

Polk County Comprehensive Plan

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PREFACE

This current addition of the Polk County Comprehensive Plan comprises the original text adopted in 1978 and all subsequent revisions through December 20, 1989. The Plan includes a series of Background Reports, segregated into thirteen (13) separate elements. These elements include: Citizen Involvement; Agricultural Lands; Forest Lands; Natural Resources; Willamette River Greenway; Land Capability and Resources Quality; Recreation; Population and Economics; Public Facilities and Services; Urbanization; Housing; Transportation; and Energy Conservation. The reports provide an accounting of circumstances prevailing during the period they were authored (mid to late 1970's). Each of the reports was reviewed by city and County officials, planning commissions, affected agencies, special districts, citizen involvement groups and the public at large. The reports have been deposited in the Oregon State Library and each public library within the County. In addition, a copy is available for review in the Polk County Community Development Department at the Courthouse in Dallas. This document is the text of the Comprehensive Plan which sets forth goals and policies resulting from the background studies contained in the aforementioned reports. Together with the Comprehensive Plan Map, these goals and policies are intended to serve as a guide for land use planning and development in Polk County. Included within this text are provisions for review, evaluation and update of the Plan and procedures for its amendment. And finally, the Implementation section of the Plan is a brief overview of techniques and tools available for carrying out Plan goals, policies and general intent.

The appendices in this text include a glossary of terms, the original "Exception" statement justifying the application of non-resource zoning in specific areas of the County

SECTION 1

BACKGROUND INFORMATION

HISTORY

Settlement patterns are most often the result of physical limitations that exist in the area, such as climatic conditions, geology and availability of water. Such is the case in Polk County. Large areas of the County are geologically unsuitable for either agricultural or residential uses. Seasonal water shortages and soils of marginal value characterize the majority of the County's land area. The following discussion provides a brief historical sketch of the County and illustrates the effect of settlement patterns upon present-day Polk County. Only a few of the more important historical events have been addressed.

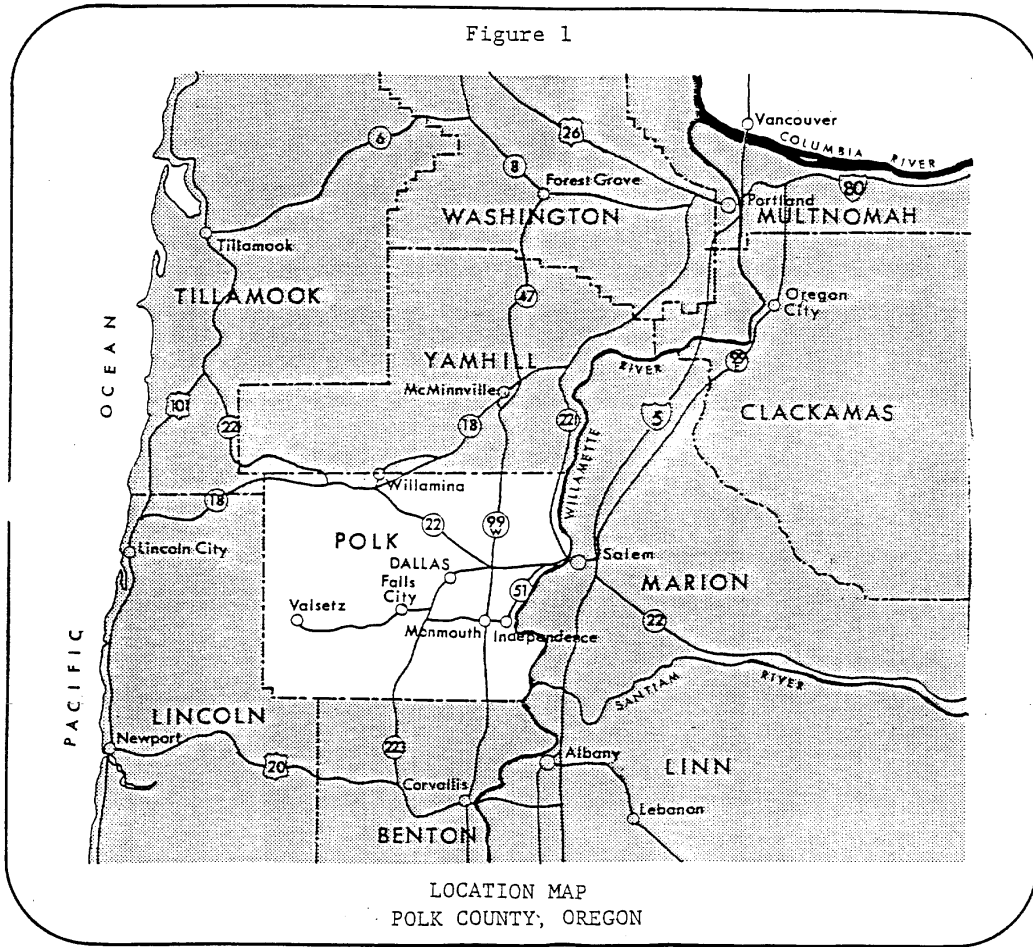
Polk County was created from Yamhill District on December 23, 1845, producing a county area which stretched from the Willamette River westward to the Pacific Ocean. Benton County was created from Polk County in 1847 and, in later years, Lane, Umpqua and Lincoln Counties were created from Benton County. In 1925, a small part of Polk County was transferred to Lincoln County. The present area of Polk County is 472,963 acres.

Hudson's Bay Company hunters and trappers had penetrated the Willamette Valley as far south as Polk County before 1830. Initial settlement of the Willamette Valley started with the establishment of Etienne Lucier's farm at the extreme northwest corner of French Prairie in 1829. French Prairie was colonized thereafter, during the 1830's and 1840's, by retired servants of the Hudson's Bay Company.

White people from the eastern United States began settlement of Polk County during the early 1840's, one settlement being made near the present site of Dallas. Jason Lee was actually the vanguard of this settlement, having established his mission at Wheatland on the east bank of the Willamette River in 1834.

The County seat was located at Cynthian (later Dallas) in 1850. A new courthouse was completed in 1860. This building was destroyed by fire in 1898 and the present courthouse was completed two years later, in 1900.

Figure 1.



Independence was named after Independence, Missouri by E.A. Thorp, a former resident of the Missouri city who platted the town in 1850. The founding of Independence was preceded by settlement of the site as early as 1845.

The city of Monmouth was founded in 1853 by settlers who moved here from Monmouth, Illinois. This group of settlers had arrived in the Willamette Valley in August, 1852 and spent their first winter at a point about three and one-half miles north-northeast of Rickreall. The present Western Oregon State College is descended historically from Monmouth University, founded by the early settlers in 1858.

Various small industries sprang up in Polk County during the period of pioneer settlement. Among them were grist and woolen mills. In the late 1840's, a grist mill was established at Ellendale and in 1852 one was established at Falls City but later moved to Rickreall. In 1865 a woolen mill was established at Ellendale at the site of the old grist mill but was later destroyed by fire. A woolen mill began operation in Dallas in 1896. What was reputedly the first pottery works in the Northwest was established at Buena Vista in 1865. Early products were housewares, but among later products was sewer pipe, a considerable amount of which was shipped to Portland. The plant closed in 1886 when the owner moved his operations to Portland.

After establishment of the Grand Ronde Indian Reservation in 1856 the remnants of the Willamette Valley Indian tribes as well as Indians from other parts of Oregon, were settled there. More than 1,000 Indians were on the reservation at one time during the 1860's. In 1908 there was a division of the reservation lands to the various Indians residing there at that time, but federal supervisory control over the last remnant of reservation land, some 500 acres, was not terminated until 1957. The Grand Ronde Agency had been terminated in 1925.

During its pioneer period, river navigation was Polk County's principal means of transport for goods produced in the County and for incoming supplies. River navigation was displaced after 1890 by railroads as the most important means of transporting goods to and from the County, although river boats were still operating as late as 1894.

It was during the period of stream navigation that the port of Lincoln attained prominence as a wheat exporting port on the Willamette. For a time, Lincoln was second only to Portland among Willamette River ports in the tonnage of wheat it handled.

Grains, cattle and sheep were among the more important of rural industries during the period after pioneer settlement in Polk County. A big change in the agricultural scene came in the 1890's with the introduction of two new crops - hops and Italian prunes. Prunes rapidly declined in importance after World War I when European prune orchards began to increasingly supply the European market. At one time there were nearly 4,000 acres of hops in the County, but this crop rapidly declined in importance after World War II, leaving only about 750 acres of hop cultivation in the County at the present time.

Polk County moved into a new era after about 1940 when influence from Salem was increasingly felt in the West Salem area. West Salem more than doubled its population between 1940 and 1950, rising from a 1940 population of 1,490 to a 1950 population of 3,053. The end of World War II and increased use of the automobile helped to bring this about. The increasing urbanization of this northeastern part of the County and its inclusion within the Salem metropolitan area are doing much to broaden the economic activity of the County.

CURRENT LAND USE

Polk County contains 739 square miles with 472,963 acres of land. Since the amount of available land is a constant which must be shared by ever increasing numbers of people, the manner in which the land is used is of critical importance to society. The development of strategies to best utilize the limited land available is among the most important tasks facing the people.

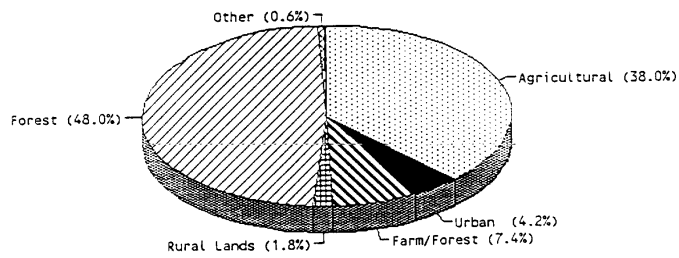
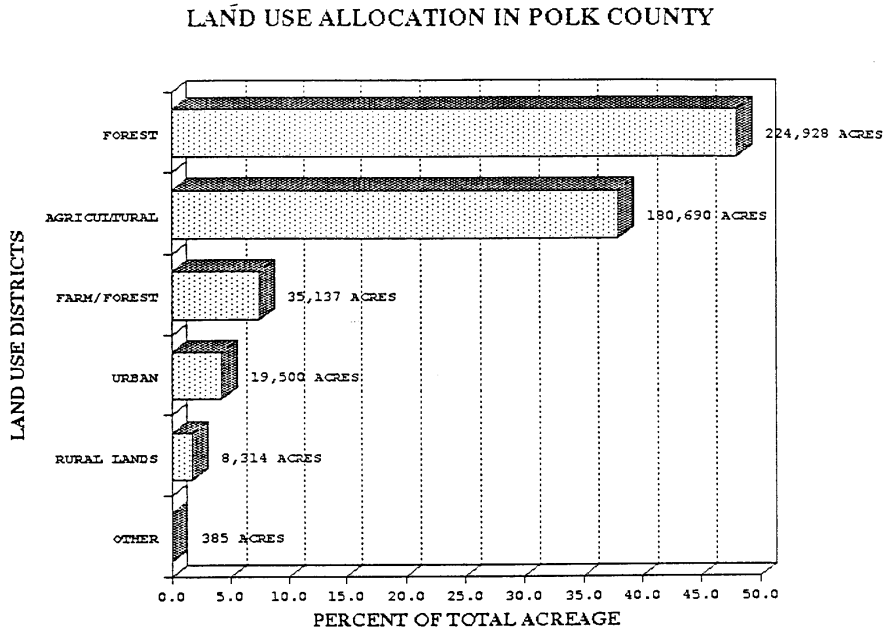
The existing land use pattern is one of the most important factors in any land use planning program. This pattern has been created and continually modified as people have settled in the County and as the area's economy has evolved. Trading centers have developed in response to the needs of the economy and, as transportation technologies have changed and needs for goods and services have been modified, a few of these centers have grown in importance. The importance of others has been reduced, and a few of them have virtually disappeared. As these forces continue to evolve, so will the pattern of land use. By anticipating these changes, the County can channel its development into areas where the financial and environmental costs can be reduced.

Agriculture and forestry have historically been central to the County's economy and the bulk of the land has been devoted to these activities. As the population has grown, these lands have been converted to residential and other urban uses and other lands have been threatened by these often incompatible uses. Between 1949 and 1974, the amount of land being used for agriculture decreased by 18 percent to 199,146 acres. Some of this decrease is a result of the conversion of agricultural lands to urban uses. As population pressures continue, additional agricultural lands will necessarily be lost through conversion. Polk County has allocated 183,700 acres or 39 percent of its total land area to agricultural use. This will protect and preserve the County's rural nature and will ensure that this key component of the economy will continue to function.

Almost half of Polk County's land area is allocated for the production of timber. As virtually all of this land is in the western half of the County away from population centers, there has not been a large amount of pressure to convert these lands to urban uses. There are approximately 217,000 acres of land in Polk County allocated for timber production. The bulk of these lands are in private ownership. Corporations own approximately 46 percent of Polk County's timber lands and other private industries own another 36 percent of these lands. The remaining lands which are under public ownership are owned by the federal government and are managed by the Bureau of Land Management. The U.S. Forest Service, the State Department of Forestry and Polk County each administer small portions of the remaining three percent of forest lands within the County.

Polk County does not face an extreme amount of pressure for high-density land uses. Less than four percent of the total land area is being used in this manner and this amount is not expected to be significantly increased. The limited growth that does occur will be around the cities of Dallas, Independence, Monmouth and Salem. There is, however, considerable pressure for the development of Polk County lands for low-density residential use. Although the amount of land devoted to this use is relatively small, in anticipation of future demands the County has allocated approximately two percent of its land area to this use. While much of this area is currently being used for agriculture, the lands are, in many cases, marginally productive.

Figure 2.



PLANNING PROCESS

Past Efforts

In 1969, broad goals and objectives for comprehensive land use planning were established by ORS Chapter 215.515, becoming required interim goals under Section 48 of Senate Bill 10. In 1973, the Oregon Legislature adopted ORS Chapter 197 (Senate Bill 100) in order to provide for the development and review of coordinated local comprehensive plans and implementing ordinances. This legislation also created the Land Conservation and Development Commission (LCDC), charged with adopting statewide planning goals and guidelines to replace the interim goals. Following a period of extensive citizen involvement, the original 14 goals and guidelines were adopted on December 27, 1974. Goal 15 (Willamette River Greenway) was adopted on December 6, 1975 and Goals 16-19 (coastal goals) were adopted on December 18, 1976.

Polk County began its land-use planning efforts with the preparation of a preliminary comprehensive plan in 1964. Many of the recommendations set forth in the plan laid the basis for present day land use planning in the County. Senate Bill 10 required all jurisdictions to prepare and adopt land use plans and zoning by December 31, 1971 or show that reasonable progress toward development of a planning program being made. Zoning for the entire County was completed in July 1973 and the comprehensive land use plan was prepared in June, 1974.

With the passage of Senate Bill 100 in 1973, all jurisdictions preparing, revising or implementing comprehensive plans between the effective date of the statute, October 5, 1973 and December 31, 1975, were required to base these plans on land use goals set out in ORS 215.515. The June, 1974 Polk County Comprehensive Plan did not satisfactorily comply with these land use goals. Following further preparation by the County, the Board of Commissioners adopted Polk County Comprehensive Plan Policies and a Comprehensive Plan Map in December, 1975. Upon review of these policies, the Plan Map, and implementing ordinances and regulations, it was determined that these did not satisfactorily comply with the newly adopted statewide land use goals.

The preparation of this Comprehensive Plan began in January, 1977. It has been the untiring work of many Area Advisory Committee members, the Committee for Citizen Involvement, the Polk and West Salem Hills Planning Commissions and the Board of Commissioners which have resulted in the development of this Plan.

Role of the Comprehensive Plan

The Comprehensive Plan for Polk County is the official policy guide for decisions on future physical development in the County. It is intended to be a statement of public policy for the guidance of growth, development and conservation of resources within the County. It is anticipated that this plan will provide for coordinated development of the County. It is hoped that it will fulfill the needs of each member of the community with respect to their health, safety and general welfare, insofar as it is practical to do so. This Comprehensive Plan is intended to serve as a basic reference to County government decision-makers and to the lay public who wish to have a better knowledge of the social, economic and physical environment of their County. The ultimate purpose of the Plan is to provide a body of sound information, public goals, criteria, standards, policy guidelines and organizational structure that will enable Polk County to effectively manage the development of its lands and water both now and in the future.

This Plan is referred to as a Comprehensive Plan, rather than as a land use plan. This is because the Plan establishes goals and policies regarding activities other than land use activities. Goals and policies have been established in thirteen areas - citizen involvement, agricultural lands,

natural resources, Willamette Greenway, land capability and resource quality, recreational needs, economic development, public facilities and services, urban land development, housing, transportation and energy conservation. These areas are addressed in recognition of their effect upon land use, and that if the Plan is to be reasonable and effective, public policies should be consistent and support one another.

Once adopted, the Comprehensive Plan becomes law. All related ordinances and regulations, and all planning-related decisions, must be in conformance with it under Oregon law. The Plan, however, allows for flexibility in decision making, as future circumstances are bound to change. As new information comes to light, objectives and priorities are altered, and goals and policies are modified, the Comprehensive Plan will change. Consequently, no fixed date is applied to the goals and policies made a part of the Plan. The time frame of the Plan is, and will remain, variable. The Plan is intended to influence and be responsive to change, rather than to restrict opportunities for change.

Process

As previously mentioned, the plan update process began in January, 1977. It was decided to distribute the task among planning staff by topic area and to compile a series of background reports containing technical information and inventories of resources and current circumstances. Once a picture of current circumstances and available resources was developed, the process of identifying problems and areas of need could begin.

In March of 1977, the County planning staff and the Committee for Citizen Involvement determined that an initial public opinion survey was desirable. A questionnaire prepared that same month by the staff and the CCI initiated the Area Advisory Committees to the Comprehensive Plan update process. Input was sought for the Plan elements being prepared on agricultural lands, forest lands, natural resources and public facilities and services. Questionnaires were mailed to all members of Area Advisory Committees and other interested citizens, the results then tallied and discussed at individual Area Advisory Committee meetings. The questionnaire results were utilized during the drafting of the background reports and during early policy formulation.

For each of the technical background reports, an inventory of current circumstances was taken, and a preliminary analysis made. During this early inventory stage past publications were reviewed and public and private agencies were contacted for information germane to the topic at hand. After the information was compiled, draft background reports were prepared and distributed to citizen groups and public and private agencies for review and comment. Several of the technical reports (Agricultural, Natural Resources and Forestry) were reviewed by special subcommittees consisting of industry and agency representatives and Planning Commission members. Upon completion by staff of individual background reports, the CCI and all Area Advisory Committee members were advised of the availability of that Plan element. Local newspapers were utilized to inform the public. After a sufficient period for review, the Advisory Committees discussed the Background Reports, and proposed policies drafted by staff based on the reports, at their monthly meetings.

Participation in the review of the Agricultural Lands elements consisted of a series of 15 meetings attended by 467 persons on the rezoning of AR-5 lands. The elements and proposed policies for forest lands, natural resources, public facilities and services and urbanization were reviewed in regular meetings of the Advisory Committees. Planning staff presented recommendations concerning the Willamette River Greenway in Polk County (as part of the Greenway element) to affected Advisory Committees in several special meetings during the month of October, 1977. Advertisements of these meetings were carried in all the County's newspapers and

radio stations. Input received was made a part of the County's presentation before the Land Conservation and Development Commission.

The remaining elements of the Comprehensive Plan were reviewed by the Area Advisory Committees in a series of "town hall" meetings, held from March through June, 1978. Each "town hall" meeting concentrated on a particular set or sets of staff-proposed policies for the plan. The policies to be discussed were mailed to all AAC members prior to these meetings.

The Polk and West Salem Hills Planning Commissions reviewed each Background Report and set of proposed policies as each set was completed. In several instances, a special Planning Commission subcommittee was formed to review a specific element and set of proposed policies.

Planning staff compiled the comments received from citizen groups, townhall meetings, public and private agencies and planning commissioners, and prepared a set of draft policies to present before a public hearing. These restructured policies were printed in a newspaper format and were mailed out to each Area Advisory Committee member and placed in a number of public places for the general public to pick up and review before the hearing. The public hearing was held before the Polk County Board of Commissioners in July, 1978. The Board was presented with a packet of information containing all the input received by the planning staff from citizens and agencies regarding proposed Plan policies.

SECTION 2

POLK COUNTY COMPREHENSIVE PLAN

GOALS AND POLICIES

A. Citizen Involvement

Mission Statement

The mission of the Polk County Citizen Involvement Program is to direct and encourage active, broad based citizen participation on all aspects of land use planning in Polk County.



Vision Statement

The citizen involvement program is the cornerstone for sound land use planning in Polk County. The citizen involvement program complies with and successfully implements Statewide Planning Goal 1: Citizen Involvement. The citizen involvement program is an integral element in the Polk County Comprehensive Plan. The citizen involvement program expresses the firm commitment of the people and elected officials in Polk County to provide meaningful opportunities for citizens to participate in the planning and development of Polk County.

Through careful planning, competent administration and adequate funding, the citizen involvement program affords all citizens in Polk County – property owners, land use applicants and the general public with a range of opportunities to obtain current land use applicants and the general public with a range of opportunities to obtain current information, provide meaningful input into decisions and learn about the technical aspects of land use planning. A dedicated Committee for Citizen Involvement and active Area Advisory Committees cooperate closely to regularly advise the County Planning Commission and Board of Commissioners on all matters associated with citizen participation in land use planning in Polk County. Based on a schedule in the comprehensive plan, the citizen involvement program is periodically evaluated, and as needed, revised in order to respond to changing conditions and the needs of citizens in Polk County.

As a result of the citizen involvement program, county residents and the public are afforded opportunities to participate early and often in the adoption, amendment and implementation of the Polk County comprehensive plan and land use regulations. Citizens are able to judge the effect of proposed land use policies and actions on their properties, neighborhoods and communities. Public notice of county land use decisions, pending applications and Planning Commission and Board of Commissioner meetings and hearings are issued in a timely, understandable manner and are readily accessible through postings, regular mail and the county's web page.

As a result of adhering to the citizen involvement program, contentious land use proceedings are less likely to occur because citizens have participated in plan and ordinance development and therefore understand and support the standards and requirements for reviewing land use applications. This in turn promotes continued interest in land use planning in Polk County and means that there are fewer instances where neighbors and adjoining land owners have to bear the expense and hostility often generated by contested land use hearings and appeals.

Elements of the Polk County Citizen Involvement Program

The Polk County Citizen Involvement Program shall consist of the following elements:

1. Goals and Policies adopted by the Board of Commissioners.
2. The Citizen Involvement Committee appointed by the Board of Commissioners.
3. An Annual Implementation Plan approved by the Board of Commissioners.

Background

In 1973, the Oregon State Legislature adopted Senate Bill 100, and for the first time, citizen participation in the local decision-making process became mandatory. It is now the right of every citizen to be involved in the preparation of plans, to have his/her ideas considered by decision-makers, and to have decision-makers respond to these ideas on local land-use and comprehensive planning. It is also the responsibility of every citizen to exercise these rights.

A strong citizen involvement program is felt to be essential to the success of the Polk County planning process. During the development of the comprehensive plan, citizen involvement was at its zenith for maximum participation. There were seven area advisory committees fully functioning and active. Subsequently, the number of these committees dwindled to two, then to one and finally, for a few months, there weren't any that were active. Since 1998, reactivation of some of these committees, interest in providing an outreach to inform more interested citizens and direction from the Committee for Citizen Involvement directed that a review of the Citizen Involvement Goals and Policies be undertaken. Upon revision of the goals and policies, new program elements were adopted in order to implement the goals and policies.

In recognition of the necessity and value of participation by its citizenry in the local government decision-making process, Polk County adopts the following goals and policies:

GOALS and POLICIES

1. **GOAL 1. To provide for a wide range of opportunities for citizens to be involved in all public phases of the planning process in Polk County. For the purposes of the Polk County Citizen Involvement Program, the term "citizen" shall mean property owners, land use applicants and the general public.**
 - 1.1 Polk County will adopt and maintain a citizen involvement program that complies with Statewide Planning Goal 1 – Citizen Involvement.
 - 1.2 Private property rights of land owners and applicants for land use actions must be recognized as an important element in the land use planning process.
 - 1.3 Polk County will strive to permit those uses that have little or no impact on neighboring properties without requiring a land use determination or limited land use determination.
 - 1.4 Polk County will establish and maintain a system of Area Advisory Committees (AAC) representing all areas of Polk County.

- 1.5 Polk County will provide for a designated representative Committee for Citizen Involvement (CCI) to monitor, evaluate and make periodic recommendations on the structure and implementation of the Polk County citizen involvement program.
- 1.6 Polk County will provide notice to those citizens that may be affected by proposed and adopted land use decisions and actions including but not limited to: amendments to the comprehensive plan and implementing regulations, zone changes, land use determinations, variances, conditional use permits, dwelling approvals, land divisions and subdivisions.
- 1.7 Polk County will strive to encourage organizations, special districts, cities and affected local, state, tribal and federal government agencies to utilize the Polk County citizen involvement program to solicit and receive the views of the public concerning plans, programs and action affecting land use planning in Polk County.
- 1.8 Polk County will coordinate with Area Advisory Committees to ensure timely opportunities for AAC participation and comment in the development, review, adoption and implementation of land use decisions and actions in Polk County.

2. GOAL 2. To make land use information readily available to the public in an understandable form and provided in a timely manner.

- 2.1 Polk County will prepare and make available to the public upon request clear and concise information reports, and supporting findings of fact and conclusions of law to citizens regarding County land use decisions and actions.
- 2.2 Polk County will, as required by law provide public notices of proposed and approved land use decisions that sufficient and concise information to enable citizens to provide timely, informed comments.
- 2.3 Polk County will employ a variety of methods to communicate land use information to citizens, government agencies and interested organizations including the news media, direct mailings, electronic means and public meetings, workshops and briefings.
- 2.4 Polk County will develop and employ a land use information and education program to increase the knowledge, awareness and understanding about all phases of land use planning in Polk County.

3. GOAL 3. To provide for an effective two-way communication on land use matters between citizens and Polk County officials, county departments and advisory bodies.

- 3.1 Polk County will provide information and procedures about how to communicate with the AACs, the County Planning Commission, county staff and the Board of County Commissioners concerning County land use issues, decisions and actions.

3.2 Polk County will make available to the public timely responses from county staff, advisory bodies and elected officials regarding County land use actions and decisions.

4. GOAL 4. To provide funding and staff support for the citizen involvement program.

4.1 Polk County will make reasonable effort to provide staff and possible financial resources to assist with implementation of the Polk County Citizen Involvement Program.

4.2 Polk County will provide notice and opportunity for the public, AACs and to participate in the budget process concerning implementation of the Polk County Citizen Involvement Program.

4.3 Polk County will consider the interests and recommendations of the AACs and CCI regarding financial and staff support for the Polk County Citizen Involvement Program.

5. GOAL 5. To periodically evaluate and, as necessary, revise the citizen involvement program in response to changing conditions and needs of the citizens of Polk County.

5.1 On a time frame established by the Board of Commissioners, but not less than annually, the Committee for Citizen involvement will prepare a report to the Board of County Commissioners evaluating the citizen involvement program and making any recommendations for changes or needed improvements.

5.2 Polk County's Citizen Involvement Program will contain evaluation criteria and procedures to guide the CCI and Board of Commissioners in evaluating citizen involvement in Polk County.

5.3 The CCI will submit an annual implementation plan to the Planning Commission for a recommendation to the Board of Commissioners. This plan will identify and prioritize items that will implement the adopted plan. This plan will be used in developing budget recommendations.

B. Agricultural Lands

Historically, farming has been a predominant activity in Polk County. Today, agriculture remains a focal point of activity and a major element in the county's economic viability. Nearly 206,900 acres or about 43 percent of the total land area has been designated for exclusive farm use.

In 1994, approximately 93,250 acres were devoted to crop production. Preliminary gross sales figures for 1994 show that total agricultural income in Polk County was a record high \$86.7 million - an increase of \$5.6 million over 1993. Specialty crops, in particular farm and forest products and Christmas trees, made up the largest segment of agricultural production with sales in excess of \$20 million or about 23 percent of all sales. Grass seed production remains an important component of the local agricultural economy accounting for more than \$18 million in sales in 1994 or about 21 percent of all sales. Livestock and animal production has declined from \$23 million in sales in 1992 to \$18.7 million in 1994.



Continued agricultural growth in Polk County is based on the effective management of water, a potentially scarce resource, and the development of unique and specialized agricultural products designed to target specific markets. Accordingly, because agriculture is so prevalent in and important to Polk County, the County establishes the following goal and policy statements:

GOALS

1. To preserve and protect agricultural lands within Polk County.
2. To diversify agriculture within Polk County.
3. To preserve and protect those resources considered essential for the continued stability of agriculture within Polk County.

POLICIES

1. **Agriculture**
 - 1.1 Polk County will endeavor to conserve for agriculture those areas which exhibit a predominance of agricultural soils, and an absence of nonfarm use interference and conflicts.
 - 1.2 Polk County will place lands designated as agriculture on the Comprehensive Plan Map consistent with Oregon Revised Statutes Chapter 215 and Oregon Administrative Rules Chapter 660, Division 33 in an exclusive farm use zoning district.
 - 1.3 Polk County will apply standards to high-value farmland areas consistent with Oregon Revised Statutes Chapter 215 and Oregon Administrative Rules Chapter 660, Division 33.
 - 1.4 Polk County will permit those farm and nonfarm uses in agricultural areas authorized by Oregon Revised Statutes Chapter 215 and Oregon Administrative Rules Chapter 660, Division 33.
 - 1.5 Polk County will discourage the development of nonfarm uses in agricultural areas.
 - 1.6 Polk County will permit farm-related and non-farm residential use in agricultural areas

consistent with Oregon Revised Statutes Chapter 215 and Oregon Administrative Rules Chapter 660, Division 33.

- 1.7 Polk County shall provide the opportunity to establish single-family dwellings on designated agricultural lands that comply with lot-of-record provisions established under state law, consistent with Oregon Revised Statutes, Chapter 215, and Oregon Administrative Rules, Chapter 660, Division 33.
- 1.8 Polk County will review all requests for the division of land in agricultural areas and will permit only those which meet the following criteria:
 - a. For farm parcels, the minimum parcel size is that acknowledged for Polk County by the Land Conservation and Development Commission (LCDC) on April 22, 1988 (88-ACK-347), consistent with Oregon Revised Statutes, Chapter 215.
 - b. For non-farm parcels, the proposed division is consistent with Oregon Revised Statutes Chapter 215 and Oregon Administrative Rules Chapter 660, Division 33 and complies with all applicable requirements of the zoning and partitioning ordinances.
- 1.9 Polk County will permit the extension of public services or utilities into agricultural areas only when such services or utilities are appropriately sized and necessary for agriculture, farm uses, or permitted nonfarm uses.
- 1.10 Polk County will cooperate with state and federal agencies and irrigators/farmers to increase the amount of irrigation available to County farmers.

C. Forest Lands

Forest lands are a major component of the landscape of Polk County. These lands comprise more than 271,300 acres or 57 percent of the total area of Polk County, including nearly all of the western half of the county. These forests are the source of raw materials for an industry - timber and forest products - that employed about 9 percent of the county's work force in 1993. Forest lands provide the watersheds necessary for municipal water supplies and recreation. Forests and woodlands are the principal habitat for big game and the spawning and rearing habitat for anadromous fish.



Today, however, Polk County and the State of Oregon face a major challenge from increasing demands for timber products, for outdoor recreation and for a quality environment. The steadily increasing demand for wood products will continue as population increases. Forecasts indicate that the demand for forest products will continue to increase through the end of the century. Although there is no question that Polk County has rich and renewable forest resources, these resources need to be carefully managed to meet future needs.

The importance of forest lands to the economic well-being and livability of Polk County is evident. They are certainly one of the County's most important resources. The role of forest lands in Polk County will continue to increase in the future. The preservation of prime forest land should be as important as the preservation of the rich farm land that exists in the county. In an effort to preserve, protect, and manage this resource, Polk County adopts the following goals and policies:

GOALS

1. To conserve and protect, and encourage the management of forest lands for continued timber production, harvesting and related uses.
2. To conserve and protect watersheds, fish and wildlife habitats, riparian areas and other such uses associated with forest lands.

POLICIES

1. **Resource Preservation**
 - 1.1 Polk County will provide for the protection of productive forest lands. Designated forest lands will be areas defined as one of the following:
 - a. Predominately Forest Site Class I, II and III, for Douglas Fir as classified by the U.S. Soil Conservation Service;
 - b. Suitable for commercial forest use;
 - c. In predominately commercial forest use and predominately owned by public agencies and private timber companies;
 - d. Cohesive forest areas with large parcels;

- e. Necessary for watershed protection;
 - f. Potential reforestation areas; and
 - g. Wildlife and fishery habitat areas, potential and existing recreation areas or those having scenic significance.
- 1.2 Polk County shall designate forest lands on the Comprehensive Plan Map consistent with Goal 4 and Oregon Administrative Rules Chapter 660, Division 6.
- 1.3 Polk County will place lands designated as forest land on the Comprehensive Plan Map consistent with Oregon Administrative Rules Chapter 660, Division 6 and Goal 4 in a timber conservation zoning district.
- 1.4 Polk County shall zone forest lands for uses allowed pursuant to Oregon Administrative Rules Chapter 660, Division 6. In addition to forest practices and operations and uses auxiliary to forest practices, as set forth in Oregon Revised Statute 527.722, Polk County shall allow in the forest environment the following general types of uses:
- a. Uses related to, and in support of, forest operations;
 - b. Uses to conserve soil, water and air quality and to provide for fish and wildlife resources, agriculture and recreational opportunities appropriate for the forest lands;
 - c. Locally dependent uses such as communication towers, mineral and aggregate resources use, etc.;
 - d. Forest management dwellings as provided for in Oregon Administrative Rule 660-06-027; and
 - e. Other dwellings under prescribed conditions.
- 1.5 Polk County will permit new dwellings and structures on designated forest lands consistent with Oregon Revised Statutes Chapter 215 and Oregon Administrative Rules Chapter 660, Division 6.
- 1.6 Polk County shall provide the opportunity to establish single-family dwellings on designated forest lands that comply with lot-of-record provisions established under state law consistent with Oregon Revised Statutes, Chapter 215, and Oregon Administrative Rules, Chapter 660, Division 6.
- 1.7 Polk County will review all requests for the division of land in forest land areas and will permit only those which meet the following criteria:
- a. For forest operations and practices, the minimum lot size will be at least 80 acres.
 - b. For non-forest parcels, the proposed division is consistent with Oregon Revised Statutes, Chapter 215, and Oregon Administrative Rules, Chapter 660, Division 6 and complies with all applicable requirements of the zoning and partitioning ordinances.
- 1.8 Polk County will encourage the conservation and protection of watersheds and fish and wildlife habitats on forest lands in Polk County in accordance with the Oregon Forest Practices Act.
- 1.9 Polk County will discourage the construction of new roads within areas designated as forest lands, with the exception of secondary roads necessary for harvesting purposes.

2. **Resource Management**

- 2.1 Polk County will promote the efficient management of its timber resources to ensure a sustained yield of forest products, adequate grazing areas for domestic livestock, wildlife habitat, protection of watershed areas and the provision of recreational activities.
- 2.2 Polk County will pursue the efficient management of lands owned by the County and identified as forest lands.
- 2.3 Polk County will encourage the continued management of public forest lands in the County under the multiple-use and sustained yield concepts.
- 2.4 Polk County will promote the State Forest Practices Act as the model for forest practices on private lands in Polk County. Further, Polk County will urge the application of the policies and regulations of the Forest Practices Act to public forest lands where it is determined that these are more protective of the forest lands than existing policies and regulations.
- 2.5 Polk County will encourage the reforestation of cut-over timber lands and the forestation of marginal agricultural lands.
- 2.6 Polk County will encourage utilization of programs for small woodlot owners designed to promote efficient timber production.
- 2.7 Polk County will develop and maintain current information regarding forest land holdings, land use patterns, economic trends and tax assessment capabilities.

3. **Recreational Use**

- 3.1 Polk County will encourage access to forest lands having a high potential for recreational use.
- 3.2 Polk County will coordinate with land owners and governmental agencies to identify and designate areas for recreational vehicle use which minimize adverse impacts upon productive forest lands and domestic water sources.

D. Natural Resources

The overriding problem or need when considering the future of Polk County is to maintain the quality of life such that basic needs of an expanding population will be met and the County will continue to be a desirable place to live. The natural environment plays a major role in the quality of living and the maintenance of the environment thus becomes a major concern or need to which the County must respond.

The needs are to restore and preserve - to restore lost quality, and to preserve the remaining desirable resources. The solution to the problem is to make considered and knowledgeable choices between the alternatives for meeting needs, or if there are no choices, to lessen as much as possible adverse effects on the environment.

To accommodate the continuing dependence on natural resources while maintaining a desirable quality of life, Polk County has adopted these goals and policies.



GOALS

1. To conserve general and regulated open space in both rural and urban environments.
2. To conserve mineral and aggregate deposits for future extraction provided such deposits are not located on land for which the Comprehensive Plan designates a use that is not compatible with mineral and aggregate extraction.
3. To conserve fish and wildlife habitats, endangered species, and hunting and fishing resources.
4. To recognize and conserve natural areas when feasible.
5. To conserve and acquire, if necessary, elements of special visual or scenic value to County residents.
6. To conserve and manage water resources in order to maintain and protect water quality and quantity and to abate flood, erosion and sedimentation problems.
7. To conserve surface storage reservoir sites of ten areas or more until such time as they are either no longer determined to be feasible or the need for such projects no longer exists.
8. To conserve and acquire, if necessary, historically, archaeologically and culturally significant areas, sites, structures and objects in both rural and urban environments.
9. To locate, maintain and conserve existing trails.

POLICIES

1. **Open Space**
 - 1.1 Polk County will cooperate with governmental agencies and special districts to protect identified existing or potential regulated open spaces such as publicly owned lands, parks, cultural resources and trails.

2. **Mineral and Aggregate**

- 2.1 Polk County will permit extraction from mineral and aggregate resource sites only after public hearings have been held.
- 2.2 Polk County will require the reclamation or restoration of all lands subject to quarrying, excavation or strip mining.
- 2.3 When adequate information regarding the location, quality and quantity of mineral and aggregate resources becomes available, Polk County will make a determination of significance and, for significant sites, complete the Goal 5 process to provide a suitable level of protection to the resources site (Amended by Ordinance 91-34, dated September 25, 1991).

3. **Fish and Wildlife**

- 3.1 Polk County will cooperate with governmental agencies to conserve and protect identified fish and wildlife habitat.
- 3.2 Polk County will encourage the development of stocking programs for wildlife and fish in suitable habitats.
- 3.3 Polk County will continue to recognize the importance of riparian vegetation as fish and wildlife habitat as well as erosion, sediment and run-off control and shall protect it through implementing ordinances (Amended by Ord. 89-18, dated Dec. 20, 1989).
- 3.4 Polk County will recognize the value of fish and wildlife and protect identified significant (1-C) fish and wildlife resources through application of a significant resource areas overlay zone and implementing ordinance (Added by Ord. 89-18, dated Dec. 20, 1989).
- 3.5 Polk County will protect identified significant (1-C) bird nesting and habitat sites in accordance with the provisions of Chapter 182 of the Zoning Ordinance and the Sensitive Bird Sites ESEE analysis (Added by Ord. 89-18, dated Dec. 20, 1989).
- 3.6 If fish and wildlife resources, not identified on the County's Comprehensive Plan Map, are identified by the ODFW, the County or member of the public, the County shall consider the site for inclusion in the inventory of significant resource areas. If the County determines the resource site/area is significant, it shall be analyzed pursuant to applicable provisions of OAR 660-16 and, where prudent, given protection under pertinent Goal, Policies and Ordinance provisions of Polk County (Added by Ord. 89-18, dated Dec. 20, 1989).

4. **Natural Areas**

- 4.1 Polk County will consider the recommendations of the Nature Conservancy concerning natural areas of the County.
- 4.2 Polk County will cooperate with governmental agencies to conserve and protect identified natural areas.
- 4.3 Polk County will consider input from the Nature Conservancy when making land use decisions that affect scientifically or ecologically significant natural areas.
- 4.4 Polk County will regulate land use activities within significant natural areas in accordance with the Goal 5 management program indicated on the adopted Significant Natural Areas inventory sheet. All sites designated "3-A" or "3-C" shall be subject to applicable provisions of Chapter 182 of the Polk County Zoning Ordinance (Amended by Ord. 89-18, dated Dec. 20, 1989).

- 4.5 Polk County acknowledges the natural values associated with Hayden Island and further recognizes the potential conflicts between the existing aggregate operation and maintenance of a natural area at this location. The County shall, in conjunction with mineral and aggregate planning in 1990, review specific conflicts between these Goal 5 resources and complete the Goal 5 process relative to this proposed natural area (Added by Ord. 89-18, dated Dec. 20, 1989).

5. **Scenic Resources**

- 5.1 Polk County recognizes the value of the Van Duzer Corridor and the Willamette River Greenway and will designate these resources significant (1-C) and, because there are no conflicting uses, will encourage the protection of these resources through intergovernmental coordination and implementation of Statewide Goal 15, Willamette River Greenway (Amended by Ord. 89-18, dated Dec. 20, 1989).

6. **Water Resources**

- 6.1 Polk County will encourage the implementation of the water quality management plans of governmental agencies and may seek implementation measures at the County level that provide for the management of stream corridors, erosion, sedimentation and water quality.
- 6.2 Polk County will continue to cooperate with governmental agencies monitoring ground and surface water quality in order to not surpass the supportive capabilities of the resource.
- 6.3 Polk County will use drainage basin lines to delineate boundaries for studies relating to or affecting the carrying capacity of the County's land resources.
- 6.4 Polk County shall compile an inventory of wetlands and complete the Goal 5 process when adequate information pertaining to location, quality and quantity become available. In the interim, the County shall notify the Division of State Lands (DSL) and the Oregon Department of Fish and Wildlife (ODFW) in cases where land use actions may affect wetland resources. The expertise of the DSL and the ODFW shall be recognized in the protection of wetland resources and, when appropriate, County land use decisions may include measures, based on recommendations of the DSL and ODFW, to protect wetland resources (Added by Ord. 89-18, dated Dec. 20, 1989).
- 6.5 Polk County shall recognize the significance of municipal watershed areas and, in the course of decision making, recognize the important natural values of the watershed and prohibit any use which could potentially degrade water quality or contaminate municipal drinking waters (Added by Ord. 89-18, dated Dec. 20, 1989).

7. **Reservoir Sites**

- 7.1 Polk County will encourage a multiple use concept for proposed water storage projects.
- 7.2 Polk County will recognize the need to protect multiple use reservoir sites in the Plan and implementation measures and in public or private land use determinations subject to County review.
- 7.3 Polk County will encourage and cooperate with governmental agencies to identify, conserve and develop water sources on a long-range, multiple-use basis by encouraging studies and research of alternative projects as they arise.

8. **Historical, Archaeological and Cultural Resources**

- 8.1 Polk County will work with the Polk County Museum Commission, the Polk County Historical Society, the State Historic Preservation Office (SHPO) and other interested groups and individuals to encourage the preservation of identified sites of cultural, historic and archaeological significance (Amended by Ord. 89-18, dated Dec. 20, 1989).
- 8.2 Polk County will protect significant historic, archaeological and cultural resources by:
- a. Encouraging programs that make preservation economically possible;
 - b. Maintaining an inventory of significant historic, archaeological and cultural resources in the County; and
 - c. Developing and implementing a program to review and regulate activities which may impact historic, archaeological and cultural resources per Statewide Goal 5 and OAR 660-16 (Amended by Ord. 89-18, dated Dec. 20, 1989).
- 8.3 When adequate information becomes available, Polk County shall evaluate its 1-B historic resources for inclusion on the inventory or designation as a significant (1-C) resource and, where appropriate, provide protection under the County's Historic Resources Chapter of the Zoning Ordinance.

9. **Recreation Trails**

- 9.1 Polk County will cooperate with governmental agencies and interested citizens to protect identified recreation trails.
- 9.2 Polk County will encourage the protection of recreational trails with implementing measures and will recognize the importance of such uses in the Plan and private and public land use determinations subject to County review.

