THE BOUNDARIES OF THE FORMER STATE TRACT DESCRIBED IN BOOK 134, PAGE 608, I HAVE HELD THE POINT OF BEGINNING FOR THE DESCRIPTION OF SAID TRACT TO BE THE INTERSECTION OF THE NORTH BOUNDARY OF THE JOHN BROWN D.L.C. WITH THE NORTH BOUNDARY OF THE "LOWER COLUMBIA RIVER HIGHWAY". THE BOUNDS CALL FOR AN INTERSECTION OF BOUNDARIES IS PARALLEL TO THE METES CALLS FOR HIGHWAY STATIONING, AND DISTANCES AND BEARINGS FROM THE NORTHEAST CORNER OF THE JOHN BROWN D.L.C. (ORS 93.310(2)).



DESCRIPTION OF FOUND MONUMENTS

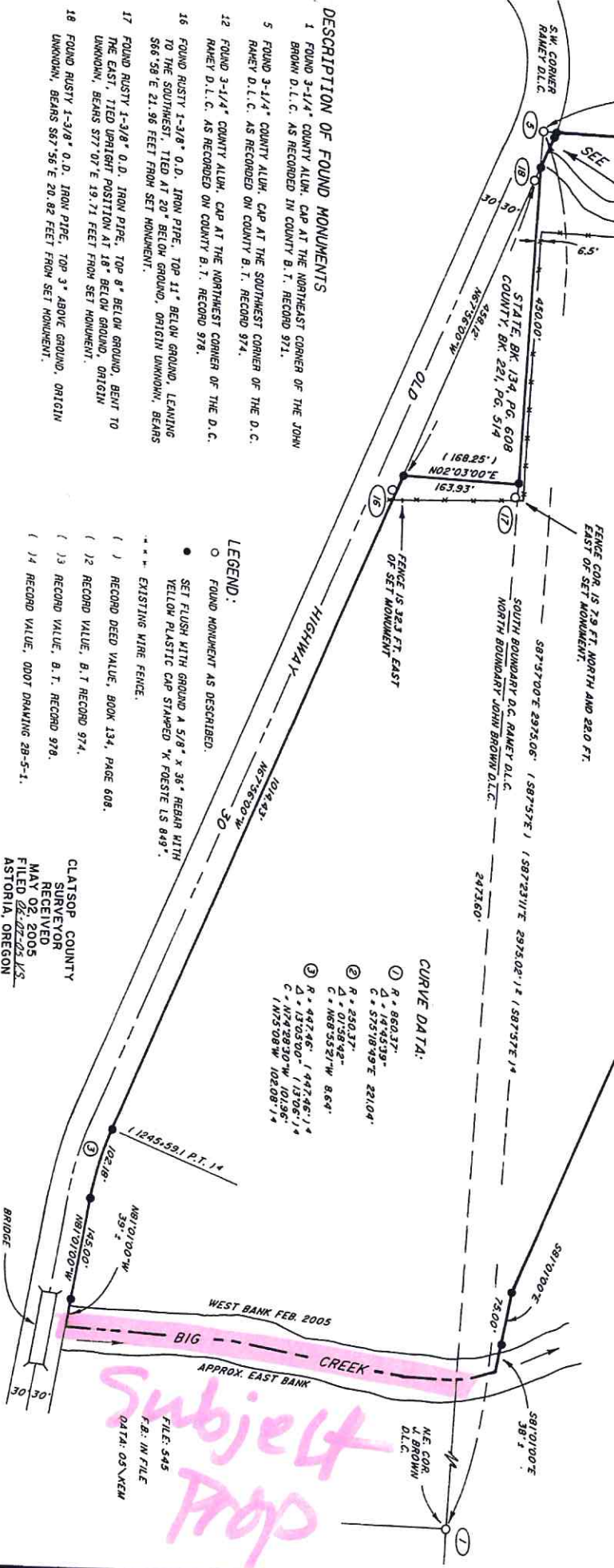
- 1 FOUND 3-1/4" COUNTY ALUM. CAP AT THE NORTHEAST CORNER OF THE JOHN BROWN D.L.C. AS RECORDED IN COUNTY B.T. RECORD 971.
- 5 FOUND 3-1/4" COUNTY ALUM. CAP AT THE SOUTHWEST CORNER OF THE D.C. RAHEY D.L.C. AS RECORDED ON COUNTY B.T. RECORD 974.
- 12 FOUND 3-1/4" COUNTY ALUM. CAP AT THE NORTHEAST CORNER OF THE D.C. RAHEY D.L.C. AS RECORDED ON COUNTY B.T. RECORD 978.
- 16 FOUND RUSTY 1-3/8" O.D. IRON PIPE, TOP 11" BELOW GROUND, LEANING S66°58'E 21.96 FEET FROM SET MONUMENT.
- 17 FOUND RUSTY 1-3/8" O.D. IRON PIPE, TOP 8" BELOW GROUND, BEING TO THE EAST, TIED UPRIGHT POSITION AT 18" BELOW GROUND, ORIGIN UNKNOWN, BEARS S77°07'E 19.71 FEET FROM SET MONUMENT.
- 18 FOUND RUSTY 1-3/8" O.D. IRON PIPE, TOP 3" ABOVE GROUND, ORIGIN UNKNOWN, BEARS S67°56'E 20.02 FEET FROM SET MONUMENT.

LEGEND:

- FOUND MONUMENT AS DESCRIBED.
- SET FLUSH WITH GROUND A 5/8" x 36" REBAR WITH YELLOW PLASTIC CAP STAMPED "K FOESTE LS 849".
- EXISTING WIRE FENCE.
- () RECORD DEED VALUE, BOOK 134, PAGE 608.
- () RECORD VALUE, B.T. RECORD 974.
- () RECORD VALUE, B.T. RECORD 978.
- () RECORD VALUE, 0001 DRAWING 28-5-1.

CURVE DATA:

- ① R = 8620.37'
Δ = 84°53'19"
C = 57518.49'E 221.04'
- ② R = 250.37'
Δ = 01°58'42"
C = 468.3521'W 8.64'
- ③ R = 447.46' (1447.46' ±)
Δ = 13°05'00" (13705.14 ±)
C = 1474.9830'W 101.96'
1175°08'W 102.08' ±



Subject Prop

FILE: 545
F.B.: IN FILE
DATA: 05-MEM

Lot #91462 Lewis & Clark Rd, Astoria, OR 97103

14-1079 Land-Residential Closed \$400,000



Provided as a courtesy of
Kathren J. Rusinovich, ABR
 Windermere Community Realty
 175 14th Street, Ste. 120
 ASTORIA, OR 97103
 Mobile - (503) 338-2245
mauikate1@gmail.com
<http://www.windermere.com>
 License #: 870800221

No Photo Available

Remarks/Concessions:

BA Comm: 2.7 **Commission Code:** None

Owner: John W Kaakinen/Nancy Doty **Owner Phone:** Call Agent

Lot Size: None **Lot Acres:** 102 **Frontage:** River
View: None **View 2:** None

Area: Astoria **County:** Clatsop **Zoning:** EFU
Assessed Valuation: 1,073.23 **Taxes:** 2014
Tax Remarks: Ask LA **Subdivision:** 32892, 33817, 3346932882
CC & R: NO **Cross Street:** **Historic Designation:** No

Geo Lat: 46.138350 **Geo Lon:** -123.665271

Public Remarks: Prime pasture land in close-in Clatsop County location.

Private Remarks:

Legal: Busch Dale Add Tracts 1-17 aka TaxID's: 32892,33817,33469,32881,32882 & 32883
Directions: South from Astoria on Lewis and Clark Road to 91462

Listing Type: Listing Type: Exclusive Right to Sell

Tax Record: Tax Map: 8103600; Tax Lot: 200, 300 & 500

Miscellaneous: Corner Stakes: Partial; Survey: No; Grade: On; Street Surface: Paved; MFG Home Friendly?: Yes; Sign: Yes
Utilities: Water: At Street; Electric: At Street; Gas: At Street; Sewer: Septic

Financial: Foreclosure: No; Bank Owned: No; Short Sale: No; Encumbrance Type: NON-ASSUMABLE; Escrow Preference: Tigor - Seaside - Di
Seller Terms: Cash; Conventional

Begin Date: 08/06/2014 **Agent Days On Market:** 12 **List Price:** 400,000
Original List Price: 400,000 **Sold Date:** 08/18/2014 **Sold Price:** 400,000
Financing: Cash **Under Contract Date:** 08/08/2014 **Status Change Date:** 08/19/2014

LA: Tim Regan; (503)738-4823; TimRegan@usa.net
LO: Windermere Realty Trust; (503)738-8522; gearhart@windermere.com

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SO: Windermere Realty Trust; (503)738-8522; gearhart@windermere.com

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1 BEFORE THE LAND USE BOARD OF APPEALS
2 OF THE STATE OF OREGON
3

4 LAWRENCE W. DeBATES,

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vs.

YAMHILL COUNTY,

Respondent,

and

FRANK W. WALKER,

Intervenor-Respondent.

LUBA No. 96-100

FINAL OPINION
AND ORDER

Appeal from Yamhill County.

Charles Swindells, Portland, filed the petition for review and argued on behalf of petitioner.

John C. Pinkstaff, Assistant County Counsel, McMinnville, filed a response brief and argued on behalf of respondent.

Michael C. Robinson and Peter D. Mostow, Portland, filed a response brief and argued on behalf of intervenor-respondent.

LIVINGSTON, Referee; HANNA, Chief Referee, participated in the decision.

REMANDED

01/03/97

You are entitled to judicial review of this Order. Judicial review is governed by the provisions of ORS 197.850.

1 Opinion by Livingston.

2 **NATURE OF THE DECISION**

3 Petitioner appeals a decision of the board of county
4 commissioners approving a lot-of-record dwelling.

5 **MOTION TO INTERVENE**

6 Frank W. Walker (intervenor), the applicant below,
7 moves to intervene on the side of the respondent. There is
8 no opposition to the motion, and it is allowed.

9 **FACTS**

10 On January 8, 1996, intervenor, acting on behalf of
11 Perry and Belva Johnson (the Johnsons), applied for a lot-
12 of-record dwelling on a five-acre lot (lot 162) in the
13 county's exclusive farm use (EF-40) zone. Lot 162 is part
14 of the Eola Walnut Groves subdivision, platted in 1908,
15 which includes 230 lots, almost all of which are five acres
16 in size. Sixty-five of the lots contain residences,
17 including the majority of the lots abutting the subject
18 property. The primary agricultural use in the area is
19 orchards, and there is a large forested area to the north.
20 Lot 162 includes soils which qualify it as "high-value
21 farmland," as that term is defined in ORS 215.710.

22 From 1972 to 1995, the Johnsons owned a tract
23 consisting of lots 162, 140 (five acres) and 163 (1.48
24 acres). In November, 1995 they conveyed lots 140 and 163 to
25 separate third parties for nominal consideration. As a
26 result, there were no lots owned by the Johnsons adjacent to

1 lot 162 at the time of the application for a lot-of-record
2 dwelling on lot 162.

3 After the county planning director approved the
4 application, petitioner appealed to the county board of
5 commissioners, which affirmed the planning director's
6 decision. This appeal to LUBA followed.

7 **FIRST ASSIGNMENT OF ERROR**

8 **A. ORS 215.705¹**

9 Petitioner objects to what he views as the county's
10 circumvention of the statutory scheme limiting lot-of-record
11 dwellings. Petitioner contends the approval of a lot-of-
12 record dwelling on lot 162 violates ORS 215.705(1), which
13 provides, in relevant part:

14 "A governing body of a county or its designate may
15 allow the establishment of a single-family
16 dwelling on a lot or parcel located within a farm
17 or forest zone as set forth in this section and
18 ORS 215.710, 215.720, 215.740 and 215.750 after
19 notifying the county assessor that the governing
20 body intends to allow the dwelling. A dwelling
21 under this section may be allowed if:

22 "(a) The lot or parcel on which the dwelling will
23 be sited was lawfully created and was
24 acquired by the present owner:

25 "(A) Prior to January 1, 1985; or

¹The challenged decision applies Yamhill County Zoning Ordinance (YCZO) 403.03(G) rather than ORS 215.705. However, since YCZO 403.03(G) is a compilation of the relevant criteria in ORS 215.705(1) and (3), the parties discuss the statute and not the ordinance. We do as well. We note that the scope of our review is not subject to the limitations stated in Clark v. Jackson County, 313 Or 508, 836 P2d 710 (1992), and ORS 197.829(1). Forster v. Polk County, 115 Or App 475, 478, 839 P2d 241 (1992).

- 1 "(B) By devise or by intestate succession
2 from a person who acquired the lot or
3 parcel prior to January 1, 1985.
- 4 "(b) The tract on which the dwelling will be sited
5 does not include a dwelling.^[2]
- 6 "(c) The proposed dwelling is not prohibited by,
7 and will comply with, the requirements of the
8 acknowledged comprehensive plan and land use
9 regulations and other provisions of law.
- 10 "(d) The lot or parcel on which the dwelling will
11 be sited, if zoned for farm use, is not on
12 that high-value farmland described in
13 ORS 215.710 except as provided in subsections
14 (2) and (3) of this section.^[3]

²ORS 215.010(2) and OAR 660-33-020(10) define "tract" as "one or more contiguous lots or parcels under the same ownership."

³Because the proposed dwelling would be sited on high-value farmland, it must meet a perimeter test, as described in ORS 215.705(3), which provides:

"Notwithstanding the requirements of subsection (1)(d) of this section, a single-family dwelling not in conjunction with farm use may be sited on high-value farmland if:

"(a) It meets the other requirements of ORS 215.705 to 215.750.

"(b) The tract on which the dwelling will be sited is:

"(A) Identified in ORS 215.710 (3) or (4);

"(B) Not protected under ORS 215.710 (1); and

"(C) Twenty-one acres or less in size.

"(c) (A) The tract is bordered on at least 67 percent of its perimeter by tracts that are smaller than 21 acres, and at least two such tracts had dwellings on them on January 1, 1993; or

"(B) The tract is bordered on at least 25 percent of its perimeter by tracts that are smaller than 21 acres, and at least four dwellings existed on January 1, 1993, within one-quarter mile of the center of the subject tract. Up to two of the four dwellings may

1 ** * * * *

2 "(g) When the lot or parcel on which the dwelling
3 will be sited is part of a tract, the
4 remaining portions of the tract are
5 consolidated into a single lot or parcel when
6 the dwelling is allowed."

7 The requirement stated in ORS 215.705(1)(b) that the
8 tract on which a proposed lot-of-record dwelling is to be
9 sited not include a dwelling applies to dwellings approvable
10 under ORS 215.705(3). ORS 215.705(3)(a). This requirement
11 and the consolidation requirement in ORS 215.705(1)(g)
12 operate to prohibit approval of a lot-of-record dwelling
13 unless (1) the tract of which the lot is a part contains no
14 dwellings; and (2) all lots within the tract are
15 consolidated at the time of approval, thereby precluding a
16 second lot-of-record dwelling on the tract.
17 ORS 215.705(1)(a) establishes January 1, 1985 as the date by
18 which a lot which is to be the site of a lot-of-record
19 dwelling must have been lawfully created and acquired by
20 either the present owner or a previous owner from whom the
21 present owner acquired the lot by devise or intestate
22 succession.⁴ There is no dispute that lot 162 was lawfully

lie within the urban growth boundary, but only if
the subject tract abuts an urban growth boundary."

⁴ORS 215.705(6) contains a broad definition of "owner" that applies to
lot-of-record dwellings:

"For purposes of subsection (1)(a) of this section, "owner"
includes the wife, husband, son, daughter, mother, father,
brother, brother-in-law, sister, sister-in-law, son-in-law,
daughter-in-law, mother-in-law, father-in-law, aunt, uncle,

1 created and was acquired by its present owners prior to
2 January 1, 1985.

3 Petitioner notes that the consolidation requirement in
4 ORS 215.705(1)(g) will be ineffective in halting a
5 proliferation of lot-of-record dwellings if the requirement
6 can be avoided simply by breaking up a tract before, rather
7 than after, applying for a lot-of-record dwelling on one of
8 the lots included in the tract. Petitioner maintains that
9 permitting tract divisions without somehow limiting the
10 number of lot-of-record dwellings on the lots included in
11 the tract will frustrate the policy, stated in
12 ORS 215.700(2), to "[l]imit the future division of and the
13 siting of dwellings upon the state's more productive
14 resource land."

15 **OAR Chapter 660, Division 33**

16 OAR 660-33-020 states additional definitions for
17 purposes of implementing the requirements for agricultural
18 land. OAR 660-33-020(4) defines "Date of Creation and
19 Existence" as follows:

20 "When a lot, parcel or tract is reconfigured
21 pursuant to applicable law after November 4,
22 1993,⁵ the effect of which is to qualify a lot,
23 parcel or tract for the siting of a dwelling, the
24 date of the reconfiguration is the date of

niece, nephew, stepparent, stepchild, grandparent or grandchild
of the owner or a business entity owned by any one or
combination of these family members."

⁵November 4, 1993 is the date the lot-of-record provisions in
ORS 197.705 became effective.

1 creation or existence. Reconfigured means any
2 change in the boundary of the lot, parcel or
3 tract."

4 Petitioner contends that OAR 660-33-020(4) operates to
5 change the date of creation or existence of lot 162 for
6 purposes of ORS 215.705 and OAR 660-33-130(3), the rule that
7 directly implements ORS 215.705. Petitioner maintains that
8 when lots 140 and 163 were conveyed to third parties in
9 November 1995, the boundary of the tract that had included
10 lots 140, 162 and 163 changed. Petitioner contends that
11 under OAR 660-33-020(4), the "date of creation or existence"
12 of all three lots for purposes of ORS 197.705 must be
13 changed from 1972 to November 1995, because the
14 reconfiguration of the tract had the effect of qualifying
15 one or more of the three lots for a dwelling.⁶

16 The county and intervenor (respondents) respond that
17 OAR 660-33-020(4) does not apply to the application for a
18 lot-of-record dwelling on lot 162, because the
19 reconfiguration of the tract did not qualify lot 162 for a
20 dwelling: lot 162 was already qualified for a dwelling.
21 They note that the boundaries of lot 162 were not changed by
22 the sales of lots 140 and 163, and therefore, under OAR 660-

⁶This contention is based on the surmise that one or more of the transferees of lots 140 and 163 are related to the Johnsons in such a way that the transferees may be considered owners under ORS 215.705(6) and thus entitled to their own lot-of-record dwellings. Because the record is insufficient to permit us to confirm or reject petitioner's surmise, we are unable to address arguments based on those applications.

1 33-020(4), the date of creation or existence of lot 162 was
2 not changed either. Finally, they maintain that
3 petitioner's interpretation of OAR 660-33-020(4), as it
4 involves the interrelationship between the date of creation
5 or existence of lots, parcels and tracts, conflicts with
6 ORS 215.705, because under petitioner's interpretation, the
7 sale of any part of a tract would disqualify the entire
8 tract from the siting of even one dwelling, and a
9 requirement not found in the statute is added by the rule.⁷

10 **C. Discussion**

11 We start with respondents' last argument, and examine
12 whether OAR 660-33-020(4) could have the meaning petitioner
13 advocates without violating ORS 215.705. As respondents
14 point out, agency rule-making authority is subject to
15 specific limitations. An agency cannot adopt rules that are
16 inconsistent with the applicable statute.
17 ORS 183.400(4)(b). ORS 215.304(3) restates this maxim
18 specifically with respect to the Land Conservation and
19 Development Commission (LCDC) and ORS 215.705.⁸

⁷Respondents make a supplemental argument that restricting the construction of dwellings on lots of record in reliance on petitioner's interpretation of OAR 660-33-020(4) would violate ORS 92.017, which provides that "a lot or parcel lawfully created shall remain a discrete lot or parcel." Because petitioner's interpretation of ORS 215.705, if correct, would create an exception to ORS 92.017 based on ORS 215.705, we reject respondents' argument.

⁸ORS 215.304(3) provides:

1 The petition for review does not squarely address the
2 issue of LCDC's authority to adopt a rule that requires what
3 petitioner contends OAR 660-33-020(4) requires when read
4 together with ORS 215.705 and OAR 660-33-130(3). However,
5 at oral argument, petitioner relied on Meltebeke v. Bureau
6 of Labor and Industries, 322 Or 132, 140-42, 903 P2d 351
7 (1995), which examines "the scope of a broad delegation to
8 an administrative agency for rulemaking." Id. at 142 n12.
9 We understand petitioner to contend certain statutes
10 (perhaps ORS 197.040 and ORS 197.245, which generally
11 authorize LCDC to adopt and amend goals and rules to carry
12 out ORS chapters 195, 196 and 197) provide a broad
13 delegation of the sort described in Meltebeke. See
14 Springfield Education Assn. v. School Dist., 290 Or 217,
15 223, 621 P2d 547 (1980). See also Newcomer v. Clackamas
16 County, 94 Or App 33, 37, 764 P2d 927 (1988) (LCDC may
17 refine and adopt consistent supplements to an adjudicative
18 standard); DLCD v. Polk County, ___ Or LUBA ___ (LUBA No.
19 96-036, September 10, 1996).

20 Respondents argue in essence that ORS 215.705 is
21 sufficiently precise and comprehensive that it leaves no

"Any portion of a rule inconsistent with the provisions of
ORS 197.247 (1991 Edition), 215.213, 215.214 (1991 Edition),
215.288 (1991 Edition), 215.317, 215.327 and 215.337 (1991
Edition) or 215.705 to 215.780 on March 1, 1994:

"(a) Shall not be implemented or enforced; and

"(b) Has no legal effect."

1 interstices to be filled by LCDC rules. Respondents rely on
2 the approach taken by the Court of Appeals in Lane County v.
3 LCDC, 138 Or App 635, 910 P2d 414, on reconsideration 140 Or
4 App 368, ___ P2d ___, rev allowed 324 Or 305 (1996). Lane
5 County holds that certain challenged provisions of OAR 660-
6 33-120, 660-33-130, and 660-33-135 are invalid because of
7 inconsistencies with ORS 215.213. As the Court of Appeals
8 explained, the challenged provisions are invalid because
9 "they flatly prohibit what the legislature has * * *
10 permitted." 138 Or App at 644.

11 We agree with respondents that ORS 215.705(1) and (3)
12 precisely state comprehensive criteria that govern when a
13 lot-of-record dwelling may be allowed on a lot such as lot
14 162. OAR 660-33-020(4) cannot be interpreted to prohibit
15 what the statute otherwise allows. ORS 215.705(1) states
16 specifically that it is the "governing body of a county"
17 (not LCDC) which "may allow" a lot-of-record dwelling.
18 While ORS 215.705(5) allows counties considerable discretion
19 in imposing additional restrictions on permitting lot-of-
20 record dwellings, petitioner does not contend the county has
21 done so. The challenged decision finds the proposed
22 dwelling is not prohibited by the county's comprehensive
23 plan and the YCZO. Record 5. Petitioner does not challenge
24 that finding in this assignment of error.

25 The tract comprising lots 140, 162 and 163 was
26 "reconfigured," as the term is used in OAR 660-33-020(4),

1 when lots 140 and 162 were transferred in November 1995,
2 because the boundary of the tract was changed. However, the
3 date of creation or existence of the tract has no
4 significance in this case. ORS 215.705 mentions only the
5 date of creation or existence of the lot or parcel. Lot 162
6 was lawfully created and acquired by its present owner prior
7 to January 1, 1985. At the time of application, it did not
8 include a dwelling. It therefore met the threshold
9 requirements stated in ORS 215.705(1)(a) and (b).⁹

10 Moreover, we agree with respondents that ORS 215.705
11 cannot be interpreted or supplemented by agency rule to
12 provide that the reconfiguration of the tract through the
13 sale of one or more lots extinguishes the right to build a
14 dwelling on at least one of the lots of record within the
15 original tract. Yet that is what petitioner's suggested

⁹We agree with petitioner that by failing to require that a tract proposed for a lot-of-record dwelling have been created or established and acquired by the owner by a date certain, ORS 215.705 facilitates avoidance of the consolidation requirement stated in ORS 215.705(1)(g) and, in so doing, may frustrate the policy stated in ORS 215.700. However, the Court of Appeals has described that policy broadly as "to authorize dwellings in resource zones in certain circumstances where they could not previously have been allowed." Craven v. Jackson County, 135 Or App 250, 255, 898 P2d 809, rev den 321 Or 512 (1995). ORS 215.705(1) and (3) implement the policy in ORS 215.700, and what they demand (or don't demand) is not ambiguous. If more is required to implement the policy, it is up to the legislature to amend the implementing statute. See Craven; Younger v. Jackson County, ___ Or LUBA ___ (LUBA No. 96-031, November 12, 1996), slip op 7; Parsons v. Clackamas County, ___ Or LUBA ___ (LUBA Nos. 96-039/040/041, October 30, 1996), slip op 8.

Because we find ORS 215.705 to be unambiguous, we do not reach the legislative history discussed in the briefs. See PGE v. Bureau of Labor and Industries, 317 Or 606, 611, 859 P2d 1143 (1993)

1 interpretation of OAR 660-33-020(4) would require.¹⁰

2 The first assignment of error is denied.

3 **SECOND ASSIGNMENT OF ERROR**

4 Petitioner contends the county did not apply a
5 mandatory policy (hazard policy) found at Yamhill County
6 Comprehensive Plan (YCCP) Section 1 B.1.c., which states:

7 "All proposed rural area development and
8 facilities:

9 "* * * * *

10 "2) Shall not be located in any natural hazard
11 area, such as a floodplain or area of
12 geologic hazard, steep slope, severe drainage
13 problems or soil limitations for building or
14 sub-surface sewage disposal, if relevant;

15 "* * * * *

16 Petitioner points out that one criterion for approval of a
17 lot-of-record dwelling, stated in YCZO 402.03(G)(4), is that

18 "[t]he [lot-of-record] dwelling is not prohibited
19 by, and complies with the Comprehensive Plan and
20 other provisions of this ordinance and other
21 provisions of law, including but not limited to
22 floodplain, greenway, and airport overlay
23 restrictions."

24 **A. Application of Blondeau**

25 Relying on our opinion in Blondeau v. Clackamas County,
26 29 Or LUBA 115 (1995), respondents contend that application

¹⁰The petition for review states that simultaneous applications were made for lot-of-record dwellings on lots 140 and 163. However, those applications are not in the record, and we do not decide here how approving a lot-of-record dwelling on lot 162 would affect the other applications by the Johnsons' grantees, one of whom may claim to qualify for a lot-of-record dwelling.

1 of YCCP Section 1 B.1.c. is precluded by the adoption of
2 Oregon Laws 1993, chapter 792 (hereafter HB 3661), including
3 the lot-of-record provisions now codified in ORS 197.705,
4 after acknowledgment of YCCP Section 1 B.1.c.. In Blondeau,
5 Clackamas County denied an application for a lot-of-record
6 dwelling on the grounds that it failed to satisfy first, a
7 local zoning code requirement that a proposed nonfarm
8 dwelling be situated on land generally unsuitable for the
9 production of crops and livestock; and second, applicable
10 plan goals to preserve agricultural lands and to protect
11 agricultural lands from conflicting uses. It was clear from
12 the facts in Blondeau that Clackamas County had not
13 legislatively restricted lot-of-record dwellings, as
14 permitted by ORS 215.705(5), but had instead denied the
15 application on the basis of plan provisions intended to
16 protect agricultural land that were acknowledged before
17 HB 3661 became effective. We stated:

18 "[W]hat we must determine here is whether it is
19 consistent with ORS 215.705 to deny a lot of
20 record dwelling because of noncompliance with a
21 ZDO standard previously adopted to implement
22 ORS 215.283(3)(d) (1991)¹¹ or previously adopted

¹¹ORS 215.283(3)(1991 Edition) provides, in relevant part:

"Subject to ORS 215.288, single-family residential dwellings,
not provided in conjunction with farm use, may be established,
subject to approval of the governing body or its designate in
any area zoned for exclusive farm use upon a finding that each
such proposed dwelling:

"* * * * *

1 plan policies generally requiring protection of
2 agricultural land." Id. at 122.

3 We then explained:

4 "ORS 215.705(1)(c) does not explicitly limit the
5 acknowledged plan and land use regulation
6 provisions with which lot of record dwellings must
7 comply. However, ORS 215.705(1)(c) must be
8 interpreted together with ORS 215.705(5), which
9 allows a county to adopt by ordinance certain
10 standards that would allow it to deny a lot of
11 record dwelling otherwise approvable under other
12 provisions of ORS 215.705. The standards a county
13 may adopt pursuant to ORS 215.705(5) specifically
14 include one of the former statutory standards for
15 nonfarm dwellings in an exclusive farm use zone,
16 ORS 215.283(3)(c) (1991) (does not materially
17 alter the stability of the overall land use
18 pattern of the area). ORS 215.705(5)(b). There
19 would be no need to specifically authorize the
20 adoption of such standards under ORS 215.705 if,
21 under ORS 215.705(1)(c), a county could deny a
22 proposed lot of record dwelling because it failed
23 to comply with regulations previously adopted to
24 implement ORS 215.283(3) (1991).

25 "In addition, the legislative history of HB 3661
26 * * * indicates a legislative intent that lot of
27 record dwellings not be required to comply with
28 plan and code provisions inherently inconsistent
29 with the act's intent to allow dwellings on
30 certain lots of record, even those lots composed
31 of good agricultural soils. Prior to the
32 enactment of ORS 215.705, counties' acknowledged
33 plans and regulations included provisions
34 implementing the requirement of ORS 215.283(3)(d)
35 (1991) that nonfarm dwellings not be allowed on
36 land suitable for the production of farm crops and

"(d) Is situated upon generally unsuitable land for the
production of farm crops and livestock, considering the
terrain, adverse soil or land conditions, drainage and
flooding, vegetation, location and size of the tract; and

"* * * * *

1 livestock, and many included provisions generally
2 requiring the protection of agricultural soils.
3 If ORS 215.705(1)(c) requires lot of record
4 dwellings to comply with such criteria, then no
5 lot of record dwellings could be approved until
6 counties amend their plans and regulations to
7 reflect the provisions of ORS 215.705." Id. at
8 122-23.

9 Respondents argue that Blondeau invalidates any plan or
10 zoning code provisions that limit lot-of-record dwellings
11 unless those provisions are expressly adopted (or readopted)
12 under ORS 215.705. We disagree. Our reasoning in Blondeau
13 was expressly limited to situations where regulations or
14 plan policies adopted prior to the effective date of HB 3661
15 that were intended to protect agricultural land conflict
16 with the provisions in HB 3661 that are intended to permit
17 lot-of-record dwellings regardless of their effect on
18 agricultural land. As we noted, the underlying objective of
19 these regulations and plan policies has effectively been
20 overruled by HB 3661.

21 Blondeau establishes that if a county wishes to limit
22 lot-of-record dwellings to protect agricultural lands, it
23 cannot simply dust off its old plan policies and land use
24 regulations implementing ORS 215.283(3)(d), but must
25 legislatively adopt new policies and regulations pursuant to
26 ORS 215.705(5).¹² Id. at 123-24 n9. The holding in

¹²ORS 215.705(5) provides:

"A county may, by application of criteria adopted by ordinance,
deny approval of a dwelling allowed under this section in any

1 Blondeau does not apply to YCCP Section 1 B.1.c., which does
2 not appear to have been adopted under ORS 215.283(3) (1991
3 Edition) or any other statutory provision intended to
4 protect agricultural land. YCCP Section 1 B.1.c. is
5 directed at all development, not at nonfarm dwellings. Its
6 apparent purpose is as much to protect future development
7 from natural hazards as to protect resource lands from
8 development. Therefore, it is not superseded by
9 ORS 215.705.

10 There is another reason that YCCP Section 1 B.1.c.
11 cannot be disregarded in reliance on Blondeau. As
12 petitioner notes, YCZO 402.03(G)(4) specifically adopts as a
13 criterion for a lot-of-record dwelling that it is "not
14 prohibited by, and complies with the Comprehensive Plan and
15 other provisions of [the YCZO] and other provisions of law,
16 including but not limited to floodplain, greenway, and
17 airport overlay restrictions." Blondeau makes clear that
18 the legislative adoption of standards governing lot-of-
19 record dwellings is permitted by ORS 197.705(5). To the

area where the county determines that approval of the dwelling
would:

"(a) Exceed the facilities and service capabilities of the
area;

"(b) Materially alter the stability of the overall land use
pattern in the area; or

"(c) Create conditions or circumstances that the county
determines would be contrary to the purposes or intent of
its acknowledged comprehensive plan or land use
regulations."

1 extent that standards governing development generally may
2 apply to lot-of-record dwellings, YCZO 402.03(G)(4)
3 reaffirms the applicability of those standards.

4 **B. Waiver**

5 Respondents contend that consideration of this
6 assignment of error is beyond the scope of our review under
7 ORS 197.835(3), which limits issues to those raised by any
8 participant below the local hearings body.¹³ Petitioner
9 maintains first, that several participants below did raise
10 the issues of natural hazards, drainage and sewage; and
11 second, that since the county did not give notice that YCCP
12 Section 1 B.1.c. was an applicable criterion,
13 ORS 197.835(4)(b) permits petitioner to raise new arguments
14 based on that criterion.¹⁴

15 First, if participants below did adequately raise the

¹³ORS 197.835(3) provides: "Issues shall be limited to those raised by any participant before the local hearings body as provided by ORS 197.195 or 197.763, whichever is applicable."

¹⁴ORS 197.835(4) provides, in relevant part:

"A petitioner may raise new issues to the board if:

"* * * * *

"(b) The local government failed to follow the requirements of ORS 197.763 (3)(b), in which case a petitioner may raise new issues based upon applicable criteria that were omitted from the notice. However, the board may refuse to allow new issues to be raised if it finds that the issue could have been raised before the local government; or

"* * * * *"

1 issue of the location of the subject property in a natural
2 hazard area or "area of geologic hazard, steep slope, severe
3 drainage problems or soil limitations for building or sub-
4 surface sewage disposal," then this issue is within our
5 scope of review. See Record 15, 16, 147, 156-57.

6 Second, there is no dispute that the county's notice
7 did not mention YCCP Section 1 B.1.c., or that
8 ORS 197.763(3)(b) requires such mention if indeed YCCP
9 Section 1 B.1.c. is a relevant criterion. Under
10 ORS 197.835(4)(b) a petitioner may raise new issues before
11 this Board if "[t]he local government failed to follow the
12 requirements of ORS 197.763(3)(b), in which case a
13 petitioner may raise new issues based upon applicable
14 criteria that were omitted from the notice." However,
15 ORS 197.835(4)(b) also allows this Board to "refuse to allow
16 new issues to be raised if [we find] that the issue could
17 have been raised before the local government."

18 It is possible that because the county's notice did not
19 mention YCCP Section 1 B.1.c., the participants below were
20 not informed of its existence or possible applicability. If
21 they were not so informed, they could not have raised YCCP
22 Section 1 B.1.c. with the specificity the county contends is
23 necessary to avoid waiver. Therefore, petitioner may raise
24 new issues associated with YCCP Section 1 B.1.c. before this
25 Board.

1 **C. Applicability of YCCP Section 1 B.1.c.**

2 We first address respondents' contention the challenged
3 decision contains a finding, supported by substantial
4 evidence, addressing YCCP Section 1 B.1.c. and concluding it
5 was satisfied. To support their contention, respondents
6 point to the following finding:

7 "The Board finds that the dwelling is not
8 prohibited by, and complies with the Comprehensive
9 Plan and other provisions of this ordinance and
10 other provisions of law, including but not limited
11 to floodplain, greenway, and airport overlay, as
12 required by YCZO § 1402.03G(4). The Comprehensive
13 Plan does not prohibit lot of record dwellings on
14 agricultural land. Lot of record dwellings on
15 agricultural land are allowed by state statute
16 (ORS 215.705) and administrative rule (OAR 660-33-
17 130). The property is not within the floodplain,
18 greenway or airport overlay districts. Setbacks,
19 height limitations, etc. will be enforced at the
20 time of the building permit request." Record 5.

21 Findings must (1) identify the relevant approval
22 standards, (2) set out the facts which are believed and
23 relied upon, and (3) explain how those facts lead to the
24 decision on compliance with the approval standards.
25 Sunnyside Neighborhood v. Clackamas Co. Comm., 280 Or 3, 20-
26 21, 569 P2d 1063 (1977); Heiller v. Josephine County, 23 Or
27 LUBA 551 556 (1992). Additionally, findings must address
28 and respond to specific issues, raised in the proceedings
29 below, that are relevant to compliance with applicable
30 approval standards. Hillcrest Vineyard v. Bd. of Comm.
31 Douglas Co., 45 Or App 285, 293, 608 P2d, 201 (1980);
32 Norvell v. Portland Area LGBC, 43 Or App 849, 853, 604 P2d

1 896 (1979); Skrepetos v. Jackson County, 29 Or LUBA 193, 208
2 (1995); McKenzie v. Multnomah County, 27 Or LUBA 523, 544-45
3 (1994); Heiller, supra, 23 Or LUBA at 556 (1992).

4 Assuming YCCP Section 1 B.1.c. is an applicable
5 criterion, the above-quoted finding is insufficient to
6 address it. The finding neither identifies the criterion,
7 relates it to facts believed and relied upon nor explains
8 how those facts lead to a decision on compliance with
9 approval standards. Intervenor urges us to use our
10 authority under ORS 197.829(2) and ORS 197.835(11)(b) to
11 interpret YCCP Section 1 B.1.c., make our own determination
12 that the challenged decision is correct, and, if YCCP
13 Section 1 B.1.c. applies, conclude that evidence in the
14 record supports the necessary findings.¹⁵ As we stated in
15 Marcott Holdings, Inc. v. City of Tigard, 30 Or LUBA 101,

¹⁵ORS 197.829(2) provides:

"If a local government fails to interpret a provision of its comprehensive plan or land use regulations, or if such interpretation is inadequate for review, the board may make its own determination of whether the local government decision is correct."

ORS 197.835(11)(b) provides:

"Whenever the findings are defective because of failure to recite adequate facts or legal conclusions or failure to adequately identify the standards or their relation to the facts, but the parties identify relevant evidence in the record which clearly supports the decision or a part of the decision, the board shall affirm the decision or the part of the decision supported by the record and remand the remainder to the local government, with direction indicating appropriate remedial action."

1 122-23 (1995), ORS 197.829(2) and ORS 197.835(11)(b) allow
2 us to remedy oversights and imperfections in local
3 government land use decisions. However, we need not take
4 over the responsibilities of local governments, such as the
5 interpretation of comprehensive plans and land use
6 regulations, the preparation of adequate findings and the
7 weighing of evidence. See also Squires v. City of Portland,
8 ___ Or LUBA ___ (LUBA No. 95-187, July 1, 1996), slip op 12
9 n4; Canby Quality of Life Committee v. City of Canby, 30 Or
10 LUBA 166, 173 (1995); Waugh v. Coos County, 26 Or LUBA 300,
11 306-08 (1993).

12 In the absence of a reviewable interpretation
13 concerning the applicability of YCCP Section 1 B.1.c., we
14 review to determine if it establishes approval criteria
15 pertinent to the subject application. O'Mara v. Douglas
16 County, 25 Or LUBA 25, 32, rev'd on other grounds, 121 Or
17 App 113, rev'g Court of Appeals, aff'g LUBA, 318 Or 72
18 (1993). The briefs contain extensive arguments on this
19 issue, none of which is conclusive in view of the governing
20 body's broad discretion in interpreting the applicability of
21 its plan and land use regulations. See DeBardelaben v.
22 Tillamook County, 142 Or App 319, 325, ___ P2d ___ (1996).
23 There is more than enough uncertainty concerning the
24 applicability of YCCP Section 1 B.1.c. to require we remand
25 the challenged decision to the county for an interpretation.

26 The second assignment of error is sustained.

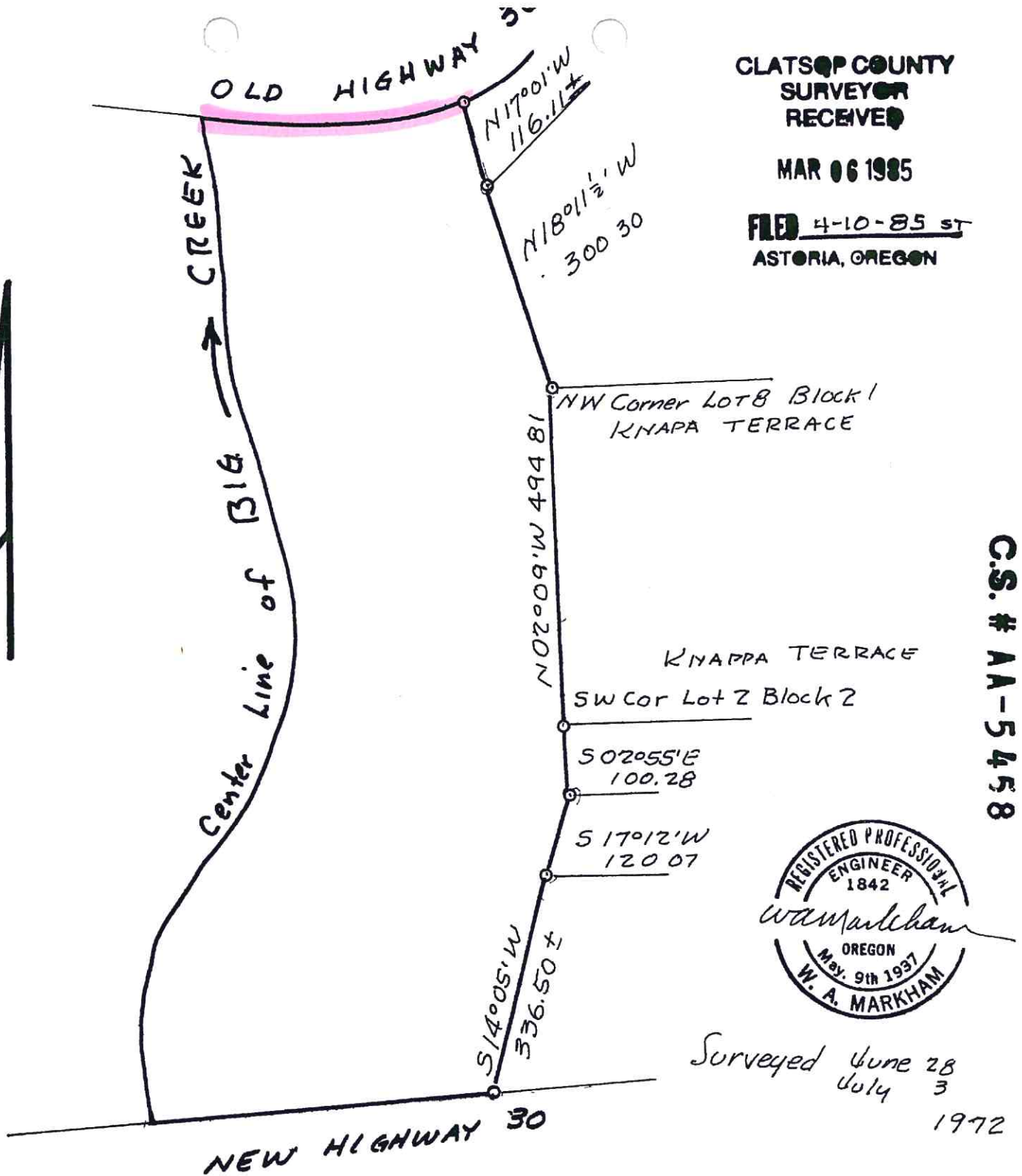
1 The county's decision is remanded.

CLATSOP COUNTY
SURVEYOR
RECEIVED

MAR 06 1985

FILED 4-10-85 ST
ASTORIA, OREGON

C.S. # AA-5458



S.E. 1/4 OF SECTION 18, T8N, R7W, W.M.

SURVEY FOR: HOWARD KEM

SURVEY BY: KARL F. FOESTE, 361 S.W. MAIN CT.

WARRENTON, OR 97146

DATE: 5/02/05

SCALE: 1" = 100'

REGISTERED
PROFESSIONAL
LAND SURVEYOR
KARL F. FOESTE
JUL 12, 1988
0849
RENEW 1/1/2006

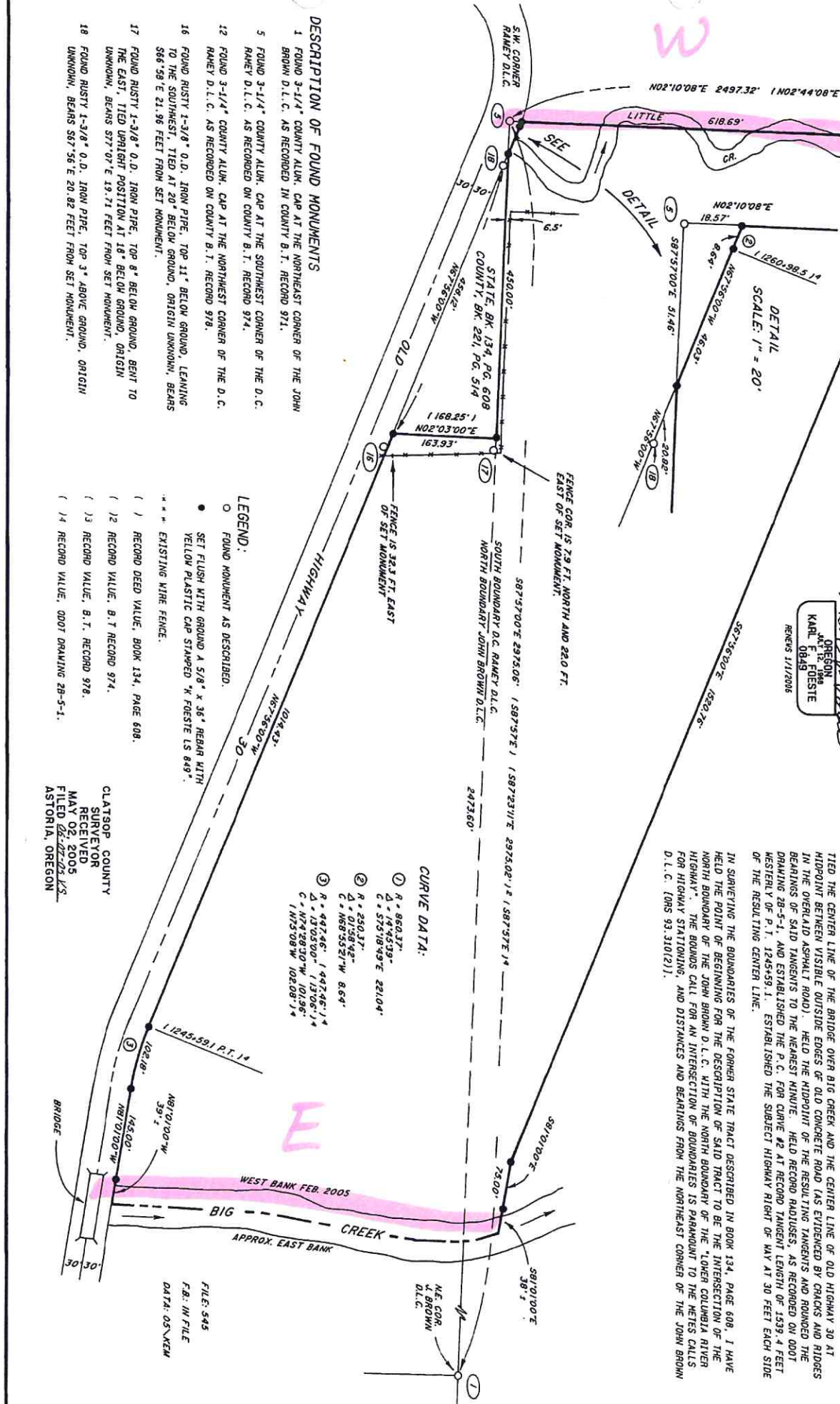
NARRATIVE:

PURPOSE OF SURVEY IS TO MONUMENT THE BOUNDARIES OF A TRACT OF LAND BOUNDED ON THE SOUTH BY THE NORTHERLY RIGHT OF WAY BOUNDARY OF THE OLD HIGHWAY 30; BOUNDED ON THE NORTH BY A LINE LOCATED PARALLEL WITH AND 640 FEET NORTH OF, WHEN MEASURED AT RIGHT ANGLES TO, THE CENTER LINE OF SAID HIGHWAY; BOUNDED ON THE EAST BY THE CENTER LINE OF BIG CREEK; AND BOUNDED ON THE WEST BY THE WEST BOUNDARY OF THE D.C. RAHEY DONATION LAND CLAIM IN SECTION 18, T8N, R7W, W.M.; EXCEPTING THEREFROM THAT TRACT OF LAND CONVEYED TO THE STATE OF OREGON BY DEED RECORDED IN BOOK 134, PAGE 608. THE SUBJECT TRACT OF LAND IS A PORTION OF THAT TRACT OF LAND CONVEYED TO HOWARD KEM BY INSTRUMENT NO. 200310129, RECORDS OF CLATSOP COUNTY, OREGON, AND IS THAT PORTION OF KEM'S LAND THAT IS ZONED "RA-2" (2 ACRE RESIDENTIAL AGRICULTURAL). THIS SURVEY MONUMENTS THE BOUNDARIES OF THE "RA-2" ZONE AND DOES NOT CONSTITUTE A PARTITION OR LOT LINE ADJUSTMENT.

THE BASIS OF BEARINGS IS ASSUMED RECORD BEARING, AS RECORDED ON OREGON STATE HIGHWAY DRAWING 28-5-1 AND IN DEED BOOK 134, PAGE 608, OF S87°57'E ALONG THE NORTH BOUNDARY OF THE JOHN BROWN D.L.C. (SOUTH BOUNDARY OF D.C. RAHEY D.L.C.).

TIED THE CENTER LINE OF THE BRIDGE OVER BIG CREEK AND THE CENTER LINE OF OLD HIGHWAY 30 AT MIDPOINT BETWEEN VISIBLE OUTSIDE EDGES OF OLD CONCRETE ROAD (AS EVIDENCED BY CRACKS AND RIDGES IN THE OVERLAYED ASPHALT ROAD). HELD THE MIDPOINT OF THE RESULTING TANGENTS AND ROUNDED THE BEARINGS OF SAID TANGENTS TO THE NEAREST MINUTE. HELD RECORD RADIIUSES, AS RECORDED ON 0001 DRAWING 28-5-1, AND ESTABLISHED THE P.C. FOR CURVE #2 AT RECORD TANGENT LENGTH OF 139.4 FEET WESTERLY OF P.T. 1245+59.1. ESTABLISHED THE SUBJECT HIGHWAY RIGHT-OF-WAY AT 30 FEET EACH SIDE OF THE RESULTING CENTER LINE.

IN SURVEYING THE BOUNDARIES OF THE FORMER STATE TRACT DESCRIBED IN BOOK 134, PAGE 608, I HAVE HELD THE POINT OF BEGINNING FOR THE DESCRIPTION OF SAID TRACT TO BE THE INTERSECTION OF THE NORTH BOUNDARY OF THE JOHN BROWN D.L.C. WITH THE NORTH BOUNDARY OF THE "LOWER COLUMBIA RIVER HIGHWAY". THE BOUNDS CALL FOR AN INTERSECTION OF BOUNDARIES IS PARAMOUNT TO THE METES CALLS FOR HIGHWAY STATIONING, AND DISTANCES AND BEARINGS FROM THE NORTHEAST CORNER OF THE JOHN BROWN D.L.C. (DMS 93.310(2)).



DESCRIPTION OF FOUND MONUMENTS

- 1 FOUND 3-1/4" COUNTY ALUM. CAP AT THE NORTHEAST CORNER OF THE JOHN BROWN D.L.C. AS RECORDED IN COUNTY B.T. RECORD 971.
- 2 FOUND 3-1/4" COUNTY ALUM. CAP AT THE SOUTHWEST CORNER OF THE D.C. RAHEY D.L.C. AS RECORDED ON COUNTY B.T. RECORD 974.
- 3 FOUND 3-1/4" COUNTY ALUM. CAP AT THE NORTHEAST CORNER OF THE D.C. RAHEY D.L.C. AS RECORDED ON COUNTY B.T. RECORD 978.
- 4 FOUND RUSTY 1-3/8" O.D. IRON PIPE, TOP 11" BELOW GROUND, LEANING TO THE SOUTHWEST, TIED AT 20" BELOW GROUND, ORIGIN UNKNOWN, BEARS S77°07'E 19.71 FEET FROM SET MONUMENT.
- 5 FOUND RUSTY 1-3/8" O.D. IRON PIPE, TOP 8" BELOW GROUND, BENT TO THE EAST, TIED UPRIGHT POSITION AT 18" BELOW GROUND, ORIGIN UNKNOWN, BEARS S77°07'E 19.71 FEET FROM SET MONUMENT.
- 6 FOUND RUSTY 1-3/8" O.D. IRON PIPE, TOP 3" ABOVE GROUND, ORIGIN UNKNOWN, BEARS S67°56'E 20.82 FEET FROM SET MONUMENT.

LEGEND:

- FOUND MONUMENT AS DESCRIBED.
- SET FLUSH WITH GROUND A 5/8" X 3/4" BEAR WITH YELLOW PLASTIC CAP STAMPED "K. FOESTE LS 849".
- EXISTING WIRE FENCE.
- () RECORD DEED VALUE, BOOK 134, PAGE 608.
- () RECORD VALUE, B.T. RECORD 974.
- () RECORD VALUE, B.T. RECORD 978.
- () RECORD VALUE, 0001 DRAWING 28-5-1.

CLATSOP COUNTY
SURVEYOR
RECEIVED
MAY 02, 2005
FILED 05-22-2005
ASTORIA, OREGON

C.S. # A1-3278

CLARENCE J. BARENSE TRACT
TO CHARLES C. FENSKE

SEC 17-18 T8N R7W SCALE 1"=100'



June 3, 1968

CLATSOP COUNTY
SURVEYOR
RECEIVED

MAR 06 1985

FD 4-10-85 ST
ASTORIA, OREGON

C.S. # A1-3278



Description for tract:

"Beginning at the Northeast corner of the Fenske tract, as described in deed recorded in Book 293, page 276, DR of Clatsop County, which corner is located West 523.4 feet, and South 56.2 feet, from the Northeast corner of the John Brown Donation Land Claim, in Section 17, T8N, R7W, W.M.; and running thence South 52°52' East, 122.57 feet; thence South 01°48' East, parallel to the East line of the Fenske tract, to the Northernly line of the Old Columbia River Highway, now a County Road; thence following the north line of said Highway, westerly, to the Southeast corner of the Fenske tract; thence, following the east line of the Fenske tract, North 01°48' West, to the Point of Beginning."

SANDLAKE ROAD, Cloverdale, OR 97112

03-778 Land-Residential Closed \$110,000



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 175 14th Street, Ste. 120
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Remarks/Concessions: SOLD!		BA Comm: 3.15	Commission Code: None
Owner: BAUER	Owner Phone:		
Lot Size: View: None	Lot Acres: 20 View 2: None	Frontage: None	
Area: Out-Of-Area 'South'	County: Tillamook	Zoning: EFU	
Assessed Valuation:	Taxes: 540.23	Tax Year: 2001	
Tax Remarks:	Subdivision: NONE	Account ID: 202541	
CC & R: NO	Cross Street:	Historic Designation: No	
Geo Lat: 45.322400	Geo Lon: -123.890300		
Public Remarks: WOODED GLADE! SECLUDED CLEARING SURROUNDED BY MAPLES, SPRUCE, ALDER & CEDAR IS PERFECT HIDDEN HOMESITE. 20 LEVEL ACRES IS STONES THROW FROM SAND DUNE PLAY AREA & LESS THAN 2 MILES FROM CAPE LOOKOUT STATE PARK. POWER AT STREET. WILL NEED WELL. SELLER WILL GET SEPTIC SITE ANALYSIS W/ACCEPTABLE OFFER. CRUISE ON FILE. WILL MEET CRITERIA FOR TEMPLATE TEST...OK FOR HOMESITE. Private Remarks: Legal: BK 352, PG 906 Directions: HWY 101, W ON SANDLAKE RD. APPROX 800' W OF 3-WAY JUNCTION OF CAPE LOOKOUT.			
Listing Type: Listing Type: Exclusive Right to Sell Tax Record: Tax Map: 3S-10-17-301; Tax Lot: 301		Miscellaneous: Corner Stakes: Yes; Survey: Yes; Grade: On; Street Surface: Paved; MFG Home Friendly?: Unknown; Sign: Yes Utilities: Water: None; Electric: At Street; Gas: None; Sewer: Septic; Septic: Not Applied For	
Financial: Encumbrance Type: FREE & CLEAR Seller Terms: Cash; Conventional			
Begin Date: 11/17/2001	Agent Days On Market: 660	List Price: 119,000	
Original List Price: 119,000	Sold Date: 09/08/2003	Sold Price: 110,000	
Under Contract Date: 06/05/2003	Status Change Date: 09/09/2003		
LA: Margaret Page; (503)842-0101; cbever@wcn.net LO: Coldwell Banker Evergreen Realty; (503)842-0101; cbevergreen@oregoncoast.com		SA: Margaret Page; (503)842-0101; cbever@wcn.net SO: Coldwell Banker Evergreen Realty; (503)842-0101; cbevergreen@oregoncoast.com	

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Old Vesper Rd, Birkenfeld, OR 97016

03-796 Land-Residential Closed \$141,000



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Remarks/Concessions: none		BA Comm: 2.70	Commission Code: None
Owner: Barker	Owner Phone:		
Lot Size: Mountain	Lot Acres: 62.46	Frontage: River	
View:	View 2: Valley		
Area: Elsie/Jewell	County: Clatsop	Zoning: EFU	
Assessed Valuation:	Taxes: 176.77	Tax Year: 2003	
Tax Remarks:	Subdivision: none	Account ID: 7526/7527	
CC & R: NO	Cross Street: Northrup Creek Rd	Historic Designation: No	
Geo Lat: 45.994600	Geo Lon: -123.393600		
Public Remarks: Over 62 acres in a peaceful setting on the Nehalem River. Two barns, one in good shape, the other needs work. Fenced for cattle. Zoned EFU.			
Private Remarks:			
Legal: call listing office			
Directions: Hwy 202 to Northrup Creek Rd to Old Vesper 77 to sign			
Listing Type: Listing Type: Exclusive Right to Sell Tax Record: Tax Code: 0803; Tax Map: 60623AD/60623AA; Tax Lot: 600 Legal: Addition: call listing office		Miscellaneous: Exclusions: Mare Auerbach; Inclusions: None; Corner Stakes: No; Survey: No; Grade: On; Street Surface: Gravel; MFG Home Friendly?: Yes; Sign: Yes Utilities: Water: Well; Electric: At Street; Gas: None; Sewer: Septic; Septic: Not Applied For	
Financial: Encumbrance Type: FREE & CLEAR; Escrow Preference: Pacific Seller Terms: Submit			
Begin Date: 06/12/2003	Agent Days On Market: 131	List Price: 149,000	
Original List Price: 149,000	Sold Date: 10/21/2003	Sold Price: 141,000	
Financing: SellerN&TD	Under Contract Date: 07/11/2003	Contingent: Yes	
Contingent Remarks: conditional use per.	Status Change Date: 10/21/2003		
LA: Pam Birmingham		SA: Rayella Oppenlander	
LO: Pete Anderson Realty Seaside; (503)738-9531; parss@pacifier.com		SO: Pete Anderson Realty Seaside; (503)738-9531; parss@pacifier.com	

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V/L Adj. to 87834 Lewis & Clark Road, Astoria, OR 97103

17-1752 Land-Residential Closed \$75,000



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Remarks/Concessions:**BA Comm:**

2.7

Commission**Co-listing****Owner:**The Linda A. Praus
RLT**Owner Phone:****Code:****Lot Size:****View:**

Valley

Lot Acres:

21.54

View 2:

Woods

Frontage:

None

Area:Lewis&Clark/Youngs
River**County:**

Clatsop

Zoning:

EFU

Assessed Valuation:**Taxes:**

71.78

Tax Remarks:**Subdivision:**

No

CC & R:

UNKNOWN

Cross Street:**Tax Year:**

2017

Account ID:

16027

**Historic
Designation:**

Unknown

Geo Lat:

46.047682

Geo Lon:

-123.855905

Public Remarks: Desire to be away from it all but yet in close proximity to Astoria & Seaside. Build your private country retreat on 21.54 acres on Lewis & Clark Road & It's a Dream Come True! Imagine enjoying beautiful tranquil mornings & peaceful stargazing evenings while just a short distance to all the activities the area has to offer. This special location & amazing country setting will provide you a Wonderful Pacific Northwest Lifestyle. Buyer to Complete Due Diligence. Property Boundaries Depicted are an Estimate MOTIVATED SELLER!

Private Remarks: Art McMullen, of McMullen Drilling Corp, can be reached @ 503-397-2356 to inquire about the cost of a well for this site. LNG had proposed a gas pipeline through the property but was denied by County Land Use. Approval to Construct Approach Road. Lot of Record Determination. Please see docs

Legal: TX Map 7093100 TX Lot 00500

Directions: Approximately 9 miles from Miles Crossing on Lewis & Clark Rd. to property on the right.

Listing Type: Listing Type: Exclusive
Right to Sell

Tax Record: Account ID Remarks:
16027,51819; Tax Map: 7093100; Tax Lot:
00500

Miscellaneous: Corner Stakes: No;
Survey: No; Grade: On; Street Surface:
Paved; MFG Home Friendly?: Unknown;
Sign: Yes
Utilities: Water: None; Electric: At Street;
Gas: None; Sewer: None; Septic: Not
Applied For

Financial: Foreclosure: No; Bank Owned:
No; Short Sale: No; Encumbrance Type:
FREE & CLEAR; Escrow Preference:
Ticor Title
Seller Terms: Cash; Conventional

Begin Date: 01/18/2018**Agent Days On
Market:** 622**List Price:** 159,900**Original List Price:** 179,900**Sold Date:** 10/02/2019**Sold Price:** 75,000**Financing:** Cash**Under Contract
Date:** 09/16/2019**Contingent:** Yes**Contingent
Remarks:** Inspection**Status Change
Date:** 10/02/2019

LA: Elaine Rusinovich; (503)741-0452;
elainerusinovichbroker@hotmail.com

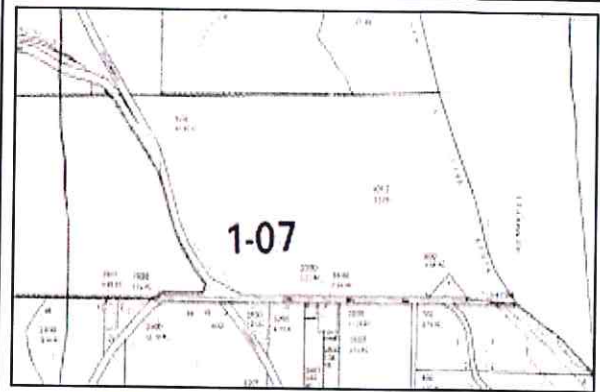
SA: Jesse Taylor; (503)440-7564; jesset711@hotmail.com**CSA:** Kerri Wright; (503)440-9308; wright2046@msn.com**LO:** Pacific Pro Realty; (503)468-0915; clpc9@hotmail.com**SO:** Omega Realty; (503)717-8223; Wright2046@msn.com

Ft Clatsop Rd Near 91337, Astoria, OR 97103

03-631 Land-Residential Closed \$200,000



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Remarks/Concessions: None		BA Comm: 4.5	Commission Code: None
Owner: Trails End Fur Farm	Owner Phone:		
Lot Size: View: Lewis & Clark River	Lot Acres: 68.96 View 2: None	Frontage: River	
Area: Lewis&Clark/Youngs River	County: Clatsop	Zoning: EFU	
Assessed Valuation: Taxes deferred	Taxes: 996	Tax Year: 2003	
Tax Remarks: NO	Subdivision: none	Account ID: 16660/16661	
CC & R: NO	Cross Street:	Historic Designation: No	
Geo Lat: 46.114600	Geo Lon: -123.875200		
Public Remarks: On farm-deferral status. Property not buildable without rezoning. Approximately half timber and half pasture, river frontage. Electric and water, outbuildings on property. RMV \$269,421. *Check with listing agent before writing offers*			
Private Remarks:			
Legal: Bk 418 pgs 483-484 CCCR			
Directions: Lewis & Clark Rd, over bridge, right on Ft Clatsop Rd to property			
Listing Type: Listing Type: Exclusive Right to Sell		Miscellaneous: Exclusions: D.Falleur til 6/30; Inclusions: Sold 'as-is'; Corner Stakes: No; Survey: No; Grade: On; Cable TV: No; Street Surface: Paved; MFG Home Friendly?: No; Sign: Yes	
Tax Record: Tax Code: 0107/0102; Tax Map: 71012CA/71012DB; Tax Lot: 500		Financial: Encumbrance Type: FREE & CLEAR; Escrow Preference: Fidelity	
Legal: Book/Page: 418/483-484		Seller Terms: Cash; Conventional	
Begin Date: 05/10/2003	Agent Days On Market: 17	List Price: 225,000	
Original List Price: 225,000	Sold Date: 05/27/2003	Sold Price: 200,000	
Financing: cash	Under Contract Date: 05/20/2003	Status Change Date: 05/28/2003	
LA: Mary Ann Ylipelto; (800)325-6840; maryanny@pacifier.com		SA: Laurie Duey; (503)325-6848; lduey10@gmail.com	
LO: AREA Properties; (503)325-6848; hostmaster@areaproperties.com		SO: AREA Properties; (503)325-6848; hostmaster@areaproperties.com	

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92878 Adj to Waterhouse Rd, Astoria, OR 97103

20-889 Land-Residential Pending \$245,000



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Remarks/Concessions:		BA Comm: 2.7	Commission Code:	Co-listing
Owner: Brotherton Joy R	Owner Phone:			
Lot Size: Creek	Lot Acres: 4	Frontage: Creek		
View: Creek	View 2: None			
Area: Knappa/Svensen	County: Clatsop	Zoning: EFU		
Assessed Valuation:	Taxes: 42.35	Tax Year: 2017		
Tax Remarks:	Subdivision: on file	Account ID: 19410		
CC & R: NO	Cross Street: Old Hiway 30	Historic Designation: No		
Geo Lat: 46.172723	Geo Lon: -123.590591			
Public Remarks: Beautiful acreage fronting Big Creek, featuring rock driveway, replanted trees, and lot of record determination.				
Private Remarks:				
Legal: Exhibit A				
Directions: NW corner of Waterhouse Rd. and Old Highway 30.				
Listing Type: Listing Type: Exclusive Right to Sell		Miscellaneous: Exclusions: Those of record; Inclusions: Those of record; Corner Stakes: No; Survey: No; Grade: Below; Cable TV: Available; Street Surface: Paved; MFG Home Friendly?: Yes; Sign: Yes		Financial: Foreclosure: No; Bank Owned: No; Short Sale: No; Encumbrance Type: FREE & CLEAR; Escrow Preference: Tigor Title Co.
Tax Record: Tax Map: 8071900; Tax Lot: 00700		Utilities: Water: At Street; Electric: At Street; Gas: None; Sewer: None; Septic: Not Applied For		Seller Terms: Cash; Conventional
Begin Date: 08/18/2020	End Date: 02/18/2021	Agent Days On Market: 219		
List Price: 245,000	Original List Price: 245,000	Under Contract Date: 10/11/2020		
Contingent: Continue to Show	Contingent Remarks: bldg permits, financ	Status Change Date: 10/14/2020		
LA: Kathren Rusinovich; (503)338-2245; maukate1@gmail.com LO: Windermere Community Realty; (503)325-5111; astoria@windermere.com				

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42726 Mullenbach Ln, Seaside, OR 97138

19-43 Land-Residential Closed \$285,000



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Remarks/Concessions:		BA Comm: 2.25%	Commission Code:	Co-listing
Owner: Lucia	Owner Phone:			
Lot Size:		Lot Acres: 41.28	Frontage:	None
View: None		View 2: None		
Area: Elsie/Jewell	County: Clatsop	Zoning: EFU		
Assessed Valuation:	Taxes: 416.31	Tax Year: 2017		
Tax Remarks:	Subdivision: Jewell	Account ID: 3611		
CC & R: NO	Cross Street: Hwy 103	Historic Designation: No		
Geo Lat: 45.892407	Geo Lon: -123.542005			
<p>Public Remarks: Beautiful 40+ acres of farmland. Located in the heart of the Nehalem Valley where you can truly get away from it all, however, still be within 30 minutes of the Ocean and 45 minutes from Hillsboro shopping. Within walking distance to the Nehalem River for summertime swimming and floating. Plenty of space for whatever your dreams may be - farming, ranching, horse property, or hunting retreat. Located in the Jewell School district and only a 10 minute drive to local stores and restaurants. If you dream of wide open spaces this is the property for you! All utilities are currently located on the property as well as a shop and small barn space. All you need to bring are your dreams!</p> <p>Private Remarks: Property is currently zoned EFU. Buyer to complete due diligence regarding building in EFU zone. Call Ann or Rene for more information.</p> <p>Legal: See Exhibit A</p> <p>Directions: Hwy 26 to Hwy 103, to Mullenbach Ln. First property on the right.</p>				
Listing Type: Listing Type: Exclusive Right to Sell Tax Record: Tax Map: 5072700; Tax Lot: 00306		Miscellaneous: Corner Stakes: No; Survey: No; Grade: On; Street Surface: Paved; MFG Home Friendly?: Unknown; Sign: No Utilities: Water: Well; Electric: On Property; Gas: None; Sewer: Septic		Financial: Foreclosure: No; Bank Owned: No; Short Sale: Yes; Encumbrance Type: NON-ASSUMABLE Seller Terms: Cash; Conventional; Other
Begin Date: 01/18/2019	Agent Days On Market: 332	List Price: 309,000		
Original List Price: 309,000	Sold Date: 07/05/2019	Sold Price: 285,000		
Financing: Convention	Under Contract Date: 04/30/2019	Contingent: Yes		
Status Change Date: 07/06/2019				
LA: Rene Alfonse; (503)739-2494; renealfonse@gmail.com CLA: Ann Samuelson LO: Realty One Group Prestige; (503)957-1179; marcus@rogprestige.com		SA: Jerry Regan; (503)739-1022; jerry@jerryregan.com SO: John L Scott; (503)717-1799; seaside@johnlscott.com		

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VL Lewis & Clark Rd., Astoria, OR 97103

08-1926 Land-Residential Closed \$350,000



Provided as a courtesy of
Kathren J. Rusinovich, ABR
 Windermere Community Realty
 175 14th Street, Ste. 120
 ASTORIA, OR 97103
 Mobile - (503) 338-2245
mauikate1@gmail.com
<http://www.windermere.com>
 License #: 870800221



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Remarks/Concessions:		BA Comm: 2.25	Commission Code:	Co-listing
Owner: Filliger	Owner Phone:			
Lot Size:		Lot Acres: 92.66	Frontage:	River
View: None		View 2: None		
Area: Lewis&Clark/Youngs River	County: Clatsop	Zoning:	EFU	
Assessed Valuation:		Taxes: 79.34	Tax Year:	2007
Tax Remarks: Also incl \$365.23	Subdivision: N/A	Account ID:	55676 & 32880	
CC & R: NO	Cross Street:	Historic Designation:	No	
Geo Lat: 46.139077	Geo Lon: -123.856828			
Public Remarks: VL located on Lewis and Clark Rd., 92.66 acres Zoned EFU				
Private Remarks:				
Legal: Metes and Bounds				
Directions: From Astoria on L&C Rd., just past Lyngstad Heights on the right.				
Listing Type: Listing Type: Exclusive Right to Sell		Miscellaneous: Corner Stakes: No; Survey: No; Grade: Below; Street Surface: Paved; MFG Home Friendly?: No; Sign: Yes		Financial: Encumbrance Type: NON-ASSUMABLE
Tax Record: Tax Map: 8-09-31 & 8-10-36; Tax Lot: 5200 & 200		Utilities: Water: None; Electric: At Street; Gas: None; Sewer: None		Seller Terms: Cash
Begin Date: 09/25/2008	Agent Days On Market: 60	List Price:	350,000	
Original List Price: 350,000	Sold Date: 11/24/2008	Sold Price:	350,000	
Financing: Note	Under Contract Date: 09/25/2008	Status Change Date:	12/03/2008	
LA: Barbara Maltman; (503)717-2154; bmaltman@windermere.com		SA: Lawrence Popkin		
CLA: Deanna Evans; (503)440-2842; deanna@theoregonshore.com		SO: AREA Properties; (503)325-6848; hostmaster@areaproperties.com		
LO: Windermere Realty Trust; (503)738-8522; gearhart@windermere.com				

Information is deemed to be reliable, but is not guaranteed. © 2021 MLS and FBS. Prepared by Kathren J. Rusinovich, ABR, Licensed Since 1987 on Thursday, March 25, 2021 10:03 PM. The information on this sheet has been made available by the MLS and may not be the listing of the provider.

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
1		\$174,000 92170 CUB DR OR Closed / 99-21	247	Inactive Member Prudential Gardner Real Estate	175,000	179,500	CLAYTON	E ON HWY 30, S AT SVENSEN EXIT, E ON SIMONSEN LOOP RD	Y	Fin
2		\$170,500 42568 STRINGTOWN LN Astoria, OR 97103 Closed / 05-842	146	Inactive Member Pete Anderson Realty, Inc.	172,900	172,900	Mortgage Guaranty Insurance Co	Hwy 30 to Valley Creek (1st exit), left to Stringtown Lane to home on right.	Y	fin
3		\$190,000 92350 Abbott Rd Astoria, OR 97103 Closed / 16-481	417	Inactive Member 503-201-9084 brooke@myjonesrealtor.com http://www.myjonesrealtor.com/ Pacific Pro Realty	219,900	219,900	Bogges Linda Gail	Hwy 30 East, Right on Abbott Rd, Right at fork where road becomes gravel, 2nd sweeping right to home at end.		
4		\$305,000 92380 Abbott Rd Astoria, OR 97103 Closed / 16-345	60	Inactive Member RE/MAX River & Sea	315,000	315,000	Taylor William K/Judy M	HWY 30 EAST, 1ST RIGHT PAST KNAPPA TO PROPERTY NEAR END OF THE ROAD ON THE RIGHT.	Y	Fir
5		\$399,000 92524 Abbott Rd Astoria, OR 97103 Pending / 21-222 Y	17	Carla Martens-Sowins 503-440-1870 CARLA_SOWINS@msn.com http://www.sowinsrealtor.com Sowins Real Estate & Property Management	399,000	399,000	Zweber Thomas E	Hwy 30 past the Logger -right on Abbott to address on right. 1st driveway past Tiffany Rd.	Y	Ins
6		\$253,500 92496 ABBOTT RD Astoria, OR 97103 Closed / 06-605	98	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	259,000	259,000	McElroy	Hwy 30 east to Abbott, south to property	Y	Ins
7		\$227,000 91740 Ackerstadt Rd Astoria, OR 97103 Closed / 02-401	249	Inactive Member Pete Anderson Realty, Inc.	247,500	247,500	Alban	Hwy 30 to Svensen to Hillcrest Loop to Ackerstadt to home on right	y	ins
8		\$314,000 91666 Akerstedt Rd Astoria, OR 97103 Closed / 17-1078	0	Elaine Rusinovich 503-741-0452 elainerusinovichbroker@hotmail.com Pacific Pro Realty	314,000	314,000	McKee White Kathleen J	Hwy 30 to Svensen Junction. Left on Old Hwy 30. Right on Hillcrest Loop. Right on Akerstedt Rd. Right at dead end to subject property at dead end.		
9		\$217,000 91911 AKERSTADT RD Astoria, OR 97103 Closed / 03-1051	38	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	220,000	220,000	WFCU	Hillcrest to Akerstadt to top of hill on left.	y	ins
10		\$386,000 91911 AKERSTADT RD Astoria, OR 97103 Closed / 06-179	174	Inactive Member Lewis & Clark Real Estate & Property Management	384,900	384,900	Hamlin	East Hwy 30, right at Svensen light, left at stop, right on Hillcrest, right on Akerstadt	Y	72
11		\$115,100 92052 AKERSTADT RD Astoria, OR 97103 Closed / 03-1054	96	Inactive Member 503-325-6848 thepopkinteam@yahoo.com http://www.areaproperties.com AREA Properties	109,900	109,900	Homesteps	Call listing office		
12		\$267,000 92085 AKERSTADT RD Astoria, OR 97103 Closed / 08-1610	133	Inactive Member AREA Properties	269,000	289,000	Beatty	Old Hwy 30 to Hillcrest Loop Rd on the corner of Akerstadt & Hillcrest.	Y	Fir

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent Co
13		\$150,000 92052 AKERSTEDT RD Astoria, OR 97103 Closed / 05-289	75	Inactive Member 503-325-6848 thepopkinteam@yahoo.com http://www.areaproperties.com AREA Properties	155,000	155,000	Culver-Reeves	Hwy 30 to Svensen, R at intersection, L at stop sign, R on Hillcrest Loop, R on Akerstedt Rd to property on R	N
14		\$248,400 94307 Aldrich Point Rd Astoria, OR 97103 Closed / 20-292	74	Leigh Mortlock 503-453-6269 leigh@liveastoria.com http://www.liveastoria.com eXp Realty LLC	249,900	249,900	Benjamine & Carrie Palenske	Hwy 30 to Ziak-Gnat Creek Rd. Right on Aldrich Pt. House on Right.	Y
15		\$345,000 95223 Aldrich Point Rd Astoria, OR 97103 Closed / 17-1060	32	Inactive Member Windermere Realty Trust Pam Ackley	379,900	379,900	Lampi Melvin George	Ziak Gnat Creek Rd to Aldrich Point Rd approx 5 miles to last home on the right just past the large dairy farm	N
16		\$405,000 95223 Aldrich Point Rd Astoria, OR 97103 Closed / 20-43	489	Rene Alfonse 503-739-2494 renealfonse@gmail.com http://www.renealfonse.com Realty One Group Prestige	410,000	425,000	James Lauren	Hwy 30 to Ziak Gnat Creek, Right on Aldrich Point to Property on Right approx 5 miles	Y
17		\$180,000 94307 Aldrich Point Road Astoria, OR 97103 Closed / 08-1942	62	Inactive Member 503-338-5200 jvh@riverandsea.net http://www.riverandsea.net RE/MAX River & Sea	187,695	187,695	Copper Joseph C/Adams Millie	Hwy 30 to Ziak-Gnat Creek Rd. Right on Aldrich Pt. House on Right.	Y
18		\$640,000 40481 Alton Ln Astoria, OR 97103 Closed / 17-1671	243	Debra Bowe deb@debbowe.com Windermere Community Realty	676,000	668,000	Acord Lonnie T/Audrey G. Acord	Highway 30 to Svensen Junc. South to stop. East on Old Hwy. 30 to Pearson Rd. Continue North on Pearson staying right until Alton Lane sign appears on left (private lane). Proceed north to property at end of lane.	N
19		\$81,500 94307 ALDRICH POINT RD Astoria, OR 97103 Closed / 03-1100	85	Inactive Member 503-440-7727 andimac@pacifier.com http://www.andimacbroker.com Pete Anderson Realty, Inc.	86,000	86,000	Sutherland	East on Hwy 30 apprx. 20 miles, North on Brownsmead turn-off onto Ziak-Gnat Creek Rd. Right onto Adrich Point Rd. across bridge to house.	Y
20		\$155,000 94307 ALDRICH POINT RD Astoria, OR 97103 Closed / 06-1212	117	Inactive Member Pete Anderson Realty, Inc. Inactive Member	159,500	159,500	Stark Lucinda L	E on Hwy 30 about 20 miles from Astoria. Left at Brownsmead (Ziak-Gnat Creek Rd). Right at Aldrich Point. Across bridge to house.	Y
21		\$262,500 93005 Amie Loop Astoria, OR 97103 Closed / 06-500	47	Inactive Member RE/MAX River & Sea	269,000	269,000	Miethe	Abbott to Bagley to Donald Marshall Lane	N
22		\$212,800 92939 Amie Lp Astoria, OR 97103 Closed / 13-974	388	Inactive Member 503-440-0577 mapittard@gmail.com RE/MAX River & Sea Inactive Member RE/MAX River & Sea	224,900	229,000	Jones	Hwy 30 to Abbott, R on Bagley, L on Donald Marshall to Amie Loop	Y
23		\$359,000 93073 Amie Lp Astoria, OR 97103 Closed / 20-705	59	Shannon Fitzpatrick 503-336-9303 shannon@pcm-usa.com http://www.PCM-USA.com Pacific Capital Management	359,000	359,000	Eric & Amanda Kitchen	Turn North on Abbot Rd, Right on Bagley Lane, Left onto Donald Marshall Road, stay Right at Dale Lane, and Left at Amie Loop. First Driveway on Left.	S

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
24		\$296,000 93073 Amie Lp Astoria, OR 97103 Closed / 17-1542	94	Abby Rusinovich 503-338-9800 abbymrusinovich@hotmail.com Pacific Pro Realty	299,999	310,000	Jackson James C	From Hwy 30 turn North on Abbott Rd to Right on Bagley Ln to Left on Donald Marshall Rd to Left on Amie Lp to subject property on the Left		
25		\$223,000 93057 Amie Loop Astoria, OR 97103 Closed / 05-1586	96	Inactive Member 503-325-6848 thepopkinteam@yahoo.com http://www.areaproperties.com AREA Properties Inactive Member	269,000	269,000	Dailey	Hwy 30, L on Abbott Rd, R on Bagley, L on Dale to Amie Loop, 2nd house on L	Y	Ins
26		\$257,500 92893 AMIE LOOP Astoria, OR 97103 Closed / 08-338	140	Inactive Member 503-338-5200 mirandahelligso@gmail.com http://www.riverandsea.net RE/MAX River & Sea	257,500	265,900	Campbell/Davis	Hwy 30 to L. Abbot, R. Bagley, L. Donald Marshall to Amie Loop	Y	Ins
27		\$198,000 92901 AMIE LOOP Astoria, OR 97103 Closed / 08-1874	275	Inactive Member RE/MAX River & Sea	205,000	254,000	Brooks, Dewey & Ofelia	Hwy 30 to L. Abbott, R Bagley, L Donald Marshall to Amie Loop	Y	
28		\$259,900 92917 AMIE LOOP Astoria, OR 97103 Closed / 07-1265	223	Inactive Member RE/MAX River & Sea	259,900	284,900	Johnson T Construction Inc	East on HWY 30 left on Abbott, right on Bagley, left on Donald Marshall and right on Amie loop to property on right	Y	Ins
29		\$269,000 92931 AMIE LOOP Astoria, OR 97103 Closed / 07-1264	94	Inactive Member RE/MAX River & Sea	269,900	274,900	Johnson T Construction Inc	East on HWY 30 to L. Abbot R. Bagley L. Donald Marshall to Amie Loop.	Y	Ins
30		\$69,000 43938 Anderson Ln Astoria, OR 97103 Closed / 11-997	285	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	69,900	128,000	FHLMC	Brownsmead Hill Rd to Aldrich Point to Anderson Lane.		
31		\$90,000 40142 Angberg Lane Astoria, OR 97103 Closed / 04-466	136	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties	89,500	94,500	CA Union Properties	Hwy 30 to Svensen Market Rd, Left on Angberg Lane	Y	Ins
32		\$161,000 40141 Angberg Ln Astoria, OR 97103 Closed / 14-16	63	Inactive Member 503-470-9097 rowenaareaproperties@gmail.com AREA Properties	164,900	164,900	Fannie Mae	Hwy 30 to Svensen Market, S to Angberg Ln 1/4 mile, house on left.	Y	Fir
33		\$35,000 40142 Angberg Ln Astoria, OR 97103 Closed / 03-1382	164	Inactive Member 503-861-3053 glweaver@freedomnw.com Seaside Realty, Inc.	52,800	66,000	HUD	Hwy 30 to Svensen Market Rd to Angberg to address	y	
34		\$114,500 40141 Angberg Ln Astoria, OR 97103 Closed / 01-512	171	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	114,500	119,000	Morrill	Hwy 30 to Svenson, Right to property on Svenson Market Road.	Y	Fir
35		\$169,000 42045 Bachman Ln Astoria, OR 97103 Closed / 12-349	172	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	169,900	169,900	B of A	Hwy 30 east, right @ Knappa junction approx 1.5 mile to Bachman Ln.	Y	
36		\$194,000 42125 Bachman Ln Astoria, OR 97103 Closed / 12-1266	75	Inactive Member Coldwell Banker Kent Price Realty	194,900	194,900	Fannie Mae	E on Hwy 30 to Knappa. Right at flashing light. 1/2 mile then turn left on Bachman Ln.	Y	fin

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
37		\$304,999 42125 Bachman Ln Astoria, OR 97103 Closed / 16-751	174	Inactive Member RE/MAX River & Sea	304,999	330,000	Brown	East on Hwy 30, R on Hillcrest Loop, L on Bachman Ln to property.	Y	Fir
38		\$191,000 42410 Bagley Lane Astoria, OR 97103 Closed / 03-161	121	Inactive Member leespang@gmail.com AREA Properties	225,000	199,500	First Indiana Bank	Abbott Rd East on Bagley		
39		\$381,000 42149 Bagley Ln Astoria, OR 97103 Closed / 21-14	43	Kathy Whitsett 503-338-3882 kathywhitsett@outlook.com eXp Realty LLC	360,000	360,000	Josh & Erin McCarty	East on Hwy 30 to L on Old Hwy 30, R on Knappa Dock Rd to R on Bagley, home on left	Y	
40		\$250,000 42149 Bagley Ln Astoria, OR 97103 Closed / 16-654	49	Kristen Benton 503-741-0262 kristen.benton2@gmail.com Windermere Realty Trust	258,000	258,000	Thorne Anthony J	N. Hwy 30 Left onto Old Hwy 30, Right onto Knappa Dock Rd. Right onto Bagley. Property on left of road.	Y	Ins
41		\$185,000 42176 Bagley Ln Astoria, OR 97103 Closed / 10-880	807	Rosalie McCleary 503-791-3070 rosaliemccleary@gmail.com http://www.RealtorRosalieMcCleary.com Pete Anderson Realty, Inc. Victor Kee	195,000	249,000	Shirley High	North at Knappa light. Right on Knappa Dock Road. Right on Bagley Lane. House on right side.		
42		\$331,000 42186 Bagley Ln Astoria, OR 97103 Closed / 18-1610	91	Inactive Member RE/MAX River & Sea	345,000	345,000	Russell Hanson	South at Knappa intersection, right on Knappa Dock Rd., right on Bagley Ln., to home on right.	Y	Hc
43		\$212,700 42186 Bagley Ln Astoria, OR 97103 Closed / 18-305	106	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Inactive Member	197,500	197,500	MTGLQ Investors LP	Hwy 30 E, left onto Abbott Rd, straight to Bagley Ln to home on left.	N	
44		\$252,500 42263 Bagley Ln Astoria, OR 97103 Closed / 11-914	106	Inactive Member RE/MAX River & Sea Inactive Member	267,000	267,000	Rund	Hwy 30, Left on Bagley Ln, property on Right.	Y	Ins
45		\$295,000 42263 Bagley Ln Astoria, OR 97103 Closed / 16-126	232	Barbara Scott 503-791-3802 oceanfrontbarb@gmail.com http://www.searchseaside.com & www.searchallcannonbeachhomes.com Barbara Scott Real Estate	317,500	329,500	Candance C Coshow	Hwy 30 to Abbott, Left on Bagley, House on right		Fir
46		\$109,000 42273 Bagley Ln Astoria, OR 97103 Closed / 03-561	133	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	109,000	109,000	Nicholson	1/4 mile past Knappa, left on Bagley past left curve on right.	Y	Ins
47		\$389,000 42445 Bagley Ln Astoria, OR 97103 Closed / 18-392	17	Leigh Mortlock 503-453-6269 leigh@liveastoria.com http://www.liveastoria.com eXp Realty LLC	399,000		Hill	Hwy 30, L at the Logger, R on Knappa Dock Rd, R on Bagley Ln, to Property on L.	Y	Fir
48		\$125,000 42446 Bagley Ln Astoria, OR 97103 Closed / 02-664	97	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	127,900	138,000	Countrywide	Hwy 30, first left past Logger, right on Bagley to property	y	
49		\$205,000 42496 Bagley Ln Astoria, OR 97103 Closed / 13-1068	115	Inactive Member RE/MAX River & Sea Inactive Member	209,900	219,900	Aaron & Kelly Barendse	E. on Hwy 30, Left on Bagley, Right on Bagley Ln, house on Left		
50		\$358,000 42537 Bagley Ln Astoria, OR 97103 Closed / 19-912	43	Inactive Member Larcin Realty Group Inc	349,500	349,500	Marshall Terry A	Highway 30 East to Knappa turn L on Abbott Rd. R on Bagely Ln to L on 42537 Bagley Ln	Y	Ins

		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent Co
51		\$208,000 42169 BACHMAN LN Astoria, OR 97103 Closed / 05-212	74	Inactive Member mcghan@pacifier.com Pete Anderson Realty, Inc.	215,000	215,000	Crawford	From Astoria to Knappa, at flashing light, turn right on Hillcrest Loop Road approx 1/2 mile, turn left on Bachman Lane go to the end of road. See sign .	N fin
52		\$125,000 42186 BAGLEY LN Astoria, OR 97103 Closed / 03-749	60	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	129,000	129,000	Doty	Hwy 30 East to Knappa Junction. Left at Logger. Right on Knappa Docks Rd. Right on Bagley Lane to property on right.	y fin
53		\$160,000 42217 BAGLEY LN Astoria, OR 97103 Closed / 00-449	187	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	175,000	185,000	TAYLOR	LEFT @ LOGGER, RT ON KNAPPA DOCKS RD, RT ON BAGLEY	fin
54		\$196,000 42465 BAGLEY LN Astoria, OR 97103 Closed / 07-234	119	Jackie Weber 503-440-2331 jackiew@windermere.com http://www.oregoncoastalproperties.net Windermere Realty Trust	199,999	215,000	Moody Sheila A	Hwy 30 past Loggers Restaurant. Left on Abbot, Right on Bagley.	N
55		\$165,000 42482 BAGLEY LN Astoria, OR 97103 Closed / 08-2004	203	Inactive Member 503-325-0285 heidiamondsmith@yahoo.com http://www.peteandersonrealty.com Pete Anderson Realty, Inc.	169,999	189,900	Belton Rosie M	East on Hwy 30, past the Knappa intersection , left on Abbott, right on Bagley to subject on right.	Y
56		\$320,000 42844 Blackberry Ln Astoria, OR 97103 Closed / 15-820	175	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Heidi Stackhouse	332,000	332,000	Oja Milja V/Mark E	HWY 30 to Valley Creek lane to Brownsmead Hill Rd to Blackberry Lane	Y
57		\$159,000 42099 Blossom Lane Astoria, OR 97103 Closed / 02-1241	126	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	169,000	169,000	Nicholson	Knappa Dock Road to Blossom Lane on Left	
58		\$315,000 42099 Blossom Ln. Astoria, OR 97103 Closed / 18-1250	23	Inactive Member RE/MAX River & Sea	339,000	339,000	Schroeder Michael K/ Colleen F	Knappa Dock Road to Blossom Lane on Left	
59		\$210,000 42840 BLACKBERRY LN Astoria, OR 97103 Closed / 07-577	65	Inactive Member Atwater Real Estate	209,000	209,000	Ross Linda M	Left on Valley Creek Ln, right on Upper Brownsmead Rd, left on Blackberry Ln to property	Y Ins
60		\$152,500 42840 BLACKBERRY LN Astoria, OR 97103 Closed / 03-1146	249	Inactive Member North Coast Realty	155,000	155,000	Vermilyea	Hwy 30 to Valley Creek Lane to Brownsmead Hill Road to Blackberry Lane & go to end of lane.	Y fin
61		\$165,000 40109 Brook Lane Astoria, OR 97103 Closed / 15-853	130	Inactive Member 503-791-2682 sandymcalvert@gmail.com http://www.areaproperties.com AREA Properties	165,000	165,000	Olson	Hwy 30 East to right on Svensen Market Rd, to right on Brook Lane.	
62		\$145,000 40078 Brook Ln Astoria, OR 97103 Closed / 17-1449	133	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Heidi Stackhouse	154,900	164,900	Johnson	E on Hwy 30, right on Svensen Market Rd, right on Brook Ln to home.	Y Fir

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
63		\$210,000 40086 Brook Ln Astoria, OR 97103 Closed / 17-1520	110	Inactive Member RE/MAX River & Sea	225,000	225,000	Harrington/Gribbin	Hwy 30 to Old Hwy 30, R on Svensen Market Rd, R on Brook Ln to home on Left.	Y	Fir
64		\$231,000 40109 Brook Ln Astoria, OR 97103 Closed / 18-1201	31	Elaine Rusinovich 503-741-0452 elainerusinovichbroker@hotmail.com Pacific Pro Realty Abby Rusinovich	225,000	225,000	Kennedy Spencer	Hwy 30 Svensen Intersection Turn S. Old Hwy 30 Intersection go S on Svensen Market Rd to Right on Brook Ln.	Y	Ins
65		\$120,500 43290 Brownsmead Dike Lane Astoria, OR 97103 Closed / 09-431	208	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	111,900	119,900	Countrywide	Hwy 30 east to Knappa junction, left to Knappa Dock Rd, right to Ziak Gnat Creek Ln, continue approx 2 miles to bridge over slough towards Brownsmead. Turn left over bridge and go to end of road.	Y	Fir
66		\$69,500 42936 Brownsmead Dike Ln Astoria, OR 97103 Closed / 17-576	113	Elaine Rusinovich 503-741-0452 elainerusinovichbroker@hotmail.com Pacific Pro Realty	69,500	79,500	Estate of Elaine B. Green	Hwy 30 to Ziak Gnat Creek Rd. Turn Left. Right on Aldrich Pt. Rd. Left on Brownsmead Dike Ln to property on left	N	
67		\$98,000 43290 Brownsmead Dike Ln Astoria, OR 97103 Closed / 17-1172	90	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Inactive Member	105,000	112,000	JPMorgan Chase Bank, NA	Hwy 30 E, left onto Ziak-Gnat Creek Rd, approx 2 mi to right onto Barendse Rd, right on Brownsmead Dike Ln to home		
68		\$122,400 92974 Brownsmead Hill Rd Astoria, OR 97103 Closed / 01-269	66	Inactive Member AREA Properties	119,900	119,900	Witt	Hwy 30 to Brownsmead Hill Rd past the Logger	Y	fin
69		\$90,000 93053 Brownsmead Hill Rd Astoria, OR 97103 Closed / 18-3	30	Mary Wikstrom 503-791-9381 marywikstrom1@gmail.com http://www.areaproperties.com AREA Properties	100,000	100,000	Nicholas John C	HWY 30 east to Valley Creek to Brownsmead Hill Road to property.		
70		\$55,000 93053 Brownsmead Hill Rd Astoria, OR 97103 Closed / 13-703	32	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	65,000	65,000	Morris Estate	Hwy 30 East to Valley Creek to Brownsmead Hill Rd to property.	N	
71		\$229,000 93194 Brownsmead Hill Rd Astoria, OR 97103 Closed / 13-1667	88	Kathren J. Rusinovich 503-338-2245 maulicate1@gmail.com http://www.windermere.com Windermere Community Realty	239,000	269,000	Fremstad Kristian T/Jennifer G	Valley Creek Rd, North on Brownsmead Hill Rd to driveway on left	Y	Ins
72		\$123,000 93206 Brownsmead Hill Rd Astoria, OR 97103 Closed / 11-174	183	Inactive Member Windermere Realty Trust Jackie Svensen, Broker	129,900	185,000	Thomas	15 miles East of Astoria on Hwy 30 to Valley Cr Rd, left .20 miles, right on Brownsmead.		
73		\$328,000 93432 Brownsmead Hill Road Astoria, OR 97103 Closed / 20-372	44	Meagan A. Lewis 503-440-0155 lewisme@hotmail.com http://www.areaproperties.com AREA Properties	320,000	320,000	Brachmann	Hwy 30 to 2nd Valley Creek turn, continue to Brownsmead Hill Rd turn right, continue to property address.	Y	Ins
74		\$116,000 40086 BROOK LN Astoria, OR 97103 Closed / 04-1187	108	Inactive Member 503-325-6848 thepopkinteam@yahoo.com http://www.areaproperties.com AREA Properties	116,000	125,000	Lindgren	Hwy 30 to Svensen, right at intersection to stop. Approx 9/10 of a mile to Brook Ln, turn right to house on the left	y	ins

		Price / Status / MLS #	Age... Listing Member Days on Market		List Price	Original List Price	Owner	Directions	Contingent Co	
75		\$175,000 40086 BROOK LN Astoria, OR 97103 Closed / 07-870	394 Inactive Member AREA Properties		179,000	195,000	Olson	Hwy 30, south at Svensen light, follow Market Road to Brook Ln on right.	Y	Fir
76		\$163,000 40109 BROOK LN Astoria, OR 97103 Closed / 08-1149	108 Inactive Member AREA Properties		179,900	179,900	Hall	Market Rd, Right or North on Brook Ln to home on Right.	N	
77		\$193,000 92975 BROWNSMEAD HILL RD Astoria, OR 97103 Closed / 07-1508	64 Inactive Member 503-325-6848 thepopkinteam@yahoo.com http://www.areaproperties.com AREA Properties Inactive Member		196,000	196,000	Barber Estate	Valley Creek Ln to Brownsmead Hill Rd, property on Right.	Y	Ins
78		\$325,000 39702 Burnside Lp Astoria, OR 97103 Closed / 19-706	94 Leigh Mortlock 503-453-6269 leigh@liveastoria.com http://www.liveastoria.com eXp Realty LLC		335,000	335,000	Richard & Ellen Crow	Hwy 30 to Burnside Loop, to Property	Y	Fir
79		\$193,000 39734 Burnside Lp Astoria, OR 97103 Closed / 16-1105	67 Tess LaPointe 503-470-0639 clpc9@hotmail.com http://www.PacificProHomes.com Pacific Pro Realty		199,000	199,000	Shortman Robert A/Lynn C	From Astoria take Hwy 30 East to left on 2nd Burnside Loop entrance. Home will be on Left.	Y	Ins
80		\$273,500 39745 Burnside Lp Astoria, OR 97103 Closed / 18-1510	48 Inactive Member RE/MAX River & Sea		269,500	269,500	Graham Douglas A	East on Hwy 30, L at 2nd Burnside Exit to House on R.	Y	Fir
81		\$144,500 39745 Burnside Lp Astoria, OR 97103 Closed / 12-249	92 Inactive Member RE/MAX River & Sea Inactive Member		142,500	155,000	Jackson	East on Hwy 30, L at 2nd Burnside exit to house on R.	Y	
82		\$288,000 39814 Burnside Lp Astoria, OR 97103 Closed / 18-887	162 Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.		289,999	329,000	Knappa Platt LLC	East on Highway 30 from Astoria then turn left on Burnside Loop Road. Property is at the east end of Burnside Loop. Watch for signs.	Y	Us
83		\$112,000 39842 Burnside Loop Astoria, OR 97103 Closed / 13-1158	127 Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties		118,500	118,500	Brott	Hwy 30 East to 2nd Burnside exit. Sharp right on loop.	Y	Fir
84		\$121,000 39842 BURNSIDE LOOP & 39836 Astoria, OR 97103 Closed / 01-92	261 Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties		135,000	135,000	Johnson Estate	Hwy 30 east to 2nd Burnside exit, right on Burnside Loop		
85		\$40,000 39488 BURNSIDE LOOP Astoria, OR 97103 Closed / 04-1186	88 Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties		75,000	75,000	Sergeant	Hwy 30 to 1st Burnside Lp exit to property on right	Y	
86		\$252,000 39693 BURNSIDE LOOP Astoria, OR 97103 Closed / 06-199	176 Inactive Member RE/MAX River & Sea		259,000	259,000	Bagley	East on Hwy 30 to 2nd Burnside exit, left at stop, continue back towards Eagle Sanctuary, property on right.	N	
87		\$156,000 92661 Camelia Rd Astoria, OR 97103 Closed / 11-95	459 Inactive Member AREA Properties		150,000	200,000	Perez	East on Hwy 30 turn south at Svensen junction, at 4 way stop turn left on Old Hwy 30 to Pearson Rd. left at Pearson, to sharp right on Galloway, to left on Camelia, to property on right.		

