

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 233

An Ordinance revising the Comprehensive Framework Plan text, changing Urban Land Area Policy 6 to recognize Metropolitan Service District authority for the Urban Growth Boundary; changing Agricultural Land Area Policy 9 and Multiple Use Agricultural Land Area Policy 10 by redefining policy scope and purpose; changing Commercial Forest Land Area Policy 11 and Multiple Use Forest Area Policy 12 residential location criteria and establishing forest land inventory by cubic foot site class as a plan update item; changing Areas of Significant Environmental Concern Policy 15 to add Willamette River Greenway use and management policies; changing Community Identity Policy 18 strategies for historic preservation; changing Community Facilities and Uses Location Policy 31 approval criteria for land fills and transfer stations; changing Open Space and Recreation Planning Policy 39 to include the Oregon Trails System; changing the Agricultural Goal Exceptions Statement; revising the Framework Plan Map to align the Urban Area with the Metropolitan Service District Urban Growth Boundary; and adding inventory information for the Willamette River Greenway and for fish and wildlife habitat; all for the purpose of complying with the April 1, 1980 Continuance Order of the Land Conservation and Development Commission.

Multnomah County ordains as follows:

SECTION 1. FINDINGS.

- A. The April 1, 1980 Continuance Order of the Land Conservation and Development Commission declares that the Multnomah County Comprehensive Plan and implementing measures do not comply with Statewide Planning Goals 2, 3, 4, 5, 6, 11, 14 and 15 for the reasons set forth in the Department of Land Conservation and Development report. The Commission granted a 120-day continuance of the County's acknowledgment request so that the County may complete the additional planning work described in the Order.
- B. The Planning Commission has reviewed the Continuance Order and alternative proposals for plan revisions and ordinance amendments in work sessions and community workshops.
- C. At a public hearing on June 23, 1980, the Planning Commission passed Resolution PC 12-80A, recommending to the Board adoption of Ordinance PC 12-80A revising the Comprehensive Framework Plan as one measure to comply with the Continuance Order and adopting findings in support of the recommendation.



- D. The Board concurs in the Planning Commission's recommendation and adopts the Planning Commission's findings.

SECTION 2. URBAN LAND AREA POLICY 6 REVISION.

The Comprehensive Framework Plan is revised as follows:

- A. Policy 6 is revised by adding after F., page 196:

"The County recognizes the authority of the Metropolitan Service District to establish, maintain and change a regional Urban Growth Boundary;"
and

- B. Strategy A.4., of Policy 6 is revised to read:

"4. Establish a process for amending the growth boundary consistent with the boundary established by the Metropolitan Service District."

SECTION 3. AGRICULTURAL LAND AREA POLICY 9 REVISION.

The Comprehensive Framework Plan is revised to delete Items E, F, and G, Policy 9 (page 203).

SECTION 4. MULTIPLE USE AGRICULTURE LAND AREA POLICY 10 REVISION.

The Comprehensive Framework Plan is revised as follows:

- A. The Introduction to Policy 10, (page 205), is revised to read:

"The purpose of the Multiple Use Agriculture Land Area Classification is to conserve those lands agricultural in character which either have been heavily impacted by rural residential uses or are not predominantly Agricultural Land as defined in Statewide Planning Goal 3. This conservation is necessary to protect adjacent exclusive farm use areas and in some cases, the fragile nature of the lands themselves. These lands are conserved for diversified agricultural uses and other uses such as outdoor recreation, open space, residential development, and forestry when these uses are shown to be compatible with the natural resource base, character of the area, and other applicable plan policies. The intent of this classification is to recognize the diminished nature of these areas for commercial resource production, but to limit the adverse impacts of future development of them on nearby agricultural areas and on other lands of a more fragile nature (e.g., areas subject to flooding, but used for agricultural related uses);"

- B. Policy 10, page 205, is revised to read:

"The County's policy is to designate and maintain as Multiple Use Agriculture, land areas which are:

- A. Heavily influenced by or irreversibly committed to non-farm uses, even though the land is physically suitable for agriculture;
 - B. Not of predominantly Agricultural Capability Class I-IV, particularly areas impacted by flooding;
 - C. Provided with some urban level services;
 - D. Are extensively interrupted by non-agricultural areas or are used for agriculturally related uses not allowed in EFU zones; and"
- C. The Note at the bottom of page 205 is revised to read:

"Note: The Agricultural Goal Exceptions Statement, dated October 30, 1978 has been revised by Ordinance No. PC 12-80A. The revision, entitled 'Exceptions Statement for Multnomah County MUA-20 Zoned Areas, March, 1980,' is to be found in the Appendix of this plan document."

