



Land of Cheese, Trees and Ocean Breeze

MEMO

Date: June 30, 2021
To: Tillamook County Board of Commissioners
From: Sarah Absher, CFM, Director
Subject: July 7, 2021, Board of County Commissioner Hearing regarding Zone Change/Map Amendment Request #851-21-000069-PLNG: City of Rockaway Beach

Included with this memorandum are copies of written testimony for the above referenced land use application request. The testimony is divided and organized in accordance with the 4:00pm deadlines for each testimony period during the Tillamook County Planning Commission proceedings for Zone Change/Map Amendment Request #851-21-000069-PLNG. Testimony submittal deadlines for these application requests were as follows:

- New testimony by any party was received by 4:00pm on June 3, 2021
- Rebuttals (no new testimony) by any party was received by 4:00pm on June 10, 2021
- Final written testimony by Applicants was due by 4:00pm on June 17, 2021

Copies of all testimony and evidence submitted can also be found on the Community Development Land Use Application page: <https://www.co.tillamook.or.us/commdev/landuseapps>.

Tillamook County Planning Commission Public Hearings (Action to Recommend Approval):

Public hearings for Zone Change/Map Amendment request #851-21-000069-PLNG took place on May 27, 2021, and June 24, 2021. After consideration of the staff report, testimony received, findings of fact and other information contained within the record for zone change/map amendment request #851-21-000069-PLNG, the Planning Commission took action at the June 24, 2021, unanimously voting (6 to approve and 0 to deny) to recommend approval of this request to the Tillamook County Board of Commissioners.

Given the nature of the request, staff did not recommend Conditions of Approval for Planning Commission and Board of County Commissioner consideration, however Conditions of Approval can be drafted upon request.

Board of County Commissioner Public Hearings:

Virtual public hearings regarding Zone Change/Map Amendment request #851-21-000069-PLNG will be held by the Tillamook County Board of Commissioners at 10:30a.m. on Wednesday, July 7, 2021, and at 10:30a.m. on Wednesday, July 21, 2021, in the Board of County Commissioners Meeting Rooms A & B of the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, OR 97141. The July 7, 2021 virtual hearing will be a *de novo* hearing and new testimony will be taken. Oral testimony from the public will be taken at this virtual hearing.

The City of Rockaway Beach is also conducting quasi-judicial land use proceedings for this request. The applicant will be prepared to provide the Board of County Commissioners with an update on these proceedings during their presentation on July 7, 2021.

Unless otherwise noticed, all hearings will take place in a virtual format. Please visit <https://www.co.tillamook.or.us/bocc/page/board-commissioners-meeting-schedule> for access information for Board of County Commissioner meetings.

If you have any questions regarding the information received, please do not hesitate to contact me at 503-842-3408x3317, email: sabsher@co.tillamook.or.us or email Allison Hinderer, Office Specialist 2, at ahindere@co.tillamook.or.us.

Sincerely,
Sarah Absher, CFM, Director



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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

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 DLCDC, 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.

- 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 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 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 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 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.

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 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.

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 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 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.

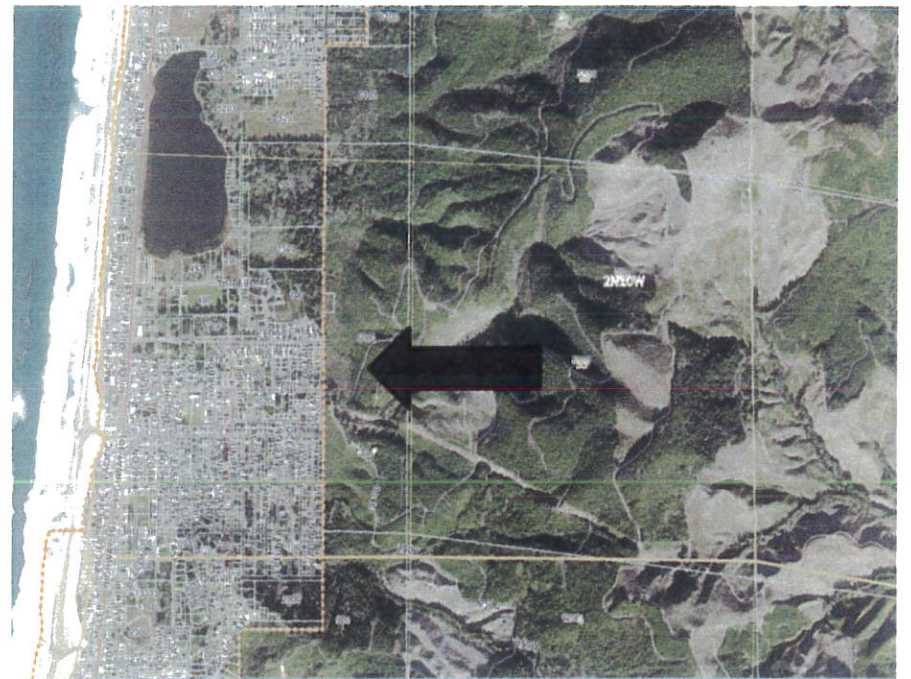
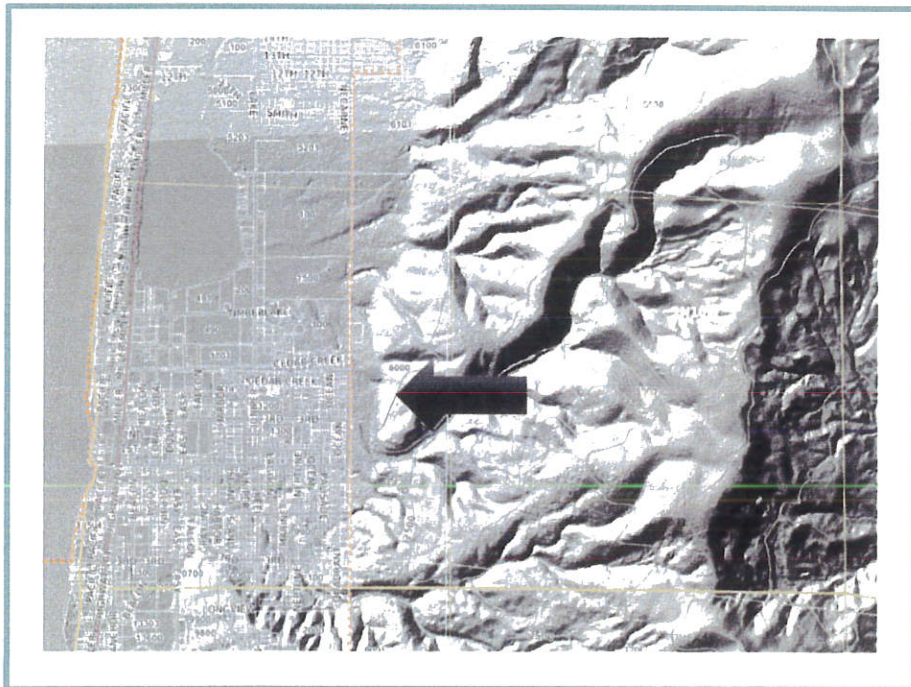
VI. EXHIBITS:

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

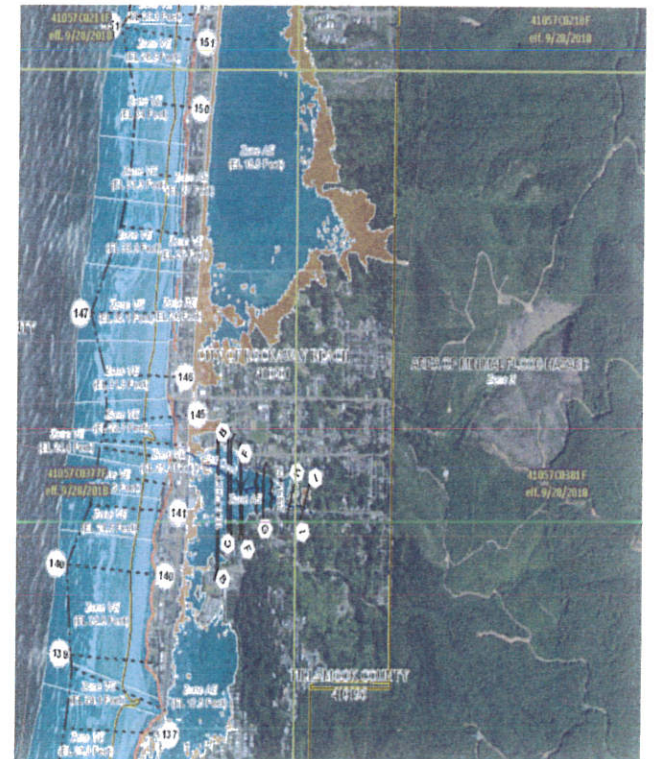
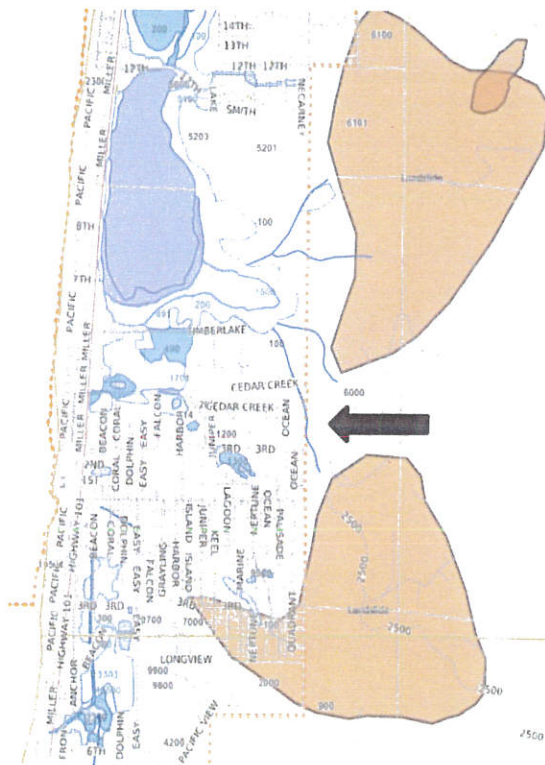
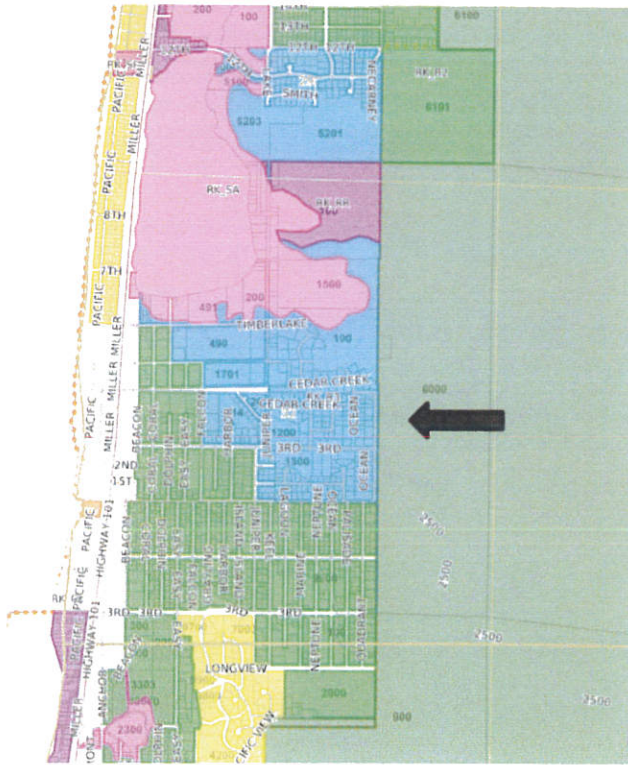
- A. Location map, Assessor map, Zoning map, Aerial Photograph, Assessor's Summary Report, DOGAMI Hazard Map, FEMA FIRM, Traffic System Map
- B. Applicant's submittal
- C. Public and Agency Comments

EXHIBIT A

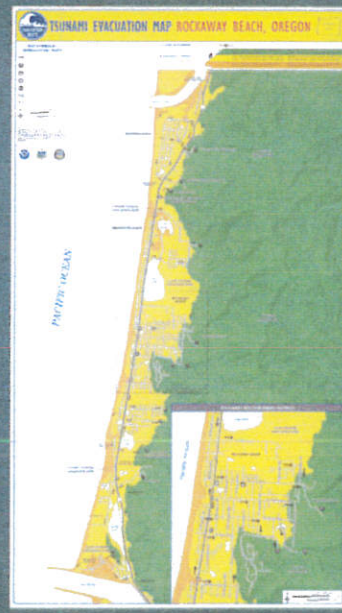
LIDAR, TOPOGRAPHY & AERIAL IMAGE



ZONING, WETLANDS & FLOOD



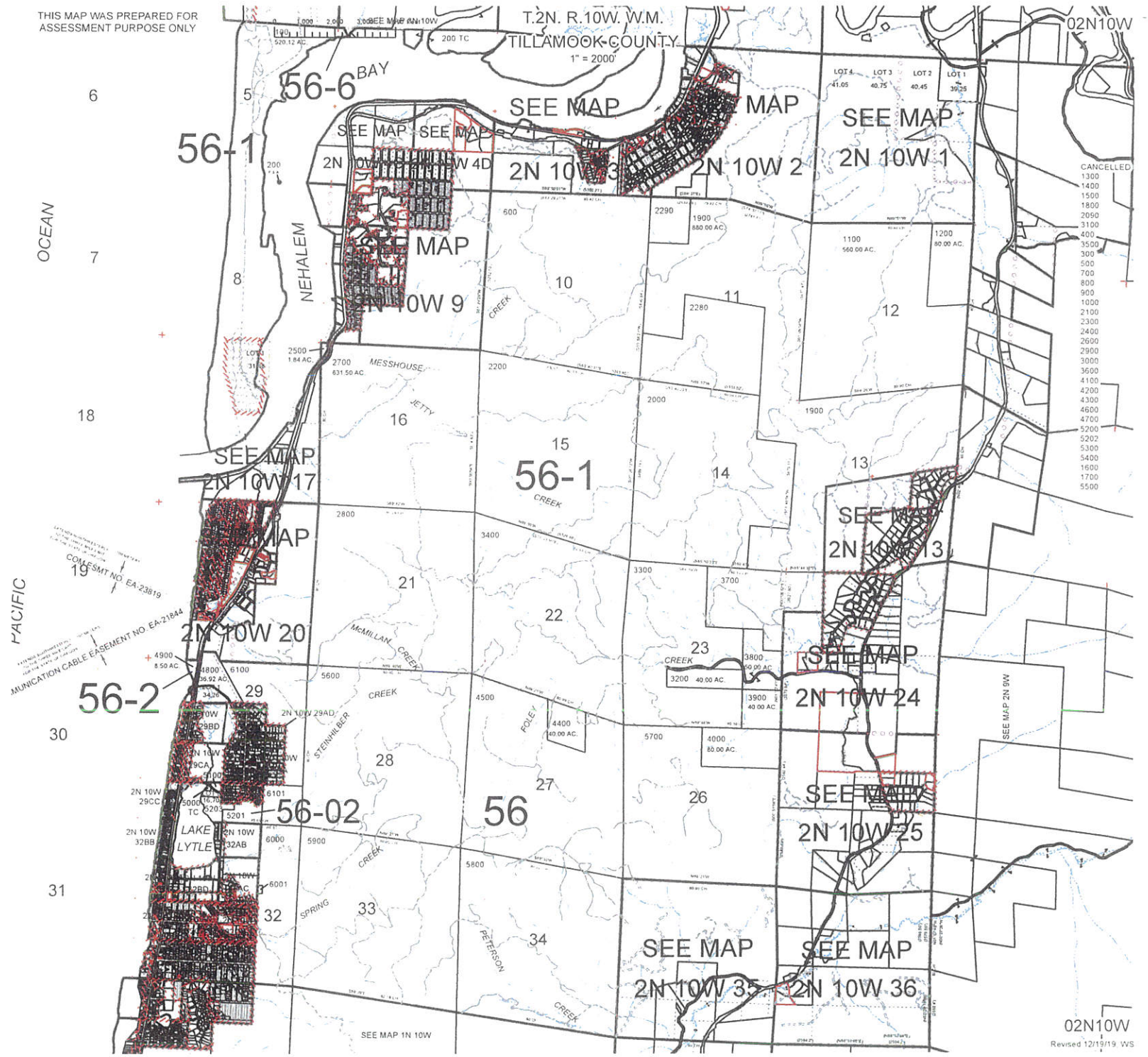
TSUNAMI EVACUATION MAP
ROCKAWAY BEACH, OREGON



ROCKAWAY BEACH



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



02N10W
Revised 12/19/19. WS

T



#851-21-000069-PLNG: TRAFFIC CIRCULATION MAP

TILLAMOOK County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2020

May 17, 2021 11:47:20 am

Account # 85669
 Map # 2N10000006000
 Code - Tax # 5600-85669

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Legal Descr See Record

Mailing Name L & C TRS LLC

Deed Reference # 2017-220

Agent

Sales Date/Price 01-13-2017 / \$26,500,000.00

In Care Of % GREENWOOD RESOURCES INC

Appraiser UNKNOWN

Mailing Address 1500 SW 1ST AVE STE 1150
 PORTLAND, OR 97201

Prop Class 600 MA SA NH Unit
 RMV Class 600 02 01 600 12613-1

Situs Address(s)	Situs City
------------------	------------

		Value Summary				
Code Area		RMV	MAV	AV	RMV Exception	CPR %
5600	Land	108,640			Land	0
	Impr.	0			Impr.	0
Code Area Total		108,640	66,710	66,735		0
Grand Total		108,640	66,710	66,735		0

Land Breakdown										
Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	Trended RMV
5600	0		<input type="checkbox"/>	F	Classified Forest Land	100	A	159.00	OD	108,640
Grand Total								159.00		108,640

Improvement Breakdown										
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV	
Grand Total										0

Exemptions/Special Assessments/Potential Liability									
Code Area	Type								
5600	FIRE PATROL:								
	■ FIRE PATROL NORTHWEST	Amount	165.69	Acres	159	Year	2020		

EXHIBIT B



Tillamook County Department of Community Development
 1510-B Third Street, Tillamook, OR 97141 | Tel: 503-842-3408 Fax: 503-842-1819
www.co.tillamook.or.us

FEB 19 REC'D

PLANNING APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: City of Rockaway Beach Phone: 503-374-1752
 Address: 276 Highway 101 S
 City: Rockaway Beach State: OR Zip: 97136
 Email: lukeshopard@corb.us

Property Owner

Name: Greenwood Resources Inc. Phone: 971-533-7031
 Address: 1500 SW 1st Avenue, Suite 1150
 City: Portland State: OR Zip: 97201
 Email: chad.washington@grwglobal.com

OFFICE USE ONLY	
Date Stamp	RECEIVED MAR 08 2021
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	SS
Receipt #:	
Fees:	
Permit No:	851-21-000069-PLNG

Request: Expansion of Rockaway Beach Urban Growth Boundary to accomodate approximately 10.15 acres of forest land for relocation of City of Rockaway Beach's critical facilities outside tsunami hazard zone.