		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent Co
88		\$300,000 42345 Carl Johnson Lane Astoria, OR 97103 Closed / 08-2238	445	Rosalie McCleary 503-791-3070 rosaliemccleary@gmail.com http://www.RealtorRosalieMcCleary.com Pete Anderson Realty, Inc.	295,900	395,000	Leback Estate	E. on Hwy 30 to Knappa intersection. Left onto Knappa Dock Rd. Right onto Ziak Gnat Creek Rd. Right onto Carl Johnson Ln. Right to address on left.	Y
89		\$165,000 92016 Carmen Creek Rd Astoria, OR 97103 Closed / 09-1273	53	Inactive Member AREA Properties	185,000	185,000	Bush	Hillcrest Loop to Ogier Ln North or Right on Carmen Creek.	Y 1/2
90		\$170,000 92038 Carmen Creek Rd Astoria, OR 97103 Closed / 09-642	204	Inactive Member John L. Scott Lisa Keeran	170,000	199,000	Ogier	Hwy 30 to Knappa light. Turn right on Hillcrest Loop for approx 2 miles to Ogier Lane than to Carmen Creek Rd to address.	
91		\$465,000 92041 Carmen Creek Rd Astoria, OR 97103 Closed / 20-61	176	Julia Radditz 503-367-9024 julia@totemproperties.com http://www.totemproperties.com Totem Properties LLC	479,000	495,000	Linehan	Hwy 30, S on Koppisch Rd, E on Hillcrest Loop Rd, N on Ogier Rd, N on Carmen Creek Rd to end	
92		\$281,000 92041 Carmen Creek Road Astoria, OR 97103 Closed / 10-1280	121	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	279,900	349,900	Fannie Mae	Knappa intersect right on Hillcrest Loop. Turn on Ogier Lane to subject.	Y
93		\$84,875 92816 Cherry Rd Astoria, OR 97103 Closed / 02-1545	34	Janet Weidman 503-325-3304 janet@astoriarealestate.net http://www.astoriarealestate.net Astoria Real Estate	89,995	89,995	Conseco Finance	Hwy 30 milepost 81.7 (Logger Rest.), north on Abbott Rd, east on Bagley Rd, south on Cherry Rd.	y
94		\$192,000 92831 Cherry Rd Astoria, OR 97103 Closed / 15-404	118	Jesse Taylor 503-440-7564 jesset711@hotmail.com http://www.omegarealty.org Omega Realty Kerri Wright	197,500	210,000	Davis Richard A	Hwy 30 east. North at Knappa Junction to Knappa Dock Rd. East on Bagley Lane Right on Cherry Road.	Fir
95		\$207,000 92876 Cherry Rd Astoria, OR 97103 Closed / 17-1477	44	Jackie Svensen, Broker 503-738-8522 jsvensen@windermere.com http://www.jackiesvensen.withwre.com Windermere Realty Trust	199,900	199,900	Sarkie Delbert J/Kathryn J	Hwy 30 to Knappa intersection (traffic light) on Knappa Dock Rd. to Bagley Lane to Cherry Rd.	
96		\$194,900 92904 Cherry Rd Astoria, OR 97103 Closed / 15-447	50	Mary Wikstrom 503-791-9381 marywikstrom1@gmail.com http://www.areaproperties.com AREA Properties Inactive Member	194,900	194,900	Fannie Mae	Hwy 30 Left at Logger Restaurant to Knappa Dock Rd. Right on Cherry	Y Fir
97		\$155,500 92904 Cherry Rd Astoria, OR 97103 Closed / 03-168	250	Inactive Member 503-325-6848 thepopkinteam@yahoo.com http://www.areaproperties.com AREA Properties	149,900	152,500	Homesteps	Hwy 30 East past logger restaurant left on Bagley to Cherry	
98		\$200,000 92805 CHERRY RD Astoria, OR 97103 Closed / 07-1943	101	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	210,000	210,000	Johnston	North at Logger, right on Knappa Dock, right on Cherry, 3rd on left (white fence)	Y Ins
99		\$115,000 92816 CHERRY RD Astoria, OR 97103 Closed / 04-1379	137	Janet Weidman 503-325-3304 janet@astoriarealestate.net http://www.astoriarealestate.net Astoria Real Estate	120,000	120,000	Hansen	Hwy 30 to Logger Restaurant, follow road to Knappa Dock, right on Knappa Dock, right on Bagley Rd., right on Cherry Road, house is on the right.	y ins

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
100		\$224,000 92904 CHERRY RD Astoria, OR 97103 Closed / 06-1178	74	Inactive Member Lewis & Clark Real Estate & Property Management	249,900	259,000	On file	East Hwy 30, left @ Logger, Right on Knappa Dock Road, Right on Bagley Lane, Left on Cherry Road	Y	Ins
101		\$521,000 40275 Compass Ln Astoria, OR 97103 Closed / 14-411	423	Inactive Member RE/MAX River & Sea	565,000	565,000	Roberts	Hwy 30 E, R at Svensen, to Svensen Market Rd to L on George Hill, to L on Compass to property.	Y	Fir
102		\$260,900 40287 Compass Ln Astoria, OR 97103 Closed / 12-1201	134	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	272,900	272,900	Peterson	Hwy 30 E, right at Svensen, Svensen Mkt Rd to left to compass.	Y	Fir
103		\$140,000 92203 Conroy Rd Astoria, OR 97103 Closed / 14-1295	123	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	149,900	149,900	Green River Capital	From Astoria, Hwy 30 East to Koppisch, Right toward HS to Conroy.	Y	Fir
104		\$336,045 92436 Conroy Rd Astoria, OR 97103 Closed / 20-1118	49	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Heidi Stackhouse	325,000	325,000	Smith	East on Hwy 30, right at Svensen Junctions, left on hwy 30, right on Conroy road to home on right.	Y	ins
105		\$75,000 92479 Conroy Rd Astoria, OR 97103 Closed / 13-117	290	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	77,000	77,000	JPMorgan Chase Bank, N.A.	Highway 30 east of Astoria - right at the Svensen Junction and then left at the stop. Old Highway 30 east to the home on the corner of Conroy Road	Y	Us
106		\$139,000 92443 Conroy Road Astoria, OR 97103 Closed / 03-284	188	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	129,900	129,900	Kapleman	Hwy 30 E, Right at Svenson, Left on Old Hwy 30, Right on Conroy, house on Left.		
107		\$329,900 92872 Coyote Dr Astoria, OR 97103 Closed / 17-1473	171	Heidi Stackhouse 503-791-9401 listing@pacgrouphomes.com Keller Williams Sunset Corridor Jennie Morisse	379,900	379,900	Yuill	E on Hwy 30 to left on Abbott Rd, continue onto Bagley to right on Coyote Dr to home.	Y	
108		\$145,450 92192 CONROY RD Astoria, OR 97103 Closed / 04-628	284	Inactive Member AREA Properties	144,950	160,000	Fresh	To Svensen light, right to Old Hwy 30, left then right on Conroy Rd to sign on right.		
109		\$120,600 92203 CONROY RD Astoria, OR 97103 Closed / 99-543	65	Inactive Member AREA Properties	119,900	119,900	WILSON	HWY 30 TO SVENSEN, LEFT @ STOP 1.5 MILES TO CONROY	Y	FI
110		\$176,000 92436 CONROY RD Astoria, OR 97103 Closed / 05-1366	210	Inactive Member RE/MAX River & Sea	179,900	185,000	Meithe	Hwy 30, turn in to Svensen intersection, turn left on Old Hwy 30. Right on Conroy Rd, property on right.	N	
111		\$189,000 92436 CONROY RD Astoria, OR 97103 Closed / 07-429	237	Inactive Member 503-325-6848 thepopkinteam@yahoo.com http://www.areaproperties.com AREA Properties Inactive Member	201,000	219,900	Grice	Old Hwy 30 to Conroy Rd	Y	Fir
112		\$125,500 93067 COUNTRY LN Astoria, OR 97103 Closed / 03-1455	74	Inactive Member mcghan@pacifier.com Pete Anderson Realty, Inc.	125,000	125,000	Shumaker	Hwy 30, right on Parker, go one block, right on Country, 2nd house on left. Look for sign.	Y	Ins

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
113		\$649,900 40901 Crest View Ln Astoria, OR 97103 Active / 21-209	21	Kaia McMahan 503-468-8479 mcmahankaia@gmail.com Totem Properties LLC	649,900	649,900	Hurtco LLC	E Hwy 30, L on Ivy Station, R on Crest View Ln, to house on L		
114		\$425,000 40886 Crest View Ln Astoria, OR 97103 Closed / 20-467	116	Kaia McMahan 503-468-8479 mcmahankaia@gmail.com Totem Properties LLC	419,000	419,000	Hurtco LLC	Hwy 30, North on Ivy Station Rd, to Right on Crest View Ln, to home on Right.	Y	Fir
115	 Status Change	\$425,000 40890 Crest View Ln Astoria, OR 97103 Closed / 21-277	0	Kaia McMahan 503-468-8479 mcmahankaia@gmail.com Totem Properties LLC	425,000	425,000	Hurtco LLC	E on HWY 30, to L on Ivy station, to R on Crest View Ln, Home on left.		
116		\$190,000 92170 CUB DR Astoria, OR 97103 Closed / 04-1408	95	Inactive Member AREA Properties	199,500	199,500	Schnepp	Svensen Light, R on Market, L on Simonsen, R on Cub		
117		\$236,000 42468 Dale Lane Astoria, OR 97103 Closed / 14-749	56	Janet Weidman 503-325-3304 janet@astoriarealestate.net http://www.astoriarealestate.net Astoria Real Estate Peter Weidman	245,000	245,000	Morgan Shelley A/Cheney Harry	Hwy 30, north (left coming from Astoria) on Abbot Road, right on Bagley, left on Donald Marshall, left on Dale Lane to property on left.	Y	ins
118		\$215,000 42428 Dale Ln Astoria, OR 97103 Closed / 11-1449	252	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	225,000	225,000	Wellner	Hwy 30 to Abbott, Right on Bagley, Left on Donald Marshall Right on Dale.	Y	Fir
119		\$335,000 42444 Dale Ln Astoria, OR 97103 Closed / 05-1200	46	Dana Weston 503-738-2839 dweston@windermere.com http://danaweston.withwre.com Windermere Realty Trust Barbara Maltman	350,000	350,000	Helligso	Hwy 30 E to Knappa, L on Abbot, R on Bagley, L on Don Marshall Rd, L on Dale Lane to address	S	
120		\$287,500 42444 Dale Ln Astoria, OR 97103 Closed / 14-527	144	Debra Bowe deb@debbowe.com Windermere Community Realty	299,000	299,000	Jesse A & Susan Harrington	Hwy 30, North on Abbot, East on Bagley, North on Donald Marshall, West on Dale.	Y	
121		\$189,000 42450 Dale Ln Astoria, OR 97103 Closed / 11-1128	219	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	199,000	210,000	Crane Linda H	Hwy 30 to Bagley Lane. Left on Donald Marshall, Left on Dale Lane to property on the left.	Y	Fir
122		\$235,000 42465 Dale Ln Astoria, OR 97103 Closed / 10-1885	49	OUT-OF-AREA AGT NON-MLS-AGENT NON-MEMBER	235,000	235,000	Travis W. Johnson	Hwy 30 to Abbott Lane, Turn R on Bagley Lane, L on Donald Marshall, L on Dale Lane.		
123		\$319,000 42465 Dale Ln Astoria, OR 97103 Closed / 17-1576	70	Judy Paulsen 503-998-8975 judypaulsen1@gmail.com RE/MAX River & Sea Inactive Member	319,000	319,000	Dodd	Hwy 30 to L on Abbott Rd, R on Bagley Ln, L on Donald Marshall Rd, L on Dale Ln to property on R.	Y	Fir
124		\$140,000 42468 Dale Ln Astoria, OR 97103 Closed / 01-860	103	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	145,000	145,000	Latham/Marshall	East of Knappa, left on Abbott Rd, Right on E Bagley Rd, left on Dale Ln to property	Y	Fir
125		\$190,000 92622 Dave Rd. Astoria, OR 97103 Closed / 09-590	248	Inactive Member 503-325-6848 thepopkinteam@yahoo.com http://www.areaproperties.com AREA Properties	209,000	249,900	Holliday	0		

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
126		\$223,000 42428 DALE LN Astoria, OR 97103 Closed / 04-1341	71	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	233,500	233,500	Hughes	Hwy 30 to Abbott, Right on Bagley, Left on Donald Marshall		
127		\$295,000 42449 DALE LN Astoria, OR 97103 Closed / 06-1649	255	Inactive Member RE/MAX River & Sea	299,000	329,000	Meithe	Hwy 30 to Abbot to right on Bagley, left on Dale Marshall, left on Dale Ln.	Y	Fir
128		\$159,500 42450 DALE LN Astoria, OR 97103 Closed / 04-1250	180	Debra Bowe deb@debbowe.com Windermere Community Realty	159,950	147,500	Gannaway	Hwy 30 past Loggers, left on		
129		\$250,000 92858 Donald Marshall Rd Astoria, OR 97103 Closed / 13-1192	148	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties	249,900	249,900	Hill	Hwy 30 to Abott Rd turn on Bagley follow Bagley to Donald Marshall.	Y	
130		\$176,000 92842 DONALD MARSHALL RD Astoria, OR 97103 Closed / 04-1070	45	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	176,000	176,000	Ramos	Bagley Rd to Bagley Ln, right on Don Marshall Rd		
131		\$244,000 92842 DONALD MARSHALL RD Astoria, OR 97103 Closed / 06-1216	70	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	249,000	249,000	Mamiya	Abbott Rd to Bagley to Donald Marshall Rd	Y	Fir
132		\$268,000 92842 DONALD MARSHALL RD Astoria, OR 97103 Closed / 06-1780	215	Inactive Member Coldwell Banker Kent Price Realty	264,900	264,900	Wozniak	Hwy 30 to Abbott Rd. To Bagley, to Donald Marshall Rd.	Y	fin
133		\$275,000 42043 Eddy Point Lane Astoria, OR 97103 Closed / 13-1496	245	Inactive Member RE/MAX River & Sea Inactive Member RE/MAX River & Sea	274,950	274,950	Sunrise Homes, INC	Hwy 30 to L on Old Hwy 30, to R on Knappa Dock Rd, property on Left	Y	Fir
134		\$319,900 42042 Eddy Point Ln Astoria, OR 97103 Closed / 17-961	264	Inactive Member RE/MAX River & Sea	319,900	344,900	Sunrise Homes Inc.	Hwy 30 to L on Old Hwy 30, R on Knappa Dock Rd, L on Eddy Point Ln to home.	N	
135		\$265,000 42045 Eddy Point Ln Astoria, OR 97103 Closed / 14-984	347	Inactive Member 503-440-0577 mapittard@gmail.com RE/MAX River & Sea Inactive Member RE/MAX River & Sea	269,500	279,950	Sunrise Homes, INC	Hwy 30 to L on Old Hwy 30, R on Knappa Dock Rd, L on Eddy Point Ln to home.	Y	Fir
136		\$387,000 42047 Eddy Point Ln Astoria, OR 97103 Closed / 19-788	52	Bree A. Phillips 503-440-7679 bree@liveastoria.com http://www.liveastoria.com eXp Realty LLC	385,000	385,000	David & Cynthia Johnsen	Hwy 30 to Knappa. L on Old Hwy 30. R on Knappa Dock Rd. L on Eddy Point. House on R.	Y	Fill
137		\$252,000 92864 Fawn Dr Astoria, OR 97103 Closed / 16-314	75	Carla Martens-Sowins 503-440-1870 CARLA_SOWINS@msn.com http://www.sowinsrealtor.com Sowins Real Estate & Property Management	265,657	265,657	Lindgren Richard Allan/ Robyn	E Hwy 30- to Knappa Dock Rd -Right on Bagley Lane and Left on Fawn to address		ins
138		\$277,000 92864 FAWN DR Astoria, OR 97103 Closed / 05-1392	85	Inactive Member RE/MAX Equity Group	279,000	279,000	Fox	Knappa Dock Road, right on Bagley Lane, left on Fawn.	N	



		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
139		\$322,300 92722 Fir Rd Astoria, OR 97103 Closed / 19-583	206	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Heidi Stackhouse	314,900	359,900	Moon Creek Homes Inc	Turn Left onto Knappa Terrace Ln, Turn Left onto Fir Rd, Dest will be on Right	Y	Ins
140		\$167,000 92723 Fir Rd Astoria, OR 97103 Closed / 05-871	110	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	167,000	169,900	Harvey	Hwy 30 to Knappa Junction, turn north to Knappa Terrace to Fir Rd.	Y	Fir
141		\$175,000 92732 Fir Rd Astoria, OR 97103 Closed / 12-861	51	Inactive Member 503-741-0908 emily_m_smith@yahoo.com http://www.peteandersonrealty.com Pete Anderson Realty, Inc. Cheryl Eaton	180,000	180,000	Johnson Paul D	Hwy 30 to left a Knappa Intersection to Wickiup Terrace to Fir Rd	Y	Ins
142		\$237,000 92740 Fir Rd Astoria, OR 97103 Closed / 06-190	53	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	249,000	249,000	Lam	Hwy 30, left at Logger, follow road south to Knappa Terrace Rd to corner of Fir	N	
143		\$315,000 92740 Fir Rd Astoria, OR 97103 Closed / 18-1336	149	Kathren J. Rusinovich 503-338-2245 mauikate1@gmail.com http://www.windermere.com Windermere Community Realty	325,000	325,000	Payne Michael B	Highway 30, turn N at Knappa intersection, left on Knappa Terrace to home on the corner of Knappa Terrace and Fir Rd.	Y	Ins
144		\$142,800 92722 Fir Rd. Astoria, OR 97103 Closed / 02-1579	90	Inactive Member 503-738-5558 jclark@kentpricerealty.com http://kentpricerealty.com Coldwell Banker Kent Price Realty	141,900	141,900	Fannie Mae	Hwy 30 to Logger, Left to Knappa Terrace to Fir Rd.	y	fin
145		\$151,500 92745 Fir Road Astoria, OR 97103 Closed / 03-845	248	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties	148,000	148,000	Vause	Turn left past logger, go to Knappa Terrace Rd to Fir Rd.	Y	Fir
146		\$115,000 42473 Fish Lane Astoria, OR 97103 Closed / 15-126	163	Kristen Benton 503-741-0262 kristen.benton2@gmail.com Windermere Realty Trust	139,000	169,000	Kaja Holdings 2, LLC	N HWY 30 L Gnat Creek Rd. R Barendse Rd L Brownsmead Dike Ln. L F	N	
147		\$82,000 42473 Fish Ln Astoria, OR 97103 Closed / 14-1344	71	Meagan A. Lewis 503-440-0155 lewisme@hotmail.com http://www.areaproperties.com AREA Properties	189,900	189,900	FHLMC	Old hwy 30 or lower Brownsmead Hill Rd to Barendse Ln, follow road to Dike Rd turn left, follow Dike Rd past Grange and follow road to home on right.	N	
148		\$72,500 42800 Fish Ln Astoria, OR 97103 Closed / 17-1080	70	Elaine Rusinovich 503-741-0452 elainerusinovichbroker@hotmail.com Pacific Pro Realty	99,000	125,000	Smalley Carol L	Hwy 30 Knappa intersection turn North, Right at Knappa Docks Rd, Right Ziak-Gnat Cr Rd, Left Bardense Rd, Left Brownsmead Dike Lane to subject property on Fish Lane	N	
149		\$140,000 92740 FIR RD Astoria, OR 97103 Closed / 98-1284	419	Inactive Member Golden Shores Realty, Inc.	144,900	155,000	GALLEGOS	HWY 30, LEFT AT LOGGER TO MAPLE TO SIGN	Y	FII
150		\$185,000 92723 FIR Rd Astoria, OR 97103 Closed / 13-579	244	Inactive Member 503-440-7727 andimac@pacifier.com http://www.andimacbroker.com Pete Anderson Realty, Inc.	189,000	189,000	Wright	East on Hiway 30, North at the Logger unto old Hiway 30. Left on Knappa Terrace Ln to Fir. House on left near end of road.		

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
151		\$179,000 92722 FIR RD Astoria, OR 97103 Closed / 08-705	234	Inactive Member AREA Properties	184,000	233,000	Bue	North at Knappa Light, turn Left on Knappa Terrace, Left on Fir to home on Right.	Y	Fir
152		\$170,000 92740 FIR RD Astoria, OR 97103 Closed / 03-238	112	Inactive Member stephie21@charter.net Coldwell Banker Kent Price Realty	174,500	174,500	Riddle	Hwy 30, left at Logger, follow road South to Knappa Terrace Road to corner of Fir.	y	fin
153		\$250,000 92740 FIR RD Astoria, OR 97103 Closed / 07-571	114	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	259,900	269,000	Porter	Hwy 30 East, Left @ Knappa Junction, Left to Knappa Terrace.	Y	fin
154		\$137,000 92723 FIR ROAD Astoria, OR 97103 Closed / 00-718	134	Debra Bowe deb@debbowe.com Windermere Community Realty	139,900	139,900	MCFARLAND	HWY 30 TO KNAPPA JUNCTION, TURN NORTH, FOLLOW ROAD TO KNAPPA TERRACE, FOLLOW DIRECTIONALS TO FIR ROAD.		fin
155		\$115,000 42043 Forest Court Lane Astoria, OR 97103 Closed / 04-1561	69	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	120,000	120,000	WFCU	Hwy 30 east, right @ Knappa Junction, Left to Hillcrest to Forest Court Lane.	Y	Ins
156		\$259,000 42043 Forest Court Ln Astoria, OR 97103 Closed / 19-903	48	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties	259,500	259,500	Crabtree	From Hwy 30 to Knappa Junction, R on Hillcrest, L on Forest Court Lane to property.	Y	Fir
157		\$170,000 42043 Forest Court Ln Astoria, OR 97103 Closed / 10-701	55	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	180,000	180,000	Kozak/Ackerman	Hwy 30 Eat to Knappa junction. Right on Hillcrest to Forest Court Lane to property on Left.	Y	Fir
158		\$165,000 42064 Forest Court Ln Astoria, OR 97103 Closed / 08-1994	28	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	169,000	169,000	Hughes	Hwy 30 East, Right @ Knappa junction, Left on Forest Ct Ln. to property.	Y	Ins
159		\$259,000 42064 Forest Court Ln Astoria, OR 97103 Closed / 16-1166	105	Pam Ackley 503-738-8522 pamackley@windermere.com http://www.pamackley.com Windermere Realty Trust	269,000	269,000	Graham Becky	Hwy 30 to Logger right at blinking light on Hillcrest to left on Forest Court Lane and home on the right	Y	Ins
160		\$292,000 42481 Forest Court Ln Astoria, OR 97103 Closed / 14-144	55	Inactive Member 503-440-7727 andimac@pacifier.com http://www.andimacbroker.com Pete Anderson Realty, Inc.	299,000	299,000	Potter & dunning	East on highway 30 to Knappa light (Logger Restaurant). Right on Hillcrest Loop one mile. Left on Forest Ct. Ln. to house at the end.		
161		\$410,000 42481 Forest Court Ln Astoria, OR 97103 Closed / 08-194	71	Debra Bowe deb@debbowe.com Windermere Community Realty	410,000	410,000	Henderson	Hwy 30 to Knappa Junction, south to Forest Court Lane, to end of lane		
162		\$301,000 42046 Forest Court Lane Astoria, OR 97103 Closed / 15-1131	70	Carla Martens-Sowins 503-440-1870 CARLA_SOWINS@msn.com http://www.sowinsrealtor.com Sowins Real Estate & Property Management	299,000	299,000	Oien	Hwy 30 to Knappa Junction take a right on Hillcrest Loop - past ball field-left on Forest Court to address on right side of road		ins

		Price / Status / MLS #	Agent Listing Member Days on Market		List Price	Original List Price	Owner	Directions	Contingent	Cc
163		\$291,000 42064 Forest Court Ln. Astoria, OR 97103 Closed / 19-1421	0 FSBO FOR SALE BY OWNER		297,000	297,000	Murray	Columbia River Hwy, S on Hillcrest Loop, L on Forest Court Ln to property.		
164		\$185,000 42446 FOREST COURT LN Astoria, OR 97103 Closed / 03-990	76 Inactive Member 503-325-6848 thepopkinteam@yahoo.com http://www.areaproperties.com AREA Properties		187,000	187,000	Homesteps	Hwy 30 East to Knappa intersection, right on Hillcrest, left on Forest Ct.		
165		\$120,000 40730 Galloway Ln Astoria, OR 97103 Closed / 17-1672	58 Kathren J. Rusinovich 503-338-2245 mauikate1@gmail.com http://www.windermere.com Windermere Community Realty		135,000	135,000	Ylipelto Antti J , Mary Ann	From Hiway 30 N on Ivy Station, L on Galloway Ln, home on L. Or you can head East on Old Highway 30 from the Country Market Left at Hillcrest Lp under the overpass, R. on Galloway Ln.		fin
166		\$255,000 40795 Galloway Ln Astoria, OR 97103 Closed / 13-469	55 Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties		259,900	259,900	Leppik	Hwy 30 East to Ivy Station Rd, North to Galloway to property.	Y	Fir
167		\$277,000 40844 Galloway Ln Astoria, OR 97103 Closed / 14-1306	75 Inactive Member 503-440-0577 mapittard@gmail.com RE/MAX River & Sea Inactive Member RE/MAX River & Sea		279,500	279,500	Astoria Northwest Homes Inc	Hwy 30 to Left on Ivy Station Rd to Left on Galloway Ln to property on Left.	Y	Fir
168		\$272,000 91437 Geisler Rd Astoria, OR 97103 Closed / 08-1164	70 Inactive Member RE/MAX River & Sea Inactive Member		289,000	289,000	Miethe	East on Hwy 30, right on Hillcrest Loop	N	
169		\$250,500 91437 Geisler Rd Astoria, OR 97103 Closed / 14-59	121 Rosalie McCleary 503-791-3070 rosaliemccleary@gmail.com http://www.RealtorRosalieMcCleary.com Pete Anderson Realty, Inc. Victor Kee		265,300	265,300	McLauchlin Gary G. & Cheryl R.	East on Hwy 30 past Svensen. Turn right on Koppisch Rd. Turn left at Hillcrest Loop. Turn right on Geisler. Home is on left side.	Y	
170		\$300,000 91614 George Hill Rd Astoria, OR 97103 Closed / 17-754	77 Inactive Member Cascade Sotheby's International Realty		315,000	315,000	Perry David W/Winifred L Tr	Hwy 30 to Svensen Market Rd, Left on George Hill Rd, to property on right		
171		\$357,500 91614 George Hill Rd Astoria, OR 97103 Closed / 20-8	178 Tess LaPointe 503-470-0639 clpc9@hotmail.com http://www.PacificProHomes.com Pacific Pro Realty		365,000	374,500	Julie & Juan De Loera	Hwy 30 to Svensen Market Rd to Left onto George Hill. Property on Right.	Y	Ins
172		\$185,000 91619 George Hill Rd Astoria, OR 97103 Closed / 13-967	386 Kathren J. Rusinovich 503-338-2245 mauikate1@gmail.com http://www.windermere.com Windermere Community Realty		187,000	205,000	Slimak Monica B	From Highway 30 head S. at the Svensen light and follow Market Rd., L on George Hill Rd to home on L.	Y	fin
173		\$252,300 91660 George Hill Rd Astoria, OR 97103 Closed / 12-1358	176 Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties		289,000	289,000	Funk	Hwy 30 East to Svensen Junction, Svensen Market Rd to George Hill Rd.	N	
174		\$112,000 91677 George Hill Rd Astoria, OR 97103 Closed / 13-1592	181 Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties		129,000	129,000	Brost	Hwy 30 East to Svensen, right to Svensen Mkt Rd, left on George Hill Rd.	N	








		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
175		\$322,500 91816 George Hill Rd Astoria, OR 97103 Closed / 19-1100	73	Ashley E Flukinger 503-440-2951 ashleyflukinger@gmail.com Premiere Property Group LLC	380,000	380,000	Estate of Delores Dickson	From Highway 30 turn onto Svensen Market Road, then left onto George Hill Road.		
176		\$50,000 91873 George Hill Rd Astoria, OR 97103 Closed / 12-333	161	Inactive Member AREA Properties	50,000	50,000	Hansen	Svensen Market Rd to end, Left on George Hill Rd to property on Left.	Y	Ge
177		\$215,000 91945 George Hill Rd Astoria, OR 97103 Closed / 11-999	55	Inactive Member RE/MAX River & Sea Inactive Member	225,000	225,000	Sherrie Parker	Turn Right at Svensen Junction, straight at stop sign, Left on George Hill Rd.	Y	Ins
178		\$178,000 91899 George Hill Rd. Astoria, OR 97103 Closed / 15-432	75	Rosalie McCleary 503-791-3070 rosaliemccleary@gmail.com http://www.RealtorRosalieMcCleary.com Pete Anderson Realty, Inc. Victor Kee	195,000	195,000	Est. of Doris J. Huddleston	From Astoria, take Hwy 30 to Svensen light; turn right. At stop sign, continue straight on Market Rd. to the end. Turn left on George Hill Rd. Proceed to address on left.	Y	
179		\$217,000 91976 George Hill Road Astoria, OR 97103 Closed / 13-752	173	Inactive Member 503-440-7727 andimac@pacifier.com http://www.andimacbroker.com Pete Anderson Realty, Inc.	249,000	249,000	Phifer Roger D/Deborah R	East on Hwy 30 to Svensen light, Right on Market Road, 1 mile to George Hill Road.	Y	
180		\$395,000 92016 George Hill Rd Astoria, OR 97103 Closed / 14-1523	65	FSBO FOR SALE BY OWNER	385,000	385,000	Thornton	30 to Svensen, R on Svensen Mkt Rd to George Hill		
181		\$296,000 91569 George Hill Rd Astoria, OR 97103 Closed / 11-1110	204	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	298,000	298,000	Rootvik	Hwy 30 to Svensen junct. S. to Svensen Market Rd to end, East on George Hill to culdesac at end of road.		
182		\$350,000 43708 Gerttula Ln Astoria, OR 97103 Closed / 16-1279	387	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties	385,000	285,000	Zuercher Living Trust	Hwy 30 to Ziak Gnat Creek Rd, L on Barendse Rd to Brownsmead Dike	Y	Fir
183		\$222,500 91569 GEORGE HILL RD Astoria, OR 97103 Closed / 04-1294	51	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	225,000	225,000	Lewis	Hwy 30 east, south on Svensen Market Rd, left at end to house	y	ins
184		\$218,500 91677 GEORGE HILL RD Astoria, OR 97103 Closed / 06-109	141	Inactive Member Windermere Realty Trust	219,000	224,900	Buckman Hahn	Hwy 30 to Svensen Mkt. Turn left at T onto George Hill.		
185		\$210,000 91945 GEORGE HILL RD Astoria, OR 97103 Closed / 05-1447	36	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	219,000	219,000	Larson Vernon F/Ina E	From west, right at Svensen, down Market Rd, left at split to house on left	Y	Ins
186		\$295,000 92016 GEORGE HILL RD Astoria, OR 97103 Closed / 00-551	686	Inactive Member marsha@seasurf.net http://www.windermere.com Windermere Community Realty	310,000	350,000	STONE	HWY 30 EAST, RIGHT AT SVENSEN, DOWN 1-1/2 MILE TO GEORGE HILL	Y	Fir
187		\$350,000 40921 Grand View Ln Astoria, OR 97103 Closed / 15-586	27	Grant Bell 818-744-0484 m.grant.bell@gmail.com http://www.pacificprohomes.com Pacific Pro Realty	384,900	384,900	Prudence B Kutasy	E on Hwy 30, L on Grand View Ln, House on R		

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
188		\$249,000 39688 Grove Ln Astoria, OR 97103 Closed / 19-176	94	Meagan A. Lewis 503-440-0155 lewisme@hotmail.com http://www.areaproperties.com AREA Properties Laurie Duey	249,900	249,900	Selene Finance	Hwy 30 to Grove Lane, go all the way down Grove, 2nd to last house on left.	S	
189		\$105,000 92682 Hawthorne Rd Astoria, OR 97103 Closed / 12-203	115	Cheryl Eaton 503-791-3581 sea_eaton@yahoo.com http://www.peteandersonrealty.com Pete Anderson Realty, Inc.	105,000	105,000	Wauna Federal Credit Union	Hwy 30 to left on Old Hwy 30 to right on Hawthorne to property on right.	Y	Ins
190		\$107,000 92682 HAWTHORNE RD Astoria, OR 97103 Closed / 08-1332	91	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	119,500	119,500	WFCU	Hwy 30 East, Left before Maggie Johnson bridge to 2nd Right (Hawthorne)	Y	Fir
191		\$150,000 92702 HAWTHORNE RD Astoria, OR 97103 Closed / 06-411	37	Inactive Member Lewis & Clark Real Estate & Property Management	159,900	159,900	Gaidosh	East on Hwy 30, left on Old Hwy 30, right on Hawthorne Drive to property on right.	Y	ISI
192		\$155,000 92714 HAWTHORNE RD Astoria, OR 97103 Closed / 07-752	53	Inactive Member Lewis & Clark Real Estate & Property Management	159,900	159,900	Blodgett	East Hwy 30, Left on Old Hwy 30, Right on Hawthorne to Property on Right.	Y	ins
193		\$90,000 41702 Hillcrest Loop Astoria, OR 97103 Closed / 02-1152	7	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	110,000	110,000	Whiteside Estate	Hwy 30 east, right on Koppisch Rd to end, right to property on left	N	
194		\$425,000 42684 Hillcrest Loop Astoria, OR 97103 Closed / 18-1577	187	Kristen Benton 503-741-0262 kristen.benton2@gmail.com Windermere Realty Trust Jackie Svensen, Broker	425,000	425,000	Rankin Dennis J/Kelley M	From Astoria, North on Hwy 30 to Knappa. Left onto Hillcrest Loop. Property located on left side of road.	Y	
195		\$163,000 42698 Hillcrest Loop Astoria, OR 97103 Closed / 03-1543	83	Inactive Member 503-738-5558 jclark@kentpricerealty.com http://kentpricerealty.com Coldwell Banker Kent Price Realty	169,900	169,900	Fannie Mae	Right at Logger Restaurant to property on left.	y	fin
196		\$166,000 42750 Hillcrest Loop Astoria, OR 97103 Closed / 02-1342	620	Inactive Member Pete Anderson Realty, Inc.	168,000	168,000	Moser	Hwy 30 to Knappa, south on Hillcrest to property	Y	Op
197		\$224,500 42921 Hillcrest Loop Astoria, OR 97103 Closed / 08-966	303	Inactive Member 503-325-0285 heidianemilysmith@yahoo.com http://www.peteandersonrealty.com Pete Anderson Realty, Inc.	215,000	289,000	Dailey Joseph C	Hwy 30 to Knappa Intersection. Right on Hillcrest to address on right.	Y	Fir
198		\$235,500 42935 Hillcrest Loop Astoria, OR 97103 Closed / 07-1439	81	Inactive Member 503-440-1650 dpickell@pacifier.com RE/MAX River & Sea Inactive Member	239,900	239,900	Hilton Carol Sue	Hwy 30 to Knappa Jct, south on Hillcrest to property.	Y	Ins
199		\$469,900 40943 Hillcrest Lp Astoria, OR 97103 Closed / 18-1380	460	Inactive Member Larcin Realty Group Inc	469,900	469,900	Raff William E/Eileen C Stearn	HWY 30 R AT SVENSEN JUNC, L ON OLD HWY 30, R ON HILLCREST LP RD, TO PROPERTY ON L.	Y	Fir
200		\$380,686 41106 Hillcrest Lp Astoria, OR 97103 Closed / 20-670	54	Paula Marie Simantel 503-298-0019 psimantel@gmail.com Totem Properties LLC	373,181	373,181	Johnson Gregory K/Jeri L	HWY 30 E TO R @ SVENSEN JUNC L @ OLD HWY 30 R @ HILLCREST LP PROCEED TO 41106	Y	Ins

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
201		\$235,000 41240 Hillcrest Lp Astoria, OR 97103 Closed / 15-1139	192	Sandi Bennett 503-739-6048 sandi@coastrealtyproperties.com http://www.coastrealtypnw.com Coast Realty	259,000	259,000	Conn Gina M	Highway 30 East from Astoria turn right & south on Svenson MARKET ROAD THEN turn LEFT at the stopsign on Old Highway 30 to Hillcrest Loop; right on Hillcrest Loop about 1.5 miles to property on right	Y	ins
202		\$285,000 41489 Hillcrest Lp Astoria, OR 97103 Closed / 15-514	86	Kathren J. Rusinovich 503-338-2245 maukate1@gmail.com http://www.windermere.com Windermere Community Realty	285,000	285,000	Scott & Vera Baird	Koppish, From Hiway 30 follow Koppish to Hillcrest Lp, turn right on Hillcrest to home on R.	Y	Fir
203		\$225,000 42088 Hillcrest Lp Astoria, OR 97103 Closed / 16-1646	252	Kathren J. Rusinovich 503-338-2245 maukate1@gmail.com http://www.windermere.com Windermere Community Realty	229,000	229,000	Johnson Kenneth R/Lynette K	Hiway 30, S. on Koppish Rd, Left on Hillcrest, end of gravel rd on right.	Y	Ins
204		\$533,000 42383 Hillcrest Lp Astoria, OR 97103 Closed / 18-575	66	Inactive Member RE/MAX River & Sea	539,000	539,000	Lewicki	Hwy 30 to Hillcrest Loop (Knappa Intersection) Right at Maggie Johnson Rd. (across from Big Creek fish hatchery)	Y	Fir
205		\$215,000 42696 Hillcrest Lp Astoria, OR 97103 Closed / 20-954	169	Abby Rusinovich 503-338-9800 abbymrusinovich@hotmail.com Pacific Pro Realty Elaine Rusinovich	198,000	198,000	Spooner Jaci	From Hwy 30 S onto Hillcrest Lp to Left on gravel rd next to Payton Ln Subject Property down the gravel rd on the right.	Y	Ins
206		\$257,600 42847 Hillcrest Lp Astoria, OR 97103 Closed / 19-1347	32	Elaine Rusinovich 503-741-0452 elainerusinovichbroker@hotmail.com Pacific Pro Realty Abby Rusinovich	252,500	252,500	Weichal Jonathan, Kristina M.	Hwy 30 turn S to Hillcrest Loop to subject property on the R	Y	Ins
207		\$211,000 42847 Hillcrest Lp Astoria, OR 97103 Closed / 10-354	66	Inactive Member 503-325-0285 heidiamemilysmith@yahoo.com http://www.peteandersonrealty.com Pete Anderson Realty, Inc.	215,000	215,000	Patterson Clinton R/Danielle A	Hwy 30 to Knappa Intersection, Right on Hillcrest loop apx 1 mile to property on Right.	N	
208		\$210,000 42921 Hillcrest Lp Astoria, OR 97103 Closed / 12-1172	492	Inactive Member RE/MAX River & Sea Inactive Member	225,000	245,000	Browning	Hwy 30 East to Knappa Junction, South to Hillcrest 1.5 miles on Right	Y	Ins
209		\$360,000 42942 Hillcrest Lp Astoria, OR 97103 Closed / 20-1061	65	Kathren J. Rusinovich 503-338-2245 maukate1@gmail.com http://www.windermere.com Windermere Community Realty	360,000	360,000	Tim Nay Trustee/Blaylock Trust	From Highway 30 head South on Hillcrest Loop at the Knappa blinking light to home on the L.	Y	Ch
210		\$284,400 41702 Hillcrest Loop Rd Astoria, OR 97103 Closed / 10-646	133	Inactive Member AREA Properties	275,000	275,000	Scott	From Hwy 30 turn South on Koppish Rd, Right on Hillcrest Loop Rd to home on Left.	Y	fin
211		\$259,000 42433 Hillcrest Loop Road Astoria, OR 97103 Closed / 18-1088	62	Paul Mitchell 503-791-1675 paulmitchell1realtor@gmail.com http://www.sowinsrealtor.com Sowins Real Estate & Property Management	259,500	259,500	Lewis Steven C/ Michelle J	Highway 30 E to left on Hillcrest Loop to address on the right.	N	
212		\$175,000 42547 Hillcrest Road Astoria, OR 97103 Closed / 01-1552	247	Inactive Member judymcintyre@centurytel.net Astoria Real Estate	180,000	199,000	Graves/Synder	1.2 miles south of Hwy 30 at Knappa. Hillcrest Road at Big Creek bridge.	Y	72

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
213		\$241,500 41922 Hilton Lane Astoria, OR 97103 Closed / 15-92	146	Vicky Rutherford 503-338-2116 vicky@pacifier.com http://www.areaproperties.com AREA Properties	253,000	265,000	Chaloux	Hwy 30 to Knappa light, right on Hillcrest to Hilton, right to home.	Y	Ins
214		\$162,500 38541 HIGHWAY 30 Astoria, OR 97103 Closed / 06-1423	22	Inactive Member Pete Anderson Realty Seaside	175,000	175,000	Patterson	Hwy 30, last house before milepost 93		
215		\$200,000 42255 HIGHWAY 30 Astoria, OR 97103 Closed / 07-141	98	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	194,900	194,900	21st Mortgage	Hwy 30 to driveway just East of Grandview Lane.	Y	Fir
216		\$225,000 40779 HILLCREST LOOP Astoria, OR 97103 Closed / 07-969	99	Inactive Member 503-298-0813 lisapond@charter.net http://www.peteandersonrealty.com Pete Anderson Realty, Inc.	234,500	260,000	Rusinovich	From Hwy 30: S. on Svensen Market Road; L. on Old Hwy 30 (at Hunt's Market); R. on Hillcrest Loop; Go 6/10 mile to gravel driveway on Left (between two homes). Up gravel road to the end.		
217		\$95,000 41185 HILLCREST LOOP Astoria, OR 97103 Closed / 07-1466	103	Inactive Member 503-338-6607 jo.p@seasurf.net http://www.astoriarealestate.net Astoria Real Estate	130,000	130,000	On File	HWY 30 East to Right at Svensen junction; 1 blk turn Left at market; go past Simonson Rd. Right on Hillcrest Loop; Follow Hillcrest just past junction with Akerstadt Rd. to left up driveway	N	Ac
218		\$372,000 41208 HILLCREST LOOP Astoria, OR 97103 Closed / 08-29	87	Inactive Member Atwater Real Estate	388,000	388,000	Fransen	Right at Svensen, left at Old Hwy 30, go 8/10 mile then right, follow Hillcrest Loop 1.4 miles, right at drive		Ins
219		\$138,000 41322 HILLCREST LOOP Astoria, OR 97103 Closed / 05-804	94	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	129,000	129,000	Richardson	Right at Svensen, left on Old Hwy 30 to Hillcrest Lp	N	
220		\$75,000 41322 HILLCREST LOOP Astoria, OR 97103 Closed / 04-1436	120	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	99,900	104,500	Currier	Right at Svensen, east on Old Hwy 30, south on Conroy, left on Hillcrest	N	
221		\$200,000 42053 HILLCREST LOOP Astoria, OR 97103 Closed / 06-1150	181	Inactive Member AREA Properties	215,000	225,000	Sarpola Estate	South from Hwy 30 to Svensen Light -Left at first stop sign on old Hwy 30 -Right on Conroy Rd -Left on Hillcrest to home on Left.	N	
222		\$226,000 42835 HILLCREST LOOP Astoria, OR 97103 Closed / 07-1181	70	Inactive Member 503-440-7727 andimac@pacifier.com http://www.andimacbroker.com Pete Anderson Realty, Inc.	226,000	226,000	Bemis	Hwy 30 to Knappa. South on Hillcrest Loop to property on right.		
223		\$259,900 42885 HILLCREST LOOP Astoria, OR 97103 Closed / 04-419	173	Inactive Member 503-325-6848 thepopkinteam@yahoo.com http://www.areaproperties.com AREA Properties	259,900	269,500	Cheuvront	Hwy 30 to Knappa intersection, south on Hillcrest to property on right.	Y	Ins

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
224		\$459,000 42383 HILLCREST LOOP RD Astoria, OR 97103 Closed / 08-1130	504	Inactive Member 503-325-0285 heidandemilysmith@yahoo.com http://www.peteandersonrealty.com Pete Anderson Realty, Inc.	459,000	499,999	Reph, Stephen/ Barnes, Robin	Hwy 30 to Hillcrest Loop (Knappa intersection), Right at Maggie Johnson Rd (across from Big Creek fish hatchery entrance) to Property on Left up hill	S	72
225		\$190,000 42859 HILLCREST LOOP RD Astoria, OR 97103 Closed / 08-148	118	Inactive Member stephie21@charter.net Coldwell Banker Kent Price Realty	199,900	210,000	Lewis Estate	Hwy 30 to Knappa light, right on Hillcrest Lp.	Y	ba
226		\$160,000 41048 HILLCREST LOOP Astoria, OR 97103 Closed / 06-175	179	Inactive Member AREA Properties	169,500	169,500	Kizer	Hwy 30, right at Svensen light, follow Market Rd to stop sign, left on old Hwy 30, right on Hillcrest to home.	Y	ins
227		\$130,000 42696 HILLCREST LOOP Astoria, OR 97103 Closed / 06-77	56	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	110,000	110,000	Benthin	Hwy 30 east to right on Hillcrest Loop to property on right.	Y	Ins
228		\$136,000 42835 HILLCREST LOOP Astoria, OR 97103 Closed / 04-1523	53	Inactive Member 503-440-7727 andimac@pacifier.com http://www.andimacbroker.com Pete Anderson Realty, Inc.	136,000	136,000	Johnson	Hiway 30 to Knappa. Left on Hillcrest Loop to house on Right side.		
229		\$299,000 92700 Holly Ln Astoria, OR 97103 Closed / 20-632	68	Abby Rusinovich 503-338-9800 abbymrusinovich@hotmail.com Pacific Pro Realty Elaine Rusinovich	299,000	305,000	Lance & Holly Shepherd	Hwy 30 to N on Abbott Rd to R on Bagley Ln to R on E Orchard Ln to Holly Ln to Subject Property on the Right	Y	Fir
230		\$115,000 92715 Holly Ln Astoria, OR 97103 Closed / 10-771	430	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	124,900	159,000	Homesales, Inc.	East of Knappa intersection turn north on Abbott, then right on Bagely, then right on East Orchard Lane.	Y	Fir
231		\$245,000 92715 Holly LN Astoria, OR 97103 Closed / 19-653	0	Lisa Keeran 503-298-0958 lisakeeran@gmail.com http://www.lisakeeran.johnlscott.com John L Scott	245,000	245,000	Patterson/Carlson	HWY 30 to Abbott Rd		
232		\$184,500 92700 Holly Rd Astoria, OR 97103 Closed / 17-864	52	Inactive Member RE/MAX River & Sea	185,000	185,000	Mellott	E of Knappa Intersection, N on Abbott, R on Bagley, R on E Orchard Ln, L on Holly to property.	Y	Fir
233		\$157,500 92701 Holly Rd Astoria, OR 97103 Closed / 12-1095	554	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	165,000	165,000	Skipper Violet F	East of Knappa intersection turn north on Abbott, then right on Bagely, then right on East Orchard Lane		Us
234		\$240,000 41209 Homestead Ln Astoria, OR 97103 Closed / 15-1	130	Inactive Member 503-440-1877 pvducks1@gmail.com RE/MAX River & Sea	240,000	270,000	Barendse	East on Hwy 30 to L on Ivy Station Rd to R on Homestead Ln to property.	Y	Fir
235		\$216,000 92704 HOLLY LN Astoria, OR 97103 Closed / 06-1549	138	Inactive Member RE/MAX River & Sea	214,500	214,500	Olson	East on Hwy 30 to Bagley Ln., right on Holly to property on right.	N	Ins
236		\$210,000 92715 HOLLY LN Astoria, OR 97103 Closed / 06-1802	88	Inactive Member North Coast Realty	199,000	199,000	Kost	Hwy 30, left on Abbott Rd, right on Bagley, right on Orchard		

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
237		\$199,000 41027 HOMESTEAD LN Astoria, OR 97103 Closed / 11-506	623	Inactive Member AREA Properties	209,000	365,000	Arpiainen	From Hwy 30 head North on Ivy Station Rd, Right on Homestead Ln.	Y	ins
238		\$268,000 41045 HOMESTEAD LN Astoria, OR 97103 Closed / 07-327	75	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	269,000	269,000	Robinson	HWY 30 east to Ivy Station, Left approx 1 mile to gravel rd on right	Y	
239		\$240,000 41108 HOMESTEAD LN Astoria, OR 97103 Closed / 04-623	108	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties	250,000	250,000	Rittenberg	Hwy 30 to Ivy Station Rd, north to gravel road on right, turn follows to home.	Y	ins
240		\$224,500 40118 Hunt Ln Astoria, OR 97103 Closed / 17-1168	148	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Heidi Stackhouse	229,900	269,900	Inniss	E on Hwy 30, right at Svensen intersection, straight on Svensen Market Rd, right on Hunt Ln to home.	Y	ins
241		\$325,000 40124 Hunt Ln Astoria, OR 97103 Closed / 19-287	80	Inactive Member Windermere Realty Trust	325,000	350,000	Figtree Plaza LLC	Hwy 30, South on Svensen Market Rd, Right on Hunt, Destination in on your left		
242		\$200,000 40124 Hunt Ln Astoria, OR 97103 Closed / 09-1504	489	Carla Martens-Sowins 503-440-1870 CARLA_SOWINS@msn.com http://www.sowinsrealtor.com Sowins Real Estate & Property Management	219,000	249,000	on File	Hwy 30 to light at Svensen thru stop sign R on Hunt to property on left.		ins
243		\$202,500 40134 Hunt Ln Astoria, OR 97103 Closed / 06-1633	59	Inactive Member RE/MAX River & Sea	200,000	200,000	Parks	East on Hwy 30 to Svensen light, right at light, continue on Market Rd. to 1st right on Hunt Ln. Property on corner.	N	
244		\$158,000 40134 Hunt Ln Astoria, OR 97103 Closed / 10-1014	225	Inactive Member RE/MAX River & Sea	144,900	149,900	Weaver	Hwy 30 East, Svensen light, turn on Market Rd., turn Right on Hunt. Subject on corner.	Y	Sh
245		\$480,000 40232 Hunt Ln Astoria, OR 97103 Closed / 19-1496	300	Christy Chaloux Coulombe 503-724-2400 christy@christychaloux.com http://www.christycoulombe.com Totem Properties LLC	480,000	499,900	Ley Roger B	Hwy 30 East from Astoria, Right on Svensen Market Rd, Left on Hunt Ln. Home is on the Right.	Y	
246		\$127,577 40250 Hunt Ln Astoria, OR 97103 Closed / 14-1099	125	Meagan A. Lewis 503-440-0155 lewisme@hotmail.com http://www.areaproperties.com AREA Properties	179,800	179,800	FHLMC	Hunt Lane property on right	N	
247		\$364,888 40250 Hunt Ln Astoria, OR 97103 Closed / 16-153	261	Tess LaPointe 503-470-0639 clpc9@hotmail.com http://www.PacificProHomes.com Pacific Pro Realty Inactive Member	364,888	398,000	Lloyd Partners LLC	Hwy 30, South on to Svensen Market (Flashing Light) Left on Hunt Lane to property on Right		
248		\$24,500 40357 Hunt Ln Astoria, OR 97103 Closed / 16-476	29	Inactive Member 503-338-8554 jeanie.petersen@charter.net http://www.riverandsea.net RE/MAX River & Sea	24,500	24,500	Jack Aho & Marsha Donaldson	Svensen to 4 way stop, Svensen Market Rd. To Hunt Lane to property.		

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent Co
249		\$305,000 40377 Hunt Ln Astoria, OR 97103 Closed / 20-779	21	Abby Rusinovich 503-338-9800 abbymrusinovich@hotmail.com Pacific Pro Realty Elaine Rusinovich	305,000	305,000	Estate of Cedric G Simpson	Hwy 30 to South at Svensen Intersection South on Svensen Market Rd Left on Hunt Ln to property on the Left	N
250		\$95,850 40231 HUNT Lane Astoria, OR 97103 Closed / 10-106	759	Carla Martens-Sowins 503-440-1870 CARLA_SOWINS@msn.com http://www.sowinsrealtor.com Sowins Real Estate & Property Management	109,900	169,900	Nault	East Hwy 30 to Svenson Right at 4 way straight to Hunt Lane Left to address	ins
251		\$225,000 40182 HUNT LN Astoria, OR 97103 Closed / 07-82	49	Inactive Member stephie21@charter.net Coldwell Banker Kent Price Realty	229,900	229,900	Clark Katherine H	East on Hwy 30, Right at Svensen light, straight on Market to Hunt Ln on left.	S 72
252		\$140,000 40182 HUNT LN Astoria, OR 97103 Closed / 04-146	149	Inactive Member 503-738-5558 jclark@kentpricerealty.com http://kentpricerealty.com Coldwell Banker Kent Price Realty	145,000	145,000	Fannie Mae	Hwy 30 to Svensen light past Hunt's Market to Hunt lane on left.	
253		\$415,000 40232 HUNT LN Astoria, OR 97103 Closed / 07-1616	42	Inactive Member RE/MAX River & Sea Inactive Member	425,000	425,000	Hart Rebecca A	East on Hwy 30, Right at Svensen, go staight then left at Hunt Ln. to property	Y ins
254		\$178,500 42549 Hwy 30 Hwy Astoria, OR 97103 Closed / 11-915	298	Inactive Member 503-738-8522 nancynewhall@yahoo.com Windermere Realty Trust Inactive Member AREA Properties	189,000	199,000	Anderson Kelly R	Hwy 30, between Svensen & Knappa, across from Koppish Rd exit	Y Fir
255		\$57,000 40598 Hwy 30 Astoria, OR 97103 Closed / 17-820	41	Mary Wikstrom 503-791-9381 marywikstrom1@gmail.com http://www.areaproperties.com AREA Properties	59,900	59,900	Caliber Real Estate Services	Hwy 30 to Svensen, L on Old Hwy 30 on the right.	N
256		\$195,000 41059 Hwy 30 Astoria, OR 97103 Closed / 13-1694	146	Inactive Member 503-470-9097 rowenaareaproperties@gmail.com AREA Properties Inactive Member	209,900	284,900	Fannie Mae	Hwy 30 east from Astoria. Just past Mary's Creek bridge (and before the hill to Svensen Market junction), on left (north) to property.	Ins
257		\$200,100 42457 Hwy 30 Astoria, OR 97103 Closed / 15-1716	18	Mary Wikstrom 503-791-9381 marywikstrom1@gmail.com http://www.areaproperties.com AREA Properties	205,500	205,500	Fannie Mae	Hwy 30 past Ivy Station Rd on the left before Koppish Rd	
258		\$165,550 42457 Hwy 30 Astoria, OR 97103 Closed / 02-468	64	Inactive Member AREA Properties	168,000	168,000	Vanburen	From Hwy 30 before Koppish Rd, turn north at sign	& Fir
259		\$280,000 42457 Hwy 30 Astoria, OR 97103 Closed / 07-155	207	Jackie Weber 503-440-2331 jackiew@windermere.com http://www.oregoncoastalproperties.net Windermere Realty Trust	289,900	299,999	Skillett	Hwy 30 in Svensen after Ivy Station and Grand View Lane after road narrows. Property on Left when leaving Astoria	N
260		\$68,500 43537 Hwy 30 Astoria, OR 97103 Closed / 02-299	24	Inactive Member 503-325-6848 Krista@areaproperties.com http://www.areaproperties.com AREA Properties Inactive Member	74,900	74,900	Ocwen Federal Bank FSB	east on Hwy 30, past Logger Restaurant, property on left fronting highway.	
261		\$200,000 38843 HWY 30 Astoria, OR 97103 Closed / 15-1544	77	Jackie Weber 503-440-2331 jackiew@windermere.com http://www.oregoncoastalproperties.net Windermere Realty Trust	225,000	225,000	Pena	HWY 30 to first driveway past John Day Bridge	Y

		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
262		\$190,000 92893 Island View Rd Astoria, OR 97103 Closed / 08-1875	95	Inactive Member AREA Properties	220,000	220,000	Wiley/Waisenen	Hwy 30 to Svensen's Light, North at Light, Left on Island View Rd to home.	Y	Ins
263		\$307,500 92909 Island View Rd Astoria, OR 97103 Closed / 15-726	80	Inactive Member RE/MAX River & Sea	315,000	329,000	Evans	Hwy 30 to Svensen Light, N at Light, L on Island View Rd. to property.	Y	Fir
264		\$145,000 92909 Island View Rd Astoria, OR 97103 Closed / 02-1557	193	Victor Kee 503-791-5880 Info@victorkee.com Pete Anderson Realty, Inc.	159,000	159,000	Marincovich	Hwy 30 to Svensen light, north to Riverview Terrace Rd to Island View Rd.	Y	Fir
265		\$95,000 92895 ISLAND VIEW RD Astoria, OR 97103 Closed / 07-2081	23	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	99,900	99,900	RTR Properties LLC	Hwy 30 to Svensen Junction, Left at light to Island View Rd.	N	
266		\$275,000 92909 ISLAND VIEW RD Astoria, OR 97103 Closed / 07-1360	104	Inactive Member RE/MAX River & Sea Inactive Member	275,000	285,000	Richardson	Hwy 30 to Svensen Light. Turn left onto Svensen Island Rd, left at Island View Lane to house.	Y	Ins
267		\$400,000 92927 ISLAND VIEW RD Astoria, OR 97103 Closed / 06-756	172	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	430,000	430,000	Peter Popham	Hwy 30 to Svensen light, turn north to Svensen Island Rd to Island View Rd to home	S	72
268		\$125,000 92635 Ivy Station Rd. Astoria, OR 97103 Closed / 01-1365	187	Inactive Member 503-440-7727 andimac@pacifier.com http://www.andimacbroker.com Pete Anderson Realty, Inc.	142,500	142,500	Thompson	East on Highway 30 to Ivy Station Rd. Turn left, house on right.		
269		\$175,000 93875 Jackson Rd Astoria, OR 97103 Closed / 15-616	201	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	179,000	179,000	Westerholm	On File	Y	Fir
270		\$70,500 40716 Karpen Airport Rd Astoria, OR 97103 Closed / 01-1421	196	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	67,000	74,900	Compton	Hwy 30, right at Svensen, left on Old Hwy 30 to property on left	Y	Ins
271		\$270,201 40589 Karpens Airport Ln Astoria, OR 97103 Closed / 18-349	99	Carla Martens-Sowins 503-440-1870 CARLA_SOWINS@msn.com http://www.sowinsrealtor.com Sowins Real Estate & Property Management	275,000	275,000	Biddlecome Lloyd Jr/Rachel L	East on Hwy 30 - Right at Svensen light to stop sign-Left on Old Hwy 30 to Left on Karpens Airport Land follow staying to the left all the way to the end of the road.		
272		\$147,500 40614 Karpens Airport Ln Astoria, OR 97103 Closed / 12-285	245	Inactive Member Coldwell Banker Kent Price Realty	149,500	152,700	Ladnier Stephen G	Hwy 30, R on Svensen Mkt. Rd. Left on Old Hwy 30, Left on Karpens Airport Ln to address.	Y	ins
273		\$188,000 40614 KARPENS AIRPORT LN Astoria, OR 97103 Closed / 07-1860	409	Debra Bowe deb@debbowe.com Windermere Community Realty	205,000	225,000	Taylor Barbara M	Hwy 30 east to Svensen Junction, south to stop, east on Old Hwy 30 to Karpens Airport Lane		
274		\$294,900 92170 Kc Creek Rd Astoria, OR 97103 Closed / 20-1086	52	Kaia McMahan 503-468-8479 mcmahankaia@gmail.com Totem Properties LLC	284,900	284,900	Tomlin Margaret E	Hwy 30 to Svensen, S on Mkt. Rd. Left to Hillcrest Loop, R to Akerstadt to KC Creek Rd, to driveway, house on left		Ins

		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
275		\$71,400 92170 KC Creek Rd Astoria, OR 97103 Closed / 11-1098	106	Inactive Member Coldwell Banker Kent Price Realty	68,900	68,900	Fannie Mae	Hwy 30 to Svensen, S on Mkt. Rd. Left to Hillcrest Loop, R to Akerstadt to KC Creek Rd.	Y	fin
276		\$519,900 92167 KC Creek Rd Astoria, OR 97103 Closed / 20-740	97	Kaia McMahan 503-468-8479 mcmahankaia@gmail.com Totem Properties LLC	519,900	529,900	Michael and Jennifer Bunch	Hwy 30 to Svensen, S on Mkt. Rd. Left to Hillcrest Loop, R to Akerstadt to KC Creek Rd, to driveway on R.	Y	Ins
277		\$185,000 92885 Keller Rd Astoria, OR 97103 Closed / 08-2230	78	Inactive Member 503-440-9820 shannon@riverandsea.net http://www.riverandsea.net RE/MAX River & Sea Inactive Member	199,900	215,000	Browning	Hwy 30 E, to L at Svensen Junction, to R on Keller Rd, to property on R	Y	
278		\$320,000 92896 Keller Rd Astoria, OR 97103 Closed / 18-964	1	Leigh Mortlock 503-453-6269 leigh@liveastoria.com http://www.liveastoria.com eXp Realty LLC	324,000		Johnson Timothy G	Hwy 30 to R at Svensen Intersection by Logger to R on Keller Rd, follow to Property on L	Y	Ins
279		\$419,000 92896 Keller Rd Astoria, OR 97103 Pending / 21-201 Y	23	Leigh Mortlock 503-453-6269 leigh@liveastoria.com http://www.liveastoria.com eXp Realty LLC	419,000	419,000	Brown	Hwy 30, L on Svensen Island Rd, R on Keller Rd, Property on L.	Y	Ins
280		\$245,000 92898 Keller Rd Astoria, OR 97103 Closed / 10-606	44	Inactive Member 503-325-0285 heidandemilysmith@yahoo.com http://www.peteandersonrealty.com Pete Anderson Realty, Inc.	245,000	245,000	JBDI	Hwy 30 to Svensen. North at light follow Keller Rd To property on the Left		
281		\$356,000 92898 Keller Rd Astoria, OR 97103 Closed / 19-1336	98	Elaine Rusinovich 503-741-0452 elainerusinovichbroker@hotmail.com Pacific Pro Realty Abby Rusinovich	355,000	355,000	Harold Lines Jr., DeLana Lines	Hwy 30 to Svensen Intersection, North at Light , Right on Keller Rd to Subject Property at End of Driveway	Y	Ins
282		\$98,000 92905 Keller Rd Astoria, OR 97103 Closed / 15-1682	160	Mary Wikstrom 503-791-9381 marywikstrom1@gmail.com http://www.areaproperties.com AREA Properties	104,900	126,000	Fannie Mae	Hwy 101 to Svensen 4 way, left, first right on Keller Road	Y	
283		\$201,000 92927 Keller Rd Astoria, OR 97103 Closed / 13-1472	314	Inactive Member RE/MAX River & Sea Inactive Member	199,000	239,900	Alexander	HWY 30 to east on Keller Rd to property on right on private drive- follow signs	Y	
284		\$150,000 92933 Keller Rd Astoria, OR 97103 Closed / 04-949	1	Inactive Member 503-440-7727 andimac@pacifier.com http://www.andimacbroker.com Pete Anderson Realty, Inc.	150,000	150,000	-	East on Hwy 30 to Svensen light, turn north (toward the river) take the first (immediate) right onto Keller Rd. Keller Road winds left then left again. Property is on the corner.	y	fin
285		\$130,000 92933 Keller Rd Astoria, OR 97103 Closed / 03-281	86	Peter Weidman pete@astoriarealestate.net http://astoriarealestate.net Astoria Real Estate	137,500	137,500	Harris	East on Hwy 30 to Svensen light, turn north (toward the river) take the first (immediate) right onto Keller Rd. Keller Road winds left then left again. Property is on the corner.	y	fin
286		\$216,000 92946 Keller Rd Astoria, OR 97103 Closed / 13-1023	59	Kathren J. Rusinovich 503-338-2245 mauikate1@gmail.com http://www.windermere.com Windermere Community Realty	224,000	224,000	Aaron M & Kira N. Thornton	Hwy 30, North @ Svensen Light, left on Keller Road to home on left.	Y	Ins

		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
287		\$209,900 92946 Keller Rd Astoria, OR 97103 Closed / 10-1874	213	Inactive Member 503-741-0908 emilyl_smith@yahoo.com http://www.peteandersonrealty.com Pete Anderson Realty, Inc.	209,950	239,900	Johnson Building & Development	Hwy 30. North at Svensen Intersection, immediate Right on Keller RD to property on Left	Y	
288		\$295,000 93055 Keller Rd Astoria, OR 97103 Closed / 19-1098	103	Inactive Member eXp Realty LLC	299,999	315,000	Jamund & Kari Ferguson	E on Hwy 30 to N on Svensen Island Rd to immediate R onto Keller Rd property is all the way at the end.	Y	Ins
289		\$256,800 93055 Keller Rd Astoria, OR 97103 Closed / 18-247	116	Inactive Member 503-440-1877 pvducks1@gmail.com RE/MAX River & Sea	280,000	280,000	Newcomb	E on Hwy 30 to N on Svensen Island Rd to immediate R onto Keller Rd, property is all the way at the end, take driveway down the hill and park at the bottom of the hill.	Y	Fir
290		\$138,500 92885 Keller Road Astoria, OR 97103 Closed / 01-1656	79	Inactive Member AREA Properties	134,000	138,600	Jeremiah	Hwy 30 to Svenson Jct., Left at light, Right to Keller Road.		
291		\$289,900 92927 Keller Road Astoria, OR 97103 Closed / 06-1700	154	Inactive Member 503-697-3807 broker@fairstone.com http://www.fairstone.com Fairstone Properties	279,900	299,900	Williams Harold F/Mary E	HWY 30, N on Svensen Market RD, R on Maki, follow to property	N	
292		\$219,000 92896 Keller Astoria, OR 97103 Closed / 10-1273	356	Inactive Member 503-741-0908 emilyl_smith@yahoo.com http://www.peteandersonrealty.com Pete Anderson Realty, Inc.	219,000	239,000	JBDI	East on Hwy 30 to Svensen Intersection. North at blinking light, Immediate right on Keller rd to property on left.	Y	
293		\$247,000 92780 KELLER RD Astoria, OR 97103 Closed / 11-1428	191	Inactive Member RE/MAX River & Sea Inactive Member RE/MAX River & Sea	249,950	249,950	Sunrise Homes Inc.	Hwy 30 E, turn L at Svensen Junction, R on Keller, L to driveway.	Y	ins
294		\$178,500 92891 KELLER RD Astoria, OR 97103 Closed / 07-1629	37	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	178,500	178,500	Waisanen	Hwy 30 E, L at Svensen, immediate R to property.	Y	Ins
295		\$155,000 92927 KELLER RD Astoria, OR 97103 Closed / 00-250	53	Inactive Member 503-325-0285 stevej@pacifier.com Pete Anderson Realty, Inc.	159,900	159,900	MCKIBBIN	EAST ON HWY 30 TO SVENSEN LIGHT, LEFT THEN RIGHT TO SIGN	Y	Fir
296		\$209,000 92772 Knappa Dock Rd Astoria, OR 97103 Closed / 17-1169	220	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Heidi Stackhouse	229,950	263,389	Engblom Living Trust	E on Hwy 30, left onto Old Hwy 30, right onto Knappa Dock Rd to home on left.	Y	Fir
297		\$415,000 92785 Knappa Dock Rd Astoria, OR 97103 Closed / 20-834	87	Abby Rusinovich 503-338-9800 abbymrusinovich@hotmail.com Pacific Pro Realty Elaine Rusinovich	415,000	430,700	Goozee Craig & Tamorah	Follow US-30E, Turn Left on to Old US HWY 30, Turn RT Knappa Dock Rd., Property on Right		Ins
298		\$223,000 92870 Knappa Dock Rd Astoria, OR 97103 Closed / 17-1410	43	Inactive Member RE/MAX River & Sea Inactive Member	215,000	215,000	Sorensen	Hwy 30 to Old Hwy 30, L at Knappa Market to R on Knappa Dock Rd to property on L just before cemetery.	Y	Fir
299		\$184,000 92870 Knappa Dock Rd Astoria, OR 97103 Closed / 16-475	45	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties Natalie Dyroff	179,000	179,000	Gifford	Knappa intersection, Knappa Dock Rd left hand side before cemetery.	Y	Ins

		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
300		\$367,100 92893 Knappa Dock Rd Astoria, OR 97103 Closed / 19-1222	79	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Heidi Stackhouse	379,000	395,000	Anderson Aaron J	Turn right onto Knappa Dock Rd, Destination will be on the right	Y	Ins
301		\$260,000 92893 Knappa Dock Rd Astoria, OR 97103 Closed / 15-1163	104	Mary Wikstrom 503-791-9381 marywikstrom1@gmail.com http://www.areaproperties.com AREA Properties Laurie Duey	259,999	279,000	Estes	Hwy 30 left at Knappa junction to Knappa Dock on right.	Y	Ins
302		\$103,425 92893 Knappa Dock Rd Astoria, OR 97103 Closed / 14-716	265	Mary Wikstrom 503-791-9381 marywikstrom1@gmail.com http://www.areaproperties.com AREA Properties Inactive Member	154,900	229,900	Fannie Mae	Hwy 30 to Knappa. N. at flashing light, R on Knappa Dock Rd.	N	
303		\$360,000 93024 Knappa Dock Rd Astoria, OR 97103 Closed / 17-1157	89	Mary Wikstrom 503-791-9381 marywikstrom1@gmail.com http://www.areaproperties.com AREA Properties	399,000	399,000	Cheuvront Family Trust	Knappa Intersection to Knappa Dock Rd on the left.	Y	
304		\$184,000 93122 Knappa Dock Rd Astoria, OR 97103 Closed / 08-2072	47	Inactive Member RE/MAX River & Sea Inactive Member	184,000	184,000	Maher	From Hwy 30, to L on Old Hwy 30, to R on Knappa Dock Rd, to prop. on L	Y	Ins
305		\$190,000 93395 Knappa Dock Rd 93397 Astoria, OR 97103 Closed / 15-79	262	Kathren J. Rusinovich 503-338-2245 mauikate1@gmail.com http://www.windermere.com Windermere Community Realty	199,000	209,000	Kinney Sons Dump Trucking LLC	Hwy 30, North on Old Hwy 30 before Maggie Johnson overpass, Left on Waterhouse Rd. to home on right	Y	fin
306		\$435,000 93397 Knappa Dock Rd Astoria, OR 97103 Closed / 17-875	73	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	450,000	450,000	Osullivan Thomas J	Turn north at the Logger Restaurant, then right on Knappa Dock Rd and another right at the intersection of Waterhouse Rd. and Knappa Dock Rd.	Y	Ins
307		\$143,250 92785 Knappa Dock Road Astoria, OR 97103 Closed / 02-752	127	Inactive Member AREA Properties	149,900	169,900	Sowins	Hwy 30 to Left at Logger, Right on Knappa Dock Road, Home is on Right.	y	fin
308		\$242,000 93265 Knappa Platt Rd Astoria, OR 97103 Closed / 18-729	246	Heidi Stackhouse 503-791-9401 listing@pacgrouphomes.com Keller Williams Sunset Corridor Jennie Morisse	260,000	270,000	Green Suzanne	East on hwy 30, Left at the Knappa Junction, right on Knappa Dock rd, left on Knappa platt to house on left	Y	Ins
309		\$135,000 93270 Knappa Platt Rd Astoria, OR 97103 Closed / 10-1068	98	Inactive Member RE/MAX River & Sea	130,000	130,000	Cyphers	Hwy 30 to Knappa intersection, left of Knappa Dock Rd. Right to the end	Y	ins
310		\$72,000 93275 Knappa Platt Rd Astoria, OR 97103 Closed / 15-308	26	Vicky Rutherford 503-338-2116 vickyr@pacifier.com http://www.areaproperties.com AREA Properties	85,000	85,000	Booth	Hwy 30 East to Knappa light, Left to Knappa Dock Rd, Right to Knappa Platt Left to home on Left.	Y	Lo
311		\$385,000 93275 Knappa Platt Rd Astoria, OR 97103 Closed / 16-1324	80	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	389,500	389,500	Knappa Platt LLC	Turn north at the Logger Restaurant then north on Knappa Dock Road. Follow signs.	Y	Fir

		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
312		\$205,000 41967 Knappa Terrace Lane Astoria, OR 97103 Closed / 10-332	162	Inactive Member 503-791-4556 krista_darnell@yahoo.com http://www.areaproperties.com AREA Properties Linda J. Stephens	205,000	219,500	Birdeno	Left at Logger Restaurant. Left onto Knappa Terrace Ln, Home on Right at the end of Culdesac.	Y	3r
313		\$253,000 41967 Knappa Terrace Lane Astoria, OR 97103 Closed / 05-1398	184	Inactive Member RE/MAX Equity Group	249,900	299,900	Layman	Left at Logger Restaurant, left onto Knappa Terrace, house on right at end of cul-de-sac	Y	
314		\$137,000 42001 Knappa Terrace Lane Astoria, OR 97103 Closed / 10-563	113	Inactive Member RE/MAX River & Sea	139,900	139,900	Owen Loan Services LLC	HWY 30 EAST TO KNAPPA INTERSECTION, LEFT TO KNAPPA TERRACE LANE	Y	fin
315		\$184,500 42001 Knappa Terrace Lane Astoria, OR 97103 Closed / 06-1144	118	Inactive Member AREA Properties	184,275	204,750	Ocwen	Hwy 30 to Knappa Light-North at the Logger-follow Old Hwy 30 to road on Left.	Y	Fir
316		\$288,000 41967 Knappa Terrace Ln Astoria, OR 97103 Closed / 19-1499	145	Nichole Whittle 503-440-9583 nickiwhittle.re@gmail.com Cascade Sotheby's International Realty NON- MEMBER NON-MEMBER	295,000	305,000	Marchello Brian R	From Hwy 30, turn onto Old Hwy 30 at The Logger/Chevron. Left onto Knappa Terrace Ln, house is at end of street.	Y	Fir
317		\$170,000 41973 Knappa Terrace Ln Astoria, OR 97103 Closed / 18-644	93	Elaine Rusinovich 503-741-0452 elainerusinovichbroker@hotmail.com Pacific Pro Realty Abby Rusinovich	198,500	198,500	Leach, Lori L	Hwy 30 Knappa Intersection turn North onto Old Hwy 30 then left onto Knappa Terrace Ln. to subject property on the right.	Y	Ins
318		\$265,000 42026 Knappa Terrace Ln Astoria, OR 97103 Closed / 18-623	54	Mary Wikstrom 503-791-9381 marywikstrom1@gmail.com http://www.areaproperties.com AREA Properties	259,000	259,000	Gary Mayfield	Hwy 30 Left at Knappa store to Knappa Terrace on the Left.	Y	
319		\$224,500 42017 Knappa Terrace Astoria, OR 97103 Closed / 07-111	478	Inactive Member RE/MAX River & Sea	227,500	235,000	Klingman	East on Hwy 30 to left N on Old Hwy 30, right to Knappa Terrace, property on right.	N	
320		\$235,000 92893 KNAPPA DOCK RD Astoria, OR 97103 Closed / 04-1410	124	Inactive Member AREA Properties Inactive Member	249,900	249,900	Cokley	Corner of Bagley & Knappa Dock Rd	Y	Ins
321		\$185,900 92928 KNAPPA DOCK RD Astoria, OR 97103 Closed / 04-1514	201	Inactive Member AREA Properties	185,900	186,000	VanAuken	Hwy 30 @ Logger Restaurant, take L to Knappa Dock Rd to address	Y	Fir
322		\$97,000 93397 KNAPPA DOCK Astoria, OR 97103 Closed / 15-1210	39	Kathren J. Rusinovich 503-338-2245 mauikate1@gmail.com http://www.windermere.com Windermere Community Realty	105,000	105,000	Kinney Sons Dump Trucking LLC	Waterhouse Rd, from old Highway 30 head North on Waterhouse continue on knappa Dock to home on R	N	
323		\$2,000 733 KNAPPA MOBILE COURT Astoria, OR 97103 Closed / 00-505	149	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	3,500	4,000	TLC	HWY 30 EAST, 1ST LEFT PAST LOGGER RESTAURANT, 1ST LEFT INTO PARK		
324		\$105,900 42031 KNAPPA TERRACE LANE Astoria, OR 97103 Closed / 02-1828	79	Inactive Member 503-739-0972 bclement@seasurf.net Coldwell Banker Kent Price Realty	99,000	99,000	KTL LLC	Hwy 30 North at Knappa Junction left 1/4 mile to Knappa Terrace to property on right.	y	fin

		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
325		\$203,000 92099 Koppisch Rd Astoria, OR 97103 Closed / 09-146	151	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	210,000	215,000	On File	Hwy 30, Right on Koppisch Rd, property on Left.	Y	
326		\$217,000 92099 Koppisch Rd Astoria, OR 97103 Closed / 15-465	172	Grant Bell 818-744-0484 m.grant.bell@gmail.com http://www.pacificprohomes.com Pacific Pro Realty	217,000	218,000	Whartman Luke A	East on Hwy 30, right on Koppisch to 92099 on left side.		
327		\$292,000 92260 Koppisch Rd Astoria, OR 97103 Closed / 14-1201	184	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Heidi Stackhouse	315,000	315,000	Wickiup Ridge Construction LLC	East on Hwy 30 past Svensen. Right on Koppisch Rd. Property is on the right hand side past Rolling Stones Road.	Y	
328		\$545,000 92273 Koppisch Rd Astoria, OR 97103 Closed / 19-1083	162	Jackie Svensen, Broker 503-738-8522 jsvensen@windermere.com http://www.jackiesvensen.withwre.com Windermere Realty Trust Kristen Benton	565,000	565,000	Miller Molly E	N. Hwy 30 to Koppisch Rd. Driveway to Property on left side of road.	S	72
329		\$325,000 92430 Koppisch Rd Astoria, OR 97103 Closed / 13-1267	126	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	399,000	399,000	Kent	Hwy 30 East to Koppisch Rd to property on right.	Y	Int
330		\$150,000 92531 Koppisch Rd Astoria, OR 97103 Closed / 00-1657	597	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	179,500	189,500	Kost et al	Hwy 30 to Koppisch Rd, south to home on left		
331		\$469,999 92637 Koppisch Rd Astoria, OR 97103 Active / 20-738	264	Kathren J. Rusinovich 503-338-2245 mauikate1@gmail.com http://www.windermere.com Windermere Community Realty	469,999	545,000	Roner LLC	From Highway 30 Head South on Koppisch Rd to property on left.		
332		\$129,900 91956 Koppisch Rd Astoria, OR 97103 Closed / 02-355	107	Inactive Member mcghan@pacifier.com Pete Anderson Realty, Inc.	129,900	129,900	Bordwell	East on Hwy 30 past flashing light, next right to end of road	N	
333		\$189,900 91982 Koppish Rd Astoria, OR 97103 Closed / 11-676	114	Inactive Member AREA Properties	200,000	200,000	Kinney	Hwy 30 to Koppish follow Rd to home on right.		
334		\$143,000 92099 KOPPISCH RD Astoria, OR 97103 Closed / 04-202	69	Inactive Member 503-738-8522 ayoung@windermere.com Windermere Realty Trust	142,500	142,500	Davis	Hwy 30, south on Koppisch Rd		
335		\$49,000 92260 KOPPISCH RD Astoria, OR 97103 Closed / 03-1356	46	Inactive Member 503-738-5558 jclark@kentpricerealty.com http://kentpricerealty.com Coldwell Banker Kent Price Realty	49,900	49,900	Fannie Mae	Hwy 30 to Koppisch Rd, South to property on right	N	
336		\$245,000 92531 KOPPISCH RD Astoria, OR 97103 Closed / 05-375	147	Inactive Member Barbara Scott Real Estate	250,000	285,000	Nelson	From Astoria on Hwy 30 to Koppisch Road. Turn right. Home and acreage on the left with signs by house and to the end of 19.24 acres.	Y	fin
337		\$519,000 42058 logger Ln Astoria, OR 97103 Closed / 18-918	0	FSBO FOR SALE BY OWNER	519,000	519,000	Laport	Old Hiway, North on Knappa Dock Rd, L on Logger Ln, home on left		

		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
338		\$59,000 92963 Labeck Lane Astoria, OR 97103 Closed / 02-194	156	Inactive Member 503-325-6848 Krista@areaproperties.com http://www.areaproperties.com AREA Properties	62,500	69,500	Homecoming Financial	East on Hwy 30 to Burnside, Left on Burnside Loop, Right to property.		
339		\$120,000 92965 Labeck Rd Astoria, OR 97103 Closed / 02-1705	78	Inactive Member AREA Properties	138,000	138,000	Rund	Hwy 30 turn at Burnside Loop to Labeck to sign	Y	Fir
340		\$829,000 92992 Labeck Rd Astoria, OR 97103 Closed / 18-17	42	Debra Bowe deb@debbowe.com Windermere Community Realty	829,000	829,000	Stewart Rhonda R	Highway 30 to east end of Burnside Loop, north to Labeck, east to subject on the North side of Labeck. Follow long gravel road to driveway.	Y	Ins
341		\$820,000 92992 Labeck Rd Astoria, OR 97103 Closed / 20-73	168	Deb Stenvall 360-355-5175 deb@liveastoria.com http://www.liveastoria.com eXp Realty LLC	849,000	849,000	JT Property Management LLC	Highway 30 to east end of Burnside Loop north to Labeck, east to subject on the North side of Labeck.	Y	Ins
342		\$270,000 93001 Labeck Rd Astoria, OR 97103 Closed / 16-935	101	Vicky Rutherford 503-338-2116 vickyr@pacifier.com http://www.areaproperties.com AREA Properties	286,500	289,500	Skipper	Hwy 30 to 2nd Burnside Exit to Labeck to driveway.	Y	fin
343		\$229,000 93005 Labeck Rd Astoria, OR 97103 Closed / 10-761	86	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	239,900	259,900	Pepper	Hwy 30 East to 2nd Burnside turnoff. North to Labeck Rd to property on Right.	Y	Fir
344		\$245,000 93005 Labeck Rd Astoria, OR 97103 Closed / 17-440	119	Inactive Member Cascade Sotheby's International Realty Inactive Member Cascade Sotheby's International Realty	270,000	270,000	Fleischmann	Hwy 30 to Burnside Lp, To Labeck Rd, Property on Right side of Rd	N	
345		\$330,000 93104 Labeck Rd Astoria, OR 97103 Closed / 20-474	72	Jackie Svensen, Broker 503-738-8522 jsvensen@windermere.com http://www.jackiesvensen.withwre.com Windermere Realty Trust Kristen Benton	339,000	339,000	Baughman, Christopher+Michelle	From Astoria North on Hwy 30, turn West (L) on Labeck Rd. Property on left side of road.	S	Ins
346		\$270,000 93104 Labeck Rd Astoria, OR 97103 Closed / 17-1505	73	Inactive Member RE/MAX River & Sea	279,000	279,000	Koeppen/McGovern	Hwy 30 to Left on Burnside Loop to Left on Labeck Rd to property at end of Labeck.	Y	Fir
347		\$145,000 93080 Labeck Road Astoria, OR 97103 Closed / 02-1005	87	Inactive Member AREA Properties	149,950	149,950	Watts	From Hwy 30 take 2nd access to Burnside and follow Labeck to Home.	Y	Fir
348		\$60,000 93005 Labeck Astoria, OR 97103 Closed / 05-240	52	Debra Bowe deb@debbowe.com Windermere Community Realty	63,000	63,000	Abrams	Hwy 30 east from Astoria to Burnside Loop, left on Labeck	N	
349		\$480,000 92992 LaBeck Rd Astoria, OR 97103 Closed / 09-1170	68	Inactive Member judymcintyre@centurytel.net Astoria Real Estate	489,000	489,000	Mathers Family Rev Liv Trust	Highway 30 to Burnside exit. LaBeck Road towards river. Left on long driveway after 90 degree corner.		
350		\$235,000 40115 Lahti Lane Astoria, OR 97103 Closed / 06-417	82	Inactive Member Lewis & Clark Real Estate & Property Management	235,000	235,000	Haglund/Sullivan	East on Hwy 30 to Svensen, right @ 4 way, straight on Svensen Market Road, right @ end, right @ Lahti to property on right.		

