

NOW THEREFORE, THE TILLAMOOK COUNTY BOARD OF COMMISSIONERS ORDERS AS FOLLOWS:

1. Zone Change/Map Amendment request #851-21-000069-PLNG is **APPROVED**.
2. The Tillamook County Zoning Map is hereby amended to change the zoning designation of the 10.15 acres of the subject property as depicted on the map included in "Exhibit A" from Forest (F) to Rockaway Beach Public Facilities (PF) Zone .
3. The findings contained in the Staff Report dated May 20, 2021 are hereby incorporated into this Order.

DATED THIS 4th DAY OF August, 2021.

**BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON**

Aye Nay Abstain/Absent

Mary Faith Bell, Chair

_____ / ✓



David Yamamoto, Vice-Chair

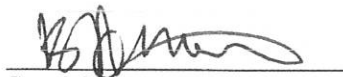
2 _____ / _____



Erin D. Skaar, Commissioner

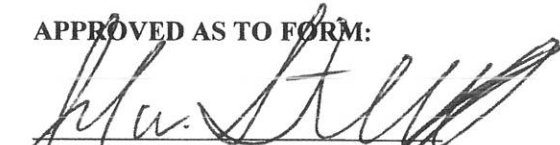
✓ _____ / _____

ATTEST: Tassi O'Neil,
County Clerk



Special Deputy

APPROVED AS TO FORM:



Joel W. Stevens, County Counsel



“EXHIBIT A”

Tillamook County



DEPARTMENT OF COMMUNITY DEVELOPMENT
BUILDING, PLANNING & ON-SITE SANITATION SECTIONS

1510 – B Third Street
Tillamook, Oregon 97141
www.tillamook.or.us

Building (503)842-3407
Planning (503)842-3408
On-Site Sanitation (503)842-3409
FAX (503)842-1819
Toll Free 1 (800)488-8280

Land of Cheese, Trees and Ocean Breeze

ZONE CHANGE AND MAP AMENDMENT REQUEST #851-21-000069-PLNG

Staff Report Date: May 20, 2021
Planning Commission Hearing Dates: May 27, 2021 & June 24, 2021
Board of County Commissioners Hearing Dates: July 7, 2021 & July 21, 2021

REPORT PREPARED BY: Sarah Absher, CFM, Director

I. GENERAL INFORMATION:

Request: Zone Change/Map Amendment request for the expansion of the City of Rockaway Beach Urban Growth Boundary to accommodate approximately 10.15 acres of Forest (F) zoned land for future relocation of the City of Rockaway Beach’s critical facilities outside of the Tsunami Hazard Overlay Zone.

Location: The subject property located east of the City of Rockaway Beach, is accessed via North Palisade Street, a City street, and is designated as Tax Lot 6000 of Section 00 (Index Map), Township 2 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon.

Current Zone: Forest (F)

Proposed Zone: Rockaway Beach Public Facilities (PF) zone

Applicant: City of Rockaway Beach, 276 Highway 101 S., Rockaway Beach, OR 97136

Property Owners: Greenwood Resources Inc., 1500 SW 1st Avenue, STE 1150, Portland, OR 97201

“EXHIBIT A”

General Site Vicinity Description: County records indicate the subject property is approximately 159 acres in size, is rectangular, includes moderate to steep slopes and lies at the base of a mountain formation abutting the City of Rockaway Beach to the west (Exhibit A). The applicant is proposing to partition 10.15 acres from the subject property for this rezone request for the purposes of relocating City of Rockaway Beach critical facilities as part of the City’s long-term efforts to relocate existing facilities and emergency infrastructure currently located within the Tsunami Hazard Overlay Zone and tsunami inundation zone. A copy of the preliminary partition plat map is included in “Exhibit B”. The plat indicates the proposed 10.15-acre property will be roughly 415-feet by 900-feet in size. The property will be bordered to the west by North Palisade Road and accessed by North Third Avenue (Park Street) and/or by North Fourth Avenue, both City roads (Exhibit B). The southern boundary of the proposed property is bordered by easements that serve as access to adjacent forest tracts (Exhibits A & B).

Within the proposed 10.15 acres for rezoning to the Rockaway Beach Public Facilities (PF) zone, two creeks traverse through the area- Spring Creek and an unnamed creek. Various maps of the subject property included in “Exhibit A” identify areas of natural features, areas of geologic hazard, tsunami inundation, lidar imagery, an aerial image of the subject property and vicinity as well as FEMA Flood Insurance Map (FIRM) 41057C0381F dated September 28, 2018 confirming the subject area is outside of the Area of Special Flood Hazard and within the “X” zone (Exhibit A).