Type II

- Farm/Forest Review
- Conditional Use Review
- Variance
- Exception to Resource or Riparian Setback
- Nonconforming Review (Major or Minor)
- Development Permit Review for Estuary Development
- Non-farm dwelling in Farm Zone
- Foredune Grading Permit Review
- Neskowin Coastal Hazards Area

Type III

- Appeal of Director's Decision
- Extension of Time
- Detailed Hazard Report
- Conditional Use (As deemed by Director)
- Ordinance Amendment
- Map Amendment
- Goal Exception

Type IV

- Appeal of Planning Commission Decision
- Ordinance Amendment
- Large-Scale Zoning Map Amendment
- Plan and/or Code Text Amendment

Location:

Site Address: N/A

Map Number: 02N Township 10W Range 0000 Section 6000 Tax Lots

Clerk's Instrument #: _____

Authorization

This permit application does not assure permit approval. The applicant and/or property owner shall be responsible for obtaining any other necessary federal, state, and local permits. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.

Chad Washington
 Property Owner Signature (Required)

2/16/2021
 Date

Applicant Signature _____

Date _____



Physical Site Characteristics

The parcel slopes moderately from the southeast to the northwest. It is crossed by two perennial creeks – Spring Creek runs along its southern boundary and another unnamed creek bisects the northern portion of the parcel. It is not within a FEMA-identified flood hazard area. The northern portion of the parcel is partially within the XL and XXL tsunami inundation zones as identified by DOGAMI (Figure 2). While there are no restrictions against the development of critical facilities within the XL or XXL inundation zones in the Rockaway Beach Zoning Ordinance or the Tillamook County Land Use Ordinance, ultimate development of the site will account for tsunami risk and other natural features and hazards, and will cluster development and emergency response infrastructure in areas outside of the inundation zone. The City will set aside the land within the inundation zone for less vulnerable uses, develop it as a community park, and/or preserve it as open space.

Zoning and Comprehensive Plan

The parcel has been continuously designated as Forest Zone (F) throughout its history. It is currently owned by GreenWood Resources, who have agreed to sell the parcel to the City upon completion of the necessary land use processes. The Tillamook County Comprehensive Plan contains no economic or population data for the subject parcel.

Traffic Circulation

The site will be accessed by North Palisade Street via North 3rd Avenue. North Palisade Street will be used as site access to avoid impacts to Spring Creek on the southern property line. North Palisade is currently unpaved, with a right of way of 60 feet and an existing gravel roadway approximately 12 feet in diameter. Prior to development of the subject property, the City will improve North Palisades to a design standard that will adequately serve the new facilities and vehicles that will utilize the roadway.

North 3rd Avenue has a right-of-way width of 60 feet and a roadway width of approximately 25 to 30 feet along its length. It is fully paved from Highway 101 east to its intersection with North Palisade Street. The street currently serves as a thoroughfare for logging trucks connecting to Highway 101 and has adequate capacity to accommodate emergency vehicles and public works equipment.

Compatibility of Proposed New Zone

Surrounding land uses include forest land to the north, south, and east, and single family homes to the west. Impacts to forest lands are expected to be minimal, as there will be no clearing required outside of the subject parcel and proposed uses will not interfere with forestry activity on adjacent forest lands.

Residents on North 3rd Avenue and North Palisade Street will experience somewhat increased traffic generated by public works and emergency services. The Rockaway Beach Police Department responds to between 60 and 100 calls per week, many of which are responded to by officers in the field, rather than at the police station. The current Public Works location at the wastewater treatment plant creates about 50 trips per day, however, the majority of these are employees who will continue to work from the wastewater treatment plant site after relocation (for more information on police and public works call frequency and impacts to response times, see Exhibit C).

Aside from traffic generation, impacts to adjacent land uses are anticipated to be minimal. To reduce visual impacts to the existing neighborhood, a vegetated buffer will be maintained between North Palisades Street and any new development on the subject parcel.

Availability of Nearby Properties in the Proposed Zone

There are no properties currently zoned or able to be rezoned for Public Facilities in a location that would be suitable for the relocation of critical facilities to serve Rockaway Beach (for more information on the site selection process, see Exhibit B).

Aesthetics

Development of critical facilities on the subject parcel will be completed in a manner that maintains existing neighborhood aesthetics. A vegetated buffer will be maintained adjacent to North Palisade Street, and unsightly uses will be screened or set back from the right of way as much as is possible.

Availability of Public Facilities and Services

The site has access to water via a water line that runs from the North Third Reservoir and can access sewer service via North Palisade Street. The area is served by Rockaway Beach Police and the Rockaway Beach Fire Department and will ultimately be home to both departments upon their relocation.

Land Use Objectives

The parcel in question is currently zoned for forest use under the Tillamook County Land Use Ordinance. Once the UGB expansion has been adopted, the land will be assigned the Public Facility designation on the Rockaway Beach Zoning and Comprehensive Plan maps.

Tillamook County Forest Zone (F)

"The purpose of the Forest (F) Zone is to protect and maintain forest lands for grazing, and rangeland use and forest use, consistent with existing and future needs for agricultural and forest products. The F zone is also intended to allow other uses that are compatible with agricultural and forest activities, to protect scenic resources and fish and wildlife habitat, and to maintain and improve the quality of air, water and land resources of the county."

Rockaway Beach Public Facilities Zone (PF)

"The Public Facilities Zone is intended to provide area for buildings and facilities that are owned and operated by Federal, State, or local governments, public utilities, and special districts, which are used to provide governmental or public services. This zone also provides for school sites, public park and recreational facilities, natural areas, trails, wetlands, and similar types of open space owned and managed by a local government, school district or special district."

Map Amendment Criteria

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

The proposed UGB expansion and rezoning is consistent with applicable Tillamook County Comprehensive Plan policies, including:

Goal 1 – The Planning Process

Applicant Response: The proposed UGB expansion, zone change, and all other land use actions as part of this process will be conducted in accordance with state, county, and local requirements for public notice and public hearings. The City of Rockaway Beach will provide additional outreach and information to affected property owners and the community at-large regarding the proposed relocation of critical facilities.

Goal 7 – Hazards, Tsunami Related Policies

“General Policies:

- (1) Support tsunami preparedness and related resilience efforts.*
- (2) Take reasonable measures to protect life and property to the fullest extent feasible, from the impact of a local source Cascadia tsunami.*

Evacuation Policies:

- (2) Identify and secure the use of appropriate land above a tsunami inundation zone for evacuation, assembly, and emergency response.*
- (3) Ensure zoning allows for adequate storage and shelter facilities.*

Tsunami Awareness Education and Outreach

- (4) Collaborate with local, state and federal planners and emergency managers for the purpose of developing a culture of preparedness supporting evacuation route planning and other land use measures that minimize risk and maximize resilience from tsunami events.*

Applicant Response: Approval of the UGB expansion and rezoning will support tsunami preparedness and increase life safety should a CSZ event occur. In addition to the relocation of public facilities, the subject parcel will be home to emergency supplies, shelters, and an assembly area.

Goal 11 – Public Facilities

“Types and Level of Urban and Rural Facilities and Services

- c. Public water supply is appropriate in urban areas, urbanizable areas, rural community areas and rural non-community areas. Urban areas should have substantial water storage and fire hydrants. Rural communities should have substantial water storage and may have fire hydrants depending on local circumstances. All new water systems in rural non-community areas should be constructed to minimize the need for future operation and maintenance.*
- d. Sewage disposal is not appropriate outside of urban areas unless there is a significant health and water quality problem and alternatives to central sewer such as repair and*

rehabilitation of septic systems is infeasible or if there are unusual circumstances in which uses requiring sewer can not be located in urban areas. Sewage disposal is also appropriate for the Port of Tillamook Bay Industrial Park.

Applicant Response: The subject parcel will be served by Rockaway Beach water supply and sewer disposal services after annexation into City limits and prior to its development.

- f. Police protection on a call basis is an appropriate service for all areas of the County.*
- g. All urban communities should have a facilities and services in close proximity. All urbanizable areas and rural community and non-community areas with residential uses should have some level of fire protection. Cape Meares and the upper Wilson and Trask River Valleys should be included in fire districts. Because of the long distances involved, a fire station should be located in the upper Wilson River Valley.”*

Applicant Response: Relocation of police and fire stations to the subject parcel will have no significant impact on emergency response times, and will ensure that emergency response personnel, buildings, and equipment remain safe in the event of a CSZ earthquake and tsunami.

Goal 12 – Transportation

“General Transportation Policies

- c. Tillamook County shall include a consideration of land use impacts on existing or planned transportation facilities in all land use decisions.”*

Applicant Response: The proposed development of the subject parcel is expected to produce minimal traffic and will not have an adverse effect on any local, county, or state roadways. One street, North Palisade Street, will be paved and improved to facilitate vehicular access to the site. Street improvements will be consistent with Rockaway Beach design standards. The City owns adequate right of way to accommodate these improvements.

Goal 14 – Urbanization

“Establishing Urban Growth Boundaries Around Incorporated Communities

Tillamook County will cooperate with incorporated cities in the County to establish urban growth boundaries in accordance with the Urbanization Goal (Goal 14). The County will manage unincorporated lands within those boundaries in conformance with comprehensive plans and implementing ordinances adopted in cooperation with the cities and in accordance with Goal 14. Future urban growth boundary changes will be made in accordance with the seven factors listed in the Urbanization Goal (Goal 14) and the procedures and requirements set forth in the Land Use Planning Goal (Goal 2) for goal exceptions. Appropriate citizen advisory committees and service districts will be involved in the urban growth boundary planning process.”

Applicant Response: This proposed UGB change has been conducted in accordance with the Goal 14 Boundary Location Factors and the process laid out in OAR 660-024 (Exhibit B).

- 2) **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.**

While the land is currently designated as forest resource land, a goal exception is not required because the parcel will be brought into the Rockaway Beach Urban Growth Boundary through the process detailed in OAR-660-024 (see Exhibit B for required site selection analysis).

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

The life safety and emergency preparedness benefits of the UGB expansion and rezoning outweigh potential benefits gained from maintaining the subject parcel as forest land. More than 90% of structures within Rockaway Beach are located within the tsunami inundation zone, including all of the City's critical facilities. This creates a significant life safety risk, as the city's emergency services, including police and fire, will likely be destroyed in a tsunami resulting from a CSZ earthquake, rendering them unable to provide aid to survivors.

There are no sites within the city's existing UGB or in non-resource lands outside the UGB that are appropriate for relocation of the city's critical facilities (see Exhibit B for full analysis). Allowing public facility uses on the subject parcel will allow the City to locate its emergency services and public works equipment on this parcel will ensure that these services will not be impacted by a tsunami and will be available to serve residents and visitors in the event of a CSZ event. A developed tsunami evacuation assembly area and emergency supplies on the site will increase the City's disaster resilience and preparedness.

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

Surrounding properties and land uses will not be impaired by this UGB expansion and zone change. Traffic impacts are expected to be minor. Visual impacts will be minimized through site design and the use of vegetated buffers between new public facilities and residential uses on North Palisade Street. There are no anticipated impacts on surrounding forest lands. The land is not intended for any future residential or commercial development.

- 5) **The amendment must conform to Section 9.040 Transportations Planning Rule Compliance.**

The subject property is accessed via North Palisade Street off North 3rd Avenue, both City-owned roadways (Exhibit A). The applicable road authority is the Rockaway Beach Public Works Department. While traffic impacts from the development on the site are anticipated to be minimal, North Palisades Street will need to be improved (widened and paved) to meet City street design standards and accommodate access to the site. The City owns adequate right-of-way to develop an improved roadway and will make such improvements prior to development of the site. The UGB expansion and rezoning will not significantly impact existing or planned transportation facilities, as defined under Oregon's Transportation Planning Rule.

Exhibit A: Site Maps

Figure 1: Proposed Relocation Site



Figure 2: Proposed Site Location

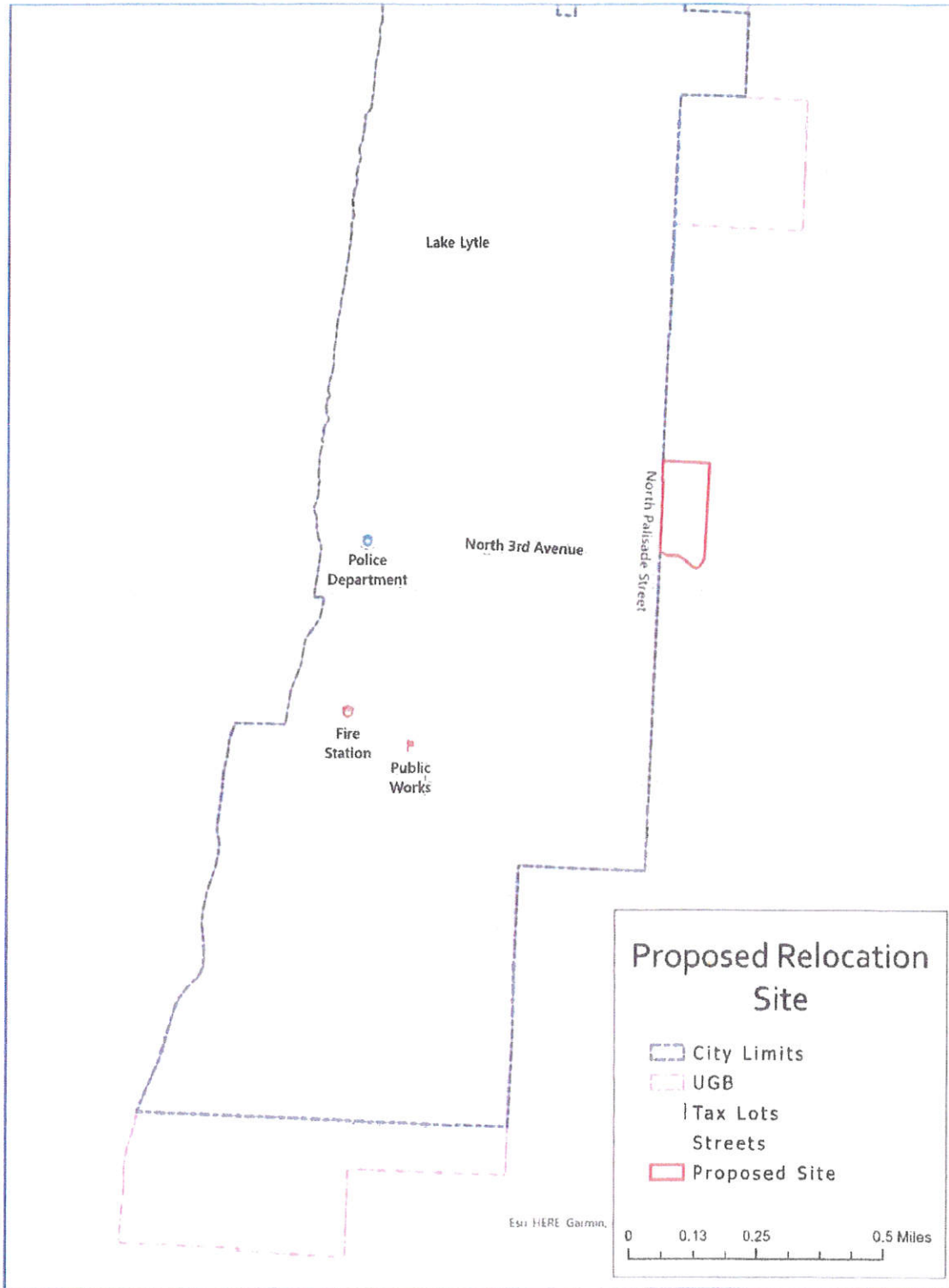


Figure 3: Tsunami Inundation Scenarios

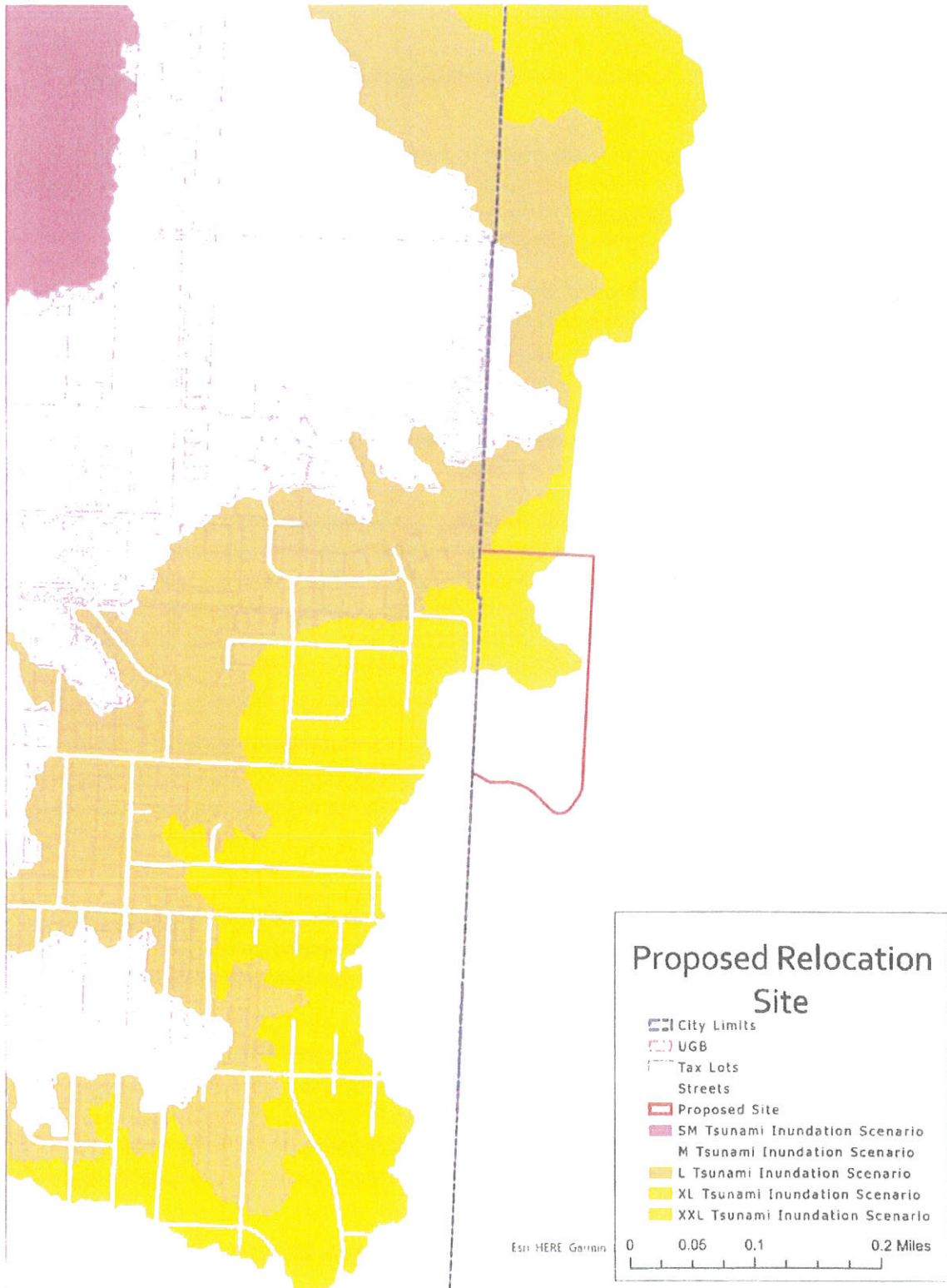


Exhibit B: Site Alternative Analysis

Determining Need for a UGB Expansion

Statewide Planning Goal 14 (Urbanization) gives the following criteria for determining land need in justification of a UGB expansion:

“Establishment and change of urban growth boundaries shall be based on the following:
(1) Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments, or for cities applying the simplified process under ORS chapter 197A, a 14-year forecast; and
(2) Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of the need categories in this subsection (2). In determining need, local government may specify characteristics, such as parcel size, topography or proximity, necessary for land to be suitable for an identified need. Prior to expanding an urban growth boundary, local governments shall demonstrate that needs cannot reasonably be accommodated on land already inside the urban growth boundary.”