		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
351		\$50,000 40124 Lahti Lane Astoria, OR 97103 Closed / 03-1588	122	Inactive Member AREA Properties	66,000	66,000	Lunki	East Hwy 30, Right Svenson Intersection, Market Rd to property	Y	Ins
352		\$190,000 40115 Lahti Ln Astoria, OR 97103 Closed / 10-80	309	Inactive Member RE/MAX River & Sea Inactive Member	210,000	245,000	Sherrill	Hwy 30 E, R on Svensen Jct, continue on svensen Market Rd to Lahti Ln on R, property on R.	Y	Ins
353		\$254,900 92624 Laurel Rd Astoria, OR 97103 Closed / 16-340	71	Inactive Member 503-298-9504 chris.leonardi@cascadesir.com http://www.cascadesir.com Cascade Sotheby's International Realty Inactive Member Cascade Sotheby's International Realty	249,900	249,900	Mitts Tara	Hwy 30, left to Old Hwy 30, right on Laurel	Y	
354		\$112,000 92934 LABECK RD Astoria, OR 97103 Closed / 99-1370	235	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	116,000	123,000	WAHLBOM	HWY 30, LEFT @ BURNSIDE, RIGHT ON LABECK RD TO PROPERTY		fin
355		\$275,000 93070 LABECK RD Astoria, OR 97103 Closed / 05-910	70	Inactive Member Coldwell Banker Kent Price Realty	275,000	275,000	Seckler William Steven Sr	Highway 30 east to Burnside Loop to Labeck Road	N	
356		\$244,000 93080 LABECK RD Astoria, OR 97103 Closed / 07-1325	32	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	249,000	249,000	Hoffman	Hwy 30 to 2nd Burnside exit, left on Burnside, right on Labeck to property.	Y	Ins
357		\$92,500 40124 LAHTI LN Astoria, OR 97103 Closed / 07-876	237	Inactive Member 503-440-6001 wyndy@northcoastrealty.net North Coast Realty	115,000	139,000	McCall	Hwy 30 East to Svensen Jct, Turn Right, proceed to end on Market Road and follow road around to the right, Lahti Lane about 1/2 mile to split in road, house first one on left	Y	Fir
358		\$110,000 92610 LAUREL RD Astoria, OR 97103 Closed / 04-33	72	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	110,000	116,500	Puls	Hwy 30 E, L on Hwy 30, just past Koppish Rd	Y	Ins
359		\$153,000 92620 LAUREL RD Astoria, OR 97103 Closed / 04-54	150	Inactive Member 503-738-8522 nancynewhall@yahoo.com Windermere Realty Trust	159,500	159,500	Breckenridge	Hwy 30 to Old Hwy 30. Left to Laurel, right to property		
360		\$222,000 92620 LAUREL RD Astoria, OR 97103 Closed / 08-583	167	Inactive Member AREA Properties	229,500	240,000	Feldscher	Hwy 30, turn North on Old Hwy 30 just past Koppish Rd before overpass, Right on Laurel Rd.	Y	
361		\$134,500 92620 LAUREL RD Astoria, OR 97103 Closed / 00-187	209	Inactive Member 503-440-7727 andimac@pacifier.com http://www.andimacbroker.com Pete Anderson Realty, Inc.	134,900	134,900	KINNEVEY	HWY 30 TO OLD HWY 30, LEFT ONE BLOCK		
362		\$79,900 92464 Leaf Court Astoria, OR 97103 Closed / 02-1274	310	Inactive Member 503-325-6848 thepopkinteam@yahoo.com http://www.areaproperties.com AREA Properties	79,900	89,900	Bank Of The Pacific	Hwy 30 to Knappa intersection, Right on Hillcrest Loop		
363		\$149,000 92433 Leaf Ct Astoria, OR 97103 Closed / 13-1384	87	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	155,000	155,000	Brewer	Hwy 30 east, right at Knappa junction, left at Forest Ct, left on Leaf.		

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364		\$180,500 92433 Leaf Ct Astoria, OR 97103 Closed / 15-1015	95	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	179,900	179,900	Sallee Michael	Turn south on Hillcrest Loop at the Knappa intersection. Left of Forest Court and left on Leaf Court.		Us
365		\$125,000 92468 Leaf Ct Astoria, OR 97103 Closed / 03-336	186	Inactive Member Pete Anderson Realty, Inc.	128,900	128,900	Green	Hwy 30 to Logger Restaurant, turn right to Leaf Court and left to Forest Court	y	ins
366		\$102,300 92468 Leaf Court Road Astoria, OR 97103 Closed / 00-1529	149	Inactive Member stephie21@charter.net Coldwell Banker Kent Price Realty	109,900	122,500	Fanny Mae	Hwy 30 to Knappa, South on Hillcrest 0.6 miles left on Forest Court to Leaf Court Road	y	fin
367		\$157,500 92434 Leaf Court Court Dr Astoria, OR 97103 Closed / 14-934	97	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties	168,000	168,000	Cort Corino	hwy 26 to Hillcrest Loop, east on Forest Ct, North on Leaf Ct.	Y	Fir
368		\$177,000 92639 Leo Dr Astoria, OR 97103 Closed / 16-658	146	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Inactive Member	178,000	184,500	Dakota Asset Services, LLC	Hwy 30 to Ivy Station. North on Ivy Station, left on Galloway, right on Leo Dr to property		
369		\$172,500 92427 LEAF COURT DR Astoria, OR 97103 Closed / 07-102	212	Inactive Member North Coast Realty	179,000	179,000	Snider	East on Hwy 30, Right at Logger Restaurant onto Hillcrest Loop Rd. Proceed six tenths of a mile, Turn Left onto Forest Court, House on corner of Forest court and Leaf Court.		
370		\$168,000 92434 LEAF COURT LN Astoria, OR 97103 Closed / 08-641	113	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties Inactive Member	175,000	185,000	Oien	Hwy 30 to Hillcrest Loop, Left on Forest Ct, Left on Leaf Ct, home on Right.	Y	
371		\$309,000 92749 Little Creek Rd Astoria, OR 97103 Closed / 17-384	45	Inactive Member RE/MAX River & Sea	309,000	309,000	Browning	E on Hwy 30, L on Old Hwy 30, R on Maggie Johnson to L on Little Creek Rd to property.	Y	Fir
372		\$347,500 92787 Little Creek Rd Astoria, OR 97103 Closed / 16-87	125	Inactive Member 503-440-1877 pvducks1@gmail.com RE/MAX River & Sea	353,500	359,900	Hoover	E on Hwy 30, L on Old Hwy 30, R on Maggie Johnson to L on Little Creek Rd to property.	Y	Fir
373		\$223,000 42034 Logger Ln Astoria, OR 97103 Closed / 09-1753	85	Debra Bowe deb@debbowe.com Windermere Community Realty	230,000	245,000	Prudential Relocation	Hwy 30 to Knappa Junc., north to Knappa Dock Rd, north to Logger	Y	Ins
374		\$218,500 40283 Lovisa Lane Astoria, OR 97103 Closed / 12-1228	167	Inactive Member RE/MAX River & Sea Inactive Member RE/MAX River & Sea	224,950	224,950	Sunrise Homes, INC	Hwy 30, turn on Keller, Lovisa Ln adj to Svensen Fire Station	Y	Fir
375		\$245,000 40265 Lovisa Ln Astoria, OR 97103 Closed / 15-173	105	Inactive Member RE/MAX River & Sea	249,000	249,000	Tarker	Hwy 30, turn on Keller to Lovisa Ln Adj to Svensen Fire Station.	Y	Fir
376		\$359,750 40283 Lovisa Ln Astoria, OR 97103 Closed / 20-828	49	Leigh Mortlock 503-453-6269 leigh@liveastoria.com http://www.liveastoria.com eXp Realty LLC	359,750	359,750	Chad E Andrews	Hwy 30, Turn on Keller, to Lovisa Ln Adj to Svensen Fire Station.	Y	Fir
377		\$257,500 40283 Lovisa Ln Astoria, OR 97103 Closed / 15-1506	357	Inactive Member RE/MAX River & Sea	260,000	260,000	Singh	Hwy 30, Turn on Keller to Lovisa Ln, Adj to Svensen Fire Station.	Y	Fir

		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
378		\$144,500 40385 Lucy Ln Astoria, OR 97103 Closed / 20-691	112	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Heidi Stackhouse	170,000	170,000	Lucy's House LLC	Right at Svensen Junction, Straight on Svensen Mkt Rd, Left on Hunt Lane, Right on Simonsen, Right on Lucy Lane, home on Right		
379		\$154,000 92554 Maggie Johnson Rd Astoria, OR 97103 Closed / 12-1089	238	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	154,900	198,900	FHLMC	Hwy 30 on Old Hwy 30, right on Maggie Johnson to home on right.		
380		\$258,000 92642 Maggie Johnson Rd Astoria, OR 97103 Closed / 17-471	82	Inactive Member RE/MAX River & Sea Inactive Member	259,000	259,000	Delay	Old Hwy 30 N. to Maggie Johnson Rd to house on Right	Y	Fir
381		\$60,000 92644 Maggie Johnson Rd Astoria, OR 97103 Closed / 16-524	76	Meagan A. Lewis 503-440-0155 lewisme@hotmail.com http://www.areaproperties.com AREA Properties	69,900	69,900	FHLMC	Hwy 30 left on old hwy 30 to Maggie Johnson Road, first right after bridge.	N	
382		\$750,000 92661 Maggie Johnson Rd Astoria, OR 97103 Closed / 19-796	77	Inactive Member RE/MAX River & Sea	799,000	799,000	Moreland	Old Hwy 30 to Maggie Johnson Rd	Y	Ins
383		\$550,000 92661 Maggie Johnson Rd Astoria, OR 97103 Closed / 14-125	562	Janet Weidman 503-325-3304 janet@astoriarealestate.net http://www.astoriarealestate.net Astoria Real Estate	650,000	650,000	Belle-Hoesing Judith Dianne	Hwy 30 to Maggie Johnson Rd.	S	
384		\$165,000 92700 Maggie Johnson Rd Astoria, OR 97103 Closed / 13-1223	25	Inactive Member 503-791-2682 sandymcalvert@gmail.com http://www.areaproperties.com AREA Properties	175,000	175,000	Toth	Hwy 30 east, left on Old Hwy 30 before overpass, right on Maggie Johnsonl	N	
385		\$110,000 92700 Maggie Johnson Rd Astoria, OR 97103 Closed / 11-1420	427	Carla Martens-Sowins 503-440-1870 CARLA_SOWINS@msn.com http://www.sowinsrealtor.com Sowins Real Estate & Property Management	139,000	160,000	Albarati	East on Hwy 30, Right on Maggie Johnson		ins
386		\$186,000 92730 Maggie Johnson Rd Astoria, OR 97103 Closed / 08-2234	144	Inactive Member RE/MAX River & Sea Inactive Member	186,000	196,000	Davis	From Hwy 30 East, to L on Old Hwy 30, to R on Maggie Johnson Rd	Y	
387		\$115,000 92418 Maki Rd Astoria, OR 97103 Closed / 12-1357	228	Inactive Member 503-791-2682 sandymcalvert@gmail.com http://www.areaproperties.com AREA Properties	140,000	99,000	Montgomery	E. Hwy 30, turn L, Old Hwy 30 to R, Maki Rd to property, driveway on R.		
388		\$275,000 92460 Maki Rd Astoria, OR 97103 Closed / 15-1205	63	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor	279,800	279,800	FNMA	Hwy 30 toward Burnside Lp, right to Old US-HWY 30, right on Maki Rd to property	Y	
389		\$260,000 92474 Maki Rd Astoria, OR 97103 Closed / 17-779	35	Inactive Member Pacific Pro Realty	264,500	264,500	Infinity Custom Renovations	East on Hwy 30 to Burside, right on old US Hwy 30, right on Maki Rd, to driveway on the right.	Y	ins

		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
390		\$119,000 92474 Maki Rd Astoria, OR 97103 Closed / 17-147	44	Tess LaPointe 503-470-0639 clpc9@hotmail.com http://www.PacificProHomes.com Pacific Pro Realty	119,000	119,000	Roos Richard J	Hwy 30 to south on Svensen Market Rd, at stop turn Rt. onto Old hwy 30 then L. on Maki. Home on Right.	N	
391		\$295,000 92938 Maritime Rd Astoria, OR 97103 Closed / 20-112	41	Kaia McMahan 503-468-8479 mcmahankaia@gmail.com Totem Properties LLC	299,000	299,000	David and Ariel Russell	Hwy 30 to 2nd Burnside exit to house on corner of Maritime.	Y	fin
392		\$120,000 92938 Maritime Rd Astoria, OR 97103 Closed / 17-1464	112	Vicky Rutherford 503-338-2116 vickyr@pacifier.com http://www.areaproperties.com AREA Properties	135,000	135,000	Caron	Hwy 30 to 2nd Burnside exit to house on corner of Maritime.	Y	Ins
393		\$319,000 92941 Maritime Rd Astoria, OR 97103 Closed / 20-619	32	Hilary Herman 503-791-4718 hilaryherman@hotmail.com Realty One Group Prestige	319,000	319,000	Tucker	Highway 30, to Burnside Loop, to Maritime Rd. House on right.	Y	Ins
394		\$295,000 92941 Maritime Rd Astoria, OR 97103 Closed / 18-1644	58	Inactive Member RE/MAX River & Sea	299,000	305,000	Montgomery, Douglas A	East on Hwy 30, left at Burnside intersection, right on Maritime Rd, to house on right	Y	Fir
395		\$104,000 92941 Maritime Rd Astoria, OR 97103 Closed / 01-783	103	Inactive Member AREA Properties	112,000	112,000	Piper	From Hwy 30, take either Burnside exit.	Y	Fir
396		\$325,000 42095 Marty Lane Astoria, OR 97103 Closed / 18-336	50	Mary Wikstrom 503-791-9381 marywikstrom1@gmail.com http://www.areaproperties.com AREA Properties Laurie Duey	325,000	325,000	Pinkstaff	Hwy 30 to Hillcrest Loop to Marty Lane- house is on the Left.	Y	
397		\$254,900 42095 Marty Ln Astoria, OR 97103 Closed / 16-77	50	Mary Wikstrom 503-791-9381 marywikstrom1@gmail.com http://www.areaproperties.com AREA Properties Laurie Duey	254,900	254,900	Infinity Property Buyers	Hwy 30 to Hillcrest Loop to Marty Lane home on the left.	Y	
398		\$160,000 42095 Marty Ln Astoria, OR 97103 Closed / 15-1534	127	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties Inactive Member	166,100	166,100	Nationstar	South @ Knappa Junction to Marty Lane	N	
399		\$245,000 92554 MAGGIE JOHNSON RD Astoria, OR 97103 Closed / 05-1397	35	Inactive Member Lewis & Clark Real Estate & Property Management	245,000	245,000	Moore	Hwy 30 E ,to left on Old Hwy 30, right on Maggie Johnson to property on right	Y	Fir
400		\$75,000 92630 MAGGIE JOHNSON RD Astoria, OR 97103 Closed / 04-876	41	Inactive Member 503-738-5558 jclark@kentpricerealty.com http://kentpricerealty.com Coldwell Banker Kent Price Realty	75,000	75,000	Fannie Mae	Past Koppish Rd. left on Old Hwy 30 over the overpass to property on right.	y	Fir
401		\$88,000 92642 MAGGIE JOHNSON RD Astoria, OR 97103 Closed / 06-732	458	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	99,000	99,000	Russell	Old Hwy 30 N. to Maggie Johnson Rd to house on Right.	Y	Ins
402		\$135,000 92700 MAGGIE JOHNSON RD Astoria, OR 97103 Closed / 04-309	275	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	127,000	127,000	Richardson	Off Hwy 30, left to Maggie Johnson Rd, right		

		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
403		\$300,000 92116 MAKI RD Astoria, OR 97103 Closed / 06-197	157	Inactive Member RE/MAX River & Sea	315,000	325,000	Johnson	East on Hwy 30, just past Burnside, right on Old Hwy 30, right at Maki Rd 9/10 mile to property on right.	Y	Ins
404		\$245,000 92134 MAKI RD Astoria, OR 97103 Closed / 06-1090	154	Inactive Member RE/MAX River & Sea	245,000	342,000	Bartlett	Highway 30 past Burnside to Old Highway 30, on right. Right on Maki Road to property on right.	N	
405		\$229,000 92357 MAKI RD Astoria, OR 97103 Closed / 08-1687	202	Inactive Member RE/MAX River & Sea Inactive Member	229,000	249,000	Williams	Hwy 30 E, R onto Old Hwy 30, R on Maki Rd, L to property.	Y	
406		\$127,500 92941 MARITIME RD Astoria, OR 97103 Closed / 05-1374	19	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties	136,000	136,000	OHCS	Burnside to Maritime Rd	N	
407		\$217,000 41961 Meyer Lane Astoria, OR 97103 Closed / 07-1885	99	Inactive Member RE/MAX River & Sea	254,900	254,900	Reimers	Hwy 30 to the Logger, right on Hillcrest to Meyer Lane, right to home on right	Y	fin
408		\$195,000 41970 Meyer Lane Astoria, OR 97103 Closed / 11-1459	553	Mary Wikstrom 503-791-9381 marywikstrom1@gmail.com http://www.areaproperties.com AREA Properties	210,000	239,500	Hudson	Hwy 30 to Knappa junction, south on Hillcrest, right on Meyer.	Y	
409		\$261,000 41948 Meyer Ln Astoria, OR 97103 Closed / 16-1440	101	Inactive Member Pacific Pro Realty	272,000	272,000	Johnson	E on Hwy 30, to R on Hillcrest Lp, to R on Meyer Ln, straight to property	Y	Ins
410		\$250,000 41948 Meyer Ln Astoria, OR 97103 Closed / 14-837	133	Inactive Member RE/MAX River & Sea	250,000	250,000	Jackson	E on Hwy 30 to R on Hillcrest Loop to R on Meyer Ln to property.		
411		\$105,000 41961 Meyer Ln Astoria, OR 97103 Closed / 12-463	247	Inactive Member Coldwell Banker Kent Price Realty	139,900	194,900	Fannie Mae	Hwy 30, S at the Logger Restaurant, to Meyer		
412		\$165,000 41962 Meyer Ln Astoria, OR 97103 Closed / 18-1435	224	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties Mary Wikstrom	169,900	169,900	Shellpoint Mortgage Servicing	E on Hwy 30, R on Hillcrest Lp to R on Meyer Ln to property.	Y	
413		\$295,000 41991 Meyer Ln Astoria, OR 97103 Closed / 19-1260	150	Deb Stenvall 360-355-5175 deb@liveastoria.com http://www.liveastoria.com eXp Realty LLC	312,500	312,500	Nick A Hansen	Hwy 30 E. R on Hillcrest Loop. R on Meyer Ln to Property on R.	Y	Ins
414		\$168,500 41948 MEYER LN Astoria, OR 97103 Closed / 03-642	51	Inactive Member Pete Anderson Realty, Inc.	172,500	172,500	Kraus	Right at Knappa light, follow Hillcrest Loop to right on Meyer Lane at end	Y	Fir
415		\$175,000 40287 Miracle Dr Astoria, OR 97103 Pending / 19-1455 Y	499	Inactive Member 503-739-0310 mary@astoriacoast.com Astoria Coast Inc.	175,000	175,000	HUD	Hwy 101 to Svensen Market turn off, south to Simonsen road, east to Miracle Drive.	Y	fin
416		\$259,000 40317 Miracle Dr Astoria, OR 97103 Closed / 17-626	83	Carla Martens-Sowins 503-440-1870 CARLA_SOWINS@msn.com http://www.sowinsrealtor.com Sowins Real Estate & Property Management	263,000	269,000	Lackey Dean K	Hwy 30 -R at lught at Svensen- straight on Market Rd - L on Simonsen L on Miracle Dr.		Ins
417		\$235,000 40327 Miracle Dr Astoria, OR 97103 Closed / 14-1385	150	Inactive Member RE/MAX River & Sea	239,900	239,900	Maki	Svensen Market Rd to Simonsen Rd to Miracle Dr on the Left.	Y	Fir














		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
418		\$225,000 40327 Miracle Dr Astoria, OR 97103 Closed / 10-1621	0	Inactive Member 503-741-0908 emilym_smith@yahoo.com http://www.peteandersonrealty.com Pete Anderson Realty, Inc.	225,000	225,000	Miethe Jack	Svensen Mkt RD To Simonson to Miracle Dr on the Left		
419		\$300,000 40327 Miracle Dr. Astoria, OR 97103 Closed / 18-1220	173	Inactive Member RE/MAX River & Sea	310,000	310,000	Michael and Kelley Hazlett	Svensen Market Rd to Simonsen Rd to Miracle Dr on the Left.	Y	Ins
420		\$150,000 41668 Ogier Lane Astoria, OR 97103 Closed / 11-1417	174	Inactive Member 503-738-5531 maryssd@theoregonshore.com Seaside Realty, Inc.	175,000	175,000	US Bankruptcy Court	Hwy 30 to Hillcrest Loop, 1.8 miles southwest to Ogier Lane, right on Ogier Lane to end.	N	
421		\$223,000 40246 Old Highway 30 Astoria, OR 97103 Closed / 07-1708	192	Inactive Member RE/MAX River & Sea	239,000	259,000	Coplen Eli D/Sarah D	East on Hwy 30 to Right on Old Hwy 30 to property on the Right.	Y	ins
422		\$119,340 40678 Old Highway 30 Astoria, OR 97103 Closed / 09-698	137	Inactive Member 503-338-5200 jvh@riverandsea.net http://www.riverandsea.net RE/MAX River & Sea	117,000	117,000	Jurich	Hwy 30 to Svensen Market Rd, Left at stop sign, house on right	Y	Fir
423		\$191,099 42072 Old Highway 30 Astoria, OR 97103 Closed / 08-648	231	Inactive Member AREA Properties	215,000	235,000	Gadberry	From Hwy 30, South on Old Hwy 30 near the overpass.	Y	Sh
424		\$262,000 42152 Old Highway 30 Astoria, OR 97103 Closed / 15-1592	106	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Heidi Stackhouse	272,000	279,900	Hughes Jason W	Hwy 30 east, left onto Old Hwy 30 to property.	Y	
425		\$230,100 40133 Old Hwy 30 Astoria, OR 97103 Closed / 02-1492	39	Inactive Member caroljoh.1@gmail.com Windermere Realty Trust	230,000	230,000	Everson	Hwy 30 E of B/side R on Old Hwy 30, before Marys Creek Bridge, property on left		
426		\$151,500 40271 Old Hwy 30 Astoria, OR 97103 Closed / 14-1132	150	Kathren J. Rusinovich 503-338-2245 mauikate1@gmail.com http://www.windermere.com Windermere Community Realty	235,000	250,000	Johnson Family Trust	Svensen Market Rd, from Hiway 30, head S. or R on Market Rd., R. at stop sign, to home on R.	Y	fin
427		\$350,000 40300 Old Hwy 30 Astoria, OR 97103 Closed / 18-1393	79	Inactive Member RE/MAX River & Sea	359,500	359,500	Harn Robert/Barbara	Hwy 30 to L on Svensen Market Rd, R on Old Hwy 30 to property on L	Y	Ins
428		\$238,000 40547 Old Hwy 30 Astoria, OR 97103 Closed / 18-1150	1	Leigh Mortlock 503-453-6269 leigh@liveastoria.com http://www.liveastoria.com eXp Realty LLC	229,000		Robitsch Alan D	Hwy 30 to L on Svensen Market Rd to L on Old US Hwy 30 to Property on L	Y	Ins
429		\$325,000 40598 Old Hwy 30 Astoria, OR 97103 Closed / 19-534	44	Inactive Member eXp Realty LLC	330,000	330,000	Jerald Jay Jones	East on Hwy 30, take right at Svensen Junction, left at Old Hwy 30 to home on right.	Y	Fir
430		\$127,000 40614 Old Hwy 30 Astoria, OR 97103 Closed / 01-993	43	Victor Kee 503-791-5880 Info@victorkee.com Pete Anderson Realty, Inc.	129,900	129,900	Sue Lynn Lougee	Hwy 30 to Svensen Market Rd, east on Old Hwy 30, next to church	Y	Fir
431		\$210,000 40641 Old Hwy 30 Astoria, OR 97103 Closed / 17-817	334	Cheryl Eaton 503-791-3581 sea_eaton@yahoo.com http://www.peteandersonrealty.com Pete Anderson Realty, Inc.	215,000	245,000	Erspamer	Hwy 30 to Svensen, right at blinking light to left on Old Hwy 30 to property on left.		Ins

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
432		\$119,000 40678 Old Hwy 30 Astoria, OR 97103 Closed / 13-978	249	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	127,500	127,500	JP Morgan Chase Bank, N.A.	Highway 30 east of Astoria. Take right at the Svensen light. Then left at stop sign to property about 1/4 mile on right.	Y	Us
433		\$175,000 40937 Old Hwy 30 Astoria, OR 97103 Closed / 16-1423	86	Inactive Member Larcin Realty Group Inc Inactive Member	172,500	172,500	Dunn James P/Chandra Lianne	Hwy 30 R @ Svensen, E Old Hwy 30, to subject property on Left	Y	Ins
434		\$129,500 40997 Old Hwy 30 Astoria, OR 97103 Closed / 12-816	100	Inactive Member Coldwell Banker Kent Price Realty	129,900	129,900	Poole Juanita	Hwy 30, Right at Svensen flashing lights, left at stop sign (Old Hwy 30), past curve, house on left up hill, mail box on right.	Y	ins
435		\$283,250 41205 Old Hwy 30 Astoria, OR 97103 Closed / 14-51	161	Carla Martens-Sowins 503-440-1870 CARLA_SOWINS@msn.com http://www.sowinsrealtor.com Sowins Real Estate & Property Management	299,000	299,000	Pritchard Michael T/Kathryn J	Highway 30 -Right at Svenson light-left at stop sign on Old Hwy 30 -left to property address		ins
436		\$198,000 41406 Old Hwy 30 Astoria, OR 97103 Closed / 17-635	21	Inactive Member Larcin Realty Group Inc	195,000	195,000	Landwehr Nicholas H	East on Highway 30 R at Svensen Light L on Old Highway 30 to the subject property on the R		Ins
437		\$100,000 41406 Old Hwy 30 Astoria, OR 97103 Closed / 14-226	121	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	92,000	92,000	Johnson Estate	Hwy 30 east to Koppisch, right to property across from schools.		
438		\$160,000 41718 Old Hwy 30 Astoria, OR 97103 Closed / 18-1337	83	Elaine Rusinovich 503-741-0452 elainerusinovichbroker@hotmail.com Pacific Pro Realty Abby Rusinovich	175,900	189,900	Estate of Florence M. Hoikka	Hwy 30 East turn Right at Svensen Intersection. Then Left on Old Hwy 30 to subject property on the right.	N	
439		\$124,500 42039 Old Hwy 30 Astoria, OR 97103 Closed / 13-540	100	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	125,000	125,000	Roner LLC	Hwy 30,S on Koppish, R on Old Hwy 30 to home on L.	Y	Fir
440		\$125,000 42039 Old Hwy 30 Astoria, OR 97103 Closed / 19-1166	412	Cheryl Eaton 503-791-3581 sea_eaton@yahoo.com http://www.peteandersonrealty.com Pete Anderson Realty, Inc.	150,000	124,500	Baumann Laura	Hwy 30 to Right on Koppisch Rd, left on Old Hwy 30 to property on left	Y	Ins
441		\$215,000 42072 Old Hwy 30 Astoria, OR 97103 Closed / 17-1143	77	Inactive Member Larcin Realty Group Inc	215,000	215,000	Adams	US HWY 30 R @ SVENSEN LIGHT L AT STOP FOLLOW OLD HWY 30 TO SUBJECT PROPERTY ON R	Y	
442		\$310,000 42120 Old Hwy 30 Astoria, OR 97103 Closed / 20-314	29	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Heidi Stackhouse	325,000	325,000	Hughes	East on Hwy 30, Left on Old Hwy 30 to house on right.	Y	Ins
443		\$119,800 42764 Old Hwy 30 Astoria, OR 97103 Closed / 13-716	41	Inactive Member 503-739-3500 carriagehouere@ymail.com http://carriagehouerealestateoregon.com Carriage House Real Estate	125,000	125,000	Flagstar Bank FSB	Property is in Knappa. Hwy 30 to Knappa west on Old Hwy 30	N	

		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
444		\$190,000 42764 Old Hwy 30 Astoria, OR 97103 Closed / 14-460	156	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	224,900	239,000	Hodges	Hwy 30 to Knappa West on Old Hwy 30		
445		\$167,000 92722 Old Market Rd Astoria, OR 97103 Closed / 19-5	172	Mary Wikstrom 503-791-9381 marywikstrom1@gmail.com http://www.areaproperties.com AREA Properties	195,000	219,900	Mayfield	Hwy 30 to Knappa intersection Left to property on the Left.	Y	
446		\$260,000 40598 Old US Hwy 30 Astoria, OR 97103 Closed / 17-1624	57	Inactive Member Pacific Pro Realty	264,900	264,900	Russell and Marilyn Hanson	East on hwy 30, take right at Svensen junction, left at Old Hwy 30 to home on the right.	Y	Ins
447		\$460,000 42759 Old US Hwy 30 Astoria, OR 97103 Closed / 19-689	181	Inactive Member RE/MAX River & Sea	499,000	599,000	Oja	Heading east on hwy 30, take left at Knappa junction, 1/2 miles to property driveway on right.	Y	Ins
448		\$209,000 40246 OLD HIGHWAY 30 Astoria, OR 97103 Closed / 05-1055	41	Inactive Member AREA Properties	209,000	209,000	Helligso	Hwy 30 to right on Old Hwy 30		
449		\$117,500 40246 OLD HIGHWAY 30 Astoria, OR 97103 Closed / 03-1111	56	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	125,000	125,000	Bunch	Call listing office		
450		\$130,000 40611 OLD HIGHWAY 30 Astoria, OR 97103 Closed / 05-1504	47	Inactive Member 503-440-7727 andimac@pacifier.com http://www.andimacbroker.com Pete Anderson Realty, Inc.	129,000	129,000	Maki Estate	East on Hwy 30, turn south at Svensen light, turn east on Old Hwy 30 to property on left	Y	
451		\$105,000 40937 OLD HIGHWAY 30 Astoria, OR 97103 Closed / 05-848	182	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	125,000	125,000	Estate of Puckett	Right at Svensen Junction, left on Old Hwy 30 to property.	N	
452		\$101,970 41512 OLD HIGHWAY 30 Astoria, OR 97103 Closed / 03-1274	47	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	99,500	99,500	Neikes	East Hwy 30 to Kopposich Rd,Rt past High School to property on left.	Y	Fir
453		\$210,000 40218 OLD HWY 30 Astoria, OR 97103 Closed / 00-686	318	Peter Weidman pete@astoriarealestate.net http://astoriarealestate.net Astoria Real Estate	229,000	229,000	HASSE	FROM US HWY 30 GO SOUTH @ SVENSEN LIGHT, TURN RIGHT(WEST)ON OLD HWY 30 TO 2ND HOUSE ON LEFT PAST BEAR CREEK	y	fin
454		\$80,000 40246 OLD HWY 30 Astoria, OR 97103 Closed / 00-127	193	Inactive Member Windermere Community Realty	82,500	94,900	MOREQUITY INC	RT @ SVENSEN, RT @ HUNT'S MKT, 1ST LEFT AFTER BEAR CRK		fin
455		\$132,200 42072 OLD HWY 30 Astoria, OR 97103 Closed / 01-1427	195	Inactive Member 503-739-0972 bclement@seasurf.net Coldwell Banker Kent Price Realty Inactive Member	129,000		Havner	Hwy 30 to Kopisch Rd. Left on Old Hwy 30 to property on right.	y	fin
456		\$80,000 42306 E Orchard Ln Astoria, OR 97103 Closed / 10-547	161	Inactive Member 503-738-5531 maryssd@theoregonshore.com Seaside Realty, Inc.	95,900	137,000	HUD	Hwy 30 to Abbot Rd, to Bagly Rd, to E. Orchard Lane.	N	

		Price / Status / MLS #	Age... Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
457		\$155,000 42383 E Orchard Ln Astoria, OR 97103 Closed / 12-967	227	Inactive Member RE/MAX River & Sea	150,000	150,000	Shrode Cheryl M	South on Bagley, Right on Orchard.	Y	Fir
458		\$137,500 42383 E. Orchard Lane Astoria, OR 97103 Closed / 03-955	154	Inactive Member AREA Properties	139,000	139,000	Schwegler	Hwy 30 to Bagley to Orchard Lane		
459		\$156,000 44038 Owl Lane Astoria, OR 97103 Closed / 01-789	81	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	155,000	155,000	Schumacher	Aldrich Pt Rd to Owl Lane, to property at end of road.		
460		\$372,000 43893 Owl Ln Astoria, OR 97103 Closed / 15-1482	132	Inactive Member RE/MAX River & Sea	384,900		Umbriaco	Hwy 30, Left on Ziak Gnat Creek Rd., Right on Aldrich Pt Rd to Owl Lane to Property.	Y	Ins
461		\$178,500 41975 Payton Rd Astoria, OR 97103 Closed / 20-158	120	Abby Rusinovich 503-338-9800 abbymrusinovich@hotmail.com Pacific Pro Realty Elaine Rusinovich	178,500	255,000	James E. Hall	Coming from Astoria: Continue on HWY 30. Turn Right on Hillcrest Loop Rd. Subject property is on the left.	Y	Ins
462		\$212,000 92879 Pearson Rd Astoria, OR 97103 Closed / 10-1521	123	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	212,000	235,000	Hendrickson	Hwy 30 Right at Svensen junction, Left on Old Hwy 30, Left on Pearson to property at end of pavement on Left.	Y	Ins
463		\$595,000 43007 Penttila Ln Astoria, OR 97103 Pending / 20-1042 P	197	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Heidi Stackhouse	595,000	650,000	Barendse	Ziak Gnat Creek to Barendse Lane to Penttila Lane, home at the end of the road		
464		\$445,000 44394 Peterson Ln Astoria, OR 97103 Closed / 20-787	46	Julia Radditz 503-367-9024 julia@totemproperties.com http://www.totemproperties.com Totem Properties LLC	445,000	445,000	Siklai Omri	Hwy 30 to Ziak-Gnat Creek Rd, Right on Aldrich Point Rd, Right on Peterson Ln to property on Right		
465		\$127,900 43947 PETERSON LANE Astoria, OR 97103 Closed / 99-505	78	Inactive Member Coldwell Banker Kent Price Realty	127,900	127,900	SEAL	BROWNSMEAD EXIT 1 MI. TURN RIGHT ALDRIDGE PT RD 3 MILES	Y	FI
466		\$305,000 44150 PETERSON LN Astoria, OR 97103 Closed / 05-1467	187	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	315,000	315,000	Stout	Hwy 30 east to Ziak Gnat Creek Rd, right on Aldridge Pt, right on Peterson	Y	Ins
467		\$325,000 44394 PETERSON LN Astoria, OR 97103 Closed / 06-792	70	Inactive Member RE/MAX River & Sea	325,000	325,000	Holt Eugene A/Judith C	Ziak Gnat to Aldrich Point Road to right on Peterson, approx 1 mile on right.	N	Ins
468		\$300,000 92928 Phyllis Drive Astoria, OR 97103 Closed / 10-318	51	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties Inactive Member	299,900	299,900	Clayton	Hwy 30 to Valley Creek Ln, L on Stringtown Rd, L on Phyllis Dr to end of road.	Y	Fir
469		\$325,000 92560 Pilot Rd Astoria, OR 97103 Closed / 17-1042	205	Kathren J. Rusinovich 503-338-2245 mauikate1@gmail.com http://www.windermere.com Windermere Community Realty	329,000	350,000	Kinney Sons Dump Trucking LLC	From Svensen Market Rd Head East on Old Highway 30 toward Knappa H.S., Left on Pilot Rd to home on left.		fin

		Price / Status / MLS #	Age... Listing Member Days on Market		List Price	Original List Price	Owner	Directions	Contingent	Cc
470		\$132,500 92464 Pilots Rd Astoria, OR 97103 Closed / 04-178	115 Inactive Member AREA Properties		149,900	149,900	Robertson	Right at Svensen light, left Old Hwy 30 to Pilots Rd, Left at sign.		
471		\$150,000 92541 Pilots Rd Astoria, OR 97103 Closed / 13-361	179 Inactive Member RE/MAX River & Sea Inactive Member		180,000	195,000	Peterson	East on Hwy 30, R at Svensen intersection, L on Old Hwy 30, L on Pilots Rd to house on R.	Y	
472		\$459,000 92560 Pilots Rd Astoria, OR 97103 Pending / 21-241 Y	9 Deb Stenvall 360-355-5175 deb@liveastoria.com http://www.liveastoria.com eXp Realty LLC		459,000	459,000	Cobb	Svensen Market Rd Head East on Old Highway 30 toward Knappa H.S., Left on Pilot Rd to home on left.	Y	Ins
473		\$245,000 40131 Riverview Terrace Ln Astoria, OR 97103 Closed / 15-1648	169 Kathren J. Rusinovich 503-338-2245 mauikate1@gmail.com http://www.windermere.com Windermere Community Realty		245,000	252,000	Vincent J/Kathren J Rusinovich	Hwy 30, N. at Svensen Blinking light, left on Island View, L on Riverview Ter,	Y	Fir
474		\$153,500 40153 RIVERVIEW TER Astoria, OR 97103 Closed / 05-247	57 Inactive Member AREA Properties		149,500	149,500	Burgher	Hwy 30 to Svensen light, left to Island View Rd to home on corner	N	fin
475		\$138,500 40146 RIVERVIEW TERRACE Astoria, OR 97103 Closed / 00-405	166 Inactive Member marsha@seasurf.net http://www.windermere.com Windermere Community Realty		138,500	138,500	BRADSHAW	HWY 30 EAST TO SVENSEN, LEFT AT LIGHT TO RIVERVIEW		fin
476		\$252,000 41350 Rolling Stone Ln Astoria, OR 97103 Closed / 04-440	91 Inactive Member 503-738-5558 jclark@kentpricerealty.com http://kentpricerealty.com Coldwell Banker Kent Price Realty		259,900	259,900	Judith Mason Trust	Koppisch Rd, first right past Heather Ln, follow road to end.	y	fin
477		\$360,000 41390 Rolling Stones Ln Astoria, OR 97103 Closed / 19-910	51 Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties		350,000	350,000	Hall	Hwy 30 to Koppisch Rd, turn right on Rolling Stones Lane.	Y	Fir
478		\$270,000 41368 ROLLING STONE LN Astoria, OR 97103 Closed / 08-854	92 Inactive Member 503-741-0908 emilym_smith@yahoo.com http://www.peteandersonrealty.com Pete Anderson Realty, Inc. Inactive Member		275,000	289,999	Roberts Shawn T/Miriam B	Hwy 30. Right on Koppisch to Rolling Stone Lane on the right. (Apx 1 mile)	N	
479		\$166,000 0 RT 2 BOX 135G Astoria, OR 97103 Closed / 98-110	38 Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties		169,000	169,000	JOHNSON	HWY 30 EAST, LEFT ON FERNHILL (TOWARD RIVER) TO HOME	Y	Fir
480		\$150,000 0 RT 2 BOX 137 Astoria, OR 97103 Closed / 98-57	169 Inactive Member 503-440-7727 andimac@pacifier.com http://www.andimacbroker.com Pete Anderson Realty, Inc.		155,000	158,000	FORMAN	EAST FROM ASTORIA 3 MI. TO FERN HILL RD 1/2 MI. ON RIGHT	Y	72
481		\$167,000 0 RT 2 BOX 566-2 Astoria, OR 97103 Closed / 98-734	300 Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.		169,500	184,900	JOHNSON	N AT 30 + SVENSEN INTERSECTION, FOLLOW SIGNS ON MAKI RD	Y	Fir
482		\$70,000 0 RT 2 BOX 640 Astoria, OR 97103 Closed / 99-675	99 Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties		75,000	75,000	GARBER ESTATE	MARKET RD TO 1ST GRAVEL RD ON RT, RT TO PROP. ON LEFT	Y	

		Price / Status / MLS #	Agency Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
483		\$79,500 0 RT 2 BOX 648 Astoria, OR 97103 Closed / 98-44	51	Inactive Member leespang@gmail.com AREA Properties	77,500	77,500	GRAHAM	HWY 30,FLASHING YELLOW LT TO SVENSEN,1/4 M ON MARKET RD	Y	HC
484		\$108,000 0 RT 2 BOX 713 Astoria, OR 97103 Closed / 99-394	46	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	105,000	105,000	MORGAN	SOUTH ON MARKET RD TO PROPERTY ON LEFT	Y	FII
485		\$162,500 0 RT 2 BOX 884 Astoria, OR 97103 Closed / 98-1490	204	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	169,900	169,900	VAN WAGONER	SVENSEN SOUTH, LEFT AT HUNT RD TO PROPERTY	Y	IN.
486		\$72,500 0 RT 4 BOX 538 Astoria, OR 97103 Closed / 98-1230	501	Inactive Member AREA Properties	79,900	86,500	MACHELL	FROM HWY 30, LEFT @ LOGGER, 1ST RT TO PROPERTY ON LEFT	Y	FII
487		\$189,000 0 RT 4 BOX 550J Astoria, OR 97103 Closed / 97-983	169	Inactive Member AREA Properties	198,000	198,000	NYGAARD	FROM HWY 30 TURN ON BAGLEY RD TO HOUSE	Y	SA HC
488		\$132,500 0 RT 4 BOX 575-25 Astoria, OR 97103 Closed / 98-1511	214	Inactive Member Windermere Community Realty	139,500	139,500	RAINEY	E TO KNAPPA JCT,RT,GO PAST BALLFIELD,RT @ 1ST GRAVEL RD	Y	IN.
489		\$50,000 0 RT 6 BOX 1056 Astoria, OR 97103 Closed / 98-1455	21	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	59,500	59,500	HUBBELL/BOYLE	SOUTH OFF HWY 30 AT SVENSEN, LEFT ON OLD HWY 30 TO SIGN	N	
490		\$99,500 0 RT 6 BOX 1060 Astoria, OR 97103 Closed / 98-1239	56	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	99,500	99,500	TOMBERG	HWY 30 EAST,RT @ SVENSEN,L @ HUNT'S,L @ IVY STATION RD	Y	VA
491		\$210,000 0 RT 6 BOX 117 Astoria, OR 97103 Closed / 98-441	35	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	275,000	275,000	LYNN TRUST	RT @ SVENSEN X- SECTION,L @ WICKIUP,1 MI E TO PEARSON,L	N	
492		\$212,800 0 RT 6 BOX 147 Astoria, OR 97103 Closed / 98-1139	233	Inactive Member AREA Properties	224,000	239,900	KUHNLY	SVENSEN,L @ HUNTS MKT,RT ON HILLCREST,RT ON AKERSTAAD	Y	FII
493		\$144,000 0 RT 6 BOX 157 Astoria, OR 97103 Closed / 99-139	335	Inactive Member graham@areaproperties.com AREA Properties	159,000	169,000	WHITE	RT AT SVENSEN, LEFT AT OLD HWY 30, RT ON HILLCREST LOOP	Y	FII
494		\$129,500 0 RT 6 BOX 196 Astoria, OR 97103 Closed / 96-599	1,086	Inactive Member 503-325-7653 atwaters@pacifier.com http://www.atwaterastoria.com Atwater Real Estate	149,950	235,000	JACKSON	RT @ SVENS LITE,L OLD HWY 30,RT ON CONROY,RT ON SAVOLA	N	
495		\$135,000 0 RT 6 BOX 259 Astoria, OR 97103 Closed / 97-1324	51	Inactive Member leespang@gmail.com AREA Properties	135,000	135,000	GASSMAN	HWY 30 TO OLD 30,RT ON MAG.JOHNSON RD,GRAVEL FORK TO RT	Y	FII
496		\$119,500 0 RT 6 BOX 265B Astoria, OR 97103 Closed / 98-840	305	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties Inactive Member	119,900	129,900	BLANEY	HWY 30, LEFT @ LOGGER, 1ST DRIVEWAY PAST KNAPPA TERRACE	Y	FII

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
497		\$147,000 0 RT 6 BOX 265N Astoria, OR 97103 Closed / 98-708	461	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	159,500	165,000	GAIDOSH	HWY 30, LEFT AT LOGGER RESTAURANT, 2ND LEFT TO ADDRESS	Y	Fill
498		\$105,000 0 RT 6 BOX 578E Astoria, OR 97103 Closed / 00-65	104	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	112,000	119,900	COUNTRYWIDE	LEFT @ SVENSEN JCT TO RIVERVIEW TERRACE	Y	Fill
499		\$115,000 0 RT 6 BOX 65 Astoria, OR 97103 Closed / 97-165	418	Inactive Member msteven@charter.net http://astoriarealestate.net Astoria Real Estate	119,500	130,000	RUPP/DONNEGAN	HWY 30, LEFT ON IVY STATION RD, 1ST PLACE ON THE RIGHT	Y	Fill
500		\$67,000 0 RT 74 BOX 112 Astoria, OR 97103 Closed / 99-371	92	Inactive Member Seaside Realty, Inc.	72,000	72,000	BRUCE	HWY 30 EAST TO BROWNSMEAD		CC
501		\$170,500 94486 Rudat Rd Astoria, OR 97103 Closed / 01-1234	70	Inactive Member AREA Properties	168,000	168,000	Moore	From Hwy 30 take Brownsmead exit, right on second bridge, left, then right	Y	Ins
502		\$270,000 94486 Rudat Rd Astoria, OR 97103 Closed / 16-1455	93	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties	275,000	275,000	McArthur	Hwy 30 to Brownsmead Junction. Head to Brownsmead Dike to Rudat Rd.	Y	Ins
503		\$118,000 94578 Rudat Rd Astoria, OR 97103 Closed / 12-426	137	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	125,900	139,900	OOR	Hwy 30 to Ziak Gnat Creek Rd, right on Barendse, left on Rudat.	Y	Ins
504		\$91,000 94750 Rudat Rd Astoria, OR 97103 Closed / 15-1530	50	Inactive Member RE/MAX River & Sea	75,000	75,000	Graham, Smith, Lahti	Hwy 30 to Ziak Gnat Creet Rd, R on Barendse, L on Rudat to property.	Y	Ins
505		\$179,500 40825 Savola Lane Astoria, OR 97103 Closed / 01-162	363	Inactive Member Windermere Community Realty	179,500	219,000	Witschen	South at Svensen light; east on Old Highway 30 to Conroy, South to Savola	Y	Fir
506		\$184,000 40883 SAVOLA LN Astoria, OR 97103 Closed / 07-729	50	Inactive Member Lewis & Clark Real Estate & Property Management	195,000	195,000	Hubbard	East Hwy 30, Left at Svensen Junction, Left on Old Hwy 30, Right on Conroy Road. Right on Savola Lane to property on right.	S	
507		\$153,500 41111 School House Road Astoria, OR 97103 Closed / 02-86	164	Inactive Member 503-325-6848 thepopkinteam@yahoo.com http://www.areaproperties.com AREA Properties	148,000	150,000	Nelson	Conroy Rd, go Left on School House Ln to property on Left.		
508		\$250,000 41111 Schoolhouse Rd Astoria, OR 97103 Closed / 06-1249	57	Inactive Member Pete Anderson Realty, Inc. Inactive Member	224,950	224,950	Attig, Jamie	Svensen light to Market Rd; E on Old Hwy 30 to Conroy; S to Schoolhouse Ln; left to property on left.	Y	Ins
509		\$160,000 92203 Simonsen Lp Rd Astoria, OR 97103 Closed / 03-65	248	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	154,000	164,000	Sorenson	Svensen, south on Market Rd - corner of Market & Simonsen	Y	Fir
510		\$299,000 92203 Simonsen Rd Astoria, OR 97103 Closed / 19-1521	72	Leigh Mortlock 503-453-6269 leigh@liveastoria.com http://www.liveastoria.com eXp Realty LLC	310,000	310,000	Dennis & Kathleen Luckenbach	Hwy 30 E. Right on Svensen Market. Left on Simonsen to Property on Right.	Y	Fir

		Price / Status / MLS #	Agency Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
511		\$160,000 92224 Simonsen Rd Astoria, OR 97103 Closed / 16-20	196	Vicky Rutherford 503-338-2116 vickyr@pacifier.com http://www.areaproperties.com AREA Properties	169,900	169,900	Bean	Hwy 30 to Svensen light, R on Svensen Market Rd to Simonsen Rd	Y	Ins
512		\$160,000 92224 Simonsen Rd Astoria, OR 97103 Closed / 15-1111	204	Vicky Rutherford 503-338-2116 vickyr@pacifier.com http://www.areaproperties.com AREA Properties	169,900	175,000	Bean	Hwy 30 to Svenson light, Right on Svenson Market Rd to Simonsen on Left.	Y	Ins
513		\$174,000 92285 Simonsen Rd Astoria, OR 97103 Closed / 14-809	156	Debra Bowe deb@debbowe.com Windermere Community Realty	179,950	179,950	Joanne Posey, et al	Highway 30 to Svensen Junction, south to stop, to Svensen Mkt Rd, S. to Simonsen.	Y	
514		\$172,000 92290 Simonsen Rd Astoria, OR 97103 Closed / 19-1106	77	Inactive Member RE/MAX River & Sea	179,000	179,000	Gregory G Atkeson	Hwy 30 to Svensen light, turn south onto Market Road, left on Simonson Lp, to home on left.	Y	Fir
515		\$80,000 92290 Simonsen Rd Astoria, OR 97103 Closed / 12-1192	353	Rosalie McCleary 503-791-3070 rosaliemccleary@gmail.com http://www.RealtorRosalieMcCleary.com Pete Anderson Realty, Inc. Victor Kee	80,000	129,900	Clark Helen L Tr	Highway 30 to blinking light at Svensen. Turn south and proceed onto Market Road. Follow to Simonsen Road. Turn left.	Y	
516		\$238,000 92336 Simonsen Rd Astoria, OR 97103 Closed / 11-462	76	Inactive Member RE/MAX River & Sea Inactive Member	249,000	249,000	Babnew/Raiha	Right at Svensen intersection, go to stop, go straight, turn left on Simonsen.	Y	Ins
517		\$395,000 92352 Simonsen Rd Astoria, OR 97103 Closed / 20-1206	131	Vicky Rutherford 503-338-2116 vickyr@pacifier.com http://www.areaproperties.com AREA Properties	399,000	429,000	Smith	East on Hwy 30 to Svensen light, right on Svensen Market Rd to Simonsen loop road. Left to home on the left.	Y	Ins
518		\$315,000 92377 Simonsen Rd Astoria, OR 97103 Closed / 16-1001	121	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Heidi Stackhouse	350,000	375,000	Larsen Clinton J	Hwy 30 E, r on Svensen Mkt Rd, to Simonsen Rd to property on r		
519		\$336,000 92389 Simonsen Rd Astoria, OR 97103 Closed / 17-1436	0	FSBO FOR SALE BY OWNER	336,000	336,000	Malehorn	Hwy 30, R @ Svensen light to Svensen Market Rd to Left on Simonsen Rd to property on Right.	Y	
520		\$143,000 92421 Simonsen Rd Astoria, OR 97103 Closed / 09-1104	76	Inactive Member Atwater Real Estate	143,000	143,000	Meadows Robert L Jr.	Highway 30 R @ Svensen Junction straight ahead on Hunt Market Rd. L on Simonsen Rd. to property on R	Y	Fir
521		\$93,900 92701 Simonsen Rd Astoria, OR 97103 Closed / 14-625	79	Inactive Member 503-470-9097 rowenaareaproperties@gmail.com AREA Properties Inactive Member	107,900	107,900	Fannie Mae	Hwy 30 E of Astoria S at Svensen light, L stop sign R to Simonsen Rd.	Y	Ins
522		\$231,500 92704 Simonsen Rd Astoria, OR 97103 Closed / 15-1215	0	FSBO FOR SALE BY OWNER	231,500	231,500	Hawkins	Hwy 30 to Svensen Market Rd to Left on Simonsen Rd to property on Left.	Y	Fir
523		\$132,000 92713 Simonsen Rd Astoria, OR 97103 Closed / 15-757	323	Inactive Member 503-338-8554 jeanie.petersen@charter.net http://www.riverandsea.net RE/MAX River & Sea	160,000	185,000	Estate of Frances Moss	Svensen, 4 way stop, straight to L @ Hunt Ln, to R on Simonsen to property.	Y	Fir

	Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
524	 \$325,000 92722 Simonsen Rd Astoria, OR 97103 Closed / 15-1389	273	Inactive Member Larcin Realty Group Inc	335,000	375,000	Kinder Todd L	Highway 30 East to Svensen, turn R at intersection. Turn Left on Old Highway 30 to Simonsen Rd.(Less than a Mile) take a right. Subject Property is on the right.	Y	Ins
525	 \$475,000 92795 Simonsen Rd Astoria, OR 97103 Pending / 21-188 P	27	Kim Cooper 415-717-6114 kim@goldenabode.com Cascade Sotheby's International Realty	475,000	475,000	Lester Julia E and David W	Hwy 30 Svensen Intersection turn S to Old Hwy 30, turn E to Right on Simonsen Rd, Property on left.	N	
526	 \$147,000 92795 Simonsen Rd Astoria, OR 97103 Closed / 03-76	65	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	149,900	153,500	Aarnio	S. at Svensen LT-on old Hwy 30- RT at Simonsen Rd to property.	Y	Fir
527	 \$162,000 92795 Simonsen Rd Astoria, OR 97103 Closed / 19-1252	97	Meagan A. Lewis 503-440-0155 lewisme@hotmail.com http://www.areaproperties.com AREA Properties	164,900	209,900	FHLMC	Svensen Junction left at store, right on Simonsen Rd property on Left.	N	
528	 \$105,000 92421 Simonsen Rd. Astoria, OR 97103 Closed / 07-598	175	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	114,900	134,900	JP Mchase Home Finance	Hwy 30 to Svensen Junction, Right to Simonsen, Left to property.		
529	 \$104,500 92224 Simonsen Road Astoria, OR 97103 Closed / 02-1208	267	Inactive Member AREA Properties	114,950	114,950	Chase	From Highway 30, Right	Y	Se
530	 \$220,000 92490 Simonsen Road Astoria, OR 97103 Closed / 01-1555	129	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	239,900	239,900	Puls	Hwy 30 East, Right at Svenson, Left at Hunt Road, Right at Simonsen	Y	Fir
531	 \$217,000 92704 Simonsen Road Astoria, OR 97103 Closed / 02-790	172	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	265,000	284,000	Reed	Left at Svenson Market to Simonsen Rd on Right.		
532	 \$84,000 92697 SIMONSEN RD Astoria, OR 97103 Closed / 00-18	173	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	85,000	85,000	STUNKARD	HWY 30, S AT MARKET RD, E OLD HWY 30, S ON SIMONSEN		fin
533	 \$229,900 92336 SIMONSEN RD Astoria, OR 97103 Closed / 05-1069	27	Inactive Member 503-325-6848 thepopkinteam@yahoo.com http://www.areaproperties.com AREA Properties	229,900	229,900	Sporseen	Right at Svensen intersection, go to stop, go straight approx 1 mile on Simonsen to property on left.	Y	
534	 \$176,000 92701 SIMONSEN RD Astoria, OR 97103 Closed / 06-1650	98	Inactive Member Pete Anderson Realty Seaside	175,000	175,000	Puffinburger	Hwy 30, right at Svensen Jct, left at stop sign, right at first paved road to house on left		ye
535	 \$140,000 92701 SIMONSEN RD Astoria, OR 97103 Closed / 05-783	109	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	134,500	134,500	O'Brien	Hwy 30 east to Svensen, south (right), cross old Hwy 30, left at Hunt Ln, right on Simonsen	S	72

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
536		\$222,046 92377 SIMONSEN RD Astoria, OR 97103 Closed / 08-2074	178	Inactive Member 503-325-0285 heidandemilysmith@yahoo.com http://www.peteandersonrealty.com Pete Anderson Realty, Inc.	245,000	245,000	Speidel Albert W/Karen L	East on Hwy 20 to Svensen. Right to Hunts Market, Straight to Simonsen Rd on the Left, to property on the right.	Y	
537		\$65,000 42076 Spruce Lane Astoria, OR 97103 Closed / 02-1526	289	Inactive Member Coldwell Banker Kent Price Realty Inactive Member	79,900	79,900	Jamieson	Hwy 30 to right on Hillcrest Loop about 1 mile to Spruce. Turn left on Spruce, to property on right.	y	fin
538		\$162,000 42019 Spruce Ln Astoria, OR 97103 Closed / 14-657	126	Cheryl Eaton 503-791-3581 sea_eaton@yahoo.com http://www.peteandersonrealty.com Pete Anderson Realty, Inc.	167,500	167,500	Korber Pamela J	Hwy 30 to right on Hillcrest Loop, to left on Spruce Ln to property on right.		fin
539		\$357,000 42186 Spruce Ln Astoria, OR 97103 Closed / 15-270	208	Janet Weidman 503-325-3304 janet@astoriarealestate.net http://www.astoriarealestate.net Astoria Real Estate Peter Weidman	357,000	375,000	Moreland John D/Becky R	From Astoria, take Hwy 30, turn right on Hillcrest Loop for 1 mile, turn left on Spruce Lane, to end of the road, .02 miles.	S	fin
540		\$50,000 42019 SPRUCE LN Astoria, OR 97103 Closed / 05-816	3	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	60,000	60,000	WFCU	South at Knappa junction to Spruce Ln to property.	N	
541		\$125,000 42019 SPRUCE LN Astoria, OR 97103 Closed / 06-901	51	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	129,500	129,500	Neikes James J	Hwy 30 east from Astoria, right at Logger to Spruce	Y	Fir
542		\$174,000 42019 SPRUCE LN Astoria, OR 97103 Closed / 08-1064	105	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	177,950	178,500	Stefik	Hwy 30 East from Astoria, Right at Logger to Spruce.	S	72
543		\$130,000 42057 SPRUCE LN Astoria, OR 97103 Closed / 05-1123	132	Inactive Member Lewis & Clark Real Estate & Property Management	105,000	150,000	Fish	East on Hwy 30 to the light in Knappa - right on Hillcrest Loop - left on Spruce Lane - 2nd home on left	Y	FII
544		\$245,000 92520 State Champ Rd Astoria, OR 97103 Closed / 13-856	97	Debra Bowe deb@debbowe.com Windermere Community Realty	246,225	246,225	Miller Nathan G	Highway 30 to Svensen Junction, south to Svensen Mkt. Road to Hunt Lane, east to State Champ to end.	Y	Fir
545		\$459,900 91926 Stevens Rd Astoria, OR 97103 Closed / 18-250	63	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Heidi Stackhouse	459,900	459,900	Maki	Hwy 30 E, Right on Koppisch Rd, Left on Hillcrest Lp, Left on Stevens Rd to home on Left.	Y	Ins
546		\$262,500 41209 Stillwell Lane Astoria, OR 97103 Closed / 01-600	62	Inactive Member AREA Properties	289,000	289,000	Stemper	HWY 30 to Ivy Station Rd. to Right on Stillwell-farmhouse at end of road	n	fin
547		\$365,500 42524 Stringtown Ln Astoria, OR 97103 Closed / 20-154	136	Vicky Rutherford 503-338-2116 vickyr@pacifier.com http://www.areaproperties.com AREA Properties	365,500	370,000	Ford Dale C	Hwy 30 East to 1st Valley Creek exit. Left at Stringtown to property on left.	Y	Fir
548		\$239,000 42581 Stringtown Ln Astoria, OR 97103 Closed / 16-32	293	Jennie Morisse 503-741-9820 listing@pacgrouphomes.com http://www.pacgrouphomes.com Keller Williams Sunset Corridor Heidi Stackhouse	239,000	239,000	Thorslev John P	Hwy 30 to Valley Creek, north to Stringtown Ln	Y	ins

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
549		\$160,000 42589 Stringtown Ln Astoria, OR 97103 Closed / 10-803	84	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	165,000	165,000	Huetig	Hwy 30 East to Left on Valley Creek, Left on Stringtown to property on Left.	Y	Ins
550		\$300,000 42607 Stringtown Ln Astoria, OR 97103 Closed / 18-166	49	Inactive Member RE/MAX River & Sea	289,500	289,500	Humphries	Hwy 30 to L on Valley Creek Ln, L on Stringtown Ln to Property on L	Y	Ins
551		\$116,000 42674 Stringtown Ln Astoria, OR 97103 Closed / 12-923	108	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties	109,900	164,900	B of A	East on Hwy 30, Left on Valley creek Ln, Left on Stringtown to end.	Y	
552		\$158,000 42589 Stringtown Rd Astoria, OR 97103 Closed / 04-1461	182	Inactive Member AREA Properties	156,000	165,000	Babcock	East on Hwy 30 to left at Valley Creek Rd, left at Stringtown Rd, on left side.	Y	Ins
553		\$333,000 92538 STATE CHAMP RD Astoria, OR 97103 Closed / 06-1677	48	Debra Bowe deb@debbowe.com Windermere Community Realty	335,000	335,000	Radich	Hwy 30 to Svensen Junction, south to stop sign, south on Svensen Market Rd to Hunt to State Champ Rd.	Y	fin
554		\$195,000 42589 STRINGTOWN LN Astoria, OR 97103 Closed / 07-1008	234	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	200,000	224,500	Hansford	Hwy 30 E. past Knappa, L to Stringtown Ln.	Y	Fir
555		\$250,000 42607 STRINGTOWN LN Astoria, OR 97103 Closed / 06-147	86	Inactive Member Lewis & Clark Real Estate & Property Management	260,000	260,000	Brewer	East Hwy 30, left on Vally Creek Lane, left on Stringtown, left to property	Y	Ins
556		\$215,000 42674 STRINGTOWN LN Astoria, OR 97103 Closed / 06-620	286	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties	217,500	235,000	Varner	East on Hwy 30, left on Valley Creek Ln, left on Stringtown to end	Y	Ins
557		\$125,000 42720 STRINGTOWN RD Astoria, OR 97103 Closed / 01-214	252	Inactive Member Windermere Community Realty	129,500		HELLIGSO	HWY 30 TO VALLEY CREEK ROAD, LEFT ON STRINGTOWN TO END	Y	fin
558		\$331,000 40079 Sunfield Lane Astoria, OR 97103 Closed / 15-1790	172	Tess LaPointe 503-470-0639 clpc9@hotmail.com http://www.PacificProHomes.com Pacific Pro Realty	325,000	325,000	Radich Family Trust	Hwy 30 to South at Svensen light. Follow Svensen Market Rd to sign on Right.	Y	Ins
559		\$440,000 92748 Sunrise Dr Astoria, OR 97103 Closed / 17-743	40	Dana Weston 503-738-2839 dweston@windermere.com http://danaweston.withwre.com Windermere Realty Trust Craig Weston	459,000	459,000	D E & J P Crockett Trust	Astoria east on Hwy 30 to Svensen junction, right on Keller Rd., left on Sunrise Dr. to end on left.	Y	ins
560		\$187,000 92704 Sunrise Dr. Astoria, OR 97103 Closed / 02-372	150	Inactive Member Coldwell Banker Kent Price Realty Inactive Member	189,500	189,500	Johnson	Hwy 30 to Svensen intersection, left on Keller Rd. follow signs.	y	fin
561		\$190,000 92716 Sunrise Dr. Astoria, OR 97103 Closed / 02-1481	182	Inactive Member Coldwell Banker Kent Price Realty Inactive Member	194,950	194,950	Aiken	Hwy 30 east to Svensen crossroads, left to Keller rd. follow signs.	y	fin
562		\$400,000 92748 SUNRISE DR Astoria, OR 97103 Closed / 06-480	229	Inactive Member AREA Properties	400,000	495,000	Queen	North at Svensen Light, right on Keller Rd, left on Sunrise Dr.	Y	

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
563		\$130,000 92786 Svensen Island Rd Astoria, OR 97103 Closed / 03-904	377	Inactive Member Coldwell Banker Kent Price Realty	135,000	135,000	Gould	Hwy 30 to Svensen, Left at light to Svensen Island Rd.	y	fin
564		\$225,000 91363 Svensen Market Rd Astoria, OR 97103 Closed / 16-1482	0	Inactive Member 503-440-1877 pvducks1@gmail.com RE/MAX River & Sea	225,000	225,000	Christina L. Stacey Living Tru	Hwy 30 to Svensen Junction to 4 way stop, straight to Svensen Market Rd to right at "Y". To the very end of Svensen Mkt where it merges with Pipeline, take a left at "Y" at very end on the right.		
565		\$176,000 91535 Svensen Market Rd Astoria, OR 97103 Closed / 09-1558	257	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	190,000	220,000	Mendenhall	Right at Svensen, Right at Market junction-property on Left.		
566		\$238,500 91869 Svensen Market Rd Astoria, OR 97103 Closed / 14-557	105	Inactive Member 503-440-1877 pvducks1@gmail.com RE/MAX River & Sea	249,000	249,000	Bartlett	East on Hwy 30 to Svensen Market Rd, Right at the end to property on the Left	Y	Fir
567		\$410,000 91911 Svensen Market Rd Astoria, OR 97103 Closed / 16-1027	84	Inactive Member RE/MAX River & Sea	421,500	421,500	Valerie D. Helligso	Hwy 30 Svensen Junction, Svensen Market Rd to Y right to home.	Y	Ins
568		\$420,000 91911 Svensen Market Rd Astoria, OR 97103 Closed / 19-957	117	Deb Stenvall 360-355-5175 deb@liveastoria.com http://www.liveastoria.com eXp Realty LLC	439,900	439,900	Michael Williams & Finneas Pa	Hwy 30 Svensen Junction, Svensen Market Rd to Y right to home.	Y	Fir
569		\$205,000 92076 Svensen Market Rd Astoria, OR 97103 Closed / 14-1291	247	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	229,950	229,950	Moore James B & R. Gail	South on Svensen Market Road to the property on the right side at the fork in the road.	Y	Ins
570		\$195,000 92094 Svensen Market Rd Astoria, OR 97103 Closed / 16-331	56	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties	210,000	225,000	Olson	Svensen area off Hwy 30 on Svensen Market Rd	N	
571		\$165,000 92112 Svensen Market Rd Astoria, OR 97103 Closed / 15-419	41	Inactive Member 503-440-1877 pvducks1@gmail.com RE/MAX River & Sea	165,000	165,000	Floyd	East on Hwy 30 to Right on Svensen Market Rd to property on Right.	Y	Fir
572		\$227,000 92112 Svensen Market Rd Astoria, OR 97103 Closed / 17-1249	57	Inactive Member RE/MAX River & Sea Inactive Member	239,900	239,900	Sheridan/Hockman	East on Hwy 30 to Right on Svensen Market Rd to Property on Right.	Y	Fir
573		\$195,000 92128 Svensen Market Rd Astoria, OR 97103 Closed / 09-583	168	Debra Bowe deb@debbowe.com Windermere Community Realty	199,950	209,000	Radich	Highway 30 east to Svensen junction, south to stop, forward on Svensen Market Rd		
574		\$185,000 92225 Svensen Market Rd Astoria, OR 97103 Closed / 10-1345	104	Inactive Member RE/MAX River & Sea Inactive Member	199,000	199,000	Smith	East on Hwy 30, right at Svensen junction to Svensen Mkt rd to property on left.	Y	Inf
575		\$184,000 92479 Svensen Market Rd Astoria, OR 97103 Closed / 17-813	68	Pam Ackley 503-738-8522 pamackley@windermere.com http://www.pamackley.com Windermere Realty Trust	184,000	184,000	Johanson Trina	Hwy 30 to Svenson Market Rd. and address.		

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
576		\$62,500 92553 Svensen Market Rd Astoria, OR 97103 Closed / 11-37	61	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	69,900	69,900	On File	East on Hwy 30 to Right at Svensen, straight to property on left.	N	
577		\$265,000 92558 Svensen Market Rd Astoria, OR 97103 Closed / 08-493	62	Inactive Member RE/MAX River & Sea	279,900	289,500	Junes Craig B/Myriah	East on Hwy 30, right at Svensen intersection to Svensen Mkt Rd, home on right.	Y	ins
578		\$111,000 92605 Svensen Market Rd Astoria, OR 97103 Closed / 02-796	136	Jackie Weber 503-440-2331 jackiew@windermere.com http://www.oregoncoastalproperties.net Windermere Realty Trust	114,900	114,900	Oja	Hwy 30 east to Svensen, turn right, 6th house on left		
579		\$437,500 92605 Svensen Market Rd Astoria, OR 97103 Closed / 19-1405	287	Abby Rusinovich 503-338-9800 abbymrusinovich@hotmail.com Pacific Pro Realty Elaine Rusinovich	437,500	465,000	McLean Ted Allen	Hwy 30 @ Svensen Intersection turn S. At Old Hwy 30 Intersection go S on Svensen Market Rd. Subject Property is on the left.	Y	Ins
580		\$193,000 92629 Svensen Market Rd Astoria, OR 97103 Closed / 17-1443	74	Carla Martens-Sowins 503-440-1870 CARLA_SOWINS@msn.com http://www.sowinsrealtor.com Sowins Real Estate & Property Management	199,000	199,000	Smith Richard D	Hwy 30 East-Right at Svenson Light -thru 4 way stop to address of left side of the street	Y	
581		\$77,000 92594 Svenson Market Rd Astoria, OR 97103 Closed / 15-576	192	Vicky Rutherford 503-338-2116 vicky@pacifier.com http://www.areaproperties.com AREA Properties	80,000	80,000	Anderson	East on hwy 30 to Svenson light, right on Svenson Market Rd.	N	
582		\$166,000 91535 SVENSEN MARKET RD Astoria, OR 97103 Closed / 05-700	102	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	168,500	168,500	Hobson Donald G/Carol B	Right (south) at Svensen, right at Market Rd juncture to property on left	Y	Ins
583		\$250,000 91693 SVENSEN MARKET RD Astoria, OR 97103 Closed / 08-78	77	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	280,000	280,000	Graham-Schuyler	Market Rd., right @ T to property on left	T Y	Fir
584		\$260,000 91911 SVENSEN MARKET RD Astoria, OR 97103 Closed / 05-1094	37	Debra Bowe deb@debbowe.com Windermere Community Realty	255,000	255,000	George Archie D/Shirley A	Hwy 30 Svensen Junction, Svensen Market Rd to Y, right to sign	N	
585		\$120,000 92067 SVENSEN MARKET RD Astoria, OR 97103 Closed / 04-1403	73	Inactive Member 800-325-6840 maryanny@pacifier.com http://www.maryanny.com AREA Properties	140,000	140,000	Tuomi	Hwy 30 east, right @ Svensen, straight on Market Rd to driveway at end.	Y	Fir
586		\$220,000 92094 SVENSEN MARKET RD Astoria, OR 97103 Closed / 06-687	57	Inactive Member Coldwell Banker Kent Price Realty	235,000	235,000	Anderson Aaron J	HWY 30 TO SVENSEN MKT ROAD TO PROPERTY	Y	fin
587		\$475,000 92130 SVENSEN MARKET RD Astoria, OR 97103 Closed / 05-1334	449	Debra Bowe deb@debbowe.com Windermere Community Realty	499,000	510,000	Carlstrom Kenneth/Mildred	Hwy 30 to Svensen Junction, south to Svensen Market Rd	Y	fin
588		\$175,000 92369 SVENSEN MARKET RD Astoria, OR 97103 Closed / 06-1038	78	Inactive Member AREA Properties	185,000	185,000	Beatty	Hwy 30, south at Svensen light on Market Rd to home on left.	Y	Fir

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
589		\$108,000 92479 SVENSEN MARKET RD Astoria, OR 97103 Closed / 05-53	104	Inactive Member 503-325-6848 thepopkinteam@yahoo.com http://www.areaproperties.com AREA Properties	90,000	90,000	Kuhnly	Svensen Intersection to Svensen Market Rd - approx 1/2 mile to property on left.	N	
590		\$135,000 43656 Sylvandale Ln Astoria, OR 97103 Closed / 01-469	215	Inactive Member AREA Properties	155,000	162,000	Smalley	Last Brownsmead exit, right at first bridge to Sylvandale Lane (next right)		
591		\$175,000 43772 Sylvandale Ln Astoria, OR 97103 Closed / 12-1146	400	Peter Weidman pete@astoriarealestate.net http://astoriarealestate.net Astoria Real Estate Janet Weidman	189,900	189,900	Heavenrich	From HWY 30 MP 79.4 (Brownsmead exit) go north on Ziak Gnat creek Lane then turn east at MP 1 onto Aldrich Point Rd then east at MP 0.7 about .5 mile to the property on the right.	Y	
592		\$718,000 43804 Sylvandale Ln Astoria, OR 97103 Closed / 18-1161	1,072	Debra Bowe deb@debbowe.com Windermere Community Realty	725,000	725,000	Poddar Bhagwati/Saradell Liv T	US Highway 30 to Brownsmead exit, north to Ziak-Gnat Creek Rd., rt on Aldrich Point Rd. Rt. on Sylvandale Lane to subject (fenced with private drive on right side of lane).	Y	ins
593		\$170,000 43903 Sylvandale Ln Astoria, OR 97103 Closed / 02-674	107	Debra Bowe deb@debbowe.com Windermere Community Realty	205,000	205,000	Caballero et al	Hwy 30 east to Brownsmead exit, north to Aldridge Point, east to Sylvandale	Y	ins
594		\$199,000 43951 Sylvandale Ln Astoria, OR 97103 Closed / 14-1296	225	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	199,500	199,500	Yeager	Hwy 30 E. to Brownsmead exit, Right on Aldridge Pt, Right on Sylvandale to end of road.	Y	Fir
595		\$155,000 43678 SYLVANDALE LN Astoria, OR 97103 Closed / 04-589	139	Inactive Member Pete Anderson Realty, Inc. Inactive Member NON-MEMBER	159,900	165,000	Fausett	Hwy 30 to MP79.4. North on Ziak-Gnat Creek. East at MP 1 onto Aldrich Point. Go .7 mi. to Sylvandale, then to property on right.	Y	Ins
596		\$145,000 92626 T T Larson Rd Astoria, OR 97103 Closed / 14-796	116	Inactive Member RE/MAX River & Sea	147,000	147,000	Umbriaco	Hwy 30, N on Ivy Station Rd, S on Galloway Ln to T T Larson Rd.	Y	Fir
597		\$122,500 92642 T T Larson Rd Astoria, OR 97103 Closed / 13-1347	46	Kathren J. Rusinovich 503-338-2245 mauikate1@gmail.com http://www.windermere.com Windermere Community Realty	122,500	132,500	Ocwen Loan Servicing, LLC	HWY 30, N on Ivy Staion Rd, First left, Right on TT Larson home on left	N	
598		\$305,000 92642 T T Larson Rd Astoria, OR 97103 Closed / 20-480	288	Carla Martens-Sowins 503-440-1870 CARLA_SOWINS@msn.com http://www.sowinsrealtor.com Sowins Real Estate & Property Management	349,000	349,000	McClary Steven	E on Hwy 30 - left of Ivy Station Rd-Left on Galloway right on TT Larson to bid red home on the left with circular driveway.	Y	ins
599		\$180,000 92502 Tomberg Rd Astoria, OR 97103 Closed / 07-620	56	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	185,000	185,000	Belt	Hwy 30 East to Koppisch, right toward schools to Tomberg Rd.	Y	Fir
600		\$105,000 92504 Tomberg Rd Astoria, OR 97103 Closed / 04-1227	175	Debra Bowe deb@debbowe.com Windermere Community Realty	105,000	125,000	Tomberg	Highway 30, Koppish Rd, Rt on Old Highway 30 to Tomberg Rd. 2nd House on Left	y	Fir

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
601		\$132,970 92511 Tomberg Rd Astoria, OR 97103 Closed / 16-1545	134	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	128,970	138,770	JP Morgan Chase	From Astoria, Hwy 30 east to Svensen, rt, then left onto Old Hwy 30 to property.		
602		\$125,000 92511 Tomberg Rd Astoria, OR 97103 Closed / 11-96	161	Inactive Member AREA Properties	125,000	125,000	Kopke Estate	hwy 30 to Svensn Market Rd, Left on Old Hwy 30, Left on Tomberg home on Right.	Y	
603		\$210,000 92629 TT Larson Rd Astoria, OR 97103 Closed / 06-31	243	Inactive Member 503-325-0285 enolabaeten@hotmail.com Pete Anderson Realty, Inc. Inactive Member	215,000	205,000	Graves	Hwy 30, north on Ivy Station Rd, south on Galloway Ln to TT Larson Rd	Y	Fir
604		\$289,000 92642 TT LARSON RD Astoria, OR 97103 Closed / 05-1466	197	Inactive Member Lewis & Clark Real Estate & Property Management	289,000	299,000	Sowins	Hwy 30 east, left on Ivy Station Rd, left on Galloway, right on T.T. Larson, 2nd house on left, red.	Y	Fir
605		\$270,000 42463 Valley Creek Lane Astoria, OR 97103 Closed / 08-754	209	Inactive Member RE/MAX River & Sea	290,000	329,000	Boland	East Hwy 30, Left on Valley Creek Lane	Y	ins
606		\$125,000 43016 Valley Creek Ln Astoria, OR 97103 Closed / 13-124	14	Inactive Member RE/MAX River & Sea	134,900	134,900	Michael & Dena Umbriaco	Hwy 30, Past Logger, Turn on Valley Creek, Follow to property on Right.		
607		\$236,000 43083 Valley Creek Ln Astoria, OR 97103 Closed / 17-1745	0	FSBO FOR SALE BY OWNER	236,000	236,000	Borough	Hwy 30 to Left on Valley Creek Ln to Property on Right.		
608		\$329,000 43125 Valley Creek Ln Astoria, OR 97103 Closed / 18-369	248	Mary Wikstrom 503-791-9381 marywikstrom1@gmail.com http://www.areaproperties.com AREA Properties	329,000	349,500	Bouse Estate	Hwy 30 to 2nd Valley Creek exit to property on right.	N	
609		\$273,000 43131 Valley Creek Ln Astoria, OR 97103 Closed / 17-264	223	Inactive Member 503-338-8554 jeanie.petersen@charter.net http://www.riverandsea.net RE/MAX River & Sea	279,000	299,000	Gederevich	E. Hwy 30, second Valley Creek turn off to property on right.	Y	Fir
610		\$25,000 43131 Valley Creek Ln Astoria, OR 97103 Closed / 13-123	594	Bill Fornas, SRS, SRES, PSA, GRI, 503-440-0931 billfornas@pacifier.com Pete Anderson Realty, Inc.	32,000	36,500	HomeSales, Inc.	Upper Brownsmead Road at the top of the hill east of Knappa. Turn north and it's the first house on the left.	N	
611		\$119,500 42996 VALLEY CREEK LN Astoria, OR 97103 Closed / 03-1172	99	Inactive Member Pete Anderson Realty, Inc.	119,500	124,500	MAM(Corporate Owned)	Hywy 30 past the Logger Restaurant, left on Valley Creek Lane, to A-Frame home on the left.	y	Ins
612		\$105,000 43111 VALLEY CREEK LN Astoria, OR 97103 Closed / 07-214	61	Inactive Member RE/MAX River & Sea	112,000	125,000	Housley Ronald E Sr	Hwy 30 to Lower Valley Creek Lane to property.	N	
613		\$155,000 92879 Waterhouse Rd Astoria, OR 97103 Closed / 12-407	46	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	140,000	140,000	Neikes	E. Hwy 30 left at Logger, continue left to Waterhouse @ Big Creek.	N	
614		\$80,000 92879 Waterhouse Rd Astoria, OR 97103 Closed / 06-1353	100	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	150,000	150,000	Fenske Estate	East on Hwy 30 to left at Logger, right on Waterhouse Rd to property on right		

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
615		\$245,000 41997 Wickiup Ln Astoria, OR 97103 Closed / 07-466	74	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	247,000	247,000	Lyngstad	Hwy 30 East, Right @ Logger, Right on Wickiup Ln.	Y	Fir
616		\$180,705 41958 Wickiup Ter Astoria, OR 97131 Closed / 18-1348	45	Inactive Member 503-791-5449 jswank@unitedhomegroup.com Keller Williams Realty-Portland Central	174,500	174,500	Hobbs Michael J	Head east on US-30 E toward Old US Hwy 30 194 ft Turn right onto Hillcrest Loop Rd 0.7 mi Turn right onto Wickiup Terrace Destination will be on the left 479 ft		
617		\$220,000 41952 Wickiup Terrace Astoria, OR 97103 Closed / 08-1296	89	Inactive Member Lewis & Clark Real Estate & Property Management	229,500	229,500	McMaster Elena J	Hwy 30 to Hillcrest, turn right on Hillcrest to Wickiup Terrace, on right	S	72
618		\$125,000 41951 Wickiup Terrace Lane Astoria, OR 97103 Closed / 03-894	47	Inactive Member 503-440-7550 andygo22@msn.com http://andygo22@msn.com Pete Anderson Realty, Inc.	135,000	135,000	Hayman	East On 30, right at Knappa, right again on Wickiup Terrace Lane	Y	Lo
619		\$220,000 41957 Wickiup Terrace Lane Astoria, OR 97103 Closed / 17-1459	325	Terry Mistofsky 909-633-9886 tmistofsky@gmail.com AREA Properties	225,000	249,999	Salisbury	Knappa junction, Right on Hillcrest, Right on Wickiup Terrace.	N	
620		\$185,000 41952 Wickiup Terrace Ln Astoria, OR 97103 Closed / 14-118	118	Kathren J. Rusinovich 503-338-2245 mauikate1@gmail.com http://www.windermere.com Windermere Community Realty	209,000	209,000	Mary Ann Hall	From Hiway 30 head S. on Hillcrest Loop Rd., R. on Wickiup Terrace	Y	ins
621		\$298,000 41977 Wickiup Terrace Ln Astoria, OR 97103 Closed / 20-535	109	Abby Rusinovich 503-338-9800 abbymrusinovich@hotmail.com Pacific Pro Realty	298,000	310,000	Roehr, Enid Y	From Hwy 30 South to Hillcrest Lp to Right at Wickiup Terrace Ln to Subject Property on the Right	Y	Ins
622		\$247,000 41997 Wickiup Terrace Ln Astoria, OR 97103 Closed / 18-333	132	Inactive Member 503-325-7653 atwaters@pacifier.com http://www.atwaterastoria.com Atwater Real Estate	249,000	259,000	Addicott	Knappa junction, Right on Hillcrest, Right on Wickiup	Y	
623		\$208,000 41966 Wickiup Terrace LN Astoria, OR 97103 Closed / 08-639	218	Inactive Member 503-791-4556 krista_damell@yahoo.com http://www.areaproperties.com AREA Properties Linda J. Stephens	210,000	215,000	Stephens	Hwy 30 to Hillcrest Loop, Right on Wickiup Terrace Lane to home on Left.	Y	Fir
624		\$129,900 41952 Wickiup Terrace Astoria, OR 97103 Closed / 03-114	29	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	129,900	129,900	Premiere Assets	Right at the Logger Restaurant 1 mile, property on right.		
625		\$125,000 41966 Wickiup Terrace Astoria, OR 97103 Closed / 02-1600	286	Inactive Member Pete Anderson Realty, Inc.	129,950	135,000	Watts Estate	East on Hwy 30, south at Knappa, right to Wickiup Terrace	Y	Ins
626		\$260,000 42002 Wickiup Terrace Astoria, OR 97103 Closed / 16-1424	114	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	265,000	265,000	Espedal	Hwy 30 to Knappa Junction, Wouth to Wickiup Terrace to property on Left.		

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
627		\$204,000 41966 WICKIUP Lane Astoria, OR 97103 Closed / 14-700	57	Greg Messick 503-770-0585 greg@realtynetllc.com http://www.realtynetllc.com Realty Net LLC	199,000	199,000	Sabrina Maki - 503-910-8129	From Hwy 30 at Knappa blinking light head south on Hillcrest Loop then right on Wickiup Terrace Lane to home.		
628		\$124,000 41991 WICKIUP TERRACE Astoria, OR 97103 Closed / 99-179	189	Inactive Member AREA Properties	124,900	129,900	LUMSDEN ESTATE	SEE REMARKS	Y	IN.
629		\$177,000 41952 WICKIUP TERRACE LN Astoria, OR 97103 Closed / 05-338	27	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	169,900	169,900	Huber	Right at Logger Restaurant, 1 mile property on right.	N	
630		\$151,000 41966 WICKIUP TERRACE LN Astoria, OR 97103 Closed / 05-360	90	Inactive Member Pete Anderson Realty, Inc. Inactive Member	152,000	157,000	Ward, Benjamin & Kelly	Out Hwy 30 to Knappa Junction. Turn South onto Hillcrest Loop. Turn right on Wickiup Terrace Lane to house on left.	Y	
631		\$345,000 42160 Ziak Gnat Creek Ln Astoria, OR 97103 Closed / 14-800	94	Pam Ackley 503-738-8522 pamackley@windermere.com http://www.pamackley.com Windermere Realty Trust	365,000	365,000	Fenton John S	Hwy 30 to Brownsmead to Ziak Gnat Creek Lane and address		
632		\$260,000 42274 Ziak Gnat Creek Ln Astoria, OR 97103 Closed / 09-1242	161	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	260,000	260,000	Staples	Hwy 30 East, past Knappa junction to Ziak-Gnat Creek Ln, Left approx. 2 miles to private driveway on Left.	Y	Fir
633		\$306,900 41474 Ziak-Gnat Creek Rd Astoria, OR 97103 Closed / 20-837	226	Meagan A. Lewis 503-440-0155 lewisme@hotmail.com http://www.areaproperties.com AREA Properties Laurie Duey	299,900	309,900	Owner of Record	Left at Knappa Junction, Left on Knappa Dock to stop sign, right on Ziak Gnat for about 3 miles.	N	
634		\$138,000 42160 ZIAK GNAT CREEK LANE Astoria, OR 97103 Closed / 99-1040	108	Laurie Duey 503-325-6848 lduey10@gmail.com http://www.areaproperties.com AREA Properties	145,000	145,000	BUNNELL	BROWNSMEAD EXIT LEFT, THROUGH INTERSECTION, 2ND HSE ON L	Y	Fir
635		\$350,000 42160 ZIAK GNAT CREEK LN Astoria, OR 97103 Closed / 05-1099	185	Inactive Member Lewis & Clark Real Estate & Property Management	350,000	350,000	Mathers	East on Hwy 30, left at Brownsmead exit, at stop sign go straight to 2nd house on left		Fir
636		\$195,000 41474 ZIAK-GNAT CREEK LN Astoria, OR 97103 Closed / 04-661	147	Linda J. Stephens 503-338-0552 lindajstephens54@gmail.com http://www.areaproperties.com AREA Properties	195,000	195,000	Estate of Burnard	East Hwy 30-Left at Knappa Junction-Left on Knappa Dock Rd to stop sign. Right on Ziak Gnat Creek Rd-3 miles-house on right.	Y	Ins
637		\$220,000 91828 Akerstadt Rd Knappa, OR 97103 Closed / 03-47	194	Inactive Member AREA Properties	227,000	235,000	Davidson/Wirkkala	Hwy 30 to old Hwy 30 to Hillcrest to Akerstadt to home on right		
638		\$373,000 91699 Akerstedt Rd Knappa, OR 97103 Closed / 20-618	128	Kathren J. Rusinovich 503-338-2245 mauikate1@gmail.com http://www.windermere.com Windermere Community Realty	379,000	387,000	Estate Of Derrell M Nelson	From Highway 30 head South on Svensen Market Rd, L on Old Highway 30, R. on Hillcrest Loop Rd, R on Akerstedt Rd to home on Left.	Y	Ins

		Price / Status / MLS #	Agent Days on Market	Listing Member	List Price	Original List Price	Owner	Directions	Contingent	Cc
639		\$132,000 92805 Cherry Rd. Knappa, OR 97103 Closed / 12-57	329	Inactive Member 208-755-6659 easom@windermere.com http://www.windermere.com Windermere Community Realty	154,000	189,000	Oregon Housing & Community Ser	Hwy 30, North @ Knappa Light, North on Knappa Dock, East on Bagley, S on Cherry	Y	Ins
640		\$418,500 94828 Clifton Rd Knappa, OR 97016 Closed / 16-783	404	Jackie Svensen, Broker 503-738-8522 jsvensen@windermere.com http://www.jackiesvensen.withwre.com Windermere Realty Trust Kristen Benton	418,500	385,000	Von Reibold Susanna C Trustee	North on Hwy 30, Left onto Clifton Rd. 3.7 miles paved road ends, stay to the left at R/R to Gate.		
641		\$134,500 92715 Holly Rd Knappa, OR 97103 Closed / 00-1380	241	Inactive Member AREA Properties	135,900	140,000	Murray	East on Hwy 30, left on Abbot Rd after Knappa store, right Bagley Rd, right on Old Orchard Lane.	N	
642		\$134,000 93254 Knappa Plat Rd Knappa, OR 97103 Closed / 02-1761	229	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	128,000	128,000	Reini	E. on Hwy 30,N to Knappa, R. at Knappa dock, L.at Knappa Plat Rd		
643		\$81,000 93270 Knappa Plat Rd Knappa, OR 97103 Closed / 01-117	309	Inactive Member Pete Anderson Realty, Inc.	85,000	95,000	Hughes Estate	East on Hwy 30, left at Logger, right on Knappa Dock to the end turn left just before the bridge. Go to home on right.	y	fin
644		\$148,100 42000 Knappa Terrace Knappa, OR 97103 Closed / 13-6	182	Inactive Member 503-440-0140 barbanne@pacifier.com http://www.areaproperties.com AREA Properties	139,900	154,900	FHLMC	Hwy 30 to Knappa-North at the Logger-follow old Hwy 30 to road on Left.	N	
645		\$75,000 92644 Maggie Johnson Rd Knappa, OR 97103 Closed / 02-1816	270	Inactive Member 503-325-6848 thepopkinteam@yahoo.com http://www.areaproperties.com AREA Properties	70,000	116,000	Chase Manhattan	Hwy 30 East just before overpass take left on old Hwy 30, take R. on Maggie Johnson.		
646		\$144,900 0 RT 4 BOX 293 Knappa, OR 97103 Closed / 98-1024	166	Inactive Member AREA Properties	144,900	152,000	OLSON	PAST LOGGER,L ON VALLEY CREEK,L ON STRINGTOWN RD	Y	IN.