10. **Energy Resources**

- 10.1 The County shall encourage the use of solar energy in building and subdivision design and shall further provide for adequate solar access through existing setback standards, minimum lot sizes and lot area coverage requirements. Solar energy shall be designated significant (1-C) and, because no conflicting uses exist, the County shall rely on existing regulations to protect the resource (Added by Ord. 89-18, dated Dec. 20, 1989).

E. Willamette River Greenway

The Willamette River Greenway as we know it today was enacted by the 1973 State Legislature in Oregon revised Statute 390.310 to 390.368. The overriding purpose of the Willamette River Greenway is to protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River.

The intent of the Willamette River Greenway program adopted in the following goal and policies is to keep a majority of the lands along the river in private ownership while also protecting the public's right to enjoy the Willamette River as a vital resource.



GOAL

1. To protect, conserve, enhance and maintain the scenic, historical, agricultural, economic and recreational quality of land along the Willamette River.

POLICIES

- 1.1 Polk County will cooperate with governmental agencies and special districts to protect all Willamette River Greenway lands and resources.
- 1.2 Polk County will encourage the retention of streamside vegetation along the Willamette River.
- 1.3 Polk County will develop a Greenway implementation method that will include:
 - a. Locating the boundary on the zoning map and referring to it in the Zoning and Subdivision Ordinances;
 - b. Exclusive Farm Use zoning, floodplain zoning, open space zoning and other land use considerations; and
 - c. Provision in an ordinance for the review of intensification or change of use of developments to ensure their compatibility with the Willamette River.
- 1.4 Polk County will cooperate with the Forest Practices Officer in monitoring timber harvesting within the Willamette River Greenway boundary line.

F. Land Capability/Resource Quality

The increasing demands put upon the land, air and water of the County affect the capability of those resources to provide a clean, enjoyable and safe environment. As the population of Polk County increases, more land will be converted into housing sites and other intensive uses to serve the people.

Frequently, the "best" land upon which to build houses is good agricultural land. If we are to attempt to preserve farmlands, then land which is not suitable for farming will be utilized. To assure safe development of these lands requires careful analysis of any potential hazards related to the land uses proposed for these areas.

Other natural hazards, such as flooding and erosion, will tend to cause more damage and property losses as the areas subject to these hazards are urbanized. Floodplains traditionally have served as agricultural/open space uses, and should continue in this tradition. Pressures to develop erosion-prone and flood-prone areas are mounting, thus the need to carefully plan these lands.

Maintenance of high quality land, water and air resources for Polk County would suggest the establishment of the following goals and policies:

GOALS

1. To protect life and property from natural hazards and disasters.
2. To maintain and improve the quality of land resources in the county and affected regions.
3. To maintain and improve the quality of water resources in the county and affected regions.
4. To maintain and improve the air resource quality in the county and affected region.

POLICIES

1. **Natural Hazards and Disasters**
 - 1.1 Polk County will cooperate with governmental agencies to protect life and property from natural hazards and disasters.
 - 1.2 Polk County will review all proposed development in floodplains and may prohibit construction of habitable structures in designated floodplains.
 - 1.3 Polk County will continue participation in the HUD Flood Insurance Program and will cooperate with governmental agencies in utilizing standards and procedures for protecting life and property from flood damage.
 - 1.4 Polk County will require a geological hazards study before permitting developments of any kind in areas suspected of having slide potential and, if confirmed, will further require that the problem be corrected before construction.
 - 1.5 Polk County will require a geological hazard study prior to the issuance of any construction permits for development on slopes greater than 30%.

LAND CAPABILITY
AND RESOURCE
QUALITY

1.6 Polk County will require a geological hazards study before permitting development of habitable sites suspected of being on a fault line and, if confirmed, not permit construction.

2. **Land Capability and Quality**

2.1 Polk County will continue to utilize the USDA Soil Conservation Service Soil Survey for general soil and land planning purposes.

2.2 Polk County will require properly designed protective measures for proposed land uses on sites that have severe use limitations according to the OR-1 Soil Survey Sheets.

2.3 Polk County may enact an ordinance to control erosion and sedimentation in subdivision development and both public and private roadway construction.

2.4 Polk County will cooperate with the State Forestry Department in the Administration of the Forest Practices Act.

2.5 Polk County will require that construction permits contain provisions to protect sites from erosion.

2.6 Polk County will support the concept and requirement of environmental impact review by the Environmental Protection Agency of all major development proposals.

2.7 Polk County will obtain and utilize information on the carrying capacity of Polk County's land resources from the Department of Environmental Quality and other appropriate agencies.

2.8 Polk County may conduct research on carrying capacity of Polk County's land resources when other data is not available.

3. **Water Resources Quality**

3.1 Polk County will cooperate with cities and governmental agencies to achieve high water quality as defined by State and Federal standards.

3.2 Polk County will work toward sound watershed management practices by authorizing in such areas only those land uses least likely to impair the quality of surface water runoff.

3.3 Polk County will support the water quality management plans and programs of governmental agencies by regulating land uses, encouraging improved treatment of point sources of pollution and controlling of non-point sources of pollution.

3.4 Polk County will cooperate with the DEQ in applying State laws and standards for evaluating potential septic tank drainfield sites in order to provide for public safety and high water quality.

3.5 Polk County will encourage development of water management systems to effectively reduce the problems of erosion, sedimentation, flooding and soil wetness.

3.6 Polk County will cooperate with designated agencies to develop erosion and sediment control standards and specifications for use by Polk County in connection with land development plans and the federal Water Pollution Control Act and Amendments.

3.7 Polk County will work closely with concerned citizens and agencies in promoting agricultural and other land use practices which reduce pollution of County water resources.

3.8 Polk County will obtain and utilize information on the carrying capacity of Polk County's

water resources from the Department of Environmental Quality and other appropriate agencies.

- 3.9 Polk County may conduct research on the carrying capacity of Polk County's water resources when other adequate data is not available.
- 3.10 Polk County recognizes potential impacts to groundwater areas from underground storage tanks, storm drainage, chemical spills, residential on-site sewage disposal systems and other similar land uses. Potential impacts and measures to maintain groundwater quality will be considered in known problem areas through the local facilities review process and State agency coordination, when evaluating land use proposals (Ord. 92-4, Adopted May 13, 1992).

4. **Air Resource Quality**

- 4.1 Polk County will cooperate with the appropriate governmental agencies to achieve high air quality.
- 4.2 Polk County will consider meteorological factors such as seasonal prevailing wind direction and velocity when making land use decisions for proposed uses likely to pose a threat to air quality.
- 4.3 Polk County will apply, on a case-by-case basis, standards set forth in ORS 467.010 through 467.120 and OAR Chapter 340, Division 35 to control noise emissions which may adversely affect public health and welfare (Ord. 92-4, Adopted May 13, 1992).
- 4.4 Polk County will obtain and utilize information on the carrying capacity of Polk County's airshed from the Department of Environmental Quality and other appropriate agencies.
- 4.5 Polk County may conduct research on the carrying capacity of Polk County's airshed when other data is not available.

G. Recreational Needs

Until a few years ago, there was little demand for public or private recreational areas and facilities. Rural lands provided more than sufficient opportunity for recreational activities in the County. With increasing urbanization, however, there has come a steadily growing demand for parks and recreational facilities.

At present, there are 16 County parks in Polk County, totaling 207.91 acres. Adding those recreational facilities administered by municipalities, State and federal agencies, and private organizations and companies, there are more than 55,508 acres of land dedicated to park and recreational use in Polk County.



Recreation serves a variety of social and personal needs. It is a valuable County resource, the present system of parks and recreational facilities making Polk County an attractive place to live and work. This attractiveness will continue to depend greatly on the commitment of the County's citizenry and governmental officials to provide for recreational needs.

In an effort to meet the recreational needs of the citizens of Polk County, the following goals and policies have been adopted:

GOALS

1. To meet the recreational needs of the citizens of and visitors to Polk County.
2. To plan for, acquire, develop and manage park and recreation facilities to afford the maximum benefit to the greatest number of people.
3. To preserve, protect and acquire areas of special scenic, recreational and historic importance to the County's citizenry.

POLICIES

1. **Parks and Recreation Program**
 - 1.1 Polk County will provide recreational opportunities for all County residents with special considerations to the young, the aged and the handicapped.
 - 1.2 Polk County will identify the needs of County residents for parks and recreational facilities and programs, through an on-going planning process.
 - 1.3 Polk County will ensure that the acquisition and development of parks and recreation facilities be in general conformance with standards and priorities as developed by Polk County.
 - 1.4 Polk County will provide a system of multi-purpose parks and recreation facilities for both active and passive recreation.
 - 1.5 Polk County will ensure the health and safety of park and recreation facility visitors and employees by maintaining safe standards for operation, park facilities and working conditions, including renovation or improvement of deteriorating or outmoded facilities.

- 1.6 Polk County will provide for recreation activity programs and facilities designed to meet the needs of the areas represented by:
 - a. Encouraging local communities to provide community parks and recreational facilities through the provision of technical expertise, assistance in securing funds, and assistance, where possible, in acquiring parks lands inside a mutually adopted urban growth boundary;
 - b. Developing rural parks in sufficient numbers and with appropriate spacing to serve the needs of County residents on sites which have unique aesthetic value, appropriate access, and are otherwise suitable for outdoor recreational activities; and by
 - c. Encouraging the development of school sites and park sites as contiguous units, whenever possible. Where appropriate, agreements should be made with school districts to ensure the provision, improvement and availability of activity rooms and athletic facilities at or adjacent to school sites.

2. **Tourism**

- 2.1 Polk County will promote park and recreational development designed to meet the needs of the tourist and regional population.

3. **Funding and Acquisition**

- 3.1 Polk County will:
 - a. Attempt to acquire lands in advance of development, in order to avoid higher acquisition costs in the future;
 - b. Investigate devices, such as planned unit developments, revenue bonds, dedicated funds, user fees and open land tax policies, as means for providing for identified recreation needs;
 - c. Develop programs to encourage the donation of resources or means to meet identified recreation needs; and
 - d. Increase the level of those park and recreation programs which reduce maintenance costs, improve law enforcement and reduce vandalism.
- 3.2 Polk County will explore the possibilities of placing a share of the burden of park acquisition on developers of subdivisions within the County.

4. **Planning and Management Roles**

- 4.1 Polk County will utilize the resources of parks and recreation agencies to assist in planning and implementing recreation programs.
- 4.2 Polk County will request that governmental agencies developing recreation plans affecting the County provide for the review of these by the County.
- 4.3 Polk County will investigate the development of undeveloped County, State and federal lands, as potential parks and recreation facilities. Polk will also review all pieces of public property proposed for vacation, abandonment or sale for possible recreational usage.

5. **Campsites**

5.1 Polk County will encourage State and federal agencies, private organizations and recreation groups to provide overnight camping facilities, offering a variety of camping experiences from the primitive to the improved campground.

6. **Trails**

6.1 Polk County will encourage the cooperative development of a recreation trail system connecting cities, communities, parks and other points of interest.

6.2 Polk County will encourage the cooperative development of a system of scenic roads to enhance recreational travel and sightseeing.

6.3 Polk County will identify areas for recreational vehicle activity and restrict the use of these, so as to minimize the impact of such upon productive farm and forest lands, watershed, fish and wildlife habitats and areas of historic, cultural and/or scientific importance.

H. Economic Development

The economic vitality of the County is of interest to the majority of Polk County residents, for this vitality affects the way many of us lead our lives.

There are a number of issues and problems which can affect this vitality which should be addressed through an economic strategy. The County's economy is largely based upon the agriculture and lumber and wood products industry, but our timber resources are gradually diminishing and both

industries provide employment of a highly seasonal nature. Polk County's municipalities are increasingly serving as bedroom communities for the Salem urban area. There are still the questions of whether or not to promote economic growth; and if so, where? Any industrial expansion will require the provision of adequate levels of services. What is the best way to stimulate private sector economic activity?

Polk County may engage in the development of an Overall Economic Development Program to serve as the basis for economic planning and future capital improvements programming, and to provide a strategy or "blueprint for action" with regard to economic growth. This program will be incorporated into the Comprehensive Plan to ensure the currency and coordination of land use and economic planning. Polk County establishes the following goal and policy statements:



GOALS

1. To achieve a rate or pattern of economic activity which will relieve chronically high levels of unemployment and underemployment.
2. To provide an atmosphere conducive to economic activity with an emphasis on private sector activity.
3. To provide access to current social and economic trend information as it pertains to economic development in the region.
4. To avoid over-reliance on one industry.
5. To provide for and maintain a viable economy while preserving the present sense of community and high level of environmental quality.

POLICIES

1. **Employment and Job Training**
 - 1.1 Polk County will favor the development of economic activities which will provide jobs able to utilize the skills of the local labor force.
 - 1.2 Polk County will encourage the provision of economic opportunities in or near areas of high unemployment.
 - 1.3 Polk County will encourage the development of local job training programs for residents seeking employment.

2. **Economic Planning**

- 2.1 Polk County will obtain an adequate and accurate data base depicting social and economic conditions and trends.
- 2.2 Polk County will encourage those economic development projects which would be consistent with the predominant timber and agricultural character of Polk County.
- 2.3 Polk County may develop and maintain an Overall Economic Development Program through which:
 - a. Social and economic trend information may be evaluated;
 - b. Potentials and limitations for economic development may be identified;
 - c. Economic development goals and strategies and policies may be determined and amended; and
 - d. implementation measures may be prepared.
- 2.4 Polk County will ensure citizen involvement in economic planning on a continuing basis through the Polk County Citizen Involvement Program (CIP).
- 2.5 Polk County will ensure that any Overall Economic Development Program is consistent with the County Comprehensive Plan. Upon preparation, it is intended that the Overall Economic Development Program be incorporated into the economic element of the County Comprehensive Plan.
- 2.6 Polk County will maintain the currency and usefulness of an Overall Economic Development Program by preparing an annual assessment and update of the data base and management program.
- 2.7 Polk County will further develop and maintain a current industry site survey file, providing information on topography, land capability, public services, transportation, surrounding land use and land use trends.
- 2.8 Polk County will coordinate and cooperate with relevant federal, State, regional and local government agencies in economic development planning.

3. **Economic Development**

- 3.1 Polk County will coordinate with public agencies and concerned citizens in encouraging a diversified economy and employment base in order to reduce or avoid reliance upon one sector of economic activity.

4. **Land Use -- Industrial**

- 4.1 Polk County will encourage the development of industrial land uses within urbanized areas or serviced industrial parks unless an industry specifically requires a rural site.
- 4.2 Within urban growth boundaries, Polk County will support the location of industrial uses in accordance with adopted intergovernmental agreements pertaining to urban growth boundaries and urbanizable land.
- 4.3 Polk County will allow rural industrial uses inside unincorporated communities and in appropriate rural industrial zones in rural areas.
- 4.4 Polk County will encourage the concentration of industries of similar types, performance characteristics and service needs.

- 4.5 Polk will require industrial uses to locate so as to minimize adverse social, economic and environmental impacts.
- 4.6 Polk County will require utilities such as power, water and waste disposal facilities be readily available and adequately sized prior to construction of industrial buildings or operating systems.
- 4.7 Polk County will recognize existing rural industrial uses outside of urban growth boundaries and unincorporated communities. The County will support the continued use of any lawfully established use that existed on (date this policy is adopted), as a use permitted outright and shall not classify the use as nonconforming.
- 4.8 Polk County will allow new rural industrial uses or expansion of existing uses consistent with Goal 14 in rural industrial zones outside of urban growth boundaries and unincorporated communities provided that:
 - a. The use is authorized under Goal 3 and Goal 4; or
 - b. The use is small in size and low impact; or
 - c. The use is significantly dependent upon a specific resource located on agricultural or forest land; and
 - d. The use will not have adverse impacts on surrounding farm and forest activities; and
 - e. The new or expanded use will not exceed the capacity of the site itself to provide adequate water and absorb waste water.

5. **Land Use – Commercial**

- 5.1 Polk County will encourage commercial uses to locate within existing municipalities, urban growth boundaries, unincorporated communities and existing rural commercial areas.
- 5.2 Within urban growth boundaries, Polk County will support the location of commercial uses in accordance with adopted intergovernmental agreements pertaining to urban growth boundaries and urbanizable land.
- 5.3 Polk County will recognize existing rural commercial uses outside of urban growth boundaries and unincorporated communities and will support the continuation of any lawfully established use that existed on (date this policy is adopted), as a use permitted outright and shall not classify the use as nonconforming.
- 5.4 Polk County will allow new rural commercial uses or expansion of existing uses consistent with Goal 14 in rural commercial zones outside of urban growth boundaries and unincorporated communities provided that:
 - a. The use is authorized under Goal 3 and Goal 4; or
 - b. The use is small in size and low impact; or
 - c. The use is intended to serve the needs of the rural area or the needs of the traveling public; and
 - d. The new or expanded use will not have adverse impacts on surrounding farm and forest activities; and
 - e. The new or expanded use will not exceed the capacity of the site itself to provide adequate water and absorb waste water.

I. UNINCORPORATED COMMUNITIES PLAN ELEMENT

The historic contribution of the 16 unincorporated communities within Polk County is well documented. Unincorporated communities were established as small towns and hamlets which were dependent on the local farm and forestry industries. At this time, local businesses in these small communities provided a vital service to residents and businesses. However, due to changes in the essential nature of farming and forest practices and the development of more efficient and affordable automobiles and highways, the focus of these communities as rural resource employment centers has shifted. As a result, many of the businesses that were once located in these communities have moved to larger communities situated along major transportation routes.



Today, unincorporated communities are predominantly residential in nature, containing few vital services. Many residents of these communities work and obtain services outside the community. The residential focus of these communities will continue to be a strong feature of these communities as commuting has become common place. These communities are expected to continue to grow in popularity and, as they do, the quality of environment will continue to be important.

Unincorporated communities are generally too small to support community-based water supply systems and wastewater systems. Therefore, the capacity of water availability and soil ability to process wastewater can be the greatest limiting factor to development. The most important component of future development is the capacity of the area to provide services. Typically, development within unincorporated communities consists of small homesites with limited commercial and industrial development. Some unincorporated communities are served by community water systems. With the exception of the community of Grand Ronde, which has a community sewer system, all development within unincorporated communities uses on-site wastewater disposal systems. The possibility exists that other community sewer systems may need to be developed in the future in communities with soils which are not generally conducive to on-site wastewater systems.

Polk County allows commercial and industrial uses within unincorporated communities consistent with the provisions Oregon Administrative Rule (OAR) Chapter 660, Division 22 (Unincorporated Communities). Among the general types of commercial and industrial uses allowed in unincorporated are those defined by OAR 660, Division 22 as “small-scale, low impact”. OAR 660, Division 22 specifies that the size of the buildings associated with these uses is limited to 4,000/8,000 square feet for commercial uses and 10,000/20,000 square feet for industrial uses. Polk County has adopted these size limitation standards as part of the commercial and industrial zones which are applied to land within unincorporated communities.

The County recognizes that some commercial or industrial uses in unincorporated

communities will often exceed the “small-scale, low impact” square footage standard. The types of uses that can be expected to exceed this standard are those uses that complement surrounding agricultural and forest activities or require proximity to rural resources and commercial uses which serve the needs of the surrounding rural area or the traveling public. The rural character, including distances from urban areas, and rural lifestyle of the residents of some unincorporated communities, as well as the substantial population of the surrounding rural areas, justifies some commercial and industrial uses to exceed the size standard for “small-scale, low-impact uses, as defined in OAR 660-022-0030.

In some cases, Polk County will permit specific commercial uses within unincorporated communities to exceed the small-scale, low impact, square footage requirement provided that it can be demonstrated that the proposed use will serve local rural markets and/or the needs of the traveling public and that the proposed use will rely on a work force from the surrounding rural area. Polk County will also allow some specific industrial uses to exceed the small-scale, low impact square footage limitation provided it can be demonstrated that the proposed use will provide employment that does not exceed the total projected work force within the community and the surrounding rural area and the proposed use would not rely upon a work force served by uses within an urban growth boundary. The findings demonstrating compliance with these requirements for commercial and industrial uses shall be adopted as an amendment to the Comprehensive Plan.

As a result of the impacts generated from the creation of Spirit Mountain Casino, which has become the largest single destination tourist attraction in the state, coupled with the interest in additional housing opportunities and traffic concerns, the unincorporated area of Grand Ronde was chosen as one of four demonstration projects referred to as regional problem solving. The regional problem solving subject area included the Unincorporated Communities of Grand Ronde, Fort Hill, and Valley Junction.

Collaborative Regional Problem Solving Oregon Revised Statute Chapter 197.656 (2) states that following the procedures set forth in subsection 2 of ORS 197.656, the Land Conservation and Development Commission (LCDC) may acknowledge amendments to comprehensive plans and land use regulations, or new land use regulations, that do not fully comply with the rules of the Commission that implement the statewide planning goals, without taking an exception. In collaboration with the participants of the regional problem solving process, Polk County will adopt elements of the Grand Ronde - Willamina Regional Problem Solving Project Final Report that are consistent with the criteria listed in ORS 197.656.

In establishing the unincorporated community boundaries, Polk County satisfied all sections of the Unincorporated Communities Rules (OAR 660, Division 22) except with respect to OAR 660-22-0020(3). This rule provision sets forth the requirements for establishing the boundary of an unincorporated community. Polk County deviated from this provision only with respect to including within the community boundaries: (1) Tribal trust land that is contiguous to the existing community, historically considered part of the community, and that is planned for tribal development; and (2) land determined through the regional problem solving process as not being part of the region’s commercial agricultural and forest land base pursuant ORS 197.656(6). All other lands included within the boundaries satisfy these rules.

The unique regional land use problems the Unincorporated Communities of Grand Ronde, Fort Hill, and Valley Junction face have warranted a collaborative regional problem

solving process. Polk County acknowledges the concepts, directions, and solutions developed by the participants of the collaborative regional problem solving process that address the unique land issues of the region. ORS 197.656(2)(c) requires the regional problem solving implementing plan and amendments and land use regulations to conform on the whole, with the purposes of the statewide planning goals. Oregon Statewide Planning Goal 14 states that counties may approve uses, public facilities and services within unincorporated communities that are more intensive than allowed on rural lands by Goal 11 and Goal 14, either by exception to those goals, or as provided by Commission rules that ensure such uses do not: adversely affect agricultural and forest operations, and interfere with the efficient functioning of urban growth boundaries. Polk County finds that the agreement reached by the regional problem solving participants, Grand Ronde - Willamina Regional Problem Solving Final Report, on the whole conforms to the purposes of the Statewide Planning Goals and Guidelines. In addition, the unincorporated community rules, at OAR 660-022-0040, establish the criteria for expanding an established urban unincorporated community (UUC) boundary. Given these requirements, any future expansion of the Grand Ronde UUC, in order to accommodate the long term need for housing and employment, requires the participants in the regional problems solving to agree to a deviation in the "10-mile from UGB rule" under OAR 660-022-0040(2)(b). Also, the participants in the regional problems solving utilized a 20-year, long range, planning period, instead of a roughly 5-year planning period established by this rule. As such, utilizing a 20 year planning period to expand the Grand Ronde UUC requires the participants in the regional problem solving process to agree to deviate from this specific rule as well.

As a result of these findings, Polk County has satisfied all requirements of the Unincorporated Communities Rules, except with respect to the establishment of the community boundaries and the inclusion of certain lands. These findings reflect the approach taken to address the unique regional land use problems of the Unincorporated Communities of Grand Ronde, Fort Hill, and Valley Junction during the Cooperative Regional Problem Solving process.

The Unincorporated Communities of Eola, and Rickreall have unique characteristics including a substantial rural community population base and development potential, and are located in direct proximity to State highways that carry substantial amounts of traffic. These specific characteristics warrant some uses that exceed the commercial small-scale low impact building size limitations listed in Oregon Administrative Rules Chapter 660 Division 22 Section 30 Subsections (4) and (10). As a result, Polk County will permit eating and drinking places in those communities as a permitted use that serves the needs of the community, surrounding rural area or the travel needs of people passing through. Polk County acknowledges the potential need to permit eating and drinking places that will exceed the commercial small-scale low impact building size limitations identified in OAR 660-022-0030(10), as provided for in Appendix H and I of this Comprehensive Plan and Chapter 115 of the Polk County Zoning Ordinance recognizes that eating and drinking places serve the needs of the community and surrounding rural area or the travel needs of people passing through the area.

It is in the best interest of Polk County to support these communities by encouraging citizen involvement in policies effecting these communities and supporting the viability of communities through Plan policies and zoning.

GOALS

1. To provide maximum opportunity for citizens to participate in unincorporated community planning.

2. To establish unincorporated community boundaries in order to distinguish land within the community from exception areas, resource lands and other rural lands.
3. To support the historically significant contribution that unincorporated communities have made to the economic structure of Polk County.
4. To provide for opportunities for development in unincorporated communities while preventing development that would exceed that ability of the area to provide potable water, wastewater management, or transportation services.
5. To provide for and maintain a viable economy while preserving the present sense of community and environment.

POLICIES

1. Unincorporated Communities

- 1.1 Polk County will recognize existing unincorporated residential and service communities which demonstrate a historic identity as a hamlet or town through the designation of "unincorporated community" as defined in OAR 660-22.
- 1.2 Polk County will maintain residential densities in unincorporated communities at low levels and will require that new developments meet appropriate standards for water quality and sewage disposal.
- 1.3 Polk County will only permit those uses in unincorporated communities for which it can be clearly demonstrated that such uses:
 - a. Contribute to the well-being of the community;
 - b. Do not seriously interfere with surrounding or adjacent activities;
 - c. Are consistent with the identified function, capacity and level of service of facilities.
- 1.4 Polk County will designate and identify unincorporated communities in accordance with the definitions of Oregon Administrative Rule (OAR) 660-022, the Unincorporated Communities Rule.
- 1.5 Polk County shall adopt individual plan and zone designations reflecting the projected use (e.g. residential, commercial, industrial, and public) for each property for all land in each community.
- 1.6 Polk County shall ensure that new uses authorized within unincorporated communities do not adversely affect agricultural or forestry uses.
- 1.7 Polk County shall ensure that the cumulative development within unincorporated communities will not:
 - a. Result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations; and,
 - b. Exceed the carrying capacity of the soil or of existing water supply resources and sewer services.
- 1.8 As required, Polk County shall adopt public facility plans meeting the requirements of OAR 660, Division 11, and include them in this Plan. For all communities, a community public facility plan, addressing water and sewer, is required if conditions within the community can be described by OAR 660-22-050(1).
- 1.9 Polk County shall ensure that residents of unincorporated communities have adequate opportunities to participate in all phases of the planning process and in accordance with the Citizen Involvement chapter of this Plan.
- 1.10 Polk County shall allow commercial and industrial uses within unincorporated communities in accordance with the provisions of Oregon Administrative Rule OAR 660, Division 22, the Unincorporated Communities Rule.

J. Public Facilities and Services

Public facilities and services provide the basic support systems for urban and rural development as well as for many activities in our daily lives. Included under this heading are the following topics: domestic water supply systems, sewerage and storm drainage, solid waste, police and fire protection, libraries and educational facilities, public utilities and communications and community health and social

services. Public facilities and services affect a community in two ways: a) through the costs involved in their financing, and b) through their influence on land use patterns. The nature and level of these services does much to define a community, clearly marking the differences between urban and rural land usage by their presence or absence. The type and level of these services also has a major effect upon the way many County residents live. The availability of mobile health clinics, for example, makes it possible for many County residents to obtain medical care in areas not served by a full-time doctor or health care facility. Realizing the importance of public facilities and services upon land use and overall quality of life, Polk County establishes the following goal and policy statements:

PUBLIC FACILITIES AND SERVICES

GOALS

1. To develop a timely, orderly and efficient arrangement of public facilities and services to serve as framework for urban and rural development.
2. To support the provision of needed public services for all residents of Polk County.
3. To plan the efficient and economic provision of public facilities and services for the people of Polk County.

POLICIES

1. **Sewerage**
 - 1.1 Polk County will cooperate with the cities within its jurisdiction in developing a phased growth plan to guide the provision of municipal sewer service to urbanizable areas upon annexation.
 - 1.2 Polk County may permit the creation or extension of sewer services to lands outside of Urban Growth Boundaries in the event of health hazard only after public hearings have been held, the problem carefully evaluated, an affirmative decision made by the County Board of Commissioners, and an appropriate annexation has occurred or service district has been created.
 - 1.3 Polk County may assist in the organization of sewerage-related special service districts in areas with persistent demonstrated problems and needs; the intent not being to foster further development in land not within Urban Growth Boundaries.
 - 1.4 Polk County will encourage alternate methods of sewage disposal when such methods are economically, legally and environmentally feasible.

- 1.5 Polk County will facilitate the proper care and maintenance of subsurface sewage disposal systems in order to protect environmental quality and the public health.
2. **Solid Waste**
 - 2.1 Polk County will continue to comply with the provisions of the Chemeketa Region Solid Waste Management Program and shall work toward the implementation of the program's recommendations as they relate to solid waste disposal. In accordance with the Chemeketa Plan, Polk County will pursue the development of the following:
 - a. A solid waste transfer station in the Dallas-Rickreall area;
 - b. A rural drop-box station at Falls City; and
 - c. A backup landfill to serve in the event of an emergency.
 - 2.2 Polk County will promote further development, implementation and enforcement of the solid waste ordinance.
3. **Community Health and Social Services**
 - 3.1 Polk County will encourage and coordinate with the appropriate jurisdictions and agencies in increasing the accessibility (overcoming geographic, architectural and transportation barriers) of health and social services to the general public, especially to the elderly, the handicapped and the young.
 - 3.2 Polk County will provide for the involvement of the public in definition of problems and identification of needs with regard to health and social services, and the definition of responsibilities relating to the provision of those services.
 - 3.3 Polk County will continue to cooperate with all appropriate governmental jurisdictions, agencies and special districts in developing a coordinated approach for the planning and delivery of health and social services.
4. **Domestic Water Supply**
 - 4.1 Polk County will identify and encourage the acquisition and/or advance reservation and protection of suitable watershed areas and reservoir sites in order to serve increasing rural and urban domestic water needs.
 - 4.2 Polk County will assist in the organization of water-related special districts which would be eligible for federal and State funding for water supply projects for the relief of demonstrated shortages.
 - 4.3 Polk County will encourage domestic water supply systems to be maintained at a level sufficient to:
 - a. Provide adequate fire flow and storage capacity to meet the service area requirements;
 - b. Provide adequate pressure to ensure the efficient operation of the water distribution system; and
 - c. Meet the anticipated long-range maximum daily use and emergency needs of the service area.
 - 4.4 Polk County will cooperate with cities within its jurisdiction in developing a phased growth plan to guide the provision of municipal water service to urbanizable areas.

5. **Libraries**

5.1 Polk County will continue to support the Chemeketa Cooperative Regional Library Service in its efforts to bring library service to areas having existing facilities.

6. **Police and Fire Protection**

6.1 Polk County will seek and consider information about the provision of police and fire protection in the development of plans, land division proposals and land use decisions regarding urbanization and annexation.

6.2 Polk County will require that the availability of police and fire protection in levels adequate to meet the requirements of a proposed land development action or annexation be demonstrated prior to the County approving such an action.

6.3 Polk County will encourage the upgrading of the level and quality of police and fire protection to rural areas.

6.4 Polk County will continue to support coordinated planning for law enforcement and fire protection with applicable governmental agencies.

6.5 Polk County will pursue the development of a coordinated and consolidated central dispatch system in order to more effectively serve County residents with emergency service such as police, fire protection and emergency medical assistance.

7. **Public Buildings**

7.1 Polk County will promote the consolidation of government and services in an effort to provide centralized, attractively designed building and open space assemblages to better accommodate the use of facilities and services by the general public.

7.2 Polk County will promote the joint-use of public buildings for use by the public for organizational and public meetings, recreational, personal enrichment and educational uses.

7.3 Polk County will promote the upgrading of existing rural community facilities and the provision of facilities more accessible to the physically handicapped.

7.4 Polk County will coordinate with appropriate agencies to take steps to make public buildings and facilities more accessible to the physically handicapped.

8. **Educational Facility Location**

8.1 Polk County will encourage the selection of school sites based upon cooperative planning between school districts and local government. Prior to acquisition and development of a school site, the appropriate Planning Commission, school district and governmental agency shall consider the following factors:

- a. Population, housing, housing and development patterns, trends and projections;
- b. Consistency with existing comprehensive plans and zoning ordinances;
- c. Convenience and accessibility to users of the building and grounds;
- d. Location in relation to the Urban Growth Boundary;
- e. Availability of service;
- f. Size of site and adequacy for off-street parking.

8.2 Polk County will encourage schools that serve primarily urban populations to be located within an Urban Growth Boundary.

9. **Rural Development and Services**

9.1 Polk County will require that domestic water and sewage disposal systems for rural areas be provided or maintained at levels appropriate for rural use only. Rural Services are not to be developed to support urban uses.

9.2 Polk County will establish standards for the minimum adequate level of public services in the unincorporated portions of the County. Such services will include, but not necessarily be limited to, educational facilities, police and fire protection, domestic water supply, sewage disposal and roadways.

Such standards shall not be considered to be directives governing the operation of schools, community water districts or any other public service agency, but shall be used only to assure that new residential development in rural areas does not exceed the capacity of one or more public service agencies to serve the existing population. The standards shall not conflict with existing State laws regarding the roles, functions and operation of public facilities and services.

9.3 Polk County will periodically review these standards and amend them as necessary prior to any such change, Polk County will consult those responsible for providing the relevant public service, the Polk County Planning Commission and the County Citizen Involvement Program for input.

9.4 Polk County will apply these standards to all proposed rural subdivisions specifically, and as a general rule for consideration when reviewing other proposed land use actions prior to decision-making. Polk County may deny tentative approval of any rural subdivision in which it is found that either of the following conditions exist:

- a. The existing level of one or more public services does not meet established minimum standards or will not meet such standards if additional residential development occurs; and
- b. The level of public services planned by the public agency or agencies will not meet the established minimum standards for such services if the proposed residential development occurs.

K. Urban Land Development

The leading edge of expansion outward from the existing urban communities is a concern of the County Plan. The fostering of the necessary cooperation and coordination of planning among cities and the County is essential if logical patterns of land use are to be developed adjacent to and ultimately within these jurisdictions. Nationally, thousands of acres of agricultural land are converted daily to other

uses, most of them urban uses. Running counter to this trend is an annual increase of two to three million domestic consumers of food. Random, small-scale developments in the fringe areas of cities are a main cause of urban sprawl and land use incompatibility. Sprawl development results in higher costs in providing public facilities and services due to the extension, then under utilization of those services. Concern over the issues of agricultural land conversion, sprawl development, and the "catch up" provisions of public services has resulted in the establishment of the following goals and policies:

URBAN LAND
URBAN LAND
DEVELOPMENT
DEVELOPMENT

GOALS

1. To protect agricultural land from urban expansion and random development through containment of urban growth.
2. To provide for an orderly and efficient transition from rural to urban land use within designated growth areas.

POLICIES

1. **Urban Growth Policies**
 - 1.1 Polk County and each municipality will contain future urban development within the geographical limits of a mutually adopted Urban Growth Boundary.
 - 1.2 Polk and each municipality will review Urban Growth Boundaries at least every five years, in order to reflect changing trends in population growth, land use patterns and other factors which may determine need for expansion or reduction in the supply of land required for urban growth.
 - 1.3 Polk County and municipalities will base establishment and change of urban growth boundaries upon consideration of the following factors:
 - a. Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;
 - b. Need for housing, employment opportunities and livability;
 - c. Orderly and economic provision for public facilities and services;
 - d. Maximum efficiency of land uses within and on the fringe of the existing urban area;
 - e. Environmental, energy, economic and social consequences;
 - f. Retention of agricultural lands as defined, with Class I being the highest priority for

retention and Class VI the lowest priority; and,

- g. Compatibility of the proposed urban uses with nearby agricultural activities.

Change of an adopted Urban Growth Boundary will be a cooperative process between Polk County and the affected municipality.

2. **Urban Land Development**

- 2.1 Polk County will consider areas lying between unincorporated city limits and an adopted urban growth boundary as "urbanizable," available for annexation and urban development over time.
- 2.2 Polk County will support the development of land within existing urban areas before the conversion of urbanizable lands to urban uses. Expansion of urban areas should occur outward from existing development in an orderly, efficient and logical manner.
- 2.3 Polk County will recognize that the type and form of development of urbanizable land is to be based upon each municipality's adopted land use and phased growth plan, a plan which has been coordinated with that of the County.
- 2.4 Polk County will provide the opportunity for each city to review and comment upon any proposed land use action within that municipality's urbanizable area prior to County action.
- 2.5 Polk County zoning will reflect and support the intent of a municipality's coordinated and adopted land use plan for the urbanizable area in order to protect that area from random development actions.
- 2.6 Polk County and municipalities within its jurisdiction will refrain from the development, creation or extension of sewer or water service to urbanizable areas until such time that these areas are first annexed to the city, except where those services are already being provided or where the city has a legal commitment to provide those services.
- 2.7 Polk County will encourage all parties to work toward the development of the most efficient and economical method for providing specific urban services.
- 2.8 Polk County will encourage the orderly annexation to municipalities of the land within the adopted urban growth boundary.
- 2.9 Polk County will utilize a maximum density of one dwelling unit per acre for the development of urbanizable lands.
- 2.10 Polk County will require that subdivision proposals for property located within urbanizable areas be accompanied by an approved redivision plan of lots to a maximum urban density of 6,000 square feet with reservations made for the necessary streets prior to final approval. Approval of such redivision plans is to be determined by the appropriate planning commission. Redivision plans shall take the following factors into consideration:
 - a. Existing and proposed plans for circulation systems;
 - b. Existing and proposed locations for sewer, water and utility transmission lines; and
 - c. The adopted phased growth plan for the urbanizable area.
- 2.11 Polk County will maintain the area outside the urban growth boundaries with low-density living areas, open space lands, agricultural uses, and other uses compatible with the intent and purpose of the adopted urban growth policies of the city and County land use plans.
- 2.12 Polk County will encourage the use of the planned unit development concept to provide for

greater flexibility and mixing of land uses, housing types and densities, and to ensure the provision of adequate open space within urban growth boundaries.

- 2.13 Polk County will work toward attaining improved delivery systems of services that require coordination between larger units of government.

3. **Growth Management**

- 3.1 Polk County and each municipality will adopt a plan for the management of growth and the provision of services to the urbanizable area. Growth management plans are to set forth priorities for the provision of urban services over time, and to guide the eventual annexation and development of urbanizable lands. Growth management plans should include a process for plan implementation and review.
- 3.2 Polk County will coordinate with each municipality in the development and adoption of growth management plans to ensure consistency with County plans and programs.
- 3.3 Polk County and municipalities will utilize policies contained within the intergovernmental agreement between the two parties to guide the annexation and development of urbanizable lands until specific growth management plans are developed.

L. Housing

Through the use of its powers, government can have an enormous affect on housing supply. It can, through unnecessary rules, force residential growth into areas where building costs are high and where the provision for public facilities and services are prohibitively expensive. Government can also help to keep housing costs down through careful use of zoning and expansion policies and by taking advantage of state and federal assistance for low and moderate-income housing.



It is important that government carefully monitor the adequacy of the housing supply and the availability of buildable lands. It is in this way that informed decisions can be made regarding the need to take remedial action to increase the supply of housing, to assist in the rehabilitation of existing housing, and to open new areas to residential development in ways permitting the best utilization of resources.

While the free market functions well to meet the housing needs of households with annual incomes in excess of \$15,000, this excludes approximately half of the families in Polk County. For most of these people, governmental assistance, available through a variety of state and federal programs is necessary to provide them with adequate housing.

In recognition of the County's role in facilitating the development of adequate, economic housing and of the need for public involvement in the development of housing for low and moderate-income households and for the elderly, Polk County adopts the following goals and policies:

GOALS

1. To encourage the development and retention of housing which provides a variety of choices in type, location, density and cost.
2. To minimize adverse social, economic and environmental impacts resulting from residential development.
3. To assist in the provision of housing to the elderly and poor.

POLICIES

1. **Residential Development**
 - 1.1 Polk County will encourage residential development only in those areas where necessary public facilities and services can be economically provided and where conflicts with agricultural uses are minimized.
 - 1.2 Polk County will assist in the planning for the availability of adequate numbers of housing units at price ranges and rent levels commensurate with the financial capabilities of County residents.

- 1.3 Polk County will support development of housing which provides variety in location, type, density and cost where compatible with development on surrounding lands and consistent with the predominately rural character of the County.
- 1.4 Polk County will, in areas of rural residential development, encourage the use of planned unit developments which utilize the clustering of structures to allow the retention of open space and to provide buffers between the developments and adjacent rural activities.
- 1.5 Polk County will permit rural residential development in those designated areas when and where it can be demonstrated that:
 - a. Water is available which meets the standards of the State Department of Health;
 - b. Each housing unit will have either an approved site for sewage disposal system which meets the standards of the County and the Department of Environmental Quality or ready access to a community system;
 - c. The setback requirements for the development of wells and septic systems on adjacent parcels have been observed;
 - d. Sufficient public facilities and services, including police and fire protection, health services, schools and transportation facilities, exist or will be provided to accommodate the additional population resulting from the development; and
 - e. Development of residential units will not result in the loss of lands suitable for agriculture or forestry and will not interfere with surrounding agriculture or forestry activities.
- 1.6 Polk County will permit temporary siting of mobile homes in specified locations in the event of an emergency.

2. Governmental Cooperation and Coordination

- 2.1 Polk County will coordinate its programs for encouraging an adequate housing supply with regional, County and municipal governments.
- 2.2 Polk County will cooperate with governmental agencies and housing authorities within the region in promoting unified housing policies and in ensuring equitable distribution of assisted housing throughout the County.
- 2.3 Polk County will encourage State and federal agencies to develop programs and funding sources to increase the level of support for the maintenance and rehabilitation of existing housing and for the development of additional housing.

3. Housing Rehabilitation

- 3.1 Polk County will develop and maintain an inventory of the type and condition of the current housing stock.
- 3.2 Polk County will encourage the retention of the current housing stock and, where necessary and feasible, will assist in the rehabilitation of substandard housing units.

4. Assisted Housing

- 4.1 Polk County may assist its residents in obtaining housing assistance by coordinating County services with those of other agencies and by maintaining an inventory of housing development resources.

- 4.2 Polk County will support the efforts of private developers to meet the need for low and moderate-income housing.
- 4.3 Polk County will recognize and support only those sponsors of assisted housing who do not discriminate in their hiring practices or in the rental or sale of housing units.

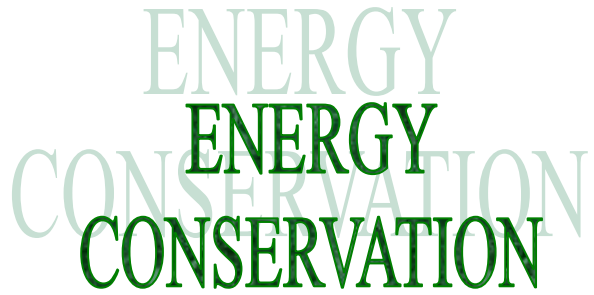
M. Transportation

Amended by Ordinance 98-5. For text, see the Polk County Transportation Systems Plan.

TRANSPORTATION
TRANSPORTATION

N. Energy Conservation

Defined in a very technical sense, "energy is the capability to do work, expressed in units of power or capacity over time" (Oregon Department of Energy). In nature, the health and stability of any living system depends upon a constant supply of energy. This is true of the technological society in which we live today. Evidence of this dependency became readily apparent in the midwestern and eastern sections of the United States during severe winters of 1977 and 1978. Factories, schools - whole communities - were closed down due to a lack of natural gas, oil and/or coal. During the 1976-77 drought, there was some concern that the same could occur in Oregon because of a lack of water behind the hydroelectric dams.



With the Arab oil embargo in October, 1973, society realized that energy resources are finite and there is a real possibility the world might soon run out of energy. At the very least, people came to the realization that a ready supply of inexpensive fuel could no longer be taken for granted.

Polk County, similar to a natural system, is highly dependent upon a constant supply of energy. If the Polk County community structure is to remain stable and in good "health," strategies must be developed and implemented whereby the County's dependency on expensive, potentially unreliable, and nonrenewable sources of energy will be reduced. It is the intent of the following goals and policies to provide a basis from which Polk County may develop programs which will lead to a fulfillment of this objective.

