

**ARCH CAPE DOMESTIC WATER SUPPLY DISTRICT
BOARD OF COMMISSIONERS MEETING**

Thursday February 13, 2025 3:30

Zoom Only

<https://us02web.zoom.us/j/85742687999?pwd=YrDbHbG8sGWkke9EamLkP8S0gXyago.1>

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| I. Call to Order | Bill |
| II. Executive Session: Meeting of Joint Personnel Committee | Bill |
| Executive Session: To consider information or records that are exempt by law from public inspection ORS 192.660(2)(f) | |
| III. Public Comments | Bill |
| IV. Agenda Approval (Action) | Bill |
| V. Approve January 16th Meeting Minutes (Action) | Bill |
| VI. Update SDC & Water Metering Ordinances (Action) | Bill |
| <ul style="list-style-type: none">• Amend definition of Accessory Dwelling Unit (Ordinance 2025-0213A)• Repeal Requirement for Water Metering by Dwelling Unit (2025-0213B)• Adopt Requirement for Water Metering by Clatsop County Dwelling Type (2025-0213C) | |
| Motions: | |
| A. Authorize Board Chair to Sign Ordinance 2025-0213A | |
| B. Authorize Board Chair to Sign Ordinance 2025-0213B | |
| C. Authorize Board Chair to Sign Ordinance 2025-0213C | |
| VII. March 20 Meeting | |
| <ul style="list-style-type: none">• Appoint Budget Committee Members | |
| VIII. Adjournment | |



**ARCH CAPE DOMESTIC WATER SUPPLY DISTRICT
BOARD OF COMMISONERS MEETING
Thursday, January 16, 2025; 6:00 pm**

Pursuant to notice posted, the regular monthly Board Meeting for the Arch Cape Domestic Water District was held via Zoom.

I. Call to Order at 6:00 pm Roll call: Bob Cerelli, Sam Garrison, Tevis Dooley, Bill Campbell and Chris Mastrandrea, Public: Darr Tindall, J Bettis, Dale Mosby, Matt Gardner, Staff and Teri Fladstol, Admin.

II. Public Comments – None

III. Conflict of Interest Declarations - None

IV. Motion to approve agenda by Sam Garrison, Second by Tevis Dooley, motion carried.

V. Motion to approve October 17, 24 Minutes, Motion by Tevis Dooley, seconded by Chris Mastrandrea

To approve November 26, 2024 minutes, Motion by Chris / seconded by Sam

VI. Financial & Administrative Reporting – no questions; Sam Garrison gave report on reconciliation of accounts.

Bill reported that Asbury Creek Intake starting early, reimbursement is good as far as cash flow but we did not budget for these expenditures so we may need to do a supplemental budget; need to make sure that our appropriations match.

VII. Updated IGA from Cannon Beach – updated to current information; replacing what was in place. Motion to authorize the board chair to sign – motion by Tevis / Chris 2nd; carried

VIII. Amend Capital Budget – computer components / circuitry (currently spent slightly over \$50k and still have some work to do) – this resolution is for 2025-0116A WD / Motion by Bob, 2nd by Chris; carried

IX. Resolution – Short Term Borrowing authorize board chair... Motion by Sam Garrison, 2nd by Bob Cerelli; motion carried;

X. Calendar of Upcoming Events ...

Budget Committee members needed (2) March 20th and start Budget schedule on April 3rd;

XI. Reports.

- RFP for Interim District Administrator has been posted, decision about preferred candidates Feb 13
- Cell Tower Project – Letter of Correspondence (in Packet) / Question – Does the Board want to changes its previous decision to pend the project? (No – Bill, Tevis, Chris [public records in question], Sam [thank you to Dale / Community Club];
- Staff Report: See Board Packet
- Project Updates: See Board Packet
- Board Reports: No Comments
 - Tevis – Signs are on their way from the sign maker to Tevis; Thank you to Micah for help with the logo's
 - Bill – thank you to Tevis for work @ the Water Plant;
 - Bob – new gate, thank you!
 - Chris – will be gone February 20th

XII. February Agenda

XIII. Public Comments: Dale Mosby, wasn't there a public survey regarding the tower with interest;

Motion made by Sam Garrison to adjourn, second by Chris Mastrandrea, meeting adjourned at 6:25 pm.

