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BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Application of Columbia)
Acres Water Association for a Comprehensive)
Plan Amendment and Zone Change From) ORDINANCE NO. 2002-11
Rural Residential (RR-5) to Community Service)
Utility (CS-U))

The Board of County Commissioners for Columbia County, Oregon, ordains as follows:

SECTION 1. TITLE.

This ordinance shall be known as Ordinance No. 2002-11.

SECTION 2. AUTHORITY.

This ordinance is adopted pursuant to ORS 203.035, 215.050, 215.060, 215.223, and 197.610 to 197.615.

SECTION 3. PURPOSE.

The purpose of this Ordinance is to approve the application of the Columbia Acres Water Association for a Comprehensive Plan Map Amendment and Zone Change from Rural Residential (RR-5) to Community Service-Utility (CS-U), on four lots (lots 8-11) south of the City of Scappoose and west of Highway 30 on Bonneville Drive, and having tax account number 3224-024-03200, in Block 1, of the Columbia Acres Part One Subdivision.

The Major Map Amendment would amend the Comprehensive Plan Map designation for the subject lots from Rural Residential to Community Service, and amend the Zoning Map designation for the subject lots from Rural Residential (RR-5) to Community Service-Utility (CS-U), in order to drill a second well to serve as a back up well for the existing community water system in the Columbia Acres Subdivision.

SECTION 4. HISTORY

On August 4, 2002, Ronald Hoff, on behalf of Columbia Acres Water Association, applied for an amendment of the Columbia County Comprehensive Plan Map from Rural Residential to Community Service; and a Zoning Map amendment from Rural Residential (RR-5) to Community Service-Utility (CS-U) on four lots in the Columbia Acres Part One Subdivision. On August 21, 2002, the application was deemed complete. The Columbia County Planning Commission held a hearing on the application on October 7, 2002, to determine

whether to recommend approval of the application to the Board of County Commissioners. After hearing testimony, receiving evidence, and deliberating the Columbia County Planning Commission voted to recommend approval of the application to the Board of County Commissioners. On October 17, 2002, Jeff VanNatta, Planning Commission Chair, signed Final Order PA 03-02, recommending approval of the application.

On December 4, 2002, the Board of County Commissioners held a hearing on the record to consider approval of the application. At that hearing, Glen Higgins, Chief Planner, Land Development Services Department, read the staff report into the record which listed criteria to be considered and contained the Department's proposed findings, conclusions and recommendations. During the hearing, Legal Counsel's file was entered into the record as Exhibit "1." A list of documents included in Exhibit "1," is attached hereto as Attachment A, and is incorporated herein by this reference.

SECTION 5. FINDINGS.

The Board of County Commissioners adopts as its findings, the findings of fact and conclusions of law contained in the Staff Report of the Department of Land Development Services to the Board of County Commissioners, dated December 4, 2002, a copy of which is attached hereto as Attachment B, and is incorporated herein by this reference.

SECTION 6. AMENDMENT AND AUTHORIZATION.

A. The official Comprehensive Plan Map designation for Block 1, Lots 8-11 of the Columbia Acres Part One Subdivision, also described as tax account number 3224-024-03200, shall be changed from Rural Residential to Community Service.

B. The official the Zoning Ordinance Map designation for Block 1, Lots 8-11 of Columbia Acres Part One Subdivision, also described as tax account number 3224-024-03200, shall be changed from Rural Residential (RR-5) to Community Service-Utility (CS-U).

C. Approval of this Plan Amendment and Zone Change is subject to the following conditions of approval:

1. Prior to connect the new back-up well to the existing community water system, the Applicant shall submit documentation to the Columbia County Department of Land Development Services indicating that they have applied for a water right permit from the Oregon Water Resources Department.

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2. Prior to drilling the new back-up well, the Applicant shall provide documentation to the Columbia County Department of Land Development Services that the Applicant has obtained a County Road Access Permit which shows that either construction of the access has been approved or a deposit has been made in accordance with the Columbia County Road Access Ordinance.

DATED this 18th day of December, 2002.

Approved as to Form

By: Sarah Tyson
Office of County Counsel

Recording Secretary

By: Jan Greenhalgh
Jan Greenhalgh, Recording Secretary

First Reading: 12-10-02

Second Reading: 12-18-02

Effective Date: 3-18-03

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Chair

By: [Signature]
Commissioner

By: [Signature]
Commissioner

ATTACHMENT A

County Counsel's File:

1. Board Communication dated October 18, 2002, from Todd Dugdale with the following attachments:
 - A. List of interested parties to receive notice;
 - B. Hearing Notice for Planning Commission;
 - C. Planning Commission Final Order;
 - D. Planning Commission Staff Report;
2. Staff Report to the Columbia County Planning Commission with the following attachments:
 - A. Application;
 - B. Vicinity Map;
 - C. Zone Map;
 - D. Address Map;
 - E. Site Plan;
 - F. USGS Quad;
 - G. Digital Orthophoto;
3. Board Communication from Todd Dugdale dated December 2, 2002, with the following attachments:
 - A. Staff Report to Board of County Commissioners;
 - B. Planning Commission Final order PA 03-02;
 - C. October 7, 2002, Planning Commission Minutes;
4. Referral and Acknowledgment from the District Watermaster dated September 9, 2002;
5. Referral and Acknowledgment from the County Roadmaster dated August 28, 2002;
6. Notice of Public Hearing dated August 22, 2002;
7. List of people to receive notice;
8. Certificate of Mailing dated October 21, 2002;
9. Notice of Mailing staff reports;
10. DLCDC Notice of Proposed Amendment;
11. Notice published in Chronicle;
12. Notice published in the Spotlight;
13. Certificate of Mailing dated August 26, 2002;
14. Notice of completion dated August 21, 2002;
15. Notice of Public Hearing (Publication);
16. Notice of Public Hearing (Property Owner Notice);
17. Affidavit of Publication;
18. Affidavit of Mailing.

ATTACHMENT B

COLUMBIA COUNTY
BOARD OF COMMISSIONERS

Staff Report

Comprehensive Plan Amendment

HEARING DATE: December 4, 2002

FILE NUMBER: PA 03-02

APPLICANT/OWNER: Columbia Acres Water Association
P.O. Box 283
Scappoose, OR 97056

PROPERTY LOCATION: South of the City of Scappoose and west of U.S.
Highway 30, on Bonneville Drive.

TAX ACCOUNT NO. 3224-024-03200

REQUEST: A post acknowledgment plan amendment ("PAPA") to
change the Comprehensive Plan designation of the
subject property from Rural Residential to Community
Service. This request will amend the Columbia
County Comprehensive Plan Map.

APPLICATION RECEIVED: August 4, 2002

DEEMED COMPLETE: August 21, 2002

PRESENT COMPREHENSIVE
PLAN DESIGNATION: Rural Residential

PROPOSED COMPREHENSIVE
PLAN DESIGNATION: Community Service

PRESENT ZONING: (RR-5) Rural Residential - Five

PROPOSED ZONING: (CS-U) Community Service - Utility

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BACKGROUND:

The Columbia Acres Water Association proposes a Post-Acknowledgment Plan Amendment (PAPA) to change the subject property zoning and comprehensive plan designation from Rural Residential to Community Service - Utility. The purpose of this comprehensive plan amendment and zone change would be to allow them to drill a back up well for their community water system.

