

CLATSOP COUNTY

Trans. & Dvlp. Svcs., Planning Division
800 Exchange Street, Suite 100
Astoria, OR 97103

www.co.clatsop.or.us

ph: 503-325-8611

fx: 503-338-3666

em: comdev@co.clatsop.or.us



SOUTHWEST COASTAL DESIGN REVIEW / CITIZEN ADVISORY COMMITTEE REGULAR MEETING AGENDA

Wednesday, June 16, 2010 @ 6:00 P.M. Arch Cape Fire Hall, 79816 E Beach Road

┌ ┌ ┌ ┌ ┌ ┌ ┌ ┌ ┌ ┌ ┌ ┌ ┌ ┌ ┌

REGULARLY SCHEDULED MEETING – 6 P.M.

- 1. CALL MEETING TO ORDER (George Cerelli, Chairperson) 6:00 p.m.**
- 2. ROLL CALL**
- 3. BUSINESS FROM THE PUBLIC** - This is an opportunity for anyone to give a brief presentation (3 minutes or less) to the Committee on any land use planning issue or county concern that is not on the agenda.
- 4. CONSIDERATION OF MINUTES:**
 - ✦ January 19, 2010 Design Review Minutes
 - ✦ February 3, 2010 Design Review Minutes
 - ✦ February 17, 2010 Design Review Minutes
 - ✦ March 26, 2010 Public Forum
 - ✦ April 7, 2010 Design Review Minutes
 - ✦ May 7, 2010 Design Review Minutes
- 5. CONSENT CALENDAR / MINOR REVIEW ITEMS**
 - **July 23, 2010 Public Hearing w/ Planning Commission Arch Cape Fire Hall**
- 6. PUBLIC HEARINGS / MAJOR DESIGN REVIEW:**
 - **Reiling** – Minor Design Review presented by Arthur (Larry) Reiling. The applicant is proposing to expand an existing deck on tax lot 1700. The applicant has submitted a plot plan indicating the impact area and illustrating the expansion.
- 7. OTHER DISCUSSION**
 - ✦ This is a chance for the committee to discuss and invite testimony from outside agents regarding topics of interest.
- 8. ADJOURN**

***MINUTES FROM THE SOUTHWEST COASTAL DESIGN REVIEW/CITIZEN ADVISORY
COMMITTEE MEETING HELD January 19, 2010, at 6:00 PM***

Chairman George Cerelli called the meeting to order at 6:05 PM.

Members present: George Cerelli (GC), John Mersereau (JM), Debra Birkby (DB), Richard D'Onofrio (RD). Linda Murray and Tod Lundy were excused. Staff present: Michael Weston (MW).

Business from the Public:

There were no presentations from the public.

Consideration of Minutes:

Minutes of September 16, 2009, November 18, 2009, and December 15, 2009 – DB moved to adopt the Minutes as read, adding that the Conditions of Approval should be stated within. JM seconded the Motion.

Consent Calendar/Minor Review Items:

Reese – Minor Design Review.

MW presented the information, stating that the Reese's built and expanded a deck at their residence, doing so without proper permits. MW stated that the Reese's are in the process of obtaining proper permits and that their neighbor to the east, Ray Gonzalez, had sent a letter expressing his belief that the deck partially obstructed his ocean view.

After further discussion, the committee determined that the drawings submitted were not accurate. **The committee recommended that the Reese's submit an accurate plan/drawing of what was actually done. This matter will be continued on February 3, 2010, at the regular DRB meeting.**

4:00 PM, February 3, 2010 – Work Session (Code Revisions)

6:00 PM, February 3, 2010 Regular Design Review meeting

Public Hearings/Major Design Review

There were no items at this time.

Presentations

The SW Coastal CAC subcommittee, Arch Cape Options Committee, presented a Power Point addressing concerns and proposed resolutions gathered from the community

meeting held on April 29, 2009. Committee member, Mike Manzulli (MM), chaired the presentation, asking for specific feedback on each slide from the DRB/CAC, as this committee is a subcommittee of the DRB/CAC. After a lengthy discussion regarding intent, history, previous efforts, county finances and county function, changing county policy and the community's concerns, it was recommended that the following revisions be made:

- Slide #11: shift authority from the Planning Commission to the DRB. DRB shall have authority to render decisions as final (same as a 2A Hearing Officer); will have to draft Appeals language – refer to Ords 2.020, 2.025 and 2.030. Draft our language the same way so that the DRB will fall under these guidelines. The final say on Minor Hearing Matters will be with the DRB; the County will still hear Appeals. The emphasis on the presentation to the Board will be financial. DB will provide specific DRB recommendations that have been reversed.
- Slide #12: Rewrite as solution-oriented rather than blaming; we want to protect our community so (same) things don't happen in the future. We can provide these services and save the County money. Bullet should say "developers *can* ignore County's..." delete "*and do...*"
- Slide #18: Rewrite first bullet for language
- Slide #21: Rewrite third bullet – "ORS *requires...*"

The Arch Cape Options Committee will revise the Power Point as directed by the DRB/CAC. The DRB will review the revisions. MM stated that the plan was for the Options Committee is to meet with Robert Mushen and then the community as a whole. MM also requested that no one who receives the Power Point as a PDF email forward it on to anyone.

Other Discussion

DB brought up the subject of the SDRO expansion, citing specifically that she has been told by Castle Rock Estates and the Fire Department that they do not fall under the DRB/CAC. MW stated that they are, indeed, within the Site Design Overlay and that the entire rural community should be contained within the DRB, adding that the above-entities have not gone through the code, map, or zoning amendment processes. MW will get copies of the SDRO overlay maps to the DRB and will check on four lots that are not included in the overlay.

DB stated that she had been asked by a committee member (SM) if the DRB would be the appropriate forum to address the possibility of a commercial water rate, stating that he would prefer to keep the discussion local and not involve outside agencies. SM has retained legal counsel; Mike Manzulli (MM) is representing

the Water District. MM stated that Special Districts has the authority to render the decision and that the Water District is waiting to hear back. Tom Merrell asked for community input regarding a commercial rate structure, advising that the next Water District meeting is on February 12, 2010, at 6:00 PM. DB thought that the DRB would not be able to render an opinion on this matter and MW said this was out of his purview. JM stated that, in his opinion, the community, as a whole, would be appalled at a commercial break on water rates.

Meeting adjourned at 7:47 PM

***MINUTES FROM THE SOUTHWEST COASTAL DESIGN REVIEW/CITIZEN ADVISORY
COMMITTEE MEETING HELD February 3, 2010, at 6:00 PM***

Chairman George Cerelli called the meeting to order at 6:05 PM

Members present: George Cerelli (GC), Debra Birkby (DB), Linda Murray (LM), Richard D'Onofrio (RD) and Tod Lundy (TL). Staff present: Michael Weston (MW). JM was excused; SM arrived late.

Business from the Public:

There were no presentations from the public.

Consideration of Minutes:

There were no Minutes to be considered at this time.

Consent Calendar/Minor Review Items:

Reese – The applicant has replaced a previously existing deck without permits and enclosed the railing. The application and documentation was provided for review. As the previous application was difficult to read, MW redrew the lines for ease in reading. The Applicant presented a new Site Plan and Evidence. MW reiterated that there was one comment received from Ray Gonzalez (RG). MW stated that County staff recommended a different kind of siding to reduce level of blockage of ocean view as per precedent and added that the Applicant is within his right to build a deck there; but that the question is the protection of ocean view with the type of siding used. Mr. Reese stated that the deck had been in need of serious repair for some time and that the portion they added was the part in contention. The Building Department told him that it wasn't a repair; but something new. Mr. Reese said he couldn't argue with that. As to the protection of RG's view: Mr. Reese stated that RG doesn't have a lot of ocean view anyway; but that he (Reese) will satisfy what needs to be done per the DRB and County's recommendations and that he is in the process of obtaining the necessary permits. LM asked if the DRB has any right to regulate the siding on a deck. MW said the DRB could, under the protection of ocean views. A discussion followed concerning the ocean view from RG's property. RD said RG's view is underneath the Reese's. MW stated there isn't much of an ocean view; but it needs to be protected and recommended a see-through railing around the end of the house and not enclose the storage space underneath the deck. DB moved that the project be approved. RD seconded the Motion. The Motion carried.

February 17, 2010, at 6:00 pm – next regularly scheduled Design Review meeting.

Public Hearings/Major Design Review

There were none at this time.

Other Discussion

DB stated that the Power Point Presentation from Arch Cape Growth Options would be presented at a public meeting in the near future. In response to his questions, a brief discussion followed in which the formation and purpose of this committee was explained to SM. DB said that AC Growth Options is a sub-committee of the SWCAC and that she is the liaison between the groups. SM inquired as to what issues had been raised by the community and DB gave a brief history of those, including roads, drainage, and the fact that the Planning Commission doesn't listen to the citizens of Arch Cape. SM stated that he isn't really satisfied that the SWCAC can disassociate themselves with ACGO and expressed concern that this sub-committee will "go rogue." DB reiterated that ACGO is a sub-committee of the SWCAC and that all Arch Cape citizens had the opportunity to attend and participate in the discussion at the meeting in April, 2009.

Meeting adjourned at 7:50 PM

***MINUTES FROM THE SOUTHWEST COASTAL DESIGN REVIEW/CITIZEN ADVISORY
COMMITTEE MEETING HELD February 17, 2010, at 6:00 PM***

Chairman George Cerelli called the meeting to order at 6:05 PM

Members present: George Cerelli (GC), John Mersereau (JM), Debra Birkby (DB), Linda Murray (LM), Richard D'Onofrio (RD), Tod Lundy (TL) and Steve Malkowski (SM). Staff present: Michael Weston (MW).

Business from the Public:

There were no presentations from the public.

Consideration of Minutes:

December 15, 2009 – SM moved, LM seconded. Motion carried.

Consent Calendar/Minor Review Items:

Grimm – Applicant is requesting authorization to modify the existing roofline over their covered parking space and storage unit. The Proposal will follow the existing roofline; no additional square footage is proposed. Contractor Robert Wood, for the owners, stated that they will be removing a deck and creating stairs as a safety egress and as a way to go from the first to second floors without going outside the house. He added that they are not changing anything, just repairing a bad roof and rebuilding a deck for safety reasons.

TL asked how would they know if the Grimms' were turning the residence into a duplex and there is not enough information to say it is *not* a duplex. MW stated that 15,000 square feet is needed for a duplex and if there were two stoves it would become a code violation and a planning violation if it were being used as a duplex. By allowing the stairs MW said that would show a clear separation of units. **DB moved that permission be granted for alteration to the roof as originally applied for; but no stairs. LM seconded. 6 votes for, 1 opposed. Motion carried.**

March 12, 2010 – Special Public Meeting and Community Forum “Ordinance Revisions” 6:00 pm.

Public Hearings/Major Design Review

Tenneson - Applicant is proposing to replace the existing dwelling on Tax Lot 4400 with a new two-story structure reusing the previous foundation with minor expansions to the footprint. MW stated that there are no real soil disturbances, no tree removals and that the applicant will replant any removed vegetation. TL moved the application be approved. **DB amended the Motion to include the condition “upon successful recording of one lot” (Tax Lots 4300 and 4400 would be combined as one.) RD seconded; Motion carried.**

Kinch – The applicant is proposing to construct a new single family dwelling on Tax Lot 3404. The applicant has submitted tree plan but has advised staff that they will be reconstructing the approach to the house and will be modifying the existing plan. MW presented the proposal, stating that there is room for improvement – preservation of landscape, drainage and tree removal need to be addressed. A lengthy discussion followed in which several proposals were put forth to Mr. Kinch in order to address these issues. These included flipping the house, reconfiguring the driveway, and diverting the runoff to the highway drainage ditches. Concern was expressed by the Board that the house is sitting in a gully; to which Mr. Kinch replied that the amount of concrete required to raise the foundation would be too costly for him, as would a custom-built home. He did state that the north side of his lot will remain the same and that he is installing a bios wail, adding that he would leave whatever he could on the west side to control run-off. Mike Manzulli expressed concern that trees are becoming a larger issues as the eastside of Arch Cape is developed and that trees are often not mapped. Mr. Manzulli asked what the DRB required as a landscape plan. DB stated that they have attempting to address this.

