

(Pursuant to)

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

An Ordinance to Provide)
Criteria for Review of Land)
Use Actions on Agricultural)
Land Under Statewide Goal 3)
Before the Columbia County)
Comprehensive Plan is)
Acknowledged by the Land)
Conservation and Development)
Commission as Being in)
Compliance with the Statewide)
Planning Goals, and Procedures)
and Declaring an Emergency)

NO 80-8
ORDINANCE

THE BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON, ORDAINS AS
FOLLOWS:

Section 1. TITLE, PURPOSE, INTENT AND SCOPE.

A. Title: This ordinance shall be known as "Interim Measures for Reviewing
Land Use Actions on Agricultural Land Pursuant to Goal 3 (OAR 660-15-000(3)).")

B. Purpose and Intent. The purpose and intent of this ordinance is to
provide criteria for review of land use actions on Goal 3 agricultural lands prior
to acknowledgement of the County Comprehensive Plan by the Land Conservation and
Development Commission.

C. Scope: This ordinance shall apply in Columbia County to all land use
actions proposed on Goal 3 agricultural land located outside the proposed urban
growth boundaries shown in Exhibit A, which is attached hereto and by this re-
ference is made a part hereof, and outside acknowledged urban growth boundaries.

D. Procedure: This ordinance shall be administered as described in
Exhibit B which is attached hereto and by this reference is made a part hereof.

Section 2. DEFINITIONS:

"Goal 3 agricultural land"--For purposes of this ordinance only and until more detailed credible evidence is presented, Goal 3 agricultural lands in Columbia County shall be presumed to be Soil Associations 1, 2, 3, 4, 5, 6, 7, and 9 as indicated upon General Soil Map M7-E-22503 prepared by the U.S. Department of Agriculture, Soil Conservation Service, in cooperation with Oregon Agricultural Experiment Station, assisting Columbia Soil and Water Conservation District, and dated August, 1972, which by this reference is incorporated herein and made a part hereof.

Section 3. LAND USE ACTIONS ON GOAL 3 LANDS.

Land use actions shall be approved on Goal 3 agricultural land only if the Columbia County Board of Commissioners or its authorized representative shall find, based on substantial evidence in the record.

A. that the land is committed to a nonfarm use as provided in Section 5; or

B. that the land is needed for a nonfarm use as provided in Section 6; or

C. that, if a dwelling is proposed, the dwelling meets the criteria provided in Section 7; or

D. that, if a division of land is proposed, the division meets the criteria provided in Section 8; or

E. that any other land use action would be a use allowed under ORS 215.203 to ORS 215.213.

Section 4. CRITERIA FOR DESIGNATING CLASS I-IV SOILS AS FOREST LAND

Goal 3 agricultural land may be designated as forest land under Goal 4 if the land is predominately in forest cubic foot site class 1-5. Land so designated shall be treated in accordance with Goal 4.

Section 5. CRITERIA FOR COMMITMENT TO NONFARM USE.

A conclusion that a parcel to be divided or built upon is irrevocably committed to nonfarm or nonforest use shall be based on findings of fact which demonstrate that the parcel is:

- (a) too small for commercial agricultural production as defined in Section 8; and
- (b) not adjacent to or near other parcels which could in combination support a commercial agricultural operation, and is either:
- (c) surrounded by or situated among parcels used for non-farm or non-forest uses such that it is not available for farm or forestry use; or
- (d) in a water district where community water is presently available at the parcel.

Section 6. CRITERIA FOR EXCEPTIONS TO GOAL 3

Actions which allow nonfarm or nonforest uses not allowed by Goal 3 shall be justified through the Goal 2 exceptions process. Exception findings shall be adopted as part of the Columbia County Comprehensive Plan and shall include compelling reasons and facts to show:

- A. Why these other uses should be provided for;
- B. What alternative locations within the area could be used for the proposed uses;
- C. What are the long term environmental, economic, social and energy consequences to the locality, the region or the state from not applying the goal or permitting the alternative uses;
- D. That the proposed uses will be compatible with other adjacent uses.