When determining a site for relocation of critical facilities, the City first looked to lands within its own Urban Growth Boundary (UGB). However, as the tsunami inundation zone covers so much of the area within the UGB, available sites are extremely limited. The City identified two general areas that were large enough to accommodate the relocation: east of Lake Lytle at the top of Northeast 12th Avenue, and east of Pacific View Estates. However, the site east of Lake Lytle is likely to be cut off from the rest of town due to the expected failure of the 12th Avenue bridge in the event of a CSZ earthquake, and the site east of Pacific View Estates is too steep to be feasible for development (Figure 1).

The lack of suitable sites within the UGB determined the need for a UGB expansion to accommodate the relocation of critical facilities. Selecting a site for relocation outside of the UGB has been completed in accordance with the procedures laid out in OAR 660-024 for a city with a population of less than 5,000 adding less than 50 acres within the UGB.

UGB Expansion Study Area

OAR 660-024-0065 requires that the initial study area for UGB expansion be set to lands within one half-mile of the UGB and lands abutting the existing UGB. Because the proposed site will be used for a public facility that requires specific site characteristics, the City may limit the study area to lands that meet certain criteria, per OAR 660-024-065(3):

“(3) When the primary purpose for expansion of the UGB is to accommodate a particular industrial use that requires specific site characteristics, or to accommodate a public facility that requires specific site characteristics, and the site characteristics may be found in only a small number of locations, the preliminary study area may be limited to those locations within the distance described in section (1) or (2), whichever is appropriate, that have or could be improved to provide the required site characteristics.”

The City limited its study area for UGB expansion to lands that met the following criteria:

1. **Outside of highest-risk tsunami inundation zone** – The highest priority criteria for selecting a site for the relocation of critical facilities was that it was outside of the highest tsunami risk areas – the S, M, and L inundation zones. Both Tillamook County and Rockaway Beach have recently adopted zoning regulations that restrict the development of many critical facilities within these zones. The majority of land within Rockaway Beach’s city limits and UGB falls within the S, M, and L inundations zones, excluding it from consideration for relocation efforts.
2. **Accessible after anticipated infrastructure failures due to earthquake** – Two bridges in Rockaway Beach are expected to fail in the event of a Cascadia Subduction Zone earthquake – the NE 12th Avenue bridge at the edge of Lake Lytle and the Highway 101 bridge over Crescent Creek. Lands that were dependent on these roads for connection to the rest of the city were excluded from the study area.
3. **Parcel size** – In order to accommodate the relocation of facilities and equipment storage, the City looked for a minimum of eight to ten acres of available land.
4. **Development constraints** – Aside from being within the tsunami inundation zone, the City considered other development constraints present on available parcels, including steep slopes and the presence of wetlands.
5. **Central location** – Because the parcel will be the new home of the City’s emergency services, areas that were centrally located were prioritized, as they would have the least impact on existing emergency response times. Because areas on the northern edge of the UGB have already been removed due to anticipated bridge failure, this criterion removed areas on the southern edge of the UGB from consideration (south of Victoria Street).

Once the study area has been set, land must be prioritized for inclusion in the following order, per OAR 660-024-067(2):

1. Urban reserves areas, exception lands, or non-resource-lands
2. Marginal lands
3. Forest lands and non-high value farm lands
4. High value farm lands

Rockaway Beach does not have urban reserve areas for consideration. While there are lands designated for residential (Community Single Family Residential and Community Medium Density Urban Residential zones) and recreational (Recreation Management zone) uses within the initial one half-mile study area, these lands were excluded from the final study area due to not meeting the criterion for central location and having many areas of steep slopes, along with either a lack of existing roadways or the need to make significant improvements to existing roadways to accommodate the proposed use (Figure 2).

Lands within the final study area are entirely within lands designated for forest use. Due to the geography of the area, much of the land outside of the tsunami inundation zone is too steep to be feasible for development (Figure 3). Given these and other previously identified criteria and constraints, there is one general area that is suitable for the relocation of critical facilities – along the eastern edge of the existing UGB, from approximately South 2nd Avenue to North 4th Avenue (Figure 4). For further consideration, this area was split into Site 1 (north of North 3rd avenue and the existing logging road) and Site 2 (south of North 3rd Avenue and the existing logging road).

Goal 14 Boundary Location Factors

To determine a final proposed site for UGB expansion and critical facility relocation, the City compared the two identified sites by applying the boundary location factors in Goal 14 consistent with OAR 660-024-067(7):

1. Efficient accommodation of identified land needs
2. Orderly and economic provision of public facilities and services
3. Comparative environmental, energy, economic, and social consequences
4. Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.

Efficient Accommodation of Identified Land Needs

The City identified a need of 8-10 acres of land to accommodate the proposed relocation of critical facilities, equipment storage, and emergency assembly area. Site 1 provides more than ten acres of relatively level land, with some development constraints due to existing streams within the subject parcel. Additionally, the northern portion of the subject parcel is located within the highest risk tsunami inundation zones (XL and XXL) although there are no restrictions against the development of critical facilities in these areas. Final development on Site 1 will provide appropriate setbacks and other protections to preserve the existing streams. Final site design will place less critical uses within the XL and XXL inundation zones and will explore preserving all or some of this area for a community open space and/or developed park. Development on Site 2 is slightly more constrained, with an existing logging road to the northeast and steep slopes on the south and east of a relatively level area of land. Site 2's location directly downhill from an existing water tank may pose a risk if the tower fails in an earthquake scenario.

Orderly and Economic Provision of Public Facilities and Services

Transportation Facilities

Both Site 1 and Site 2 can be accessed by an existing roadway, North Palisade Street. Roadway access to Site 1 will require more significant improvements, as the current adjacent section of North Palisade Street is currently unpaved. Access to either site will likely require widening of the existing roadway to accommodate public works and fire department equipment.

Sewer and Water Service

Both sites can be served by existing water and sewer lines. Both sites can access water lines either from the North 3rd reservoir water line or from North Palisade Street. Sewer service is available to Site 1 via an existing line in North 3rd Avenue and is available to Site 2 via an existing line in South Nehalem Avenue. Both existing water and sewer lines have been determined to be adequate for accommodation of the proposed use.

Comparative Environmental, Energy, Economic, and Social Consequences

Environmental Consequences

Both sites would require development of land that is currently zoned for forest use. However, the land is not designated as a significant wildlife habitat area. There are no identified wetlands on either site. Site 1 has two perennial streams, which will be protected by building setback and other design measures. The topography of Site 1 will likely allow for a portion of the site to be set aside as open space.

Energy Consequences

Energy consequences are roughly the same for the two sites. Both are centrally located, considering the need to locate critical facilities outside of the UGB. The sites' location will allow many residents and employees the opportunity to walk or bike to the facilities and reduces driving distances compared to a location that may be located further from the center of the city.

Economic Consequences

The proposed critical facility relocation will provide positive economic impacts on the community, both in terms of construction jobs during development and provision of part and full-time public sector employment within the facilities.

Social Consequences

Relocation of critical facilities to either site will provide positive social benefits to the Rockaway Beach community. Locating these facilities outside of the tsunami hazard area, along with the development of a designated emergency assembly area, is a critical step in the city's emergency preparedness. The central location of the facilities will allow services to maintain response times to all areas of the city and will allow easy access for employees and community members.

Both Site 1 and Site 2 are located adjacent to existing neighborhoods. Site design at either site will include the use of vegetated buffers or other screening measures to reduce the impacts of the uses on its residential neighbors. While Site 1 is separated from most adjacent residential uses by the North Palisades right of way, several single family homes directly abut Site 2, meaning it would likely have a greater impact on the surrounding neighborhood.

Compatibility of Uses with Farm and Forest Uses

Both sites are located adjacent to existing forest land. Not adverse impacts are expected from the proposed uses on either site. The City will continue to coordinate with GreenWood Resources and Tillamook County regarding surrounding forest lands.

Conclusion

Both Site 1 and Site 2 are promising locations for the relocation of Rockaway Beach's critical facilities. However, development constraints on Site 2, along with a greater potential impact to surrounding neighborhoods, led the City to select Site 1 as the final preferred site for UGB expansion and relocation of its critical facilities (Figure 5).

Comprehensive Plan and Land Use Ordinance Compliance

The proposed UGB expansion and designation of the subject parcel for public facility use is compliant with policies and regulations found in the Rockaway Beach Comprehensive Plan and Zoning Ordinance:

Rockaway Beach Comprehensive Plan

Citizen Involvement

City Response: The proposed UGB expansion, zone change, and all other land use actions as part of this process will be conducted in accordance with state, county, and local requirements for public notice and public hearings. The City of Rockaway Beach will provide additional outreach and information to affected property owners and the community at-large regarding the proposed relocation of critical facilities.

The Planning Process

"7. Amendments to the comprehensive plan map shall be made only where findings have been adopted that the following criteria are met:

- A. The amendment is consistent with the comprehensive plan's goals and policies;*
- B. The amendment is necessary to meet a land use need;*
- C. The land is physically suitable for the uses to be permitted in terms of slope, geologic stability, flood hazard and other relevant considerations;*
- D. The area can be served by the appropriate level of public facilities and adjacent streets can accommodate the traffic generated by uses permitted;*
- E. The amendment is compatible with the land use development pattern in the vicinity of the request."*

City Response: The proposed UGB expansion and Comprehensive Plan Map amendment is consistent with Rockaway Beach Comprehensive Plan Goals and Policies, as detailed further in this section. The need for relocation outside of the tsunami inundation zone presents a land use need, and no appropriate lands for relocation exist within the existing UGB. The subject parcel is free from development constraints that would prohibit the proposed uses. The parcel can be served by City sewer, water, and roads. Proposed uses are compatible with surrounding residential and forest uses, and measures will be taken to reduce visual impacts to neighboring residential uses via vegetated buffer or other design measures.

Land Use Element

"The land use element of this comprehensive plan is based on the patterns of existing land use. Effective land use planning encourages the positive aspects of existing land use. It also establishes guidelines for future growth, which are intended to prevent the recurrence of past land use conflicts and abuses. Before the land use element of a comprehensive plan can be developed, existing land uses must be identified. Undeveloped land must be analyzed for building suitability, and a system of land use designation (for present and future application) must be developed in accordance with existing land uses and expressed community needs."

City Response: The City developed a new land use designation, the Public Facilities Zone, as part of this process, to be applied to the subject parcel via Comprehensive Plan Map amendment. The subject parcel is free of constraints that would preclude development in the area.

"Public Facilities Zone

The Public Facilities Zone is intended to provide area for buildings and facilities that are owned and operated by Federal, State, or local governments, public utilities, and special districts, which are used to provide governmental or public services. This zone also provides for school sites, public park and recreational facilities, natural areas, trails, wetlands, and similar types of open space owned and managed by a local government, school district or special district."

City Response: The Public Facilities Zone Comprehensive Plan designation will be applied to the subject parcel upon approval of the proposed UGB expansion. The parcel is intended for public facility use in perpetuity and should not be used for commercial or residential uses in the future.

Natural Features

“3. New development shall protect existing streams, riparian corridors, wetlands, and drainage ways. Proposed developments’ drainage systems shall be Rockaway Beach Comprehensive Plan 21 designed to minimize the impact of storm water on adjacent properties.”

City Response: The subject parcel does have two perennial streams, Spring Creek and another unnamed stream. Development on the site will have appropriate setbacks and other riparian protection measures. The site will be access via North Palisade Street in order to avoid impacts to Spring Creek.

Urban Growth Management Policies

“2. The urban growth boundary is the area in which the City may provide full or partial services (sewer, water, police and fire protection), and the area in which annexations may occur in the next 20 years. Extension of services within the area is the decision of the city council, and is contingent upon the ability of the services to support additional development.”

City Response: In selecting the subject parcel for expansion of the UGB and rezoning, the City determined that it was feasible to extend services, including water, sewer, and roadways, to serve relocated critical facilities.

Urbanization Criteria

“6. To preserve large parcels of land for future urban development, and to prevent premature and inefficient parcelization and development of the urbanizable land supply, new land brought into the UGA based on a demonstrated need consistent with state law, will remain in its County rural zoning classification until:

- a) the City determines that urban services are available and adequate to serve the subject property and support planned urban services, and*
- b) the land is annexed to the City, and*
- c) the land is zoned for urban development.*

6a. Pursuant to provisions in Goal 2, Land Use Planning, the City and County are required to have coordinated and consistent comprehensive plans, which establish an Urban Growth Boundary (UGB) and a plan for the Urban Growth Area (UGA) within the boundary. In addition, the City and County share a common concern regarding the accommodation of population growth and utilization of lands within the UGB and consider it mutually advantageous to establish an Urban Growth Area Management Agreement (UGAMA) for the purpose of facilitating the orderly transition from rural to urban land uses within the City’s UGA. Therefore, the City and County currently have an UGMA and the City will work with the County to develop a revised UGMA which reflects more clearly the policies and strategies within the Rockaway Urban Growth Management Policies section of the comprehensive plan.

7. Changes in the urban growth boundary must be done by amendment of the City and County comprehensive plans consistent with the Goal 14 administrative rule (OAR 660, Division 024) and ORS 197.298 Priorities for urban growth boundary expansion."

City Response: The City has been working in coordination with Tillamook County and DLCDC to develop an appropriate sequence of land use processes and decisions to best achieve the desired outcome, including provision of services, rezoning and annexation. Both the City and Tillamook County will complete amendments to the subject parcel on their comprehensive plan and zoning maps to reflect changes to the UGB and zoning designations. Analysis for determining the final subject parcel has been completed in accordance with Goal 14 and OAR 660-024 requirements.

Extension of Services – Conversion Factors

9. City services are an integral part of the City/County urban growth management strategies with extension of these services guided by the following:

A) The City and County shall not authorize urban levels of development without the provision of necessary urban services (public water and sewer services, storm drainage and urban streets) to support planned levels of development. Rural levels of development, sited without services on urbanizable land, shall be sited in such a way as to not interfere with urban levels of development and services when conversion from urbanizable land to urban lands occurs. Shadow platting and other conversion tools can be used to help satisfy this provision.

B) Proposed annexation areas must demonstrate that sufficient urban services are available or will be installed in conjunction with any land development.

C) The City and County shall require property owners and/or developers to pay their fair share of the cost of extending community services to their property and to pay for or build necessary on site public facilities and site improvements.

9a. It is anticipated that the City of Rockaway Beach and Tillamook County will cooperate in managing the urban growth area to maintain the potential for planned urban development on urbanizable lands until the land is converted to urban land. The following guiding principles will apply:

A) The City/County will require provisions of urban services to residential, commercial, and industrial lands as these lands are urbanized. Lands adjacent to the City limits are generally preferred for service over areas on the fringe (near the UGB) so that services are extended in a logical and orderly fashion.

B) Conversion of this urbanizable land to urban development generally should occur once public facilities and services are available and adequate to serve urban levels of development and the land is annexed into the City and zoned for urban development. The City and County, in managing land within the urbanizable and unincorporated portion of the Urban Growth Area may adopt language, if necessary, within its land use ordinance consistent with this provision.

C) The following definitions are associated with the urban growth management policies and strategies above: Urban Level of Service/Development:

Urban Level of Development is development which generally requires supporting full urban services, as indicated above, to be capable of reaching development levels planned for within the City of Rockaway Beach Comprehensive Plan. Any proposed subdivision partition shall be required to be developed with full urban services (i.e., public water and sewer, urban streets and adequate storm drainage facilities.)

Urban Lands: Lands inside the City of Rockaway Beach Urban Growth Boundary for which sewer and water services are available and capable of supporting planned levels of development, including associated open space and unbuildable land.

Urbanizable Lands: Land inside the City of Rockaway Beach Urban Growth Boundary that is designated for urban development for which sewer and water services capable of supporting planned development are not available."

City Response: The subject parcel's location adjacent to the existing UGB, as well as availability of sewer and water services, was a criterion in selecting a final site for critical facility relocation. The City will ensure that water and sewer facilities are installed on the subject parcel prior to development, and that roadway improvements are made to facilitate access to the site. Improvement costs will be borne by the City.

Transportation Element

"1. Pedestrian and bicycle needs should be considered in all proposed street construction and in the improvement of existing rights-of-way, in order to increase safety and encourage the use of non-automobile transportation."

City Response: Right of way improvements will be made to North Palisade Street as part of the development process, in order to provide access to the site. In designing these improvements, the City will consider the needs of those accessing the site by non-motorized means.

Parks and Recreation Element

"7. Preservation of open space shall be encouraged through the use of the cluster development concept in land development. Small play areas, parks and other recreational facilities should be incorporated in cluster developments and subdivisions for the benefit of their residents."

"11. Land that becomes available for public ownership through tax foreclosure or other means shall be considered for potential park, open space or recreation use, especially in the areas around Lake Lytle and Crescent."

City Response: During the master planning process for the site, the city will examine setting aside the portion of the subject parcel which lies within the XL and XXL tsunami inundation zone as open space, or potentially developed into a City park.

Public Facilities and Services

Sewerage System

"2. Extension of sewer lines should consider the capacity of the treatment facility, and the costs to the City versus anticipated benefits. Sewer services should be provided only if there is adequate treatment capacity available, or if there would be capacity provided within one year from the installation of the sewer services as certified by the city Engineer or the Department of Environmental Quality.

3. Sewer service shall not be provided to those areas outside the City."

The Rockaway Beach Public Works department has determined that adequate capacity exists to accommodate the proposed uses without adverse effects on the existing sewer system. Sewer service will only be extended to the area once it has been annexed into city limits.

Water System

"1. Water system extensions will be considered only for those areas inside the Rockaway Beach Urban Growth Boundary"

City Response: Water service will only be extended to the subject parcel once it has been included within the UGB and annexed into city limits.

Rockaway Beach Zoning Ordinance

Section 5 1A2 Tsunami Hazard Overlay Zone

"1. Purpose. The purpose of the Tsunami Hazard Overlay Zone is to increase the resilience of the community to a local source (Cascadia Subduction Zone) tsunami by establishing standards, requirements, incentives, and other measures to be applied in the review and authorization of land use and development activities in areas subject to tsunami hazards. The standards established by this section are intended to limit, direct and encourage the development of land uses within areas subject to tsunami hazards in a manner that will:

- a. Reduce loss of life;*
- b. Reduce damage to private and public property;*
- c. Reduce social, emotional, and economic disruptions; and*
- d. Increase the ability of the community to respond and recover.*

Significant public and private investment has been made in development in areas which are now known to be subject to tsunami hazards. It is not the intent or purpose of this section to require the relocation of or otherwise regulate existing development within the Tsunami Hazard Overlay Zone. However, it is the intent of this section to control, direct and encourage new development and redevelopment such that, over time, the community's exposure to tsunami risk will be reduced."