The subject property is zoned Forest (F) and is heavily forested (Exhibit A). County records confirm the subject property is classified forest land and under Fire Patrol Northwest (Exhibit A). The subject property is unimproved.

Applicant is proposing to rezone 10.15 acres of the 159-acre property to Rockaway Beach Public Facilities (PF) Zone for relocation of city critical facilities outside of the Tsunami Inundation zone and Tsunami Hazard Overlay Zone (Exhibit B). A portion of the 10.15 acres will still fall within the inundation area however Applicant states that development will be clustered so that emergency response infrastructure is outside of the inundation zone and those areas within the inundation zone will be set aside for less vulnerable uses such as a community park and/or preservation of open space (Exhibit B).

II. APPLICABLE TILLAMOOK COUNTY LAND USE ORDINANCE PROVISIONS:

- A. Section 9.020: Map Amendment Procedure and Criteria
- B. Article 10: Administrative Provisions

III. ANALYSIS:

A. Section 9.020: Map Amendment Procedure and Criteria

- 1. Section 9.020(1): Map Amendment Notice Procedure:

Findings: Notice of public hearings for the proposed zone change and map amendment request was completed in accordance with the provisions outlined in Article 10 of the TCLUO and included notice to DLCD, as well as notification of hearings mailed to property owners and affected agencies on May 10, 2021. Notice of the proposal was also placed in the Headlight-Herald. Any comments received to date are included as “Exhibit C”.

Staff finds that this requirement has been met.

“EXHIBIT A”

2. Section 9.020(2): Map Amendment Analysis:
 This section of ordinance requires an analysis of the site and surrounding area be prepared in the form of a map and report. Applicant provided the required information as part of their submittal which is contained in ‘Exhibit B’. Staff has verified the submitted information and, where appropriate, provided additional material and/or comment.

(a) Size, shape and orientation of the subject parcel.

Findings: Description of the property is discussed above. Maps of the area are included in “Exhibit A” and a description of the area is also included in the Applicant’s narrative located in “Exhibit B” of this report.

(b) Surrounding parcel sizes.

Findings: Properties surrounding the subject area are primarily zoned Rockaway Beach Lower Density Residential Zone (RK_R3), Rockaway Beach Residential Zone (RK_R2) and Forest (F) (Exhibit A). Below is a table identifying the size of surrounding properties based on Tillamook County Assessor’s records.

TAX LOT	SIZE	ZONE	OWNERSHIP	USE	TAX LOT	SIZE	ZONE	OWNERSHIP	USE
6001	0.96	Forest (F)	public	Forested	1701	0.12	RK_R3	Private	2007 Dwelling
100	13.25	RK_R3	private	Vacant	1702	0.12	RK_R3	Private	2007 Dwelling
132	0.28	RK_R3	private	2007 Dwelling	1703	0.12	RK_R3	Private	2011 Dwelling
131	0.26	RK_R3	private	2007 Dwelling	1704	0.12	RK_R3	Private	2007 Dwelling
101	0.12	RK_R3	private	Vacant	1705	0.12	RK_R3	Private	2007 Dwelling
102	0.12	RK_R3	private	Vacant	1706	0.12	RK_R3	Private	2013 Dwelling
103	0.12	RK_R3	private	1978 Dwelling	1707	0.12	RK_R3	Private	2011 Dwelling
106	0.23	RK_R3	private	1980 Dwelling	1708	0.13	RK_R3	Private	2010 Dwelling
105	0.12	RK_R3	private	1978 Dwelling	1306	0.47	RK_R3	Private	1982 Dwelling
100	0.18	RK_R3	private	Vacant	100	0.04	RK_R2	Private	Vacant
201	0.29	RK_R3	private	1972 Dwelling	204	0.16	RK_R2	Private	Vacant
200	0.24	RK_R3	private	Vacant	402	0.34	RK_R2	Private	1989 Dwelling

(c) Topography, drainage, hazards, and other physical site characteristics.