SECTION 5. COMMERCIAL FOREST LAND AREA POLICY 11 REVISION.

The Comprehensive Framework Plan is revised as follows:

- A. Strategy A.1., of Policy 11 (page 209) is revised to read:

- "1. The Zoning Article: should include a Commercial Forest Zone with:
- a. A base minimum lot size appropriate to commercial forestry with aggregation of lots in single ownership required;
 - b. Forest and farm uses as primary uses;
 - c. Residences allowed under objective prescribed conditions if resource related and as conditional uses if non-resource related including siting criteria for both types and measures to protect big game winter habitat;
 - d. Community facilities, mineral and gravel extraction, and support services for forestry activities as conditional uses; and
 - e. Lots of Record provisions."

- B. Policy 11 Strategies (page 209) are revised to add:

"C. A Cubic Foot Site Class map for all designated forest lands will be completed for the plan update, following acknowledgement of this plan by LCDC."

SECTION 6. MULTIPLE USE FOREST AREA POLICY 12 REVISION.

The Comprehensive Framework Plan is revised as follows:

A. Subparts a. and b.1., of Strategy A.1., Policy 12 (page 211), are revised to read:

"a. The minimum lot sizes for subareas of the district based on the common aggregated acreage tract size existing in each general subarea, the forest use and the productivity of the land. Small parcels in single ownership should be aggregated. Creation of new lots below the required minimum size should be provided for through rural planned development or lots of exception, under prescribed criteria.

b. The following examples of uses:

1. Forestry practices, farm uses, resource conservation and limited wood processing. Resource-related dwellings under prescribed conditions and non-resource related dwellings as conditional uses. Such dwellings are to be allowed under approval criteria and siting standards designed to assure conservation of the natural resource base, protection from hazards and protection of big game winter habitat."

B. Policy 12 Strategies (page 212), are revised to add:

"C. A Cubic Foot Site Class Map for all designated forest lands will be completed for the plan update following LCDC acknowledgement of this plan."

SECTION 7. AREAS OF SIGNIFICANT ENVIRONMENTAL CONCERN POLICY 15 REVISION.

The Comprehensive Framework Plan is revised as follows:

A. Strategy A.4., Policy 15 (page 222), is deleted, and the subsequent items are renumbered;

B. Strategy B.1.b., Policy 15 (page 222), is revised to read:

"A historic preservation overlay district which should be applied to areas or specific sites not otherwise designated for protection under CS, SEC or other zoning;"

C. Strategy C., Policy 15 (page 223), is revised to add:

"C. The Willamette River Greenway should be identified with a separate plan map designation entitled 'Willamette River Greenway'"

- D. A new section is added to Policy 15 following Strategy C., page 223, to read:

"POLICIES APPLICABLE TO WILLAMETTE RIVER GREENWAY LANDS

In addition to Policy 15, the following Framework Plan Policies are applicable to the use and management of lands within the Willamette River Greenway:

- (a) Agricultural lands: Policies 9 - Agriculture and 10-Multiple Use Agriculture.
- (b) Recreation: Policy 39 - Open Space and Recreation.
- (c) Access: Policy 40 - Development Requirements.
- (d) Fish and Wildlife: Policy 16 - Natural Resources.
- (e) Scenic Qualities and Views: Policy 15 - Areas of Significant Environmental Concern.
- (f) Protection and Safety: Policy 31 - Community Facilities and Uses Location.
- (g) Vegetation Fringe: Policy 15 - Areas of Significant Environmental Concern.
- (h) Timber Harvest: Policy 12 - Multiple Use Forest.
- (i) Aggregate Extraction: Policy 16 - Natural Resources.
- (j) Development away from River: Policy 14 - Development Limitations.
- (k) Greenway Setback: Policy 15 - Areas of Significant Environmental Concern.