Information is deemed to be reliable, but is not guaranteed. © 2021 MLS and FBS. Prepared by Kathren J. Rusinovich, ABR, Licensed Since 1987 on Thursday, April 08, 2021 11:02 AM.

No Map found for these properties

Legend



Clatsop County

Community Development – Planning

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

March 23, 2021

Joy Brotherton
42045 Logger Lane
Astoria, OR 97103

Melanie and Nick Wyrwitzke
92021 Hagen Drive
Astoria, OR 97103

Janice McConahay
92186 Crest Drive
Astoria, OR 97103

Kathren Rusinovich/Windermere Community Realty
175 14th Street, Suite 120
Astoria, OR 97103

RE: Incomplete Application, #186-21-000002-PLNG, a conditional use request to establish a "Lot of Record Dwelling" per Standards Document Section S3.512

Dear Ms. Rusinovich, Ms. Wyrwitzke, Ms. Brotherton, and Ms. McConahay:

On January 6, 2021, Clatsop County Community Development provided notice to you that the application identified in the subject line was deemed incomplete. On February 10, 2021, our office received additional information in response to the notice. This letter is to inform you that staff has reviewed the additional information and determined the application is still incomplete.

Pursuant to Clatsop County Land and Water Development and Use Ordinance 80-14 (LWDUO) Section 2.180, the applicant shall bear the burden of proof that the proposal is in compliance with the applicable standards. The provided application materials generally lack sufficient fact-and-evidence-based analysis to support the conclusions made. There are also applicable review criteria which still have not been addressed. Specific areas of importance requiring additional information and analysis from the applicant are described in greater detail, below:

Applicable Criteria for High-Value Farmland

The subject property is predominately composed of soils identified as 45A, Mues medial silt loam, which is identified by the USDA and NRCS Web Soil Survey as a Class II soil type. Per Oregon Administrative Rules (OAR) 660-033-020 and LWDUO Section 1.030, land predominantly composed of Class II soils is considered "high value farmland." The applicant responses for the criteria related to high-value farmland do not reflect the correct soil capability classification.

Suitability of the Subject Property for Farm Use

Because the property is identified as high-value farmland, the criteria listed in Clatsop County Standards Document S3.512(3) must be addressed. The application narrative lacks sufficient fact-and-evidence-based analysis to support a conclusion that the property cannot practicably be managed for farm use, by itself or in conjunction with other land.

"Farm use," as defined in the OAR and LWDUO, consists of a wide range of agricultural activities. The application must thoroughly demonstrate, with supporting facts and evidence, the extraordinary circumstances which affect the subject property – circumstances which are inherent

in the land or its physical setting and do not apply generally to other land in the vicinity - and explain how those circumstances affect the suitability of the subject property for all types of possible farm uses.

While the application narrative refers to grazing and dairying as possible farm uses and identifies natural and manmade features surrounding the property as barriers, it does not sufficiently describe how those features constitute extraordinary circumstances which make the land impractical for farm use without undue hardship; or how the same circumstances do not also affect other land in the area. The analysis must also provide a thorough explanation of how those and/or other factors constitute extraordinary circumstances which would create an undue hardship to manage the land for any/all other possible types of farm use.

Farm Zone Conditional Use Review Criteria

Pursuant to S3.512(3)(C)(2), the application must demonstrate compliance with the conditional use review criteria for farm zones listed in S3.509. The application is missing responses to the criteria contained in S3.509. Please address these criteria with thorough fact-and-evidence-based analysis to support your conclusions.

Farmland Stability and Cumulative Impacts Analysis

Pursuant to S3.512(3)(C)(3), the application must demonstrate the proposed dwelling will not materially alter the stability of the overall land use pattern in the area, by applying the standards set forth in Subsection S3.513(2). The application narrative is missing responses to this section, which requires the applicant to identify a specific study area surrounding the subject property; explain why that study area is appropriate; provide a detailed analysis of existing and projected farm and non-farm uses within the study area; the number, location, type, and construction date of existing dwellings; and an analysis of development trends since 1993. These elements likely require extensive research and analysis of public records in order to make sufficient fact-and-evidence-based findings and conclusions.

Because staff cannot adequately evaluate the application without the information listed above, the application continues to be deemed incomplete at this time. Per LWDUO Section 2.075:

After an application is deemed incomplete in writing by letter to the applicant, the applicant may within 180 days: (a) provide all of the missing information; or (b) provide some of the missing information and written notice that no other information will be provided; or (c) provide written notice that none of the information will be provided.

Without the missing information or written notice that no other information will be provided, the application will be voided on June 5, 2021, and any application fee that has been submitted will be forfeited.

Please contact me if you have questions or need additional information.

Respectfully,

Ian Sisson, AICP
Senior Planner

cc: Julia Decker, Planning Manager



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Respectfully,

Ian Sisson, AICP
Senior Planner

cc: Julia Decker, Planning Manager



Clatsop County
Community Development – Planning

800 Exchange St., Suite 100

Astoria, OR 97103

(503) 325-8611 phone

NOTICE OF DECISION

DATE OF NOTICE: June 12, 2019
FILE NUMBER: 20190076
TYPE OF APPLICATION: Conditional Use Permit
PROPERTY OWNER/APPLICANT: Howard Kem / Big Creek Fishing Club, LLC
MAP/LOT: Township 8 North, Range 07 West, Sec. 18, Tax Lot 600
ZONING: Exclusive Farm Use (EFU)
ACTION: **APPROVAL, subject to conditions**

On June 11, 2019, the Clatsop County Planning Commission APPROVED, subject to conditions, the application referenced above. The County based its decision on the project's conformance with the review criteria listed in the Clatsop County Land and Water Use and Development Ordinance (LWDUO). Exhibit A, attached, contains the adopted conditions of approval. Exhibit B contains the staff report which examines the applicable criteria, with staff's findings. Other supporting documentation relied upon by the County in making this decision is available for review at 800 Exchange St, Suite 100. For more information, please contact Ian Sisson, Planner, at 503-325-8611, or isisson@co.clatsop.or.us.

The County's decision may be appealed to the Board of Commissioners by a person with standing by filing a completed Notice of Appeal application and the associated filing fee up to the date and time that appears at the bottom of this letter. The appeal must comply with Section 2.230 of LWDUO #80-14 (procedure for an appeal).

Sincerely,



Bruce Francis, Chair
Clatsop County Planning Commission

Attachments:
Exhibit A - Conditions of Approval
Exhibit B - May 30, 2019, Staff Report

LAST DAY TO APPEAL: 4:00 PM - June 24, 2019



CONDITIONAL USE PERMIT

Howard Kem / Big Creek Fishing Club, LLC
Permit #20190076

CONDITIONS OF APPROVAL

REGULATIONS

1. If any state or federal permit is required for the proposed activities, the applicant, prior to issuance of a development permit or action, shall submit to the Planning Department a copy of the state or federal permit.

CONDITIONS OF APPROVAL

1. Final approval of the on-site sewage disposal system for the proposed use shall be demonstrated in the form of a written statement from the Clatsop County Public Health Department, provided to Community Development prior to commencing the proposed use.
2. The property owner shall provide all visitors with adequate portable restroom facilities, handwashing stations, and drinking water in compliance with Clatsop County Public Health Department standards.
3. Review and approval of a final site plan shall be required within 30 days of the issuance of this conditional use permit.
4. The applicant's final site plan shall delineate 26 permanent off-street parking spaces and 34 additional overflow spaces, pursuant to the applicable parking design standards found in S2.206 and S2.210.
5. Agri-tourism or other commercial events or activities may not, individually, exceed a duration of 72 consecutive hours.
6. No new permanent structures may be built, used or occupied in connection with agri-tourism or other commercial events or activities.
7. Conditional use approval for agri-tourism and other commercial events shall be valid for two calendar years. At the time renewal of the conditional use permit is requested, the county will verify compliance with the applicable criteria and conditions of approval herein.
8. Temporary structures established in connection with agri-tourism or other commercial events or activities must be removed at the end of the agri-tourism or other event or activity. Alteration to the land in connection with an agri-tourism or other commercial event or activity including, but not limited to, grading, filling or paving, are not permitted.
9. A permit application for an agri-tourism or other commercial event or activity shall include the following:
 - a. A description of the type of agri-tourism or commercial events or activities that are proposed, including the number and duration of the events and activities, the anticipated daily attendance and the hours of operation and, for events not held at

- wineries, how the agri-tourism and other commercial events or activities will be related to and supportive of agriculture and incidental and subordinate to the existing farm use of the tract.
- b. The types and locations of all existing and proposed temporary structures, access and egress, parking facilities, sanitation and solid waste facilities to be used in connection with the agri-tourism or other commercial events or activities;
 - c. Authorization to allow inspection of the event premises. The applicant shall provide in writing a consent to allow law enforcement, public health, and fire control officers and code enforcement staff to come upon the premises for which the permit has been granted for the purposes of inspection and enforcement of the terms and conditions of the permit and the Exclusive Farm Use Zone and any other applicable laws or ordinances.
10. The area in which the agri-tourism or other commercial events or activities are located shall be setback at least 100 feet from the property line.
11. No more than ten agri-tourism or other commercial events or activities may occur in a calendar year.
12. The maximum number of people attending an agri-tourism or other commercial event or activity shall not exceed 150 at any given time during that event or activity.
13. Notification of agri-tourism and other commercial events or activities:
- a. The property owner shall submit in writing the list of calendar days scheduled for all agri-tourism and other commercial events or activities by April 1 of the subject calendar year or within 30 days of new or renewed permits to County's Planning Department and a list of all property owners within 500 feet of the subject property, as notarized by a title company.
 - b. The list of calendar dates for all agri-tourism, commercial events and activities may be amended by submitting the amended list to the Department at least 72 hours prior to any change in the date of approved dates.
 - c. If notice pursuant to a) is not provided, the property owner shall provide notice by Registered Mail to the same list above at least 10 days prior to each agri-tourism and other commercial event or activity.
 - d. The notification shall include a contact person or persons for each agri-tourism and other commercial event or activity who shall be easily accessible and who shall remain on site at all times, including the person(s) contact information.
14. Hours of Operation. No agri-tourism and other commercial event or activity may begin before 7:00 a.m. or end after 10:00 p.m.
15. Overnight camping is prohibited.
16. Noise Control:
- a. All noise, including the use of a sound producing device such as, but not limited to, loud speakers and public address systems, musical instruments that are amplified or unamplified, shall be in compliance with applicable state regulations.
 - b. A standard sound level meter or equivalent, in good condition, that provides a weighted sound pressure level measured by use of a metering characteristic with an "A" frequency weighting network and reported as dBA shall be available on-site at all times during agri-tourism and other commercial events or activities.
17. Transportation Management:
- a. Roadways, driveway aprons, driveways and parking surfaces shall be surfaces that prevent dust, and may include paving, gravel, cinders, or bark/wood chips.

- b. Driveways extending from paved roads shall have a paved apron, requiring review and approval by the County Road Department.
 - c. The parcel, lot or tract must have direct access from a public road or is accessed by an access easement or private road, whereby all underlying property owners and property owners taking access between the subject property and the public road consent in writing to the use of the road for agri-tourism and other commercial events or activities at the time of initial application.
 - d. Adequate traffic control must be provided by the property owner and must include one traffic control person for each 250 persons expected or reasonably expected to be in attendance at any time. All traffic control personnel shall be certified by the State of Oregon and shall comply with the current edition of the Manual of Uniform Traffic Control Devices.
 - e. Adequate off-street parking will be provided pursuant to provisions of the County Off-Street Parking requirements in S2.200 – S2.208.
18. Health and Safety Compliance:
- a. Sanitation facilities shall include, at a minimum, portable restroom facilities and stand-alone hand washing stations.
 - b. All permanent and temporary structures and facilities are subject to fire, health and life safety requirements, and shall comply with all requirements of the County Building Code Division any other applicable federal, state and local laws.
 - c. Compliance with the requirements of the Building Codes Division shall include meeting all building occupancy classification requirements of the State of Oregon adopted building code.
19. Riparian vegetation shall be protected pursuant to Standards Document S4.500.



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Community Development – Planning

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STAFF REPORT (AMENDED)

Conditional Use Application #20190076

STAFF REPORT DATE: March 29, 2019 **(Amendments as of May 30, 2019)**

HEARING DATE: April 9, 2019 **(Continued to June 11, 2019)**

HEARING BODY: Clatsop County Planning Commission

REQUEST: Conditional Use Permit per LWDUO 3.564 (23) and 3.563(4), to maintain and expand an existing private park, and to use the same area to host up to six commercial events per year. The conditional use application applies to approximately three acres of the 132-acre subject parcel.

APPLICANT: Big Creek Fishing Club, LLC
92878 Waterhouse Road
Astoria, OR 97103

OWNER: Howard Kem
43893 Owl Lane
Astoria, OR 97103

PROPERTY DESCRIPTION: T8N, R07W, SEC.18, TL00600 (+/- 132 acres)

ZONING: Exclusive Farm Use (EFU; 80-acre minimum lot size), Aquatic Natural (AN; no minimum lot size), Agriculture-Forestry (AF; 80-acre minimum lot size), Residential-Agriculture-2 (RA-2; 2-acre minimum lot size).

Overlays: Flood Hazard Overlay District (/FHO), Peripheral Big Game Range, Geological Hazard Overlay (/GHO; Compressible Soils)

Other: National Wetlands Inventory (NWI), regulated by the Oregon Department of State Lands

COMPREHENSIVE PLAN DESIGNATION: Rural Agricultural Lands

PROPERTY LOCATION: The subject property is located on the west side of Waterhouse Road, approximately 500 feet north of Old Highway 30.

COUNTY STAFF REVIEWER: Ian Sisson, Planner

DEEMED COMPLETE: March 15, 2019 (150 days: August 12, 2019)

ATTACHMENTS:

1. Conditional Use Permit Application
2. Public Notices
3. Public and Agency Comments
4. Temporary Use Permit #20180293

STAFF RECOMMENDATION: **APPROVAL – Subject to Conditions**

APPLICATION SUMMARY

On January 22, 2019, Howard Kem submitted to the Clatsop County Community Development Department an application for a conditional use permit to maintain and expand an existing private park on property he owns and operates as Big Creek Fishing Club, LLC. The application was deemed incomplete on February 19, 2019. Upon receipt of additional information requested by staff, the application was deemed complete on March 15, 2019.

The subject property is approximately 132 acres in size and includes multiple zoning designations. About 77 acres of the property are located in the EFU Zone, 23 acres are located in the Residential-Agriculture-2 Zone (RA-2), 32 acres are located in the Aquatic Natural Zone (AN), and one tenth of one acre is located in the Agriculture-Forestry Zone (AF). The conditional use request applies to approximately 3 acres of land located in the EFU Zone, near an existing dwelling and two agricultural buildings.

According to anecdotal evidence provided by the applicant and letters provided by members of the community, previous owners of the subject property charged visitors a fee for access to fishing on a portion of Big Creek and occasionally hosted community gatherings such as weddings and memorial services. These activities appear to date back several decades. Clatsop County deed records indicate the applicant, Howard Kem, purchased the subject property on July 11, 2003. Oregon Secretary of State records indicate Big Creek Fishing Club, LLC was established on July 28, 2003.

It does not appear that Mr. Kem or previous owners of the subject property obtained permits for the above-described commercial use of the property from Clatsop County Community Development. Staff only became aware of the activities when Mr. Kem visited the Department to submit an application for a short term rental permit in May of 2018 in order to comply with Ordinance 18-01, adopted January 24, 2018, effective July 1, 2018. At that time, dwellings located in resource zones were not allowed for use as short term rentals. Staff advised Mr. Kem that he would not be able to obtain a short term rental permit, and that he would need to obtain a conditional use permit instead, which could also accommodate continued use of the property for events.

Staff recommended Mr. Kem apply for a temporary use permit, which would be valid for one year, to continue operating his business while working toward a permanent solution by way of obtaining a conditional use permit. Mr. Kem submitted an application for the temporary use permit on May 9, 2018, which was approved with conditions on June 13, 2018 (Exhibit 4). In the interim, Mr. Kem has worked toward satisfying the conditions of the temporary use permit and preparing an application for a conditional use permit. Concurrently, Ordinance 18-01 has been modified to allow all lawfully established dwellings to be used as short term rentals, including those located in resource zones.

Approval of this conditional use application would allow Big Creek Fishing Club to continue commercial use of a portion of the grounds of the subject property, including fee-access fishing and outdoor events such as family gatherings, company outings, weddings, graduation parties, and memorial services. Use of the dwelling as a short term rental can be addressed via the short term rental application process.

During the April 9, 2019 hearing, the Planning Commission was unsure whether a private park designation should allow for commercial events in an EFU Zone. The Planning Commission decided to continue the hearing, directing staff to conduct further research as to how the State of Oregon and counties around the state have addressed "private parks" in EFU zones. The Planning Commission sought to clarify what activities may be allowed under a private park designation in an EFU zone.

Subsequently, staff reviewed land use procedures and decisions in several Oregon counties, as well as opinions issued by the Land Use Board of Appeals and the Court of Appeals of the State of Oregon. In *Central Oregon Landwatch v. Deschutes County*, dated February 3, 2016, staff found that the Court of Appeals affirmed a LUBA decision to overturn Deschutes County's approval of a "private park" in an EFU zone. LUBA's decision was affirmed on the basis that the private park designation was requested solely

for the purpose of establishing a commercial event venue and that recreational activities would only occur in conjunction with a commercial event, if at all. While this differs from Mr. Kem's proposal, where a recreational use (fishing) would occur year-round, independent of commercial events, the Court of Appeals asserted that the meaning of "private park" should not be broadly construed to include uses other than low-impact recreation activities such as picnicking, boating, fishing, and hiking. Staff believes the Court of Appeals' interpretation of what constitutes a "private park" in *Central Oregon Landwatch v. Deschutes County* is the best available.

In addition to clarifying the meaning of "private park", staff reviewed land use procedures in other Oregon counties regarding commercial events in EFU zones. The Oregon State Legislature passed Senate Bill 960 in 2011, amending ORS 215.283(4) and allowing for commercial events on agricultural lands that are "related to and supportive of agriculture." Staff has found that some jurisdictions have processed requests to allow events such as those proposed by Mr. Kem under a corresponding code provision, "agri-tourism and/or other commercial events." This provision is found in the Clatsop County Land and Water Development and Use Ordinance 80-14 under Section 3.563(4), "Agri-tourism and other commercial events and activities subject to S3.516." Accordingly, Mr. Kem requests approval to host commercial events on the subject property under this provision, in addition to his request to maintain and expand the existing private park under Section 3.564(23).

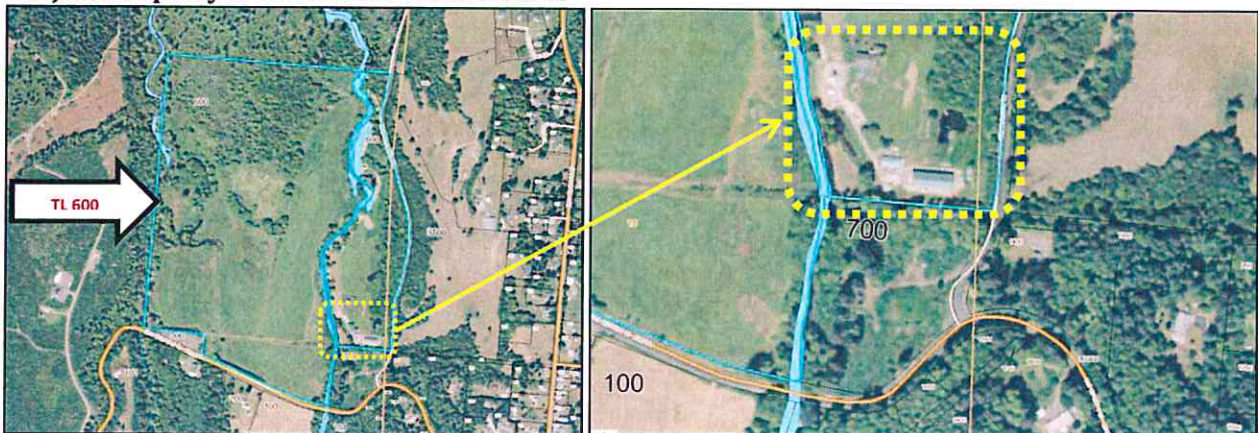
PROPERTY STATUS

The subject property, TL 600, was created by warranty deed on April 4, 1941 (Olaf Dybvik to Harold and Caroline Bjorg; Book 158, Page 671). Harold and Caroline Bjorg sold the property to Gary and Barbara Johansen on May 15, 1962 (Book 264, Page 446). The applicant, Howard Kem, purchased the property from the Gary N. Johansen Revocable Living Trust on July 11, 2003 (Instrument #200310129). The parcel meets the county's definition of "lot of record" found in Section 1.030, LWDUO.

According to County Assessor records, there is a single-family home on the portion of the lot zoned EFU that was built in 1974. The two-story home is approximately 3,100 SF, containing four bedrooms and three bathrooms. Adjacent to the home are two structures accessory to agricultural use, approximately 24' x 56' (1,344 SF) and 40' x 120' (4,800 SF).

Development and use of the property is somewhat limited by natural and physical features, such as floodplain and wetlands. The National Wetlands Inventory 2016 (NWI) map indicates approximately 40 acres of "Freshwater Forested/Shrub Wetlands" and about 33 acres of "Freshwater Emergent Wetlands". It appears, based on observation aerial imagery, that the majority of the mapped wetlands are kept in a natural state. Some emergent wetland areas appear to be used for agriculture. The applicant indicates the primary employment of areas conducive to agricultural use is silage production. The proposed park use is limited to roughly three acres of land adjacent to the existing dwelling and agricultural buildings.

Subject Property and Location of Structures

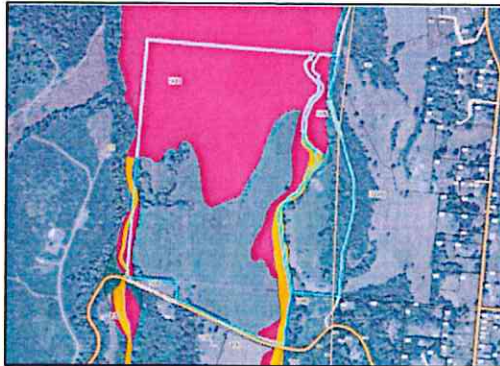


Subject Property

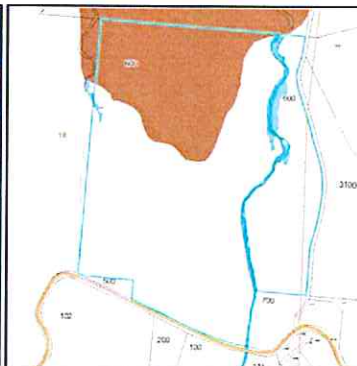
Location of Structures

Zoning & Hazard Overlays

The subject parcel is zoned EFU (77 ac), AN (32 ac), RA-2 (23 ac), and AF (0.12 ac), with Flood Hazard Overlay (FHO), Geological Hazard Overlay (GHO – compressible soils), and mapped wetlands (NWI).



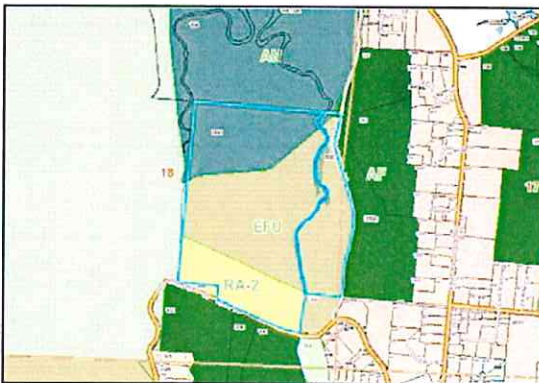
Flood Hazard Overlay



Compressible Soils



National Wetlands Inventory



Zoning



Peripheral Big Game Habitat

I. APPLICABLE CRITERIA

The applicable criteria for this application are listed below:

1) Clatsop County Land and Water Development and Use Ordinance 80-14:

Section 1.010 - 1.050	Article I Introductory Provisions
Section 2.025	Type IIa procedure
Section 2.100 - 2.260	Public Deliberations and Hearings
Section 3.560	Exclusive Farm Use Zone (EFU)
Section 5.000 – 5.030	Conditional Development and Use
Section 5.300	Site Plan Review

2) Clatsop County Standards Document 80-14:

Chapter 2	Site Oriented Improvements,
S3.500	Farm and Forest Zones Dwelling and/or Use Standards
S4.500	Protection of Riparian Vegetation

3) Clatsop County Comprehensive Plan:

Goal 1	Citizen Involvement
Goal 2	Land Use Planning
Goal 3	Agricultural Lands
Goal 5	Natural Resources, Scenic and Historic Areas, and Open Spaces

II. ASSESSMENT OF APPLICATION VS. APPLICABLE CRITERIA

A. LWDUO 80-14

ARTICLE 1. INTRODUCTORY PROVISIONS

Section 1.030. Definitions.

As used in this Ordinance, the following words and phrases shall have the following meanings:

PARK, PRIVATE -- Land that is used for low impact casual recreational uses such as picnicking, boating, fishing, swimming, camping, and hiking or nature-oriented recreational uses such as viewing and studying nature and wildlife habitat, and may include play areas and accessory facilities that support the activities listed above, but does not include tracks for motorized vehicles or areas for target practice or the discharge of firearms. [Ord. 18-02]

RECREATION, LOW INTENSITY -- Recreation that does not require developed facilities and can be accommodated without change to the area or resource. For example, boating, hunting, hiking, wildlife photography, and beach or shore activities can be low intensity recreation. Facilities included as low-intensity recreation include picnic tables, trail signs, unpaved trails and portable restrooms.

Staff Analysis: The definitions above are provided for reference, as they apply to the applicant's request.

ARTICLE 2. PROCEDURES FOR LAND USE APPLICATIONS

Section 2.025. Type IIa Procedure.

SECTION 2.100 PUBLIC DELIBERATIONS AND HEARINGS

Section 2.110 Mailed Notice of a Public Hearing.

Section 2.111 Posted Notice of a Public Hearing.

Section 2.120 Procedure for Mailed Notice.

Section 2.125 Procedure for Published Notice.

Staff Analysis and Finding: As provided in Exhibit 2, all requirements pertaining to the mailed and published notice to affected property owners, interested parties, and government agencies have been met. **The criteria listed above have been satisfied.**

SECTION 3.560. EXCLUSIVE FARM USE ZONE (EFU).

Section 3.563. Conditional Development and Use. [Ord. 18-02]

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.

- 4) Agri-tourism and other commercial events or activities subject to S3.516.

Section 3.564. Conditional Development and Use. [Ord. 18-02]

The following farm and non-farm developments and uses and their accessory uses may be permitted under a Type IIa procedure and Sections 5.000-5.030, subject to applicable criteria, development standards and site plan review.

- 23) Private parks, playgrounds, hunting and fishing preserves, and campgrounds subject to S3.507(6), S3.508(1), and S3.509. This use is not permitted on high value farmland except that existing private parks on high value farmland may be expanded subject to S3.508(3).

Staff Analysis and Finding: The applicant's proposal would allow a portion of the subject property, approximately three acres, to continue to be managed as a private park where visitors pay for access to fishing along a portion of Big Creek or reserve the lawn area to hold an outdoor gathering. Evidence provided by the applicant and members of the community indicates these activities have taken place on the subject property for several decades. Approximately one acre of the area proposed for the conditional use is considered "high value farmland", based on its soil classification (45A, Mues medial silt loam, 0 to 3 percent slopes, in this case). **It is important to note, however, that this area has been lawfully developed with a dwelling, two agricultural buildings, underground utilities and a septic system.**

Section 5.563(4) implements Senate Bill 960, which amended ORS 215.283(4), allowing commercial events on agricultural lands under certain conditions. According to the Oregon Department of Land Conservation and Development's agri-tourism web page, "the statute is not specific about the types of events and activities that might be allowed, so counties may interpret these uses differently. In general, this could include activities related to education, hospitality, entertainment, and farm-related outdoor recreation." Some events hosted by the applicant may meet the definition of "agri-tourism" found in Section 1.030, but most would be considered "other commercial events or activities." The findings under Standards Document S3.516, in the following section of this report, will address the specific criteria for allowing the proposed commercial events under this provision.

The purpose of this conditional use application is to formally establish an existing use while applying conditions of approval as appropriate. The application can be processed under a Type IIa procedure, subject to the criteria listed above. This staff report will assess the application against the applicable criteria and recommend conditions of approval as appropriate. **The proposed use can be permitted in the EFU Zone under a Type IIa procedure, subject to applicable criteria and conditions of approval.**

Section 3.567. State and Federal Permits.

If any state or federal permit is required for a development or use, an applicant, prior to issuance of a development permit or action, shall submit to the Planning Department a copy of the state or federal permit.

Staff Finding: This requirement can be met by applying a regulation. **Refer to Regulation #1.**

Regulation #1: If any state or federal permit is required for the proposed activities, the applicant, prior to issuance of a development permit or action, shall submit to the Planning Department a copy of the state or federal permit.

SECTION 5.000. CONDITIONAL DEVELOPMENT AND USE.

Section 5.015. Authorization of a Conditional Development and Use.

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

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

APPLICANT RESPONSE: To the best of applicant's knowledge, the proposed use will meet all of the requirements and standards required in the referenced Ordinance 80-14.

(B) The proposed use meets the requirements and standards of the Clatsop County Land and Water Development and Use Ordinance (Ordinance 80-14).

APPLICANT RESPONSE: To the best of applicant's knowledge, the proposed use will meet all of the requirements and standards required in the referenced Ordinance 80-14.

Staff Analysis and Finding: The proposed **uses are** identified under **Section 3.563(4)** and Section 3.564(23), LWDUO, **Type II and** Type IIa conditional uses in the EFU Zone, which implies the proposal can satisfy the goals and policies found in the Comprehensive Plan. As demonstrated in Section C of this report, the proposal is evaluated against the applicable Comprehensive Plan goals and policies and staff finds no conflicts. The applicant's responses to Comprehensive Plan goals and policies, and staff analysis and findings, can be found in Section C. The applicable sections of the LWDUO are addressed throughout this report, with conditions of approval recommended as appropriate. **Conditions of approval will ensure the proposed use does not conflict with any provision, goal, or policy of the Comprehensive Plan and that the proposed use satisfies the requirements and standards of the LWDUO.**

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

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

APPLICANT RESPONSE: To the best of Applicants knowledge the site for the proposed use is suitable for the proposed use considering, but not limited to, off-street parking (there is an unlimited availability), fencing/buffering (do to its location and the nature of the proposed use, except for agricultural purposes, none is necessary), lighting (no excessive or extra-ordinary lighting will be required), signage (only state/county required signage will be used), and building location (no additional buildings are contemplated. All buildings on site, with the exception of the home, are for farm use.)

Staff Analysis and Finding: According to information provided by the applicant, substantiated by state and county records, the applicant purchased the subject property and established Big Creek Fishing Club, LLC, in July of 2003. The applicant offers activities including fee-fishing and rental of a portion of the grounds for outdoor events, which appear to be activities that have been offered on the subject property for several decades. The applicant also offers use of the existing dwelling as overnight lodging for paying guests, typically fishermen.

Based on conversation with the applicant, there are typically about seven bookings for outdoor events on the subject property per year. Typical events include family gatherings, company outings, weddings, graduation parties, and memorial services; most generally take place between July and September. Fishermen pay to access Big Creek throughout the year, with the spring and summer being the busiest. The dwelling, referred to as "the lodge", typically hosts groups of 4-6 on weekends during prime fishing season. Reservations and use of the lodge are otherwise sparse, according to the applicant. The applicant describes typical event attendance is between 30 and 100, with a few rare occasions where attendance was estimated to be in excess of 200.

There have been no complaints from adjacent property owners and staff is not aware of any adverse effects on the abutting properties or the surrounding community. Several letters in support of the application were provided by members of the community. The site under consideration is large (132 acres), and the proposed activities are naturally screened by topography and vegetation. Overall, it appears there is ample room to accommodate the proposed use without causing negative impacts to adjacent property owners.

The conditions of approval recommended later in this report will reduce the potential for the size, design, or operating characteristics of the proposed use to cause any negative impacts to quality of life, property, or natural resources. **This criterion is satisfied by the recommended regulations and conditions of approval.**

- 2) The adequacy of transportation access to the site, including street capacity and ingress and egress to adjoining streets.

APPLICANT RESPONSE: Access to the site is via an improved, paved county road easily adequate for handling all traffic that may travel to and from the site. Traffic on the county road is light. Ingress and egress to the site is directly from the county road onto the site itself. The site has been in use since 2002. No complaints or concerns have been raised regarding traffic.

- 3) The adequacy of public facilities and services necessary to serve the use.

APPLICANT RESPONSE: All public facilities and services required by state and county laws, regulations and ordinances shall be complied with. A new septic permit for commercial use is being discussed with the water district.

Staff Analysis and Finding: As a condition of approval of the applicant's temporary use permit, the applicant was required to obtain road approach approval from the Public Works Department, as well as approval in writing from the Knappa-Svensen-Burnside Rural Fire Protection District. The applicant was able to obtain approval in writing from both agencies (Exhibit 4), which implies transportation access including street capacity and ingress and egress to adjoining streets, is adequate. **During the April 9 public hearing, a neighbor raised concerns about traffic entering and leaving the property from Waterhouse Road. The concern was that there may not be adequate sight distance for drivers to see oncoming traffic. Staff acknowledged the concern and confirmed that the applicant's road approach had been recently reviewed and approved by Public Works. One of the conditions for approval was to clear vegetation on either side of the road approach to improve the clear vision area and sight distances.**

The applicant was also required, as a condition of temporary use permit approval, to obtain approval in writing from the Knappa Water District for the proposed use, as well as approval for the existing septic system from the Public Health Department. The applicant has provided a letter of approval from the Knappa Water District and has been in the process of working with the Public Health Department to meet septic requirements (Exhibit 4).

Staff recommends a condition of approval that requires the applicant to submit final approval from the Public Health Department for on-site sewage disposal. Staff also recommends a condition of approval that the property owner provide all visitors with adequate portable restrooms facilities, handwashing stations, and drinking water in compliance with Public Health Department standards.

This criterion can be satisfied with conditions of approval. Refer to Conditions #1 and #2.

Condition of Approval #1: Final approval of the on-site sewage disposal system for the proposed use shall be demonstrated in the form of a written statement from the Clatsop County Public Health Department, provided to Community Development prior to commencing the proposed use.

Condition of Approval #2: The property owner shall provide all visitors with adequate portable restrooms facilities, handwashing stations, and drinking water in compliance with Clatsop County Public Health Department standards.

- 4) The natural and physical features of the site such as topography, natural hazards, natural resource values, and other features.

APPLICANT RESPONSE: Over the years certain modifications have been made for agricultural purposes and more recently, since the applicant became the owner of the property, additional modifications have

been made both for agricultural purposes and to enhance wildlife habitat – both for fisheries, and big game. All building and areas for commercial use are out of the flood plain and wetlands. No additional modifications to the natural and physical features of the site are anticipated.

Staff Analysis and Finding: The site's natural and physical features consist of flat, open fields, forested wetlands, and two streams (Big Creek and Little Creek). Approximately 73 acres of the 132-acre parcel are identified as wetlands in the NWI 2016 edition. A large portion of the property is also identified as a flood zone, according to the Flood Hazard Overlay (FHO).

According to the applicant's site plan, the proposed activities would take place in upland areas, with the exception of fishing that may occur in mapped wetlands and flood hazard areas. As stated by the applicant, no physical modifications to the site are proposed. The grounds offer a natural scenic quality that is presumably attractive to visitors interested in fishing or holding gatherings. With regard to natural resource values, the applicant has described past cooperation with the Columbia River Estuary Study Taskforce (CREST) and Oregon Department of Fish and Wildlife (ODFW) on projects related to natural resource conservation and fisheries. Notice of the application was provided to both agencies and neither provided comments. The areas with features suitable for agriculture are used for the production of crops.

Overall, the existing and proposed use and management of the land appears to be well-balanced and consistent with the natural and physical features of the site. **This criterion is satisfied.**

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

APPLICANT RESPONSE: The proposed use is completely compatible with the existing uses of the surrounding lands which are used primarily for farming, fishing, hunting and multi-acre home sites. ODF&W is allowed access the site to transport and "redeposit" spawning fish that have made it upstream to the Big Creek Hatchery so that fisherman may have another opportunity to catch them. The site was used for lodging and events since 2002, prior to the county's short-term rental ordinance. There were no complaints about such use. Applicant is unaware of any other "projected" uses for the surrounding lands.

Staff Analysis and Finding: The proposed use appears to date back to the applicant's purchase of the property and establishment of Big Creek Fishing Club in July of 2003, and likely existed for two to four decades prior to that date. Considering that the use has existed for so long without any known complaints or interference with surrounding land uses, and with no projected changes to the surrounding pattern of land uses, it is reasonable to conclude the proposal is and will remain compatible with its surroundings. **This criterion is satisfied.**

- (E) The proposed use will not interfere with normal use of coastal shorelands.
(F) The proposed use will cause no unreasonably adverse effects to aquatic or coastal shoreland areas.

APPLICANT RESPONSE: The proposed site is not adjacent to coastal shorelands and will not interfere with normal use. Big Creek will continue to be a tributary to the Columbia River to provide a freshwater access to and from the hatchery. For years the applicant has worked closely with the ODF&W to ensure that management of the site (including habitat improvement at the applicant's own expense) is consistent with the goals and requests of that agency. That co-operation will continue. There will be no adverse effects to aquatic or coastal shorelands.

Staff Analysis and Finding: County maps indicate a portion of the subject property is included in the Shoreland Overlay. However, the boundary of coastal shorelands appears to be over 1,000 feet away from

the proposed use. The use is not anticipated to have any effect on aquatic or coastal shoreland areas. **These criteria are satisfied.**

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

APPLICANT RESPONSE: As noted in response to the previous section (F), the applicant's close work with the ODF&W over many years has not only involved concern for fish resources, but for big game as well. This work and cooperation has included habitat improvement, enforcement of game regulations, and restrictions and limitations on big game hunting consistent with ODF&W regulations. That cooperation will continue and the proposed use will have absolutely no adverse effect on big game habitat.

Staff Analysis and Finding: As shown in the application summary, county maps indicate that about two thirds of the property is considered peripheral big game habitat. Notice of this application was provided to ODFW. Community Development did not receive any comments from ODFW prior to the issuance of this staff report. The proposed use is located adjacent to areas of the subject property that are already developed with structures and amenities, and no new structures or land-disturbing activity is proposed. No impact to big game habitat is anticipated. **This criterion is satisfied.**

- (H) In addition to compliance with the criteria as determined by the hearing body and with the requirements of Sections 1.040 and 1.050, the applicant must accept those conditions listed in Section 5.025 that the hearing body finds are appropriate to obtain compliance with the criteria.

Staff Response: Recommended conditions of approval are presented throughout this staff report. The hearing body may require additional conditions they find to be appropriate, including those listed in Section 5.025. **This criterion is satisfied.**

SECTION 5.300. SITE PLAN REVIEW.

Section 5.302. Site Plan Review Requirements.

Before a permit can be issued for development in a special purpose district or for a conditional development and use or a development and use permitted with review, a site plan for the total parcel and development must be approved by the Community Development Director or Planning Commission. Information on the proposed development shall include sketches or other explanatory information the Director may require or the applicant may offer that present facts and evidence sufficient to establish compliance with Sections 1.040, 1.050 and the requirements of this Section.

Staff Analysis and Finding: The applicant has provided an initial site plan depicting the proposal (Exhibit 1). Staff recommends a condition of approval requiring review and approval of a final site plan. Because the conditional use request is to continue an existing use, and does not require a development permit, staff recommends establishing a time frame to review and approve the final site plan of 30 days from the issuance of the conditional use permit. **This criterion can be satisfied with a condition of approval. Refer to Condition #3.**

Condition of Approval #3: Review and approval of a final site plan shall be required within 30 days of the issuance of this conditional use permit.

B. STANDARDS DOCUMENT

CHAPTER 2. SITE ORIENTED IMPROVEMENTS.

Section S2.200. Off-Street Parking Required.

Section S2.203. Minimum Off-Street Parking Space Requirements.

(2) Commercial type development and number of parking spaces.

- Theater, gymnasium, racetrack, stadium, or similar use: 0.4 per seat

Section S2.206. Off-Street Parking Plan.

Section S2.210. Design Requirements for Off-Street Parking.

Staff Analysis and Finding: The applicant's proposed site plan identifies several surfaced parking areas, as well as a grass overflow area to be used during large events (Exhibit 1). Standards Document S2.203 does not establish off-street parking requirements for private (or public) parks. Staff recommends using a factor of 0.4 spaces per visitor and applying that factor to the average attendance at gatherings to determine a number of required permanent parking spaces, and accommodating parking needs for occasional larger events in a designated overflow area.

According to the applicant, typical attendance at gatherings ranges from 30 to 100 guests. The average of 30 and 100 is 65. At 0.4 spaces per guest, a total of 26 permanent off-street parking spaces would be required. With a maximum of 150 guests allowed at an event, there is a potential need for a total of 60 off-street parking spaces ($150 \times 0.4 = 60$). Therefore, the designated overflow area would need to accommodate at least 34 additional parking spaces ($60 - 26 = 34$). Staff recommends a condition of approval to require 26 permanent off-street parking spaces and 34 additional overflow spaces to be delineated on the applicant's final site plan, pursuant to the applicable parking design standards found in S2.206 and S2.210. **Off-street parking criteria can be satisfied with a condition of approval. Refer to Condition #4.**

Condition of Approval #4: The applicant's final site plan shall delineate 26 permanent off-street parking spaces and 34 additional overflow spaces, pursuant to the applicable parking design standards found in S2.206 and S2.210.

S2.300. Sign Requirements

(5) **Signs in Resource Zones:** Except for the AF, F-80 and EFU zones, signs are not permitted in resource zones. Individual signs may not exceed thirty-two (32) square feet and are limited as follows:

- (A) Signs pertaining to permitted uses in the zone.
- (B) Road identification signs.

Staff Analysis and Finding: The applicant has not proposed any signage at this time. Should the applicant apply for signage, the standards found in S2.300 shall apply. This information is provided in an advisory capacity. **No action is required.**

SECTION 3.500. FARM ZONE STANDARDS. [Ord. 18-02]

Section 3.508. General Standards.

(1) Three-mile setback. For uses subject to this Subsection:

- (A) No enclosed structure with a design capacity greater than 100 people, or group of structures with a total design capacity of greater than 100 people, shall be approved in connection with the use within three miles of an urban growth boundary, unless an exception is approved pursuant to ORS 197.732 and OAR chapter 660, division 4, or

unless the structure is described in a master plan adopted under the provisions of OAR chapter 660, division 34.

- (B) Any enclosed structures or group of enclosed structures described in Subsection (A) within a tract must be separated by at least one-half mile. For purposes of this Subsection, "tract" means a tract that is in existence as of June 17, 2010.
- (C) Existing facilities wholly within a farm use zone may be maintained, enhanced or expanded on the same tract, subject to other requirements of law, but enclosed existing structures within a farm use zone within three miles of an urban growth boundary may not be expanded beyond the requirements of this ordinance.

Staff Analysis and Finding: The subject property does not include any enclosed structures or group of structures with a design capacity of greater than 100 people, and the property is located greater than three miles from the nearest urban growth boundary. Pursuant to Section 3.508(1)(C), existing facilities wholly within a farm use zone may be maintained, enhanced, or expanded on the same tract, subject to other requirements of law. The purpose of this application is to allow the existing private park known as Big Creek Fishing Club, to be maintained. **The standards in S3.508(1) are satisfied.**

Section 3.509. Conditional Use Review Criteria.

- (1) These requirements are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands. The use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and
- (2) The use will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

Staff Analysis and Finding: Big Creek Fishing Club, LLC, has operated on the subject property since July of 2003. Approval of the conditional use request would permit the operation continued use of approximately 3 acres of the subject property located in the EFU Zone. Approximately one acre of the area subject to this application is considered "high value farmland", because of its soil classification (45A, Mues medial silt loam, 0 to 3 percent slopes). This area is located between three existing structures and includes the lawn in front of the dwelling.

According to aerial imagery and conversation with the applicant, it appears the areas of the 132-acre parcel which are conducive to farming are used to the fullest extent possible for crop production. Staff has no reason to expect that the continued use of the subject area will force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use, nor that it would significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to those uses. **The standards in S3.509(1) and (2) are satisfied.**

- (3) The proposed use will be compatible with vicinity uses, and satisfies all relevant requirements of this ordinance and the following general criteria:
 - (A) The use is consistent with those goals and policies of the Comprehensive Plan which apply to the proposed use;
 - (B) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features;
 - (C) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
 - (D) The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
 - (E) The use is or can be made compatible with existing uses and other allowable uses in the area.

Staff Analysis and Finding: Section A of this report demonstrates that the subject parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements, natural features, and availability of public facilities and services. Sections A and B of this report demonstrate that, with appropriate conditions of approval, the proposed use will not alter the characteristics of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district. Section C of this report demonstrates that the proposed use is consistent, or can be made consistent, with the applicable goals and policies of the Comprehensive Plan. Staff finds that the proposed use will be compatible with vicinity uses, and satisfies all relevant requirements of the LWDUO and Standards Document. **The standards in S3.509(3) are satisfied.**

Section 3.516. Agri-tourism and Other Commercial Events.

The following agri-tourism and other commercial events or activities that are related to and supportive of agriculture may be established:

- (3)** In the alternative to Subsections (1) and (2), the county may authorize up to six agri-tourism or other commercial events or activities on a tract in a calendar year by a limited use permit that is personal to the applicant and is not transferred by, or transferable with, a conveyance of the tract. The agri-tourism or other commercial events or activities must meet any local standards that apply, and the agri-tourism or other commercial events or activities:
 - (A)** Must be incidental and subordinate to existing farm use on the tract;

Staff Analysis and Finding:

The applicant seeks approval to use a portion of his property as a venue for commercial events. The types of events described by the applicant include family reunions, corporate outings, memorial services, weddings, and graduation parties. In general, these events can be described as celebratory gatherings.

The definition of agri-tourism, as found in LWDUO Section 1.030, states that "agri-tourism does not include weddings, celebratory gatherings, parties or regularly occurring similar uses." However, the standards found in Section 3.516, referenced above, also provide for "other commercial events or activities," a term which is not defined in the LWDUO or Standards Document and is variably paired with the term "agri-tourism" using the conjunction "and" as well as "or".

It is staff's interpretation that the term "other commercial events or activities" is included in order to allow for events or activities that are not considered "agri-tourism", so long as there is an existing farm use on the subject tract and that the proposed events or activities are related to and supportive of, and incidental and subordinate to agriculture.

Is there an existing farm use on the subject tract?

According to the applicant, there is an existing farm use on the subject tract: the property owner leases rights to cultivate and harvest silage for dairy cows, an operation that occupies approximately 90% of the land area of the 132-acre parcel. **Staff finds that the existing agricultural use is consistent with the definition of "farm use" as found in LWDUO Section 1.030.**

Are the proposed commercial events related to and supportive of agriculture?

The applicant argues that celebratory gatherings are related to agriculture because customers have a multitude of choices in selecting a venue for an event and that when they choose a farm setting, they do so intentionally, for the perceived scenic quality of a farm setting and with the understanding that the setting includes the sights, sounds, and smells typically associated with agriculture. This includes crop fields, agricultural buildings, farm equipment, and fertilizers.

With regard to supporting agriculture, the applicant has stated that he relies on supplementary income generated from events to support continued agricultural use of the property. The options for generating a

stable income from farm uses alone are limited. This argument is supported by the Clatsop County Comprehensive Plan in the introduction to Goal 3 (found in Section C of this report). The applicant has stated that the flexibility to generate income by using a small area of the property for his fishing club and occasional commercial events is what has kept the remainder of the property in farm use over the years. Without that flexibility, the applicant has stated that he would most likely pursue the division and development of the roughly 23-acre portion of his property zoned RA-2, which could result in ten or more home sites. He states that if he were to do so he would lose his silage lease because the return on investment for the lessee would no longer pencil out financially, and that losing the lease would likely lead to the land lying fallow. **Staff believes the applicant's arguments are reasonable to support a finding that the proposed commercial events are related to and supportive of agriculture.**

Are the proposed commercial events incidental and subordinate to the existing farm use?

Staff interprets the terms "incidental" and "subordinate" to imply the following: there should be a relationship between commercial events and an existing farm use, commercial events should be secondary or minor in comparison to an existing farm use, and commercial events should be lower in importance than an existing farm use. An argument for the connection or relationship between the proposed celebratory events and farming is presented above. With regard to the proposed events being subordinate, secondary, minor, or lower in importance in comparison to the existing farm use, staff relies on the following findings of fact: events would be limited to six per calendar year while farming would continue to occur year-round; events would occupy only about 2% of the area of the subject property compared with 90% remaining devoted to the farm use; events would allow for the existing farm use to continue without interference. In addition, if this application is approved, the area used for events would coincide with the area used as a private park. **Staff finds that it is reasonable to conclude that the proposed events would be incidental and subordinate to the existing farm use.**

- (B) May not, individually, exceed a duration of 72 consecutive hours;
- (C) May not require that a new permanent structure be built, used or occupied in connection with the agri-tourism or other commercial events or activities;

Staff Finding: The above requirements can be satisfied through conditions of approval. **Refer to Conditions #5 and 6.**

Condition of Approval #5: Agri-tourism or other commercial events or activities may not, individually, exceed a duration of 72 consecutive hours.

Condition of Approval #6: No new permanent structures may be built, used or occupied in connection with agri-tourism or other commercial events or activities.

- (D) Must comply with the standards described in Subsections S3.501(1) and (2);

Staff Finding: Subsections S3.501(1) and (2) relate to facilities for the processing of farm and forest products. **This criterion does not apply to the applicant's request.**

- (E) May not, in combination with other agri-tourism or other commercial events or activities authorized in the area, materially alter the stability of the land use pattern in the area; and

Staff Finding: The findings throughout each section of this report support the conclusion that the proposed use will not materially alter the stability of the land use pattern in the area. There are no other known agri-tourism or other commercial events or activities authorized in the area. **This criterion is met.**

(F) Must comply with conditions established for:

- 1) The types of agri-tourism or other commercial events or activities that are authorized during each calendar year, including the number and duration of the agri-tourism or other commercial events and activities, the anticipated daily attendance and the hours of operation;
- 2) The location of existing structures and the location of proposed temporary structures to be used in connection with the agri-tourism or other commercial events or activities;
- 3) The location of access and egress and parking facilities to be used in connection with the agri-tourism or other commercial events or activities;
- 4) Traffic management, including the projected number of vehicles and any anticipated use of public roads; and
- 5) Sanitation and solid waste;
- 6) Must comply with the requirements of S3.516(8).

Staff Finding: The conditions referenced above are established in Subsection 3.516(8), below. Failure to comply with the conditions of approval would be considered a violation of the conditional use permit and would be addressed through code enforcement action. **This criterion is met.**

(G) A permit authorized by this Subsection shall be valid for two calendar years. When considering an application for renewal, the county shall ensure compliance with the provisions of Subsection (3), any local standards that apply and conditions that apply to the permit or to the agri-tourism or other commercial events or activities authorized by the permit.

Staff Finding: The above requirement can be satisfied with a condition of approval. **Refer to Condition #7.**

Condition of Approval #7: Conditional use approval for agri-tourism and other commercial events shall be valid for two calendar years. At the time renewal of the conditional use permit is requested, the county will verify compliance with the applicable criteria and conditions of approval herein.

(6) Temporary structures established in connection with agri-tourism or other commercial events or activities may be permitted. The temporary structures must be removed at the end of the agri-tourism or other event or activity. Alteration to the land in connection with an agri-tourism or other commercial event or activity including, but not limited to, grading, filling or paving, are not permitted.

Staff Finding: The above requirements can be satisfied with a condition of approval. **Refer to Condition #8.**

Condition of Approval #8: Temporary structures established in connection with agri-tourism or other commercial events or activities must be removed at the end of the agri-tourism or other event or activity. Alteration to the land in connection with an agri-tourism or other commercial event or activity including, but not limited to, grading, filling or paving, are not permitted.

(8) Conditions of Approval. Agri-tourism and other commercial events permitted under Subsections 3 and 4 are subject to the following standards and criteria:

(A) A permit application for an agri-tourism or other commercial event or activity shall include the following:

- 1) A description of the type of agri-tourism or commercial events or activities that are proposed, including the number and duration of the events and activities, the

anticipated daily attendance and the hours of operation and, for events not held at wineries, how the agri-tourism and other commercial events or activities will be related to and supportive of agriculture and incidental and subordinate to the existing farm use of the tract.

- 2) The types and locations of all existing and proposed temporary structures, access and egress, parking facilities, sanitation and solid waste facilities to be used in connection with the agri-tourism or other commercial events or activities;
- 3) Authorization to allow inspection of the event premises. The applicant shall provide in writing a consent to allow law enforcement, public health, and fire control officers and code enforcement staff to come upon the premises for which the permit has been granted for the purposes of inspection and enforcement of the terms and conditions of the permit and the Exclusive Farm Use Zone and any other applicable laws or ordinances.

(B) Approval Criteria.

- 1) The area in which the agri-tourism or other commercial events or activities are located shall be setback at least 100 feet from the property line.
- 2) No more than two agri-tourism or commercial events or activities may occur in one month.
- 3) The maximum number of people shall not exceed 500 per calendar day.
- 4) Notification of agri-tourism and other commercial events or activities.
 - a) The property owner shall submit in writing the list of calendar days scheduled for all agri-tourism and other commercial events or activities by April 1 of the subject calendar year or within 30 days of new or renewed permits to County's Planning Department and a list of all property owners within 500 feet of the subject property, as notarized by a title company.
 - b) The list of calendar dates for all agri-tourism, commercial events and activities may be amended by submitting the amended list to the Department at least 72 hours prior to any change in the date of approved dates.
 - c) If notice pursuant to a) is not provided, the property owner shall provide notice by Registered Mail to the same list above at least 10 days prior to each agri-tourism and other commercial event or activity.
 - d) The notification shall include a contact person or persons for each agri-tourism and other commercial event or activity who shall be easily accessible and who shall remain on site at all times, including the person(s) contact information.
- 5) Hours of Operation. No agri-tourism and other commercial event or activity may begin before 7:00 a.m. or end after 10:00 p.m.
- 6) Overnight camping is prohibited.
- 7) Noise Control:
 - a) All noise, including the use of a sound producing device such as, but not limited to, loud speakers and public address systems, musical instruments that are amplified or unamplified, shall be in compliance with applicable state regulations.
 - b) A standard sound level meter or equivalent, in good condition, that provides a weighted sound pressure level measured by use of a metering characteristic with an "A" frequency weighting network and reported as dBA shall be available on-site at all times during agri-tourism and other commercial events or activities.

8) Transportation Management

- a) Roadways, driveway aprons, driveways and parking surfaces shall be surfaces that prevent dust, and may include paving, gravel, cinders, or bark/wood chips.
- b) Driveways extending from paved roads shall have a paved apron, requiring review and approval by the County Road Department.
- c) The parcel, lot or tract must have direct access from a public road or is accessed by an access easement or private road, whereby all underlying property owners and property owners taking access between the subject property and the public road consent in writing to the use of the road for agri-tourism and other commercial events or activities at the time of initial application.
- d) Adequate traffic control must be provided by the property owner and must include one traffic control person for each 250 persons expected or reasonably expected to be in attendance at any time. All traffic control personnel shall be certified by the State of Oregon and shall comply with the current edition of the Manual of Uniform Traffic Control Devices.
- e) Adequate off-street parking will be provided pursuant to provisions of the County Off-Street Parking requirements in S2.200 – S2.208.

9) Health and Safety Compliance

- a) Sanitation facilities shall include, at a minimum, portable restroom facilities and stand-alone hand washing stations.
- b) All permanent and temporary structures and facilities are subject to fire, health and life safety requirements, and shall comply with all requirements of the County Building Code Division any other applicable federal, state and local laws.
- c) Compliance with the requirements of the Building Codes Division shall include meeting all building occupancy classification requirements of the State of Oregon adopted building code.

Staff Finding: The conditions listed above are required in order to approve the applicant's request. Although the conditions above allow for up to 500 guests at events, staff recommends limiting the number to 150 which was the recommendation of the original staff report. **Subsection 3.516(8) will be satisfied by corresponding conditions of approval. Refer to Conditions #9 through 18, pages 23-24.**

S4.500. PROTECTION OF RIPARIAN VEGETATION

S4.501. Purpose and Areas Included.

Riparian vegetation is important for maintaining water temperature and quality, providing bank stabilization, thus minimizing erosion, providing habitat for the feeding, breeding, and nesting of aquatic and terrestrial wildlife species, and protecting and buffering the aquatic ecosystem from human disturbances. This section establishes standards to protect riparian vegetation on lands not subject to the requirements of the Oregon Forest Practices Act.

Areas of riparian vegetation are identified as follows:

- (2) Lakes, reservoirs, and river segments outside of Estuarine or Coastal Shoreland areas: a riparian vegetation zone 50 feet wide shall be maintained. Where emergent wetland vegetation exists adjacent to a lake, reservoir, or river, the 50 feet shall be measured from the landward extent of the emergent wetland area. If a shrub or forested wetland area exists adjacent to the lake, reservoir or river, the zone of riparian vegetation shall be the entire area of the shrub or forested wetland. Measurements are taken horizontally and perpendicular from the line of non-aquatic vegetation. Where no aquatic vegetation is present, the measurement shall occur in estuarine and coastal shoreland areas from the mean higher high water line and from the ordinary high water line in non-estuarine areas.

S4.504. Development Standards.

Staff Analysis and Finding: The applicant has identified activities that would occur within 50 feet of Big Creek, such as fishing and private gatherings. As described in Section C of this report, County maps indicate Goal 17 riparian vegetation exists in this area. Although the proposed use does not include any ground disturbing activities, staff recommends applying a condition of approval to ensure the protection of riparian vegetation. **S4.500 can be satisfied with a condition of approval. Refer to Condition #19.**

Condition of Approval #19: Riparian vegetation shall be protected pursuant to Standards Document S4.500.

C. COMPREHENSIVE PLAN POLICIES AND GOALS

Goal 1 – Citizen Involvement

Policy 7 – Clatsop County shall use the news media, mailings, meetings, and other locally available means to communicate planning information to citizens and governmental agencies. Prior to public hearings regarding major Plan revisions, notices shall be publicized.

Policy 9 – Public notices will also be sent to affected residents concerning zone and Comprehensive Plan changes, conditional uses, subdivisions and planned developments.

APPLICANT RESPONSE: Big Creek Fishing Club looks forward to citizen, local, state, federal government and special districts involvement in the permitting process.

Staff Analysis and Finding: Article 2, LWDUO, outlines the public notice and hearing procedure that assures Goal 1 is met. As demonstrated in Exhibit 2, appropriate measures have been taken to process the Type IIa Conditional Use Application in accordance with the applicable Citizen Involvement (Goal 1) policies of the County Comprehensive Plan. **The Type IIa conditional use procedure for processing this application satisfies Goal 1.**

Goal 2 – Land Use Planning

The County's land and water have been placed in one of six (6) Plan designations. They are:

2. Rural Agricultural Lands

Agricultural lands are those lands that are to be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space.

APPLICANT RESPONSE: The facilities are served by local services of fire patrol, a paved road, Pacific Power and Knappa Water district therefore located in a rural service area. The property has been defined also as being in rural agriculture land. The soil classification of approximately 60 acres of this land is Class II, because it has "some limitations" therefore reducing the choice of crops. Silage for milk cows is harvested in approximately the middle July after the available property drains from spring/summer rains. Cattle grazing is not allowed on this acreage according to the owner's conservation practices. The soil classification of 40 acres is Class VII unsuitable for cultivation and improvements. This portion of the property does provide habitat for a multitude of wildlife and fisheries. The remaining 30 acres (located south of Big Creek) has 2 acres that the lodging facility and barns are located on. About 5 acres can be silage within that remaining 15 acres includes $\frac{3}{4}$ of a mile of Big Creek and riparian areas. In conclusion the requested operating permit for approximately 2 acres for events including stream bank open for fishing within this EFU zone does not interfere with any farming practices on the property. The dwelling also within this area have been remodeled and updated therefore been irrevocably committed for the last 17 years to provide a gathering place at a reasonable fee.

Staff Analysis and Finding: The Comprehensive Plan identifies the subject property as Rural Agricultural Lands. Goal 2 states that Rural Agricultural Lands are to be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space. Lands in the EFU Zone are designated Rural Agricultural Lands, and the policies for the EFU Zone were developed to be consistent with the goals and policies for Rural Agricultural Lands found in Goal 2. Private parks are identified as a permitted use in the EFU Zone per Section 3.564(23), LWDUO, so it has been pre-determined that the use can be made compatible with Goal 2 policies for Rural Agricultural Lands. The applicant's proposed private park use applies to approximately 3 acres of the 132-acre subject property. As the applicant describes, the area proposed for the use is located on a portion of the property that contains structures, hardscape, and a portion of the bank of Big Creek. This area would not be practical for farm use. The remaining acreage suitable for farm use appears to be used as such to the greatest extent possible, while the areas unsuitable for agriculture are left as natural open space. Considering that the proposed use is identified as a conditional use in the EFU Zone and the site will continue to be used for farm use without interference by the proposed use, staff finds no conflicts with Goal 2. **The proposed use does not conflict with Goal 2 policies for Rural Agricultural Lands.**

Goal 3 – Agricultural Lands

Introduction

Farming in Clatsop County has declined in the last 15-30 years and the future does not look particularly bright. Small farm sizes interspersed with rural tracts, difficult terrain, a wet climate, and competition from other land uses all work against the consolidation of large, efficient farm units which are characteristic of other areas of the state where agriculture is thriving. As pressure for land for other uses increases, and the off-the-farm employment becomes more attractive, it is probable that farm acreage and the number of farms will decline below the present level. However, the pattern of small farms, producing a low income stream, with the operator working in other employment for part of the year, is likely to continue. This compliments the seasonal employment cycles of some of the County's industries and provides an appealing way of life for some people.

Findings

8. Approximately two-thirds (2/3) of all farms are operated on a part-time basis.
9. The economic importance of farming in the County is minor compared to other sectors. Farmers here must absorb additional transportation costs to get local products to distant markets, primarily to Portland.
11. The small scale of farming also supports very few farm related businesses. This has led to increased costs to farmers for farm equipment, supplies, and services.

Policies (from ORS 215.243 Agricultural Land Use Policy)

2. The preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources and the preservation of such land in large blocks is necessary in maintaining the agricultural economy of the state and for the assurance of adequate, healthful and nutritious food for the people of this state and nation.

APPLICANT RESPONSE: The 2 acres described previously and outlined on the map presented is the only area proposed for park use. This area is not viable for farming because of buildings, access roads and electrical and water support systems. The small scale of farming on the 60 acres brings in very little income from a lessee for summer haying rights, therefore does not support the farm related business. There is no Class I soils in Clatsop County because of weather limitations according to studies by previous Clatsop County Planning Commissioners and staff. Cattle grazing may be accepted practice on Class II soil, but the owner is against the idea due to wishing to preserve the natural ecosystem. The property is being used to its fullest maximum agricultural productivity.

Staff Analysis and Finding: As found in the analysis for Goal 2, the Type Ila approval process assures consistency with Comprehensive Plan policies related to the conservation of agricultural lands for agricultural uses. The proposal would allow an existing use to be maintained and expanded within a limited area of a relatively large parcel of land. As described in previous findings throughout this report, the proposed use does not appear to conflict with agricultural land uses, and the areas that are suitable for farm use are used as such to the greatest extent possible. The applicant's approach to land management is consistent with the introduction narrative, findings, and policies for Goal 3 shown above, and staff finds no conflicts with the goal. **The proposed use does not conflict with Goal 3.**

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces

The overall goal of the Statewide Planning Goal 5, Open Space, Scenic and Historic Areas, and Natural Resources, is: "To conserve open space and protect natural and scenic resources."

APPLICANT RESPONSE: Big Creek flows through the property ending its journey to the Columbia, just a half mile away. To preserve open spaces and natural scenic resources the property has been enhanced to preserve wetlands, waterways, fish habitat and riparian vegetation. The land owner has worked closely with USF&W, CREST, ODF&W, DSL, and Corps of Engineers with matching funds to stabilize bank erosion. Tree seedlings have been planted along Big Creek and monitored yearly by land owner and CREST. There are no historical or cultural sites on this property.

Staff Analysis and Finding: The applicant's proposed use does not include any modifications to the land, and the proposed activities do not impact any Goal 5 resources identified in the Comprehensive Plan. Overall, the applicant's approach to land management is consistent with Goal 5, and staff finds no conflicts with the goal. **The proposed use does not conflict with Goal 5.**

Goal 8 – Recreational Lands

General Policies

1. The County should protect, manage, enhance and preserve identified park resources and recreational land resources.
4. The County shall participate with other governmental, private, regional, volunteer and non-profit groups and agencies in coordinating planning efforts that may impact the County's recreational resources or park master plans.

APPLICANT RESPONSE: The property has strived to provide a high quality recreational experience for the last 17 years. Allowing visitors the enjoyment of a quiet zone even during larger gatherings in which include weddings. There is no camping except in parking overflow area during large events for 72 hours only with no sewer, water or electrical hookups. The owner is very generous with lodging and fishing when it comes to kids, military personal, elders and local charitable organizations.

Staff Analysis and Finding: Clatsop County's Goal 8 policies and objectives are primarily oriented toward recreational lands that are owned and managed by the County or other public agencies. The 2006 Parks and Recreation Master Plan, included as the background report for Goal 8, identifies private opportunities such as timberland and privately managed campgrounds as contributing resources. The applicant's proposal increases the number and variety of recreational opportunities available in Clatsop County overall. **The proposed use supports Goal 8.**

Goals 16 & 17 – Columbia River Estuary

DEFINITIONS

1. **Aquatic Areas** – Aquatic areas include the tidal waters, including subtidal areas and wetlands of the estuaries, and non-tidal sloughs, streams, and wetlands within the shorelands area boundary. The lands underlying these waters are also included. The upper limit of aquatic areas is the upper limit of aquatic vegetation or, where such a line cannot be accurately determined, Mean Higher High Water (MHHW) in tidal areas or Ordinary High Water (OHW) in non-tidal areas.
2. **Coastal Shorelands** – Those areas adjacent to the ocean, estuaries, associated wetlands and coastal lakes. The extent of shorelands shall include at least:
 - a. Areas subject to ocean flooding and lands within 100 feet of the ocean shore or within 50 feet of an estuary or coastal lake.

APPLICANT RESPONSE: Parts of the property could possibly be in the Columbia River Estuary. Lower forested bottom land has some tidal influence but is only habited by wildlife. The facilities are not near that area and guest are not allowed or have the incentive to visit. The owner has not heard that the area is classified as Natural Aquatic Area, Natural Shoreland Area, Conservation Aquatic Area, Development Aquatic Area or a Conservation Shoreline.

Staff Analysis and Finding: County maps indicate the Coastal Shorelands Boundary does include a portion of the subject property, but the boundary does not extend to the area proposed for the use. Goal 17 riparian vegetation is identified along the entire length of Big Creek within the subject property. The proposed use involves temporary activities such as fishing and gathering along the eastern bank of Big Creek. Riparian vegetation is important for bank stabilization and erosion control, water quality, and wildlife habitat. No ground disturbing activities have been proposed in the area of riparian vegetation. As recommended in Section B of this report under S4.500, Condition #6 would ensure the protection of riparian vegetation. **With appropriate conditions of approval, the proposed use does not conflict with Goals 16 & 17. Refer to Condition #6, page 17.**

Northeast Community Plan

Alluvial Lowlands (bottom land)

Alluvial lowlands in the Northeast Clatsop County study area include the lowlands along the Columbia River estuary such as area southeast of Tongue Point and the areas both east and west of Wauna. Also included are those areas surrounding Brownsmead, the John Day River and Big Creek.

Alluvial Lowland Policies:

1. Low density activities, such as agriculture, shall be preferred uses in the alluvial lowlands.

Staff Analysis and Finding: The area of the proposed use is adjacent to Big Creek and meets the description of Alluvial Lowlands found in the Northeast Community Plan. The proposed use does not increase density or impact surrounding agricultural uses, and, as demonstrated in the preceding sections of this report, has been found to be compatible with surrounding land use patterns. **The proposed use does not conflict with the Northeast Community Plan.**

COMMENTS RECEIVED

Oregon Department of State Lands: Jevra Brown, Aquatic Resource Planner, requested additional information about the application and suggested submitting a Wetland Land Use Notification (WLUN) to DSL. Cities and counties are required by statute to notify DSL of local applications that might impact a mapped wetland.

Staff Response: A WLUN for the proposed use was submitted to DSL on Thursday, March 21, 2019. No response has been received as of the date of this staff report. The DSL website states that responses are typically issued within 30 days. As no ground disturbance, removal, or fill activities are proposed in mapped wetlands (or any other areas), staff does not anticipate DSL will require the property owner to obtain a wetland delineation or state permit.

III. CONCLUSION AND RECOMMENDATION

Based on findings in the Section II, the department concludes that the criteria relevant to this request have been met, or can be met through regulations and conditions of approval. Staff recommends **APPROVAL** of the application, **SUBJECT TO THE FOLLOWING CONDITIONS and REGULATIONS:**

REGULATIONS

1. If any state or federal permit is required for the proposed activities, the applicant, prior to issuance of a development permit or action, shall submit to the Planning Department a copy of the state or federal permit.

CONDITIONS OF APPROVAL

1. Final approval of the on-site sewage disposal system for the proposed use shall be demonstrated in the form of a written statement from the Clatsop County Public Health Department, provided to Community Development prior to commencing the proposed use.
2. The property owner shall provide all visitors with adequate portable restroom facilities, handwashing stations, and drinking water in compliance with Clatsop County Public Health Department standards.
3. Review and approval of a final site plan shall be required within 30 days of the issuance of this conditional use permit.
4. The applicant's final site plan shall delineate 26 permanent off-street parking spaces and 34 additional overflow spaces, pursuant to the applicable parking design standards found in S2.206 and S2.210.
5. Agri-tourism or other commercial events or activities may not, individually, exceed a duration of 72 consecutive hours.
6. No new permanent structures may be built, used or occupied in connection with agri-tourism or other commercial events or activities.
7. Conditional use approval for agri-tourism and other commercial events shall be valid for two calendar years. At the time renewal of the conditional use permit is requested, the county will verify compliance with the applicable criteria and conditions of approval herein.

8. Temporary structures established in connection with agri-tourism or other commercial events or activities must be removed at the end of the agri-tourism or other event or activity. Alteration to the land in connection with an agri-tourism or other commercial event or activity including, but not limited to, grading, filling or paving, are not permitted.
9. A permit application for an agri-tourism or other commercial event or activity shall include the following:
 - a. A description of the type of agri-tourism or commercial events or activities that are proposed, including the number and duration of the events and activities, the anticipated daily attendance and the hours of operation and, for events not held at wineries, how the agri-tourism and other commercial events or activities will be related to and supportive of agriculture and incidental and subordinate to the existing farm use of the tract.
 - b. The types and locations of all existing and proposed temporary structures, access and egress, parking facilities, sanitation and solid waste facilities to be used in connection with the agri-tourism or other commercial events or activities;
 - c. Authorization to allow inspection of the event premises. The applicant shall provide in writing a consent to allow law enforcement, public health, and fire control officers and code enforcement staff to come upon the premises for which the permit has been granted for the purposes of inspection and enforcement of the terms and conditions of the permit and the Exclusive Farm Use Zone and any other applicable laws or ordinances.
10. The area in which the agri-tourism or other commercial events or activities are located shall be setback at least 100 feet from the property line.
11. No more than six agri-tourism or other commercial events or activities may occur in a calendar year, and no more than two agri-tourism or commercial events or activities may occur in one month.
12. The maximum number of people attending an agri-tourism or other commercial event or activity shall not exceed 150 at any given time during that event or activity.
13. Notification of agri-tourism and other commercial events or activities:
 - a. The property owner shall submit in writing the list of calendar days scheduled for all agri-tourism and other commercial events or activities by April 1 of the subject calendar year or within 30 days of new or renewed permits to County's Planning Department and a list of all property owners within 500 feet of the subject property, as notarized by a title company.
 - b. The list of calendar dates for all agri-tourism, commercial events and activities may be amended by submitting the amended list to the Department at least 72 hours prior to any change in the date of approved dates.
 - c. If notice pursuant to a) is not provided, the property owner shall provide notice by Registered Mail to the same list above at least 10 days prior to each agri-tourism and other commercial event or activity.
 - d. The notification shall include a contact person or persons for each agri-tourism and other commercial event or activity who shall be easily accessible and who shall remain on site at all times, including the person(s) contact information.
14. Hours of Operation. No agri-tourism and other commercial event or activity may begin before 7:00 a.m. or end after 10:00 p.m.
15. Overnight camping is prohibited.

16. Noise Control:
 - a. All noise, including the use of a sound producing device such as, but not limited to, loud speakers and public address systems, musical instruments that are amplified or unamplified, shall be in compliance with applicable state regulations.
 - b. A standard sound level meter or equivalent, in good condition, that provides a weighted sound pressure level measured by use of a metering characteristic with an "A" frequency weighting network and reported as dBA shall be available on-site at all times during agri-tourism and other commercial events or activities.
17. Transportation Management:
 - a. Roadways, driveway aprons, driveways and parking surfaces shall be surfaces that prevent dust, and may include paving, gravel, cinders, or bark/wood chips.
 - b. Driveways extending from paved roads shall have a paved apron, requiring review and approval by the County Road Department.
 - c. The parcel, lot or tract must have direct access from a public road or is accessed by an access easement or private road, whereby all underlying property owners and property owners taking access between the subject property and the public road consent in writing to the use of the road for agri-tourism and other commercial events or activities at the time of initial application.
 - d. Adequate traffic control must be provided by the property owner and must include one traffic control person for each 250 persons expected or reasonably expected to be in attendance at any time. All traffic control personnel shall be certified by the State of Oregon and shall comply with the current edition of the Manual of Uniform Traffic Control Devices.
 - e. Adequate off-street parking will be provided pursuant to provisions of the County Off-Street Parking requirements in S2.200 – S2.208.
18. Health and Safety Compliance:
 - a. Sanitation facilities shall include, at a minimum, portable restroom facilities and stand-alone hand washing stations.
 - b. All permanent and temporary structures and facilities are subject to fire, health and life safety requirements, and shall comply with all requirements of the County Building Code Division any other applicable federal, state and local laws.
 - c. Compliance with the requirements of the Building Codes Division shall include meeting all building occupancy classification requirements of the State of Oregon adopted building code.
19. Riparian vegetation shall be protected pursuant to Standards Document S4.500.

November 16, 2020



Dear Clatsop County Planning Department:

My clients are seeking a conditional use permit for a single family dwelling on their vacant land identified as 807180000700, Acct. number 19410. The property is zoned EFU. We have included a copy of the legal lot of record determination which verifies it is a legally created parcel of land. We are experiencing a historic housing shortage. Allowing one acre to receive a tax code as a residential building site is the highest and best use of the subject property.

The soil survey of record indicates the soil is really only suitable for legumes and grazing grass. I have included a copy of the soil survey records. The current use and tax determination of the property is farm forest. The property has been logged and replanted. Included is the record verifying the replanting criteria has been met. Removing one acre from the farm forest exemption is financially beneficial to Clatsop County.

I hope the planning commission will consider and approve the clients conditional use permit as they have for other land owners in the past.

Sincerely,

Kathren Rusinovich

A handwritten signature in blue ink, appearing to read 'Kathren Rusinovich', written over the printed name.

Windermere Community Realty

My name is Kathren Rusinovich I represent Joy Brotherton and Janice McConahay as their listing broker. I have been a licensed Oregon Realtor since 1987 in Clatsop County. I hope my historic experience with land use issues and the criteria explanations I provide below Clatsop County Planning Dept. will approve the lot of record dwelling for the Waterhouse Rd acreage identified as:

County-wide element Goal 3, agricultural lands as adopted ordinance 80-7, July 23, 1980 including the property criteria for non farm dwellings and lot of record dwellings in the EFU zone:

- 1) The subject property is an established tree farm. The property qualifies for the forestry tax deferral through the Clatsop County tax assessor's office. The trees have been harvested and properly replanted. The tax assessor's office has agreed to create a split code for the building site pulling one acre out of the farm forest tax deferral. We have provided a copy of the deferred taxes that will be paid for removing the one acre from the tax deferral status. The lot of record dwelling will allow the property owners to better manage the tree farm.
- 2) For over 50 years the subject property has been forested at no time after the zone change to EFU has the property been farmed or used for grazing or a dairy farm. The lack of farming or grazing of the subject property has not negatively impacted neighboring property use or farming/grazing in Clatsop County. Per Goal 3 of the adopted Ordinance 80-7, July 23, 1980 Clatsop County Board of Commissioners Clatsop county farm land continues to be a very small percentage of the state and regional farmland. The intent of the EFU zone is to preserve large parcels of farmland and prevent reduction by subdivision, as well as preserving soil for food and fiber production. The subject property is a legally created lot of record. Preserving the subject property as a food and fiber production resource is an action that will never occur simply because it is cost prohibitive. Clatsop County under Goal three noted there are no agricultural processing enterprises in Clatsop County and the majority of farming is operated on a part time basis. Clatsop County has been identified as having a long history of crop failure regardless of soil quality. There are also no class 1 or class 5 soils in Clatsop County. The climatic conditions factors significantly and limits agricultural potential and diversity within the county.
- 3) Utility services available for the parcel include Pacific Power and Light, phone number 1-888-221-7070. The domestic water service is available through the Knappa Water Association located at 92755 Allen Rd, Astoria, OR 97103, phone number 503-458-6461. There isn't a proposed or existing sewer district for the property. A septic system will be required.
- 4) There are no pre-existing structures on the subject property that would impact constructing a new lot of record dwelling.
- 5) The adjacent property owner to the North and West consists of 127 acres less than 25% of the property borders EFU farmland. Another property line borders the RA-2 zone which legally can be subdivided and built on without reducing the

required size of the EFU zoned acreage. The possibility of contiguous farming/grazing is "impracticable" and would essentially be impossible due to the neighbors existing shop building, lodge, wetlands including two water features. To the West the subject property is bordered a substantial fish bearing stream with federal endangered species protection. Upstream from the property is the Big Creek Fish Hatchery. None of the adjacent properties have contiguous ownership with the subject property or have had contiguous ownership after 1980.

- 6) The property owners agree to sign a deed restriction protecting neighboring farm use as described in ORS 30.936 or 30.937. It should be noted the adjacent use and conditional use activity will not have a negative impact on a residential lot of record dwelling.
- 7) There will be no impact on nearby farm lands. Most of the income and use on the adjacent property is produced from the conditional uses rather than grazing or hay. Very little income is derived from grazing or hay. The established tree farm is pre-existing to the grazing acreage on the adjacent property and the zone change to EFU.
- 8) The access criteria have been easily met. The property is located off two public roads, old Highway 30 and Waterhouse Rd. The access road/driveway is owned by the property owner with an additional access easement beyond the north property line benefiting the subject property.
- 9) Along with the access road and easement there is adequate street access for fire suppression. The subject property is located within the Knappa/Svensen fire protection district thus eliminating or reducing any fire hazards.
- 10) The proposed one acre building site meets the zoning setbacks from roads, adjacent property, and Big Creek.
- 11) The property owners agree to meet the lot of record dwelling development standards put forth by the planning department.
- 12) The proposed single family dwelling will not materially alter the stability of the over all use of the land use pattern in the area.
- 13) The lot of record will not interfere with the ability to continue with the established tree farm. LUBA also recognizes a lot of record dwelling as one of the standard rural land uses.
- 14) For land to constitute "high-value farmland" under OAR 660-033-0020(8)(d), the land must be (1) west of the Coast Range summit (2) used in conjunction with a dairy operation January 1, 1993, and (3) part of a "tract" one or more contiguous parcels in the same ownership, composed predominantly of listed soils. Separately owned parcels are not part of the same "tract" for the purpose of OAR 660-033-0020(8)(d), even if those parcels were used together as part of a dairy operation on January 1, 1993. Tallman v. Clatsop County , 47 Or LUBA 240 (2004). Additional requirements outside of the county soil survey designation to qualify as high valued farmland would include a minimum of 10 acres to be qualify as productive farmland.

One of the most important criteria is the legal precedents of previously approved conditional use permits throughout the state of Oregon. Jackson County two approved two lot of record dwellings on high valued farm land between 2016 and 2017 as described in the 2016-2017 Clatsop County's Oregon Farm and Forest Report. The report also lists a total of 67 approved lot of record dwellings and 221 non-farm dwellings in Oregon between 2016-2017. The intent of a lot of record is to protect the property owner's legal right to build a dwelling on their property. ORS 215.705 precisely states comprehensive criteria that govern when lot-of-record dwelling may be allowed. Under ORS 183.400 and ORS 215.304(3), OAR 660-33-020(4) cannot be interpreted to prohibit what that statute otherwise allows. *DeBates v. Yamhill County*, 32 OR LUBA 276(1997).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. A lot of record dwelling approval under ORS 215.705(1) does not have the automatic effect of consolidating parcels within the tract in which the dwelling is approved; such consolidation must occur via a formal process that has the legal effect of vacating the interior property lines. *Oregon Natural Desert Assoc. v. Harney County*, 65 Or LUBA 246 (2012).


3.6 EFU Statute/Ordinances – Lot of Record Dwellings. Some of the ORS 215.705(1) standards to approve a lot of record dwelling, such as the requirement that the parcel be “lawfully created,” that the dwelling comply with applicable comprehensive plan provisions, and that the dwelling be consistent with big-game habitat limitations on residential density, require the exercise of policy or legal judgment, and therefore a decision approving or denying a lot of record dwelling under such standards is a land use decision as defined at ORS 197.015(10)(a), and does not fall within the exception for ministerial decisions at ORS 197.015(10)(b)(A). *Jones v. Douglas County*, 63 Or LUBA 261 (2011).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. Approval of a lot of record dwelling under the standards at ORS 215.705(1) constitutes the “discretionary approval of a proposed development of land” and is thus a “permit” decision subject to ORS 215.416, a conclusion made even clearer under ORS 215.417, which specifically describes dwellings provided under a number of statutes, including ORS 215.705(1), as permits approved under ORS 215.416. *Jones v. Douglas County*, 63 Or LUBA 261 (2011).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. ORS 215.705(7) provides that when a local government approves an application for a dwelling under ORS 215.705, including a lot of record dwelling by a qualifying owner under ORS 215.705(1)(a), the “application may be transferred” to any other person after the effective date of the land use decision.” The legislature was presumably aware that such decisions could be appealed and potentially remanded following a transfer to a person who does not qualify for a lot of record dwelling. In such circumstances, the subsequent purchaser can pursue the application on remand as if the property were still owned by the qualifying owner for purposes of ORS 215.705(1)(a). *Jones v. Douglas County*, 63 Or LUBA 261 (2011).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. A hearings officer correctly determines that adjoining parcels do not constitute a “tract” where the parcels are not in the same ownership, and the definition of “owner” found in ORS 215.705 is inapposite to that determination. *Craven v. Jackson County*, 135 Or App 250, 253-4, 898 P2d 809 (1995). *Lenox v. Jackson County*, 55 Or LUBA 538 (2008).


3.6 EFU Statute/Ordinances - Lot of Record Dwellings. Under local legislation that was adopted to implement lot of record provisions at ORS 215.705, once a dwelling is authorized on one of two parcels that makes up a tract in single ownership, a second dwelling may not be approved on the remaining parcel in the tract. *Randall v. Klamath County*, 48 Or LUBA 321 (2004).


 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** For land to constitute “high-value farmland” under OAR 660-033-0020(8)(d), the land must be (1) west of the Coast Range summit, (2) used in conjunction with a dairy operation on January 1, 1993, and (3) part of a “tract,” one or more contiguous parcels in the same ownership, composed predominantly of listed soils. Separately owned parcels are not part of the same “tract” for purposes of OAR 660-033-0020(8)(d), even if those parcels were used together as part of a dairy operation on January 1, 1993. *Tallman v. Clatsop County*, 47 Or LUBA 240 (2004).


3.6 EFU Statute/Ordinances – Lot of Record Dwellings. Any minimum gross farm income level that a county may establish in approving a lot of record dwelling on EFU-zoned high-value farmland must be consistent with the income generated by the county’s noncommercial farms, which are protected under Goal 3 (Agricultural Lands) and the EFU zoning statutes. *Friends of Linn County v. Linn County*, 39 Or LUBA 627 (2001).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. A county errs in relying on OAR 660-033-0135, which establishes standards to ensure that farms are large enough and generate sufficient income to warrant an assumption that a dwelling on the farm is properly viewed as “customarily provided in conjunction with farm use” within the meaning of ORS 215.283(1)(f), to also set a gross annual income threshold for determining whether farm use on high-value farmland is “impracticable” for purposes of siting a lot of record dwelling under ORS 215.705(2)(a)(C)(i). *Friends of Linn County v. Linn County*, 39 Or LUBA 627 (2001).


3.6 EFU Statute/Ordinances – Lot of Record Dwellings. The minimum gross income levels the legislature established at ORS 308A.071(2)(a) for non-EFU-zoned parcels to qualify for special assessment are the best available indication of the level of gross income that the legislature believes demonstrates practicable farm use. *Friends of Linn County v. Linn County*, 39 Or LUBA 627 (2001).

 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** In applying ORS 215.705(2)(a)(C)(i) to determine whether farm use of an EFU-zoned parcel with high-value soils is “impracticable,” evidence that the property and nearby properties have generated limited farm income in the past is relevant evidence, but it is not determinative. *Friends of Linn County v. Linn County*, 39 Or LUBA 627 (2001).

 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** Under ORS 215.705(2)(a)(C)(i), a property’s impracticability for farm use must be “due to extraordinary circumstances inherent in the land or its physical setting that do not apply generally to other land in the vicinity.” A decision that does not demonstrate that cited factors are not shared by neighboring properties and does not explain why the cited factors make farm use impracticable must be remanded. *Friends of Linn County v. Linn County*, 39 Or LUBA 627 (2001).


 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** Seven lot of record dwellings on lots that range in size from as small as two acres to as large as eight acres are properly

viewed as rural land uses. *Friends of Yamhill County v. Yamhill County*, 39 Or LUBA 478 (2001).

 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** Findings that rely on factors such as soil acidity, poor drainage, traffic conflicts, and the availability of irrigation that are conditions common to the area are inadequate to explain why farming cannot practicably be managed on a parcel due to “extraordinary circumstances” that do not generally apply to other lands in the vicinity, as required by ORS 215.705(2). *Friends of Linn County v. Linn County*, 37 Or LUBA 844 (2000).


3.6 EFU Statute/Ordinances – Lot of Record Dwellings. A county’s findings of compliance with the stability standard are inadequate, where the county fails to explain or justify a study area that places the subject property at the margin of the identified study area, and excludes from the study large EFU-zoned parcels adjacent to the subject property. *Friends of Linn County v. Linn County*, 37 Or LUBA 844 (2000).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. A county’s findings under the stability standard are inadequate, where the county fails to identify any uses on most of the EFU-zoned parcels within the study area, but merely assumes that the dominant land use in the area is residential because of the small size of most parcels and the fact that most dwellings in the area predated zoning restrictions. *Friends of Linn County v. Linn County*, 37 Or LUBA 844 (2000).

 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** A county’s finding that a proposed lot of record dwelling on high-value soils will not materially alter the stability of the overall land use pattern is inadequate, where the county considers only the stability of the *nonfarm* land uses in the area, and fails to consider whether the proposed dwelling will encourage additional nonfarm development in a manner that destabilizes remaining farm uses. *Friends of Linn County v. Linn County*, 37 Or LUBA 844 (2000).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. LCDC has authority to adopt administrative rules that limit types of nonfarm uses otherwise allowed by statute. Therefore, OAR 660-033-0020(4), which establishes November 4, 1993, as the date a county must use for determining whether a dwelling exists on a tract for purposes of lot-of-record dwelling, is valid, notwithstanding that it prohibits some lot-of-record dwellings otherwise allowed by ORS 215.710. *Bruggere v. Clackamas County*, 37 Or LUBA 571 (2000).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. Two separate parcels do not form a “tract,” as that term is defined by ORS 215.010(2), where a husband and a wife own one parcel jointly and the second parcel is owned by the husband only. *Friends of Linn County v. Linn County*, 37 Or LUBA 280 (1999).


 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** In addressing a code criterion requiring a finding that a parcel “cannot practicably be managed for farm use,” a hearings officer’s occasional use of the word “unsuitable” does not mean the hearings officer applied the wrong standard. *Jorgensen v. Clackamas County*, 34 Or LUBA 710 (1998).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. A parcel that qualifies as "high-value farmland" under the criteria established by statute is not disqualified as "high value farmland" because it is subject to "frost threat." *DLCD v. Umatilla County*, 34 Or LUBA 703 (1998).

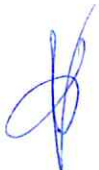
3.6 EFU Statute/Ordinances – Lot of Record Dwellings. Findings that a parcel "cannot practically be managed for farm use due to extraordinary circumstances" under ORS 215.705(a)(C)(i) are inadequate where the parcel has been used for an apple orchard for the past 18 years and the findings simply show that allowing a dwelling on the property would facilitate on-site management of the orchard. *DLCD v. Umatilla County*, 34 Or LUBA 703 (1998).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. A county's findings addressing the requirement of ORS 215.705(a)(C)(iii) that a dwelling not "materially alter the stability of the overall land use pattern of the area" must limit the analysis to EFU-zoned lands. Where LUBA cannot determine whether the analysis was so limited, the decision will be remanded. *DLCD v. Umatilla County*, 34 Or LUBA 703 (1998).


