

Clatsop County
Community Development
800 Exchange St., Ste. 100
Astoria, OR 97103



ARCH CAPE PROPERTY OWNER BULLETIN

Spring 2013



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www.co.clatsop.or.us 503.325.8611

Information for Arch Cape property owners

You are receiving this bulletin because Clatsop County Assessor records indicate you own property in Arch Cape, Oregon, and, therefore, in the "Arch Cape Rural Community Overlay". Properties in the Arch Cape Rural Community Overlay are zoned either Arch Cape - Rural Community Residential (AC-RCR) or Rural Community Commercial (RCC). The purpose of this bulletin is to provide you with basic information about regulations that apply to your property, some general information about your community, and an outline of when you need building and development permits and design review for development and improvements to your property.

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For the purposes of this bulletin, the term "development" is defined by the county's Land and Water Development and Use Ordinance #80-14 as: "Any man-made change to improved or unimproved real estate, including but not limited to: construction, reconstruction, conversion, relocation or enlargement of any structure; any mining, excavation, landfill or land disturbance, any use or extension of the use of land."

Meeting scheduled to explore interest in forming Arch Cape urban renewal district

Clatsop County is hosting a meeting on **Saturday, April 20, 2013, at 10 a.m.** in the new Arch Cape Fire Hall, 79729 Highway 101, Arch Cape, Oregon, to explore the community's interest in forming an urban renewal district.

Urban renewal districts are created for the purpose of generating revenues for public improvements within a defined area. Oregon Statute Chapter 457 guides the formation of urban renewal districts.

The purpose of this meeting is to obtain community input on the type and location of public improvements needed within the Arch Cape Rural Community, as well as possible reasons for formation of an urban renewal district. County staff and a professional facilitator will conduct the meeting.

Contact Community Development Director Hiller West, hwest@co.clatsop.os.us, or 503.338.3664, for more information.

Map of Arch Cape inside

Where your tax dollars go:

Clatsop County collects taxes for all local taxing entities - 66 in all. But only about 12 cents out of every dollar goes to county government - the rest pays for schools, city services, water and sewer districts, rural fire districts and other public entities.

Here's the break-down of the average tax dollar:

- Schools (including community college) - **48.4 cents**
- Cities (including urban renewal) - **19.4 cents**
- Other (water, sewer, recreation, transportation) - **17.2 cents**
- County - **12.1 cents**
- Rural fire districts - **2.9 cents**

Of the 12.1 cents that go to Clatsop County government, that money is distributed as follows:

- Public safety (Sheriff's office, jail, district attorney's office, juvenile department) - **5.6 cents**
- Public services (assessment and taxation, elections, land use planning) - **1.5 cents**
- Contingency - **1.5 cents**
- Miscellaneous (building maintenance, parks, animal control) - **2.3 cents**
- Administration - **0.8 cents**
- Fairgrounds - **0.4 cents**

To see an illustrated break-down, as well as information on paying your property tax bill, go to www.co.clatsop.or.us.

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Clatsop County's Mission:

*Neighbor to neighbor, serving Clatsop
County with integrity, honesty, and
respect.*

We're on the Web!

Visit us at:

www.co.clatsop.os.us

What are the Rural Community Overlay and the AC-RCR Zone?

Arch Cape is not an incorporated city; it is a rural community, outside city limits and urban growth boundaries, within the Southwest Coastal Planning Area. The area is designated "Development" in the Clatsop County Comprehensive Plan.

In addition, Arch Cape is designated as a "Special Purpose District." Special Purpose Districts are overlay districts that may be combined with any portion of any zone as appropriate to the purpose of the district. If the requirements of the special purpose district conflict with the requirements of the zone, the more restrictive requirements apply.

Arch Cape's Special Purpose District is the "Rural Community Overlay," a map overlay that includes all properties zoned Arch Cape – Rural Community Residential (AC-RCR). In the center are 10 properties, clustered on the intersection of West and East Ocean and Highway 101, zoned Rural Community Commercial (RCC), which also are in the Rural Community Overlay.

