

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of an Application by Richard )  
Recht, Chris Nelson, and Scott and Sue Russell )  
for a Comprehensive Plan Amendment and Zone )      ORDINANCE NO. 2006-3  
Change from FA-19 to PF-76 and from FA-19 to )  
RR-5 )

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

SECTION 1.            TITLE.

This ordinance shall be known as Ordinance No. 2006-3.

SECTION 2.            AUTHORITY.

This Ordinance is adopted pursuant to ORS 197.763, 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 Richard Recht, and Chris Nelson, acting on behalf of property owners in the Hillcrest Subdivision, and Scott and Sue Russell for a Comprehensive Plan Map Amendment and Zone Change from Forest Resource (FA-19) to Rural Residential (RR-5), for approximately 67 acres, and a Zone Change from Forest Resource (FA-19) to PF-76 for approximately 80 acres in the Hillcrest Subdivision.

The Major Map Amendment would amend the Comprehensive Plan Map designation for the 67 acres from Forest Resource to Rural Residential, and would amend the Zoning Map designation for the 67 acres from FA-19 (Buffer Woodlot Overlay (BWO)) to RR-5, and would amend the Zoning Map designation for the 80 acres from FA-19 to PF-76. The 80 acres proposed to be re-zoned as PF-76 by this ordinance is proposed to be used for timber management purposes. The 67 acres proposed to be re-zoned as RR-5 by this ordinance is proposed to be used for single family residential development.

SECTION 4.            HISTORY

On April 14, 2005, Dick Recht, Chris Nelson and Scott and Sue Russell applied for an amendment to the Columbia County Comprehensive Plan Map from Forest Resource to Rural Residential and an amendment to the Zoning Map from FA-19 (BWO) to RR-5 for approximately 67 acres in the Hillcrest Subdivision, and for an amendment to the Zoning Map from FA-19 (BWO) to PF-76 for approximately 80 acres in the Hillcrest Subdivision. On June 10, 2005, the application was deemed complete. The Columbia County Planning Commission held a hearing on the application on October 3, 2005, 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 7, 2005, David Middle, Planning Commission Vice-Chair, signed Final Order PA 05-05, recommending approval of the application.

On February 22, 2006, the Board of County Commissioners held a hearing on the application. At the hearing, the Board voted to accept additional evidence and testimony into the record. 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 1, and is incorporated herein by this reference. The Board carried the matter over to March 1, 2006, for testimony in opposition and rebuttal testimony. On March 1, 2006, the Board reconvened. During the hearing, the Board heard testimony and received evidence in opposition and rebuttal. Thereafter, the Board closed the public hearing and continued the matter to March 15, 2006, for deliberations.

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 February 13, 2006, a copy of which is attached hereto as Attachment 2 and is incorporated herein by this reference.

SECTION 6. AMENDMENT AND CONDITIONS OF APPROVAL.

A. The official Comprehensive Plan Map designation for the Hillcrest Subdivision lots described in Attachment 3, which is attached hereto and incorporated herein by this reference, shall be changed from Forest Resource to Rural Residential.

B. The official Zoning Map designation for the Hillcrest Subdivision lots described in Attachment 3, which is attached hereto and is incorporated herein by this reference shall be changed from FA-19 (BWO) to RR-5.

C. The official Zoning Map designation for the Hillcrest Subdivision lots described in Attachment 4, which is attached hereto and incorporated herein by this reference, shall be changed from FA-19 (BWO) to PF-76.

D. Approval of this Plan Amendment and Zone Change is contingent upon successful completion of the following conditions of approval:

## CONDITIONS OF APPROVAL

1. Applicants Hillcrest Investments, Ltd., Columbia Hills Development Company, Nelson and Recht (and with the exception of Sue and Scott Russell), shall improve all roads proposed to be improved in Supplemental Exhibit A, which is attached hereto as Attachment 5, and is incorporated herein by this reference, as follows: Callahan shall be paved to 20 feet in width; all Local Roads serving 18 or more homesites shall be paved to 20 feet in width, except for Wayside Road and Valley View Road if an 18 foot width is determined to be more appropriate by the Columbia County Roadmaster; all Feeder/Limited Service Roads serving less than 18 homesites shall be paved to 18 feet in width. No roads shall be built to a grade exceeding 12%, except in cases where it is necessary as determined by the Columbia County Roadmaster, in which case the grade shall not exceed 15%. That portion of Callahan (Swager) Road right-of-way between the current end of Callahan and Valley View (as described on page 9 of Supplemental Exhibit A) shall be constructed for use as a subdivision feeder road paved to a width of 18 feet and to a grade of no greater than 15%. This section shall be constructed at the same time that the subdivision feeder road section of Valley View Road is constructed. All roads shall otherwise be built to the current road standards on the date the improvements are made for road structure, including the depth of aggregate and asphalt. Prior to the issuance of a building permit in the Subdivision, improvements as set forth herein, with the exception of paving, must be made to every road within the Subdivision leading to the dwelling from Callahan Road. All roads leading to the proposed dwelling must be paved before final inspection and occupancy of the dwelling. Road improvements are subject to the inspection and approval of the County Roadmaster. The road requirements set forth herein shall prevail over road requirements in Resolution No. 50-90.
2. Prior to the issuance of building permits for any dwelling in the Hillcrest Subdivision, Applicants Hillcrest Investments Ltd., Columbia Hills Development Company, Nelson and Recht (and with the exception of Sue and Scott Russell), shall prepare and submit to the County a phased development plan which shall indicate the lots to be irrevocably bound and the timing for development of each phase of the Subdivision. Applicants Hillcrest Investments, Ltd., Columbia Hills Development Company, Nelson and Recht shall keep the phased development plan up to date and shall provide the Director of Land Development Services with all changes to the phased development plan.
3. All dwellings must meet sanitary septic system rules and regulations. Every application for a septic system lot evaluation shall be accompanied by a conceptual plot plan for the building site, which shall show the location of all structures proposed to be built on the building site as well as the location of all septic system structures and drainfields. Prior to the lot evaluation, all property corners of the proposed homesite shall be marked.
4. Neither the Applicants nor any owner of lands within the Hillcrest Subdivision shall create any new lot or parcel having an area of less than 10 acres.
5. The lots re-zoned as PF-76 by this ordinance, consisting of at least 80 acres, shall be replatted into one parcel. No more than one dwelling shall be allowed on such parcel, and the parcel shall thereafter be subject to the Forest Land zoning statutes, rules, regulations and

Statewide Planning Goals. The owners of the parcel shall, within six months of the adoption date of this ordinance, execute and record a covenant which shall be acceptable to the County, which shall perpetually and irrevocably require such land to be subject to the Forest Land zoning statutes, rules, regulations and the Statewide Planning Goals, and shall not allow more than one dwelling to be built within the property re-zoned as PF-76 by this ordinance, regardless of whether the area is re-zoned in the future, regardless of whether the property is ever annexed by a municipality, regardless of who owns or controls the property in the future, and regardless of whether the property is ever partitioned or subdivided in the future. In the alternative, all owners of property within the PF-76 zoned area shall, within six months of the adoption date of this ordinance, execute and record a covenant which shall be acceptable to the County, and which shall irrevocably bind such lots together for the purpose of timber management, shall perpetually require such land to be subject to Forest Land zoning statutes, rules, regulations and the Statewide Planning Goals, and shall not allow more than one dwelling to be built within the property re-zoned as PF-76 by this ordinance, regardless of whether the area is re-zoned in the future, regardless of whether the property is ever annexed by a municipality and regardless of who owns or controls the property within the Subdivision. All owners of property re-zoned as PF-76 by this ordinance shall, within six months of the adoption date of this ordinance, sign the covenant specified in Condition #6, below, limiting the total number of dwellings in the Subdivision to 140. Except as stated herein with regard to the one dwelling restriction, this condition shall not restrict the property owner(s) from lawful forest practices, including the lawful construction of forest management structures as permitted in applicable Forest Land zoning statutes, rules, regulations and the Statewide Planning Goals that are in effect at the time of the proposed forest land use or construction.

The entire zone change from FA-19 (BWO) to PF-76 is contingent upon compliance with this condition by all of the owners of property within the PF-76 zoned area, and the zone change shall not take effect until the date that the requirements of this condition are complied with, or the effective date of this ordinance, whichever date is later.

6. The permanent maximum number of dwellings to be built in the Hillcrest Subdivision regardless of the zone is limited to 140. Applicants Hillcrest Investments, Ltd., Columbia Hills Development Company, Nelson and Recht shall, within six months of the adoption date of this ordinance, and all other owners of property within the Subdivision re-zoned as RR-5 by this ordinance, shall sign a covenant, in a form acceptable to the County, which shall be recorded in the Columbia County Deed Records, and shall run with the land and shall be binding on all future owners, which shall clearly limit the number of dwellings in the Subdivision to 140, regardless of whether the area is re-zoned in the future, regardless of whether the Subdivision or any part of it is ever annexed by a municipality, and regardless of who owns or controls the property within the Subdivision. The existing covenants, conditions, and restrictions (CC&Rs) shall be amended, as represented by Applicants Hillcrest Investments, Ltd., Columbia Hills Development Company, Nelson and Recht, to provide that no dwelling can be built on less than 0.45 acre. All dwellings proposed to be built on FA-19 land with the Buffer Woodlot Overlay shall be subject to Forest Land zoning statutes, rules, regulations, and the Statewide Planning Goals.

The limitation on dwelling units in the Subdivision shall be implemented as follows:

- A. Applicants Sue and Scott Russell, and their successors and assigns, may receive no more than one building permit for the entire acreage re-zoned as PF-76 by this ordinance, contingent upon compliance with all other applicable statutory and regulatory standards.
- B. Applicants Hillcrest Investments Ltd, Columbia Hills Development Company, Nelson and Recht, and their successors and assigns, may receive no more than 139 building permits for the rest of the Hillcrest Subdivision in its entirety, contingent upon compliance with all other applicable statutory and regulatory standards. Of this maximum potential number of building permits there shall be deducted:

(1) one building permit for each building permit that has been issued to date for a dwelling in the Subdivision;

(2) one building permit for each lot, or combination of lots with one or more common boundaries, currently zoned RR-5 or re-zoned as RR-5 by this ordinance, that is owned by anyone other than the Applicants and their successors and assigns, and which lot or combination of lots is 0.45 acre or larger; and

(3) one building permit for each building permit issued for any lot or combination of lots of less than 0.45 acres.

(4) one building permit for each 12 acres of property zoned FA-19 that is not subject to the open space covenant, and that is owned by anyone other than the Applicants, and their successors and assigns, except to the extent that such FA-19 property is ever re-zoned to require a larger minimum lot size, in which case, one building permit for each minimum lot size for a dwelling unit.

The entire zone change from FA-19 (BWO) to RR-5 is contingent upon compliance with this condition by Applicants Hillcrest Investments, Ltd., Columbia Hills Development Company, Nelson and Recht, and the zone change shall not take effect until the date that the requirements of this condition (and Conditions #7 and #14) are complied with, or the effective date of this ordinance, whichever date is later. The failure of any owner of property within the Subdivision re-zoned as RR-5 by this ordinance, other than Applicants Hillcrest Investments, Ltd., Columbia Hills Development Company, Nelson and Recht, to sign a covenant within six months as required by this condition shall not prevent this zone change from taking place for such property, but no building permit shall be issued for a dwelling on such property until such a covenant has been signed for such property.

- 7. The permanent maximum number of dwellings allowed to be built on Hillcrest Subdivision land zoned RR-5 is 130. Provided, however, that the permanent maximum number of dwellings allowed to be built on Hillcrest Subdivision land zoned RR-5 may be increased upon approval from the Oregon Water Resources Department (OWRD), and upon agreement by the County in the form of an Amended Settlement Agreement, and an amendment to Ordinance No. 2002-8. However, as set forth in Condition #6, above, in no case shall the total number of dwellings in the Hillcrest Subdivision exceed 140. Applicants Hillcrest

Investments, Ltd., Columbia Hills Development Company, Nelson and Recht shall, within six months of the adoption date of this ordinance, and all other owners of property within the Subdivision re-zoned as RR-5 by this ordinance, shall sign a covenant, in a form acceptable to the County, which shall be recorded in the Columbia County Deed Records, and shall run with the land and shall be binding on all future owners, which shall clearly limit the number of dwellings in the RR-5 zone in the Subdivision to 130 (except the maximum number of building permits allowed by the covenant could increase above 130, but no more than the maximum amount allowed by OWRD, the amended Settlement Agreement, or the amended ordinance, whichever is the lowest number of building permits, but in any case, not more than 139) regardless of whether the area is re-zoned in the future, regardless of whether the Subdivision or any part of it is ever annexed by a municipality, and regardless of who owns or controls the property within the Subdivision. If, prior to the recording of the covenant, the permanent maximum number of dwellings allowed in the RR-5 zoned areas of the Subdivision is increased as provided above, the covenant may provide for a permanent maximum number of dwellings of greater than 130, but in no case greater than 139.

The limitation on dwelling units in the RR-5 zoned portions of the Subdivision shall be implemented as follows:

A. Applicants Hillcrest Investments Ltd, Columbia Hills Development Company, Nelson and Recht, and their successors and assigns, may receive building permits as follows: no more than 130 building permits for the RR-5 zoned portions of Hillcrest Subdivision in their entirety, except as provided above, contingent upon compliance with all other applicable statutory and regulatory standards. Of this maximum potential number of RR-5 building permits there shall be deducted:

(1) one building permit for each building permit that has been issued to date for a dwelling in the RR-5 zoned portions of the Subdivision; and

(2) one building permit for each lot, or combination of lots with one or more common boundaries, currently zoned RR-5 or re-zoned as RR-5 by this ordinance, that is owned by anyone other than the Applicants and their successors and assigns, and which lot or combination of lots is 0.45 acre or larger.

(3) one building permit for each building permit issued for any lot or combination of lots of less than 0.45 acres.

The entire zone change from FA-19 (BWO) to RR-5 is contingent upon compliance with this condition by Applicants Hillcrest Investments, Ltd., Columbia Hills Development Company, Nelson and Recht, and the zone change shall not take effect until the date that the requirements of this condition (and Conditions #6 and #14) are complied with, or the effective date of this ordinance, whichever date is later. The failure of any owner of property within the Subdivision re-zoned as RR-5 by this ordinance, other than Applicants Hillcrest Investments, Ltd., Columbia Hills Development Company, Nelson and Recht, to sign a covenant within six months as required by this condition shall not prevent this zone change from taking place for

such property, but no building permit shall be issued for a dwelling on such property until such a covenant has been signed for such property.

8. In order to be approved for a building permit, each proposed homesite in the Subdivision must comply with all County ordinances and regulations in effect at the time of the building permit application, that may be applicable to the construction of a dwelling, except to the extent that such Ordinance or regulation serves to reduce, limit or restrict the number of homesites and single family dwellings to less than the number of homesites specified in Conditions #6 and #7 above. Homesites may be comprised of one or more lots. If a homesite is comprised of more than one lot, all lots comprising the homesite shall be irrevocably bound together with a covenant signed by all property owners of such lots, and recorded in the Columbia County Deed Records. The covenant shall perpetually restrict the owner(s) of such lots from building more than one dwelling on the bound lots. The covenant shall run with the land. No building permit may be issued for a single family dwelling prior to the recording of the covenant for the property on which the dwelling is to be located. In addition, no building permit may be issued for any such lot or lots prior to the signing and recording of the covenants required by Conditions #6 and #7 and the waiver of remonstrance required by Condition #14.
9. For purposes of these conditions "dwelling" shall mean a single family residence. No dwelling other than a single family residence shall ever be constructed in the Hillcrest Subdivision. As a precondition to the issuance of a building permit for construction of a dwelling, the covenants required by Conditions #6 and #7 shall include a prohibition on the construction of housing units other than single family dwellings in the Hillcrest Subdivision. Such covenant shall run with the land and be binding on all future owners of property within the Hillcrest Subdivision.
10. Prior to the issuance of any building permit in the Hillcrest Subdivision, Applicants Hillcrest Investments Ltd., Columbia Hills Development Company, Nelson and Recht (and with the exception of Scott and Sue Russell), and all owners of lots within the Subdivision proposed to be reserved for open space shall record a Covenant in a form which must be acceptable to the County permanently reserving the 46 acres of land proposed for open space. The area to be preserved for open space is shown on the Applicants' proposed zoning map as FA-19 zoned property. The open space lands shall be bound in the Covenant by at least the following restrictions:
  - A. No construction of structures of any sort whatsoever may occur in these areas.
  - B. With the exception of a single public road across one of the areas of Open Space no paving will be allowed in the open space.
  - C. The current density of trees in the Open Space shall be maintained with native species. In the event that trees in the open space are lost to fire, disease or other accidental or natural causes, the affected lands shall be reforested with native species as soon thereafter as physically possible.
  - D. Violations of these Open Space land requirements may be enforced against offending

landowners by anyone owning property within 1000 feet of the affected property.

11. With the exception of Susan and Scott Russell) Applicants Hillcrest Investments Ltd., Columbia Hills Development Company, Nelson and Recht, and the Columbia Hills Homeowners Association, and their successors in interest, shall comply with all conditions or other requirements of the Oregon Water Resources Department both in the Applicants' existing permit and any new or amended permit issued for the Subdivision, as well as Ordinance No. 2002-8, and all other County permits.
  - A. In addition, the Applicants (with the exception of Susan and Scott Russell) and their successors in interest shall, as long as water for use on lands within the Subdivision is drawn from wells in or around the Subdivision, maintain and operate at least two monitoring wells downhill to the north of the Subdivision (toward Raymond Creek) and at least two monitoring wells downhill to the east of the Subdivision (toward Old Portland Road). Once these four wells are chosen, they may not be changed without both good cause shown and notice to the community so as to maintain the integrity of the year-to-year monitoring results.
  - B. In order to ensure that the monitoring function is maintained on a reliable and ongoing basis, the Homeowners Association or its successors in interest shall be the permanent entity legally responsible for establishing and maintaining these monitoring wells and the submission of the monitoring data. The establishment of such an entity shall occur before the issuance of any building permit for the construction of any additional dwelling in the Subdivision.
  - C. Monitoring data shall be provided on a yearly basis within one week of March 10 each year to maintain the comparability of the data over time.
  - D. All required monitoring data shall be provided within one week of the fixed monitoring dates to Columbia County Land Development Services and to any other agency or person who requests to be notified. The data shall be provided without charge to the County and any such agency or person.
  - E. Every dwelling within the RR-5 zone must be hooked up to a Community Water System in order to receive a building permit. One dwelling may be built on the PF-76 zoned land without being connected to the Community Water System. Community Water System wells are prohibited north of Valley View and West of Moss Avenue.
12. Prior to issuance of a building permit, Applicants Hillcrest Investments Ltd., Columbia Hills Development Company, Nelson and Recht (and with the exception of Scott and Sue Russell), shall record a Storm Drainage Course Protection Covenant in a form which shall be acceptable to the County.
13. All structures built within the Hillcrest Subdivision on lots either adjacent to, or irrevocably bound to lots that are adjacent to Forest Resource zoned lands, shall have a minimum 30 foot primary fuel break which shall be maintained in accordance with fire siting standards for



primary fuel breaks. All such structures shall be built to comply with IR2 fire siting standards. The Applicants shall formulate a fire safety plan in consultation with the Scappoose Rural Fire Protection District and the Oregon Department of Forestry which shall be incorporated in the Homeowners Association Covenants, Conditions and Restrictions.