The subject property is generally located south of the City of Scappoose and west of Highway 30, on Bonneville Drive. The site is also known as Lots 8-11, Block 1, of Columbia Acres Part One, subdivision. Improvements on the subject property include an existing well, pump house, and two storage tanks. The majority of the property fronts an undeveloped public right-of-way called Jackson Way, however, the east corner of the site does touch the Bonneville Drive public right-of-way. Emergency services are provided to the site by the Scappoose rural Fire Protection district and the Columbia County Sheriff. The site produces community water for the neighborhood and does not contain any sewage disposal system. The subject property is not located within the Scappoose urban growth boundary. The site is within the conical surface of the Scappoose Airport Landing Field Overlay zone.

Topographically, the site could generally be described as a flat plain, with the northwest corner of the site beginning to drop off down into the Jackson Creek streambed. Vegetation on the subject property consists of mowed grass, blackberry bushes, and some forested areas. There is a ravine that leads down into Jackson Creek. The FEMA flood hazard map (41009C0482C) and the National Wetland Inventory, Dixie Mountain Quad, indicate the ravine is a floodplain and wetland area. The subject property does not touch Jackson Creek, although it appears that a portion of the northwest corner may be within the floodplain and wetland area. Staff notes that the proposed development area for the back up well will not be located within an environmentally sensitive area.

Review Criteria:

COLUMBIA COUNTY ZONING ORDINANCE

Section 1502

Zone Changes (Map Amendments):

There are two types of zone changes which will be considered by the Commission: Major Map Amendments and Minor Map Amendments.

1. Major Map Amendments are defined as Zone Changes which require the Comprehensive Plan Map to be amended in order to allow the proposed Zone Change to conform with the Comprehensive Plan. The approval of this type of Zone Change is a 2 step process:

- A. The Commission shall hold a hearing on the proposed Zone Change, either concurrently or following a hearing, on the proposed amendment to the Comprehensive Plan which is necessary to allow the proposed zoning to conform with the Comprehensive Plan. The Commission may recommend approval of a Major Map Amendment to the Board of Commissioners provided they find adequate evidence has been presented at the hearing substantiating the following:
 - 1. The proposed Zone Change is consistent with the policies of the Comprehensive Plan;
 - 2. The proposed Zone Change is consistent with the Statewide Planning Goals (ORS 197); and
 - 3. The property and affected area is presently provided with adequate facilities, services, and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.

- B. Final approval of a Major Map Amendment may be given by the Board of Commissioners. The Commissioners shall hold a hearing on the proposed Zone Change either concurrently or following a hearing on the proposed Comprehensive Plan Amendment which is necessary to allow the proposed zoning to conform with the Comprehensive Plan. The Board may approve a Major Map Amendment provided they find adequate evidence has been presented substantiating the following:
 - 1. The proposed Zone Change is consistent with the policies of the Comprehensive Plan;
 - 2. The proposed Zone Change is consistent with the Statewide Planning Goals (ORS 197); and
 - 3. The property and affected area is presently provided with adequate facilities, services, and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.

Finding 1: The applicant is requesting approval of a Post Acknowledgment Plan Amendment (PAPA) application which will change the Comprehensive Plan Map from Rural Residential to Community Service. The zoning of the subject property will change

from Rural Residential - Five (RR-5) to Community Service - Utility (CS-U). This proposed (PAPA) application will be processed as a Major Map Amendment because the request will require the official Comprehensive Plan Map to be amended. The Planning Commission will hear the matter and make a recommendation to the Board of Commissioners. The Board of Commissioners will review all testimony and make a decision to approve, approve with conditions, or deny the application. The goals and policies of the Comprehensive Plan will be reviewed later in this report. The applicant has addressed the Comprehensive Plan in the application. Staff will review the applicable Oregon Administrative Rules and Statewide Planning Goals. Staff finds that adequate facilities and services are available to the subject property to support the proposed use. The subject property will continue to be used as a community water system. The site requires electricity and access to a public road. No other public facilities or services are needed to support the site.

Continuing with Columbia County Zoning Ordinance:

1603 Quasijudicial Public Hearings:

As provided elsewhere in this ordinance, the Hearings Officer, Planning Commission, or Board of Commissioners may approve certain actions which are in conformance with the provisions of this ordinance. Zone Changes, Conditional Use Permits, Major Variances, and Temporary Use Permits shall be reviewed by the appropriate body and may be approved using the following procedures:

- .1 The applicant shall submit an application and any necessary supplemental information as required by this ordinance to the Planning Department. The application shall be reviewed for completeness and the applicant notified in writing of any deficiencies. The application shall be deemed complete upon receipt of all pertinent information. If an application for a permit or zone change is incomplete, the Planning Department shall notify the applicant of exactly what information is missing within 5 days of receipt of the application and allow the applicant to submit the missing information. The application shall be deemed complete for the purpose of this section upon receipt by the Planning Department of the missing information. [*effective 7-15-97*]

Finding 2: The applicant has submitted an acceptable application to the Planning Department. A letter indicating the application was complete was mailed on August 21, 2002.

Continuing with the Columbia County Zoning Ordinance Section 1603:

- .2 Once an application is deemed complete, it shall be scheduled for the earliest possible hearing before the Planning Commission or Hearings Officer. The Director will publish a notice of the request in a paper of general circulation not less than 10 calendar days prior to the scheduled public hearing. Notices will also be mailed to adjacent individual property owners in accordance with ORS 197.763. [effective 7-15-97]

[**Note:** ORS 197.763 requires 20 days notice (or 10 days before the first hearing if there will be 2 or more hearings), and that notice be provided to property owners within 100' (inside UGBs), 250' (outside UGBs), or 500' (in farm or forest zones).]

Finding 3: This application was scheduled for the earliest available Planning Commission hearing on October 7, 2002. The notice of the hearing will be published in the local news media on September 25, 2002. Notice of the hearing has been mailed to property owners within 250 feet of the subject property.

Continuing with the Columbia County Zoning Ordinance Section 1603:

- .3 At the public hearing, the staff, applicant, and interested parties may present information relevant to the criteria and standards pertinent to the proposal, giving reasons why the application should or should not be approved, or what modifications are necessary for approval. [effective 7-15-97]
- .4 Approval of any action by the Planning Commission at the public hearing shall be by procedure outlined in Ordinance 91-2. [effective 7-15-97]

Finding 4: The Planning Commission will hear testimony from all interested parties following the standard public hearing procedures.

Continuing with Columbia County Zoning Ordinance:

1604 Appeal:

The decision to approve or deny an application in a quasijudicial hearing may be appealed as provided in Section 1700.

Finding 5: The Planning Commission will make a recommendation to the Board of Commissioners who will hold a public hearing, take testimony, and make a final decision. Appeals will be to the State Land Use Board of Appeals (LUBA).