3.6 EFU Statute/Ordinances – Lot of Record Dwellings. A parcel that was illegally created in 1974 and then legalized by an "after-the-fact" decision in 1989 is not "lawfully created" under ORS 215.705(1), which requires that the parcel be "lawfully created * * * [p]rior to January 1, 1985." *Skrepetos v. Douglas County*, 33 Or LUBA 502 (1997).

 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** The legislative intent of ORS 215.705 lot-of-record provisions is to allow property owners who acquired property prior to 1985 to subsequently transfer the lot to designated family members or entities without losing the right to build a dwelling on that property. *DLCD v. Yamhill County*, 33 Or LUBA 362 (1997).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. An *inter vivos* transfer of a parcel from the present owner who held the property prior to January 1, 1985, to a family member as defined in ORS 215.705(6) will preserve the expectation of the right to site a lot of record dwelling on the parcel as provided under ORS 215.705(1)(a). *DLCD v. Yamhill County*, 33 Or LUBA 362 (1997).


 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** When a unit of land is divided between two zones, the local government must apply the lot-of-record standards appropriate to the predominant use of that unit. *Phillips v. Yamhill County*, 32 Or LUBA 308 (1997).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. The requirement stated in ORS 215.705(1)(b) that the tract on which a proposed lot-of-record dwelling is to be sited not include a dwelling, and the consolidation requirement in ORS 215.705(1)(g) operate to prohibit approval of a lot-of-record dwelling unless (1) the tract of which the lot is a part contains no dwellings; and (2) all lots within the tract are consolidated at the time of approval. *DeBates v. Yamhill County*, 32 Or LUBA 276 (1997).


 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** ORS 215.705 precisely states comprehensive criteria that govern when a lot-of-record dwelling may be allowed. Under ORS 183.400 and ORS 215.304(3), OAR 660-33-020(4) cannot be interpreted to prohibit what the statute otherwise allows. *DeBates v. Yamhill County*, 32 Or LUBA 276 (1997).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. Because ORS 215.705 mentions only the date of creation or existence of a *lot or parcel*, the reconfiguration of a *tract* containing the lot or parcel has no significance in determining when, for purposes of qualifying for a lot-of-record dwelling, the lot or parcel was created. *DeBates v. Yamhill County*, 32 Or LUBA 276 (1997).


3.6 EFU Statute/Ordinances – Lot of Record Dwellings. ORS 215.705 cannot be interpreted or supplemented by LCDC rule to provide that the reconfiguration of a tract through the sale of one or more lots extinguishes the right to build a dwelling on at least one of the lots of record within the original tract. *DeBates v. Yamhill County*, 32 Or LUBA 276 (1997).


 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** A county that wishes to limit lot-of-record dwellings to protect agricultural lands cannot rely on policies and regulations implementing ORS 215.283(3)(d), which protects agricultural land, but must legislatively adopt new policies and regulations pursuant to ORS 215.705(5). However, policies and regulations with an apparent purpose other than to protect agricultural land are not superseded by ORS 215.705. *DeBates v. Yamhill County*, 32 Or LUBA 276 (1997).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. A lot-of-record dwelling is not precluded by ORS 215.705 where an applicant voluntarily relinquishes irrigation rights to one acre of his property in order to remove it from the definition of "high-value farmland" under ORS 215.710(1). *Younger v. Jackson County*, 32 Or LUBA 177 (1996).

 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** Lot-of-record provisions should be interpreted as limited in their application to property owners who had a reasonable expectation in 1985 of a right to build a home. *Walz v. Polk County*, 31 Or LUBA 363 (1996).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. The term "present owner," as it is used in ORS 215.705(1)(a), refers to a land sale contract vendee, not a land sale contract vendor. *Walz v. Polk County*, 31 Or LUBA 363 (1996).


 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** The word "owner," as it is used in ORS 215.705, is not defined, and when applied to land generally, has no fixed and inflexible meaning. *Walz v. Polk County*, 31 Or LUBA 363 (1996).


 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** A county may rely on the current ownership of the subject and contiguous parcels in determining whether a

proposed "lot of record" dwelling is located on a "tract" that does not include a dwelling, as required by ORS 215.705(1)(b). *Craven v. Jackson County*, 29 Or LUBA 125 (1995).


3.6 EFU Statute/Ordinances – Lot of Record Dwellings. The expansive definition of "owner" in ORS 215.705(6) explicitly applies only to ORS 215.705(1)(a), which refers to when the subject lot or parcel "was acquired by the present owner." The ORS 215.705(6) definition of "owner" does *not* apply to the term "tract," as used in ORS 215.705(1)(b), or to the term "ownership," as used in the ORS 215.010(2) definition of "tract." *Craven v. Jackson County*, 29 Or LUBA 125 (1995).


3.6 EFU Statute/Ordinances – Lot of Record Dwellings. Under ORS 197.746(3) and appellate court decisions, the provisions of ORS 215.705 are directly applicable to a county decision to approve a "lot of record" dwelling in an exclusive farm use zone, and the county cannot apply comprehensive plan or code criteria that are inconsistent with, or less restrictive than, the applicable statutory standards. *Blondeau v. Clackamas County*, 29 Or LUBA 115 (1995).

 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** The "lot of record" dwelling provisions of ORS 215.705 provide an alternative to the nonfarm dwelling provisions of ORS 215.284, which do not allow dwellings on lots or parcels that are not composed of predominantly Class IV to VIII soils. *Blondeau v. Clackamas County*, 29 Or LUBA 115 (1995).

 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** ORS 215.705(1)(c) does not allow a county to deny a "lot of record" dwelling because it fails to comply with code provisions previously adopted to implement ORS 215.283(3) (1991) or with comprehensive plan provisions generally requiring protection of agricultural land. *Blondeau v. Clackamas County*, 29 Or LUBA 115 (1995).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. A code provision allowing establishment of a dwelling on certain "lots of record," if the "lot or parcel" does not already have a dwelling, is impermissibly less strict than ORS 215.705(1)(b), which requires that the "tract" not have a dwelling. ORS 215.010(2) defines "tract" as "one or more contiguous lots or parcels under the same ownership." *DLCD v. Josephine County*, 28 Or LUBA 459 (1994).

 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** With regard to siting a lot of record dwelling on high-value farmland, a county does not have authority to require that an Oregon Department of Agriculture hearings officer make determinations other than those specified in ORS 215.705(2)(c). *DLCD v. Josephine County*, 28 Or LUBA 459 (1994).

 **3.6 EFU Statute/Ordinances – Lot of Record Dwellings.** Although a code definition of "high-value farmland," unlike the definition in OAR 660-33-020(8), is prefaced by the phrase "for the purpose of locating a limited lot of record dwelling on farmland," that the code definition is specifically incorporated into the approval standards for other types of

dwellings on high-value farmland, as required by LCDC rule, is sufficient to establish that the definition must be applied in these other circumstances as well. *DLCD v. Josephine County*, 28 Or LUBA 459 (1994).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. ORS 215.705(1)(a) does not allow lot-of-record dwellings on EFU-zoned lots or parcels that were created after January 1, 1985, even if the parent lot or parcel was acquired prior to January 1, 1985. *DLCD v. Douglas County*, 28 Or LUBA 242 (1994).

3.6 EFU Statute/Ordinances – Lot of Record Dwellings. ORS 215.705(1)(a) does not allow lot-of-record dwellings on EFU-zoned lots or parcels that were illegally created before January 1, 1985, even if action was taken after January 1, 1985 to legalize the illegally created lots or parcels. *DLCD v. Douglas County*, 28 Or LUBA 242 (1994).

EXCLUSIVE FARM USE MODEL ZONE – WESTERN COUNTIES OUTSIDE THE WILLAMETTE VALLEY

ARTICLE/CHAPTER X EXCLUSIVE FARM USE ZONE

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X.01 Purpose

In most cases, the purpose statements for resource zones echo the statewide planning goals: Goal 3 language (preserve and maintain agricultural lands) and Goal 4 (conserve forest lands). In addition to reflecting the state-articulated objectives for EFU and forest lands and applicable comprehensive plan designations or policies, zone purpose statements can be tailored to a jurisdiction's individual resource zone, especially where there is more than one EFU or forest zone in the code or where a mixed farm/forest zone is designated. Local resource zone purpose statements can reflect community-specific values and highlight the jurisdiction's commitment to protecting land features and economies specific to that zone. Purpose statements are not generally applicable as an approval criterion for discretionary reviews. However, there have been challenges to county decisions where it was argued that consistency with the purpose statement was a requirement.

The purpose of the Exclusive Farm Use (EFU) Zone is to protect and maintain agricultural lands for farm use, consistent with existing and future needs for agricultural products. The EFU zone is also intended to allow other uses that are compatible with agricultural activities, to protect forests, scenic resources and fish and wildlife habitat, and to maintain and improve the quality of air, water and land resources of the county. It is also the purpose of the EFU zone to qualify farms for farm use valuation under the provisions of ORS Chapter 308.

The EFU zone has been applied to lands designated as Agriculture in the Comprehensive Plan, which primarily include [local reference here]. The provisions of the EFU zone reflect the agricultural policies of the Comprehensive Plan as well as the requirements of ORS Chapter 215 and OAR 660-033. The minimum parcel size and other standards established by this zone are intended to promote commercial agricultural operations.

X.02 Definitions

Notes: The following definitions are specific to an EFU zone. Definitions may be provided in a subsection in the EFU zoning chapter, as shown here, or may be incorporated into the existing definitions Section of the county zoning ordinance. When including a definition in a general definitions Section, care should be taken to ensure that the definition is accurate for every occurrence of that term in the adopted ordinance.

Words used in the present tense include the future; the singular number includes the plural; and the word "shall" is mandatory and not directory. Whenever the term "this ordinance" is used herewith, it shall be deemed to include all amendments thereto as may hereafter from time to time be adopted.

- (a) The building permits, if required, have been issued and construction has begun or been completed for the buildings and animal waste facilities required for a commercial dairy farm;
 - (b) The Oregon Department of Agriculture has approved a permit for a "confined animal feeding operation" under ORS 468B.050 and 468B.200 to 468B.230; and
 - (c) A Producer License for the sale of dairy products under ORS 621.072.
- C. No division of a lot or parcel for an accessory farm dwelling shall be approved pursuant to this Subsection. If it is determined that an accessory farm dwelling satisfies the requirements of this ordinance, a parcel may be created consistent with the minimum parcel size requirements in Subsection X.17 A.
- D. An accessory farm dwelling approved pursuant to this Section cannot later be used to satisfy the requirements for a dwelling not provided in conjunction with farm use pursuant to Subsection X.05 E.
- E. For purposes of this Subsection, "accessory farm dwelling" includes all types of residential structures allowed by the applicable state building code.
- F. Farming of a marijuana crop shall not be used to demonstrate compliance with the approval criteria for an accessory farm dwelling.
- G. No accessory farm dwelling unit may be occupied by a relative of the owner or operator of the farmworker housing. "Relative" means a spouse of the owner or operator or an ancestor, lineal descendant or whole or half sibling of the owner or operator or the spouse of the owner or operator.

X.11 Lot of Record Dwellings

- A. A lot of record dwelling may be approved on a pre-existing lot or parcel if:
 - (1) The lot or parcel on which the dwelling will be sited was lawfully created and was acquired and owned continuously by the present owner as defined in Subsection E:
 - (a) Since prior to January 1, 1985; or
 - (b) By devise or by intestate succession from a person who acquired and had owned continuously the lot or parcel since prior to January 1, 1985.
 - (2) The tract on which the dwelling will be sited does not include a dwelling;

- (3) The lot or parcel on which the dwelling will be sited was part of a tract on November 4, 1993, no dwelling exists on another lot or parcel that was part of that tract;
 - (4) The proposed dwelling is not prohibited by, and will comply with, the requirements of the acknowledged comprehensive plan and land use regulations and other provisions of law;
 - (5) The lot or parcel on which the dwelling will be sited is not high-value farmland except as provided in Subsections C and D; and
 - (6) When the lot or parcel on which the dwelling will be sited lies within an area designated in the comprehensive plan as habitat of big game, the siting of the dwelling is consistent with the limitations on density upon which the acknowledged comprehensive plan and land use regulations intended to protect the habitat are based.
- B. When the lot or parcel on which the dwelling will be sited is part of a tract, the remaining portions of the tract are consolidated into a single lot or parcel when the dwelling is allowed;
- C. Notwithstanding the requirements of Subsection X.11 A(5), a single-family dwelling may be sited on high-value farmland if:
- (1) It meets the other requirements of Subsections A and B;
 - (2) The lot or parcel is protected as high-value farmland as defined in Subsection X.02 U(1);
 - (3) The county hearings officer *[planning director]* determines that:
 - (a) The lot or parcel cannot practicably be managed for farm use, by itself or in conjunction with other land, due to extraordinary circumstances inherent in the land or its physical setting that do not apply generally to other land in the vicinity.
 - (i) For the purposes of this Section, this criterion asks whether the subject lot or parcel can be physically put to farm use without undue hardship or difficulty because of extraordinary circumstances inherent in the land or its physical setting. Neither size alone nor a parcel's limited economic potential demonstrates that a lot or parcel cannot be practicably managed for farm use.

- (ii) Examples of "extraordinary circumstances inherent in the land or its physical setting" include very steep slopes, deep ravines, rivers, streams, roads, railroad or utility lines or other similar natural or physical barriers that by themselves or in combination separate the subject lot or parcel from adjacent agricultural land and prevent it from being practicably managed for farm use by itself or together with adjacent or nearby farms.
- (iii) A lot or parcel that has been put to farm use despite the proximity of a natural barrier or since the placement of a physical barrier shall be presumed manageable for farm use;
- (b) The dwelling will comply with the provisions of X.08 ; and
- (c) The dwelling will not materially alter the stability of the overall land use pattern in the area by applying the standards set forth in Subsection X.12 A.

Note: A county is required to provide notice of all applications for dwellings allowed under Subsection C to the Oregon Department of Agriculture. Notice must be mailed at least 20 calendar days prior to the public hearing before the hearings officer under Subsection X.11 C(3).

- D. Notwithstanding the requirements of Subsection X.11 A(5), a single-family dwelling may be sited on high-value farmland if:
 - (1) It meets the other requirements of Subsections A and B;
 - (2) The tract on which the dwelling will be sited is:
 - (a) Identified in Subsection X.02 U(3);
 - (b) Not high-value farmland defined in Subsection X.02 U(1); and
 - (c) Twenty-one acres or less in size; and
 - (3) The tract is bordered on at least 67 percent of its perimeter by tracts that are smaller than 21 acres, and at least two such tracts had dwellings on January 1, 1993; or

- (4) The tract is not a flaglot and is bordered on at least 25 percent of its perimeter by tracts that are smaller than 21 acres, and at least four dwellings existed on January 1, 1993, within one-quarter mile of the center of the subject tract. Up to two of the four dwellings may lie within an urban growth boundary, but only if the subject tract abuts an urban growth boundary; or
- (5) The tract is a flaglot and is bordered on at least 25 percent of its perimeter by tracts that are smaller than 21 acres, and at least four dwellings existed on January 1, 1993, within one-quarter mile of the center of the subject tract and on the same side of the public road that provides access to the subject tract. The governing body of a county must interpret the center of the subject tract as the geographic center of the flag lot if the applicant makes a written request for that interpretation and that interpretation does not cause the center to be located outside the flag lot. Up to two of the four dwellings may lie within an urban growth boundary, but only if the subject tract abuts an urban growth boundary:
 - (a) "Flaglot" means a tract containing a narrow strip or panhandle of land providing access from the public road to the rest of the tract.
 - (b) "Geographic center of the flaglot" means the point of intersection of two perpendicular lines of which the first line crosses the midpoint of the longest side of a flaglot, at a 90-degree angle to the side, and the second line crosses the midpoint of the longest adjacent side of the flaglot.
- E. For purposes of Subsection A, "owner" includes the wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent or grandchild of the owner or a business entity owned by any one or a combination of these family members;
- F. The county assessor shall be notified that the governing body intends to allow the dwelling.
- G. An approved single-family dwelling under this Section may be transferred by a person who has qualified under this Section to any other person after the effective date of the land use decision.
- H. The county shall provide notice of all applications for lot of record dwellings on high value farmland to the State Department of Agriculture. Notice shall be provided in accordance with land use regulations and shall be mailed at least 20 calendar days prior to the public hearing.

well as individuals, should encourage and facilitate the wise use of our Nation's prime farmland.

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland, or other land, but it is not urban or built-up land or water areas. The soil quality, growing season, and moisture supply are those needed for the soil to economically produce sustained high yields of crops when proper management, including water management, and acceptable farming methods are applied. In general, prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, an acceptable salt and sodium content, and few or no rocks. The water supply is dependable and of adequate quality. Prime farmland is permeable to water and air. It is not excessively erodible or saturated with water for long periods, and it either is not frequently flooded during the growing season or is protected from flooding. Slope ranges mainly from 0 to 6 percent. More detailed information about the criteria for prime farmland is available at the local office of the Natural Resources Conservation Service.

In Tillamook County and other coastal areas, the many days of fog and excessive low cloud cover result in a low evapotranspiration rate and a low number of heat units available for the ripening or maturing of many crops. Although the growing season is considered to be long and the content of soil moisture is adequate to support the growth of crops, few crops can be economically grown and harvested because of the number of heat units needed for the maturation of most crops. Because of this, the soils in the county and in other coastal areas do not meet the criteria for prime farmland.

In some areas, land that does not meet the criteria for prime farmland is considered to be *farmland of statewide importance* for the production of food, feed, fiber, forage, and oilseed crops. The criteria for defining and delineating farmland of statewide importance are determined by the appropriate State agencies. Generally, this land includes areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some areas may produce as high a yield as prime farmland if conditions are favorable. Farmland of statewide importance may include tracts of land that have been designated for agriculture by State law.

Table 6 lists the map units in the survey area that are considered statewide important farmland. This list does not constitute a recommendation for a particular land use.

Forestland Productivity and Management

By Craig Ziegler, Natural Resources Conservation Service.

About 92 percent of the land in Tillamook County is forested. The largest forest landowner is the State of Oregon, with the Tillamook State Forest making up about 50 percent of the total acreage of the county. This State forest is managed by the Oregon Department of Forestry as a result of the catastrophic fires, called the Tillamook Burn, that occurred in 1933 through 1951 (figs. 52, 53, and 54). About 20 percent of the forestland is managed by the Forest Service and Bureau of Land Management, and about 22 percent is privately owned, mainly by industrial timber companies.

The Tillamook Burn was a catastrophic series of large forest fires in the northern Oregon Coast Range about 50 miles west of Portland. The fires began in 1933 and occurred at 6-year intervals through 1951, burning a total of 355,000 acres, or 554 square miles. The largest of the four fires, and the most devastating, occurred

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Land Conservation and Development Department

Chapter 660

Division 33

AGRICULTURAL LAND

660-033-0020

Definitions

For purposes of this division, the definitions in ORS 197.015, the Statewide Planning Goals, and OAR chapter 660 shall apply. In addition, the following definitions shall apply:

(1)(a) "Agricultural Land" as defined in Goal 3 includes:

(A) Lands classified by the U.S. Natural Resources Conservation Service (NRCS) as predominantly Class I-IV soils in Western Oregon and I-VI soils in Eastern Oregon;

(B) Land in other soil classes that is suitable for farm use as defined in ORS 215.203(2)(a), taking into consideration soil fertility; suitability for grazing; climatic conditions; existing and future availability of water for farm irrigation purposes existing land use patterns; technological and energy inputs required; and accepted farming practices; and

(C) Land that is necessary to permit farm practices to be undertaken on adjacent or nearby agricultural lands.

(b) Land in capability classes other than I-IV/I-VI that is adjacent to or intermingled with lands in capability classes I-IV/VI within a farm unit, shall be inventoried as agricultural lands even though this land may not be cropped or grazed;

(c) "Agricultural Land" does not include land within acknowledged urban growth boundaries or land within acknowledged exception areas for Goal 3 or 4.

(2)(a) "Commercial Agricultural Enterprise" consists of farm operations that will:

(A) Contribute in a substantial way to the area's existing agricultural economy; and

(B) Help maintain agricultural processors and established farm markets.

(b) When determining whether a farm is part of the commercial agricultural enterprise, not only what is produced, but how much and how it is marketed shall be considered. These are important factors because of the intent of Goal 3 to maintain the agricultural economy of the state.

(3) "Contiguous" means connected in such a manner as to form a single block of land.

(4) "Date of Creation and Existence". When a lot, parcel or tract is reconfigured pursuant to applicable law after November 4, 1993, the effect of which is to qualify a lot, parcel or tract for the siting of a dwelling, the date of the reconfiguration is the date of creation or existence. Reconfigured means any change in the boundary of the lot, parcel or tract.

(5) "Eastern Oregon" means that portion of the state lying east of a line beginning at the intersection of the northern boundary of the State of Oregon and the western boundary of Wasco County, then south along the western boundaries of the Counties of Wasco, Jefferson, Deschutes and Klamath to the southern boundary of the State of Oregon.

(6) "Exception Area" means an area no longer subject to the requirements of Goal 3 or 4 because the area is the subject of a site specific exception acknowledged pursuant to ORS 197.732 and OAR chapter 660, division 4.

(7)(a) "Farm Use" as that term is used in ORS chapter 215 and this division means "farm use" as defined in ORS 215.203:

(b) As used in the definition of "farm use" in ORS 215.203 and in this division:

(A) "Preparation" of products or by-products includes but is not limited to the cleaning, treatment, sorting, or packaging of the products or by-products; and

(B) "Products or by-products raised on such land" means that those products or by-products are raised on the farm operation where the preparation occurs or on other farm land provided the preparation is occurring only on land being used for the primary purpose of obtaining a profit in money from the farm use of the land.

(8)(a) "High-Value Farmland" means land in a tract composed predominantly of soils that are:

(A) Irrigated and classified prime, unique, Class I or II; or

(B) Not irrigated and classified prime, unique, Class I or II.

(b) In addition to that land described in subsection (a) of this section, high-value farmland, if outside the Willamette Valley, includes tracts growing specified perennials as demonstrated by the most recent aerial photography of the Agricultural Stabilization and Conservation Service of the U.S. Department of Agriculture taken prior to November 4, 1993. "Specified perennials" means perennials grown for market or research purposes including, but not limited to, nursery stock, berries, fruits, nuts, Christmas trees, or vineyards, but not including seed crops, hay, pasture or alfalfa;

(c) In addition to that land described in subsection (a) of this section, high-value farmland, if in the Willamette Valley, includes tracts composed predominantly of the following soils in Class III or IV or composed predominantly of a combination of the soils described in subsection (a) of this section and the following soils:

(A) Subclassification IIIe, specifically, Bellpine, Bornstedt, Burlington, Briedwell, Carlton, Cascade, Chehalem, Cornelius Variant, Cornelius and Kinton, Helvetia, Hillsboro, Hult, Jory, Kinton, Latourell, Laurelwood, Melbourne, Multnomah, Nekia, Powell, Price, Quatama, Salkum, Santiam, Saum, Sawtell, Silvertown, Veneta, Willakenzie, Woodburn and Yamhill;

(B) Subclassification IIIw, specifically, Concord, Conser, Cornelius Variant, Dayton (thick surface) and Sifton (occasional flooded);

(C) Subclassification IVe, specifically, Bellpine Silty Clay Loam, Carlton, Cornelius, Jory, Kinton, Latourell, Laurelwood, Powell, Quatama, Springwater, Willakenzie and Yamhill; and

(D) Subclassification IVw, specifically, Awbrig, Bashaw, Courtney, Dayton, Natroy, Noti and Whiteson.

(d) In addition to that land described in subsection (a) of this section, high-value farmland, if west of the summit of the Coast Range and used in conjunction with a dairy operation on January 1, 1993, includes tracts composed predominantly of the following soils in Class III or IV or composed predominantly of a combination of the soils described in subsection (a) of this section and the following soils:

(A) Subclassification IIIe, specifically, Astoria, Hembre, Knappa, Meda, Quillayutte and Winema;

(B) Subclassification IIIw, specifically, Brenner and Chitwood;

(C) Subclassification IVe, specifically, Astoria, Hembre, Meda, Nehalem, Neskowin and Winema; and

(D) Subclassification IVw, specifically, Coquille.

(e) In addition to that land described in subsection (a) of this section, high-value farmland includes tracts located west of U.S. Highway 101 composed predominantly of the following soils in Class III or IV or composed predominantly of a combination of the soils described in subsection (a) of this section and the following soils:

(A) Subclassification IIIw, specifically, Ettersburg Silt Loam and Croftland Silty Clay Loam;

(B) Subclassification IIIe, specifically, Klooqueh Silty Clay Loam and Winchuck Silt Loam; and

(C) Subclassification IVw, specifically, Huffling Silty Clay Loam.

(f) Lands designated as "marginal lands" according to the marginal lands provisions adopted before January 1, 1993, according to the criteria in former ORS 215.247 (1991), are excepted from this definition of "high-value farmlands";

(9) "Irrigated" means watered by an artificial or controlled means, such as sprinklers, furrows, ditches, or spreader dike. An area or tract is "irrigated" if it is currently watered, or has established rights to use water for irrigation, including

such tracts that receive water for irrigation from a water or irrigation district or other provider. For the purposes of this division, an area or tract within a water or irrigation district that was once irrigated shall continue to be considered "irrigated" even if the irrigation water was removed or transferred to another tract.

(10) "Lot" shall have the meaning set forth in ORS 92.010.

(11) "Manufactured dwelling" and "manufactured home" shall have the meaning set forth in ORS 446.003(26).

(12) "NRCS Web Soil Survey" means the official source of certified soils data available online that identifies agricultural land capability classes, developed and maintained by the Natural Resources Conservation Service as of January 1, 2011, for agricultural soils that are not high-value, and as of December 6, 2007, for high-value agricultural soils.

(13) "Parcel" shall have the meaning set forth in ORS 215.010.

(14) "Tract" means one or more contiguous lots or parcels under the same ownership.

(15) "Western Oregon" means that portion of the state lying west of a line beginning at the intersection of the northern boundary of the State of Oregon and the western boundary of Wasco County, then south along the western boundaries of the Counties of Wasco, Jefferson, Deschutes and Klamath to the southern boundary of the State of Oregon.

(16) "Willamette Valley" is Clackamas, Linn, Marion, Multnomah, Polk, Washington and Yamhill Counties and that portion of Benton and Lane Counties lying east of the summit of the Coast Range.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.015, 197.040, 197.230, 197.245, 215.203, 215.243, 215.283 & 215.700 - 215.710

History:

LCDD 6-2016, f. 3-22-16, cert. ef. 3-24-16

LCDD 4-2011, f. & cert. ef. 3-16-11

LCDD 3-2008, f. & cert. ef. 4-18-08

LCDD 1-2004, f. & cert. ef. 4-30-04

LCDD 1-2002, f. & cert. ef. 5-22-02

LCDD 5-2000, f. & cert. ef. 4-24-00

LCDD 2-1998, f. & cert. ef. 6-1-98

LCDC 5-1996, f. & cert. ef. 12-23-96

LCDC 6-1994, f. & cert. ef. 6-3-94

LCDC 3-1994, f. & cert. ef. 3-1-94

LCDC 6-1992, f. 12-10-92, cert. ef. 8-7-93

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PRE-APPLICATION MEETING SUMMARY

DATE: November 30, 2020

RE: Application procedure and approval criteria for a single-family dwelling in the EFU Zone.

APPLICANT: Melanie Wyrwitzke

AGENT FOR APPLICANT: Christian Zupancic, Zuplaw Law Firm, LLC

PROPERTY OWNERS: Joy R. Brotherton and Janice A. McConahay

SUBJECT PROPERTY: T8N, R07W, Sec. 18, Tax Lot 700 (+/- 4 acres)

PROPERTY LOCATION: In the unincorporated community of Knappa, at the NW corner of the intersection of Waterhouse Road and Old Highway 30.

PROPERTY ZONING: Exclusive Farm Use (EFU)

Overlays / Layers: Flood Hazard Overlay District (FHO; FEMA AE Floodway – an approx. 20-foot strip along the western property line);
Peripheral Big Game Habitat;
Statewide Wetlands Inventory (SWI; regulated by the Oregon Department of State Lands)

Application Procedure:

1. Type II Conditional Use Permit (\$1200 application fee)
 - See LWDUO Section 2.020. Type II Procedure.
 - Once the application is submitted, the Planning Division has 30 days to deem the application complete or incomplete.
 - Once deemed complete, the Planning Division must issue a final decision within 150 days (including appeals).
 - A Type II procedure in a farm zone requires a public notice to be mailed to interested parties and surrounding property owners within 750 feet. Distribution of the public notice begins a 10-day public comment period.
 - Once a decision on the application is issued, there is a 12-day appeal period. Parties of record may appeal the decision. An appeal of a Type II decision would be reviewed by the Clatsop County Hearings Officer. The fee to appeal a Type II decision is \$250 (refunded if the appellant prevails).
2. Type I Development Permit (plus grading, drainage and erosion control plan review, if applicable)
 - Demonstrate road approach approval, septic approval, fire department approval, documentation of adequate water supply.

3. Building Permits

Applicable Criteria:

Clatsop County Land and Water Development and Use Ordinance 80-14 (LWDUO)

- Section 1.030. Definitions.
- Section 3.560. Exclusive Farm Use Zone.
 - Section 3.563. Conditional Development and Use.
 - (22) One single-family dwelling on a lawfully created lot or parcel subject to S3.508(2) and S3.512; OR
 - (23) Single-family residential dwelling, not provided in conjunction with farm use subject to S3.508(2) and S3.513.
 - Section 3.566. Development Standards.

Clatsop County Standards Document

- Section S3.500. Farm Zone Standards.
 - S3.508(2) Single-family dwelling deeds.
 - S3.509. Conditional Use Review Criteria.
 - S3.512. Lot of Record Dwellings, OR S3.513. Dwellings Not in Conjunction with Farm Use.
- Section S4.500. Protection of Riparian Vegetation.
- Section S5.033. Access Control Standards.

Clatsop County Comprehensive Plan

- Goal 1 – Citizen Involvement
- Goal 2 – Land Use Planning
- Goal 3 – Agricultural Lands
- Goal 5 – Open Spaces, Scenic and Historic Areas and Natural Resources
- Goal 6 – Air, Water and Land Resources Quality
- Goal 7 – Areas Subject to Natural Disasters and Hazards
- Goal 10 – Housing
- Goal 11 – Public Facilities and Services
- *Northeast Area Community Plan*

Oregon Revised Statutes

- [ORS 215.705](#), OR
- [ORS 215.284](#)

USDA / NRCS Soil Mapping & Information:

<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

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

- (2) In addition to the other applicable standards of this ordinance, the hearing body must determine that the development will comply with the following criteria to approve a conditional development and use.
- (A) The proposed use does not conflict with any provision, goal, or policy of the Comprehensive Plan.
 - (B) The proposed use meets the requirements and standards of the Clatsop County Land and Water Development and Use Ordinance (Ordinance 80-14)
 - (C) The site under consideration is suitable for the proposed use considering:
 - 1) The size, design, and operating characteristics of the use, including but not limited to off-street parking, fencing/buffering, lighting, signage, and building location.
 - 2) The adequacy of transportation access to the site, including street capacity and ingress and egress to adjoining streets.
 - 3) The adequacy of public facilities and services necessary to serve the use.
 - 4) The natural and physical features of the site such as topography, natural hazards, natural resource values, and other features.
 - (D) The proposed use is compatible with existing and projected uses on surrounding lands, considering the factors in (C) above.
 - (E) The proposed use will not interfere with normal use of coastal shorelands.
 - (F) The proposed use will cause no unreasonably adverse effects to aquatic or coastal shoreland areas and;
 - (G) The use is consistent with the maintenance of peripheral and major big game habitat on lands identified in the Comprehensive Plan as Agricultural Lands or Conservation Forest Lands. In making this determination, consideration shall be given to the cumulative effects of the proposed action and other development in the area on big game habitat.
- (3) In addition to compliance with the criteria as determined by the hearing body and with the requirements of Sections 1.040 and 1.050, the applicant must accept those conditions listed in Section 5.025 that the hearing body finds are appropriate to obtain compliance with the criteria.

Section 5.025 Requirements for Conditional Development and Use. In permitting a conditional development and use, the hearing body may impose any of the following conditions as provided by Section 5.015:

- (1) Limit the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.
- (2) Establish a special yard or other open space or lot area or dimension.
- (3) Limit the height, size or location of a building or other structure.
- (4) Designate the size, number, location or nature of vehicle access points.
- (5) Increase the amount of street dedication, roadway width or improvements within the street right-of-way.
- (6) Designate the size, location, screening, drainage, surfacing or other improvement of a parking or truck loading areas.
- (7) Limit or otherwise designate the number, size, location, height or lighting of signs.
- (8) Limit the location and intensity of outdoor lighting or require its shielding.
- (9) Require diking, screening, landscaping or another facility to protect adjacent or nearby property and designate standards for installation or maintenance of the facility.
- (10) Designate the size, height, location or materials for a fence.
- (11) Require the protection of existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.
- (12) Require provisions for public access (physical and visual) to natural, scenic and recreational resources.
- (13) Specify other conditions to permit the development of the County in conformity with the intent and purpose of the classification of development.

Section 5.030. Time Limit of Permit for Conditional Use. Authorization of a conditional use shall be void after two years unless substantial construction or action pursuant thereto has taken place (as per Section S2.011). 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.

Responses to standards

2A: While goal #3 of the comprehensive plan aims to preserve agricultural land, it would not be cost effective to farm the Waterhouse Rd property without residing on it. We plan on continuing the farm forest use on the available acreage after building, which would be roughly the same amount that is currently being used as farm forest. Any trees that have been planted on the proposed building site would be relocated on the property.

Objective 1 Policy C of Goal 3 in the updated Comprehensive Plan states:

"The County shall work with state agencies and legislators to:

- explore the possibility of allowing residential units on resource-zoned parcels that do not meet the minimum required lot size
- revise income resources required in order to construct a single-family dwelling on resource land
- allow temporary housing on resource lands in order to allow farmers to establish the income level required for permanent housing."

At 4 acres, the property is much smaller than the minimum required lot size typical for EFU zones per ORS 215.780, and would fall under the "explore the possibility of allowing residential units on resource-zoned parcels that do not meet the minimum required lot size" category.

2B: Meets the standards for a Type II procedure in the Clatsop County Land and Water Development and Use Ordinance. Per section 3.088:

Purpose and Intent. The Knappa and Svensen RCR zone is intended to accommodate the immediate and foreseeable demand for low density housing in Clatsop County rural communities. This zone has been developed with the purpose to: (1) allow residential development that is compatible with rural communities that wish to maintain a primarily single family rural residential character, (2) do not adversely impact adjacent resource lands, (3) allow for minimum lot sizes and densities, that will provide for an ultimate build out that is more commensurate with actual physical, and environmental constraints, and the availability of community water and do not exceed the carrying capacity of the property absorb waste, and (4) may provide for non-residential uses that are small in scale, intended for the needs of the local community or for people traveling through the rural community, and are compatible with surrounding uses.

2C: See exhibit A and B for size and design details

2C1: Modest size and design, no signage necessary and residential lighting only

2C2: Street capacity and access is adequate

2C3: No public facilities or services

2C4: Minimal to no impact on natural resources and not in a geographical hazard zone

2D: Proposed use will continue using property as farm forest, which creates no change to existing and projected uses of surrounding land.

2E: Property is not located on coastal shoreland. No effect.

2F: Set back distance of proposed homesite and septic drain field ensures no adverse effects to aquatic areas.

2G: Adjacent properties are not big game habitats, but there are no plans for external fencing if game movement is a concern.



Clatsop County

Community Development
800 Exchange Street, Suite 100
Astoria, Oregon 97103

Phone 503 325-8611 Fax 503 338-3606
comdev@co.clatsop.or.us www.co.clatsop.or.us

Conditional Use Permit

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

(Double if a violation exists)

Owner: Joy Brotherton	Email: jrb4@centurytel.net
Mail Address: 42045 Logger Ln.	City/State/Zip: Astoria, OR 97103
Phone: 503-803-7498	Phone:
Owner: Janice McConahay	Email: jmcccon59@gmail.com
Mail Address: 92186 Crest Dr	City/State/Zip: Astoria, OR 97103
Phone: 503 468 1158	Phone:
Other: Melanie and Nick Wyrwitszke	Email: melwyrwitszke@hotmail.com
Mail Address: 92021 Hagen Drive	City/State/Zip: Astoria, OR 97103
Phone: 503.717.3568	Phone: 503.717.3854

Property Address: Adjacent to 92878 Waterhouse Rd Astoria, OR 97103

Proposed Use: non farm dwelling - single family on farm forest

Comprehensive Plan Designation:

Existing Zoning: EFU **Overlay District:**

Property Description: Township T8N Range R07W Section SEC18 Tax Lot(s) TL00700

Directions to the property from Astoria: East on Hwy 30, left on Old Hwy 30 to Waterhouse Rd. Property is bordered on The South by Old Hwy 30 and Waterhouse Rd on the east.

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

General description of the property:

Existing Use: Farm Forest

Topography: 0-3% slopes per Clatsop Co. web maps. Maximum elevation 40ft + minimum 20ft.

Proposed Development: Non farm one family dwelling on 1 acre of the property w/EFU compliant barn.

General description of adjoin property:

Existing Use: Fishing Lodge / Event Center

Topography: 0-3% slopes per Clatsop Co. web map

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

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

Signature Joy Brotherton Date: 11/4/2020
 Signature Janice McConahay Date: 11/6/2020

The following sections are from the Clatsop County Land and Water Development and Use Ordinance #80-14.

Section 5.000 Conditional Development and Use.

Section 5.005 General. Although each zoning district is primarily intended for a predominate type of use and development, there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, all may indicate that the circumstances of the development and use needs to be individually reviewed. It is the intent of this section to provide a system of review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this ordinance and the objectives of the comprehensive plan.

Section 5.010. Application for a Conditional Development and Use. If a development and use is classified as conditional in a zone, it is subject to approval under Sections 5.00 to 5.030. An applicant for a proposed conditional development and use shall provide facts and evidence and a site plan in compliance with Section 5.300 sufficient to enable the Community Development Director or hearing body to make a determination.

Section 5.015. Authorization of a Conditional Development and Use.

- (1) A new, enlarged or otherwise altered development classified by this Ordinance as a conditional development and use may be approved by the Community Development Director under a Type II procedure except that the following conditional developments and uses may be approved by the Hearings Officer under a Type IIa procedure:
- (A) Dog kennel or Kennel;
 - (B) Airport;
 - (C) Bed & Breakfast over 3 units;
 - (D) Golf courses;
 - (E) Automobile service station or repair shop, including body work, used car sales, wrecking yard;
 - (F) Public or private recreation such as riding stable, fishing or boating docks or ramps, gun club, golf course, or resort type establishment in association with recreation;
 - (G) Non-farm partition;
 - (H) Non-farm dwelling;
 - (I) Farm help relative dwelling;
 - (J) Home occupations related to auto/machinery repair or painting;
 - (K) Firearms training facility;
 - (L) Solid waste disposal site;
 - (M) Small scale, light industrial developments such as assembly, fabricating, processing, compounding, packing and similar operations within an enclosed building;
 - (N) Automobile wrecking yard;
 - (O) Amusement enterprises such as games of skill and science, thrill rides, penny arcades, and shooting galleries.

Where the proposed development involves a non-water dependent use or activity in the Marine Industrial Shoreland Zone, Section 3.620, mailed notice shall also be provided to any interested party who has submitted a written request concerning the proposed development, and to state and federal agencies with statutory planning and permit issuance authority in aquatic areas. Including the Oregon Division of State Lands, Department of Fish and Wildlife, U.S. Fish and Wildlife Service, National Marine Fisheries Service, Corps of Engineers, and the Environmental Protection Agency.

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

- (2) In addition to the other applicable standards of this ordinance, the hearing body must determine that the development will comply with the following criteria to approve a conditional development and use:
- (A) The proposed use does not conflict with any provision, goal, or policy of the Comprehensive Plan.
 - (B) The proposed use meets the requirements and standards of the Clatsop County Land and Water Development and Use Ordinance (Ordinance 80-14)
 - (C) The site under consideration is suitable for the proposed use considering:
 - 1) The size, design, and operating characteristics of the use, including but not limited to off-street parking, fencing/buffering, lighting, signage, and building location.
 - 2) The adequacy of transportation access to the site, including street capacity and ingress and egress to adjoining streets.
 - 3) The adequacy of public facilities and services necessary to serve the use.
 - 4) The natural and physical features of the site such as topography, natural hazards, natural resource values, and other features.
 - (D) The proposed use is compatible with existing and projected uses on surrounding lands, considering the factors in (C) above.
 - (E) The proposed use will not interfere with normal use of coastal shorelands.
 - (F) The proposed use will cause no unreasonably adverse effects to aquatic or coastal shoreland areas and;
 - (G) The use is consistent with the maintenance of peripheral and major big game habitat on lands identified in the Comprehensive Plan as Agricultural Lands or Conservation Forest Lands. In making this determination, consideration shall be given to the cumulative effects of the proposed action and other development in the area on big game habitat.
- (3) In addition to compliance with the criteria as determined by the hearing body and with the requirements of Sections 1.040 and 1.050, the applicant must accept those conditions listed in Section 5.025 that the hearing body finds are appropriate to obtain compliance with the criteria.

Section 5.025 Requirements for Conditional Development and Use. In permitting a conditional development and use, the hearing body may impose any of the following conditions as provided by Section 5.015:

- (1) Limit the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.
- (2) Establish a special yard or other open space or lot area or dimension.
- (3) Limit the height, size or location of a building or other structure.
- (4) Designate the size, number, location or nature of vehicle access points.
- (5) Increase the amount of street dedication, roadway width or improvements within the street right-of-way.
- (6) Designate the size, location, screening, drainage, surfacing or other improvement of a parking or truck loading areas.
- (7) Limit or otherwise designate the number, size, location, height or lighting of signs.
- (8) Limit the location and intensity of outdoor lighting or require its shielding.
- (9) Require diking, screening, landscaping or another facility to protect adjacent or nearby property and designate standards for installation or maintenance of the facility.
- (10) Designate the size, height, location or materials for a fence.
- (11) Require the protection of existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.
- (12) Require provisions for public access (physical and visual) to natural, scenic and recreational resources.
- (13) Specify other conditions to permit the development of the County in conformity with the intent and purpose of the classification of development.

Section 5.030. Time Limit of Permit for Conditional Use. Authorization of a conditional use shall be void after two years unless substantial construction or action pursuant thereto has taken place (as per Section 5.011). 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.

Responses to standards

2A: While goal #3 of the comprehensive plan aims to preserve agricultural land, it would not be cost effective to farm the Waterhouse Rd property without residing on it. We plan on continuing the farm forest use on the available acreage after building, which would be roughly the same amount that is currently being used as farm forest. Any trees that have been planted on the proposed building site would be relocated on the property.

Objective 1 Policy C of Goal 3 in the updated Comprehensive Plan states:

"The County shall work with state agencies and legislators to:

- explore the possibility of allowing residential units on resource-zoned parcels that do not meet the minimum required lot size
- revise income resources required in order to construct a single-family dwelling on resource land
- allow temporary housing on resource lands in order to allow farmers to establish the income level required for permanent housing."

At 4 acres, the property is much smaller than the minimum required lot size typical for EFU zones per ORS 215.780, and would fall under the "explore the possibility of allowing residential units on resource-zoned parcels that do not meet the minimum required lot size" category.

2B: Meets the standards for a Type II procedure in the Clatsop County Land and Water Development and Use Ordinance. Per section 3.088:

Purpose and Intent. The Knappa and Svensen RCR zone is intended to accommodate the immediate and foreseeable demand for low density housing in Clatsop County rural communities. This zone has been developed with the purpose to: (1) allow residential development that is compatible with rural communities that wish to maintain a primarily single family rural residential character, (2) do not adversely impact adjacent resource lands, (3) allow for minimum lot sizes and densities, that will provide for an ultimate build out that is more commensurate with actual physical, and environmental constraints, and the availability of community water and do not exceed the carrying capacity of the property absorb waste, and (4) may provide for non-residential uses that are small in scale, intended for the needs of the local community or for people traveling through the rural community, and are compatible with surrounding uses.

2C: See exhibit A and B for size and design details

2C1: Modest size and design, no signage necessary and residential lighting only

2C2: Street capacity and access is adequate

2C3: No public facilities or services

2C4: Minimal to no impact on natural resources and not in a geographical hazard zone

2D: Proposed use will continue using property as farm forest, which creates no change to existing and projected uses of surrounding land.

2E: Property is not located on coastal shoreland. No effect.

2F: Set back distance of proposed homesite and septic drain field ensures no adverse effects to aquatic areas.

2G: Adjacent properties are not big game habitats, but there are no plans for external fencing if game movement is a concern.

^{DS}
JB

^{DS}
Jm

11/4/2020

EXCLUSIVE FARM USE MODEL ZONE – WESTERN COUNTIES OUTSIDE THE WILLAMETTE VALLEY

ARTICLE/CHAPTER X EXCLUSIVE FARM USE ZONE

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- (a) The building permits, if required, have been issued and construction has begun or been completed for the buildings and animal waste facilities required for a commercial dairy farm;
 - (b) The Oregon Department of Agriculture has approved a permit for a "confined animal feeding operation" under ORS 468B.050 and 468B.200 to 468B.230; and
 - (c) A Producer License for the sale of dairy products under ORS 621.072.
- C. No division of a lot or parcel for an accessory farm dwelling shall be approved pursuant to this Subsection. If it is determined that an accessory farm dwelling satisfies the requirements of this ordinance, a parcel may be created consistent with the minimum parcel size requirements in Subsection X.17 A.
- D. An accessory farm dwelling approved pursuant to this Section cannot later be used to satisfy the requirements for a dwelling not provided in conjunction with farm use pursuant to Subsection X.05 E.
- E. For purposes of this Subsection, "accessory farm dwelling" includes all types of residential structures allowed by the applicable state building code.
- F. Farming of a marijuana crop shall not be used to demonstrate compliance with the approval criteria for an accessory farm dwelling.
- G. No accessory farm dwelling unit may be occupied by a relative of the owner or operator of the farmworker housing. "Relative" means a spouse of the owner or operator or an ancestor, lineal descendant or whole or half sibling of the owner or operator or the spouse of the owner or operator.

X.11 Lot of Record Dwellings

- A. A lot of record dwelling may be approved on a pre-existing lot or parcel if:
 - (1) The lot or parcel on which the dwelling will be sited was lawfully created and was acquired and owned continuously by the present owner as defined in Subsection E:
 - (a) Since prior to January 1, 1985; or
 - (b) By devise or by intestate succession from a person who acquired and had owned continuously the lot or parcel since prior to January 1, 1985.
 - (2) The tract on which the dwelling will be sited does not include a dwelling;

- (3) The lot or parcel on which the dwelling will be sited was part of a tract on November 4, 1993, no dwelling exists on another lot or parcel that was part of that tract;
 - (4) The proposed dwelling is not prohibited by, and will comply with, the requirements of the acknowledged comprehensive plan and land use regulations and other provisions of law;
 - (5) The lot or parcel on which the dwelling will be sited is not high-value farmland except as provided in Subsections C and D; and
 - (6) When the lot or parcel on which the dwelling will be sited lies within an area designated in the comprehensive plan as habitat of big game, the siting of the dwelling is consistent with the limitations on density upon which the acknowledged comprehensive plan and land use regulations intended to protect the habitat are based.
- B. When the lot or parcel on which the dwelling will be sited is part of a tract, the remaining portions of the tract are consolidated into a single lot or parcel when the dwelling is allowed;
- C. Notwithstanding the requirements of Subsection X.11 A(5), a single-family dwelling may be sited on high-value farmland if:
- (1) It meets the other requirements of Subsections A and B;
 - (2) The lot or parcel is protected as high-value farmland as defined in Subsection X.02 U(1);
 - (3) The county hearings officer *[planning director]* determines that:
 - (a) The lot or parcel cannot practicably be managed for farm use, by itself or in conjunction with other land, due to extraordinary circumstances inherent in the land or its physical setting that do not apply generally to other land in the vicinity.
 - (i) For the purposes of this Section, this criterion asks whether the subject lot or parcel can be physically put to farm use without undue hardship or difficulty because of extraordinary circumstances inherent in the land or its physical setting. Neither size alone nor a parcel's limited economic potential demonstrates that a lot or parcel cannot be practicably managed for farm use.

- (ii) Examples of "extraordinary circumstances inherent in the land or its physical setting" include very steep slopes, deep ravines, rivers, streams, roads, railroad or utility lines or other similar natural or physical barriers that by themselves or in combination separate the subject lot or parcel from adjacent agricultural land and prevent it from being practicably managed for farm use by itself or together with adjacent or nearby farms.
- (iii) A lot or parcel that has been put to farm use despite the proximity of a natural barrier or since the placement of a physical barrier shall be presumed manageable for farm use;
- (b) The dwelling will comply with the provisions of X.08 ; and
- (c) The dwelling will not materially alter the stability of the overall land use pattern in the area by applying the standards set forth in Subsection X.12 A.

Note: A county is required to provide notice of all applications for dwellings allowed under Subsection C to the Oregon Department of Agriculture. Notice must be mailed at least 20 calendar days prior to the public hearing before the hearings officer under Subsection X.11 C(3).

- D. Notwithstanding the requirements of Subsection X.11 A(5), a single-family dwelling may be sited on high-value farmland if:
 - (1) It meets the other requirements of Subsections A and B;
 - (2) The tract on which the dwelling will be sited is:
 - (a) Identified in Subsection X.02 U(3);
 - (b) Not high-value farmland defined in Subsection X.02 U(1); and
 - (c) Twenty-one acres or less in size; and
 - (3) The tract is bordered on at least 67 percent of its perimeter by tracts that are smaller than 21 acres, and at least two such tracts had dwellings on January 1, 1993; or

- (4) The tract is not a flaglot and is bordered on at least 25 percent of its perimeter by tracts that are smaller than 21 acres, and at least four dwellings existed on January 1, 1993, within one-quarter mile of the center of the subject tract. Up to two of the four dwellings may lie within an urban growth boundary, but only if the subject tract abuts an urban growth boundary; or
 - (5) The tract is a flaglot and is bordered on at least 25 percent of its perimeter by tracts that are smaller than 21 acres, and at least four dwellings existed on January 1, 1993, within one-quarter mile of the center of the subject tract and on the same side of the public road that provides access to the subject tract. The governing body of a county must interpret the center of the subject tract as the geographic center of the flag lot if the applicant makes a written request for that interpretation and that interpretation does not cause the center to be located outside the flag lot. Up to two of the four dwellings may lie within an urban growth boundary, but only if the subject tract abuts an urban growth boundary:
 - (a) "Flaglot" means a tract containing a narrow strip or panhandle of land providing access from the public road to the rest of the tract.
 - (b) "Geographic center of the flaglot" means the point of intersection of two perpendicular lines of which the first line crosses the midpoint of the longest side of a flaglot, at a 90-degree angle to the side, and the second line crosses the midpoint of the longest adjacent side of the flaglot.
- E. For purposes of Subsection A, "owner" includes the wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent or grandchild of the owner or a business entity owned by any one or a combination of these family members;
- F. The county assessor shall be notified that the governing body intends to allow the dwelling.
- G. An approved single-family dwelling under this Section may be transferred by a person who has qualified under this Section to any other person after the effective date of the land use decision.
- H. The county shall provide notice of all applications for lot of record dwellings on high value farmland to the State Department of Agriculture. Notice shall be provided in accordance with land use regulations and shall be mailed at least 20 calendar days prior to the public hearing.

PROPERTY INFORMATION

92878 Adj to Waterhouse Rd, Astoria, OR 97103

20-889 Land-Residential Pending \$245,000



Provided as a courtesy of
Kathren J. Rusinovich, ABR
 Windermere Community Realty
 175 14th Street, Ste. 120
 ASTORIA, OR 97103
 Mobile - (503) 338-2245
mauikate1@gmail.com
<http://www.windermere.com>
 License #: 870800221



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Remarks/Concessions:		BA Comm: 2.7	Commission Code:	Co-listing
Owner:	Brotherton Joy R	Owner Phone:		
Lot Size:		Lot Acres: 4	Frontage:	Creek
View:	Creek	View 2:	None	
Area:	Knappa/Svensen	County:	Clatsop	Zoning: EFU
Assessed Valuation:		Taxes:	42.35	Tax Year: 2017
Tax Remarks:		Subdivision:	on file	Account ID: 19410
CC & R:	NO	Cross Street:	Old Hiway 30	Historic Designation: No
Geo Lat:	46.172723	Geo Lon:	-123.590591	
Public Remarks: Beautiful acreage fronting Big Creek, featuring rock driveway, replanted trees, and lot of record determination.				
Private Remarks:				
Legal: Exhibit A				
Directions: NW corner of Waterhouse Rd. and Old Highway 30.				
Listing Type: Listing Type: Exclusive Right to Sell		Miscellaneous: Exclusions: Those of record; Inclusions: Those of record; Corner Stakes: No; Survey: No; Grade: Below; Cable TV: Available; Street Surface: Paved; MFG Home Friendly?: Yes; Sign: Yes		Financial: Foreclosure: No; Bank Owned: No; Short Sale: No; Encumbrance Type: FREE & CLEAR; Escrow Preference: Ticor Title Co.
Tax Record: Tax Map: 8071900; Tax Lot: 00700		Utilities: Water: At Street; Electric: At Street; Gas: None; Sewer: None; Septic: Not Applied For		Seller Terms: Cash; Conventional
Begin Date:	08/18/2020	End Date:	02/18/2021	Agent Days On Market: 87
List Price:	245,000	Original List Price:	245,000	Under Contract Date: 10/11/2020
Contingent:	Continue to Show	Contingent Remarks:	bldg permits, financ	Status Change Date: 10/14/2020
LA: Kathren Rusinovich; (503)338-2245; mauikate1@gmail.com LO: Windermere Community Realty; (503)325-5111; astoria@windermere.com				

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Agent Full

Lots and Land

8/20/2020 10:02PM

\$245,000 3-4.99AC

92878 Adj. To Waterhouse Astoria, OR 97103

Unit/Lot #:

Status: Active

DOM: 2

Listed Date: 8/18/2020

Acres: 4

ML#: 20605039

XST/Dir: Old Hiway 30, NW corner of Waterhouse Rd and Old Highway 30

Show: Appointment

Only, Vacant

Offer/Nego: Call Seller's Agent

AG: Kathren Rusinovich

AG Ph: [503-338-2245](tel:503-338-2245)AG Cell: [503-338-2245](tel:503-338-2245)

CoAgent:

CoPh:

Private:

Public: Beautiful acreage fronting Big Creek, rock driveway, replanted trees, lot of record determination on file.

Property Details:

Additional Parcels: /

Availability: Sale

Lot Size: 3 to 4.99 Acres

Supplements: 1

Property Type: Farm/forest

#Lots: 1

Lot Dimensions:

County: Clatsop

Legal: Metes & Bounds

Lot Desc: Trees

Open House: N

Subdivision:

Tax ID: 19410

Land Desc: Level

Upcoming Open House:

Area: 180

Seller Disc: Disclosure

Road Frntg: Y

Broker Tour: N

Zoning: EF

Other Disc: Lot of record doc.

Road Surface: Paved

Upcoming Broker Tour:

Elementary: Hilda Lahti

List Type: ER

Percolation Test: /

Middle: Hilda Lahti

Limited Representation: N

Soil Type/Class:

High: Knappa

CC&R: N

Soil Cond: Native

Internet: Y

Manufactured House

Current Use: Recreational, Timber

Address: Y

Okay:

No Blog: Y

View: Creek/Stream

No AVM: N

Waterfront: Y/Creek

Body Water: Big Creek

Improvements:

Utilities: Electricity Available, Water Available

Existing Structures: N/None

Financial:

Property Tax/Yr: \$45.54 / 2019

Spcl Asmt Balance: Dues:

Tax Deferral: N BAC: % 2.7

Short Sale: N \$ Pre-Approv:

HOA: N

Other Dues:

3rd Party: N

Escrow Pref:

Crop/Land Lease:

Total Comm Differs: N

Terms: Cash, Conventional

Assoc. Am:

Bank Owned/Real Estate Owned: N

Broker/Agent Data:

Agent: Kathren Rusinovich Agent Lic: 870800221 Agent Ph: [503-338-2245](tel:503-338-2245) Agent Cell: [503-338-2245](tel:503-338-2245) SAID: RUSINOV I

mail(s) Agent: mauikate1@gmail.com

CoAgent: CoSAID: CoBRCD: CoPh:

CoAgent Email:

Office: Windermere Office Lic: 201108029 Office Ph: [503-325-5111](tel:503-325-5111) Agent Ext: Fax: 503-325-4844

Community Realty

Office Email:

BRCD: WCCR05

Owner Perm. Resid: Y

FIRPTA: N

Owner(s): Brotherton Joy R,

Tenant/Other:

Contact1:

McConahay Janice A

Tran: 8/18/2020

Exp: 2/18/2021

Contact2:

Poss:

Comparable Information:

Original Price: \$245,000

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SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.



West field zoned RA-2, not gated for animal use. The field to the North rarely has grazing animals.



Water features and out buildings to the North of the subject property.



Trees along the North access easement and stream on the South side of the access easement.



PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein Ticor Title Company of Oregon hereby reports that it is prepared to issue, or cause to be issued, as of the specified date, a policy or policies of title insurance describing the land and the estate or interest hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage of said policy or policies are set forth in Exhibit One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company, a/an Florida corporation.

Please read the exceptions shown or referred to herein and the Exceptions and Exclusions set forth in Exhibit One of this report carefully. The Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

This preliminary report is for the exclusive use of the parties to the contemplated transaction, and the Company does not have any liability to any third parties nor any liability until the full premium is paid and a policy is issued. Until all necessary documents are placed of record, the Company reserves the right to amend or supplement this preliminary report.

Countersigned

A handwritten signature in black ink, appearing to read 'Tara Waterman', written over a horizontal line.



2263 N Roosevelt Dr., Seaside, OR 97138
(503)738-8433 FAX (855)394-1496

PRELIMINARY REPORT

ESCROW OFFICER: Douglas Polley
douglas.polley@ticortitle.com
503-738-8433

ORDER NO.: 360420007630

TITLE OFFICER: Jodi Carlson

TO: Ticor Title Company of Oregon
2263 N Roosevelt Dr.
Seaside, OR 97138

ESCROW LICENSE NO.: 201006149

OWNER/SELLER: Joy Brotherton and Janice McConahay

BUYER/BORROWER: Nicholas Wyrwitzke and Melanie Wyrwitzke

PROPERTY ADDRESS: Vacant Land on Waterhouse Road, Astoria, OR 97103

EFFECTIVE DATE: October 21, 2020, 08:00 AM

1. THE POLICY AND ENDORSEMENTS TO BE ISSUED AND THE RELATED CHARGES ARE:

	<u>AMOUNT</u>	<u>PREMIUM</u>
ALTA Owner's Policy 2006 Owner's Standard	\$ 210,000.00	\$ 725.00

2. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

3. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Joy R. Brotherton and Janice A. McConahay, as tenants in common

4. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE COUNTY OF CLATSOP, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EXHIBIT "A"
Legal Description

That portion of the North one-half of the John Brown Donation Land Claim in Section 18, Township 8 North, Range 7 West, Willamette Meridian, County of Clatsop, State of Oregon, lying East of the centerline of Big Creek; North of the North line of the Old Columbia River Highway; and West of Waterhouse Road.

AS OF THE DATE OF THIS REPORT, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN THE POLICY FORM WOULD BE AS FOLLOWS:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests or claims, which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, which are not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the Land onto adjoining land or of existing improvements located on adjoining land onto the subject Land), encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the subject Land.
5. Any lien or right to a lien for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

SPECIFIC ITEMS AND EXCEPTIONS:

6. Unpaid Property Taxes are as follows:

Fiscal Year:	2020/21
Amount:	\$46.51, plus interest, if any
Levy Code:	0401
Account No.:	19410
Map No.:	80718 00700

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

7. The Land has been classified as Forest Land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.
8. Rights of the public to any portion of the Land lying within the area commonly known as streets, roads, and highways.

9. Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of Big Creek.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of Big Creek.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of Big Creek.

10. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Pacific Power & Light Company
 Purpose: Public utilities
 Recording Date: July 30, 1947
 Recording No: [Book 193, page 621](#)
 Affects: Reference is hereby made to said document for full particulars

11. Limited access to and from the Land as set forth in Deed shown below, which provides that there shall be no right of easement or right of access to, from or across the State Highway other than as expressly provided for in said Deed:

Grantor: David T. Waterhouse and Mary Ethel Waterhouse
 Grantee: State of Oregon, by and through its State Highway Commission
 Recording Date: July 11, 1951
 Recording No.: [Book 213, page 577](#)

12. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Clatsop County
 Purpose: Culvert installation and repair
 Recording Date: March 1, 2018
[Recording No: 201801524](#)
 Affects: Reference is hereby made to said document for full particulars

13. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.

ADDITIONAL REQUIREMENTS/NOTES:

- A. Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2019/20
 Amount: \$44.17
 Levy Code: 0401
[Account No.: 19410](#)
 Map No.: 80718 00700

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

- B. In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final 2006 ALTA Policy unless removed prior to issuance.
- C. Note: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:
- Parties: Nicholas Wyrwitzke and Melanie Wyrwitzke
- D. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.
- E. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.
- F. Existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.
- G. Personal Property taxes, if any.
- H. No search has been made for Financing Statements filed in the Office of the Secretary of State, or in any County other than the County in which the herein described land is located. No liability is assumed for any Financing Statement filed in the Office of the County Clerk (Recorder) covering timber, crops, fixtures, or Contracts affecting said land if said land is not described by metes and bounds, recorded Lot and Block, or under the rectangular survey system.
- I. Note: No utility search has been made or will be made for water, sewer or storm drainage charges unless the City/Service District claims them as liens (i.e. foreclosable) and reflects them on its lien docket as of the date of closing. Buyers should check with the appropriate city bureau or water service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.
- J. THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.

K. Recording Charge (Per Document) is the following:

County	First Page	Each Additional Page
Clatsop	\$87.00	\$5.00

Note: When possible the company will record electronically. An additional charge of \$5.00 applies to each document that is recorded electronically.

RECORDING CHARGES ARE SUBJECT TO CHANGE WITHOUT NOTICE.

ANY ADDITIONAL FEES CHARGED BY THE CLATSOP COUNTY RECORDING CLERK FOR NONCONFORMING DOCUMENTS WILL BE BILLED SEPARATE FROM THE ABOVE DESCRIBED RECORDING FEES.

DOCUMENTS IN WHICH REAL PROPERTY IS TRANSFERRED OR CONVEYED MUST HAVE NOTED ON SAID DOCUMENTS THE CLATSOP COUNTY ASSESSOR'S ACCOUNT NUMBER, I.D. NUMBER AND SITUS ADDRESS OF THE SUBJECT PROPERTY. FAILURE TO COMPLY WILL INCUR AN ADDITIONAL \$20.00 RECORDING FEE.

All recording packets for Clatsop County property should be sent to:

Ticor Title Company

Attn: Recorder

1433 SW 6th Ave.

Portland, OR. 97201

- L. Note: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.
- M. Note: Effective January 1, 2008, Oregon law (ORS 314.258) mandates withholding of Oregon income taxes from sellers who do not continue to be Oregon residents or qualify for an exemption. Please contact your Escrow Closer for further information.

N. NOTE: IMPORTANT INFORMATION REGARDING PROPERTY TAX PAYMENTS:

Fiscal Year:	July 1st through June 30th
Taxes become a lien on real property, but are not yet payable:	July 1st
Taxes become certified and payable (approximately on this date):	October 15th
First one third payment of taxes is due:	November 15th
Second one third payment of taxes is due:	February 15th
Final payment of taxes is due:	May 15th

Discounts: If two thirds are paid by November 15th, a 2% discount will apply. If the full amount of the taxes are paid by November 15th, a 3% discount will apply.

Interest: Interest accrues as of the 15th of each month based on any amount that is unpaid by the due date. No interest is charged if the minimum amount is paid according to the above mentioned payment schedule.

EXHIBIT ONE

2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions or location of any improvement erected on the land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed or agreed to by the Insured Claimant;
 - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
- (c) resulting in no loss or damage to the Insured Claimant;
- (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
- (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with the applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in the Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions or location of any improvement erected on the land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed or agreed to by the Insured Claimant;
 - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
- (c) resulting in no loss or damage to the Insured Claimant;
- (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
- (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in the Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.



Inquire before you wire!

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. DO NOT use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** DO NOT send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do NOT reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:

<http://www.fbi.gov>

Internet Crime Complaint Center:

<http://www.ic3.gov>

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective April 9, 2020

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We may share your Personal Information with affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request by email, phone, or physical mail as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you without your consent.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes; Use of Comments or Feedback

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice. We may use comments or feedback that you submit to us in any manner without notice or compensation to you.

Accessing and Correcting Information; Contact Us

If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, send your requests to privacy@fnf.com, by phone to (888) 934-3354, or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer



TICOR TITLE™

Property Profile Report

Today's Date:

08/19/2020

Owner Name:

**Brotherton, Joy R
McConahay, Janice A**

Property Address:

**92878 Waterhouse Rd
Astoria OR 97103 5500**

Reference Number:

807180000700

Account Number:

19410

Four North Coast locations to serve you:

630 Bond St.
Astoria, OR 97103
503.325.2144

2263 N. Roosevelt Dr.
Seaside, OR 97138
503.738.8433

507 Laneda Ave, Suite 3
Manzanita, OR 97130
503.368.5124

802 Main Ave.
Tillamook, OR 97141
503.842.5533

This title information has been furnished, without charge, in conformance with guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions that indiscriminate use only benefiting intermediaries will not be permitted. No liability is assumed for any errors in this record.

The information compiled in this report(s) was imported from a vendor-provided database source. Although the information is deemed reliable and every effort has been taken to correct data imperfections, Ticor Title cannot be held responsible for any inaccuracies.

TITLE AND ESCROW SERVICES

For all your customer service needs: nccs@ticortitle.com

**Parcel Information**

Parcel #:	19410
Tax Lot:	807180000700
Site Address:	92878 Waterhouse Rd
	Astoria OR 97103 - 5500
Owner:	Brotherton, Joy R
Owner2:	McConahay, Janice A
Owner Address:	42045 Logger Ln
	Astoria OR 97103
Twn/Range/Section:	08N / 07W / 18
Parcel Size:	4.00 Acres (174,240 SqFt)
Plat/Subdivision:	
Lot:	
Block:	
Census Tract/Block:	951200 / 2044
Waterfront:	Big Creek

Assessment Information

Market Land Value:	\$108,281.00
Market Impr Value:	\$0.00
Market Total Value:	\$108,281.00
Assessed Value:	\$2,291.00

Tax Information

Levy Code Area:	0401
Levy Rate:	11.7011
Tax Year	Annual Tax
2019	\$45.54
2018	\$43.53
2017	\$42.35

Legal

Metes & Bounds

Land

Cnty Land Use:	640 - Forest - Unzoned farm land - Vacant
Zoning:	EFU Clatsop County - Exclusive Farm Use
Watershed:	Big Creek-Frontal Columbia River
Recreation:	
Land Use Std:	CMSC - Commercial Miscellaneous
Neighborhood:	D
School District:	4

Improvement

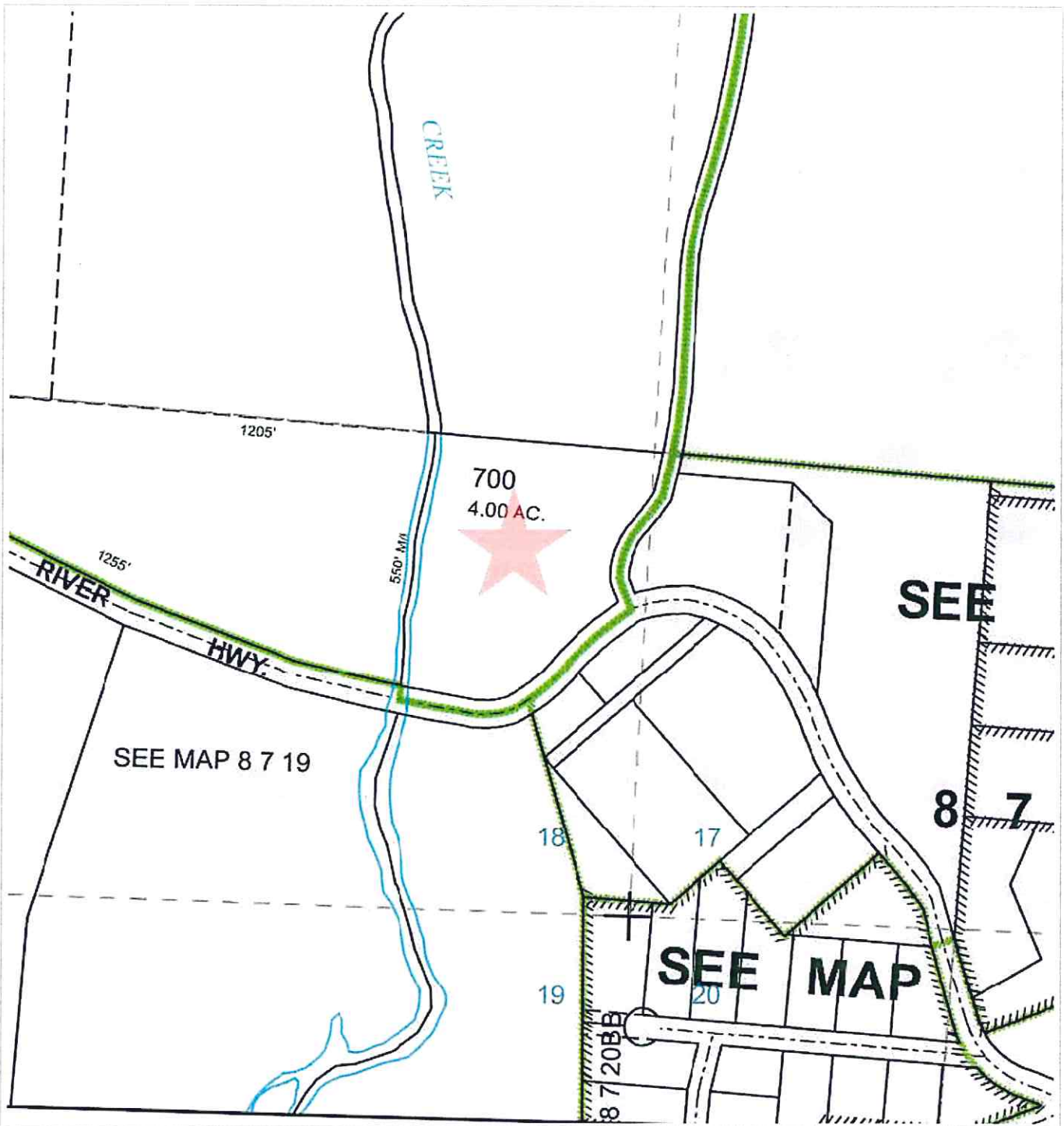
Year Built:	Stories	Total SqFt:
Eff Year Built:	Bedrooms:	Bathrooms:
Bsmt Fin SqFt:	Attic Fin SqFt:	Full Baths:
Bsmt UnFin SqFt:	Attic Unfin SqFt:	Half Baths:
Deck SqFt:	Patio SqFt:	Exterior Walls:
Carport SqFt:	Porch SqFt:	Roof Covering:
Garage:	Fireplace:	Roof Style:
Foundation:	Heat:	
Primary School:	Middle School:	High School:
Hilda Lahti Elementary School		Knappa High School

Transfer Information

Rec. Date:	8/16/2017	Sale Price:		Doc Num:	201706684	Doc Type:	Deed
Owner:	Joy R Brotherton			Grantor:			
Orig. Loan Amt:				Title Co:	ATTORNEY ONLY		
Finance Type:		Loan Type:		Lender:			

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

Assessor Map



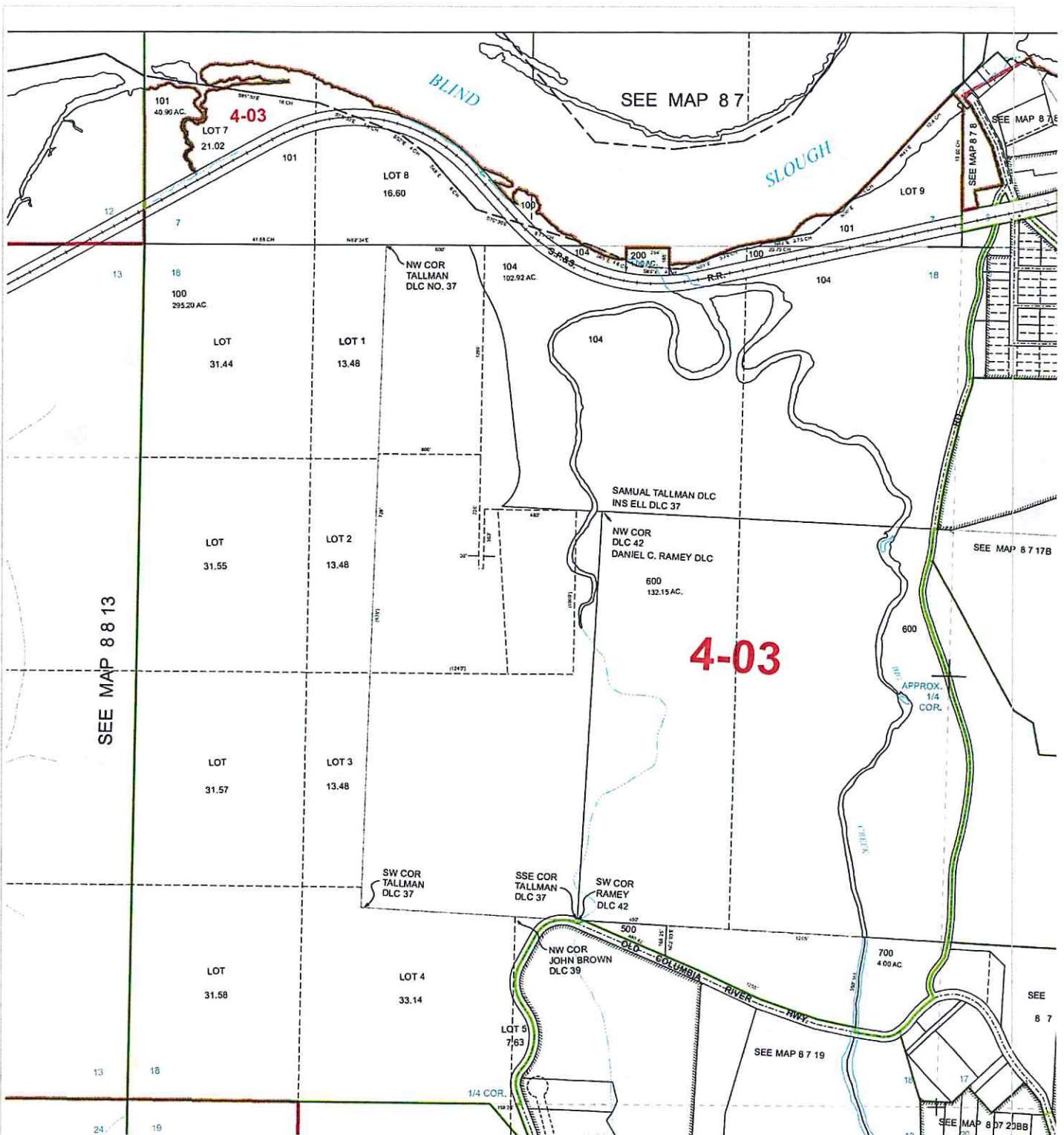
TICOR TITLE COMPANY

Parcel ID: 19410

Site Address: 92878 Waterhouse Rd

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

Full Assessor Map



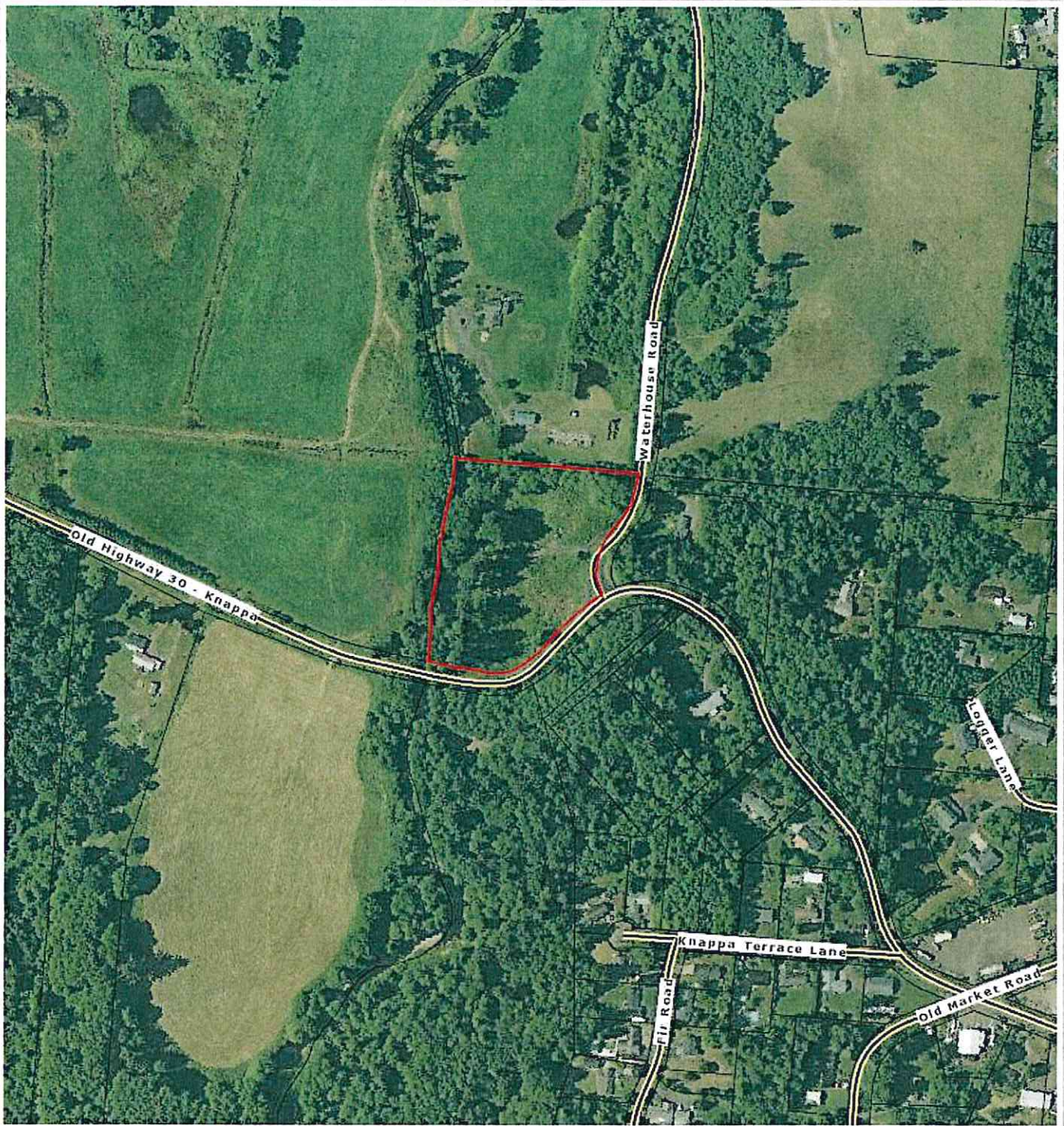
TICOR TITLE COMPANY

Parcel ID: 19410

Site Address: 92878 Waterhouse Rd

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

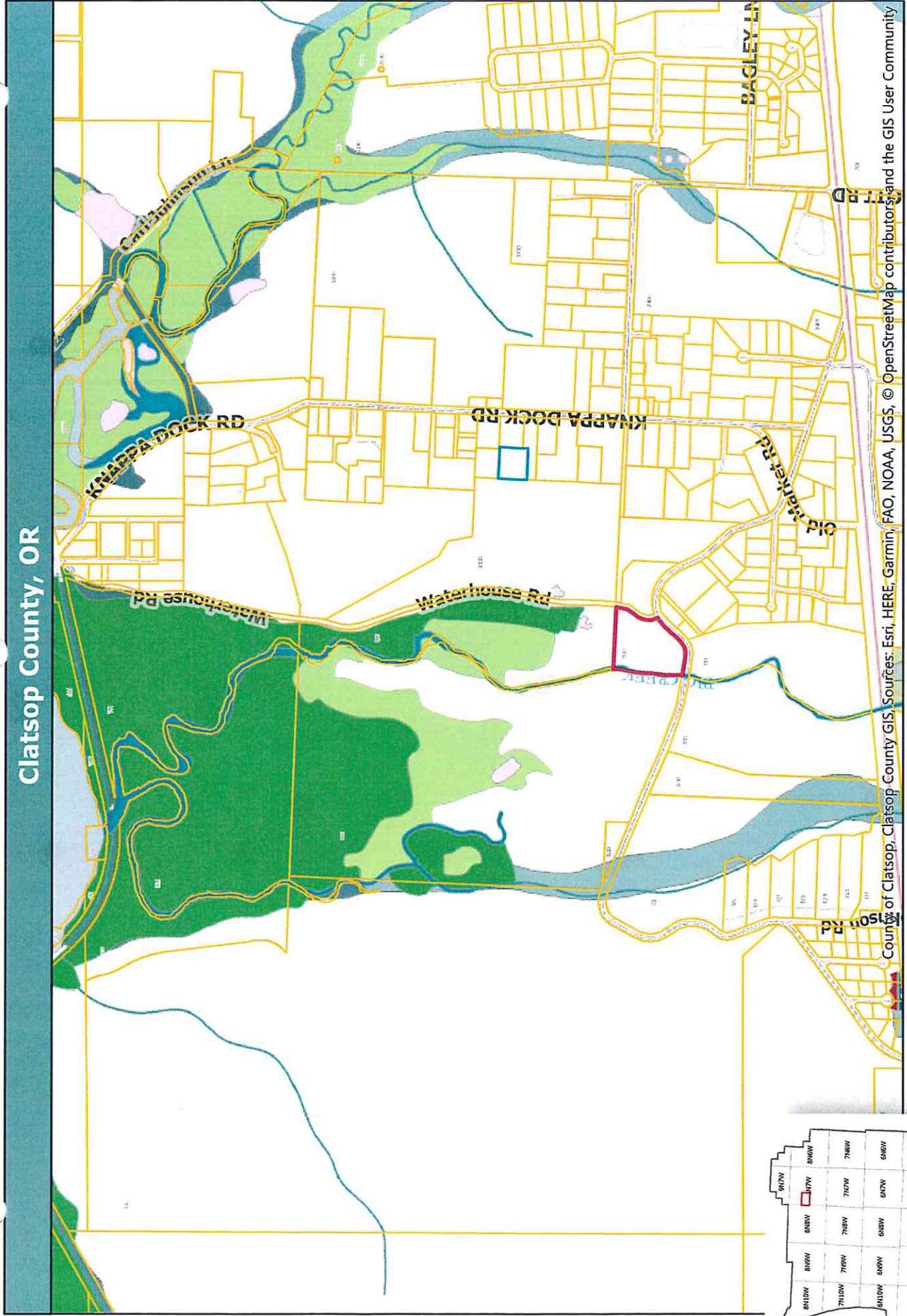
Aerial Map



TICOR TITLE COMPANY

Parcel ID: 19410

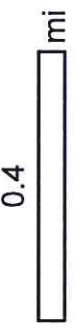
This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



Clatsop County, OR



Clatsop County



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12/3/2020 11:02 AM

Clatsop County, OR

GRAZING

EFU

BIG CREEK LODGE

AF

RA-2

KS-RCR

OPR

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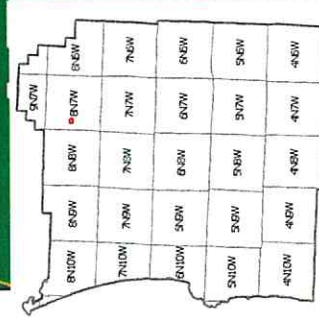
Clatsop County

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11/13/2020 3:25 PM

Appraisal Report

DISCLAIMER OF LIABILITY:

The information and data included on Clatsop County servers have been compiled by County staff from a variety of sources, and are subject to change without notice. Clatsop County makes no warranties or representations whatsoever regarding the quality, content, completeness, or adequacy of such information and data. In any situation where the official printed publications of Clatsop County differ from the text contained in this system, the official printed documents take precedence.

Account ID	Property Class	MA	NH	Tax Code	TaxMapKey
19410	640	6	D	0401	807180000700

Owner(s): **Brotherton Joy R**
McConahay Janice A

Situs Address: **92878 Waterhouse Rd**
Astoria,

Land Valuation

Site Fragment	Land Use	Land Class	Base Type	Size in Acres	Base Value	Adjustments	Base Land RMV
	Residential	VHS	Acre	4.00	\$84,000	\$0	\$84,000

Land Components

Category	Description
Neighborhood	Rural

RMV Summary (Before Index)

Program Type	Land	RMV before index
	Land Class	
Residential	VHS	\$84,000

Current RMV

Land	
Indexed RMV	Cumulative Index
\$108,281	1.29

Certified Tax Roll Value

Tax Year	Land RMV	Impr RMV	Total RMV	Land AV	Impr AV	Total AV	Total Tax
2018	\$97,550	\$0	\$97,550	\$2,224	\$0	\$2,224	\$43.53
2019	\$108,281	\$0	\$108,281	\$2,291	\$0	\$2,291	\$45.54



Recording Instrument #: 201706684
Recorded By: Clatsop County Clerk
of Pages: 3 Fee: 57.00
Transaction date: 8/16/2017 11:32:09
Deputy: nstethem

RE-RECORDING COVER SHEET

PER ORS 205.234

This cover page has been prepared by the person
Presenting the attached instrument for recording.
Any errors in this cover sheet **DO NOT** affect the
transactions(s) contained in the instrument itself.

AFTER RECORDING RETURN TO:

Heather Reynolds, Attorney
PO Box 145
Astoria, OR 97103

ASSESSOR'S ACCOUNT NUMBER: Map and Tax Lot

086718 00700, Acct# 19410

SITUS ADDRESS: (Street or Rural Address)

92878 Waterhouse Rd
Astoria, OR

ALL TAX STATEMENTS SHALL BE SENT TO:

Joy R Brotherton & Janice A McConahay
42045 Logger Lane
Astoria, OR 97103

DOCUMENT TITLE: Affiant's Bargain and Sale Deed

Required Statement

RE-RECORDED AT THE REQUEST OF Heather Reynolds, Attorney
TO CORRECT legal description and tax lot number

PREVIOUSLY RECORDED AS INSTRUMENT # 201706456 OR BOOK # _____ PAGE # _____

NAME(S) of DIRECT party(s):

(i.e. DEEDS: Seller/Grantor - MORTGAGES: Beneficiary/Lender - LIENS: Creditor/Plaintiff)

1. Joy R. Brotherton and Janice A. McConahay, Affiants
2. _____
3. _____
4. _____

NAME(S) of INDIRECT party(s):

(i.e. DEEDS: Buyer/Grantee - MORTGAGES: Grantor - LIENS: Debtor/Defendant)

1. Joy R. Brotherton and Janice A. McConahay, as Tenants in Common
2. _____
3. _____
4. _____

If conveying or contracting to convey fee title to real property: True and Actual Consideration Paid \$ 0

The amount of the monetary obligation imposed by the Order or Warrant: \$ _____

Satisfaction of Order or Warrant Check if applicable: ☐ Full ☐ Partial



Recording Instrument #: 201706456
Recorded By: Clatsop County Clerk
of Pages: 2 Fee: 52.00
Transaction date: 8/9/2017 13:48:44
Deputy: jkerr

After Recording, Return To:

Heather Reynolds, Attorney
P.O. Box 145
Astoria, Oregon 97103

Until Requested Otherwise, Send Tax Statements To:

Joy R. Brotherton and Janice A. McConahay
42045 Logger Lane
Astoria, Oregon 97103

***RE-RECORDED TO CORRECT SCRIVENER'S ERROR
AFFIANT'S BARGAIN AND SALE DEED**

THIS INDENTURE made this 27th day of July 2017, by and between **Joy R. Brotherton and Janice A. McConahay**, Affiants under the Affidavit of Claiming Successor of Testate Estate for the Small Estate of **Carol D. Barendse**, deceased, hereinafter called the first party, and **Joy R. Brotherton and Janice A. McConahay**, as Tenants in Common hereinafter called the second party; WITNESSETH:

For value received and the consideration hereinafter stated, the first party has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the second party and the second party's heirs, successors and assigns all the estate, right and interest of the estate of the deceased, whether acquired by operation of the law or otherwise, in that certain real property situated in the County of Clatsop, State of Oregon, described as follows, to-wit:

18

That portion of the North one-half of the John Brown Donation Land Claim in Section ~~19~~, Township 8 North, Range 7 West, lying East of the centerline of Big Creek, North of the North line of the Old Columbia River Highway and West of Waterhouse Road. Situated in Clatsop County, Oregon.

Situs Address: 92878 Waterhouse Road, Astoria, Oregon

Tax Account #: ~~0401-80718-00101, Acct ID #19410~~ 80718 00700, Acct ID #19410

TO HAVE AND TO HOLD the same unto the second party, and second party's heirs, successor-in-interest and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$-0-.

"BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

THIS DEED IS PREPARED PURSUANT TO ORS 114.545(3) AND THE AFFIDAVIT OF CLAIMING SUCCESSOR OF TESTATE ESTATE FILED JULY 27, 2017 AS CASE NO. 17PB05921, CLATSOP COUNTY CIRCUIT COURT.

Joy R Brotherton
Joy R. Brotherton, Affiant

Janice A McConahay
Janice A. McConahay, Affiant

STATE OF OREGON)
) ss.
County of Clatsop)

This instrument was acknowledged before me on July 27, 2017 by Joy
R. Brotherton and Janice A. McConahay.



Becky L. Nelson
Notary Public for Oregon
My Commission Expires: 01-11-2020



Recording Instrument #: 201706456
Recorded By: Clatsop County Clerk
of Pages: 2 Fee: 52.00
Transaction date: 8/9/2017 13:48:44
Deputy: jkerr

After Recording, Return To:
Heather Reynolds, Attorney
P.O. Box 145
Astoria, Oregon 97103

Until Requested Otherwise, Send Tax Statements To:
Joy R. Brotherton and Janice A. McConahay
42045 Logger Lane
Astoria, Oregon 97103

AFFIANT'S BARGAIN AND SALE DEED

THIS INDENTURE made this 27th day of July 2017, by and between **Joy R. Brotherton and Janice A. McConahay**, Affiants under the Affidavit of Claiming Successor of Testate Estate for the Small Estate of **Carol D. Barendse**, deceased, hereinafter called the first party, and **Joy R. Brotherton and Janice A. McConahay**, as Tenants in Common hereinafter called the second party; WITNESSETH:

For value received and the consideration hereinafter stated, the first party has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the second party and the second party's heirs, successors and assigns all the estate, right and interest of the estate of the deceased, whether acquired by operation of the law or otherwise, in that certain real property situated in the County of Clatsop, State of Oregon, described as follows, to-wit:

That portion of the North one-half of the John Brown Donation Land Claim in Section 19, Township 8 North, Range 7 West, lying East of the centerline of Big Creek, North of the North line of the Old Columbia River Highway and West of Waterhouse Road. Situated in Clatsop County, Oregon.