14. Applicants Hillcrest Investments, Ltd., Columbia Hills Development Company, Nelson and Recht (and with the exception of Susan and Scott Russell) shall, within six months of the adoption date of this ordinance, and all other owners of lots re-zoned as RR-5 by this ordinance, shall sign and record waivers of remonstrance against lawful forest practices on adjacent or nearby resource lands, including in particular the acreage re-zoned as PF-76 by this ordinance. The waivers of remonstrance shall apply to all of the lots owned by Applicants Hillcrest Investments, Ltd., Columbia Hills Development Company, Nelson and Recht (and with the exception of Susan and Scott Russell), within the Hillcrest Subdivision, and to all of the lots owned by other owners which are re-zoned as RR-5 by this ordinance, and shall run with the land and be binding upon all future owners of the lots owned by Applicants Hillcrest Investments, Ltd., Columbia Hills Development Company, Nelson and Recht within the Hillcrest Subdivision, and future owners of the lots currently owned by other owners which are re-zoned as RR-5 by this ordinance. The waiver of remonstrance may be incorporated in the covenants required by Conditions #6 and #7 of this ordinance.

The entire zone change is contingent upon compliance with this condition by Applicants Hillcrest Investments, Ltd., Columbia Hills Development Company, Nelson and Recht, and the zone change shall not take effect until the date that the requirements of this condition (and Conditions #6 and #7) are complied with, or the effective date of this ordinance, whichever date is later. The failure of any owner of property within the Subdivision re-zoned as RR-5 by this ordinance, other than Applicants Hillcrest Investments, Ltd., Columbia Hills Development Company, Nelson and Recht, to sign a waiver of remonstrance within six months as required by this condition shall not prevent this zone change from taking place for such property, but no building permit shall be issued for a dwelling on such property until such a waiver of remonstrance has been signed for such property.

SECTION 7. SEVERABILITY.


If for any reason any court of competent jurisdiction holds any portion of this ordinance invalid, or any portion of Attachments 1 through 5, such portion shall be deemed a separate, distinct and independent portion, and any such holdings shall not affect the validity of the remaining portions thereof.

ADOPTED this 19<sup>th</sup> day of April, 2006.

Approved as to Form

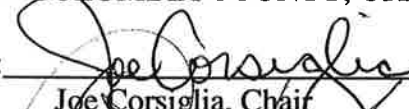
By:   
Office of County Counsel


Attest

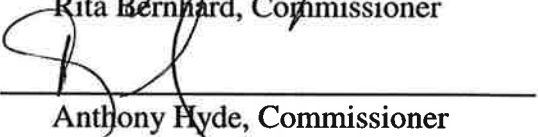
By:   
Jan Greenhalgh, Recording Secretary

First Reading: April 5, 2006  
Second Reading: April 19, 2006  
Effective Date: July 18, 2006

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By:   
Joe Corsiglia, Chair

By:   
Rita Bernhard, Commissioner

By:   
Anthony Hyde, Commissioner

## ATTACHMENT 1

### LEGAL COUNSEL'S FILE

- 1) Notice of Public Hearing (Publication);
- 2) Notice of Public Hearing (Property Owner Notice);
- 3) List of People to Receive Notice;
- 4) Affidavit of Publication;
- 5) Affidavit of Mailing;
- 6) List of people to receive notice of Planning Commission;
- 7) Referral Contact List;
- 8) Referral and Acknowledgment from Scappoose Fire District;
- 9) Referral and Acknowledgment from Watermaster;
- 10) Referral and Acknowledgment from Oregon Department of Water Resources;
- 11) Referral and Acknowledgment from the County Roadmaster;
- 12) Referral and Acknowledgment from County Building Official;
- 13) DLCDC Notice of Proposed Amendment;
- 14) Letter to Planning Commission from John Vlastelicia;
- 15) Letter to Todd Dugdale from Richard Recht dated June 30, 2002;
- 16) Agreement submitted by Mike Sheehan;
- 17) Notice of Public Hearing dated May 21, 2002;
- 18) Final Order PA 02-03;
- 19) Staff Report to the Columbia County Planning Commission dated June 20, 2002;
- 20) Planning Commission minutes;
- 21) Board Communication with the following attachments:
  - a) Planning Commission Final Order;
  - b) Staff Report to the Board of County Commissioners;

ATTACHMENT 2

Forest Resource to Rural Residential; FA-19 to PF-76 & RR-5

PA 05-05

**COLUMBIA COUNTY BOARD OF COMMISSIONERS**

**STAFF REPORT**

02/13/06

**PLAN AMENDMENT & ZONE CHANGE**

**HEARING DATE:** February 22, 2006 **FILE NUMBER:** PA 05-05

**APPLICANTS:** Dick Recht & Chris Nelson      Scott & Sue Russell  
830 Woodside Road, #4      31291 Raymond Creek Road  
Redwood City, CA 94061      Scappoose, OR 97056

**OWNERS:** See List of Various Property Owners in Attached Application  
Exhibits 1, 3 & 4

**PROPERTY LOCATION:** Hillcrest Subdivision; Callahan Road

**REQUEST:** Comprehensive Plan Map Amendment from Forest Resource to Rural Residential; and zone changes of the Official Zoning Map (first) from Forest Agriculture (FA-19) to Primary Forest (PF-76) and (second) from Forest Agriculture (FA-19) to Rural Residential (RR-5). No exception to the Statewide Planning Goals was submitted with this application.

**TAX LOTS:** Various Tax Lots in Hillcrest, See Exhibit 1, 3 & 4  
(Lot & Block Nos. And Tax Lot Nos. Included)

**PRESENT COMP PLAN DESIGNATIONS:** Forest Resource

**PROPOSED COMP PLAN DESIGNATION:** Forest Resource & Rural Residential

**PRESENT ZONING:** Forest Agriculture (FA-19) with Buffer Woodlot Overlay

**PROPOSED ZONING:** To re-zone 80 acres to Primary Forest (PF-76) and to re-zone 67 acres currently zoned RR-5

**REVIEW CRITERIA:**

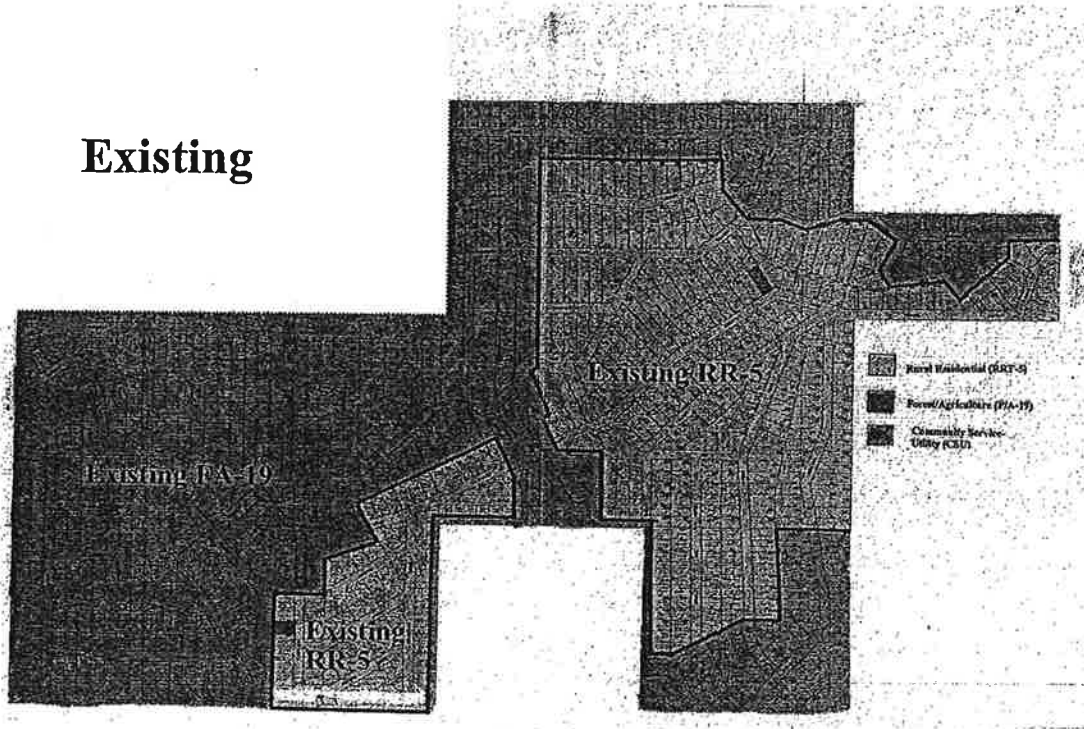
	<u>Page</u>
<u>For Both Proposals</u>	
CCZO, Section 1502 Zone Changes	5
CCZO, Section 1603 Quasi-Judicial Hearings	23
CCZO, Section 1605 Zone Change, Major Map Amendment	5
CCZO, Section 1608 Contents of Notice	24
<u>For Zone Change from FA-19 to PF-76 ( No Comprehensive Plan Amendment)</u>	
Comprehensive Plan Forest Lands Goal and Policies	7-11
<u>For Zone Change from FA-19 to RR-5 (Comprehensive Plan Amendment)</u>	
Comprehensive Plan Rural Residential Goal and Policies	
Comprehensive Plan Transportation Goal and Policies	12
Statewide Planning Goal 2 Land Use Planning & Exceptions	19
OAR 660-004-0040(1)(2)	19
OAR 660-004-0040(7)(I)	21
Statewide Planning Goal 4	
List of Comments	25
Recommendation	26

**BACKGROUND:**

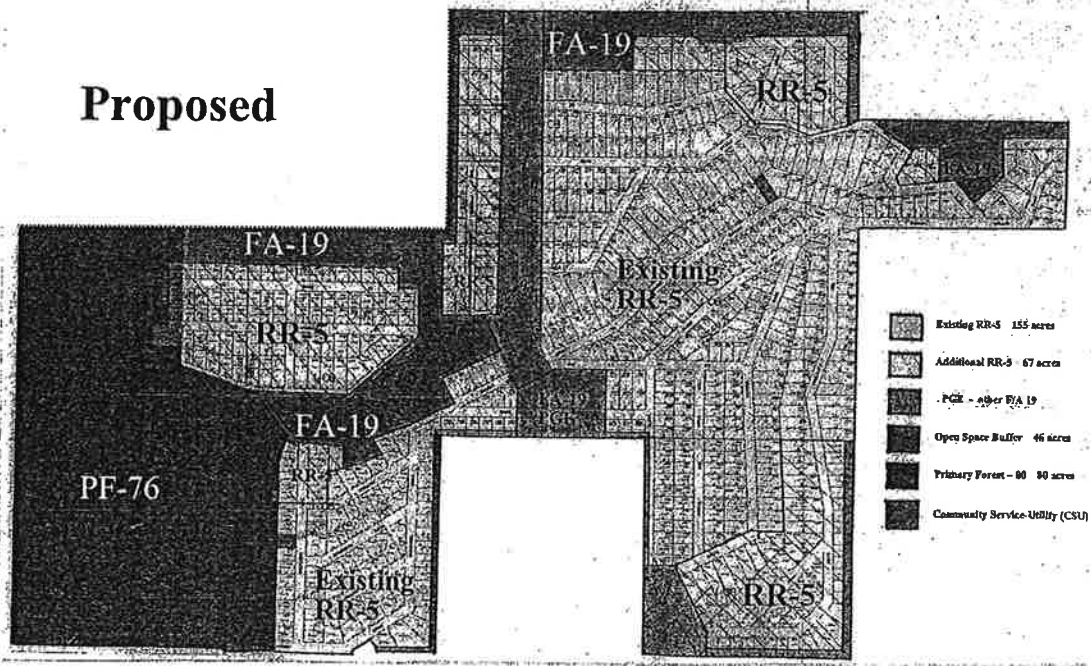
The Applicants are Richard Recht and Chris Nelson, acting on behalf of property owners in the Hillcrest Subdivision, and Scott and Susan Russell. The Russells plan to purchase the Hillcrest Subdivision lots that are proposed to be rezoned PF-76 from Richard Recht and Chris Nelson to use them for forest uses. The Applicants propose two separate zone changes. The first zone change is to amend the zoning map from FA-19 to PF-76 for approximately 80 acres for forest resource management uses. The second zone change is to amend the Official Comprehensive Plan Map from Forest Resource to Rural Resource and to amend the zoning map from FA-19 to RR-5 for approximately 67 acres for residential development. As part of the proposal to re-zone forest land as residential land, the Applicants have proposed to preserve approximately 46 acres zoned FA-19 as open space which will not be developed.

All property owners within the Hillcrest Subdivision, with the exception of PGE, have consented to the re-zone application as indicated by several power of attorney documents submitted by Richard Recht, granting Mr. Recht authority to act on their behalf for purposes of this zone change application. The PGE property is not proposed to be re-zoned. PGE was notified of the proposed zone change.

### Existing



### Proposed



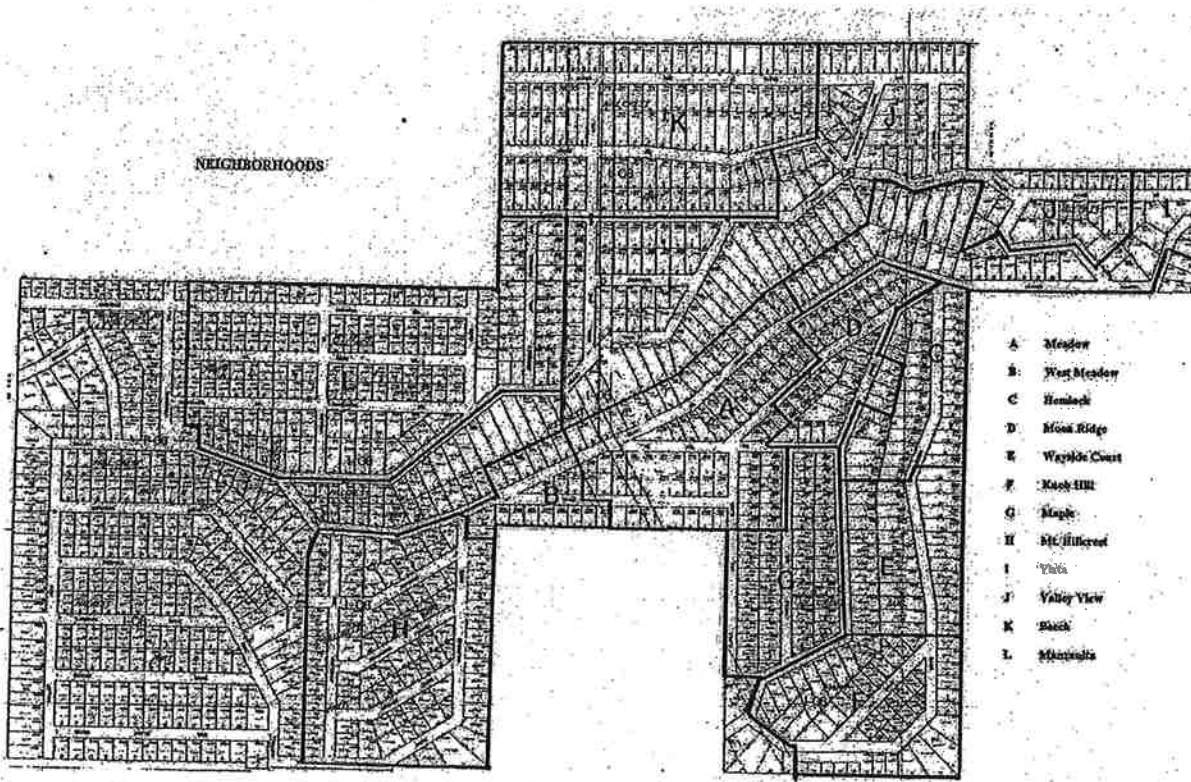


FIGURE 1: Existing and Proposed Zoning in Hillcrest

FIGURE 2: Hillcrest Neighborhoods

**FINDINGS:**

This request is being processed under Section 1605 of the Zoning Ordinance. The pertinent sections of the ordinance are as follows:

CCZO 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 1: The Columbia County Planning Commission held a hearing on both re-zone requests on October 3, 2005. A majority of the Commissioners voted to recommend approval of both proposals subject to several conditions of approval. The Board of County Commissioners will hold a hearing in the matter on February 22, 2006. The hearing will be on the record of the Planning Commission decision unless a majority of the Board votes to allow the admission of new evidence.

CCZO 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 a Zone Change which requires 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 two 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.

.2 Minor Map Amendments are defined as Zone Changes which do not require an amendment to the comprehensive plan. The Commission may grant a Minor Map Amendment provided (sic) they find adequate evidence has been presented at a hearing substantiating the following:

- A. The Zone Change is consistent with the Comprehensive Plan; and
- B. The property and affected area are 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.

.3 Alternate Zones. If the Commission determines that a zone other than the one

being proposed will adequately allow the establishment of the proposed use, the Commission may substitute the alternate zone for the proposed zone in either the Major Map Amendment or Minor Map Amendment Procedures.