Continuing with Columbia County Zoning Ordinance:

Section 1605 **Zone Change - Major Map Amendment:**

The hearing for a major map amendment shall follow the procedure established in Sections 1502, 1502.1, 1502.1A and 1502.1B. This hearing cannot result in the approval of a major map amendment. The Commission may make a recommendation to the Board of Commissioners that such a zone change be granted. Approval by the majority of the Commission is necessary in order to make recommendation to the Board of Commissioners. The Board of Commissioners hearing on the proposed zone change - major map amendment will be on the record unless a majority of the Board votes to allow the admission of new evidence.

Finding 6: The hearing for this PAPA application which is a major map amendment will follow the above mentioned procedures. The Planning Commission will hold a public hearing on October 7, 2002, and make a recommendation to the Board of Commissioners. The Board of Commissioners will then hold a hearing and make a formal decision to allow, allow with conditions, or prohibit the amendment.

Continuing with Columbia County Zoning Ordinance:

Section 1607 **Consistency with the Comprehensive Plan:**

All amendments to the Zoning Ordinance Text and Map shall be consistent with the Comprehensive Plan Text and Maps.

- .1 The Commission shall hold a hearing to consider the proposed amendments and shall make a recommendation to the Board of Commissioners with regard to the proposed amendments. The Board of Commissioners shall hold at least one hearing to consider the proposed amendments. Both the Commission and the Board of Commissioners hearings will require notice in the manner outlined in Section 1611.

Finding 7: The scope of review for a PAPA application is specifically limited by state law and OAR Chapter 660, Division 04. The applicant proposes to amend the Comprehensive Plan designation of the site to Community Service to allow the site to be rezoned to Community Service - Utility, in order to drill a back up well for the existing community water service. Notice of the Planning Commission hearing and the Board of Commissioners hearing will follow the standards of Section 1611.

Continuing with Columbia County Zoning Ordinance:

1608 **Contents of Notice:**

Notice of a quasijudicial hearing shall contain the following information:

- .1 The date, time, and place of the hearing;
- .2 A description of the subject property, reasonably calculated to give notice as to the actual location, including but not limited to the tax account number assigned to the lot or parcel by the Columbia County Tax Assessor;
- .3 Nature of the proposed action;
- .4 Interested parties may appear and be heard;
- .5 Hearing to be held according to the procedures established in the Zoning Ordinance.

Finding 8: The Columbia Acres Water Association has requested to change the County Comprehensive Plan designation and zoning designation on Lots 8-11, Block 1, of the Columbia Acres part One Subdivision. The request will quasi-judicially change the Comprehensive Plan designation from Rural Residential to Community Service. The request will be reviewed as a quasi-judicial plan amendment to be heard by the Planning Commission for recommendation and decided by the Columbia County Commissioners. Notice of the Planning Commission hearing will be published in local news media on September 25, 2002, prior to the October 7, 2002, Planning Commission hearing.

COLUMBIA COUNTY COMPREHENSIVE PLAN:

Part VI **HOUSING**

GOAL: To provide for the housing needs of the citizens of the County by allowing adequate flexibility in housing location, type, and density.

POLICIES: It shall be a policy of the County to:

1. Encourage an adequate housing supply by providing adequate opportunity for the development of new housing units and supporting the rehabilitation of the existing housing units when feasible.

2. Develop land use designations that provide for a wide range of housing units.
3. Provide adequate land inside the urban growth boundaries to meet housing needs and to provide for a wide range of urban housing choices.
4. Encourage development which will provide a range of choices in housing type, densities, price, and rent ranges throughout the County.
5. Encourage the development of Planned Developments which provide a range of housing types.
6. Insure there is an adequate supply of zoned land available in areas accessible to employment and public services to provide a choice of type, location, density, and cost of housing units commensurate to the needs of County residents.
7. Encourage the full utilization of urban lands by providing for development of undersized lots and increasing allowable densities in urban service areas which have excess public facility capacity or potential for cost efficient expansion.
8. Encourage, through the provision of bonus density, increases in the use of planned unit development to cluster structures and protect areas with open space or wildlife habitat values having County or area-wide significance.
9. Allow the siting of mobile homes anywhere a single-family dwelling is allowed.
10. Assist all the appropriate organizations and individuals in their efforts to provide housing which meets the needs of the low income, elderly, and handicapped residents of the County, and to rehabilitate the existing housing stock.
11. Allow the development of a permitted residential use on a lot of record under single ownership if it meets all the sanitation regulations and all other applicable County codes and ordinances.
12. Encourage the in-filling of urban growth boundary areas.

Finding 9: The above housing policies are not applicable to the subject property. It should be noted that this property is used as a community water source to serve a residential subdivision that provides housing opportunities to Columbia County citizens.

Continuing with the Columbia County Comprehensive Plan:

Part VII **RURAL RESIDENTIAL**

GOAL: It is the goal of the County to provide for the continuation and needed expansion of Rural Residential uses on those resource lands where a valid exception can be, or has been shown to be, justified.

POLICIES: It shall be a policy of the County to:

1. Designate as Rural Residential in the Plan those lands for which a valid exception has been, or can be shown to be, justified, and implement this plan designation through the use of Rural Residential zones. *[amended 11-98]*
2. Designate as Rural Residential in the implementing ordinances those lands which:
 - A. Meet the criteria for a valid exception as set out in OAR 660-04-025 or OAR 660-04-028.
 - B. Do not meet the criteria for being included in the Rural Center Designation.
3. Establish a Rural Residential Zone with a 5-acre minimum lot or parcel size where such lands: *[amended 11-98]*
 - A. Must rely on a private water system to serve the property.
 - B. Must rely on a private sewage disposal system to serve the property.
 - C. Have access onto a public or private right-of-way meeting applicable County Road Standards. *[amended 11-98]*
 - D. May or may not be within a rural fire protection district. *[amended 11-98]*
4. Establish a Rural Residential Zone with a 2-acre minimum lot or parcel size, where such lands will not create "spot zoning" (a relatively small area with different zoning than its surroundings) and, as determined by the County: *[amended 11-98]*
 - A. Are within an existing public or community water district providing adequate domestic and fire flow water. *[amended 11-98]*
 - B. Have soils capable of accommodating a subsurface septic system. *[amended 11-98]*

- C. Have access onto a public right-of-way meeting applicable County Road Standards. *[amended 11-98]*
 - D. Are within, and can be served by a rural fire protection district. *[amended 11-98]*
 - E. A 2-acre minimum parcel size is appropriate to maintain the rural character of the area. *[added 11-98]*
 - F. The conversion complies with the Oregon Administrative Rule requirements for an exception to Goal 14. *[added 11-98, amended 11-2000]*
- 5. Encourage the in-filling of existing built and committed lands for new residential development.
 - 6. Encourage rural growth in exception areas where facilities and services such as adequate transportation networks, school facilities, fire districts, water and police services, etc. already exist so as to minimize costs of providing such services to these areas.
 - 7. Require a buffer between Rural Residential development and adjacent resource lands.
 - 8. Evaluate capacities of community water sources providing water to residential areas on a periodic basis to determine source stability in comparison to anticipated growth. *[added 11-98][previous #8 deleted]*

Finding 10: The majority of the above policies are not applicable to this application. The subject property is within an acknowledged exception area that is zone Rural Residential - Five. This PAPA will remove Lots 8-11, Block 1, of Columbia Acres Part One subdivision from potential residential use. Staff finds that since these lots were already owned by the water association and in use supplying the remainder of the subdivision with domestic water, that these lots were really never available for rural residential use in the first place. Staff finds that changing the subject property to Community Service will better serve the needs of the surrounding rural residential uses and therefore is consistent with the above policies. The ultimate goal of this application is to allow a secondary back up well to be installed to provide a more stable source of community water to the residents of the subdivision.