Situs Address: 92878 Waterhouse Road, Astoria, Oregon
Tax Account #: 0401 80719 00101, Acct ID #19410

TO HAVE AND TO HOLD the same unto the second party, and second party's heirs, successor-in-interest and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$-0-.

"BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

THIS DEED IS PREPARED PURSUANT TO ORS 114.545(3) AND THE AFFIDAVIT OF CLAIMING SUCCESSOR OF TESTATE ESTATE FILED JULY 27, 2017 AS CASE NO. 17PB05921, CLATSOP COUNTY CIRCUIT COURT.

Joy R Brotherton
Joy R. Brotherton, Affiant

Janice McConahay
Janice A. McConahay, Affiant

STATE OF OREGON)
) ss.
County of Clatsop)

This instrument was acknowledged before me on July 27, 2017 by Joy
R. Brotherton and Janice A. McConahay.



Becky L. Nelson
Notary Public for Oregon
My Commission Expires: 01-11-2020

State, the within named L. S. Brown and J. H. Benders to me well known to be the persons described in and who executed the within and foregoing instrument as Trustees of the Prairie Cemetery, and severally acknowledged to me that they executed the same as such Trustees and for the uses and purposes therein expressed.

The testimony whereof I have hereunto set my hand the day and year in this Certificate first above written.

D. N. Mitchell

Justice of Peace

Recorded March 16th 1889

E. J. Treuehard

Recorder

This Agreement made and entered into this 20th day of February, A.D. 1889 by and between Mrs L. S. Benders and J. H. Ryckman all of Clatsop County and State of Oregon, Witnesseth: That for a valuable consideration hereinafter mentioned Mrs L. S. Benders does grant bargain and convey to J. H. Ryckman for his own use or to his heirs and assigns the right of way for a Road either logging or wagon road across the premises owned by her being land in the West end of the Original Donation Land claim of D. C. Ramey in Section 17 in Town 8 North Range 7 West, County of Clatsop State of Oregon commencing near the South West corner of said Original donation land claim, thence down near the creek on the most accessible ground to the North line of said claim, to a point on the water where there is ample water for boats to land and load with wood or other material, and wherever said J. H. Ryckman desires for a landing there shall be for his use a parcel of land left unencumbered, sixty feet back from the creek ~~the~~ running up and down the creek one hundred and twenty feet. And if said Mrs L. S. Benders shall enclose said land (it being now open) she shall put in a gate or gates for the use of said J. H. Ryckman in the line of said ~~enclosed~~ ~~land~~ ~~property~~

further agreed between Mrs L. B. Benders and J. L. Ryckman that he in consideration of the foregoing does grant and convey to Mrs L. B. Benders the rights of way for a wagon road on Wagon across the north west quarter and lots one and two of Section 19 in Town 8 North 7 West, said road to be made on the most accessible ground and the most direct, where it will damage said parcels of land the least, also that if he shall enclose said land (it being now open) he shall put in again a gate for the use of said Mrs L. B. Benders, said gates in both cases to be carefully closed by the parties using them and his care and diligence shall be used by both parties to prevent loss by trespass of stock or otherwise, and it is mutually agreed that either party to this agreement violating the same shall pay to the other the sum of two hundred and fifty dollars to be collected in any Court having jurisdiction together with costs of the same.

For witnesses whereof we have signed this agreement in duplicate at Knappa Oregon this 21st day of February 1889
Signed in presence of C. L. Benders
J. L. Ryckman

A. N. Mitchell
State of Oregon
County of Clatsop } s. s.

This Certificate, that on this 21st day of February 1889 before me the undersigned Justice of Peace in and for the said County and State personally appeared the within named C. L. Benders and J. L. Ryckman who are known to me to be the identical persons described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

In Testimony whereof I have hereunto set my hand the day and year last above written.

A. N. Mitchell

Recorded March 16th 1889

Justice of Peace

C. J. Frenchard

Recorder

RIGHT OF WAY EASEMENT

The Grantor John Waterhouse Estateof Clatsop County, Oregon

for and in consideration of One and 00/100 --- (1.00) --- DOLLARS, in hand paid, hereby grant to PACIFIC POWER & LIGHT COMPANY, a corporation, its successors and assigns, an easement or right-of-way for an electric transmission and distributing line of one or more wires and all necessary or desirable appurtenances (including telephone and telegraph wires, towers, poles, props, guys and other supports and including the right to place all said lines in underground conduits) at or near the location and along the general course now located and staked out by the Grantee over, across and upon the following described premises, located in

Clatsop County, Oregon to-wit:

The North half of the John Brown Donation Land Claim of John Brown and Elizabeth Brown, his wife, being claim No. 39, Notification No. 7906, situated in Sections 17, 18, 19, and 20, T8N R7W WM, as described in Book 79, Page 222, Records of Deeds, Clatsop County, Oregon. Save and excepting the following described parcels of land therefrom:

Parcel A. Beginning at a point 11.50 chains east and 14.83 chains north of the southwest corner of Sec. 17, T8N R7W WM, and running. Thence west 1859.6 feet to an iron pipe, thence south 461 feet to an iron pipe on the south line of the highway, which is the true point of beginning of the tract hereby described. Thence south 13° 18' west 667 feet to an iron pipe, thence south 1135.5 more or less to an iron pipe in the south line of the north half of the John Brown Donation Land Claim. Thence west 204 feet to an iron pipe, thence north 1917.3 feet more or less to an iron pipe in the south line of the state highway right-of-way, thence south 68° 12' east along said south line of the state highway 374.2 feet to said true point of beginning, containing 10 acres more or less. As described in Book 164, Page 261, Records of Deeds, Clatsop County, Oregon.

Parcel B. A parcel of 6 acres of land in rectangular shape, 3 acres wide or long from east to west, and 2 acres wide, from north to south, that is to say. The length of which from east to west is three times the length or width of a square acre and the width of which from north to south is twice the length or width of a square acre, said parcel of land in the southeast corner of the north half of the John Brown Donation Land Claim in T8N R7W WM and the east line thereof being the east line of said donation land claim, and the south line thereof being the dividing line between the north half and the south half of said donation land claim, and said parcel of land being in the rectangular shape hereinbefore described, and the north and west lines thereof being located accordingly. As described in Book 172, Page 77, Records of Deeds, Clatsop County, Oregon.

Parcel C. A right-of-way 33 feet wide on the east side of the center line of a railroad and all of the land lying between the said center line of said right-of-way for a railroad and the west line of the John Brown Donation Land Claim. The above center line being described and located as follows: Beginning at a point on the west line of the John Brown Donation Land Claim 150 feet west of the northeast corner of Lot 1, Sec. 19, T8N R7W WM (the tangent of the curve at this point bears south $27^{\circ} 16'$ east). Thence in a southerly direction along an 8 degree curve to the right a distance of 357.6 feet, thence south $1^{\circ} 20'$ west a distance of 848 feet to the south line of the property owned by John Waterhouse. As described in Book 168, Page 303, Records of Deeds, Clatsop County, Oregon.

Parcel D. A right-of-way for logging railroad as at present used by Big Creek Logging Company. Said right-of-way to extend sixteen and one-half feet on each side of the center of Big Creek Logging Company's railroad as at present through Sec. 18, T8N R7W WM. As described in Book 168, Page 297, Records of Deeds, Clatsop County, Oregon.

Parcel E. Beginning at a point of intersection of the North line of the John Brown Donation Land Claim No. 39 and the Northerly right-of-way line of the lower Columbia Highway. Said point being 117 feet North and 2903 feet West of the Northeast corner of the John Brown Donation Land Claim No. 39, T8N R7W WM in the County of Clatsop. Said point also being at right angles to and 30' distant from Engineer's Station 1260 + 30.40 of the existing center line of said highway. Thence South $87^{\circ} 57'$ East along the North line of the John Brown Donation Land Claim No. 39, a distance of 450 feet. Thence South $2^{\circ} 03'$ West a distance of 168.25 feet to the point of intersection with the Northerly right-of-way line of said highway. Said point being at right angles to and 30 feet distant from Engineer's Station 1255 + 50.04 of the existing center line of said highway. Thence North $67^{\circ} 27'$ West along the Northerly right-of-way line of said highway parallel to, and 30 feet distant from the existing center line a distance of 480.42 feet to the point of beginning.

As described in Book 135, Page 1,

Records of Deeds, Clatsop County,

Oregon.

The location of the center line of the first pole line location granted in this easement begins at a point on the Northerly line of the John Brown Donation Land Claim No. 39, T8N R7W WM a distance of 2420 feet Westerly of the NE corner of said Donation Land Claim No. 39; thence South $8^{\circ} 24'$ East a distance of 476 feet more or less to the point of intersection with the Northerly right-of-way line of State Highway No. 30. The location of the center line of the second pole line location

granted in this easement begins at a point on the Southerly line of the right-of-way of State Highway No. 30, said point being 60' North and 3368 feet West of the NE corner of the John Brown Donation Land Claim No. 39 in T8N R7W W4; thence South 32° 22' West a distance of 324 feet to a point; thence South 5° 4' West a distance of 1028 feet more or less to a point located on the Easterly edge of St. Helens Pulp and Paper Company Logging Road right-of-way.

The Pacific Power & Light Company agrees to remove all of their existing pole lines now located on the grantor's property upon the completion of the new pole line granted in this permit.

Together with the right of ingress and egress over the adjacent lands of the Grantor for the purpose of constructing, reconstructing, stringing new wires on, maintaining and removing said lines and appurtenances, and exercising other rights hereby granted.

All rights hereunder shall cease when said lines have been abandoned.

Dated this 26th day of June 1947

In the presence of:

John Waterhouse Estate

John Waterhouse Estate (SEAL)
By *D. T. Waterhouse* (SEAL)
Administrator (SEAL)

STATE OF Oregon } ss.
County of Clatsop }

I, Lem Parker, a Notary Public in and for said State, do hereby certify that on the 26th day of June, 1947, personally appeared before me D. T. Waterhouse, Administrator of the Estate of John Waterhouse

to me known to be the individual described in the within instrument and acknowledged that he signed and sealed the same as his free and voluntary act and deed; for the uses and purposes therein mentioned. Given under my hand and official seal this the day and year first in this certificate above written.



Notary Public for Oregon, residing at Portland, Ore. expires Mar 30, 1948

120657

From *John Waterhouse Estate*

To *PACIFIC POWER & LIGHT COMPANY*

STATE OF OREGON, County of Clatsop. I hereby certify that the within instrument was received for record and recorded in the record of DEED

621

W. J. BROOKS, County Clerk

By *W. J. Brooks* Deputy

Filed for Record to PACIFIC POWER & LIGHT COMPANY

Service Book Grand Order

**LOT OF RECORD APPROVAL
&
ZONING ORDINANCE**



Clatsop County

Community Development – Planning

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

STAFF REPORT

Application #20-000510

STAFF REPORT DATE: August 13, 2020

REQUEST: Lot of Record Determination

OWNER/APPLICANT: Joy R. Brotherton
42045 Logger Lane
Astoria, OR 97103

OWNER/APPLICANT: Janice A. McConahay
92186 Crest Drive
Astoria, OR 97103

PROPERTY DESCRIPTION: T8N, R07W, SEC18, TL00700 (4.00 Acres)
FKA T8N, R07W, SEC19, TL00101

ZONING DESIGNATION: EFU (Exclusive Farm Use) – 80-acre minimum

EXISTING STRUCTURES: Clatsop County Assessment records do not indicate any taxable improvements on this property.

COUNTY STAFF REVIEWER: Clancie Adams, Permit Tech

The following determination by Clatsop County Community Development is based in part on the following: Information provided by the applicant; Clatsop County deed and land use contract records; and the Clatsop County Land and Water Development and Use Ordinance #80-14 (LWDUO).

LOT OF RECORD BACKGROUND:

There are two steps to a lot of record determination. The first is to determine whether the subject property was created legally. The property must meet the definition of a "lot of record" under section 1.030, LWDUO #80-14:

LOT OF RECORD - Any lot or parcel lawfully created by a subdivision or partition plat of record in the County Clerk's Office, or lawfully created by deed or land sales contract prior to land use partitioning requirements, and of record in the Deed Records of Clatsop County.

LOT OF RECORD STATUS:

Staff Finding:

T8N, R07W, SEC18, TL00700 was created by the recording of a Warranty Deed with the Clatsop County Clerk on July 17, 1958 (Clatsop County Book of Deed Records, Book 236, Pages 476-8), conveying the property from David Thorpe Waterhouse and Nell F. Waterhouse, husband and wife, to Carolyn Jane May Evenden, a widow, and David J. and Margaret Breyman, husband and wife. **The subject property meets the county's definition of "Lot of Record" (LWDUO #80-14, Section 1.030).**

PARCEL BACKGROUND:

The second step is to determine if the property, is a "parcel", as defined in LWDUO 1.030 Definitions; and if it qualifies for a general exception to lot size as defined in 1.030 General Exception to Lot Size Standards:

SECTION 1.030 Land & Water Development and Use Ordinance (LWDUO) Definitions:

Parcel:

(1) Includes a unit of land created:

By partitioning of land as defined in ORS 92.010:

- (A) In compliance with all applicable planning, zoning and partitioning ordinances and regulations; or
- (B) By deed or land sales contract, if there were no applicable planning, zoning or partitioning ordinances or regulations.

(2) Does not include a unit of land created solely to establish a separate tax account.

S1.030. GENERAL EXCEPTION TO LOT SIZE STANDARDS:

(2) In all other areas:

- (A) If, at the time the applicable zone or an amendment to the applicable lot size or dimension standards was adopted (March 28, 1997), a lot of record has an area or dimension that does not meet the requirements of the zone, and the lot of record was not in the same ownership with a contiguous lot or parcel which does not meet the minimum area or dimension requirements, the lot of record may be developed as allowed by the applicable zone and county development standards.

PARCEL STATUS:

Staff Finding: S.1030 (2)(A) applies.

Subject property T8N, R07W, SEC18, TL00700 is located in the EFU Zone, which has a minimum lot size of 80 acres. Clatsop County records indicate Clarence J. and Carol Barendse, Trustees of the Barendse Family Trust owned the subject property on March 28, 1997, the effective date of Clatsop County Ordinance #97-3, which established the current minimum lot size of 80 acres for the EFU Zone. The property is substandard in size for the zone and was not owned in common with any other contiguous substandard lots within the EFU Zone or adjacent resource zones on March 28, 1997, and therefore is considered one separate "land use lot of record". LWDUO §1.030.

CONCLUSION:

Per S1.030(2)(A), T8N, R07W, SEC18, TL00700 is substandard in size for the EFU Zone but is not contiguous with any commonly owned property with the same zoning designation. Although the subject parcel does not meet the minimum lot size for the EFU Zone, it is considered a "land use parcel". Any development of a land use parcel must adhere to all ordinances and standards except for minimum lot size and dimensions

APPEAL: This determination is a Type I procedure, as defined in Section 2.015. Pursuant to LWDUO #80-14, Section 2.230, Request for Review/Appeal, this determination may be appealed within twelve (12) days of this decision. The deadline for filing an appeal is 4:00 p.m. on August 25, 2020.

SECTION 3.560. EXCLUSIVE FARM USE ZONE (EFU).

Section 3.561. Purpose. [Ord. 18-02]

The purpose of the Exclusive Farm Use (EFU) Zone is to protect and maintain agricultural lands for farm use, consistent with existing and future needs for agricultural products. The EFU zone is also intended to allow other uses that are compatible with agricultural activities, to protect forests, scenic resources and fish and wildlife habitat, and to maintain and improve the quality of air, water and land resources of the county. It is also the purpose of the EFU zone to qualify farms for farm use valuation under the provisions of ORS Chapter 308.

The provisions of the EFU zone reflect the agricultural policies of the Comprehensive Plan as well as the requirements of ORS Chapter 215 and OAR 660-033. The minimum parcel size and other standards established by this zone are intended to promote commercial agricultural operations.

Section 3.562. Development and Use Permitted. [Ord. 18-02]

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

- 1) Farm use.
- 2) Propagation or harvesting of a forest product.
- 3) Agricultural buildings customarily provided in conjunction with farm use.
- 4) Creation of, restoration of, or enhancement of wetlands.
- 5) Operations for the exploration for and production of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the wellhead.
- 6) Operations for the exploration for minerals as defined by ORS 517.750.
- 7) Climbing and passing lanes within the right of way existing as of July 1, 1987.
- 8) Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right of way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result.
- 9) Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed.
- 10) Minor betterment of existing public road and highway related facilities such as maintenance yards, weigh stations and rest areas, within right of way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways.
- 11) Irrigation reservoirs, canals, delivery lines and those structures and accessory operational facilities, not including parks or other recreational structures and facilities, associated with a district as defined in ORS 540.505.
- 12) Fire service facilities providing rural fire protection services.

- 13) Onsite filming and activities accessory to onsite filming for 45 days or less subject to standards in ORS 215.306.
- 14) Firearms training facility in existence on September 9, 1995.
- 15) An outdoor mass gathering 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.
- 16) A winery subject to S3.515.
- 17) Churches, and cemeteries in conjunction with churches, subject to S3.508(1). This use is not permitted on high value farmland except that existing churches on high value farmland may be expanded subject to S3.508(3).

Section 3.563. Conditional Development and Use. [Ord. 18-02]

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.

- 1) A facility for the processing of farm crops, biofuel or poultry subject to S3.501(1).
- 2) Dog training classes or testing trials subject to S3.503(1).
- 3) Farm stands subject to S3.503(2).
- 4) Agri-tourism and other commercial events or activities subject to S3.516.
- 5) Destination resort subject to S3.503(3).
- 6) Land application of reclaimed water, agricultural or industrial process water or biosolids, or the onsite treatment of septage prior to land application of biosolids subject to S3.506(1).
- 7) Utility facility service lines subject to S3.506(2).
- 8) Utility facilities necessary for public service, including associated transmission lines and wetland waste treatment systems, but not including commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet in height as provided in S3.506(3).
- 9) A site for the takeoff and landing of model aircraft subject to S3.507(1).
- 10) The propagation, cultivation, maintenance and harvesting of aquatic species that are not under the jurisdiction of the State Fish and Wildlife Commission or insect species and subject to S3.509.
- 11) Temporary hardship dwelling subject to S3.502(2), 3.508(2) and S3.509.
- 12) Room and board arrangements for a maximum of five unrelated persons in existing residences subject to S3.508(2) and S3.509.
- 13) Parking of up to seven log trucks subject to S3.509.
- 14) Home occupations as provided in S3.503(4) and subject to S3.509.
- 15) A landscape contracting business, as defined in ORS 671.520, or a business providing landscape architecture services, as described in ORS 671.318, if the business is pursued in conjunction with the growing and marketing of nursery stock on the land that constitutes farm use, and subject to S3.509.
- 16) Commercial activities in conjunction with farm use, including the processing of farm crops into biofuel not permitted under Subsection 1) and subject to S3.503(5) and S3.509, but excluding activities in conjunction with a marijuana crop.

- 17) Transmission towers over 200 feet in height, subject to S3.509.
- 18) Onsite filming and activities accessory to onsite filming for more than 45 days as provided for in ORS 215.306, subject to S3.509.
- 19) Dwelling customarily provided in conjunction with farm use subject to S3.508(2) and S3.510.
- 20) A dwelling on property used for farm use located on the same lot or parcel as the dwelling of the farm operator, and occupied by a relative of the farm operator or farm operator's spouse if the farm operator does, or will, require the assistance of the relative in the management of the farm use subject to S3.502(1), and S3.508(2).
- 21) Accessory farm dwellings for year-round and seasonal farm workers subject to S3.508(2) and S3.511.
- 22) One single-family dwelling on a lawfully created lot or parcel subject to S3.508(2) and S3.512.
- 23) Single-family residential dwelling, not provided in conjunction with farm use subject to S3.508(2) and S3.513.
- 24) Replacement dwelling to be used in conjunction with farm use if the existing dwelling has been listed in a county inventory as historic property as defined in ORS 358.480 and listed on the National Register of Historic Places subject to S3.508(2).
- 25) Alteration, restoration, or replacement of a lawfully established dwelling subject to S3.508(2) and S3.514.

Section 3.564. Conditional Development and Use. [Ord. 18-02]

The following farm and non-farm developments and uses and their accessory uses may be permitted under a Type IIa procedure and Sections 5.000-5.030, subject to applicable criteria, development standards and site plan review.

- 1) A facility for the primary processing of forest products subject to S3.501(2) and S3.509.
- 2) Residential home as defined in ORS 197.660, in existing dwellings, subject to S3.508(2) and S3.509.
- 3) Commercial dog boarding kennels or dog training classes or testing trials that cannot be established under **Error! Reference source not found.** and subject to S3.509.
- 4) Operations conducted for mining and processing of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005 not otherwise permitted and subject to S3.509.
- 5) Operations conducted for mining, crushing or stockpiling of aggregate and other mineral and other subsurface resources subject to ORS 215.298 and subject to S3.509.
- 6) Processing as defined by ORS 517.750 of aggregate into asphalt or portland cement subject to S3.504(1) and S3.509.
- 7) Processing of other mineral resources and other subsurface resources, subject to S3.509.
- 8) Construction of additional passing and travel lanes requiring the acquisition of right of way but not resulting in the creation of new land parcels, subject to S3.509.
- 9) Reconstruction or modification of public roads and highways involving the removal or displacement of buildings but not resulting in the creation of new land parcels, subject to S3.509.

- 10) Improvement of public road and highway related facilities, such as maintenance yards, weigh stations and rest areas, where additional property or right of way is required but not resulting in the creation of new land parcels, subject to S3.509.
- 11) Transportation improvements on rural lands allowed by and subject to the requirements of OAR 660-012-0065 and S3.509.
- 12) Personal-use airports for airplanes and helicopter pads, including associated hangar, maintenance and service facilities subject to S3.505(1) and S3.509.
- 13) Commercial utility facilities for the purpose of generating power for public use by sale, not including wind or solar power generation facilities, subject to S3.517(1) and S3.509.
- 14) Wind power generation facilities as commercial utility facilities for the purpose of generating power for public use by sale subject to S3.517(2) and S3.509.
- 15) Photovoltaic solar power generation facilities as commercial utility facilities for the purpose of generating power for public use by sale subject to S3.517(3) and S3.509.
- 16) A site for the disposal of solid waste for which a permit has been granted under ORS 459.245 by the Department of Environmental Quality together with equipment, facilities or buildings necessary for its operation, subject to S3.509. This use is not permitted on high value farmland except that existing facilities on high value farmland may be expanded subject to S3.506(5) and S3.508(3).
- 17) Composting facilities for which a permit has been granted by the Department of Environmental Quality under ORS 459.245 and OAR 340-093-0050 and 340-096-0060 subject to S3.506(4) and S3.509. This use is not permitted on high value farmland except that existing facilities on high value farmland may be expanded subject to S3.508(3).
- 18) Living history museum as defined in ORS 215.283(2)(x) and subject to S3.507(2), S3.508(1) and (3), and S3.509.
- 19) Community centers owned by a governmental agency or a nonprofit organization and operated primarily by and for residents of the local rural community subject to S3.507(3), S3.508(1), and S3.509.
- 20) Public parks and playgrounds subject to S3.507(4), S3.508(1), and S3.509.
- 21) Expansion of existing county fairgrounds and activities directly relating to county fairgrounds governed by county fair boards established pursuant to ORS 565.210, and subject to S3.509.
- 22) Public or private schools for kindergarten through grade 12, including all buildings essential to the operation of a school, primarily for residents of the rural area in which the school is located, subject to S3.508(1) and S3.509. This use is not permitted on high value farmland except that existing schools on high value farmland may be expanded subject to S3.507(5) and S3.508(3).
- 23) Private parks, playgrounds, hunting and fishing preserves, and campgrounds subject to S3.507(6), S3.508(1), and S3.509. This use is not permitted on high value farmland except that existing private parks on high value farmland may be expanded subject to S3.508(3).
- 24) Golf courses as defined in Section 1.030 and subject to S3.507(7), S3.508(1), and S3.509. This use is not permitted on high value farmland as defined in ORS 195.300 except that existing golf courses on high-value farmland may be expanded subject to S3.508(3).

- 25) Any outdoor gathering of more than 3,000 persons that is anticipated to continue for more than 120 hours in any three-month period is subject to review by a county planning commission under ORS 433.763.

Section 3.565. Land Divisions. [Ord. 18-02]

The following land division standards, in addition to applicable standards in Sections 5.200 through 5.252, apply to land zoned Exclusive Farm Use.

- 1) Minimum Parcel Size. The minimum size for creation of a new parcel shall be 80 acres.
- 2) A division of land to accommodate a use permitted by ORS 215.283(2), smaller than the minimum parcel size provided in Subsection 1), except a residential use, may be approved if the parcel for the nonfarm use is not larger than the minimum size necessary for the use.
- 3) A division of land to create up to two new parcels smaller than the minimum size established under Subsection 1), each to contain a dwelling not provided in conjunction with farm use, may be permitted if:
 - (A) The nonfarm dwellings have been approved in conformance with S3.508(2) and S3.513;
 - (B) The parcels for the nonfarm dwellings are divided from a lot or parcel that was lawfully created prior to July 1, 2001;
 - (C) The parcels for the nonfarm dwellings are divided from a lot or parcel that complies with the minimum size in Subsection 1); and
 - (D) The remainder of the original lot or parcel that does not contain the nonfarm dwellings complies with the minimum size established under Subsection 1).
- 4) A division of land to divide a lot or parcel into two parcels, each to contain one dwelling not provided in conjunction with farm use, may be permitted if:
 - (A) The nonfarm dwellings have been approved in conformance with S3.508(2) and S3.513;
 - (B) The parcels for the nonfarm dwellings are divided from a lot or parcel that was lawfully created prior to July 1, 2001;
 - (C) The parcels for the nonfarm dwellings are divided from a lot or parcel that is equal to or smaller than the minimum size in Subsection A but equal to or larger than 40 acres;
 - (D) The parcels for the nonfarm dwellings are:
 - (E) Not capable of producing more than at least 50 cubic feet per acre per year of wood fiber; and
 - (F) Composed of at least 90 percent Class VI through VIII soils.
 - (G) The parcels for the nonfarm dwellings do not have established water rights for irrigation.
- 5) This Section does not apply to the creation or sale of cemetery lots, if a cemetery is within the boundaries designated for a farm use zone at the time the zone is established.
- 6) This Section does not apply to divisions of land resulting from lien foreclosures or divisions of land resulting from foreclosure of recorded contracts for the sale of real property.

- 7) This Section does not allow a division or a property line adjustment of a lot or parcel that separates a use described in **Error! Reference source not found.**, (14), (20) or (21) from the lot or parcel on which the primary residential use exists.
- 8) This Section does not allow a division or a property line adjustment of a lot or parcel that separates a processing facility from the farm operation specified in 1).
- 9) A division of land may be permitted to create a parcel with an existing dwelling to be used:
- (A) As a residential home as described in ORS 197.660 (2) only if the dwelling has been approved in conformance with S3.513; and
 - (B) For historic property that meets the requirements of 24).
- 10) Notwithstanding the minimum lot or parcel size described in Subsection 1),
- (F) A division of land may be approved provided:
 - 1) The land division is for the purpose of allowing a provider of public parks or open space, or a not-for-profit land conservation organization, to purchase at least one of the resulting parcels; and
 - 2) A parcel created by the land division that contains a dwelling is large enough to support continued residential use of the parcel.
 - 3) The landowner signs and records in the deed records of the county an irrevocable deed restriction prohibiting the owner, and the owner's successors in interest, from pursuing a cause of action or claim of relief alleging an injury from farming or forest practices for which no claim or action is allowed under ORS 30.936 or 30.937.
 - (G) A parcel created pursuant to this Subsection that does not contain a dwelling:
 - 1) Is not eligible for siting a dwelling, except as may be authorized under ORS 195.120;
 - 2) May not be considered in approving or denying an application for siting any other dwelling;
 - 3) May not be considered in approving a redesignation or rezoning of forestlands except for a redesignation or rezoning to allow a public park, open space or other natural resource use; and
 - 4) May not be smaller than 25 acres unless the purpose of the land division is to facilitate the creation of a wildlife or pedestrian corridor or the implementation of a wildlife habitat protection plan or to allow a transaction in which at least one party is a public park or open space provider, or a not-for-profit land conservation organization, that has cumulative ownership of at least 2,000 acres of open space or park property.
- (11) A division of land smaller than the minimum lot or parcel size in Subsection 1) may be approved provided:
- (A) The division is for the purpose of establishing a church, including cemeteries in conjunction with the church;
 - (B) The church has been approved under Section 3.562(17).
 - (C) The newly created lot or parcel is not larger than five acres; and
 - (D) The remaining lot or parcel, not including the church, meets the minimum lot or

parcel size described in Subsection 1) either by itself or after it is consolidated with another lot or parcel.

- 12) Notwithstanding the minimum lot or parcel size described Subsection 1), a division for the nonfarm uses set out in **Error! Reference source not found.** if the parcel for the onfarm use is not larger than the minimum size necessary for the use.
- 13) The governing body of a county may not approve a division of land for nonfarm use under Subsection 2), 3), 4), 9), 10), 0 or (12) unless any additional tax imposed for the change in use has been paid.
- 14) Parcels used or to be used for training or stabling facilities may not be considered appropriate to maintain the existing commercial agricultural enterprise in an area where other types of agriculture occur.
- 15) A division of a lawfully established unit of land may occur along an urban growth boundary where the parcel remaining outside the urban growth boundary is zoned for agricultural uses and is smaller than the minimum parcel size, provided that:
 - (A) If the parcel contains a dwelling, the parcel must be large enough to support the continued residential use.
 - (B) If the parcel does not contain a dwelling, it:
 - 1) Is not eligible for siting a dwelling, except as may be authorized in ORS 195.120;
 - 2) May not be considered in approving or denying an application for any other dwelling; and
 - 3) May not be considered in approving a redesignation or rezoning of agricultural lands, except to allow a public park, open space, or other natural resource use
 - 4) The landowner signs and records in the deed records of the county an irrevocable deed restriction prohibiting the owner, and the owner's successors in interest, from pursuing a cause of action or claim of relief alleging an injury from farming or forest practices for which no claim or action is allowed under ORS 30.936 or 30.937.
- 16) A land division may not be approved for the land application of reclaimed water, agricultural or industrial process water, or biosolids as described under 3.563(6).

Section 3.566. Development Standards. [Ord. 18-02]

All dwellings and structures approved pursuant to Section 3.560 shall be sited in accordance with this Section.

- (1) Lot Size Standards. Lot size shall be consistent with the requirements of Section 3.565.
- (2) Setbacks.
 - (A) Front Yard: All buildings or structures with the exception of fences shall be setback a minimum of thirty (30) feet from the property line.
 - (B) Rear Yard:
 - 1) Dwellings: Twenty (20) feet.
 - 2) Churches, public and private schools, and other non-farm uses: Twenty (20) feet.

- (C) Side Yard:
 - 1) Dwellings: Thirty (30) feet, except twenty (20) feet on a corner lot.
 - 2) Churches, public and private schools, and other non-farm uses: Twenty (20) feet.
- (3) Height.
 - (A) Dwellings or accessory farm dwellings shall not exceed a height of forty-five (45) feet.
 - (B) All other structures: No standards.

Section 3.567 State and Federal Permits.

If any state or federal permit is required for a development or use, an applicant, prior to issuance of a development permit or action, shall submit to the Planning Department a copy of the state or federal permit.

- (A) The applicant for a dwelling authorized by these standards that requires one or more lot or parcel to meet minimum acreage requirements shall provide evidence that the covenants, conditions and restrictions form adopted as "Exhibit A" has been recorded with the County Clerk of the County or counties where the property subject to the covenants, conditions and restrictions is located;
- (B) 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;
- (C) Enforcement of the covenants, conditions and restrictions may be undertaken by the Department of Land Conservation and Development or by the County or counties where the property subject to the covenants, conditions and restrictions is located;
- (D) The failure to follow the requirements of this section shall not affect the validity of the transfer of property or the legal remedies available to the buyers of property which is subject to the covenants, conditions and restrictions required by this section;
- (E) The County Community Development Director shall maintain a copy of the covenants, conditions and restrictions filed in the County deed records pursuant to this section and a map or other record depicting tracts which do not qualify for the siting of a dwelling under the covenants, conditions and restrictions filed in the County deed records pursuant to this section. The map or other record required by this subsection shall be readily available to the public in the County Community Development Office.

S3.512. Siting Requirements for Dwellings and Structures in Forest and Agriculture-Forest Zones.

The following siting criteria shall apply to all new dwellings and structures in forest and agriculture/forest zones. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands. The County shall consider the criteria in this section to identify the building site:

- (1) dwellings and structures shall be sited on the parcel so that:
 - (A) They have the least impact on nearby or adjoining forest or agricultural lands;
 - (B) The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;
 - (C) The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and
 - (D) The risks associated with wildfire are minimized.
- (2) Siting criteria satisfying subsection (1) of this section may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.
- (3) The applicant shall provide evidence to the County that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices rules (OAR Chapter 629). For purposes of this subsection, evidence of a domestic water supply means:

- (A) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or
 - (B) A water use permit issued by the Water Resources Department for the use described in the application; or
 - (C) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the County upon completion of the well.
- (4) As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.
- (5) Approval of a dwelling shall be subject to the following requirements:
- (A) Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules. "Tract" means one or more contiguous lots or parcels in the same ownership.
 - (B) The Community Development Department shall notify the County Assessor of the above condition at the time the dwelling is approved;
 - (C) The property owner shall submit a stocking survey report to the County Assessor and the Assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules. The Assessor will inform the Department of Forestry in cases where the property owner has not submitted a stocking survey report or where the survey report indicates that minimum stocking requirements have not been met;
 - (D) Upon notification by the Assessor the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If the department determines that the tract does not meet those requirements, the department will notify the owner and the Assessor that the land is not being managed as forest land. The Assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372.

- (6) The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the governing body determines that inclusion within a fire protection district or contracting for residential fire protection is impracticable, the governing body may provide an alternative means for protecting the dwelling from fire hazards. The means selected may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable, given the site conditions. If a water supply is required for fire protection, it shall be a swimming pool, pond, lake, or similar body of water that at all times contains at least 4,000 gallons or a stream that has a continuous year round flow of at least one cubic foot per second. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use. Road access shall be provided to within 15 feet of the water's edge for firefighting pumping units. The road access shall accommodate the turnaround of firefighting equipment during the fires season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.
- (7) Road access to the dwelling shall meet road design standards described in S6.000.
- (8) The owners of the dwellings and structures shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break area in accordance with the provisions in "*Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads*" dated March 1, 1991 and published by the Oregon Department of Forestry.
- (9) The dwelling shall have a fire retardant roof.
- (10) The dwelling shall not be sited on a slope of greater than 40 percent.
- (11) If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.

S3.513. Standards for a Winery.

- (1) A winery, authorized under the AF or EFU zone is a facility that produces wine with a maximum annual production of:
- (A) Less than 50,000 gallons and that:
- 1) Owns an on-site vineyard of at least 15 acres;
 - 2) Owns a contiguous vineyard of at least 15 acres;
 - 3) Has a long-term contract for the purchase of all of the grapes from at least 15 acres of a vineyard contiguous to the winery; or
 - 4) Obtains grapes from any combination of subparagraph 1), 2) or 3) of this paragraph; or
- (B) At least 50,000 gallons and no more than 100,000 gallons and that:
- 1) Owns an on-site vineyard of at least 40 acres;
 - 2) Owns a contiguous vineyard of at least 40 acres;
 - 3) Has a long-term contract for the purchase of all of the grapes from at least 40 acres of a vineyard contiguous to the winery; or
 - 4) Obtains grapes from any combination of subparagraph 1), 2) or 3) of this paragraph.

SECTION S3.500. FARM AND FOREST ZONES DWELLING AND/OR USE STANDARDS.

Section S3.508. Single Family Dwelling.

A single family dwelling may be approved as a Conditional Use under Section 3.518(13) of the AF zone subject to the following approval criteria and standards:

- (1) The County shall require as a condition of approval of a single family dwelling that the landowner for the dwelling sign and record in the deed records for the County a document binding the landowner, and the landowner's successors in interest, prohibiting them for 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.

Section S3.509. Approval of Certain uses.

Certain uses in the F-80, AF and EFU zones may only be approved subject to these standards:

- (1) A use proposed on agricultural land requiring compliance with this section may be approved only where the County finds that the use will not:
 - (A) Force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; or
 - (B) Significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.
- (2) A use proposed on forest land requiring compliance with this section may be approved only where the County finds that the use will not:
 - (A) Force a significant change in, or significantly increase the cost of accepted farm or forest practices on agriculture or forest lands; or
 - (B) Significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks of fire suppression personnel.
- (3) An applicant for a use requiring compliance with subsection (1) may demonstrate that the standards for approval set forth in subsection (1) of this section will be satisfied through the imposition of conditions. Any conditions so imposed shall be clear and objective.
- (4) A written statement recorded with the deed or written contract with the County or its equivalent is obtained from the land owner which recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules is required for the following uses:
 - (A) Parks and campgrounds;
 - (B) Reservoirs and water impoundments;
 - (C) Home occupations;
 - (D) A mobile home in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative; or
 - (E) Private accommodations for fishing occupied on a temporary basis.

A forest operation is any commercial activity relating to the growing or harvesting of any forest tree species. "Forest tree species" does not include:

- (A) Christmas trees on land use solely for the production of cultured Christmas trees as defined in ORS 215.203(3).
- (B) Hardwood timber, including but not limited to hybrid cottonwood, which is:

- (E) Determine the median size and median gross sales capability for those tracts capable of generating at least \$10,000 in annual gross sales to use in subsections (2)(A) and (B) of this rule.
- (4) LCDC shall annually provide the County with a table of the estimated potential gross sales per acre for each Assessor land class (irrigated and non-irrigated) required in Section (3) of this rule.
- (5) On land not identified as high-value farmland, a dwelling may be considered customarily provided in conjunction with farm use if:
 - (A) The subject tract is currently employed for the farm use, as defined in the County's Land and Water Development and Use Ordinance, that produced in the last two years or three of the last five years the lower of the following:
 - 1) At least \$40,000 (1994 dollars) in gross annual income from the sale of farm products; or
 - 2) Gross annual income of at least the midpoint of the median income range of gross annual sales for farms in the County with gross annual sales of \$10,000 or more according to the 1992 Census of Agriculture, Oregon; and
 - (B) Except as permitted in ORS 215.213(1)(r) and 215.283(1)(p), there is no other dwelling on the subject tract; and
 - (C) The dwelling will be occupied by a person or persons who produced the commodities which grossed the income in subsection (A) of this section;
 - (D) In determining the gross income required by subsection (A) of this section, the cost of purchased livestock shall be deducted from the total gross income attributed to the tract.
- (6) On land identified as high-value farmland, a dwelling may be considered customarily provided in conjunction with farm use if:
 - (A) The subject tract is currently employed for the farm use, as defined in the County's Land and Water Development and Use Ordinance, that produced at least \$80,000 (1994 dollars) in gross annual income from the sale of farm products in the last two years or three of the last five years. In determining the gross income, the cost of purchased livestock shall be deducted from the total gross income attributed to the tract; and
 - (B) Except as permitted in ORS 215.213(1)(r) and 215.283(1)(p), there is no other dwelling on the subject tract; and
 - (C) The dwelling will be occupied by a person or persons who produced the commodities which grossed the income in subsection (A) of this section;
 - (D) In determining the gross income required by subsection (A) of this section, the cost of purchased livestock shall be deducted from the total gross income attributed to the tract.

Section S3.519. Non Farm Dwelling Permitted Under Section 3.566(7)

A non-farm dwelling may be permitted under Section 3.566(7) of the EFU zone if the following standards are met:

- (1)
 - (A) The lot or parcel on which the dwelling will be sited was lawfully created and was acquired by the present owner:
 - 1) Prior to January 1, 1985; or

- 2) By devise or by interstate succession from a person who acquired the lot or parcel prior to January 1, 1985.
 - (B) The tract on which the dwelling will be sited does not include a dwelling;
 - (C) The proposed dwelling is not prohibited by, and will comply with, the requirements of the acknowledged comprehensive plan and land use regulations and other provisions of law;
 - (D) The lot or parcel on which the dwelling will be sited is not high-value farmland except as provided in subsections (3)(C) and (D) of this section;
 - (E) When the lot or parcel on which the dwelling will be sited lies within an area designated in an acknowledged comprehensive plan as habitat of big game, the siting of the dwelling is consistent with the limitations on density upon which the acknowledged comprehensive plan and land use regulations intended to protect the habitat are based.
- (2) When the lot or parcel on which the dwelling will be sited is part of a tract, the remaining portions of the tract are consolidated into a single lot or parcel when the dwelling is allowed;
- (3) Notwithstanding the requirements of paragraph (3)(a)(D) of this rule, a single-family dwelling may be sited on high-value farmland if:
- (A) It meets the other requirements of subsections (3)(a) and (b) of this rule;
 - (B) The lot or parcel is protected as high-value farmland as defined in OAR 660-33-020(8)(a); and
 - (C) The County determines that:
 - 1) The lot or parcel cannot practicably be managed for farm use, by itself or in conjunction with other land, due to extraordinary circumstances inherent in the land or its physical setting that do not apply generally to other land in the vicinity;
 - 2) The dwelling will comply with the provisions of ORS 215.296(1);
 - 3) The dwelling will not materially alter the stability of the overall land use pattern in the area.
 - (D) Notice shall be provided to the State Department of Agriculture for all applications for dwellings allowed under this section. Notice shall be provided in accordance with the County's applicable regulations, but shall be mailed at least 20 days prior to any public hearing.
- (4) Notwithstanding the requirements of paragraph (3)(a)(D) of this rule, a single-family dwelling may be sited on high-value farmland if:
- (A) It meets the other requirements of subsections (3)(a) and (b) of this rule;
 - (B) The tract on which the dwelling will be sited is:
 - 1) Identified in OAR 660-33-020(8)(c) or (d); and
 - 2) Not high-value farmland defined in OAR 660-33-020(8)(a); and
 - 3) Twenty-one acres or less in size.
 - (C)
 - 1) The tract is bordered on at least 67 percent of its perimeter by tracts that are smaller than 21 acres, and at least two such tracts had dwellings on January 1, 1993; or

- 2) The tract is bordered on at least 25 percent of its perimeter by tracts that are smaller than 21 acres, and at least four dwellings existed on January 1, 1993, within 1/4 mile of the center of the subject tract. Up to two of the four dwellings may lie within an urban growth boundary, but only if the subject tract abuts an urban growth boundary.
- (5) If land is in a zone that allows both farm and forest uses and is acknowledged to be in compliance with both Goals 3 and 4, a County may apply the standards for siting a dwelling under either Section (3) of this rule or OAR 660-06-027, as appropriate for the predominant use of the tract on January 1, 1993;
- (6) A County may, by application of criteria adopted by ordinance, deny approval of a dwelling allowed under Section (3) of this rule in any area where the County determines that approval of the dwelling would:
 - (A) Exceed the facilities and service capabilities of the area;
 - (B) Materially alter the stability of the overall land use pattern of the area; or
 - (C) Create conditions or circumstances that the County determines would be contrary to the purposes or intent of its acknowledged comprehensive plan or land use regulations.
- (7) For purposes of subsection (3)(a) of this rule, "owner" includes the wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, nephew, stepparent, stepchild, grandparent or grandchild of the owner or a business entity owned by any one or a combination of these family members;
- (8) The County Assessor shall be notified that the governing body intends to allow the dwelling.
- (9) When the County approves an application for a single-family dwelling under this section, the application may be transferred by a person who has qualified under this section to any other person after the effective date of the land use decision.

Section S3.520. Non Farm Dwellings Permitted Under Section 3.566(8)

Certain non-farm dwellings may be permitted under Section 3.566(8) of the EFU zone subject to the following standards:

- (1) The County must make findings that:
 - (A) The dwelling or activities associated with the dwelling will not force a significant change in or significantly increase the cost of accepted farming or forest practices on nearby lands devoted to farm or forest use;
 - (B) The dwelling is situated upon a lot or parcel, or a portion of a lot or parcel, that is generally unsuitable land for the production of farm crops and livestock or merchantable tree species, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the tract. a lot or parcel shall not be considered unsuitable solely because of size or location if it can reasonably be put to farm or forest use in conjunction with other land. If the parcel is under forest assessment, the dwelling shall be situated upon generally unsuitable land for the production of merchantable tree species recognized by the Forest Practices Rules, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the parcel. a lot or parcel is not "generally unsuitable" simply because it is too small to be farmed profitably

by itself. If a lot or parcel can be sold, leased, rented or otherwise managed as a part of a commercial farm or ranch, it is not "generally unsuitable". a lot or parcel is presumed to be suitable if it is composed predominantly of Class I - IV soils. Just because a lot or parcel is unsuitable for one farm use does not mean it is not suitable for another farm use. If a lot or parcel is under forest assessment, the area is not "generally unsuitable" simply because it is too small to be managed for forest production profitably by itself. If a lot or parcel under forest assessment can be sold, leased, rented or otherwise managed as a part of a forestry operation, it is not "generally unsuitable". If a lot or parcel is under forest assessment, it is presumed suitable if it is composed predominantly of soils capable of producing 50 cubic feet of wood fiber per acre per year. If a lot or parcel is under forest assessment, to be found compatible and not seriously interfere with forest uses on surrounding land it must not force a significant change in forest practices or significantly increase the cost of those practices on the surrounding land;

- (C) The dwelling will not materially alter the stability of the overall land use pattern of the area. In determining whether a proposed non-farm dwelling will alter the stability of the land use pattern in the area, a County shall consider the cumulative impact of non-farm dwellings on other lots or parcels in the area similarly situated. If the application involves the creation of a new parcel for the nonfarm dwelling, a County shall consider whether creation of the parcel will lead to creation of other nonfarm parcels, to the detriment of agriculture in the area; and
 - (D) The dwelling complies with such other conditions the County considers necessary.
 - (E) Cubic feet per acre per year, as the phrase is used in subsection (B) of this section, means the average annual increase in cubic foot volume of wood fiber per tract for fully stocked stands at the culmination of mean annual increment as reported by the USDA Soil Conservation Service. Where SCS data are not available or are shown to be inaccurate, an alternative method for determining productivity may be used. An alternative method must provide equivalent data and be approved by the Department of Forestry.
- (2) If a single-family dwelling is established on a lot or parcel as set forth in Section (3) of this rule or OAR 660-06-027, no additional dwelling may later be sited under the provisions of Section (4) of this rule.

For counties that adopted marginal land concepts, ORS 215.213 was created to allow changes for marginal lands. Counties that did not adopt marginal land concepts remained under ORS 215.283.

The first paragraph [ORS 215.213(1) and 215.283(1)] identifies land uses that may be established in any area zoned for exclusive farm use. The second paragraph [ORS 215.213(2) and 215.283(2)] identifies non-farm uses that require approval from a local governing body or its designee.

A zone not in compliance with these permitted or conditional uses may have to be specially assessed as a non-EFU zone. If you are uncertain whether a zone qualifies as EFU, it is recommended you contact your local planning office and carefully review the details of the zoning ordinance with ORS 215.213 if your county has adopted marginal lands or ORS 215.283 if your county is a non-marginal lands county.

Non-farm dwelling in an exclusive farm use zone (ORS 215.236)

This statute only applies to land in EFU zones. It is a very complex statute that affects the qualification of land for EFU farm use, forestland, open space, and wildlife habitat special assessment programs.

When an owner of the land obtains a permit to construct a “non-farm dwelling” from the local planning department, then under ORS 215.236(4), the lot or parcel where the dwelling will be located is required to be disqualified and additional taxes paid prior to final approval of the non-farm dwelling land use application for any land under EFU farm use, forestland, and open space special assessment programs. A lot or parcel disqualified from one of these special assessments listed in ORS 215.236(4) must remain disqualified from special assessment unless it can meet the requirements of ORS 215.236(5) or 215.236(6).

ORS 215.236(5) (Requalification statute)

To satisfy ORS 215.236(5) the local planning department will combine a contiguous lot or parcel with the parcel subject to ORS 215.236 into one legal parcel. The acquisition of a lot line adjustment is a portion of a parcel and will not meet the requirements of ORS 215.236(5). An entire lot or parcel must be combined. When two parcels are combined to satisfy ORS 215.236(5) it is not necessary for the newly combined lot or parcel to meet or exceed farm-related dwelling requirements such as the minimum zoning parcel size requirements. ORS 215.236(5) only requires the combining of contiguous parcels to requalify the land for EFU farm use or other special assessments.

Sometimes the dwelling parcel will be partitioned from a larger parcel so it is important to identify the lot or parcel the dwelling will be located on. Only the lot or parcel the dwelling is physically located on will be subject to the requirements of ORS 215.236. Any contiguous parcels not subject to ORS 215.236 may continue to receive EFU farm use or other types of special assessment.

ORS 215.236(6) (Only applies in counties that allow WLH) (conservation easement special assessment applies to all counties)

The special assessment restrictions of ORS 215.236 only apply to the special assessment programs identified under ORS 215.236(4). Both wildlife habitat (WLH) and conservation easement (CE) special assessment programs are not listed for disqualification under ORS 215.236(4).

However, land already in WLH or CE special assessment at the time an owner applies for a non-farm dwelling and is later disqualified will be subject to ORS 215.236(5) before qualifying for any of the special assessments listed under ORS 215.236(4).

As specified in ORS 215.236(6) and (7), land that has been disqualified under ORS 215.236(4) may qualify for WLH or CE special assessment without having to meet the combining of land requirements of ORS 215.236(5).

After the land has been disqualified and any additional taxes paid under ORS 215.236(4) the land may requalify for CE or WLH special assessment under ORS 215.236(6) or (7), however, not all counties allow WLH special assessment. If the land requalifies under ORS 215.236(6) or (7) for WLH or CE special assessment, the account will be subject to ORS 308A.724(4). ORS 308A.724(4) specifies any WLH or CE special assessment land that was previously subject to ORS 215.236(5) may not apply for a different special assessment without first satisfying the requirements of ORS 215.236(5). However, land owners may change from CE to WLH, or WLH to CE without satisfying the requirement of ORS 215.236(5).

(See “Disqualification” section of this manual for the disqualification criteria of ORS 215.236.)

An owner of land cannot apply for non-EFU farm use special assessment as long as the land remains located in an EFU zone. If the urban growth boundary (UGB) changes, the zone will remain EFU until the city rezones it. EFU land within a UGB is subject to ORS 215.236.

Any land that a city or county governing body changes under ORS 308A.709(6) or owner-initiated

History timeline chart

Year	EFU or non-EFU	Statute	Qualifications	Valuation	Disqualification	Other
1951						Statewide reappraisal
1957		307.320				Deciduous tree exemption
1961	EFU	308.237	5 acres minimum must be farmed	Farmland market value without urban influence		Green Belt Law
1961	EFU	308.238			July 1 if not in farm use	
1963	EFU	215.203	Exclusive farm use	Farmland at market value without urban influence		Provides farm use zoning; repealed ORS 308.237 (Green Law)
1963	Non-EFU	308.395			If not farmed, property had up to 5 year liability for deferred taxes	
1963	EFU	308.370(1)	Exclusive farm use	Farmland at market value without urban influence		
1963	Non-EFU	308.370(2)	Farmed prior 2 years; application prior to February 1 of each year	Farmland at market value without urban influence		
1965	EFU & non-EFU	308.239 became 308.345		Farmland to be evaluated on basis of farm use value		
1965		307.320				Expanded exemption to include agricultural products
1967		308.345 (HB 1692)		Added prudent investor test		
1967		308.375				Owner to be notified if application not made and could file w/late filing fee to avoid disqualification
1967	EFU & non-EFU	215.203	Must meet \$500/ year income requirement			
1967		308.345 (HB 1808)		Values determined by capitalization included DOR interest rate & local tax rate		

Year	EFU or non-EFU	Statute	Qualifications	Valuation	Disqualification	Other
1967		308.232 (HB 1808)		Established assessment at 100% of TCV (change from 25% of TCV)		
1967	EFU & non-EFU	308.370 (HB 1808)		Amended "be assessed at its true cash value for farm use" to "its value for farm use"		
1969	EFU & non-EFU	308.350				Board of review; review members 2 years, submit income approach factor to board of review
1969		308.380				Made farm use definition consistent with ORS 215.203. Considered farm until assessing farm use value. (Prior to this each tax lot stood on its own.)
1969	Non-EFU	308.375	Any deeded or recorded contract buyer may apply (prior all owners had to apply)			
1969			Amends 215.213			Establishing farm dwelling on lot or parcel that is part of farming operations
1971	Non-EFU	308.375	Application made on or before April 1 of "first year" special assessment qualifies (prior applications were on an annual basis); new owners must apply within 60 days of purchase			
1971	Non-EFU & EFU	308.370			Does not disqualify if the farm use not interfered with	Allowed exploration for geo-thermal resources without disqualifying property
1971	Non-EFU	308.385 (repealed)				Application no longer had to be recorded with county clerk by assessor

Year	EFU or non-EFU	Statute	Qualifications	Valuation	Disqualification	Other
1971	Non-EFU	308.390 (amended)		Deleted carrying of market value on land card and tax roll		Notation: "potential additional tax liability" on tax and assessment rolls
1971	Non-EFU	308.395			Assessor to notify owner of disqualification and amount of additional tax and interest if dis- qualified (5 years) maximum	
1973	EFU	SB 101, 215.203, 215.213	Land under hired help dwellings and land under buildings supporting accepted farming practices			Defines "accepted farming practices"
1973	EFU	308.397	Removed income requirement		Provide for additional tax liability; 5 years inside urban growth boundary—10 outside	
1973	EFU	SB 195 (308.403)				District attorney to determine if zone qualifies as exclusive farm use zone; assessor shall notify county governing body of nonqualified zone and possibly subject to additional tax liability
1973	EFU & non-EFU	HB 2144 (amended 308.250)				Added mint to processor's exemption
1973	EFU	HB 2220 (307.485)				Exempts farm labor camps
1973	Non-EFU	HB 2317 (amended 308.390 and 308.395)			Land no longer disqualified from farm use assessment due to change of ownership; did away with need for new owner to apply	

Year	EFU or non-EFU	Statute	Qualifications	Valuation	Disqualification	Other
1973	EFU & non-EFU	HB 3247 (amended 310.608)				Adds farm machinery to inventory exemption
1973	Non-EFU & EFU	HB 2304 (amended 321.618)				Established minimum stocking for forest land at 60% of minimum provided in forest practices act
1975	EFU	SB 497 (amended 215.213)				Additional non-farm use in farm zone (personal use airports)
1975	EFU & non-EFU	HB 3015 (amended 308.235)		Valuation of land based on land use plan and zoning; capitalization rate to be used shall be average rate of interest for Federal Land Bank over past five years component for the tax rate		
1975	EFU & non-EFU	SB 783 (amended 308.345)				
1975	EFU & non-EFU	SB 262 (amended 215.203)	Farm wood lot qualified up to 20 acres (previously if over 20 acres, none qualified, now first 20 acres qualifies)			
1977	Non-EFU	SB 200 (amended 308.370)				Allows lease for use for fishing, hunting, camping, or other recreational uses
1977	Non-EFU	SB 468 (amended 308.374)	Added income requirement to law; income requirement: Under 5 acres—\$500 5 to 20 acres—\$100/acre Over 20 acres—\$2,000 +	If qualified, valued at farm use value	Disqualified if does not meet income requirement; special assessment becomes annotated lien	

Year	EFU or non-EFU	Statute	Qualifications	Valuation	Disqualification	Other
1977		(308.404)		Land at market value	Special assessment becomes annotated lien	Abatement process; if not qualified for income but still being farmed, abate one year for each year farmed
1977	EFU	SB 819 (215.213)				Allowed uses in EFU zone added (home occupations, processing forest products, boarding of horses)
1977	EFU & non-EFU	SB 829 (308.345)		Modified interest rate establishing farm use value (effective rate)		
1979	EFU	SB 437 (215.203)		Wasteland, home sites, and land under farm buildings to be valued at farm use		
1981	EFU & non-EFU	SB 372 (308.350)				Staggered terms at farm board of review
1981	EFU	SB 397 (amended 308.025)				Designation of riparian lands
1981	EFU & non-EFU	HB 2122 (321.960)				Allows rollover upon disqualification of zoned farmland, non-EFU farmland, forest land, and small woodlands
1981	Non-EFU & EFU	HB 2182 (308.395)		Multiplier instead of individual year computation and interest		Included EFU, non-EFU, small woodlands, and designated forest land
1981		HB 2225 (215.213)		Provided for removal of property from farm use assessment if non-farm parcel or non-farm homesite approved		

Year	EFU or non-EFU	Statute	Qualifications	Valuation	Disqualification	Other
1983	EFU	SB 237 (215.253)	Land must meet requirements of non-EFU land to qualify for special assessment; must meet income requirement		Disqualify from automatic farm use assessment; calculate and extend deferred taxes to roll; may reapply for non-EFU	This bill allowed marginal lands within EFU
1983	EFU & non-EFU	HB 2685 (308.396 amended)				No additional tax on public land exchanged
1983	EFU	215.203 (amended)				Marginal land not restricting farm use or farm structures
1983	EFU	SB 347, 308.775, and 308.760				Farm or forest to open space; applies to public golf course within or adjacent to urban growth boundary
1983	Non-EFU	HB 2824				Land can requalify for farm or forest special assessment after platting
1985	EFU	SB 185 (308.403)				Notification of county and requalification of farm zone within six months, assessor shall continue assessment as EFU zoned farm land; notation remains on tax roll—"potential additional tax liability"
1985	EFU & non-EFU	215.203	Allows farm use qualification for aquaculture			
1985	Non-EFU	SB 212 (308.396)				Farm or forest additional tax not collected when property transfers to public park, ODOT, or Fish and Wildlife.
1985	EFU	SB 376 (215.213)				Residential properties for handicapped persons in EFU zone.
1985	EFU	HB 2381 (215.213)				Relates to partition of land zoned EFU.

Year	EFU or non-EFU	Statute	Qualifications	Valuation	Disqualification	Other
1985	EFU	HB 2552 (215.213)				Allows racing dog kennels in counties over 200,000 population that have a dog racing track; also allows them in adjoining counties with over 200,000 population
1985	EFU	215.203				Continued qualification for flooded farm land
1987	EFU & non-EFU	SB 15 308.377	ORS 308.045, ORS 308.372			Changed land under homesite from farm land to average value of 1 acre plus 4,000 for on-site development
1987	EFU & non-EFU	SB 199 (follows 308.407)			Requires notice 1 year prior to disqualification of land financed by ODVA	
1987	Non-EFU	HB 2485 (308.345, 308.406)	Allows immediate qualification of non-EFU land purchased and made part of farming operation that exceeded \$10,000 in prior year			
1987	Non-EFU & EFU	HB 2664 (308.384, 308.382)	If requalifies, farm use is reapplied and notation of lien amount is removed	If land not farmed, put at market value; compute deferred tax, post lien of amount of deferred tax, but do not extend tax to roll		Expires 1-1-1997

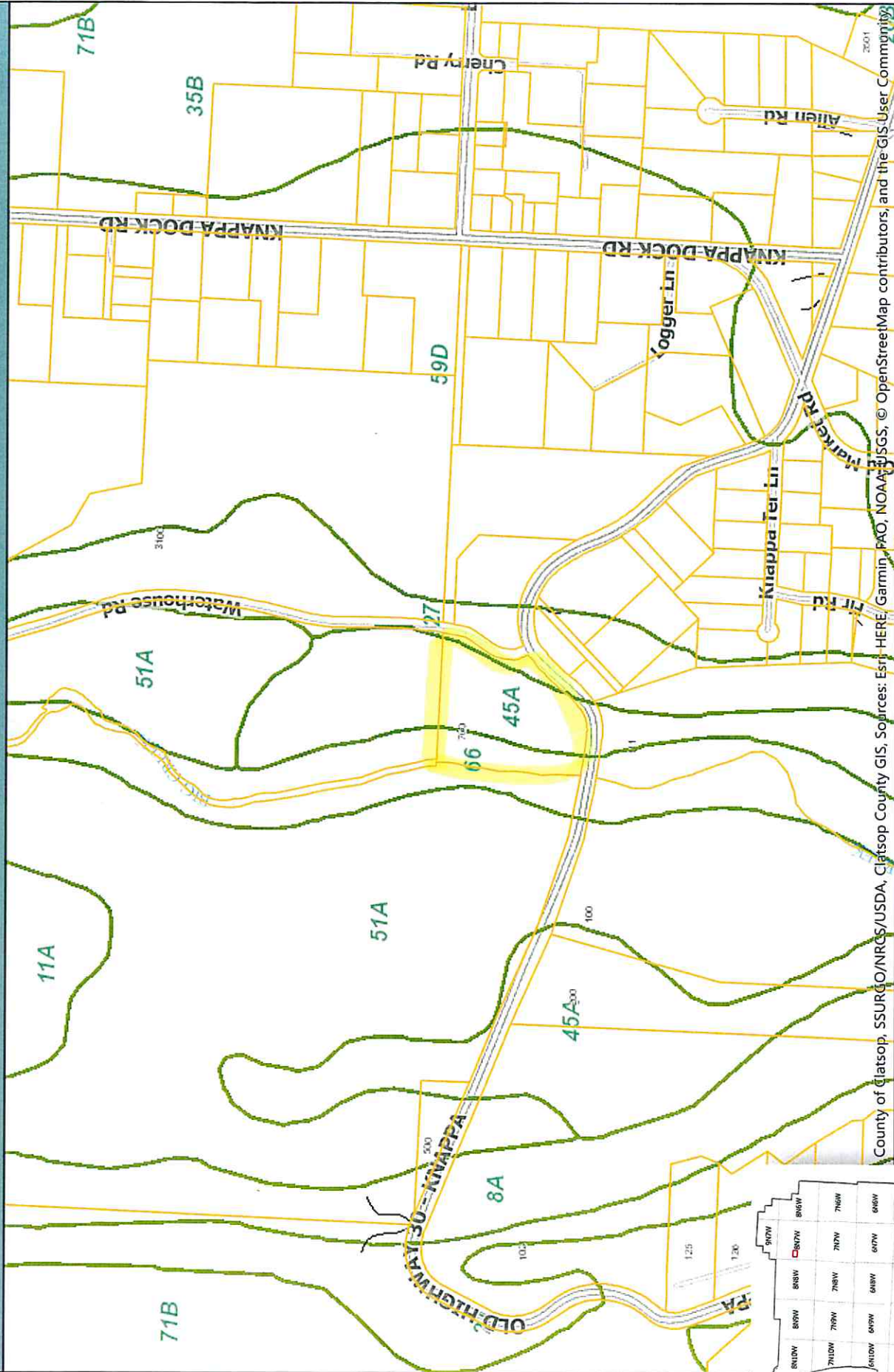
Year	EFU or non-EFU	Statute	Qualifications	Valuation	Disqualification	Other
1987	EFU	HB 2950 (215.213)				Allows replacement dwelling in farm use zones to be used in conjunction with farm use if original house is listed as a historic property; allows breeding, boarding, and training of horses; boarding is non-farm use
1987	EFU	HB 3097 (215.213, 215.283)				Allows destination resort in EFU zone
1987	Non-EFU	308.372	In determining gross income, purchase price of livestock to be deducted from gross income			
1989	EFU & non-EFU	308.396			308.399, 308.395	Deferred liability not collected in certain cases
1991	EFU & non-EFU	HB 2550 (308.399, 308.395)			Changed method of disqualification	Provided for difference in tax for each of 5 to 10 years
1991	Non-EFU	308.372, 308.407	New income requirements for non-EFU land starting in 1992			Under 6 acres— \$650 6–30 acres— \$100/acre Over 30 acres— \$3,000 +
1991	Non-EFU	OAR 150-308.395			Allowed phase-in of new system and allowed multiplier for years prior to 1991	
1992	EFU	OAR 150-308.399			Allowed phase-in of new system and allowed multiplier for years prior to 1991.	

Oregon Revised Statute chart

	Qualification statutes	Assessed value statutes	Disqualification statutes
Assessment based on market value	Taxable based on RMV Dwellings Farm related buildings Other buildings Non-qualifying land Non-qualifying homesite Improvements to the land Fixtures, improvements not exempt — Processing equipment — Milking parlors — Automatic feeders — Seed cleaning equipment — Buried and real property irrigation lines — Affixed irrigation pumps and motors Non-EFU leased land OAR 150-308A.068	RMV / MAV 308.146 (< RMV or MAV) 308.156(4)(a) (M-50 MAV) 308.205 (RMV) 308.232 (RMV / assessment) 308.235 (land valuation) 308A.110 (improvements and machinery valuation)	Disqualification 215.236 (EFU nonfarm dwellings) 308A.113 (EFU) 308A.116 (non-EFU) 308A.259 (homesites) 308A.718 (taxpayer notification) 708A.743 (conservation easements) Additional tax 308A.119 (non-EFU abatement of additional tax) 308A.703 (collect additional tax) 308A.706 (deferral of additional tax) 308A.709 (no additional tax) 308A.712 (collection of additional tax deferred)
Special assessment	Farm use special assessment 308A.056 (farm use defined) 308A.062 (EFU land qualification) 308A.068 (non-EFU land qualification) 308A.250 (homesite defined) 308A.253 (homesite qualification) 308A.071 (non-EFU income requirements) 308A.074 (non-EFU wasteland application) 308A.077 (non-EFU application) 308A.080 (acquired land qualifications) 308A.083 (potential additional tax liability)	Farm use SAV / MSAV 308A.092 (valuation criteria) 308A.095 (farm board) 308A.107 (land SAV / MSAV) 308A.256 (HS SAV / MSAV) 308.156(4)(b) (M-50 MSAV)	Change special assessment 308A.086 (requalification generally) 308A.089 (income requalification) 308A.122 (abatement requalification) 308A.724 (change special assessment) 308A.730 (government exchange) 308A.733 (withdrawal of change)
No assessment— no tax	Exempt 307.060 (leased federal government land) 307.110 (leased public land) 307.315 (nursery stock) 307.320 (trees, shrubs, plants, crops) 307.325 (ag products in possession of farmer) 307.390 (mobile field incinerators) 307.391 (smoke management equipment) 307.394 (farm machinery and equipment) 307.397 (certain machinery and equipment) 307.398 (irrigation equipment)	Exempt 308.156(4)(b) (M-50 MSAV)	

SOIL SURVEY DATA

Clatsop County, OR



Clatsop County

0.2 mi



This map was produced using Clatsop County GIS data. The data is maintained by Clatsop County to support its governmental activities. Clatsop County is not responsible for any map errors, possible misuse, or misinterpretation.

810W	800W	790W	780W	770W	760W	750W	740W	730W	720W	710W	700W	690W	680W	670W	660W	650W	640W	630W	620W	610W	600W	590W	580W	570W	560W	550W	540W	530W	520W	510W	500W	490W	480W	470W	460W	450W	440W	430W	420W	410W	400W	390W	380W	370W	360W	350W	340W	330W	320W	310W	300W	290W	280W	270W	260W	250W	240W	230W	220W	210W	200W	190W	180W	170W	160W	150W	140W	130W	120W	110W	100W	90W	80W	70W	60W	50W	40W	30W	20W	10W	0W	10E	20E	30E	40E	50E	60E	70E	80E	90E	100E	110E	120E	130E	140E	150E	160E	170E	180E	190E	200E	210E	220E	230E	240E	250E	260E	270E	280E	290E	300E	310E	320E	330E	340E	350E	360E	370E	380E	390E	400E	410E	420E	430E	440E	450E	460E	470E	480E	490E	500E	510E	520E	530E	540E	550E	560E	570E	580E	590E	600E	610E	620E	630E	640E	650E	660E	670E	680E	690E	700E	710E	720E	730E	740E	750E	760E	770E	780E	790E	800E	810E	820E	830E	840E	850E	860E	870E	880E	890E	900E	910E	920E	930E	940E	950E	960E	970E	980E	990E	1000E
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are subject to windthrow because of the shallow rooting depth.

are subject to windthrow when the soil is excessively wet and winds are strong.

Restoration occurs naturally in cutover areas if a seed source is present.

Competition delays natural regeneration but

does not prevent the eventual development of a fully stocked, normal stand of trees.

Properly managed reforestation reduces competition from undesirable understory plants.

Species suitable for planting include western hemlock, Sitka spruce, and Douglas-fir.

Site management practices:

Use highlead or other logging that fully or partially suspends logs because it is less damaging to the soil.

Reduce the risk of erosion by seeding roads, cutbanks, and landings and installing water bars and culverts.

Avoid excessive damage to the soil and to the vegetation downslope from roadbuilding sites by removing waste material.

Prepare the site carefully to control competing vegetation.

Hand plant nursery stock to establish or improve a stand.

Improve stands by thinning before trees reach commercial size and by selective cutting of mature trees.

45A—Mues silt loam, 0 to 3 percent slopes.

Composition

Mues soil and similar inclusions - 85 percent

Contrasting inclusions - 15 percent

Mues Soil

Position on landscape: Stream terraces

Slope range: 0 to 3 percent

Elevation: 25 to 500 feet

Native plants: Sitka spruce, western hemlock, red alder, salal, salmonberry, western swordfern, red huckleberry

Typical profile:

0 to 25 inches - very dark brown and dark brown silt loam

25 to 36 inches - brown, mottled silt loam

36 to 60 inches - pale brown and light yellowish brown, mottled very gravelly loam that is strongly consolidated.

Depth class: Very deep (more than 60 inches)

Drainage class: Moderately well drained

Permeability: Very slow

Available water capacity: 6 to 11 inches

Potential rooting depth: 25 to 40 inches

Runoff: Slow

Hazard of erosion by water: Slight

Depth to perched water table: November through May - 24 to 36 inches

Included Areas

Soils that do not have consolidated, gravelly material in the lower part

Soils that are wet

Soils that have a thin, dark-colored upper layer

Soils that have more than 35 percent gravel throughout the profile

Major Uses

Cropland, homesites, wildlife habitat

Major Management Factors

Soil-related factors: Wetness, permeability, susceptibility of the upper layer to compaction, low amount of extractable phosphorus

Climatic factors (mean annual):

Precipitation - 70 to 100 inches

Soil temperature - 49 to 53 degrees F (varies less than 9 degrees from summer to winter)

Frost-free period - 210 to 245 days

Cropland

General management considerations:

Most climatically adapted crops can be grown if adequate drainage is provided.

Suitable crops for planting are grasses and legumes.

Grasses and legumes grow well if they are adequately fertilized.

Most crops respond to nitrogen, phosphorus, potassium, and lime.

Legumes respond to phosphorus and lime. Additions of potassium may also be needed.

Grazing when the soil is wet results in compaction of the upper layer, poor tilth, and excessive runoff.

Suitable management practices:

Use tile drains to reduce wetness if a suitable outlet is available.

Maintain or improve fertility by using a cropping system that includes grasses, legumes, or grass-legume mixtures.

Reduce the risk of erosion by using minimum tillage, seeding disturbed areas to native or tame pasture plants, and planting early in spring to provide adequate cover in winter.

Irrigate during the dry period in summer.

Irrigate carefully to prevent the development of a perched water table.

**HISTORIC DATA
CONDITIONAL USE PERMIT
APPROVALS FOR PROPERTIES
LOCATED WITHIN THE EFU
OR AF ZONE WITH EXISTING
SUBSTANDARD LOT SIZE**

Appraisal Report

DISCLAIMER OF LIABILITY:

The information and data included on Clatsop County servers have been compiled by County staff from a variety of sources, and are subject to change without notice. Clatsop County makes no warranties or representations whatsoever regarding the quality, content, completeness, or adequacy of such information and data. In any situation where the official printed publications of Clatsop County differ from the text contained in this system, the official printed documents take precedence.

Account ID	Property Class	MA	NH	Tax Code	TaxMapKey
55009	581	6	D5	0403	807180000600
Owner(s):	Kem Howard N				
	Situs Address: 92878 Waterhouse Rd				
	Astoria,				

Land Valuation

Site Fragment	Land Use	Land Class	Base Type	Size in Acres	Base Value	Adjustments	Base Land RMV
	Residential	HS	Acre	5.00	\$7,361	\$0	\$7,361
	Residential	HS	Acre		\$0	\$25,640	\$25,640

Land Components

Category	Description
Neighborhood	Rural
Off-Site Improvement	Public Access
Off-Site Improvement	Asphalt-Concrete Street
On-Site Utilities	Electricity
On-Site Utilities	Public Water
On-Site Utilities	Septic System
On-Site Utilities	Telephone
On-Site Utilities	Underground Utilities

Residence Valuation

Improvement: 1

Stat Class	Year Built	Effective Year	Appraisal Date	Appraiser Id	Complete %	Phys	Func	Econ	Overall	LCM %	LMA %
146	1974	1992	11/04/2011	cleader	1.000000	8446	0000	0000	0.844600	1.05000	1.00000

Base Cost Value:	\$193,433
Inventory Adjustment Total:	\$21,714
Adjusted Base Cost:	\$225,904
DRC:	\$190,799
Adjudicated Value:	

Improvement Components

Category	Description	Quantity	Area	Unit Cost	Adj. Cost
Exterior Wall	Double	0	0		0
Foundation	Concrete	0	0		0
Heat & Cool Fuel	Electricity	0	0		0
Interior - Cabinetry	Hard Wood	0	0		0
Interior - Electric	220 Volt	0	0		0
Interior - Floor	Wood Subfloor	0	1,669	0	0
Interior - Wall	Dry Wall	0	0		0
Roof Type	Gable	0	2,238	0	0
Roofing Material	Composition Arch	0	2,238	0	560
Built-in Appliances	Hood Fan	1	0	280	280
Built-in Appliances	Electric	0	0		0
Ext Wall Material	T1-11	0	0		0
Ext Wall Material	Wood/Bevel	0	0		0
Heating & Cooling	Baseboard & Wall or Cable	0	3,123	2	4,685
Heating & Cooling	Heat Pump	0	0		0
Windows	Double	0	0		0
Windows	Vinyl	0	0		0
Interior - Ceiling	Standard	0	0		0
Interior - Ceiling	Beams	0	0		0
Interior - Ceiling	Vaulted	0	0		0
Heating Accessory	Gas Stove w/flue	1	0	2,550	2,550
Heating Accessory	1 Sty. Brick Chimney/Ext.	1	0	730	730
Heating Accessory	Single Fireplace	1	0	3,580	3,580
Heating Accessory	Wood Stove Hearth - Avg	1	0	2,880	2,880
Plumbing	Laundry Tub	1	0	350	350
Plumbing	Water Heater (Std)	1	0	400	400
Plumbing	Kitchen Sink	2	0	450	900
Plumbing	Full Bath	3	0	1,600	4,800

Room Grid

Floor Type	Liv	Kit	Din	Fam	Bed	Full Bth	Half Bth	Uty	Oth	Gr	Gar	Area				Base Cost			
												Unfin.	LC	Fin	Total	Unfinished	Low Cost	Finished	Total
First Floor	1	1	1	0	1	1.0	0	1	1	0	0			2,238	2,238	0.00	0.00	145,050.10	145,050.10
Second Floor	0	0	0	0	3	2.0	0	0	0	0	0			885	885	0.00	0.00	48,382.60	48,382.60

Garage

Class	Garage Type	Garage Finish	Complete %	Overall %	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
4	Detached	Unfinished	1.000000	0.914400	1344.00	\$52,511	\$3,622	\$58,940	\$53,894

Garage Components

Category	Description	Quantity	Area	Unit Cost	Adj. Cost
Roof Type	Gable	0	0	0	0
Roofing Material	Enamel Sheet	0	1344	2.1	2822.40
Ext Wall Material	B & B	0	0	0	0
Foundation	Concrete	0	0	0	0
Interior - Floor	Concrete Slab	0	0	0	0
Garage Component	Garage Door Opener	2	0	400	800.00

Residence Valuation

Other Improvements

Class- Other SC	Category	Description	LCM %	LMA %	Comp %	Over- all%	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
All - R	Other Improvements	Asphalt Drive	1.00	1.00	1.00	0.91	8,873	\$26,619	\$0	\$26,619	\$24,191

Class- Other SC	Category	Description	LCM %	LMA %	Comp %	Over- all%	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
All - R	Other Improvements	Cov. Porch Gab.R.	1.05	1.00	1.00	0.84	203	\$9,846	\$0	\$10,338	\$8,731

Class- Other SC	Category	Description	LCM %	LMA %	Comp %	Over- all%	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
All - R	Other Improvements	Patio	1.00	1.00	1.00	0.84	232	\$696	\$0	\$696	\$588

Class- Other SC	Category	Description	LCM %	LMA %	Comp %	Over- all%	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
4 - R	Other Improvements	Cov.Porch/Slab/Gab.R.	1.05	1.00	1.00	0.84	336	\$13,406	\$0	\$14,077	\$11,889

Class- Other SC	Category	Description	LCM %	LMA %	Comp %	Over- all%	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
All - R	Other Improvements	Patio	1.00	1.00	1.00	0.84	414	\$1,242	\$0	\$1,242	\$1,049

Class- Other SC	Category	Description	LCM %	LMA %	Comp %	Over- all%	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
6 - A	Outbuildings	Utility Building	1.00	1.00	1.00	0.98	4,800	\$81,661	\$4,840	\$86,501	\$84,624

Other Components

Category	Description	Quantity	Area	Unit Cost	Adj. Cost
Electrical	Service 400-600 amp	1	0	4000	4000.00
Electrical	Wiring per outlet 110 volts	12	0	70	840.00
Ext Wall Material	Insulation-Fiberglass Roll	0	0	0	0
Roofing Material	Baked Enamel	0	4800	0	0
Ext Wall Material	Exterior Sheating-Plywood	0	0	0	0

RMV Summary (Before Index)

Residence by Stat Class	Improvement(s)				Total	Program Type	Land	
	Residence	Carport	Garage	Other Improvements			Land Class	RMV before index
146	\$190,799	\$0	\$53,894	\$131,073	\$375,765	Residential	HS	\$7,361
						Residential	HS	\$25,640
							Total:	<u>\$33,001</u>

Current RMV

Improvement						Land	
Impr ID	From/To	Account ID	Percent	Indexed RMV	Cumulative Index	Indexed RMV	Cumulative Index
531962		55009		\$488,195	1.30	<u>\$42,539</u>	<u>1.42</u>
				<u>\$488,195</u>			

Certified Tax Roll Value

Tax Year	Land RMV	Impr RMV	Total RMV	Land AV	Impr AV	Total AV	Total Tax
2019	\$42,538	\$481,554	\$524,092	\$22,528	\$354,554	\$377,082	\$4,858.94
2020	\$46,792	\$488,195	\$534,987	\$23,196	\$365,190	\$388,386	\$5,027.45

Recent Transactions

Instrument ID	Sales Date	Consideration	Sales Data Code		Multiple Accounts	Account ID	TaxMapKey
200310129	07/10/2003	\$400,000	22	Yes	Primary	19406	807180000600
					Additional	19412	807190000103
					Additional	19405	807180000600

Property Details

General Information

Property Address	92878 Waterhouse Rd, Astoria OR
Legal Description	Metes & Bounds
Account ID	55009
Tax Map Key	807180000600
Size in Acres	5.00
Property Status	Active
Short Term Rental	Permit on file
Property Type	Real Property Farm Improved Farm with Forest (multiple specials)

Owner Information

Owner Name	Kem Howard N
Mailing Address	92878 Waterhouse Rd Astoria OR 97103
	Request Change of Address
	Sign up for e-Statements

Related Properties

Account 55009

Year Built	Sq Ft	Type	Stories
1974	3123	Single Family	2.0

[illegible]

92878 Waterhouse Rd, Astoria OR

Account 55009

Assessments

Year	Land Value	Improvements Value	Real Market Value	Assessed Value
2020	\$46,792.00	\$488,195.00	\$534,987.00	\$388,386.00
2019	\$42,538.00	\$481,554.00	\$524,092.00	\$377,082.00
2018	\$38,323.00	\$452,812.00	\$491,135.00	\$349,903.00
2017	\$122,920.00	\$394,549.00	\$517,469.00	\$361,955.00
2016	\$111,747.00	\$321,471.00	\$433,218.00	\$293,334.00
2015	\$106,425.00	\$302,332.00	\$408,757.00	\$284,896.00
2014	\$108,597.00	\$257,809.00	\$366,406.00	\$316,489.00
2013	\$108,597.00	\$269,599.00	\$378,196.00	\$307,937.00
2012	\$114,897.00	\$266,983.00	\$381,880.00	\$301,952.00
2011	\$546,697.00	\$189,625.00	\$736,322.00	\$313,101.00
2010	\$567,472.00	\$196,917.00	\$764,389.00	\$304,008.00
2009	\$567,472.00	\$203,008.00	\$770,480.00	\$295,205.00
2008	\$561,853.00	\$317,200.00	\$879,053.00	\$286,645.00
2007	\$432,195.00	\$337,446.00	\$769,641.00	\$278,319.00
2006	\$372,581.00	\$263,630.00	\$636,211.00	\$270,410.00

92878 Waterhouse Rd, Astoria OR

Account 55009

Sales History

Sales Date	Instrument ID	Sale Amount
No sales history found		

92878 Waterhouse Rd, Astoria OR

Account 55009

Taxes

Tax Year	Total Billed	Interest	Total Due
2020	\$5,027.45	\$0.00	\$0.00
2019	\$4,858.94	\$0.00	\$0.00
2018	\$4,409.77	\$0.00	\$0.00
2017	\$4,490.90	\$0.00	\$0.00
2016	\$3,982.00	\$0.00	\$0.00
2015	\$3,851.44	\$0.00	\$0.00
2014	\$3,563.67	\$0.00	\$0.00
2013	\$3,988.90	\$0.00	\$0.00
2012	\$3,517.97	\$0.00	\$0.00
2011	\$3,714.16	\$0.00	\$0.00
2010	\$3,758.66	\$0.00	\$0.00
2009	\$3,725.36	\$0.00	\$0.00
2008	\$3,859.86	\$0.00	\$0.00
2007	\$3,766.46	\$0.00	\$0.00
2006	\$3,595.10	\$0.00	\$0.00

[View Your Current Statement](#)

Total Taxes Due as of January 3, 2021

Current Year Due	\$0.00
Past Year Due	\$0.00
Total Due	\$0.00

By clicking "Pay Your Bill" below, you agree that you have read our [Important Notes](#) regarding fees.

[Pay Your Bill](#)

92878 Waterhouse Rd, Astoria OR

Account 55009

Payments

Tax Year	Receipt No	Date Posted	Amount Paid
2020	628307	November 9, 2020	\$4,876.63
2019	611692	November 7, 2019	\$4,713.17
2018	594578	November 14, 2018	\$4,277.48
2017	568198	October 19, 2017	\$4,356.17
2016	563045	April 26, 2017	\$0.03
2016	559600	January 17, 2017	\$2,154.64
2016	558925	December 19, 2016	\$500.00
2016	550671	November 1, 2016	\$1,327.33
2015	531472	November 10, 2015	\$3,735.90
2014	520721	March 19, 2015	\$393.52
2014	520059	March 5, 2015	\$260.98
2014	517100	January 8, 2015	\$125.39
2014	505890	October 21, 2014	\$3,831.54
2014	520060	October 21, 2014	\$3,831.54
2013	484126	November 7, 2013	\$3,869.23
2012	474207	April 26, 2013	\$323.68
2012	474058	April 19, 2013	\$314.80
2012	474059	October 19, 2012	\$3,717.79
2012	458677	October 19, 2012	\$3,717.79
2011	437415	November 3, 2011	\$3,602.74
2010	416094	November 15, 2010	\$3,645.90
2009	390153	November 13, 2009	\$3,613.60
2008	371133	December 22, 2008	\$115.80
2008	364417	November 7, 2008	\$3,859.86
2007	327970	October 22, 2007	\$3,653.47
2006	302130	November 7, 2006	\$3,487.25

92878 Waterhouse Rd, Astoria OR

Account 55009

Documents [Annual Appraisal Report](#) [Current Statement](#) [Short Term Rental Permit](#)

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Data accurate as of January 3, 2021 01:01PM Every effort has been made to offer the most current and correct information possible on these pages. The information included on these pages has been compiled by County staff from a variety of sources, and is subject to change without notice. Clatsop County makes no warranties or representations whatsoever regarding the quality, content, completeness, accuracy or adequacy of such information and data. Clatsop County reserves the right to make changes at any time without notice. Original records may differ from the information on these pages. Interest and discounts, if available, may not be accurately reflected here. Verification of information on source documents is recommended. By using this application, you assume all risks arising out of or associated with access to these pages, including but not limited to risks of damage to your computer, peripherals, software and data from any virus, software, file or other cause associated with access to this application. Clatsop County shall not be liable for any damages whatsoever arising out of any cause relating to use of this application, including but not limited to mistakes, omissions, deletions, errors, or defects in any information contained in these pages, or any failure to receive or delay in receiving information.



Clatsop County

Short Term Rental Permit Display

Permit No: 20190038 Expires: July 10th, 2024

REMOVAL OR ALTERATION OF THIS SIGN IS A VIOLATION OF CLATSOP COUNTY ORDINANCES 17-02 AND 18-01

Property Address: 92878 Waterhouse Rd

Map Tax Lot #: 807180000600

Primary Owner: Howard Kem

Designated Agent: Howard Kem

Address: 43893 Owl Lane

Address: 43893 Owl Lane

City/State/Zip: Astoria / OR / 97138

City/State/Zip: Astoria / OR / 97138

Phone: 503-318-4804

Phone: 503-318-4804

RENTERS, PLEASE READ THE FOLLOWING:

To enhance livability and safety with the residential neighborhood,
the following requirements apply during rental periods:

Occupancy Total number of occupants approved for this dwelling is: 14

Parking Total number of required off street parking for this dwelling is: 5

Arch Cape: Off-street parking must be used when physically available. On-street parking may be used only when off-street parking spaces are not physically available. Parking is "physically available" when a garage or driveway can be emptied or materials removed to allow for parking. The property owner shall notify every renter in writing of these requirements and shall advise the renter where the off-street parking spaces to serve the unit are located. If on-street parking must be used, the renter must use the parking along the frontage of the rental unit.

Unincorporated Clatsop County, excluding Arch Cape: A map showing the property boundaries, location and number of parking spaces shall be posted with this permit.

Tsunami Evacuation Route: If the property is located within a tsunami inundation zone, the tsunami evacuation route shall be posted with this permit.

Solid Waste and Recycling: The property owners or designated agent shall post information regarding the location of garbage containers and recycling opportunities with this permit. Garbage containers must be secured with tight-fitting covers at all times to prevent leakage, spilling or littering. Garbage containers must be placed where not clearly visible from the street except between 5a.m. the day prior to pick-up and 5p.m. the day of pick-up.

House Number: A house number, visible from the street, must be maintained.

Quiet Hours: This is a residentially zoned property subject to Noise Ordinance #88-14. Quiet hours are between 10 p.m. and 7 a.m.

Beach Regulations: It is illegal to leave litter on the beach (OAR 736-021-0090(4)). All fires on the beach must be extinguished before leaving the site of the fire (OAR 736-021-0120(4)).

A County permit has been issued to rent this property. The property is subject to the Short Term Rental Standards in Clatsop County Ordinances 17-02 and 18-01. The permit may be revoked for violations. Should anyone file a complaint for non-compliance, hearings and penalties will be carried out per Clatsop County ordinances adopted under the Clatsop County Charter.

Authorized by: [Signature]

Date: 7/10/19

820 Exchange St., Suite 210
Astoria, OR 97103
(503) 325-8522 phone
(503) 338-3638 fax
www.co.clatsop.or.us

Clatsop County Oregon
Real Property Tax Statement for the 7/1/2020 - 6/30/2021 Tax Year
 820 Exchange Suite 210 Astoria, Oregon 97103 Phone (503) 325-8561

LEGAL DESC: Metes & Bounds

TAX CODE: 0403 ACCOUNT ID: 55009
 PROP CLASS: 581 MAP: 807180000600
 ACRES: 5.00

20555
 KEM HOWARD N
 43893 OWL LN
 ASTORIA, OR 97103

Last Year's Tax: 4,858.94

This Year's Tax

See back for explanation of taxes marked with (*)

COMM COLLEGE 302.36
 NW ESD 59.73
 SCHOOL 4 1788.98

School Total 2,151.07

K-S-B RFPD 460.04
 4H & EXT SVC 20.74
 CLATSOP CO 595.71
 LO CLATSOP CO 19.42
 PORT ASTORIA 48.78
 CARE CENTER 68.47
 LO CARE CENTER 89.33
 CO RURAL LAW 279.44
 ROAD DIST #1 395.18
 SUNSET TRANS 62.92

Government Total 2,040.03

CLATSOP CO 77.29
 COMM COLLEGE 58.80
 SCHOOL 4 700.26

Bonds - Other Total 836.35

Total 2020 Tax 5,027.45

VALUES:	Last Year	This Year
Specialty Assessed (SAV) Land:	35,068	38,558
Structures:	481,554	488,195
Total SAV:	516,622	526,753

Assessed (AV)

Total AV: 377,082 388,386

NET TAXABLE: 377,082 388,386

92878 WATERHOUSE RD

POTENTIAL TAX LIABILITY

This is the only statement you will receive on this account

If a mortgage company pays your taxes,
 this statement is for your records only.