**Finding 2:** Both proposed zone amendments are being processed under the procedure for a Major Map Amendment because the zone change from FA-19 to RR-5 requires the Official Comprehensive Plan Map to be amended in order for the official Zoning Map and the Comprehensive Plan to be in agreement. However, the proposal to change the zoning for 80 acres from FA-19 to PF-76 is subject to the criteria for minor map amendments (CCZO 1502.2) because the PF-76 zoning designation is consistent with the Comprehensive Plan Map. No changes to the Comprehensive Plan are required to proceed with the zone change. If, for either zone change proposal, the Board of Commissioners determines that the proposed use can be accomplished in a zone other than the one proposed, the Board may substitute an alternate zone.

#### **CRITERIA FOR ZONE CHANGE FROM FA-19 TO PF-76**

1502.2(A) The Zone Change is consistent with the Comprehensive Plan.

**Finding 3:** The Comprehensive Plan Forest Land Goal and Policies are applicable to this proposal. Staff finds that such Goal and Policies are met, as set forth below.

**FOREST LANDS GOAL:** To conserve forest lands for forest uses.

**Finding 4:** Staff finds that the proposal to rezone approximately 80 acres from FA-19 to PF-76 will conserve forest lands for forest uses. The Applicants propose to use the property for forest management. The Russell family has proposed to purchase the property and consolidate lots making up the 80 acres into one lot which will be actively managed as forest land. The Applicants are not proposing to locate any dwellings on such forest land. No more than one dwelling will be allowed on the property.

**FOREST LANDS POLICY # 1:** Conserve forest lands for forest uses, including:

- A. The production of trees and the processing of forest products;
- B. Open Space;
- C. Buffers from noise;
- D. Visual separation from conflicting uses;
- E. Watershed protection;
- F. Wildlife and fisheries habitat;

- G. Soils protection from wind and water;
- H. Maintenance of clean air and water;
- I. Compatible recreation activities; and
- J. Grazing land for livestock.

**Finding 5:** Staff finds that the proposal to rezone approximately 80 acres from FA-19 to PF-76 will conserve forest lands for the forest uses listed in Policy 1. The Russells propose to actively manage the land for timber production in conjunction with their adjacent timber holdings. Management will include producing trees on site, protecting open space, protecting Raymond Creek from environmental damage, and otherwise protecting and preserving forest land pursuant to the Oregon Forest Practices Act.

**FOREST LANDS POLICY #2:** Designate Forest Lands as Forest-Conservation in the Comprehensive Plan and implement this plan designation through the use of two (2) forest zones and one (1) overlay zone which will maintain or enhance the existing commercial forest products enterprise of the County. They are:

- A. Primary Forest -PF-76
- B. Forest-Agriculture- FA-19
- C. Buffer Woodlot Overlay- BW

**Finding 6:** Staff finds that the proposal to rezone land from FA-19 to PF-76 complies with Policy 2 because the property will remain designated as Forest-Conservation in the Comprehensive Plan.

**FOREST LANDS POLICY #3:** Designate as Primary Forest those lands that:

- A. Are in industrial, private non-industrial and public ownerships.
- B. Protect sensitive areas such as watersheds and wildlife and fisheries habitat.
- C. Are in areas where parcels average 38 acres or more.
- D. Are geographically or topographically separated from those lands used for agriculture and non-forest uses.
- E. Have a predominate cubic-foot site class of 2 or 3.
- F. Have climate, soil and topographic conditions that require the maintenance of vegetative cover regardless of use.
- G. Do not generally require an on-site caretaker to effectively manage the resource.
- H. Are isolated pockets within forest areas which do not meet the above criteria but for other reasons are precluded from any other use.

**Finding 7:** Staff finds that this proposal complies with Policy 3 because the property proposed

to be designated as primary forest property is in private non-industrial ownership, and with proper management will protect sensitive areas including the Raymond Creek watershed. The parcels in the immediate area do not average 38 acres. However, parcels to the west in Washington County average 60 to 80 acres in size. Furthermore, the soils of the re-zoned area are predominantly of class 2. In addition, the eastern boundary of the proposed forest lands, where they meet the more rural residential lands generally coincides with the top of the ridge, extreme slopes to the west, and mountainous terrain going down to the Raymond Creek drainageway. These steep slopes require vegetative cover to prevent debris flows and/or land slides during heavy rain events. The water quality of Raymond Creek and the smaller tributaries of steep ravines serving the creek is preserved and protected with the primary forest designation. Finally, there is no evidence that the lands proposed to be re-zoned to PF-76 will require an on-site caretaker for timber management.

**FOREST LANDS POLICY #4:** Designate as Forest-Agriculture those lands that

- A. Are in private non-industrial ownerships where the existing ownership pattern consists predominantly of single small parcel owners;
- B. Provide only minimal benefit to watershed and wildlife and fisheries habitat areas.
- C. Are in areas where contiguously owned parcels average less than 38 acres and where the predominant parcel size is less than 38 acres.
- D. Have direct access to a public right-of-way.
- E. Have a predominant cubic-foot site class of 3 or 4.
- F. Have soil and topographic characteristics that do not preclude a limited non-resource use of the land, and where such activity can be buffered from adjacent resource uses.
- G. Are small isolated pockets of lands surrounded by land which meets the preceding criteria.

**Finding 8:** Staff finds that Policy 4 does not apply to this proposal because this is a request to rezone the property from FA-19 to PF-76.

**FOREST LANDS POLICY #5:** Limit the creation of parcels or lots for non-forest uses.

**Finding 9:** Staff finds that this proposal to re-zone 80 acres of FA-19 zoned property to PF-76 will limit the creation of parcels or lots for non-forest uses because it does not create lots or parcels for non-forest uses. Rather, the Applicants propose to consolidate existing small subdivision lots for timber production and other forest uses listed in Policy #1.

**FOREST LANDS POLICY #6:** Allow residential uses when it can be shown that such uses are necessary for and accessory to the resource activity occurring on the same lot or parcel, and where it can be shown that siting standards exist which insure compatibility of the proposed residence with adjacent resource uses. Meeting the standards for establishing the buffer wood lot overlay district is one means of showing both necessity and compatibility.

**Finding 10:** Staff finds that Policy 6 is met because only one dwelling will be allowed to be built on the property to be re-zoned to PF-76 and such dwelling will be subject to all Forestland rules, regulations and Statewide Planning Goals, as they exist on the date that a forest dwelling application is submitted for review.

**FOREST LANDS POLICY #7:** Limit non-forest dwellings to individual lots or parcels where it can be shown that:

- A. The proposed site is on land generally unsuitable for forest uses;
- B. The proposed use will not significantly impact forest uses on adjacent and nearby forest lands;
- C. The proposed use will not significantly increase the costs of forest management on adjacent and nearby forest lands;
- D. The site is limited in size to that area suitable and appropriate only for the needs of the proposed use;
- E. Where necessary, measures are taken to minimize potential negative impacts on adjacent and nearby forest lands; and
- F. The proposed use is consistent with the forest policies contained in the Comprehensive Plan.

**Finding 11:** Staff finds that Policy #7 is met by this proposal to re-zone 80 acres from FA-19 to PF-76 because only one dwelling will be allowed to be built on the property to be re-zoned to PF-76 and such dwelling will be subject to all forestland rules, regulations and Statewide Planning Goals, as they exist on the date that a forest dwelling application is submitted for review.

**FOREST LANDS POLICY #8:** Allow resource related dwellings to exist in Primary Forest zones or on Forest-Agriculture zones when it can be shown that such uses are necessary for and accessory to the forest use or forest-agriculture use of the respective zones.

**Finding 12:** Staff finds that Policy #8 is met by this proposal to re-zone 80 acres from FA-19 to PF-76 because only one dwelling will be allowed to be built on the property to be re-zoned to PF-76 and such dwelling will be subject to all forestland rules, regulations

and Statewide Planning Goals, as they exist on the date that a forest dwelling application is submitted for review.

**FOREST LANDS POLICY #9:** Encourage maximum production of wood fiber on certain of the Forest-Conservation lands in the Comprehensive Plan by implementation of a Buffer Woodlot Overlay District. Designate as Buffer Woodlot overlay those lands that:

- A. Have parcel sizes and ownership patterns such that contiguously owned parcel sizes are less than ten (10) acres in the area.
- B. Separate resource areas from adjacent or nearby rural residential or urban uses.
- C. Require aggregation of parcels and ownerships in order to achieve parcel sizes suitable for managed wood fiber production.
- D. Are designated BW only after an exception to Goal 4 has been taken on them and are isolated pockets of land subject to one or more of the factors listed in OAR 660-04-028 which make the application of state wide planning Goal 4 impracticable.

**Finding 13:** Staff finds that Policy #9 does not apply because the Applicants propose to re-zone current Buffer Woodlot Overlay property to PF-76, thereby losing the benefit of the Overlay Zone.

**FOREST LANDS POLICY # 10:** Require a plan amendment when considering a zone change from Primary Forest (PF-76) to Forest-Agriculture (FA-19) in accordance with Forest Lands Policies 3 and 4. If the County considers any changes in the minimum lot sizes for forest lands, any changes will be reviewed against the requirements of statewide land use planning goal 4.

**Finding 14:** Staff finds that Policy 10 does not apply to the proposal to re-zone 80 acres from FA-19 to PF-76 because the County is not considering a change in the minimum lot sizes for forest lands. The minimum lot size for forest lands will continue to be 80 acres under Statewide Planning Goal 4.

**CCZO 1502.2(B)** The property and affected area are 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 15:** The proposed use of the property to be re-zoned PF-76 is forest management. Staff finds that transportation networks as well as fire fighting services, water services, and sanitary septic services might be required for the proposed use of the property.

Currently, Valley View Road serves the center portion of the property to be re-zoned PF-76. Wildwood Drive serves the southern portion of the property to be re-zoned PF-76. Both roads are unpaved. Staff finds that the roads are currently adequate to serve the forest land as long as no dwelling is proposed on the property.

The area proposed to be rezoned to PF-76 is currently served by the Scappoose Rural Fire District.

### CRITERIA FOR ZONE CHANGE FROM FA-19 TO RR-5

CCZO 1502.1.B.1 The proposed Zone Change is consistent with the policies of the Comprehensive Plan;

Finding 16: The applicable provisions of the Columbia County Comprehensive Plan are the Rural Residential Goal and Policies, and Transportation Goal and Policies.

**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.

Finding 17: An Exception to Goal 4 was taken for the entire Hillcrest Subdivision in July 1984. The Exception consisted of two parts. A portion of the subdivision was zoned rural residential. The remainder of the subdivision was zoned FA-19, with a woodlot buffer overlay designation. Staff finds that a valid exception has been shown to be justified for the existing zoning. The Applicants do not propose that the County take a new exception to Goal 4 despite the change in the proposed density from FA-19 (BWO-12 acre minimum) to RR-5.

**RURAL RESIDENTIAL POLICY #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.

Finding 18: As set forth in Finding 17, above, Staff finds that a valid exception was taken to Goal 4 for the current zoning of the property. The Applicants do not propose that the County take a new exception to Goal 4 despite the change in the proposed density from FA-19 (BWO-12 acre minimum) to RR-5.

**RURAL RESIDENTIAL POLICY#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.

Finding 19: The Applicants do not propose that the County take a new exception to Goal 4 through the exception process set forth in OAR 660-04-025 or OAR 660-04-028. The proposed Rural Residential lands do not meet the criteria for being included in the Rural Center designation.

RURAL RESIDENTIAL POLICY #3: Establish a Rural Residential Zone with a 5-acre minimum lot or parcel size where such lands: *[Amended by Ordinance No. 98-4 effective November 1998]*.

- 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 by Ordinance No. 98-4 effective November 1998]*.
- D. May or may not be within a rural fire protection district. *[Amended by Ordinance No. 98-4 effective November 1998]*.

Finding 20: The proposed lands to be re-zoned to RR-5 will be served by a community water system. The Oregon Department of Water Resources has issued permit Number G-15665, which was approved as a "Permit to Appropriate the Public Waters". The permit addresses the appropriation of water from 7 wells to serve 130 homesites in the Hillcrest Subdivision. This water system is a community water system. The Water permit requires a water table monitoring program. The permit requires that no community water wells be drilled in the northwest area of the subdivision closer to the Raymond Creek Area with known water table problems. The property proposed to be rezoned to RR-5 will rely upon a private sewage disposal systems for each homesite in the form of subsurface septic systems. The property proposed to be rezoned to RR-5 is to be served by one or more of the existing platted public right-of-ways as shown on the Hillcrest Subdivision Plat. The Applicants have provided transportation planning information (See Supplemental Exhibit A). Each homesite will have access onto a public right-of-way. Finally, the Hillcrest Subdivision is located within the Scappoose Rural Fire Protection District. Therefore, Staff finds that Policy #3 is met.



**RURAL RESIDENTIAL POLICY #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:

- A. Are within an existing public or community water district providing adequate domestic and fire flow water.
- B. Have soils capable of accommodating a subsurface septic system.
- C. Have access onto a public right-of-way meeting applicable County Road Standards.
- D. Are within, and can be served by a rural fire protection district.
- E. A 2-acre minimum parcel size is appropriate to maintain the rural character of the area.
- F. The conversion complies with the Oregon Administrative Rule requirements for an exception to Goal 14.

Finding 21: Staff finds that Policy #4 do not apply because the Applicants does not propose rezoning to RR-2 density.

**RURAL RESIDENTIAL POLICY #5:** Encourage the in-filling of existing built and committed lands for new residential development.

Finding 22: Staff finds that the proposal to re-zone property from FA-19 to RR-5 in the Hillcrest Subdivision will encourage the in-filling of existing built and committed lands for residential development. A built and committed exception to Goal 4 was taken in 1984 for both the FA-19 (BWO) and RR-5 portions of the Hillcrest Subdivision. The Subdivision currently consists of several RR-5 zoned lots which can be developed with up to 130 dwellings due to vested rights in the RR-5 zoned areas of the subdivision, as recognized by the County in its Settlement Agreement with Columbia Hills Development. However, due to topography of the subdivision, it is impracticable to build solely on the current RR-5 lots. This proposal will cluster the most developable lands together and zone them for development, thereby encouraging infilling of the built and committed RR-5lands.

**RURAL RESIDENTIAL POLICY #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.

Finding 23: Staff finds that the proposal to rezone property in the Hillcrest Subdivision from FA-19 property to RR-5 will encourage rural growth in exception areas where adequate

facilities and services exist so as to minimize costs of providing such services. The Applicants have submitted a transportation plan which shows the existing public road network within the Hillcrest Subdivision. The plan sets forth the street improvements that the Applicants will make as development occurs at the Applicants' cost and expense. While street improvements do not exist, the transportation network is platted and is ready to be improved as necessary to meet development needs in the Subdivision. A condition of approval will require that necessary road improvements be made before building permits are issued.

In addition, the Applicants have received a permit to allocate water for a community water system from the Oregon Water Resources Department. The water system has not yet been built. However, the Applicants have received zoning approval to build the system in Ordinance No. 2002-8 and DR 02-15. The Community Water System must be built in accordance with all permit requirements before building permits will be issued.

Finally, both the Scappoose Fire District and the Scappoose School Districts already serve the Subdivision area. Therefore, Staff finds that Policy #6 is met.

**RURAL RESIDENTIAL POLICY #7:** Require a buffer between Rural Residential development and adjacent resource lands.

Finding 24: Staff finds that Policy 7 has been met by this proposal. The Applicants propose to dedicate approximately 46 acres as opens space to act as a buffer between the residential development and the adjacent resource lands. A condition of approval will require the Applicants to record a covenant on each parcel within the buffer prohibiting development of such parcels. However, the Applicants propose to remove the existing buffer in some areas (see proposed zoning map), which will create an increased risk of fire threatening the area. Due to the increased risk caused by removing the buffer areas, the Oregon Department of Forestry has recommended that the County require dwellings in the RR-5 zone to have primary fuel breaks of 30', which shall meet the fire siting standards and will act, thereby, as a buffer. A condition of approval will be that all perimeter structures have a 30' primary fuel break which shall be maintained in accordance with fire siting standards, and that all such structures meet the IR-2 fire siting standards in lieu of a secondary fuel break. In addition, all property owners in the Subdivision will be required to sign waivers of remonstrance against forest practices on adjacent resource lands which will further act to buffer resource lands from the impact of a substantial residential development.

**RURAL RESIDENTIAL POLICY #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.

Finding 25: The Applicants desire to ultimately build up to 130 dwellings on RR-5 zoned property and up to 140 dwellings total within the Hillcrest Subdivision. In order to provide water to such dwellings, the Applicants applied for and received zoning approval to build a community water system within the Subdivision for up to 130 dwellings. The Applicants have also applied for and received a permit (G-15665) from the Oregon Water Resources Department (OWRD) to allocated water necessary to operate a community water system for up to 130 dwellings. The permit imposes measurement, recording and reporting conditions, and imposed a requirement that, "within 3 years of permit issuance, the permittee shall submit a Water Management and Conservation Plan consistent with OAR chapter 690, Division 86." The permit also requires, "The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s)...." Therefore, the Applicants will be required to continually evaluate the community water source for source stability as development occurs. A condition of approval will require the Applicants to comply with all OWRD permit requirements, and zoning requirements from Ordinance No. 2002-8 and DR 02-15. In addition, if water shortages affect off-site domestic wells, the Applicants will be required to share monitoring well data with affected neighboring landowners.

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

TRANSPORTATION OBJECTIVES:

1. To utilize the various models of transportation that are available in the County to provide services for 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.

Finding 26: See Finding #28, below.

TRANSPORTATION POLICY #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.

**Finding 27:** Staff finds that the County has adopted a Transportation Plan containing the above listed elements. Staff also finds that Policy 1 does not apply to this application because it is not relevant to the review of a zone change application, or to impacts on transportation in the County due to a specific land use application.

**TRANSPORTATION; POLICY #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.

**TRANSPORTATION POLICY #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.

**Finding 28:** The Applicants are proposing to site up to 130 dwellings in the RR-5 zoned portions of the Hillcrest Subdivision and up to 140 dwellings in the entire Hillcrest Subdivision, which will result in a major increase in traffic on the existing County Road, Callahan Road. If between 130 and 140 dwellings are built within the subdivision, the subdivision will generate an additional 1300 to 1400 new daily vehicle trips on Callahan Road. However, the Roadmaster has indicated that no additional off-site improvements are needed to Callahan Road because Callahan Road has sufficient capacity to handle the additional vehicle trips. Therefore, Staff finds that Transportation Policy #3 is met. According to the Columbia County Roadmaster, no additional right-of-way will need to be dedicated to meet the standards in the Transportation Plan. Therefore, staff finds that Transportation Policy #2 is met.