Section 7. CRITERIA FOR LOCATING DWELLINGS ON GOAL 3 LAND

For each dwelling proposed on agricultural land a finding shall be made that it is either

- A. a dwelling customarily provided in conjunction with farm use as defined in ORS 215.203 and will be on a parcel of sufficient size to support commercial agricultural production of

food and/or fiber typical of commercial farms in the same area as defined in Section 8; or

B. a single-family residential dwelling not provided in conjunction with farm use which

(1) is compatible with farm uses defined in ORS 215.203(2) and is consistent with the intent and purposes set forth in ORS 215.243; and

(2) does not interfere seriously with accepted farming practices defined in ORS 215.203(c) on adjacent lands devoted to farm use; and

(3) does not materially alter the stability of the overall land use pattern of the area; and

(4) is situated upon generally unsuitable land for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of tract.

Section 8. CRITERIA FOR DIVISIONS OF GOAL 3 LAND

Divisions of land covered by this ordinance which are not committed to nonfarm use shall be based on findings of fact and conclusions of law that each division of land

A. complies with the intent of the Agricultural Land Use Policy in ORS 215.243, and either

(1) creates a parcel of sufficient size to support commercial agricultural production of food or fiber, after findings have been made with respect to the following:

(a) soil types and patterns in the area;

(b) type of crops grown in the area and typical yields;

(c) average size of parcels required to produce commercial quantities of typical crops grown in the area;

- (d) other relevant information included in the agricultural element of the County's Comprehensive Plan, when adopted.
- (e) potential markets;
- (f) use of accepted farming practices as defined in ORS 215.203(2)(c), or

(2) is for one of the nonfarm uses permitted under ORS 215.213. Lots created for nonfarm dwellings shall comply with the criteria set forth in Section 7B.

Section 9. EMERGENCY

This ordinance being necessary for the immediate protection of the public health, safety and welfare, an emergency is declared to exist and this ordinance shall take effect on its passage.

ENACTED this 12th day of June, 1980.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

First Reading: June 12, 1980 *

Second Reading: June 12, 1980 *

AYE	NAY	<u>Commissioners</u>
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<u>X</u>	<u> </u>	Hunt
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<u>X</u>	<u> </u>	Sahagian
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<u>X</u>	<u> </u>	Ahlborn
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Chairman


Commissioner


Commissioner

*By Title Only



Recording Secretary

EXHIBIT B
ADMINISTRATION

1. Application and Construction.

The requirements of this ordinance shall be in addition to the requirements of the Zoning Ordinance, the Subdivision Ordinance (which includes partitions), and any other applicable ordinance or regulation. Any inconsistency with this ordinance shall be construed to accomplish the intent and purpose of this ordinance.

2. Procedure.

The procedure for obtaining approval of land use actions on land covered by this ordinance shall be as follows:

A. An application shall be filed with the Planning Department on a form provided by the Planning Director.

(1) If the application proposes a farm-related use permitted outright under ORS 215.213, the Planning Director shall make a recommendation to the Board of Commissioners (Board) within 10 days of submission of the application based upon findings that:

(a) the land use action proposed is a farm-related use permitted outright under ORS 215.213, and is on a parcel of sufficient size to support commercial agricultural production as defined in Section 8 of this ordinance; and

(b) the land use action meets all applicable statewide planning goals until the Comprehensive Plan is acknowledged; and

(c) the provisions of this ordinance and any other applicable ordinance or regulation have been satisfied.

The Board shall at its next regularly scheduled meeting make a determination based on findings of fact and conclusions of law.

(2) If the application proposes a use other than a farm-related use permitted outright by ORS 215.213, the procedure shall be provided in 2.B below.

B. The procedure for Board hearings under 2 (A) 2 shall be as follows:

(1) Notice. The Planning Director shall send notice of the proposed action and hearing at least 10 days in advance of the hearing by

(a) publishing notice in a newspaper of general circulation in the county;

(b) mailing notice to the owners of property within 250 feet of the property line of the parcel on which the action is proposed.

Owners of property shall be determined by the Assessor's Roll.

~~(c) mailing notice to the members of the CPAC or CPAC's for the area in which the parcel or affected property is located;~~

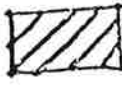
~~(d) mailing notice to affected agencies.~~

(2) Hearing. Under 2(A) 2 the Board shall hold a hearing at the earliest regularly scheduled Board meeting and receive oral or written testimony on the relevant criteria for or against the application. After hearing such testimony, the Board shall make findings of fact and conclusions of law whether the proposed land use action