Findings: County records indicate the subject property is approximately 159 acres in size, is rectangular, includes moderate to steep slopes and lies at the base of a mountain formation abutting the City of Rockaway Beach to the east (Exhibit A). Within the proposed 10.15 acres for rezoning, two creeks traverse through the

“EXHIBIT A”

area- Spring Creek and an unnamed creek. Various maps of the subject property included in “Exhibit A” identify areas of natural features, areas of geologic hazard, tsunami inundation, lidar imagery, an aerial image of the subject property and vicinity as well as FEMA Flood Insurance Map (FIRM) 41057C0381F dated September 28, 2018 confirming the subject area is outside of the Area of Special Flood Hazard and within the “X” zone.

(d) Parcel ownership and current use.

Findings: General parcel ownership and use in the general surrounding area is addressed above.

The subject property is owned by Greenwood Resources Inc. (L&C TRS LLC) (Exhibits A and B).

County records indicate that the subject property has been zoned for forest use since the adoption of the 1970 Zoning Map.

(e) Economic and population data for the affected area that may be contained in the Comprehensive Plan.

Findings: There is no recent population or economic data for this area outlined in the Tillamook County Comprehensive Plan.

(f) Traffic circulation.

Findings: Traffic circulation within the vicinity is depicted on the *Traffic Circulation Map* included in “Exhibit A”. As depicted on the map, access to the vicinity is primarily by way of North 3rd Avenue which runs due east from Highway 101. Portions of North 4th Avenue between the subject property and Highway 101 are vacated and unimproved, and access to North 4th Avenue requires an indirect route via North 6th Avenue from Highway 101 then connection to various city streets including Cedar Creek and Ocean Avenue (Exhibit A).

The subject property and proposed 10.15 acres associated with this zone change/map amendment request front and abut North Palisade Street and are located at the intersection of North 4th Avenue and North 3rd Avenue, all City streets (Exhibit A). North Palisade Street is unpaved, runs north/south direction and serves as access to those properties between North 4th Avenue and North 3rd Avenue (Exhibit A).

Applicant states North 3rd Avenue will be utilized as primary access to the site to avoid impacts to Spring Creek. Applicant adds that prior to development of the site, the City will improve North Palisades Street to a design standard that will adequately serve the new facilities and vehicles that will utilize the roadway (Exhibit B).

(g) Zoning history of the subject parcel.

Findings: The Tillamook County 1970 Zoning Map depicts the subject property zoned Forest (F) and the surrounding properties within the City of Rockaway Beach.

(h) Compatibility of the proposed new zone with the surrounding zoning and land uses.

Findings: Compatibility of the proposed new zone with the surrounding zoning and land uses is addressed below.

(i) Availability and feasibility for development of nearby properties in the proposed zone.

Findings: Lands abutting the site to the west are located within the City of Rockaway Beach, a built and

“EXHIBIT A”

committed area, and properties are zoned for residential use (Exhibit A). This area of the City of Rockaway Beach was platted prior to implementation of Tillamook County’s Land Use program, and the lot patterns are unaffected by the proposed rezone request. Availability and feasibility for development of these properties should not be impacted. Further, North Palisade Street Right-of-Way is 60-feet and will continue to serve as a man-made buffer to adjacent resource activities and uses.

The proposal to rezone 10.15 acres of the 159-acre forest zoned property to Rockaway Beach Public Facilities (PF) zone is specifically for relocation of city critical facilities and emergency infrastructure (Exhibit B). Applicant states development shall be clustered in a manner to avoid impacts to natural features and sensitive areas (Exhibit B). Given the size of the subject property, its close proximity to the city, and the location of the site proposed to be rezoned, availability and feasibility for development of the remainder of the subject property and adjacent properties also zoned Forest (F) should be unaffected.

(j) Aesthetics.

Findings: Applicant states development of critical facilities on the site shall be completed in a manner that maintains existing neighborhood aesthetics, and that a vegetative buffer will be maintained along North Palisade Street (Exhibit B).

Development within the City of Rockaway Beach is under the jurisdiction of the city and regulated through the city’s zoning code. The proposal is to rezone 10.15 acres of Forest zone land to annex into the City of Rockaway Beach Urban Growth Boundary (UGB) and utilized for purposes of relocation of critical facilities and emergency infrastructure (Exhibit B). If annexed into the UGB, development of the site will fall under the City of Rockaway Beach zoning code.

Staff finds this area is urbanized with residential development west of North Palisade Street and forested on the east side of the street. Given the extent of existing development in the area along with the vegetative buffer along North Palisade Street that the city intends to utilize to preserve the existing neighborhood aesthetics, staff finds the aesthetics of the area will not be impacted should the 10.15-acre site be rezoned to the Rockaway Beach Public Facilities (PF) zone.