"4. Prohibited Uses. Unless authorized in accordance with subsection (5), the following uses are prohibited in the specified portions of the Tsunami Hazard Overlay Zone:

- a. In areas identified as subject to inundation from the L magnitude local source tsunami event as set forth on the Tsunami Inundation Map (TIM), the following uses are prohibited:*

- i. Hospitals and other medical facilities having surgery and emergency treatment areas.*
- ii. Fire and police stations.*
- iii. Structures and equipment in government communication centers and other facilities required for emergency response.*
- iv. Buildings with a capacity greater than 250 individuals for every public, private or parochial school through secondary level or child care centers.*
- v. Buildings for colleges or adult education schools with a capacity of greater than 500 persons.*
- vi. Jails and detention facilities.*

B .In areas identified as subject to inundation from the M magnitude local source tsunami event as set forth on the Tsunami Inundation Map (TIM), the following uses are prohibited:

- i. Tanks or other structures containing, housing or supporting water or fire-suppression materials or equipment required for the protection of essential or hazardous facilities or special occupancy structures.*
- ii. Emergency vehicle shelters and garages.*
- iii. Structures and equipment in emergency preparedness centers.*
- iv. Standby power generating equipment for essential facilities.*
- v. Covered structures whose primary occupancy is public assembly with a capacity of greater than 300 persons.*
- vi. Medical facilities with 50 or more resident, incapacitated patients."*

City Response: Rockaway Beach has adopted a tsunami hazard overlay zone, which prohibits the development of many critical facilities within the highest risk tsunami inundation areas. The proposed UGB expansion and rezoning will provide a location where these facilities can be built safely outside of the M and L inundation zones.

Section 3.150 Public Facilities Zone

"The Public Facilities Zone is intended to provide area for buildings and facilities that are owned and operated by Federal, State, or local governments, public utilities, and special districts, which are used to provide governmental or public services. This zone also provides for school sites, public park and recreational facilities, natural areas, trails, wetlands, and similar types of open space owned and managed by a local government, school district or special district."

City Response: The Public Facilities Zone will be applied to the subject parcel upon approval of the proposed UGB expansion. This zoning designation does not allow for residential or commercial uses.

Article 9 Amendments

"Section 9.010. Authorization to Initiate Amendments. An amendment to the text of this ordinance or to a zoning map may be initiated by the City Council, Planning Commission, or by application of the property owner(s), contract purchaser(s), or his/her/their authorized agent.

Section 9.015. Burden of Proof. The burden of proof is placed upon the initiator of the amendment. That burden shall be to prove:

- (1) The proposed amendment fully accords with applicable Comprehensive Plan goals and policies; and*
- (2) The proposed amendment is required to meet a land use need.*

Section 9.020. Amendment Procedures. The following procedures shall be observed in consideration of an amendment request:

- (1) A request shall be initiated by filing an application with the City pursuant to Section 11.030.*
- (2) Notice of a public hearing shall be given pursuant to Section 11.040.*
- (3) The Planning Commission shall hold a public hearing on the request pursuant to Section 11.060.*
- (4) The Planning Commission will forward its recommendation to the City Council and the City Council will hold a public hearing pursuant to Section 11.060.*
- (5) The City Council will make a decision on the request pursuant to Section 11.060(6)."*

City Response: The City will act as the applicant, with the consent of the landowner, GreenWood Resources. The City shall complete all required public noticing requirements in accordance with local and state regulations. City Planning Staff will act as the applicant in public hearings with Planning Commission and City Council.

Rockaway Beach Tsunami Evacuation Facility Improvement Plan

Citywide Recommendations - Evacuation Facilities and Preparedness

"RB7. Continue to pursue acquisition of land for relocation of critical facilities."

The UGB expansion and rezoning of the subject parcel will allow for the relocation of many of the city's critical facilities located within the tsunami inundation zone, increasing the community's tsunami resilience and preparedness.

Conclusion

As shown in this analysis, the proposal to expand the Rockaway Beach UGB and amend the Rockaway Beach Comprehensive Plan and Zoning Maps to the new Public Facilities Zone is not only beneficial to the Rockaway Beach community, but is also consistent with State, County, and Local goals, policies, rules, and regulations.

Figure 1: Potential Sites Inside UGB

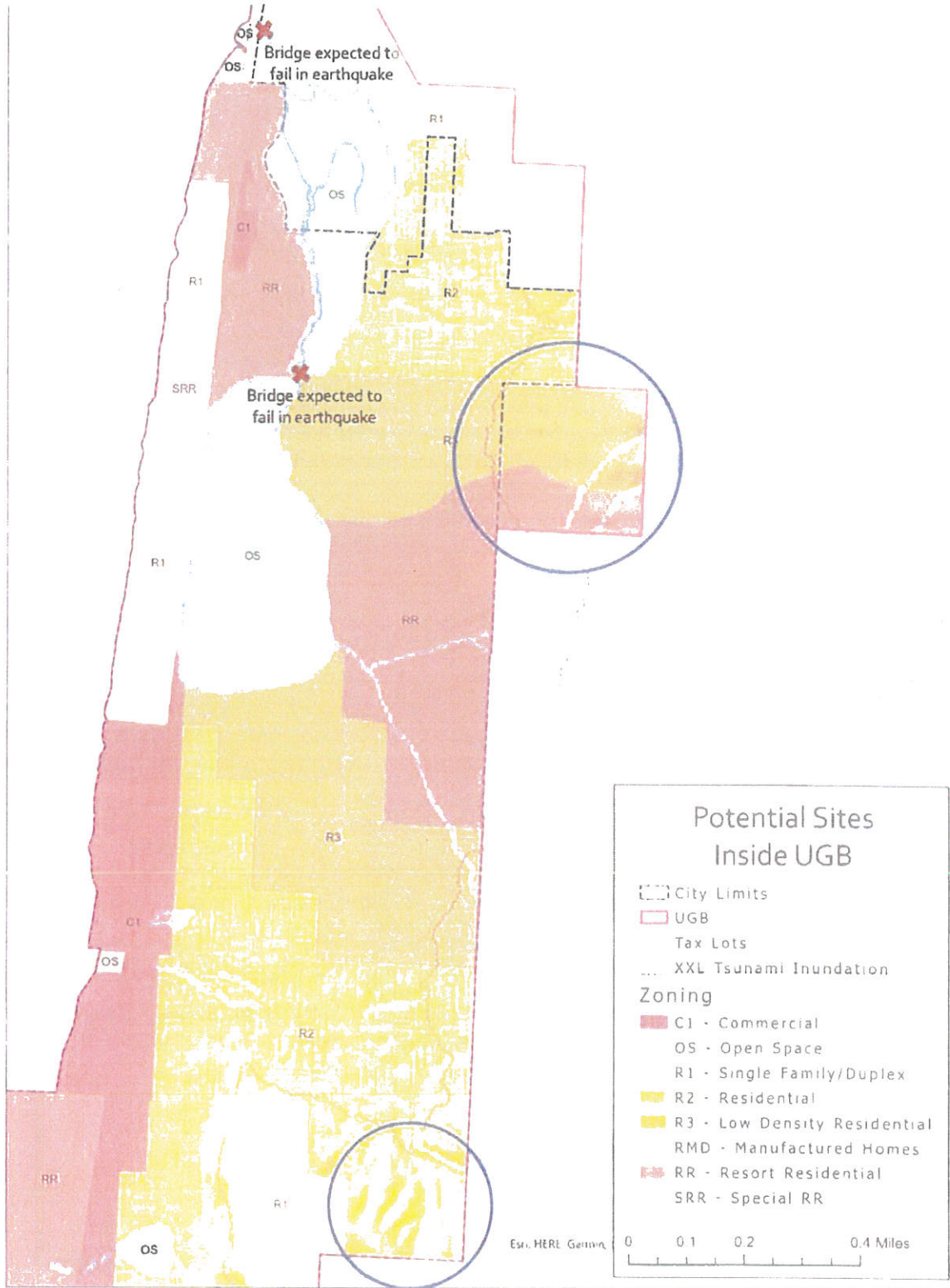


Figure 2: UGB Expansion Study Area

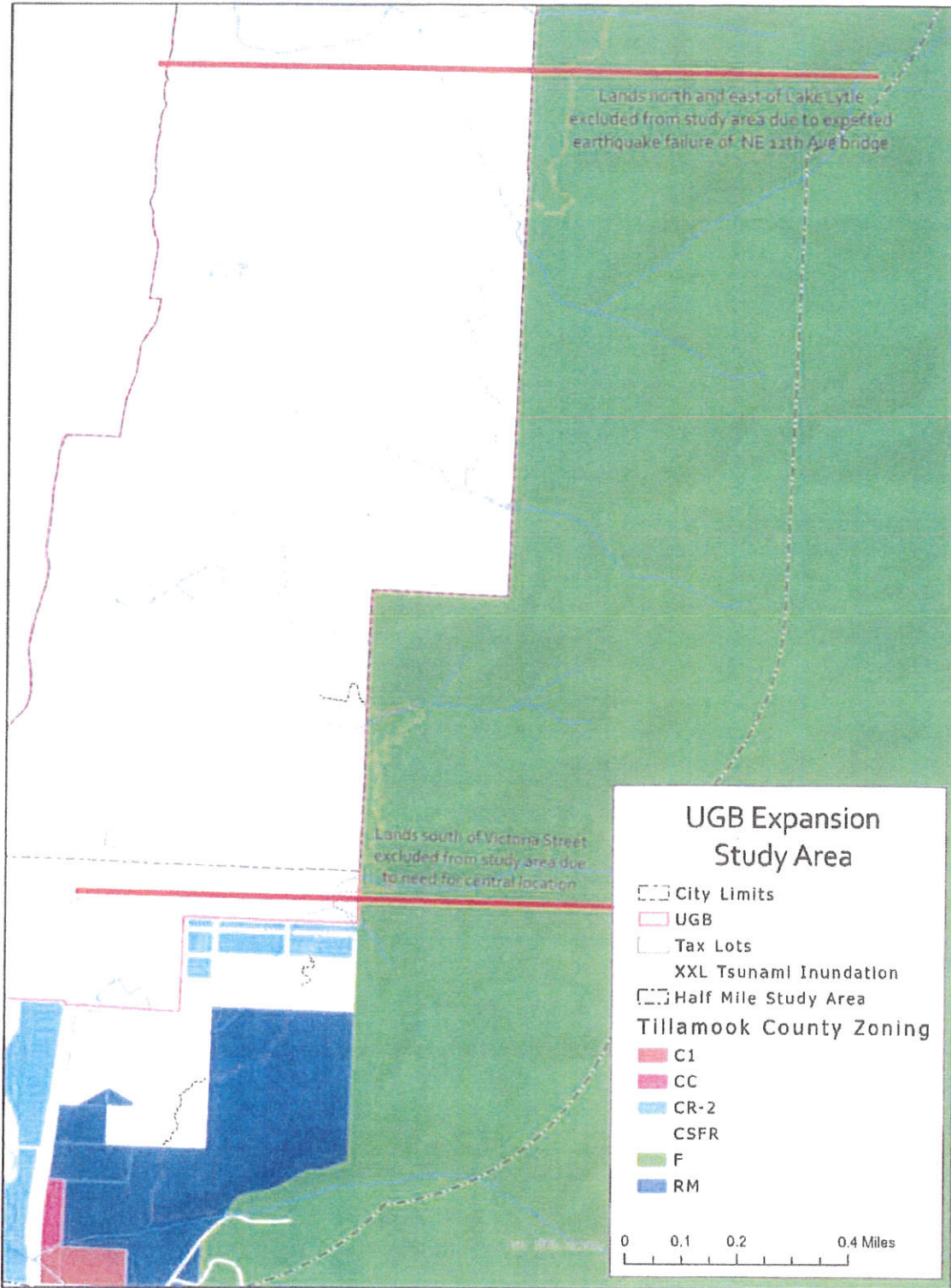


Figure 3: Steep Slopes in UGB Study Area

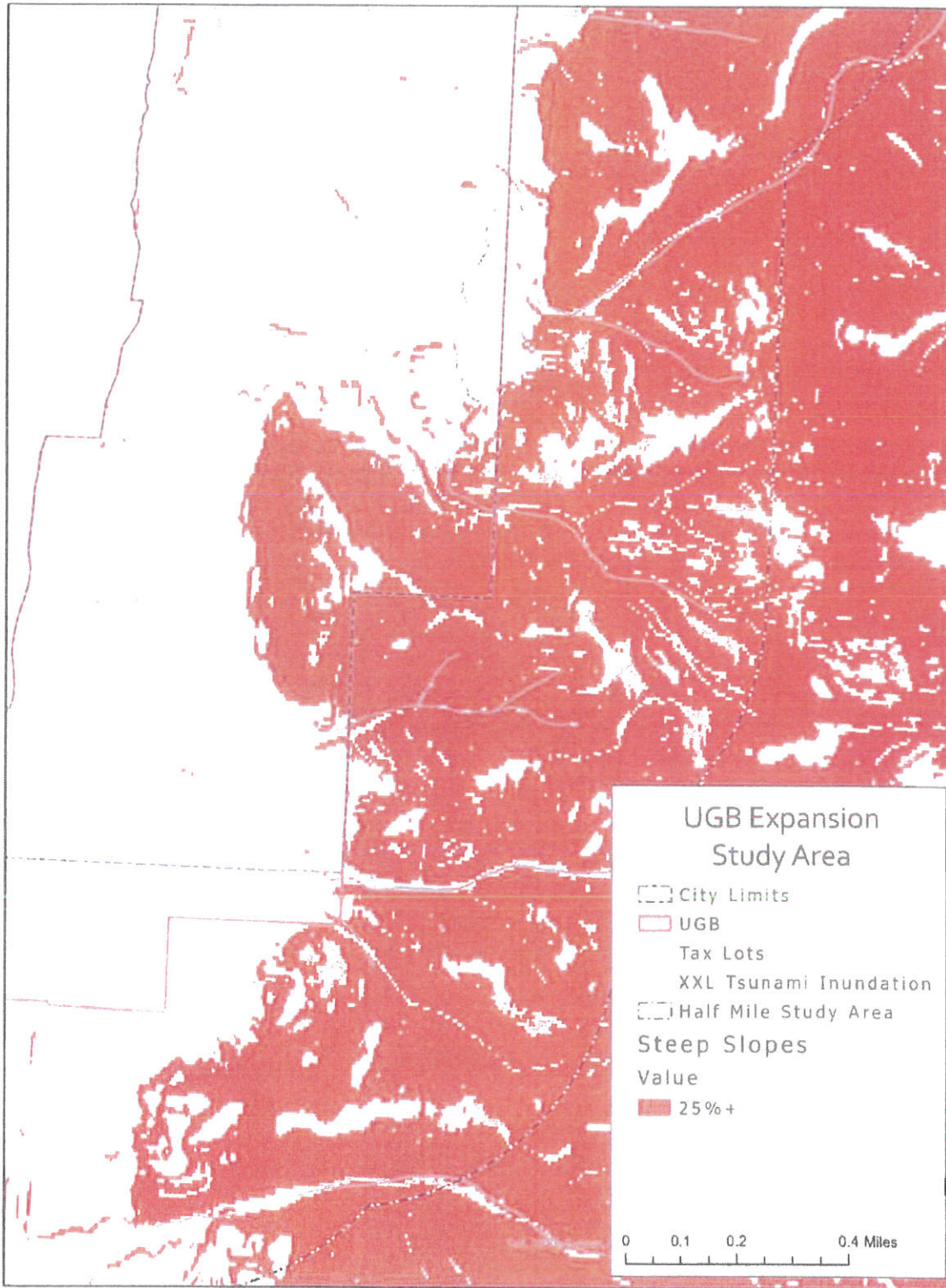


Figure 4: Final Candidate Sites

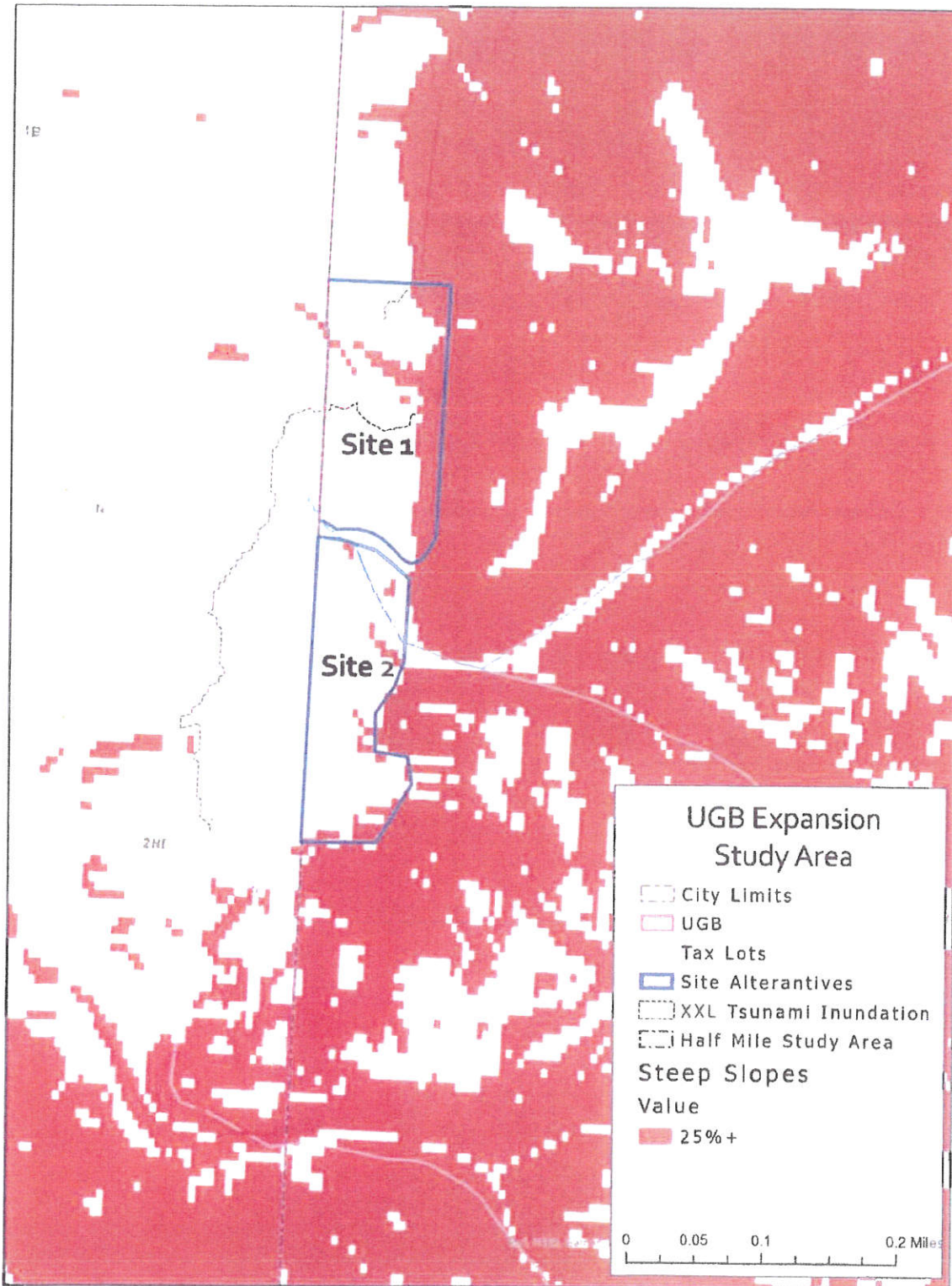


Figure 5: Proposed Relocation Site



Exhibit C - Anticipated Traffic Generation and Response Time Impacts

ROCKAWAY BEACH PD HISTORICAL CALLS FOR SERVICE

<u>YEAR</u>	<u>ANNUAL</u>	<u>MONTHLY AVERAGE (/12)</u>	<u>WEEKLY AVERAGE (/52)</u>
5 Year	4032 Calls/Contacts	336 Calls/Contacts	78 Calls/Contacts
2015	3209 Calls/Contacts	267 Calls/Contacts	62 Calls/Contacts
2016	4714 Calls/Contacts	393 Calls/Contacts	91 Calls/Contacts
2017	5122 Calls/Contacts	427 Calls/Contacts	99 Calls/Contacts
2018	3642 Calls/Contacts	304 Calls/Contacts	70 Calls/Contacts
2019	3475 Calls/Contacts	290 Calls/Contacts	67 Calls/Contacts
JAN-AUG 20	2036 Calls/Contacts	254 Calls/Contacts	59 Calls/Contacts

NOTES RELATED TO CALLS/CONTACTS:

- The information provided above are averages and do not account for a significant amount of our contacts begin self-generated (Excluding the year 2020 and the impact of COVID-19).
- Based on patrol tactics we frequently are responding from areas in the community other than the police department.
- Our records system does not have a mechanism to generate a report that would provide accurate data to determine the percentage of the time we respond from the office. Excluding the year 2020, there is Officer consensus that approximately 25-30% of our calls/contacts will be responded to from the police department.