As a result of the discussion, trees to be saved were circled on the map and marked as Exhibit A (1). **TL moved that approval be granted on the condition that the trees identified in Exhibit A (1) be saved, the driveway be realigned, that as much vegetation as possible be preserved and the vegetation that is removed be replanted with natural vegetation. DB seconded. Motion carried.**

Other Discussion

DB asked MW if he had received any feedback from the Planning Commission regarding his letter to Castle Rock Estates. MW stated he had not received anything to date. The consensus was that Castle Rock Estates should be sent a letter from the Board of Commissioners instructing them to comply.

Meeting adjourned at 7:50 PM

***SOUTHWEST COASTAL DESIGN REVIEW/CITIZEN ADVISORY COMMITTEE
PUBLIC FORUM held MARCH 26, 2010, at 6:00 PM
re ZONING ORDINANCE REVISIONS***

Present: George Cerelli (GC), Debra Birkby (DB), John Mersereau (JM), Linda Murray (LM), Richard D'Onofrio (RD), Tod Lundy TL) and Steve Malkowski (SM). Staff present: Mike Weston (MW) and Duane Cole (DC)

MW presented an overview of the adjustments and changes made to existing Zoning Ordinances. These included clarification of guest houses versus accessory dwelling units, tree removal for the purpose of safety and landscape and placing a cap on the number of Short Term Rentals in Arch Cape to preserve the rural community ideal. He also mentioned the ability to build a road under a Type 2 Conditional Use permit, thereby alleviating the need to present building plans prior to building the road; exterior lighting to be of a full cut-off design as defined in Clatsop County's Zoning Ordinance Section 1.030 and vegetative hedges and fences that impede or have the potential to impede views shall be maintained at or below 6 feet – hedges and fences extending beyond ocean front set back shall be maintained at or below 4 feet.

Audience comments:

Bob Cerelli (BC) expressed his concern that the proposed 30% cap on STR's was a proposal and now sounded like a fact. He added that while he is opposed to STR's, there is inequity in allowing 30% of the homeowners to derive income from their properties, when the other 70% cannot. He proposed a rotating list of three years.

A discussion followed whether B&B's be included in the 30% cap. Bob Tarr (BT) raised the question of a facility that advertises online as an Inn but is a Bed and Breakfast. MW stated that code enforcement is difficult and not as progressive "as we like." He added that there would be a ticket system of \$100 per day with a maximum of \$20,000, at which time a lien would be filed against the property. Various members of the audience expressed their personal experiences with Short Term rentals in their own neighborhoods. The majority of these were negative.

Audience comments regarding the inclusion of B&B's in STR's: audience member felt they were more like a residence.; that STR's were not owner-occupied: guests were noisy, outside late at night, impacted traffic and full-time residents' quality of life. Concern was expressed as to the drain on the community's resources, especially water - therefore B& B's should be included. A resident felt the cap would be unfair –" sounds great if I'm grandfathered in; but not fair if I want to and can't because I was late to the party." Discussion followed regarding the impact of traffic from homes with multiple owners. JM wondered if a cap was the right thing to do.

MW stated that he felt that the number of STR's (currently at 50 registered) would double when people hear of any cap. DB added that there is no longer a restriction on water/sewer hook-ups.

TL asked for a show of hands at which percentage they would like to see the cap. (*Note to reader: please give a verbal result when conducting a straw poll.*)

Audience comments regarding tree preservation included clarification of removing a tree in the public right of way. MW explained that the homeowner would be required to get a permit for a minor tree removal and would have to get permission to work in the public right of way, i.e. the tree belongs to the county. A new development would be required to present a tree preservation plan that would meet DRB standards. There was a comment from the audience that the CAC is in a difficult position to review the preservation of landscape.

An audience member asked for clarification regarding the definition of a kitchen facility in a guesthouse and asked that “hot plate” be stricken for safety reasons and that it was safer to have an apartment sized range. MW duly noted; but queried as to what to put in its place.

Comments regarding outdoor lighting included a discussion about outdoor switches. MW stated that since lighting can cause offense it is a constant enforcement issue. DB said this issue could be remedied by turning off lights when you leave. An audience member expressed concern that an outdoor switch could be turned off by someone with less than honorable intentions about wanting the light to be off. LM added that these issues could often be resolved by speaking with ones’ neighbors. MW stated that language would be added to “all new lighting”; that if someone takes offense then the homeowner would be required to put in an outdoor switch.

DB asked Duane Cole (DC) if that state mandated the ruling that room tax collected goes to tourism. DC stated that he hasn’t had the opportunity to review. DB asked if we have any control if it is not state-mandated.

MW stated that the next Public Forum will be on May7th. There will be another meeting on June8th before the Planning Commission. The community is invited to submit comments prior to June 8th. Those who have submitted comments will have standing and will receive Notice and have the opportunity to appeal to LUBA if they so choose.

MW concluded the forum by stating the DRB would meet to make additional modifications. The next public forum will be May 7th.

***MINUTES FROM THE SOUTHWEST COASTAL DESIGN REVIEW/CITIZEN ADVISORY
COMMITTEE MEETING HELD April 7, 2010, at 6:00 PM***

Chairman George Cerelli called the meeting to order at 6:00 PM

Members present: George Cerelli (GC), John Mersereau (JM), Debra Birkby (DB), Linda Murray (LM), Richard D'Onofrio (RD) and Tod Lundy (TL). Staff present: Michael Weston (MW). Steve Malkowski (SM) absent.

Business from the Public:

Dale Mosby gave the committee a letter he had written concerning his comments regarding the proposed ordinances. He stated that the letter could be read later. Bob Tarr stated that he thought the STR cap idea was unfair because some homeowners would be able to profit from their property and while others could not. MW said that the board has been discussing this issue of a rotating eligibility list. He gave the example that if the cap were at 20%, the homeowner could rent out his home for three to five years. When that time period is up, another 20% would be eligible. MW added that the proposal is a 20% STR cap with 10% B&B's. B&B not subject to rotation because they fall under conditional use. JM added that all STR's registered now would be grandfathered in and they would lose that standing if the property is sold or if they are in violation. – out if they sell or violated. A female speaker asked if all of the STR's would be notified. MW replied notification would be via a card in the mails. Another woman from the audience opined that B&B's provide a measure of safety to the neighborhood(s) as they are owner-occupied and that many of the B&B's owners are retired with this financial set-up. Jack Hampton (JH), Pres of OR Lodgings, said that he appreciated the grandfather approach and asked if the intention was to have a STR permit cut-off time. MW said that once homeowners have notice of the proposed changes, the time is up; that those properties on the list by the end of April will be grandfathered in. Mike Manzulli asked for the definition of a minor tree. DB answered that the group had to omit this discussion due to time constraints; but they will revisit and define.

Consideration of Minutes:

There were no Minutes to be considered at this time.

Consent Calendar/Minor Review Items:

April 13, 2010 – Work Session with Planning Commission

April 21, 2010 – Meeting “Ordinance Revisions”

May 7, 2020 – Meeting and Public Forum “Ordinance 10-01”

May 19, 2010 – Work Session – revisions to “Ordinance 10-01”

May 25, 2010 – Work Session with Planning Commission prior to June 8, 2010, Public Forum

Public Hearings/Major Design Review

Lantela – Applicant is proposing to construct a new single family dwelling on Tax Lot 3800. Applicant has submitted a plot plan and tree removal plan along with house plans, average grade calculations and findings in support of the proposal. Bill Boone(BB) presented the plans on behalf of Ms. Lantela. Tree removal consists of removing 4 trees within the footprint of the house and replacing any disturbed vegetation with natural vegetation. BB stated that the house was originally 1600 square feet. It is now around 2000 square feet or approximately two feet wider. MW stated that County staff believes that the plan conforms with criteria. BB added that it is a simple house with cedar siding fronting Woodland Heights Road. DB asked BB if he had received any feedback from neighbors. BB said he had not; but had spoken with the neighbor to the north. MW added that he had not received any letters regarding this project. There was a brief discussion regarding drainage on the lot. BB stated that the creek is down at the bottom of the lot and that the natural drainage flows that way. He added that he would put in dry well if that were the recommendation of the DRB. DB asked for any other comments regarding this project. There were none. TL moved that the project be approved with the re-vegetation with indigenous plants within one year of completion, installation of a dry well and repair of all road damage. RD seconded the Motion. The Motion carried.

Other Discussion

DB stated that she had two concerns to discuss.

1. The process changing conditional use permits in that only the director is making the decision. The intention of commercial use in Arch Cape is limited and to be there to support the community (i.e. grocery store, gas station.) All of the citizens should have the opportunity to provide input. MW stated that the Arch Cape Inn changes could be considered an expansion of commercial use and would have required a Design Review under the proposed revisions; additionally there were enough questions in the air to trigger a review, additionally under section 4.104(1B) Any new commercial development proposing new structures should be subject to Design Review and that the owner has to get permits for his renovations including roads and parking lots. MW stated that the Arch Cape Inn has changed from a three bedroom, owner-occupied Bed & Breakfast to a ten-room hotel. RD pointed out that he has gone from an in house serving facility to a public restaurant. LM asked if he needed a driveway on to the highway if he has ten rooms and expressed concerns over traffic safety issues. JM expressed displeasure that this request did not come through Design Review. MW suggested that Design Review Board review the conditional use criteria 5.0 – 5.030 and see what the Inn did not meet. LM asked if it would be better to make a Motion or write a letter for the Board members to sign. MW responding to the question recommended a letter form and added that the Board should have a representative at the Planning Commission meeting and that the DRB can request that that the record be left open to respond to new evidence.

2. Concern about the lack of attendance of one of the Board members: the Board is always down a member and has to stop to take the time to bring that person up to speed. RD added that this person does not call the Chair to be excused; but occasionally calls the County. DB stressed the importance that GC needs to know if he will have a quorum for the meeting(s). MW and GC stated that they didn't know that SM was not going to be at this meeting. The comment was made that Board members should be a resident of Arch Cape. Consensus was reached that the matter of attendance is in the Bylaws and that a Bylaws work session is going to be scheduled.

Meeting adjourned at 7:15 PM

***SOUTHWEST COASTAL DESIGN REVIEW/CITIZEN ADVISORY COMMITTEE
PUBLIC FORUM held May 7, 2010, at 6:00 PM
re ZONING ORDINANCE REVISIONS***

No roll was taken.

Chairman George Cerelli (GC) announced that this forum was a quasi-judicial hearing regarding Zoning Ordinance Revisions and asked for the County Staff Report from Mike Weston (MW.) There were no objections as to the jurisdiction of the Committee to hear the report.