(k) Availability of public facilities and services.

Findings: The subject area is served by city water and sewer, a city road system, city police (and TCSO Sheriff’s Office), city fire department as well as Tillamook People’s Utility District. Given the nature of the request and purpose for rezoning the 10.15 acres, staff finds the proposed zone change/map amendment is consistent with long-term city efforts to ensure public facilities and services continue to be present in the city.

(l) Land use objectives of both the applicable and the proposed zoning.

Findings: Land use objectives of both the applicable and the proposed zoning are discussed below.

3. Section 9.020(3): Map Amendment Criteria:

(a) The proposed new zone is consistent with applicable Comprehensive Plan policies.

The following Goal Summaries are excerpted from the Department of Land Conservation and Development’s introductory information on Oregon’s statewide planning goals which can be found on their website at <http://www.oregon.gov/LCD/docs/goals/goalsummary.PDF> These summaries are intended

“EXHIBIT A”

to provide a general context for the below discussion of the general compatibility of the proposed Zone Change and Map Amendment with the goal elements of the Tillamook County Comprehensive Plan.

The Applicant’s submittal contains a description of why they believe the proposed zone change from Forest (F) to Rockaway Beach Public Facilities (PF) is consistent with the applicable policies of the Tillamook County Comprehensive Plan (Exhibit B).

- Tillamook County Comprehensive Plan Goal 1 Element: The Planning Process
Summary: Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.
- Tillamook County Comprehensive Plan Goal 2 Element: THE LAND USE PLAN
Summary: Goal 2 outlines the basic procedures of Oregon's statewide planning program and describes the development of Tillamook County's Comprehensive Plan including justification for identifying exception areas.

Findings: Staff finds that the proposed zone change/map amendment is consistent with the Goal 1 and 2 elements of the Comprehensive Plan.

- Tillamook County Comprehensive Plan Goal 3 Element: AGRICULTURAL LANDS
Summary: Goal 3 defines "agricultural lands." It then requires counties to inventory such lands and to "preserve and maintain" them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.
- Tillamook County Comprehensive Plan Goal 4 Element: FOREST LANDS
Summary: This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."

Findings: The subject property is zoned Forest (F) and an exception to Goal elements 3 and 4, the Farm and Forest goal elements, has not been taken. Given the circumstances of the proposed rezone of 10.15 acres of the overall approximate 159-acre property to Rockaway Beach Public Facilities (PF), staff finds the proposed zone change/map amendment does not conflict with the Goal 3 and 4 elements of the Comprehensive Plan. The Oregon Department of Land Conservation and Development (DLCD) has also worked very closely with the City of Rockaway Beach on the proposed rezone request and has previously confirmed a Goal Exception is not required for this proposal.

- Tillamook County Comprehensive Plan Goal 5 Element: NATURAL RESOURCES
Summary: Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource, allow proposed uses that conflict with it, or strike some sort of a balance between the resource and the uses that would conflict with it.

Findings: Goal 5 protected resources are located to the north and south however are all several miles away from the subject site. Given the distances of any inventoried resource, staff finds no inventoried resources will be impacted as a result of the proposed zone change. Staff finds that the proposed zone change/map amendment

“EXHIBIT A”

request is not in conflict with the Goal 5 element of the Comprehensive Plan.

- Tillamook County Comprehensive Plan Goal 6 Element: AIR, WATER AND LAND RESOURCES QUALITY

Summary: This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

Findings: Staff finds that the proposed zone change/map amendment of 10.15 acres to Rockaway Beach Public Facilities (PF) is consistent with the Goal 6 element of the Comprehensive Plan and would not reduce protections for resources and natural features addressed in the Goal 6 Element or waive requirements for satisfaction of development standards intended to address resource quality such as those contained in TCLUO 4.140 ‘Requirements for Protection of Water Quality and Streambank Stabilization’. Applicant’s submittal confirms development will be clustered in a manner to avoid impacts to naturally sensitive areas within the property and site boundaries (Exhibit B).

- Tillamook County Comprehensive Plan Goal 7 Element: HAZARDS

Summary: Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply "appropriate safeguards" (floodplain zoning, for example) when planning for development there.