The AC-RCR Zone and RCC Zone regulate development in Arch Cape. They provide standards, such as setbacks to property lines and streams and height restrictions, that guide construction and determine what can be developed, and where. The general

standards for the AC-RCR Zone include, but are not limited to:

- Minimum lot size of 7,500 square feet;
- Front yard setbacks of 20 feet from the local streets and 50 feet from Highway 101;
- Maximum building height of 26 feet to the peak of the roof, or 18 feet if the property is oceanfront.

Other standards apply as well, such as setbacks from side and rear yards, tree buffers, oceanshore setbacks, and more. Different standards apply to corner lots, which change their setbacks. Because each lot is unique, it is impossible to cover all the possibilities here. Please check with Community Development staff for standards that apply to your property.

The rural community of Arch Cape is bounded to the south by the Arch Cape Tunnel, to the west by the Pacific Ocean, and to the east by forestlands. The boundary extends unevenly to the north to include all of Carnahan Road and the Vollum property (T4N, R10W, Section 19BB, Tax Lot 00400) on the west side of Highway 101 and, on the east side of Highway 101, to Buena Vista Drive, including all of Castle Rock Estates. (The new fire station is not inside the rural community boundary.) The map in the center depicts an outline of the Rural Community boundaries and Southwest Coastal Planning Area.

Riparian Setback:

Setback from Shark, Asbury and Arch Cape creeks is 50 feet for structures over 30 inches high.

What's design review, and when do I need it?

Design review provides for the comprehensive review of proposed developments within the Arch Cape Rural Community Overlay District, to ensure development occurs in a manner that preserves scenic views and promotes attractive development within the boundaries of the rural community. In addition the Arch Cape Rural Community Overlay District outlines procedures and criteria for developments that require variances or are of a nonconforming nature.

Design review can be either major or minor, depending upon the project. Minor design review is performed by Community Development Department staff. Major design review is performed by a committee of seven members who are property owners within the Arch Cape Rural Community Overlay District, who are appointed by the Board of Clatsop County Commissioners. The Community Development Director reviews design review recommendations and is responsible for making the final determination. Major projects, requiring review by the Design Review Advisory Committee:

- Any new residential development proposing to construct a dwelling.
- Any new commercial development proposing to construct structures devoted to a commercial use.
- Any new commercial development

creating additional cumulative square footage.

- Any new residential development creating additional cumulative square footage.
- Accessory buildings in residential zones.
- Accessory buildings associated with commercial developments and containing no residential units.
- Development and construction of transportation facilities.
- Any change in use, variance request, conditional use permit, or other use requiring review through Type II, III, or IV procedures with exception of those described as minor, below.

Minor projects, requiring review by staff:

- Any project that requires a building permit and does not result in the expansion of the exterior dimensions and/or footprint.

If the Community Development Director determines a development that normally would require minor design review may significantly impact adjoining properties with respect to location, bulk, compatibility, views, preservation of existing landscape, or other applicable criteria, the application will be forwarded to the Design Review Advisory Committee for review. For more information on design review, contact Planner Julia Decker, jdecker@co.clatsop.or.us, 503.3325.8611.

Signs

Signs are limited in the Arch Cape Rural Community Residential Zone to nameplates and temporary signs and are subject to the provisions of Clatsop County Standards Document S2.300 (4), Signs in Residential Zones.

Nameplates may not exceed three square feet and require a county sign permit, obtainable from the Community Development Department.



No Scale

Arch Cape



ZONING

	AC-RCR
	RCC

Cannon
Beach



Legend

-  SW Coastal Planning Area
-  Rural Community Overlay

Southwest Coastal Planning Area

No Scale



Working in the Public Right-of-Way / Road Construction

The Public Works Department requires permits for activities that are performed within the county road and public road right-of-ways:

- A permit to occupy or perform operations is required for any activity that alters a facility within a county or public road right-of-way, including utilities, fences, ditches, culverts, structures, signs, landscapes, tree removal and other items within the right-of-way.

- An approach permit is required for construction or alteration of a private driveway, approach road or other facility that provides ingress to, or egress from, a public or county road, or changing the use of an existing access.

In Arch Cape, these activities usually include obtaining development permits from Community Development and, in some cases, design review, as well. Contact Community Development and Clatsop County Public Works for more information.

Where can I find more information?

Further information on all of the topics in this bulletin can be found on the county's Web site: www.co.clatsop.or.us. You can obtain information by contacting the county directly as well. Below is a list of frequently used telephone numbers and email addresses.