MW stated that Ordinance 10-01 presents modifications and adjustments to the rural overlay. He presented information regarding accessory dwellings, outdoor lighting, tree removal, road development, off-street parking, non-conforming uses in accordance with Oregon revised statutes, the removal of the hardship variance and the modification of the percentage cap of Short Term Rentals (STR's) and Bed & Breakfasts. (The percentage of STR's would be at a 20% cap of the total number of homes.) MW added that currently there are 50 registered STR's and the cap would allow up to 70 STR's. Article 4.104 implements a class system: Class 1: those STR's that were registered prior to April 28, 2010. Post April 28, 2010, those homes would be put on a five year rotational list; if there were no openings then they would be put on a wait list. Those STR's registered prior to 4/28/10 would not be subject to rotation as long as they remain in good standing, without violation(s). If a homeowner has a rental unit and an accessory dwelling, then one unit would be a long-term rental and one would be a STR.

Comments/Questions from the Audience

GC reminded that audience that if one wishes to speak or present evidence that one needed to sign the list.

Dale Mosby stated he would like to be on the record to provide his comments in writing. Chris Hartman stated that STR's bring a lot of revenue to local businesses and that some people cannot afford to buy here, and have to rent out their homes in order to afford a home on the coast. He didn't like the fact that the STR cannot be transferred upon the sale of the property. Richard D'Onofrio (RD) responded that Arch Cape is a residential area, not a rotating motel and that STR's are, in general, not a part of Arch Cape's Mission Statement. Tod Lundy (TL) added that the committee had a higher cap; but that the public preferred a lower number. Debra Birkby (DB) stated that Arch Cape is not inside an urban growth area like Cannon Beach

Rainey Graham had no comment at this time.

Mr. Hill asked about the stance of the community regarding tree removal. MW responded that the original object of Arch Cape was to create a wooded residential neighborhood and prevent clear-cutting and/or logging. Currently one is not authorized to cut down a tree. The Ordinance allows for the removal of a tree with a \$79 permit for safety reasons or if it is dead. If a homeowner wants to cut down a tree, the owner can request to do so with an arborist's statement

and a plot plan. MW added that the bottom line is that it will cost approximately \$300 to cut down a tree. By definition, a tree has a diameter of six inches or more. DB explained that if a project is going before the DRB, a landscape plan is required. The new proposal allows a homeowner an avenue to cut down his tree.

Jim Sparks asked about the need to hire a surveyor. MW stated that if your building is within 2 feet of building height, you must hire a surveyor to come out after building and recheck the height to make sure it's within the criteria. John Mersereau (JM) added that all of those measurements are to be taken from undisturbed ground. MW said that you should not be filling bare land. DB asked Mr. Sparks if he had an original benchmark and if it was less than 26 feet. Mr. Sparks stated he did.

Mike Manzulli: Stated his approval for the ordinance in general, was happy to see the variance hardship retained, and was satisfied with the cap on the short term rentals and the 5 year rotation. He also stated his concerns regarding tree removal and stated the need for the owner to present evidence that the tree was indeed a hazard before it is removed.

Nadia Gardner (NG) stated that she was happy with the number of STR's and that parking issues, parties and rundown homes, often accompany them. She added that she had no sympathy for un-permitted short-term rentals. Steve Malkowski (SM) stated that there is no mechanism in place to address un-permitted STR's. MW stated that the cap on STR's was a goal to maintain rural feel of community. DB commented that illegal STR's owners are using their rental(s) as a tax deduction. It was confirmed that there is a two-week per year time limit that an STR owner can use the home for their personal use.

Michelle Delaney confirmed that her STR is grandfathered in. DB explained that the intent of the rotation was not to limit the opportunity to rent your house, but rather to provide an opportunity for all residents to rent out their homes while maintaining the provisions of the cap. MW explained the *good faith* clause used in vesting determinations and how that relates to the grandfather clause: once you're notified, you're considered on notice and you can't race to beat the clock because that would be considered a *bad faith* effort. SM asked if neighbors near STR's would have the opportunity to comment and he asked the audience if they would like to see the illegal STR's scrutinized because they haven't been playing by the rules. MW stated that currently there is no notification procedure for renewals and implementing that procedure would increase the cost significantly. NG said we need a better enforcement system. A discussion followed regarding Ordinance 4.115, which describes compliance and resolutions. SM added that he was not proposing that sanctions be put on unregistered STR's.

Dale Mosby said he was more comfortable with a 0% cap on STR's. JM questioned why there is a commercial venture going on in a residential area and that property management companies control the majority of the STR's.

A female speaker said she was thrilled that the number of STR's had been capped and thanked the committee for being responsive to the full time residents' needs.

GC asked for any more testimony. There being none, GC announced that the public hearing was closed.

MW stated that the next Public Hearing would be at 10:00 am at the Boyington Building at 9th and Commercial.

Follow-Up Discussion by Committee Members

MW stated that the committee needed to discuss recommendations of the community and render a motion. TL stated that when a house is framed, it is easy to establish height accuracy and that the framing could be dropped if the height is found to be over the limit. He added that this would allow the DRB to enforce a rule for a correction to be made without breaking the bank. MW stated that he would add a recommendation that the contractor verify height at the framing stage prior to the sheathing.

A discussion followed regarding tree removal. JM said he heard community members state they felt the current ordinance was restrictive and costly. RD felt that there would be deforestation if tree removal were too easy. SM acknowledged the comments of the audience and their feeling that the ordinance was extreme and restrictive. RD discussed the value of the community's coastal life and suggested that the issue of tree removal be left as is and revisited as needed if problems arise. The definition of a tree was reviewed and DB suggested the text be expanded to refer to the definition of a tree.

MW told SM that the audience member who was unhappy with the cap on STR's was from Arizona and that Mr. Harrington of the Oregon Lodging Association seemed to be more satisfied with 20%/10% cap than with 5 year rotation. The property management businesses seemed happy with grandfather clause. TL asked if there would be legal review of this ordinance revision, specifically addressing the potential problem with creating a class of citizens that has more rights than another. MW stated that there is a process for legal review and he would have this done prior to the meeting with the Planning Commission. SM stated that he had submitted written comments from a business standpoint regarding investments lost by setting up an STR and then being off of the list due to the five-year rotation. He felt this was a way of artificially eliminating STR's. He added that ones' investment would go away in five years. RD answered that with the rotation list, they can come back. GC, as Chair, asked for a decision on this matter. SM continued, stating the said the STR's make an investment for repeat investment from the same families, which accounts for 40-50% of their business and that is a loss on that investment. RD expressed his displeasure that investors dictate to full time residents and that the rights of permanent residents are being affected by renters, adding that in Washington State residents have the right of quiet enjoyment. SM countered that if one STR drops off in five years and another one appears, the total number of STR's will not change and that Ordinance 4.115 addresses the garbage problem. GC asked for a motion to close this matter. DB reiterated that many of these things have been discussed at great length at work sessions. She added that the rotation plan for STR's came out of the community's concern that it be fair for everyone to be able to rent out their home. The limit is so the rural feel of community isn't changed. JM said the cap allows all homeowners have the opportunity to rent out their own on a short-term basis while keeping number of STR's down. TL stated that the Committee was following the concerns of the

community. SM said that a segment of population needs supplemental income to keep home here and believed there would be legal challenges ahead, making a discriminatory argument when making a separation in classes of people. MW stated that the grandfather clause should be legal considering past practices. SM recommended that the committee talk to the Oregon Lodging Association about the 20% cap. SM said he was not opposed to RD's opinion. Linda Murray (LM) expressed her concern that the grandfathered STR's would eventually disappear. RD stated he understands Mr. Hartman's dilemma, however an STR is a business; that Mr. Hartman was not talking about people. MW stated that the committee should be on good legal standing because the land use changes have been well notified in accordance with the ORS, but that the Planning Commission could reject their proposals. SM said that Arch Cape's hardship variance differs from the County's and this opens the door for the commission to make the decision that by default, Arch Cape should be aligned with county. MW said that the only difference in Arch Cape's STR ordinance is the 20% cap and the five-year rotation. This ordinance pertains only to Arch Cape.

The following changes/additions/modifications to the Zoning Ordinance Revisions will include: a recommendation that a contractor verify height at the framing stage to verify height. (Page 23); language added that tree removal be in accordance with section 1.030 (page 6) and that the tree removal issue be reconsidered after one year.

TL moved to recommend approval of the ordinance as revised. LM seconded the Motion. Vote: 5 for and 1 opposed. The Motion carried. MW will have legal review done prior to the meeting with the Planning Commission.

May 19, 2010 – Next regularly scheduled meeting. Consensus was reached that the committee will decide via email if this meeting will be held.

May 25, 2010 – meeting with Planning Commission

MW will mail a Resolution and Order to Chairman George Cerelli

The meeting was adjourned at 8:25 PM.



Reiling Staff Evaluation and Application

CLATSOP COUNTY
Trans. & Dvlp. Svcs., Planning Division
800 Exchange Street, Suite 100
Astoria, OR 97103

www.co.clatsop.or.us
ph: 503-325-8611
fx: 503-338-3666
em: comdev@co.clatsop.or.us



SOUTHWEST COASTAL DESIGN REVIEW / CITIZEN ADVISORY COMMITTEE

CRITERIA EVALUATION SHEET – DESIGN REVIEW

Applicant:	<u>Arthur L Reiling</u> <u>17288 SW Ceder Rd</u> <u>Lake Oswego, OR 97034</u>
Owner:	<u>Same as Above</u> <u></u> <u></u>
Property Description:	<u>T4N, R10W, S30BB, TL 01700</u>

DESIGN REVIEW CRITERIA

1. Relation of Structure to Site:
The proposal satisfies current setback requirements. The applicant states there is 6 feet 4 inches
between the Southern most edge of the deck and the property line.
2. Protection of Ocean Views:
The impact upon ocean views are negligible, as the expansion is 2 feet beyond the current
footprint of the deck and will retain the same style as the rest of the deck.
3. Preservation of Landscape:
The proposal will not disturb any ground. The expansion is based on the current structure and
requires no ground work or additional pilings
4. Buffering and Screening (For Commercial Uses):
Not Applicable to this Request
5. Vehicle Circulation and Parking:
No additional vehicle circulation or parking is required with this request.
6. Utility Service:
No new utilities are proposed.

7. Signs:

No signs are proposed with this construction.

8. Surface Water Drainage:

The development should not affect surface water drainage. The current system should be adequate.

9. Other Criteria for Evaluation:

The above-entitled matter came before the Southwest Coastal Design Review and Citizen Advisory Committee at its June 16, 2010 meeting for a public hearing and consideration of proposal.

