

SECTION 3.108: ESTUARY CONSERVATION - 2 ZONE (EC2)

- (1) PURPOSE AND AREAS INCLUDED: The purpose of the EC2 Zone is to:
- (a) Provide for long-term use of renewable resources that do not require major alterations of the estuary except for purposes of restoration.
 - (b) Other than minor navigational improvements, aquaculture facilities and water dependent recreational facilities, provide for new water-dependent industrial and commercial uses only where dredging and filling are not necessary and where consistent with the resource capabilities of the area and purposes of the management unit.

Except where a goal exception has been taken in the Tillamook County Comprehensive Plan, the EC2 Zone includes the following areas within Development and Conservation Estuaries:

- (c) Tracts of significant habitat not qualifying for EN or EC1 designation;
 - (d) Areas containing existing water-dependent facilities which require periodic dredging to maintain water access;
 - (e) Partially altered estuarine areas or estuarine areas adjacent existing water-dependent development which do not otherwise qualify for EN, EC1 or ED designations; and
 - (f) Subtidal navigable areas which are adjacent to urbanized areas, which do not qualify for EN, ECA or EC1 designations and which are not Federally authorized and maintained navigation channels.
- (2) USES PERMITTED WITH STANDARDS: The following uses are permitted subject to the procedure of Section 3.120 and the standards in Section 3.140:
- (a) Maintenance and repair of existing structures or facilities involving a regulated activity.
 - (b) Navigational aids.
 - (c) Vegetative shoreline stabilization.
 - (d) Structural shoreline stabilization, limited to riprap.
 - (e) Boat dock in conjunction with one or more private residences. Single purpose private docks shall be limited to a maximum of 200 square feet in size. Larger docks may be permitted subject to the Conditional Use provisions of Article VI of this Ordinance.

- (f) Aquaculture and water-dependent portions of aquaculture facilities not requiring dredging or fill other than incidental dredging for harvest of benthic species or removable in-water structures such as stakes or racks.
 - (g) Water intake facilities for out-bay aquaculture requiring dredge or fill.
 - (h) Tidegate installation in existing functional dikes adjacent to EC2 Zones.
 - (i) Water, sewer, gas or communication lines.
 - (j) Electrical distribution lines and line support structures.
 - (k) Temporary dikes for emergency flood protection.
 - (l) Active restoration and estuarine enhancement.
 - (m) Temporary low water bridges.
 - (n) Signs subject to Section 4.020.
 - (o) Boat ramps for public use where no dredging or fill for navigational access is needed.
 - (p) Bridge crossing support structures.
- (3) **USES PERMITTED CONDITIONALLY (C):** The following uses may be permitted subject to the procedures of Section 3.120 and Article 6 and the standards in Section 3.140.
- (a) Water-dependent recreational facilities, including:
 - (1) Boat ramps, which require dredging or fill for navigational access.
 - (2) Community boat docks in conjunction with a subdivision or planned development.
 - (3) Public or commercial docks, moorages and marinas for recreational marine craft (including seaplanes) and accessory uses not requiring the use of fill or the occupation of additional estuarine surface area.
 - (b) Water-dependent commercial facilities not requiring the use of dredging or fill, including moorages, docks and marinas for commercial marine craft (including seaplanes), and accessory uses not requiring the use of fill or the occupation of additional estuarine surface area.

- (c) Water-dependent industrial facilities not requiring the use of dredging or fill, including:
 - (1) Piers, wharves and other terminal and transfer facilities for passengers or water-borne commerce such as fish, shellfish, timber or timber products.
 - (2) Water intake and discharge structures.
 - (3) Water access structures or facilities which require access to a water body as part of the manufacturing, assembly, fabrication or repair of marine craft or marine equipment, due to the size of the craft or equipment.
- (d) Other water-dependent uses not requiring the use of fill. A use is determined to be water-dependent when it can only be carried out on, in, or adjacent to water, and the location or access is needed for:
 - (1) Water-borne transportation.
 - (2) Recreation.
 - (3) A source of water (such as energy production, cooling of industrial equipment or waste water, or other industrial processes).
- (e) Navigational structures, limited to floating breakwaters.
- (f) Mining and mineral extraction.
- (g) Storm water and treated sewage outfalls.
- (h) Bulkheads for structural shoreline stabilization.
- (i) Temporary alterations.
- (j) Minor navigational improvements.
- (k) Water dependent portion of aquaculture facilities requiring dredging or fill.
- (4) **REGULATED ACTIVITIES:** The following Regulated Activities are permitted subject to the procedure of Section 3.120 and the standards in Section 3.140.
 - (a) Regulated Activities in association with on-site maintenance and repair of existing structures or facilities, limited to:
 - (1) Dredging for on-site maintenance of:

- a. Drainage tiles.
 - b. Drainage ditches.
 - c. Tidegates.
 - d. Bridge crossing support structures.
 - e. Water, sewer, gas or communication lines.
 - f. Electrical distribution lines.
 - g. Outfalls.
- (2) Fill or riprap for on-site maintenance of:
- a. Dikes.
 - b. Bridge crossing support structures or other land transportation facilities.
 - c. Shoreline stabilization structures.
- (b) Piling installation for:
- (1) Water-dependent industrial, commercial or recreational facilities.
 - (2) Water-dependent portions of aquaculture facilities or aquaculture operations.
 - (3) Navigational aids.
 - (4) Bulkheads.
 - (5) Bridge crossing support structures.
- (c) Dredging for:
- (1) Maintenance of existing facilities.
 - (2) Minor navigational improvements.
 - (3) Water-dependent recreational facilities.
 - (4) Water-dependent portions of aquaculture facilities.

- (5) Mining and mineral extraction.
 - (6) Bridge crossing support structure installation.
 - (7) Outfall installation.
 - (8) Water, sewer, gas or communication line installation.
 - (9) Electrical distribution line installation.
 - (10) Tidegate installation in existing functional dikes adjacent to EC2 Zones.
 - (11) Boat ramps.
- (d) Riprap for structural shoreline stabilization or protection of utility lines allowed by this zone.
 - (e) Fill for:
 - (1) Bridge crossing support structures.
 - (2) Structural shoreline stabilization.
 - (3) Water-dependent recreational facilities.
 - (4) Water-dependent portions of aquaculture facilities.
 - (5) Boat ramps.
 - (f) Regulated activities in conjunction with an approved active restoration or estuarine enhancement project .
 - (g) Incidental dredging for harvest of benthic species or removal of in-water structures such as stakes or racks.
 - (h) Regulated activities in conjunction with temporary alterations.