Findings: Hazards as identified in the Goal 7 element of the Comprehensive Plan that are also identified within the subject property and site include tsunami risk and geologic hazards. Given the circumstances for the proposed zone change and policies within the Goal 7 Element that support development outside of the Tsunami Hazard Overlay Zone, Staff finds that the proposed zone change/map amendment to rezone 10.15 acres to Rockaway Beach Public Facilities (PF) to relocate critical facilities and emergency infrastructure is consistent with applicable goals and policies outlined in the Goal 7 element of the Comprehensive Plan.

- Tillamook County Comprehensive Plan Goal 8 Element: RECREATION

Summary: This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expedited siting of destination resorts.

Findings: Applicant is proposing to retain part of the 10.15-acre site for open space and public park amenities (Exhibit B). Staff finds that the proposed zone change/map amendment is not in conflict with the Goal 8 element of the Comprehensive Plan.

- Tillamook County Comprehensive Plan Goal 9 Element: POPULATION AND ECONOMY

Summary: Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

Findings: The Goal 9 Element of the Comprehensive Plan summarizes information from several sources to describe in general terms the economic base of the County and trends in population and economic change. Population characteristics are presented, however the growth projections only extend to the year 2000. Development potential for the major sectors of the economy are then described including a special section on development potential related to coastal resources. A brief evaluation is made of areas within unincorporated Tillamook County and known potential alternative sites for economic development.

“EXHIBIT A”

Findings and policies for community organization, public services, industrial land, the need for manufacturing employment opportunities, natural resources development and human resources development are outlined in the Goal 9 Element.

Staff finds that the proposed zone change/map amendment is not in conflict with the Goal 9 element of the Comprehensive Plan.

- Tillamook County Comprehensive Plan Goal 10 Element: HOUSING

Summary: This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Findings: Strict limitations are imposed for residential uses within the Forest (F) zone. Staff finds that the proposed zone change/map amendment is not in conflict with the policies outlined in the Goal 10 Housing element of the Comprehensive Plan as residential development opportunities independent of an established primary resource use rarely exist. Given the size of the subject property and the 10.15-acre rezone proposal, any housing opportunities that currently exist should not change as a result of this request to rezone 10.15 acres from Forest (F) to Rockaway Beach Public Facilities (PF) (Exhibit B).

- Tillamook County Comprehensive Plan Goal 11 Element: PUBLIC FACILITIES

Summary: Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should to be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

Findings: The Goal 11 Element of the Comprehensive Plan speaks to public services and facilities in Tillamook County, and requires local governments and special districts “to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development”. There is a significant amount of discussion within the Goal 11 element pertaining to rural versus urban development and concerns about urban sprawl (expansion of existing urban areas).

Given the location of the 10.15 acres and circumstances supporting the nature of this request to rezone 10.15-acres to Rockaway Beach Public Facilities (PF), staff finds that the proposed zone change/map amendment is not in conflict with the policies outlined in the Goal 11 element of the Comprehensive Plan and is consistent with the requirement for local governments to “to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development”.

- Tillamook County Comprehensive Plan Goal 12 Element: TRANSPORTATION

Summary: The goal aims to provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged."

Findings: Access to the property is by way of the City of Rockaway Beach road system, which includes access to the site via North 3rd Avenue and North Palisade Street (Exhibit B). Applicant is also proposing to improve North Palisade Street to accommodate traffic generated from the relocation of the city’s critical facilities and emergency infrastructure (Exhibit B).

- Tillamook County Comprehensive Plan Goal 13 Element: ENERGY CONSERVATION

Summary: Goal 13 declares that "land and uses developed on the land shall be managed and controlled so as

“EXHIBIT A”

to maximize the conservation of all forms of energy, based upon sound economic principles.”

Findings: Given the location of the 10.15 acres and circumstances supporting the nature of this request, Staff finds that the proposed zone change/map amendment is consistent with the Goal 13 element of the Comprehensive Plan.

- Tillamook County Comprehensive Plan Goal 14 Element: URBANIZATION

Summary: This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

Findings: The purpose of Goal 14 is to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. In addition to addressing preservation of the use and integrity of resource lands, the establishment of unincorporated community growth boundaries and the priorities/establishment of urban growth boundaries, concerns about impacts of dense rural development and small lot development are described in this goal element. Four major areas of concern related to allowing small lot sizes and development in rural areas include traffic congestion, water quality, water availability and impacts on resource lands.