GOALS

1. To conserve energy in Polk County.
2. To decrease the use of non-renewable energy resources.

POLICIES

1. **Land Use Development**
 - 1.1 Polk County will encourage the concentration of land use development within rural community centers and areas located within urban growth boundaries.
 - 1.2 Polk County will promote the concept of cluster and mixed-use development as opposed to strip development.
 - 1.3 Polk County will encourage the protection of potential solar rights-of-way for commercial, industrial and residential uses.
 - 1.4 Polk County will encourage for all types of development the use of site planning techniques which ensure the convenient use of non-motorized transit.
 - 1.5 Polk County will encourage the development of industries for which there is a reliable energy supply and which utilize energy efficient processes.
 - 1.6 Polk County will encourage the development of labor (rather than energy) intensive

industries.

- 1.7 Polk County will encourage industrial co-generation of electricity.
- 1.8 Polk County will promote energy efficient patterns of growth and development through planning and the review of plans for the development of public facilities and services.
- 1.9 Polk County will encourage the location of industry in areas with ready access to rail and public transit.

2. **Construction**

- 2.1 Polk County will encourage energy efficient design, siting, and construction of all commercial, industrial, public and residential development.
- 2.2 Polk County will encourage the retrofitting of existing residential units with enough insulation to meet minimum standards designated in the Uniform Housing Code.
- 2.3 Polk County will encourage site designs which promote the capture and re-use of waste heat in commercial and industrial processes.

3. **Transportation**

- 3.1 Polk County will encourage the development and/or maintenance of energy efficient modes of transportation.
- 3.2 Polk County will encourage the development of bicycle and foot paths among residential, commercial and industrial developments where feasible.
- 3.3 Polk County will promote energy efficient design, siting and construction of transportation systems.

4. **Recycling and Alternative Energy Sources**

- 4.1 Polk County will promote recycling and resource recovery efforts.
- 4.2 Polk County will encourage the development and utilization of alternative energy sources and appropriate technologies to achieve the conservation of energy.
- 4.3 Polk County will cooperate with farmers, concerned citizens and private and public agencies in developing agricultural waste products into renewable energy sources or fertilizer.
- 4.4 Polk County will cooperate with governmental agencies to seek and utilize environmentally and economically suitable energy sources for the benefit of the residents of the County.
- 4.5 Polk County will formulate and implement measures for the protection of alternative energy sources when they are discovered or developed.

5. **Agency Coordination and Public Education**

- 5.1 Polk County will develop and maintain programs which will make information on energy conservation available to the general public.
- 5.2 Polk County will coordinate and cooperate with energy conservation programs promoted by State and federal agencies.

SECTION 3

THE COMPREHENSIVE PLAN MAP

The Comprehensive Plan map is often thought of as "the Plan." It is a significant part of the Comprehensive Plan, but it is only one part. The Plan is comprised of goals and policies as well as a map and it is the interrelation of these that gives the map its significance.

The Plan map describes all lands within Polk County in terms of the five Plan designations explained in the following section. These designations indicate which of the Plan's goal and policies apply to the different areas of the County. For areas designated "Agriculture," for example, the County has adopted three general goals and thirteen specific policies, designed to achieve these goals.

The Plan map is not a zoning map. Zoning is a set of highly specific and detailed ordinances designed to implement the long-range goals and policies of the plan. Within one area having the same Plan designation there may be several different zones.

SECTION 4

LAND USE PLAN DESIGNATIONS

The land use plan map indicates areas in which various types of land uses will be guided through the application of the intent of zoning and other implementation techniques. At this point, a brief description of the intent of each of the land use plan designations is necessary. Descriptions of the major land use designations that comprise the land use plan follow:

Agriculture

The areas designated Agriculture occur mainly in the eastern and central sections of the County. These areas are characterized by large ownerships and few non-farm uses. Topography in these areas is usually gentle, including bottom lands, central valley plains and the low foothills of the Coastal Range. This diversity of terrain allows County farmers the option of producing a variety of commodities. Farmers can produce grain or livestock in level areas; set up orchards, vineyards and pastures on the hills; or develop woodlots (or farm forestry) on the foothills. The areas designated for agriculture have a predominance of agricultural soils (SCS capability class I-IV).

It is the intent of the Agriculture Plan designation to preserve agricultural areas and separate them from conflicting non-farm uses. Toward that end, the County will discourage the division of parcels and the development of non-farm uses in a farm area (Only those non-farm uses considered essential for agriculture will be permitted).

The Agriculture Plan designation will be implemented throughout the Exclusive Farm Use Zones.

Commercial

The Commercial Plan designation indicates areas suitable for business activities. Because most commercial uses require urban facilities and services, very little of Polk County's rural land is described as commercial in the Comprehensive Plan.

The commercial designation is used mostly to accommodate existing commercial uses in rural areas, to provide for commercial development in districts which have access to major arterials, airports or railroads.

Implementation of the Commercial Plan designation is accomplished mainly through zoning. There are three commercial zones in Polk County's Zoning Ordinance: Commercial Office (CO), Commercial Retail (CR) and Commercial General (CG).

Forest

The areas designated as Forest are located within the western reaches of the County, primarily in the Coast Range. These areas generally have large holdings and few urban uses. The predominant use in the Forest area is timber production. Besides providing employment and wood products, forest lands are valued by County residents for the opportunities they present for enjoyment of scenic beauty, open space and recreational activities such as camping, fishing, hiking, hunting and swimming. Forest lands also play a valuable role in helping to maintain air, land and water quality and in serving as habitats for fish and wildlife.

It is the intent of the Forest Plan designation to conserve forest lands for continued timber production, harvesting and processing. This designation also aims to protect watersheds and wildlife habitats. Land use activities will be permitted for which it can be demonstrated that potential hazards from fire, pollution or ecological damage from over use will be minimal.

In general, the Forest Plan designation will be implemented through the Timber Conservation Zone.

Industrial

The Industrial Plan designation indicates the sites of existing industrial developments in rural areas and provides for future industrial uses in districts which are close to cities, major arterials, railroad or airports. The industrial uses found in these areas include fertilizer processing and storage, cleaning and storage facilities for grains, lumber and wood products-related processing plants and mineral extraction and processing operations.

It is the intent of the Industrial Plan designation to protect existing employment and provide employment opportunities for some of the non-farm residents living in surrounding rural areas.

The Industrial Plan designation will be implemented through the Industrial-Commercial, Industrial Park, Light Industrial, Heavy Industrial and Mineral Extraction Zones.

Unincorporated Community Commercial

The Unincorporated Community Commercial Plan designation applies to areas within designated unincorporated communities suitable for commercial business activities. While much of the land within these communities is devoted to residential uses, some opportunities for commercial activities exist. In addition to serving the needs of the local community, commercial uses within unincorporated communities include uses which complement nearby farm and forest uses, uses which serve the traveling public, and other uses which are small-scale and low impact.

It is the intent of the Unincorporated Community Commercial Plan designation to protect existing employment and provide limited employment opportunities for some of the residents living in and nearby unincorporated communities

The Unincorporated Community Commercial Plan designation is accomplished mainly through the Unincorporated Community Commercial Office (UC-CO), Unincorporated Community Commercial Retail (UC-CR), and Unincorporated Community Commercial General (UC-CG) zones. Within the unincorporated community of Eola, the Unincorporated Community Commercial Plan designation is accomplished through the Eola Unincorporated Community Commercial (Eola UC-C) zone. Within the unincorporated community of Rickreall, the Unincorporated Community Commercial Plan designation is accomplished through the Rickreall Unincorporated Community Commercial (Rickreall UC-C) zone.

Within the unincorporated community of Grand Ronde, the Unincorporated Community Commercial Plan designation is implemented through the Grand Ronde, Commercial Zone (GR / C). Within the unincorporated communities of Valley Junction and Fort Hill, the Unincorporated Community Commercial Plan designation is implemented through the Commercial Highway / Tourist Zone (CH / T).

Unincorporated Community Industrial

The Unincorporated Community Industrial Plan designation applies to areas within designated unincorporated communities suitable for industrial business activities. These sites are often associated with processing or storage of farm or forest products produced in the surrounding area and are connected to the historic development of these communities. In addition to industrial uses which make use of rural resources, industrial uses within unincorporated communities also include other uses which are small-scale and low impact.

It is the intent of the Unincorporated Community Industrial Plan designation to protect existing employment and provide limited employment opportunities for some of the residents living in and nearby unincorporated communities.

The Unincorporated Community Industrial Plan designation will be implemented through the Unincorporated Community Industrial-Commercial (UC-IC), Unincorporated Community Industrial Park (UC-IP), Unincorporated Community Light Industrial (UC-IL), and Unincorporated Community Heavy Industrial (UC-IH). Within the unincorporated community of Eola, the Unincorporated Community Industrial Plan designation is accomplished through the Eola Unincorporated Community Industrial (Eola UC-I) zone and Eola Unincorporated

Community Industrial Commercial (Eola UC-IC) zone. Within the unincorporated community of Rickreall, the Unincorporated Community Industrial Plan designation is accomplished through the Rickreall Unincorporated Community Industrial (Rickreall UC-I) zone and Rickreall Unincorporated Community Industrial Commercial (Rickreall UC-IC) zone.

Within the unincorporated communities of Grand Ronde, Valley Junction, and Fort Hill, the Unincorporated Community Industrial Plan designation is accomplished through the Grand Ronde Light Industrial (GR / LI) and the Grand Ronde Heavy Industrial (GR / HI) zones.

Unincorporated Community Residential

The Unincorporated Community Residential Plan designation applies to areas within designated unincorporated communities suitable for residential development. These communities often have limited commercial or industrial development and are primarily devoted to residential uses. Typically, residential development within unincorporated communities consists of small homesites. Some unincorporated communities are served by community water systems. With the exception of the community of Grand Ronde, which has a community sewer system, residential development within unincorporated communities uses on-site wastewater disposal systems. The possibility exists that other community sewer systems may need to be developed in the future in communities with soils which are poorly drained and not generally conducive to on-site wastewater disposal systems.

It is the intent of the Unincorporated Community Residential Plan designation to provide for residential development at densities which will not result in public health hazards or exceed the carrying capacity of the land to provide for water resources and adequate on-site wastewater disposal systems.

The Unincorporated Community Residential Plan designation will be implemented through the Suburban Residential (SR) and Acreage Residential 5-acre Minimum (AR-5) Zones. The Unincorporated Community of Grand Ronde shall also have the Grand Ronde Low Density Residential Zone (GR / LDR) as implementing the Unincorporated Community Residential Plan designation.

Quarry Sites

The Quarry Site designation indicates the locations of existing and potential aggregate resources. Some of the minerals found at the quarry sites include gravel, basalt rock, limestone, building stone, siltstone, manganese oil and gas. With the possible exception of the gravel deposits, most of the other aggregate resources can not be economically mined with existing technology. However, it is expected that changes in technology and in market demand will make the utilization of these sites more feasible in the near future.

It is the intent of the Quarry Site Plan designation to identify and protect aggregate resource deposits and to provide an opportunity for their extraction.

The Quarry Site Plan designation will be implemented through the Mineral Extraction Zone.

Willamette River Greenway

The Willamette River Greenway Plan designation delineates a natural and scenic area located along the Willamette River. The Greenway Plan designation represents an attempt by Polk County to provide opportunities for its residents to enjoy the natural and cultural assets that exist along the river without denying or infringing upon the rights of property owners located in the area.

It is the intent of the Greenway Plan designation to protect, conserve, and wherever possible, enhance the natural, scenic, historical, agricultural, economic and recreational attributes of land along the Willamette River.

The Greenway Plan designation will be generally implemented through the Exclusive Farm Use Flood Plain and Greenway Management Zones. The specificity of the Willamette River Greenway line does not permit it to be shown on the Land Use Plan Map contained within this document. The photos on which the line is drawn are a part of this Plan and are on file in the County

Clerk's Office and the County Planning Office.

Rural Lands

The Rural Lands Plan designation applies to lands in the County which for the most part lie between the relatively flat agricultural areas and the foothills of the Coast Range. These lands are generally hilly, heavily vegetated, and have low densities of residential development.

It is the intent of the Rural Lands Plan designation to provide an opportunity for a segment of the population to obtain acreage homesites in a rural area, while at the same time encouraging and protecting agriculture and forestry.

In those areas that receive an exception from the Oregon Statewide Planning Agricultural and Forest Land Goals #3 and #4, but are not given an exception to Oregon Statewide Planning Urbanization Goal #14, implementation will be accomplished with the Acreage Residential 10-Acre (AR-10) Zone and Agriculture and Forestry 10-Acre (AF-10) Zone. In those areas that receive an exception from the Oregon Statewide Planning Agricultural and Forest Land Goals #3 and #4 and Urbanization Goal #14, implementation will be accomplished with the Acreage Residential (AR-5) or Suburban Residential (SR) Zones.

Urban Reserve

The Urban Reserve designation applies to lands lying within urban growth boundaries but outside of city limits. The Urban Reserve designation recognizes that:

- a) The Urban Growth Boundary was designed to provide the supply of land available for the city's urban growth needs to the year 2000;
- b) All of the land within the Urban Growth Boundary does not need to be developed immediately;
- c) The type and form of development of land between existing municipal limits and the adopted Urban Growth Boundary is to be based upon an adopted land use plan which has been coordinated with the County; and
- d) That agreements between Polk County and its municipalities limit the provision of public sewer or water service to areas within the city limits.

The Urban Reserve designation addresses itself toward protecting the intent and integrity of the city's coordinated and adopted land use plan by limiting random development actions which could stand in the way of logical, planned development. The Urban Reserve designation recognizes that the provision of adequate levels of public facilities and services should guide urban development, and not the other way around.

The Urban Reserve designation acknowledges that lands under such a designation will eventually be developed for urban uses. The designation identifies those lands which can be preserved until needed for urban purposes and annexed.

The Urban Reserve designation shall reflect and be in support of the County's Urban Land Development policies, and the policies and intent statements contained within the intergovernmental agreement adopted by Polk County and each municipality regarding the development and management of urbanizable lands.

The Urban Reserve designation may be implemented through a number of zones, but primarily through the Suburban Residential (SR) zone or the Exclusive Farm Use (EFU) Zone.

Farm/Forest

The Farm/Forest designation applies to lands which, for the most part, lie between the relatively flat agricultural areas and the foothills of the Coast Range.

These lands are generally hilly, heavily vegetative, and have scattered areas of residential development. These lands had originally been designated Rural Lands. However, the Land Conservation and Development Commission (LCDC) did not grant a general exception to the Oregon Statewide Planning Goals, as requested by the County, for approximately 41,000-acres

of Rural Lands designated properties. As a result, those properties converted to the Farm Forest Plan Designation. There are many full-time farms located in this area; however, more of the smaller part-time farms that exist in the area were created through the land division process when the area was designated Rural Lands. The Farm Forest Plan Designation recognizes those smaller properties. These areas exhibit a predominance of agricultural soils and timber lands as defined by State statutes.

It is the intent of the Farm/Forest designation to provide an opportunity for the continuance and the creation of large and small scale commercial farm and forestry operations. It is also intended that the addition and location of new structures and improvements will not pose limitations upon the existing farm and forest practices in the area or surrounding area and that additional density will not adversely affect the agricultural or forestry operations of the area through the increased use of roads, demands for ground water during the growing season, or demands for increased levels of public facilities and services.

It is the specific intent of the Farm/Forest Plan designation to ensure that land use actions are consistent with definitions of agricultural and forest lands contained within the Polk County Comprehensive Plan. The Farm/Forest Plan designation will be implemented through the use of the Farm/Forest (F/F) Zone which includes areas designated as Farm/Forest Overlay on the zoning map.

The Farm/Forest Zone Overlay is implemented by the Farm/Forest zone and the additional provisions of the EFU zone for land divisions and farm dwelling approvals. The Farm/Forest zone shall be applied to land where the parcelization pattern was predominately less than 80 acres as of October 12, 1988. The Farm/Forest zone overlay shall be applied to land where the parcelization pattern is greater than 80 acres located along the perimeter of the Farm Forest designation, or in large block within the Farm Forest Designation.

Public

The purpose of the Public Plan designation is to recognize those areas and improvements which accommodate or provide various government services to the people of Polk County. These include schools, parks fire stations, hospitals, cemeteries and other public buildings. Adequate public facilities are essential to well ordered community life, sustaining and enhancing the health, safety, educational and recreational aspects of rural living.

SECTION 5

Plan Evaluation and Update

Comprehensive plans must be continually evaluated in terms of changing public values, and in light of unforeseen physical, environmental, social or economic factors which may occur. If planning is to play an effective role in the process to provide for the needs of people, land uses must be inventoried, needs identified and new development and facilities designed to meet their needs. All this must be done on a regular, continuing basis for planning to be effective.

The procedure for evaluating or reviewing the Polk County Comprehensive Plan will be essentially the same as the process the County went through in formulating this Plan. Advisory committees and the Planning Commission will meet regularly to discuss any problems, assess the current situation and make recommendations in response to the County's needs. Through the public hearing process, revisions to the Comprehensive Plan will be debated and decided upon.

The Comprehensive Plan is not intended to be a static document. It is a set of goals and policies designed to guide the future of Polk County for a finite period. A full-scale review and evaluation of the Plan should occur every five years (see Plan Amendment Procedures), and urban growth boundaries reviewed at least every five years. In the interim, Plan amendments will be made where necessary and proper. Any and all revisions should be examined in light of their effect upon the Plan as a whole and should be treated with cautious reflection.

SECTION 6

Plan Amendment Procedures

A. **Amendments to Urban Growth Boundaries**

Amendments to that portion of the urban growth boundary which lies in Polk County must be concurred with by the City and Polk County.

B. **Amendments to the Comprehensive Plan other than Amendments to the Urban Growth Boundary.**

Amendments to comprehensive plans which apply within urban growth boundaries must be concurred with by the City and Polk County. Amendments to a comprehensive plan which apply only within a city's incorporated limits may be enacted by the City. Amendments which apply only within unincorporated Polk County and outside of urban growth boundaries may be enacted by Polk County.

C. **Notice**

Notice of all proposed amendments must be given to Polk County and to any affected city.

D. **Legislative Amendments**

Amendments to the urban growth boundary or to other parts of the Comprehensive Plan which are legislative in character shall be adopted in accordance with Oregon law for the enactment of legislative acts.

E. **Quasi-Judicial Amendments and Rules of Procedure**

Amendments to the urban growth boundary or to other parts of the Comprehensive Plan which are legislative in character shall be adopted in accordance with Oregon law for taking quasi-judicial action. Each planning commission and each governing body within Polk County should adopt rules of procedure to govern the initiation and processing of amendments to this Plan in geographic area of the jurisdictions.

F. **Review and Revision**

The Polk County Comprehensive Plan shall be subject to major review and where necessary, revision every five years commencing in 1985. Except for quasi-judicial Plan changes, plan amendments should, wherever possible, be reserved for those years when the Plan undergoes major review. The Plan and implementation measures will be routinely reviewed at least every two years with revision being made where necessary.

G. **Initiation**

A Plan amendment may be initiated by any owner of real property in Polk County or by any person residing in Polk County.

SECTION 7

Implementation Techniques

The Comprehensive Plan is a guide to the growth and development of Polk County for the foreseeable future. The goals and policies, together with the background information and the Plan map, constitute public policy for the County. While the Plan map is a visible result of the goals and policies spelled out in the Plan, it is the policies that contain the decisions to attract, accommodate, divert, or discourage growth and development. Every development action should be guided on the basis of policies expressed in the Plan.

To have any meaning, the Comprehensive Plan must be implemented. The most common implementation tools available are the zoning and subdivision ordinances, building and sanitation codes, and growth management programs. These and other implementation measures are developed as items separate from but tied to the Plan and which must, by statute, be in conformance with the Plan.

Zoning

The zoning ordinance for Polk County, adopted in December 1975, is the most important implementation tool currently utilized by the County. In theory, the zoning ordinance is a legislative expression of the Comprehensive Plan and must satisfy certain standards set out by state statute.

It should be stated at this point, that while planning and zoning are clearly interrelated, they are distinctly different. Zoning is a regulatory device which can further the proper development of land uses. As such, it may be viewed as one of the tools of planning in that it involves day-to-day attention to those details of land use control necessary to achievement of the major goals of land use planning. Planning provides the body of ideas within which zoning operates and the use of zoning ordinances is one of the devices through which planning goals are achieved. The objectives and goals of planning are phrased in the language of advice and recommendation. In this respect, planning functions as a guide to zoning. The effectiveness of good planning and zoning may be measured in the degree to which the long range goals of the Plan are realized. Zoning should be used to help promote the goals of the Comprehensive Plan.

The existing zoning in Polk County has been brought into compliance with the proposed comprehensive plan. Upon adoption of the plan, there will be parcels of land and buildings that will not conform to the land use designations approved for the particular area. It is not the intent of the Plan to force those non-conforming uses away or out of existence but rather to allow them to continue in their present capacity.

The Willamette River Greenway will be implemented through an overlay zone. This zone will utilize the conditional use permit process for proposed uses within the Greenway.

Subdivision Code

Polk County has a recently revised Subdivision Code which has aided in structuring residential growth in the urban areas of the County. The subdivision ordinance is an important tool in achieving some of the goals of the Plan. As such, it is designed to ensure that streets are dedicated in the right location and width, that lots are of a proper size and shape, that storm and sewage

disposal is handled adequately, and that suitable sites are provided for parks and schools. To be effective, the Subdivision Code will be kept abreast of the changes that are taking place in land development techniques and practices.

Building Code

The Building Code is an additional implementation device. The enforcement of codes which require minimum standards for the structure and facilities of buildings are a part of the County's police power. As such, these codes are designed to protect the health, safety, and welfare of the general public.

Polk County utilizes the 1976 edition of the Uniform Building Code with amendments specifically tailored to the State of Oregon. Specific codes enforce standards for plumbing and mechanical construction.

Partitioning Ordinance

A partitioning ordinance is an integral part of the County's Subdivision Code. This ordinance is designed to monitor and structure residential growth in rural areas of the County, as well as those un-annexed areas within urban growth boundaries established for all municipalities in the County.

Flood Insurance

Polk County participates in the National Flood Insurance Program. Any construction within the adopted 100 year floodplain requires approval through the conditional use process.

Urban Growth Boundaries and Growth Management Programs

Urban growth boundaries are utilized by both the County and its cities to contain urban development in planned urban areas where basic services, such as sewers, water facilities, police and fire protection, and schools can be provided in the most efficient and economical manner.

The Comprehensive plan for Polk County designates mutually-agreed upon urban growth boundaries for all municipalities within the County. The location of these boundaries is site specific. There are agreed-upon methods for amending the boundaries. Processes have been established for coordinating the provision of urban services and facilities within unincorporated areas inside the boundaries, as well as processes for reviewing and coordinating with affected agencies any land use actions, such as annexations, within the boundaries.

Intergovernmental agreements between city and County regarding urban land development and the provisions of public facilities and services within urban growth boundaries serve as one means of implementing County urban land development policies. The County will be working with cities within its jurisdiction in developing growth management programs for urbanizable lands. These programs may involve such components as capital improvements programming, systems development charges and the phasing or staging of public facilities and services.

Grants-in-Aid

Several federal and state agencies offer grants-in-aid for social service programs, housing programs, land use planning, sewer and water projects and various other items. Such grants are a valuable tool in assisting local governments in attaining goals and fulfilling Comprehensive Plan policies. Polk County has utilized grants in the past and will continue to do so where practical.

Intergovernmental Cooperation

The Comprehensive Plan policies frequently refer to intergovernmental cooperation. Senate Bill 100 mandated coordination by counties of all planning activities affecting land uses within a county. Coordination of planning efforts has become another important implementation tool, Polk County having already established numerous agreements and policies of cooperation with the municipalities and special districts within the County, as well as agencies, committees, boards, and individuals involved in planning for the County.

As a member of the Mid-Willamette Valley Council of Governments, Polk County recognizes the need for inter-county and city-county cooperation in areas such as public health, transportation, parks and recreation, water supply and sewerage facilities, and planning. The focus is clearly as much a city-county as an inter-county relationship, and Polk County supports both perspectives. The County also recognizes the opportunity for planning coordination with counties and jurisdictions which are not members of the Mid-Willamette Valley Council of Governments.

Citizen Involvement

For the purpose of obtaining citizen participation in coordinating planning within the County, the Board of Commissioners has established advisory committees on land use planning for various geographic areas of the county. State law mandates that the local government decision makers must consult with these advisory committees in respect to the preparation, adoption, revision, and implementation of the comprehensive Plan. This has been accomplished in the plan preparation phase and will be sustained as part of the ongoing planning program. The Citizen Involvement Background Report explains in detail the County's program and efforts to provide for citizen involvement. Citizen involvement groups will be providing valuable input as the County implements the Plan through guidance and review of proposed actions.

APPENDIX A

PREFACE

Polk County is taking an Exception to the statewide planning goal dealing with agricultural lands (Goal #3). The amount of acreage involved in this Exception is approximately 53,000 acres. A complete and detailed Exceptions statement is presented in the section that follows, for an area that contains approximately 12,000 acres. The zoning is Acreage Residential, five acre minimum, and the plan designation is Rural Lands. The remaining 41,000 acres are zoned Agriculture-Forest (AF) and are also plan designated Rural Lands. The AF zone is intended to define and protect areas identified as less highly productive agricultural lands in the comprehensive plan, including some lands identified as agricultural or forest land in the statewide planning goals. It is the purpose of the AF zone to encourage agriculture or forestry as the dominant uses of such lands, to preserve such lands as long as possible for the production of agricultural and forest products, and to insure that the conversion of such lands to urban or non-farm rural uses -- where necessary and appropriate -- occurs in an orderly and economical manner.

Polk County believes that the Agriculture-Forestry zone meets the spirit and intent of Goal #3. However, the county will also put forth an Exceptions statement to the agricultural lands goal for the 41,000 acres zoned Agriculture-Forestry. That Exception will be presented in the following section, after the Exceptions statement that was developed for areas zoned Acreage Residential - 5 (Refer to Part IV).

INTRODUCTION

In 1973, the Oregon Legislative Assembly adopted Senate Bill 100 (ORS Chapter 197), the 1973 Land Use Act. The Land Use Act represented the latest in a series of attempts by the Oregon Legislature to promote and coordinate comprehensive land-use planning at the local level. The Land Use Act provided for the creation of the Land Conservation and Development Commission (LCDC) and mandated that LCDC adopt statewide planning goals and guidelines by January 1, 1975. These goals and guidelines were to serve as standards by which state review of local comprehensive plans could be conducted. LCDC adopted 19 land-use planning goals; Goal #3 addresses the preservation of agricultural lands. Specifically, Goal #3 mandates the following:

"Agriculture lands shall be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space."

Goal #3 further states that all agricultural lands shall be inventoried and preserved by adopting exclusive farm use zones. Agricultural land in western Oregon is defined as land of predominately Class I, II, III, and IV soils, as identified in the Soil Capability Classification System of the United States Soil Conservation Service. Other lands suitable for farm use - taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land use patterns, technological and energy inputs required, or accepted farming practices (including lands in other classes which are necessary to permit farm practices to be undertaken on adjacent or nearby lands) - shall be included as agricultural land.

In the event that the county does not adopt an exclusive farm use zone (during the preparation or update of the comprehensive plan) for areas exhibiting agricultural lands, an Exception to the agricultural goal must be taken.

"Simply stated, the Exceptions Process is a method for describing how the land use requirements of certain Statewide Goals have been balanced against local land use needs, as those needs apply to specific situations. In some situations, the specific requirements of certain Statewide Planning Goals may conflict with one of the community's site specific land use needs. The Exceptions Process provides the flexibility to deal with those kinds of conflicts.'

The Exception itself is the documentation of a city or county's conclusion that 'it is not possible to apply' a particular goal to certain land areas. That conclusion must be based on a justified need for a use, not otherwise allowed by a goal, to be located in a specific area. The conclusion must be well supported by compelling reasons and facts...'

"It must be clearly understood that the Exceptions Process is not to be used to indicate that a jurisdiction disagrees with a goal or does not wish to comply with a specific goal." (Kvarsten, 1978, pg. 3.)

The Exceptions Process is used to set forth the factors and reasons for determining that certain agricultural lands may be in one of two categories of land:

1. Land no longer available for farm use; or
2. Agricultural lands needed for future urban or rural nonfarm uses.
 - a. Land no longer available for farm use: When agricultural land is no longer available for farm use, the full findings, ordinarily required for an exception, are not necessary. The finding that the land has been 1) physically developed or built upon, or that the land has been 2) irrevocably committed

to urban or rural uses, is the only information necessary to support a valid exception. How much of the land is considered as physically developed or irrevocably committed must be set forth with the facts supporting the designation of "developed" or "committed".

- b. Lands needed for non-farm uses: If the county determines there is a need to use agricultural lands for either an urban or rural non-farm use, the justification is set forth in the county comprehensive plan as an Exception. The information justifying the Exception includes a complete statement of the compelling reasons and facts for the finding that specific agricultural land must be allocated for non-farm uses. The following reasons are set forth in the Plan:
- 1) Why these other uses should be provided for;
 - 2) what alternative locations within the area could be used for the proposed uses;
 - 3) what are the long term environmental, economic, social and energy consequences to the locality, the region or the state from not applying the goal or permitting the alternative use'
 - 4) a finding that the proposed uses will be compatible with other adjacent uses.

There are several areas in the county with agricultural lands which are not zoned for Exclusive Farm Use. These areas are not plan designated for Agriculture because they fall into one of the aforementioned categories. Accordingly, Polk County is taking an Exception to the Agricultural Lands Goal; that Exceptions statement is presented in the following pages. It is presented as a discussion of the rationale and data used by the county to determine which areas consisted of lands no longer available for farm use; or lands needed for non-farm uses.

PART I
DISCUSSION OF RATIONALE AND DATA USED TO DETERMINE
AREAS UNSUITABLE FOR AGRICULTURAL AND
FORESTRY USES

LANDS NO LONGER AVAILABLE FOR FARM USE

There are 28 sub-planning discussion areas plan designated as Rural Lands which fit into this category. Total acreage for these 28 areas is approximately 3,244 acres. Average parcel size ranges from one to eight acres; and a majority of the parcels are occupied by either dwelling units or commercial-use structures.

There are six sub-areas which do not fit into the above generalizations.

- a) There is one area wherein a majority of the parcels are not occupied by dwelling units or commercial-use structures, but the average parcel size is less than two acres. Sub-area II"B".
- b) There are three areas wherein a majority of parcels are not occupied by dwelling units or commercial-use structures, but they serve as sites for major subdivisions. These areas exhibit capital investments for roads and public water systems (e.g., connections to rural domestic water systems). Sub-areas IV "A", IV "C", and XL.
- c) Two areas serve as locations for rural community centers, Valley Junction and Grand Ronde. Sub-areas XXXV"A" and XL"C".

More detailed information on the above six areas as well as the other 22 can be found in Part II of this document.

LANDS NEEDED FOR NON-FARM USES

There are 17 sub-planning discussion areas plan designated for Rural Lands which fall under this category. The following lists sub-areas and the number of acres contained in each.

1. Areas considered by the West Salem Hills Planning Commission.

<u>Sub-area</u>	<u>Number of Acres</u>
V	140
V "A"	85
VII "A"	212
TOTAL	437

2. Areas considered by the Polk County Planning Commission.

<u>Sub-area</u>	<u>Number of Acres</u>
VI 1,	361
XVII "B"	800
XVII "C"	580
XIX	169
XXIV	2,545
XXVI	564
XXVIII	2,142
XXXIV "C"	227
XXXVI "D"	74
XXXVII "B"	118
XL "B"	126
TOTAL	8,706

As stated previously, information presented by the county to support an Exception for this category of land must be detailed and complete. In view of that consideration, presented in the following pages are the Exception Process questions and the county's response to each of them.

NEED: Why these other uses should be provided for.

Polk County is taking an Exception for the following reasons:

- A. Areas are needed to provide acreage to help meet the housing needs of the county rural population to the year 2000.

- B. Polk County believes that by plan designating areas of marginal farmland for rural residential use, the county would be helping to protect quality agricultural lands.
- 1) It is a county policy (Polk County Comprehensive Plan policies XI, Housing) to provide an opportunity for a segment of the county population to live in rural areas on acreage homesites. This policy is the result of many hours of input received through citizen involvement during Polk County's planning program. During the latest comprehensive plan update process, that policy was again re-affirmed and heavily supported by citizen input.
- Areas selected for rural residential development had to meet at least one of two criteria:
- A. They had to offer only marginal suitability for agricultural or forestry use; or
 - B. They had to exhibit public utilities (such as connections to rural domestic water systems or an adequate rural road system) sufficient to accommodate the projected growth.

In order to develop some estimation of how much rural residential housing the county should provide for, it was decided to base an estimation on rural population projections. Consider the following.

Between 1975 and 2000, total population growth in Polk County is projected to increase to 59,219 - an increase of 18,953. Twenty-five percent of that total, or 4,710 residents, are projected for the rural areas (Siegel, 1977, p. 26). The average household size by 2000 is expected to be 3.03 members.* Accordingly, there will be a need for approximately 1,554 dwelling units to meet rural population housing needs. Assuming one dwelling unit per parcel, there will be a need for 1,554 developable parcels. It is further assumed that the units will be single-family.

The number of additional dwelling units that can be developed in "lands no longer available for farm use" is 264. (Refer to Table 1). The number of units that can be developed in "lands needed for non-farm use" is 1573. (Refer to Table 2). Total potential is 1,837. However, based on past averages, 24 percent of all site evaluations for septic system installation will be denied.** Therefore, the total number of developable parcels (and the number of single family units that can be constructed) is estimated at 1,396.

$$1837 \times .24 = 440.88$$

$$1837 - 441 = 1396$$

*Average computed from information contained in The Regional Land Use Element, Mid-Willamette Valley Council of Governments, September, 1977, pg. 41.

**Information obtained through the Polk County Department of County Development, Environmental Health Division.

TABLE 1
POTENTIAL FOR RECEIVING DWELLING UNITS IN
LANDS NO LONGER AVAILABLE FOR FARM USE*

1. Areas considered by the West Salem Hills Planning Commission.

<u>Sub-areas</u>	<u>Dwelling Units</u>
I "C"	4
II "A"	7
II "B"	7
IV "A"	21
IV "C"	47
IV "D"	24
VI	3
VII "B"	2
IX	19
XIII	3
XIV "A"	1
XIV "C"	2
TOTAL	140

2. Areas Considered by the Polk County Planning Commission

<u>Sub-areas</u>	<u>Dwelling Units</u>
X	1
XIII	4
XV	8
XVIII	1
XXI	11
XXVI "A"	4
XXVI "B"	13
XXXIII "A"	2
XXXV "A"	2
XL	47
XL "A"	17
XL "C"	14
TOTAL	124

*Assumption: Maximum density allowed, one dwelling unit per five acres.

TABLE 2
POTENTIAL FOR RECEIVING DWELLING UNITS
IN "LANDS NEED FOR NON-FARM USES"*

1. Areas considered by the West Salem Hills Planning Commission.

<u>Sub-areas</u>	<u>Dwelling Units</u>
V	25
V "A"	8
VII "A"	39
TOTAL	72

2. Areas considered by the Polk County Planning Commission.

<u>Sub-areas</u>	<u>Dwelling Units</u>
VI "A"	31
"B"	45
"C"	31
"D"	112
XVII "B"	145
XVII "C"	104
XIX	15
XXIV	438
XXVI	118
XXVIII	372
XXXIV "C"	39
XXXVI "D"	13
XXXVII "B"	18
XL "B"	20
TOTAL	1,501

*Assumption: maximum density allowed, one dwelling unit per five acres.

- 2) In Polk County, there are four general landforms:

- A. Alluvial Bottomlands (elevation: 120-220 ft.),
- B. Terraces - Willamette Valley (175-750 ft.) and Coast Range (600-1100 ft.),
- C. Foothills - low (275-350 ft.) and high (300-1100 ft.),
- D. Mountainous Upland - (750-1700 ft.) and "cold" (1700 ft.).

Most of the area plan designated for rural residential use are found in the foothills category. The major cities in the county - Dallas (its eastern half), Independence, Monmouth, and West Salem - are situated in either the alluvial bottomland or terrace (Willamette Valley landforms (refer to Map 1).

As indicated in the data contained in Table 3, there are more soil associations with higher agricultural productivity indexes in the alluvial bottomland and terrace landforms than in the foothills category.

Attention should be given to the fact that soil types which might share the same land capability rating (i.e., Class I - VIII), do not necessarily share the same agricultural productivity indexes. For example: The Malabon-Coburg soil association, found in the Willamette Valley terraces, has a land capability rating of Class II and a productivity index of 90 percent. The Nekia-Jory-Ritner association, found in the foothills, has capability ratings of Class II and III, but a productivity index of only 60 percent. Equal land capability ratings do not guarantee equal agricultural productivity.

Accordingly, the county believes that, generally areas located in the alluvial bottomlands and terraces offer more agricultural potential than those areas situated in the foothills, even though the areas might exhibit soils with identical land capability ratings.

Another indication of the agricultural potential of an area is the current use of the land; whether it is cleared or covered by timber. The cost of bringing timber covered land into agricultural production averages \$250 -300 per acre, plus another \$150 - 200 per acre to stock the land (Burt, March, 1978). Accordingly, regardless of the land capability rating of the soils in as area, if a land owner lacks the capital or inclination to prepare the land for agricultural use, the land will remain "idle".

Most areas in the bottomlands or valley terraces are cleared while most of the foothills are covered with trees. Thus, the bottomlands and terraces will remain the most active and productive agricultural lands in the county because they take the least amount of effort or capital to operate. In times of high agricultural market values and revenues, many farmers will attempt to expand their operations into the foothill areas. In most instances, this is unfortunate because erosion problems often result (Burt, March, 1978).

As indicated earlier, rural population growth is projected for Polk County. In that event, the county believes this growth should occur in the foothill areas. If growth in these areas is prevented, growth pressures will increase further on the cities, and eventually force their expansion onto the most productive agricultural lands.

ALTERNATIVES: What locations within the area could be used for the proposed uses.

In order to address this segment of the Exceptions Process, each of the sub-planning discussion areas must be examined separately. Essentially, the sub-areas recommended for rural residential use under "lands needed for nonfarm uses", fit into one of four basic categories:

- A. Areas selected because of a general lack of agricultural soils;
 - B. Areas selected because of the extent of parcelization they exhibit;
 - C. Areas selected because their development would help to keep growth in the vicinity of existing urban areas, which would allow for the future provision and maintenance of public facilities and services at maximum efficiency; and
 - D. Areas selected because they are experiencing non-farm use interference and conflict, wherein continued agricultural activity is judged infeasible.
- 1) Areas selected because of a general lack of agricultural soils.

<u>Sub-areas</u>	<u>General Location</u>
V	Eola Hills
VII "A"	Eola Hills
VI "D"	Bridgeport
XXXIV "C"	Grand Ronde

Sub-area V

Total acreage	145 acres
Total acreage of agricultural soils	86 acres
Percent in agricultural soils	59%
Predominant soil class	Class IV

Sub-area VII "A"

Total acreage	212 acres
Total acreage of agricultural soils	62 acres
Percent in agricultural soils	29%
Predominant soil classes	Classes III and IV

Sub-area VI "B"

Total acreage	590 acres
Total acreage of agricultural soils	235 acres
Percent in agricultural soils	40%
Predominant soil classes	Classes III and IV

Sub-area XXXIV "C"

Total acreage	227 acres
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Total acreage of agricultural soils	115 acres
Percent in agricultural soils	51%
Predominant soil class	Class II

Of the four sub-areas listed, two demonstrate less than half of the total acreage in agricultural soils - sub-areas VII "A" and VI "D". Sub-areas V and XXXIV "C" exhibit only slightly more than half of their total acreage in agricultural soils.

- A. It should be noted that these four sub-areas generally demonstrated less acreage of agricultural soils than most of the other sub-areas.
- B. Sub-areas V, VII "A", and VI "D" are located within, or adjacent to, other areas recommended for rural residential use; areas wherein agricultural activity is judged greatly inhibited by the existence of nonfarm use interference and conflicts.
- C. Sub-area XXXIV "C" was further recommended for rural residential use because of local climatic conditions. It is located at the bottom of a narrow valley which greatly reduces the amount of sun exposure necessary for agricultural purposes.

2) Areas selected because of the extent of parcelization.

<u>Sub-areas</u>	<u>General Location</u>
V "A"	Eola Hills
VI "A"	Bridgeport
"B"	
"C"	
XIX	West of Dallas
XXXVI "D"	Grand Ronde

Sub-area V "A"

Total area	85 acres
number of parcels	10
average parcel size	8.5 acres
number of parcels occupied by dwelling unit (or commercial use structure)	2
number of parcels not occupied	0
largest parcel	25 acres
smallest parcel	3 acres

Sub-area VI "A"

Total area	216 acres
number of parcels	20
average parcel size	10.8 acres
number of parcels occupied by dwelling unit (or commercial use structure)	9
number of parcels not occupied	11
largest parcel (T.L. 101)	42 acres
smallest parcel (T.L. 302)	3 acres

Sub-area VI "B"

Total area	370 acres
number of parcels	33
average parcel size	11 acres
number of parcels occupied by dwelling unit (or commercial use structure)	21
number of parcels not occupied	12
largest parcel (T.L. 1000)	30 acres
smallest parcel (T.L. 302)	3 acres

Sub-area VI "C"

Total area	200 acres
number of parcels	17
average parcel size	12 acres
number of parcels occupied by dwelling unit (or commercial use structure)	8
largest parcel (T.L. 1200)	110 acres
smallest parcel (T.L. 1001)	1 acre
Total area less T.L. 1200	90 acres
number of parcels	16
average parcel size	5.6
number of parcels occupied by	

dwelling unit (or commercial use structure)	7
number of parcels not occupied	9
largest parcel (T.L. 1019)	13 acres
smallest parcel (T.L. 1001)	1 acre

Sub-area XIX

Total area	169 acres
number of parcels	26
average parcel size	6.5 acres
number of parcels occupied by dwelling unit (or commercial use structure)	11
largest parcel (T.L. 500)	19 acres
smallest parcel (T.L. 512)	0.5 acres

Sub-area XXXVI "D"

Total area	73.5 acres
number of parcels	4
average parcel size	18.4 acres
number of parcels occupied by dwelling unit (or commercial use structure)	2
number of parcels not occupied	2
largest parcel (T.L. 902)	30 acres
smallest parcel (T.L. 904)	3.5 acres

As indicated in the data presented, all six sub-planning discussion areas demonstrate a degree of parcelization. Granted, these areas are not partitioned to the extent that the land in each is no longer available for farm use. However, based on the need for developable acreage for rural residential uses, the county believes it best to provide sites in these six areas, rather than in other areas that have experienced less parcelization. In addition, these six sub-areas are located in proximity to concentrations of non-farm development.

Sub-area V "A" -area exhibits parcelization. It is located in proximity to a predominance of non-farm uses and interference. In particular, a major sub-division is being developed immediately south in sub-area IV "C".

Sub-areas VI "A", "B", "C" - areas demonstrate extensive parcelization. Average parcel size is 12 acres or less. A majority of parcels in each area is occupied by a dwelling unit. A possible alternative for sub-area VI "C" would be to delete T.L. 1200 (110 acres) and reduce average parcel size. Perimeter of sub-area VI is formed by a main line of the Luckiamute rural domestic water system. Because of this availability of public water, the county believes maximum rural residential development is both inevitable and logical.

Sub-area XIX - average parcel size is slightly greater than five acres. Majority of parcels are occupied by dwelling units. Area is located close to Dallas (approximately 1.5 miles due west of the city limits) which would allow the future provision and maintenance of public facilities and services at maximum efficiency.

Sub-area XXXVI "D" - area demonstrates some degree of parcelization. Primary consideration for the rural residential designation was the area's closeness to the Grand Ronde rural community center. The center is approximately .5 miles to the north and it was believed that the influence of nonfarm uses and interference would be high.

3) Areas selected because their development would help to keep growth in the vicinity of existing urban areas, which would allow for the future provision and maintenance of public facilities and services at maximum efficiency.