Continuing with the Columbia County Comprehensive Plan:

Part IX URBANIZATION

GOAL: To create and maintain the urban growth boundaries based upon the consideration of the following factors:

1. Demonstrated need to accommodate long range urban population growth requirements consistent with LCDC goals.
2. Need for housing, employment opportunities, and livability.
3. Orderly and economic provision for public facilities and services.
4. Maximum efficiency of land uses within and on the fringe of the existing urban area.
5. Environmental, energy, economic, and social consequences.
6. Retention of agricultural lands as defined, with Class I being the highest priority for retention and Class VI the lowest priority.
7. Compatibility of the proposed urban uses with nearby agricultural activities.

POLICIES: It shall be a policy of the County to:

1. Provide an orderly and efficient transition from rural to urban land use.
2. Utilize the area in the urban growth boundaries with the most efficient manner of service expansion.
3. Minimize the number of new special districts inside the urban growth boundaries.
4. Accommodate the growth projected for urban areas to the year 2000.
5. Minimize the conflicts between urban and rural land uses.
6. Control development within the limitation of the public's ability to provide services.
7. Develop managing techniques with the incorporated cities.
8. Locate major public and private developments where they will not encourage residential growth outside the designated boundary.
9. Provide direction for developers to utilize land within the boundary in the most efficient manner.
10. Review the supply of buildable lands within the urban growth boundaries in cooperation with the cities, during each major review of the County's plan. The process of expanding the urban growth areas may begin when there is less than a five (5) year supply of residential land or when 75% of the industrial or commercial lands are built upon.

11. Not to form new special districts within the urban growth boundaries unless the services are compatible with the plans of the cities for the provision of services within the urban growth boundaries.
12. Have mutually agreed upon land use designations with each city.
13. Review all subdivision plats in the urban growth boundaries to insure the establishment of a safe and efficient road system.
14. Support the annexation by cities in accordance with the State statutes.
15. Support the development of Local Improvement Districts (LIDs) to develop local services.
16. Coordinate the development of facilities by existing special districts to insure coordination with city plans.
17. Adopt the urban growth boundaries, and those portions of the adopted comprehensive plans relating to the unincorporated urban growth areas, for the municipalities of Clatskanie, Columbia City, Rainier, Scappoose, St. Helens, and Vernonia.
18. Coordinate population projections at the time of the first periodic review of the County or any city plan, based upon the projections of a regionally accepted population forecast, such as the studies prepared by the Portland State University and the BPA. The County's projection will be within 10% of the regionally accepted projection and the incorporated cities' projections will be allocated on a jurisdiction by jurisdiction basis.
19. Existing population projections for the unincorporated areas will not be used as a basis for residential needs exception.
20. Limit development outside of urban growth boundaries to densities which do not require an urban level of public facilities or services.

Finding 11: The subject property is not located within an urban growth boundary. The above policies are not applicable to this application. The purpose of the application is to allow the existing community water system to be upgraded. Adding a second well will create redundancy and will limit interruption of service during scheduled maintenance of the primary well. This PAPA application will not increase the service area of a special district outside of urban growth boundaries. The Columbia Acres Water Association is currently existing and will not be expanded by this application.

Continuing with the Columbia County Comprehensive Plan:

Part X ECONOMY

GOALS:

1. To strengthen and diversify the economy of Columbia County and insure stable economic growth.
2. To utilize Columbia County's natural resources and advantages for expanding and diversifying the economic base.

POLICIES: It shall be a policy of the County to:

1. Encourage the creation of new and continuous employment opportunities
2. Encourage a stable and diversified economy.
3. Reflect the needs of the unemployed and of those persons who will enter the labor market in the future.
4. Place the County in the position of being able to respond to market opportunities by providing technical assistance in locating available sites for development.
5. Encourage the activity of the community organizations which work for sound economic development.
6. Preserve prime maritime industrial sites from pre-emptive uses until needed for industrial uses.
7. Protect identified aggregate resources until they are extracted, and plan for the reclamation and future productive uses of those sites.
8. Reserve valuable industrial sites for industrial uses.
9. Encourage the trade and service sectors and the recreation industry to insure greater revenue spending locally.
10. Support improvements in local conditions in order to make the area attractive to private capital investment. Consideration of such factors as the following shall be undertaken:

- A. Tax incentives
 - B. Land use controls and ordinances
 - C. Capital improvements programming
11. Coordinate with public utility companies to insure energy supplies are available to areas programmed for development and redevelopment.
 12. Encourage new industrial growth within the urban areas so as to utilize existing public facilities.
 13. Encourage industry which needs or can benefit from the locational advantages of an airport and its facilities, to locate adjacent to one of the airports in the County. Create an Airport Industrial district to facilitate this policy. *[added 7-93]*

Finding 12: Staff finds the above policies not applicable to this proposed application. There will be no community economic benefit from allowing this application to change the zoned from RR-5 to CS-U. There may be some short term economic benefit for the well driller who will drill the back up well. Members of the Columbia Acres Water Association may see some long term economic benefits from having a more stable water supply. These benefits would be hard to quantify because most people naturally expect their water supply to be stable and don't really think about it until there is a problem.

Continuing with the Columbia County Comprehensive Plan:

Part XIII TRANSPORTATION

GOAL:

The creation of an efficient, safe, and diverse transportation system to serve the needs of Columbia County residents.

OBJECTIVES:

1. To utilize the various modes of transportation that are available in the County to provide services for the residents.
2. To encourage and promote an efficient and economical transportation system to serve the commercial and industrial establishments of the County.
3. To improve the existing transportation system.