The above policies address the items in Statewide Planning Goal 15, C.3., a. through k., and are to be implemented through the provisions of the WRG zone district."

SECTION 8. COMMUNITY IDENTITY POLICY 18 REVISION.

The Comprehensive Framework Plan is revised as follows:

- A. Section (D) of Policy 18, page 232, is revised to read:

"(D) Requiring the preservation of significant historical landmarks and districts, and archaeological and architectural sites which have been so designated by a Federal or State agency or meet the historic site designation criteria contained in this plan."

- B. The following Historical Site Criteria are added between the Policy 18 statement and the Strategies Section, page 232:

"HISTORICAL SITE CRITERIA

1. Historical Significance - Property is associated with significant past events, personages, trends or values and has the capacity to evoke one or more of the dominant themes of national or local history.
2. Architectural Significance - (Rarity of Type and/or Style). Property is a prime example of a stylistic or structural type, or is representative of a type once common and is among the last examples surviving in the county. Property is a prototype or significant work of an architect, builder or engineer noted in the history of architecture and construction in Multnomah County.
3. Environmental Considerations - Current land use surrounding the property contributes to an aura of the historic period, or property defines important space.
4. Physical Integrity - Property is essentially as constructed on original site. Sufficient original workmanship and material remain to serve as instruction in period fabrication.
5. Symbolic Value - Through public interest, sentiment, uniqueness or other factors, property has come to connote an ideal, institution, political entity or period.
6. Chronology - Property was developed early in the relative scale of local history or was an early expression of type/style."

- C. Strategy A.4.b., Policy 18, page 233, is revised to read:

"b. Continue a program for identification and registration of significant sites, working with Area Citizens Groups, the Oregon Historical Society, the Oregon Natural History Museum, and other historic and archeological associations."

- D. Subparts 1. and 2. of Strategy A.4.b., Policy 18, page 233, are deleted.

- E. Strategy B.1., Policy 18, page 233, is revised to read:

"1. The Zoning Article should:

- a. Include an Historic Preservation Overlay District which will provide for the protection of identified historic areas and sites.

- b. Include conditional use provisions to allow new uses to be established to preserve historic structures and sites.
- c. Provide for a 120-day delay period for the issuance of a demolition permit or a building permit that substantially alters the historic nature of the site or building. During this period, a review of the permit application, including the impacts and possible means to offset these impacts should be undertaken."

SECTION 9. COMMUNITY FACILITIES AND USES LOCATION POLICY 31 REVISION.

The Comprehensive Framework Plan is revised as follows:

- A. The Major Regional Public Facilities category of Policy 31, page 308-9 is revised to delete:

Land Fills
Refuse Transfer Station

- B. The following is added at the end of the COMMUNITY FACILITIES AND USES CATEGORIES Section, page 309:

"SOLID WASTE MANAGEMENT

Solid waste is a regional concern requiring regional solutions. The County recognizes Metro's responsibility and authority to prepare and implement a solid waste management plan and the Metro "Procedures for Siting Sanitary Landfill" and will participate in these procedures as appropriate."

SECTION 10. OPEN SPACE AND RECREATION PLANNING POLICY 39 REVISION.

The Comprehensive Framework Plan is revised as follows:

- A. The INTRODUCTION to Policy 39, page 343, is revised to add after the fourth paragraph:

"In addition, three proposed Statewide Oregon Recreation "Trails": Portland to the coast, the Columbia River Gorge and the Sandy River Trails, will provide hiking opportunities and scenic and recreational access."

- B. Policy 39, page 344, is revised to add:

"1. Coordinate with appropriate public and private agencies and individuals to resolve any potential conflicts which may arise over the development of or protection of the Oregon Recreation Trails System."

- C. Strategy B.2., of Policy 39, page 345, is revised to read:

"2. Coordinate with other agencies and assist in the location of public recreation facilities, including Oregon Recreation Trails, in the County."

SECTION 11. AGRICULTURAL GOAL EXCEPTIONS STATEMENT REVISION.