RESPONSE TIME IMPACT

- Normal driving speed from the current police department location (216 Hwy 101 N):
 - N 3rd Ave/N Palisades St. gate is 90 seconds (1 ½ minutes).
 - N 4th Ave/N Palisades St. projected access is 120 seconds (2 minutes).
- Drive time will be reduced when responding code to calls.
- Response time will be reduced in some areas of the community based on their location.

From: [Public Works](#)
To: [Scott Fregonese](#); [C. Stewart](#); [Luke Shepard](#); [Todd Hesse](#); [Cassandra Dobson](#)
Subject: RE: Info for Tillamook County Zone Change App
Date: Thursday, September 17, 2020 1:12:55 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)

Dear Cassandra et al,

I took some rudimentary traffic counts of vehicles going in and out of the public works yard (wastewater treatment plant) last week. I found an average of 52 total trips per day in and out of the facility over those days (26 in, and 26 out). The vast majority were standard vehicles (our work trucks and crew's personal vehicles), except for one trip from a tanker semi-truck to resupply us with fuel.

I would say that most of these trip would not be impacted by my department being relocated since all of the materials, equipment and work trucks are stored at the wastewater treatment plant anyways. I don't believe there would be any measurable effect on our response time either since our crews would still be responding from the treatment plant location.

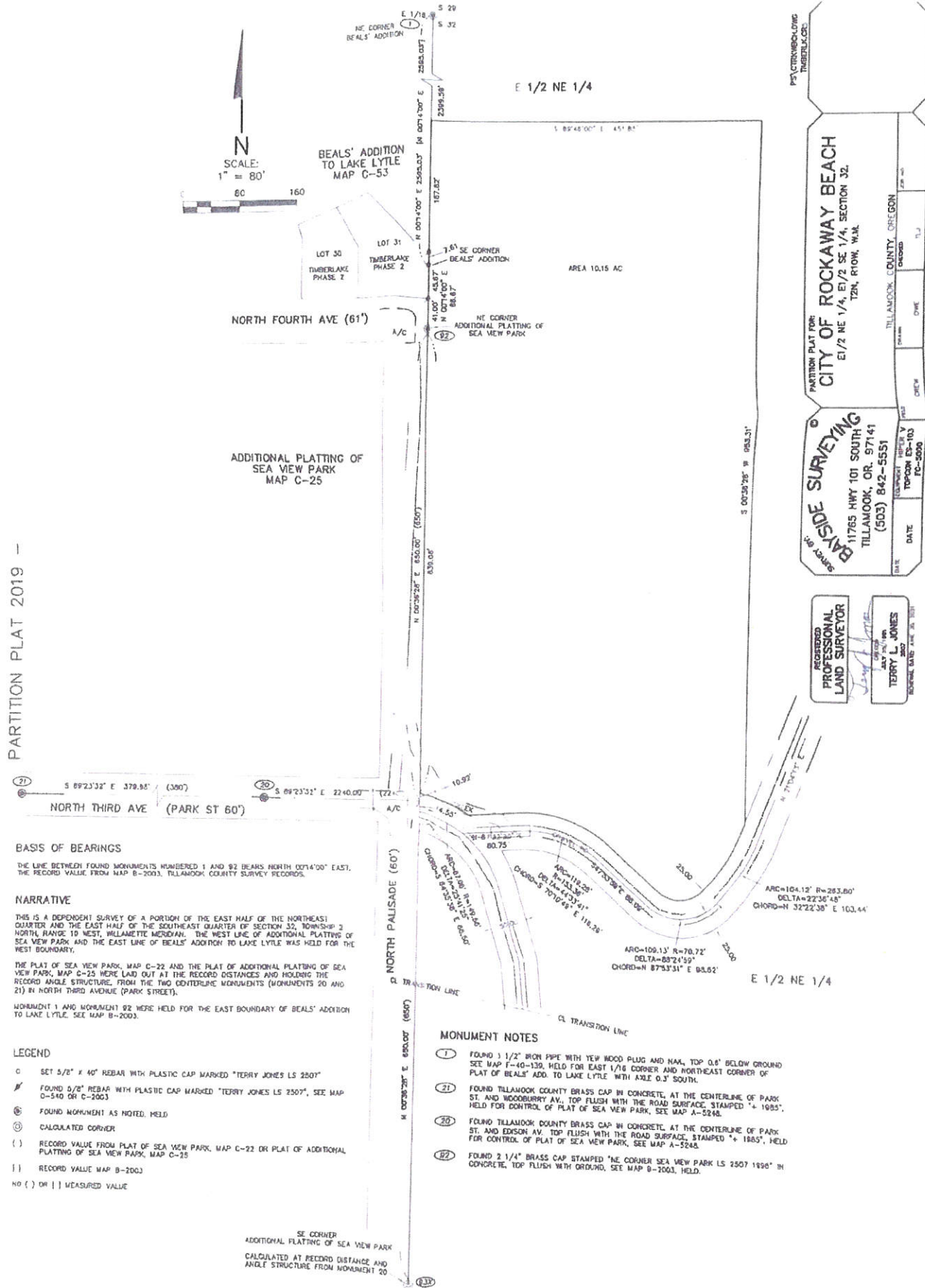
Sorry for the delay, and let me know if you have any additional questions.

Sincerely,

- Rob

Robert B. Morris, PE
Public Works Director/City Engineer
City of Rockaway Beach
P.O. Box 5 | Rockaway Beach, Oregon 97136
P: 503.374.1752 / C: 503.457.6094
publicworks@corb.us

Exhibit D - Proposed Parcel Survey



PARTITION PLAT 2019 -

BASIS OF BEARINGS

THE LINE BETWEEN FOUND MONUMENTS NUMBERED 1 AND 82 BEARS NORTH 00°4'00" EAST, THE RECORD VALUE FROM MAP B-2003, TILLAMOOK COUNTY SURVEY RECORDS.

NARRATIVE

THIS IS A DEPENDENT SURVEY OF A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 10 WEST, WILLAMETTE MERIDIAN. THE WEST LINE OF ADDITIONAL PLATTING OF SEA VIEW PARK AND THE EAST LINE OF BEALS' ADDITION TO LAKE LYTLE WAS HELD FOR THE WEST BOUNDARY.

THE PLAT OF SEA VIEW PARK, MAP C-22 AND THE PLAT OF ADDITIONAL PLATTING OF SEA VIEW PARK, MAP C-25 WERE LAID OUT AT THE RECORD DISTANCES AND HOLDING THE RECORD ANGLE STRUCTURE FROM THE TWO CENTERLINE MONUMENTS (MONUMENTS 20 AND 21) IN NORTH THIRD AVENUE (PARK STREET).

MONUMENT 1 AND MONUMENT 82 WERE HELD FOR THE EAST BOUNDARY OF BEALS' ADDITION TO LAKE LYTLE. SEE MAP B-2003.

LEGEND

- SET 5/8" x 40' REBAR WITH PLASTIC CAP MARKED "TERRY JONES LS 2807"
- ⊕ FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "TERRY JONES LS 2507", SEE MAP C-540 OR C-2003
- ⊙ FOUND MONUMENT AS NOTED, HELD
- ⊕ CALCULATED CORNER
- () RECORD VALUE FROM PLAT OF SEA VIEW PARK, MAP C-22 OR PLAT OF ADDITIONAL PLATTING OF SEA VIEW PARK, MAP C-25
- || RECORD VALUE MAP B-2003
- NO () OR || MEASURED VALUE

MONUMENT NOTES

- (1) FOUND 1 1/2" IRON PIPE WITH YEW WOOD PLUG AND NAIL, TOP 0.8' BELOW GROUND. SEE MAP F-40-130, HELD FOR EAST 1/16 CORNER AND NORTHEAST CORNER OF PLAT OF BEALS' ADD. TO LAKE LYTLE WITH ANGLE 0.3' SOUTH.
- (21) FOUND TILLAMOOK COUNTY BRASS CAP IN CONCRETE, AT THE CENTERLINE OF PARK ST. AND WOODBERRY AV., TOP FLUSH WITH THE ROAD SURFACE, STAMPED "4 1985", HELD FOR CONTROL OF PLAT OF SEA VIEW PARK, SEE MAP A-5248.
- (20) FOUND TILLAMOOK COUNTY BRASS CAP IN CONCRETE, AT THE CENTERLINE OF PARK ST. AND EDISON AV., TOP FLUSH WITH THE ROAD SURFACE, STAMPED "4 1885", HELD FOR CONTROL OF PLAT OF SEA VIEW PARK, SEE MAP A-5248.
- (82) FOUND 2 1/4" BRASS CAP STAMPED "NE CORNER SEA VIEW PARK LS 2507 1896" IN CONCRETE, TOP FLUSH WITH GROUND, SEE MAP B-2003, HELD.

PARTITION PLAT FOR
CITY OF ROCKAWAY BEACH
E 1/2 NE 1/4, E 1/2 SE 1/4, SECTION 32,
T2N, R10W, W.M.

TILLAMOOK COUNTY, OREGON

DATE _____

BY _____

TERRY L. JONES
REGISTERED PROFESSIONAL LAND SURVEYOR
NOV 11 2003

BAYSIDE SURVEYING
11765 HWY 101 SOUTH
TILLAMOOK, OR. 97141
(503) 842-5551

TELEPHONE 503-842-5551
TOPCON ES-103
PC-8000

EXHIBIT C

Allison Hinderer

From: BROWN Jevra * DSL <jevra.brown@dsl.state.or.us>
Sent: Monday, May 10, 2021 5:08 PM
To: Allison Hinderer
Cc: Sarah Absher
Subject: EXTERNAL: RE: Tillamook County: City of Rockaway Beach Zone Change/ Map Amendment Request/ 851-21-000069-PLNG

[NOTICE: This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

RE 02N10W00 #6000 (10.5 acres) Zone change from Forest (F), expand UGB to move critical facilities out of the Tsunami Hazard Overlay Zone.

Hi Allison,

I went to the website cited in the notice to see the location site plan and repeatedly received no returns matching my criteria. Nothing came up for this file. Obviously overall this project is a good idea. I looked at the SWI to see what resources were mapped within 02N10W00 #6000. There are many mapped waterways and a forested wetland (a rare type) mapped in the NW corner of the tax lot. Obviously once plans are made for specific locations for new buildings it will be best to avoid these aquatic resources. Once you have a site plan please submit it in a wetland land use notice request.

Thank you,

Jevra Brown, Aquatic Resource Planner
Department of State Lands
Cell 503-580-3172

Checking for wetlands and waters? – Use the [STATEWIDE WETLANDS INVENTORY](#)

To help prevent the spread of COVID-19 many of the DSL staff are telecommuting.

From: Allison Hinderer <ahindere@co.tillamook.or.us>

Sent: Monday, May 10, 2021 4:01 PM

To: FOOTE Hilary <hilary.foote@state.or.us>; BROWN Jevra * DSL <jevra.brown@dsl.state.or.us>; robert.bradley@state.or.us; SKINNER Kate J * ODF <Kate.J.Skinner@oregon.gov>; HENDRICKS Nikki M * WRD <Nikki.M.Hendricks@oregon.gov>; fw1ofwo@fws.gov; aswickham@fs.fed.us; doryfreshfish@embarqmail.com; Tiffany Miller <tmiller@tillamook911.com>; PHIPPS Lisa <lisa.phipps@state.or.us>; bharth@corb.us; VANDECOEVERING Denise <dvandeco@co.tillamook.or.us>; Michael R. Rice <mrice@co.tillamook.or.us>; Travis Porter <tporter@co.tillamook.or.us>; Luke Shepard <lukeShepard@corb.us>; Scott Fregonese <scott@frego.com>; Cassandra Dobson <cdobson@frego.com>; Todd Hesse <thesse@corb.us>; Gale Ousele <galeousele@embarqmail.com>; mandm-roberts@comcast.net; kjheckeroth@gmail.com; ODF_Retiree LAFRANCE Don <lafrance.don@gmail.com>; gsievert@icloud.com; megangillas@gmail.com; victordairy@centurylink.net

Cc: Sarah Absher <sabsher@co.tillamook.or.us>

Subject: Tillamook County: City of Rockaway Beach Zone Change/ Map Amendment Request/ 851-21-000069-PLNG

Hello All,

Please see attached notice of City of Rockaway Beach Zone Change/Map Amendment Request 851-21-000069-PLNG.

Thank you.

Allison Hinderer

Office Specialist 2/Tillamook County
Department of Community Development/Surveyors Office
1510 Third Street.
Tillamook, OR 97141
Office:503-842-3408/503-842-3423
Email: ahindere@co.tillamook.or.us



Allison Hinderer

From: DLCDC Plan Amendments <plan.amendments@state.or.us>
Sent: Friday, May 7, 2021 3:31 PM
To: Sarah Absher
Subject: EXTERNAL: Confirmation of PAPA Online submittal to DLCDC

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Tillamook County

Your notice of a proposed change to a comprehensive plan or land use regulation has been received by the Oregon Department of Land Conservation and Development.

Local File #: 851-21-000069-PLNG

DLCD File #: 002-21

Proposal Received: 5/7/2021

First Evidentiary Hearing: 5/27/2021

Final Hearing Date: 7/21/2021

Submitted by: abshers

If you have any questions about this notice, please reply or send an email to plan.amendments@state.or.us.

Allison Hinderer

From: Sarah Absher
Sent: Monday, May 24, 2021 9:52 PM
To: Allison Hinderer
Subject: Testimony for Planning Commission Hearing #851-21-000069-PLNG

Hello Allison,

Please make 13 copies for the record.

Thank You,
Sarah

From: Tillamook County OR <tillamookcounty-or@municodeweb.com>
Sent: Monday, May 24, 2021 6:13 AM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: [Sarah Absher] Testimony for Planning Commission Hearing #851-21-000069-PLNG

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Charles Fleisher (ggflash@frontier.com) sent a message using the contact form at <https://www.co.tillamook.or.us/>.

(please forward to Ms. Sarah Absher, County Planning Director so this testimony can be introduced into the cited May 27, 2021 Planning Commission hearing.) I want to submit my objection to the proposed Zone Change and Map Amendment for the expansion of the City of Rockaway Beach Urban Growth Boundary for the following reasons: 1) The City has not identified what it needs and why the specific 10.5 acre parcel is essential; 2) There would appear to be adequate available land inside the existing Urban Growth Boundary to accommodate a new emergency center (however it is eventually defined); 3) The 10.5 acre property being considered would appear to have significant limitations on its future development, e.g., bisected by a major stream (environmental issues); impacts on an adjacent to an existing single family neighborhood, e.g., traffic; noise; visual qualities; accessed by only unimproved neighborhood streets. The City of Rockaway Beach needs to do a feasibility study of the emergency center requirements before any UGB expansion should be considered or approved.

**Re: Rockaway Beach proposal to relocate city
infrastructure east of existing growth boundary
(Ref # 851-21-000069-PLNG)**

To whom it may concern:

My name is Bob Dodak, and I am strongly “opposed” to the above-referenced proposal. I own the property located on the corner of N Palisade and 4th, Ref lot 2N1032DB00101.

I purchased this property 15 years ago with the intent of building a cabin retreat after I retired (I retired in 2020). It was a dream come true to purchase a property right on the eastern growth boundary of Rockaway with a frontage view of an established forest. I was heartbroken a couple years later when it burned to N Palisade. When I drove Hwy 101, my location beacon was the burnt scar on the beautiful mountain. In time, it has grown back to its previous beauty.

Tillamook County Land Use Ordinance Section 9.020(3) amendment criteria (d) states “Development anticipated to result from the proposed zone shall not impair the actual or the legally designated uses of surrounding properties”. Although it would not impair the use of the property, it would dramatically reduce both my market value and desirability by destroying the aesthetic beauty and tranquility of the area. The community notice does not specify which critical facilities will be located on the 10-acre parcel, but there would certainly be a significant increase in traffic and noise in addition to the removing the aesthetic beauty of the area.

There are many hard to find amenities that this area possesses, including the following: out of the tsunami zone, does not require a geologic hazard report, no wetland areas, very nice well maintained homes in the area, all utilities already established, and the street is paved.

My property is ready to be developed, but I have no desire to build a house if a 10-acre Facilities complex is constructed across the street. Please reconsider the location of the Facilities complex to an area that will not affect adjacent property owners.

Thank you for your consideration,

Bob Dodak

Allison Hinderer

From: Sarah Absher
Sent: Thursday, May 27, 2021 2:51 PM
To: BRADLEY Robert * ODFW; Allison Hinderer
Subject: Tillamook County: City of Rockaway Beach Zone Change/ Map Amendment Request/ 851-21-000069-PLNG

Thank You Robert,

Allison please make 13 copies for the record and distribution at tonight's hearing.