Clatsop County Offices:

Assessment and Taxation:	503-325-8522	assessor@co.clatsop.or.us
Animal Control:	503-861-0737	shildreth@co.clatsop.or.us
Building Codes:	503-338-3697	comdev@co.clatsop.or.us
Clerk and Elections:	503-325-8511	clerk@co.clatsop.or.us
Code Compliance:	503-325-8611	bcatching@co.clatsop.os.us
County Fair:	503-325-4600	gfriedman@co.clatsop.or.us
County Manager:	503-325-1000	administrator@co.clatsop.or.us
District Attorney:	503-325-8581	da@co.clatsop.or.us
Fisheries Project:	503-325-6452	spmeshke@co.clatsop.or.us
4-H & Extension:	503-325-8573	patrick.corcoran@oregonstate.edu
Juvenile Department:	503-325-8601	juv@co.clatsop.or.us
Land Use Planning:	503-325-8611	comdev@co.clatsop.or.us
Parks:	503-325-9306	parks@co.clatsop.or.us
Parole and Probation:	503-861-2875	sheriff@co.clatsop.or.us
Public Health:	503-325-8631	health@co.clatsop.or.us
Public Works/Roads:	503-325-8631	roads@co.clatsop.or.us
Sheriff:	503-325-8635	sheriff@co.clatsop.or.us

Other Special Purpose Districts may affect your property

In addition to the Rural Community Overlay, three other special purpose districts may apply to properties in Arch Cape: The Geologic Hazards Overlay, the Flood Hazard Overlay, and the Shoreland Overlay. The hazard overlays identify areas subject to geological or flood hazard events. The intent of the geologic hazards overlay is to minimize building hazards and threats to life and property that may be created by landslides, ocean flooding and erosion, weak foundation soils, and other hazards as identified and mapped by the county. This purpose is achieved by basing county decisions on accurate geologic and soils information prepared by qualified professionals.

The purpose of the flood hazard overlay district is to identify 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 applies to all areas of special flood hazards within the unincorporated areas of Clatsop County as identified on Flood Insurance Rate Maps (FIRM). The Shoreland Overlay follows the same boundaries as the Flood Hazard Overlay. In Arch Cape, all properties

My neighbor is doing something I don't like. How do I make a complaint?

County policy requires the county's Code Compliance Specialist to investigate signed complaints of violations of the county's Land and Water Development and Use Ordinance and County Code of Regulations.

Examples of complaints include operating a business without appropriate permits, accumulation of solid waste/garbage, construction without permits, and other types of activities that conflict with land use regulations. Complaints are public records. As such, they must be signed and are subject

west of Highway 101 and many to the east are in the Geologic Hazards Overlay. Additionally, many properties on the west side of Highway 101 are in some sort of Flood Hazard Overlay, and a few properties to the east of the highway are, too. Community Development Department staff can advise you if a property is within one of the hazard overlays.

Development in the hazard overlays requires additional planning. Any development activity within a geologic hazard area requires a preliminary geologic hazard report be prepared by a certified geologist or geotechnical engineer, registered with the State of Oregon Department of Geology and Mineral Industries (DOGAMI).

For property located within a Flood Hazard Overlay District, it is important to check with county staff regarding the nature or level of the flood hazard. Depending upon the type of development, it may be necessary to obtain an elevation survey to establish the base flood level and/or to use certain building techniques to ensure safety and prevent loss of life or property in the event of a flood occurrence.

to public records requests. County policy prohibits staff from following up on anonymous complaints. Complaints regarding noise, unruly behavior, or immediate threats to human health and safety should be directed to the Clatsop County Sheriff's Office. In the event of an emergency, dial 9-1-1.

To obtain a complaint form, contact Compliance Specialist Bart Catching, bcatching@co.clatsop.or.us, 503.325.8611, or download a form from the county's Web site: www.co.clatsop.or.us.

What about wetlands? - Local Wetland Inventory update

On January 23, 2013, the Clatsop County Board of Commissioners considered a request by the Ecola Creek Watershed Council to adopt the Arch Cape/Cove Beach Local Wetland Inventory. The Board continued the matter to a later date in order to allow staff to prepare and present additional information.