Full Payment with 3% Discount	2/3 Payment with 2% Discount	1/3 Payment with No Discount
4,876.63	3,284.60	1,675.82

Total Tax (Before Discount) 5,027.45

2020 - 2021 Property Taxes

TAX CODE:0403

ACCOUNT ID:55009

Full Payment Enclosed.....Due:	11/16/2020	4,876.63
or 2/3 Payment Enclosed.....Due:	11/16/2020	3,284.60
or 1/3 Payment Enclosed.....Due:	11/16/2020	1,675.82

Discount is Lost & Interest Applies After Due Date

☐ Mailing Address
☐ Change on Back

Enter Payment Amount
 \$

20555

KEM HOWARD N
 43893 OWL LN
 ASTORIA, OR 97103

MAKE PAYMENT TO:

Clatsop County

04000000550090000467663000032646000001675825

82049 Red Bluff Rd, Seaside, OR 97138

18-1513 Single Family Res Closed \$290,000



Provided as a courtesy of
Kathren J. Rusinovich, ABR
 Windermere Community Realty
 175 14th Street, Ste. 120
 ASTORIA, OR 97103
 Mobile - (503) 338-2245
mauikate1@gmail.com
<http://www.windermere.com>
 License #: 870800221



Remarks/Concessions:		BA Comm:		2.5	Commission Code:		None				
Owner:		True Holdings LLC		Hot Sheet Comment:		price					
Area:		Elsie/Jewell		Frontage:		River		View:		River	
View 2:		Woods		Style:		Manufactured		Stories:		1	
Basement:		No		Approx. SqFt.:		2,362		SqFt Per:		Owner	
Garage Type:		Carport		Garage Stall:		2		Garage Remarks:		Extra Tall Carport	
Year Built:		1995		Year Built				Lot Size:		5.22 acres	
Lot Acres:		5.22		Remarks:				Total Bathrooms:		3	
Total Full Baths:		3		Total Bedrooms:		5					
Total Half Baths:				Total Half Baths:							
County:		Clatsop		Zoning:		EFU		Taxes:		2,015.20	
Tax Year:		2017		Tax Remarks:				Account ID:		3868	
Historic Designation:		No									
Geo Lat:		45.871813		Geo Lon:		-123.570040					
Directions: HWY 26 to North on Red Bluff											
Legal: TBD											
Public Remarks: Fish & watch eagles, deer & elk right out your back door. Riverfront home, no need for flood insurance. Fresh interior & exterior paint, new hickory kitchen, new flooring. New roof, new windows & siding in 08. Over 5 acres of space, trees and river. Outbuildings include a fishing cabin & carport. Carport is large enough for covered RV parking & includes electrical hookup. Come for a look, you won't want to leave.											
Private Remarks: This is a 1986 manufactured home with stick built additions. Text LA for combo to show. Text LA for fastest response to questions.											
Listing Type: Listing Type: Exclusive Right to Sell				Siding: Cement Fiber				Showing Instructions: See Private Remarks			
Tax Record: Tax Map: 5073200; Tax Lot: 00501				External Features: Deck/Patio: Covered Patio; Street Surface: Paved				Manufactured Home: Manufactured Home; Make: Liber; Model Name: Lincoln; Tag #: X242577			
Miscellaneous: Possession: Negotiable				Internal Features: Water Heater: Electric; Dishwasher; Range/Oven; Microwave				Financial Info: Foreclosure: No; Bank Owned: No; Short sale: No; First			
Foundation: Continuous Concrete; Pilings; Pillar/Post/Pier				Utilities: Heating/Cooling: Electric Forced Air; Water: Well; Electric: On Property; Gas: None; Sewer: Septic				Encumbrance: Non-Assume			
Roof: Composition				Accessibility: Ramped Main Level; Bed/Bath on Main: Yes				Sellers Terms: Cash; Conventional			
Room Name	Level	Length	Width	Area	Remarks	Room Name	Level	Length	Width	Area	Remarks
Living Room	Main	19	16	304		Bedroom 4	Main	12	10	120	
Kitchen	Main	12	10	120		Bedroom 5	Main	10	8	80	
Dining Room	Main					Bathroom 1	Main				
Bedroom 1	Main	13	13	169		Bathroom 2	Main				
Bedroom 2	Main	12	12	144		Bathroom 3	Main				
Bedroom 3	Main	12	10	120		Mud Room	Main	17	10	170	
Begin Date:		10/26/2018		Agent Days On Market:		202		List Price:		300,000	
Original List Price:		349,999		Sold Date:		05/16/2019		Sold Price:		290,000	

Financing:	Conv	Under Contract Date:	04/07/2019	Contingent:	Continue to Show
Status Change Date:	05/22/2019				
SA: Jessica O'Brien; (503)314-2048; circaroserealty@gmail.com SO: Circa Rose Realty; (503)908-4548; circaroserealty@gmail.com					
SA: Terry Mistofsky; (909)633-9886; tmistysky@gmail.com SO: AREA Properties; (503)325-6848; hostmaster@areaproperties.com					

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Adj 81485 Mattson Rd, Seaside, OR 97138

12-131 Land-Residential Closed \$120,000



Provided as a courtesy of
Kathren J. Rusinovich, ABR
 Windermere Community Realty
 175 14th Street, Ste. 120
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mauikate1@gmail.com
<http://www.windermere.com>
 License #: 870800221



Remarks/Concessions:		BA Comm: 2.25	Commission Code:	Co-listing
Owner:	Lounsbury	Owner Phone:		
Lot Size:		Lot Acres: 40	Frontage:	Creek
View:	Woods	View 2:	Mountain	
Area:	Hamlet Rt	County:	Clatsop	Zoning: AF80
Assessed Valuation:		Taxes:	780	Tax Year: 2010
Tax Remarks:		Subdivision:	Known	Account ID: 1628
CC & R:	NO	Cross Street:		Historic Designation: No
Geo Lat:	45.858035	Geo Lon:	-123.706234	
Public Remarks: Beautiful wooded Parcel with some pasture area. 2 different creeks cross through the property. Sellers have completed a Measure 37 and 49 to ensure that the parcel is buildable and dividable from the previous 129.3 acres. Property can be viewed from Hamlet Rd (See plat map attached) as the road passes through the property but please no drive bys. Private Remarks: Legal: EMO# 879068/TBD Directions: Hwy 26 to MP 9 (Jct 53) take Hwy 53 for 1 mile to Hamlet RD for approx 4 mile to Mattson rd, first driveway to the right.				
Listing Type: Listing Type: Exclusive Right to Sell Tax Record: Tax Map: 4080600; Tax Lot: 00101		Miscellaneous: Corner Stakes: No; Survey: Yes; Grade: On; Street Surface: Paved; MFG Home Friendly?: Unknown; Sign: No Utilities: Water: On Property; Electric: At Street; Gas: None; Sewer: Septic		Financial: Foreclosure: No; Bank Owned: No; Short Sale: No; Encumbrance Type: FREE & CLEAR Seller Terms: Cash; Submit
Begin Date:	02/03/2012	Agent Days On Market:	388	List Price: 140,000
Original List Price:	140,000	Sold Date:	02/25/2013	Sold Price: 120,000
Financing:	Cash	Under Contract Date:	03/03/2012	Contingent: No
Status Change Date:	02/26/2013			
LA: Shelly Clooten LO: Larcin Realty Group Inc; (503)738-5797; cindy.larcinrealtygroup@gmail.com		SA: Shelly Clooten SO: Larcin Realty Group Inc; (503)738-5797; cindy.larcinrealtygroup@gmail.com		

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Property Details

General Information

Property Address	81485 Mattson Rd, Seaside OR
Account ID	1628
Tax Map Key	408060000101
Size in Acres	5.00
Property Status	Active
Property Type	Real Property Forest Improved Designated Forest Land

Owner Information

Owner Name	Lounsbury Fredrik J/Deborah K
Mailing Address	81485 Mattson Rd Seaside OR 97138-3629
	Request Change of Address
	Sign up for e-Statements

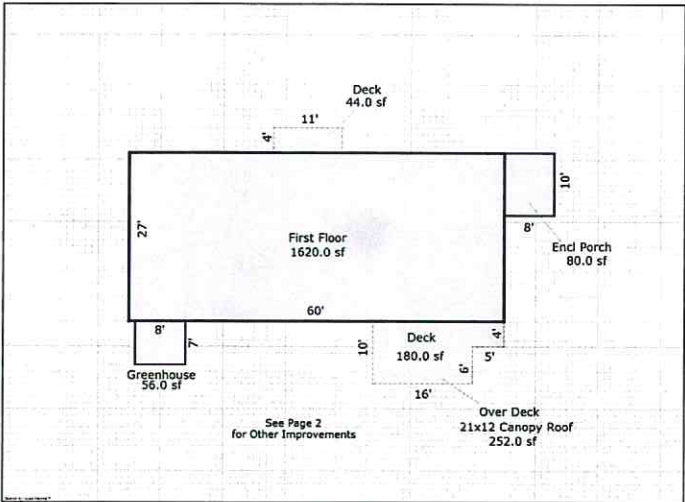
Related Properties

1627	81485 Mattson Rd, Seaside OR
------	------------------------------

Improvements

Year Built	Sq Ft	Type	Stories
1995	1620	Double Wide	1.0

Type	Sq Ft	Bedrooms	Bathrooms
First Floor	1620	3	2



81485 Mattson Rd, Seaside OR

Account 1628

Assessments

Year	Land Value	Improvements Value	Real Market Value	Assessed Value
2020	\$31,008.00	\$197,207.00	\$228,215.00	\$180,660.00
2019	\$31,008.00	\$198,559.00	\$229,567.00	\$175,606.00
2018	\$77,125.00	\$188,573.00	\$265,698.00	\$185,086.00
2017	\$87,643.00	\$148,298.00	\$235,941.00	\$179,696.00
2016	\$87,643.00	\$130,945.00	\$218,588.00	\$174,463.00
2015	\$87,643.00	\$113,608.00	\$201,251.00	\$169,382.00
2014	\$84,273.00	\$107,874.00	\$192,147.00	\$164,450.00
2013	\$84,272.00	\$110,597.00	\$194,869.00	\$136,278.00
2012	\$97,991.00	\$65,715.00	\$163,706.00	\$111,707.00
2011	\$110,103.00	\$70,662.00	\$180,765.00	\$108,455.00
2010	\$101,011.00	\$73,075.00	\$174,086.00	\$105,297.00
2009	\$105,220.00	\$79,431.00	\$184,651.00	\$102,231.00
2008	\$106,283.00	\$99,288.00	\$205,571.00	\$99,254.00
2007	\$80,517.00	\$89,448.00	\$169,965.00	\$96,364.00
2006	\$68,235.00	\$82,823.00	\$151,058.00	\$93,558.00
2005	\$65,615.00	\$60,690.00	\$126,305.00	\$90,834.00
2004	\$60,755.00	\$55,173.00	\$115,928.00	\$88,190.00
2003	\$58,986.00	\$55,731.00	\$114,717.00	\$85,622.00
2002	\$58,402.00	\$53,078.00	\$111,480.00	\$83,129.00
2001	\$57,824.00	\$53,615.00	\$111,439.00	\$80,708.00
2000	\$54,551.00	\$58,918.00	\$113,469.00	\$78,359.00
1999	\$50,511.00	\$64,746.00	\$115,257.00	\$76,077.00

81485 Mattson Rd, Seaside OR

Account 1628

Sales History

Sales Date	Instrument ID	Sale Amount
------------	---------------	-------------

No sales history found

81485 Mattson Rd, Seaside OR

Account 1628

Taxes

Tax Year	Total Billed	Interest	Discount	Total Due
2020	\$2,442.31	\$0.00	\$-73.27	\$2,369.04
2019	\$2,375.25	\$0.00	\$0.00	\$0.00
2018	\$2,470.17	\$0.00	\$0.00	\$0.00
2017	\$2,378.42	\$0.00	\$0.00	\$0.00
2016	\$2,073.16	\$0.00	\$0.00	\$0.00
2015	\$2,019.82	\$0.00	\$0.00	\$0.00
2014	\$3,147.14	\$0.00	\$0.00	\$0.00
2013	\$1,624.29	\$0.00	\$0.00	\$0.00
2012	\$1,358.16	\$0.00	\$0.00	\$0.00
2011	\$1,502.32	\$0.00	\$0.00	\$0.00
2010	\$1,471.18	\$0.00	\$0.00	\$0.00
2009	\$1,439.79	\$0.00	\$0.00	\$0.00
2008	\$1,420.70	\$0.00	\$0.00	\$0.00
2007	\$1,336.99	\$0.00	\$0.00	\$0.00
2006	\$1,301.44	\$0.00	\$0.00	\$0.00
2005	\$1,238.18	\$0.00	\$0.00	\$0.00
2004	\$1,208.87	\$0.00	\$0.00	\$0.00
2003	\$1,175.81	\$0.00	\$0.00	\$0.00
2002	\$1,133.12	\$0.00	\$0.00	\$0.00
2001	\$1,141.13	\$0.00	\$0.00	\$0.00
2000	\$1,103.48	\$0.00	\$0.00	\$0.00
1999	\$1,024.63	\$0.00	\$0.00	\$0.00
1998	\$1,020.31	\$0.00	\$0.00	\$0.00
1997	\$1,028.78	\$0.00	\$0.00	\$0.00

[View Your Current Statement](#)

Total Taxes Due as of November 9, 2020

Current Year Due	\$2,369.04
Past Year Due	\$0.00
Total Due	\$2,369.04

By clicking "Pay Your Bill" below, you agree that you have read our [Important Notes](#) regarding fees.

[Pay Your Bill](#)

Payments

Tax Year	Receipt No	Date Posted	Amount Paid
2019	610802	November 4, 2019	\$2,303.99
2018	592013	November 5, 2018	\$2,396.06
2017	570664	November 2, 2017	\$2,307.07
2016	550940	November 1, 2016	\$2,010.97
2015	531209	November 9, 2015	\$1,959.23
2014	506202	October 23, 2014	\$3,052.73
2013	483292	November 4, 2013	\$1,575.56
2012	472289	February 21, 2013	\$1,317.42
2012	460499	November 1, 2012	\$1,317.42
2012	458014	August 9, 2012	\$1,317.42
2011	443733	November 15, 2011	\$1,457.25
2010	414049	November 9, 2010	\$1,427.04
2009	389493	November 12, 2009	\$1,396.60
2008	366727	November 14, 2008	\$1,378.08
2005	360798	October 16, 2008	\$13.60
2005	360799	October 16, 2008	\$5.45
2006	360799	October 16, 2008	\$1,331.54
2006	360800	October 16, 2008	\$334.29
2007	360800	October 16, 2008	\$967.15
2007	360801	October 16, 2008	\$530.27
2005	324047	August 22, 2007	\$1,535.34
2002	233516	November 15, 2004	\$1,450.38
2003	233516	November 15, 2004	\$1,316.90
2004	233516	November 15, 2004	\$1,172.60
2000	131120	December 3, 2001	\$1,250.61
2001	131120	December 3, 2001	\$1,146.20
1999	66098	November 15, 1999	\$993.89
1998	31183	November 18, 1998	\$989.70
1997	31182	July 13, 1998	\$1,097.36

81485 Mattson Rd, Seaside OR

Account 1628

Documents

 [Annual Appraisal Report](#)

 [Current Statement](#)

 [Septic Info](#)

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Data accurate as of November 9, 2020 02:20PM Every effort has been made to offer the most current and correct information possible on these pages. The information included on these pages has been compiled by County staff from a variety of sources, and is subject to change without notice. Clatsop County makes no warranties or representations whatsoever regarding the quality, content, completeness, accuracy or adequacy of such information and data. Clatsop County reserves the right to make changes at any time without notice. Original records may differ from the information on these pages. Interest and discounts, if available, may not be accurately reflected here. Verification of information on source documents is recommended. By using this application, you assume all risks arising out of or associated with access to these pages, including but not limited to risks of damage to your computer, peripherals, software and data from any virus, software, file or other cause associated with access to this application. Clatsop County shall not be liable for any damages whatsoever arising out of any cause relating to use of this application, including but not limited to mistakes, omissions, deletions, errors, or defects in any information contained in these pages, or any failure to receive or delay in receiving information.

Appraisal Report

DISCLAIMER OF LIABILITY:

The information and data included on Clatsop County servers have been compiled by County staff from a variety of sources, and are subject to change without notice. Clatsop County makes no warranties or representations whatsoever regarding the quality, content, completeness, or adequacy of such information and data. In any situation where the official printed publications of Clatsop County differ from the text contained in this system, the official printed documents take precedence.

Account ID	Property Class	MA	NH	Tax Code	TaxMapKey
1628	641	2	H	1014	408060000101

Owner(s): Lounsbury Fredrik J/Deborah K

Situs Address: 81485 Mattson Rd
Seaside,

Land Valuation

Site Fragment	Land Use	Land Class	Base Type	Size in Acres	Base Value	Adjustments	Base Land RMV
	Residential	Timberland/Resid	Acre	5.00	\$2,500	\$0	\$2,500
	Residential	HS	Acre		\$0	\$4,500	\$4,500

Land Components

Category	Description
On-Site Utilities	Private Well
Off-Site Improvement	Asphalt-Concrete Street
Off-Site Improvement	Public Access
On-Site Utilities	Electricity
Neighborhood	Rural

Residence Valuation

Improvement: 1

Stat Class	Year Built	Effective Year	Appraisal Date	Appraiser Id	Complete %	Phys	Func	Econ	Overall	LCM %	LMA %
199	1995	1995	04/22/2013	cleader	1.000000	86330	00000	00000	0.863300	1.000000	1.170000

Base Cost Value:	\$59,031
Inventory Adjustment Total:	\$5,944
Adjusted Base Cost:	\$76,021
DRC:	\$65,629
Adjudicated Value:	

Room Grid

Floor Type	Liv	Kit	Din	Fam	Bed	Full Bth	Half Bth	Uty	Oth	Grt	Gar	Area				Base Cost			
												Unfin.	LC	Fin	Total	Unfinished	Low Cost	Finished	Total
First Floor	1	1			3	2.0		1						1,620	1,620	0.00	0.00	\$9,030.80	\$9,030.80

Carport

Class	Carport Type	Carport Design	Complete %	Overall %	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
3	Attached	Flat	1.000000	0.919900	280.00	\$6,114.20	\$56.00	\$7,941.05	\$7,304.97

Carport Components

Category	Description	Quantity	Area	Unit Cost	Adj. Cost
Interior - Floor	Gravel/Dirt	0	280	-2	-560.00
Roofing Material	Enamel Sheet	0	280	2.2	616.00

Other Improvements

Class-Other SC	Category	Description	LCM %	LMA %	Comp %	Over-all%	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
4 - A	Outbuildings	Lean-to/heavy	1.00	1.00	1.00	0.66	280	\$1,271	\$0	\$1,271	\$843

Class-Other SC	Category	Description	LCM %	LMA %	Comp %	Over-all%	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
4 - A	Outbuildings	Hobby Stables	1.00	1.00	1.00	0.66	1,148	\$20,952	\$701	\$21,652	\$14,362

Other Components

Class-Other SC	Category	Description	LCM %	LMA %	Comp %	Over-all%	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
All - R	Other Improvements	Wood Deck Treated	1.00	1.17	1.00	0.86	180	\$2,700	\$0	\$3,159	\$2,727

Class-Other SC	Category	Description	LCM %	LMA %	Comp %	Over-all%	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
All - R	Other Improvements	Canopy Roof	1.00	1.17	1.00	0.86	252	\$2,520	\$0	\$2,948	\$2,545

Class-Other SC	Category	Description	LCM %	LMA %	Comp %	Over-all%	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
3 - R	Other Improvements	Enclosed Por. 1/2	1.00	1.17	1.00	0.86	80	\$2,396	\$0	\$2,803	\$2,420

Residence Valuation

Other Improvements

Class- Other SC	Category	Description	LCM %	LMA %	Comp %	Over- all%	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
All - R	Other Improvements	Wood Deck Treated	1.00	1.17	1.00	0.86	44	\$660	\$0	\$772	\$667

Class- Other SC	Category	Description	LCM %	LMA %	Comp %	Over- all%	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
All - R	Other Improvements	Greenhouse/Resin Frame	1.00	1.17	1.00	0.86	56	\$1,250	\$0	\$1,462	\$1,263

Class- Other SC	Category	Description	LCM %	LMA %	Comp %	Over- all%	Size	Base Cost	Inventory Adjust Total	Adjusted Base Cost	DRC
5 - A	Outbuildings	Utility Building	1.00	1.00	1.00	0.92	1,080	\$16,655	\$1,460	\$18,115	\$16,664

Other Components

Category	Description	Quantity	Area	Unit Cost	Adj. Cost
Electrical	Service 60 amp	1	0	900	900.00
Electrical	Wiring per outlet 110 volts	8	0	70	560.00

RMV Summary (Before Index)

Residence by Stat Class	Improvement(s)					Program Type	Land	
	Residence	Carport	Garage	Other Improvements	Total		Land Class	RMV before index
199	\$65,629	\$7,305	\$0	\$41,491	\$114,424	Residential	Timberland/Resid	\$2,500
						Residential	HS	\$4,500
							Total:	\$7,000

Current RMV

Improvement						Land	
Impr ID	From/To	Account ID	Percent	Indexed RMV	Cumulative Index	Indexed RMV	Cumulative Index
525092		1628		\$197,207	1.72	\$31,008	4.43
				\$197,207			

Certified Tax Roll Value

Tax Year	Land RMV	Impr RMV	Total RMV	Land AV	Impr AV	Total AV	Total Tax
2019	\$31,008	\$198,559	\$229,567	\$60,386	\$115,220	\$175,606	\$2,375.25
2020	\$31,008	\$197,207	\$228,215	\$61,984	\$118,676	\$180,660	\$2,442.31

88610 Lewis & Clark Rd, Astoria, OR 97103

15-1698 Single Family Res Closed \$174,950



Provided as a courtesy of
Kathren J. Rusinovich, ABR
 Windermere Community Realty
 175 14th Street, Ste. 120
 ASTORIA, OR 97103
 Mobile - (503) 338-2245
mauikate1@gmail.com
<http://www.windermere.com>
 License #: 870800221



Remarks/Concessions:		BA Comm:	2.5	Commission Code:	None
Owner:	FHLMC	Hot Sheet Comment:	new		
Area:	Astoria	Frontage:	None	View:	Mountain
View 2:	None	Style:	None	Stories:	1
Basement:	No	Approx. SqFt.:	1,404	SqFt Per:	County Assessor
Garage Type:	Carport	Garage Stall:	2	Garage Remarks:	Tool Shed
Year Built:	1992	Year Built		Lot Size:	
Lot Acres:	5.10	Remarks:		Total Bathrooms:	2
Total Full Baths:		Total Bedrooms:	3		
		Total Half Baths:			
County:	Clatsop	Zoning:	EFU	Taxes:	980.26
Tax Year:	2015	Tax Remarks:		Account ID:	50352
toric Designation:	Unknown				
Geo Lat:	46.064254	Geo Lon:	-123.845190		
Directions: Lewis and Clark road approx 7 miles out to shared gravel drive on right, stay right at first split. Legal: Metes & Bounds Public Remarks: 5 plus acres in the country with a move in ready home. 3 bed, 2 bath with many upgrades. Privacy and mountain views galore. Property sold as is. FMFL expires 12/14/2015 the first 20 days of listings offer from owner occupants only will be considered. Spring water source buyer to investigate at buyers expense. Private Remarks: NO Docusign signatures or promissory notes. Earnest money must be certified funds payable to Servicelink. Please return buyer questionnaire with offer. Buyers questionnaire found in documents. See supplement for other terms and conditions. Property must be on the market 48 hours prior to entering any offers. Shared spring water source seller will not investigate or repair.					
Listing Type: Listing Type: Exclusive Right to Sell Tax Record: Tax Map: 7093000; Tax Lot: 00300 Miscellaneous: Possession: closing Foundation: Block Roof: Composition		Siding: T1-11 External Features: Exterior Color: Green and White; OutBuildings: Shed; Deck/Patio: Deck; Street Surface: Gravel Internal Features: Water Heater: Electric; Dishwasher; Range/Oven; Refrigerator; Window Coverings Utilities: Heating/Cooling: Electric Forced Air; Water: Spring; Electric: On Property; Gas: None; Sewer: Septic		Accessibility: Bed/Bath on Main: No Showing Instructions: Vacant Financial Info: Foreclosure: No; Bank Owned: Yes; Short sale: No; First Encumbrance: Free and Clear; Second Encumbrance: Non-Assume; Escrow At: Servicelink Sellers Terms: Cash; Conventional	
Begin Date:	11/24/2015	Agent Days On Market:	36	List Price:	174,900
Original List Price:	174,900	Sold Date:	12/30/2015	Sold Price:	174,950
Financing:	cash	Under Contract Date:	12/04/2015	Status Change Date:	01/04/2016
LA: Meagan Lewis; (503)440-0155; lewisme@hotmail.com LO: AREA Properties; (503)325-6848; hostmaster@areaproperties.com			SA: Bree Phillips SO: RE/MAX River & Sea; (503)338-5200; riverandsea@live.com		

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Construction Permit

This Construction Permit Permit 500399 authorizes the property owner to construct an onsite wastewater system as follows:

PROPERTY INFORMATION

Property Owner: **Agalzoff Michael A** Township **7**, Range **09**, Section **30 A 0**
Property Location: **88610 LEWIS & CLARK RD, ASTORIA** Tax Lot **00300**
Facility Type: **Single Family Dwelling**
4 Bedrooms

SPECIFICATIONS AND REQUIREMENTS

System type: **Standard**
Design Flow: **450.00 gals/day**
Minimum Septic Tank Size: **1000.00 gals**
Distribution Type: **Serial**
Total Trench Length: **100.00 Linear feet**
Trench Spacing:
Media Type: **Rock and Pipe**
Maximum Trench Depth:
Minimum Trench Depth:
Drain Media Total Depth:
Drain Media Below Pipe:
Drain Media Above Pipe:

*Minimum undisturbed soil between trenches

ADDITIONAL CONDITIONS

- 1 A failing system must be repaired as soon as possible. Should the repair of this system be delayed, the property owner must notify the agent by phone or in writing the reasons for delay, and propose a different completion date. Delays may be cause for a formal enforcement action which may result in a civil penalty assessment.
- 2 All roof drains must be directed away from the system.
- 3 Vehicular traffic and livestock must be restricted from the system area.
- 4 If there are discharges of sewage or septic tank effluent onto the ground surface or into public waters, the property owner must take immediate steps to minimize the threat to public health and the environment.
These steps must include the minimum:
 1. Having the existing septic tank pumped, the outlet plugged, and the tank utilized as a temporary holding tank until repair of the system is complete.
 2. Sucuring the area of both contaminated and saturated soils with barricades, roping, caution tape and the posting of warnng notices. The notice must read, "Warning-This Area is Contaminated with Sewage-Please Stay Out" or similar language.
 3. Treating the affected area of contaminated/saturated soil with either a calcium carbonate compound (lime) or other type of sanitizing compound.
- 5 All work is to conform to Oregon Administrative Rules, Chapter 340, Divisions 071 and 073. Make no changes in system location or specifications without written approval from the permit issuing agent.
- 6 Meet all required setbacks.

INSPECTION REQUIREMENTS

For pre-cover inspection information, contact your agent below:

Mike McNickle

Authorized Agent:

Mike McNickle

Title:

Onsite Wastewater Specialist

Date Issued:

1/19/2016

Expiration Date:

2/2/2017

Clatsop County Public Health

820 Exchange St Ste 100

Astoria, Oregon 97103

Phone: 503-325-8500

Fax: 503-338-3606

Section 3: As Built Plan of the Constructed System

Indicate the direction North. Show locations of all wells within 200 feet of the system. Show system setback distances from property lines, structures, wells, streams, etc.

See attached

Section 4: Construction was performed by (Signature Required):

I certify that the information provided on both pages of this document is correct and that the construction of this system was in accordance with the permit and the rules regulating the construction of onsite wastewater treatment systems. (OAR Chapter 340, Divisions 71 and 73)

Owner/Permittee/Certified Installer w/Certification # _____ Print Name: _____
Licensed Installer Yes ☐ No ☐ License # _____ Certification # _____
Owner/Certified Installer Signature _____ Date _____
Phone _____ Phone _____ Email _____

Section 5: Office Use Only

Notice Accepted Yes ☐ No ☐ Date _____

Installer /Owner /Permittee Notified Yes ☐ No ☐ Date _____

If no, reason for non-acceptance _____

Comment _____

N/A

T7 R9 Sec. 30A Tax# 7 300

88610 h.c. RD
MIKE & 21 HAZEL RD

WATER SOURCE FROM
DISTANT SPRING

N

EXISTING
DRAIN FIELD

800 FT

125 FT

103

3.96 AC.

EXISTING
MOBILE HOME

SLOPED 2-3%
NEW DOCKLINE

101
1.14 AC.

PARCEL 1

102
1.28A

PARCEL 2

Terry
Ceel

N. 113° E 471.89'
From Center Sec. 30

N. 84.9°
E. 560' from Center
Section 30

EROSION PLAN

Clatsop County Department
of Public Health
On-Site Waste Water Program
Approved By mm
Permit No. 500396
Date 2-2-16

MINIMIZE DISBURSED AREA
SLOPED < 3% IN WORK AREA
MAY / STRAW MULCH
RE-SEED AT EARLIEST
CONVENIENCE
NO CATCHMENTS OR WATER FEATURE

Terry Ceel owns parcel 2.
No well within 100 ft of property line.



#500399

Clatsop Countywww.co.clatsop.or.us

Environmental Health

820 Exchange Street, Suite 100

Astoria, Oregon 97103

Phone 503 325-8500

mmcknickle@co.clatsop.or.us**RECEIVED****JAN 11 2016**

CLATSOP CO, PUBLIC HEALTH

Application for Onsite Sewage Treatment System① Ch# 9061 = \$72400
② Ch# 9063 = \$38400**A. Property Owner Information**

Name Mike + Lori Agalzoff Mailing Address (Street, PO Box, City, State, Zip) PO Box 421 Astoria, OR 97103 Phone Number 503-717-2294

B. Legal Property Description

Township 7 Range 09 Section 30A Tax Lot 300 Tax Account Number 51 acres Acreage or Lot Size
County Clatsop Subdivision Name Lot Block

Property Address: 88610 Lewis + Clark Road Astoria, OR 97103
(Street, City, State, Zip)

Directions to Property From Miles Crossing head SW on Lewis + Clark Rd for 3.8 miles
Continue straight onto Logan Rd 3.1 miles. Slight left onto Lewis + Clark Rd. Side of Rd. Driveway on West

C. Existing Facility / Proposed Facility / Water Information

Existing Facility <input checked="" type="checkbox"/> Single Family Residence Number of Bedrooms <u>3</u> <input type="checkbox"/> Other <u> </u>	Proposed Facility <input checked="" type="checkbox"/> Single Family Residence Number of Bedrooms <u>4</u> <input type="checkbox"/> Other <u> </u>	Water Supply <input type="checkbox"/> Public <u> </u> Name <u> </u> <input checked="" type="checkbox"/> Private <u> </u> Well <u>Spring, Shared</u>
--	--	---

D. Type of Application

<input type="checkbox"/> Site Evaluation <input checked="" type="checkbox"/> Construction - standard <input type="checkbox"/> Permit Repair <input type="checkbox"/> Major <input type="checkbox"/> Minor <input type="checkbox"/> Alteration Permit <input type="checkbox"/> Major <input type="checkbox"/> Minor	<input type="checkbox"/> Renewal Permit <input type="checkbox"/> Existing System Evaluation <input type="checkbox"/> Permit Transfer <input type="checkbox"/> Permit Reinstatement	<input checked="" type="checkbox"/> Authorization Notice for: <input type="checkbox"/> Connecting to an Existing System Not in Use <input checked="" type="checkbox"/> Replacing a Mobile Home or House with Another <input type="checkbox"/> Mobile Home or House <input type="checkbox"/> The Addition of One or More Bedrooms <input type="checkbox"/> Personal Hardship <input type="checkbox"/> Temporary Housing <input type="checkbox"/> Other-Please Specify <u> </u>
---	---	---

If the required fee and attachments are not included with this application, it will be returned to you as incomplete. Post a flag or sign with your name and address at the entrance to the property. Flag and number the test holes.

By my signature I certify that the information I have furnished is correct and hereby grant Clatsop County and its' authorized agents permission to enter onto the above described property for the sole purpose of this application

Signature Mike Agalzoff Date 1-10-16

Applicant's Name (Please Print Legibly) Mike Agalzoff + Lori Agalzoff Applicant's Phone 503-717-2953 Applicant's E-Mail Address mikeagalzoff@gmail.com

Applicant's Mailing Address P.O. Box 421 Astoria, OR 97103

Applicant is the ☒ Owner ☐ Authorized Representative ☐ Licensed Septic Installer

☐ Authorization Attached

Installers Name

Annette Brodigan

From: Michael McNickle
Sent: Tuesday, January 19, 2016 8:24 AM
To: 'Mike Agalzoff'; Annette Brodigan
Subject: RE: 88610 Lewis and Clark Road

Hi Mike:

After thoroughly reviewing the file, there is evidence of a site evaluation but there is not an approved construction permit. I think what we should do at this point is credit your application for an authorization permit and apply it to a construction permit for a standard system. This would eliminate the need for the authorization permit and get the file current and accurate.

In this case, what we will need to do is have you expose the top of the septic tank and find the ends of the drainfield laterals. Put flags at the ends of drainfield laterals but do not expose them as this is unnecessary. Also, have a test pit dug about 15 feet away from one of the drainfield lines. Please make the test pit 5 feet deep. From there, I can verify what is there as well as look at the soils.

I apologize for this inconvenience, but I wasn't aware of the fact that a permit was never issued for this system.

If you could come into the office tomorrow, Annette will take care of this issue for you and I can get this permit issued by the end of the week. .

Thanks.

Michael McNickle, MPH, MPA, RS
Environmental Health Supervisor
Clatsop County Department of Public Health
820 Exchange Street, Suite 100
Astoria, OR 97103
Phone: 503-338-3686
FAX: 503-325-8678
Email: mmcnickle@co.clatsop.or.us

Clatsop County Public Health website:
www.co.clatsop.or.us/publichealth

Facebook Page
<https://www.facebook.co./pages/Clatsop-County-Public-Health/122798474419724>

211Info
<http://211info.org/>



Septic Application

Clatsop County Planning and Development
800 Exchange St Ste 100
Astoria, OR 97103

Ph. (503) 325 - 8611 Fax (503) 338 - 3606

For Department Use Only

Permit #: 500399
Permit Type: Construction Perm
Entry Date: 1/11/2016
Issued By: Mike McNickle
Permit Status: Issued

Permit Timeline

User	Status	Date
Annette Brodigan	Entered	01/11/2016
Mike McNickle	Issued	01/19/2016

Work Description

Work Description:

Remarks:

Owner

Name: **Agalzoff Michael A**
Address: PO BOX 421
City, State, Zip: Astoria, OR 97103

Ph. #: (503) 717-2294 Cell: () -
E-Mail: mikeagalzoff@gmail.com Fax: () -

Applicant

Agalzoff Michael A
PO BOX 421
Astoria, OR 97103
Ph. 5037172294 Fax
Cell E-Mail mikeagalzoff@gmail.com

Fees

<u>Fee Type:</u>	<u>Permit Fee:</u>	<u>DEQ Surcharge:</u>	<u>Planning Dept:</u>	<u>Other Fee's:</u>	<u>Permit Fee Total:</u>
Septic	\$1,008.00	\$100.00	\$0.00	\$0.00	\$1,108.00

Receipt

<u>Payor Name:</u>	<u>Pymnt Type</u>	<u>Check #:</u>	<u>Pymnt Date</u>	<u>Pymnt Amount:</u>
Agalzoff Michael A	Check	9063	01/20/2016	\$384.00
Agalzoff Michael A	Check	9061	01/11/2016	\$724.00
				\$1,108.00
			Balance Due:	\$0.00

Compliance/Permit Requirements

Signatures

Applicant Signature: _____ Date: _____
Owner Signature: _____ Date: _____

SECTION 1 – TO BE COMPLETED BY APPLICANT

1. Applicant Name/Property Owner: Mike & Lori Agalzoff
Mailing Address: PO Box 421
City/State/Zip: Astoria, OR 97103
Telephone: 503-717-2294
2. Property Information:
County: Clatsop Tax Lot No: 300
Township: 7 Range: 09 Section: 30A
Physical Address: 88610 Lewis + Clark Road Astoria, OR 97103
Block: _____ Lot: _____
Subdivision Name (if applicable): _____
3. This proposed facility is for:
☒ An individual, single family dwelling
☐ Describe the type of development, business or facility and the provided services or products: _____
4. Permit or approval being requested:
☐ Construction-Installation permit for: ☐ New Construction ☐ Repair ☐ Alteration
☐ Non-water-carried facility requests (for example, pit, privy/vault toilet for campgrounds)
☒ Authorization Notice for: ☒ Replacement of dwelling ☐ Bedroom Addition
☐ Other changes in land use involving potential sewage flow increases

SECTION 2 – TO BE COMPLETED BY CITY OR COUNTY PLANNING OFFICIAL

5. Property Zoning: EFU Zoning Minimum Parcel Size 80. acres
6. The facility is located: ☐ inside city limits ☐ inside UGB ☒ outside UGB
7. Does the proposed facility comply with all applicable local land use requirements: ☒ Yes ☐ No

If you answered "Yes" above, was this compliance based on:

- ☒ Compliance with local comprehensive plans and land use requirements (provide a citation to the applicable provisions)
☐ Conditional approval (provide findings and citation or attach a copy of the applicable land use decision)
☐ Measure 49 waiver (provide Department of Land Conservation and Development approval number)

Either provide reasons for affirmative compliance decision or attach findings of fact:

Land & Water Development Use Ord. #80-14, Section 3.564 (15)

8. Planning Official Signature: Julia Decker

Print Name: JULIA DECKER

Date: 1/11/16

Title: PLANNER

Telephone: 503-861-325 8611



Clatsop County

www.co.clatsop.or.us

Environmental Health

820 Exchange Street, Suite 100

Astoria, Oregon 97103

Phone 503 325-8500

mmcnickle@co.clatsop.or.us

Existing Septic System Description

Please answer the following questions as completely as possible, and to the best of your knowledge.

1. Your existing septic system consists of (check all that apply):
☒ Septic Tank ☒ Disposal Trenches ☒ Capping Fill *10'* ☐ Sand Filter
☐ Seepage Bed ☐ Cesspool or Pit ☐ Unknown
☐ Other (describe): _____
2. When was your septic system installed? ~ 1992 ?
Date Permit Number
3. Tank material: ☒ Concrete ☐ Steel ☐ Plastic or Fiberglass ☐ Unknown
4. Septic tank volume (in gallons): 1000
5. When was the septic tank last pumped? (Attach receipt if available) 9-5-15
6. Number of disposal trenches: 3-4
7. Total length of disposal trenches (in feet): 100 ft
8. Do you propose to use the existing septic system? ☒ Yes ☐ No
9. Is your septic system currently in use? ☒ Yes ☐ No
If no, date of last use: _____
10. If the septic system currently serves a dwelling,
How many bedrooms in the dwelling? 3 How many people occupy the dwelling? 2
11. How many bedrooms will be in the proposed dwelling? 4 How many occupants? 2
12. If the septic system serves a business, NA
How many total employees are there? _____ Type of business: _____
13. Is there a proposed change of use of your structure (home or business)? ☐ Yes ☒ No
If yes, please explain: _____
14. Provide a plot plan (sketch) on the reverse side of this form showing the best estimated or actual measurements that locate the existing septic tank and disposal trenches, property lines, easements, existing structures, driveways, and water supply. Indicate the direction north. If you are proposing to replace the septic system, indicate the test hole location.

By my signature, I certify that the above information and the plot plan on the reverse side of this form are accurate and true to the best of my knowledge.

Signature: *Mark A. [Signature]*

Date: 1-10-16

PLOT PLAN

Town Lot 300

Property ID: T7 R9 Sec 30A

Site Address: 28610 Lewis & Clark Road Astoria, OR

Date: 1-10-16

Applicant Signature: Matt R. [Signature]

Date: 1-10-16

By my signature, I certify the information provided on this plot plan is complete and accurate.

See attached

Required Information

- Owner name
- Legal description, map number
- North arrow
- Property dimensions
- Neighboring wells/waterlines w/in 100'
- All wells/waterlines on property
- Roads, driveways, parking areas
- Buildings and fences
- Septic tanks and drain fields
- Areas of excavation (cuts, fills)
- Easements, deed restrictions, etc.
- Lakes, springs, streams, ditches, etc.
- Neighboring water bodies w/in 100' of property line
- Field drainage tiles (French drain, etc.)
- Test pits with distance to property lines
- Direction of slope

Legend

- Wells
- Test Pits
- Drainage

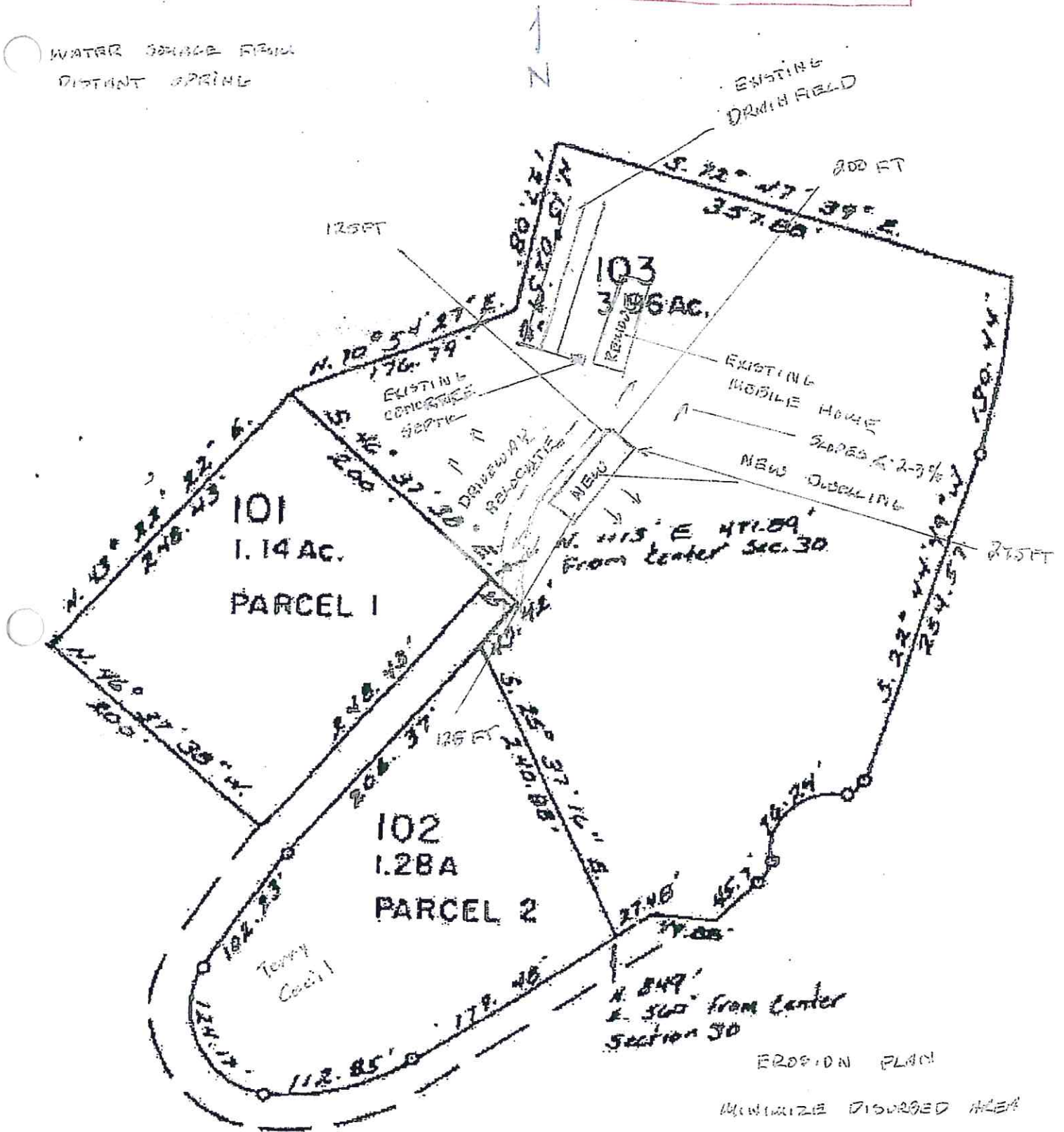


1 inch = 20 feet

11157 Sec. 30A 10467 500

MIKE & JILL HENL 2011

WATER SOURCE FROM
DISTANT SPRING



EROSION PLAN

MINIMIZE DISTURBED AREA
SLOPES < 3% IN WORK AREA
HAY / STRAW MULCH
RE-USED AT EARLIEST
CONVENIENCE

NO WETLANDS OR WATER FEATURES

Terry Co. 11 owns parcel 2.
No well within 100 ft of property line.

126AN 395-7571

Complete Septic Service, Inc.

Jerry Lebo, Owner * DEG SS# 37884
 41892 Zink Crest Creek Lane * Astoria OR 97103
 (503)458-6870

INSPECTION REPORT

Recorded Owner _____ Phone _____

Address of Inspection 88610 Linc RD ASTORIA OR
 Street City State Zip

SEPTIC TANK

Volume	Type	Condition	Needs replacement
<u>1000</u>	Steel	<input type="checkbox"/> Good	<input checked="" type="checkbox"/>
gallons	Concrete	<input checked="" type="checkbox"/> Fair	<input type="checkbox"/>
	Plastic	<input type="checkbox"/>	<input type="checkbox"/>

DOSING TANK

Volume	Type	Condition	Needs replacement
<u>0</u>	Steel	<input type="checkbox"/> Good	<input type="checkbox"/>
gallons	Concrete	<input type="checkbox"/> Fair	<input type="checkbox"/>
	Plastic	<input type="checkbox"/>	<input type="checkbox"/>

DRAIN FIELD

Condition	Needs replacement
Good <input checked="" type="checkbox"/>	<input type="checkbox"/>
Fair <input type="checkbox"/>	<input type="checkbox"/>

GENERAL COMMENTS

The DRAIN FIELD PASSED THE WATER TEST.

Date 9-5-15
 Pumped ☒ Inspected ☒

[Signature]
 Licensed Pumping

No guarantees expressed or implied.

AUGUST 2015 SEPTIC INSPECTION REPORT WPD



Septic Application

Clatsop County Planning and Development
800 Exchange St Ste 100
Astoria, OR 97103

Ph. (503) 325 - 8611 Fax (503) 338 - 3606

For Department Use Only

Permit #: 500399
Permit Type: Authorization Notice
Entry Date: 1/11/2016
Issued By: Annette Brodigan
Permit Status: Entered

Permit Timeline

User	Status	Date
Annette Brodigan	Entered	01/11/2016

Work Description

Work Description:

Remarks:

Owner

Name: **Agalzoff Michael A**
Address: 88610 Lewis and Clark Road
City, State, Zip: Astoria, OR 97103

Ph. #: (503) 717-2294 Cell: () -
E-Mail: mikeagalzoff@gmail.com Fax: () -

Applicant

Agalzoff Michael A
88610 Lewis and Clark Road
Astoria, OR 97103
Ph. 5037172294 Fax
Cell E-Mail mikeagalzoff@gmail.com

Fees

<u>Fee Type:</u>	<u>Permit Fee:</u>	<u>DEQ Surcharge:</u>	<u>Planning Dept:</u>	<u>Other Fee's:</u>	<u>Permit Fee Total:</u>
Septic	\$624.00	\$100.00	\$0.00	\$0.00	\$724.00

Receipt

<u>Payer Name:</u>	<u>Pymnt Type</u>	<u>Check #:</u>	<u>Pymnt Date</u>	<u>Pymnt Amount:</u>
Agalzoff Michael A	Check	9061	01/11/2016	\$724.00
				\$724.00

Balance Due: \$0.00

Compliance/Permit Requirements

Signatures

Applicant Signature: _____ Date: _____

Owner Signature: _____ Date: _____

ASTORIA BRANCH OFFICE
PO Box 869, Astoria, OR 97103

DEPARTMENT OF
ENVIRONMENTAL
QUALITY

Jack & Dorothy Burkhardt
Route 3 Box 403
Astoria, OR 97103

Date: July 8, 1993

NORTHWEST REGION

Re: Site Evaluation Approval for On-Site Sewage Disposal
T7N, R9W, Section 30, Portion of Tax Lot 100, Clatsop County,
West 1 or 2 Acre Parcel.

Dear Mr. & Mrs. Burkhardt:

I have conducted an evaluation on the above described property for a single family residential building site in the area you proposed for on-site sewage disposal. This evaluation and report is based upon current Department of Environmental Quality regulations governing on-site sewage disposal, OAR Chapter 340, Divisions 71, 72 & 73.

Based upon the results of this study, on-site sewage disposal appears feasible for the installation of a **Standard Serial Distribution System**, as described in the enclosed construction detail and setback sheets.

Only a limited area of this property appears suitable for on-site sewage disposal. Please refer to the enclosed diagram for specifics concerning the location, boundaries and/or special conditions of the specific approved site.

Please note that this approval is site specific to the area tested and does not address or warrant the potential or feasibility of locating the system elsewhere on the property.

This approval is limited to a dwelling of four (4) bedrooms, maximum. The definition of "bedroom" means any room within a dwelling which meets minimum habitation criteria as interpreted and administered by the local building official.

A septic construction permit is required before any work can begin or take place on the system or any part thereof. A detailed scale drawn plot plan of the proposed development and the system must accompany the permit application. The current permit fee totals \$255.00 for this type of system (fees are subject to change without notice). Only the property owner or a State licensed installer can construct or participate in the construction of any on-site sewage disposal system installation or part thereof.



1500 SW First Avenue
Suite 750
Portland, OR 97201-5884
(503) 229-5263
DEQ-1

Jack & Dorothy Burkhart
July 8, 1993
Page 2

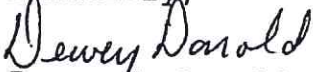
This approval runs with the land as identified and is transferable. Technical rule changes will not invalidate the approval; however, a different type system may be required in accordance with the rules in effect at the time of property development.

This approval will remain valid until the system is installed and approved. However, if conditions on the subject property or adjacent properties are changed or altered in any manner which would prohibit issuance of a construction permit because of a conflict with current State rules, this approval would be considered null and void.

The approval of this property and the conditions set forth in no way waive or supersede requirements established by the zoning of the area. A construction permit will be subject to review and approval by the Clatsop County Planning Department.

Technical information pertaining to the site evaluation is available upon request. If you have any questions, or would like further information, please feel welcome to contact the DEQ Astoria Branch Office at (503) 325-8660.

Sincerely,



Dewey W. Darold, R.S.
Environmental Specialist
Northwest Region
Water Quality

enc: Site Diagram
Construction Detail Sheet
Setback Listing

STANDARD SYSTEM CONSTRUCTION DRAINAGE SHEET

Date 7-8-93

Applicant Jack + Dorothy Burkhardt

Tax Lot 100 Section 30 Twp 7 Rng 9 Acreage 1 or 2

X 1. For the installation of an STANDARD SEWAGE DISPOSAL SYSTEM on the above property, the following construction specifications shall apply:

X The septic tank shall have minimum liquid capacity of 1000 gallons.

X The disposal field shall be constructed in Serial distribution with a MAXIMUM TRENCH DEPTH of 30 inches and a minimum trench depth of 24 inches. There must be at least 12 inches of backfill over the top of the drainrock, measured from the natural ground surface.

X With the soil conditions on this site, 125 lineal feet of disposal trench will be required per 150 gallons maximum projected daily sewage flow. For the proposed development, a minimum of 375 total lineal feet of disposal trench is required. Disposal trenches shall be constructed 2 feet wide on 10 foot minimum centers with no individual trench exceeding 125 feet in length. The trenches and distribution piping shall be installed within one (1) inch of level, contoured to the natural ground surface.

 A curtain drain is required as a component of this system. This groundwater interceptor shall be constructed 12 inches wide by inches deep with inches of clean drainrock placed over a 4 inch perforated collection pipe. The trench and collection pipe shall be constructed on a grade of 0.2 to 0.4 feet of fall per 100 feet of line. A minimum 10 foot upslope setback must be maintained from the disposal trenches. The collection piping shall be exhausted by a non-perforated pipe to a point below and away from the disposal field. The end of the outfall shall consist of heavy duty pipe with the outlet protected by a flap gate or grate.

X An effluent lift pump may be necessary to construct the disposal field in the approved area at the correct trench depths.

X The top of the disposal trench drainrock shall be protected by filter fabric.

X Specific construction setback requirements are outlined in the enclosed listing.

 2. The following conditions shall apply to this system installation:

 For sanitation purposes, the minimum lot size for this single building site is .

SEE OTHER SIDE

_____ This _____ size will require an approved off-site public or community water supply.

_____ This system shall not be installed on slopes in excess of _____ percent.

_____ Construction of this system is limited to the summer months (June through September) with dry soil and site conditions.

_____ No part of the system shall be installed within the _____ easement or right-of-way.

_____ 3. Special Conditions: _____

Dewey Darold
Sanitarian, DEQ Astoria Branch Office

MINIMUM SETBACK REQUIREMENTS

Date 7-8-93

Applicant Jack + Dorothy Burkhardt

Tax Lot 100 Section 30 Twp 7 Rng 9 Acreage 10.2

SETBACK REQUIRED (as marked)	DISPOSAL FIELD OR AREA ¹	TREATMENT AND DISTRIBUTION UNITS ²
<input checked="" type="checkbox"/> Groundwater Supplies (wells) ³	100'	50'
<input checked="" type="checkbox"/> Springs		
Upslope from system	50'	50'
Downslope from system	100'	50'
<input type="checkbox"/> Surface Public Waters ⁴	100'	50'
For Sand Filter System (only)	50'	50'
<input checked="" type="checkbox"/> Intermittent Streams ⁵	50'	50'
<input type="checkbox"/> Groundwater Interceptors ⁶		
On a slope 3% or less	20'	20'
On a slope greater than 3%		
- Upslope from system	10'	10'
- Downslope from system	50'	25'
<input checked="" type="checkbox"/> Cuts Manmade ⁷	<u>50'</u>	<u>25'</u>
<input checked="" type="checkbox"/> Escarpments ⁸	<u>50'</u>	<u>25'</u>
<input type="checkbox"/> Curtain Drains		
Upslope from system	10'	10'
Downslope from system	50'	25'
<input checked="" type="checkbox"/> Property Lines	10'	10'
<input checked="" type="checkbox"/> Water Lines	10'	10'
<input checked="" type="checkbox"/> Building Foundations (all)	10'	5'
<input type="checkbox"/> Other _____	_____'	_____'

Special Conditions: _____

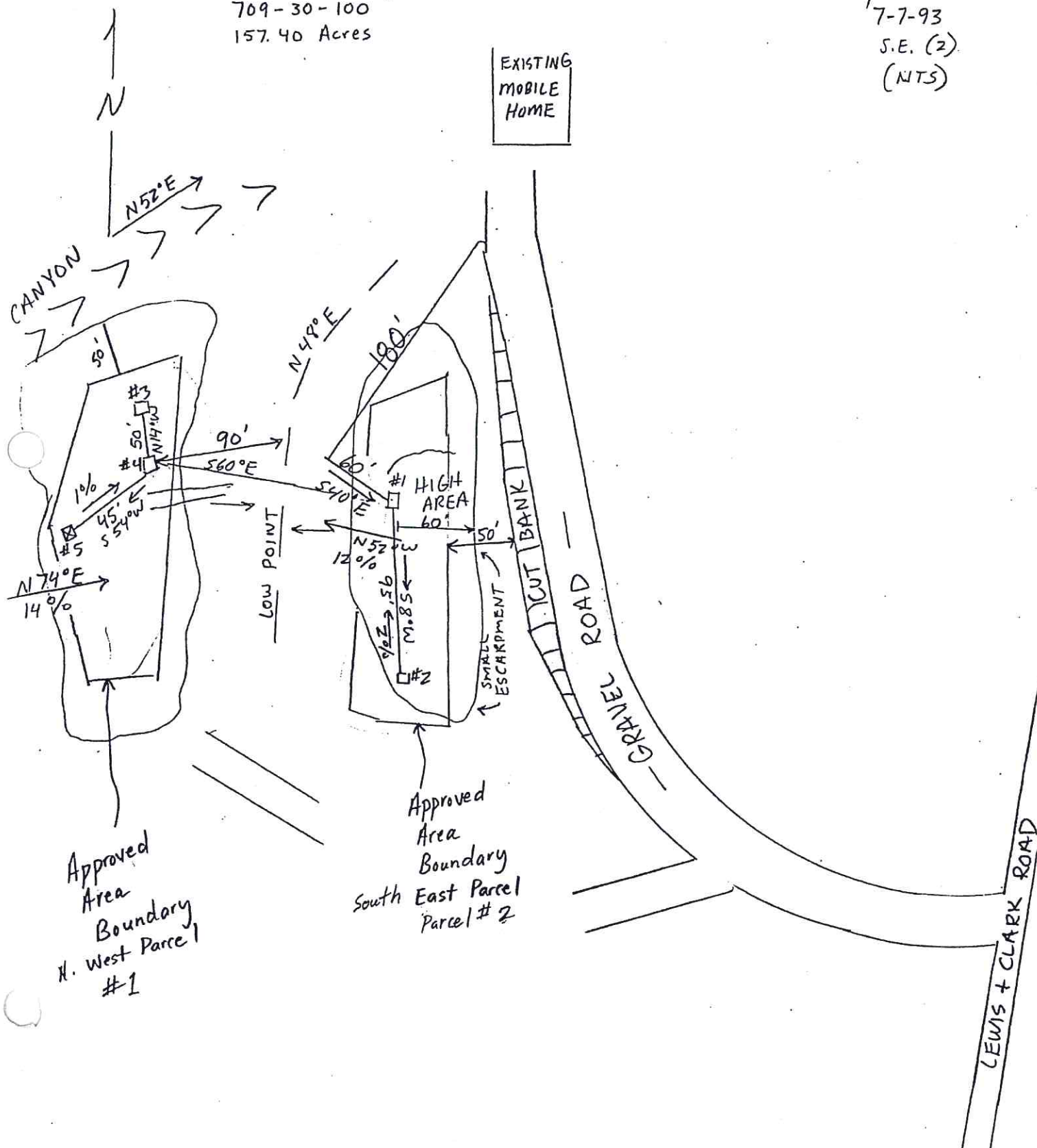
¹ Includes all disposal trenches, "bottomless" sand filter, seepage beds and replacement area.

Includes septic tank, effluent sewer, header pipes, drop boxes, distribution box, sand filter, dosing tank, pressure line, etc.

SEE OTHER SIDE

EXISTING
MOBILE
HOME

Dewey Darold
7-7-93
S.E. (2)
(NTS)



STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
NORTH COAST OFFICE
749 Commercial, P.O. Box 869
Astoria, Oregon 97103
325-8660 or 1-800-452-4011

OR OFFICE USE ONLY
Date Rec'd 6-28-93
Date Completed 6-28-93
Required Fee 490.00
Receipt No. 38518
Control No. _____

FOR APPLICANT'S USE - (PLEASE PRINT)

1 to 2 acre lots

Lot Size (Acreage or Dimensions)

JACK & DOROTHY BURKHART

(Property Owner's Name)

(Applicant's Name if Different from Owner)

Legal Description
of Property

7E4
(Township)

9 W
(Range)

30
(Section)

100
(Tax Lot/Acct. No.)

Clatsop
(County)

For Parcels in Platted
Subdivisions, Indicate

(Subdivision Name)

(Lot Number)

(Block Number)

Proposed Facility

Water Supply

☒ Single Family Residence 3
(Number of Bedrooms)
☐ Other _____
(Specify)

☐ Public (Community System)
☒ Private Spring
(Indicate: Well, Spring, Etc.)

Existing Facility

☐ Single Family Residence _____
(Number of Bedrooms)
☐ Other _____
(Specify)

APPLICATION FOR:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Site Evaluation Report | <input type="checkbox"/> Authorization Notice |
| <input checked="" type="checkbox"/> Permit to Construct On-Site Sewage Disposal System | Purpose of Authorization Notice |
| <input type="checkbox"/> Permit to Repair On-Site Sewage Disposal System | <input type="checkbox"/> Connect to an existing system |
| <input type="checkbox"/> Permit for Alteration of On-Site Sewage Disposal System | not currently in use |
| <input type="checkbox"/> Permit Renewal | <input type="checkbox"/> Replace one mobile home with |
| <input type="checkbox"/> Existing System Report | with another or a house |
| <input type="checkbox"/> Plan Review | <input type="checkbox"/> Replace or rebuild a house |
| <input type="checkbox"/> Other (Specify) _____ | <input type="checkbox"/> Addition of one or more bedroom |
| | <input type="checkbox"/> Personal hardship |
| | <input type="checkbox"/> Temporary housing |
| | <input type="checkbox"/> Other (Specify) _____ |

This application will be returned if it is not filled out completely and accompanied by the appropriate fee and attachments required in the guidance packet. Your site must be prepared according to instructions in the guidance packet before action can be taken on this application. By my signature, I certify that the information I have furnished is correct, and hereby grant the Department of Environmental Quality and its authorized agent permission to enter onto the above described property for the purpose of this application.

Jack R Burkhart
(Signature)

6-28-93
(Date)

☒ Authorized Representative
☐ Licensed Installer
License No. _____

Owner's Mailing Address

Route 3 Box 403

Astoria OR 97103

Applicant's Mailing Address (if different)

Phone 325-2316

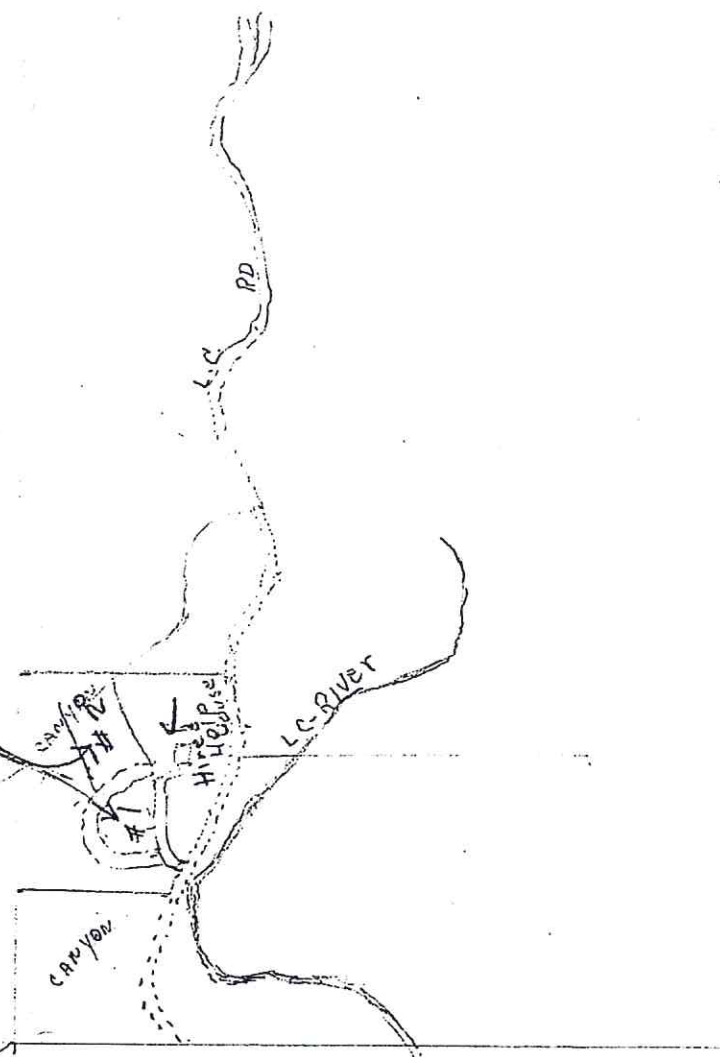
Phone _____

IW\WC8\WC8690 (7-19-91)

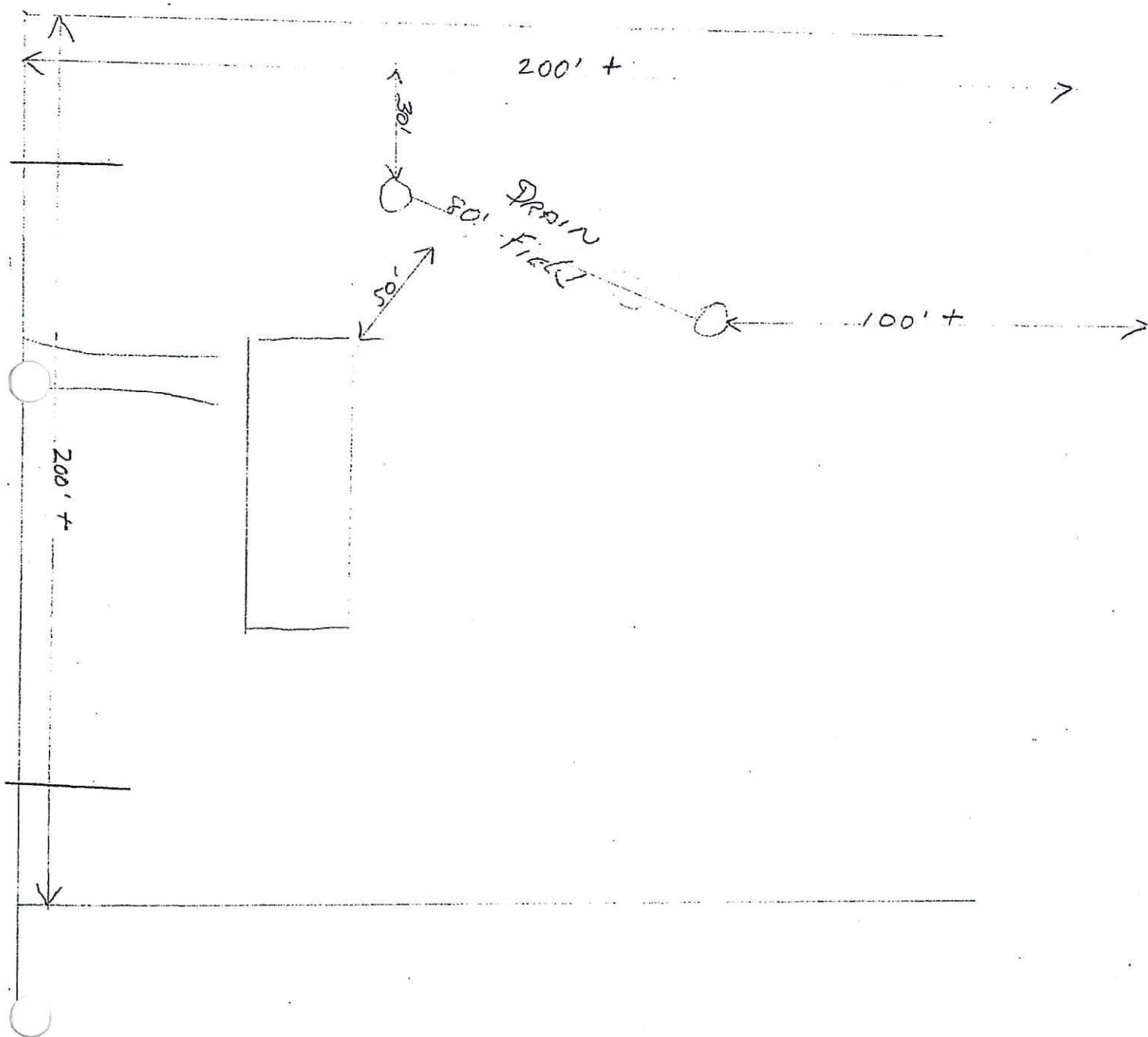
Call in advance -
We will escort you -

CENTER
SEC 30
TOWNSHIP 709
RANGE 100

ROOSEVELT
1-1-2
1-1-5
1-1-6



PARCEL # 2 1-2 Acre
Parcels



Property History

Account ID:50351

Legal Description:

Legal Type

TIP/ix

Additional Information:

Metes and Bounds 7 09 30 00300 70930A000300

Additional Information:

'00 Includes TL 103

Metes and Bounds 7 9 30 A 00300 70930A000300

Additional Information:

'11 MAP CHANGE PER CARTOG. FROM 7930-101 TO 7930A-300

'11 MAP CHANGE PER CARTOG. FROM 7930-101 TO 7930A-300

Account History:

<u>From Account Id</u>	<u>From TaxMapKey</u>	<u>To Account Id</u>	<u>To TaxMapKey</u>	<u>Year of Change</u>
50351	709300000101	50351	70930A000300	2011

Owner(s):

Current Ownership:

<u>Owner Name</u>	<u>Ownrshp %</u>	<u>Type</u>
Federal Home Loan Mortgage Co		Corporation

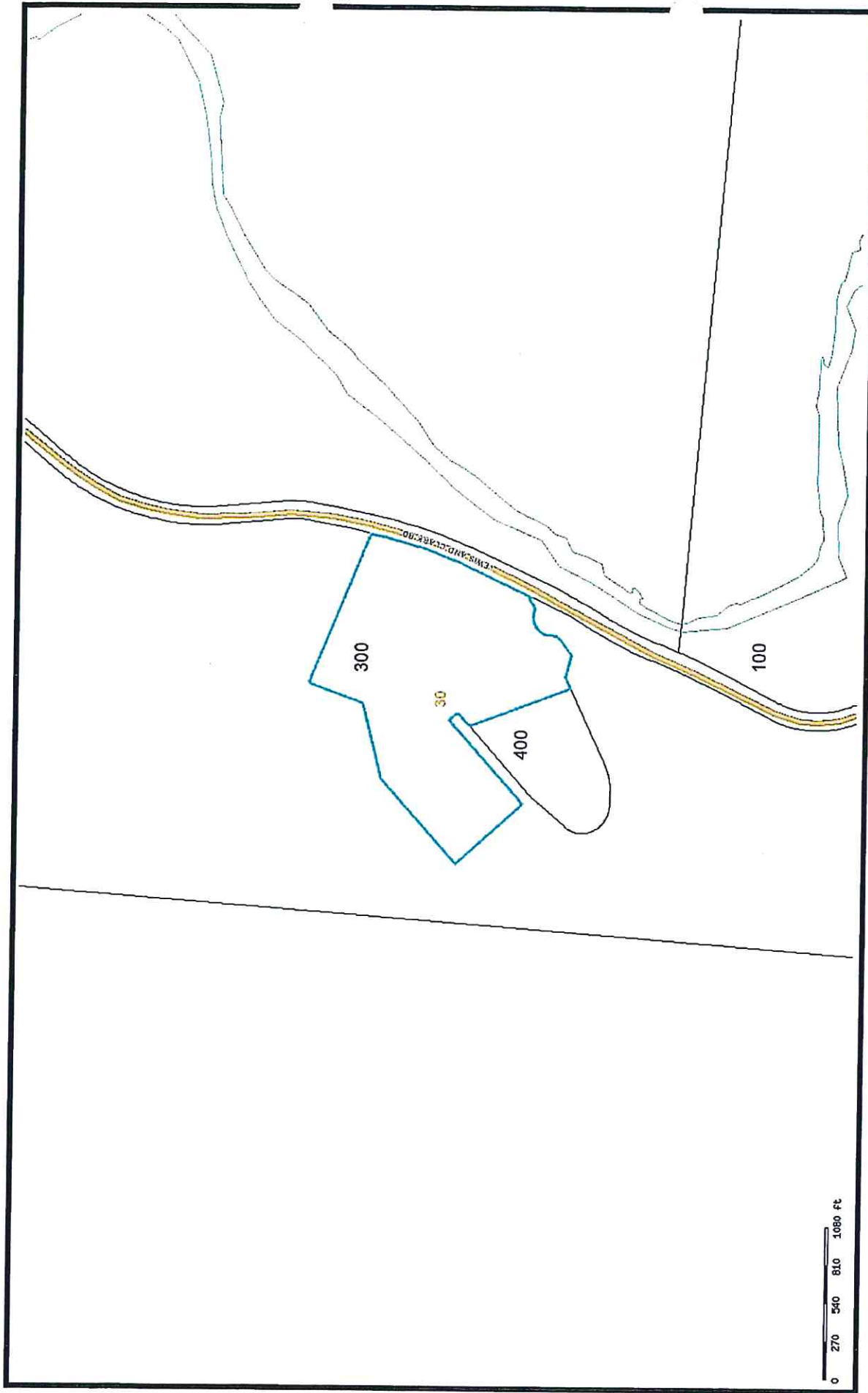
Ownership History: Book 945, Page 612

Create Dte Effective Dte Instrmnt ID

03/03/2010	07/17/2008	201001782	Ward Wayne	Owner
03/10/2015	03/03/2015	201501422	Caliber Home Loans Inc	Incorporated
03/10/2015	02/12/2015	201501423	Federal Home Loan Mortgage Co	Corporation

Voucher History:

Voucher 1	Source: Clerk	Effective Date: 02/12/2015	Map Key: 70930A000300
Document Type Code: Warranty Deed		Date Created: 03/10/2015	Instrument Id: 201501423
Operation: Name Change		Completed Date: 03/10/2015	Book:
Operation Type: Name		Voucher Type: Assessment	Page:
Completeness Status: Completed		Consideration: \$10	Status: Active
Partition Flag: No		Remarks:	
User Id: TGRAMSON			



Clatsop County Webmaps

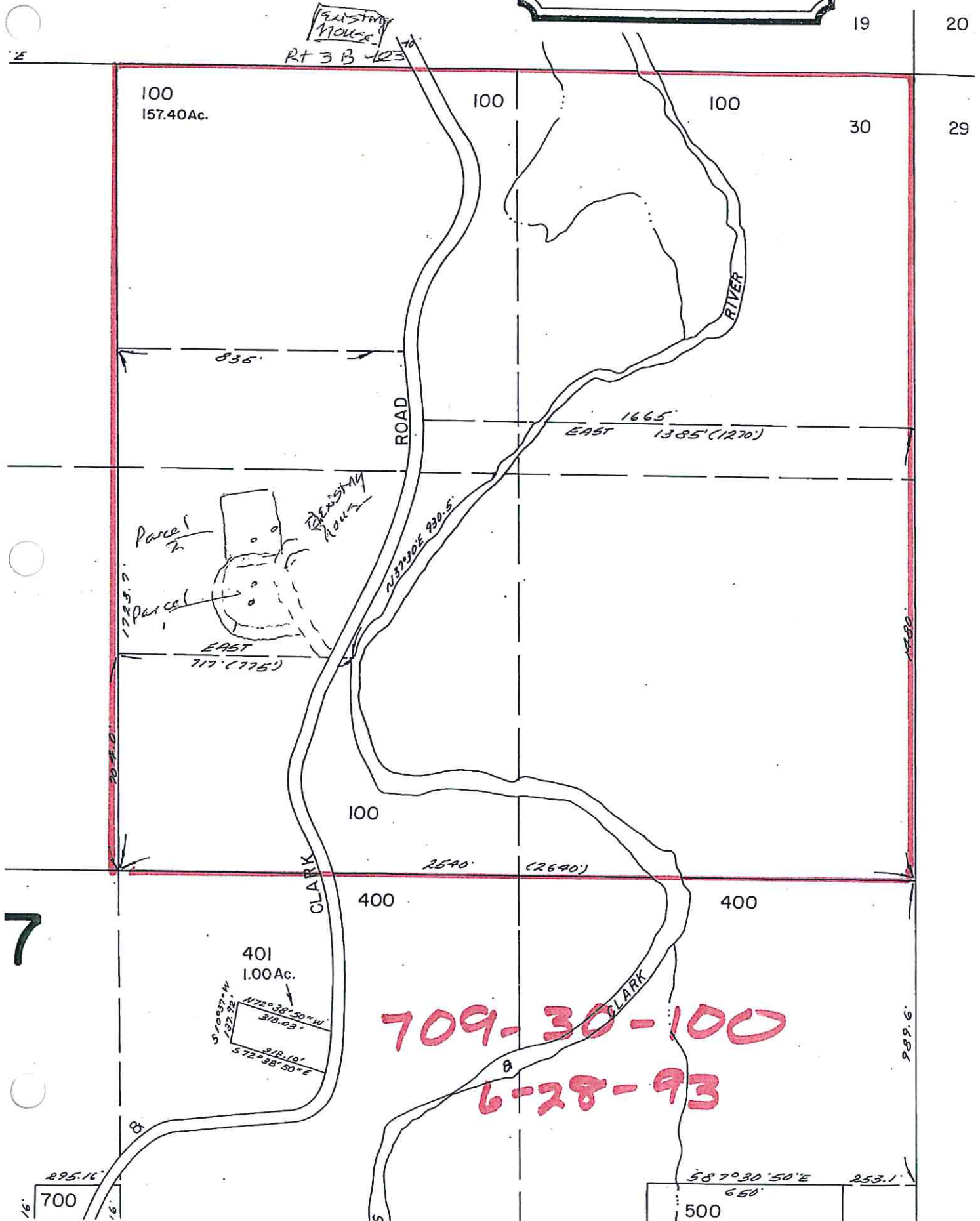
Disclaimer: This map was produced using Clatsop County GIS data. The GIS data is maintained by the County to support its governmental activities. This map should not be used for survey or engineering purposes. The County is not responsible for map errors, omissions, misuse or misinterpretation. Photos may not align with taxlots.



1" = 400'

CLATSOP COUNTY
ASSESSOR'S OFFICE

SEE MAP 7 9 19

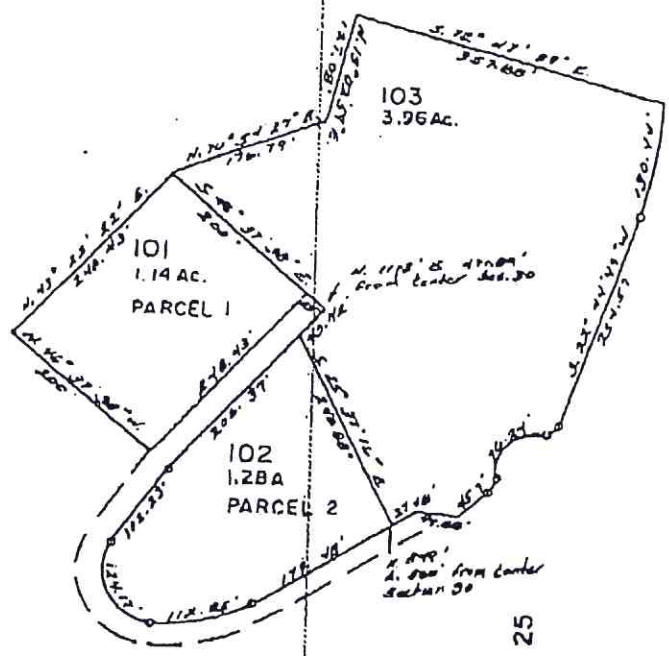


This map is made solely for the purpose of assisting in locating sale premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

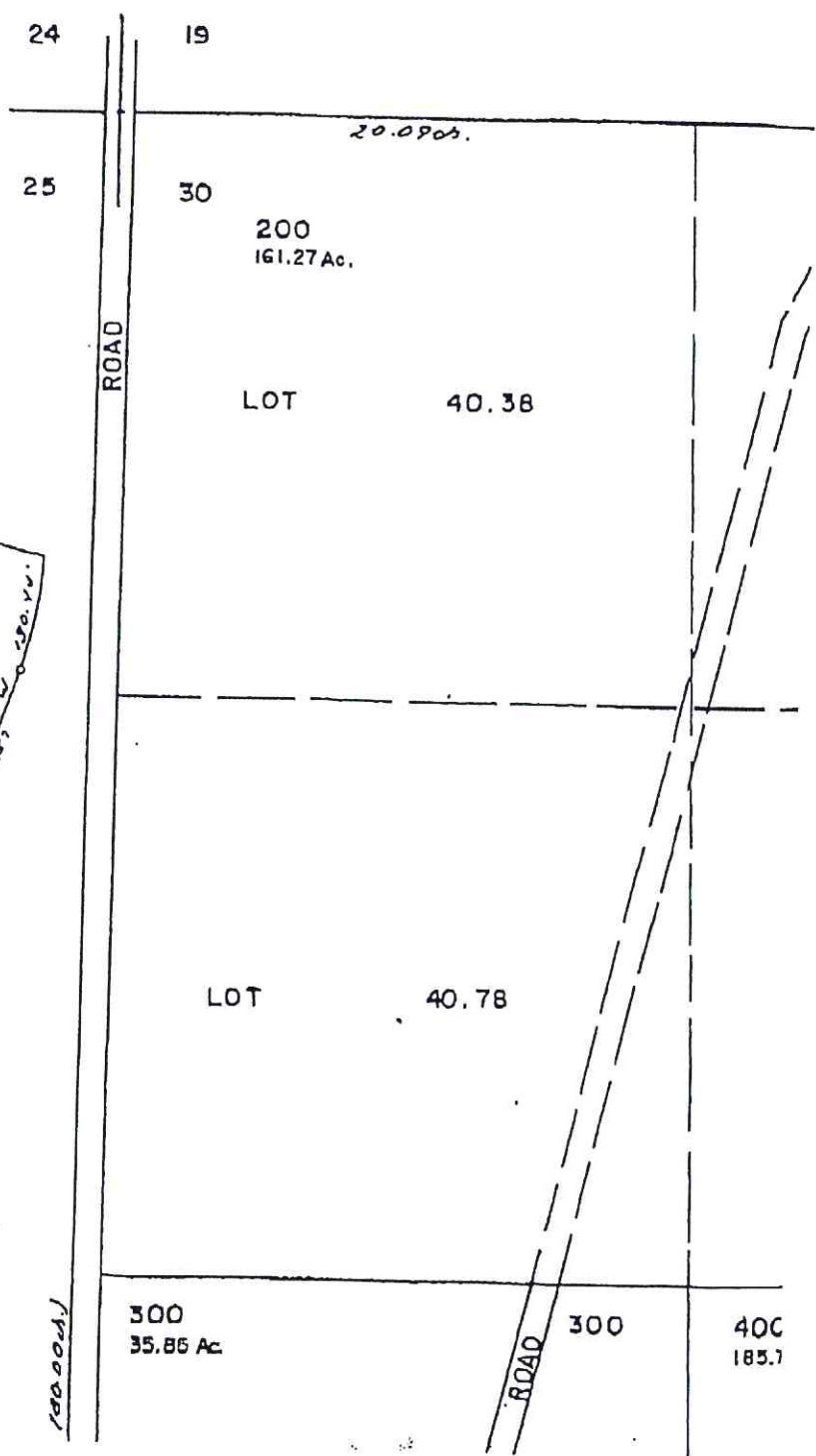
TICOR TITLE INSURANCE COMPANY



DETAIL 1"=200'
PARTITION PLAT 1994-002



SEE MAP 7 D 25



PAGE 70

FOUND 3-1/4" COUNTY SURVEYOR'S ALUMINUM CAP IN CONCRETE, MARKED "77N 89W 1/4 519-530 LS 954 1991", TOP FLUSH WITH SURFACE, N 1/4 CORNER OF SECTION 30, SEE 87-1246

BOOK 253 PAGE 70

BOOK 253 PAGE 70

BOOK 253 PAGE 70

BOOK 274 PAGE 710

BOOK 253 PAGE 70

Location of Spring

SECTION CORNER

19 20 29 30

CLARK & LEWIS

PARCEL 1

PARCEL 2

3/4 mile

CURRENT OCCUPATION, AND AS MONUMENTED ON GROUND.

INITIAL POINT

CENTER 1/4 5 90°00'00" E

1/4 CORNER 2656.91'

29

30



N

VICINITY MAP SCALE:
1" = 500'

STATE OF OREGON
COUNTY OF CLATSOP
I DO HEREBY CERTIFY:
BY: DALE N. BARRETT,
Date 11/13/02

89597 Green Mountain, Astoria, OR 97103

11-1118 Single Family Res Closed \$190,000



Provided as a courtesy of

Kathren J. Rusinovich, ABR

Windermere Community Realty

175 14th Street, Ste. 120

ASTORIA, OR 97103

Mobile - (503) 338-2245

mauikate1@gmail.com

http://www.windermere.com

License #: 870800221



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Remarks/Concessions:**BA Comm:**

2.5

Commission

None

Owner:

REO Experts

**Hot Sheet
Comment:**

new

Area:	Olney/Walluski	Frontage:	None	View:	None
View 2:	None	Style:	Contemporary	Stories:	3
Basement:	No	Approx. SqFt.:	5,070	SqFt Per:	County Assessor
Garage Type:	Attached	Garage Stall:	3	Garage Remarks:	
Year Built:	1989	Year Built		Lot Size:	
Lot Acres:	2	Remarks:		Total Bathrooms:	3.50
Total Full Baths:		Total Bedrooms:	4		
		Total Half Baths:			

County: Clatsop**Tax Year:** 2010**Historic Designation:** No**Zoning:**

EFU

Tax Remarks:**Taxes:**

5,024.91

Account ID:

14850

Geo Lat: 46.082538**Geo Lon:**

-123.735051

Directions: Hwy 202, Right on Youngs River Rd (Olney Store), Left on Olney Cutoff Rd (after bridge) Straight to Green Mountain Rd, property on Left.**Legal:** PARCEL 1 PARTITION PLAT 1992-036**Public Remarks:** For special financing and incentives, Seller requests potential buyers contact your Chase Loan Officer.**Private Remarks:****Listing Type:** Listing Type: Exclusive
Right to Sell**Tax Record:** Tax Map: 7-08-09; Tax Lot:
00202**Miscellaneous:** Possession: Closing**Foundation:** Continuous Concrete**Roof:** Shingle**Siding:** Wood Siding**External Features:** Deck/Patio: Deck;
Street Surface: Paved**Internal Features:** Dishwasher;
Range/Oven; Microwave; Refrigerator;
Other: Hot tub**Utilities:** Heating/Cooling: Electric Heat
Pump; Water: Well; Electric: On Property;
Gas: None; Sewer: Septic; Alternate Heat:
Fireplace**Accessibility:** Bed/Bath on Main: Yes**Showing Instructions:** Call Listing
Office; Sentrilock Lockbox; Vacant**Financial Info:** Foreclosure: Yes; If
Foreclosure Yes:: In Foreclosure; Bank
Owned: Yes; Short sale: No; First
Encumbrance: Non-Assume**Sellers Terms:** Cash

Room Name	Level	Length	Width	Area	Remarks	Room Name	Level	Length	Width	Area	Remarks
Living Room	Main					Bathroom 4	Upper				
Dining Room	Main					Bedroom 1	Upper				
Family Room	Main				Family Room/Dining	Bedroom 2	Upper				
Kitchen	Main					Bedroom 3	Upper				
Eating Area	Main					Bedroom 4	Upper				
Bathroom 1	Main					Bonus Room	Main				
Bathroom 2	Upper					Spa/Hot tub Room	Main				
Bathroom 3	Upper										

Begin Date: 08/24/2011**Agent Days On
Market:**

78

List Price:

200,000

Original List Price: 200,000**Sold Date:**

11/10/2011

Sold Price:

190,000

Financing: conv**Under Contract**

09/08/2011

Contingent:

Yes

Contingent	Inspections	Date:	
Remarks:		Status Change	11/11/2011
		Date:	
LA: Jennie Hillard LA: Heidi Smith SO: RE/MAX River & Sea; (503)338-5200; riverandsea@live.com		SA: Dann Pickell; (503)440-1650; dpickell@pacifier.com SO: RE/MAX River & Sea; (503)738-9552; riverandsea@live.com	

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35364 Searls Ln, Astoria, OR 97103

14-40 Single Family Res Closed \$410,000



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mauikate1@gmail.com
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Remarks/Concessions:		BA Comm: 2.25	Commission Code: None
Owner: Degandi Thomas L/Susan J	Hot Sheet Comment:	price	
Area: Lewis&Clark/Youngs River	Frontage: None	View: Valley	
View 2: Mountain	Style: Craftsman	Stories: 2	
Basement: No	Approx. SqFt.: 1,955	SqFt Per: County Assessor	
Garage Type: Attached	Garage Stall: 2	Garage Remarks: Oversized	
Year Built: 1989	Year Built Remarks:	Lot Size:	
Lot Acres: 12	Total Bedrooms: 3	Total Bathrooms: 2.50	
Total Full Baths: 2	Total Half Baths: 1		
County: Clatsop	Zoning: EFU	Taxes: 3,915.82	
Year: 2013	Tax Remarks:	Account ID: 15389	
Historic Designation: Unknown			
Geo Lat: 46.097690	Geo Lon: -123.843014		
Directions: Loagan Rd to Searls to home Legal: Tax Id # 15388 & 15389 Public Remarks: Quality constructed by Russ Taggard, recent updates by Bergerson Tile, this country home sits elevated looking over the pond and pasture below. Includes 30 x 60 Hay barn and 2,300 Sq. Ft. Shop Barn with 220 elec. Pasture is fenced and cross fenced. Private Remarks:			
Listing Type: Listing Type: Exclusive Right to Sell Tax Record: Tax Map: 7090700; Tax Lot: 01002 Miscellaneous: Possession: Negotiable Foundation: Continuous Concrete Roof: Composition		Siding: Vinyl Siding External Features: Deck/Patio: Deck; Street Surface: Gravel Internal Features: Water Heater: Electric; Dishwasher; Washer/Dryer; Range/Oven; Refrigerator; Ceiling: Vaulted; Garage Door Opener Utilities: Heating/Cooling: Electric Heat Pump; Water: Community; Electric: On Property; Gas: Propane; Sewer: Septic; Alternate Heat: Wood Stove	
Accessibility: Bed/Bath on Main: No Showing Instructions: Call Listing Office Financial Info: Foreclosure: No; Bank Owned: No; Short sale: No; First Encumbrance: Non-Assume Sellers Terms: Cash; Conventional; VA			
Room Name	Level	Length Width Area	Remarks
Living Room	First		Hardwood Floors, valley view
Dining Room	First		Vaulted, hardwood, view
Kitchen	First		Granite counters, tile floor
Bathroom 1	First		Half Bath
Bedroom 1	Second		Spacious master with views.
Room Name	Level	Length Width Area	Remarks
Bedroom 2	Second		Hardwood floors
Bedroom 3	Second		Hardwood floors
Bathroom 2	Second		Full, granite counters
Bathroom 3	Second		Master, Granie & Tile.