Based upon the evidence and testimony provided by the applicant, planning department staff, and the citizens of the area, this committee hereby recommends this application be: { *Approved, Conditionally Approved, Denied* }

Dated this ____ day of June

The Southwest Coastal Design Review /
Citizen Advisory Committee

George Cerelli, Chairman Clatsop County
SW Coastal DR/CA Committee



Exhibit 1 -- Public Notice

Reiling Mailing List

TaxlotKey	Year Built	Owner_line	Owner Address	City	State	Zip Code
41030BB01100	1941	Ward William A	12956 SE 127th	Clackamas	OR	97015-9386
41030BB02200	1947	Hess-Smith / Smith	1400 SW Davenport St	Portland	OR	97201
41030BB03600	1935	Morse Greg D/Dorte P	1515 SW Clifton St	Portland	OR	97201
41030BB02000	2004	Lockwood Living Trust	17096 SW Rivendell	Durham	OR	97224
41030BB01700	2003	Reiling Arthur L	17288 SW Cedar Rd	Lake Oswego	OR	97034
41030BB02002	2004	Rall Martin M/Susan D	1818 SW Martha St	Portland	OR	97239
41030BB03200	1946	DeMonico C A Rev Trust 1/2 int	19508 SW 35th Ct	Lake Oswego	OR	97034
41030BB03500	1950	Arch Cape Beach House LLC	222 NW Maywood Dr	Portland	OR	97210
41030BB00900	2006	Onewest Bank FSB	2900 Esperanza Crossing	Austin	TX	78758
41030BB03700	1942	Powell John / Shirley	2928 Fuhrman Ave E	Seattle	WA	98102
41030BB03300	1990	Lewis Wesche Colleen	2980 NW Monte Vista Terr	Portland	OR	97210
41030BB00901	2003	Nielson David / Tobi	31947 W Ocean Ave	Arch Cape	OR	97102
41030BB01802	1999	Sinnott William P/Kathy M	3715 SE Tolman	Portland	OR	97202
41030BB03900	1988	Williamson Wayne A / Lois	4137 SW Greenleaf Ct	Portland	OR	97221
41030BB01803	1997	Kirkby et. al.	4676 Eagle Harbor Dr NE	Bainbridge Island	WA	98110
41030BB03100	1948	Angel Joseph W II	4900 SW Griffith Dr #269	Beaverton	OR	97005
41030BB03800	1985	Richardson Randy / Stephanie	5191 SW Kruse Rd	Wilsonville	OR	97070
41030BB01801	1966	Delaney Chris R/Michele C	6224 SE 31st Ave	Portland	OR	97202
41030BB01903		Merck / Ulrich	720 Mandana Blvd	Oakland	CA	94610
41030BB01800	1994	Kain Thomas J/Patricia O	7518 SE 30th Ave	Portland	OR	97202
41030BB03400	1958	Wood Michael J/Mary N	80054 Pacific Rd	Arch Cape	OR	97102
41030BB02100	1942	Hale David / Donna	80065 Pacific Rd	Arch Cape	OR	97102
41030BB01900		Miller / Hickman	8475 Clearwater Rd	Fall Brook	CA	92028
41030BB01300	1940	Lewis / Bush	915 Ironwood Ln	Fountain Valley	CA	92708
41030BB02001	1948	Lockhart Richard I/ Rollande M	9726 S Woodlawn Rd	Valley Center	KS	67147
41030BB01400	2002	Petrich / Fitzwater	PO Box 1182	Cannon Beach	OR	97110
41030BB01000	1947	Moody Gary E/Stephany J	PO Box 1422	Cannon Beach	OR	97110
41030BB01200	1945	Ferguson Bill B/Gloria Tr	PO Box 2322	Arizona City	AZ	85223
41030BB00801		Egger / Henderson	PO Box 243	Wheeler	OR	97147
		Matt Spangler	Steven Malkowski			
		CREST	John Mersereau			
		Clatsop Soil & Water	Tod Lundy			
		George Cerelli	Linda Murray			
		Debra Birkby	Richard D'Onafrio			

Mailed June 7, 2010

Clatsop County Community Development
Department
800 Exchange Street, Suite 100,
Astoria, OR 97103

ph: 503-325-8611
fx: 503-338-3666
em: comdev@co.clatsop.or.us
www.co.clatsop.or.us



PUBLIC NOTICE FOR AN ISSUE BEFORE THE TRANSPORTATION & DEVELOPMENT DIRECTOR

In the matter of a Minor Design Review application for Expansion of an Existing Deck submitted by the owner Arthur L. Reiling. The legal description of the Parcel is T4N, R10W, § 30BB, TL 01700.

*(For more information see **Page 2** of this notice)*

APRX. DATE OF DECISION:	June 22, 2010
COMMENT PERIOD:	June 8, 2010 – June 21, 2010
DESIGN REVIEW HEARING:	June 16, 2010, 6pm Arch Cape Fire Hall
SEND COMMENTS TO:	Public Service Building, 800 Exchange Street, Suite 100 Astoria, Oregon 97103
CONTACT PERSON:	Michael Weston II, Clatsop County Planner

You are receiving this notice because you either own property within 250 feet of the property that serves as the subject of the land use application described in this letter or you are considered to be an affected state or federal agency, local government, or special district. A vicinity map for the subject property is attached.

NOTICE IS HEREBY GIVEN that Clatsop County's Transportation & Development Services have received the land use application described in this letter. Pursuant to section 4.100 of the Clatsop County Land Water Development and Use Ordinance a **Public Hearing is scheduled before the Design Review Committee on Wednesday, June 16, 2010** and; Pursuant to Section 2.020 of the Clatsop County Land and Water Development and Use Ordinance (LWDUO), the Department Director is tentatively scheduled to render a decision based on evidence and testimony on Tuesday June 22, 2010 at the Public Service Building, 800 Exchange St., Suite 100, Astoria, OR 97103.

All interested persons are invited to submit testimony & evidence in writing by addressing a letter to the Clatsop County Transportation & Development Director, 800 Exchange Street, **Suite 100**, Astoria, OR 97103. Written comments may also be sent via FAX to [503-338-3666](tel:503-338-3666) or via email to comdev@co.clatsop.or.us. Written comments must be received in this office no later than **4PM on Monday June 21, 2010** in order to be considered in the **Decision**.

NOTE: Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes an appeal based on that issue.

THE LAND USE APPLICATION DESCRIBED:

The applicant is requesting Design Review approval for the expansion of a pre-existing deck. The structure is located on the south side of the house and will extend an additional 2 feet into the side yard. Based on the information and site plans provided by the applicant the expansion would leave 6' 4" between the deck and the property line. The expansion does not require new pillars or posts and expands the area at the top of the staircase further to the left/south. The property is located at 31922 Star Mooring Lane on the corner of Pacific and Star Mooring.

For More Details regarding the Project & Location see pages 3 & 4.

The following criteria from Clatsop County Land and Water Development and Use Ordinance (LWDUO) apply to the request: § 1.010-1.050 (Definitions), 2.020 (Type II Procedure), 2.120 (Procedure for Mailed Notice), 2.230-2.260 (Request for Review/Appeal et al), 3.060 (Arch Cape Rural Community Residential Zone), 4.100 (Site Development Review Overlay District {SDRO}), and Clatsop County's Standards Document Chapters 1-4.

In addition, the following elements of the Clatsop County Comprehensive Plan apply to the request: Goal 1 (Citizen Involvement), Goal 2 (Land Use Planning), Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces), Goal 6 (Air, Water and Land Resources Quality), Goal 7 (Natural Hazards), Goal 8 (Recreational Needs), Goal 9 (Economy), Goal 10 (Housing), Goal 11 (Public Facilities and Services), Goal 12 (Transportation), Goal 13 (Energy Conservation), and the Southwest Coastal Community Plan.

These documents 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.

A copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at the Transportation & Development Department Office during normal business hours (M-F, 8-5) at no cost and will be provided at reasonable cost.

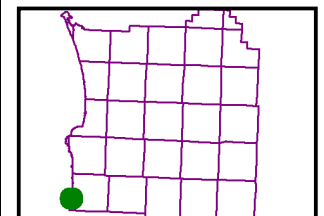
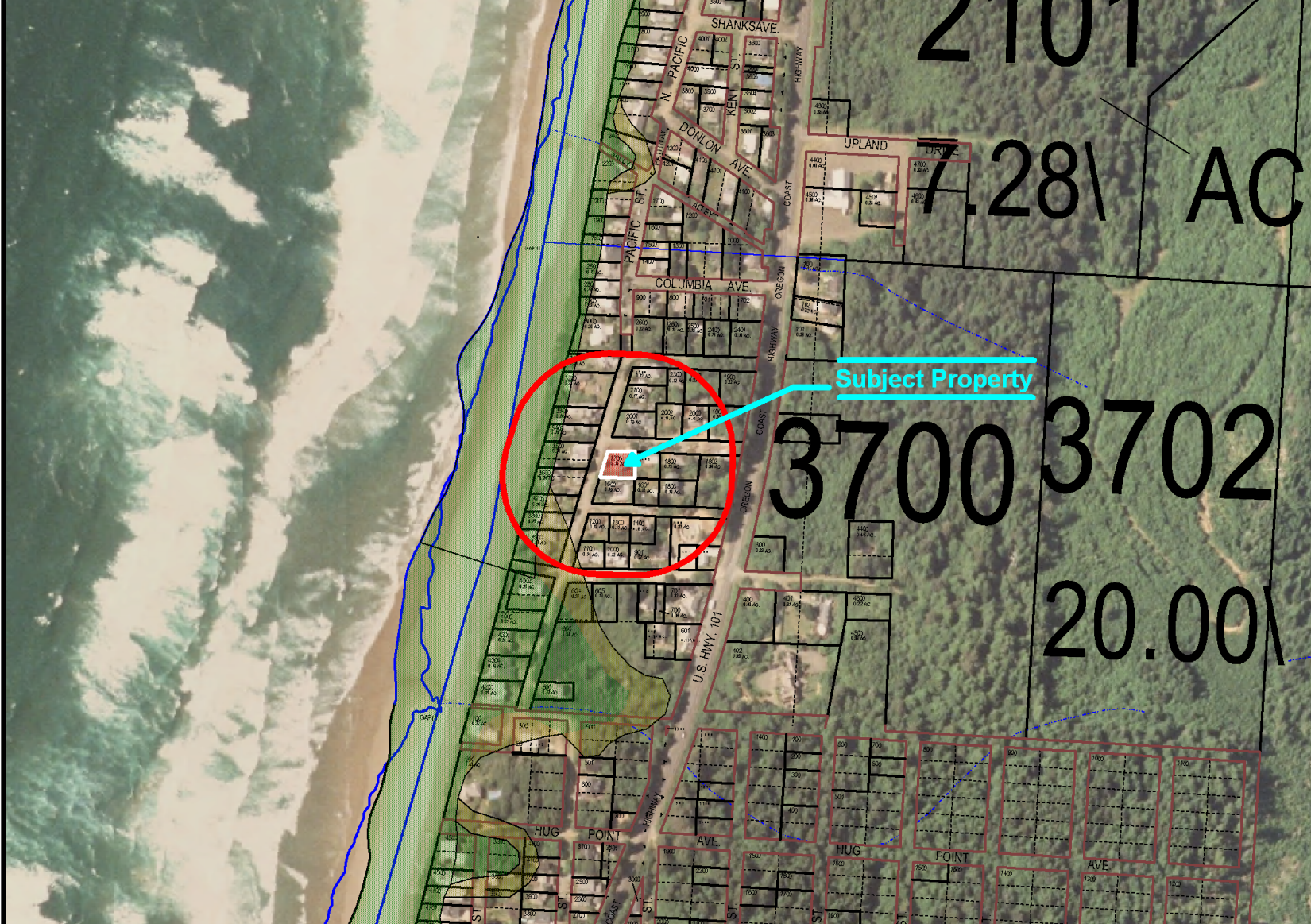
If you have questions about this land use matter or need more information, please contact Michael Weston II, Clatsop County Planner, at (503) 325-8611 or via email at mweston@co.clatsop.or.us.

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.

Clatsop County Map

FEMA Flood
0.2 PCT ANNUAL CHANCE ...