POLICIES:

1. The County shall undertake the development of a detailed transportation plan that should contain the following minimum elements:
 - A. The development of a road classification system.
 - B. The development of road standards for all different types of roads over which the County has jurisdiction.
 - C. The location of future arterial streets inside the urban growth boundaries.
 - D. Review the status of all county roads.
 - E. A review of all incorporated rights-of-way and a determination of whether or not the County should pursue the vacation of them.
 - F. A study of ways to maintain and upgrade the current county road system.
2. The dedication of adequate rights-of-way to meet the standards set in the Transportation Plan shall be required of any person seeking a Zone Change, Conditional Use Permit, Subdivision, or Partition. The developer of a subdivision in an urban growth area will be required to make the appropriate improvements to any related street to meet the standards set in a Transportation Plan.
3. Appropriate off-site improvements to county roads shall be required whenever a development results in a major increase in traffic on an existing county road.
4. The County will work with the State Highway Department to limit the number of access points onto arterial roads. Direct access to U.S. Highway 30 will be limited as much as is practical in order to reduce the potential for congestion and conflicting traffic patterns which would disrupt the flow of traffic.
5. Industrial uses shall be encouraged to locate in such a manner that they may take advantage of the water and rail transportation systems which are available to the County.
6. The County will support reducing the number of rail crossings.
7. The County will work with the Port of St. Helens to encourage the establishment and use of dock facilities.
8. The two existing airports, in Scappoose and Vernonia, will be zoned with a landing field overlay zone that incorporates the height restrictions set by the Federal Aviation Administration. It will allow the development of airport related industrial uses.

9. Restriction of the location of new pipelines and high voltage transmission lines to within existing rights-of-way will be encouraged whenever possible.
10. The County will study proposals, when presented, to develop modes of transportation as an alternative to the automobile. If these proposals prove to be feasible, the County will work to implement them.
11. Columbia County will continue to support the efforts of COLCO Transportation to supply public transit to the citizens of the County.
12. Special attention will be given to the needs of the handicapped whenever the County considers a proposal for the provision of public transit.

Finding 13: Staff finds the above transportation policies are not applicable to this PAPA application. Changing the Comprehensive Plan and Zoning designations of the subject property from Rural Residential to Community Service - Utility should have no effect on any transportation system.

Continuing with the Columbia County Comprehensive Plan:

Part XIV PUBLIC FACILITIES AND SERVICES

GOAL:

To plan and develop a timely, orderly, and efficient arrangement of public services as a framework for urban and rural development.

Finding 14: In this case there is already a timely and orderly framework of public facilities for the Columbia Acres neighborhood which is a rural development. The members of the water association are requesting to make the public facility (water system) more efficient by adding a backup well to the existing system. This will be accomplished by changing the zone of the Water Association property from Rural Residential to Community Service - Utility.

Continuing with the Comprehensive Plan - Public Facilities and Services Policies:

POLICIES: It shall be County policy to:

1. Require that adequate types and levels of public facilities and services be provided in advance of or concurrent with development.
2. Require that the level of facilities and services provided be appropriate for, but limited to, the needs and requirements of the area(s) to be served. The types and level of public facilities allowed within Rural Residential, Rural Center, Existing Commercial, and Rural Industrial areas are:

- A. Public or community water systems.
- B. Public or community sewage systems.
- C. Collector and/or arterial street systems.
- D. Fire protection by a rural fire protection district, or an equivalent level of service.

Development of public or community water and sewer facilities is not appropriate within forestry or agricultural areas unless needed to alleviate a demonstrated health hazard, and where such facilities are the minimum level to accomplish the task. Urban levels of streets and fire protection are also inappropriate within forestry and agricultural resource areas.

Finding 15: Staff finds this application is consistent with the above criteria. Specifically, it is found that the Columbia Acres Water Association has been established concurrently with the development of the subdivision. Furthermore, as indicated above, a community water system is an appropriate level of public facility for a Rural Residential area. In this case, amending the Comprehensive Plan and Zoning designation of the property to Community Service - Utility, will better serve the existing rural residential neighborhood by allowing upgrades to the community water system.

Continuing with the Comprehensive Plan - Public Facilities and Services Policies:

- 3. Approve development only when found to be in accordance with the standards set out in the Columbia County Subdivision and Partitioning Ordinance.
- 4. Encourage new development on lands within urban growth boundaries or built and committed exception areas.

Finding 16: Staff finds the above criteria are not applicable. This application does not request to divide land and the site is not located within an urban growth boundary. Further, this request is not for new land development but rather to change a zoning classification in order to upgrade an existing community water system that is currently located on the subject property.

Continuing with the Comprehensive Plan - Public Facilities and Services Policies:

- 5. Coordinate public facilities and services planning with affected service districts and/or agencies.

Finding 17: This application was brought to the County by the Columbia Acres Water Association which operates the community water system for the Columbia Acres Neighborhood.

Continuing with the Comprehensive Plan - Public Facilities and Services Policies:

6. Manage and coordinate the collection and disposal of solid waste through application of the County Solid Waste Management Ordinance.
7. Encourage solid waste collectors to expand the opportunities for recycling of solid waste by households and businesses.
8. Pursue establishing a solid waste landfill site.

Finding 18: Staff finds the above solid waste policies are not applicable to this PAPA application.

Continuing with the Comprehensive Plan - Public Facilities and Services Policies:

9. Direct new development into areas where services exist or are proposed within a reasonable time frame.
10. Conduct planning and policy review meetings with service providers at least every two (2) years.
11. Review facility plans for urbanizable areas to assure proper coordination of facilities consistent with the long-range plans and procedures established within the urban growth management agreements.
12. Establish agreements with service providers to assure:
 - A. Review of development proposals.
 - B. Review of proposed service extension or facility expansion proposals.
 - C. Policies exist for service district annexations.
 - D. Coordination of capitol improvement programs.
 - E. Consistency of services with plan policies.
 - F. Current and future service areas or customers are defined.

13. Support a level of fire safety and service in all areas of the County sufficient to minimize the risk of fire damage to life and property.
14. Involve the school districts in the planning process by requiring notification to the appropriate school district of all land use requests likely to impact their facilities.
15. Integrate schools with land use, transportation, recreation, and other community objectives and plans in order to realize their optimum value to the community.
16. Work with the appropriate agencies to ensure adequate levels of health care exist for county residents.
17. Work with the appropriate agencies to encourage support services and programs for the elderly and handicapped.

Finding 19: Staff finds the above criteria are not applicable to this application but are general policies for the County to follow with regards to public facilities planning efforts.

Continuing with the Comprehensive Plan - Public Facilities and Services Policies:

18. Designate parcels supporting public and private facilities and services as Community Service in the Comprehensive Plan and implement this plan designation through the use of three (3) zoning designations:
 - A. Community Service Utility - CSU
 - B. Community Service Institutional - CSI
 - C. Community Service Recreation - CSR

(See Zoning Ordinance for types of uses allowed in each zone.)

Finding 20: Staff finds that this parcel should be designated as Community Service - Utility as it is currently used to support a private water system (Columbia Acres Water Association).

Continuing with the Comprehensive Plan - Public Facilities and Services Policies:

19. Designate as Community Service Utility (CSU) those lands that:

- A. Support various types of public and private utility facilities existing as of the date of this ordinance; or,
- B. Are needed to support public and private utility facilities which can be shown to satisfy the minimum standards set out in the implementing ordinances.

Finding 21: Staff finds that it would consistent with the above Comprehensive Plan policy to designated the subject property as Community Service - Utility because the site is currently used as a private utility facility for the Columbia Acres Water Association. The Columbia Acres Water Association is needed to support the Columbia Acres neighborhood with domestic water service.