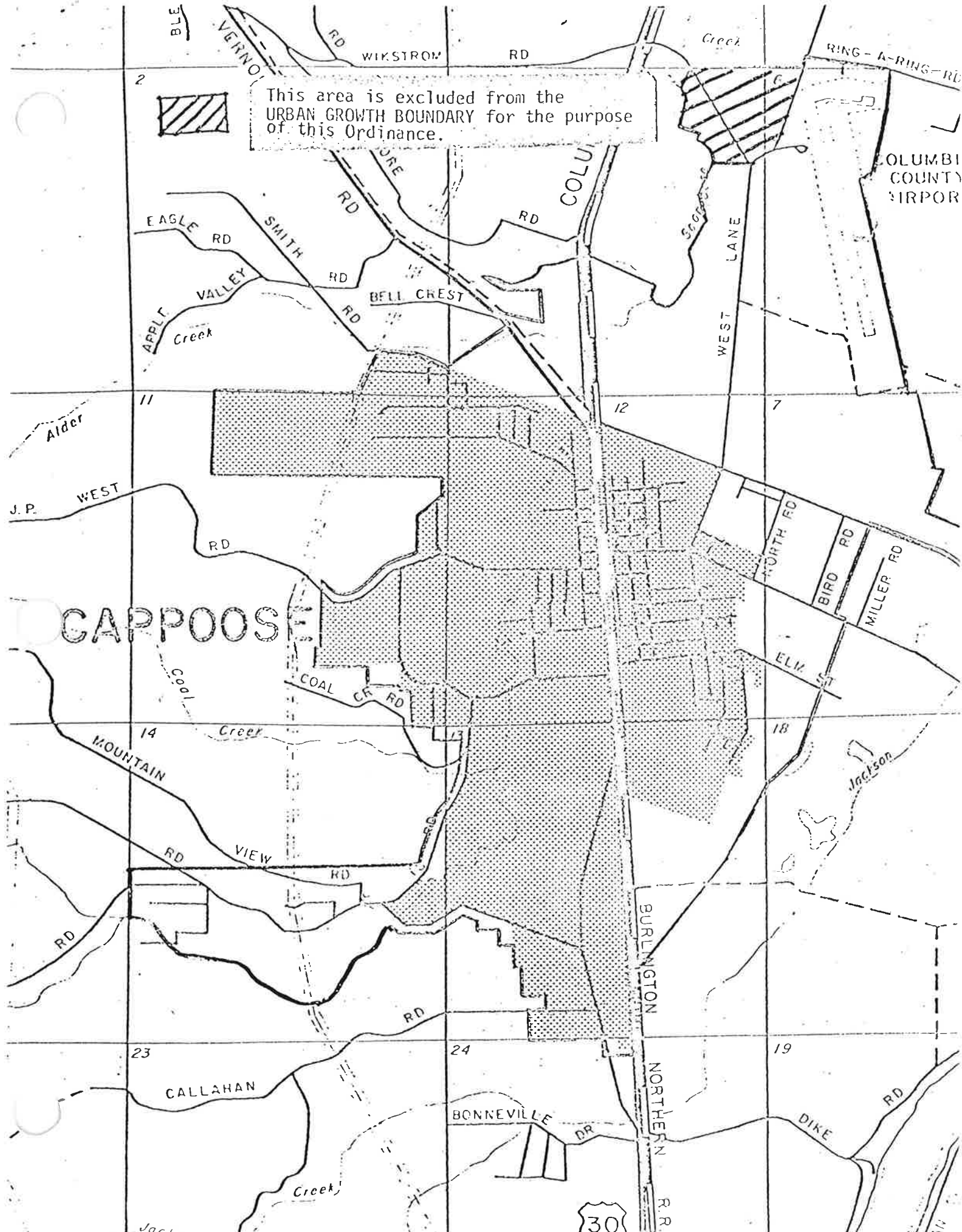
(a) is in accordance with the Comprehensive Plan, if adopted;

(b) is consistent with the applicable statewide goals, or is consistent with the Comprehensive Plan if both adopted and acknowledged;

(c) meets the requirements of this ordinance and any other applicable ordinance or regulation.



This area is excluded from the URBAN GROWTH BOUNDARY for the purpose of this Ordinance.