**TRANSPORTATION POLICY #4:** The County will work with the State Highway Department to limit the number of access points onto arterial roads. Direct access to US 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.

**Finding 29:** Staff finds that the proposal to re-zone residential property will lead to additional vehicle trips entering onto Callahan Road. However, the Applicants are not proposing to have direct access onto an arterial road. Furthermore, the Applicants do not

propose direct access onto Highway 30. Rather, traffic from Callahan Road will enter Highway 30 at its intersection with Old Portland Road. Therefore, Staff finds that Policy #4 is met.

**TRANSPORTATION POLICY #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.

**Finding 30:** Staff finds that Policy #5 does not apply to review of the proposed zone change because the new land zoned RR-5 will not allow industrial uses.

**TRANSPORTATION POLICY #6.** The County will support reducing the number of rail crossings.

**Finding 31:** Staff finds that Policy #6 does not apply to review of the proposed zone change because none of the roads proposed to be used from the highway to the Subdivision, or therein, require crossing of a railroad right-of-way.

**TRANSPORTATION POLICY #7.** The County will work with the Port of St. Helens to encourage the establishment and use of dock facilities.

**Finding 32:** Staff finds that Policy #7 does not apply to review of the proposed zone change because the land proposed to be re-zoned is not located near water bodies conducive to dock facilities.

**TRANSPORTATION POLICY #8.** The two existing airports, in Scappoose and Vernonia, will be zoned with a landing field overlay zone that incorporates height restrictions set by the Federal Aviation Administration. It will allow the development of airport related industrial uses.

**Finding 33:** Staff finds that Policy #8 does not apply to review of the proposed zone change because the land proposed to be re-zoned is not located within the airport overlay zones of either the Scappoose or Vernonia airports.

**TRANSPORTATION POLICY #9.** Restriction of the location of new pipelines and high voltage transmission lines to within existing rights-of-way will be encouraged whenever possible.

**Finding 34:** Staff finds that no new pipelines or high voltage transmission lines will be necessary to support the Hillcrest Subdivision. Therefore, Staff finds that Policy #9 does not apply to review of the proposed zone change.

**TRANSPORTATION POLICY # 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.

Finding 35. Staff finds that the Applicants have not proposed alternative modes of transportation to serve the Hillcrest Subdivision. Therefore, Staff has not considered any alternatives. Staff finds that this Policy is met.

TRANSPORTATION POLICY #11. Columbia County will continue to support the efforts of COLCO Transportation to supply public transit to the citizens of the County.

Finding 36. Staff finds that Policy #11 is not applicable to review of the proposed zone change because public transportation has not been proposed as an alternative transportation mode. Furthermore, COLCO is no longer operating to supply public transit in Columbia County.

TRANSPORTATION POLICY #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 37. Staff finds that Policy #12 is not applicable to review of the proposed zone change because the Applicants have not proposed to provide public transit in conjunction with the proposal to re-zone to residential property.

Continuing with Section 1502.1.B.2 which requires the Board of Commissioners to find that:

2. The proposed Zone Change is consistent with the Statewide Planning Goals (ORS 197);

Goal 2: Land Use Planning Part II, Exceptions -  
Implemented through OAR 660 Division 004

OAR 660-004-0010 "The exceptions process is not applicable to Statewide Goal 1 "Citizens Involvement" and Goal 2 "Land Use Planning." The exceptions process is generally applicable to all or part of those statewide goals which prescribe or restrict certain uses of resource land or limit the provision of certain public facilities and services. These Statewide Goals include but are not limited to:

- (A) Goal 3 "Agricultural Lands", however, an exception to Goal 3 "Agricultural Lands" is not required for any of the farm or nonfarm uses permitted in an exclusive farm use (EFU) zone under ORS Chapter 215 and OAR 660 Division 033 "Agricultural Lands"
- (B) Goal 4 "Forest Lands" however, an exception to Goal 4 "Forest lands" is not

required for any of the forest or nonforest uses permitted in a forest or mixed farm/forest zone under OAR Division 006, "Forest Lands."

Finding 38. The Applicants do not propose that the County take a new exception to Goal 4, Forest Lands. In 1984, the County adopted a Built and Committed Exception to Goal 4 thereby designating one third of the subdivision as Rural Resource (RR-5). The remaining two thirds of the subdivision was designated as forest resource with a buffer woodlot overly to buffer the rural resource portions of the subdivision from the surrounding resource lands. According to the exception statement, the buffer woodlot forest area was to be used for managed timber production.

OAR 660-004-0040 (Applicability of Goal 14 (Urbanization) to Rural Residential Areas)

- (1) The purpose of this rule is to specify how Statewide Planning Goal 14, Urbanization, applies to rural lands in acknowledged exception areas planned for residential uses.
- (2)(a) This rule applies to lands that are not within an urban growth boundary, that are planned and zoned primarily for residential uses, and for which an exception to Statewide Planning Goal 3, (Agricultural Lands), Goal 4 (Forest Lands), or both has been taken. Such lands are referred to in this rule as rural residential areas.
- (b) Sections (1) to (8) of this rule do not apply to the creation of a lot or parcel, or to the development or use of one single-family home on such lot or parcel, where the application for partition or subdivision was filed with the local government and deemed to be complete in accordance with ORS 215.427(3) before the effective date of Sections (1) to (8) of this rule.
- (c) This rule does not apply to types of land listed in (A) through (H) of this subsection:
  - (A) land inside an acknowledged urban growth boundary;
  - (B) land inside an acknowledged unincorporated community boundary established pursuant to OAR Chapter 660, Division 022;
  - (C) land in an acknowledged urban reserve area established pursuant to OAR Chapter 660, Division 021;
  - (D) land in an acknowledged destination resort established pursuant to applicable land use statutes and goals;
  - (E) resource land, as defined in OAR 660-004-0005(2);
  - (F) nonresource land, as defined in OAR 660-004-0005(3);
  - (G) marginal land, as defined in ORS 197.247, 1991 Edition;

- (H) land planned and zoned primarily for rural industrial, commercial, or public use.

Finding 39: The Applicants do not propose that the County take an exception to Statewide Goal 14 (Urbanization) because the FA-19 zoned property is zoned for residential use due to the Woodlot Buffer Overlay, and the application otherwise meets the applicability requirements of OAR 660-004-0040.

OAR 660-004-040(7)(I)

- (I) For rural residential areas designated after the effective date of this rule, the affected county shall either:
  - (A) Require that any new lot or parcel have an area of at least ten acres; or
  - (B) Establish a minimum lot size of at least two acres for new lots or parcels in accordance with the requirements for an exception to Goal 14 in OAR 660-004-0018, 'Planning and Zoning for Exception Areas.'

Finding 40: The Applicants do not propose that the County take an exception to Goal 14 (See Finding 39, above). Rather, the Applicants propose that Goal 14 is satisfied upon compliance with OAR 660-004-0040(7)(I), if the County prohibits the Applicants from creating any new lots or parcels having an area of less than 10 acres. A condition of approval will be that the Applicants shall not create any new lot or parcel in the Subdivision having an area of less than 10 acres.

CCZO 1502.1.B.3 The Board of Commissioners must find adequate evidence substantiating that:

- "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 41: Staff finds that the subject property is not currently provided with adequate facilities, services and transportation networks to support the proposed use of 140 dwellings. However, the Applicants have provided information which demonstrates that adequate facilities and services will be provided concurrently with development.

Staff finds that Community Water is required to support the proposed use of 140 dwellings. Staff finds that a community water system has not been built, as required to serve 140 dwellings. However, the Applicants have provided substantial evidence



that the Department of Water Resources has approved a water right application for up to 130 dwellings. Furthermore, the Applicants has provided substantial evidence that they have received land use approval to build two community water system reservoirs to serve 130 dwellings (See Ordinance No. 2002-08, and DR 02-15). The Applicants will build the community water systems concurrently with development. Staff finds that a condition of approval shall be imposed requiring the community water system to be built concurrently with development. In addition, Staff finds that a condition of approval shall be imposed requiring that the Applicants comply with conditions of approval imposed by the Oregon Water Resources Department, Ordinance No. 2002-08 and DR 02-15. Finally, a condition will limit the total number of dwellings in the Subdivision to the number allowed by all such permits (currently 130).

Staff finds that sanitary systems are required to serve the proposed use of the property for 140 dwellings. Staff finds that the Applicants have not provided substantial evidence to establish that adequate sanitary systems to serve the proposed use of 140 dwellings are presently available. In a memo dated July 27, 2005, the County Sanitarian expressed concern that the Applicants have not demonstrated that adequate facilities will be built concurrently with development to support 140 dwellings. Thereafter, the Applicants provided the County with supplemental documents demonstrating how adequate facilities can be provided concurrent with development. The County Sanitarian has reviewed the supplemental documents and has recommended that additional information be produced related to the location of subsurface septic systems. Because the Applicants have not identified each homesite, they do not know where such septic systems will be located. Staff finds that a condition of approval should be imposed requiring the sanitary systems be built concurrently with development and the information recommended by the County Sanitarian shall be submitted with each lot evaluation request.

Staff further finds that public transportation facilities are required to adequately serve the proposed use of 140 dwellings. Staff finds that the Applicants have not provided substantial evidence to establish that transportation facilities adequate to serve the residential use are presently available. In a memo from Dave Hill, County Roadmaster, dated July 28, 2005, the Roadmaster summarized transportation issues that need to be addressed by the Applicants to indicate that adequate transportation facilities exist or that adequate facilities will be built concurrently with development. Thereafter, the Applicants submitted Supplemental information including a road list, the location of future roads, road grades, road widths, hillside slopes, guard rail locations, which roads will be proposed for vacation, the functional classification of roads to remain, and emergency access. The County Roadmaster has reviewed this Supplemental information and has recommended several conditions of approval, including a requirement that road improvements be made before building permits are issued. Staff finds that upon compliance with the recommended conditions of

approval, necessary transportation facilities will be built concurrently with development.

In addition, Staff finds that fire fighting services are required to adequately serve the proposed use. Staff further finds that the Scappoose Rural Fire Protection District currently provides fire suppression services to the property. Therefore, Staff finds that the affected area is presently provided with adequate fire fighting services.

Finally, Staff finds that storm drainage facilities are required to adequately serve the proposed residential development. The County received a letter from Randall Davis, a neighboring property owner expressing concerns about the adequacy of storm drainage facilities and the correlating negative impact that might have on his property, and indicating that his concerns will be satisfied if the Applicants record the Storm Drainage Course Protection Covenant given to him by Richard Recht. Similar concerns were expressed by Gene and Ann Fry in a letter dated July 7, 2005. The Covenant was also submitted as part of the Applicants' application. In a letter dated May 28, 2005, Richard Recht agrees that the Covenant should be included as a condition of approval of the Applicant's Comprehensive Plan Amendment and Zone Change. Staff finds that a condition of approval should be imposed requiring the Applicants to record the Covenant prior to issuance of a building permit, which will provide for adequate drainage protection concurrently with development.

CCZO 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 Applicants 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 Applicants 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 Applicants of exactly what information is missing within 5 days of receipt of the application and allow the Applicants 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]
- .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).]

- .3 At the public hearing, the staff, Applicants, 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 42: The initial application was submitted on April 14, 2005. The Planning Department deemed the application complete for review purposes on June 10, 2005, and sent notices to affected agencies and surrounding property owners within 500 feet. On June 16, 2005 notices were sent to the same parties rescheduling the hearing date because of State 45 day notice inconsistencies. After determining that additional information about infrastructure improvements were needed, on August 9 a notice was sent rescheduling the hearing to October 2005. On August 24, 2005, a Measure 56 notice was mailed to affected property owners announcing a Planning Commission hearing date of October 3, 2005. Notice of the Planning Commission Public Hearing was published in the Chronicle and Spotlight on September 21, 2005. Notice of a hearing before the Board of County Commissioners was mailed to all persons entitled to notice on owners and published in the newspaper of record on January 31, 2006 .

CCZO 1608 Contents of Notice: Notice of a quasi judicial 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 by the Columbia County Tax Assessor;
- .3 Nature of the proposed action;

- .4 Interested parties may appear and be heard;
- .5 Hearings will be held according to the procedures established in the Zoning Ordinance."

**Finding 43:** All of the above information was included in the Notice of Public Hearing published twice in the Chronicle and Spotlight newspapers not less than 10 days prior to the hearing.

**COMMENTS:**

**RECORD OF CORRESPONDENCE**

1	The OSU Columbia County Extension Office commented by letter dated June 17, 2005
2	The County Roadmaster commented on June 21, 2005 has reviewed the application and recommends denial.
3	The Oregon Department of Forestry commented in a letter dated June 24, 2005
4	DLCD Commented in letter on July 7, 2005
5	Supplemental Application Narrative; Exception to Goal 14 Options; July 15, 2005
6	Gary Fish, DLCD, in a telephone conversation with Todd Dugdale, Director of LDS, on July 18, 2005
7	The Scappoose Bay Watershed Council submitted a letter of support dated July 7, 2005
8	Gene and Ann Fry of 31239 Raymond Creek Road stated in a letter dated July 7, 2005
9	Columbia County Small Woodlands Association, letter of support on July 6, 2005
10	The Scappoose CPAC recommended Approval if their recommended conditions met dated July 13, 2005
11	Philip Engen of 50560 Wild Woodland Dr., letter of support dated July, 13, 2005
12	Randall K. Davis, 31278 Raymond Creek Rd. Letter of support dated July 14, 2005
13	A signed letter without notary was received from Rod and Annette Dettwyler on July 19, 2005.
14	Sally Cox, a property owner of property within the proposed rezoning located at 3222-023-04800 Block 35 Lot 6 has agreed to participate in this proposal as of 7/22/05.

15	R & C Randel have submitted dated 7/25/05 stating that they agree to include their property located at 3222-024-03300 Block 37 Lot 14 in this zone change proposal.
16	The County Sanitarian has stated his 'Issues of Concern' in memo dated July 27, 2005.
17	The County Road Master stated his concerns in memo dated July 28, 2005.
18	Roderic & Anna Davis states support in Ltr. Received August 1, 2005.
19	Dorann Ekhoﬀ for Donna J Miller signed agreement to participate on August 8, 2005.
20	Lawrence & Vernis Gisi signed agreement to participate on August 30, 2005.
21	County Road Dept. Stated the submitted Road Plan is adequate, dated Sept. 20, 2005

### CONCLUSIONS AND RECOMMENDATIONS

Staff recommends **approval** of this proposal for a Plan Amendment from Forest Resource to Rural Residential and Zone Change from FA-19 to PF-76 and RR-5 with the following conditions:

1. The Applicants shall improve all roads proposed to be improved in Supplemental Exhibit A, as follows: Callahan shall be paved to 20' width; all Local Roads serving 18 or more homes shall be paved to 20' width; all Feeder/Limited Service Roads serving less than 18 homes shall be paved to 18' width. No roads shall be built to a grade exceeding 12%, except in cases where it is absolutely necessary as determined by the Columbia County Roadmaster, in which case shall the grade shall not exceed 15%. All roads shall otherwise be built to the current road standards on the date the improvements are made for road structure, including the depth of aggregate and asphalt. Prior to the issuance of a building permit in the subdivision, improvements as set forth herein, with the exception of paving, must be made to every road within the Subdivision leading to the dwelling from Callahan Road. All roads leading to the proposed dwelling must be paved before final inspection and occupancy of the dwelling. Road improvements are subject to the inspection and approval of the County Roadmaster. The road requirements set forth herein shall prevail over road requirements in the Road Agreement.
2. Prior to the issuance of building permits for any dwelling in the Hillcrest Subdivision, Applicants shall prepare and submit to the County, a phased development plan which shall indicate the lots to be irrevocably bound and the timing for development of each phase of the Subdivision. Applicants shall keep the phased development plan up to date and shall provide the Director of Land Development Services with all changes to the phased development plan.
3. All dwellings must meet sanitary septic system rules and regulations. Every application for

a septic system lot evaluation shall be accompanied by a conceptual plot plan for the building site, which shall show the location of all structures proposed to be built on the building site as well as the location of all septic system structures and drain field. Prior to the lot evaluation, all property corners of the proposed homesite shall be surveyed and the corners marked.

4. Neither the Applicants nor any owner of lands within the Hillcrest Subdivision shall create any new lot or parcel having an area of less than 10 acres.
5. The lots to be rezoned PF-76, consisting of at least 80 acres, shall be replatted into one parcel. No more than one dwelling shall be allowed on such parcel, and the parcel shall thereafter be subject to the Forest Land zoning statutes, rules, regulations and Statewide Planning Goals. In the alternative, all owners of property within the PF-76 zoned area shall execute and record a covenant which shall be acceptable to the County, and which shall irrevocably bind such lots together for the purpose of timber management, shall perpetually require such land to be subject to Forest Land zoning statutes, rules, regulations and the Statewide Planning Goals, and shall not allow more than one dwelling to be built within the re-zoned PF-76 zoned property, regardless of whether the area is rezoned in the future, regardless of whether the property is ever annexed by a municipality and regardless of who owns or controls the property within the subdivision. All owners of property to be re-zoned PF-76 shall sign the covenant specified in Condition #6, below, limiting the total number of dwellings in the subdivision to 140.
6. The permanent maximum number of dwellings to be built in the Hillcrest subdivision regardless of the zone, is limited to 140. The Applicants, and all property owners within the subdivision shall sign a Covenant, in a form acceptable to the County, which shall run with the land and be binding on all future owners, which shall clearly limit the number of dwellings in the subdivision to 140, regardless of whether the area is rezoned in the future, regardless of whether the subdivision or any part of it is ever annexed by a municipality, and regardless of who owns or controls the property within the subdivision. All dwellings proposed to be built on FA-19 land with the buffer woodlot overlay, shall be subject to Forest Land zoning statutes, rules, regulations, and the Statewide Planning Goals.
7. The permanent maximum number of dwellings allowed to be built on Hillcrest Subdivision land zoned RR-5, is 130. Provided, however, that the permanent maximum number of dwellings allowed to be built on Hillcrest Subdivision land zoned RR-5 may be increased upon approval from the Oregon Water Resources Department, and upon agreement by the County in the form of an Amended Settlement Agreement. However, as set forth in Condition 6, above, in no case shall the total number of dwellings in the Hillcrest Subdivision exceed 140. Applicants shall record a covenant signed by all owners of property in the RR-5 zoned portions of the subdivision, prohibiting more than 130 dwellings in the RR-5 zone in the subdivision as that zone exists on the effective date of the Ordinance approving the

Comprehensive Plan Amendment and Zone Change. No additional dwellings will be allowed within the RR-5 zoned portions of the subdivision regardless of whether the area is rezoned in the future, regardless of whether the subdivision or any part of it is ever annexed by a municipality, and regardless of who owns or controls the property within the subdivision.