Continuing with the Comprehensive Plan - Public Facilities and Services Policies:

- 20. Designate as Community Service Institutional (CSI) those lands that:
 - A. Support various types of public and private institutional facilities existing as of the date of this ordinance; or,
 - B. Are needed to support public and private institutional facilities which can be shown to satisfy the minimum standards set out in the implementing ordinances.
- 21. Designate as Community Service Recreational (CSR) those lands that:
 - A. Support various types of public and private recreational facilities existing as of the date of this ordinance; or,
 - B. Are needed to support public and private recreational facilities which can be shown to satisfy the minimum conversion standards set out in the implementing ordinances.

Finding 22: Staff finds that the above criteria are not applicable to this application. This application requests a Community Service - Utility zoning designation and has nothing to do with institutional or recreational uses.

Continuing with the Columbia County Comprehensive Plan:

Part XVI **GOAL 5: OPEN SPACE, SCENIC, AND HISTORIC AREAS, AND NATURAL AREAS.**

OPEN SPACE

GOAL:

To conserve open space in Columbia County.

POLICIES: It is the policy of the County to:

1. Recognize the economic and aesthetic value of open space as it relates to planning for agriculture, forestry, wetlands, and other open space resources.
2. Encourage the design of residential development to include park areas and corridors of open space along streams, waterways, cliffs, and other special features by using clustering and other development techniques.
3. Recognize the need for public access to the Columbia River and other scenic and recreational features. The County will work with commercial, industrial, and residential developers to promote public use and provide public access to these features whenever possible.

Finding 23: The above criteria are not applicable to the PAPA application. It should be noted that the majority of the site is maintained as open space since the well, pump house and water storage tanks take up a relatively small amount of space on the subject property.

Continuing with the Comprehensive Plan - Goal 5 Policies:

SURFACE MINING

GOAL:

To protect and utilize appropriately the mineral and aggregate resources of Columbia County.

POLICIES: It is the policy of the County to:

1. Develop an on-going program to determine the quality, quantity, location, and type of mineral and aggregate resources in the County so that up-to-date material will be available to make informed decisions.
2. Consider the preservation of aggregate material in all its land use actions.

3. Pay special attention to any development adjacent to mineral and aggregate resources and take the necessary steps to minimize the impacts of development on these resources.
4. Recommend the establishment of an ad hoc committee to review inactive and undeveloped sites identified in the surface mining inventory and make recommendations as to whether or not the sites should be zoned Surface Mining (SM) and protected upon application of the Goal 5 process.
5. Designate as Surface Mining (SM) those sites with current active mining and land reclamation permits as of January 20, 1984 and the one inactive but proposed 700-acre site in the Scappoose area. Change, upon completion of mining activities, those sites that will revert to uses as indicated in the reclamation plan or to uses compatible with surrounding lands.
6. Designate new mining deposits not shown on the existing inventory as Surface Mining when a report is obtained from a certified geologist, engineer/geologist, or qualified engineering testing firm verifying the location, type, quality, and quantity of the material and when other steps of the Goal 5 process are satisfied.
7. Encourage timely utilization of mining resources to protect the site from incompatible development on adjacent lands.
8. Require that all sites proposed for surface mining be inventoried for their archaeological significance in accordance with standards set by the State Archaeologist. If an archaeological site(s) is discovered, the Planning Commission shall hold a public hearing to review the site(s) and establish measures to mitigate potential conflicts as necessary.
9. Retain in its possession lands it now owns which contain aggregate material. The County may permit private operators to mine county materials.
10. Require that proposals for new extraction operations be accompanied by detailed plans of the method of operation and assurances that the area will be suitably reclaimed for uses designated by the plan.
11. Require that once mining and/or associated activities (i.e. rock crushing) have begun they shall be in accordance with state standards and any more stringent standards that the County may enact. In particularly sensitive areas, such as forestry, residential, agricultural, or wildlife habitat, the mining and associated operations shall be subject to more restrictive standards to keep noise, dust, erosion, and other hazards to a level compatible with the adjacent uses. Such standards may include requirements for barrier isolation, setbacks, operating times, concomitant reclamation, limits to active mining area, mining lifetime, water quality, and restrictions on on-site processing.

12. Prohibit extraction of sand and gravel from rivers and streams unless appropriate regulating agencies such as the Oregon Department of Environmental Quality, Department of Fish and Wildlife, Oregon State Land Board, Division of State Lands, Corps of Engineers, and Columbia County are in agreement and there is no other economically feasible alternative.
13. Make all possible efforts to insure the retention of riparian habitat, the prevention of erosion and sedimentation, and maintenance of the water quality which exists prior to extraction operations.
14. Insure that extraction operations approved by the County and other regulating agencies do not screen and wash within any river or stream. In addition, settling ponds shall not discharge directly into any watercourse.
15. Require, as a minimum standard, that extractive industries have access to a public road with two-way capability. As allowed by ORS 487.905, the County may impose weight/load restrictions and may also require the operator to post an adequate surety bond for road repairs.
16. Encourage DOGAMI to conduct a comprehensive inventory of the mineral resources. Upon completion of this study, the County shall up-date zoning and other implementary ordinances to accommodate newfound resources.
17. Prohibit new or expanded mineral or aggregate mining operations within 5,000 feet of the edge of a runway at Scappoose industrial Airpark. [Added by Ordinance No. 2000-04 effective 11/13/00].
18. Prohibit new or expanded water impoundments greater than or equal to one-quarter (1/4) acre in size, individually or cumulatively, within 5,000 feet of the edge of a runway at the Scappoose Industrial Airpark. [Added by Ordinance No. 2000-04 effective 11/13/00].

Finding 24 Staff finds that none of the Surface Mining policies are applicable to this site. The subject property has not been designated as a Goal 5 Aggregate Resource. Furthermore, this PAPA application does not request approval to conduct surface mining operations or amendments to a comprehensive plan or zoning designation that allows surface mining.

Continuing with the Comprehensive Plan - Goal 5 Policies:

FISH AND WILDLIFE HABITAT

GOAL:

To protect and maintain important habitat areas for fish and wildlife in Columbia County.

POLICIES: It is the policy of the County to:

1. Encourage the provision and acquisition of public access both to and along rivers, streams, and lakes for the release of fish and recreational enjoyment of County residents.
2. Protect significant nesting habitat from the adverse effects of logging and other land use practices.
3. Manage its spraying programs to minimize adverse effects on water quality and fish and wildlife habitat.
4. Support preferential taxation methods and density transfers to encourage retention of riparian habitat, brushy fence rows, and wetlands on private lands.
5. Protect habitat areas identified as sensitive for the Northern Bald Eagle, Northern Spotted Owl, Great Blue Heron, and Band-tailed Pigeon from activities that would either destroy or result in the abandonment of the sensitive habitat area.
6. Cooperate with the Oregon Department of Fish and Wildlife to better identify sensitive habitat areas for fish and wildlife, and adopt implementing measures for their protection.
7. Rely on coordination provided by the Cooperative Agreement between the Board of Forestry and the Oregon State Fish and Wildlife Commission to resolve conflicts between forest operations and sensitive nesting habitat on forest lands. For sites not covered by this agreement, the Forest Practices Act and Rules shall be administered to protect these sites through management plans between affected property owners and appropriate State and Federal agencies.
8. Rely on the State Department of Water Resources to insure that minimum streamflow standards are established and maintained in all streams to insure a productive fish habitat and protect aquatic life.