<u>Sub-areas</u>	<u>General Location</u>
XVII "B"	Southwest of Dallas
XVII "C"	South of Dallas
XXIV	North of Dallas
XXVIII	North of Dallas
XXXVII "B"	Grand Ronde

- A. Sub-area XVII "B" - located adjacent to the southwest corner of the Dallas urban growth boundary (UGB). There is enough acreage to develop 145 dwelling units.
- B. Sub-area XVII "C" - located south of Dallas, between a Southern Pacific railroad right-of-way and Mistletoe Road. There is enough acreage to develop 104 dwelling units.
- C. Sub-area XXIV - located north of Dallas. Its eastern boundary is formed by Perrydale Road, its western by Pioneer Road. There is enough acreage to develop 435 dwelling units.
- D. Sub-area XXVIII - located north of Dallas and sub-area XXIV. Its northern boundary is formed by Highway 22. There is enough acreage to develop 372 dwelling units.
- E. Sub-area XXXVII "B" - located west of the Grand Ronde rural community center. Its northern boundary is formed by the Salmon River Highway. There is enough acreage to develop 18 dwelling units.

Polk County believes rural residential development should occur in these five areas because it would help to keep growth of nonfarm uses concentrated in the vicinity of existing urban areas. Further, the development of these areas would allow for the future provision and maintenance of

public facilities and services at maximum efficiency.

Sub-areas XXIV and XXVIII are located north of Dallas and are served by a system of rural arterial and collector streets. The northern segment of area XXVIII, as well as the northeastern border of area XXIV, are served by a main line of the Perrydale rural domestic water system. Because of this availability of public water, the county believes rural residential development in those two areas is appropriate.

Sub-area XXXVII "B" has frontage on a major highway, the Salmon River Highway, and is served by a main line of the Grand Ronde rural domestic water system.

Polk County believes sub-area XVII "C" could be substituted for by sub-area XXVII. Sub-area XXVII is located adjacent to the northern border of the Dallas urban growth boundary. Sub-area XXIV, located to its immediate north, is also recommended for rural residential use. Sub-area XXVII has enough acreage to develop 192 units.

- 4) Areas selected because they are experiencing nonfarm use interference and conflict, wherein continued agricultural activity is judged infeasible.

<u>Sub-areas</u>	<u>General Location</u>
XXVI	Northwest of Dallas
XL "B"	Grand Ronde

Sub-area XXVI is located northwest of Dallas between Pioneer and Reuben Boise Roads. The following description is considered typical of what farmers in the area must contend with. An owner of a 320 acre parcel in the area has discontinued most farming activity because (1) aerial fertilization had to be stopped because of complaints from neighboring residents; (2) fences had been cut and property trespassed upon. There have been several incidents of persons running their motorcycles and off-road vehicles on the property and "rutting" it up badly. (There is enough acreage to develop 118 dwelling units in sub-area XXVI.)

Sub-area XL "B" is located close to the southern border of the Grand Ronde rural community center. It is also located directly south of sub-area XL "A", an area included under the "lands no longer available for farm use" category. Sub-area XL "B"'s northwest boundary is adjacent to a subdivision which presently has 32 lots (average size 1.5 acres) and 10 dwelling units. This subdivision also marks an area serviced by a main line of the Grand Ronde rural domestic water system. Area XL "B" has 126 acres, with nine parcels (average size 14 acres). There is enough acreage to develop 20 dwelling units.

Because of the closeness of the subdivision and other nonfarm uses, it is believed that agricultural activity would be interfered with. Neighboring nonfarm residents complain about aerial application of fertilizer and/or pesticide/herbicides. Nonfarm residents in the area trample crops and harass livestock.

CONSEQUENCES: What are the long term environmental, economic, social and energy consequences to the locality, the region, or the state from not applying the goal or permitting the alternative use.

It is not possible, considering the amount of acreage involved, to depict in detail what the environmental, economic, social, and energy consequences will be for each of the seventeen sub-planning discussion areas. To fully determine such consequences, an Environmental Impact

Statement on each possible homesite (potential number: 1837) in the seventeen sub-areas would be needed. Time and staff constraints will not allow for such an undertaking.

The county believes, however, that the environmental, economic, social and energy consequences will be similar for each sub-area. Therefore, general statements on each consequence will be presented at the beginning of this section. Where possible, specific consequences, or impacts, will be discussed for each sub-area.

ENVIRONMENTAL CONSEQUENCES

Rural residential development in any of the seventeen sub-areas is not expected to cause the irreversible removal of quality agricultural or forest land from the resource base of Polk County. Sub-areas are situated in areas considered as marginal for both uses.

Rural residential development in any of the seventeen sub-areas is not expected to cause the irreversible removal of any significant geologic or natural features or assets - such as mineral sites, wetlands, potential reservoir sites, identified natural areas.

Other possible environmental consequences (or impacts) of rural residential development in any of the sub-areas - such as erosion problems or the lowering of the water table - are impossible to judge at this time. Possible problems between sewage disposal and ground water (most areas are without public sewer systems) are not expected because it is assumed that present county and Department of Environmental Quality standards have been designed to protect against health hazards in this regard.

ECONOMIC CONSEQUENCES

Costs for public facilities and services - such as road maintenance, expenditures for school budgets, police and fire protection and so on - will increase due to population growth in the areas. Rural residential development, when compared with more urban designs, utilizes more land because dwelling units are situated further apart. Therefore, the costs for servicing rural residential uses tend to be higher.

The cost of losing agricultural or commercial timber production is expected to be low because the areas are considered marginal for both uses.

SOCIAL CONSEQUENCES

Rural residential development in any of the seventeen sub-areas is not expected to preclude the use of any parks or recreational trails, or cause the irreversible removal of any significant cultural areas.

Social impacts, including those from nonfarm use, are expected to increase.

ENERGY CONSEQUENCES

Rural residential development in any of the sub-areas is not expected to cause the irreversible removal of potential energy sources from the resource base of Polk County. Overall, per capita energy usage is expected to increase. Inherently, any rural residential development will cause an increase in fuel and heating costs over those developments which utilize cluster or multi-family design concepts.

The environmental, economic, and social impacts will be felt at the county level. An increase in energy use will have consequences at county, regional, and state levels.

NOTE: The following information was used to determine the commercial timber potential of an

area. For further explanation, the reader is advised to consult Background Report, Forest Lands, an element of the Polk County Comprehensive Plan, (review draft), March, 1978.

Forest site capability classes represent an attempt to give some indication of the potential of an area for commercial timber production. Class I land offers the highest potential, Class V offers the lowest.

<u>Class</u>	<u>Capability Rating</u>
I	excellent
II & II+	very good
II- & III+	good
III	fair
III- & IV+	poor
IV & IV-	very poor

Examination of Consequences for Individual Sub-areas.

Sub-area V - general location, Eola Hills

Environmental consequences - Area is considered marginal farmland because only 59 percent of the soils are agricultural. The predominant soil type has a land capability rating of Class IV. Area is situated on a hillside. Slope varies from 12-30 percent on the sides, leveling off to 3 percent in only a few places. Sub-area V is also located in an area exhibiting a predominance of nonfarm uses and interference. Forest site classification data are not available.

Economic consequences - Social impacts are expected to increase but not to a significant level. Sub-area V has enough acreage to develop 25 dwelling units. The overall impact on farmlands located to the west and north of sub-area V is expected to be minimal. The larger area of which area V is a part already demonstrating a predominance of nonfarm uses.

Energy consequences - Refer to introduction.

Sub-area V "A" - general location, Eola Hills

Environmental consequences - Area V "A" demonstrates a predominance of agricultural soils - Classes II and III. However, plan designation of the area for rural residential development would not result in a removal of quality agricultural land. Area is not in agricultural use because of problems with slope (7-20%), rocky terrain, and the difficulty of obtaining irrigation. (Area drops off to the east. Solar exposure is therefore considered marginal.) Further, area is not in agricultural use because of the extent of parcelization and the predominance of nonfarm uses, interference and conflicts in adjacent areas. (In particular, a major subdivision is being developed immediately south in sub-area IV "C". See "Lands no longer available for farm use" segment of this report.) Forest site

classification data are not available.

Economic consequences - Refer to introduction.

Social consequences - Social impacts are expected to increase, but not to significant levels.

Sub-area V "A" has enough acreage to develop eight dwelling units. The overall impact on areas located to north and east of sub-area V "A" is expected to be minimal. The larger area of which V "A" is a part, already demonstrates a predominance of nonfarm uses.

Energy consequences - Refer to introduction.

Sub-area VII "A" - general location, Eola Hills

Environmental consequences - Area is considered marginal farmland because only 29 percent of the soils are agricultural. The predominant soil types have a capability rating of Class III and IV. Area is situated on a hillside - 30-60 percent slope. Area is immediately adjacent to the West Salem urban growth boundary (UGB). In that vicinity, a large subdivision has been developed. Consequently, nonfarm uses and interference are expected to be high. Forest site classification data are not available.

Economic consequences - Refer to introduction.

Social consequences - Social impacts are expected to increase, but not to significant levels.

Sub-area VII "A" has enough acreage to develop 39 dwelling units. The overall impact of allowing rural residential development to occur is expected to be minimal, because a predominance of nonfarm uses already exists in that general area. (Refer to data contained in "Lands no longer available for farm use" segment in this report on sub-area VII "B".)

Energy consequences - Refer to introduction.

Sub-area VI "A", "B", "C", "D" - general location, Bridgeport

Environmental consequences - Area is considered marginal farmland because much of it (areas "A", "B", "C") is extensively partitioned with a dominance of nonfarm uses. Average parcel size is 12 acres or less. Out of 70 parcels, 38 are occupied by dwelling units. Area VI "D" is considered marginal because of a general lack of agricultural soils. Only 40 percent of its soils are agricultural; the predominant soil types have capability ratings of Classes III and IV. Perimeter of sub-area VI is paralleled by a main line of the Luckiamute rural domestic water system. Because of the availability of public water in proximity to the area, the county believes maximum rural development is appropriate. The dominant forest site class in sub-area VI is Class III- and IV+, judged as only offering poor potential for commercial timber production.

Economic consequences - Refer to introduction.

Social consequences - Social impacts are expected to increase but not to significant levels.

(Sub-area VI has enough acreage to develop 197 dwelling units.) The overall impact of such development is expected to be minimal, because a predominance of nonfarm uses is judged as already being in existence.

Energy consequences - Refer to introduction.

Sub-area XVII "B" - general location, southwest of Dallas

Environmental consequences - Designation of area for rural residential use and its subsequent development as such, would mean the loss of some agricultural land. Some western sections of the area are not currently in agricultural production due to the existence of tree cover (Scrub oak"). Costs of preparing the land for agricultural use are considered high (\$400-500 per acre) and will probably inhibit their conversion to production for some years. Area XVII "B" was selected because the county believes rural residential development there would help to keep growth and nonfarm uses concentrated in the vicinity of an existing urban area. Further, development of sub-area XVII "B" would allow for the future provision and maintenance of public facilities and services at maximum efficiency. Predominant forest site class is III- and IV+. Area is judged as offering poor potential for commercial timber production.

Economic consequences - Refer to introduction.

Social consequences - Social impacts are expected to increase. There will be more nonfarm uses in the area. Many of the larger parcels will undoubtedly be partitioned into smaller acreage. Sub-area XVIII "B" has enough acreage to develop 145 dwelling units.

Energy consequences - Refer to introduction.

Sub-area XVII "C" - general location, southwest of Dallas

Environmental consequences - Designation of area for rural residential use, and its subsequent development as such, would mean the loss of some agricultural land. Some of the area is not currently in intensive agricultural production due to the existence of tree cover ("Scrub-oak"). Costs of preparing the land for agricultural use are considered high (\$400-500 per acre) and will probably inhibit their conversion to production for some years.

Sub-area XVII "C" was selected because the county believes rural residential development there would help to deep growth and nonfarm uses concentrated in the vicinity of an existing urban area. In addition, development of sub-area XVII "C" would allow for the future provision and maintenance of public facilities and services at maximum efficiency. Predominant forest site class is III- and IV+. Area is judged as offering poor potential for commercial timber production.

Social consequences - Social impacts are expected to increase. There will be more nonfarm uses in the area. Many of the larger parcels will undoubtedly be partitioned into smaller acreage. Sub-area XVII "C" has enough acreage to develop 104 dwelling units.

Energy consequences - Refer to introduction.

Sub-area XIX - general location, west of Dallas

Environmental consequences - Area is considered marginal farmland because much of it is extensively partitioned with a dominance of nonfarm uses. Average parcel size is 6.5 acres. Out of 26 parcels, 11 are occupied by dwelling units. Sub-area XIX is located close to Dallas (approximately 1.5 miles due west of the city limits) which would allow the future provision and maintenance of public facilities and services at maximum efficiency. Forest site classes exhibited are II- and III+, and III- and IV+. Area is judged as offering good to poor potential for commercial timber production.

Economic consequences - Refer to introduction.

Social consequences - Social impacts would be expected to increase as the remaining undeveloped parcels are occupied by dwelling units. Non-farm uses will increase. Sub-area XIX has enough acreage to develop 15 dwelling units.

Energy consequences - Refer to introduction.

Sub-area XXIV - general location, north of Dallas

Environmental consequences - Sub-area XXIV is situated on hill. Slope varies from a low of 7 percent to a high of 75 percent. On the average, most of the area exhibits 7-12 percent slope. Farming activity on such slopes increases erosion problems. Only about 64 percent of the soils are agricultural.

Sub-area XXIV is served by a developed system of rural arterial and collector streets. Its northeastern corner is served by a main line of the Perrydale rural domestic water system. Because of this availability of public water, and area XXIV's proximity to Dallas, the county believes rural residential development there is appropriate.

Economic consequences - Refer to introduction.

Social consequences - Social impacts are expected to increase. There will be more non-farm uses in the area. Many of the larger parcels will undoubtedly be partitioned into smaller acreage. Sub-area XXIV has enough acreage to develop 435 dwelling units.

Energy consequences - Refer to introduction.

Sub-area XXVI - general location, northwest of Dallas

Environmental consequences - Sub-area XXVI is considered as marginal farmland because the extent of nonfarm uses and interference in the immediate area have made it difficult to continue agricultural activity.

Predominant forest site Class is II- and III+. Area is judged as offering very good potential for commercial timber production.

Economic consequences - Refer to introduction.

Social consequences - Social impacts are expected to increase. Many of the larger parcels will undoubtedly be partitioned into smaller acreage. Sub-area XXVI has enough acreage to develop 118 dwelling units. Because of the degree of intensity of nonfarm interference now, however, these impacts are not expected to be significant.

Energy consequences - Refer to introduction.

Sub-area XXVIII - general location, north of Dallas

Environmental consequences - Sub-area XXVIII demonstrates two types of general landforms. An area immediately adjacent to the highway is fairly level (3-7% slope) and shows a predominance of agricultural soils. An area situated further south consists of low hills, tree cover, and soils which are not agricultural. Slope in this second area ranges from 7-75 percent. Area exhibiting the hillsides is considered marginal farmland because of erosion problems, as well as problems operating farm machinery in that type of terrain.

The more level area is extensively partitioned and is serviced by a main line of the Perrydale rural domestic water system. Nonfarm uses are expected to be high and will continue to increase because of the existence of public water. Predominant forest site Classes are II- and III+ and III. Area is judged good to fair for commercial timber production.

Economic consequences - Refer to introduction.

Social consequences - Social impacts are expected to increase. Many of the larger parcels will undoubtedly be partitioned into smaller acreage. Sub-area XXVIII has enough acreage to develop 372 dwelling units.

Energy consequences - Refer to introduction.

Sub-area XXXIV "C" - general location, Grand Ronde

Environmental consequences - Sub-area XXXIV "C" is considered marginal farmland because only 51 percent of the soils are agricultural. The predominant soil type has a capability rating of Class II. However, the area is located at the bottom of a narrow valley which greatly reduces the amount of solar exposure available for agricultural purposes. Predominant forest site Classes are II-, III+, III- and IV+. Area is judged as offering good to poor potential for commercial timber production.

Economic consequences - Refer to introduction.

Social consequences - Social impacts are expected to increase. Some of the larger parcels will undoubtedly be partitioned into smaller acreage. Sub-area XXXIV "C" has enough acreage to develop 39 dwelling units.

Energy consequences - Refer to introduction.

Sub-area XXXVI "D" - general location, Grand Ronde

Environmental consequences - Sub-area XXXVI "D" is considered marginal farmland because of its proximity to the Grand Ronde rural community service center (area is located approximately .5 mile south) and the influence of non-farm uses and interference. Its closeness to Grand Ronde would allow the future provision and maintenance of public facilities and services at maximum efficiency. In addition, its proximity to Grand Ronde would allow the concentration of non-farm uses in the vicinity of a rural community center. Predominant forest site Class for the area is III, which is considered as offering fair potential for commercial timber production.

Economic consequences - Refer to introduction.

Social consequences - Social impacts will increase if parcels are partitioned into smaller sizes and dwelling units are developed on them. Sub-area XXXVI "D" has enough acreage to develop 13 dwelling units. Because of the existence of many nonfarm uses in the immediate area now, social impacts are not expected to be significant.

Energy consequences - Refer to introduction.

Sub-area XXXVII "B" - general location, Grand Ronde

Environmental consequences - Sub-area XXXVII "B" is considered marginal farmland because it is adjacent to the Grand Ronde rural community center and a predominance of non-farm uses. Area XXXVIII "B" has frontage on the Salmon River Highway, and is served by a main line of the Grand Ronde rural domestic water system. The county believes that because of the frontage and availability of public water, rural residential development in sub-area XXXVII "B" is appropriate. Predominant forest site Classes are II, II+, II- and III+. Area is judged as offering very good to good potential for commercial timber production.

Economic consequences - Refer to introduction.

Social consequences - Social impacts from nonfarm uses are expected to increase as rural residential development occurs. There is enough acreage to develop 18 dwelling units. Social impacts are not expected to be significant on adjacent (timber production) uses.

Energy consequences - Refer to introduction.

Sub-area XL "B" - general location, Grand Ronde

Environmental consequences - Area is considered marginal farmland; the extent of nonfarm uses and interference in the immediate area have made it difficult to continue agricultural activity. Sub-area XL "B" is adjacent to a subdivision which presently has 32 lots (average parcel size 1.5 acre) and 18 dwelling units. Predominant forest site Classes are III, III- and IV. Area is judged as offering fair to poor potential for commercial timber production.

Economic consequences - Refer to introduction.

Social consequences - Social impacts from nonfarm uses are expected to increase. Sub-area XL "B" has enough acreage to develop 20 dwelling units. Social impacts are not expected to be significant due to the degree of intensity of existing nonfarm uses and interference.

Energy consequences - Refer to introduction.

Sub-area Selected as a Possible Substitute for Sub-area XVII "C"

Sub-area XXVII - general location, north of Dallas

Environmental consequences - Sub-area XXVII was selected because it is located adjacent to the northern border of the Dallas urban growth boundary. The county believes rural residential development in sub-area XXVII would help to keep growth and non-farm uses concentrated in the vicinity of an existing urban area. Further, the development of sub-area XXVII would allow for the future provision and maintenance of public facilities and services at maximum efficiency. The rural residential development in sub-area XXVII would mean the loss of some agricultural land. Forest land classification data are incomplete.

Economic consequences - Refer to introduction.

Social consequences - Social impacts from nonfarm uses are expected to increase. Sub-area XXVII has enough acreage to develop 192 dwelling units.

Energy consequences - Refer to introduction.

COMPATIBILITY: Are the proposed uses compatible with other adjacent uses.

Attention should be given to what uses are proposed for areas plan designated rural residential. Acreage housing is the intended use; maximum density allowed is one dwelling unit per five acres.

Polk County believes acreage housing is a compatible use in area of marginal agricultural or forestry activity. Such a use would allow these two activities to continue; at the very least, allowing them to continue on a smaller, part-time basis. It has been the intent of this Exceptions report to demonstrate that the areas proposed for rural residential use are marginal agricultural or forestry lands because of physical (e.g., lack of productive soils) or cultural (e.g., the predominance of non-farm interference) constraints. In addition, other areas are plan designated rural residential because the county believes their development would help to keep non-farm uses and interference concentrated in the vicinity of existing urban areas; as well as allow for the future provision and maintenance of public facilities and services at maximum efficiency.

It has been stated that:

- A. Rural population growth will occur through the year 2000; and,
- B. because of county policies, the opportunity will be provided for rural residential development (acreage housing), at levels to be determined by the projection of housing needs of the rural population.

In those areas where some agricultural or forestry activity continues, the county believes minimum requirements for parcel size (five acres per dwelling unit) will be enough to buffer against the possible effects that non-farm uses may introduce.

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Personal Interview.

Kvarsten, W. J. March 15, 1978. MEMORANDUM, EXCEPTIONS PROCESS. Department of Land Conservation and Development. Salem, Oregon.

Mid-Willamette Valley Council of Governments (COG), September, 1977. The Regional Land Use Element. Salem, Oregon

Siegel, David. December 1977. Background Report: Population and Economics (Review Draft). Polk County Department of County Development, Planning Division. Dallas, Oregon.

PART II

DETAILED INFORMATION ON

LANDS NO LONGER AVAILABLE FOR FARM USE

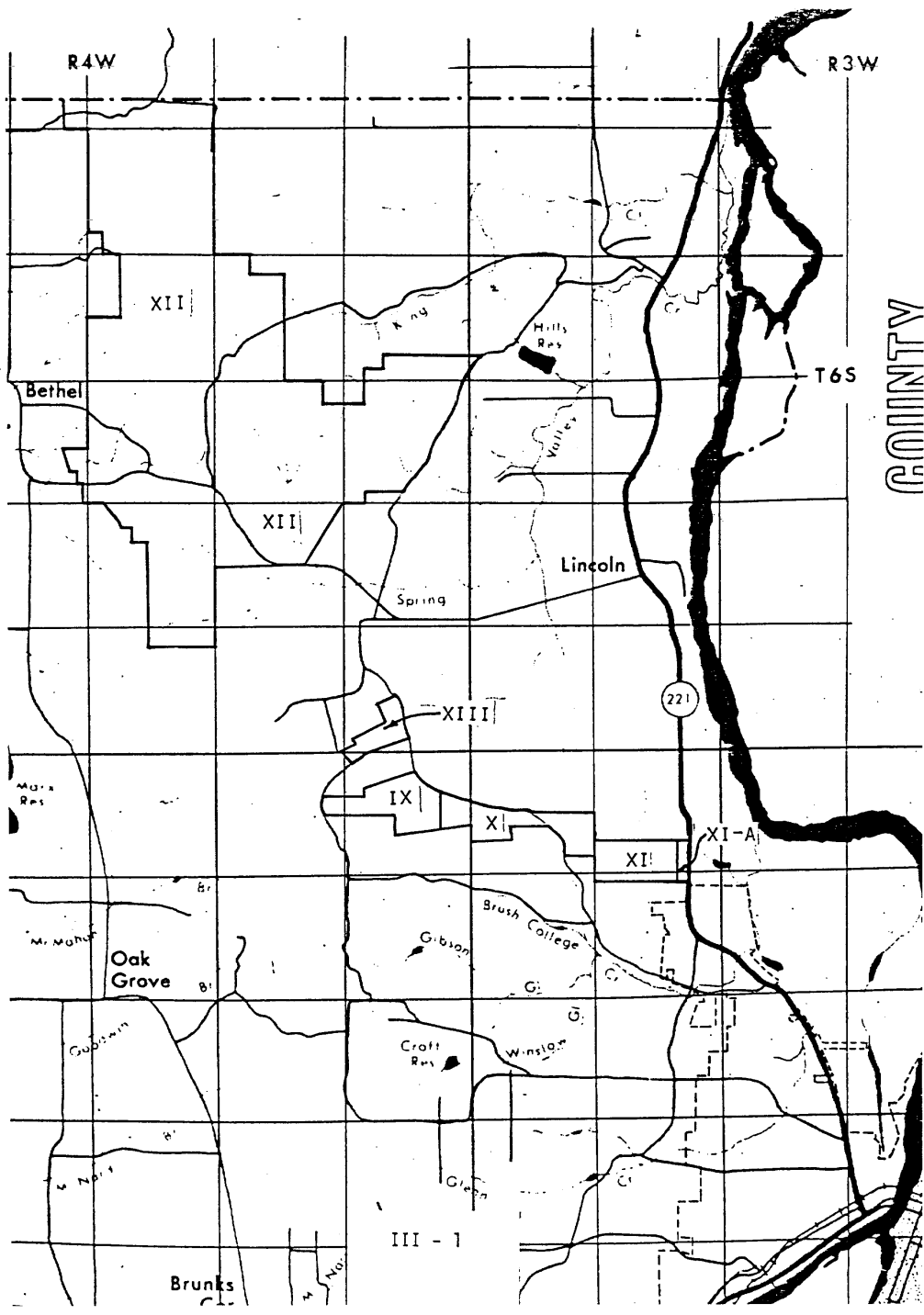
(The following matrix capsulizes information regarding
Exception Areas proposed by the West Salem Hills and Polk County
Planning Commissions)