Respectfully submitted,

Teri Fladstol, Secretary

Teri Fladstol, Secretary

Attest:

W.C. Campbell A.A.

Bill Campbell, Chair

Update SDC & Water Metering Ordinances - Topic Description
February 13, 2025

Action / Information: Action

Background

Questions have arisen about the applicability of the District's SDC and Water Metering Ordinances to current construction projects. These questions indicate that the Ordinances require additional clarity and precision.

The proposed changes to the Ordinances are intended to answer the following questions:

- 1) What are the standards that will be used to determine whether a dwelling unit is an Accessory Dwelling Unit (ADU)?
- 2) Is a water meter required for each equivalent dwelling unit that is on the same plot of land or only for equivalent dwelling units that on the same plot of land that can/may have separate owners?

The proposed Ordinances that are attached are:

- 1) Ordinance 2025-0213A that amends Ordinance 2024-0919A which redefines Accessory Dwelling Unit (ADU) using Clatsop County definition and standards (which are consistent with but more specific than the previously referenced State definition).
- 2) Ordinance 2025-0213B that repeals Ordinance 2024-0919B which requires a meter for each Equivalent Dwelling Unit.
- 3) Ordinance 2025-0213C that requires metering by ownership and not by equivalent dwelling units, i.e., a single-family home with an equivalent dwelling unit would only be required to have one meter whereas a duplex which has or could potentially have two owners (two equivalent dwelling units) would be required to have 2 meters.

Board Motion

- 1) Authorize Board Chair to Sign Ordinance 2025-0213A
- 2) Authorize Board Chair to Sign Ordinance 2025-0213B
- 3) Authorize Board Chair to Sign Ordinance 2025-0213C

ORDINANCE 2025-0213A

ARCH CAPE WATER DISTRICT

AN ORDINANCE AMENDING ORDINANCE NO. 2024-0919A TO CHANGE THE REFERENCE FOR THE DEFINITION OF ACCESSORY DWELLING UNIT (ADU)

WHEREAS, by and through Ordinance No. 2024-0919A (September 19, 2024) [“the 2024 Ordinance”], the Board of Commissioners (“Board”) of the Arch Cape Domestic Water Supply District (“District”) sought to clarify the terms “Dwelling Unit” and “Equivalent Dwelling Unit” for purposes of assessing System Development Charges; and

WHEREAS, subsection 1 of the 2024 Ordinance defines “Equivalent Dwelling Unit” to mean “a building or portion of a building designed for residential occupancy by a single family, excluding an Accessory Dwelling Unit (ADU) as defined in OAR 6660-004-0040”; and

WHEREAS, Clatsop County Ordinance No. 20-23 provides a definition of Accessory Dwelling Unit (ADU) that that is consistent with OAR 6660-004-0040 and also provides Structure Siting and Development standards; and

WHEREAS, the Board seeks to eliminate confusion in the standards that are to be applied to defining an Accessory Dwelling Unit (ADU);

NOW, THEREFORE, the Board hereby ordains as follows:

1. The definition in subsection 1 of the 2024 Ordinance which currently reads, “Equivalent Dwelling Unit shall mean a building or portion of a building designed for residential occupancy by a single family, excluding an Accessory Dwelling Unit (ADU) as defined in OAR 6660-004-0040,” is hereby deleted and replaced with the following: “Equivalent Dwelling Unit shall mean a building or portion of a building designed for residential occupancy by a single family, excluding an Accessory Dwelling Unit (ADU) as defined in Clatsop County ORDINANCE NO. 23.03.”

Adopted by the Arch Cape Domestic Water Supply District Board of Directors on February 13, 2025.

Attest:

Bill Campbell, Board President

Teri Fladstol, Secretary

ORDINANCE 2025-0213B

ARCH CAPE DOMESTIC WATER SUPPLY DISTRICT

AN ORDINANCE APPEALING ORDINANCE 2024-0919B REQUIRING SEPARATE WATER METERS FOR EACH EQUIVALENT DWELLING UNIT

WHEREAS, by Ordinance No. 2024-0919A dated September 19, 2024 [“the 2024 Ordinance”], the Board of Commissioners (“Board”) for the Arch Cape Domestic Water Supply District determined that efficient and effective implementation of the District’s ordinances and policies for assessing fees and charges require each unit meeting the definition of “Equivalent Dwelling Unit” as set forth above to be separately metered;

WHEREAS, the Board has determined that efficient and effective implementation of the District’s ordinances and policies for assessing fees and charges do not require all Equivalent Dwelling Unit to be separately metered;

NOW, THEREFORE, the Board hereby ordains as follows:

1. The repeal of the 2024 Ordinance.

Adopted by the Arch Cape Domestic Water Supply District Board of Directors on February 13, 2025.