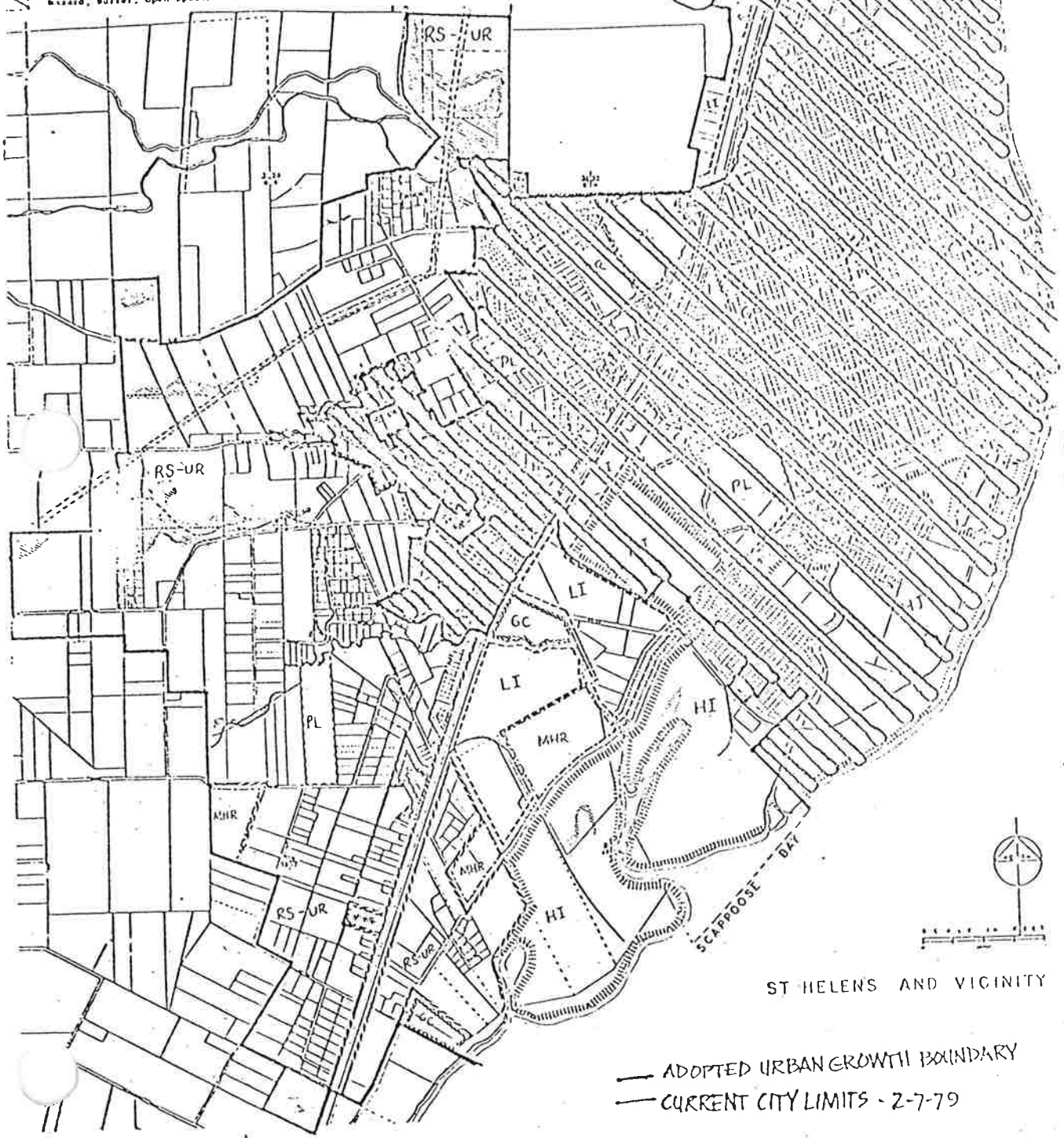
CAPPPOOS

COLUMBI COUNTY AIRPORT



ZONATIONS AND APPROPRIATE SCHEDULES

- Local Residential (450 Acres)
- Suburban Residential (450 Acres)
- Multiple Home Residential (165 Acres)
- Rural Suburban - Unincorporated Residential (11,500 Acres)
- General Commercial (1166 Acres)
- Highway Commercial (140 Acres)
- Light Industrial (100 Acres)
- Heavy Industrial (11,000 Acres)
- Public and Semi-Public Land (150 Acres)
- Woods, Buffer, Open Space/Unsuited Review, or Greenbelt Area (200 Acres)



ST HELENS AND VICINITY

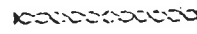
— ADOPTED URBAN GROWTH BOUNDARY
 — CURRENT CITY LIMITS - 2-7-79