8. In order to be approved for a building permit each proposed homesite must comply with all County ordinances and regulations in effect at the time of the building permit application, that may be applicable to the construction of a dwelling, except to the extent that such Ordinance or regulation serves to reduce, limit or restrict the number of homesites and single family dwellings to less than 130 in the RR-5 zone. Homesites may be comprised of one or more lots. If a homesite is comprised of more than one lot, all lots comprising the homesite shall be irrevocably bound together with a Covenant signed by all property owners of such lots, and recorded in the Columbia County Deed Records. The Covenant shall perpetually restrict the owner(s) of such lots from building more than one dwelling on the bound lots. The Covenant shall run with the land. No building permit may be issued for a single family dwelling prior to the recording of the Covenant.
9. For purposes of these conditions "dwelling" shall mean a single family dwelling. The Applicants and all property owners of lots or parcels within the subdivision shall record a covenant prohibiting the construction of housing units other than single family dwellings in the Hillcrest Subdivision. Such covenant shall run with the land and be binding on all future owners of property within the Hillcrest Subdivision.
10. Prior to the issuance of any building permit in the Hillcrest Subdivision, the Applicants and all owners of lots within the Subdivision proposed to be reserved for open space shall record a Covenant in a form which must be acceptable to the County, permanently reserving the 46 acres of land proposed for open space. The area to be preserved for open space is shown on the Applicants' proposed zoning map as FA-19 zoned property. The open space lands shall be bound in the Covenant, by at least the following restrictions:
  - A. No construction of structures of any sort whatsoever may occur in these areas.
  - B. With the exception of a single public road across on of the areas of Open Space no paving will be allowed in the open space.
  - C. The current density of trees in the Open Space shall be maintained with native species. In the event that trees in the open space are lost to fire, disease or other accidental or natural causes, the affected lands shall be reforested with native species as soon thereafter as physically possible.
  - D. Violations of these Open Space land requirements may be enforced against offending landowners by anyone owning property within 1000 feet of the affected property.

11. The Applicants shall comply with all conditions or other requirements of the Oregon Water Resources Department both in the Applicant ' existing permit and any new or amended permit issued for the Subdivision. In addition, the Applicants shall maintain and operate at least two monitoring wells downhill to the north of the Subdivision (toward Raymond Creek) and at least two more monitoring wells downhill to the East of the Subdivision (toward Old Portland Road). In the event that water shortages begin to affect offsite domestic wells, monitoring data from the Applicants' monitoring wells will be made freely available to the affected neighboring landowners. Prior to the issuance of any building permit for a dwelling in the Subdivision, a Community Water System must be built in compliance with Ordinance No. 2002-8, as well as with all conditions of the Oregon Water Resources Department Permit
12. Prior to issuance of a building permit, Applicants shall record a Storm Drainage Course Protection Covenant in a form which shall be acceptable to the County.
13. All structures built within the Hillcrest subdivision on lots either adjacent to, or irrevocably bound to lots that are adjacent to Forest Resource zoned lands, shall have a minimum 30 foot primary fuel break, which shall be maintained in accordance with fire siting standards for primary fuel breaks. All such structures shall be built to comply with IR2 fire siting standards. The Applicants shall formulate a fire safety plan in consultation with the Scappoose Fire District and the Oregon Department of Forestry which shall be incorporated in the Homeowners Association Covenants, Conditions and Restrictions.
14. All owners of property within the Hillcrest Subdivision shall sign waivers of remonstrance against lawful forest practices on adjacent resource lands.

Attachments:      Record of Correspondence  
                         Application with Exhibits 1 - 9  
                         Location Map  
                         Zoning Map  
                         Supplemental Exhibits A - L



**ATTACHMENT 3**

**EXHIBIT 3**

**LOTS TO BE REZONED RURAL RESIDENTIAL (RR-5)**

Exhibit 3				
Hillcrest Lots to be				
Designated Rural Residential and				
Zoned Rural Residential (RR-5)				
Block	Lot	Tax ID		Owner
24	1	0108 2 3222 041	12200	William and Lesley Hunt
24	2	0108 2 3222 041	12100	William and Lesley Hunt
24	3	0108 2 3222 041	12000	William and Lesley Hunt
24	4	0108 2 3222 041	11900	Scappoose Venture/Partners
24	5	0108 2 3222 041	11800	Columbia Hills
24	6	0108 2 3222 041	11700	Chris Nelson
24	7	0108 2 3222 041	11600	Chris Nelson
24	8	0108 2 3222 041	11500	Chris Nelson
24	9	0108 2 3222 041	11400	Chris Nelson
24	10	0108 2 3222 041	12700	Chris Nelson
24	11	0108 2 3222 041	12600	Columbia Hills
24	12	0108 2 3222 041	12500	Columbia Hills
24	13	0108 2 3222 041	12400	William and Lesley Hunt
24	14	0108 2 3222 041	12300	William and Lesley Hunt
32	13	0108 2 3222 023	04100	Don Gravestock
32	14	0108 2 3222 023	04000	Richard Recht
32	15	0108 2 3222 023	03900	Richard Recht
32	16	0108 2 3222 023	03800	Richard Recht
32	17	0108 2 3222 023	03700	Hillcrest Investments
32	18	0108 2 3222 024	08800	Hillcrest Investments
32	19	0108 2 3222 024	08700	Dettwyler ✓
32	20	0108 2 3222 024	08600	Hillcrest Investments
33	10	0108 2 3222 024	08500	Don Gravestock
33	11	0108 2 3222 024	08400	Don Gravestock
33	12	0108 2 3222 024	08300	Richard Recht
33	13	0108 2 3222 024	08200	Richard Recht
33	14	0108 2 3222 024	08100	Hillcrest Investments
33	15	0108 2 3222 024	08000	Hillcrest Investments
33	16	0108 2 3222 024	07900	Hillcrest Investments
33	17	0108 2 3222 024	07800	Hillcrest Investments
34	1	0108 2 3222 024	07600	Don Gravestock
34	2	0108 2 3222 024	07500	Don Gravestock
34	3	0108 2 3222 024	07400	Richard Recht
34	4	0108 2 3222 024	07300	Richard Recht
34	5	0108 2 3222 024	07200	Richard Recht
34	6	0108 2 3222 024	07100	Hillcrest Investments
34	7	0108 2 3222 024	07000	Hillcrest Investments
34	8	0108 2 3222 024	06900	Hillcrest Investments
34	9	0108 2 3222 024	06800	Hillcrest Investments
34	10	0108 2 3222 024	06100	Hillcrest Investments
34	11	0108 2 3222 024	06000	Hillcrest Investments
34	12	0108 2 3222 024	05900	Hillcrest Investments
34	13	0108 2 3222 024	05800	Hillcrest Investments
34	14	0108 2 3222 024	05700	Richard Recht
34	15	0108 2 3222 024	05600	Richard Recht
34	16	0108 2 3222 024	05500	Richard Recht
34	17	0108 2 3222 024	05400	Don Gravestock
34	18	0108 2 3222 024	05300	Temple ✓

Block	Lot	Tax ID		Owner
35	1	0108 2 3222 024	06700	Gisi ✓
35	2	0108 2 3222 024	06600	Gisi ✓
35	3	0108 2 3222 024	06500	Rice ✓
35	4	0108 2 3222 023	05000	Scappoose Venture/Partners
35	5	0108 2 3222 023	04900	Columbia Hills
35	6	0108 2 3222 023	04800	Cox ✓
35	7	0108 2 3222 023	04700	Hillcrest Investments
35	8	0108 2 3222 023	04600	Richard Recht
35	13	0108 2 3222 023	05500	Richard Recht
35	14	0108 2 3222 023	05400	Hillcrest Investments
35	15	0108 2 3222 023	05300	Hillcrest Investments
35	16	0108 2 3222 023	05200	Hillcrest Investments
35	17	0108 2 3222 023	05100	Don Gravestock
35	18	0108 2 3222 024	06400	Don Gravestock
35	19	0108 2 3222 024	06300	Don Gravestock
35	20	0108 2 3222 024	06200	Don Gravestock
36	1	0108 2 3222 024	04600	Scappoose Venture/Partners
36	2	0108 2 3222 024	04500	Richard Recht
36	3	0108 2 3222 024	04400	Richard Recht
36	4	0108 2 3222 023	06400	Chris Nelson
36	5	0108 2 3222 023	06300	Scappoose Venture/Partners
36	6	0108 2 3222 023	06200	Don Gravestock
36	7	0108 2 3222 023	06100	Scappoose Venture/Partners
36	8	0108 2 3222 023	06000	Hillcrest Investments
36	12	0108 2 3222 023	06900	Hillcrest Investments
36	13	0108 2 3222 023	06800	Don Gravestock
36	14	0108 2 3222 023	06700	Don Gravestock
36	15	0108 2 3222 023	06600	Hillcrest Investments
36	16	0108 2 3222 023	06500	Hillcrest Investments
36	17	0108 2 3222 024	04300	Don Gravestock
36	18	0108 2 3222 024	04200	Creel ✓
36	19	0108 2 3222 024	04100	Don Gravestock
37	1	0108 2 3222 024	05200	Monika Zimmerman
37	2	0108 2 3222 024	05100	Monika Zimmerman
37	3	0108 2 3222 024	05000	Hillcrest Investments
37	4	0108 2 3222 024	04900	Scappoose Venture/Partners
37	5	0108 2 3222 024	04800	Chris Nelson
37	6	0108 2 3222 024	04700	Monika Zimmerman
37	7	0108 2 3222 024	04000	Scappoose Venture/Partners
37	8	0108 2 3222 024	03900	Monika Zimmerman
37	9	0108 2 3222 024	03800	Moritz ✓
37	10	0108 2 3222 024	03700	Creel ✓
37	11	0108 2 3222 024	03600	Scappoose Venture/Partners
37	12	0108 2 3222 024	03500	Don Gravestock
37	13	0108 2 3222 024	03400	Hillcrest Investments
37	14	0108 2 3222 024	03300	Rondel ✓
18A	9	0108 2 3222 041	08600	Chris Nelson
18A	10	0108 2 3222 041	08500	Chris Nelson
18A	11	0108 2 3222 041	08400	Chris Nelson
18A	12	0108 2 3222 041	08300	Chris Nelson
18A	13	0108 2 3222 041	08200	Chris Nelson
18A	14	0108 2 3222 041	08100	Chris Nelson
18A	15	0108 2 3222 041	08000	Chris Nelson
18A	16	0108 2 3222 041	07900	Columbia Hills
18A	17	0108 2 3222 041	07800	Columbia Hills

Block	Lot	Tax ID		Owner
18A	18	0108 2 3222 041	07500	Columbia Hills
18A	19	0108 2 3222 041	07600	Don Gravestock
18A	20	0108 2 3222 041	07700	Don Gravestock
18A	21	0108 2 3222 041	11300	Don Gravestock
18A	22	0108 2 3222 041	11200	Columbia Hills
18A	23	0108 2 3222 041	11100	Columbia Hills
18A	24	0108 2 3222 041	11000	Columbia Hills
18A	25	0108 2 3222 041	10900	Don Gravestock
18A	26	0108 2 3222 041	10800	Don Gravestock
18A	27	0108 2 3222 041	10700	Don Gravestock
18A	28	0108 2 3222 041	10600	Columbia Hills
18A	29	0108 2 3222 041	10500	Columbia Hills
18A	30	0108 2 3222 041	10400	Columbia Hills
18A	31	0108 2 3222 041	10300	Columbia Hills
18A	32	0108 2 3222 041	10200	Monika Zimmerman
18A	33	0108 2 3222 041	10100	Monika Zimmerman
18A	34	0108 2 3222 041	10000	Monika Zimmerman
18A	35	0108 2 3222 041	09900	William and Lesley Hunt
18A	36	0108 2 3222 041	09800	William and Lesley Hunt
18A	37	0108 2 3222 041	09700	Chris Nelson
18A	38	0108 2 3222 041	09600	Chris Nelson
18A	39	0108 2 3222 041	09500	Columbia Hills
19A	1	0108 2 3222 041	00100	Don Gravestock
19A	2	0108 2 3222 041	00200	Don Gravestock
19A	3	0108 2 3222 041	00300	Don Gravestock
19A	4	0108 2 3222 041	00400	Don Gravestock
19A	5	0108 2 3222 041	00500	Don Gravestock
19A	6	0108 2 3222 041	00600	Monika Zimmerman
19A	7	0108 2 3222 041	00700	Monika Zimmerman
19A	8	0108 2 3222 041	00800	Monika Zimmerman
19A	9	0108 2 3222 041	00900	Don Gravestock
19A	10	0108 2 3222 041	01000	Don Gravestock
19A	11	0108 2 3222 041	01100	Don Gravestock
19A	12	0108 2 3222 041	01200	Columbia Hills
19A	13	0108 2 3222 041	01300	Columbia Hills
19A	14	0108 2 3222 041	01400	Columbia Hills
19A	15	0108 2 3222 041	01500	Don Gravestock
19A	16	0108 2 3222 041	01600	Don Gravestock
19A	17	0108 2 3222 041	01700	William and Lesley Hunt
19A	18	0108 2 3222 041	01800	William and Lesley Hunt
19A	19	0108 2 3222 041	01900	Columbia Hills
19A	20	0108 2 3222 041	02000	Columbia Hills
19A	21	0108 2 3222 041	02100	Columbia Hills
19A	22	0108 2 3222 041	02200	William and Lesley Hunt
19A	23	0108 2 3222 041	02300	William and Lesley Hunt
19A	24	0108 2 3222 041	02400	William and Lesley Hunt

<b>Block</b>	<b>Lot</b>	<b>Tax ID</b>		<b>Owner</b>
19A	25	0108 2 3222 041	02500	William and Lesley Hunt
19A	26	0108 2 3222 041	02600	William and Lesley Hunt

**EXHIBIT 4**

**LOTS TO BE REZONED RURAL RESIDENTIAL RR-5**

**with specific site designations**

<b>Exhibit 4</b>				
<b>Hillcrest Lots to be</b>				
<b>Designated Rural Residential and</b>				
<b>Zoned RR-5 Limited to Designated Homesites</b>				
<b>Block</b>	<b>Lot</b>	<b>Tax ID</b>		<b>Owner</b>
2	9	0108 2 3223 022	03400	Hillcrest Investments
2	10	0108 2 3223 022	03300	Hillcrest Investments
2	11	0108 2 3223 022	03200	Hillcrest Investments
2	12	0108 2 3223 022	03100	Hillcrest Investments
5	1	0108 2 3222 011	06100	Hillcrest Investments
5	2	0108 2 3222 011	06200	Hillcrest Investments
5	3	0108 2 3222 011	06300	Hillcrest Investments
5	4	0108 2 3222 011	06400	Hillcrest Investments
5	5	0108 2 3222 011	06500	Hillcrest Investments
5	6	0108 2 3222 011	06600	Hillcrest Investments
6	1	0108 2 3222 011	05700	Hillcrest Investments
6	2	0108 2 3222 011	05800	Hillcrest Investments
6	3	0108 2 3222 011	05900	Hillcrest Investments
6	4	0108 2 3222 011	06000	Hillcrest Investments
6	5	0108 2 3222 011	04900	Hillcrest Investments
6	6	0108 2 3222 011	05000	Hillcrest Investments
6	7	0108 2 3222 011	05100	Hillcrest Investments
6	8	0108 2 3222 011	05200	Columbia Hills
6	9	0108 2 3222 011	05300	Hillcrest Investments
6	10	0108 2 3222 011	05400	Hillcrest Investments
6	11	0108 2 3222 011	05500	Hillcrest Investments
6	12	0108 2 3222 011	05600	Hillcrest Investments
8	1	0108 2 3222 011	02700	Hillcrest Investments
8	2	0108 2 3222 011	02600	Hillcrest Investments
8	3	0108 2 3222 011	02500	Hillcrest Investments
8	4	0108 2 3222 011	02400	Hillcrest Investments
8	5	0108 2 3222 011	02300	Richard Recht
8	6	0108 2 3222 011	02200	Richard Recht
8	7	0108 2 3222 011	02100	Richard Recht
8	8	0108 2 3222 011	02000	Richard Recht
8	9	0108 2 3222 011	01900	Hillcrest Investments
8	10	0108 2 3222 011	01800	Hillcrest Investments
8	11	0108 2 3222 012	03300	Hillcrest Investments
8	35	0108 2 3222 011	03000	Hillcrest Investments
8	36	0108 2 3222 011	02900	Hillcrest Investments
8	37	0108 2 3222 011	02800	Hillcrest Investments
10	3	0108 2 3222 012	02200	Hillcrest Investments
10	4	0108 2 3222 012	02100	Hillcrest Investments
10	5	0108 2 3222 012	02000	Columbia Hills
10	6	0108 2 3222 012	01900	Columbia Hills
10	9	0108 2 3222 012	04800	Scappoose Venture/Partners
10	10	0108 2 3222 012	04700	Scappoose Venture/Partners
10	11	0108 2 3222 012	04600	Hillcrest Investments
10	12	0108 2 3222 012	04500	Hillcrest Investments
11	2	0108 2 3222 012	05400	Scappoose Venture/Partners
11	3	0108 2 3222 012	05300	Chris Nelson
11	4	0108 2 3222 012	05200	Chris Nelson
11	5	0108 2 3222 012	05100	Hillcrest Investments