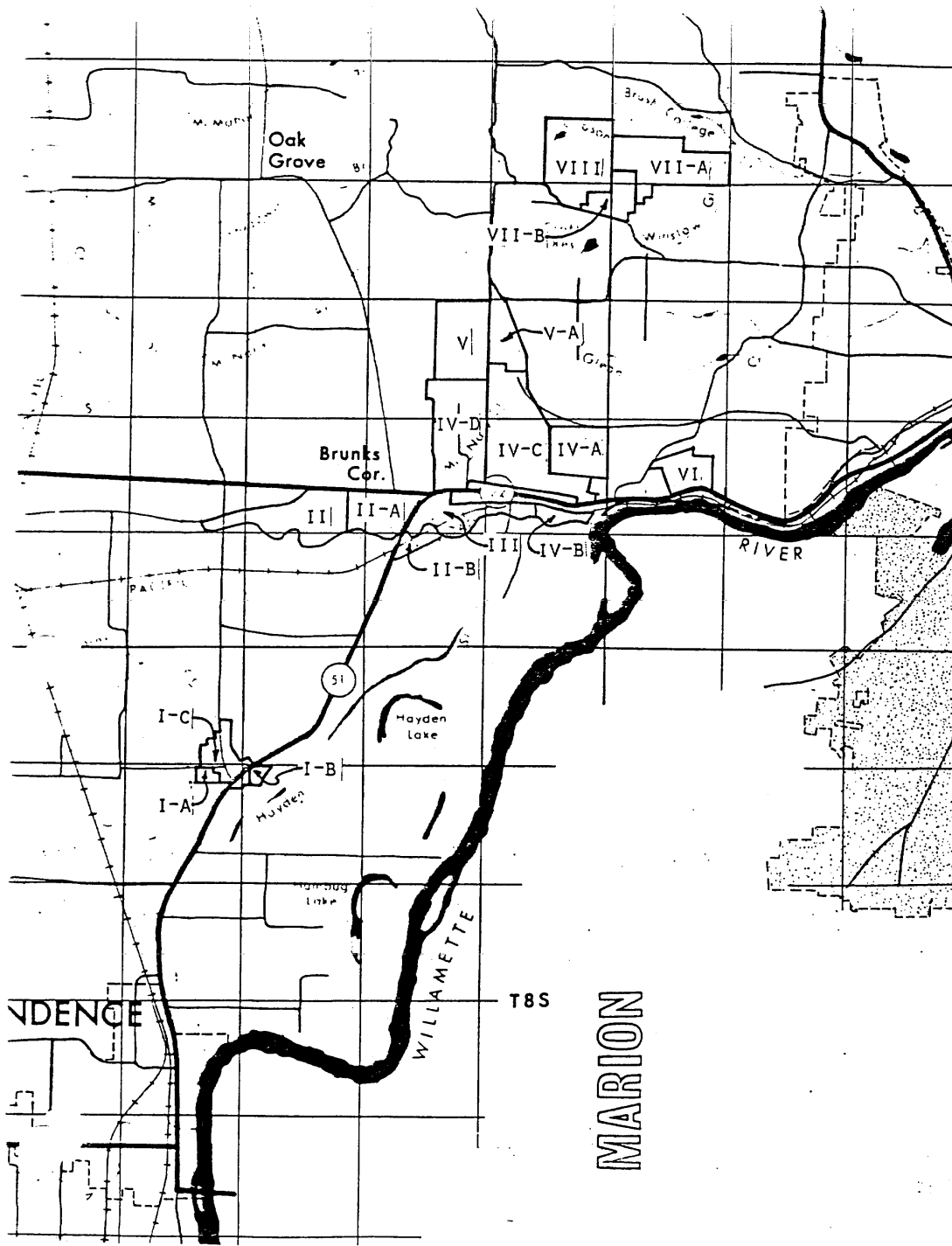
Exception Areas Matrix

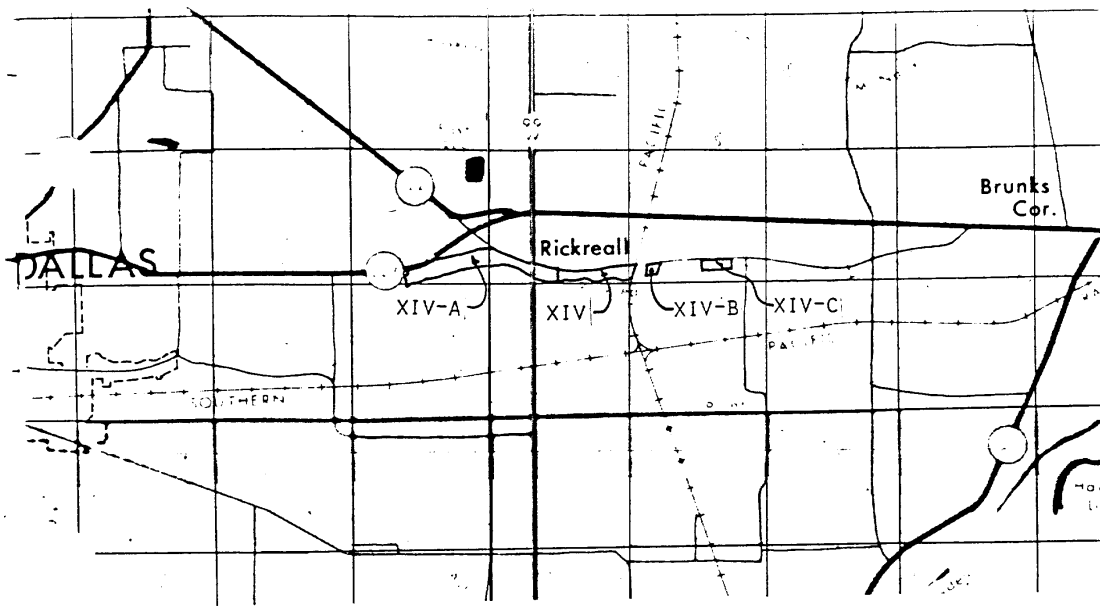
PART III

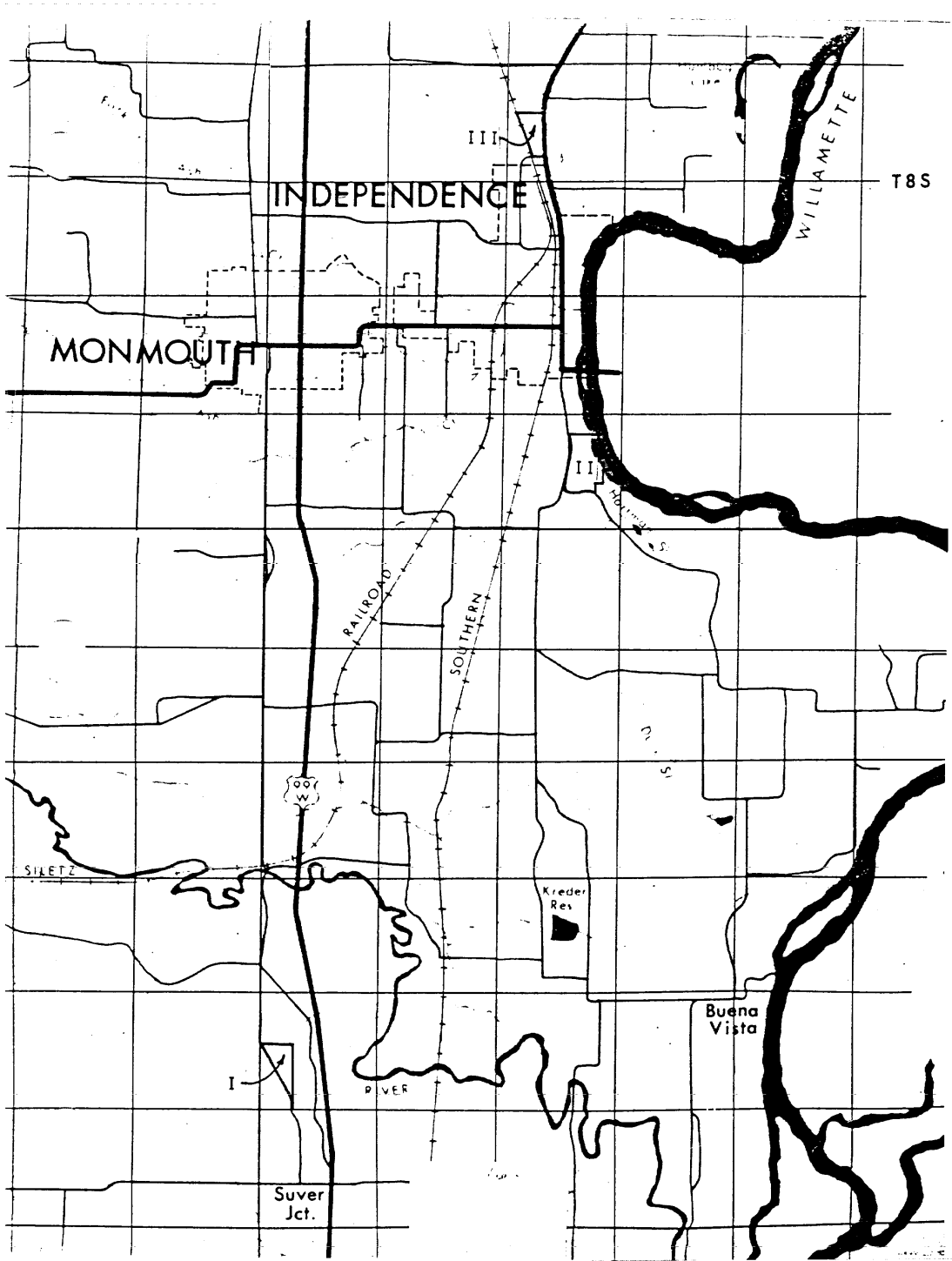
MAP SHOWING THE LOCATIONS OF
SUB-PLANNING DISCUSSION AREAS

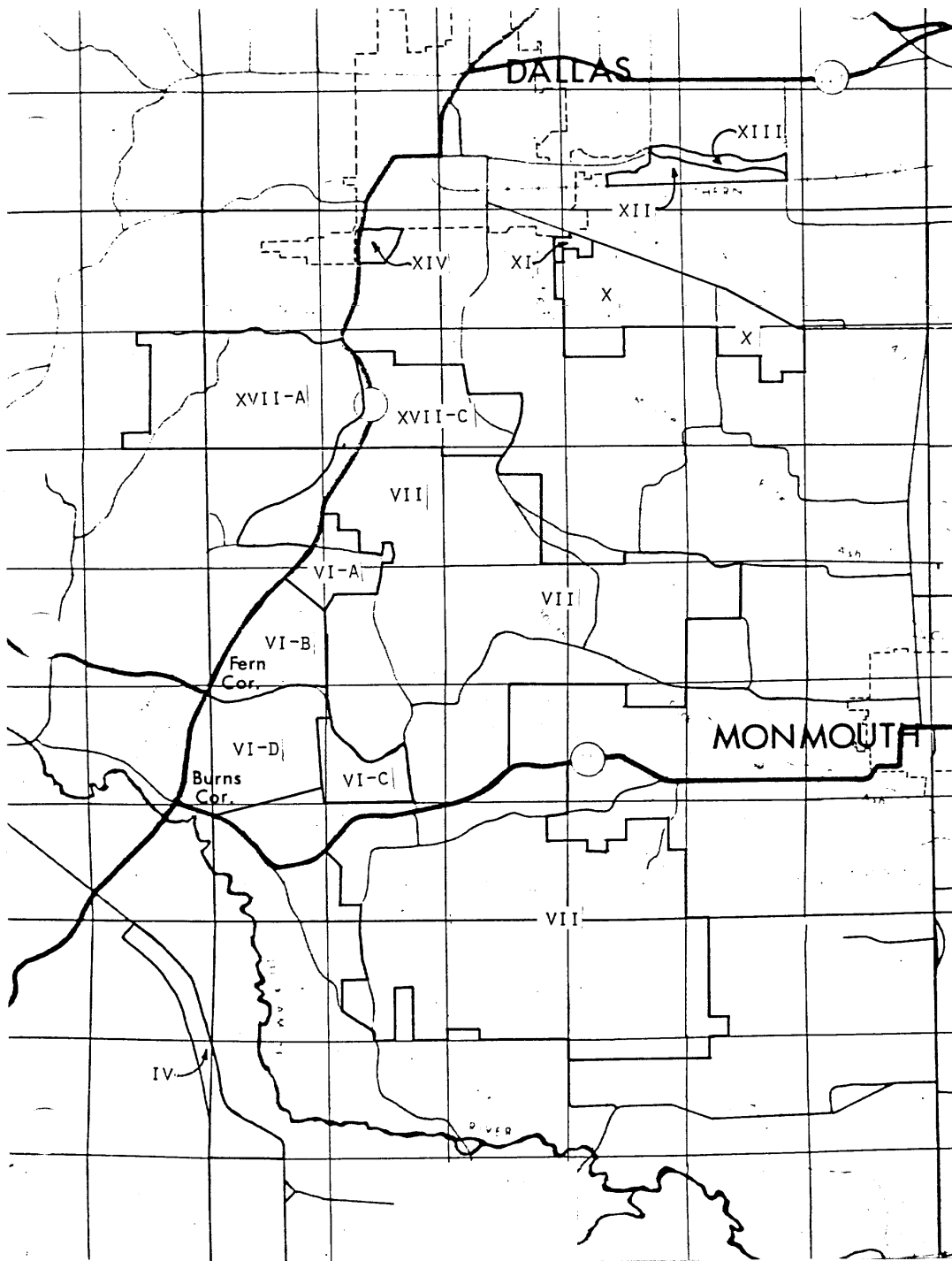
Scale: 1" = 1 mile

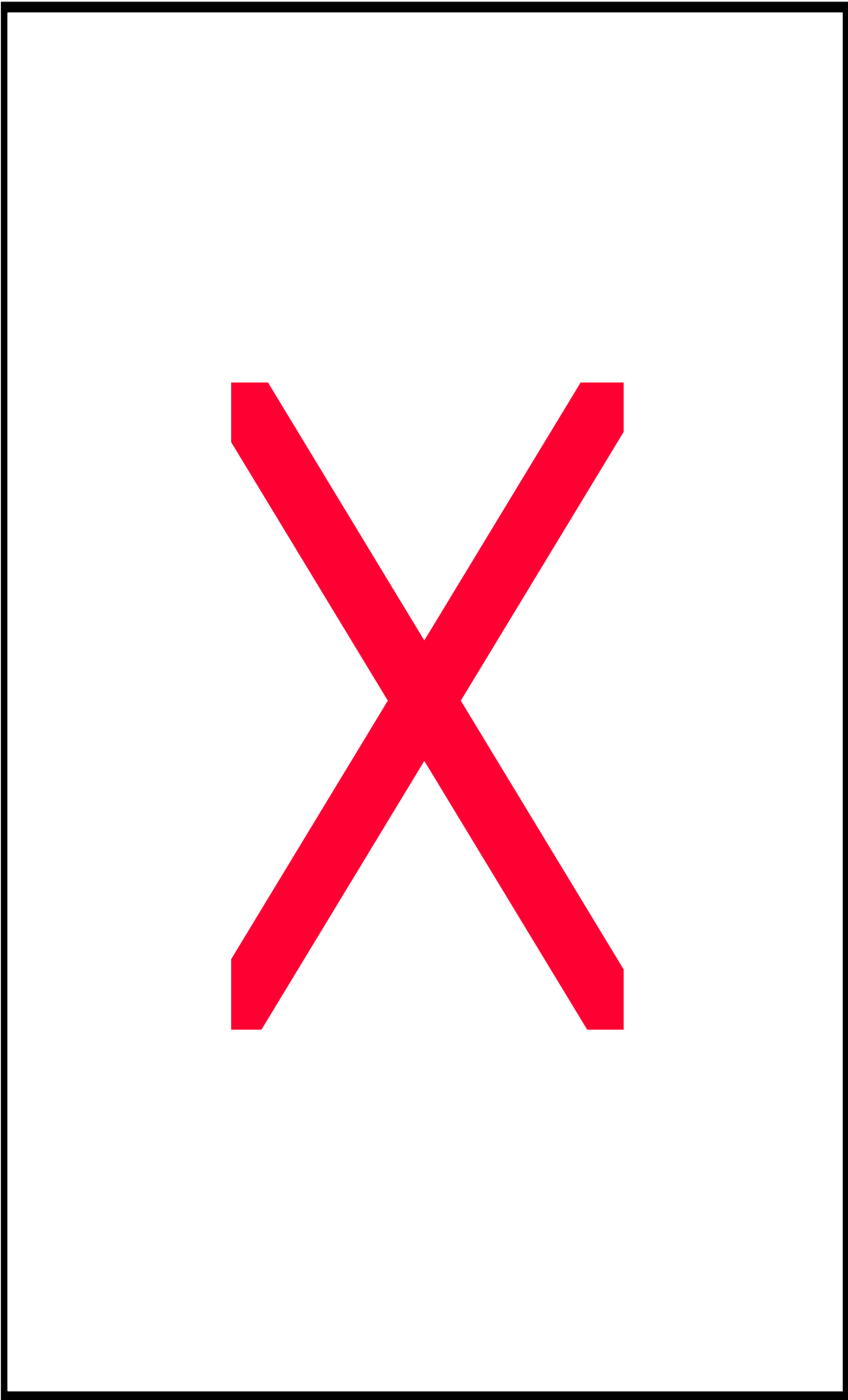


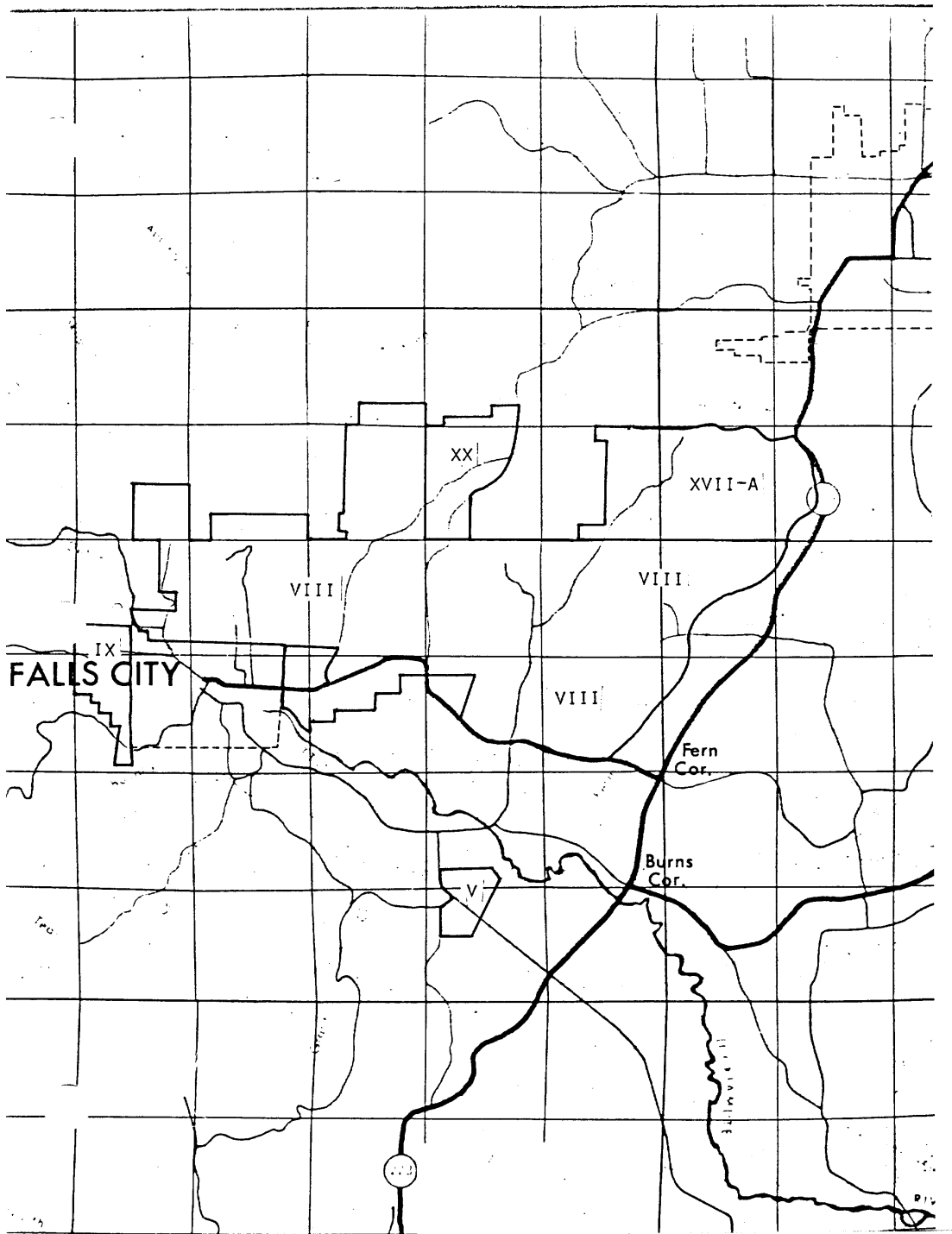


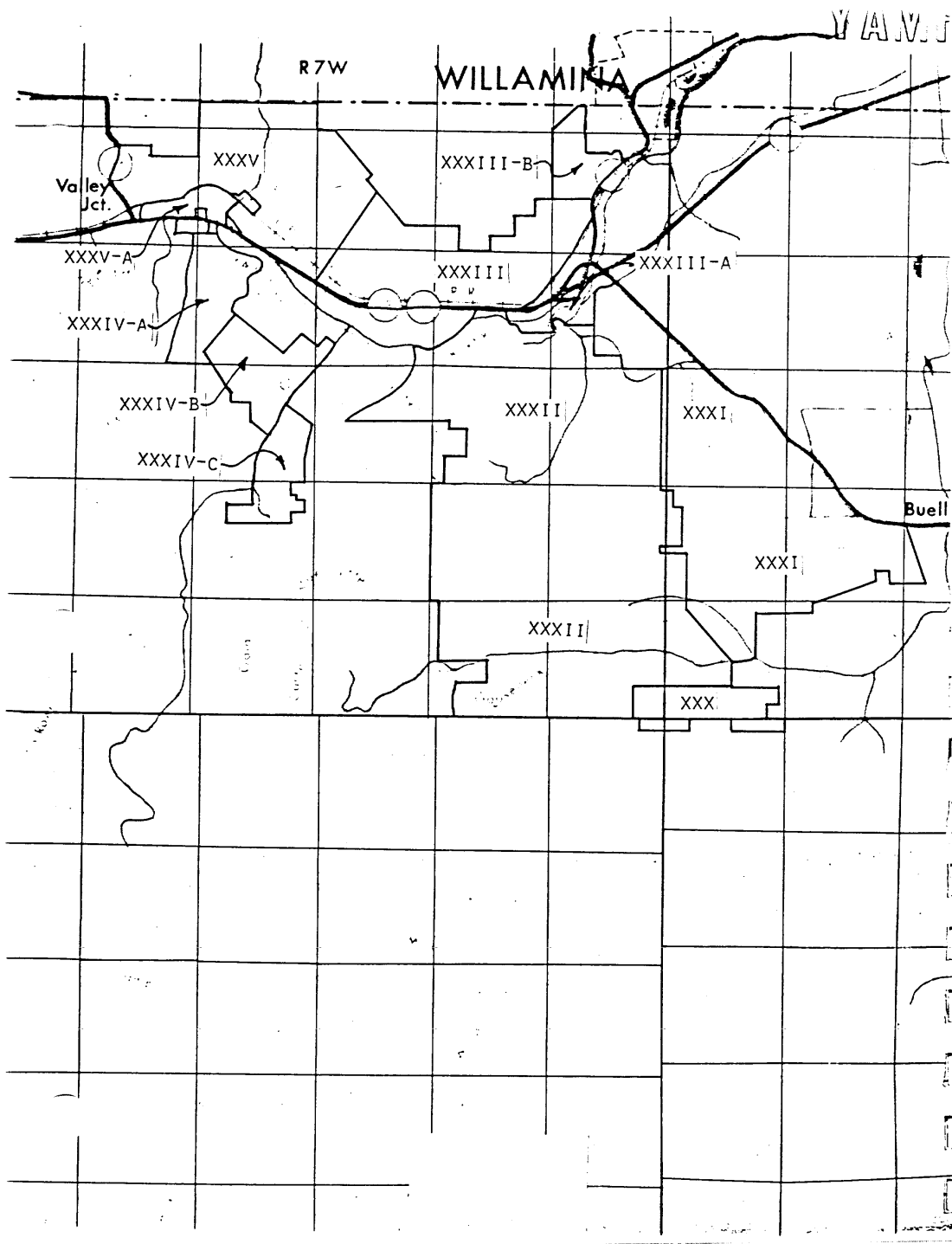


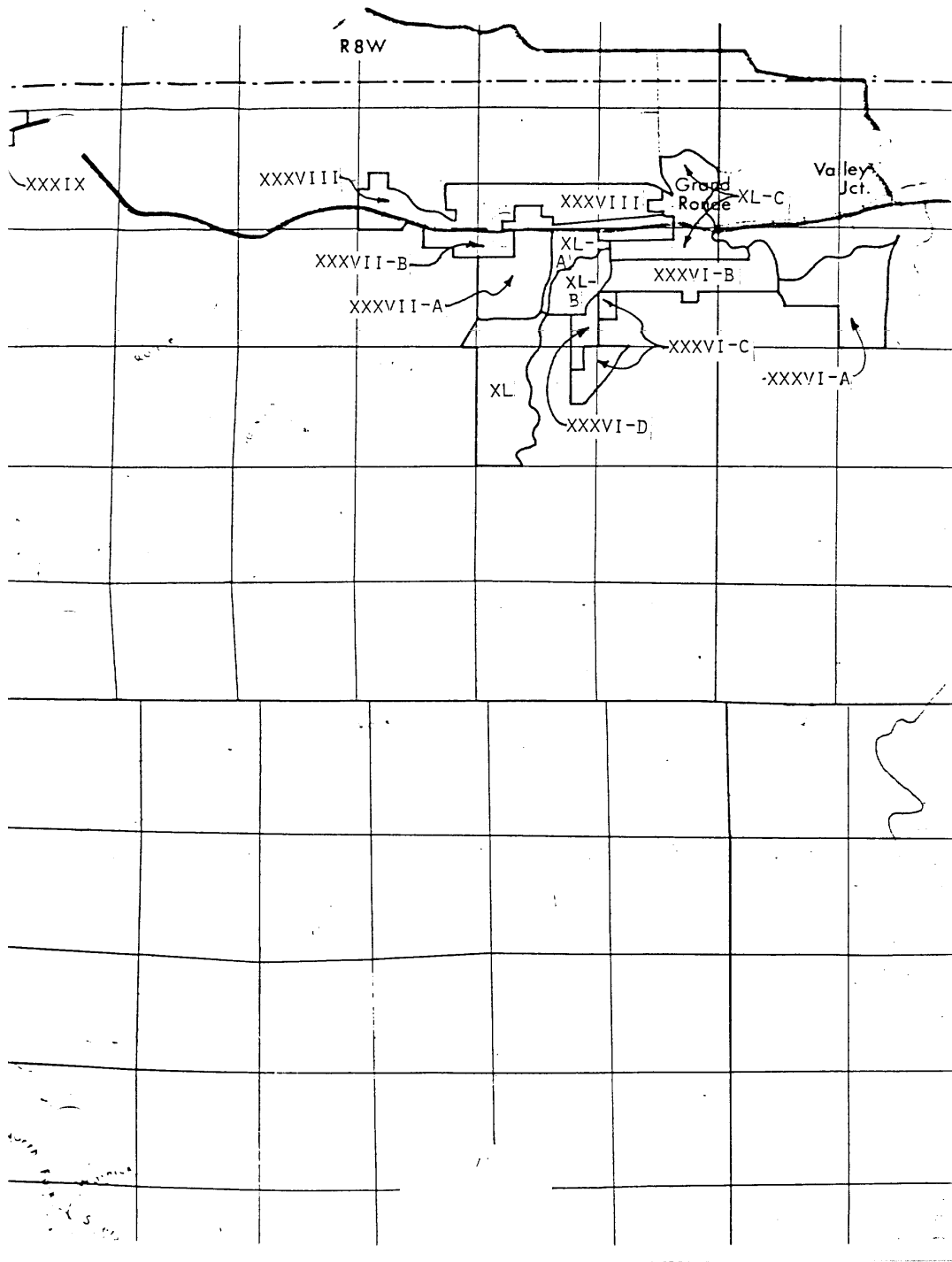












APPENDIX B

RESOLUTION 86-9

Procedures for Making Quasi-Judicial Decisions
on Land Use Matters

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1 BEFORE THE BOARD OF COMMISSIONERS
2 FOR THE COUNTY OF POLK, STATE OF OREGON
3 In the Matter of)
 Establishing Procedures)
4 for Making Quasi-Judicial)
 Decisions on Land Use)
5 Matters.)

6 RESOLUTION NO. 86-9

7 WHEREAS, the Polk County Board of Commissioners adopted
8 Resolution No. 327 on March 1, 1978; and

9 WHEREAS, the Resolution is in need of update due to several
10 changes in the land use procedures since that time; and

11 WHEREAS, the Polk County Board of Commissioners, the Polk
12 County Planning Commission, the Polk County Hearings Officer
13 and the Polk County Planning Department make quasi-judicial
14 decisions on land use matters; and

15 WHEREAS, it is in the public interest that all public
16 bodies in Polk County which make quasi-judicial decisions on
17 land use matters use uniform procedures which conform to State
18 standards;

19 NOW, THEREFORE, the Polk County Board of Commissioners
20 hereby resolves as follows:

- 21 1. That Resolution No. 327 adopted by the Board of
22 Commissioners in March, 1978, is hereby repealed.
- 23 2. That the Polk County Board of Commissioners, Polk County
24 Planning Commission, Polk County Hearings Officer and Polk
25 County Planning Department make quasi-judicial decisions on land
26 use matters by using the following procedures:

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Astoria, Oregon 97103

1
2 A. Burden of Proof
3 The applicant seeking the decision has the burden of
4 proving that he qualifies for that for which he has applied.

5 B. Public Hearing
6 Within one hundred twenty (120) days of the date of
7 filing an application, the appropriate decision-making body shall
8 hold a hearing on the application, or in the case of an
9 administrative action, the Planning Department shall render a
10 decision. The decision-making body may continue the hearing
11 from time to time.

12 C. Notice
13 Notice of a public hearing, stating its subject matter,
14 date, time and place shall be given, at least ten (10) days,
15 but not more than twenty (20) days, prior to the date of the
16 hearing. Notice shall be by regular mail to all persons owning
17 property, or within 250 feet of, any land to be affected by the
18 application. Notice shall also be by publication in a newspaper
19 of general circulation within the affected area of the application
20 for all required notices under the Polk County Zoning Ordinance.

21 D. Evidence
22 Proponents and opponents of the application shall
23 have an opportunity to present and rebut evidence at a hearing.

24 E. Counsel
25 Persons appearing at a hearing may be represented
by counsel.

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1 F. Conduct of Hearings

2 (1) General Conduct

3 (a) Persons addressing the Commission, Board
4 or Hearings Officer shall sign his/her name and address on a
5 form provided by the Secretary and shall give his/her name and
6 address in an audible tone of voice for the records. All remarks
7 shall be addressed to the Commission as a body and not to any
8 member thereof.

9 (b) No person other than Commission members
10 and the person having the floor shall be permitted to enter into
11 any discussion, either directly or through a member of the
12 Commission, without the permission of the presiding officer. No
13 question shall be asked a member of the Commission except through
14 the presiding officer.

15 (c) Upon being recognized by the presiding
16 officer, any member of the Commission or County staff may
17 question any person who testifies.

18 (d) The presiding officer may set reasonable
19 time limits for oral presentation, and may exclude or limit
20 cumulative, repetitious, or immaterial matter. To expedite
21 hearings, the presiding officer may call for those in favor of
22 the pending proposal, or those in opposition to same, to raise their hand
23 and the Secretary will note in the minutes the number.

24 (e) Any person making personal, impertinent,
25 or slanderous remarks, or who shall become boisterous while
26 addressing the Commission shall forthwith, by the presiding officer,

MICHAEL F. NAJEWICZ
County Courthouse
Room 104
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1 be barred from further audience before the Commission, unless
2 permission to continue be granted by a majority vote of the Commission.

3 (2) Order of Procedure

4 (a) Call for Abstentions. The presiding
5 officer shall inquire of the Commission whether any member thereof
6 wishes to abstain from participation in the hearing pursuant to the
7 provisions of Section I. Any Commission member then announcing
8 his/her abstention shall identify the reason for abstaining and
9 shall not thereafter participate in discussion of the proposal
10 or vote on the proposal. A Commissioner may be excused as a

11 Commissioner and participate in the public hearing as a witness.

12 (b) Staff Summary. The Planning staff
13 shall report on the land use proposal. Staff shall bring forth
14 and put into the record by testimony that part of the Comprehensive
15 Plan and implementing ordinances relating to the proposal. Staff
16 shall present petitions and letters filed with the Secretary.

17 (c) Citizen Advisory Groups, School or
18 Special Districts and Government Representatives. The presiding
19 officer shall call for a statement of any officially recognized
20 group on the proposal.

21 (d) Proponent's Case. The presiding officer
22 shall call for the proponent and those persons in favor of the
23 proposal to testify. Those persons in favor will be called in
24 the following order:

- 25
1. Applicant or Applicant's representative.
 2. Persons who received or were entitled

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1 to receive notice of the hearing in favor of the application.

2 3. Special Organizations formed for the
3 purpose of support to the proposal.

4 4. Other interested citizens.

5 (e) Opponent's Case. The presiding officer
6 shall call for persons in opposition to the proposal to testify.

7 Those persons in opposition will be called in the following order:

8 1. Persons who received or were entitled
9 to receive notice of the hearing in opposition to the proposal.

10 2. Special organizations formed for the
11 purpose of opposition to the proposal.

12 3. Other interested citizens.

13 (f) Rebuttal Testimony. The presiding officer
14 shall allow the Applicant or Applicant's representative to offer
15 testimony in rebuttal to the opponents.

16 (g) Commission Inquiries. Upon request from
17 any Commission member, the chairman may permit any questions from
18 that member be directed to the proponents, opponents or staff.
19 No rebuttal shall be permitted unless requested by the chairman.

20 (h) Close of Hearing. The presiding officer
21 shall conclude the hearing and the Commission shall deliberate the
22 proposal or set a time for such deliberation.

23 (i) Commission Decision. The Commission, in
24 making its decision, may incorporate findings proposed by the
25 proponents, opponents or staff, or adopt thier own.

26 (j) Vote. The majority vote of the members

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voting shall decide question.

2 H. Alternate Procedure for Reopening Hearing

3 During deliberation, should any Commissioner determine
4 that additional evidence is necessary, then prior to a decision
5 on the proposal, and upon vote of the majority of the Commission,
6 a hearing may be reopened for the purpose of receiving additional
7 testimony and evidence.

8 I. Disqualification of Commission Members

9 (1) Any Commission member shall abstain from
10 participation in a hearing and/or participation in a Commission
11 decision after a hearing when, in the judgment of the Commission
12 member, personal interest in the land use proposal, significant
13 pre-hearing or ex-parte contacts with regard to the land use
14 proposal or any other reason that would impair the Commission member's
15 impartiality.

16 (2) Any Commission member shall abstain when the
17 Commission member or any person in the Commission member's
18 household owns property that would be affected by the land use
19 proposal. Likewise, any Commission member shall abstain when
20 any decision or recommendation on the land use proposal would
21 be to the pecuniary benefit or detriment of the member or any
22 person in the member's household.

23 (3) Any Commission member who intends to
24 participate in a Commission decision despite having had pre-hearing
or ex-parte contacts shall reveal the nature and substance of
those contacts at the commencement of the hearing.

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1 J. Voting
2 The chairperson of the Commission shall vote with the
3 other members in the transaction of any business and on all matters
4 coming before the Commission. On a tie vote, a motion requiring
5 a majority vote for adoption is lost, since a tie is not a majority.

6 K. Reconsideration
7 When a question has been put once and decided, and
8 before the action becomes effective, it shall be in order for
9 any member who voted with the majority to move for a reconsideration
10 thereof, and such motion shall take precedence over all other
11 questions, except a motion to adjourn. No motion shall be
12 reconsidered more than once.

13 L. Findings
14 Decisions by a decision-making body shall be supported
15 by findings. Findings shall state facts and reasons to support
16 conclusions on which a decision rests.

17 M. Appeals
18 All appeals shall be heard de novo. On appeal, the
19 Applicants shall maintain the burden of proof regardless of
20 whether the Applicant is the appellant or not.

21 N. References
22 All references to a Commission or a Commissioner
23 shall include Board of Commissioners, Planning Commission
24 or the Hearings Officer where applicable.
25

5 /

1 DATED this 30th day of April, 1986, at Dallas,
2 Oregon.

3 POLK COUNTY BOARD OF COMMISSIONERS

4 Craig Hanneman
5 Craig Hanneman, Chairman

6 Robert C. Landon
7 Robert C. Landon

8 Benj. F. Magill
9 Benj. F. Magill

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APPENDIX C

DEFINITION OF TERMS

DEFINITIONS

AGRICULTURAL LAND: Land of predominantly Class I, II, III and IV soils as identified in the Soil Capability Classification System of the United States Soil Conservation Service, and other land which is suitable for farm use taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land use patterns, technological and energy inputs required, or accepted farming practices. Land in other classes which is necessary to permit farm practices to be undertaken on adjacent or nearby lands shall be considered to be agricultural land.

COMPREHENSIVE PLAN: A statement of the County's goals, the policies to be used to achieve those goals, and a map describing where the different policies shall apply. The Comprehensive Plan--also called simply the Plan--is adopted by the Board of Commissioners of Polk County as an ordinance and is acknowledged by the State Land Conservation and Development Commission as being in compliance with statewide planning goals.

CONSERVE: To manage in a manner which avoids wasteful or destructive uses and which provides for future availability.

DEVELOP: To bring about growth or availability: to construct or alter a structure; to conduct a mining operation; to make a Physical change in the use or appearance of land; to divide land into parcels; or to create or terminate rights of access.

GOAL: A desirable state or end which the County seeks to achieve or maintain through its planning policies, programs, and plan implementation methods.

LAND-USE ACTION: A quasi-judicial decision or recommendation rendered by the Planning Commission or the Board of Commissioners on a request for a variance, conditional use, Zone change, plan amendment, sub-division, mobile home park, planned unit development, annexation, or special exception.

LEGISLATIVE ACT: An act of a governing body which applies generally to persons and property within the jurisdiction of the governing body.

NATURAL RESOURCES: Air, land, and water, and the elements thereof which are valued for their existing and potential usefulness to man.

POLICY: A specific rule or course of action applied or pursued by the County in order to achieve one or more goals of the comprehensive Plan.

PRESERVE: To save from change or loss and reserve for a special purpose.

PROTECT: Save or shield from loss, interruption, destruction or injury or for future intended use.

QUASI-JUDICIAL ACTION: An action by a governmental agency which establishes rights and duties of individuals under the jurisdiction of that agency.

RURAL LAND: Any land which is not within the corporate limits of a city and is not within an adopted urban growth boundary.

SPECIAL DISTRICT: Any unit of local government, other than a city or county, authorized and regulated by statute and includes, but is not limited to: water control districts, irrigation districts, port districts, regional air quality control authorities, fire districts, school districts, hospital districts, mass transit districts and sanitary districts.

URBAN LAND: (1) Any land within an incorporated city: (2) land which is within an adopted urban growth boundary and which has a level of development and population density similar to that within the city and which requires a full range of urban services.

URBANIZABLE LAND: Land within an adopted urban growth boundary but within corporate limits of a city.

APPENDIX D

SALEM URBAN AREA COMPREHENSIVE PLAN

The Salem Urban Area Comprehensive Plan and related implementing ordinances are hereby incorporated by reference. The Salem Urban Area Comprehensive Plan and attending ordinances may be viewed at the offices of the City of Salem Community Development Department, Salem, Oregon.

APPENDIX E

COMMERCIAL AGRICULTURE JUSTIFICATION REPORT

POLK COUNTY

COMMERCIAL AGRICULTURE/JUSTIFICATION

The Polk County Comprehensive Plan Background Report on Agriculture describes the characteristics of farming within the county. This Plan element depicts commercial agriculture based on a number of references which include County Extension Agent records, Soil and Water Conservation District information and Agricultural Census Data provided by the U.S. Bureau of Census. From these sources, the county was able to develop a true picture of the ways that agriculture is carried on throughout the County. A unique factor about Polk County's agricultural practices is its level of diversity. A letter submitted to the County Planning Department, by the County Extension Agent, expressed very clearly the reason for this characteristic. The letter summed up current agricultural practices in the county as follows:

1. There is a tremendous variety of crops that are grown
(75 different categories plus various livestock species);
2. The average farm raises 8 - 10 different crops each year;
3. Crop rotation makes it difficult to define what specific crops will predominate in an area;
4. Economic climate and market factors also contribute to the prevalence of diversity.

Analysis of a recent source of census data which was retabulated by the U.S. Census Bureau under contract with Oregon State University Extension Service and entitled "Special Tabulations, 1982 Census of Agriculture, Oregon, Volume 1, State and County Data Report", was used in determining how this diversity is reflected in commercial agricultural practices. From this analysis, a model was constructed which will allow the county to review farm proposals on a case-by-case basis related to performance criteria. Under the model, a three-level administrative procedure is established. Each level is designed to process certain types of permit applications with maximum efficiency for both the county and the applicant. Both acreage and gross annual sales data are used in developing threshold levels for permit proposals. Consistency of review criteria is maintained by the use of a gross sales threshold for all levels. The following figure graphically shows in a general sense how the model was designed and the criteria used (Figure 1).

FIGURE 1

Polk County - EFU Zone

Three-Tier Review for Farm Dwelling in EFU Zone
A Generalized Flow Chart

Administrative Review

Type I Review

- 1) Parcel at least 80 acres

Yes

- 1) Appropriate for the area
- 2) No significant impact on fish and wildlife habitat
- 3) Dwelling occupant tests
- 4) Is Currently Farmed

NO

Administrative Review

Type II Review

- 1) Parcel Size test, determined by Census of As Special Tabs
- 2) Minimum gross annual sales test
- 3) 20 acre minimum

Yes

- 1) Review evidence submitted by applicant
- 2) Appropriate for the area
- 3) No significant impact on fish and wildlife habitat
- 4) Is currently farmed

NO

Public Hearing

TYPE III REVIEW

- 1) Farm Management Plan
- 2) \$40,000 minimum gross annual sales

Yes

- 1) Report of farm review team
- 2) Improvements installed or may require performance bond or letter of credit
- 3) Marketing commitments
- 4) Appropriate to area
- 5) No significant impact to fish and wildlife habitat
- 6) Less than 100 days worked off farm proposed
- 7) 50% of farm operator's income to be earned from farm
- 8) Is currently farmed

EFU REVIEW TYPES

TYPE I REVIEW

Based on this model, Polk County established that the primary commercial farm acreage threshold occurs at the 80 - 159 acreage range for EFU zone areas. In other words, any farm proposal containing less than 80 acres would be reviewed at level II or III process. Using the census tabulations described above, the following criteria were used in establishing that 80 acres or more is the appropriate size for Type I farm reviews.

1. The lowest acreage size is similar to the mean of existing parcel ownership sizes.
2. Using Census of Agricultural Special Tabulations for all farms, the County determined the lowest acreage range which conforms to the following criteria:
 - a. The contribution to the market (i.e., percent of total market value of products sold) is 10% or more.
 - b. The cumulative contribution of all farms, starting with smallest categories, must equal at least 25% of total farm sales. To state this criteria another way, farms of this category or larger account for 75% of farm sales.
 - c. Fifty percent of owners either have farming as their principal occupation, or, they work less than 100 days off the farm. Criteria (a) and (b) address the substantial contributions to markets test contained in OAR 660-05-000. Criterion (c) distinguishes between hobby farmer and commercial farmer.

The following findings were made regarding these criteria in determining that 80 - 159 acres was the lowest acreage range for this threshold.

1. The mean owned size of the average farm is 86.8 acres which justifies an 80 acre parcel size being used as the break point. (86.8 acres was determined by subtracting 21.8% of the mean parcel size. The 21.8% represents the average percent of land rented from others.)
2.
 - a. Contribution to the market of farms of this size range (percent of total gross annual sales earned) equals 17%. The mean gross annual sales for this acreage range is \$44,000.
 - b. The cumulative percent of gross annual sales for all farms less than and including the 80 - 159 acreage range is greater than 25%.
 - c. Farming as a principal occupation for this acreage range does equal 50% of the operators.

Additional evidence shown in the Agricultural Census Tabulations which supports this range includes:

1. In 1982 a total of \$40,650,000 in gross farm income was earned in Polk County. Farms with 80 acres or more earned \$35,227,000 or 87% of the total.

2. In analyzing average yield per acre, the 80 - 159 range had the highest dollar value for all acreage ranges. This figure amounted to \$396 per acre.
3. The mean gross annual sales of \$44,000 for this range is a substantial amount when compared to the mean gross annual sales of all farms measured in the census data which amounted to \$34,000.

TYPE II REVIEW

The secondary level threshold (or Type II Review) is established at acreage sizes 20 to 79 acres for the EFU Zone. The reason for this level was to ensure that all farms which contribute in a substantial way to the county's total farm income were included. By including acreage sizes down to 20 acres, an additional 9% of contribution to gross annual farm sales was added to the 87% contribution shown in the primary level. This 96% figure is a reasonable break point for determining commercial and non-commercial farm operations.

Since farm operations in Type II Review are somewhat more questionable as to their commercial feasibility, the applicant must submit data documenting his proposed operation with soil, crop, market, and financial data. The minimum number of acres is a variable number determined by reference to the Special Tabulations SIC Tables. The procedure is designed to ensure that the applicant has a parcel size at least as large as that size which on average, is currently operating at a commercial scale in the County. A gross farm sales requirement also applies to the request as part of this more stringent procedure. The gross sales level applied to this Type II Review is based on either a constant figure or a variable figure keyed to special Tabulation data and is determined by which figure is the lesser of the two. The constant figure was set at \$40,000 because it is a reasonable amount for this category as outlined in the TYPE I section on the Special Tabulation findings. It is also the threshold figure when TYPE I criteria are applied to gross sales categories in the Special Tabulations. In addition, it is cited as a minimum income for an acceptable standard of living yielding \$8,000 net farm income using a 20% net return figure. (USDA A Time To Choose, Washington, D.C. 1981.)

The variable figure for the gross sales test is set at the mean value of products sold for the SIC type and acreage category as given in the Special Tabulations.

The variable acreage and gross sales criteria in the TYPE II review are intended as performance tests to reflect existing conditions for the proposed agricultural type in Polk County. A 20 acre lower threshold is set to prevent the creation of micro-parcels even if the parcel could potentially support an intensive type of commercial agriculture.

TYPE III REVIEW

This level is generally not considered to be commercial in scope, although there are a small number of unusual cases that may qualify. In Polk County, all farms less than 20 acres contribute only 4% of the total farm gross sales and have a mean gross sales of \$4,000. The county has established a review process to allow land divisions and farm dwellings at this level only if they meet certain stringent conditions.

A Type III review has been designed to be used for proposed farm parcels or dwellings in extremely unusual circumstances which do not qualify for a Type I or II review. This review will also require a farm management plan, market commitments, an acreage size of 20 acres or more (for land divisions), a gross annual sales level of at least \$40,000 and other pertinent review requirements. Because of the marginal potential of proposed farms under this type of review, a public hearing will also be required.

FARM/FOREST REVIEW

For the Farm/Forest Zone, there are two review levels with appropriate acreage figures set at 40 acres for Type I Reviews and less than 40 acres for Type II. While most of the county's 180,000 acres of EFU land are located on bottom lands and terraces, the 30,000 acres zoned F/F are generally located above the valley floor and terraces in the foothills of the Coast Range. The Farm/Forest areas contain a small number of commercial farms that are generally smaller in size and level of operation. The hilly terrain and poorer soil classes of this zone have caused a higher density for nonfarm units interspersed with quasi-commercial type farms or small scale woodlots. This area was zoned Acreage Residential - 5 acres for a number of years prior to the 1981 acknowledgement of the County's Plan and, consequently, was divided into non-commercial size parcels and numerous dwellings were placed on parcels throughout the entire zone, thereby increasing the density of housing level. When this area was zoned from AR-5 to F/F in 1981, most of the commercial size farms and timber parcels opted to be zoned either Exclusive Farm Use or Timber Conservation as per the property owner's request. The majority of (and certainly the mean average) parcels remaining from that rezone effort were of a non-commercial scale for agriculture and timber use.

The county completed an analysis of the number of existing F/F zone parcels by ownership. By using data from the County Assessor's files, a total of 1040 farm ownership's were found to exist within the zone. Based on a total acreage of 30,000, the average parcel size equals approximately 29 acres. Review of the parcel/ownership records indicate that 7.4% of the parcels were greater than 80 acres in size; 3.7% were in the range of 60 - 79 acres, 88.9% were less than 60 acres and 81% were less than 40 acres in size.

In addition, Polk County's F/F zoned land is mainly located in the foothills of the coast range. Most areas exhibit steep slopes, soils which are on the lower range of the commercial agricultural scale, located adjacent to rural residential uses, lack of irrigation, vegetative overgrowth and mixed hardwood stands and small, irregular shaped parcels.

This F/F land is similar to that land portrayed in the Linn County Profile of Commercial Agricultural Report (OSU Special Report #696) for District II, which includes Polk County. Findings in this document indicate typical field sizes in foothill areas such as Polk County's F/F zoned area, have a mean size of 26.8 acres, but a median size of only 15.33 acres. This appears to be substantiated by the Polk County Assessor's records. As a comparison, the EFU Zone contains 180,000 acres and 2,550 farm units. The average parcel size for EFU is approximately 70 acres. Based on comparison of these averages, environmental factors and land form differences, the county determined that a 40 acre parcel size best exemplifies the lowest acreage size for the primary level in the F/F Zone.

To implement Goal 3 in the F/F Zone, the County has established a two tier review similar to those of the EFU Zone but reflecting the land and environmental conditions of the F/F Zoned area, as well as the parcel sizes.

FARM/FOREST REVIEW TYPES

The Farm/Forest TYPE I Review parallels the process of the EFU model using a threshold for all farms at 40 acres or greater in size. Any farm containing less than 40 acres will be reviewed at a TYPE II Review process.

The following criteria shall apply to a TYPE I review which is an administrative review:

- A. A land division may be tentatively approved when all the following conditions are met:
 - 1. All proposed parcels are 40 acres or greater in size;
 - 2. The parcels are currently employed in farm use;
 - 3. The agricultural enterprise is appropriate for the area considering other commercial agricultural enterprises located within 1/4 mile to determine if there are conflicts; and
 - 4. The additional parcel(s) will not significantly impact identified sensitive fish or wildlife habitat.
- B. A dwelling may be permitted when all the following conditions are met:
 - 1. The dwelling will be located on a parcel that is 40 acres or greater in size;
 - 2. The parcel is currently employed for farm use;
 - 3. The dwelling is for the farm operator and there are no other dwellings located on the parcel or on parcels under contiguous ownership;
 - 4. The dwelling will not significantly impact identified sensitive fish or wildlife habitat; and,
 - 5. The proposed site can support a residential use considering access, suitability for on-site sewage disposal, water, utilities and fire protection.
 - 6. The parcel was legally created.

The secondary level threshold (or TYPE II) is established for those farms under 40 acres but greater than 10 acres. This ensures that some effort is made to contribute to the farm economy even if in a more marginal way than experienced in the EFU area. Findings listed above have shown that this Farm/Forest land base is in a parcel range similar to foothills of Linn County ranging between 15+ acres for a median size parcel and 28+ acres for a mean size parcel. Consequently, while not an area that contributes significantly on a parcel-by-parcel basis, the "value of commodity by acreage range" data shows the 20-39 acreage range portraying a decreasing value from \$308 at 20 acres down to \$163 for 39 acres. In addition, the days worked off farm exceeding 200 days occur in 52 to 54% of the cases for parcels in the 20 - 39 acre group. When considering 150 days worked off the farm in this group the percentage of cases rises to 58 to 61%. The 20 - 39 acre range parcels contribute only 4% and 5% respectively to the market (those parcels less than 20 acres are at a 3% level) with a mean product value/mean gross annual sales of \$8,000 and \$9,000 respectively, thereby placing them in a category that has marginal contribution to commercial agriculture as a whole in Polk County. Another indicator of this contributions levels is that the foothill landform area in Linn County (District II, of which

Polk County is a part of) lists a \$9,000 level of gross value of products sold. This finding is compatible with the Special Tabulation of Census data maintained above. By contrast the EFU zoned area of 80 acre parcel sizes has a mean product value/mean gross annual sales of \$44,000.

Polk County will require an additional burden-of-proof for divisions and farm dwellings in the TYPE II review which is the procedure designed for those land use actions in the acreage range below 40 acres.

TYPE II actions are reviewed by the Planning Director, or his designated representative, and are subject to public notice requirements. Appeals of TYPE II decisions are to the Polk County Board of Commissioners. The requirements are:

1. Average annual product sold capability is \$10,000 or more.
2. The new parcel(s) will not significantly impact identified sensitive fish and wildlife habitat.
3. The agricultural enterprise is appropriate considering soils, productivity, topography, and other agricultural activities located within 1/4 miles to determine if there are conflicts.
4. The parcel is currently employed for farm use.

The \$10,000 annual sales figure is considered reasonable as a capability level, based on Census of Agriculture data. The SIC types of agriculture which most closely reflect the farm types existing in the Farm/Forest Zone are Extensive Grazing and General Farming, Primarily Livestock. The mean annual sales for Extensive Grazing type is \$11,000 for farms over \$2500 sales and \$5000 for all farms in the SIC type. For the General Farm category, only the sales figures for "all farms" is available, which is \$4000. Since the two SIC types exhibit similar sales figures in the "all farms" category, the over \$2500 sales figures are likely also similar, or approximately \$10,000.

With the use of the above criteria, the acreage within the 30,000 acres zoned Farm/Forest will be adequately protected as a contributing factor to the State's agricultural economy.

SUMMARY

Based on the evidence collected from the Census of Agriculture data and county inventory files, the analysis and findings described herein clearly identify that there are three levels of farm activity in Polk County. Two of these levels contribute in a substantial way to the County's agricultural economy because of their 96% contribution to the market. These two levels are clearly representative of the County's commercial agricultural enterprise. The tertiary level serves the agricultural economy on a much more marginal basis. Therefore, the county has established a stringent review process that ensures that all future farm proposals at all levels will be consistent with the Goal 3 purpose of maintaining the County's agricultural economy. These findings shall be applicable to both the Exclusive Farm Use and Farm/Forest Land Use Designations herein previously described. Implementing measures pertaining to these findings and land use designations shall be incorporated into the EFU and Farm/Forest Zones.

In establishing minimum lot sizes for the EFU and F/F zones, the County made two important determinations regarding inefficiency and price increase. These findings were made in order to address issues which were raised in the landmark case Goracke vs. Benton County.

In this case LUBA stated that a minimum parcel size must not be a size that is inefficient to farm. By using the 1982 Agricultural census data and Special Tabulations, the County determined that the proposed minimum acreage sizes were determined to be efficient based on their average yield per acre. The 6-19 acre range was the most productive out of all the ranges measured. This range had an average yield per acre of \$416. The second most productive range, with a \$396 average yield per acre was the 80-159 range. Based on these averages, the County determined that the size test related to efficiency is clearly met. In addition, a 1983 survey in Linn County (Profiles of Commercial Agriculture, 1983, OSU Special Report No. 696) found that 20 acres was a typical field size in foothill areas while a minimum field size was 5 acres.

In order to ensure that Type II and III review criteria regarding income (gross annual sales) are being met, the County will use the following formula in determining if the necessary gross annual sales level could be attained on a given parcel:

Average Yield/acre x Average Commodity/Unit Price x Total Acres = Gross Annual Sales

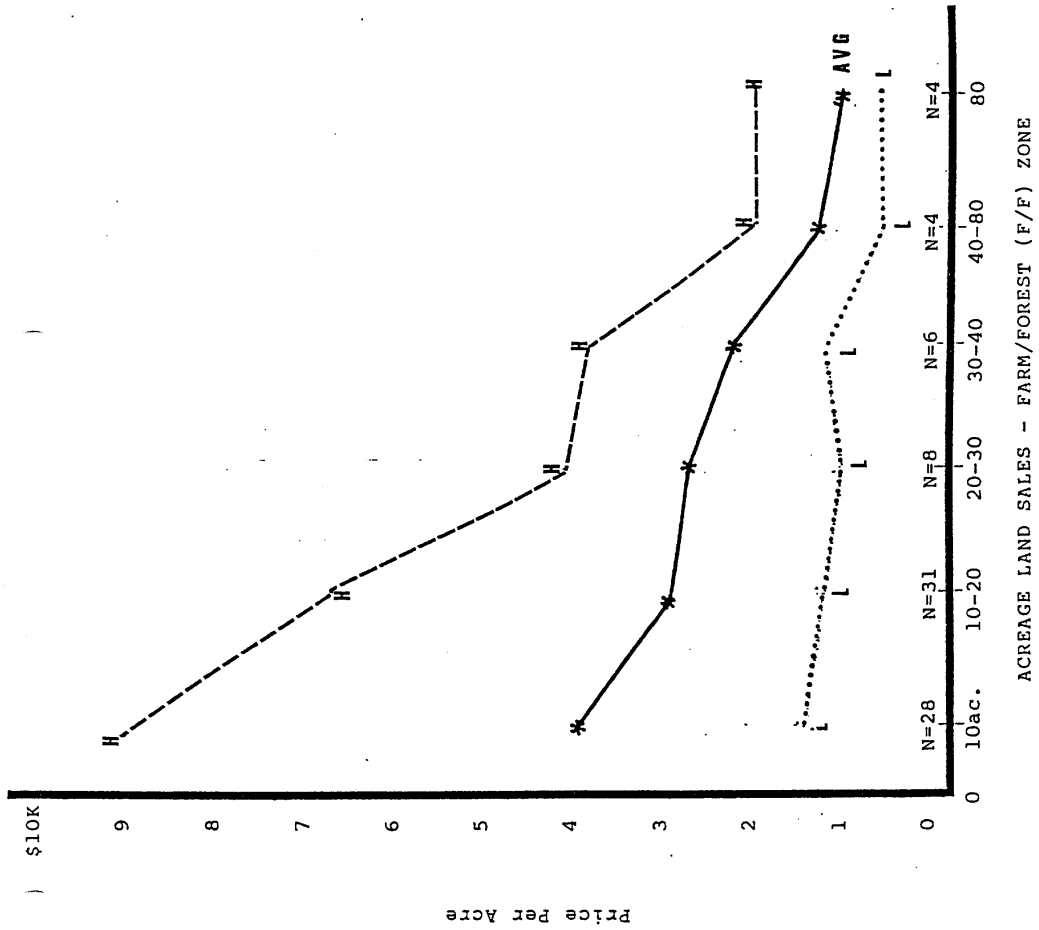
The average yield figure would be determined by using Table 5 in the October, 1982 Soil Survey of Polk County, Oregon, when possible. When data is not available from this source, the best available data, generally from the Oregon State University Extension Service, shall be used. The commodity price would be determined by averaging the the most current three-year period prices, using current year prices taken from County Extension Agent records.

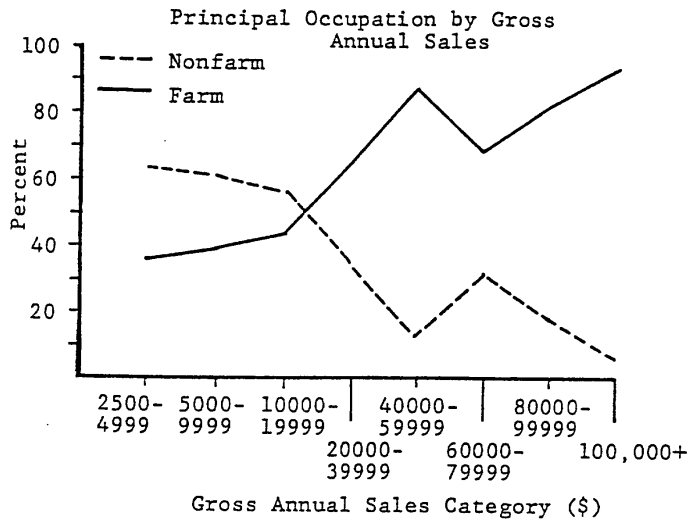
When new farm parcels are proposed under the three level review process, it is important to ensure they are compatible with surrounding agricultural enterprises. By comparing proposed farm parcels with other farm parcels and practices within a one-quarter mile radius of the proposal, a decision could be reached more objectively. A one-quarter mile radius provides a sufficient area to evaluate a farming pattern. Most areas of the County are characterized by mixed parcel sizes and ownerships. The one-quarter mile radius will incorporate an equivalent of a half section as a study area. The quarter-mile area is also the same measurement used in the L.E.S.A. System in Linn County which the county may adapt as an evaluation and measurement tool in its review process. Furthermore, the following factors shall be evaluated in comparing commercial farms within a one-quarter mile radius:

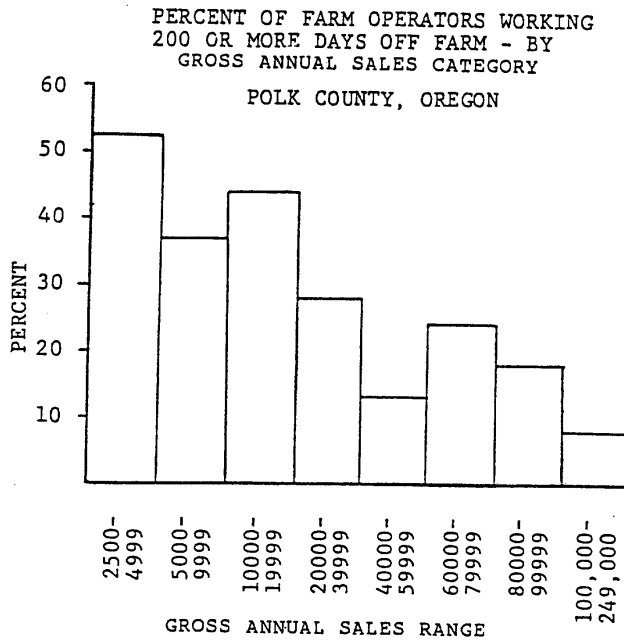
1. Any conflicts that might occur with the newly proposed farm operation.
2. Similarities and/or conflicting differences of surrounding farms in relation to average commercial farm types described in the S.I.C. Tabs of the census data.

Based on the above findings, conclusions, and procedures, the requirements of Goal 3 are not only complied with but enhanced.

PD 5/18/87







Source: 1982 Census of Agriculture

APPENDIX F

GOAL EXCEPTION FINDINGS

DATE: September 3, 1997

SUBJECT: Plan Amendment 97-1/Zone Change 97-1

PROPERTY ADDRESS: 14000 block of Orchard Knob Road, Dallas

PROPERTY LOCATION: Approximately 8 acres of Township 7 South, Range 5 West, Section 17, Tax Lot 200, WWM.

REQUEST: To amend the Comprehensive Plan Designation from Farm Forest to Rural Lands, and to change the zoning from Farm Forest (F/F) to Acreage Residential (AR-5) on approximately 8 acres of a 28.85 acre parcel. Approximately 1 acre of the property is currently designated Rural Lands and zoned Acreage Residential (AR-5). The remainder is designated Farm Forest in the Comprehensive Plan and zoned Farm Forest (F/F).