RAINIER

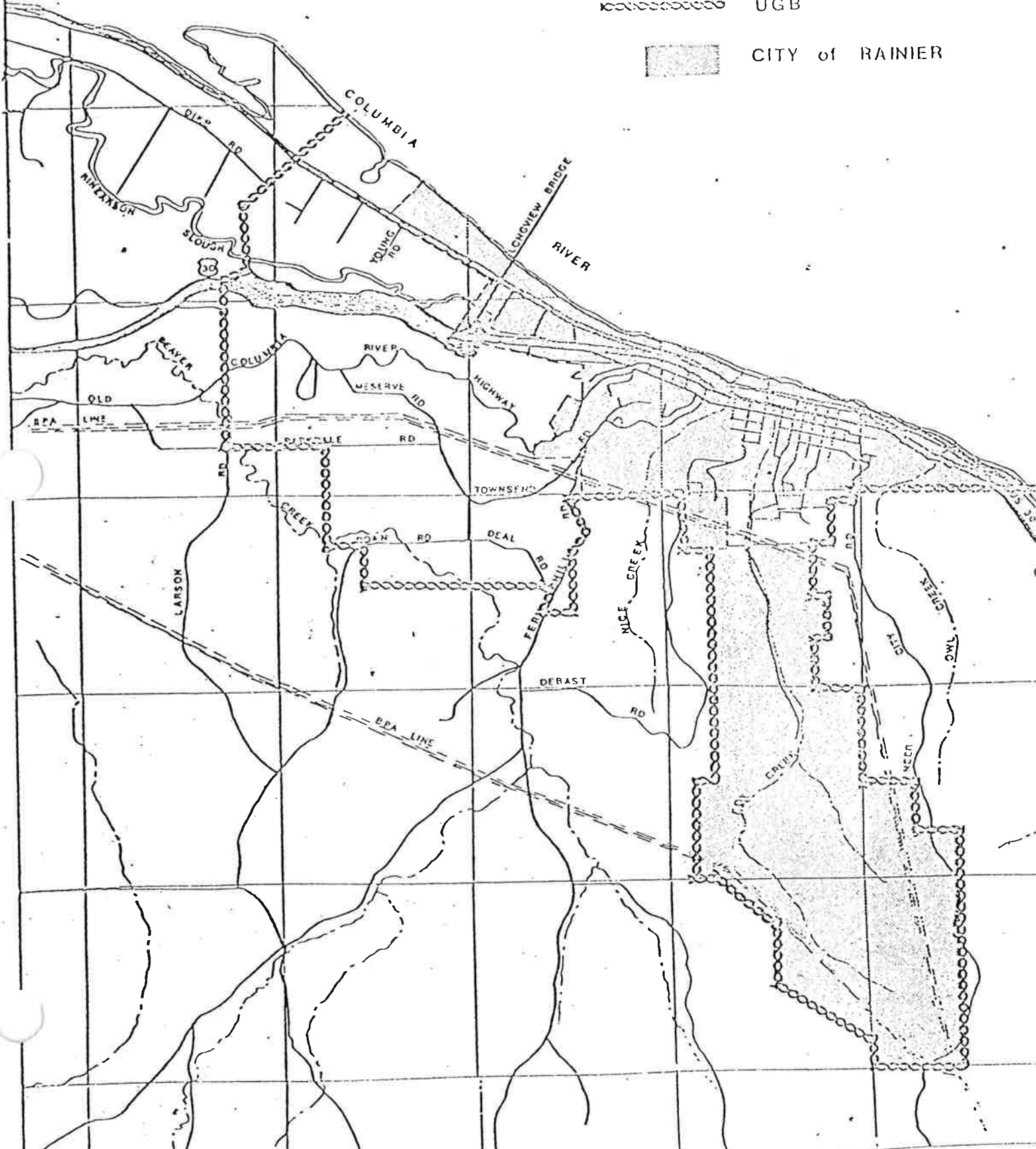


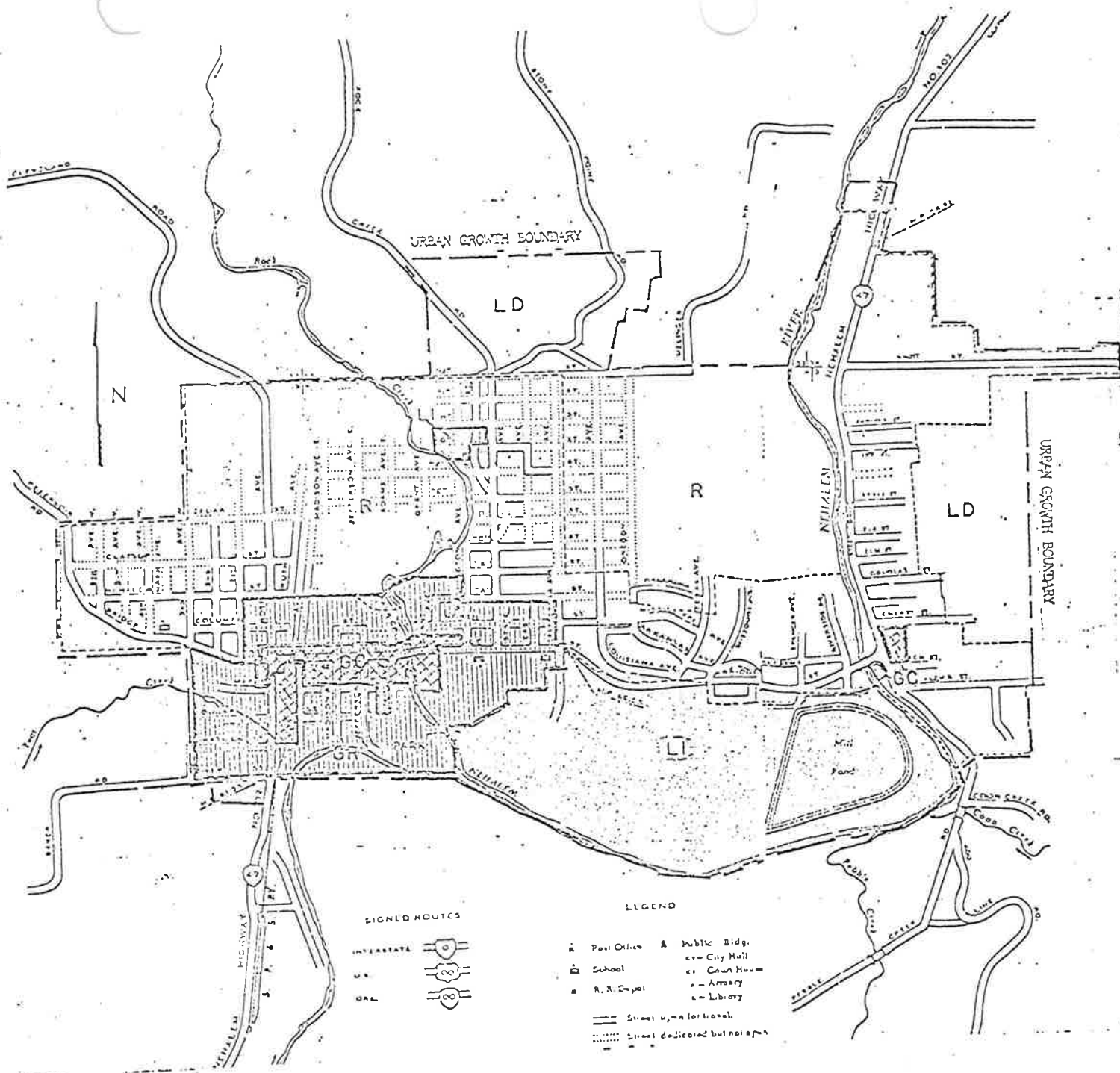
--- CITY LIMITS, APRIL 1980



 UGB

 CITY of RAINIER



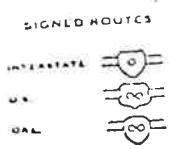


VERNONIA

COLUMBIA COUNTY, OREGON

COMPREHENSIVE PLAN

LD	LOW DENSITY RESIDENTIAL	LD
R	RESIDENTIAL	R
[Vertical Lines]	GENERAL RESIDENTIAL	GR
[Cross-hatch]	GENERAL COMMERCIAL	GC
[Dotted]	LIGHT INDUSTRIAL	LI