- VE
- AO
- X
- PLS
- PLS
- PLS Townships
- Tax Lot Arrows
- Tax Map
- Water Body
- Creek
- Parcel Boundary
- Supplemental Boundary
- Road R-O-W

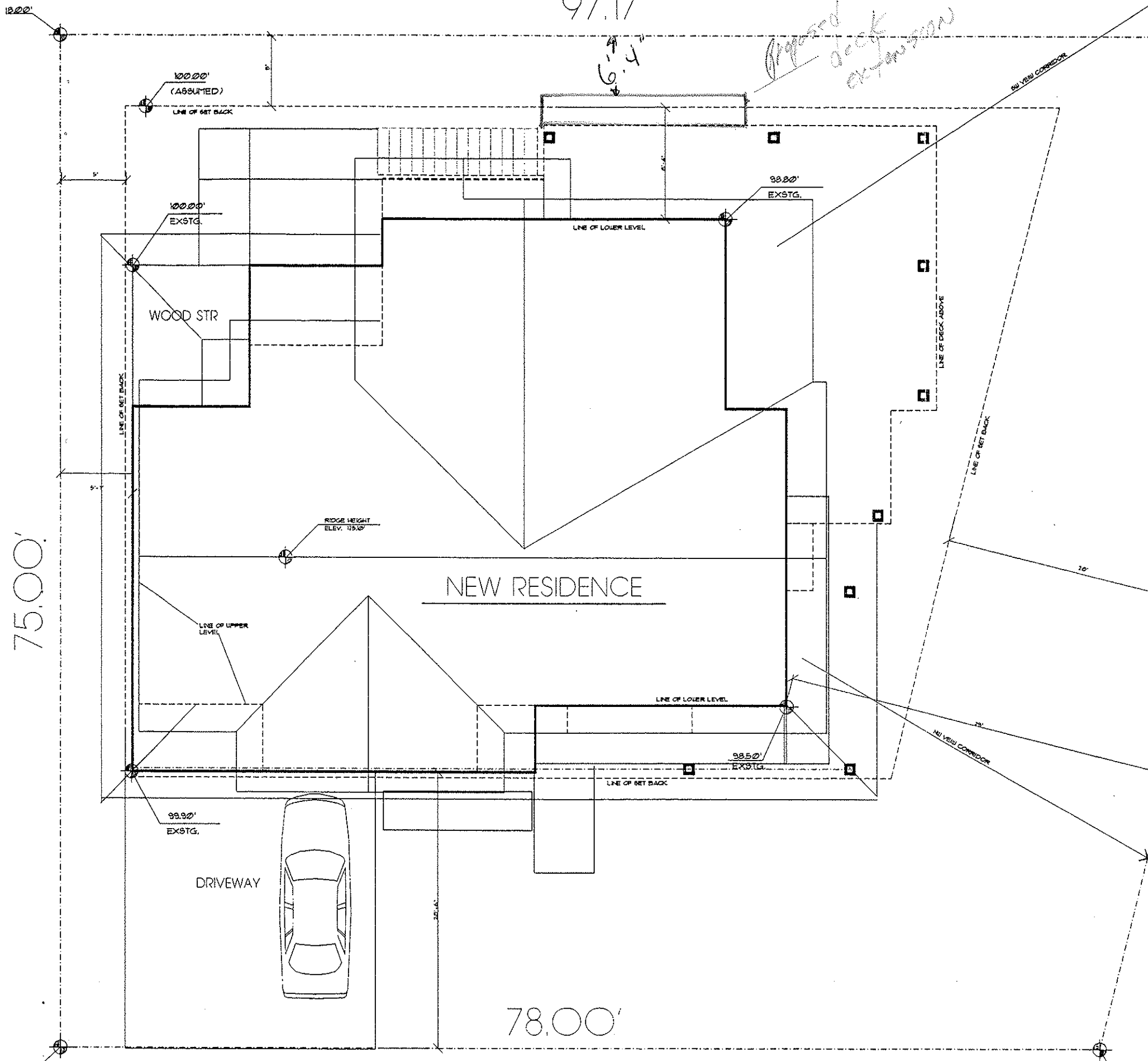


6/7/2010



This map was produced using the Clatsop County GIS data. The GIS data is maintained by the county to support its governmental activities. The county is not responsible for map errors, omissions, misuse or misinterpretation.

1in. = 438 ft.



LEGAL DESCRIPTION

T. 4 N., R. 10 W., SECTION 30BB, TAX LOT 1700
WILLAMETTE MERIDIAN, CLATSOP CO. STATE OF OREGON

REVISED
PARTS OR PART OF THIS
DRAWING HAVE BEEN
REVISED AS OF THE
BELOW DATE
JUNE 3, 2002
THIS DRAWING HAS PRIORITY
OVER THOSE OF EARLIER DATES

NON-STRUCTURAL REVISIONS ONLY

BUILDING HEIGHT COMPUTATION

EXSTG. CORNER ELEVATIONS 98.80' ELY. AT SW CORNER
100.20' ELY. AT SE CORNER
99.50' ELY. AT NE CORNER
98.50' ELY. AT NW CORNER
397.10' SUM OF 4 CORNERS = 99.3' AVERAGE GRADE HT.
AVERAGE GRADE OF 99.3' PLUS 26' = 125.30' MAXIMUM ALLOWED BLDG. HT.

LOT COVERAGE COMPUTATION

LOT AREA 656250 SQ. FT.
BLDG AREA AT GRADE 169060 SQ. FT.
DECK AREA 603 SQ. FT.
229560 SQ. FT. TOTAL COVERAGE
656250 SQ. FT. LOT AREA
34.9 %
MAXIMUM ALLOWED COVERAGE 40%

SITE PLAN

SCALE 1/4" = 1' - 0"



NEW RESIDENCE FOR ARCH CAPE, OREGON
MR & MRS LARRY REILING

THIS DRAWING IS THE PROPERTY OF SUNTECH DESIGN. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF SUNTECH DESIGN. ANY UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED AND WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.

© COPYRIGHT 1996
SUNTECH DESIGN
7165 SW 177 LOOP, SUITE K
TIGARD, OREGON 97223
(503) 624-0555
PLAN NO.
SHEET
DESCR. LUR FR
JOB NAME REILING
DATE 12/02
REV. 0/10/02



Exhibit 2 -- Application



Receipt

This is not a Permit

Clatsop County Planning and Development
800 Exchange St Ste 100
Astoria, OR 97103

Ph. (503) 325 - 8611 Fax (503) 338 - 3666

For Department Use Only

Permit #: 20100286
Permit Type: Type I
Entry Date: 5/24/2010
Entered By: Jennifer Bunch
Assigned To: Jennifer Bunch
Permit Status: Pending

Permit Timeline

User	Status	Date
Jennifer Bunch	Entered	05/24/2010
Jennifer Bunch Mike	Assigned	05/24/2010 5/27/10

Proposed Use

Proposed Use: **Deck, Porch, Attached Res Acc Structure**

Zone: **AC-RCR**

Description: Design Review for Deck

Owner/Project Location

Owner: Name: **Reiling Arthur L**
Address: 17288 SW Cedar Rd
City, State, Zip: Lake Oswego, OR 97034

Ph. #: () -
Cell: () -
Fax: () -

Site Address: **31922 STAR MOORING LN** I R S Q S Qq S Taxlot
City: **ARCH CAPE** State: **OREGON** 4 10 30 B B 01700

Applicant/Agent

Applicant: Name: **Reiling Arthur L**
Address: 17288 SW Cedar Rd
City, State, Zip: Lake Oswego, OR 97034

Ph. #: () -
Cell: () -
Fax: () -

Ph. #: () -
Cell: () -
Fax: () -

Fees

Fee Type:
Planning/Development

Permit Fee Total:
\$554.00
Total: **\$554.00**

Receipt

<u>Payor Name:</u>	<u>Pymnt Type</u>	<u>Check #</u>	<u>Pymnt Date</u>	<u>Pymnt Amount:</u>
Reiling Arthur L	Check	2564	05/24/2010	\$554.00

Balance Due: **\$0.00**

Signatures

1. For Commercial and industrial uses, include parking and loading plan, sign plan and erosion control plan.
2. For residential and other uses, include an erosion control plan.
3. Review attached applicant's statement and sign below.

I have read and understand the attached APPLICANT'S STATEMENT and agree to abide by the terms thereof.

Applicant Signature: _____ Date: _____

Owner Signature: _____ Date: _____

Agent Signature: _____ Date: _____



APPLICATION FOR
DESIGN REVIEW

Fee: Major Construction - \$711.00 (see attached page for explanation)
Minor Construction - \$554.00 (see attached page for explanation)

APPLICANT: Arthur L. Reiling Phone: 503-636-6401
503-819-4066

Address: 31922 Star Mooring,
Arch Cape, OR

OWNER: Arthur L. Reiling Phone: Same

Residence Address: 17288 Cedar Road, Lake Oswego, OR
97034

AGENT: John Mercereau Phone: 436-2923
Mercereau Constr.

Address: Arch Cape, OR 97102

Proposed Development: Addition of 15' x 2' deck extension.

Present Zoning: RSA-SFR Overlay District: 1SDRO

Lot Size: .15 Acre, 75' x 78' x 97.17' x 77.42'

Property Description: 74N R10W 3066 1700
Township Range Section Tax lot(s)

Property Location: Arch Cape, OR S.E. Corner intersection
of Pacific & Star Mooring

General description of the property:

Existing Use: Residential 2nd home

Topography: Level to gradual slope

General description of adjoining property:

Existing Uses: Residential 2nd home

Topography: Level to gradual ~~steep~~ slope.

Community Development Department

800 Exchange, Suite 100 * Astoria, Oregon 97103 * (503) 325-8611 * FAX 503-338-3666

Time Limit on Approval. Site design review approvals shall be void after one (1) year unless a building permit has been issued and substantial construction has taken place per the Uniform Building Code.

The information contained in this application is in all respects true, complete, and correct to the best of my knowledge and I am aware of the additional costs that may accrue and agree to pay them as required above.

Applicant's Signature: _____

Date: 5/29/10

Owner's Signature: _____

Date: 5/29/10

The following is from the Clatsop County Land and Water Development and Use Ordinance #80-14:

Section 4.100. Site Design Review Overlay District (/SDRO).

Section 4.102. Purpose. This section provides for the comprehensive review of proposed development permits in order to preserve scenic views and to promote attractive development of the site compatible with the natural and man-made environment.

Section 4.104. Types of Review. All development which is situated within the /SDRO District Boundary that falls under the thresholds in this section shall be subject to the Criteria for Design Review Evaluation, Section 4.106 and Article 2, Procedures for Land Use Applications.

1. The following types of projects shall require review according to the Type II procedure, Section 2.020. For purposes of these types of Major projects, review by the Design Review Advisory Committee as described in Section 4.116, is required.
 - a. Any new residential development proposing to construct a dwelling as described in Section 1.030 (Dwelling Types).
 - b. Any new commercial development proposing to construct structures devoted to a commercial use.
 - c. Any new commercial development creating additional cumulative square footage beyond 20% of an existing building footprint.
 - d. Any new residential development creating additional cumulative square footage beyond 20% of an existing building footprint.
2. The following types of projects shall require design review according to the Type II Procedure, Section 2.020. For purposes of these types of Minor projects, review by the Design Review Advisory Committee as described in Section 4.116, is not required.
 - a. Accessory buildings in residential zones.
 - b. Projects that require building permits for exterior renovations on commercial and residential structures; including but not limited to new decks, awnings, alterations

- to exterior treatments, and similar activities which do not increase the cumulative square footage more than 20% from an existing building footprint.
- c. Accessory buildings associated with commercial developments and containing no residential units.
 - d. If the Planning Director determines that a new accessory building may significantly impact adjoining properties with respect to location, bulk, compatibility, views, preservation of existing landscape, or other applicable criteria identified in Section 4.106, the application will be forwarded to the Design Review Advisory Committee for review.