9. Encourage the use of nonstructural methods of bank stabilization in areas experiencing accelerated soil loss.
10. Prohibit diversion or impoundment of stream courses, which adversely impact fish and wildlife habitat.
11. Notify the Oregon Department of Fish and Wildlife (ODFW) and U.S. Fish and Wildlife (USFW) of all proposed uses or activities that have the potential to adversely affect habitat and recovery of the Columbian White-tailed deer. If it is determined that habitat and recovery will be affected, the property owner shall work with ODFW and USFW to develop a management plan to protect the deer.
12. Cooperate with the Oregon Department of Fish and Wildlife to ensure that future development does not unduly conflict with major and peripheral big game range, by:
 - A. Designating the majority of major and peripheral habitat areas as Primary Forest (PF-38), Forest-Agriculture (FA-19), and Primary Agriculture (PA-38). These zones encourage resource activities and limit potential conflicting uses.
 - B. Limiting development in major and peripheral habitat areas to a density recommended by the Oregon Department of Fish and Wildlife. Where densities of 1 unit per 38 acres in major habitat, or 1 unit per 19 acres in peripheral habitat, are allowed, dwellings shall be sited using clustering technique. Clustering incorporates all of the following, as applicable to the situation:
 - 1) Locating dwellings and structures near each other and existing roads;
 - 2) Locating dwellings and structures to avoid habitat conflicts and utilize least valuable habitat areas; and
 - 3) Minimize road development to that necessary to support the residential use.
 - C. Requiring that areas disturbed for residential use in critical habitat areas be re-vegetated with natural plantings within a reasonable time after vegetation removal.
 - D. Limiting non-forest and non-farm dwellings within major and peripheral habitat areas to individual lots or parcels where it can be shown that:

1. The dwelling shall be located to avoid habitat conflicts and utilize least valuable habitat areas;
 2. The site shall be limited in size to that area suitable and appropriate for residential use; and
 3. Road development shall be the minimum necessary to support residential use.
 4. Dwelling density shall not exceed that defined in (B.) above.
13. Designate as impacted those "built and committed" areas which, because of existing levels of land use, are no longer considered viable big game habitat. Areas zoned Rural Residential have densities exceeding the Oregon Department of Fish and Wildlife acceptable density standards and are considered impacted.
 14. Require the owner or occupant of a dwelling sited in major or peripheral habitat to assume the responsibility for protecting the property from wildlife damage.

Finding 25: Staff finds that none of the above Fish and Wildlife policies apply to the subject property. The subject property does not contain any streams or waterways. The subject property may contain some riparian vegetation along the north portion of the site, however, no development of this area is proposed. In addition, the subject property has not been designated in the Comprehensive Plan as a property that may contain any sensitive wildlife habitat.

Continuing with the Comprehensive Plan - Goal 5 Policies:

WATER RESOURCES

GOAL:

To protect and maintain the quality of water resources in Columbia County.

POLICIES: It shall be the policy of Columbia County to:

1. Cooperate and coordinate with State and Federal agencies in assuring the maximum beneficial use of all water areas in the County.
2. Coordinate its actions with water quality planning and implementation activities carried out by such State agencies as the Department of Environmental Quality, the Soil and Water Conservation Commission, the Department of Forestry, and the Department of Water Resources.

Finding 26: Staff finds that the Oregon Department of Water Resources has been notified of this proposal and that they have responded with comments. Columbia County will coordinate with the State Watermaster and require the applicant to apply for a water right permit as requested by the District Watermaster.

Continuing with the Comprehensive Plan - Goal 5 Policies:

3. Protect areas significant for the recharge of groundwater resources such as wetlands and riparian areas.
4. Cooperate with appropriate State and Federal agencies to inventory and assess groundwater resources and their uses and establish standards to protect and maintain these natural resources.
5. Protect groundwater supplies in rural, agricultural, and forest areas through large minimum lot densities.
6. Cooperate with appropriate State and Federal agencies to monitor the quality and levels of groundwater resources in the County.
7. Work with appropriate State and Federal agencies to address the economic, social, environmental, and energy consequences of developing potential surface storage reservoirs in the County, including those sites presently determined 1(B). When information is available, the County shall apply the Goal 5 rule to potential sites and update zoning and other ordinances to address them when appropriate.

Finding 27: Staff finds that this PAPA application to change the comprehensive plan and zoning designation of the subject property should have no effect on existing groundwater resources. While the subsequent development of a secondary back up well may effect the groundwater resources of the area, it will be up to the Oregon Water Resources Department to administer. Staff does not expect any significant negative impacts from the second well since it will only be used as a back up to the primary well and not to provide new water connections. There are some wetlands on the subject property however this application does not propose any specific development actions that would impact them. This application also does not propose any surface water storage reservoirs. All appropriate agencies will be coordinated with the development of a secondary back up well on the site.

Continuing with the Comprehensive Plan - Goal 5 Policies:

8. Encourage strict enforcement of the Forest Practices Act to protect riparian vegetation along Class I streams and lakes and Class II streams affecting Class I streams from potential adverse effects of forest practices.
9. Protect riparian vegetation along streams and lakes by requiring appropriate setbacks for nonwater-dependent uses and standards for removal of riparian vegetation.
10. Maintain rivers and streams in their natural state to the maximum extent practicable through sound land and water management practices. Consideration shall be given to natural, scenic, historic, economic, cultural, and recreational qualities of the rivers and adjacent lands.
11. Require that all development be planned, designed, constructed, and maintained so as to avoid the probability of accelerated erosion; pollution, contamination, or siltation of lakes, rivers, and streams; damage to vegetation; or injury to fish and wildlife habitats.
12. Minimize the removal of trees and other native vegetation that stabilize hillsides, retain moisture, reduce erosion, siltation and runoff, and preserve their natural scenic character.
13. Apply erosion and sediment reduction practices in riparian areas to assist in maintaining water quality.

Finding 28: The subject property does not contain any streams. Riparian vegetation may be found in the northwest corner and possibly along the north boundary line of the subject property. The development of the second well would have no impact on existing riparian vegetation. The only vegetation that would be removed would be Blackberry bushes. Staff finds that none of the above criteria would apply to this application.

Continuing with the Comprehensive Plan - Goal 5 Policies:

14. Protect marches, swamps, and other wetlands from filling, draining, or other alterations which would destroy or reduce their biological value.
15. Support appropriate State and Federal agencies in their efforts to inventory wetland resources in the County. The County shall determine the significance of newly found resources and up-date zoning and other implementing ordinances to protect them when appropriate.