Given the location of the 10.15 acres and circumstances supporting the nature of this request to rezone the site to Rockaway Beach Public Facilities (PF), Staff finds that the proposed zone change/map amendment will not result in parcelization of the subject property as the remainder of the property will remain zoned Forest. Staff also finds this zone change/map amendment request will not result in significant traffic congestion, will not require new public services or facilities or impact adjacent resource lands or water bodies. The proposed zone change/map amendment does not meet the definition of urban sprawl leading to urbanization of rural lands and is consistent with the Goal 14 element of the Comprehensive Plan.

- [Note: Statewide Planning Goal 15 is specific to the Willamette Valley and is not addressed in the Tillamook County Comprehensive Plan.]
- Tillamook County Comprehensive Plan Goal 16 Element: ESTUARINE RESOURCES
Summary: This goal requires local governments to classify Oregon's 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those "management units."

Findings: The subject property is not adjacent to or within close proximity of estuarine areas (Exhibits A & B). Staff finds the proposed zone change/map amendment is not in conflict with the Goal 16 element of the Comprehensive Plan.

- Tillamook County Comprehensive Plan Goal 17 Element: COASTAL SHORELANDS

Summary: The goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for "water-dependent" or "water related" uses.

“EXHIBIT A”

Findings: The subject property is not adjacent to or classified as coastal shorelands. Staff finds the proposed zone change/map amendment is not in conflict with the Goal 17 element of the Comprehensive Plan.

- Tillamook County Comprehensive Plan Goal 18 Element: BEACHES AND DUNES

Summary: Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes, but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.

Findings: The subject property is not located within a beach/dune area as identified in the Goal 18 element. Staff finds that the proposed zone change/map amendment is not in conflict with the Goal 18 element of the Comprehensive Plan.

In review of the Goal Elements of the Tillamook County Comprehensive Plan, and review of the proposal in accordance with Article 10 of the TCLUO, staff finds that the proposed zone change/map amendment request to rezone 10.15 acres to Rockaway Beach Public Facilities (PF) for the reasons stated above and within the Applicant’s submittal are consistent with and not in conflict with the goal elements of the Tillamook County Comprehensive Plan.

- (b) *The proposed new zone shall not result in the conversion of resource lands to non-resource use without an approved exception to applicable state resource protection goals.*

Findings: The subject property is zoned Forest (F), and the proposal is to annex and rezone 10.15 acres into the City of Rockaway Beach UGB (Exhibit B). As mentioned previously in this report, the Oregon Department of Land Conservation and Development has worked closely with the City of Rockaway Beach in preparation of this request and has determined that a Goal Exception is not required due to the circumstances surrounding the nature of the request.

- (c) *The site under consideration is better suited to the purposes of the proposed zone than it is to the purposes of the existing zone.*

Findings: Applicant states that the life safety and emergency preparedness benefits of the UGB expansion outweigh potential benefits gained from maintaining the 10.15 acres as forestland. Applicant also states the following:

- More than 90% of structures within the city are also located within the tsunami inundation zone.
- There is a significant life safety risk as the city’s critical facilities are currently within the tsunami inundation zone, including police and fire facilities which will likely be destroyed in a Cascadia Subduction Zone (CSZ) event.
- Emergency services will be unable to provide aid to survivors given current location in a CSZ event.
- There are no available sites within the existing UGB or non-resource lands outside of the UGB that are appropriate for relocation of the city’s critical facilities.
- Relocation of critical facilities and emergency infrastructure will increase overall community resiliency from a CSZ earthquake and tsunami event.

Applicant is requesting to rezone 10.15 acres of the 159-acre subject property from Forest (F) to Rockaway Beach Public Facilities (PF) (Exhibit B). Given the location of the 10.15 acres and circumstances supporting the nature of this request to rezone the site to Rockaway Beach Public Facilities (PF) and annex the 10.15-acre site into the

“EXHIBIT A”

City of Rockaway UBG, staff finds that the site under consideration may be better suited to the purposes of the proposed zone than it is to the existing zone.

(d) *Development anticipated to result from the proposed zone shall not impair the actual or the legally designated uses of surrounding properties.*

Findings: The subject property is zoned Forest (F) and the proposal is to rezone 10.15 acres to Rockaway Beach Public Facilities (PF) with annexation into the City of Rockaway Beach UGB for purposes of relocation city critical facilities and emergency infrastructure (Exhibits A and B).