Begin Date:	01/13/2014	Agent Days On Market:	415	List Price:	425,000
Original List Price:	439,900	Sold Date:	03/04/2015	Sold Price:	410,000
Financing:	Conv	Under Contract Date:	11/08/2014	Contingent:	Yes
Status Change Date:	03/05/2015				
LA: Lynn Brigham; (503)440-5330; brigham@windermere.com			SA: Lynn Brigham; (503)440-5330; brigham@windermere.com		
LO: Windermere Realty Trust; (503)738-8522; gearhart@windermere.com			SO: Windermere Realty Trust; (503)738-8522; gearhart@windermere.com		

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80641 LOWER NEHALEM RD, Seaside, OR 97138

03-1499 Single Family Res Closed \$291,000



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Remarks/Concessions: None		BA Comm: 2.7	Commission Code: None
Owner: Roush	Hot Sheet Comment: text		
Area: Hamlet Rt	Frontage: River	View: River	
View 2: None	Style: None	Stories: 1	
Basement: No	Approx. SqFt.: 2,084	SqFt Per:	
Garage Type: Detached	Garage Stall: 2	Garage Remarks:	
Year Built: 1986	Year Built Remarks:	Lot Size:	
Lot Acres: 7.51	Total Bedrooms: 3	Total Bathrooms: 2	
Total Full Baths:	Total Half Baths:		
County: Clatsop	Zoning: EFU	Taxes: 1,915	
Tax Year: 2002	Tax Remarks:	Account ID: 1382/1383	
Historic Designation:			
Geo Lat: 45.843358	Geo Lon: -123.589115		
Directions: Hwy 26 right on Lower Nehalem Rd just before bridge			
Legal: Book 972 Page 676			
Public Remarks: Delightful 4 bedroom, 2 bath home on 7 acres. Horse haven with barn, stalls, fenced acreage, large shop area and 2 bedroom apartment over garage. Gorgeous river, mountain view and plenty of trails.			
Private Remarks:			
Listing Type: Listing Type: Exclusive Right to Sell Tax Record: Tax Map: 40707; Tax Lot: 00200 Miscellaneous: Keybox Auth: Yes; Possession: Negotiable; Cross Street: Hwy 26 Foundation: Continuous Concrete		Roof: Composition Siding: Wood Siding External Features: Exterior Color: Grey; OutBuildings: Shop & Barn; Deck/Patio: Deck; Street Surface: Paved Internal Features: Water Heater: Propane; Dishwasher; Range/Oven; Microwave; Refrigerator; Window Coverings	
Utilities: Heating/Cooling: Gas Forced Air; Water: Spring; Electric: On Property; Gas: Propane; Sewer: Septic; Alternate Heat: Wood Stove Showing Instructions: Call Listing Office; Sentrilock Lockbox; Key at Office Financial Info: First Encumbrance: Non-Assume; Escrow At: Ticor Title Sellers Terms: Cash; Conventional			
Begin Date: 11/07/2003	Agent Days On Market: 389	List Price: 345,000	
Original List Price: 389,500	Sold Date: 11/30/2004	Sold Price: 291,000	
Financing: Conv	Under Contract Date: 09/26/2004	Status Change Date: 12/02/2004	
LA: Cindy Hawkins Colley		SA: Nancy Newhall; (503)738-8522; nancynewhall@yahoo.com	
LO: Windermere Realty Trust; (503)738-8522; gearhart@windermere.com		SO: Windermere Realty Trust; (503)738-8522; gearhart@windermere.com	

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91306 Lewis & Clark Rd, Astoria, OR 97103

00-1547 Single Family Res Closed \$135,000



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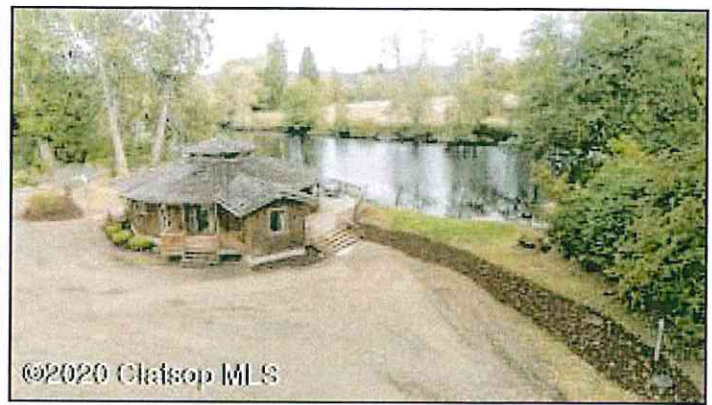
Remarks/Concessions:		BA Comm:	2.7	Commission Code:
Owner:	Roberts	Hot Sheet Comment:	price	
Area:	Lewis&Clark/Youngs River	Frontage:	None	View: Mountain
View 2:	None	Style:	Ranch	Stories: 1
Basement:	No	Approx. SqFt.:	1,600	SqFt Per: Owner
Garage Type:	Detached	Garage Stall:	1	Garage Remarks:
Year Built:	1986	Year Built		Lot Size:
Lot Acres:	2	Remarks:		
Total Full Baths:		Total Bedrooms:	3	Total Bathrooms: 2
Total Half Baths:				
County:	Clatsop	Zoning:	EFU	Taxes: 718
Year:	2000	Tax Remarks:		Account ID:
Historic Designation:				
Geo Lat:	46.129150	Geo Lon:	-123.859527	
Directions: Lewis & Clark Road to 2 mile marker, home on right.				
Legal: X-105979-P; t.c. 00700; t.m.8N10W36; t.l.0107				
Public Remarks: Newer manufactured home on 2 fenced acres with shop + 1 stall for horse. Remodeled bath and patio with hot tub.				
Private Remarks:				
Tax Record: Tax Code: 00700; Tax Map: 8N10W36; Tax Lot: 0107		Siding: T1-11		Showing Instructions: Call Listing Office; Owner Occupied; Sentrilock Lockbox
Miscellaneous: Keybox Auth: Yes; Basement: No; Possession: Negotiable		External Features: Exterior Color: blue-green; OutBuildings: Shop; Deck/Patio: Deck and Patio; Street Surface: Gravel		Manufactured Home: Manufactured Home
Foundation: Pillar/Post/Pier		Internal Features: Water Heater: Electric; Dishwasher; Range/Oven; Refrigerator; Window Coverings		Financial Info: First Encumbrance: Non-Assume; Escrow At: Ticor
Roof: Composition		Utilities: Heating/Cooling: Heat Pump; Water: Community; Electric: On Property; Gas: None; Sewer: Septic		Sellers Terms: Cash; Conventional
Begin Date:	10/20/2000	Agent Days On Market:	150	List Price: 137,900
Original List Price:	144,900	Sold Date:	03/19/2001	Sold Price: 135,000
Financing:	conv	Under Contract Date:	01/28/2001	Contingent: No
Status Change Date:	03/19/2001			
LO: Jackie Svensen		SA: Jackie Svensen		
dprice@kentpricerealty.com		SO: Coldwell Banker Kent Price Realty; (503)738-5558; dprice@kentpricerealty.com		

43007 Penttila Ln, Astoria, OR 97103

20-1042 Single Family Res Pending \$650,000



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Remarks/Concessions:		BA Comm:	2.25	Commission Code:	None
Owner:	Barendse	Hot Sheet Comment:	new		
Area:	Knappa/Svensen	Frontage:	Creek	View:	Creek
View 2:	None	Style:	Cabin	Stories:	1
Basement:	No	Approx. SqFt.:	1,366	SqFt Per:	County Assessor
Garage Type:	None	Garage Stall:	0	Garage Remarks:	Driveway, RV parking
Year Built:	1984	Year Built Remarks:		Lot Size:	
Lot Acres:	27.87	Total Bedrooms:	2	Total Bathrooms:	2
Total Full Baths:	2	Total Half Baths:			
County:	Clatsop	Zoning:	EFU	Taxes:	3,001.45
Year:	2019	Tax Remarks:		Account ID:	18968
Historic Designation:	No				
Geo Lat:	46.211906	Geo Lon:	-123.561227		
Directions: Ziak Gnat Creek to Barendse Lane to Penttila Lane, home at the end of the road Legal: instrument #201705664 Public Remarks: Magical outdoor paradise on 27+ acres! Enjoy world class bass fishing or kayaking launched right from your own private dock on Grizzly Slough. Watch wildlife from the almost full surround deck! Wood interiors, wood floors, open beam ceiling, bay window overlooking the water, toasty woodstove! Got equipment, hobbies, or stuff? Store it in the expansive metal shop with loft or the additional storage sheds. Plenty of room for outdoor endeavors, animals, gardens and exploring awaits you. Extreme privacy and limitless potential for your oasis. Come see the swallows dip and dodge along the water's edge and hand-feed the deer from your own nature sanctuary! Private Remarks: To schedule a showing please call 1.800.Showing Prior to showing. Masks required- seller is high risk. Please remove shoes, only agent to touch surfaces. Only those on the purchase contract allowed in home, proof funds or prequal letter required before entering home. Access to interior of shop upon accepted offer.					
Listing Type: Listing Type: Exclusive Right to Sell Tax Record: Tax Map: 8070400; Tax Lot: 01000 Miscellaneous: Keybox Auth: Yes; Levels: 1; Basement: No; Possession: Seller Rent Back; Cross Street: Barendse Lane Foundation: Continuous Concrete Roof: Shake		Siding: Cedar; Lap Siding External Features: Exterior Color: natural; OutBuildings: Shop; Deck/Patio: Deck; Street Surface: Gravel Internal Features: Water Heater: Electric; Dishwasher; Range/Oven; Refrigerator; Ceiling: Beam; Furnished: No Utilities: Heating/Cooling: Wall Furnace; Water: Community; Electric: On Property; Gas: None; Sewer: Septic In; Alternate Heat: Wood Stove		Accessibility: Bed/Bath on Main: Yes Showing Instructions: Appt. Necessary; Call Listing Office; Owner Occupied; Sentrilock Lockbox Financial Info: Foreclosure: No; Bank Owned: No; Short sale: No; First Encumbrance: Non-Assume; Escrow At: Tigor Astoria Sellers Terms: 1031; Cash; Conventional	
Room Name	Level	Length	Width	Area	Remarks
Living Room	Main				
Dining Room	Main				
Kitchen	Main				
Bedroom 1	Main				
Room Name	Level	Length	Width	Area	Remarks
Bedroom 2	Main				
Bathroom 1	Main				
Bathroom 2	Main				
Begin Date:	09/23/2020	Agent Days On	47	List Price:	650,000

Original List Price: 650,000	Market: Under Contract Date:	10/15/2020	Status Change Date:	10/15/2020
LA: Jennie Morisse; (503)741-9820; listing@pacgrouphomes.com : Keller Williams Sunset Corridor; (503)741-9820		CLA: Heidi Stackhouse; (503)791-9401; listing@pacgrouphomes.com		

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90592 HIGHWAY 202, Astoria, OR 97103

14-753 Single Family Res Closed \$460,000



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Remarks/Concessions:		BA Comm:	2.25	Commission Code:	None
Owner:	Davis	Hot Sheet Comment:	new		
Area:	Olney/Walluski	Frontage:	None	View:	Youngs River
View 2:	Mountain	Style:	Contemporary	Stories:	2
Basement:	Daylight	Approx. SqFt.:	3,557	SqFt Per:	Fee Appraiser
Garage Type:	Attached	Garage Stall:	2	Garage Remarks:	
Year Built:	1982	Year Built		Lot Size:	
Lot Acres:	7.29	Remarks:		Total Bathrooms:	3
Total Full Baths:	2	Total Bedrooms:	3		
		Total Half Baths:	1		
County:	Clatsop	Zoning:	EFU	Taxes:	6,980
Tax Year:	2014	Tax Remarks:		Account ID:	51395/94
Historic Designation:	Unknown				
Geo Lat:	46.117107	Geo Lon:	-123.789586		
Directions: Hwy 202 to MP 7, Right on paved driveway, stay to Right at Y					
Legal: Recording Instrument# 200007512					
Public Remarks: Amazing Olney acreage stretching over 7 acres includes tastefully updated 3 bedroom home. Home includes upgrades like granite, jetted tub, two fireplaces, a deluxe master suite, office and a family room. Grounds feature a panoramic Youngs River view, huge green house and pasture areas.					
Private Remarks:					
Listing Type: Listing Type: Exclusive Right to Sell		Siding: Cedar		Accessibility: Bed/Bath on Main: No	
Tax Record: Tax Map: 7-09-03; Tax Lot: 001903		External Features: Exterior Color: Green; OutBuildings: Shop; Deck/Patio: Deck; Street Surface: Paved		Showing Instructions: Appt. Necessary; Owner Occupied	
Miscellaneous: Possession: Negotiable		Internal Features: Water Heater: Electric		Financial Info: Foreclosure: No; Bank Owned: No; Short sale: No; First	
Foundation: Continuous Concrete		Utilities: Heating/Cooling: Electric Heat Pump; Water: Community; Electric: On		Encumbrance: Non-Assume; Escrow At:	
Roof: Shake		Property: Gas: Propane; Sewer: Septic; Alternate Heat: 2 Fireplaces		Ticor Title	
				Sellers Terms: Cash; Conventional	
Begin Date:	06/06/2014	Agent Days On Market:	364	List Price:	535,000
Original List Price:	535,000	Sold Date:	06/05/2015	Sold Price:	460,000
Financing:	Conv	Under Contract Date:	03/31/2015	Contingent:	Yes
Contingent Remarks:	Inspection/Financing	Status Change Date:	06/05/2015		
Preston Van Hook; (503)440-1877; pvducks1@gmail.com			SA: David Hoggard; (503)440-4670; dthoggard@yahoo.com		
RE/MAX River & Sea; (503)338-5200;			SO: RE/MAX River & Sea; (503)738-9552;		
riverandsea@live.com			riverandsea@live.com		

Wiley Lane, Astoria, OR 97103

20-278 Land-Residential Closed \$95,000



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Windermere Community Realty

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ASTORIA, OR 97103

Mobile - (503) 338-2245

mauikate1@gmail.com

http://www.windermere.com

License #: 870800221

**Remarks/Concessions:****BA Comm:**

2.75

Commission Code:

Co-listing

Owner:Stevenson Joseph
McClendon**Owner Phone:****Lot Size:****View:**

None

Lot Acres:

4.03

View 2:

None

Frontage:

None

Area:

Olney/Walluski

County:

Clatsop

Assessed Valuation:**Taxes:**

44.20

Tax Remarks:**Subdivision:**

Walluski Acres

CC & R:

NO

Cross Street:

Little Walluski Lane

Zoning:

AF80

Tax Year:

2017

Account ID:

55311

Historic

No

Designation:**Geo Lat:**

46.146610

Geo Lon:

-123.765544

Public Remarks: Lot of Record approval now on file. Buildable raw land with timber, including several very large trees. Build your best home close to town.

Private Remarks:**Legal:** Book 355 page 650 CCDR**Directions:** HWT 202 S to Walluski Loop east to Little Walluski Lane to Wiley Lane**Listing Type:** Listing Type: Exclusive Right to Sell**Tax Record:** Tax Map: 80926/; Tax Lot: 00801

Miscellaneous: Corner Stakes: No; Survey: No; Grade: On; Street Surface: Gravel; MFG Home Friendly?: Yes; Sign: No

Utilities: Water: 100+ Away; Electric: At Street; Gas: None; Sewer: None

Financial: Foreclosure: No; Bank Owned: No; Short Sale: No; Encumbrance Type: FREE & CLEAR

Seller Terms: Cash**Begin Date:**

03/17/2020

Agent Days On

85

List Price:

125,000

Original List Price: 125,000**Market:****Sold Date:**

06/10/2020

Sold Price:

95,000

Financing:

cash

Under Contract**Date:**

05/27/2020

Contingent:

Yes

Contingent

inspection

Status Change**Date:**

06/11/2020

LA: Peter Weidman; pete@astoriarealestate.net**CLA:** Janet Weidman; (503)325-3304;

janet@astoriarealestate.net

LO: Astoria Real Estate; (503)325-3304;

pete@astoriarealestate.net

SA: Dorrie Caruana; (503)440-0347; dorriecaruana@gmail.com**SO:** RE/MAX River & Sea; (503)338-5200;

riverandsea@live.com

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EXHIBIT 2

Public Notice and Comments Received



Clatsop County

Community Development – Planning

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

PUBLIC NOTICE

CONDITIONAL USE APPLICATION #186-21-00002-PLNG

COMMENT PERIOD ENDS:**4:00 p.m. Thursday, June 3, 2021****SEND COMMENTS TO:**

Community Development Department
800 Exchange Street, Suite 100
Astoria, Oregon 97103
Ian Sisson, Senior Planner

CONTACT PERSON:

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

NOTICE IS HEREBY GIVEN that Clatsop County's Community Development Department, Land Use Planning Division has received the application described in this letter. Pursuant to *Section 2.020* of the Clatsop County Land and Water Development and Use Ordinance (LWDUO), the Department Director has the authority to approve the request in accordance with the requirements as depicted in the County Ordinance *80-14*.

Kathren Rusinovich, on behalf of property owners Joy Brotherton and Janice McConahay, has submitted an application to establish a single-family dwelling on property in the Exclusive Farm Use Zone (EFU) near the unincorporated rural community of Knappa. The subject property is approximately 4.0 acres in size, located at the northwest corner of the Waterhouse Road / Old Highway 30 intersection. The property address is 92878 Waterhouse Road, Astoria; the property is further identified as Township 8N, Range 7W, Section 18, Tax Lot 700.

According to soil survey data from the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), the subject property is predominately composed of Mues Medial Silt Loam (45A), 0 to 3 percent slopes, which is rated as a Class II soil for agricultural capability. Pursuant to Clatsop County Land and Water Development and Use Ordinance 80-14 (LWDUO), Section 1.030, property composed predominately of Class II soils constitutes "high value farmland." According to County Assessor records, the property has historically been managed for timber production and is under a special tax assessment.

The applicant has requested conditional use approval pursuant to LWDUO Section 3.563(22), which provides for the establishment of one single-family dwelling on a lawfully created lot or parcel, subject to a Type II procedure and Standards Document sections S3.508(2) and S3.512. The full list of applicable review criteria can be found below and continued on the next page.

See reverse side for vicinity map and diagram of proposal.

All interested persons are invited to submit written comments relevant to the proposed development and applicable standards to the Clatsop County Community Development Department (address above). Written comments may also be sent via FAX to [503-338-3606](tel:503-338-3606), or email to comdev@co.clatsop.or.us. Written comments must be received in this office no later than **4:00 p.m. on Thursday, June 3, 2021**, in order to be considered in the review. Planning representative for the application is Ian Sisson, Planner, (503) 325-8611 or isisson@co.clatsop.or.us

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

LWDUO 80-14: Article I – Introductory Procedures; Article II – Procedures for Land Use Applications; 3.560 Exclusive Farm Use Zone (EFU); 5.000 Conditional Development and Use

Standards Document: Chapter 2 Site Oriented Improvements; S3.500 Farm and Forest Zones Dwelling and/or Use Standards; S4.500 Protection of Riparian Vegetation; Chapter 5 Vehicle Access Control & Circulation

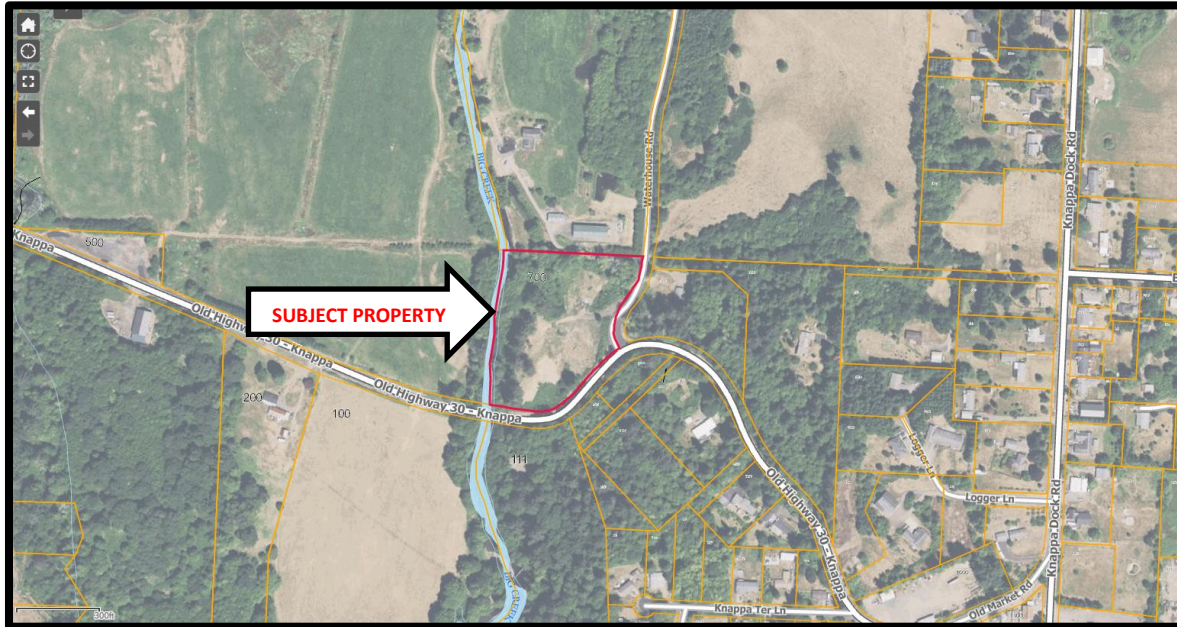
Notice to Mortgagee, Lien Holder, Vendor or Seller: ORS Chapter 215 requires that if you receive this notice it must promptly be forwarded to the purchaser.

Mailing Date: May 24, 2021

Comprehensive Plan: Goal 1 Citizen Involvement; Goal 2 Land Use Planning; Goal 3 Agricultural Lands; Goal 4 Forest Lands; Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources; Goal 6 Air, Water and Land Resources Quality; Goal 7 Areas Subject to Natural Disasters and Hazards; Goal 11 Public Facilities and Services; and the *Northeast Community Plan*

All documents listed above are available for review at the Clatsop County Community Development Department office, 800 Exchange Street, Suite 100, Astoria, Oregon, and on-line at the county's website, www.co.clatsop.or.us/landuse.

VICINITY MAP:



2018 Aerial Photo

PROPOSED SITE PLAN:



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

<u>Owner1</u>	<u>Owner2</u>	<u>Address</u>	<u>CityStateZIP</u>	
Brotherton Joy R	McConahay Janice A	42045 Logger Ln	Astoria, OR 97103	mauikate1@gmail.com
Chapman Travis M		41967 Knappa Terrace Lane	Astoria, OR 97103	irb4@centurytel.net
Cunningham Lois	Cunningham Lois Trust	PO Box 792	Santa Barbara, CA 93102	melwyrwitzke@hotmail.com
Dedmon Russell C/Helga K		PO Box 72	Astoria, OR 97103	tmclean@co.clatsop.or.us
Hardin Amy D		41973 Knappa Terrace Lane	Astoria, OR 97103	thendryx@co.clatsop.or.us
Kem Howard N		92878 Waterhouse Rd	Astoria, OR 97103	dkeranen@co.clatsop.or.us
Kennedy Michael T	Kennedy Cheree	4528 122nd Ave E	Edgewood, WA 98372	abrodigan@co.clatsop.or.us
Larson Ernest R/Martha C		42736 Old Highway 30	Astoria, OR 97103-8618	sjohnson@co.clatsop.or.us
Megowan Victoria R	Raineri Diana F	11015 SW Palatine Ct	Portland, OR 97219	lmoores@co.clatsop.or.us
Oregon State Dept Fish/Wildlife		PO Box 59	Portland, OR 97207	dkloss@co.clatsop.or.us
Prairie Cemetery Association		92868 Knappa Dock Rd	Astoria, OR 97103	
Tischer Liisa		42076 Eddy Point Ln	Astoria, OR 97103	
Ulicny Ronald G	Rees Lennox Ivy	92870 Knappa Dock Rd	Astoria, OR 97103	
Water Department	Knappa	92755 Allen Rd	Astoria, OR 97103	
Wikstrom Paul		1478 2nd St	Astoria, OR 97103	
Applicant	Kathren Rusinovich			
Applicant	Joy Brotherton			
Applicant	Melanie Wyrwitzke			
Public Works	Ted McLean			
Public Works	Terry Hendryx			
Public Works	Dean Keranen			
Environmental Health	Annette Brodigan			
Assessor's Office	Suzanne Johnson			
Assessor's Office	Lisa Moore			
Building Official	David Kloss			
DLCD	Lisa Phipps			lisa.phipps@state.or.us
DLCD Farm/Forest	Hilary Foote			hilary.foote@state.or.us
ODFW	Michael Sinnott			michael.sinnott@state.or.us
ODA	James Johnson			johnson@oda.state.or.us
ODF	Cullen Bangs			cullen.bangs@state.or.us
NCWA				northcoastwatershedcouncils@gmail.com
CSWCD	Misty Ogier			office@clatsopswcd.org
NCLC				katiev@nclctrust.org

CERTIFICATE OF MAILING

I hereby certify I served a copy of the attached public notice to those listed on the attached page with postage paid and deposited in the US Post Office, Astoria, Oregon, on said day.



Clarence Adams, Permit Tech

Date:

05-24-21
Clarence Adams

Ian Sisson

From: Howard Kem <howard@bigcreekfishing.com>
Sent: Monday, May 31, 2021 9:23 AM
To: comdey@co.clatsop.or.us
Cc: Ian Sisson
Subject: Conditional Use Application #186-21-00002PLNG

To Whom It May Concern;

I would like to bring to attention that the property address description is in error. My legal address is 92878 Waterhouse Road.

Respectfully,,

Howard N. Kem
92878 Waterhouse Road
Astoria , Oregon 97103



Virus-free. www.avg.com

Ian Sisson

From: NUZUM David J * ODFW <David.J.NUZUM@odfw.oregon.gov>
Sent: Friday, July 23, 2021 8:32 AM
To: Ian Sisson
Subject: RE: Impact of Proposed Dwelling on Habitat

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Ian,

As is common in Peripheral Big Game habitat, the applicant can likely expect elk use of the open grassy areas during the winter and early spring months. However, given the proximity of large, open pastures nearby I do not expect any great impact to elk herds from siting of a dwelling and out building in this location.

DN

DAVID NUZUM
ASST. WILDLIFE BIOLOGIST
NORTH COAST WATERSHED DISTRICT — TILLAMOOK
503-842-2741 x18622

From: Ian Sisson <isisson@co.clatsop.or.us>
Sent: Thursday, July 22, 2021 8:59 AM
To: 'David Nuzum' <David.J.Nuzum@state.or.us>
Subject: Impact of Proposed Dwelling on Habitat

Hi Dave,

We have an application for a new dwelling in an EFU Zone at the NW corner of Waterhouse Road and Old Highway 30, near Knappa (map/taxlot #807180000700).

The subject property is in an area identified in our Comprehensive Plan as Peripheral Big Game Habitat. The conditional use application procedure requires evaluation of the possible affects on big game habitat, and whether/how those impacts can or cannot be mitigated.

Attached is the applicant's proposed site plan. Could you please take a look at this and send me your opinion?

Let me know if you have any questions or need additional information.

Thanks in advance for your response.

Ian Sisson, AICP
Senior Planner | Land Use Planning Division

Clatsop County Community Development
800 Exchange Street, Suite 100
Astoria, OR 97103

503.325.8611 | Fax: 503.338.3606

Helpful Links:

[Land Use Planning Homepage](#)

[Permit Application Forms](#)

[Clatsop County Webmaps](#)

[Clatsop County Property Information](#)

This message has been prepared on resources owned by Clatsop County, Oregon. It is subject to the Internet and Online Services Use Policy and Procedures of Clatsop County.

From: Annette Brodigan
Sent: Monday, May 24, 2021 11:51 AM
To: Clancie Adams; Julia Decker; Ian Sisson; Gail Henrikson; Jason Pollack
Subject: RE: Public Notice - Brotherton/McConahay Conditional Use

Hello,

This vacant lot does not have a site evaluation on file.

In order to move forward with a septic system for a single family dwelling, the owners will be required to obtain a site evaluation report and then a construction/installation permit when they are ready to build.

Sincerely,

Annette Brodigan

Clatsop County Public Health

503-338-3681

Office hours Monday through Thursday 7:30 – noon and 1 – 4:30

Friday 7:30 – 11:30

From: Clancie Adams
Sent: Monday, May 24, 2021 9:21 AM
To: Julia Decker <JDecker@co.clatsop.or.us>; Ian Sisson <isisson@co.clatsop.or.us>; Gail Henrikson <ghenrikson@co.clatsop.or.us>; Jason Pollack <jpollack@co.clatsop.or.us>; 'mauikate1@gmail.com' <mauikate1@gmail.com>; 'jrb4@centurytel.net' <jrb4@centurytel.net>; 'melwyrwitzke@hotmail.com' <melwyrwitzke@hotmail.com>; Ted Mclean <TMclean@co.clatsop.or.us>; Terry Hendryx <THendryx@co.clatsop.or.us>; Dean Keranen <dkeranen@co.clatsop.or.us>; Annette Brodigan <ABrodigan@co.clatsop.or.us>; Suzanne Johnson <SJohnson@co.clatsop.or.us>; Lisa Moore <lmoore@co.clatsop.or.us>; David Kloss <dkloss@co.clatsop.or.us>; lisa.phipps@state.or.us; 'hilary.foote@state.or.us' <hilary.foote@state.or.us>; michael.sinnott@state.or.us; 'jjohnson@oda.state.or.us' <jjohnson@oda.state.or.us>; BANGS Cullen * ODF (Cullen.Bangs@oregon.gov) <Cullen.Bangs@oregon.gov>; 'northcoastwatershedcouncils@gmail.com' <northcoastwatershedcouncils@gmail.com>; office@clatsopswcd.org; 'Katie Voelke (katiev@nclctrust.org)' <katiev@nclctrust.org>
Subject: Public Notice - Brotherton/McConahay Conditional Use

Please see attached.

Clancie Jo Adams | Permit Technician
Clatsop County Community Development
Land Use Planning Division
800 Exchange Street, Suite 100
Astoria, OR 97103
Phone: 503.325.8611 | Fax: 503.338.3666

This message has been prepared on resources owned by Clatsop County, Oregon. It is subject to the Internet and Online Services Use Policy and Procedures of Clatsop County.

EXHIBIT 3

Correspondence

PRE-APPLICATION MEETING SUMMARY

DATE: November 30, 2020

RE: Application procedure and approval criteria for a single-family dwelling in the EFU Zone.

APPLICANT: Melanie Wyrwitzke

AGENT FOR APPLICANT: Christian Zupancic, Zuplaw Law Firm, LLC

PROPERTY OWNERS: Joy R. Brotherton and Janice A. McConahay

SUBJECT PROPERTY: T8N, R07W, Sec. 18, Tax Lot 700 (+/- 4 acres)

PROPERTY LOCATION: In the unincorporated community of Knappa, at the NW corner of the intersection of Waterhouse Road and Old Highway 30.

PROPERTY ZONING: Exclusive Farm Use (EFU)

Overlays / Layers: Flood Hazard Overlay District (FHO; FEMA AE Floodway – an approx. 20-foot strip along the western property line);
Peripheral Big Game Habitat;
Statewide Wetlands Inventory (SWI; regulated by the Oregon Department of State Lands)

Application Procedure:

1. Type II Conditional Use Permit (\$1200 application fee)
 - See LWDUO Section 2.020. Type II Procedure.
 - Once the application is submitted, the Planning Division has 30 days to deem the application complete or incomplete.
 - Once deemed complete, the Planning Division must issue a final decision within 150 days (including appeals).
 - A Type II procedure in a farm zone requires a public notice to be mailed to interested parties and surrounding property owners within 750 feet. Distribution of the public notice begins a 10-day public comment period.
 - Once a decision on the application is issued, there is a 12-day appeal period. Parties of record may appeal the decision. An appeal of a Type II decision would be reviewed by the Clatsop County Hearings Officer. The fee to appeal a Type II decision is \$250 (refunded if the appellant prevails).
2. Type I Development Permit (plus grading, drainage and erosion control plan review, if applicable)
 - Demonstrate road approach approval, septic approval, fire department approval, documentation of adequate water supply.

3. Building Permits

Applicable Criteria:

Clatsop County Land and Water Development and Use Ordinance 80-14 (LWDUO)

- Section 1.030. Definitions.
- Section 3.560. Exclusive Farm Use Zone.
 - Section 3.563. Conditional Development and Use.
 - (22) One single-family dwelling on a lawfully created lot or parcel subject to S3.508(2) and S3.512; OR
 - (23) Single-family residential dwelling, not provided in conjunction with farm use subject to S3.508(2) and S3.513.
 - Section 3.566. Development Standards.

Clatsop County Standards Document

- Section S3.500. Farm Zone Standards.
 - S3.508(2) Single-family dwelling deeds.
 - S3.509. Conditional Use Review Criteria.
 - S3.512. Lot of Record Dwellings, OR S3.513. Dwellings Not in Conjunction with Farm Use.
- Section S4.500. Protection of Riparian Vegetation.
- Section S5.033. Access Control Standards.

Clatsop County Comprehensive Plan

- Goal 1 – Citizen Involvement
- Goal 2 – Land Use Planning
- Goal 3 – Agricultural Lands
- Goal 5 – Open Spaces, Scenic and Historic Areas and Natural Resources
- Goal 6 – Air, Water and Land Resources Quality
- Goal 7 – Areas Subject to Natural Disasters and Hazards
- Goal 10 – Housing
- Goal 11 – Public Facilities and Services
- *Northeast Area Community Plan*

Oregon Revised Statutes

- [ORS 215.705](#), OR
- [ORS 215.284](#)

USDA / NRCS Soil Mapping & Information:

<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>



Clatsop County Community Development

800 Exchange Street, Suite 100
Astoria, Oregon 97103
comdev@co.clatsop.or.us

Phone 503 325-8611
Fax 503 338-3606
www.co.clatsop.or.us

January 26, 2021

Joy Brotherton
42045 Logger Lane
Astoria, OR 97103

Melanie and Nick Wyrwitzke
92021 Hagen Drive
Astoria, OR 97103

Janice McConahay
92186 Crest Drive
Astoria, OR 97103

Kathren Risinovich/Windermere Community Realty
175 14th Street, Suite 120
Astoria, OR 97103

RE: Incomplete conditional use application: 186-21-000002, for property T8N, R07W, Sec. 08, TL 00700, on Waterhouse Road

Dear Ms. Brotherton, Ms. McConahay, Mr. and Ms. Wyrwitzke, and Ms. Rusinovich:

On January 5, 2021, Clatsop County received an application for a conditional use permit for lot of record dwelling in the EFU Zone at the above location. The application is incomplete.

Due to the nature of the application and the material submitted, staff is unsure what materials are meant to respond to which sections of the application. Staff is precluded from devising the application or making assumptions about what sections of the materials submitted should be applied to the applicants' argument in favor of the lot of record dwelling:

- For example, there are several pages with lists of case law, some entries highlighted and starred, but with no explanation as to what the entries should mean with regard to the application. The implication is the items should be considered, but there is no mention of what evidence they are meant to supply or to which items they should be applied.
- There is a large section in the binder labeled as historic data regarding conditional use approvals on other properties in the EFU and AF zones, but there is no indication as to why the data is included or what its use is in the context of this application. Again, staff cannot infer from the materials. The applicant is responsible for presenting the case.
- The memorandum from Ms. Rusinovich with numbered paragraph does not specify to which elements of the application the paragraphs refer. Staff is unable to determine if all the criteria have responses.
- Staff is not able to locate in the materials actual responses to the criteria for lot of record dwellings, which would have been S3.512 in the old Standards Document and is found in Section 3.9120 Lot of Record Dwellings in the Land and Water Development and Use Code (LAWDUC) that went in to use on January 9, 2021. **This section is critical to staff's review of this application.**

Because staff cannot adequately evaluate the materials supplied, the application is deemed incomplete at this time. If it is helpful to you in completing this application, staff can devise a fillable form for S3.512.

Per Clatsop County Land and Water Development and Use Ordinance #80-14, Section 2.075 and LAWDUC Section 2.1140:

After an application is deemed incomplete in writing by letter to the applicant, the applicant may within 180 days: (a) provide all of the missing information; or (b) provide some of the missing information and written notice that no other information will be provided; or (c) provide written notice that none of the information will be provided.

This provides up to 180 days to you to provide the materials. Without the missing information from the applicant to continue or withdraw, the application will be voided on June 5, 2021, and any application fee that has been submitted will be forfeited.

Please let me know if you have any questions about what is needed or the procedures we are using for your application. Moving forward, your application will be reviewed by Senior Planner Ian Sisson, who also is available to answer questions and whom you have met already during your pre-application conference.

Best regards,

Julia Decker
Planning Manager

cc: Ian Sisson, Senior Planner



Clatsop County

Community Development – Planning

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

March 23, 2021

Joy Brotherton
42045 Logger Lane
Astoria, OR 97103

Melanie and Nick Wyrwitzke
92021 Hagen Drive
Astoria, OR 97103

Janice McConahay
92186 Crest Drive
Astoria, OR 97103

Kathren Rusinovich/Windermere Community Realty
175 14th Street, Suite 120
Astoria, OR 97103

RE: Incomplete Application, #186-21-000002-PLNG, a conditional use request to establish a "Lot of Record Dwelling" per Standards Document Section S3.512

Dear Ms. Rusinovich, Ms. Wyrwitzke, Ms. Brotherton, and Ms. McConahay:

On January 6, 2021, Clatsop County Community Development provided notice to you that the application identified in the subject line was deemed incomplete. On February 10, 2021, our office received additional information in response to the notice. This letter is to inform you that staff has reviewed the additional information and determined the application is still incomplete.

Pursuant to Clatsop County Land and Water Development and Use Ordinance 80-14 (LWDUO) Section 2.180, the applicant shall bear the burden of proof that the proposal is in compliance with the applicable standards. The provided application materials generally lack sufficient fact-and-evidence-based analysis to support the conclusions made. There are also applicable review criteria which still have not been addressed. Specific areas of importance requiring additional information and analysis from the applicant are described in greater detail, below:

Applicable Criteria for High-Value Farmland

The subject property is predominately composed of soils identified as 45A, Mues medial silt loam, which is identified by the USDA and NRCS Web Soil Survey as a Class II soil type. Per Oregon Administrative Rules (OAR) 660-033-020 and LWDUO Section 1.030, land predominantly composed of Class II soils is considered "high value farmland." The applicant responses for the criteria related to high-value farmland do not reflect the correct soil capability classification.

Suitability of the Subject Property for Farm Use

Because the property is identified as high-value farmland, the criteria listed in Clatsop County Standards Document S3.512(3) must be addressed. The application narrative lacks sufficient fact-and-evidence-based analysis to support a conclusion that the property cannot practicably be managed for farm use, by itself or in conjunction with other land.

"Farm use," as defined in the OAR and LWDUO, consists of a wide range of agricultural activities. The application must thoroughly demonstrate, with supporting facts and evidence, the extraordinary circumstances which affect the subject property – circumstances which are inherent

in the land or its physical setting and do not apply generally to other land in the vicinity - and explain how those circumstances affect the suitability of the subject property for all types of possible farm uses.

While the application narrative refers to grazing and dairying as possible farm uses and identifies natural and manmade features surrounding the property as barriers, it does not sufficiently describe how those features constitute extraordinary circumstances which make the land impractical for farm use without undue hardship; or how the same circumstances do not also affect other land in the area. The analysis must also provide a thorough explanation of how those and/or other factors constitute extraordinary circumstances which would create an undue hardship to manage the land for any/all other possible types of farm use.

Farm Zone Conditional Use Review Criteria

Pursuant to S3.512(3)(C)(2), the application must demonstrate compliance with the conditional use review criteria for farm zones listed in S3.509. The application is missing responses to the criteria contained in S3.509. Please address these criteria with thorough fact-and-evidence-based analysis to support your conclusions.

Farmland Stability and Cumulative Impacts Analysis

Pursuant to S3.512(3)(C)(3), the application must demonstrate the proposed dwelling will not materially alter the stability of the overall land use pattern in the area, by applying the standards set forth in Subsection S3.513(2). The application narrative is missing responses to this section, which requires the applicant to identify a specific study area surrounding the subject property; explain why that study area is appropriate; provide a detailed analysis of existing and projected farm and non-farm uses within the study area; the number, location, type, and construction date of existing dwellings; and an analysis of development trends since 1993. These elements likely require extensive research and analysis of public records in order to make sufficient fact-and-evidence-based findings and conclusions.

Because staff cannot adequately evaluate the application without the information listed above, the application continues to be deemed incomplete at this time. Per LWDUO Section 2.075:

After an application is deemed incomplete in writing by letter to the applicant, the applicant may within 180 days: (a) provide all of the missing information; or (b) provide some of the missing information and written notice that no other information will be provided; or (c) provide written notice that none of the information will be provided.

Without the missing information or written notice that no other information will be provided, the application will be voided on June 5, 2021, and any application fee that has been submitted will be forfeited.

Please contact me if you have questions or need additional information.

Respectfully,

Ian Sisson, AICP
Senior Planner

cc: Julia Decker, Planning Manager

Ian Sisson

From: Kathren Rusinovich <mauikate1@gmail.com>
Sent: Thursday, April 15, 2021 4:29 PM
To: Ian Sisson
Subject: Re: Waterhouse Land

Follow Up Flag: Follow up
Flag Status: Flagged

Ian
We have submitted everything you may proceed.

Make It a GREAT day,

Kathren Rusinovich
Your Community Real Estate Advocate
WINDERMERE COMMUNITY REALTY
175 14th St. Ste., 120
Astoria, OR 97103
Office: 503-325-5111, Cell: 503-338-2245
Oregon Broker
<http://www.kathrenrusinovich.com/>

On Fri, Apr 2, 2021 at 4:02 PM Ian Sisson <isisson@co.clatsop.or.us> wrote:

Ms. Rusinovich:

Please see my responses to your questions, below, [in blue](#):

1. When will I be able to pick up a copy of the conditional use permit for the Big Creek Lodge?

[I sent this over to you via email on Wednesday 3-31-21. Let me know if you did not receive it.](#)

2. Do you have an example of an impact study that would apply to a rural residential neighborhood and what would the property owner be impacting?

[Unfortunately we have not been able to find an example. Copied on this email is Hilary Foote, Farm/Forest Specialist at DLCD, who may be able to provide an example or point you in the right direction.](#)

3. Which questions that have been answered are missing a better explanation?

Please refer to the items listed in the two incomplete letters – especially the most recent one – these are the big-ticket items. And, in general, please be sure your application narrative provides an explanation of how you have reached each of your conclusions.

4. The property has not been used in conjunction with a dairy farm. What else do you need to verify confirmation of this standard.

The subject property is predominately composed of Class II soils. The definition of “high value farmland” found in LWDUO Section 1.030 identifies land predominately composed of Class II soils as high value farmland, as does the definition found in OAR 660-033-0020. The definition in the OAR also says *lower* classifications of soils are considered high value farmland if located on land west of the Coast Range that was used in conjunction with a dairy operation on January 1, 1993. We can ignore this section of the definition because the subject property is predominately composed of Class II soils, which already qualifies it as “high value farmland.”

5. Why would you refer to 3.3.6 and 3.3.7 case law? It doesn't apply to lot of record permits.

These section references, from LUBA Headnotes, include examples of the “stability standard” (aka cumulative impacts analysis) and the “unsuitability standard” analysis. These analyses are required for a lot of record dwelling on high-value farmland. The same analyses are also used when evaluating non-farm dwelling applications. Many of the cases referenced in Headnotes were non-farm dwelling applications.

6. Does the planning Dept want us to go back and re-submit answers to the original permit questions and Julia's clarification questions with more detailed explanation to reach the submitted conclusion?

Yes, please. As mentioned above, please be sure your application narrative provides an explanation of how you have reached each of your conclusions. In many cases, this may require factual evidence such as Assessor records for surrounding farmland and farm-zone dwellings.

7. Is their specific language missing for the application? Can you provide a list of what is missing?

Please refer to the items listed in the two incomplete letters – especially the most recent one – these are the big-ticket items. And, in general, please be sure your application narrative provides an explanation of how you have reached each of your conclusions.

8. Does it make a difference if the trees are grown for lumber or for Christmas trees?

Yes. Christmas trees are considered a farm use; trees grown for lumber would be considered a forest use.

9) Are you willing to provide guidance of what exactly would satisfy the counties need for approval?

I don't have guidance for you beyond the information that has been provided to date. If you still need assistance, I would encourage you to consider working with a land use consultant or attorney.

In closing, I have done as much as I can to assist you at this point. A lot of record dwelling is a very complex application type and, unfortunately, I haven't been able to find any examples of successful (or non-successful) applications of this type to share with you. If you need additional assistance at this point, it may be worth your while to work with a land use consultant or attorney.

Respectfully,

Ian Sisson, AICP

Senior Planner | Land Use Planning Division

Clatsop County Community Development

800 Exchange Street, Suite 100

Astoria, OR 97103

503.325.8611 | Fax: 503.338.3606

COVID-19 AND LAND USE PLANNING: In order to protect the health of our employees, clients and the overall public, emails and phone meetings are preferred over in-person visits. Where an in-person visit is required, please [schedule an appointment](#). If you or anyone in your party is ill, coughing, or has a fever, please reschedule your appointment. We appreciate your cooperation in working to protect the health of our community.

Helpful Links:

[Comprehensive Plan Update Story Map and Questionnaire](#)

[Land Use Planning Homepage](#)

[Comprehensive Plan Update – Project Website](#)

From: Kathren Rusinovich <mauikate1@gmail.com>

Sent: Wednesday, March 31, 2021 3:02 PM

To: Ian Sisson <isisson@co.clatsop.or.us>; MELANIE WYRWITZKE <melwyrwitzke@hotmail.com>; Joy Brotherton <jrb4@centurytel.net>; Julia Decker <JDecker@co.clatsop.or.us>; Gail Henrikson <gghenrikson@co.clatsop.or.us>

Subject: Re: Waterhouse Land

Ian:

- 1) When will I be able to pick up a copy of the conditional use permit for the Big Creek Lodge?
- 2) Do you have an example of an impact study that would apply to a rural residential neighborhood and what would the property owner be impacting?
- 3) Which questions that have been answered are missing a better explanation?
- 4) The property has not been used in conjunction with a dairy farm. What else do you need to verify confirmation of this standard.
- 5) Why would you refer to 3.3.6 and 3.3.7 case law? It doesn't apply to lot of record permits.
- 6) Does the planning Dept want us to go back and re-submit answers to the original permit questions and Julia's clarification questions with more detailed explanation to reach the submitted conclusion?
- 7) Is their specific language missing for the application? Can you provide a list of what is missing?
- 8) Does it make a difference if the trees are grown for lumber or for Christmas trees?
- 9) Are you willing to provide guidance of what exactly would satisfy the counties need for approval?

60

Make It a GREAT day,

Kathren Rusinovich

EXHIBIT 4

Maps & Tables

Nonirrigated Capability Class—Clatsop County, Oregon


Soil Map may not be valid at this scale.

Map Scale: 1:1,300 if printed on A portrait (8.5" x 11") sheet.

Map projection: Web Mercator Corner coordinates: WGS84 Edge ticks: UTM Zone 10N WGS84

Map Scale: 1:1,300 if printed on A portrait (8.5" x 11") sheet.

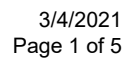
N



0 15 30 60 90 Meters

0 50 100 200 300 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84












MAP LEGEND

Area of Interest (AOI)










 Area of Interest (AOI)

Soils



Soil Rating Polygons








-  Capability Class - I
-  Capability Class - II
-  Capability Class - III
-  Capability Class - IV
-  Capability Class - V
-  Capability Class - VI
-  Capability Class - VII
-  Capability Class - VIII
-  Not rated or not available

Soil Rating Lines


-  Capability Class - I
-  Capability Class - II
-  Capability Class - III
-  Capability Class - IV
-  Capability Class - V
-  Capability Class - VI
-  Capability Class - VII
-  Capability Class - VIII
-  Not rated or not available

Soil Rating Points






-  Capability Class - I
-  Capability Class - II

-  Capability Class - III
-  Capability Class - IV
-  Capability Class - V
-  Capability Class - VI
-  Capability Class - VII
-  Capability Class - VIII
-  Not rated or not available


Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Clatsop County, Oregon
Survey Area Data: Version 18, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 16, 2015—Feb 12, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Nonirrigated Capability Class

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
27	Humitropepts, 25 to 60 percent slopes	6	0.5	9.2%
45A	Mues medial silt loam, 0 to 3 percent slopes	2	3.5	67.6%
66	Tropofluvents, 0 to 3 percent slopes	6	1.2	23.2%
Totals for Area of Interest			5.2	100.0%

Description

Land capability classification shows, in a general way, the suitability of soils for most kinds of field crops. Crops that require special management are excluded. The soils are grouped according to their limitations for field crops, the risk of damage if they are used for crops, and the way they respond to management. The criteria used in grouping the soils do not include major and generally expensive landforming that would change slope, depth, or other characteristics of the soils, nor do they include possible but unlikely major reclamation projects. Capability classification is not a substitute for interpretations that show suitability and limitations of groups of soils for rangeland, for woodland, or for engineering purposes.

In the capability system, soils are generally grouped at three levels—capability class, subclass, and unit. Only class and subclass are included in this data set.

Capability classes, the broadest groups, are designated by the numbers 1 through 8. The numbers indicate progressively greater limitations and narrower choices for practical use. The classes are defined as follows:

Class 1 soils have few limitations that restrict their use.

Class 2 soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices.

Class 3 soils have severe limitations that reduce the choice of plants or that require special conservation practices, or both.

Class 4 soils have very severe limitations that reduce the choice of plants or that require very careful management, or both.

Class 5 soils are subject to little or no erosion but have other limitations, impractical to remove, that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

Class 6 soils have severe limitations that make them generally unsuitable for cultivation and that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

Class 7 soils have very severe limitations that make them unsuitable for cultivation and that restrict their use mainly to grazing, forestland, or wildlife habitat.

Class 8 soils and miscellaneous areas have limitations that preclude commercial plant production and that restrict their use to recreational purposes, wildlife habitat, watershed, or esthetic purposes.

Rating Options

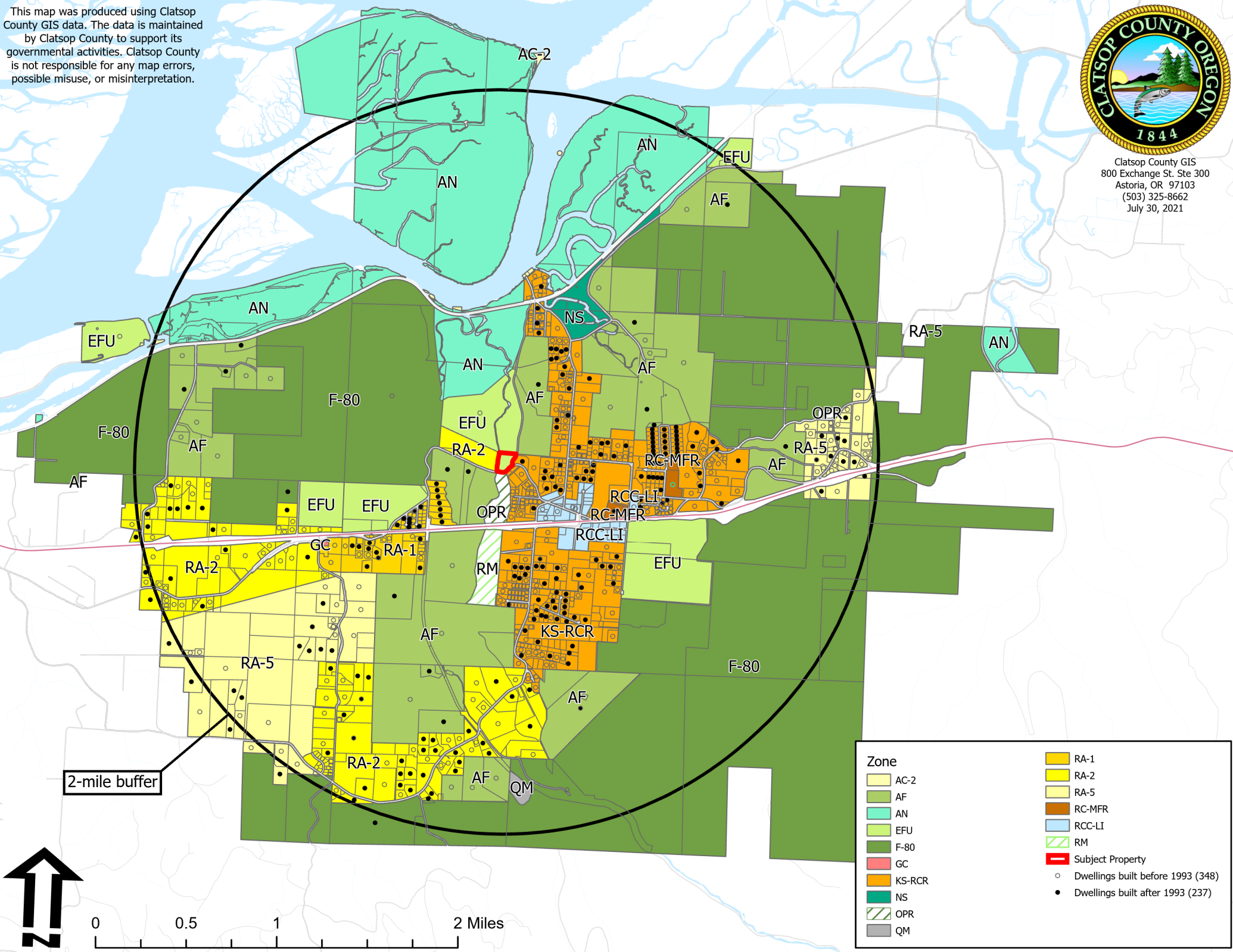
Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

This map was produced using Clatsop County GIS data. The data is maintained by Clatsop County to support its governmental activities. Clatsop County is not responsible for any map errors, possible misuse, or misinterpretation.



Clatsop County GIS
800 Exchange St. Ste 300
Astoria, OR 97103
(503) 325-8662
July 30, 2021

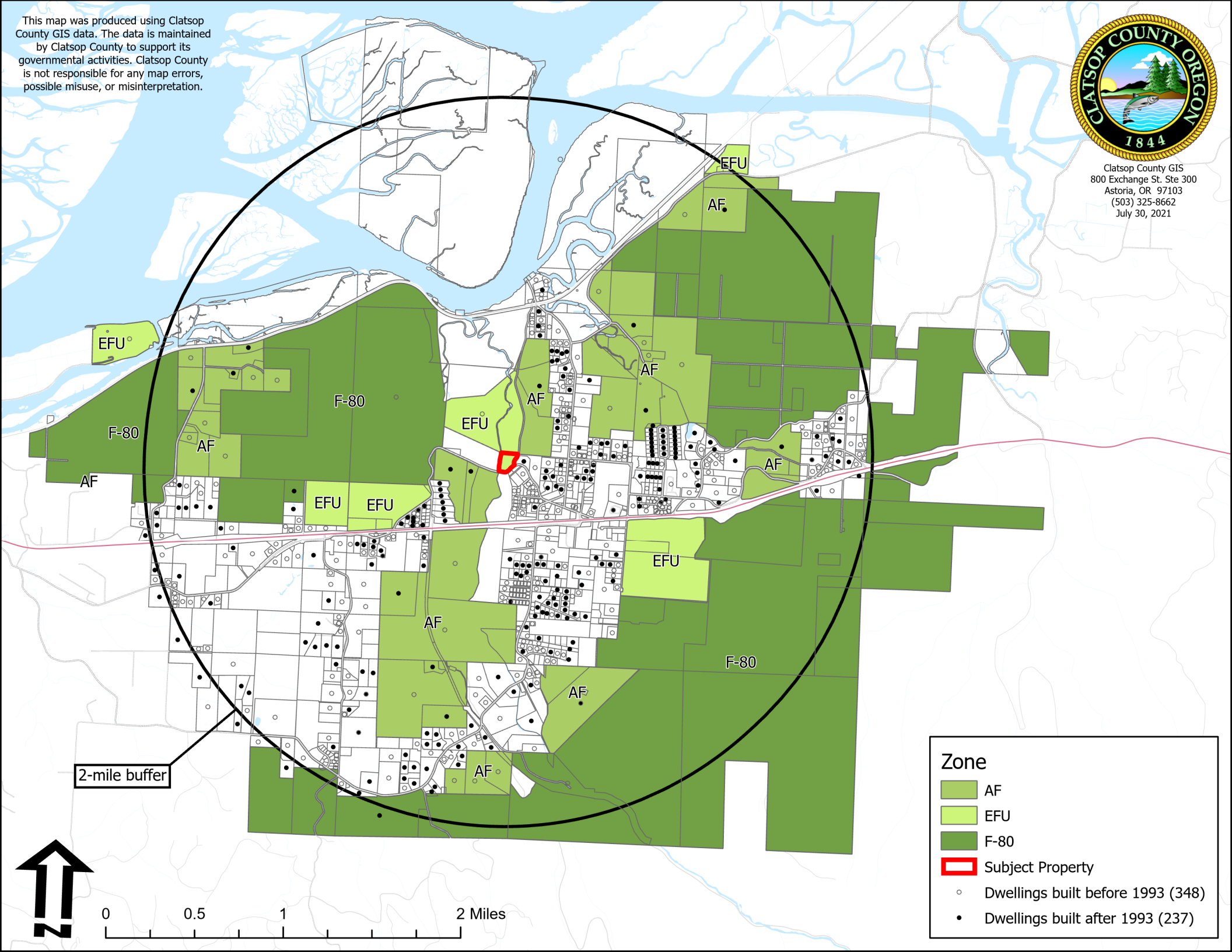


Zone	
	AC-2
	AF
	AN
	EFU
	F-80
	GC
	KS-RCR
	NS
	OPR
	QM
	RA-1
	RA-2
	RA-5
	RC-MFR
	RCC-LI
	RM
	Subject Property
	Dwellings built before 1993 (348)
	Dwellings built after 1993 (237)

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July 30, 2021



2-mile buffer



0 0.5 1 2 Miles

Zone

- AF
- EFU
- F-80

Subject Property

- Dwellings built before 1993 (348)
- Dwellings built after 1993 (237)

This map was produced using Clatsop County GIS data. The data is maintained by Clatsop County to support its governmental activities. Clatsop County is not responsible for any map errors, possible misuse, or misinterpretation.



Clatsop County GIS
800 Exchange St. Ste 300
Astoria, OR 97103
(503) 325-8662
August 2, 2021

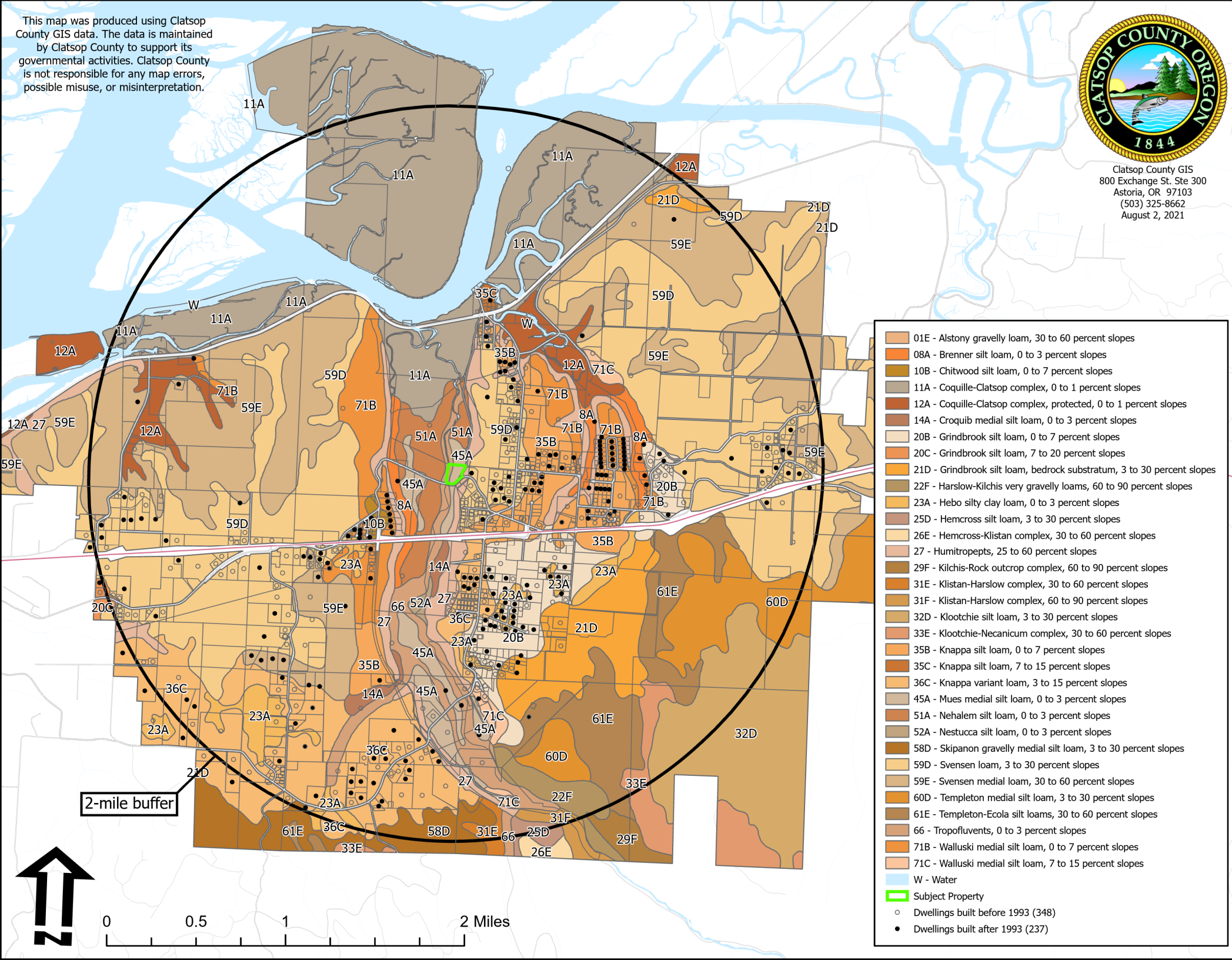


Table 1. Study Area Zoning Information

Zone		Comp. Plan Designation	Acres in Study Area	Percentage of Study Area	Dwelling Count	Pre-1993 Dwellings
GC	General Commercial	Rural Lands	0.939476026	0.009681118	0	
AC-2	Aquatic Conservation 2	Conservation Other Resources	6.592359384	0.067932986	0	
QM	Quarry Mining	Conservation Other Resources	9.435948151	0.097235618	0	
RC-MFR	Rural Community Multi Family Residential	Development	15.72059692	0.161997705	3	
OPR	Open Space Parks And Recreation	Conservation Other Resources	19.81073527	0.204145789	0	
RM	Recreation Management	Conservation Other Resources	33.59204527	0.346159518	0	
NS	Natural Shorelands	Natural	38.64002982	0.398178021	0	
RCC-LI	Rural Community Commercial-Light Industrial	Development	54.384206	0.560418706	6	
RA-1	Residential Agriculture 1	Rural Lands	103.5174445	1.06672721	44	
EFU	Exclusive Farm Use	Rural Agricultural Lands	380.0610416	3.916455399	2	2
RA-5	Residential Agriculture 5	Rural Lands	610.6679723	6.292815142	66	
KS-RCR	Knappa-Svensen Rural Community Residential	Development	663.1043567	6.833161923	311	
RA-2	Residential Agriculture 2	Rural Lands	700.1481759	7.214891304	115	
AF	Agriculture Forestry	Conservation Forest Lands	1305.958246	13.4576467	33	18
AN	Aquatic Natural	Natural	1514.870617	15.61044822	0	
F-80	Forest 80	Conservation Forest Lands	4246.766368	43.76210464	4	2
Total:			9704.209619	100	584	348
Resource Zones:			5932.785656	61.13620674	39	22

Table 2. Study Area Dwelling Information

Map/Taxlot	Account ID	Property Class	Zone	Year Built	Dwelling Type
808130000702	19915	401	AF	1922	Farm
808130001402	19930	541	AF	1921	Farm
807190000200	19425	541	AF	1993	Farm
807170003200	19320	541	AF	1850	Farm
80717C000300	19268	549	AF	1995	Farm
807080001000	51352	401	AF	1932	Farm
80717A000400	19257	401	AF	1920	Farm
80717A000500	58816	401	AF	1987	Farm
808130001100	19921	401	AF	1923	Farm/Forest
807190002501	19468	581	AF	1979	Farm/Forest
807190002200	19460	581	AF	1924	Farm/Forest
807300000500	19808	581	AF	1973	Farm/Forest
808130000600	19910	641	AF	1920	Farm/Forest
807170002408	19276	641	AF	2018	Farm/Forest
80717A000100	19252	401	AF	1867	Forest
807190000102	19411	641	AF	2012	Forest
80730DB00600	19853	641	AF	1967	Forest
807080000600	18991	641	AF	1939	Forest
807090001001	51663	641	AF	2003	Forest
808130001405	19933	661	AF	1984	Forest
807190001700	19449	661	AF	2004	Forest
807290000202	19771	661	AF	1984	Forest
80717A000200	19254	661	AF	2004	Forest
808130001200	19922	401	AF	2004	Forest
808130001301	19926	401	AF	1995	Nonfarm
807300000501	19809	401	AF	1994	Nonfarm
807300002904	19860	401	AF	1965	Nonfarm
807160000800	19156	401	AF	2013	Nonfarm
80717DA00300	56716	401	AF	2014	Nonfarm
808130001401	19929	401	AF	1981	Nonfarm
808130000500	19909	401	AF	1911	Nonfarm
807300002903	19858	401	AF	1981	Nonfarm
80730AC00100	19842	401	AF	2019	Nonfarm (replacement dwelling)
808140000100	19936	551	EFU	1978	Farm
807180000600	55009	581	EFU	1974	Nonfarm (short-term rental)
807300001700	19826	581	F-80	1996	Farm/Forest
807180000100	33941	019	F-80	1979	Forest
808240000300	20749	401	F-80	1993	Nonfarm
807290000600	33134	009	F-80	1984	Hatchery caretaker dwelling

Table 3. Study Area Potential Non-Farm Dwelling Properties (EFU Zone)

Map/Taxlot	Account ID	Size (Acres)	Date Created	Predominant Soils	High-Value Farmland?	Existing Dwelling Info	Notes
807180000600	19405, 55009	132.15	1962	51A	Yes	Constructed in 1974	No additional non-farm dwellings can be built
807190000701	19433	3.04	1978	59D	No	-	Formerly had a dwelling until 2019
807190000800	19435, 19434	6.75	1957	59D	No	-	Measure 49 Claim for up to three homesites
807190000600	19429, 19431	51.75	1957	59D	No	-	Part of above claim
808240000100	20745, 56280	38.91	1957	59D	No	-	Part of above claim
808140000100	19935, 19936	43.16	1957	12A	Yes	Constructed in 1978	No additional non-farm dwellings can be built
807210000701	52695	45.4	1958	35B	Yes	-	Measure 49 Claim for up to three homesites
807200000100	19545	10	1957	20B	Yes	-	Part of above claim
807200000200	19546	78.11	1956	21D	Yes	-	Part of above claim
807090000700	19033, 19034	39.25	1929	12A	Yes	-	
807090000780	19035	0.75	1989	59E	No	-	Part of a tract with parcel above

Table 4. Study Area Specially-Assessed Properties
(farm and mixed farm-forest only)

Special Assessment for Farm Use

Account ID	Property Class	Acres	Farm Assessment Summary	
20775	541	1.441250306	Total Acres:	226.580385
20770	541	1.932050407	Average Size:	18.88169875
19328	540	4.997910927	Median Size:	11.97384941
19329	541	5.001551938		
19424	541	9.328776305		
20774	540	9.960597747		
20772	541	13.98710107		
19266	540	14.91220544		
19268	549	26.81145089		
19407	540	31.14025305		
19936	551	52.77060648		
19320	541	54.29663045		

Special Assessment for Mixed Farm-Forest Use

Account ID	Property Class	Acres	Mixed Farm-Forest Assessment Summary	
19545	580	9.817955556	Total Acres:	683.5022066
19953	580	245.7550013	Average Size:	85.43777583
52695	580	46.02319087	Median Size:	70.56088317
19405	581	134.6676831		
19468	581	69.65599995		
19808	581	104.4003576		
19826	581	71.46576639		
56489	581	1.716251983		

Combined Summary	
Total Acres:	910.0825916
Average Size:	45.50412958
Median Size:	20.86182816

EXHIBIT 5

Friends of Linn County v. Linn County

39 Or LUBA 627 (2001)

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3
4 FRIENDS OF LINN COUNTY,
5 *Petitioner,*

6
7 vs.

8
9 LINN COUNTY,
10 *Respondent,*

11
12 and

13
14 JOHN WARNOCK and DONNA WARNOCK,
15 *Intervenors-Respondent.*

16
17 LUBA No. 2001-023

18
19 FINAL OPINION
20 AND ORDER

21
22 Appeal from Linn County.

23
24 Christopher D. Crean, Portland, filed the petition for review and argued on behalf of
25 petitioner. With him on the brief was Miller Nash, LLP.

26
27 No appearance by Linn County.

28
29 Edward F. Schultz, Albany, filed the response brief and argued on behalf of
30 intervenors-respondent. With him on the brief was Weatherford, Thompson, Ashenfelter and
31 Cowgill, PC.

32
33 HOLSTUN, Board Member; BRIGGS, Board Chair; BASSHAM, Board Member,
34 participated in the decision.

35
36 REMANDED

04/13/2001

37
38 You are entitled to judicial review of this Order. Judicial review is governed by the
39 provisions of ORS 197.850.
40

NATURE OF THE DECISION

Petitioner appeals a county decision granting a conditional use permit for a “lot of record” dwelling on a parcel zoned for exclusive farm use (EFU).

MOTION TO INTERVENE

John Warnock and Donna Warnock, the applicants below, move to intervene in this appeal on the side of respondent. There is no opposition to the motion, and it is allowed.

REPLY BRIEF

Petitioner requests permission to file a reply brief. There is no opposition to the motion, and it is allowed.

STANDING

In this appeal, petitioner challenges a county decision that was adopted following our remand in *Friends of Linn County v. Linn County*, 37 Or LUBA 297 (1999) (*Warnock I*). Intervenors challenge petitioner’s standing to bring this appeal. Intervenors base their standing challenge on an alleged oral agreement between petitioner and county planning staff during the prior proceedings that led to the county’s earlier decision that we remanded in *Warnock I*. Intervenors contend petitioner agreed not to appeal the planning commission’s decision to the county board of commissioners and that one of petitioner’s members violated that agreement by appealing the planning commission’s decision in *Warnock I*.¹ Petitioner denies that it entered into such an agreement.

We have some difficulty seeing how the alleged violation of an agreement not to file a local appeal during the county’s earlier proceedings could have any bearing on petitioner’s standing to bring the present appeal to LUBA. In any event, we have no way of confirming intervenors’ allegations and petitioner disputes them. Accordingly, petitioner’s standing is

¹According to intervenors, they learned of the alleged agreement after our decision in *Warnock I*.

1 governed solely by ORS 197.830(2).² Petitioner filed a notice of intent to appeal, and
2 intervenors do not dispute that petitioner appeared during the county’s proceedings on
3 remand. Petitioner has standing to bring this appeal.

4 **FACTS**

5 The material facts are stated in the petition for review as follows:

6 “The subject property is a 7.80-acre parcel located in an EFU zone in Linn
7 County, Oregon. The soil on the [p]roperty is composed of predominantly (86
8 percent) type-1 high-value soils as inventoried by *the Soil Survey of Linn*
9 *County Area, Oregon*, July 1987, and other information provided by the U.S.
10 Soil Conservation Service. Of the 18 surrounding properties, 11 are receiving
11 farm tax deferral. Of the 11 properties receiving farm tax deferral, nine are
12 engaged in personal agricultural activities and two are engaged in commercial
13 agricultural activities. Tax lots 703 and 404, which abut the subject property
14 to the north, are owned or leased by Mr. Self and are in commercial
15 production. Tax lot 405, which abuts the subject property to the south, is
16 owned by Mr. Drake and also is in commercial production. The subject
17 property received farm use tax deferral until 1992.

18 “Intervenors purchased the property in 1969. They leased the property to a
19 commercial farmer who cut hay and grazed sheep on the property. The
20 adjacent property, which [a]pplicants sold in the early 1990s, continues to be
21 devoted to grazing. Cattle and sheep grazing and poultry production are the
22 predominant agricultural activities conducted on the surrounding lots. More
23 recently, the [a]pplicants have listed the [p]roperty for sale * * *. The
24 [a]pplicants have indicated in their plot plan that the [p]roperty is suitable for
25 hazelnut, berry, and grass production. The [p]roperty is slightly larger than
26 the median tax lot size within a quarter-mile radius.” Petition for Review 2-3
27 (record citations omitted).

28 **SECOND AND THIRD ASSIGNMENTS OF ERROR**

29 **A. Lot or Parcel Cannot Practicably be Managed for Farm Use**

30 In specified circumstances, counties are authorized by statute to approve nonfarm

²ORS 197.830(2) provides that a person has standing to appeal to LUBA, if the person:

- “(a) Filed a notice of intent to appeal the decision as provided in subsection (1) of this section; and
- “(b) Appeared before the local government, special district or state agency orally or in writing.”

1 dwellings in EFU zones. Specific provisions for nonfarm dwellings are set out at ORS
2 215.705 for certain lots that were lawfully created and acquired before 1985 (hereafter lots of
3 record). Different approval criteria must be met for lot of record dwellings, depending on
4 whether the lot of record includes high-value farmland. ORS 215.705(2) sets out criteria for
5 approval of such lot of record dwellings on parcels, such as the subject parcel, that include
6 high-value farmland. As relevant in this appeal, ORS 215.705(2)(a)(C)(i) establishes the
7 following approval criterion for such dwellings:

8 “The lot or parcel *cannot practicably be managed for farm use*, by itself or in
9 conjunction with other land, due to extraordinary circumstances inherent in
10 the land or its physical setting that do not apply generally to other land in the
11 vicinity.” (Emphasis added.)

12 The central dispute in this appeal is whether the county adequately demonstrated that the
13 subject parcel “cannot practicably be managed for farm use.” To resolve that dispute, an
14 understanding of the meaning of the operative terms is required.

15 The term “practicably” is not defined in the statutes. The dictionary definition of
16 “practicable” is as follows:

17 “[P]ossible to practice or perform : capable of being put into practice, done or
18 accomplished : Feasible[.]” *Webster’s Third New International Dictionary*,
19 1780 (unabridged ed. 1981).

20 The impracticability standard is employed in other land use planning contexts, most notably
21 as the ultimate standard for granting irrevocably committed exceptions. In that context, a
22 local government may allow uses that are not allowed by the goals, where “relevant factors
23 make uses allowed by the applicable goal impracticable[.]” OAR 660-004-0028(1). The
24 impracticability standard in that context does not require that all uses allowed by the goal
25 must be “impossible.” OAR 660-004-0028(3).³ However, the impracticability standard is a

³OAR 660-004-0028(3) provides in part:

1 demanding one. *Jackson County Citizens League v. Jackson County*, 38 Or LUBA 357, 365
2 (2000); *1000 Friends of Oregon v. Yamhill County*, 27 Or LUBA 508, 519 (1994). Farm use
3 is not “impracticable” simply because it is not easy to manage the subject property for farm
4 use and obstacles must be overcome to do so.

5 When the term “farm use” is used in ORS chapter 215, it has the meaning set out at
6 ORS 215.203. ORS 215.010(4). As relevant here, ORS 215.203 defines “farm use,” as
7 follows:

8 “[F]arm use’ means the current employment of land for the primary purpose
9 of obtaining a profit in money by raising, harvesting and selling crops or the
10 feeding, breeding, management and sale of, or the produce of, livestock,
11 poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy
12 products or any other agricultural or horticultural use or animal husbandry or
13 any combination thereof. * * *

14 As all parties recognize, the reference to “profit in money” in ORS 215.203 means “gross
15 income,” not “profit in the ordinary sense.” *1000 Friends of Oregon v. Benton County*, 32
16 Or App 413, 429, 575 P2d 651 (1978). Property that is (1) in farm use and (2) located in an
17 EFU zone qualifies for special assessment without being required to demonstrate how much
18 gross income the property has generated in the past. ORS 308A.062. Property that is (1) in
19 farm use and (2) not in an EFU zone may nevertheless qualify for special farm use
20 assessment if it is part of a farm unit that has generated specified minimum levels of gross
21 income in three of the past five years.⁴

“* * * It shall not be required that local governments demonstrate that every use allowed by
the applicable goal is ‘impossible’. For exceptions to Goals 3 and 4, local governments are
required to demonstrate that only [specified] uses or activities are impracticable[.]”

The quoted rule language was adopted in part to make it clear that not all of the many uses allowed under Goals 3 (Agricultural Lands) and 4 (Forest Lands) must be shown to be impracticable, only those uses that are specified in the rule. However, the first sentence also makes it reasonably clear that, in this context at least, the Land Conservation and Development Commission (LCDC) does not view the “impracticability” standard as imposing an “impossibility” standard.

⁴The minimum levels of gross income specified by ORS 308A.071(2)(a) are as follows:

1 In *Warnock I*, we agreed with petitioner that the county incorrectly assumed that it is
2 not “practicable” to manage the subject property “for farm use,” within the meaning of ORS
3 215.705(2)(a)(C)(i), if “commercial” farm use is impracticable. We agree with petitioner
4 that the county has committed a similar error in its decision on remand. In hopes of
5 clarifying what we thought was clear in our prior opinion, we first set out the critical
6 language from our prior decision. We then set out the critical findings adopted by the county
7 on remand. Finally, we explain why the county’s decision on remand misconstrues
8 applicable law and again must be remanded.

9 **B. Warnock I**

10 In *Warnock I*, we explained:

11 “Intervenors argue that the county could, and did, distinguish between those
12 farm activities that are incidental to the residential uses of adjoining properties
13 and those uses that have a minimum level of profitability, but are otherwise
14 not commercial. Intervenors rely on *1000 Friends of Oregon v. Yamhill*
15 *County*, 27 Or LUBA 508, 517-18 (1994) for the proposition that the county
16 could set a threshold of profitability for determining when a property is
17 properly viewed as capable of farm use.

18 “It may be that the county can establish a certain level of return for
19 determining when a parcel cannot practicably be managed for farm use.
20 However, that is not what the county did in this case. According to the
21 findings, the county relied upon evidence from *commercial* farmers as to
22 whether they would either incorporate the subject property into their current
23 farm operations, or conduct similar commercial farm operations on the subject
24 property by itself. There is evidence in the record that adjacent property
25 owners are using their property for farm use, notwithstanding the presence of
26 dwellings on the property. The county erred by not considering those farm

“(A) If the farm unit consists of six acres or less, the gross income from farm use shall be at least \$650.

“(B) If the farm unit consists of more than six acres but less than 30 acres, the gross income from farm use shall be at least equal to the product of \$100 times the number of acres and any fraction of an acre of land included.

“(C) If the farm unit consists of 30 acres or more, the gross income from farm use shall be at least \$3,000.”

1 uses in its analysis of whether the property could practicably be managed for
2 farm use.” 37 Or LUBA at 304-05 (emphasis in original).

3 As relevant here, our prior decision did two things. First, it found that the county
4 improperly relied on the subject parcel’s unsuitability for commercial farm use in concluding
5 that the subject property “cannot practicably be managed for farm use” under ORS
6 215.705(2)(a)(C)(i).⁵ Second, our decision left open the possibility that the county might be
7 able to identify a minimum “level of return” to assist it in determining whether the subject
8 property cannot practicably be managed for farm use.⁶ *But see Lovinger v. Lane County*, 36
9 Or LUBA 1, 19, *aff’d* 161 Or App 198, 984 P2d 958 (1999) (expressing “doubt that there is
10 any definite or broadly applicable ‘threshold’ in determining whether farm uses are
11 impracticable under OAR 660-004-0028 and ORS 215.203(2)(a)”).

12 **C. The County’s Decision on Remand**

13 In granting the challenged conditional use permit, the county adopted the following
14 findings:

15 “The final issue before Linn County is whether or not the county should set
16 the threshold of profitability for determining when property is properly
17 viewed as capable of farm use. The invitation to undertake this task is
18 contained within the LUBA opinion * * *.

19 “In this case, the applicants urged the county to adopt a standard of \$10,000
20 per annum as the minimum gross income that would be earned on a parcel.
21 The applicants further urge the county to adopt this test as applied to only the
22 specific facts of this case. The applicants point out that this is the same test
23 that Linn County currently uses on its non-high value farmland. Friends of
24 Linn County has offered no alternative test nor advanced any credible
25 argument of why \$10,000 should not be used as the test.

26 “Linn County agrees with the applicants that \$10,000 is a fair test. Linn
27 County agrees that by definition, high value farm ground should produce

⁵We further discuss the distinction between commercial and noncommercial farm use below.

⁶We did not, as the county states in its decision and intervenors suggest in their brief, “invite” the county to attempt to set a minimum income level. We simply noted that such an approach may be open to the county if it wishes to pursue it.

1 more income on less land than low value farm ground. Linn County also
2 agrees with the applicants that because the test is adopted in a quasi-judicial
3 setting, the test must be applied only to the facts of this case. This test applies
4 only to a situation when the property is in a former rural subdivision and the
5 surrounding properties have been developed to a residential use. Under the
6 facts produced at the hearing, the only property in farm deferral that generated
7 any income was property rented for \$250 per year to Mr. Self. Mr. Self has
8 submitted evidence indicating why he does not want to use the subject
9 property, and believes the subject property should be used for residential
10 purposes as requested by the applicants.” Record 10.

11 The county apparently adopts the view that an EFU-zoned parcel that includes high-
12 value farm land and that is not capable of earning at least \$10,000 in gross annual income
13 “cannot practicably be managed for farm use,” within the meaning of ORS
14 215.705(2)(a)(C)(i) and 215.203. The county limits its decision to the facts of this case, and
15 concludes that because the subject parcel cannot satisfy the \$10,000 gross income threshold,
16 it cannot practicably be managed for farm use.⁷

17 **D. The County’s Decision Misconstrues the Applicable Law**

18 Our prior decision cites and relies on our decision in *1000 Friends of Oregon v.*
19 *Yamhill County*. That decision explains that both commercial and noncommercial farm and
20 forest uses are protected under Goals 3 and 4:

21 “[P]reservation of commercial agricultural and forest enterprise is a major
22 objective expressed in Goals 3 and 4. That objective is implemented under
23 those goals and their implementing rules, in part, by requiring that new
24 parcels be of sufficient size to continue ‘commercial’ agricultural and forest
25 enterprises. However, the clear bias under Goals 3 and 4 in favor of
26 commercial agricultural and forest enterprises does not mean the county may
27 assume that noncommercial farm and forest uses are not ‘uses allowed by the
28 applicable goal’ for which a proposed exception area’s suitability must be
29 considered in granting an exception. *DLCD v. Klamath County*, 16 Or LUBA

⁷Intervenors contend petitioner waived its right to challenge the \$10,000 threshold by failing to object to it below and further contend that the \$10,000 test was but one of many factors the county considered. The issue of imposing a \$10,000 standard was raised by intervenors late in the local proceedings. Petitioner did not waive its right to challenge the validity of that standard by failing to object to intervenors’ suggestion that the county adopt it. We also do not agree with intervenors that it is possible to ignore the county’s findings concerning the \$10,000 test and affirm the decision based on other findings. The county clearly relied on the \$10,000 test in making its decision.

1 23, 28 (1987); *DLCD v. Columbia County*, 15 Or LUBA 302, 304-05 (1987);
2 *1000 Friends of Oregon v. Douglas County*, 4 Or LUBA 24, 31-32 (1981).

3 “ORS 215.203(2) defines ‘farm use’ as ‘the current employment of land for
4 the primary purpose of obtaining a profit in money by [engaging in certain
5 listed agricultural activities].’ It may be, as respondent argues, that the county
6 has some latitude to set a threshold level of profitability for determining when
7 property is properly viewed as capable of farm use, within the meaning of
8 ORS 215.203. See *1000 Friends of Oregon v. Benton County*, 32 Or App 413,
9 428-29, 573 P2d 651 (1978); *1000 Friends of Oregon v. Douglas County*,
10 *supra* 4 Or LUBA at 32. However, we reject the county’s suggestion that it
11 may establish the level of profitability necessary to qualify as a ‘farm use,’ as
12 that term is defined by ORS 215.203, at [the] same level that would qualify a
13 farm use as a commercial agricultural enterprise. The goals protect and allow
14 farm and forest uses other than commercial agricultural and forest
15 enterprises.” 27 Or LUBA at 517-18 (citations and footnotes omitted.).

16 *1000 Friends of Oregon v. Yamhill County* makes it clear that any minimum gross
17 income level that the county may identify and apply in determining whether farm use is
18 practicable cannot be set at a level that would indicate commercial agricultural enterprise.
19 Any minimum profitability level selected by the county would have to be consistent with the
20 income generated by the county’s noncommercial farms, which are protected under Goal 3
21 and the EFU statutes. In *1000 Friends of Oregon v. Yamhill County* we cite *1000 Friends of*
22 *Oregon v. Douglas County*. In that decision, LUBA indicated that a reasonable minimum
23 threshold income level for determining whether farm use is practicable might vary in
24 different parts of the state, but we suggested that the gross income requirements for special
25 assessment of non-EFU-zoned lands “could act as a guide.” 4 Or LUBA. at 32. For a
26 7.8-acre parcel such as the subject parcel that would be \$100 per acre or \$780. See n 4.

27 The challenged decision does not specifically identify the source of the \$10,000
28 standard that the county adopted in the challenged decision. In their brief, intervenors argue
29 that the county appropriately relied on Linn County Code (LCC) 933.400, which appears to
30 have been adopted to implement OAR 660-033-0135. Assuming the county relied on LCC
31 933.400 to support its \$10,000 minimum threshold income requirement to determine whether
32 it is practicable to put the subject property to farm use, the county erred.

1 Although the figure \$10,000 is certainly mentioned in LCC 933.400 and OAR 660-
2 033-0135, we fail to see how the use of that figure in LCC 933.400 and OAR 660-033-0135
3 has any relevance in establishing a minimum threshold income level for determining whether
4 farm use is practicable. ORS 215.283(1)(f) authorizes “dwellings * * * customarily provided
5 in conjunction with farm use.” LCC 933.400 and OAR 660-033-0135 establish standards
6 that are designed to ensure that a farm is either large enough or generates sufficient income
7 to warrant an assumption that a dwelling on the farm is one that is properly viewed as
8 “customarily provided in conjunction with farm use.” It is clear from the rule that farms
9 generating \$10,000 in annual income are considered to be small commercial farms.⁸ There is
10 nothing that we can find in LCC 933.400 and OAR 660-033-0135 that provides any support
11 for the county’s conclusion that it may properly assume that farm use of a 7.8-acre EFU-
12 zoned parcel of land with high-value soils is not practicable unless it will generate \$10,000 of
13 annual gross income.

14 EFU zoning represents a significant area of overlap in the state’s property tax policies
15 and land use policies, even if the property tax and land use statutes do not constitute
16 coordinated or integrated statutory schemes.⁹ *Springer v. LCDC*, 111 Or App 262, 268-69,

⁸LCC 933.400(C) duplicates OAR 660-033-0135(5). As relevant, OAR 660-033-0135(5) provides:

“On land not identified as high-value farmland, a dwelling may be considered customarily provided in conjunction with farm use if:

“(a) The subject tract is currently employed for the farm use, as defined in ORS 215.203, that produced in the last two years or three of the last five years the lower of the following:

“(A) At least \$40,000 (1994 dollars) in gross annual income from the sale of farm products; or

“(B) Gross annual income of at least the midpoint of the median income range of gross annual sales for farms in the county with gross annual sales of \$10,000 or more according to the 1992 Census of Agriculture, Oregon[.]”

⁹In fact, although it does not appear to have any bearing in this case, the legislature in 1999 amended the property tax statutes to add a definition of farm use. Or Laws 1999, ch 314, § 3. That definition is codified at

1 826 P2d 54 (1992). We continue to believe the minimum gross income levels the legislature
2 established at ORS 308A.071(2)(a) for non-EFU-zoned parcels to qualify for special
3 assessment are the best available indication of the level of gross income that the legislature
4 believes is indicative of practicable farm use.¹⁰ *1000 Friends of Oregon v. Douglas County*,
5 4 Or LUBA at 32.

6 We recognize that ORS 308A.071(2)(a) was adopted to establish minimum levels of
7 income that are required for non-EFU-zoned property to qualify for special farm use
8 assessment, rather than as an express statement of the legislature's view of the minimum
9 gross income that is required for practicable farm use. For that reason, it is certainly possible
10 that the county could, with appropriate documentation, justify setting a minimum gross
11 income level for purposes of determining whether farm use is practicable under ORS
12 215.705(2)(a)(C)(i) that is different than the minimum gross income levels set in ORS
13 308A.071(2)(a). However, the \$10,000 level selected by the county and applied to a 7.8-acre
14 parcel in this case is so clearly inconsistent with the protection that is afforded
15 noncommercial farms under Goal 3 and the EFU zoning statutes that it would be impossible
16 to justify.

17 Because the county erred in adopting the \$10,000 gross income standard, and the
18 decision must therefore be remanded, we do not consider petitioner's evidentiary challenges
19 in detail. However, we note two arguments that petitioner advances under its evidentiary
20 challenges with which we agree.

21 In applying ORS 215.705(2)(a)(C)(i), the question is whether farm use of the subject

ORS 308A.056 and appears to be the same definition that appears at ORS 215.203 with new punctuation and nonsubstantive rephrasing.

¹⁰Although LCDC has not adopted rules to set a minimum gross income level for use in determining whether farm use is practicable under ORS 215.705(2)(a)(C)(i), or established a procedure to be followed in establishing such minimum gross income levels, its use of the \$10,000 figure in OAR 660-033-0135 makes it reasonably clear that LCDC views farms that generate \$10,000 in annual gross income as small commercial farms.

1 property is practicable, not whether the subject property has historically been put to farm use
2 or whether its similarly situated neighbors are in farm use or how much gross income farm
3 use of the subject property and neighboring properties may be generating or have generated
4 in the past. Such evidence may be relevant, and may be indicative of what the subject
5 property is capable of, but it is not necessarily determinative. Whether such evidence is
6 sufficient to constitute substantial evidence that farm use is impracticable will depend on a
7 number of factors. One of the more important factors will be whether there is evidence in the
8 record to suggest that any historical or current farm income data that the county is relying on
9 does not accurately reflect the property's capability. *See Reed v. Lane County*, 19 Or LUBA
10 276, 284 (1990) (whether a particular farmer can profitably farm a particular piece of farm
11 land at a particular time is at best indirect evidence of whether the land itself is suitable for
12 the production of farm crops and livestock).

13 We also note that under ORS 215.705(2)(a)(C)(i) a property's impracticability for
14 farm use must be "due to extraordinary circumstances inherent in the land or its physical
15 setting that do not apply generally to other land in the vicinity." In the challenged decision,
16 the county appears to rely heavily on the particular mixture of soil types on the property,
17 prior quarrying activity on the property and the separation of the subject property into three
18 terraces with different elevations, to conclude that farm use is impracticable. Petitioner cites
19 evidence that other nearby properties also have multiple soil types and are terraced. We
20 agree with petitioner that the county's findings are inadequate to demonstrate that the cited
21 factors are not shared by neighboring properties or justify a conclusion that farm use of the
22 subject property is rendered impracticable by those factors. In particular, the findings do not
23 explain what it is about the cited factors that makes farm use impracticable.¹¹

¹¹The challenged decision includes a finding that there was testimony that the mix of soils presents a "conundrum." Record 9. Intervenors cite this finding, and argue that this means there are no practical solutions to the problems presented by the unique mix of soils on the property that would allow the property to

1 The second and third assignments of error are sustained.

2 **FIRST ASSIGNMENT OF ERROR**

3 In its first assignment of error, petitioner argues the county’s erroneous application of
4 a \$10,000 minimum income standard under ORS 215.705(2)(a)(C)(i) constitutes (1)
5 improper adoption of an approval standard without following required procedures and (2)
6 erroneous application of an approval criterion that was not in existence when the application
7 was submitted. The operative term “practicable” in ORS 215.705(2)(a)(C)(i) is not defined
8 in ORS chapter 215. The county therefore has some interpretive discretion in identifying the
9 factors that it will consider in deciding whether farm use of the subject property is
10 practicable under ORS 215.705(2)(a)(C)(i). If the county wants to rely on an appropriate and
11 justified minimum gross income threshold in making its practicability determination, it may
12 do so on a case by case basis. The county need not go through a legislative process to adopt
13 a generally applicable threshold.

14 The first assignment of error is denied.

15 The county’s decision is remanded.

be put to farm use. However, intervenors do not identify where the cited testimony is located in the record, and we are unable to determine what the county meant by the reference to a conundrum.