Sincerely,
Sarah

From: BRADLEY Robert * ODFW <Robert.BRADLEY@odfw.oregon.gov>
Sent: Thursday, May 27, 2021 2:35 PM
To: Allison Hinderer <ahindere@co.tillamook.or.us>
Cc: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: RE: Tillamook County: City of Rockaway Beach Zone Change/ Map Amendment Request/ 851-21-000069-PLNG

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The application states on that the city intends to provide appropriate setbacks and riparian protection measures for the two perennial streams located at this site (page 15). There is no mention of addressing fish passage, particularly in Spring Creek, but also potentially in the other stream. It is possible that the proposed road improvements are a fish passage trigger as defined by ODFW's fish passage rules. Approval should be conditioned such that the applicant consults with ODFW to determine if a fish passage trigger has, or will, occur as a result of the project, and address any fish passage that is determined to be required.

I would also recommend the applicant consult with DSL and other permitting agencies to determine other natural resources that need protection on the site (i.e., wetlands) and any required permitting. Planning should minimize or avoid impacts to aquatic resources or other sensitive habitats.

Robert

Robert W. Bradley
District Fish Biologist
Oregon Department of Fish and Wildlife
North Coast Watershed District
4907 Third St
Tillamook, OR 97141
503-842-2741 x18613 (w)
503-842-8385 (fax)

Note new email address as of 4/26/21: Robert.Bradley@odfw.oregon.gov

From: Allison Hinderer <ahindere@co.tillamook.or.us>

Sent: Monday, May 10, 2021 4:01 PM

To: FOOTE Hilary <hilary.foote@state.or.us>; BROWN Jevra * DSL <jevra.brown@dsl.state.or.us>; robert.bradley@state.or.us; SKINNER Kate J * ODF <Kate.J.Skinner@oregon.gov>; HENDRICKS Nikki M * WRD <Nikki.M.Hendricks@oregon.gov>; fw1ofwo@fws.gov; aswickham@fs.fed.us; doryfreshfish@embarqmail.com; Tiffany Miller <tmiller@tillamook911.com>; PHIPPS Lisa <lisa.phipps@state.or.us>; bharth@corb.us; VANDECOEVERING Denise <dvandeco@co.tillamook.or.us>; Michael R. Rice <mrice@co.tillamook.or.us>; Travis Porter <tporter@co.tillamook.or.us>; Luke Shepard <lukeshepard@corb.us>; Scott Fregonese <scott@frego.com>; Cassandra Dobson <cdobson@frego.com>; Todd Hesse <thesse@corb.us>; Gale Ousele <galeousele@embarqmail.com>; mandm-roberts@comcast.net; kjheckeroth@gmail.com; ODF_Retiree LAFRANCE Don <lafrance.don@gmail.com>; gsievert@icloud.com; megangillas@gmail.com; victordairy@centurylink.net

Cc: Sarah Absher <sabsher@co.tillamook.or.us>

Subject: Tillamook County: City of Rockaway Beach Zone Change/ Map Amendment Request/ 851-21-000069-PLNG

Hello All,

Please see attached notice of City of Rockaway Beach Zone Change/Map Amendment Request 851-21-000069-PLNG.

Thank you.

Allison Hinderer

Office Specialist 2/Tillamook County
Department of Community Development/Surveyors Office
1510 Third Street.
Tillamook, OR 97141
Office:503-842-3408/503-842-3423
Email: ahindere@co.tillamook.or.us



Tillamook County Planning Commission

May 27, 2021



Purpose of the Request

The City of Rockaway Beach wishes to extend its Urban Growth Boundary to include a 10.15-acre parcel of land. This land will ultimately be annexed into Rockaway Beach's City Limits and used to relocate many of the City's critical facilities out of the area at risk of inundation in the event of a Cascadia Subduction Zone tsunami.

Background

- Critical Facility relocation is a recommendation in the City's 2019 Tsunami Evacuation Facilities Improvement Plan
- The City's Tsunami Hazard Overlay Zone (2019) prohibits the development of new critical facilities in the Small, Medium, and Large Tsunami Inundation Zones



Background

Proposed Parcel:

- Approximately 10-acre portion of an existing 157-acre parcel at top of N 3rd Ave
- Land currently zoned Forest (F)



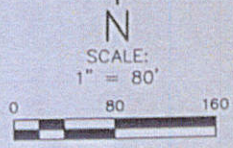


Background

- City is currently communicating with landowner, GreenWood Resources
- City has completed appraisal and survey of property
- City has adopted Public Facilities Zone and Comprehensive Plan designation to be applied to property upon approval of UGB expansion



PARTITION PLAT 2019 -



BEALS' ADDITION TO LAKE LYTLE MAP C-53



NORTH FOURTH AVE (61')

ADDITIONAL PLATTING OF SEA VIEW PARK MAP C-25

NORTH PALISADE (60')



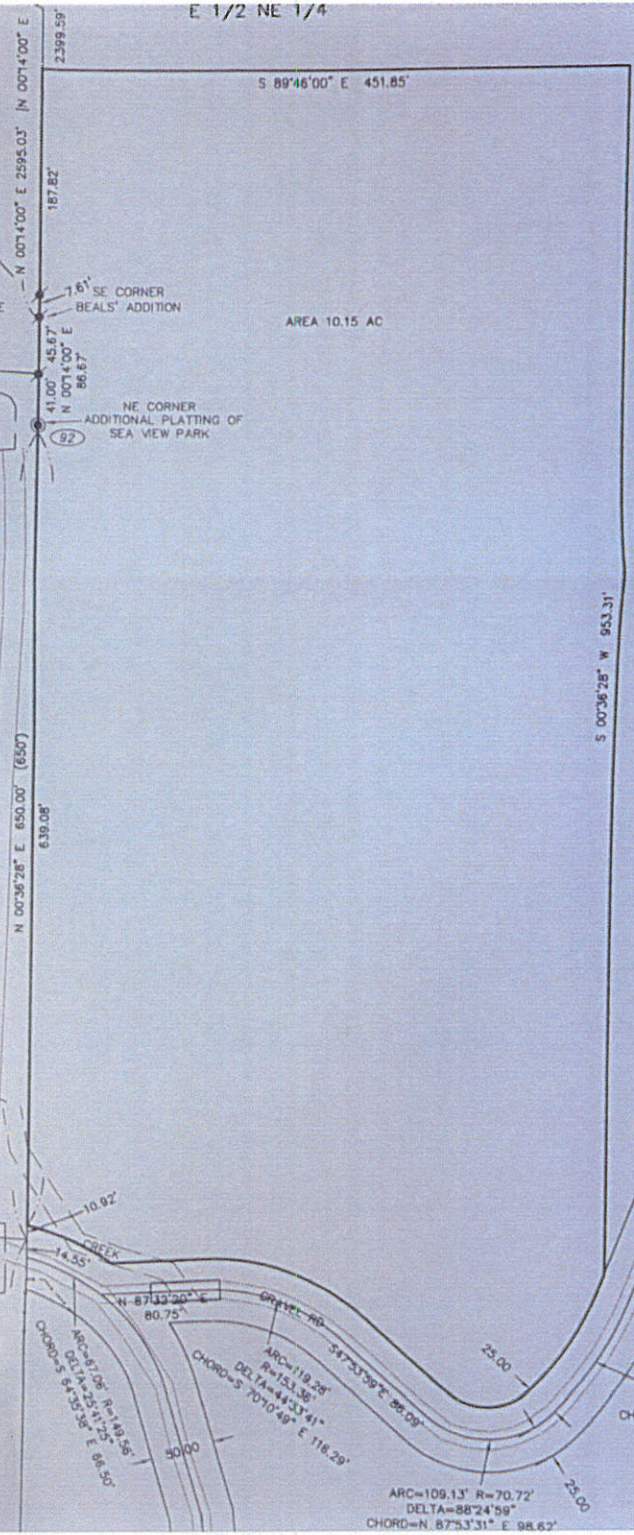
BASIS OF BEARINGS

THE LINE BETWEEN FOUND MONUMENTS NUMBERED 1 AND 92 BEARS NORTH 00°14'00\"/>

NARRATIVE

THIS IS A DEPENDENT SURVEY OF A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 10 WEST, WILLAMETTE MERIDIAN. THE WEST LINE OF ADDITIONAL PLATTING OF SEA VIEW PARK AND THE EAST LINE OF BEALS' ADDITION TO LAKE LYTLE WAS HELD FOR THE WEST BOUNDARY.

THE PLAT OF SEA VIEW PARK, MAP C-22 AND THE PLAT OF ADDITIONAL PLATTING OF SEA



BAYSIDE SURVEYING
 11765 HWY 101 SOUTH
 TILLAMOOK, OR. 97141
 (503) 842-5551

EQUIPMENT: PIPER V
 TOPCON ES-103
 FC-5000

DATE: _____
 DATE: _____

DATE: _____
 DATE: _____

REGISTERED PROFESSIONAL LAND SURVEYOR

Terry L. Jones

OREGON
 JULY 25, 1999
TERRY L. JONES
 2507

RENEWAL DATE: JUNE 30, 2021

PARTITION PLAT FOR:
CITY OF ROCKAWAY BEACH
 E1/2 NE 1/4, E1/2 SE 1/4, SECTION 32,
 T2N, R10W, W.M.

TILLAMOOK COUNTY, OREGON

DRAWN: _____
 CHECKED: _____

CREW: _____
 DWE: _____

TLJ: _____
 JOB NO.: _____

ARC=104.12' R=263.80'
 DELTA=22°36'48"
 CHORD=N 32°22'38" E 103.44'

ARC=109.13' R=70.72'
 DELTA=88°24'59"
 CHORD=N 87°53'31" E 98.62'

ARC=119.28' R=133.38'
 DELTA=44°53'41"
 CHORD=S 70°10'49" E 118.29'

ARC=87.08' R=149.35'
 DELTA=41°23'41" E 88.50'

Background

- City has worked with DLCD regional representative to follow correct process and have state buy-in
- City has submitted application for zone change and map amendment to Tillamook County
- The City has begun the process of amending its Comprehensive Plan and Zoning Maps to expand the UGB and apply Public Facilities Zoning
- In order to take effect, decision to expand UGB and amend maps must be concurrent with City and County

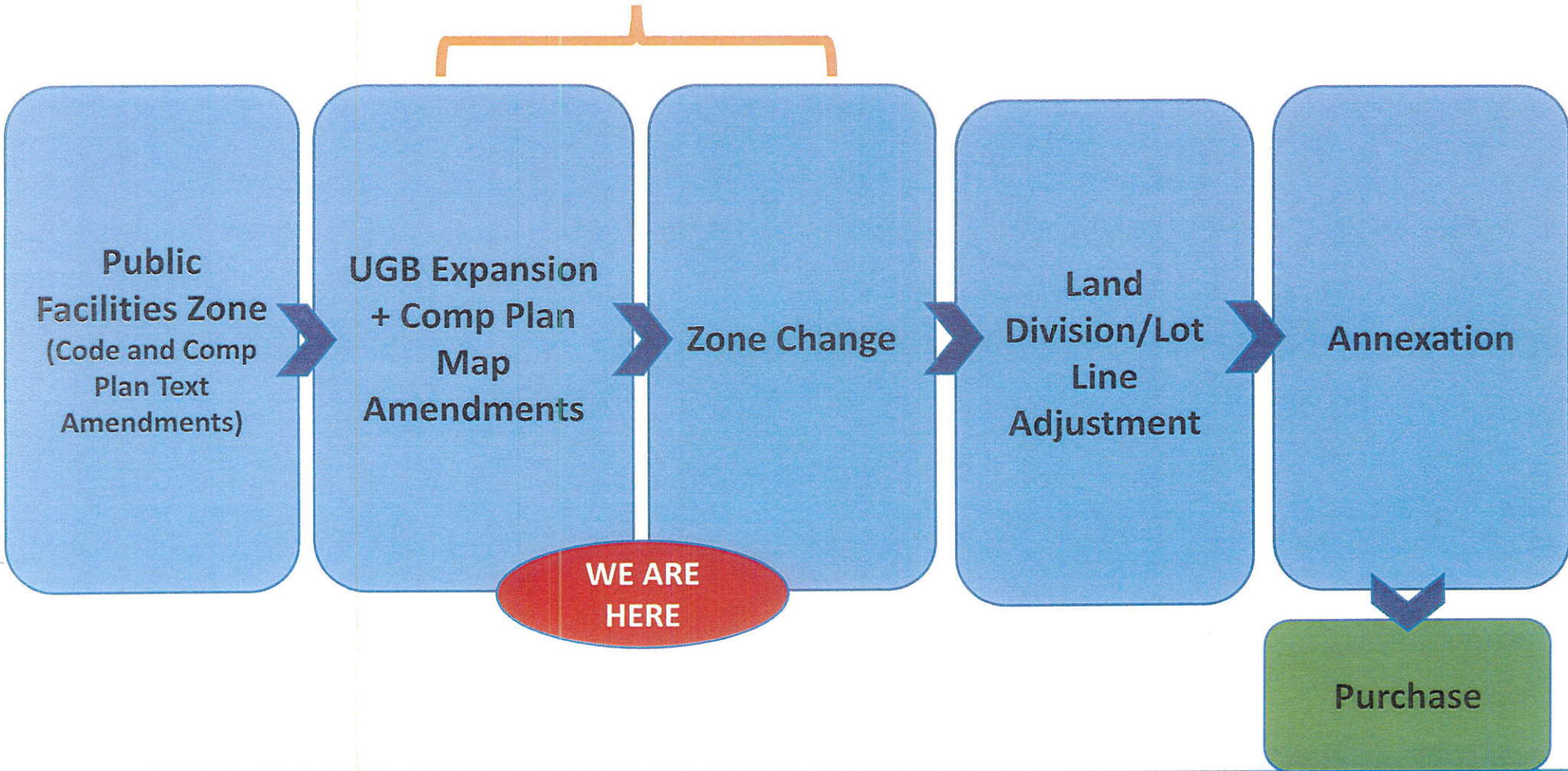


DLCD



Process

These steps will be completed at one public hearing

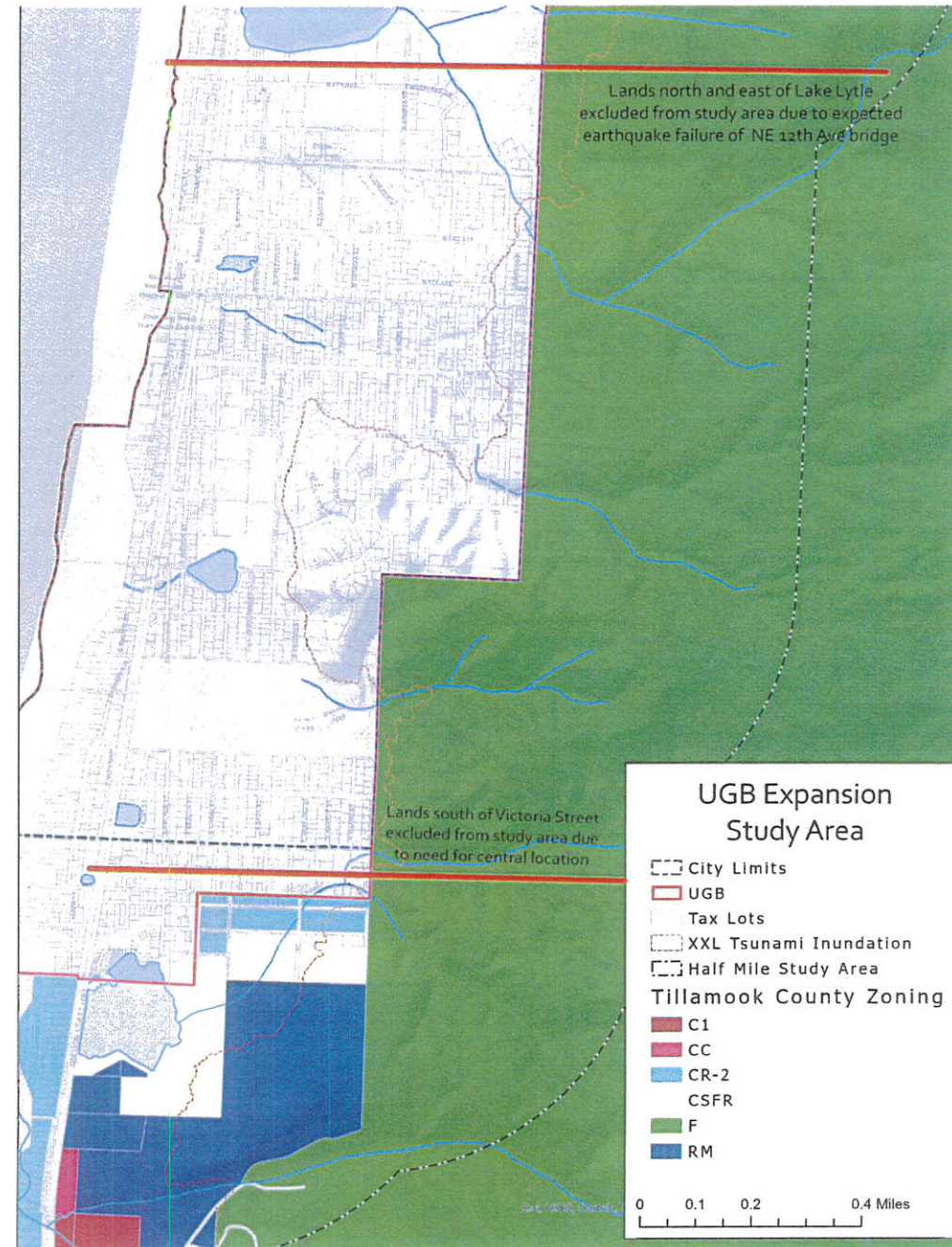


OAR 660-024

- Oregon Administrative Rule 660-024 requires specific analysis for UGB expansion
- Process is slightly simplified because Rockaway Beach is a small community adding a small parcel of land (less than 50 acres)
- Analysis Steps:
 1. Establish UGB Study Area
 2. Prioritize candidate sites for inclusion in UGB
 3. Choose preferred site based on Goal 14 Boundary Location Factors

Establish Study Area

- Within ½ Mile of UGB
- Because land is intended for public facilities that require certain site characteristics, we may narrow the study area to sites that meet those criteria:
 1. Outside M and L tsunami inundation zones
 2. Accessible after anticipated infrastructure failures due to earthquake
 3. Sufficient parcel size
 4. No or few development constraints
 5. Central location (to reduce impacts on emergency response times)