Block	Lot	Tax ID		Owner
11	8	0108 2 3222 012	07900	Hillcrest Investments
11	9	0108 2 3222 012	07800	Hillcrest Investments
11	10	0108 2 3222 012	07700	Hillcrest Investments
11	11	0108 2 3222 012	07600	Hillcrest Investments
14	11	0108 2 3222 012	08800	Scappoose Venture/Partners
14	12	0108 2 3222 012	08700	Hillcrest Investments
14	13	0108 2 3222 012	08600	Hillcrest Investments
14	14	0108 2 3222 012	08500	Columbia Hills
14	15	0108 2 3222 013	02600	Hillcrest Investments
14	16	0108 2 3222 013	02500	Hillcrest Investments
14	17	0108 2 3222 013	02400	Don Gravestock
14	18	0108 2 3222 013	02300	Don Gravestock
14	19	0108 2 3222 013	02200	Don Gravestock
14	20	0108 2 3222 013	02100	Columbia Hills
14	21	0108 2 3222 013	02000	Hillcrest Investments
14	22	0108 2 3222 013	01900	Hillcrest Investments
15	1	0108 2 3222 012	08100	Hillcrest Investments
15	2	0108 2 3222 012	08200	Scappoose Venture/Partners
15	3	0108 2 3222 012	08300	Richard Recht
15	4	0108 2 3222 012	08400	Richard Recht
15	5	0108 2 3222 013	02700	Don Gravestock
15	6	0108 2 3222 013	02800	Don Gravestock
15	7	0108 2 3222 013	02900	Richard Recht
15	8	0108 2 3222 013	03000	Richard Recht
15	9	0108 2 3222 013	03100	William and Lesley Hunt
15	10	0108 2 3222 013	03200	William and Lesley Hunt
15	11	0108 2 3222 013	03400	Richard Recht
15	12	0108 2 3222 013	03300	Richard Recht
39	6	0108 2 3222 031	00600	Don Gravestock
39	7	0108 2 3222 031	00700	Don Gravestock
39	8	0108 2 3222 031	02400	Don Gravestock
39	9	0108 2 3222 031	02300	Don Gravestock
40	1	0108 2 3222 031	02200	Richard Recht
40	2	0108 2 3222 031	02100	Richard Recht
40	3	0108 2 3222 031	00800	Richard Recht
40	4	0108 2 3222 031	00900	Richard Recht



**ATTACHMENT 4**

**EXHIBIT 1**

**LOTS TO BE REZONED PRIMARY FOREST (PF-76)**

**Exhibit 1**  
**Hillcrest Lots to be**  
**Designated Primary Forest in the Comprehensive Plan and**  
**Zoned Primary Forest (PF 80)**

Block	Lot	Tax ID		Owner
28	9	0108 2 3222 023	00600	Don Gravestock
28	10	0108 2 3222 023	00700	Don Gravestock
29	1	0108 2 3222 023	00800	Susan Russell
29	2	0108 2 3222 023	00900	Susan Russell
29	3	0108 2 3222 023	01000	Susan Russell
29	4	0108 2 3222 023	01100	Susan Russell
29	5	0108 2 3222 023	01200	Susan Russell
29	6	0108 2 3222 023	01300	Susan Russell
29	7	0108 2 3222 023	01400	Susan Russell
29	8	0108 2 3222 023	01500	Susan Russell
29	9	0108 2 3222 023	01600	Susan Russell
29	10	0108 2 3222 023	01700	Susan Russell
30	1	0108 2 3222 023	07800	Susan Russell
30	2	0108 2 3222 023	07900	Susan Russell
30	3	0108 2 3222 023	08000	Susan Russell
30	4	0108 2 3222 023	08100	Susan Russell
30	5	0108 2 3222 023	08200	Susan Russell
30	6	0108 2 3222 023	08300	Susan Russell
30	7	0108 2 3222 023	08400	Susan Russell
30	8	0108 2 3222 023	07100	Susan Russell
30	9	0108 2 3222 023	07200	Susan Russell
30	10	0108 2 3222 023	07300	Susan Russell
30	11	0108 2 3222 023	07400	Susan Russell
30	12	0108 2 3222 023	07500	Susan Russell
30	13	0108 2 3222 023	07600	Susan Russell
30	14	0108 2 3222 023	07700	Susan Russell
30	15	0108 2 3222 023	02900	Susan Russell
30	16	0108 2 3222 023	02800	Susan Russell
30	17	0108 2 3222 023	02700	Susan Russell
30	18	0108 2 3222 023	02600	Susan Russell
30	19	0108 2 3222 023	02500	Susan Russell
30	20	0108 2 3222 023	02400	Susan Russell
30	21	0108 2 3222 023	02200	Susan Russell
30	22	0108 2 3222 023	02100	Susan Russell
30	23	0108 2 3222 023	01800	Susan Russell
30	24	0108 2 3222 023	01900	Susan Russell
30	25	0108 2 3222 023	02000	Susan Russell
30	26	0108 2 3222 023	02300	Susan Russell
31	1	0108 2 3222 023	09200	Susan Russell
31	2	0108 2 3222 023	09100	Susan Russell
31	3	0108 2 3222 023	09000	Susan Russell
31	4	0108 2 3222 023	08900	Susan Russell
31	5	0108 2 3222 023	08800	Susan Russell
31	6	0108 2 3222 023	08700	Susan Russell
31	7	0108 2 3222 023	08500	Susan Russell
31	8	0108 2 3222 023	08600	Susan Russell
31	9	0108 2 3222 023	09400	Susan Russell
31	10	0108 2 3222 023	09300	Susan Russell

Block	Lot	Tax ID		Owner
31	11	0108 2 3222 023	09500	Susan Russell
32	10	0108 2 3222 023	03000	Don Gravestock
32	11	0108 2 3222 023	04300	Scappoose Venture/Partners
35	10	0108 2 3222 023	04400	Richard Recht
35	11	0108 2 3222 023	05700	Richard Recht
28	8	0108 2 3222 023	00500	Don Gravestock
36	10	0108 2 3222 023	05800	Lundquist
36	11	0108 2 3222 023	07000	Hillcrest Investments
40	5	0108 2 3222 031	01000	Richard Recht
40	6	0108 2 3222 031	01100	Richard Recht
40	7	0108 2 3222 031	01200	Richard Recht
40	8	0108 2 3222 031	01300	Richard Recht
40	9	0108 2 3222 031	01400	Richard Recht
40	10	0108 2 3222 023	11400	Richard Recht
40	11	0108 2 3222 023	11300	Richard Recht
40	12	0108 2 3222 023	11200	Richard Recht
40	13	0108 2 3222 023	11100	Richard Recht
40	14	0108 2 3222 023	11000	Richard Recht
40	15	0108 2 3222 023	10900	Richard Recht
40	16	0108 2 3222 023	10800	Richard Recht
40	17	0108 2 3222 023	10700	Chris Nelson
40	18	0108 2 3222 023	10600	Chris Nelson
40	19	0108 2 3222 023	10500	Chris Nelson
40	20	0108 2 3222 023	10400	William and Lesley Hunt
40	21	0108 2 3222 023	10300	William and Lesley Hunt
40	22	0108 2 3222 023	10200	Don Gravestock
40	23	0108 2 3222 023	10100	Don Gravestock
40	24	0108 2 3222 023	12700	Don Gravestock
40	25	0108 2 3222 023	12600	Don Gravestock
40	26	0108 2 3222 023	12500	William and Lesley Hunt
40	27	0108 2 3222 023	12400	William and Lesley Hunt
40	28	0108 2 3222 023	12300	Chris Nelson
40	29	0108 2 3222 023	12200	Chris Nelson
40	30	0108 2 3222 023	12100	Chris Nelson
40	31	0108 2 3222 023	12000	Richard Recht
40	32	0108 2 3222 023	11900	Richard Recht
40	33	0108 2 3222 023	11800	Richard Recht
40	34	0108 2 3222 023	11700	Richard Recht
40	35	0108 2 3222 023	11600	Richard Recht
40	36	0108 2 3222 023	11500	Richard Recht
40	37	0108 2 3222 031	01500	Richard Recht
40	38	0108 2 3222 031	01600	Richard Recht
40	39	0108 2 3222 031	01700	Richard Recht
40	40	0108 2 3222 031	01800	Richard Recht
40	41	0108 2 3222 031	01900	Richard Recht
40	42	0108 2 3222 031	02000	Richard Recht
41	1	0108 2 3222 023	09600	Susan Russell
41	2	0108 2 3222 023	09700	Susan Russell
41	3	0108 2 3222 023	09800	Susan Russell
41	4	0108 2 3222 023	09900	Susan Russell
41	5	0108 2 3222 023	10000	Susan Russell
41	6	0108 2 3222 032	14000	Susan Russell
41	7	0108 2 3222 032	13900	Susan Russell
41	8	0108 2 3222 032	13800	Susan Russell
41	9	0108 2 3222 032	13700	Susan Russell

Block	Lot	Tax ID		Owner
41	10	0108 2 3222 032	13600	Susan Russell
41	11	0108 2 3222 032	13500	Susan Russell
41	12	0108 2 3222 032	13400	Susan Russell
41	13	0108 2 3222 032	13300	Susan Russell
41	14	0108 2 3222 032	13200	Susan Russell
42	11	0108 2 3222 031	04000	Don Gravestock
42	12	0108 2 3222 032	00200	Richard Recht
42	13	0108 2 3222 032	00300	Richard Recht
42	14	0108 2 3222 032	00400	Richard Recht
42	15	0108 2 3222 032	00500	Richard Recht
42	16	0108 2 3222 032	00600	Richard Recht
42	17	0108 2 3222 032	00700	Richard Recht
42	18	0108 2 3222 032	00800	Richard Recht
42	19	0108 2 3222 032	00900	Richard Recht
42	20	0108 2 3222 032	01000	Richard Recht
42	21	0108 2 3222 032	01100	Richard Recht
42	22	0108 2 3222 032	01200	Hillcrest Investments
42	23	0108 2 3222 032	01300	Hillcrest Investments
42	24	0108 2 3222 032	01400	Hillcrest Investments
42	25	0108 2 3222 032	01500	Hillcrest Investments
42	26	0108 2 3222 032	01600	Monika Zimmerman
42	27	0108 2 3222 032	01700	Monika Zimmerman
42	28	0108 2 3222 032	01800	Monika Zimmerman
42	29	0108 2 3222 032	01900	Monika Zimmerman
42	30	0108 2 3222 032	02000	Monika Zimmerman
42	31	0108 2 3222 032	02100	Scappoose Venture/Partners
42	32	0108 2 3222 032	02200	Scappoose Venture/Partners
42	33	0108 2 3222 032	02300	Hillcrest Investments
42	34	0108 2 3222 032	02400	Hillcrest Investments
42	35	0108 2 3222 032	02500	Hillcrest Investments
42	36	0108 2 3222 032	02600	Richard Recht
42	37	0108 2 3222 032	02700	Richard Recht
42	38	0108 2 3222 032	02800	Richard Recht
42	39	0108 2 3222 032	02900	Richard Recht
42	40	0108 2 3222 032	03000	Richard Recht
42	41	0108 2 3222 032	03100	Richard Recht
42	42	0108 2 3222 032	03200	Richard Recht
42	43	0108 2 3222 032	03300	Richard Recht
42	44	0108 2 3222 032	03400	Richard Recht
42	45	0108 2 3222 032	00100	Don Gravestock
42	46	0108 2 3222 031	04100	Don Gravestock
42	47	0108 2 3222 031	04200	Don Gravestock
42	48	0108 2 3222 031	04300	Richard Recht
42	49	0108 2 3222 031	04400	Richard Recht
42	50	0108 2 3222 031	04500	Don Gravestock
42	51	0108 2 3222 031	04600	Richard Recht
42	52	0108 2 3222 031	04700	Richard Recht
42	53	0108 2 3222 031	04800	Richard Recht
43	1	0108 2 3222 032	03500	Don Gravestock
43	2	0108 2 3222 032	03600	Don Gravestock
43	3	0108 2 3222 032	03700	Don Gravestock
43	4	0108 2 3222 032	03800	Don Gravestock
43	5	0108 2 3222 032	03900	Don Gravestock
43	6	0108 2 3222 032	04000	Hillcrest Investments
43	7	0108 2 3222 032	04100	Hillcrest Investments

Block	Lot	Tax ID		Owner
43	8	0108 2 3222 032	04200	Hillcrest Investments
43	9	0108 2 3222 032	04300	Hillcrest Investments
43	10	0108 2 3222 032	04400	Hillcrest Investments
43	11	0108 2 3222 032	04500	Hillcrest Investments
43	12	0108 2 3222 032	04600	Hillcrest Investments
43	13	0108 2 3222 032	04700	Hillcrest Investments
43	14	0108 2 3222 032	04800	Don Gravestock
43	15	0108 2 3222 032	04900	Don Gravestock
43	16	0108 2 3222 032	05000	Don Gravestock
43	17	0108 2 3222 032	05100	Don Gravestock
43	18	0108 2 3222 032	05200	Don Gravestock
43	19	0108 2 3222 032	05300	Don Gravestock
44	1	0108 2 3222 032	13100	Susan Russell
44	2	0108 2 3222 032	13000	Susan Russell
44	3	0108 2 3222 032	12900	Susan Russell
44	4	0108 2 3222 032	12800	Susan Russell
44	5	0108 2 3222 032	12700	Susan Russell
44	6	0108 2 3222 032	12600	Susan Russell
44	7	0108 2 3222 032	12500	Susan Russell
44	8	0108 2 3222 032	12400	Susan Russell
44	9	0108 2 3222 032	12300	Susan Russell
44	10	0108 2 3222 032	12200	Susan Russell
45	1	0108 2 3222 032	05400	Hillcrest Investments
45	2	0108 2 3222 032	05500	Hillcrest Investments
45	3	0108 2 3222 032	05600	Hillcrest Investments
45	4	0108 2 3222 032	05700	Hillcrest Investments
45	5	0108 2 3222 032	05800	Hillcrest Investments
45	6	0108 2 3222 032	05900	Hillcrest Investments
45	7	0108 2 3222 032	06000	Hillcrest Investments
45	8	0108 2 3222 032	06100	Hillcrest Investments
45	9	0108 2 3222 032	06200	Don Gravestock
45	10	0108 2 3222 032	06300	Don Gravestock
45	11	0108 2 3222 032	06400	Don Gravestock
45	12	0108 2 3222 032	06500	Hillcrest Investments
45	13	0108 2 3222 032	06600	Hillcrest Investments
45	14	0108 2 3222 032	06700	Don Gravestock
45	15	0108 2 3222 032	06800	Don Gravestock
45	16	0108 2 3222 032	06900	Don Gravestock
45	17	0108 2 3222 032	07000	Hillcrest Investments
45	18	0108 2 3222 032	07100	Hillcrest Investments
45	19	0108 2 3222 032	07200	Hillcrest Investments
45	20	0108 2 3222 032	07300	Hillcrest Investments
45	21	0108 2 3222 032	07400	Hillcrest Investments
45	22	0108 2 3222 032	07500	Hillcrest Investments
45	23	0108 2 3222 032	07600	Hillcrest Investments
45	24	0108 2 3222 032	07700	Hillcrest Investments
45	25	0108 2 3222 032	07800	Hillcrest Investments
46	1	0108 2 3222 032	07900	Chris Nelson
46	2	0108 2 3222 032	08000	Chris Nelson
46	3	0108 2 3222 032	08100	Chris Nelson
46	4	0108 2 3222 032	08200	Chris Nelson
46	5	0108 2 3222 032	08300	Chris Nelson
46	6	0108 2 3222 032	08400	Chris Nelson
46	7	0108 2 3222 032	08500	Hillcrest Investments
46	8	0108 2 3222 032	08600	Hillcrest Investments

Block	Lot	Tax ID		Owner
46	9	0108 2 3222 032	08700	Hillcrest Investments
46	10	0108 2 3222 032	08800	Hillcrest Investments
46	11	0108 2 3222 032	08900	Don Gravestock
46	12	0108 2 3222 032	09000	Don Gravestock
46	13	0108 2 3222 032	09100	Don Gravestock
46	14	0108 2 3222 032	09200	Hillcrest Investments
46	15	0108 2 3222 032	09300	Hillcrest Investments
46	16	0108 2 3222 032	09400	Don Gravestock
46	17	0108 2 3222 032	09500	Don Gravestock
46	18	0108 2 3222 032	09600	Don Gravestock
46	19	0108 2 3222 032	09700	Hillcrest Investments
46	20	0108 2 3222 032	09800	Hillcrest Investments
46	21	0108 2 3222 032	09900	Hillcrest Investments
46	22	0108 2 3222 032	10000	Hillcrest Investments
46	23	0108 2 3222 032	10100	Chris Nelson
46	24	0108 2 3222 032	10200	Chris Nelson
46	25	0108 2 3222 032	10300	Chris Nelson
46	26	0108 2 3222 032	10400	Chris Nelson
46	27	0108 2 3222 032	10500	Chris Nelson
46	28	0108 2 3222 032	10600	Chris Nelson
47	1	0108 2 3222 032	10800	Chris Nelson
47	2	0108 2 3222 032	10700	Chris Nelson
47	3	0108 2 3222 032	10900	Chris Nelson
47	4	0108 2 3222 032	11000	Chris Nelson
47	5	0108 2 3222 032	11100	Chris Nelson
47	6	0108 2 3222 032	11200	Chris Nelson
47	7	0108 2 3222 032	11300	Chris Nelson
47	8	0108 2 3222 032	11400	Hillcrest Investments
47	9	0108 2 3222 032	11500	Hillcrest Investments
47	10	0108 2 3222 032	11600	Hillcrest Investments
47	11	0108 2 3222 032	11700	Hillcrest Investments
47	12	0108 2 3222 032	11800	Don Gravestock
47	13	0108 2 3222 032	11900	Don Gravestock
47	14	0108 2 3222 032	12000	Don Gravestock
47	15	0108 2 3222 032	12100	Hillcrest Investments

**PROPOSED ROADS****IMPACT OF REZONING ON ROADS****Roads Providing Access to the Rezoned Areas**

Valley View is the subdivision local road providing access to both the 18 homesites in the Northwest Rezoned Area and ten of the 11 Northern Designated Homesites. Wayside Drive is the subdivision local road providing access to the 11 homes in the Southeast Rezoned Area. Callahan, both a collector and at its western end a subdivision local road, and Ridgeway, a local subdivision road, provide access to the remaining homesite in a rezoned area. (See the map Roads Providing Access to Rezoned Areas.)