FINDINGS: When taking an exception to a statewide planning goal where reasons justify an exception, Oregon Administrative Rule (OAR) 660-04-020 (2) requires four factors of Statewide Planning Goal 2 (Land Use Planning) Part II (c) be considered. The goal exception criteria and findings to be included as an amendment to the Comprehensive Plan are described below. Because the Farm Forest Plan designation and zoning is a mixed-use designation and zone (acknowledged under both Goal 3 and Goal 4), exceptions must be taken to both of these goals.

The first factor, OAR 660-04-020 (2) (a), requires that "the exception shall set forth the facts and assumptions used as the basis for determining that a state policy embodies in a goal should not apply to specific properties or situations, including the amount of land for the use being planned and why the use requires a location on resource land". The subject parcel presents an unusual if not unique situation. It is split-zoned, with a portion zoned for rural residential development. However, that portion is not suitable for a homesite due to topographic constraints. Approval of this request would allow applicants to exercise a right they presumably acquired with the property, to construct a rural residence, by including a suitable building area for such a residence. The proposed expansion of such portion would not allow further partitioning of the applicants' property. In addition, approximately 19 acres of applicants' property still would be designated and zoned for resource use.

The second factor, OAR 660-04-020 (2) (b), requires consideration of why areas which do not require a new exception cannot reasonably accommodate the proposed use. Due to the unique set of circumstances associated with the subject property, the most reasonable alternative area for the proposed homesite which does not require a new exception is the one-acre portion of the subject parcel presently designated Rural Lands. As noted, this area has topographic constraints which severely limit its development potential. Applicants indicate that even if this site could be developed as a homesite, the costs of contouring the site would be prohibitive and in a practical manner prevent Applicants from constructing a home. Additionally, because a portion of the subject parcel consists of non-resource land, staff has limited the review of non-resource alternative sites to that area of the subject parcel currently designated and zoned for non-resource use. Further, rural densities would not need to be significantly increased to accommodate one single-family dwelling.

Further, with respect to the second factor, the proposed use of the subject parcel is that of rural residential development combined with resource use (farming activities). Such a use could only be situated on property that is split-zoned, where a portion of the property is suitable for resource use and another portion is an exception area. This mixed use could not be situated on resource land that has been built and committed to non-resource uses. It is not reasonable, therefore, for the alternatives analysis to consider resource and non-resource areas which do not offer

applicants the same range of development and use options as that afforded by their property in its entirety. Applicants intend to use the remainder of their property to grow filberts or other nut crops and to raise livestock. As stated in the Comprehensive Plan, "It is the intent of the Rural Lands Plan designation to provide an opportunity for a segment of the population to obtain acreage homesites in a rural area, while at the same time encouraging and protecting agriculture and forestry." The development and associated farming activities proposed by applicants cannot be accommodated within an urban growth boundary. Consequently, staff considered no alternative sites within such an area.

The third and fourth factors, OAR 660-04-020 (2) (c) and (d), require consideration of long-term environmental, economic, social and energy consequences from the use at the proposed site with measures designed to reduce adverse impacts. The proposed use of the subject parcel is that of rural residential use combined with farming activities. It is located within an area where those uses currently co-exist. Services, including on-site sewage disposal, water and transportation access all are readily available for the proposed homesite. Because the proposed use is allowed by the existing Comprehensive Plan designation and split-zoning, the consequences of developing the subject parcel as proposed will be no greater than is already allowed by the Plan.

Oregon Administrative Rule 660-04-020 (3) deals with situations where the exception would involve more than one area, and is not applicable to this request. [Amended Ordinance 97-7, dated September 3, 1997]

APPENDIX F.1

GOAL EXCEPTION FINDINGS

DATE: April 25, 2000

SUBJECT: Legislative Amendment 99-4

PROPERTY ADDRESS: Intersection of Harmony Road and Highway 22, Buell.

PROPERTY LOCATION: Approximately 0.70 acres, consisting of Tax Lot 700 (0.20 acres) and a portion of Tax Lot 500 (0.50 acres), Township 6 South, Range 6 West, Section 28B, WWM.

REQUEST: To amend the Comprehensive Plan Designation from Agriculture to Unincorporated Community Commercial, and to change the zoning from Exclusive Farm Use (EFU) to Unincorporated Community Commercial Retail (UC-CR) on approximately 0.70 acres and to include this area within the community of Buell. The Limited Use Overlay Zone would apply to the approximately 0.70 acre portion of the property subject to this "reasons" exception.

CRITERIA: When taking an exception to a statewide planning goal where reasons justify an exception, Oregon Administrative Rule (OAR) 660-04-020(2) requires four factors of Statewide Planning Goal 2 (Land Use Planning) Part II (c) be considered. In addition, for expansion of an unincorporated community boundary, these four factors are modified to include the requirements of OAR 660-04-020(4).

660-04-020(4)(a) "Reasons justify why the state policy embodied in the applicable goals should not apply": The exception shall set forth the facts and assumptions used as the basis for determining that a state policy embodied in a goal should not apply to specific properties or situations including the amount of land for the use being planned and why the use requires a location on resource land;

FINDINGS: The area to be re-designated is contiguous to the existing community boundary and is adjacent to the only commercial property in the community (Tax Lot 600). Tax Lot 600 houses a small market which will soon be torn down and reconstructed further west on the same lot. The property would also house a storage yard for the owner's towing business. The property owner also intends to establish a retail store, office, gas station, including a card-lock service, and a single-family residence on the site. The towing service storage yard and one single-family residence would be sited within the proposed exception area. The other uses would be sited in the area that is currently zoned for commercial uses. Some ancillary uses such as off-street parking associated with the uses on the property and a portion of the on-site septic system may also be located within the exception area.

The existing commercial building on the property is located adjacent to the Harmony Road right-of-way along the east property line. This location creates a safety problem for vehicles entering or exiting the subject property. The property owner will be reconstructing the existing building approximately 35 feet west of the right-of-way in order to alleviate this safety problem. In so doing, the property owner is sacrificing some ability to develop his property. The proposed exception area is intended to partially compensate for the area that will be lost to commercial development as currently zoned, while retaining the majority of the property (2.40 acres) for farm use. In preparing this exception, the Board of Commissioners has carefully considered the areas of the property that cannot be practicably managed for farm use. These areas of the property are proposed for this "reasons" exception.

The proposed exception area consists of: (1) Tax Lot 700 (0.20 acres) is a former right-of-way, located south of the existing commercial property and (2) a 0.50 acre portion of Tax Lot 500 that includes triangular-shaped pieces on the north and south ends of the commercial property and a 20-foot wide buffer near the west boundary of Tax Lot 600 that connects the two triangular shaped pieces. None of the areas proposed for an exception are currently being farmed.

Tax Lot 700 is partially paved, with the remainder of the property covered in gravel. It is bordered by the commercial property (Tax Lot 600) to the north and Highway 22 to the south. Based on the small size of this property, its separation from adjacent agricultural land, and the fact that it is covered in impervious or partially impervious surfaces the County concludes that this property cannot be practicably managed for farm use.

The portion of Tax Lot 500 proposed for exception are small triangular-shaped pieces, approximately 0.19 acres (north) and 0.10 acres (south) and a 20-foot wide buffer that connects these two pieces of approximately 0.10 acres. The small size and shape of the triangular-shaped areas makes them impracticable to manage for farm use. In addition, the southernmost triangle area, adjacent to Tax Lot 700 is primarily covered in gravel. This exception "squares off" the area on Tax Lot 500 (2.40 acres) that is still available for farm use, thus making it more manageable for resource use.

The 20-foot wide exception area along the west side of the existing commercial-zoned area that joins these two pieces would be comprised of a special setback from resource land that is required in the UC-CR Zone. A 20-foot wide portion of the exception area along the north property line also abuts resource land and would also consist of this special setback.

For these reasons, the County finds that the policy embodied in Statewide Planning Goal 3 - Agricultural Lands do not apply to this 0.70 acre area.

(b) "Areas which do not require a new exception cannot reasonably accommodate the use":

- (A) The exception shall indicate on a map or otherwise describe the location of possible alternative areas considered for the use, which do not require a new exception. The area for which the exception is taken shall be identified;**
- (B) To show why the particular site is justified, it is necessary to discuss why other areas which do not require a new exception cannot reasonably accommodate the proposed use. Economic factors can be considered along with other relevant factors in determining that the use cannot reasonably be accommodated in other areas. Under the alternative factor the following questions shall be addressed:**
 - (i) Can the proposed use be reasonably accommodated on nonresource land that would not require an exception, including increasing the density of uses on nonresource land? If not, why not?**
 - (ii) Can the proposed use be reasonably accommodated on resource land that is already irrevocably committed to nonresource uses, not allowed by the applicable Goal, including resource land in existing rural centers, or by increasing the density of uses on committed lands? If not, why not?**
 - (iii) Can the proposed use be reasonably accommodated inside an urban growth boundary? If not, why not?**
- (C) This alternative areas standard can be met by a broad review of similar types of areas rather than a review of specific alternative sites. Initially, a local government adopting an exception need assess only whether those similar types of areas in the vicinity could not reasonably accommodate the proposed use. Site specific comparisons are not required of a local government taking an exception, unless another party to the local proceeding can describe why there**

are specific sites that can more reasonably accommodate the proposed use. A detailed evaluation of specific alternative sites is thus not required unless such sites are specifically described with facts to support the assertion that the sites are more reasonable by another party during the local exceptions proceeding.

FINDINGS: The area for the proposed exception is shown on maps adopted by the County as part of Legislative Amendment 99-4.

This exception area is located adjacent to the only commercial property in Buell. No other exception areas which could accommodate the proposed use are located within three (3) miles of the subject property. Further, the proposed towing service would be located directly adjacent to Highway 22 and centrally located between Dallas, Willamina, and Sheridan. Location of the proposed use within the urban growth boundaries of these communities would not provide the centralized location for the towing and vehicle storage service that the subject property provides. Such a towing service and associated vehicle storage is needed in an area where there has been a dramatic increase in vehicle traffic. The amount of traffic in this area is expected to further increase.

No resource land which is committed to non-resource uses is located within the community or in the vicinity of the Buell community boundary.

The proposed uses cannot be reasonably accommodated on non-resource land that would not require an exception. There are no non-resource lands within the general area that are as uniquely situated as the proposed exception area. The economics of finding a non-resource parcel with these same features would be improbable. In addition, trying to locate a non-resource parcel where the density could be increased by adding the uses proposed for the subject property would be improbable, as the location of the subject property is what has made the past and present uses viable. That is, they are oriented to the traveling public at a centralized location in Polk County where there are no other service-oriented facilities extending at least three miles to the east or west.

The proposed uses could not be reasonably located in a rural service center or on resource lands that are irrevocably committed to non-resource uses, nor within an urban growth boundary. The location of the proposed uses on lands irrevocably committed would not be economically feasible from the start up or new construction standpoint, and it would not contain the special centralized location features of the subject property.

- (c) **The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in other areas requiring a Goal exception. The exception shall describe the characteristics of each alternative areas considered by the jurisdiction for which an exception might be taken, the typical advantages and disadvantages of using the area for a use not allowed by the Goal, and the typical positive and negative consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts. A detailed evaluation of specific alternative sites is not required unless such sites are specifically described with facts to support the assertion that the sites have significantly fewer adverse impacts during the local exceptions proceeding. The exception shall include the reasons why the consequences of the use at the chosen site are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site. Such reasons shall include but are not limited to, the facts used to determine which resource land is least productive; the ability to sustain resource uses near the proposed use; and the long-term economic**

impact on the general area caused by irreversible removal of the land from the resource base. Other possible impacts include the effects of the proposed use on the water table, on the costs of improving roads and on the costs to special service districts;

FINDINGS: The long-term environmental, economic, social, and energy consequences resulting from the proposed uses, as identified in the background section of these findings and conclusions, will not be significantly more adverse than would typically result from the same proposal being located in another area of Polk County requiring a goal exception. The typical alternate area would consist of a small parcel located at the intersection of a state highway and a county collector road. The subject property is better suited for a number of reasons.

First, with respect to the environmental consequences, if the proposed uses were located on an alternative area, their impact would be more adverse than if located on the subject property. This would be particularly so if the alternative area did not have a history of commercial development. A positive factor with the subject property is the fact that the adjoining land has previously been developed for a community commercial use. Most of the uses proposed on the property would be located within the existing commercial-zoned area. The proposed uses in the exception area include a storage yard for a towing business and one (1) single-family residence. Establishment of these uses will be subject to the permitting requirements of Polk County. In particular, the towing service storage yard will be subject to paving and screening requirements and establishment of the single-family residence will be subject to building and septic permits. The permitting process is intended, in part, to minimize adverse environmental impacts.

Second, with respect to the economic consequences, there will be less of an impact locating the uses on the subject property. This stems from the fact that prior commercial development took place on adjoining commercial property. This land and the subject property are tied together. There is already paving, power, access driveways, and other improvements in place on the subject property. On other similarly situated parcels this would not be the same situation and the economic consequences for placing these improvements into the alternative property would be more adverse than if located on the subject property.

Third, with respect to the social consequences, the rural areas surrounding the Buell community have already been accustomed to the past commercial use and traffic pattern of Tax Lot 600 (currently zoned for commercial use) and parts of Tax Lot 700. One positive aspect to retaining the commercial core of the community at this intersection is that the social impact would be less than if placed in an area that was not used to having a commercial use in their community.

Fourth, the energy consequences of locating the uses at the subject property and adjoining commercial property would be less than if the proposed uses were located at another site in Polk County. Transportation access is readily available from Harmony Road. In addition, water and an on-site septic system are either in place or in the process of being installed by the owner. This would not be the case for an alternative site.

The consequences associated with the proposed uses on the subject property are not significantly more adverse than would typically result from the same proposal being located in another area requiring a goal exception. The adjacent commercial property is currently within the Buell unincorporated community and is designated for commercial use. The subject property is located at a busy intersection that has been developed for uses oriented to the traveling public. The area subject to the exception could not practically be used for resource uses due to its narrow shape and soil disturbances. Other properties in the County may share similar features with respect to location at an intersection, but they do not share similar elements with respect to

location adjacent to commercial development. Or central to towing

The cumulative impacts analysis conducted for the community of Buell shows that none of the soils in the area would prohibit the establishment of new septic systems. The subject property currently has water service. The County Sanitarian has tentatively approved a re-circulating gravel filter wastewater disposal system for this site.

The County's Limited Use Overlay Zone would be applied to the area subject to the "reasons" exception and would limit development of the exception area solely to the storage yard for the towing service and one (1) single-family residence. Other ancillary uses such as off-street parking for the uses on the property and a portion of the on-site septic system may also occur within the exception area and are not prohibited or otherwise regulated by the Overlay Zone.

Transportation access is available from Highway 22 and Harmony Road. However, due to safety concerns, the Highway 22 access will be closed and all access will be directed to Harmony Road, which is classified as a major collector road in the County road system. Development of an access on Harmony Road will be subject to the access permit requirements of the Polk County Public Works Department.

The County finds that the long-term impacts associated with the proposed commercial uses are not significantly more adverse than would typically result from the same proposal being located in other areas requiring a goal exception.

(d) "The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts". The exception shall describe how the proposed use will be rendered compatible with adjacent land uses. The exception shall demonstrate that the proposed use is situated in such a manner as to be compatible with surrounding natural resources and resource management or production practices. "Compatible" is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses.

FINDINGS: The County's Limited Use Overlay Zone would be applied to the approximately 0.70 acre area subject to the reasons exception and would limit development solely to the towing service storage yard and one (1) single-family residence. Development is limited to these uses, in part, to minimize adverse impacts to other adjacent uses.

Establishment of the towing service storage yard shall be subject to approval of a conditional use permit as provided by Section 146.050(A)(10) of the Polk County Zoning Ordinance (PCZO). As part of that process, the County will consider conditions intended to minimize impacts to adjacent resource uses. These include, but are not limited to, hours of operation, lighting, paving and storm drainage, landscaping, and screening and buffering. These types of conditions are designed to mitigate off-site noise, dust, visual, and environmental impacts.

In addition, Section 112.400(B)(3)(c) of the PCZO requires that a special 20-foot setback be imposed where commercial or industrial properties within unincorporated communities abut resource land. Approximately 0.12 acres of the exception area (about 5,600 square feet) along the north and west sides of the proposed development would be devoted to this setback. This setback is intended to create separation between the types of uses proposed for this property and adjacent resource uses as a means to minimize potential adverse impacts.

Establishment of the single-family residence requires compliance with building and septic permits. These permits are intended to ensure that water is available and the property can accommodate an on-site septic system subject to the approval of a recirculating gravel filter.

The subject property would be part of the only commercial development within the community.

Commercial development of this property has coexisted with resource uses in the community of Buell for many years. Based on the proposed use of the property, off-site impacts to resource operations should be minimal.

(4) For the expansion of an unincorporated community defined under OAR 660-022-0010.

The exception requirements of subsections (2)(b),(c),and (d) of this rule are modified to also include the following:

- (a) Prioritize land for expansion: First priority goes to exceptions lands in proximity to an unincorporated community boundary. Second priority goes to land designated as marginal land. Third priority goes to land designated in an acknowledged comprehensive plan for agriculture or forestry, or both. Higher priority is given to land of lower capability site class for agricultural land, or lower cubic foot site class for forest land;**
- (b) Land of lower priority described in subsection (a) of this section may be included if land of higher priority is inadequate to accommodate the use for any one of the following reasons:**
 - (A) Specific types of identified land needs cannot be reasonably accommodated on higher priority land; or**
 - (B) Public facilities and services cannot reasonably be provided to the higher priority area due to topographic or other physical constraints; or**
 - (C) Maximum efficiency of land uses with the unincorporated community requires inclusion of lower priority land in order to provide public facilities and services to higher priority land.**

FINDINGS: No exception land is located in proximity to the Buell community boundary. In addition, no land in the vicinity of the boundary is designated as marginal land. All of the agricultural land in proximity to the boundary is designated as “high-value” farmland as defined in state statute and administrative rule. The area subject to re-designation is comprised of Class IIw soils. However, portions of the soils in the exception area have been paved or covered with gravel and subsequently compacted. All other agricultural soils in the vicinity of the community boundary are also classified as Class IIw soils. The only other soils in the area are located in an adjacent active rock quarry and are identified as “pits and quarries” in *the Polk County Soil Survey*.

The County finds that the specific commercial development cannot be reasonably accommodated on higher priority land.

DATE: April 25, 2000

SUBJECT: Legislative Amendment 99-4

PROPERTY ADDRESS: 13000 Highway 99W, Suver Junction

PROPERTY LOCATION: Approximately 2.0 acres, consisting of a portion of Tax Lot 100, Township 9 South, Range 5 West, Section 31, WWM.

REQUEST: To amend the Comprehensive Plan Designation from Agriculture to Unincorporated Community Industrial, and to change the zoning from Exclusive Farm Use (EFU) to Unincorporated Community Light Industrial (UC-IL) on approximately 2.00 acres and to include this area within the community of Suver Junction.

CRITERIA: When taking an exception to a statewide planning goal where reasons justify an exception, Oregon Administrative Rule (OAR) 660-04-020(2) requires four factors of Statewide Planning Goal 2 (Land Use Planning) Part II (c) be considered. In addition, for expansion of an unincorporated community boundary, these four factors are modified to include the requirements of OAR 660-04-020(4).

660-04-020(4)(a) "Reasons justify why the state policy embodied in the applicable goals should not apply": The exception shall set forth the facts and assumptions used as the basis for determining that a state policy embodied in a goal should not apply to specific properties or situations including the amount of land for the use being planned and why the use requires a location on resource land;

FINDINGS: The subject property is developed as an agricultural welding and repair service which was authorized on agricultural land by Conditional Use 88-15. The area to be re-designated is contiguous to the existing community boundary and is a small portion of a larger farm operation. The land has longed been used for industrial use and is considered as part of the Suver Junction community. Including this land within the community boundary would formalize the recognition of this property as an important part of the community and would effectively separate it from adjacent resource land.

(b) "Areas which do not require a new exception cannot reasonably accommodate the use":

- (A) The exception shall indicate on a map or otherwise describe the location of possible alternative areas considered for the use, which do not require a new exception. The area for which the exception is taken shall be identified;**
- (B) To show why the particular site is justified, it is necessary to discuss why other areas which do not require a new exception cannot reasonably accommodate the proposed use. Economic factors can be considered along with other relevant factors in determining that the use cannot reasonably be accommodated in other areas. Under the alternative factor the following questions shall be addressed:**
 - (i) Can the proposed use be reasonably accommodated on nonresource land that would not require an exception, including increasing the density of uses on nonresource land? If not, why not?**
 - (ii) Can the proposed use be reasonably accommodated on resource land that is already irrevocably committed to nonresource uses, not allowed by the applicable Goal, including resource land in existing**

rural centers, or by increasing the density of uses on committed lands? If not, why not?

(iii) Can the proposed use be reasonably accommodated inside an urban growth boundary? If not, why not?

(C) This alternative areas standard can be met by a broad review of similar types of areas rather than a review of specific alternative sites. Initially, a local government adopting an exception need assess only whether those similar types of areas in the vicinity could not reasonably accommodate the proposed use. Site specific comparisons are not required of a local government taking an exception, unless another party to the local proceeding can describe why there are specific sites that can more reasonably accommodate the proposed use. A detailed evaluation of specific alternative sites is thus not required unless such sites are specifically described with facts to support the assertion that the sites are more reasonable by another party during the local exceptions proceeding.

FINDINGS: The area for the proposed exception is shown on maps adopted by the County as part of Legislative Amendment 99-4. Only one industrial property is located in the Suver Junction community and it is proposed for use as a storage and office facility for a general contracting business. The subject property has long been used for industrial purposes and is a vital part of the local community. The industrial use on the property provides a valuable service to the surrounding agricultural area and contributes to the local economy. The use would not serve the same value to this area if it was moved within the Independence urban growth boundary, located approximately 10 miles north of Suver Junction. No other existing exception land, zoned for industrial use, is available in the vicinity of the Suver Junction community boundary.

No resource land which is committed to non-resource uses is located within the community or in the vicinity of the Buell community boundary.

(c) **The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in other areas requiring a Goal exception. The exception shall describe the characteristics of each alternative areas considered by the jurisdiction for which an exception might be taken, the typical advantages and disadvantages of using the area for a use not allowed by the Goal, and the typical positive and negative consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts. A detailed evaluation of specific alternative sites is not required unless such sites are specifically described with facts to support the assertion that the sites have significantly fewer adverse impacts during the local exceptions proceeding. The exception shall include the reasons why the consequences of the use at the chosen site are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site. Such reasons shall include but are not limited to, the facts used to determine which resource land is least productive; the ability to sustain resource uses near the proposed use; and the long-term economic impact on the general area caused by irreversible removal of the land from the resource base. Other possible impacts include the effects of the proposed use on the water table, on the costs of improving roads and on the costs to special service districts;**

FINDINGS: The property is fully developed at this time and no expansion of the existing use is proposed. Transportation access is available from Highway 99W. In addition, the property is an important part of the local economic base and the agricultural community. For the most part, employment opportunities are extremely limited within the unincorporated communities in Polk County. Providing additional employment opportunities, particularly those which are small-scale and do not adversely effect the rural character of the community, contribute to both social well-being in the community and the viability of the local economy. No additional long-term environmental, economic, social and energy consequences beyond those currently found can be expected through the re-designation of this property.

- (d) **"The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts". The exception shall describe how the proposed use will be rendered compatible with adjacent land uses. The exception shall demonstrate that the proposed use is situated in such a manner as to be compatible with surrounding natural resources and resource management or production practices. "Compatible" is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses.**

FINDINGS: The County's Limited Use Overlay Zone would be applied to the approximately 2.0 acre area subject to the reasons exception and would limit development solely to the agricultural welding and repair service which is currently situated on the property. The proposed use has been compatible with adjacent resources uses for more than 10 years and no expansion or additional use of the property is proposed.

- (4) **For the expansion of an unincorporated community defined under OAR 660-022-0010.**

The exception requirements of subsections (2)(b),(c),and (d) of this rule are modified to also include the following:

- (a) **Prioritize land for expansion: First priority goes to exceptions lands in proximity to an unincorporated community boundary. Second priority goes to land designated as marginal land. Third priority goes to land designated in an acknowledged comprehensive plan for agriculture or forestry, or both. Higher priority is given to land of lower capability site class for agricultural land, or lower cubic foot site class for forest land;**
- (b) **Land of lower priority described in subsection (a) of this section may be included if land of higher priority is inadequate to accommodate the use for any one of the following reasons:**
- (A) **Specific types of identified land needs cannot be reasonably accommodated on higher priority land; or**
- (B) **Public facilities and services cannot reasonably be provided to the higher priority area due to topographic or other physical constraints; or**
- (C) **Maximum efficiency of land uses with the unincorporated community requires inclusion of lower priority land in order to provide public facilities and services to higher priority land.**

FINDINGS: No exception land is located in proximity to the Sver Junction community boundary. In addition, no land in the vicinity of the boundary is designated as marginal land. Agricultural land in proximity to the boundary is designated as "high-value" farmland as defined

in state statute and administrative rule. The area subject to re-designation is comprised of Class IVw soils which are defined as “high-value” farmland. Other soils in the vicinity of the community boundary range from Class IIe to Class IVw. The County finds that there is no higher priority land in the area which is available to accommodate the specific industrial use.

DATE: April 25, 2000

SUBJECT: Legislative Amendment 99-4

PROPERTY ADDRESS: 2300 block of Lincoln Rd, Lincoln

PROPERTY LOCATION: Approximately 1.02 acres comprised of Tax Lot 202, Township 6 South, Range 3 West, Section 23, WWM.

REQUEST: To amend the Comprehensive Plan Designation from Agriculture to Unincorporated Community Residential, and to change the zoning from Exclusive Farm Use (EFU) to Acreage Residential (AR-5) 5-Acre Minimum on a 1.02 acre parcel and to include that parcel within the community boundary. The Limited Use Overlay Zone would apply to this parcel.

CRITERIA: When taking an exception to a statewide planning goal where reasons justify an exception, Oregon Administrative Rule (OAR) 660-04-020(2) requires four factors of Statewide Planning Goal 2 (Land Use Planning) Part II (c) be considered. In addition, for expansion of an unincorporated community boundary, these four factors are modified to include the requirements of OAR 660-04-020(4).

660-04-020(4)(a) "Reasons justify why the state policy embodied in the applicable goals should not apply": The exception shall set forth the facts and assumptions used as the basis for determining that a state policy embodied in a goal should not apply to specific properties or situations including the amount of land for the use being planned and why the use requires a location on resource land;

FINDINGS: The area to be re-designated is formerly part of the original town plat for Lincoln and was previously excluded from the community boundary. The area to be re-designated is contiguous to the existing community boundary and currently vacant. The property is not part of a larger farming operation and based on the size of the parcel, it cannot be considered a viable farm parcel. The proposed use of the property is residential. Based on the size of the parcel, one (1) single family residence could be developed on the property. The cumulative impacts analysis that was conducted for the community of Lincoln identified 19 existing residences within the community and found that development of the remaining vacant residential and within the community would only provide for two (2) additional residences. Re-designation of the subject property would add another residential homesite within the community. Further, as part of the original town plat, this land should have been included within the Lincoln community boundary when the boundary was originally established.

- (b) Areas which do not require a new exception cannot reasonably accommodate the use":**
- (A) The exception shall indicate on a map or otherwise describe the location of possible alternative areas considered for the use, which do not require a new exception. The area for which the exception is taken shall be identified;**
 - (B) To show why the particular site is justified, it is necessary to discuss why other areas which do not require a new exception cannot reasonably accommodate the proposed use. Economic factors can be considered along with other relevant factors in determining that the use cannot reasonably be accommodated in other areas. Under the alternative factor the following questions shall be addressed:**
 - (i) Can the proposed use be reasonably accommodated on nonresource**

land that would not require an exception, including increasing the density of uses on nonresource land? If not, why not?

- (ii) Can the proposed use be reasonably accommodated on resource land that is already irrevocably committed to nonresource uses, not allowed by the applicable Goal, including resource land in existing rural centers, or by increasing the density of uses on committed lands? If not, why not?
 - (iii) Can the proposed use be reasonably accommodated inside an urban growth boundary? If not, why not?
- (C) This alternative areas standard can be met by a broad review of similar types of areas rather than a review of specific alternative sites. Initially, a local government adopting an exception need assess only whether those similar types of areas in the vicinity could not reasonably accommodate the proposed use. Site specific comparisons are not required of a local government taking an exception, unless another party to the local proceeding can describe why there are specific sites that can more reasonably accommodate the proposed use. A detailed evaluation of specific alternative sites is thus not required unless such sites are specifically described with facts to support the assertion that the sites are more reasonable by another party during the local exceptions proceeding.

FINDINGS: The area for the proposed exception is shown on maps adopted by the County as part of Legislative Amendment 99-4. The proposed use of the property is for a residential use. As noted above, the analysis of vacant buildable land within the community identified only enough vacant land for two (2) additional residential units. Increasing the density of development on these lands would detract from the rural character of the area. The addition of this property would allow for a minimal addition to the residential land base within the community and would support one (1) developed homesite. No other exception areas zoned for residential use are located within the Lincoln Community Boundary.

No resource lands committed to nonresource uses are found within the community or in the vicinity of the Lincoln community boundary.

Siting this use within an urban growth boundary would not satisfy the need for residential property within Lincoln.

- (c) **The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in other areas requiring a Goal exception. The exception shall describe the characteristics of each alternative areas considered by the jurisdiction for which an exception might be taken, the typical advantages and disadvantages of using the area for a use not allowed by the Goal, and the typical positive and negative consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts. A detailed evaluation of specific alternative sites is not required unless such sites are specifically described with facts to support the assertion that the sites have significantly fewer adverse impacts during the local exceptions proceeding. The exception shall include the reasons why the consequences of the use at the chosen site are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site. Such reasons shall include but are not**

limited to, the facts used to determine which resource land is least productive; the ability to sustain resource uses near the proposed use; and the long-term economic impact on the general area caused by irreversible removal of the land from the resource base. Other possible impacts include the effects of the proposed use on the water table, on the costs of improving roads and on the costs to special service districts;

- (d) **"The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts". The exception shall describe how the proposed use will be rendered compatible with adjacent land uses. The exception shall demonstrate that the proposed use is situated in such a manner as to be compatible with surrounding natural resources and resource management or production practices. "Compatible" is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses.**

FINDINGS: The proposed use of the property is residential. The cumulative impacts analysis conducted for the community of Lincoln shows that soils in the area would not prohibit the establishment of new septic systems. The County Sanitarian indicates that the soils on the subject property are well-drained and can accommodate wastewater disposal on-site. New water hook-ups are provided from the Perrydale Domestic Water Association or through an on-site well. These soils are not always water-bearing, however, which may limit development of a well. Transportation access is available from Lincoln Road which is classified as a local road in the County road system. The County's Limited Use Overlay Zone would be applied to the area subject to the "reasons" exception and would limit development solely to residential use.

Residential use is the major component of development within Lincoln. Development of an additional residence in the community with 19 existing residences should not create any adverse social or economic impacts. Providing for an additional residence, provides for only limited development and does not detract from the rural character of the community, contribute to both social well-being in the community and viability of the local economy.

Development of an additional residence should not produce any significant energy impacts. Energy impacts associated with development of this property should be similar to those produced by other residences within the community.

The County finds that the impacts associated with the proposed residential use are minimal and are not significantly more adverse than would typically result from the same proposal being located in other areas requiring a Goal exception.

- (4) **For the expansion of an unincorporated community defined under OAR 660-022-0010. The exception requirements of subsections (2)(b),(c),and (d) of this rule are modified to also include the following:**
- (a) **Prioritize land for expansion: First priority goes to exceptions lands in proximity to an unincorporated community boundary. Second priority goes to land designated as marginal land. Third priority goes to land designated in an acknowledged comprehensive plan for agriculture or forestry, or both. Higher priority is given to land of lower capability site class for agricultural land, or lower cubic foot site class for forest land;**
 - (b) **Land of lower priority described in subsection (a) of this section may be included if land of higher priority is inadequate to accommodate the use for any one of the following reasons:**

- (A) **Specific types of identified land needs cannot be reasonably accommodated on higher priority land; or**
- (B) **Public facilities and services cannot reasonably be provided to the higher priority area due to topographic or other physical constraints; or**
- (C) **Maximum efficiency of land uses with the unincorporated community requires inclusion of lower priority land in order to provide public facilities and services to higher priority land.**

FINDINGS: No exception land is located in proximity to the Lincoln community boundary. In addition, no land in the vicinity of the boundary is designated as marginal land. Agricultural land in proximity to the entire community boundary of Lincoln is designated as “high-value” farmland as defined in state statute and administrative rule. Soils on the subject property consist of Class IIw soils.

Lincoln consists of two (2) separate areas which are linked by Highway 51, Lincoln Road, and Zena Road. The subject property is located in the eastern portion (the location of the original town plat) with residential zoned properties. Soils in this area adjacent to this portion of the community consist of IIW and IIs soils. This portion of the community is located approximately ¼ mile from the western portion of the community. Intervening properties are zoned Exclusive Farm Use.

The western portion of the community consists of several commercial and industrial properties. Some Class III and IV soils are located on agricultural land adjacent to this portion of the community. However, the Class III and IV soils are located on parcels which are currently in farm use. These areas are either separated by the western portion of the community by Zena Road or lie at the southwestern edge of the community, more than 1,600 feet from the nearest residential property in the community. Designating a one-acre site in this area would separate this one residential use from the remainder of the residential portion of the community and would not recognize the existing land use pattern nor contribute to a compact community form.

The County finds that, although some soils of lesser capability are located adjacent to the Lincoln community boundary, the land use pattern in the area makes the subject site a more logical choice for inclusion in the community boundary for residential use.

APPENDIX G

Exception Criteria to include Derry into the Unincorporated Community of Rickreall

Introduction:

During the winter of 2000, and 2001 Polk County engaged in a planning process for the Unincorporated Community of Rickreall-Derry. The planning process was initiated to fulfill the County's requirements under its periodic work program to revise the Comprehensive Plan and Zoning Ordinance consistent with the requirements of Oregon Administrative Rules (OAR) Chapter 660, Division 22 – Unincorporated Communities. The review for Rickreall-Derry is processed as LA 00-09. DLCD (Department of Land Conservation and Development) has considered designating the area of Derry as an unincorporated community and included it in the work plan for Polk County. As part of the process, the area known as Derry is being considered for inclusion into the unincorporated community boundary of Rickreall. A goal exception for the area known as Derry should have been taken during the first acknowledgement process to include it in an unincorporated community boundary. Polk County maps dating back to 1978 indicate that the property has the current zoning designations of Heavy Industrial and Acreage Residential – 5 acres. This process will be taking an exception to a Goal 14 rule as it applies to 660-022-0020 (3). All other aspects of the unincorporated community rules will be satisfied.

660-004-0025 Exception Requirements for Land Physically Developed to Other Uses

- 1) A local government may adopt an exception to a goal when the land subject to the exception is physically developed to the extent that it is no longer available for uses allowed by the applicable goal.**

- (2) Whether land has been physically developed with uses not allowed by an applicable Goal, will depend on the situation at the site of the exception. The exact nature and extent of the areas found to be physically developed shall be clearly set forth in the justification for the exception. The specific area(s) must be shown on a map or otherwise described and keyed to the appropriate findings of fact. The findings of fact shall identify the extent and location of the existing physical development on the land and can include information on structures, roads, sewer and water facilities, and utility facilities. Uses allowed by the applicable goal(s) to which an exception is being taken shall not be used to justify a physically developed exception.**

Findings: The area know as Derry is an area of approximately 24 map acres, of which 19.21 acres are zoned Heavy Industrial and 3.3 acres are zoned as Acreage Residential – 5 acres (AR-5). According to the 1994 aerial (Exhibit A) and Polk County Assessor records, all of the tax lots designated as Heavy Industrial are developed for industrial use, except one. The one tax lot without any development is being used for parking farm equipment and is 1.52 acres in size. The assessor's records show one other tax lot as vacant, but it contains part of a building, the majority of which is on another tax lot, and is used for seed cleaning.

Two parcels within the area of Derry are zoned Acreage Residential – 5 acres. One of the two parcels is owned by Polk County Farmers Co-op and contains an agricultural retail store, service station and garage, and machine shops. The other parcel has a residential dwelling on the property.

According to the aerial photo, assessor records, and site visits the property in the area known as Derry is physically developed to the extent that it is no longer available for farm use. The 1974

Comprehensive Plan indicates that commercial and industrial businesses existed on the properties since that time. Currently, Polk County Framers Co-op, Burlingham Seed, Ag West Supply and Southern Pacific own properties zoned Heavy Industrial in Derry. These properties have businesses related to the agricultural industry and some of the uses are grain storage, warehouses, farm equipment sales, seed cleaning, machine shops, farm equipment repair, offices, and agriculture retail.

According to the 1994 aerial photo of the properties all are developed to almost full capacity except for three acres. The two residential (AR-5) properties are not in agricultural production. The properties have services available for them to continue current uses on the properties such as; domestic water supplied by the Rickreall Domestic Water Association, Pacific Power & Light supplies electrical power, and access is onto Rickreall Road a major collector in the Polk County Road system. The current uses would not be allowed in the current Exclusive Farm Use designation. Therefore, the area of Derry is committed to uses other than farming or forest, and an exception to Goal 3 could be taken for the industrial and commercial properties. An exception has already been taken to AR-5 zoned properties for Polk County in 1979. Polk County is taking an exception to Goal 3 because the Heavy Industrial properties are committed to commercial and industrial uses and can not be uses for agricultural purposes.

660-22-0020 Designation of Community Areas

- 3) Only land meeting the following criteria may be included within an unincorporated community: [OAR 660-22-020(3)]**
 - A) Land which has been acknowledged as Goal 3 or 4 exception area and historically considered to be part of the community provided the land only includes existing, contiguous concentrations of: [OAR 660-22-020(3)(a)]**
 - 1. Commercial, industrial, or public uses; and/or [OAR 660-22-020(3)(a)(A)]**
 - 2. Dwelling units and associated residential lots at a greater density than exception lands outside rural communities. [OAR 660-22-020(3)(a)(B)]**
 - B) Land planned and zoned for farm or forest use provided such land meets the criteria in section (4) of this rule. [OAR 660-22-020(3)(b)]**

Findings: The Rickreall community boundary was originally established when Polk County adopted Ordinance No. 92-18, which described the community boundary. The proposal was reviewed by the Department of Land Conservation and Development, which recommended changes to the Rickreall community boundary. The Land Conservation and Development Commission (LCDC) in 1992 acknowledged the Rickreall community boundary. The periodic review tasks for Polk County has included identifying the area of Derry as part of the Rickreall unincorporated community.

As part of LA 00-09 the County is proposing to include the properties in Derry into the Unincorporated Community of Rickreall. The area to be included is approximately 24 map

acres. Exhibit A, shows the properties that have been identified as the area of Derry to be included into the Unincorporated Community of Rickreall. Derry is considered a part of the community of Rickreall. Residents of Rickreall and the surrounding area conduct business and buy commodities in Derry. These properties have been zoned for industrial and residential use by the County since prior to acknowledgment, and have been zoned as they are currently zoned since 1974. Commercial and industrial businesses have existed on the properties since before 1974. None of the properties to be included are zoned for resource purposes. The Comprehensive Plan designation for these properties has been Rural Land.

Table 1

Properties to be Included Within the Unincorporated Community of Rickreall-Derry Boundary

Location & Tax Map ID	Current Uses & Improvements	Acres	Current Plan Map Designation	Proposed Plan Map Designation
7.4.29C-100	Warehouses	0.82	Rural Land	UC- Industrial
7.4.31-101	Seed Cleaning Operation	1.36	Rural Land	UC- Industrial
7.4.29C-200	Farm Equipment Parking	1.52	Rural Land	UC- Industrial
7.4.29C-300	Mach. Shop / Warehouses / Office	1.56	Rural Land	UC- Industrial
7.4.29C-500	Showroom/Warehouse/Machine Shop/Tanks	9.56	Rural Land	UC- Industrial
7.4.29C-600	Seed Warehouses (4)	1.72	Rural Land	UC- Industrial
7.4.29C-400	Grain Warehouse	2.67	Rural Land	UC- Industrial
7.4.29C-700	Ag West Tire - Service St./Shop/Store	2.35	Rural Land	UC-Residential
7.4.29C-800	1955 Dwelling	0.95	Rural Land	UC-Residential

Approximately 20 acres are zoned Heavy Industrial and 3.5 acres are zoned AR-5. Derry has unique physical and historic character and has been considered a part of the Rickreall community since the 1960's. Derry fails to establish itself as it's own unincorporated community by one dwelling.

The rule to add land into unincorporated communities is that it must be contiguous. Derry is approximately half a mile east from the Rickreall unincorporated community boundary on Rickreall Road. Derry meets all the other standards of 660-22-020 (3) other than it is not contiguous. The land is committed to commercial, industrial, and contains one residential dwelling. The land can not be converted to farm use and has not been in farm use since the early 1970's. Polk County is taking an exception to Goal 14, and Derry is included into the unincorporated community boundary of Rickreall, even though it is not contiguous.

APPENDIX G

UNINCORPORATED COMMUNITIES REPORTS

Introduction

During 1998 and 1999, Polk County engaged in a planning process for the following ten of sixteen unincorporated communities. These communities are: Airlie, Ballston, Buell, Buena Vista, Lincoln, McCoy, Pedee, Perrydale, Suver and Suver Junction. The planning process was initiated to fulfill the County's requirements under its periodic work program to revise the Comprehensive Plan and Zoning Ordinance consistent with the requirements of Oregon Administrative Rules (OAR) Chapter 660, Division 22 – Unincorporated Communities. The findings are presented here according to relevant criteria from OAR 660-22.

660-22-020 Designation of Community Areas

- (1) **Except as provided in OAR 660-22-070, county comprehensive plans shall designate and identify unincorporated communities in accordance with the definitions in OAR 660-22-010. Counties may amend these designations as circumstances change over time.**

Findings: OAR 660-22-010 defines five types of unincorporated communities. The ten unincorporated communities described in this report are defined as either, *Rural Service Centers* or *Rural Community Centers*.

Rural Service Centers are defined as communities that consist primarily of commercial or industrial uses providing goods and services to the surrounding rural area or persons traveling through the area. These communities may also have permanent residential dwellings established, however, they are predominantly commercial and industrial by nature. Communities under review in Polk County that fit this description are Buell, Suver and Suver Junction.

Rural Communities are defined as communities that are primarily residential in nature that have at least two other land uses that provide commercial, industrial, or public uses to the community, the surrounding rural area, or to persons traveling through the area. These communities in Polk County that are under review include Airlie, Ballston, Buena Vista, Lincoln, McCoy, Pedee, and Perrydale.

- (2) **Counties shall determine boundaries of unincorporated communities in order to distinguish lands within the community from adjacent exception areas, resource lands and other rural lands.**
- (3) **The boundaries of unincorporated communities shall be shown on the county comprehensive plan map at a scale sufficient to determine accurately which properties are included. Only land meeting the following criteria may be included within an unincorporated community:**
 - (a) **Land which has been acknowledged as an exception area and historically considered to be part of the community;**
 - (b) **Land planned and zoned for farm or forest use which is contiguous to the community area and contains public uses considered to be part of the community, provided such land remains planned and zoned under Goals 3 or 4.**

Findings: Unincorporated community boundaries were originally established by Polk County and acknowledged by Land Conservation and Development Commission (LCDC) in 1992. In some instances, the acknowledged boundaries are now proposed for expansion through Legislative Amendment 99-4.

Table 1 shows the properties which have been added within unincorporated community boundaries. These properties include lands which have been acknowledged as exception areas and historically considered to be part of the community and land planned and zoned for farm or forest use which is contiguous to the community area and which contains public uses considered to be part of the community.