Findings related to impacts to adjacent transportation uses:

The transportation (road) system has been previously discussed in this report. The road system is maintained by the City of Rockaway Beach, who is also the Applicant of this request. Included in the Applicant’s narrative is confirmation that North Palisade Street will be improved to accommodate additional traffic resulting from this request.

Findings related to impacts to adjacent forest uses:

Adjacent resource lands are owned by Greenwood Resources Inc. and are primarily devoted to the management of timber stands and timber harvest (Exhibit A). Greenwood Resources Inc. is the property owner associated with this request. Aside from the application included as “Exhibit B”, no further comments from Greenwood Resources Inc. have been received.

Generally, forest operations are expected to include activities such as reforestation of forest land, road construction and maintenance, harvesting of a forest tree species, application of chemicals, and disposal of slash (OAR 660-06-0025(2)(a)).

Applicant is proposing to rezone 10.15 of the approximate 159-acres of forestland to Rockaway Beach Public Facilities (FP). North Palisade Street currently serves as a manmade buffer between forest resource and residential uses. Given the location of the 10.15 acres and circumstances supporting the nature of this request to rezone the site to Rockaway Beach Public Facilities (PF), staff finds that the existing commercial use and any future development resulting from the proposed zone change will not substantially impact forest operations on surrounding forest lands.

Findings related to impacts to adjacent residential uses:

North Palisade Street has a 60-foot road right-of-way width and currently serves as a buffer between existing residential and resources uses in the vicinity. Staff has not identified evidence of impacts associated with the existing commercial operation of forestlands or proposed zone change of the 10.15 acres which would substantially impact the ability of a residential dwelling to be sited in the neighboring residential area or would substantially impact the ability for residential uses to occur in dwellings sited in the neighboring residential area.

Staff finds that the proposed zone change/map amendment will not result in a significant increase in density, burden on services or changes in protective setbacks. Staff finds that no new development beyond the relocation of the city’s critical facilities and relocation of emergency services is anticipated to result from the proposed new zone (Rockaway Beach Public Facilities Zone) and that the historic and current commercial use of the subject property will not impair the actual or the legally designated uses of surrounding properties.

(e) *The amendment must conform to Section 9.040 Transportations Planning Rule Compliance.*

Proposals to amend the Comprehensive Plan, Zoning Map or Ordinance shall be reviewed to determine

“EXHIBIT A”

whether they significantly affect a transportation facility pursuant with Oregon Administrative Rule (OAR) 660-012-0060 (Transportation Planning Rule - TPR). Where the County, in consultation with the applicable roadway authority, finds that a proposed amendment would have a significant affect on a transportation facility, the County shall work with the roadway authority and applicant to modify the request or mitigate the impacts in accordance with the TPR and applicable law.

Findings: The subject property is accessed via North 3rd Avenue and North Palisade Street, both city roads (Exhibit A). It has been determined that the proposed zone change/amendment will not have a significant effect on the state transportation system and ODOT has not stated any objections to the proposed zone change/map amendment request (Exhibit B).

V. STAFF COMMENTS:

Evidence to demonstrate compliance with the zone change/map amendment criteria are outlined in this report and provided by the Applicant (Exhibit B). The role of the County is to determine if there is adequate evidence provided by the Applicant to demonstrate the criteria for a zone change/map amendment have been met.

The Planning Commission will hear this matter first and ultimately make a recommendation to the Board of County Commissioners to Approve or Deny this zone change/map amendment request.

Given the nature of the request, recommended Conditions of Approval for zone change/map amendment request #851-21-000069-PLNG are not proposed. Should the Planning Commission choose to approve this request and determine Conditions of Approval are warranted, staff can provide recommended Conditions of Approval upon request.

Review of this zone change/map amendment request is also contingent upon the City of Rockaway Beach’s review of the proposed zone change/map amendment request. Both jurisdictions must perform a quasi-judicial land use review process for this request, and both jurisdictions must approve this request for the annexation and rezoning of the 10.15 acres into the City of Rockaway Beach’s Urban Growth Boundary to be successful.

The City of Rockaway Beach will begin review of this request mid-June.

VI. EXHIBITS: (On File at the Department of Community Development)

All Exhibits referred to herein are, by this reference, made a part hereof:

- A. Location map, Assessor map, Zoning map, Aerial Photograph, Assessor’s Summary Report, DOGAMI Hazard Map, FEMA FIRM, Traffic System Map
- B. Applicant’s submittal
- C. Public and Agency Comments

“EXHIBIT A”