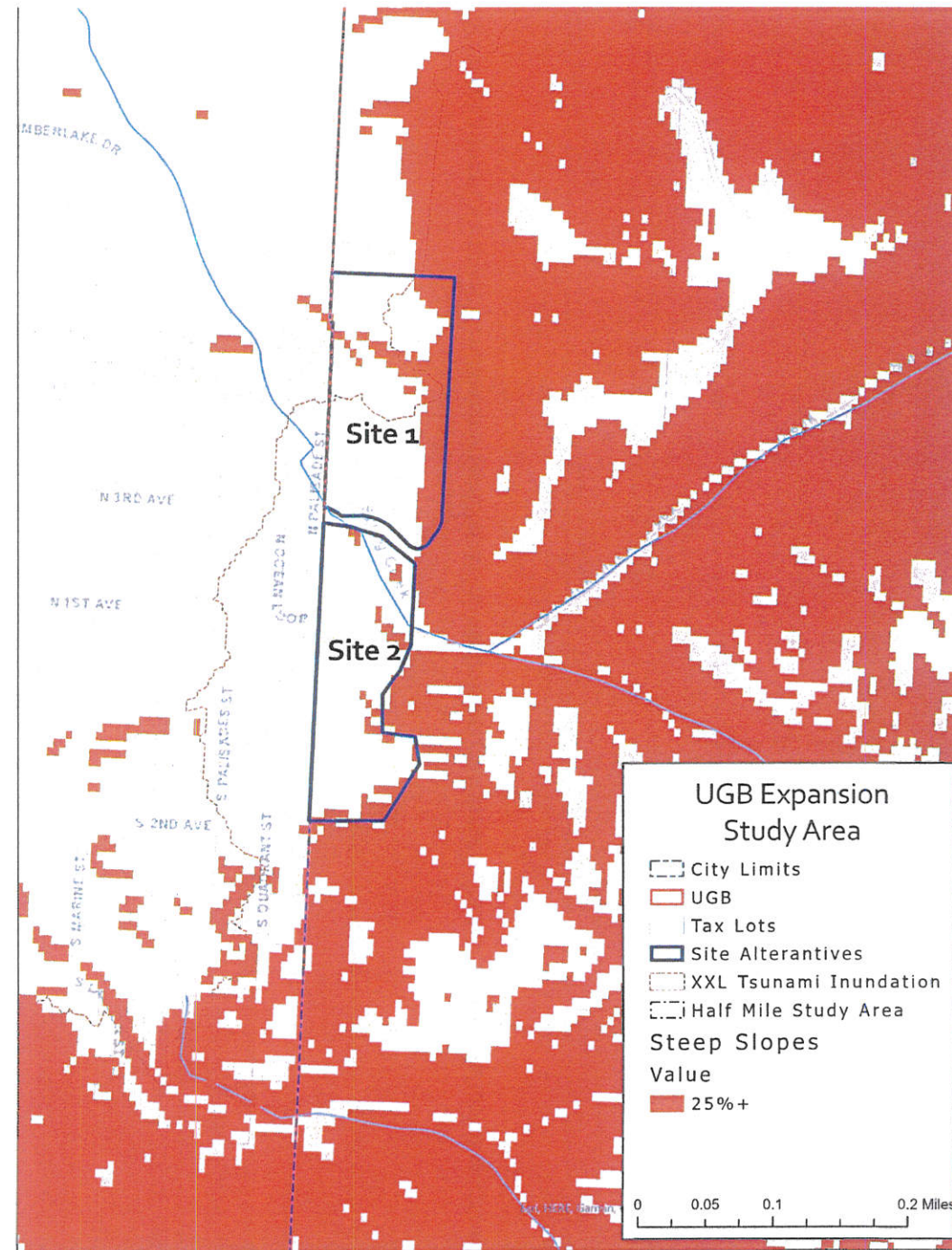


Prioritize Candidate Sites

Land within study area must be prioritized for inclusion in the following order:

1. Urban reserves areas, exception lands, or non-resource-lands
 - None for consideration
2. Marginal lands
 - None that meet study area criteria
3. Forest lands and non-high value farm lands
 - All study area land is within Forest (F) Zone
4. High value farm lands
 - None for consideration

Two final sites for consideration



Goal 14 Boundary Location Factors

1. Efficient accommodation of identified land needs
 - Site 1: Fewer development constraints
 - Site 2: More development constraints – existing logging road and steep slopes
2. Orderly and economic provision of public facilities and services
 - Site 1: Sewer and water available, some road improvements will be required
 - Site 2: Sewer and water available, existing roadway may be sufficient depending on access point
3. Comparative environmental, energy, economic, and social consequences
 - Site 1: Less impactful consequences overall
 - Site 2: More impactful social consequences on directly abutting existing residential uses
4. Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.
 - Site 1: No anticipated impacts to adjacent forest uses.
 - Site 2: No anticipated impacts to adjacent forest uses.

Final Preferred Site: Site 1

Next Steps for Rockaway Beach

- **June 17:** Rockaway Beach Planning Commission Meeting to recommend UGB Expansion, Comprehensive Plan and Zoning Map Amendments
- **July 14:** Rockaway Beach City Council Meeting to adopt UGB Expansion, Comprehensive Plan and Zoning Map Amendments
- Land Division
- Annexation
- Land Purchase
- Master Plan for Critical Facilities Relocation

Allison Hinderer

From: Sarah Absher
Sent: Thursday, June 3, 2021 10:05 AM
To: Allison Hinderer
Subject: City of Rockaway zone change
Attachments: 5.2steele.docx

Please make 13 copies and post on the DCD website after our deadline this afternoon.

Sincerely,
Sarah

From: Steele Fleisher <steelefleisher@gmail.com>
Sent: Thursday, June 3, 2021 9:54 AM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Cc: kari fleisher <kfleisher21@gmail.com>
Subject: EXTERNAL: City of Rockaway zone change

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Good morning,
Would you please be so kind as to include the attached testimony in the staff report that will be presented to the Planning Commission.
Thank you.
Steele Fleisher

June 2, 2021

TO: Tillamook County Planning Commission

Kurt Heckerth, Chair

Mark Roberts

Megan Gillas

Don LaFrance

Chad Allen

Guy Sievert

Gale Ousele

RE: City of Rockaway Beach Zone Change/Map Amendment Request

Thank you for the opportunity to provide feedback. We would ask that you vote to deny the zone change and map amendment requested by the City of Rockaway Beach.

The main reasons are:

- Forest Zone allows for proposed uses with the proper review (fire, emergency)
- The City's Tsunami Evacuation plan allows for exceptions for critical facilities within the Overlay zone following the passage of HB3309
- Relocation of all facilities is not necessary and will be too costly.

The current property is zoned Forest by Tillamook County. This zone currently allows outright for the placement of fire stations for rural fire protection. As part of a type 2 review, it allows for the storage structures for emergency supplies and public parks. The City of Rockaway can develop emergency storage buildings for fire apparatus similar to the Netarts Oceanside Fire Districts at the new sewer plant. The Netarts-Oceanside Sanitary District property remains forest zoned. So too, should the property that was identified in the request by the City of Rockaway Beach.

We have lived in Rockaway Beach at 141 N Palisade St (lot 1707 in your packet) for over 3 years and enjoy our home and proximity to services. We are very concerned about an unnecessary costly expansion that would increase either fees or property taxes significantly. However, we understand the need for critical facilities.

The City of Rockaway Beach drafted its Tsunami Evacuation Plan on April 16, 2019. This document identified that all critical facilities are located inside the Tsunami inundation zone. The placement of these vital structures is not unlike any other coastal community in Oregon. In June of 2019, House Bill 3309 was passed by the Oregon State Legislature eliminated the prohibition and allowing new critical facilities to be built within tsunami zones. HB3309 was developed and recommended as part of the Coastal Caucus of legislators. The Coastal Caucus represents the Oregon Coast. Our representatives to the state say that both residents and visitors understand to accept the risks and consequences of

tsunamis. (Reports, 2019). It is noted that emergency managers say it is ideal to have them out of any area of known risks.

The City of Rockaway Beach passed an overlay zone to eliminate these critical facilities from the zones (incorporated into Rockaway Beach Zoning Ordinance June 2020 Section 3.124 (4)). However, it too allows for exceptions when there are no other reasonable options (Rockaway Beach Zoning Ordinance June 2020 Section 3.124 (5)). It may not have been apparent that the current law of 25 years has been overturned to allow options to keep these facilities in their present locations. These new facilities would have to be designed with consultation with DOGAMI to engineer safe facilities for escape.

The City of Rockaway Beach's Tsunami Evacuation Facilities Improvement Plan (TEFIP) evacuation plan identified travel speeds to safely escape a tsunami. There were areas identified where a person would have to run, jog, or fast walk to reach safety in the event of a tsunami. One of these locations is very near the present fire and city hall. Evacuation speed could be decreased if the current buildings fire and city hall(s) were redesigned for a vertical escape. As a result, more people will likely survive, with more residents reaching shelter to ride out the wave.

It is known that during major catastrophe's that your number one priority is to ensure your family's safety. Then once covered, based on your capabilities, one can be able to respond to emergencies. For example, in a Cascadia earthquake with a tsunami event, in all likelihood, streets, roads, water, and sewer systems will fail or be flooded. No relocation of city services will help. An emergency command system, basic sheltering, emergency supplies of food/water, digital backups, and the ability for government continuity would be essential and allowed for under current zoning.

Over and above what is currently allowed, any development at this location would increase road traffic. North 3rd street only consists of an asphalt surface of two car width. No curbs or sidewalks exist. The street is highly congested with dog walkers and families with their beach gear. Many times is only passable one lane at a time. The entrance off HWY 101 at North Third street is highly congested with local post office traffic. With the current heavy truck traffic, the road surface is cracking on the newest section of North Third near North Palisade St. To repair North Third and ensure pedestrian safety, it would require substantial road improvements, sidewalks, bike lanes, and alike. The current transportation plan identifies none of these improvements.

The selected site has a creek cutting off half of the property. In addition, the site is close to adjacent to identified landslides. As a result, the access on North Third would be cut off. It too is serviced by a bridge. The North Palisades entrance, too, may be inaccessible. Therefore, our main question is whether a feasibility study has been completed to determine whether this site meets the stated needs?

Based on actively monitoring public medical and calls for service, most needs are either to the North or South of the current station requiring HWY 101 access as fast as possible to respond. The question about emergency response times may not be shortened at the proposed location, likely increasing on a day-to-day basis. Has a correlation been established between the proposed site and the number of calls received?

We are asking that you deny the expansion of the UGB request by the City of Rockaway Beach. The City of Rockaway Beach has not researched or exhausted all alternative locations. We do not believe they have met their burden of proof. Second, the City of Rockaway Beach has not updated its transportation plan to include all traffic types affected by the proposal. The transportation plan should accommodate everyone. Third, the City has not provided the public with enough evidence on their ability to purchase the property identified in the request. How the City will pay for the acquisition of the property, let alone maintain it? This needs to be taken into consideration. The high cost of development will need to include a creek and landslide risk that exists on the property.

Thank you for your time in this matter.

Steele H. Fleisher

Kari R. Fleisher

References:

City of Rockaway Beach's Tsunami Evacuation Facilities Improvement Plan (TEFIP)

[https://corb.us/vertical/sites/%7B087A747C-D4DD-4132-9CE8-8372D0E33390%7D/uploads/Tsunami Evacuation Facilities Improvement Plan\(1\).pdf](https://corb.us/vertical/sites/%7B087A747C-D4DD-4132-9CE8-8372D0E33390%7D/uploads/Tsunami%20Evacuation%20Facilities%20Improvement%20Plan(1).pdf)

Reports, T. O. S. A. W. (2019, June 24). *Oregon Legislature repeals ban on building in tsunami zone.*

Oregonlive. <https://www.oregonlive.com/politics/2019/06/oregon-legislature-repeals-ban-on-building-in-tsunami-zone.html>

Tillamook County Forest Zoning Code:

https://www.co.tillamook.or.us/sites/default/files/fileattachments/community_development/page/27173/finalsection3004forestzone.pdf

Allison Hinderer

From: Cassandra Dobson <cdobson@frego.com>
Sent: Thursday, June 17, 2021 1:20 PM
To: Sarah Absher; Allison Hinderer
Cc: Scott Fregonese
Subject: EXTERNAL: 85-21-000069-PLNG Final Written Testimony
Attachments: 851-21-000069-PLNG_CORB Final Written Testimony_06172021.pdf

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Hi Sarah and Allison,

You may find our final written testimony attached. Please let us know if there is anything else you need from us as we get ready for the meeting. We will plan on sending you a brief (no more than 15 minute) PowerPoint presentation ahead of the meeting, like last time.

Thanks!

Cassandra Dobson
Urban Planner & Project Manager
Fregonese Associates
1525 SW Park Ave, Suite 200
Portland OR 97201

Starting March 17, 2020, I will be working from home until further notice and available during our usual business hours, 9 am to 5 pm. E-mail will be the best way to reach me during this time.



TO: Tillamook County Planning Commission
c/o Sarah Absher, Director
Tillamook County Department of Community Development
1510 B Third St.
Tillamook, OR 97141

FROM: Scott Fregonese, City Planner

SUBJECT: Final Testimony for Zone Change/Map Amendment Request
851-21-000069-PLNG

DATE: June 17, 2021

ATTACHMENTS:
A: Rockaway Beach DOGAMI Tsunami Inundation Scenarios

Dear Chair Heckerroth and members of the Tillamook County Planning Commission:

Thank you for the opportunity to provide final written testimony for consideration in the matter of our application for a Zone Change and Map Amendment to accommodate the relocation of Rockaway Beach's critical facilities outside of the tsunami inundation zone. This project is an important step in increasing our community's overall resilience and preparedness in the event of a Cascadia Subduction Zone earthquake and tsunami. As the applicant, the City would like to use this final testimony to address several issues that have been presented throughout the public comment period and to clarify several points from our initial application.

Intended Relocation Process and Next Steps

Thanks to ongoing conversations and negotiations with the owner of the subject parcel, and co-applicant, Greenwood Resources, the City of Rockaway Beach (City) is prepared to purchase the proposed relocation site once the required land use processes have been approved and adopted. However, relocation of critical facilities in Rockaway Beach will likely be a long-term process and will occur incrementally.

The City's first step after completing the land purchase will be to create a master plan that creates a detailed site plan of the relocation site, creates plans for any necessary infrastructure improvements, and identifies a timeline for relocation of specific facilities. This master plan will be created through an extensive and inclusive public engagement process.

While relocation of critical facilities is a priority for the City, budgetary constraints and the condition of existing facilities will necessitate a long-term relocation process, occurring incrementally as funding is secured and buildings reach the end of their life cycle. Facilities proposed for relocation include:

- **Rockaway Beach Fire Station.** The existing Fire Station has reached the end of its operational life cycle and will need to be relocated or reconstructed within the next several years.
- **Rockaway Beach Public Works Office and Equipment Storage.** The Public Works Department wishes to establish a location where some of their equipment, especially that which will be necessary to clear debris in the event of an earthquake/tsunami, can be stored outside of the inundation zone. This equipment storage will likely be accompanied by a satellite Public Works office. The Public Works office and wastewater treatment facility will remain operational, and it is likely that the majority of service calls will be answered from this location.
- **Rockaway Beach Police/Tillamook County Sheriff Station.** While the City has recently dissolved their local police force and entered an agreement with the Tillamook County Sheriff's Department to provide law enforcement services in Rockaway Beach, there is a possibility that the City will reinstate its police force in the future or wish to construct a dedicated station for the Sheriff's Department staff serving the area. To remain consistent with its tsunami preparedness goals and regulations, the City has determined that this station must be located outside of the inundation zone.
- **Rockaway Beach City Hall.** The existing City Hall building was recently constructed, and still has many years left in its operational life cycle. However, the City recognizes that there is a need to relocate this facility at some point in the future, though this will be the longest-term relocation project. In the interim, the City may construct a satellite office at the relocation site to house emergency supplies and communications equipment.

In addition to these facilities, the City wishes to expand the existing tsunami evacuation assembly area on the site to include a permanent storage space for supplies, shelter, and equipment to be used in the event of a tsunami or other emergency. Because of existing development constraints, a portion of the land will likely be set aside as a public park or open space.

While this is a long-term project, by completing the necessary land use processes and purchasing the land now, the City may begin planning for both short and long-term relocation efforts by creating a master plan, working with the community and stakeholders, and applying for funding to help accomplish this important preparedness and resilience goal.

Public Facilities Zone versus Existing Forest Zone

While some of the City's proposed uses within the subject parcel are permitted within the existing Forest Zone, we feel that including the land within the City's urbanizable area and rezoning the subject parcel to Public Facilities is the appropriate approach to accommodate our overall objective. The table below compares allowed uses within the Tillamook County Forest Zone and the Rockaway Beach Public Facilities Zone, as related to the proposed critical facility relocation:

Proposed Use	Forest Zone	Public Facilities
Public Works Office	No	Yes
Public Works Equipment Storage	Parking of dump trucks and trailers allowed (more than seven requires Type 2 Review)	Yes
Fire Station	Yes (for rural fire protection only)	Yes
Police Station	No	Yes
City Hall/City Offices	No	Yes
Emergency Assembly Area/Emergency Supply Storage	Allowed with Type 2 Review	Yes
Park/Open Space	Allowed with Type 2 Review	Yes

In addition, the current Forest zoning does not allow for a land division of less than 80 acres, far larger than what the City has proposed to purchase or that is required for relocation. In order to complete a land division for the proposed 10.15-acre parcel, the County must first change its zoning of the site. Because of use limitations and the need for a land division of smaller than 80 acres, the City has requested a UGB expansion and rezoning of the land to accommodate critical facility relocation.

HB 3309 and Location of Critical Facilities

While the passage of HB 3309 removed statewide restrictions on constructing critical facilities within the tsunami inundation zone, the Rockaway Beach community, through the adoption of a Tsunami Hazard Overlay Zone (THO), has opted to maintain these restrictions on a local level. While HB 3309 was passed after the adoption of the THO, the city's local regulations remain in place.

The THO restricts the development of most critical facilities within the M and L tsunami inundation scenarios identified by DOGAMI. Due to the geography of the city, 70% of existing structures are within the M inundation zone, and 85% of existing structures are within the L inundation zone. This, accompanied by other necessary criteria for a potential relocation site, has severely limited the number of sites eligible for relocation (for more information on the site selection process completed as required by State law, please see Exhibit B of the City's application submittal).

While the zone does provide a process by which new critical facilities can be exempted from these requirements, the City has adopted a Tsunami Evacuation Facilities Improvement Plan which calls for the relocation of these facilities outside of the inundation zone. In keeping with preparedness best practices, the City has chosen to plan for the worst case scenario, and has chosen a site that is largely outside of the XXL inundation zone (for a map of DOGAMI Inundation Scenarios in Rockaway Beach, see Attachment A).

Impacts on Surrounding Properties

Due to geographic constraints and existing development patterns, any feasible site for the relocation of critical facilities will be located adjacent to or near existing residential developments (for more

information on the site selection process completed as required by State law, please see Exhibit B of the City's application submittal). The City is aware of the concerns of surrounding property owners and will be taking the appropriate steps to ensure that impacts to nearby neighborhoods are as minimal as possible. The master planning process will include outreach to and engagement with surrounding residents as well as the larger Rockaway Beach community.

Developments will be screened from residences by a vegetated buffer, and new buildings will likely be clustered to the south and southeastern portion of the property, due to existing environmental constraints. The City wishes to create a community amenity by preserving a portion of the property as open space or creating a public park.

During the master planning and development process, the City will work to ensure that traffic impacts to the neighborhood are minimal. Required roadway and other infrastructure improvements will be made ahead of development on the site. The City has coordinated with all department heads of proposed relocated facilities during the application process, and have learned that trips generated by the relocations are expected to be minimal (for more information on expected trip generation, see Exhibit C of the City's application submittal). The phased and long-term nature of the relocation project means that impacts will occur gradually, with the lower traffic uses being the most immediate changes.

Environmental Impacts

The City will work with State and Federal agencies during the master planning and development process to ensure that all environmental protection regulations are followed, including required protection of wetlands and streams on the property.