Table 1
Properties to be Included Within Unincorporated Community Boundaries

<u>Community</u>	<u>Location & Tax Map ID</u>	<u>Current Uses & Improvements</u>	<u>Size</u>	<u>Current Plan Map Designation</u>	<u>Proposed Plan Map Designation</u>
<u>Ballston</u>	<u>14205 Ballston Rd. 6-5-8AD 200</u>	<u>Vacant</u>	<u>1.12 acres</u>	<u>Rural Community Center</u>	<u>Unincorporated Community Commercial</u>
<u>Ballston</u>	<u>6-5-8AB</u>	<u>County park</u>	<u>1.18 acres</u>	<u>Public (not included in community boundary)</u>	<u>Public (included in community boundary)</u>
<u>Ballston</u>	<u>14530 Ballston Rd. 6-5-8AC 1800 and 2100 (portion)</u>	<u>Single family residence</u>	<u>1.65 acres</u>	<u>Rural Community Center/Agriculture</u>	<u>Unincorporated Community Industrial</u>
<u>Buell</u>	<u>Highway 22 & Harmony Road 6-6-28B 500 (portion) & 700</u>	<u>Vacant</u>	<u>0.70 acres</u>	<u>Agriculture</u>	<u>Unincorporated Community Commercial</u>
<u>Buena Vista</u>	<u>11300 block of Park St 9-4-23C 2601, 2602, 2801</u>	<u>Public park & boat launch</u>	<u>1.42 acres</u>	<u>Public (not included in community boundary)</u>	<u>Public (included in community boundary)</u>
<u>Lincoln</u>	<u>2850 Zena Road NW 6-3-29 2800</u>	<u>Industrial site with several warehouses for agricultural machine repair.</u>	<u>5.11 acres</u>	<u>Industrial</u>	<u>Unincorporated Community Industrial</u>
<u>Lincoln</u>	<u>2300 block of Lincoln Rd 6-3-29 202</u>	<u>Vacant</u>	<u>1.02 acres</u>	<u>Agriculture</u>	<u>Unincorporated Community Residential</u>
<u>Suver Jct.</u>	<u>12680 So. Pacific Hwy 9-5-31 100</u>	<u>Agriculturally-related welding service located on a large farm.</u>	<u>2.0 acres</u>	<u>Agriculture</u>	<u>Unincorporated Community Industrial</u>

- (4) Communities which meet the definitions in both OAR 660-22-010(6) and (9) shall be classified and planned as either resort communities or urban unincorporated communities.

Findings: Polk County is addressing only rural service centers and rural community centers under this study.

660-22-030 Planning and Zoning of Unincorporated Communities

- (1) For rural communities, resort communities and urban unincorporated communities, counties shall adopt individual plan and zone designations reflecting the projected use for each property (e.g., residential, commercial, industrial, public) for all land in each community. Changes in plan or zone designation shall follow the requirements to the applicable post-acknowledgment provisions of ORS 197.610 through 197.625.**

Findings: At this time all properties within unincorporated communities are designated "Rural Community" under the Polk County Comprehensive Plan. Amendments to the land use designations in the Comprehensive Plan in Legislative Amendment 99-4 would designate land within these communities as: "Unincorporated Community Residential"; "Unincorporated Community Commercial"; "Unincorporated Community Industrial"; and "Public" based on the projected use of the property. Each property is zoned consistent with the Comprehensive Plan designation.

- (2) County plans and land use regulations may authorize any residential use and density in unincorporated communities, subject to the requirements of this division.**

Findings: Two residential zoning districts are applied in unincorporated communities: Suburban Residential (SR), which allows 1-acre minimum, and Acreage Residential 5-acre minimum standard (AR-5). However, actual lot sizes may vary from the minimum required under law. Portions of unincorporated communities established under old town plats contain legally created, potentially buildable parcels of varying sizes. In all cases, development is limited to the carrying capacity of the area, i.e., water availability and the soil capacity for accepting and processing wastewater. For analysis of water and wastewater capacity in each community, see the "Cumulative Impacts Analysis for 10 Unincorporated Communities" included in this appendix.

- (3) County plans and land use regulations may authorize only the following new industrial uses in unincorporated communities:**
 - (a) Uses authorized under Goals 3 and 4;**
 - (b) Expansion of a use existing on the date of this rule;**
 - (c) Small-scale, low impact uses;**
 - (d) Uses that require proximity to rural resource, as defined in OAR 660-04-022(3)(a);**
 - (e) New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of this rule, or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage;**
 - (f) New uses more intensive than those allowed under subsection (a) through (e) of this section, provided an analysis set forth in the comprehensive plan demonstrates, and land use regulations ensure:**
 - (A) That such uses are necessary to provide employment that does**

not exceed the total projected work force within the community and the surrounding rural area;

- (B) That such uses would not rely upon a work force served by uses within urban growth boundaries; and**
- (C) That the determination of the work force of the community and surrounding rural area considers the total industrial and commercial employment in the community and is coordinated with employment projections for nearby urban growth boundaries.**

Findings: As part of Legislative Amendment 99-4, Polk County is adopting industrial zoning standards which are consistent with OAR 660-22-030(3).

- (4) County plans and land use regulations may authorize only the following new commercial uses in unincorporated communities:**
 - (a) Uses authorized under Goals 3 and 4;**
 - (b) Small-scale, low impact uses;**
 - (c) Uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area.**

Findings: As part of Legislative Amendment 99-4, Polk County is adopting commercial zoning standards which are consistent with OAR 660-22-030(4).

- (5) County plans and land use regulations may authorize hotels and motels in unincorporated communities only if served by a community sewer system and only as provided in subsections (a) through (c) of this section:**
 - (a) Any number of new motel and hotel units may be allowed in resort communities;**
 - (b) New motels and hotels up to 35 units may be allowed in an urban unincorporated community, rural service center, or rural community if the unincorporated community is at least 10 miles from the urban growth boundary of any city adjacent to Interstate Highway 5, regardless of its proximity to any other UGB;**
 - (c) New motels and hotels up to 100 units may be allowed in any urban unincorporated community that is at least 10 mile from any urban growth boundary.**

Findings: As part of Legislative Amendment 99-4, Polk County is adopting commercial zoning standards for motels and hotels which are consistent with OAR 660-22-030(5).

- (6) County plans and land use regulations shall ensure that new uses authorized within unincorporated communities do not adversely affect agricultural or forestry uses.**

Findings: As part of Legislative Amendment 99-4, the provisions of OAR 660-22-030(6) have been adopted as a Comprehensive Plan policy statement. Uses allowed within unincorporated community boundaries will be subject to residential, commercial, and industrial development standards that apply within the zoning district. Therefore, all new uses will be restricted to

development within setbacks and within height, noise and nuisance abatement standards.

- (7) County plans and land use regulations shall allow only those uses which are consistent with the identified function, capacity and level of service of transportation facilities serving the community, pursuant to OAR 660-12-060(1)(a) through (c).**

Findings: All unincorporated communities are located on roads classified by the Polk County Transportation Systems Plan as minor collectors or larger. These roads are designed to be adequate for connecting local road systems to larger collectors or arterials and are built to accommodate anywhere from 500 to more than 15,000 average daily trips. All of these roads are currently function within their planned capacity.

Consistent with OAR 660, Division 12, Policy 4-3 of the Polk County Transportation Systems Plan states that “To prevent exceeding planned capacity of the transportation system, Polk County will consider road function, classification, and capacity as criteria for comprehensive plan map and zoning amendments/changes”.

Further, the Polk County Road Standards require a Traffic Impact Analysis (TIA) for any proposed development that can be reasonably expected to generate more than 300 vehicle trips during a single day and/or more than 100 vehicle trips during a single hour. A TIA may be required for any proposed development that can be reasonably expected to generate more than 150 vehicle trips during a single day or more than 40 trip ends during a single hour or which generates a significant amount of truck traffic.

Transportation Systems Plan Policy 4-3 and the requirements of the Road Standards are intended to ensure that allowed uses are consistent with the identified function, capacity and level of service of transportation facilities serving the community.

- (8) Zoning applied to lands within unincorporated communities shall ensure that the cumulative development:**
- (A) Will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations; and**
 - (B) Will not exceed the carrying capacity of the soil or of existing water supply resources and sewer services.**

Findings: Staff has conducted an analysis of the water availability and waste water capability of soils in these 10 unincorporated communities.

Except for the community of Buell, adequate water resources are available to serve the unincorporated communities of Airlie, Buena Vista, Pedee, Suver, and Suver Junction.

Due to recent development of additional wells and storage capacity by the Perrydale Domestic Water Cooperative adequate water is also now available for the communities of Ballston, Lincoln, McCoy, and Perrydale. Water hookups are available through the Water Cooperative for small-scale commercial and industrial uses in these communities. More intensive, commercial and industrial uses that use larger quantities of water require further review by the Water Cooperative prior to authorization of a hookup.

In the unincorporated community of Buell, water availability is an important factor which can limit future development. Water in this area is provided by the Buell-Red Prairie Water Cooperative. Other alternatives, such as the development of private wells or the transfer of water rights can also be used to provide adequate water to serve additional development. As part

of the building permit process, Polk County requires that adequate potable water is available as required by the Uniform Building Code. In areas which are served by community water systems, this includes a statement from the water purveyor regarding the availability of water to serve the proposed development. In some cases, where insufficient water is available to serve the proposed development, the County does not preclude the use of on-site storage and water delivery.

At this time, Grand Ronde is the only unincorporated community in Polk County that is served by a community sewer system. Development in all other unincorporated communities is dependent upon on-site wastewater disposal systems. Portions of several unincorporated communities have poorly drained soils which limit the establishment of on-site wastewater systems. These include portions of the communities of Buena Vista, Lincoln, McCoy, Suver, and Suver Junction. The County is currently investigating options for development of a community sewer system to serve Suver and Suver Junction.

Development of on-site wastewater disposal systems requires a permitting process administered by Polk County. This process administers state and federal regulations and ensures that systems be properly constructed and appropriately sized to serve the needs of the proposed development. In instances where poorly drained soils are present, alternative disposal systems, such as capping fill or sand filtration may be required. In the most extreme cases, where soils are poorly drained and there is inadequate area to accommodate any type of on-site disposal system, properties may be rendered undevelopable.

Special wastes that may be generated by certain commercial and industrial facilities requires a Water Pollution Control Facility Permit (WPCF). This permit is issued by the Oregon Department of Environmental Quality and is an operating permit that requires periodic review. For special waste or high volume waste, this kind of permit assures ongoing monitoring, system maintenance, and, in case of violation, possible permit revocation.

The permitting process administered by Polk County, prior to development, is an incremental process which is intended to ensure that such development will not result in public health hazards or environmental impacts that violate state or federal water quality regulations. This process also ensures that development will not exceed the carrying capacity of the soil or of existing water resources. This incremental approach then ensures that cumulative development within unincorporated communities does not result in a public health hazard or exceed the carrying capacity of local soil or water resources.

Based on the best available information at this time, the County concludes that zoning applied to lands within unincorporated communities ensures that the cumulative development will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations; and will not exceed the carrying capacity of the soil or of existing water supply resources and sewer services.

The results of the cumulative impacts analysis are summarized in Table 2 below.

Cumulative Impacts Analysis for 10 Unincorporated Communities

Purpose

The purpose of this study is to assess the ability of each unincorporated community to support new residential development as currently allowed under the Polk County Zoning Ordinance. The unincorporated communities evaluated in this study are: Airlie, Ballston, Buell, Buena Vista, McCoy, Lincoln, Pedee, Perrydale, Suver, and Suver Junction.

The final analysis is intended to show how many new residential dwelling units can practicably be developed in each community and the ability of the community to accommodate development. For each community, the study provides a maximum buildout figure, which represents the total number of dwelling units that could be constructed based on existing platted lots and partitions of larger lots or parcels to the minimum allowable parcel sizes. This figure is then modified based on the more practical considerations such as the actual minimum parcel size typically required to support a septic system (approximately 0.35 acre) and other limiting factors such as water availability, the location of 100-year floodplains, and the ability of local soil types to accommodate septic systems. Other physical factors which can limit development This study also identifies obstacles that can be resolved through planning processes. _

Methodology

The maximum number of residential units for each community has been determined by calculating the maximum number of units that can be developed on existing platted lots and on new parcels that could be created through land divisions as described below. The total number of units has been reduced by eliminating lots or parcels or portions of lots or parcels that can not be built on due to limiting factors, such as topography or parcel size. A full description of limiting factors is presented below.

For each community, three lots or parcel type include:

- Parcels or contiguously-owned tracts that meet or exceed the minimum size and which cannot be further divided under the provisions of Zoning Ordinance. For example, a 1.35 acre parcel with a developed homesite in the Suburban Residential (SR) Zoning District, which has a 1-acre minimum parcel size is counted as having one (1) existing residential unit.
- Parcels or contiguously-owned tracts that meet or exceed the minimum size of the designated zoning district and are at least partially vacant. These include parcels which are large enough to be partitioned into additional buildable parcels. For example, a 2.35 acre parcel in the SR Zoning District, with one (1) developed homesite could be partitioned to accommodate a second residential unit. If this parcel is vacant, two (2) homesites would be possible after partitioning.
- Existing platted lots or contiguously-owned tracts that are smaller than the minimum parcel size of the designated zoning district, but which are at least 0.35 acres in size (the minimum size necessary to accommodate an on-site septic system). These typically include lots which are part of the original town plats in these communities or are smaller than the minimum size required in the designated zone. This analysis assumes that, whenever possible, lots under

contiguous ownership will be combined to create buildable lots of at least 0.35 acres.

Terms Used in this Analysis

The following terms are used in Table 2 which summarizes the cumulative impacts analysis.

Existing Units: This figure includes all residential within the community at this time regardless of lot or parcel size. Residential units located in commercial and industrial zones are also included.

Potential Units: The total number of residential units that could be built on existing vacant lots or parcels that are: (1) at least 0.35 acre in size, and (2) lots or parcels that are larger than the minimum parcel size and can be partitioned under zoning standards. For example, in the Suburban Residential zoning district the minimum parcel size is 1 acre. A 2.53-acre parcel can be partitioned into two buildable parcels. A 5-acre tract of smaller parcels can be re-platted to 5 one-acre parcels, and therefore 5 buildable sites can be assumed from that tract. The potential buildable units figure represents the gross number of residential units and does not include any limitations based water availability, soil types, floodway, etc.

Actual Buildable Units: The number of actual buildable units is the subset of potential buildable units after unbuildable sites are eliminated by analysis of limiting factors. In this study we assumed that a lot must be at least 0.35 acres in size to accommodate a house and septic system.

Maximum Buildable Units: This number is the sum of existing residential units and actual buildable units. This figure represents the best available estimate as to the total number of residential units that could be built in each community if all available residential land is developed.

Limiting Soil Types: Soil types were examined to determine the ability to accept wastewater from a septic drainfield. A number of soil types are completely restrictive for septic drainfields. Other soils must be evaluated on a case by case basis to determine soil acceptance capabilities. For this study, lots or parcels with less than 14,000 square feet of available soils for drainfield development have been eliminated from the buildable sites list. It is possible for a site to develop a drainfield on an adjacent lot or parcel through a septic easement on another parcel, or to obtain a lot line adjustment to acquire enough land to construct a drainfield, however, this report cannot make an accurate estimate as to the extent to which these options could be used to accommodate additional residential development.

Zoning (Acres): This figure includes the total number of acres, by zoning designation within each community.

Table 2
Cumulative Impacts Analysis Summary

<u>Community</u>	<u>Existing Units</u>	<u>Potential Units</u>	<u>Actual Buildable Units</u>	<u>Maximum Buildable Units</u>	<u>Limiting Soil Types (acres)</u>	<u>Zoning (acres)</u>
<u>Airlie</u>	<u>14</u>	<u>34</u>	<u>34</u>	<u>48</u>	<u>0.0 acres</u>	<u>Residential: 32.76</u> <u>Commercial: 0.34</u> <u>Industrial: 0.00</u> <u>Public: 0.00</u> <u>33.10</u>
<p>Limitations: None of the soils in the Airlie community would prohibit constructing septic systems. There are no limiting topographic factors. Water is available through new wells without limitation and from Luckiamute Domestic Water Cooperative on a limited basis.</p> <p>Note: One existing home is located within a commercial zone.</p>						
<u>Ballston</u>	<u>44</u>	<u>15</u>	<u>15</u>	<u>59</u>	<u>0.0 acres</u>	<u>Residential: 63.11</u> <u>Commercial: 1.84</u> <u>Industrial: 7.02</u> <u>Public: 1.18</u> <u>73.15</u>
<p>Limitations: None of the soils in the Ballston community would prohibit constructing septic systems. Water is rarely available through new wells according to Oregon Department of Water Resources.</p> <p>Note: One existing home is located within a commercial zone.</p>						
<u>Buell</u>	<u>4</u>	<u>1</u>	<u>1</u>	<u>5</u>	<u>0.0 acres</u>	<u>Residential: 12.88</u> <u>Commercial: 1.87</u> <u>Industrial: 0.00</u> <u>Public: 18.14</u> <u>32.89</u>
<p>Limitations: None of the soils in the Buell community would prohibit constructing septic systems. Water is rarely available through new wells according to Oregon Department of Water Resources. The Buell-Red Prairie Water Cooperative is no longer providing new hookups.</p>						
<u>Buena Vista</u>	<u>42</u>	<u>63</u>	<u>30</u>	<u>72</u>	<u>8.6 acres</u>	<u>Residential: 49.02</u> <u>Commercial: 2.76</u> <u>Industrial: 0.00</u> <u>Public: 1.42</u> <u>53.20</u>
<p>Limitations: The Buena Vista community has 8.6 acres of soils that would not accommodate domestic wastewater from a septic drainfield. Most of these soils are located along local roads and the access for the Buena Vista Ferry. Two parcels contain these soils as well, however, these are currently developed with single family dwellings and contain adequate area composed of other soils for constructing a drainfield. Groundwater is readily available through wells.</p>						

<u>Communit y</u>	<u>Existing Units</u>	<u>Potential Units</u>	<u>Actual Buildable Units</u>	<u>Maximum Buildable Units</u>	<u>Limiting Soil Types (acres)</u>	<u>Zoning (acres)</u>
<u>Lincoln</u>	<u>19</u>	<u>3</u>	<u>3</u>	<u>22</u>	<u>0.0 acres</u>	<u>Residential: 16.97</u> <u>Commercial: 8.08</u> <u>Industrial: 5.11</u> <u>Public: 18.16</u> <u>48.32</u>
<p>Limitations: Soils in the area are not limiting for septic systems, though there may be some areas that are poorly drained. These sites must be evaluated on a case by case basis. Water is generally provided through the Perrydale Domestic Water Association or through wells. Soils are not always water bearing, and this may be a limiting factor. However, water availability must be determined on a case by case basis and, therefore, has not been considered a limiting factor here.</p> <p>Note: A caretaker facility can be built on Tax Lot 2800, which is in the IL zoning district and is developed with warehouses and a specialty machine shop.</p>						
<u>McCoy</u>	<u>11</u>	<u>14</u>	<u>4</u>	<u>15</u>	<u>3.2 acres</u>	<u>Residential: 7.56</u> <u>Commercial: 0.22</u> <u>Industrial: 9.15</u> <u>Public: 0.00</u> <u>16.93</u>
<p>Limitations: Approximately 3.2 acres have poorly drained soils which limit wastewater systems. Water is the primary limiting factor. Water is provided by the Perrydale Domestic Water Association. Groundwater is generally not available.</p> <p>Notes: McCoy was not surveyed and platted as an old town plat. One existing home is located within a commercial zone.</p>						
<u>Pedee</u>	<u>24</u>	<u>45</u>	<u>45</u>	<u>69</u>	<u>0.0 acres</u>	<u>Residential: 71.78</u> <u>Commercial: 0.72</u> <u>Industrial: 27.65</u> <u>Public: 0.50</u> <u>100.65</u>
<p>Limitations: Soils in the Pedee area are not composed of soil types that would completely prohibit constructing a drainfield.</p> <p>Note: Pedee was not surveyed and platted as an old town plat.</p>						
<u>Perrydale</u>	<u>13</u>	<u>19</u>	<u>19</u>	<u>32</u>	<u>0.0 acres</u>	<u>Residential: 33.47</u> <u>Commercial: 0.75</u> <u>Industrial: 2.30</u> <u>Public: 15.95</u> <u>52.47</u>
<p>Limitations: Water is provided by the Perrydale Domestic Water Cooperative. Groundwater is generally not available. Soils in the area are not limiting for septic systems.</p>						

<u>Community</u>	<u>Existing Units</u>	<u>Potential Units</u>	<u>Actual Buildable Units</u>	<u>Maximum Buildable Units</u>	<u>Limiting Soil Types (acres)</u>	<u>Zoning (acres)</u>
<u>Suver</u>	<u>5</u>	<u>3</u>	<u>1</u>	<u>6</u>	<u>20.6 acres</u>	<u>Residential: 6.29</u> <u>Commercial: 0.81</u> <u>Industrial: 9.30</u> <u>Public: 0.00</u> <u>16.40</u>
<p>Limitations: Soils in the Suver area are limiting for septic systems. Existing drainfields in the area have been failing for many years. Polk County Community Development has applied for a grant to explore options for establishing a sewer system for Suver and Suver Junction.</p> <p>Note: The average residential lots in Suver are less than one acre in size, though the minimum allowed in an AR-5 zoning district is 5 acres. Therefore, the number of lots existing at this time is the number that can be established. _</p>						
<u>Suver Junction</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>9.1 acres</u>	<u>Residential: 0.00</u> <u>Commercial: 7.06</u> <u>Industrial: 3.00</u> <u>Public: 0.14</u> <u>10.20</u>
<p>Limitations: Soils in the Suver Junction area are limiting for septic systems. Existing drainfields in the area have been failing for many years. Polk County Community Development has applied for a grant to explore options for establishing a sewer system for Suver and Suver Junction.</p> <p>Note: No areas are zoned for residential development in Suver Junction. Therefore, no new residential units would be expected unless they are developed with a business. The one existing dwelling is located within a commercial zone.</p>						
<u>Total</u>	<u>177</u>	<u>192</u>	<u>147</u>	<u>324</u>	<u>41.5 acres</u>	<u>Residential: 293.84</u> <u>Commercial: 24.45</u> <u>Industrial: 37.66</u> <u>Public: 55.49</u> <u>437.31</u>

- (9) County plans and land use regulations for lands within unincorporated communities shall be consistent with acknowledged metropolitan regional goals and objectives, applicable regional functional plans and regional framework plan components of metropolitan service districts.

Findings: This criterion is not applicable.

- (10) For purposes of this section, a small-scale, low impact commercial use is one which takes place in an urban unincorporated community in a building or building not exceeding 8,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 4,000 square feet of floor space.

- (11) For purposes of this section, a small-scale, low impact industrial use is one which takes place in an urban unincorporated community in a building or buildings not exceeding 20,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 10,000 square feet of floor space.**

Findings: Under Legislative Amendment 99-4, Polk County is adopting commercial and industrial zoning standards which are consistent with OAR 660-22-030(10) and (11).

660-22-050 Community Public Facility Plans

- (1) In coordination with special districts, counties shall adopt public facility plans meeting the requirements of OAR 660, Division 11, and include them in the comprehensive plan for unincorporated communities over 2,500 in population. A community public facility plan addressing sewer and water is required if the unincorporated community is designated as an urban unincorporated community under OAR 660-22-010 and 660-22-020. For all communities, a sewer and water community public facility plan is required if:**
- (a) Existing sewer or water facilities are insufficient for current needs, or are projected to become insufficient due to physical conditions, financial circumstances or changing state or federal standards; or**
 - (b) The plan for the unincorporated community provides for an amount, type or density of additional growth or infill that cannot be adequately served with individual water or sanitary systems or by existing community facilities and services; or**
 - (c) The community relies on groundwater and is within a groundwater limited or groundwater critical area as identified by the Oregon Department of Water Resources; or**
 - (d) Land in the community has been declared a health hazard, or has a history of failing septic systems or wells, or a community sewage or water system is projected to be needed by the next periodic review.**

Findings: None of the unincorporated communities included in this report have a population larger than 2,500 people. However, a public health hazard has been documented in Suver and Suver Junction where soil types do not accept wastewater. The situation and alternative management approaches are documented in the Cumulative Impacts Analysis for 10 Unincorporated Communities in this appendix.

660-22-060 Coordination and Citizen Involvement

- (1) Counties shall ensure that residents of unincorporated communities have adequate opportunities to participate in all phases of the planning process. Counties shall provide such opportunities in accordance with their acknowledged citizen involvement programs.**
- (2) When a county proposes to designate an unincorporated community or to amend plan provisions or land use regulations that apply to such a community, the county shall specify the following:**
- (a) How residents of the community and surrounding area will be informed about the proposal;**

- (b) How far in advance of the final decision residents of the community and the surrounding area will be informed about the proposal;**
- (c) Which citizen advisory committees will be notified of the proposal.**
- (3) The information on these three points shall be included in the appropriate plan amendment proposals or periodic review work task.**

Findings: Community surveys were mailed to residents within one-half mile of the center of each community. The results of these surveys are included as Attachment A. Community meetings were conducted in seven locations to address the concerns and needs of citizens in all ten unincorporated communities. At each meeting a copy of the state laws initiating change and the purpose of Comprehensive Plan Periodic Review was made available. Staff made group presentations at these meetings when appropriate. All owners of land involved in zone changes or boundary changes resulting from the unincorporated communities project have been interviewed by staff and each is involved voluntarily. Two public hearings were held, as well as a second community open house meeting, to discuss progress with the project. A third public hearing was held to consider issues in the communities of Perrydale and Buell. Pursuant to state law, the County prepared notification for all land owners affected by changes in the zoning ordinance and periodic review.

All policy changes, zone changes, meeting and hearing notices were mailed to residents whose property lies within a half-mile radius of unincorporated communities and to all members of an Area Advisory Committee. The same notices were published in the local newspaper. Pursuant to Measure 56, which changed land owner notification requirements, a special notification was sent to all owners of properties effected by zoning changes that could potentially limit the future use of their property.

- (4) When a county proposes to designate an urban unincorporated community, the county shall adopt a citizen involvement program for that community in accordance with the provisions of Goal 1, Citizen Involvement.**

Findings: This requirement is not applicable to rural service and rural community centers.

- (5) Proposals to designate, plan, or zone unincorporated communities shall be coordinated with all special districts, metropolitan service districts, and cities likely to be affected by such actions. For any unincorporated community, such coordination shall include a minimum of 45-day mailed notice to all cities and special districts (including metropolitan service districts) located within the distance described in OAR 660-22-040(2).**

Findings: There are no special districts involved in unincorporated communities other than the rural fire protection districts, and they will be notified at least 45 days in advance of passage of ordinances.

Appendix H

Eola Unincorporated Community Report

Introduction

During the winter of 2000, and 2001 Polk County engaged in a planning process for the Unincorporated Community of Eola. The planning process was initiated to fulfill the County's requirements under its periodic work program to revise the Comprehensive Plan and Zoning Ordinance consistent with the requirements of Oregon Administrative Rules (OAR) Chapter 660, Division 22 – Unincorporated Communities. The findings are presented here according to relevant criteria from OAR 660-22. Polk County adopted Comprehensive Plan amendments and Zoning Ordinance amendments to address requirements of Periodic Review consistent with adopted OAR and case law. The Land Conservation and Development Commission (LCDC) did not acknowledge certain provisions relating to eating and drinking places within the Eola Unincorporated Community. During the summer of 2002, Polk County again engaged in a planning process for the Unincorporated Community of Eola to address the matters remanded from the LCDL back to Polk County.

660-22-020 Designation of Community Areas

- 1) **Except as provided in OAR 660-22-070, county comprehensive plans shall designate and identify unincorporated communities in accordance with the definitions in OAR 660-22-010. Counties may amend these designations as circumstances change over time. [OAR 660-22-020(1)]**

Findings: OAR 660-22-010 defines five types of unincorporated communities. The unincorporated community of Eola described in this report is defined as a Rural Service Center. Rural Service Centers are defined as communities that consist primarily of commercial or industrial uses providing goods and services to the surrounding rural area or persons traveling through the area. These communities may also have permanent residential dwellings established, however, they are predominantly commercial and industrial by nature.

- 2) **Counties shall determine boundaries of unincorporated communities in order to distinguish lands within the community from adjacent exception areas, resource lands and other rural lands. [OAR 660-22-020(2)]**
- 3) **The boundaries of unincorporated communities shall be shown on the county comprehensive plan map at a scale sufficient to determine accurately which properties are included. Only land meeting the following criteria may be included within an unincorporated community: [OAR 660-22-020(3)]**
 - A) **Land which has been acknowledged as an exception area and historically considered to be part of the community; [OAR 660-22-020(3)(a)]**
 1. **Commercial, industrial, or public uses; and/or [OAR 660-22-020(3)(a)(A)]**

2. Dwelling units and associated residential lots at a greater density than exception lands outside rural communities. [OAR 660-22-020(3)(a)(B)]

B) Land planned and zoned for farm or forest use which is contiguous to the community area and contains public uses considered to be part of the community, provided such land remains planned and zoned under Goals 3 or 4. [OAR 660-22-020(3)(b)]

Findings: The Eola community boundary was originally established by Polk County and acknowledged by Land Conservation and Development Commission (LCDC) in 1992. The acknowledged boundaries are now proposed for review through Legislative Amendment 00-08. Table 1 shows the properties that have been identified through this periodic review process as part of the Unincorporated Community of Eola. These properties that are contiguous to the community of Eola include lands that have been acknowledged as exception areas and are considered to be part of the community.

Polk County proposes to amend the Comprehensive Plan Designation from Commercial to Unincorporated Community on a total of approximately 27.27-acres of Commercial Retail (CR) Limited Use Overlay (LU) zoned portion of T7S, R4W, Section 25, tax lot 1700 as part of Legislative Amendment 00-08. The subject portion of land, designated Commercial, established an exception to applicable statewide planning goals, pursuant to Polk County Ordinance 88-12, on June 22, 1988. The portion of land identified as part of the Unincorporated Community of Eola is committed to a commercial RV Park use. This property is considered part of the Unincorporated Community of Eola, serves the needs of the traveling public, and is contiguous with the community. The County finds that this portion of land should be designated Unincorporated Community as part of this Periodic Review process.

Polk County also proposes to amend the Comprehensive Plan Designation from Rural lands to Unincorporated Community on a total of approximately 0.78 acre and identify this area as part of the Unincorporated Community of Eola. In addition, the County proposes to change the zoning from Acreage Residential 5-Acre Minimum (AR-5) to Eola Unincorporated Community Industrial (EOLA UC-I) or the equivalent zoning of their primary parcels. The portions of land identified as part of the Unincorporated Community of Eola are remainders of a vacated public right-of-way (Main Street), pursuant to Polk County Vacation Order 86-6, that were transferred to contiguous larger industrial zoned properties. The total of approximately 0.78 acre of subject properties comprised of one-half of the vacated public right-of-way (Main Street), south of the centerline, on the southern portions of Tax Lots 3900, 3901, 4000, and the remainder of Main Street, Township 7 South, Range 4 West, Section 25D, WWM. The primary parcels the subject properties are part of obtained the entire former public right-of-way, however only that portion north of the centerline was designated as part rural community center and rezoned. In contrary, the Main Street right-of-way was part of the original town plat and considered part of the community. This was evident when only those portions of land that were part of the original town plat obtained the vacated public right-of-way.

The subject portions of land, designated Rural Lands, were acknowledged as exception land in 1981. The contiguous property to the south of the subject portions of property, that obtained a ½ portion of the vacated public right-of-way (south of the centerline) at its portion that contained original Eola town plats, is the Eola Bend RV Park. The zoning for the RV park property was changed from AR-5 to Commercial Retail (CR) Limited Use Overlay (LU) pursuant to Polk

County Ordinance 88-12, on June 22, 1988. The portions of the vacated public right-of-way south of the centerline that were part of the Eola Bend RV Park subject property were rezoned as a result of ordinance 88-12. Staff believes that the LA 00-08 subject portions of land were intended to be included in the community boundary but were erroneously designated due to potential mapping errors, including limitations in previous mapping techniques, and/or oversight. In addition, the subject portions of land are part of larger properties that are currently or were historically committed to industrial uses. The Eola community boundary was acknowledged by the LCDC as identified in the file LA 00-08 and adopted by Polk County in Ordinance Number 01-04.

Table 1
Properties to be Included Within Unincorporated Community of Eola Boundary

Location & Tax Map ID	Current Uses & Improvements	Size	Current Plan Map Designation	Proposed Plan Map Designation
4700 Highway 22, Eola, Oregon 7-4-25 1700	RV park, & industrial office	27.27 acres	Limited Use Overlay Commercial	Unincorporated Community Commercial Limited Use Overlay
7-4-25D 3900	Vacant	0.06 acres	Rural Residential	Unincorporated Community Industrial
7-4-25D 3901	Special trade construction contractors	0.23 acres	Rural Residential	Unincorporated Community Industrial
7-4-25D 4000	Special trade construction contractors	0.11 acres	Rural Residential	Unincorporated Community Industrial
7-4-25D Road /Main Street	Public Right-of-Way	0.38	Rural Residential	Unincorporated Community Industrial

- 4) **Community Boundaries may include land that is designated for farm or forest use pursuant to Goals 3 and 4 if all the following criteria is met: [OAR 660-22-020(4)]**
- A) **The land is contiguous to Goal 3 or 4 exception lands included in the community boundary; [OAR 660-22-020(4)(a)]**
 - B) **The land was occupied on the date of this division (October 28, 1994) by one or more of the following uses considered to be part of the community: Church, cemetery, school, park, playground, community center, fire station, museum, golf course, or utility facility; [OAR 660-22-020(4)(b)]**
 - C) **Only the portion of the lot or parcel that is occupied by the use(s) in subsection (b) of this section is included within the boundary; and [OAR 660-22-020(4)(a)]**
 - D) **The land remains planned and zoned under Goals 3 or 4. [OAR 660-22-020(4)(d)]**

Findings: As part of LA 00-08, no properties that are designated for farm or forest uses pursuant to Goals 3 and 4 have been identified to be included within the Unincorporated Community of Eola boundary. A 0.10-acre portion of 25.26-acre tax lot 3000, located in T7S, R4W, Section 26, is zoned Farm-Forest (FF) and designated Farm-Forest in the Polk County Comprehensive Plan. This portion of land was designated as part of the Eola Rural Community Center boundary, pursuant to Polk County Ordinance 92-25, and acknowledged by the Land Conservation and Development Commission (LCDC) in 1992.

- 5) **Site specific unincorporated community boundaries that are shown on an acknowledged plan map on October 28, 1994, are deemed to comply with subsections (2) and (3) of this rule unless the boundary includes land designated for farm or forest use that does not meet the criteria in section (4) of this rule. [OAR 660-22-020(5)]**

Findings: Unincorporated community boundaries were originally established by Polk County and acknowledged by Land Conservation and Development Commission (LCDC) in 1992, pursuant to Polk County Ordinance 92-25. The acknowledged boundaries are now proposed for review through Legislative Amendment 00-08.

- 6) **Communities which meet the definitions in both OAR 660-22-010(6) and (9) shall be classified and planned as either resort communities or urban unincorporated communities. [OAR 660-22-020(6)]**

Findings: Polk County is addressing only the Unincorporated Community of Eola, a rural service center.

660-22-030 Planning and Zoning of Unincorporated Communities

- 7) **For rural communities, resort communities and urban unincorporated communities, counties shall adopt individual plan and zone designations reflecting the projected use for each property (e.g., residential, commercial, industrial, public) for all land in each community. Changes in plan or zone designation shall follow the requirements to the applicable post-acknowledgment provisions of ORS 197.610 through 197.625. [OAR 660-22-030(1)]**

Findings: At this time the Unincorporated Community of Eola is designated "Rural Community" under the Polk County Comprehensive Plan. As part of Legislative Amendment 00-08, the proposed text amendments to the Comprehensive Plan land use designations would designate land within the Unincorporated Community of Eola as follows: "Unincorporated Community Residential"; "Unincorporated Community Commercial"; "Unincorporated Community Industrial"; "Farm-Forest"; and "Public" based on the projected use of the property. Each property is zoned consistent with the Comprehensive Plan designation.

- 8) **County plans and land use regulations may authorize any residential use and density in unincorporated communities, subject to the requirements of this division. [OAR 660-22-030(2)]**

Findings: The proposed amendments do not change the existing residential density in the

Unincorporated Community of Eola. One residential zoning district is applied in the Unincorporated Community of Eola: Acreage Residential 5-acre minimum standard (AR-5). However, actual lot sizes may vary from the minimum required under law. Portions of the Unincorporated Communities of Eola were established under the old town plat and contain lawfully created, potentially buildable lots of varying sizes. Currently there are no properties within the Unincorporated Community of Eola that are zoned Suburban Residential (SR) Zone (1 acre per dwelling unit). In all cases, development is limited to the carrying capacity of the area, i.e., water availability and the soil capacity for accepting and processing wastewater. For analysis of water and wastewater capacity in the Unincorporated Community of Eola see the "Cumulative Impacts Analysis for the Unincorporated Community of Eola" included in this appendix. As part of the permitting process for residential development, all new developments are required to meet appropriate standards for water quality and sewage disposal.

- 9) County plans and land use regulations may authorize only the following new industrial uses in unincorporated communities: [OAR 660-22-030(3)]**
 - A) Uses authorized under Goals 3 and 4; [OAR 660-22-030(3)(a)]**
 - B) Expansion of a use existing on the date of this rule; [OAR 660-22-030(3)(b)]**
 - C) Small-scale, low impact uses; [OAR 660-22-030(3)(c)]**
 - D) Uses that require proximity to rural resource, as defined in OAR 660-04-022(3)(a); [OAR 660-22-030(3)(d)]**
 - E) New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of this rule, or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage; [OAR 660-22-030(3)(e)]**
 - F) New uses more intensive than those allowed under subsection (a) through (e) of this section, provided an analysis set forth in the comprehensive plan demonstrates, and land use regulations ensure: [OAR 660-22-030(3)(f)]**
 - 1) That such uses are necessary to provide employment that does not exceed the total projected work force within the community and the surrounding rural area; [OAR 660-22-030(3)(f)(A)]**
 - 2) That such uses would not rely upon a work force served by uses within urban growth boundaries; and [OAR 660-22-030(3)(f)(B)]**
 - 3) That the determination of the work force of the community and surrounding rural area considers the total industrial and commercial employment in the community and is coordinated with employment projections for nearby urban growth**

boundaries. [OAR 660-22-030(3)(f)(C)]

Findings: As part of Legislative Amendment 00-08, Polk County is adopting industrial zoning standards that are consistent with OAR 660-22-030(3).

- 10) County plans and land use regulations may authorize only the following new commercial uses in unincorporated communities:** [OAR 660-22-030(4)]
- A) Uses authorized under Goals 3 and 4;** [OAR 660-22-030(4)(a)]
 - B) Small-scale, low impact uses;** [OAR 660-22-030(4)(b)]
 - C) Uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area.** [OAR 660-22-030(4)(c)]

Findings: The Unincorporated Community of Eola is not located within an Urban Growth Boundary, and is 0.5 road mile from the city of Salem at the closest point. The City of Salem is required to have an adequate 20 year supply of residential, industrial, and commercial land within its Urban Growth Boundary for future urbanization. The City of Salem has not identified the Unincorporated Community of Eola as an area that is necessary for urbanization. Polk County is planning for rural land needs. Eola is identified as a Rural Service Center. Polk County is not planning for uses in unincorporated communities that would serve the needs of an urban population. In addition to the surrounding Farm Forest and Exclusive Farm Use zoned properties, there are approximately 1,360 acres of Acreage Residential 5-Acre Minimum zoned properties within a 2.00 mile radius from the Eola community boundary. Within that same area, there are more than 523 rural ownerships and over 300 existing dwellings. The Unincorporated Community of Eola is bisected by State Highway 22, which generates over 30,000 vehicle trips/day at the Doaks Ferry Road intersection. The majority of the commercial zoned property within the community boundary is located along Highway 22. Polk County finds that the substantial land and ownership base within 2.00 miles of the Eola community boundary and the considerable amount of vehicle trips generated on State Highway 22 warrant some commercial uses that may need to exceed the commercial small-scale low impact building size limitations. With the exception of eating and drinking places, commercial uses listed in the Eola Unincorporated Community Commercial Zoning District are consistent with subsections (A) and (B) of this rule, as acknowledged by the Department of Land Conservation and Development Partial Approval Order No. 001381. Polk County acknowledges the potential need to permit eating and drinking places that will exceed the commercial small-scale low impact building size limitations, and recognizes that eating and drinking places serve the needs of the community and surrounding rural area or the travel needs of people passing through the area. Additionally, it is intended that eating and drinking places located within the Unincorporated Community of Eola would be proportionally sized to serve the unincorporated community, rural area, and the travel needs of the people passing through the area. As identified herein, the potential work force to operate an eating and drinking place would be available from the surrounding area, based on the number of existing dwellings in the rural area and the population base. The existing eating and drinking place in the community is located in a 6,888 square foot building. This business was established prior to current provisions in OAR 660-022-0030. Polk County finds that it is in the best interests of the property owners and the public in general to allow similar types of uses to be

established that are consistent with the character of the community. A 4,000 square foot building size limitation that is identified in the small-scale, low-impact standards would not be consistent with the historical development and current eating and drinking places uses in the Eola community. Additionally, Polk County finds that it is in the best interests of the County and State to competition in a fair and equitable manner for businesses, and limit unnecessary governmental interference that may hinder free trade and competition. As a result, Polk County will permit eating and drinking places within the Unincorporated Community of Eola as a permitted use that serves the needs of the community and surrounding rural area or the travel needs of people passing through the area without a building size limitation as required by the small-scale, low-impact standards in OAR 660-022-0030(10). However, if a subsequent authority determines that a building size limitation is required for an eating and drinking place in the Unincorporated Community of Eola, Polk County adopts a maximum building size for eating and drinking places of 7,000 square feet , based on the existing development pattern of the community, fair trade and competition, and the need to serve the rural area and the needs of the people traveling through the area. A property owner that wishes to exceed this standard would be required to justify a Comprehensive Plan amendment which must be considered and approved by Polk County pursuant to Polk County Zoning Ordinance Section 115.050(B). Additionally, the property owner would be required to show that the proposed eating and drinking place would not adversely affect the functioning of an urban growth boundary within ten miles of the community boundary by means of a market study identifying the market area, projected clientele, and impacts of the proposed eating and drinking place on all applicable urban growth boundaries. As part of Legislative Amendment 00-08, as supplemented by Legislative Amendment LA 02-04, Polk County is adopting commercial zoning standards that are consistent with OAR 660-022-0030(4).

- 11) County plans and land use regulations may authorize hotels and motels in unincorporated communities only if served by a community sewer system and only as provided in subsections (a) through (c) of this section: [OAR 660-22-030(5)]**
 - A) Any number of new motel and hotel units may be allowed in resort communities; [OAR 660-22-030(5)(a)]**
 - B) New motels and hotels up to 35 units may be allowed in an urban unincorporated community, rural service center, or rural community if the unincorporated community is at least 10 miles from the urban growth boundary of any city adjacent to Interstate Highway 5, regardless of its proximity to any other UGB; [OAR 660-22-030(5)(b)]**
 - C) New motels and hotels up to 100 units may be allowed in any urban unincorporated community that is at least 10 mile from any urban growth boundary. [OAR 660-22-030(5)(c)]**

Findings: As part of Legislative Amendment 00-08, Polk County is adopting commercial zoning standards for motels and hotels that are consistent with OAR 660-22-030(5).

- 12) County plans and land use regulations shall ensure that new uses authorized within unincorporated communities do not adversely affect agricultural or forestry uses. [OAR 660-22-030(6)]**

Findings: As part of Legislative Amendment 00-08, the proposed uses allowed within the Unincorporated Community of Eola boundary were created specifically for Eola, consistent with the provisions of OAR 660-22-030(6), and will be subject to residential, commercial, and industrial development standards that apply within the specific Eola Unincorporated Community Zoning District. Therefore, all new uses will be restricted to development within setbacks and within height, noise and nuisance abatement standards.

- 13) County plans and land use regulations shall allow only those uses which are consistent with the identified function, capacity and level of service of transportation facilities serving the community, pursuant to OAR 660-12-060(1)(a) through (c). [OAR 660-22-030(7)]**

Findings: The Unincorporated Community of Eola is located on Oregon State Highway 22 classified by the Polk County Transportation Systems Plan as a principal arterial. Principal arterials serve corridor movements having trip lengths and travel density characteristics indicative of substantial statewide or interstate travel. According to the Polk County Transportation Systems Plan (July 7, 1998), the traffic volume on Highway 22 at Doaks Ferry Road was found to be approximately 31,000 vehicles per day. Volume was found to increase to 80,000 vehicles per day at the West Salem bridges and decrease to 17,100 vehicles per day slightly west of Highway 99W. State Highway 22 currently functions within its planned capacity.