The number of homesites using each of these local subdivision roads for access at various road segments is shown on another accompanying map (Road Usage Counts). The count of homesites comes from the map Possible Homesites and the accompanying list of the homesites with the neighborhood and road on which the driveway will enter shown for each homesite.

It can be seen that 27 homes will use Valley View in the segment east of Moss Avenue and the number will increase to 50 at its entrance onto Callahan County Road. This is between 10 and 15 more homesites that will utilize Valley View than would be the case without the rezoning.

The map shows that Wayside Drive southwest of Hemlock will be used by 30 homesites. This is perhaps five more than would be the case with existing zoning. Ridgeway, where it joins Wildwoodland, will be used by 18 homes. Without rezoning there would be more homes in the neighborhood.

Callahan County Road, as it leaves the subdivision, is used by all homesites in the subdivision. However, the number of homesites using the road is unchanged by the proposed rezoning.

The above comparisons with existing zoning assume that no homes are permitted under conditional use or Measure 37 permits. Given the number of homesites in the buffer area that appear to qualify for such permits, traffic could be much greater without the restrictions built into the rezoning proposal.

The later brief section on trip generation and road capacities indicates that a typical practical road capacity for a two-lane road such as the subdivision local roads is about 900 cars per hour. Even if this amount is cut in half for Valley View and Wayside Avenue to reflect their most constrained segments, it is clear that (1) the roads will only be used to a small portion of their capacity and (2) the impact of the rezoning is negligible.



Information about road standards, including road width, grade, guardrails, road base construction standards and shoulder widths are provided in the Road Standards section below. Drainage analysis and culvert sizes are addressed in the study prepared by Crane Engineering and Surveying. Emergency access is addressed in the Emergency Access Section below.

### **Roads in the Rezoned Areas**

All of the roads in the rezoned areas are subdivision feeder/limited service roads, as defined in the road agreement. They are shown in the maps Proposed Road Construction and Vacations for the Northwest and Southeast Rezoned Areas. (There are no roads "within" the Northern Designated Homesites area, except for a very short segment of Ferndale off Valley View if that is constructed to serve three homesites).

#### Northwest Rezoned Area

A maximum of 18 homes can be permitted in the northwest area proposed to be rezoned to RR-5; the 80 acre PF-80 parcel could generate one additional home located west of the Valley View/Manzanita/Stony Point intersection, for a total of 19 homes. It is projected that 14 of these homes would use Manzanita for access. Manzanita could thus be an 18 foot wide paved road. However, the number is fairly close to the limit and if the Road Department concludes that a 20 foot wide paved surface (to the Rolling Street intersection) is more appropriate, that will be the road width for that segment.

Because the large majority of the traffic on Valley View will continue on Manzanita, it would seem preferable to have it be as straight a connection with Valley View as possible. (We would even suggest that it take the Valley View name). The western extension of the current Valley View would probably serve only three homes and could come to the intersection at a right angle to Valley View/Manzanita. Stony Point, providing access for only two homes, would also come at right angles at the same intersection but from the north.

Manzanita would continue west from the Rolling Street intersection, with an 18 feet wide paved surface, to serve up to six homes. An 18 foot wide paved surface road from Manzanita is planned to access four homes on Rose Street. Since Rolling Street is blocked by a hill, the road would begin on an easement approximately 100 to 150 feet short of Rolling Street, slanting northwest at a 45° angle until entering the Rolling Street right-of-way just south of Rose Street. It would then turn in the Rose Street right-of-way and remain in it through lot 13, block 32, to provide right-of-way and street frontage to the last homes to the west.

It appears that all roads will meet the maximum slope standard of 12%, have culverts at least as large as recommended by the drainage study, have a road base at the standard set forth in the section below, and be paved at the widths cited above. All intersections would meet the County standard for being at a right angle (or, with approval by the road department, close to it).

Roads will be proposed for vacation as shown on the map. (It is unknown at this time whether Rolling Street between Manzanita and Valley View should be vacated and



whether two lots at the end of Manzanita can be purchased, allowing its last 240 feet to be vacated.) Every homesite will still have a minimum of 50 foot frontage on a public right-of-way.

#### Southeast Rezoned Area

A maximum of 11 homes are allowed in the southeast rezoned area. Three are planned to use a new road, tentatively referred to as Wayside Court, for access. (Wayside Court will also provide access for four homes in the current R-5 area.) The road will have a 60 foot wide easement, have a culvert at the size recommended by Crane Engineering (the new road was not analyzed in the study), have a road base at the standard set forth in the section below, be paved with an 18 foot wide surface, and be subject to maintenance rules the same as every (non-vacated) platted road. It will meet the grade standard, not exceeding 12% except possibly for a segment of no more than 50 feet long prior to a plateau.

The southern portion of the rezoned area will be accessed by Wayside Drive, with an 18 foot wide paved surface. It turns into Hemlock Avenue (the name will have to be changed in this section) just past the drainage culvert. The first approximately 250 feet of Hemlock (under the PGE power-lines) climbs 40 feet, a slope of about 16%, after which it is flat. We propose to raise the grade over the widened drainage culvert a few feet and to lower the upper section, intending to lower the climb to about 34 feet over the distance. We will, of course, work with and receive approval from the County Road Department before proceeding, meeting the 12% slope standard if the Department feels it is necessary in this situation and not exceeding 15% in any case.

On Hemlock Avenue's eastern continuation and on the Knob Hill spur, it appears that all roads will meet the maximum slope standard of 12%, have a culvert at least of the size recommended by the Crane study, have a road base at the standard set forth in the section below, and be paved at the widths cited in the standards section below.

#### Northern Designated Homesites

The remaining land proposed to be rezoned, primarily along the northern boundary of the subdivision, will be the site of 11 homesites with specified boundaries. Six of the homesites will be accessed directly from Valley View (or perhaps from a short Ferndale spur), four directly from Beech Street, and one directly from Ridgeway.

These homesites are included in the counts in the earlier information regarding roads throughout the subdivision. These roads will be constructed to the standards set forth in the section below.

## **ROAD STANDARDS**

Except as noted, the road standards cited here will apply throughout the subdivision, not only in the rezoned areas.

### **Existing Standards (from the Road Agreement)**

Collector (Callahan County Road) - 20 foot wide paved surface

Subdivision Local Road (traffic from 18 or more homes) - **18 foot wide paved surface**

Subdivision Feeder/Limited Service Road (17 or less homes) - **16 foot paved surface**

### **New Standards (where feasible)**

Collector (Callahan County Road) - 20 foot paved surface (already completed)

Subdivision Local Road (traffic from 18 or more homes) - **20 foot wide paved surface**

Subdivision Feeder/Limited Service Road (17 or less homes) - **18 foot paved surface**

### **Rationale**

Columbia Hills is an upscale community composed of distinct small neighborhoods. Only four roads carry traffic from more than one small neighborhood: Callahan Road, Valley View on the north side, Ridgeway in the west portion of the RR-5 area, and Wayside Avenue on the south side. Except for two anticipated exceptions, these subdivision local roads will have a 20 foot wide paved surface. (Roads built to this standard will comprise about half of the total length of road segments.)

The other road segments each serve a small neighborhood, most about one block in length. It appears that all but one will end in a cul-de-sac (and that one will end in a pair of cul-de-sacs). These roads serve an average of six homes. These subdivision feeder roads will have an 18 foot wide paved surface. No roads under 18 feet will be allowed.

Within such neighborhoods, wider roads provide only modest benefit and have some disadvantages. Wider roads give the driver the feeling of permission for faster driving; the transition to a narrower road gives a message to slow down and, since drivers are now "in their block", they do so. Wider roads also create a wider scar in the visual environment, particularly in places where the road is located on a side-slope. Finally, wider roads tend to encourage on-street parking; narrower roads with off-road guest parking areas make enforcement of "no on-street parking" more feasible. Lake Oswego has long had smaller-scale roads accentuating its positive community character. Recently several communities in Oregon have received national awards based on part on their smaller-scale roads.

### **Other Standards**

#### Grade

The linear road slope standard at the time of the road agreement was 15%; it is now 12%, with short sections allowed up to 15%. The new standard will apply, except in a few situations where it would be difficult to implement. All of the situations where we would ask for a compromise grade, not to exceed 15%, would be on subdivision feeder (cul-de-sac) roads. One such situation occurs at two short segments of Wildwoodland (formerly Wildwood) Road, an existing road that has been used by two homes outside of the Hillcrest Subdivision for many years. The first part of the short connection from

Wayside Street to Maple Avenue and the west end of Hemlock just before it ends at Wayside (in the southeast rezoned area are two other possible situations where achieving a 12% grade could be a problem; we will, however, have no more than a 12% grade in these two situations if the County Road Department finds it necessary.

#### Road Base

The road agreement calls for eight inches of pit run. The road department has indicated a preference for four inch crushed rock and that will be the standard. At least 10 inches of rock will be delivered, with a depth of at least eight inches after compaction.

The road agreement calls for two inches of leveling rock on top. This standard will be after compaction.

#### Asphalt Paving

The road agreement calls for 2.5 inches of asphalt paving on local roads and 2.0 inches on limited service roads. These standards will be increased to 3.0 inches on local roads and 2.5 inches on limited service roads.

#### Time of Paving

The existing Road Agreement states that more than three building permits will not be issued unless the roads they would use are complete, including paving. There are situations in which the Road Department would prefer that the paving not be done until the road base had settled for six months or more. It is therefore anticipated that there will be situations in which the road department will agree to have four or more building permits issued with the paving scheduled for a later time. This would usually occur with the condition that, if the paving is not completed when scheduled, no further permits would be issued anywhere in the Hillcrest Subdivision until the road is paved.

#### Width of Shoulder

The road agreement calls for shoulders 2.5 feet wide on each side of the paving, the shoulders shown as tapered immediately from the asphalt to ground level. The standards will be increased to three feet on either side, with at least one foot of the shoulder consisting of rock fines compacted to level with the top of the asphalt and tapering only very slightly.

#### Guardrails

The County's current standards are that guardrails should be installed when the slope on the lower side is greater than one-to-one (more than one vertical foot for each horizontal foot) for 10 feet within 10 feet of the edge of the road. That shall be the standard in Hillcrest.

There is only one existing road where this standard should be currently applied. The south edge of Moon Ridge Court requires a guardrail along much of its length. Wayside Road nearby will require a guardrail for about half of the segment between Moon Ridge Court and the Wayside Court intersection. Valley View will require a guardrail along the 250 foot section about a quarter mile from Callahan Road, and at the curves before and

after this section. Two other possible segments requiring a guardrail could be Valley View between Dogwood and Chestnut Drive and at the curve on Beech Street, but that will not be known until the exact road location is determined. In any case, the standard cited will apply.

#### Road Names

Many of the names of roads in the Hillcrest Subdivision are duplicated elsewhere in the county, some probably named prior to the subdivision of Hillcrest, but the majority after. Application is to be made for name changes for duplicated names.

### **IMPLEMENTATION OF STANDARDS**

The standards cited above will control. In other words, if there is an indication that traffic from more than 17 homes would use what is now anticipated to be a planned subdivision feeder road, the applicable standard would become a 20 foot wide paved surface and, if another road segment than is shown here is to be constructed, the applicable standard would be based on the number of homes using the segment.

There are two situations where the implementation of the new standards would come at too high an environmental and financial cost (there may be one or two others, but they are not yet apparent): one on Valley View and one on Wayside Drive. The Geotechnical Engineering Report prepared for the subdivision includes a focus on the soil stability, necessary side slopes, and slope stabilization for these two situations. In each of these situations an engineer's report will respect the geotechnical findings and set forth the design of the section, including the road slope, the side slopes, and any side slope maintenance improvements to be used. Signs indicating a "narrow road" and a "reduced speed limit" will be installed at the entrance to the 18 foot wide sections on these roads.

The application of the standards to subdivision roads (except for a few very short segments which might be either roads or private driveways) are listed below:

**Callahan County Road** – 20 foot wide paved surface, already completed  
Callahan carries traffic from 140 homes at the eastern end of the subdivision and from 47 homes west of the Valley View and Wayside intersections

**Callahan/Wildwoodland (from County Road to intersection with Ridgeway)**  
Subdivision local road with traffic from 24 homes  
20 foot wide paved surface

**Ridgeway Drive**  
Subdivision local road with traffic from up to 18 homes, including 12 from Overlook  
20 foot wide paved surface

**Overlook Avenue**

Subdivision feeder road with traffic from 12 homes, including five from short cul-de-sacs  
18 foot wide paved surface

**Briarwood Drive**

A short cul-de-sac to provide frontage for three homes; not continued through because of steepness on east end.

18 foot wide paved surface

**Trillium Drive**

Segments from Overlook and Wildwoodland to (together) provide frontage for two homes; not continued through because of ravine in center of block.

18 foot wide paved surface

**Wildwoodland Drive**

Subdivision feeder road with traffic from six homes

18 foot wide paved surface

**Grape Street**

Subdivision feed road with traffic from three homes

**Fir/Elder (to lot 5, block 20)**

Subdivision feeder road with traffic from six homes

18 foot wide paved surface

**Valley View**

Subdivision local road with traffic from 50 homes, 13 of them along Beech St. and 14 along Manzanita/Rose

20 foot paved surface, except for up to 250 foot section at block 4, lots 89-92 and west of Manzanita Ave.

18 foot paved surface in this Valley View section, with wider sections immediately west and east of 250 foot section

based on engineer prepared design (see above)

wider sections will be 30 feet long with 24 foot wide paved surface);

warning signs will be installed

18 foot paved surface west of Manzanita St., based on traffic from three homes

Proposed segment with two 12 foot lanes separated by a treed median

segment is to be 200-300 feet long and located between Beech and Moss

subject to County Road Department approval

**Beech Street**

Subdivision feeder road with traffic from 13 homes

18 foot wide paved surface

**Moss Avenue and Dogwood**

Moss will be planned to be constructed to serve residences only to Dogwood;  
the lower segment is steep, but will not be vacated because it is used by PGE  
Subdivision feeder road with traffic from five homes  
18 foot wide paved surface

**Manzanita Street (including Rose Street cul-de-sac)**

Subdivision feeder road for traffic from 14 of the northwest overflow homesites  
18 foot wide paved surface, unless County Road Department requests 20 feet

**Wayside Drive (to intersection with easement to Maple and Wayside Court)**

Subdivision local road: lower Wayside with traffic from 25 homes on Wayside Ct., Knob Hill and Maple;  
upper Wayside adds 13 homes from Moon Ridge Ct., Hemlock and itself, total of 38  
20 foot paved surface from Callahan to intersection with Mood Ridge Ct.,  
18 foot paved surface from Moon Ridge Ct. severe side slope makes a wider road environmentally and economically undesirable  
good visibility due to straightness of road; no driveways allowed in this section  
engineer-approved design for this section (see above); warning signs required

**Maple Avenue (block 20A only, with easement to Wayside at block 20A, lot 4)**

Subdivision feeder road with traffic from nine homes  
18 foot wide paved surface  
Intersection with Wayside to be designed in consultation with County Road Department

**Wayside Court (east through lot 4, block 18A)**

Subdivision feeder road with traffic from seven homes  
18 foot wide paved surface

**Knob Hill (Wayside, etc. from intersection with Maple Avenue and Wayside Court)**

Subdivision feeder road with traffic from nine homes  
18 foot wide paved surface  
Hill after culvert to be designed in consultation with County Road Department  
see description in information re roads in rezoned areas

**Hemlock (ends at lot 10, block 19)**

Subdivision feeder road with traffic from eight homes  
18 foot wide paved surface

**Moon Ridge Court (Elder)**

already with 20 foot paved surface, though with traffic from only four homes

## **STREETS PROPOSED FOR VACATION**

The following street right-of-ways are proposed for vacation, either totally or partially, as noted below. They are also shown on the map Planned Roads.

Alder (partial)  
Briarwood (partial)  
Chestnut Drive (partial)  
Ferndale Street (partial)  
Fernridge  
Fir Street (partial)  
Grape Street (partial)  
Hazel Street  
Hemlock Avenue (partial)  
Madrona  
Maple Avenue (partial)  
Hemlock Drive (partial)  
Knob Hill (partial)  
Overlook (partial)  
Ridgeway Drive (partial)  
Rose (partial)  
St. Helens  
Stony Point (partial)  
Trillium (partial)  
Valley View (partial)

## **EMERGENCY ACCESS PLAN**

Valley View is by far the longest road in the Hillcrest subdivision. In addition, it is the most heavily traveled over its length, with 50 homes using it for access. This brings up the question of evacuation during an emergency, such as a fire. Fortunately, the plat includes the portion of Callahan (Swager) Road right-of-way between the current end of Callahan and Valley View. It thus provides a possible link at the western end of the RR-5 area that would use Valley View for access.

It is therefore agreed that a 16 foot wide road topped with small scale rock will be constructed in the Callahan/Swager right-of-way from the west portion of Valley View to intersection of Wildwoodland and Callahan to provide emergency, but not daily, access.

In addition work has already begun on walking paths, most of them on rights-of-way, usually where a road with a grade near 12% could not be built. These will be available for unobstructed pedestrian emergency access, but not for vehicle access.

## **TRIP GENERATION AND ROAD CAPACITIES**

### **Trip Generation**

Single family homes typically generate an average of approximately 9-10 trips per weekday, with the trip out and the returning trip each counted as a trip. They average about three trips each in the morning and evening four hour rush periods and one trip each in the morning peak hour and the evening peak hour.

The Columbia Hills Community will be above average in income and this factor tends to increase trip generation. On the other hand, there are no short trips from the subdivision, which will tend to decrease traffic generation as residents will run errands as part of other trips. Trip generation will probably be somewhat near the averages cited, except for fewer mid-day trips.

Callahan Road at the entrance to the subdivision will be the location of the largest traffic flow from the development. One hundred and forty homes will generate about 140 peak hour trips. The peak frequency will thus be 2.0 to 2.5 cars per minute.

### **Road Capacity**

Two lane highways, like Callahan County Road, have a maximum capacity of about 2000 passenger cars per hour (33 cars per minute) per the "Highway Capacity Manual" developed by the National Academy of Sciences' Transportation Research Board." A more practical design capacity for smooth traffic flow for two lane roads is 900 vehicles per hour (15 cars per minute). Columbia Hills' traffic would constitute only about 15% of this practical limit.