On Wednesday, April 10, 2013, at 10:00 a.m. the Clatsop County Board of Commissioners will conduct its regular meeting in Astoria. At the conclusion of this meeting the Board of Commissioners will hold a work session on the Arch Cape/Cove Beach LWI. The intent of work sessions is for the Board of Commissioners and staff to discuss items and issues. The Board typically does not accept public comment during work sessions, but the public is invited and encouraged to attend.

When do I need development and building permits?

In Arch Cape, you will need design review, development permits, land use approval, and/or building codes permits from Clatsop County Community Development's Land Use Planning and Building Codes divisions whenever you develop your property:

- Construct new structures or additions or add square footage
- Install, change or add any part of a heating or cooling system, such as a woodstove or pellet stove and any appliance that requires vents
- Install or repair gas piping or plumbing, including water heaters, piping inside walls or beneath floors and sprinkler systems

The regular meeting and work session will be held at the following location:

Judge Guy Boyington Building
857 Commercial Street
Astoria, Oregon

At its regular meeting on Wednesday, April 24, 2013, at 6:00 PM the Board of Commissioners will again consider the request by the Ecola Creek Watershed Council to adopt the local wetland inventory. The public will be afforded an opportunity to comment at that meeting and public notice will be issued to all property owners in Arch Cape and Cove Beach.

If you have any questions or need additional information please contact Senior Planner Jennifer Bunch, 503-325-8611 or jbunch@co.clatsop.or.us.

- Install or alter vented and/or electrical wiring or appliances, such as bath fans, kitchen range exhausts, low voltage systems and permanent wiring
- Change the size of window and/or door openings or remodel or move a load-bearing wall
- Build new public or private roads
- Grade earth and/or place fill
- Begin a new use or change the use of a structure or property
- Start a home occupation
- Place a manufactured home
- Rent your home out as a vacation rental in Arch Cape
- Cut a tree or trees

What are Short Term Rentals?

Arch Cape is the only area in Clatsop County where the county regulates short term rental of dwelling units. "Short Term Rental" means a dwelling unit (including any accessory guest house on the same property) that is rented to any person or entity for a period of up to thirty (30) consecutive nights. An owner is required to obtain a revocable short-term rental permit before a dwelling unit can be used as a short-term rental and must comply with the requirements of the county's transient room tax ordinance. Permits are issued annually and are good from July 1 through June 30 of each calendar year.

"Rental" means an agreement granting the use and possession of a residence to a person or single group, not to exceed the maximum occupancy of the residence, which is determined by ordinance and stated on each short term rental permit issued. The term "Rented" means that the renter's use and possession of a residence is granted to one or more persons in exchange for consideration valued in money, goods, labor, credits, property or other consideration valued in money. Rentals of a short-term dwelling unit are limited to either a minimum period of seven (7) nights or, if for fewer than seven (7) nights, then to no more than one rental within a seven (7) night period.

In April each year, Community Development staff sends renewal forms to those with short term rental permits. If you are planning to renew a short term rental permit but do not receive a packet by April 5th, please contact the Community Development Department. If you have not used your property as a short term rental in the past year but would like to for the coming season, please contact Community Development and ask for a packet. At this time, there is no cap on the number of short term rental permits that can be issued annually. Using a property as a short-term rental without first obtaining a permit is a violation of the Clatsop County Land and Water Development and Use Ordinance #80-14.

Tree Regulations and Dangerous Trees Policy

In 2007, Clatsop County determined tree clearing falls under the definition of "development" in the AC-RCR Zone. As such, tree cutting and logging require design review and development permits in Arch Cape.

However, in 2012, recognizing dangerous trees pose threats to safety and personal property, the Community Development Director approved a "Dangerous Trees" policy for Arch Cape. Trees located in the Arch Cape Rural Community Overlay that are found by a certified arborist to be dead, dying, diseased, or dangerous may be removed by the property owner immediately without

Clatsop County permitting and design review procedures.

The property owner, the owner's agent, or interested party is required to submit to Community Development a written evaluation by a certified arborist, along with the property owner's signature or written approval, verifying the condition of hazard. In the event of an emergency and a certified arborist is not available, photographs of the hazardous situation may serve to demonstrate the emergency and may be submitted after-the-fact.

A revised site plan or replanting plan may be required at the Community Development Director's discretion if the Director determines a development permit is necessary after-the-fact.