Consistent with OAR 660, Division 12, Policy 4-3 of the Polk County Transportation Systems Plan states that “To prevent exceeding planned capacity of the transportation system, Polk County will consider road function, classification, and capacity as criteria for comprehensive plan map and zoning amendments/changes”.

Further, the Polk County Road Standards require a Traffic Impact Analysis (TIA) for any proposed development that can be reasonably expected to generate more than 300 vehicle trips during a single day and/or more than 100 vehicle trips during a single hour. A TIA may be required for any proposed development that can be reasonably expected to generate more than 150 vehicle trips during a single day or more than 40 trip ends during a single hour or which generates a significant amount of truck traffic.

Transportation Systems Plan Policy 4-3 and the requirements of the Road Standards are intended to ensure that allowed uses are consistent with the identified function, capacity and level of service of transportation facilities serving the community.

- 14) Zoning applied to lands within unincorporated communities shall ensure that the cumulative development: [OAR 660-22-030(8)]**
- A) Will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations; and [OAR 660-22-030(8)(A)]**
 - B) Will not exceed the carrying capacity of the soil or of existing water supply resources and sewer services. [OAR 660-22-030(8)(B)]**

Findings: Staff has conducted an analysis of the water availability and waste-water capability of soils in the Unincorporated Community of Eola.

Water hook-ups from the Rickreall Water Association are currently available for residential use in the Unincorporated Community of Eola. Water hookups from the Rickreall Water Association for small-scale commercial and industrial uses require further review by the Water Association prior to authorization of a hookup. More intensive, commercial and industrial uses that use larger quantities of water are currently not eligible for a water hook-up from the Rickreall Water Association. Other alternatives, such as the development of private wells, could also be used to provide adequate water to serve additional development. As part of the building permit process, Polk County requires that adequate potable water is available as required by the Uniform Building Code.

In the Unincorporated Community of Eola, property owners that propose to be served by the Rickreall Water Association must provide a statement from the water purveyor regarding the availability of water to serve the proposed development. In some cases, where insufficient water is available to serve the proposed development, the County does not preclude the use of on-site storage and water delivery.

Development in the Unincorporated Community of Eola is dependent upon on-site sewage disposal systems. Portions of the Unincorporated Community of Eola contain poorly drained soils that could limit the establishment of on-site sewage systems.

Development of on-site sewage disposal systems requires a permitting process administered by Polk County. This process administers state and federal regulations and ensures that systems be properly constructed and appropriately sized to serve the needs of the proposed development. In instances where poorly drained soils are present, alternative disposal systems, such as capping fill or sand filtration may be required. In the most extreme cases, where soils are poorly drained and there is inadequate area to accommodate any type of on-site disposal system, properties may be rendered undevelopable for uses that require on-site sewage disposal systems.

Special wastes that may be generated by certain commercial and industrial facilities requires a Water Pollution Control Facility Permit (WPCF). This permit is issued by the Oregon Department of Environmental Quality and is an operating permit that requires periodic review. For special waste or high volume waste, this kind of permit assures ongoing monitoring, system maintenance, and, in case of violation, possible permit revocation.

The permitting process administered by Polk County, prior to development, is a process that is intended to ensure that such development will not result in public health hazards or environmental impacts that violate state or federal water quality regulations. This process also ensures that development will not exceed the carrying capacity of the soil or existing water resources. This approach then ensures that cumulative development within the Unincorporated Community of Eola does not result in a public health hazard or exceed the carrying capacity of local soil or water resources.

Based on the best available information at this time, the County concludes that the zoning applied to the lands within the Unincorporated Community of Eola ensures that the cumulative development will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations; and will not exceed the carrying capacity of the soil or of existing water supply resources and sewer services.

The results of the cumulative impacts analysis are summarized in Table 2 below.

Residential Cumulative Impacts Analysis for the Unincorporated Community of Eola

Purpose

The purpose of this study is to assess the ability of the Unincorporated Community of Eola to support new residential development as currently allowed under the Polk County Zoning Ordinance.

The final analysis is intended to show how many new residential dwellings can practicably be developed within the Unincorporated Community of Eola and the ability of the community to accommodate residential development. There is currently no community sewer system to serve Eola, and there are no known plans to create one. The creation of a community sewer system could significantly alter the amount of residential lands available, based on the current number of platted lots. The study provides a maximum buildout figure, which represents the total number of dwellings that could be constructed based on existing platted lots and partitions of larger lots or parcels to the minimum allowable parcel sizes. This figure is then modified based on the more practical considerations such as the actual minimum parcel size typically required to support a standard on-site sewage disposal system that requires approximately 0.27 acre and other limiting factors such as water availability, and the ability of specific soil types to accommodate septic systems. This study also identifies obstacles that may be resolved through a planning process.

Methodology

The maximum number of residential units (dwellings) for the Unincorporated Community of Eola has been determined by calculating the maximum number of units that can be developed on existing platted lots and on new parcels that could be created through land divisions as described below. The total number of units has been reduced by eliminating lots or parcels or portions of lots or parcels that can not be built on due to limiting factors, such as topography or parcel size. A full description of limiting factors is presented below.

For the Unincorporated Community of Eola, three lots or parcel types include:

- Parcels or contiguously owned tracts that meet or exceed the minimum size and which cannot be further divided under the provisions of the Polk County Zoning Ordinance. For example, a 1.00 acre parcel with a developed homesite in the Acreage Residential 5-Acre Minimum (AR-5) Zoning District, which has a 5-acre minimum parcel size is counted as having one (1) existing residential unit.
- Parcels or contiguously owned tracts that meet or exceed the minimum size of the designated zoning district and are at least partially vacant. These include parcels that are large enough to be partitioned into additional buildable parcels. For example, a 10- acre parcel in the AR-5 Zoning District, with one (1) developed homesite could be partitioned to accommodate a second residential unit. If this parcel is vacant, two (2) homesites would be possible after partitioning.
- Existing platted lots or contiguously-owned tracts that are smaller than the minimum parcel size of the designated zoning district, but which are at least 0.37 acre in size (this acreage figure incorporates 0.27 acre for a standard on-site

sewage disposal system and 0.10 acre for residential structures and applicable setbacks). These typically include lots that are part of the original town plat in the Unincorporated Community of Eola or are smaller than the minimum size required in the designated zone. This analysis assumes that, whenever possible, contiguous lots will be combined to create buildable tracts of at least 0.37 acre.

Terms Used in this Analysis

The following terms are used in Table 2, which summarizes the residential cumulative impacts analysis.

Existing Units: This figure includes all dwellings within the community at this time regardless of lot or parcel size. Dwellings currently located in commercial and industrial zones are also included.

Potential Units: The total number of residential zoned lots or parcels that are: (1) lawfully created lots or parcels, including original town plat lots, and (2) lots or parcels that are larger than the minimum parcel size and can be partitioned under zoning standards. For example, in the Acreage Residential 5-Acre Minimum zoning district the minimum parcel size is 5 acres. A 10-acre parcel can be partitioned into two potentially buildable parcels. The potential buildable units figure represents the gross number of residential lots and parcels and does not include any limitations based water availability, soil types, floodway, etc.

Actual Buildable Units: The number of actual buildable units is the subset of potential buildable units after unbuildable sites are eliminated by analysis of limiting factors. In this study we assumed that a lot must be at least 0.37 acre in size to accommodate residential structures, setbacks, and a standard on site sewage disposal system. In the Unincorporated Community of Eola, much of the residential zoned property consists of original Eola town plat 8,000 square foot lots. The majority of the residential property owners own a tract of lots consisting of at least 16,000 square feet. For this study, contiguous Eola town plat lots were combined to form 16,000 square foot tracts in order to accurately represent the potential residential development pattern.

Maximum Buildable Units: This number is the actual buildable units minus those actual buildable units that already contain dwellings. This figure represents the best available estimate as to the total number of new dwellings that could be built within the Unincorporated Community of Eola if all available residential land is developed efficiently. This would include, for instance, a property owner with four Eola original town plat 8,000 square foot lots and one dwelling selling two of the lots for further development.

Limiting Soil Types: Soil types were examined using the Soil Conservation Service Polk County soil data to determine the ability to accept wastewater from a septic drainfield, no field work was made in this analysis. A number of soil types are completely restrictive for drainfields, however none were found in Eola. Other soils must be evaluated on a case by case basis to determine soil acceptance capabilities. In the Unincorporated Community of Eola, much of the residential zoned property consists of original Eola town plat 8,000 square foot lots. The majority of the residential property owners own a tract of lots consisting of at least 16,000 square feet. For this study, contiguous Eola town plat lots were combined to form 16,000 square foot tracts in order to accurately represent the potential residential development pattern. It is also possible for a site to develop a drainfield on an adjacent lot or parcel through a septic easement. However, this

report cannot make an accurate estimate as to the extent to which these options could be used to accommodate additional residential development.

Zoning: Table 2 includes the total number of real property acres, by zoning designation within each community.

Table 2

Residential Cumulative Impacts Analysis Summary

Community	Existing Units	Potential Units	Actual Buildable Units	Maximum Buildable Units	Limiting Soil Types (acres)	Zoning (acres)
Eola	31	87	40	28	0.0 acres	<u>Residential: 16.69</u> <u>Commercial: 38.59</u> <u>Industrial: 29.59</u> <u>Public: 111.05</u> <u>195.92</u>
<p>Limitations: There have been no soils in the Eola community identified as part of this study that would completely prohibit constructing on site sewage disposal systems. There may be limiting factors such as stream proximity, parcel size, location of existing wells, etc that may limit on site sewage disposal systems. In addition, no field study was performed as part of this study. All soil data was obtained from Soil Conservation Service, Polk County Soil Survey data. Water for residential use is available through new wells with limitation and from the Rickreall Domestic Water Cooperative on a limited basis.</p> <p>Note: Fourteen (14) existing homes are located within the existing and proposed Commercial Zoning District.</p>						

- 15) **County plans and land use regulations for lands within unincorporated communities shall be consistent with acknowledged metropolitan regional goals and objectives, applicable regional functional plans and regional framework plan components of metropolitan service districts. [OAR 660-22-030(9)]**

Findings: This criterion is not applicable.

- 16) **For purposes of this section, a small-scale, low impact commercial use is one which takes place in an urban unincorporated community in a building or building not exceeding 8,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 4,000 square feet of floor space. [OAR 660-22-030(10)]**
- 17) **For purposes of this section, a small-scale, low impact industrial use is one which takes place in an urban unincorporated community in a building or buildings not exceeding 20,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 10,000 square feet of floor space. [OAR 660-22-030(11)]**

Findings: Under Legislative Amendment 00-08, Polk County is adopting commercial and industrial zoning standards that are consistent with OAR 660-22-030(10) and (11).

660-22-050 Community Public Facility Plans

- 18) **In coordination with special districts, counties shall adopt public facility plans meeting the requirements of OAR 660, Division 11, and include them in the comprehensive plan for unincorporated communities over 2,500 in population. A community public facility plan addressing sewer and water is required if the unincorporated community is designated as an urban unincorporated community under OAR 660-22-010 and 660-22-020. For all communities, a sewer and water community public facility plan is required if: [OAR 660-22-050(1)]**
- A) **Existing sewer or water facilities are insufficient for current needs, or are projected to become insufficient due to physical conditions, financial circumstances or changing state or federal standards; or [OAR 660-22-050(1)(a)]**
 - B) **The plan for the unincorporated community provides for an amount, type or density of additional growth or infill that cannot be adequately served with individual water or sanitary systems or by existing community facilities and services; or [OAR 660-22-050(1)(b)]**
 - C) **The community relies on groundwater and is within a groundwater limited or groundwater critical area as identified by the Oregon Department of Water Resources; or [OAR 660-22-050(1)(c)]**
 - D) **Land in the community has been declared a health hazard, or has a history of failing septic systems or wells, or a community sewage or water system is projected to be needed by the next periodic review. [OAR 660-22-050(1)(d)]**

Findings: The Unincorporated Community of Eola does not have a population larger than 2,500 people. The community is identified as a groundwater limited area. However, Eola is served by the Rickreall Water System which has a water source that is not located within a groundwater limited area.

660-22-060 Coordination and Citizen Involvement

- 19) **Counties shall ensure that residents of unincorporated communities have adequate opportunities to participate in all phases of the planning process. Counties shall provide such opportunities in accordance with their acknowledged citizen involvement programs. [OAR 660-22-060(1)]**
- 20) **When a county proposes to designate an unincorporated community or to amend plan provisions or land use regulations that apply to such a**

community, the county shall specify the following: [OAR 660-22-060(2)]

- A) How residents of the community and surrounding area will be informed about the proposal;** [OAR 660-22-060(2)(a)]
- B) How far in advance of the final decision residents of the community and the surrounding area will be informed about the proposal;** [OAR 660-22-060(2)(b)]
- C) Which citizen advisory committees will be notified of the proposal.** [OAR 660-22-060(2)(c)]

- 21) The information on these three points shall be included in the appropriate plan amendment proposals or periodic review work task.** [OAR 660-22-060(3)]

Findings: A work group was formed to discuss potential community conflicts with meeting places and notification, in preparation for a community work session. A Community work session was conducted in the Unincorporated Community of Eola in order to address the concerns and needs of the citizens in the community of Eola. At the work session, the state laws requiring these changes, and the purpose of Comprehensive Plan Periodic Review were explained in a staff presentation. During the community work session community members participated in an evaluation of the uses listed in the existing commercial, industrial commercial, and industrial zones located within Eola. The community members were distributed 10 positive stickers and 10 negative stickers that represented uses they would, and would not like to see established in Eola, respectively. The totals of positive stickers and negative stickers were prepared for each use and are presented in brackets on the draft zoning ordinances for Planning Commission Review. A Planning Commission work session is planned for February 20, 2001, in order to discuss progress with the project. In addition, two public hearings are planned. The first public hearing is scheduled with the Polk County Planning Commission for March 6, 2001, for recommendations to the Polk County Board of Commissioners. The second public hearing will be with the Polk County Board of Commissioners for adoption.

All policy changes, zone changes, meeting and hearing notices were mailed to residents whose property lies within a third-mile of the Unincorporated Community of Eola and to all members of the Eola Area Advisory Committee. The same notices were published in the Statesman Journal local newspaper. Pursuant to Measure 56, which changed landowner notification requirements, the notification sent included information that the proposed changes could potentially limit the future use of their property.

- 22) When a county proposes to designate an urban unincorporated community, the county shall adopt a citizen involvement program for that community in accordance with the provisions of Goal 1, Citizen Involvement.** [OAR 660-22-060(4)]

Findings: This requirement is not applicable to the Unincorporated Community of Eola, which is defined as a rural service center.

- 23) Proposals to designate, plan, or zone unincorporated communities shall be**

coordinated with all special districts, metropolitan service districts, and cities likely to be affected by such actions. For any unincorporated community, such coordination shall include a minimum of 45-day mailed notice to all cities and special districts (including metropolitan service districts) located within the distance described in OAR 660-22-040(2). [OAR 660-22-060(5)]

Findings: There are no special districts involved in the Unincorporated Community of Eola other than the rural fire protection district, and they have been notified at least 45 days in advance of passage of ordinances.

Appendix I

Rickreall-Derry Unincorporated Community Report

Introduction

During the winter of 2000, and 2001 Polk County engaged in a planning process for the Unincorporated Community of Rickreall. The planning process was initiated to fulfill the County's requirements under its periodic work program to revise the Comprehensive Plan and Zoning Ordinance consistent with the requirements of Oregon Administrative Rules (OAR) Chapter 660, Division 22 – Unincorporated Communities. The findings are presented here according to relevant criteria from OAR 660-22. Polk County adopted Comprehensive Plan amendments and Zoning Ordinance amendments to address requirements of Periodic Review consistent with adopted OAR and case law. The Land Conservation and Development Commission (LCDC) did not acknowledge certain provisions relating to eating and drinking places within the Rickreall Unincorporated Community. During the summer of 2002, Polk County again engaged in a planning process for the Unincorporated Community of Rickreall to address the matters remanded from the LCDC back to Polk County.

660-22-020 Designation of Community Areas

- 1) **Except as provided in OAR 660-22-070, county comprehensive plans shall designate and identify unincorporated communities in accordance with the definitions in OAR 660-22-010. Counties may amend these designations as circumstances change over time.** [OAR 660-22-020(1)]

Findings: OAR 660-22-010 defines four types of unincorporated communities. The unincorporated community of Rickreall described in this report is defined as a Rural Community.

Rural Community is defined as an unincorporated community which consists primarily of permanent residential dwellings but also has at least two other land uses that provided commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area.

Polk County finds that the definition of "Rural Community" best fits the character of Rickreall. There are approximately 51 established dwellings in Rickreall that are supported by residential related public amenities such as: school, grange hall, post office, parks, cemetery, and Masons lodge. There are approximately 14 business entities established in Rickreall such as; Eola Winery, Ag West Supply, Willamette Grass Seed, Polk County Farmers Co-op, Mini Storage, Western Farm Service, Burelbach, Western Interlock, and Farrol's Restaurant.

- 2) **Counties shall determine boundaries of unincorporated communities in order to distinguish lands within the community from adjacent exception areas, resource lands and other rural lands. The boundaries of unincorporated communities shall be shown on the county comprehensive plan map at a scale sufficient to determine accurately which properties are included.** [OAR 660-22-020(2)]
- 3) **Only land meeting the following criteria may be included within an unincorporated community:** [OAR 660-22-020(3)]
 - A) **Land which has been acknowledged as Goal 3 or 4 exception area and historically considered to be part of the community provided the land only includes existing, contiguous concentrations of:** [OAR 660-22-020(3)(a)]
 1. **Commercial, industrial, or public uses; and/or** [OAR 660-22-020(3)(a)(A)]
 2. **Dwelling units and associated residential lots at a greater density than exception lands outside rural communities.** [OAR 660-22-020(3)(a)(B)]
 - B) **Land planned and zoned for farm or forest use provided such land**

meets the criteria in section (4) of this rule. [OAR 660-22-020(3)(b)]

Findings: The Rickreall community boundary was originally established by Polk County and acknowledged by Land Conservation and Development Commission (LCDC) in 1992. Polk County adopted Ordinance No. 92-18, which described the community boundary. The proposal was reviewed by Department of Land Conservation and Development (DLCD), which recommended changes to the Rickreall community boundary. The acknowledged boundaries are now proposed for review through Legislative Amendment 00-09. The Rickreall-Derry community boundary was acknowledged by the DLCD as proposed in file LA 00-09 and adopted by Polk County in Ordinance Number 01-07.

As part of LA 00-09 the County is adopting an exception to the Unincorporated Community rule which requires unincorporated communities to be contiguous, to include the properties of Derry into the Unincorporated Community of Rickreall. The area to be included is approximately 24 map acres. Table 1 shows the properties that have been identified through this periodic review process as part of the Unincorporated Community of Rickreall. Derry is considered a part of the community of Rickreall, and is on DLCD's list of potential Unincorporated Communities.

Residents of Rickreall conduct business and buy commodities in Derry. These properties have been zoned for industrial and residential use by the County since pre-acknowledgment. There are no other industrial lands in the area, (outside the current boundary) other than Derry, which is one-half mile east of Rickreall. None of the properties to be included are zoned for resource purposes. The Comprehensive Plan designation for these properties has been Rural Land.

Table 1

Properties to be Included Within Unincorporated Community of Rickreall-Derry Boundary

Location & Tax Map ID	Current Uses & Improvements	Acres	Current Plan Map Designation	Proposed Plan Map Designation
7.4.29C-100	Vacant	0.82	Rural Land	UC Industrial
7.4.31-101	Seed Cleaning Operation	1.36	Rural Land	UC Industrial
7.4.29C-200	Farm Equipment Parking	1.52	Rural Land	UC Industrial
7.4.29C-300	Mach. Shop / Warehouses / Office	1.56	Rural Land	UC Industrial
7.4.29C-500	Showroom/Warehouse/Mach. Shop/Tanks	9.56	Rural Land	UC-Industrial
7.4.29C-600	Seed Warehouses (4)	1.72	Rural Land	UC Industrial
7.4.29C-400	Grain Warehouse	2.67	Rural Land	UC Industrial
7.4.29C-700	Ag West Tire – Service St./Shop/Store	2.35	Rural Land	UC-Residential
7.4.29C-800	1955 Dwelling	0.95	Rural Land	UC-Residential

- 4) Community Boundaries may include land that is designated for farm or forest use pursuant to Goals 3 and 4 if all the following criteria is met: [OAR 660-22-020(4)]**
- A) The land is contiguous to Goal 3 or 4 exception lands included in the community boundary; [OAR 660-22-020(4)(a)]**
 - B) The land was occupied on the date of this division (October 28, 1994) by one or more of the following uses considered to be part of the community: Church, cemetery, school, park, playground, community center, fire station, museum, golf course, or utility facility; [OAR 660-22-020(4)(b)]**
 - C) Only the portion of the lot or parcel that is occupied by the use(s) in subsection (b) of this section is included within the boundary; and**

[OAR 660-22-020(4)(a)]

- D) The land remains planned and zoned under Goals 3 or 4. [OAR 660-22-020(4)(d)]**

Findings: As part of LA 00-09, no properties that are designated for farm or forest uses pursuant to Goals 3 and 4 have been identified to be included within the Unincorporated Community of Rickreall boundary.

- 5) Site specific unincorporated community boundaries that are shown on an acknowledged plan map on October 28, 1994, are deemed to comply with subsections (2) and (3) of this rule unless the boundary includes land designated for farm or forest use that does not meet the criteria in section (4) of this rule. [OAR 660-22-020(5)]**

Findings: Unincorporated community boundaries were originally established by Polk County and acknowledged by Land Conservation and Development Commission (LCDC) in 1992, pursuant to Polk County Ordinance 92-18. Derry was not part of the acknowledgement at that time. The acknowledged boundaries are now proposed for review through Legislative Amendment 00-09. Included in the proposal is the expansion of the boundary on county roads adjacent to the current boundary, to include the whole width of county and not half the road.

- 6) Communities which meet the definitions in both OAR 660-22-010(6) and (9) shall be classified and planned as either resort communities or urban unincorporated communities. [OAR 660-22-020(6)]**

Findings: Polk County is addressing only the Unincorporated Community of Rickreall, which is proposed as a "Rural Community" as defined by 660-022-0010(7). Polk County is not proposing a "Resort Community" or a "Urban Unincorporated Community".

660-22-030 Planning and Zoning of Unincorporated Communities

- 7) For rural communities, resort communities and urban unincorporated communities, counties shall adopt individual plan and zone designations reflecting the projected use for each property (e.g., residential, commercial, industrial, public) for all land in each community. Changes in plan or zone designation shall follow the requirements to the applicable post-acknowledgment provisions of ORS 197.610 through 197.625. [OAR 660-22-030(1)]**

Findings: At this time the Unincorporated Community of Rickreall is designated "Rural Community Center" under the Polk County Comprehensive Plan. As part of Legislative Amendment 00-09, the proposed text amendments to the Comprehensive Plan land use designations would designate land within the Unincorporated Community of Rickreall as follows: "Unincorporated Community Residential"; "Unincorporated Community Commercial"; "Unincorporated Community Industrial"; and "Public" based on the projected use of the property. Each property is zoned consistent with the Comprehensive Plan designation.

- 8) County plans and land use regulations may authorize any residential use and density in unincorporated communities, subject to the requirements of this division. [OAR 660-22-030(2)]**

Findings: The proposed amendments do not change the existing residential density in the Unincorporated Community of Rickreall. There are two residential zoning districts applied in the Unincorporated Community of Rickreall: Acreage Residential 5-acre minimum standard (AR-5) and Suburban Residential (SR) one-acre minimum standard. However, actual lot sizes may vary from the minimum required under law. Portions of the Unincorporated Communities of Rickreall were established under the old town plats and contain lawfully created lots, some of which are vacant and smaller in size than required by the existing zoning. In all cases, development is limited to the carrying capacity of the area, i.e., water availability and the soil capacity for accepting and processing wastewater. For analysis of water and wastewater capacity in the Unincorporated Community of Rickreall see the "Cumulative Impacts Analysis for the Unincorporated Community of Rickreall" included in this appendix. As part of the permitting process for residential development, all new developments are required to meet appropriate standards for water quality and sewage disposal.

- 9) County plans and land use regulations may authorize only the following new industrial uses in unincorporated communities: [OAR 660-22-030(3)]**

- A) **Uses authorized under Goals 3 and 4;** [OAR 660-22-030(3)(a)]
- B) **Expansion of a use existing on the date of this rule;** [OAR 660-22-030(3)(b)]
- C) **Small-scale, low impact uses;** [OAR 660-22-030(3)(c)]
- D) **Uses that require proximity to rural resource, as defined in OAR 660-04-022(3)(a);** [OAR 660-22-030(3)(d)]
- E) **New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of this rule, or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage;** [OAR 660-22-030(3)(e)]
- F) **New uses more intensive than those allowed under subsection (a) through (e) of this section, provided an analysis set forth in the comprehensive plan demonstrates, and land use regulations ensure:** [OAR 660-22-030(3)(f)]
 - 1) **That such uses are necessary to provide employment that does not exceed the total projected work force within the community and the surrounding rural area;** [OAR 660-22-030(3)(f)(A)]
 - 2) **That such uses would not rely upon a work force served by uses within urban growth boundaries; and** [OAR 660-22-030(3)(f)(B)]
 - 3) **That the determination of the work force of the community and surrounding rural area considers the total industrial and commercial employment in the community and is coordinated with employment projections for nearby urban growth boundaries.** [OAR 660-22-030(3)(f)(C)]

Findings: As part of Legislative Amendment 00-09, Polk County is adopting industrial zoning standards that are consistent with OAR 660-22-030(3).

- 10) **County plans and land use regulations may authorize only the following new commercial uses in unincorporated communities:** [OAR 660-22-030(4)]
 - A) **Uses authorized under Goals 3 and 4;** [OAR 660-22-030(4)(a)]
 - B) **Small-scale, low impact uses;** [OAR 660-22-030(4)(b)]
 - C) **Uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area.** [OAR 660-22-030(4)(c)]

Findings: As part of Legislative Amendment 00-09, Polk County is adopting commercial zoning standards that are consistent with OAR 660-22-030(4). With the exception of eating and drinking places all commercial uses listed in the zone are established consistent with Subsections (A) and (B) of this rule, as acknowledged by the Department of Land Conservation and Development Partial Approval Order No. 001351. The County has included information in the plan to justify having no size limitations applied to eating and drinking places consistent with subsection (C). The Unincorporated Community of Rickreall-Derry is not located within an urban growth boundary, and it is located approximately 1.1 mile east of the City of Dallas urban growth boundary, 3.6 miles north of the Monmouth urban growth boundary, and 5.2 miles west of the City of Salem urban growth boundary. The Cities of Dallas, Monmouth, and Salem are required to have an adequate 20-year supply of residential, industrial, and commercial land within its own urban growth boundary to be available for future urbanization. The above mentioned cities have not identified the Unincorporated Community of Rickreall as an area that is necessary for urbanization. Polk County is planning for rural land needs. Rickreall is acknowledged as a Rural Community. Polk County is not planning for uses in unincorporated communities that would serve the needs of an urban population. In the rural area around the Unincorporated Community of Rickreall approximately consisting of 21,000 acres (approximately 2 miles, excluding a small portion in the Dallas urban growth boundary that is within 2 miles of Rickreall), there are rural 269 different ownerships and 279 existing dwellings. The Unincorporated Community of Rickreall is bisected by State Highway 99W and is also

located in close proximity to State Highway 22. Both of these state highways generate considerable traffic volumes. The year 2001 Average Daily Traffic was 12,600 for Highway 99W at Rickreall Road and 26,300 for Highway 22 east of Highway 99W (Source: Oregon Department of Transportation web page www.odot.state.or.us/tdb/traffic_monitoring/tvtable.htm). The commercially designated properties in Rickreall are predominantly (80 percent) located along Highway 99W. Polk County finds that the substantial land ownership base within two miles of the Rickreall community boundary and the considerable amount of vehicle trips generated on the two state highways that are within or near the community boundary warrant some commercial uses that may need to exceed the commercial small-scale, low-impact building size limitation identified in Oregon Administrative Rule. Polk County acknowledges the potential need to permit eating and drinking places that will exceed the commercial small-scale, low-impact building size limitations, and recognizes that eating and drinking places serve the needs of the community and surrounding rural area and the travel needs of people passing through the area. Additionally, it is intended that eating and drinking places located within the Unincorporated Community of Rickreall would be proportionally sized to serve the unincorporated community, the rural area, and the travel needs of the people passing through the area. As identified herein, the potential work force to operate an eating and drinking place would be available from the surrounding rural area, based on the number of existing dwellings in rural community surrounding rural area, and the population base. The existing eating and drinking place in the community is located in a 5,111 square foot building. This business was established prior to the current provisions in OAR 660-022-0030. Polk County finds that it is in the best interests of property owners and the public in general to allow similar types of uses to be established that are consistent with the character of the community. A 4,000 square foot building size limitation that is identified in the small-scale, low-impact standards would not be consistent with the historical development and current eating and drinking places uses in the Rickreall community. Additionally, Polk County finds that it is in the best interests of the County and State to allow competition in a fair and equitable manner for businesses, and limit unnecessary governmental interference that may hinder free trade and competition. As a result, Polk County will permit eating and drinking places within the Unincorporated Community of Rickreall as a permitted use that serves the needs of the community and surrounding rural area or the travel needs of people passing through the area without a building size limitation as required by the small-scale, low-impact standards in OAR 660-022-0030(10). However, if a subsequent authority determines that a building size limitation is required for an eating and drinking place in the Unincorporated Community of Rickreall, Polk County adopts a maximum building size for eating and drinking places of 6,000 square feet, based on the existing development pattern of the community, fair trade and competition, and the need to serve the rural area and needs of people travelling through the area. A property owner that wishes to exceed this standard would be required to justify a Comprehensive Plan amendment which must be considered and approved by Polk County pursuant to Polk County Zoning Ordinance Section 115.050(B). Additionally, the property owner would be required to show that the proposed eating and drinking place would not adversely affect the functioning of an urban growth boundary within ten miles of the community boundary by means of a market study identifying the market area, projected clientele, and impacts of the proposed eating and drinking place on all applicable urban growth boundaries. As part of Legislative Amendment LA 02-04, Polk County is adopting Comprehensive Plan findings and policies and commercial zoning standards that are consistent with OAR 660-022-0030(4).

- 11) **County plans and land use regulations may authorize hotels and motels in unincorporated communities only if served by a community sewer system and only as provided in subsections (a) through (c) of this section:** [OAR 660-22-030(5)]
 - A) **Any number of new motel and hotel units may be allowed in resort communities;** [OAR 660-22-030(5)(a)]
 - B) **New motels and hotels up to 35 units may be allowed in an urban unincorporated community, rural service center, or rural community if the unincorporated community is at least 10 miles from the urban growth boundary of any city adjacent to Interstate Highway 5, regardless of its proximity to any other UGB;** [OAR 660-22-030(5)(b)]
 - C) **New motels and hotels up to 100 units may be allowed in any urban unincorporated community that is at least 10 mile from any urban growth boundary.** [OAR 660-22-030(5)(c)]

Findings: As part of Legislative Amendment 00-09, Polk County is adopting commercial zoning

standards for motels and hotels that are consistent with OAR 660-22-030(5).

- 12) County plans and land use regulations shall ensure that new uses authorized within unincorporated communities do not adversely affect agricultural or forestry uses. [OAR 660-22-030(6)]**

Findings: As part of Legislative Amendment 00-09, the proposed uses allowed within the Unincorporated Community of Rickreall boundary were created specifically for Rickreall, consistent with the provisions of OAR 660-22-030(6), and will be subject to residential, commercial, and industrial development standards that apply within the specific Rickreall Unincorporated Community Zoning District. Therefore, all new uses will be restricted to development within setbacks and within height, noise and nuisance abatement standards.

- 13) County plans and land use regulations shall allow only those uses which are consistent with the identified function, capacity and level of service of transportation facilities serving the community, pursuant to OAR 660-12-060(1)(a) through (c). [OAR 660-22-030(7)]**

Findings: The Unincorporated Community of Rickreall is located on Oregon State Highway 99 classified by the Polk County Transportation Systems Plan as a principal arterial. Principal arterials serve corridor movements having trip lengths and travel density characteristics indicative of substantial statewide or interstate travel. The Dallas Rickreall Highway, which travels east and west, is considered a major collector. “Major collectors provide service to any county seats not on an arterial route, to the larger towns not directly served by the higher systems, and to other traffic generators of equivalent intra-county importance, such as schools, shipping ports, county parks, important mining and agricultural areas, etc., link these places with nearby larger towns or cities, or with routes of higher classification, and serve the more important inter-county travel.” [1998 Polk County Transportation Systems Plan]

Consistent with OAR 660, Division 12, Policy 4-3, of the Polk County Transportation Systems Plan states that “To prevent exceeding planned capacity of the transportation system, Polk County will consider road function, classification, and capacity as criteria for comprehensive plan map and zoning amendments/changes”.

Further, the Polk County Road Standards require a Traffic Impact Analysis (TIA) for any proposed development that can be reasonably expected to generate more than 300 vehicle trips during a single day and/or more than 100 vehicle trips during a single hour. A TIA may be required for any proposed development that can be reasonably expected to generate more than 150 vehicle trips during a single day or more than 40 trip ends during a single hour or which generates a significant amount of truck traffic.

Transportation Systems Plan Policy 4-3, and the requirements of the Road Standards are intended to ensure that allowed uses are consistent with the identified function, capacity and level of service of transportation facilities serving the community.

- 14) Zoning applied to lands within unincorporated communities shall ensure that the cumulative development: [OAR 660-22-030(8)]**
- A) Will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations; and [OAR 660-22-030(8)(A)]**
 - B) Will not exceed the carrying capacity of the soil or of existing water supply resources and sewer services. [OAR 660-22-030(8)(B)]**

Findings: Staff has conducted an analysis of the water availability and wastewater capability of soils in the Unincorporated Community of Rickreall.

Water hook-ups from the Rickreall Community Water Association are currently available for residential use in the Unincorporated Community of Rickreall. Water hookups from the Rickreall Community Water Association for small-scale commercial and industrial uses require further review by the Water Association prior to authorization of a hookup. More intensive, commercial and industrial uses that use larger quantities of water are currently not eligible for a water hook-up from the Rickreall Community Water Association. Other alternatives, such as the development of private wells, could also be used to provide adequate water to serve additional development. As part of the building permit process, Polk County requires that adequate potable water is available as required by the Uniform Building Code.

In the Unincorporated Community of Rickreall, property owners that propose to be served by the Rickreall Community Water Association must provide a statement from the water purveyor regarding the availability of water to serve the proposed development. In some cases, where insufficient water is available to serve the proposed development, the County does not preclude the use of on-site storage and water delivery.

Development in the Unincorporated Community of Rickreall is dependent upon on-site sewage disposal systems. An overview by the Polk County Environmental Health specialist indicates that the soils within the Rickreall Unincorporated Community boundary are well draining soils and would support septic systems.

Development of on-site sewage disposal systems requires a permitting process administered by Polk County. This process administers state and federal regulations and ensures that systems be properly constructed and appropriately sized to serve the needs of the proposed development. In instances where poorly drained soils are present, alternative disposal systems, such as capping fill or sand filtration may be required. In the most extreme cases, where soils are poorly drained and there is inadequate area to accommodate any type of on-site disposal system, properties may be rendered undevelopable for uses that require on-site sewage disposal systems.

Special wastes that may be generated by certain commercial and industrial facilities requires a Water Pollution Control Facility Permit (WPCF). This permit is issued by the Oregon Department of Environmental Quality and is an operating permit that requires periodic review. For special waste or high volume waste, this kind of permit assures ongoing monitoring, system maintenance, and, in case of violation, possible permit revocation.

The permitting process administered by Polk County, prior to development, is a process that is intended to ensure that such development will not result in public health hazards or environmental impacts that violate state or federal water quality regulations. This process also ensures that development will not exceed the carrying capacity of the soil or existing water resources. This approach then ensures that cumulative development within the Unincorporated Community of Rickreall does not result in a public health hazard or exceed the carrying capacity of local soil or water resources.

Based on the best available information at this time, the County concludes that the zoning applied to the lands within the Unincorporated Community of Rickreall ensures that the cumulative development will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations; and will not exceed the carrying capacity of the soil or of existing water supply resources and sewer services.

Residential Cumulative Impacts Analysis for the Unincorporated Community of Rickreall

The purpose of this study is to assess the ability of the Unincorporated Community of Rickreall to support new residential development as currently allowed under the Polk County Zoning Ordinance. The intent is to show how many new residential dwellings can practicably be developed in the Unincorporated Community of Rickreall and the ability of the community to accommodate residential development. There is currently no community sewer system to serve Rickreall, and there are no known plans to create one. The creation of a community sewer system could significantly alter the amount of residential lands available, based on the current number of platted lots.

Methodology: The maximum number of residential units (dwellings) for the Unincorporated Community of Rickreall has been determined by calculating the maximum number of units that can be developed on existing platted lots and on new parcels that could be created through land divisions as allowed by the zoning designation.

Limitations such as soil types and size of lots or parcels were taken into consideration. Soils within the Rickreall unincorporated community boundary are suited to accommodate septic systems according to the soil types and review by the County Sanitarian. The actual minimum parcel size typically required to support a standard on-site sewage disposal system (approximately 0.37 acre). Lot sizes under 0.37 acres that could not be combined with other vacant lots were eliminated as potential for development.

Explanation of Table Terminology

Zoning: The type of residential zone designation.

Acres: Total number of acres within the zone.

Dwellings: Total number of existing dwellings.

Vacant: Total number of vacant property.

By Plat: Total number of potential buildable property. This includes combination of township plats to form a buildable size lot for development. It can also include existing plats or parcels that can be divided to form another buildable property.

Buildable: Property on which a dwelling may be established. The size and soils can be suitable for a septic system.

Table 2

Residential Cumulative Impacts Analysis Summary for Rickreall & Derry

Within the Rickreall Unincorporated Community

Zoning	Acres	Dwellings	Vacant	By Plat	Buildable	Notes
SR	15.67	20	6	3	6	Vacant lots owned by State
AR-5	32.56	15	5		4	

Residential Property from Derry

AR-5	3.3	1	0		0	Ag. West on Vacant
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Currently, there are 16 other dwellings within the Rickreall Unincorporated Community boundary that are not located within residentially zoned property. Derry has one existing dwelling and it is in the AR-5 zoning district. Table 3 illustrates existing dwellings in commercial or industrial property.

Table 3

Commercial and Industrial Property Analysis

Zoning	Acres	Dwellings	Vacant Lots	Notes
CG	13.97	10	3	Vacant lots under same ownership
CR	5.51	2	0	
IL	40.73	4	4	
IC	4.15	0	0	
IH	19.21	0	3	All in Derry

Conclusion: Based on the data presented above, the current build-out potential for residential structures are limited. Staff finds that cumulative impacts from full possible future development, with current condition would not result in public health hazards or adverse environmental impacts. The analysis included the carrying capacity of the soils and size potential of lots to support a septic system.

- 15) County plans and land use regulations for lands within unincorporated communities shall be consistent with acknowledged metropolitan regional goals and objectives, applicable regional functional plans and regional framework plan components of metropolitan service districts. [OAR 660-22-030(9)]**

Findings: This criterion is not applicable.

- 16) For purposes of this section, a small-scale, low impact commercial use is one which takes place in an urban unincorporated community in a building or building not exceeding 8,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 4,000**

square feet of floor space. [OAR 660-22-030(10)]

- 17) For purposes of this section, a small-scale, low impact industrial use is one which takes place in an urban unincorporated community in a building or buildings not exceeding 20,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 10,000 square feet of floor space. [OAR 660-22-030(11)]

Findings: Under Legislative Amendment 00-09, Polk County is adopting commercial and industrial zoning standards that are consistent with OAR 660-22-030(10) and (11).

660-22-050 Community Public Facility Plans

- 18) In coordination with special districts, counties shall adopt public facility plans meeting the requirements of OAR 660, Division 11, and include them in the comprehensive plan for unincorporated communities over 2,500 in population. A community public facility plan addressing sewer and water is required if the unincorporated community is designated as an urban unincorporated community under OAR 660-22-010 and 660-22-020. For all communities, a sewer and water community public facility plan is required if: [OAR 660-22-050(1)]
- A) Existing sewer or water facilities are insufficient for current needs, or are projected to become insufficient due to physical conditions, financial circumstances or changing state or federal standards; or [OAR 660-22-050(1)(a)]
 - B) The plan for the unincorporated community provides for an amount, type or density of additional growth or infill that cannot be adequately served with individual water or sanitary systems or by existing community facilities and services; or [OAR 660-22-050(1)(b)]
 - C) The community relies on groundwater and is within a groundwater limited or groundwater critical area as identified by the Oregon Department of Water Resources; or [OAR 660-22-050(1)(c)]
 - D) Land in the community has been declared a health hazard, or has a history of failing septic systems or wells, or a community sewage or water system is projected to be needed by the next periodic review. [OAR 660-22-050(1)(d)]

Findings: The Unincorporated Community of Rickreall does not have a population larger than 2,500 people. The community of Rickreall is served by the Rickreall Community Water System, which has a water source from groundwater in the area. The community of Rickreall does not have any of the limitations mentioned above and therefore a public facility plan is not required.

660-22-060 Coordination and Citizen Involvement

- 19) Counties shall ensure that residents of unincorporated communities have adequate opportunities to participate in all phases of the planning process. Counties shall provide such opportunities in accordance with their acknowledged citizen involvement programs. [OAR 660-22-060(1)]
- 20) When a county proposes to designate an unincorporated community or to amend plan provisions or land use regulations that apply to such a community, the county shall specify the following: [OAR 660-22-060(2)]
- A) How residents of the community and surrounding area will be informed about the proposal; [OAR 660-22-060(2)(a)]
 - B) How far in advance of the final decision residents of the community and the surrounding area will be informed about the proposal; [OAR 660-22-060(2)(b)]
 - C) Which citizen advisory committees will be notified of the proposal. [OAR 660-22-060(2)(c)]
- 21) The information on these three points shall be included in the appropriate plan amendment proposals or periodic review work task. [OAR 660-22-060(3)]

Findings: A work group was formed to discuss potential community conflicts with meeting places and notification, in preparation for a community work session. A community work session was conducted in the Unincorporated Community of Rickreall in order to address the concerns and needs of the citizens in the community of Rickreall. At the work session, the state laws requiring these changes, and the purpose of Comprehensive Plan Periodic Review was explained in a staff presentation. During the community work session community members participated in an evaluation of the uses listed in the existing commercial, industrial commercial, and industrial zones located within Rickreall. The community members were distributed 10 positive green stickers and 10 negative red stickers that represented uses they would, and would not like to see established in Rickreall, respectively. The totals of positive stickers and negative stickers were prepared for each use and are presented in brackets on the draft zoning ordinances for Planning Commission Review. A Planning Commission work session was held on March 6, 2001, in order to discuss progress with the project. In addition, two public hearings are planned. The first public hearing is scheduled with the Polk County Planning Commission for March 20, 2001, for recommendations to the Polk County Board of Commissioners. The second public hearing will be with the Polk County Board of Commissioners for adoption.

All policy changes, zone changes, meeting and hearing notices were mailed to residents whose property lies within two miles of the Unincorporated Community of Rickreall and to all members of the Rickreall Area Advisory Committee. The same notices were published in the Itemizer/Observer a local newspaper. Pursuant to Measure 56, which changed landowner notification requirements, the notification sent included information that the proposed changes could potentially limit the future use of their property.

- 22) When a county proposes to designate an urban unincorporated community, the county shall adopt a citizen involvement program for that community in accordance with the provisions of Goal 1, Citizen Involvement. [OAR 660-22-060(4)]**

Findings: This requirement is not applicable to the Unincorporated Community of Rickreall, which is defined as a rural community.

- 23) Proposals to designate, plan, or zone unincorporated communities shall be coordinated with all special districts, metropolitan service districts, and cities likely to be affected by such actions. For any unincorporated community, such coordination shall include a minimum of 45-day mailed notice to all cities and special districts (including metropolitan service districts) located within the distance described in OAR 660-22-040(2). [OAR 660-22-060(5)]**

Findings: There are no special districts involved in the Unincorporated Community of Rickreall other than the rural fire protection district, and they have been notified at least 45 days in advance of passage of ordinances.