Please address the following eight (8) criteria on a separate sheet of paper:

Section 4.106. Criteria for Design Review Evaluation. In addition to the requirements of the Comprehensive Plan, other applicable sections of this Ordinance and other County Ordinances, the following minimum criteria will be considered in evaluating design review applications:

1. Relation of Structures to Site. The location, height, bulk, shape, and arrangement of structures shall be in scale and compatible with the surroundings.
2. Protection of Ocean Views. The blocking of scenic views of existing or proposed dwellings on adjacent lots and other lots that may be impacted shall be minimized in the construction of all structures.
3. Preservation of Landscape. The landscape shall be preserved in its natural state to the maximum extent possible by minimizing tree, vegetation and soils removal. Cut and fill construction methods are discouraged. Roads and driveways should follow slope contours in a manner that prevents erosion and rapid discharge into natural drainages.
4. Buffering and Screening. In commercial zones, storage, loading, parking, service and similar accessory facilities shall be designed, located, buffered or screened to minimize adverse impacts on the site and neighboring properties.
5. Vehicle Circulation and Parking. The location of access points to the site, the interior circulation pattern and the arrangement of parking in commercially zoned areas shall be designed to maximize safety and convenience and to be compatible with proposed and adjacent buildings. The number of vehicular access points shall be minimized.
6. Utility Service. Electric, telephone and other utility lines shall be placed underground.
7. Signs. The size, location, design, material and lighting of all exterior signs shall not detract from the design of proposed or existing buildings, structures or landscaping and shall not obstruct scenic views from adjacent properties.
8. Surface Water Drainage. Special attention shall be given to proper surface water drainage from the site so that it will not adversely affect adjacent properties or the natural or public storm drainage system.

The following is provided for your convenience. You need not address the following.

Section 4.108. Application Procedure. The following procedure shall be followed when applying for design review approval:

1. Pre-application Conference. The applicant shall discuss the proposed development with the staff of the Clatsop County Department of Planning and Development in a pre-application conference pursuant to Section 2.045.
2. Following the pre-application conference, the applicant shall file with the Planning Director a design review plan, which shall include the following:
 - a. A site plan, drawn to scale, showing the proposed layout of all structures and other improvements, including where appropriate, driveways, pedestrian walks, landscaped areas, fences, walls, off-street parking and loading areas. The site plan shall indicate how utility service, sewage, and drainage are to be provided and shall show cuts and fills proposed. The site plan shall indicate, where appropriate, the location of entrances and exits and the direction of traffic flow into and out of off-street parking and loading areas for commercial uses, the location of each parking space, each loading berth, areas for turning and maneuvering vehicles and each sign for each commercial use.
 - b. The plot plan shall show the relationship of the proposed structure with existing structures or potential structure sites on adjacent lots and lots where the ocean view may be blocked by the structure.
 - c. Elevations of the structure(s) illustrating scenic views and how the structure may block views.
 - d. Plot plan and elevation showing relationship of new construction to existing construction including scenic views.

Section 4.110. Plan Evaluation Procedure. The following procedure shall be followed in processing a design review plan:

- I. Upon receipt of a design review application and plan, the Planning Director will examine it to determine whether it is complete (and consistent with the requirements of this Section). If found to be complete, the Planning Director shall determine whether the application will require Minor or Major Review under Section 4.104(1-2)(Types of Review). If the request is considered a Major Review under Section 4.104(1)(Types of Review), the Director shall forward the application and plans to the Design Review Advisory Committee for its review and recommendation.

2. The Design Review Advisory Committee will review the application and plan at its first regularly scheduled meeting and shall make a written recommendation to the Planning Director within 21 days after receipt of the application.
3. The Planning Director may approve the design plan, disapprove it or approve it with such modifications and conditions as may be required to make it consistent with the Comprehensive Plan, with the criteria listed in this Section and with other Sections of this Ordinance.
4. A decision on a design review plan shall include written conditions, if any, and findings and conclusions. The findings shall address the relationships between the plan and the policies and criteria listed in the Comprehensive Plan, this Section and other Sections of this Ordinance.
5. The Planning Director's decision shall be mailed within seven (7) working days to the applicant and to owners of land entitled to notification. The same mail, when appropriate, shall include notice of the manner in which an appeal of the decision may be made.
6. Appeals. See Section 2.230 for appeal procedure.

Section 4.112. Modifications of Approved Design Review Plan. Proposed changes shall be submitted in writing to the Planning Director for approval. Minor changes requested by the applicant may be approved if such changes are consistent with the purposes and general character of the original approved application. All other modifications shall be processed in the same manner as the original application.

Section 4.114. Time Limit on Approval. Site design approvals shall be void after one (1) year unless a building permit has been issued and substantial construction has taken place per the Uniform Building Code. However, the County may, at the discretion of the Planning Director, extend authorization for an additional year upon request, provided such request is submitted in writing not less than 10 days nor more than 30 days prior to expiration of the permit.

Section 4.116. Design Review Advisory Committee. The Southwest Coastal Citizens Advisory Committee (CAC) shall serve as an Design Review Advisory Committee for Arch Cape and will review development proposals and make recommendations to the Planning Director and Planning Commission concerning the design and scenic view aspects of proposed developments.

1. Meetings; Records. The committee shall hold regular meetings on the first and third Wednesday of each month at the Arch Cape Fire Hall or designated sites. However, meetings may be canceled when there are no design review plans submitted for review by the Committee. The Chairman shall be responsible for posting cancellation notices at the designated sites and notifying the Clatsop County Department of Planning and Development at least 48 hours prior to the meeting. The deliberations and proceedings of the committee shall be public. The committee shall keep minutes of its meetings and such minutes shall be public record.

2. The Design Review Advisory Committee shall submit their recommendations to the Planning Director within seven (7) working days of their decision.

AGENCY REVIEW & APPROVAL FORM

Information on this form must be filled out and signed in this order

1. JOB SITE INFORMATION (to be filled out by applicant/owner/agent):

Job Site Address: 31922 Star Morning Ln. City: Arch Cape, OR

Owner: Arthur L Reeling Phone: 503-636-6909
503-819-9066 cell

Owners Address: 17233 Cedar Rd., Lake Oswego, OR
97039

Agent: _____

Proposed Development/Construction:

Addition of 15' x 2' deck extension.

2. STATE DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) or SEWER DISTRICT (to be filled out and signed by agency):

Legal Description: T 4 R 10 SEC 30BB Tax Lot(s) 1700

Permit Needed - Yes () No () Site Approved - Yes () No ()

Signature: _____ Date: _____

Remarks: _____

DEQ North Coast Branch Office, 65 North Highway 101, Suite G, Warrenton, Oregon 97146 Phone: (503) 861-3280 FAX (503) 861-3259

3. FIRE DEPARTMENT/FIRE DISTRICT ACCESS AND WATER SUPPLY REQUIREMENTS:

Water/Fire Flow: _____ Number of Hydrants: 1 Hydrant Location
(s): @ Lot corner of Occor & Star Morning

Signature: _____ Title: _____
Date: _____

Remarks: _____

Contact the local RFPD having jurisdiction. Applicable to all CUP, partitions, subdivisions, and land use approvals issued after 1/01/03.

4. CLATSOP COUNTY COMMUNITY DEVELOPMENT DEPARTMENT (to be filled out and signed by Community Development):

Legal Description: T 4 R 10 SEC. 30 66 Tax Lot(s) 1700

Zone: _____ Overlay District: _____

Development Permit - Yes () No () # _____

Flood Plain - Yes () No () Elevation Requirements: _____

Geologic Hazard - Yes () No () Special Construction Requirements? - Yes () No ()

Signature: _____ Title: _____

Date: _____

Remarks: _____

Clatsop County Community Development, 800 Exchange, Suite 100, Astoria, Oregon 97103 Phone: (503) 325-8611
FAX (503) 338-3666

5. CLATSOP COUNTY BUILDING CODES (located at 800 Exchange Street, Suite 100, Astoria, Oregon) Phone: (503) 338-3697

FAX (503) 338-3666. Building Codes will review and issue the building permit.



Development Permit — PAGE 1 OF 3

Department of Community Development
800 Exchange Street, Suite 100 • Astoria, OR 97103
Phone (503) 325-8611 • Fax (503) 338-3666

DEPARTMENT USE ONLY

Permit No.:

Date issued:

Authorization:

FEE: \$79.00

INSTRUCTIONS TO APPLICANT

1. Complete this form—**PRINT CLEARLY PLEASE**—and attach site plan;
2. For commercial and industrial uses, include parking and loading plan, sign plan and erosion control plan;
3. For residential and other uses, include an erosion control plan, and
4. **REVIEW APPLICANT'S STATEMENT** (on back of this form) and sign this form.

PROPOSED USE:

15' x 2' upper deck
extension for added
convenience & space.

BASE ZONE: RSA-SFR OVERLAY DISTRICT: 1SDR3

PROJECT LOCATION:

T: 4 R: 10 S: 30BL TL: 1700 ACRES: .15
S: _____ R: _____ S: _____ TL: _____ ACRES: _____

APPLICANT:

Name: Arthur L. Reiling Phone: 503-636-6401
503-819-4066
Address: 31922 Star Mooking Ln.
City: Arch Cape State: OR Zip: _____

PROPERTY OWNER: (If different than applicant) Residence ATTORNEY/SURVEYOR/CONSULTANT/AGENT:

Name: _____ Address: _____
Address: 17288 Cedar Rd. Address: _____
City/State/Zip: Lake Oswego, OR City/State/Zip: _____
Phone: 503-970-34 Phone: _____

I have read and understand the APPLICANT'S STATEMENT ON THE BACK OF THIS FORM and agree to abide by the terms thereof.

Applicant signature: [Signature] Date: 5/24/10
Owner signature: [Signature] Date: 5/24/10
Agent signature: _____ Date: _____

White—Office Yellow—Applicant Pink—File

Revised 08/02 Reorder Palk Riley's Printing & Design (503) 335-7775

Information on this form must be filled out and signed in this order

1. JOB SITE INFORMATION (to be filled out by applicant/owner/agent):

Job Site Address 31922 Star Mooring Ln. City: Arch Cape, OR
Owner: Arthur L. Reiling Phone: 503-636-6901
Owner's Address: 17284 Cedar Road, Lake Oswego, OR 97034 503-819-4077 cell
Agent: _____
Proposed Development/Construction: 15'x2' deck extension

2. STATE DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) (to be filled out and signed by DEQ):

Legal Description: T 4 R 10 SEC 30BB Tax lot(s) 1700

Permit Needed - Yes () No () Site Approved - Yes () No ()

Signature: _____ Date: _____

Remarks: _____

DEQ North Coast Branch Office, 65 North Highway 101, Suite G, Warrenton, Oregon 97146 Phone: (503) 861-3280 FAX (503) 861-3259

3. FIRE DEPARTMENT/FIRE DISTRICT ACCESS AND WATER SUPPLY REQUIREMENTS:

Water/Fire Flow: _____ Number of Hydrants: 1 Hydrant Location (s): Lot Corner

Signature: _____ Title: _____ Date: _____

Remarks: _____

Contact the local RFPD having jurisdiction. Applicable to all CUP, partitions, subdivisions, and land use approvals issued after 1/01/03.

4. CLATSOP COUNTY LAND USE PLANNING DEPARTMENT (to be filled out and signed by Land Use Planning):

Legal Description: T 4 R 10 SEC 30BB Tax Lot(s) 1700

Zone: _____ Overlay District: _____

Development Permit - Yes () No () # _____

Flood Plain - Yes () No () Elevation Requirements: _____

Geologic Hazard - Yes () No () Special Construction Requirements? - Yes () No ()

Signature: _____ Title: _____ Date: _____

Remarks: _____

Clatsop County Land Use Planning, 800 Exchange, Suite 100, Astoria, Oregon 97103 Phone: (503) 325-8611 FAX (503) 338-3666

5. CLATSOP COUNTY BUILDING CODES (located at 800 Exchange Street, Suite 100, Astoria, Oregon) Phone: (503) 338-3697 FAX (503) 338-3666. Building Codes will review and issue the building permit.