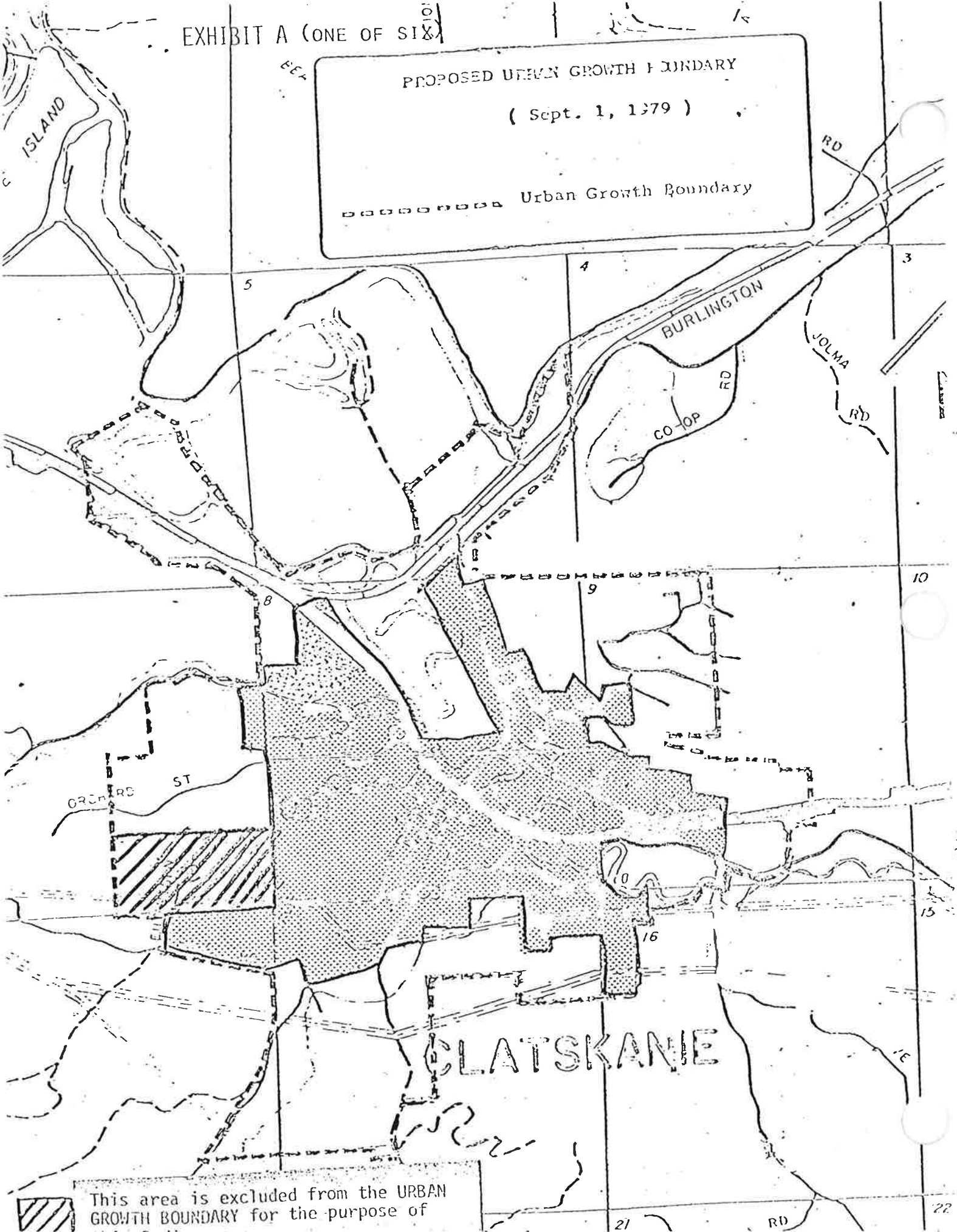
LEGEND


- Ⓜ Post Office
- Ⓛ School
- Ⓜ R. A. Chapel
- Ⓜ Public Bldg.
- Ⓜ City Hall
- Ⓜ Court House
- Ⓜ Armory
- Ⓜ Library
- Street used for travel
- ⋯ Street dedicated but not open