Attest:

Bill Campbell, Board President

Teri Fladstol, Secretary

ORDINANCE 2025-0213C

ARCH CAPE DOMESTIC WATER SUPPLY DISTRICT

AN ORDINANCE ESTABLISHING WATER METERING REQUIREMENTS FOR PERMITTED USES BY CLATSOP COUNTY

The ARCH CAPE DOMESTIC WATER SUPPLY DISTRICT ordains as follows:

Section 1. Short Title

This Ordinance shall be known as “Establishing Water Metering Requirements Ordinance”.

Section 2. Scope and Purpose

- A. The Board of Commissioners of the Arch Cape Domestic Water Supply District (“District”) Board has determined that efficient and effective implementation of the District’s ordinances and policies for assessing fees and charges require that dwelling types, as defined by Clatsop County, have separate water metering requirements.
- B. Clatsop County has authority to establish Permitted Use of land in Arch Cape Rural Community Residential Zone (ACRCR).
- C. Clatsop County has Permitted Use dwelling types in their Land and Water Development and Use Code (LAWDUC) that were not envisioned in the District’s Ordinance 98-01, and Clatsop County may add, modify or delete dwelling types as Permitted Use in the future.
- D. Board seeks to establish a process by which water metering requirements by Permitted Use dwelling type may be modified by Resolution of the Board.

Section 3. Definitions

- A. Dwelling Type: Clatsop County LAWDUC category of dwelling units for the purpose of designating Permitted Use include, but are not limited to:
 - 1. Cluster Development - A development technique wherein house sites or structures are grouped together around accessways or cul-de-sacs, with the remainder of the tract left in open space or common open space. Clustering can be carried out in the context of a major or minor partition, subdivision, planned development or through the replatting of existing lots. No commercial or industrial uses are permitted in a cluster development.
 - 2. One Family Dwelling - A single household unit other than a mobile home whose construction is characterized by no common wall or ceiling with another unit.
 - 3. One Family Dwelling Detached - An attached building containing two or more dwelling units other than a mobile home which are individually owned with each owner having a recordable deed enabling the unit to be sold, mortgaged or exchanged independently.

4. Two Family (Duplex) - An attached building containing two dwelling units in single ownership.
- B. Dwelling Unit – Clatsop County LAWDUC definition of a permanent structure constituting a separate independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.
- C. Equivalent Dwelling Unit: Arch Cape Ordinance 2024-0919A definition of a building or portion of a building designed for residential occupancy by a single family, excluding an Accessory Dwelling Unit (ADU) as defined in Clatsop County ORDINANCE NO. 23.03.
- D. Permitted Use: Clatsop County designation for approval of a proposed development of land.

Section 4. Determining Water Metering Requirements

- A. Permitted Use ‘One Family Dwelling’ dwelling types are required by the District to have one water meter. An owner of a ‘One Family Dwelling’ dwelling type may request an additional water meter if an additional equivalent dwelling unit is permitted and constructed.
- B. Permitted Use ‘One Family Dwelling Detached’ dwelling types are required by the District to have one water meter for each dwelling unit. An owner of a ‘One Family Dwelling Detached’ dwelling unit may request an additional water meter if an additional equivalent dwelling unit is permitted and constructed.
- C. Permitted Use ‘Two Family Dwelling (Duplex)’ dwelling types are required by the District to have two water meters. An owner of a ‘Two Family Dwelling’ dwelling unit may request an additional water meter if an additional equivalent dwelling unit is permitted and constructed.
- D. Permitted Use “Cluster Development” dwelling types are required by the District to have one water meter for each dwelling unit.
- E. To continue to align with Clatsop County Permitted Use dwelling types, additional metering requirements may be modified by a resolution of the Board approved by majority vote at a properly called public meeting.

Adopted by the Arch Cape Domestic Water Supply District Board of Directors on February 13, 2025.

Attest:

Bill Campbell, Board President

Teri Fladstol, Secretary