Zoning District Requirements

	Required Setbacks	Actual Setbacks
(N) S, E, (W) Front:	<u>20</u>	<u>20' 6"</u>
(N, S, E) (W) Side:	<u>5</u>	<u>5' 7"</u>
(N, S, E, (W) Side:	<u>20</u>	<u>20+</u>
(N, S, E, (W) Rear:	<u>5</u>	<u>8' 4"</u>

Clear Vision	<input type="checkbox"/>	20 feet
Riparian Vegetation	<input type="checkbox"/>	50 feet
Non-aquatic	<input type="checkbox"/>	30 feet
Vegetation (non L&W)	<input type="checkbox"/>	35 feet
Resource Zone:	<input type="checkbox"/>	50 feet

Structure Height

- ☐ 35 foot maximum oceanfront 18 ft. max. in RSA-SFR, CBR, CR
- ☒ 26 feet maximum other: 6' 4"
- ☐ no requirement

Sewage Disposal

- ☐ subsurface system
- ☒ public sewer
- ☒ private sewer
- ☐ none required

Water Requirements

(must include approval from authorizing agent)

- ☐ none required
- ☐ well
- ☐ spring
- ☒ river, stream, pond, or hand-dug well
- ☒ public water source: ARCH CAPE
- ☐ potability test from certified water lab (attach certification)
- ☐ Quantity: _____

Access to Property

- Yes ☒ No ☐
- Is a County of State permit required? Yes ☐ No ☒

PRIVATE

[Signature]

Applicant's Signature

[Signature]

Clatsop County Authorization

3/19/02

Date

3/19/2002

Date

CLATSOP COUNTY COMPLIANCE

The Clatsop County Department of Planning & Development finds the proposed use(s)/action(s) in compliance with the Clatsop County Land & Water Development and Use Ordinance and with the Clatsop County Comprehensive Plan. The evaluation of the land parcels outlined above is based on the information presented at this time and as shown on the Zoning/Comprehensive Plan Map.

- ☒ approved
- ☒ approved w/ conditions (below or attached)
- ☐ denied

[Signature]

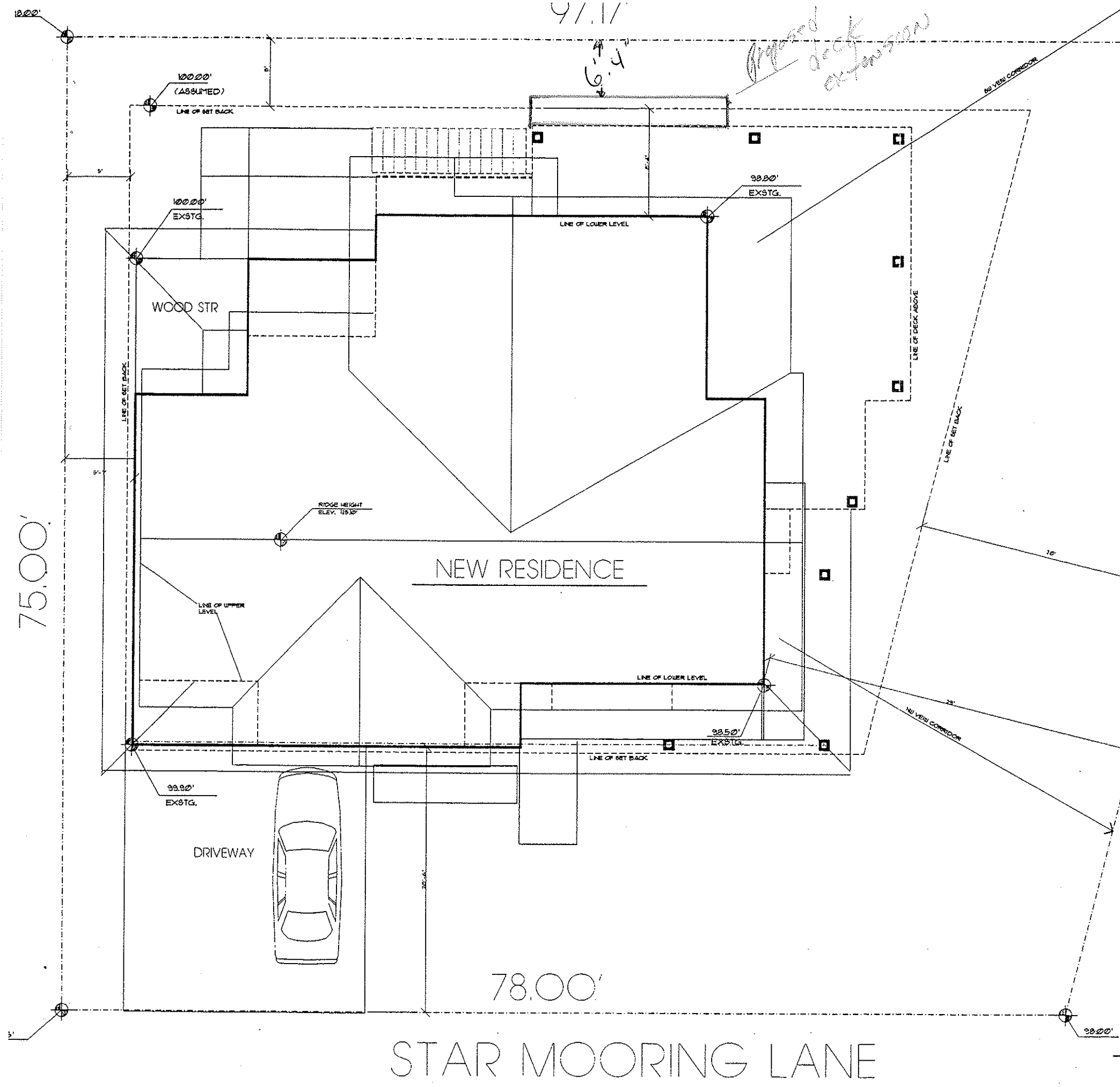
Applicant's Initials

Applicant or property owner must comply with the conditions noted below or attached. This permit is not valid unless the conditions are met.

CONDITIONS OF APPROVAL

(those checked, written, and/or attached)

- Attachment: ☐ Yes ☐ No
- ☐ Access to property (attach County or ODOT permit)
- ☐ Address: _____
- ☒ Airport height/use standards
- ☒ Average grade (attach calculations)
- ☐ Beaches & Dunes (dune stabilization & revegetation)
- ☐ Coastal Shorelands
- ☐ Conditional Use Permit (R&O No. _____)
- ☐ DSL wetland fill/removal permit (378-3805)
- ☐ Design Review (R&O No. _____)
- ☐ Stormwater Drainage plan
- ☐ Engineer report
- ☐ Firebreak (clear & maintain a firebreak of at least _____ feet radius around proposed structure)
- ☐ Floodplain (permit No. _____)
- ☐ Geologic hazards (R&O No. _____)
- ☐ Parking Plan
- ☐ Plot plan
- ☐ Post-construction survey
- ☐ Resource zone certification (recorded with County Clerk; copy in Department file)
- ☒ Resource zone setback
- ☒ Review Use (R&O No. 12-21-01)
- ☐ Riparian vegetation setback
- ☐ Road improvement
- ☐ Sign permit (submit plans and receive approval prior to placement)
- ☐ Temporary Use Permit (R&O No. _____)
- ☐ US Army Corps of Engineers permit (325-1135)
- ☐ Variance (R&O No. _____)
- ☐ Other conditions of approval: _____



LEGAL DESCRIPTION

T. 4 N., R. 10 W., SECTION 30BB, TAX LOT 1700
WILLAMETTE MERIDIAN, CLATSOP CO. STATE OF OREGON

REVISED

PARTS OR PART OF THIS
DRAWING HAVE BEEN
REVISED AS OF THE
BELOW DATE
JUNE 3, 2002

THIS DRAWING HAS PRIORITY
OVER THOSE OF EARLIER DATES

NON-STRUCTURAL REVISIONS ONLY

BUILDING HEIGHT COMPUTATION

EXSTG. CORNER ELEVATIONS 98.80' ELEV. AT SW CORNER
100.00' ELEV. AT SE CORNER
99.50' ELEV. AT NE CORNER
98.50' ELEV. AT NW CORNER

$\frac{39120'}{4}$ SUM OF 4 CORNERS = 97.8' AVERAGE GRADE HT.

AVERAGE GRADE OF 97.8' PLUS 26' = 123.8' MAXIMUM ALLOWED BLDG. HT.

LOT COVERAGE COMPUTATION

LOT AREA 656250 SQ. FT.

BLDG AREA AT GRADE 163060 SQ. FT.

DECK AREA 605 SQ. FT.

223560 SQ. FT. TOTAL COVERAGE

656250 SQ. FT. LOT AREA

MAXIMUM ALLOWED COVERAGE 40%

SITE PLAN

SCALE 1/4" = 1' - 0"



THIS PLAN HAS BEEN PREPARED BY THE ARCHITECT FOR THE USE OF THE CLIENT AND IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS PLAN. THE CLIENT ASSUMES ALL LIABILITY FOR ANY SUCH ERRORS OR OMISSIONS. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AS SHOWN ON THIS PLAN. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF ANY INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT'S SERVICES ARE LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AS SHOWN ON THIS PLAN. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF ANY INFORMATION PROVIDED BY THE CLIENT.



7105 SW 17th Loop, Suite 101
Tigard, Oregon 97223
(503) 624-0555

PLAN NO.
SHEET NO.
JOB NAME
DATE
REV.