The recommended road width for roads traffic volumes greater than 400 trips per hour and expected traffic speeds of 45-55 mph is two 12 foot lanes. Roads with smaller widths are appropriate for lower design volumes or where lower traffic speeds are expected.



## POSSIBLE HOMESITES

Hypothetical, as it assumes ownership of all lots now independently held and without full septic information.

Neighborhood Name	Number	Block	Lots	Street	Owner
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<b>Meadow</b>					
Meadow	1	4	64-71	Callahan	Keck
Meadow	2	4	56-63	Callahan	Dickson
Meadow	3	16	9-12, 29-32	Callahan	Birtchet
Meadow	4	16	13-14, 27-28	Callahan	Prockish
Meadow	5	16	15-17, 24-26	Callahan	
Meadow	6	16	18-23	Callahan	
Meadow	7	17	7-9	Fir	
Meadow	8	21	1-2, 11-12	Elder	
Meadow	9	21	3-4, 9-10	Elder	
Meadow	10	21	5-8	Elder	
Meadow	11	22	1-6	Fir	
Meadow	12	22	19-23	Elder	
		23	1-4		
<b>West Meadow</b>					
West Meadow	1	4	46-51	Callahan	
West Meadow	2	22	11-13	Grape	
West Meadow	3	23	10-13	Grape	
West Meadow	4	23	14-16	Callahan	
West Meadow	5	51	17-18	Callahan	
<b>Hemlock</b>					
Hemlock	1	19	1-3	Hemlock	
Hemlock	2	19	4-6	Hemlock	
Hemlock	3	19	7-9	Hemlock	
Hemlock	4	19	10-14	Hemlock	Stirling
Hemlock	5	18	10-14, 23-27	Hemlock	
Hemlock	6	18	28-31	Hemlock	
Hemlock	7	18	3-5, 32-34	Hemlock	
Hemlock	8	18	1-2	Hemlock	
<b>Moon Ridge</b>					
Moon Ridge	1	16	1, 40-41	Callahan	Bugby
Moon Ridge	2	16	3-5, 36-38	Callahan	Brock
Moon Ridge	3	16	6-8, 33-35	Moon Ridge	Donzis
Moon Ridge	4	17	1, 17-21	Moon Ridge	Romjue
Moon Ridge	5	17	2-3, 15-16	Moon Ridge	Banz
Moon Ridge	6	17	4-6, 10-14	Moon Ridge	Johnston
Moon Ridge	7	18	6-9	Wayside	

<b>Wayside Court</b>				
Wayside Court	1	18	15-18	Wayside Court
		18A	1-4	
Wayside Court	2	18	19-22	Wayside Court
		18A	37-39	
Wayside Court	3	19	15-19	Wayside Court
Wayside Court	4	19A	1-2	Wayside Court
Wayside Court	5	19A	3-8	Wayside Court
Wayside Court	6	18A	32-36	Wayside Court
Wayside Court	7	18A	5-8	Wayside Court
<b>Knob Hill</b>				
Knob Hill	1	18A	15-22	Knob Hill
Knob Hill	2	18A	12-14, 23-25	Knob Hill
Knob Hill	3	18A	9-11, 26-28	Knob Hill
Knob Hill	4	18A	30-31	Knob Hill
		19A	9-12	
		24	1	
Knob Hill	5	24	2-4, 12-14	Knob Hill
Knob Hill	6	24	5-8, 9-11	Knob Hill
Knob Hill	7	19A	13-16	Wayside Drive
Knob Hill	8	19A	17-26	Wayside Drive
<b>Maple</b>				
Maple	1	20A	1-3, 16-19	Maple
Maple	2	20A	4-5, 14-15	Maple
Maple	3	20A	6-7, 12-13	Maple
Maple	4	20A	8-11	Maple
Maple	5	20	1-12	Maple
Maple	6	21A	9-14	Maple
Maple	7	21A	7-8, 15-16	Maple
Maple	8	21A	5-6, 17-18	Maple
Maple	9	21A	3-4, 19-20	Maple
Maple	10	21A	1-2, 21-22	Wayside
<b>Mt. Hillcrest</b>				
Mt. Hillcrest	1	39	1-2, 14	Ridgeway
Mt. Hillcrest	2	39	3-4, 11-13	Ridgeway
Mt. Hillcrest	3	39	5-10	Ridgeway
		40	1-4	
Mt. Hillcrest	4	48	1-2, 16	Ridgeway
Mt. Hillcrest	5	48	3-4, 14-15	Ridgeway
Mt. Hillcrest	6	48	5-6	Ridgeway
Mt. Hillcrest	7	48	7-8	Overlook
Mt. Hillcrest	8	48	9	Overlook
Mt. Hillcrest	9	48	10-13	Briarwood
Mt. Hillcrest	10	49	1-3	Briarwood
Mt. Hillcrest	11	49	14-16	Trillium
Mt. Hillcrest	12	49	4-5, 12-13	Briarwood
Mt. Hillcrest	13	49	6, 10-11	Briarwood
Mt. Hillcrest	14	49	7-9	Overlook
Mt. Hillcrest	15	50	1-2, 14-15	Trillium

Mt. Hillcrest	16	50	3-4, 12-13	Trillium	
Mt. Hillcrest	17	50	5-6, 10-11	Trillium	
Mt. Hillcrest	18	50	7-9	Trillium	
Mt. Hillcrest	19	42	7-9	Overlook	
Mt. Hillcrest	20	42	4-6	Overlook	
Mt. Hillcrest	21	42	1-3	Overlook	
Mt. Hillcrest	22	51	1-4	Wildwoodland	
Mt. Hillcrest	23	51	5-12	Wildwoodland	
Mt. Hillcrest	24	51	13-16	Wildwoodland	
<b>Vista</b>					
Vista	1	4	9-11, 79-80	Callahan	Monroe
Vista	2	4	7-8, 81-82	Callahan	Vetsch
Vista	3	4	5-6, 83-84	Callahan	Williams
Vista	4	4	1, 85-87	Callahan	
Vista	5	4	88-90	Callahan	
Vista	6	4	91-92	Valley View	
Vista	7	2	16-19	Callahan	
Vista	8	2	1-3	Callahan	
		3	1-5		
Vista	9	1	1-2	Callahan	
Vista	10	4	72-77	Callahan	
<b>Valley View</b>					
Valley View	1	2	4-15	Valley View	
		3	6-13		
Valley View	2	4	2-4	Valley View	
Valley View	3	5	1-6	Valley View	
		6	1-4, 11-12		
		7	1-5		
Valley View	4	6	5-10	Valley View	
		7	6-11		
		8	1-4, 35-37		
Valley View	5	9	1-2, 29-30	Valley View	
Valley View	6	9	3, 28	Valley View	
Valley View	7	4	12-17	Valley View	
Valley View	8	4	18-28	Valley View	
Valley View	9	4	29-34	Valley View	
Valley View	10	13	4-5, 8-9	Dogwood	
Valley View	11	13	1-3, 10-11	Dogwood	
Valley View	12	12	1-3, 14-15	Dogwood	
Valley View	13	12	4-5, 12-13	Dogwood	
Valley View	14	12	6-7, 10-11	Dogwood	
<b>Beech</b>					
Beech	1	7	12-15	Beech	
		8	5-8, 34		
Beech	2	8	32-33	Beech	
Beech	3	8	30-31	Beech	
Beech	4	8	28-29	Beech	
Beech	5	7	16-19	Beech	
		8	9-12, 27		

Beech	6	7	20-22	Beech
		8	13-15, 24-26	
Beech	7	7	23-25	Beech
		8	16-18, 21-23	
Beech	8	9	13-14, 17-18	Beech
Beech	9	9	11-12, 19-20	Beech
Beech	10	9	8-10, 21-23	Beech
Beech	11	9	4-7, 24-27	Beech
Beech	12	7	30-34	Beech
		10	3-7, 9-12	
Beech	13	11	2-5, 7-11	Beech
<b>Manzanita</b>				
Manzanita	1	32	7-9, 12-14	Rose
Manzanita	2	28	4-6	Rose
		32	4-6, 15-17	
Manzanita	3	28	1-3	Rose
		32	1-3, 18-20	
Manzanita	4	27	6-9	Rose
		33	6-13	
		34	6-9, 11-13	
Manzanita	5	27	1-5	Stony Point
		33	1-5, 14-18	
Manzanita	6	34	1-2, 17-18	Stony Point
Manzanita	7	34	3-5, 16-18	Manzanita
Manzanita	8	34	10	Manzanita
		35	1-4, 17-20	
Manzanita	9	35	5-6, 15-16	Manzanita
Manzanita	10	35	7-9, 12-14	Manzanita
Manzanita	11	36	7-9, 12-13	Manzanita
Manzanita	12	36	4-6, 14-16	Manzanita
Manzanita	13	36	1-3	Manzanita
Manzanita	14	36	17-19	Valley View
Manzanita	15	37	4-6	Manzanita
Manzanita	16	37	7-9	Valley View
Manzanita	17	37	2-3, 10-11	Manzanita
Manzanita	18	37	1, 12-14	Manzanita
Manzanita	19	15	7-12	Ferndale
		26	1-7	
Manzanita	20	14	17-22	Ferndale
Manzanita	21	14	11-16	Ferndale
		15	1-6	

CHDC/planning applications/zoning/FA80-RR5/supporting docs/negotiations

## PROPOSED REVISED ROAD STANDARDS

### STANDARDS

#### Existing Standards (from the Road Agreement)

Collector (Callahan County Road) - 20 foot wide paved surface

Subdivision Local Road (traffic from 18 or more homes) - **18 foot wide paved surface**

Subdivision Feeder/Limited Service Road (traffic from 17 or less homes) - **16 foot paved surface**

#### New Standards (where feasible)

Collector (Callahan County Road) - 20 foot paved surface (already completed)

Subdivision Local Road (traffic from 18 or more homes) - **20 foot wide paved surface**

Subdivision Feeder/Limited Service Road (traffic from 17 or less homes) - **18 foot paved surface**

### Rationale

Columbia Hills is an upscale community composed of distinct small neighborhoods. Only three roads carry traffic from more than one small neighborhood: Callahan Road, Valley View on the north side, and Wayside on the south side. Except for two anticipated exceptions, these subdivision local roads will have a 20 foot wide paved surface. (Roads built to this standard will comprise about half of the total length of road segments.)

The other road segments each serve a small neighborhood, most about one block in length. It appears that all but one will end in a cul-de-sac (and that one will end in a pair of cul-de-sacs). These roads serve an average of eight homes. These subdivision feeder roads will have an 18 foot wide paved surface. No roads under 18 feet will be allowed.

Within such neighborhoods, wider roads provide only modest benefit and have some disadvantages. Wider roads give the driver the feeling of permission for faster driving; the transition to a narrower road gives a message to slow down and, since drivers are now "in their block", they do so. Wider roads also create a wider scar in the visual environment, particularly in places where the road is located on a side-slope. Finally, wider roads tend to encourage on-street parking; narrower roads with off-road guest parking areas make enforcement of "no on-street parking" more feasible. Lake Oswego has long had smaller-scale roads accentuating its positive community character. Recently several communities in Oregon have received national awards based on part on their smaller-scale roads. Roads in the nearby Raymond Creek subdivision, subdivided about the same time as Hillcrest, are 16 feet or less in width.

### Other Matters

#### Grade

The linear road slope standard at the time of the road agreement was 15%; it is now 12%, with short sections allowed up to 15%. The new standard will apply, except in a few situations where it would be difficult to implement. All of the situations where we would ask for a compromise grade, not to exceed 15%, would be on subdivision feeder (cul-de-sac) roads. One such situation occurs at two short segments of Wildwoodlands (formerly Wildwood) Road, an existing road that has been used by two homes outside of the Hillcrest Subdivision for many years. The first part of the short connection from Wayside Street to Maple Avenue and the west end of Hemlock just before it ends at Wayside are two other possible situations where achieving a 12% grade could be a problem.

### Paving

The existing Road Agreement states that more than three building permits will not be issued unless the roads they would use are complete, including paving. There are situations in which the Road Department would prefer that the paving not be done until the road base had settled for six months or more. It is therefore anticipated that there will be situations in which the road department will agree to have four or more building permits issued with the paving scheduled for a later time. This would usually occur with the condition that, if the paving is not completed when scheduled, no further permits would be issued anywhere in the Hillcrest Subdivision until the road is paved.

### Road Names

Many of the names of roads in the Hillcrest Subdivision are duplicated elsewhere in the county, some probably named prior to the subdivision of Hillcrest, but the majority after. Application is to be made for name changes for duplicated names.

### Access

About 50 homes will utilize the eastern end of Valley View for access to Callahan Road. This raises the question of access if that road is unavailable, especially due to a fire. It is therefore agreed that a 16 foot wide road topped with small scale rock will be constructed in the Callahan/Swager right-of-way from the west portion of Valley View to intersection of Wildwoodlands and Callahan to provide emergency, but not daily, access.

## IMPLEMENTATION OF STANDARDS

The standards cited above will control. In other words, if there is an indication that traffic from more than 17 homes would use what is now anticipated to be a planned subdivision feeder road, the applicable standard would become a 20 foot wide paved surface and, if another road segment than is shown here is to be constructed, the applicable standard would be based on the number of homes using the segment.

There are two situations where the implementation of the new standards would come at too high an environmental and financial cost (there may be one or two others, but they are not yet apparent): one on Valley View and one on Wayside Drive. The Geotechnical Engineering Report prepared for the subdivision includes a focus on the soil stability, necessary side slopes, and slope stabilization for these two situations. In each of these situations an engineer's report will respect the geotechnical findings and set forth the design of the section, including the road slope, the side slopes, and any side slope maintenance improvements to be used. Signs indicating a "narrow road" and a "reduced speed limit" will be installed at the entrance to the 18 foot wide sections on these roads.

The application of the standards to subdivision roads (except for a few very short segments which might be either roads or private driveways) are listed below:

**Callahan County Road** – 20 foot wide paved surface, already completed

Callahan carries traffic from 140 homes at the eastern end of the subdivision and from 50 homes west of the Valley View and Wayside intersections

**Callahan/Wildwood (from County Road to intersection with Ridgeway)**

Subdivision local road with traffic from 24 homes

20 foot wide paved surface

**Ridgeway**

Subdivision feeder road with traffic from 14 homes, including seven from Overlook Avenue  
18 foot wide paved surface

**Overlook Avenue**

Subdivision local road with traffic from seven homes  
18 foot wide paved surface

**Wildwoodlands Drive**

Subdivision local road with traffic from eight homes  
18 foot wide paved surface

**Fir/Elder (to lot 5, block 20)**

Subdivision feder road with traffic from six homes  
18 foot wide paved surface

**Valley View**

Subdivision local road with traffic from 50 homes, 13 of them along Beech St. and 15 along Manzanita  
20 foot paved surface, except for up to 250 foot section at block 4, lots 89-92 and west of Manzanita Ave.  
18 foot paved surface in this Valley View section, with wider sections immediately west and east of 250  
foot section where

wider sections will be 30 feet long with 24 foot wide paved surface **and based on**  
engineer-approved design for this section (see above); warning signs will be installed  
18 foot paved surface west of Manzanita St., based on traffic from three homes  
Proposed segment with two 12 foot lanes separated by a treed median  
segment is to be 200-300 feet long and located between Beech and Moss

**Beech Street**

Subdivision feeder road with traffic from 12 homes  
18 foot wide paved surface

**Manzanita Street (including Rose Street cul-de-sac)**

Subdivision feeder road for traffic from 15 of the northwest overflow homesites  
18 foot wide paved surface

**Wayside Drive (to intersection with easement to Maple and Wayside Court)**

Subdivision local road: lower Wayside with traffic from 25 homes on Wayside Ct., Knob Hill and Maple;  
upper Wayside adds 13 homes from Moon Ridge Ct. (Elder), Hemlock and itself, for a total of 38  
20 foot paved surface from Callahan to intersection with Mood Ridge Ct.,  
18 foot paved surface from Moon Ridge Ct. severe side slope makes a wider road environmentally and  
economically undesirable

good visibility due to straightness of road; no driveways allowed in this section  
engineer-approved design for this section (see above); warning signs

**Maple Avenue (block 20A only, with easement to Wayside at block 20A, lot 3)**

Subdivision feeder road with traffic from nine homes  
18 foot wide paved surface

**Wayside Court (east through lot 4, block 18A)**

Subdivision feeder road with traffic from seven homes  
18 foot wide paved surface



**Knob Hill (Wayside, etc. from intersection with Maple Avenue and Wayside Court)**

Subdivision feeder road with traffic from nine homes

18 foot wide paved surface

**Hemlock (ends at lot 10, block 19)**

Subdivision feeder road with traffic from seven homes

18 foot wide paved surface

**Moon Ridge Court (Elder)**

already with 20 foot paved surface, though with traffic from only four homes

## **TRIP GENERATION AND ROAD CAPACITIES**

### **Trip Generation**

Single family homes typically generate an average of approximately 9-10 trips per weekday, with the trip out and the returning trip each counted as a trip. They average about three trips each in the morning and evening four hour rush periods and one trip each in the morning peak hour and the evening peak hour.

The Columbia Hills Community will be above average in income and this factor tends to increase trip generation. On the other hand, there are no short trips from the subdivision, which will tend to decrease traffic generation as residents will run errands as part of other trips. Trip generation will probably be somewhat near the averages cited, except for fewer mid-day trips.

Callahan Road at the entrance to the subdivision will be the location of the largest traffic flow from the development. One hundred and forty homes will generate about 140 peak hour trips. The peak frequency will thus be 2.0 to 2.5 cars per minute.

### **Road Capacity**

Two lane highways, like Callahan County Road, have a maximum capacity of about 2000 passenger cars per hour (33 cars per minute) per the "Highway Capacity Manual" developed by the National Academy of Sciences' Transportation Research Board." A more practical design capacity for smooth traffic flow for two lane roads is 900 vehicles per hour (15 cars per minute). Columbia Hills' traffic would constitute only about 15% of this practical limit.

The recommended road width for roads traffic volumes greater than 400 trips per hour and expected traffic speeds of 45-55 mph is two 12 foot lanes. Roads with smaller widths are appropriate for lower design volumes or where lower traffic speeds are expected.