Finding 29: Staff finds the above criteria are not applicable to this application. This PAPA application and proposed back up well, will have no effect on existing wetlands in the area. Further, policy 15 applies to County coordination and administration of wetland resources which are not relevant to this application.

Continuing with the Comprehensive Plan - Goal 5 Policies:

16. Protect municipal water supplies and the quality of water resources in general, by zoning undeveloped resource lands for resource use.

Finding 30: Staff finds that the subject property is a developed water resource and that the best way to protect the water resource would be to zone the site Community Service - Utility.

Continuing with the Comprehensive Plan - Goal 5 Policies:

HISTORIC AND CULTURAL AREAS

GOAL:

To encourage the preservation and maintenance of cultural and historical sites, and to identify and preserve new sites.

POLICIES: It is the policy of the County to:

1. Recommend the establishment of an Ad Hoc Historical Sites Committee to review the historical sites and structures in the County and make recommendations as to whether or not the sites should be designated as such and protected. The County shall encourage the committee to seek ways to provide historic markers to identify the designated sites and literature to explain and describe them.
2. Support the State Historic Preservation Office in their efforts to conduct systematic surveys of archeological sites in the County.
3. Apply an Historic Overlay District to sites and structures in the County of historical significance. Initially, the Overlay District shall apply only to sites determined (1C) and described in the Plan. Other potentially significant historical sites, including those determined (1B), shall be inventoried. Upon completion of this study, the County shall proceed through the Goal 5 process for new found areas and up-date zoning and other implementing ordinances to accommodate them.

Finding 31: Staff finds that there are no protected historic sites, listed in the comprehensive plan, located on the subject property.

Continuing with the Columbia County Comprehensive Plan:

Part XVIII AIR, LAND, AND WATER RESOURCES

GOAL:

To maintain and improve land resources and the quality of the air and water of the County.

POLICIES: It shall be the policy of Columbia County to:

1. Work with the appropriate State and Federal agencies to insure that State and Federal water, air, and land resource quality standards are met.
2. Comply with all applicable State and Federal standards and regulations regarding noise pollution.

Finding 32: The applicant will be required to apply for a State Water Right permit from the Oregon Water Resources Department, for the second well.

Continuing with the Columbia County Comprehensive Plan:

Part XIX NATURAL DISASTERS AND HAZARDS

FLOOD PLAIN

GOAL:

Eliminate or reduce the economic and social costs created by flood-caused damages.

POLICIES:

1. Columbia County will participate in the National Flood Insurance Program administered by the Federal Emergency Management Agency (FEMA).
2. Any new development within the flood plain shall be designated to avoid damage from flooding and to minimize the damage potential to other developments or properties.
3. Open space uses such as recreation or agriculture shall be encouraged within identified flood plain areas.

4. Subdivisions proposed to be located within an identified flood plain area shall be encouraged to use lands outside of the flood plain through use of P.U.D.s and clustering.
5. Development in areas subject to flooding shall be permitted only in accordance with the provisions of the Flood Hazard (FH) Overlay Zone. The FH Overlay Zone shall be applied to all areas subject to periodic flooding at a frequency estimated to occur once every hundred years or more, as shown on FEMA's most recent Flood Hazard Boundary Maps for Columbia County. Columbia County's Flood Hazard Overlay Zone shall be based on and consistent with the applicable portions of Section 60.3 of FEMA regulations governing the National Flood Insurance Program.
6. Retain and restore natural or other suitable vegetation adjacent to waterways.
7. Emergency repairs involving roads and bridges within flood plain areas shall be allowed providing the repairs do not extend beyond the original bank line. Such emergency repairs shall be subject to the requirements outlined in OAR 141-85-280. Upon receipt of an approved emergency permit by the Division of State Lands, the County shall notify the local Citizen Planning Advisory Committee of the action to be undertaken.

Finding 33: Staff finds the above criteria are not applicable to this application. No development is proposed within a flood hazard area. See FEMA flood hazard map 41009C0482C.

Continuing with the Comprehensive Plan - Natural Disasters & Hazards Policies:

HAZARDOUS AREAS

GOAL:

To protect life and property from natural disasters and hazards.

POLICIES: It shall be a policy of the County to:

1. Require compliance with Chapter 70 of the Uniform Building Code for all construction:
 - A. Proposed on land with slopes exceeding 20%; or,
 - B. On lands mapped, otherwise noted in this element, as having severe limitations for building; or

- C. On any land suspected of being unable to physically support the proposed structure.
 - D. In known slide hazard areas.
2. Periodically update the natural hazards inventory base.
 3. Work with the Columbia County Soil and Water Conservation District to reduce soil erosion in the County.
 4. Encourage the retention of as much vegetative cover as possible in critical mass movement areas, areas with over 20% slope, and in other slide or erosion prone areas.
 5. Encourage "P.D." or cluster type development for projects proposed in areas identified as having limitations due to soil characteristics or excessive slope, so as to maximize the use of the most suitable building sites.

Finding 34: Staff finds the subject property is not located within a slope hazard area as the site is generally flat according to the USGS, Dixie Mountain, quad map.

COMMENTS:

1. The District Watermaster has reviewed the application and comments: "The use from a 2nd well requires a water right for multi-family use issued from the Oregon Water Resources Department."
2. The County Transportation Planner has reviewed the application and has no objection to its approval as submitted and comments: "Will require an access permit."

No other comments have been received from citizens, government agencies or nearby property owners as of December 2, 2002.

COMMENTS, CONCLUSIONS ND RECOMMENDATIONS:

Staff finds that the subject property is within an exception area that was taken for rural residential use and zoned as such in 1985 when it was acknowledged by the State of Oregon. In addition, staff finds it appropriate to amend a small portion of the Rural Residential area to Community Service - Utility in order to accommodate an existing community water system that serves the subject rural residential area. Therefore, staff finds that it is reasonable to request a Post Acknowledgment Plan Amendment (PAPA) to amend the comprehensive plan and zoning designation for the subject property to allow the Columbia Acres Water Association to upgrade their existing water system.

In conclusion, staff finds this Post Acknowledgment Plan Amendment (PAPA) application has sufficiently satisfied the applicable criteria. The Planning Commission reviewed this request on October 7, 2002, and recommends the Columbia County Board of Commissioners **APPROVE** this request to amend the Columbia County Comprehensive Plan designation map from Rural Residential to Community Service and to amend the Columbia County Zoning map from Rural Residential - Five (RR-5) to Community Service - Utility (CS-U), with the following conditions:

Conditions of Approval:

1. Prior to the secondary back up well connecting to the system, the applicant shall submit documentation indicating they have applied for a water right permit from the Oregon Water Resources Department.
2. Prior to drilling the secondary back up well, the applicant shall submit a County Road Access permit with construction approval or documentation indicating a bond has been posted.

12/02/02

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Attachments: - Submitted application
 - Vicinity Map
 - Zone Map
 - Address Map
 - Site Plan
 - USGS Quad
 - Digital Orthophoto

CC: Columbia Acres Water Association