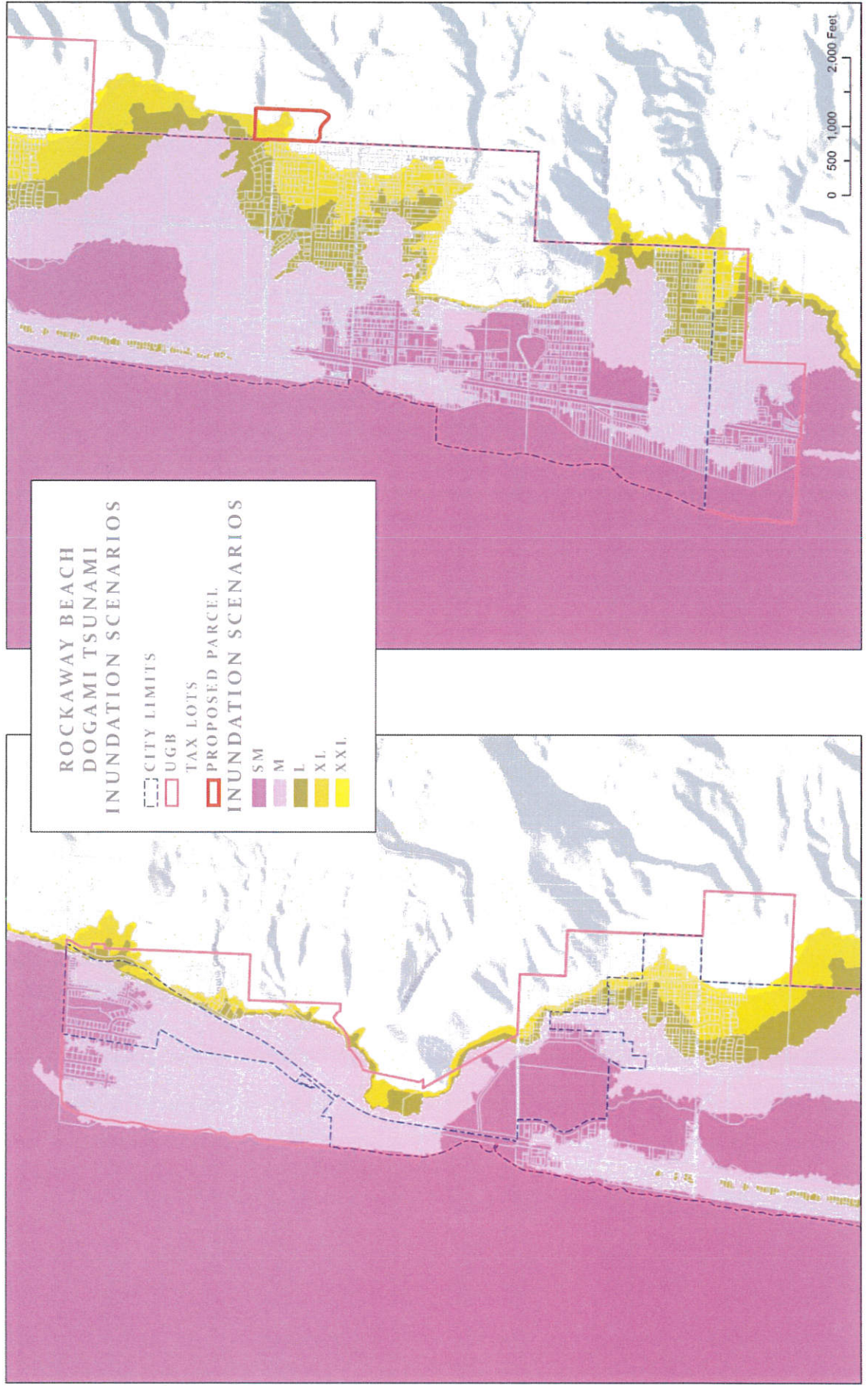
We appreciate your time and consideration of our application. We look forward to providing our final statements at the June 24th Planning Commission Meeting and addressing any additional questions or concerns you may have at that time.

Thank you,



Scott Fregonese
City Planner
City of Rockaway Beach

ATTACHMENT A



Tillamook County Planning Commission

June 24, 2021



Applicant's Final Statement

Critical facilities relocation is a high priority preparedness goal for Rockaway Beach, as stated in the 2018 Tsunami Evacuation Facilities Improvement Plan.

Adoption of a UGB expansion and rezoning of the subject parcel is the first step in helping the City work towards this goal.



Intended Relocation Process

Relocation will be a long-term process

- Some facilities have reached the end of their lifespan and will need to be moved within the next few years
- Others have many years left in their functional life, and will be moved over a longer term
- Establishment of emergency equipment and supplies is a short-term priority



Intended Relocation Process

- Completing the land use processes and purchase will allow the city to begin creating a master plan for the site
 - Will help secure grants and other types of funding for emergency preparedness and resilience
 - Will detail site design with regard to minimizing environmental and neighborhood impacts
 - Establish a timeline for relocation
 - Will be based on public input



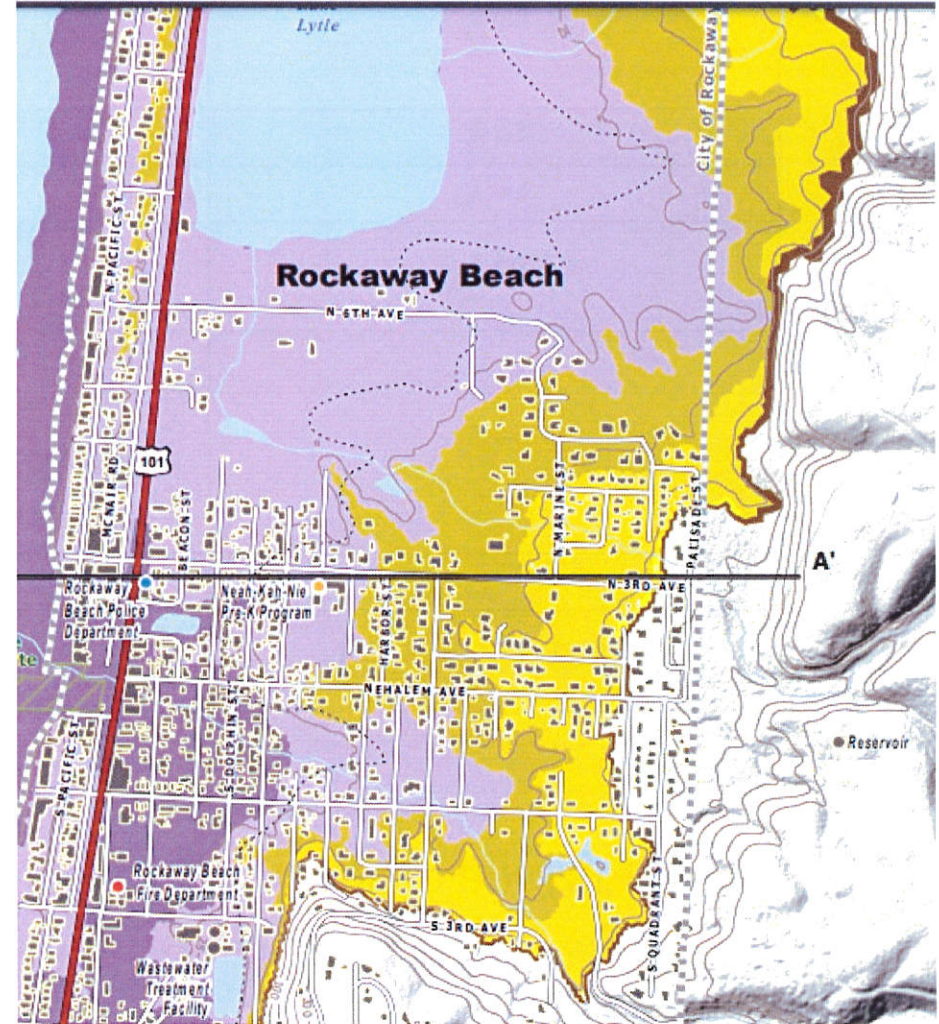
Forest Zone vs Public Facilities Zone

- While some proposed uses are allowed under the existing Forest zone, expanding the UGB and rezoning for Public Facilities is more appropriate for the City's long-term plans

Proposed Use	Forest Zone	Public Facilities
Public Works Office	No	Yes
Public Works Equipment Storage	Parking of dump trucks and trailers allowed (more than seven requires Type 2 Review)	Yes
Fire Station	Yes (for rural fire protection only)	Yes
Police Station	No	Yes
City Hall/City Offices	No	Yes
Emergency Assembly Area/Emergency Supply Storage	Allowed with Type 2 Review	Yes
Park/Open Space	Allowed with Type 2 Review	Yes

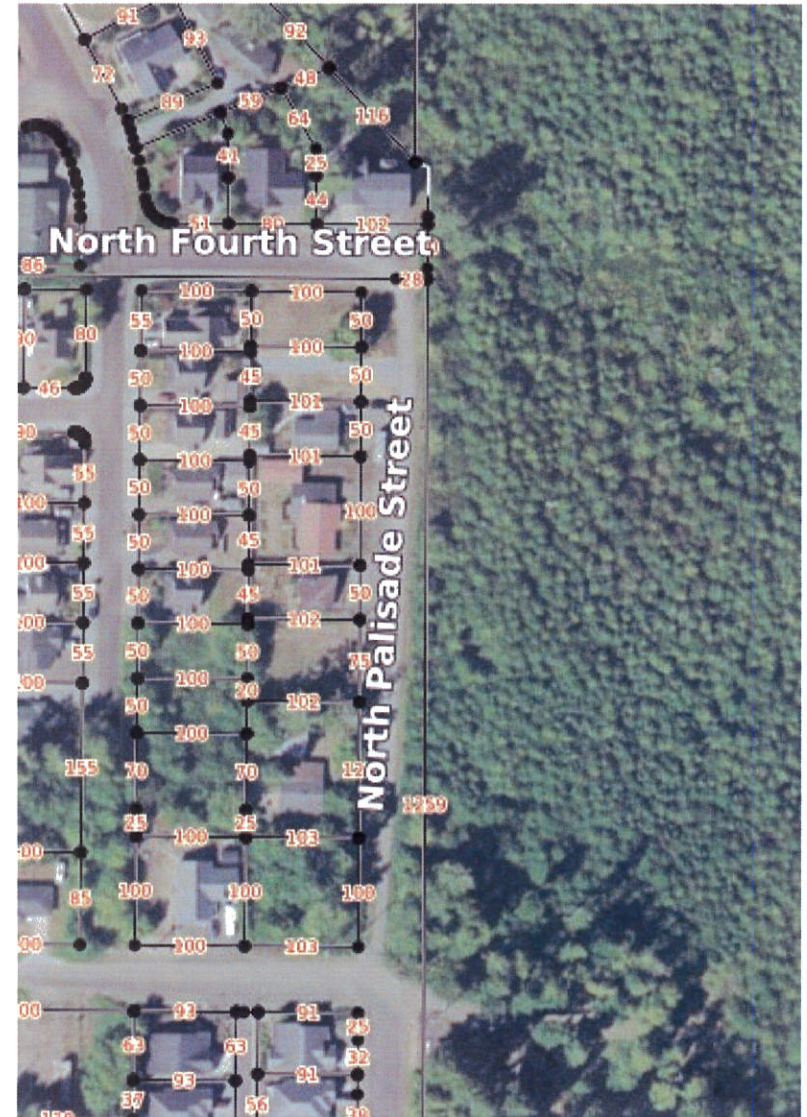
HB 3309 and Location of Critical Facilities

- HB3309 (2019) removed statewide restrictions on locating critical facilities within the tsunami inundation zone
- Rockaway Beach has chosen to keep stricter requirements in place with its Tsunami Hazard Overlay Zone



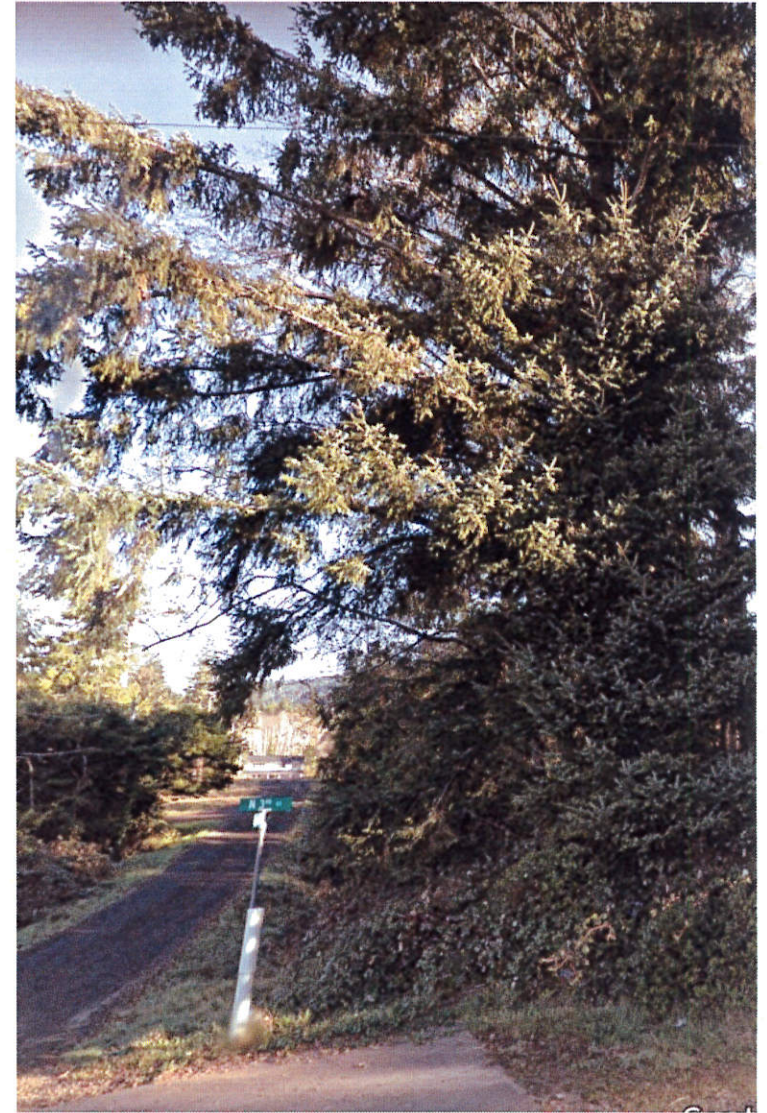
Impacts on Surrounding Properties

- The City will make every attempt to minimize impacts to surrounding properties through measures such as:
 - Vegetated screens and buffers
 - Development clustered away from residences
- The master plan process will include extensive public involvement



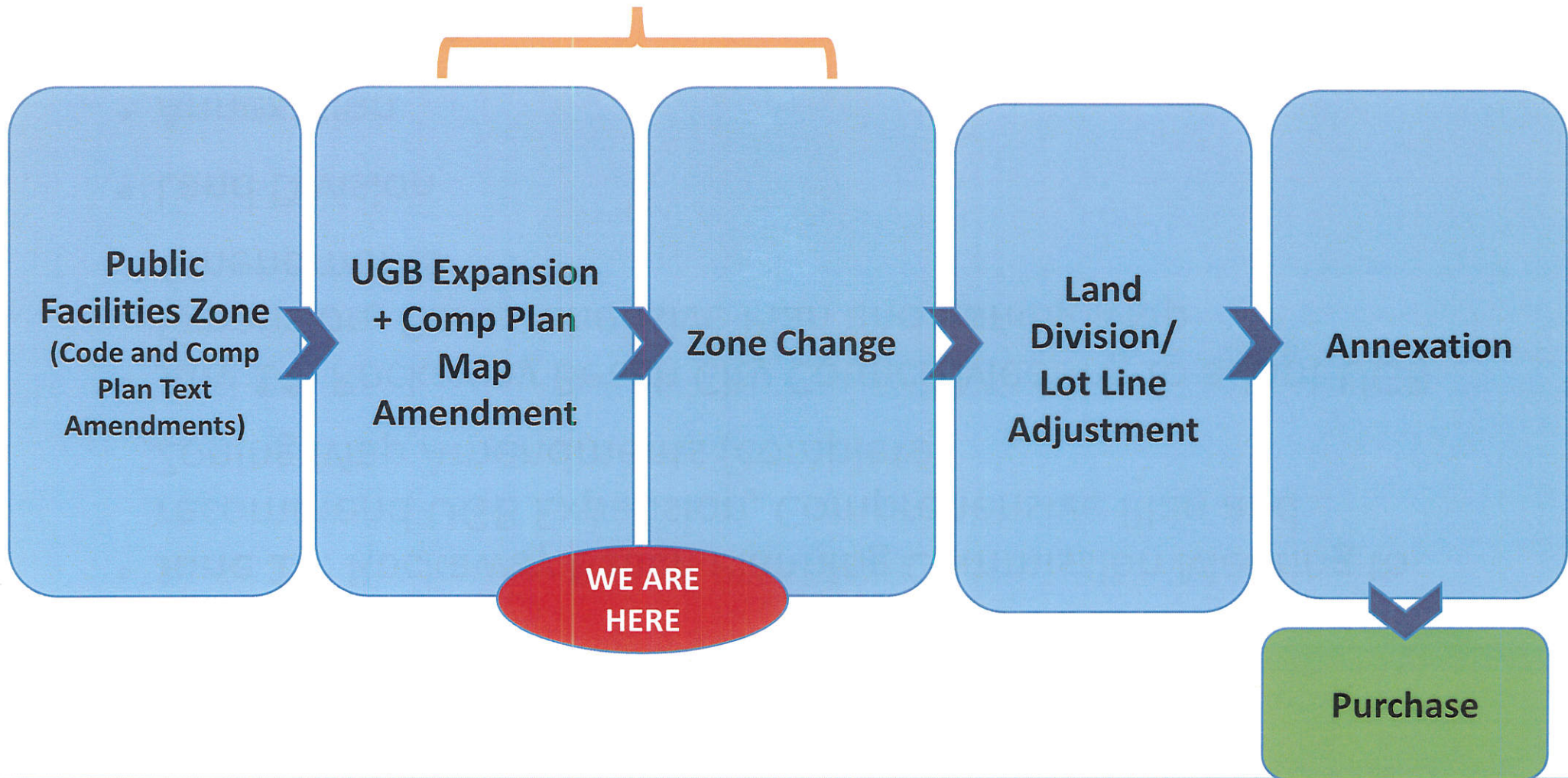
Environmental Impacts

- The City will work with all relevant local, state, and federal agencies throughout the master planning process to ensure that environmental impacts are minimized and all regulations are followed



Process

These steps will be completed at one public hearing



Next Steps for Rockaway Beach

- **June 17:** Rockaway Beach Planning Commission Meeting to recommend UGB Expansion, Comprehensive Plan and Zoning Map Amendments (complete)
- **July 14:** Rockaway Beach City Council Meeting to adopt UGB Expansion, Comprehensive Plan and Zoning Map Amendments
- Land Division
- Annexation
- Land Purchase
- Master Plan for Critical Facilities Relocation