12

REVISED

PARTS OR PART OF THIS
DRAWING HAVE BEEN
REVISED AS OF THE
BELOW DATE

JUNE 19, 2002

THIS DRAWING HAS PRIORITY
OVER THOSE OF EARLIER DATES

NON-STRUCTURAL REVISIONS ONLY

ARCH CAPE, OREGON

NEW RESIDENCE FOR

ARCH CAPE, OREGON

DESIGN



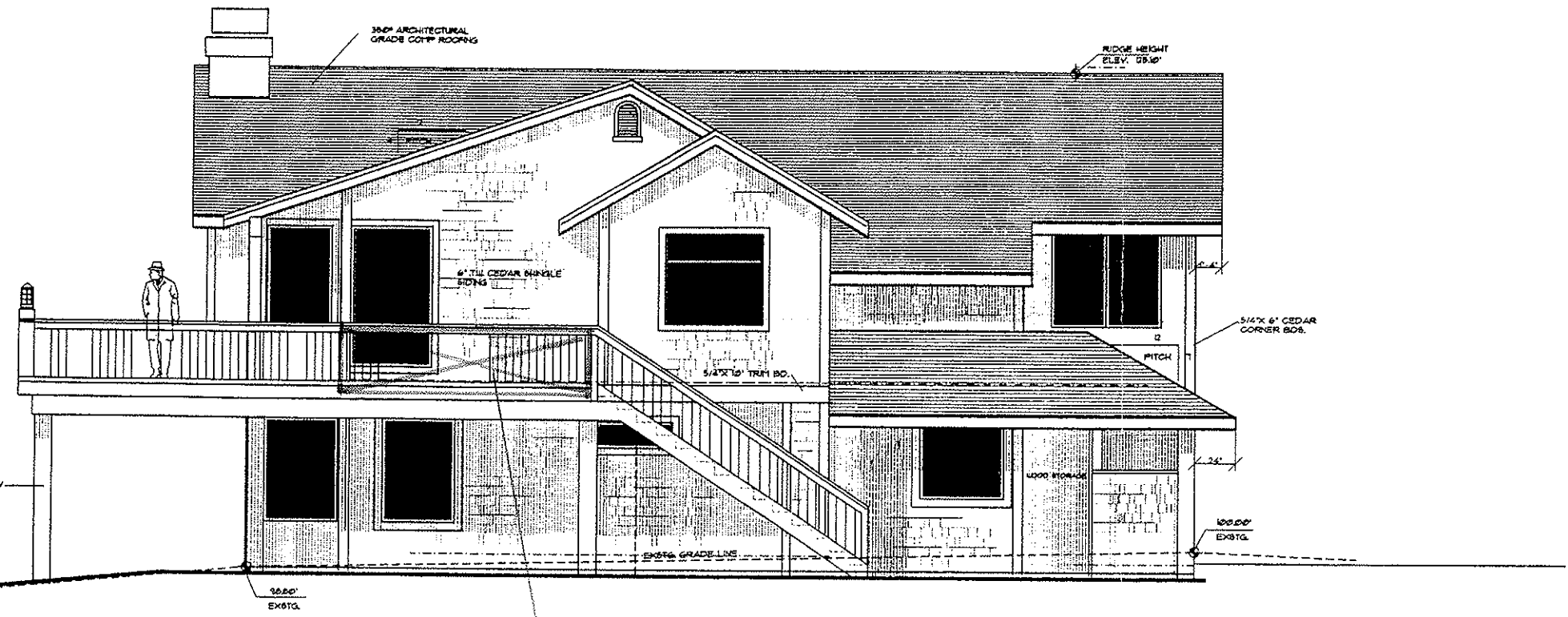
765 SW FR LOOP
TIGARD, OR
97223
(503) 624-0000

PLAN NO.
SHEET
DESCR. ELEV
JOB NAME
DATE 12/02
REV. 6/19/02

SHEET NO.

A NORTHWEST

2

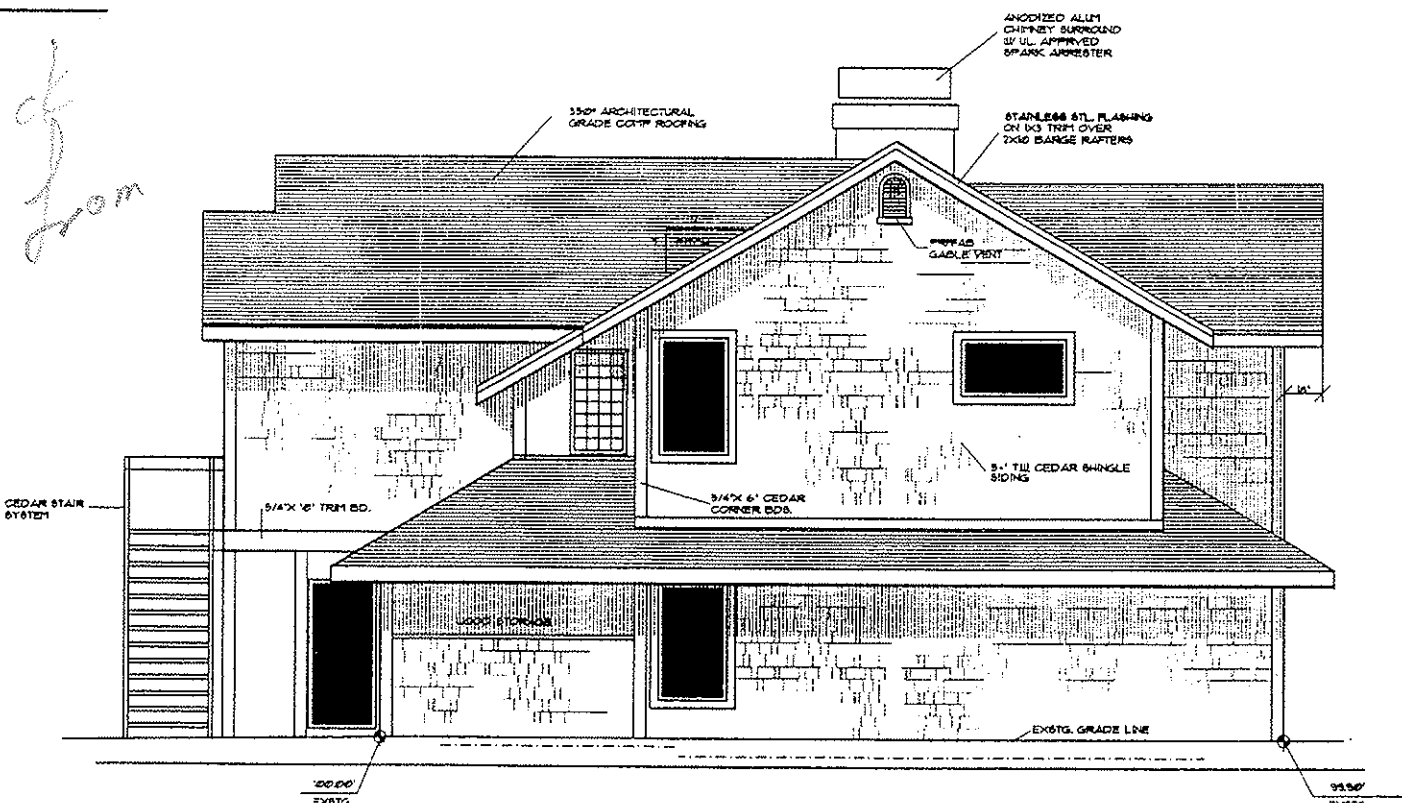


SOUTH ELEVATION

SCALE 1/4" = 1'-0"

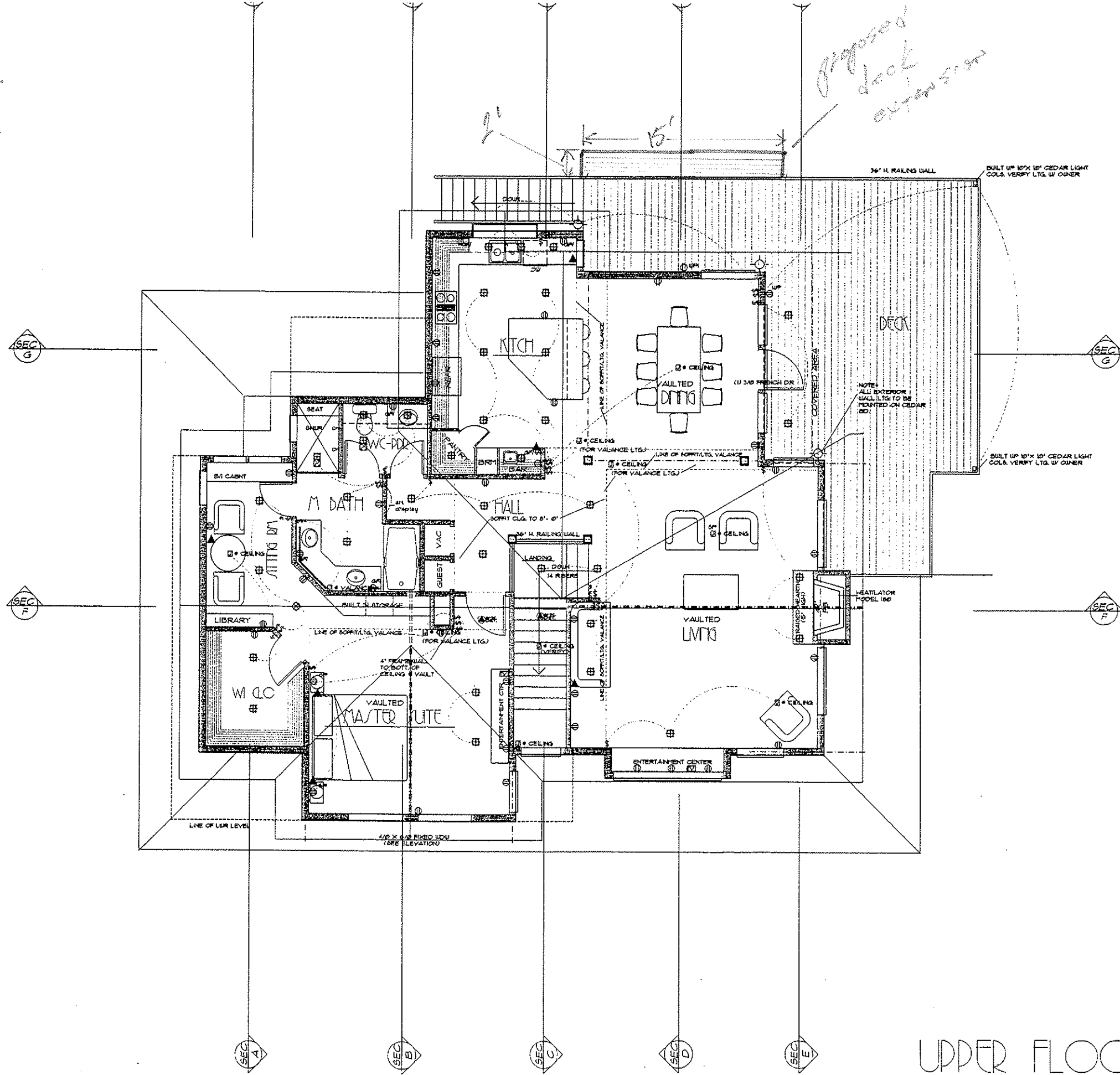
1/8"

proposed deck
extension from
South.



EAST ELEVATION

SCALE 1/4" = 1'-0"



LEGEND	
⏻	SWITCH
⏻	3-WAY SWITCH
⬢	RECESSED INCANDESCENT
⬢	WALL MOUNTED INCANDESCENT
⬢	SURFACE MOUNTED INCANDESCENT
⬢	DUPLEX OUTLET
⬢	SWITCHED DUPLEX OUTLET
⬢	220V OUTLET
⬢	TELEPHONE OUTLET
⬢	TELEVISION OUTLET
⬢	110 V. SMOKE DETECTOR (INTER-CONNECT W/ ALL DET. IN HOUSE)
⬢	RECESSED EXHAUST FAN (VENT TO EXTERIOR)
⬢	FAN/LITE COMBINATION
⬢	'CASABLANCA' TYPE CEILING FAN
⬢	UNDER CABINET FLUORESCENT FIXT.
⬢	SUPPORT COLLING FROM FLOOR TO CEILING
⬢	SUPPORT BEAMS OR JOISTS

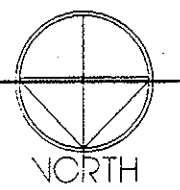
NOTE:
ALL EXTERIOR LTG. FIXTURES
TO BE STAINLESS OR NON-
CORROSIVE MATERIALS

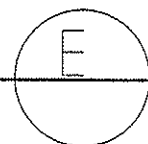
REVISED
PARTS OR PART OF THIS
DRAWING HAVE BEEN
REVISED AS OF THE
BELOW DATE
JUNE 13, 2002
THIS DRAWING HAS PRIORITY
OVER THOSE OF EARLIER DATES

NON-STRUCTURAL REVISIONS ONLY

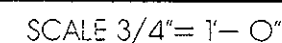
UPPER FLOOR ELECTRICAL PLAN

SCALE 1/4" = 1'-0"

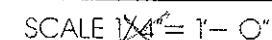




Deck railing detail
extension
same as
existing



NON-STRUCTURAL REVISIONS ONLY



16

10