



Clatsop County

Community Development
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Forest Dwelling – Template Test

Fee: \$1,184.00 (Required with application)

Proposed Use: Forest Dwelling – Template Test

Legal Description of Property:

T _____ R _____ S _____ Lot _____ Acres _____ Zone _____

Adjacent Property Owned by Applicant:

T _____ R _____ S _____ Lot _____ Acres _____ Zone _____

T _____ R _____ S _____ Lot _____ Acres _____ Zone _____

Applicant: _____ Email: _____

Mail Address: _____ City/State/Zip _____

Phone: _____ Phone: _____

Signature: _____ Date: _____

Owner: _____ Email: _____

Mail Address: _____ City/State/Zip _____

Phone: _____ Phone: _____

Signature: _____ Date: _____

Other: _____ Email: _____

Mail Address: _____ City/State/Zip _____

Phone: _____ Phone: _____

Signature: _____ Date: _____

**Each of the following criteria and standards must be addressed by the applicant.
The information should be submitted on separate 8.5 x 11 sheets of paper, typed.**

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 wildlife 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 is 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.

Section S.3.515. Dwellings Subject to the "Template Test" Criteria. Dwellings may be approved under Section 3.518 (14)(c) of the AF zone or Section 3.554(8)(c) of the F-80 zone subject to the following approval criteria and conditions:

1. A single-family dwelling may be allowed on a lot or parcel if the lot is predominantly composed of soils that are:
 - (A) Capable of producing 0 to 49 cubic feet per acre per year of wood fiber if:
 - (i) All or part of at least three other lots or parcels that existed on January 1, 1993, are within a 160 acre square centered on the center of the subject tract; and
 - (ii) At least three dwellings existed on January 1, 1993 on the other lots or parcels.
 - (B) Capable of producing 50 to 85 cubic feet per acre per year of wood fiber if:
 - (i) All or part of at least seven other lots or parcels that existed on January 1, 1993, are within a 160 acre centered on the center of the subject tract; and
 - (ii) At least three dwellings existed on January 1, 1993 on the other lots or parcels.
 - (C) Capable of producing more than 85 cubic feet per acre per year of wood fiber if;
 - (i) All or part of at least 11 other lots or parcels that existed on January 1, 1993, are within a 160 acre square centered on the center of the subject tract; and
 - (ii) At least three dwellings existed on January 1, 1993 on the other lots or parcels.
 - (D) Cubic feet per acre per year 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
 - (E) "Tract", as it is used in this subsection, means one or more contiguous lots or parcels in the same ownership. A tract shall not be considered to consist of less than the required acreage because it is crossed by a public road or waterway.
2. If a tract 60 acres or larger described under subsection (1) abuts a road or perennial stream, the measurement shall be made by using a 160-acre rectangle that is one mile long and ¼ mile wide centered on the center of the subject tract and that is, to the maximum extent possible, aligned with the road or stream.

If a road crosses the tract on which the dwelling will be located, at least one of the three required dwellings shall be on the same side of the road as the proposed dwelling. However, one of the three required dwellings shall be on the same side of the road or stream as the tract, and:

- (a) Be located within a 160-acre rectangle that is one mile long and $\frac{1}{4}$ mile wide centered on the center of the subject tract and that is, to the maximum extent possible aligned with the road or stream;
 - (b) Be within $\frac{1}{4}$ mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.
- 3 If the tract under subsection (1) abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and $\frac{1}{4}$ mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road.
4. A proposed dwelling under this section is not allowed:
- (a) If it is prohibited by or will not comply with the applicable requirements of the County's Land and Water Development and Use Ordinance or other provisions of law;
 - (b) Unless it complies with the siting requirements of Section S3.512 and the road requirements in Section S6.000;
 - (c) Unless no dwellings are allowed on other lots or parcels that make up the tract and deed restrictions established under subsection (5) for the other lots or parcels that make up the tract are met;
 - (d) If the tract on which the dwelling will be sited includes a dwelling.

Also, address the following from Section 5.000 Conditional Development and Use Section 5.015:

- (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 construction 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 not 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."