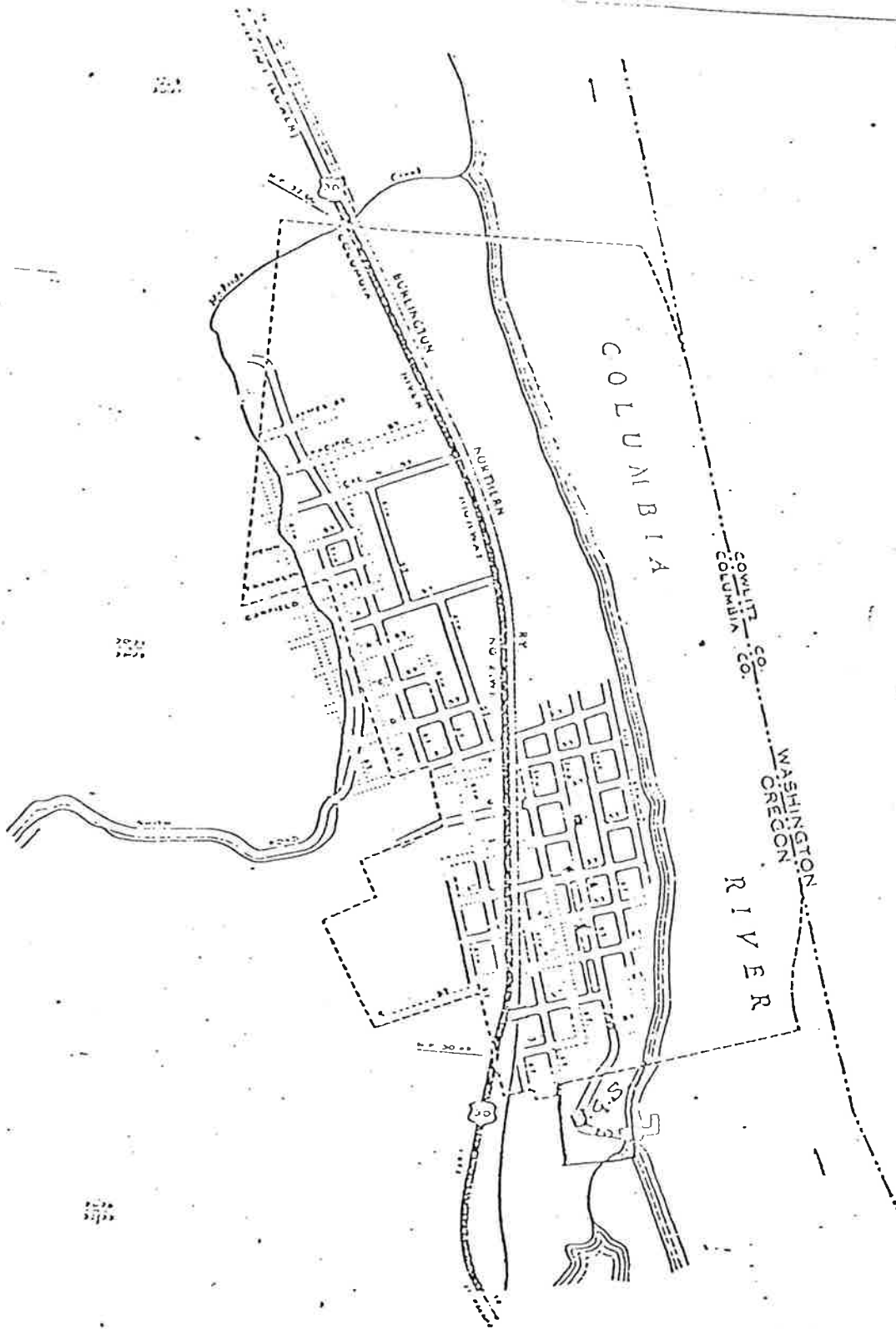
PROPOSED URBAN GROWTH BOUNDARY

(Sept. 1, 1979)

----- Urban Growth Boundary



 This area is excluded from the URBAN GROWTH BOUNDARY for the purpose of



- LEGEND**
- Interstate Highway System
 - Federal Highway System
 - State Highway System
 - Street
 - Street with Sidewalk
 - Street with Driveway
 - Street with Utility
 - Street with Sewer
 - Street with Water
 - Street with Gas
 - Street with Electric
 - Street with Telephone
 - Street with Cable
 - Street with Sewer
 - Street with Water
 - Street with Gas
 - Street with Electric
 - Street with Telephone
 - Street with Cable

- Interstate Highway
- US Highway
- State Highway
- City Center
- City Office
- City Hall
- City Court
- City Jail
- City School
- City Church
- City Cemetery
- City Park
- City Plaza
- City Square
- City Market
- City Store
- City Warehouse
- City Factory
- City Office
- City School
- City Church
- City Cemetery
- City Park
- City Plaza
- City Square
- City Market
- City Store
- City Warehouse
- City Factory

COLUMBIA CITY

COLUMBIA COUNTY, OREGON

Population 1930
 1930
 1930
 1930
 1930