The Comprehensive Framework Plan is revised to delete the Agricultural Goal Exceptions Statement, October 30, 1978, and to add as an appendix to the plan document the Exceptions Statement for Multnomah County MUA-20 Zoned Areas, March, 1980, which is attached as Appendix A of this Ordinance and incorporated herein by this reference.

SECTION 12. FRAMEWORK PLAN MAP REVISION.

The Comprehensive Framework Plan Map is revised to align the Urban Areas classification with the Urban Growth Boundary adopted by the Metropolitan Service District on November 8, 1979, under Ordinance No. 79-77.

SECTION 13. WILLAMETTE RIVER GREENWAY RESOURCE INFORMATION REVISION.

The Comprehensive Framework Plan is revised to add the following to page 27 after the section on Scenic Areas:

"WILLAMETTE RIVER GREENWAY

Resources within the Willamette River Greenway have been inventoried. The data are contained in the following documents available at the County Department of Environmental Services:

1. A map of land use, public ownership, and historic sites, on a USGS base with a scale of 1" = 2000 feet, dated 1976.
2. A map of scenic views and view features, including marinas and moorages, screening vegetation, and log booms, on a USGS base with a scale of 1" = 2000 feet, dated 1976.
3. A map of physical land hazards and resources, including agricultural soil capabilities, annual standing water, intermittent standing water, dikes, 100 year flood plain and high water table, and rock quarries, on a USGS base with a scale of 1" = 2000 feet, dated 1976.
4. A map of natural features, including riverine tree stands, lakes, natural grass and shrub areas, commercial timberlands, deciduous stream-side vegetation, and ecologically significant areas, on a USGS base with a scale of 1" = 2000 feet, dated 1976.

Other inventory information used to augment these maps are:

1. Gravel Resources - "Rock Material Resources of Clackamas, Columbia, Multnomah and Washington Counties, Oregon" (1978), Oregon Department of Geology and Mineral Industries.
2. Access Points to the River - "Master Plan for Angler Access and Associated Recreational Uses" (1967), Oregon State Game Commission.

3. Fish and Wildlife Habitats - Two maps, "Terrestrial Species Habitat" and "Sensitive Aquatic Habitat", USGS base 1" = 2000 feet, 1975, Oregon Department of Fish and Wildlife.
4. Property Ownership - Microfilm file of all up-to-date property ownership in Multnomah County.
5. Acquisition Areas - "Master Plan for Parks and Open Space", Division of Parks and Memorials, Multnomah County. In process of final draft, maps and text."

SECTION 14. FISH AND WILDLIFE HABITAT REVISION.

The Comprehensive Framework Plan is revised to add the following to page 22, after the introductory paragraph:

"Fish and wildlife resources have been inventoried using maps provided by the Oregon Department of Fish and Wildlife."

SECTION 15. HISTORIC FEATURES REVISION.

The Comprehensive Framework Plan is revised by changing Item 1, HISTORIC FEATURES, page 125, to read:

- "1. Historic sites and structures, and to a lesser extent archaeological sites, have been inventoried and are catalogued and on file in the County Division of Planning and Development, under "Historic Sites and Structures Inventory."

ADOPTION.

This Ordinance being necessary for the health, safety and general welfare of the people of Multnomah County, shall take effect on August 14, 1980, according to Section 5.50 of the Charter of Multnomah County.

ADOPTED this 15th day of July, 1980, being the date of its 2nd reading before the Board of County Commissioners of Multnomah County, Oregon.

FOR THE BOARD OF COUNTY COMMISSIONERS
OF MULTNOMAH COUNTY, OREGON

By Allen Buchanan
Presiding Officer

Authenticated by the County Executive on the 15th day of July, 1980.

Donald E. Clark
DONALD E. CLARK, County Executive

APPROVED AS TO FORM:

JOHN B. LEAHY
County Counsel for
Multnomah County, Oregon

By Laurence Kressel
Laurence Kressel,
Deputy County Counsel

Appendix A

EXCEPTIONS STATEMENT FOR
MULTNOMAH COUNTY MUA-20 ZONED AREAS

March 1980

In order to fulfill the requirements of the Continuance Order for Multnomah County, the following report and maps contain the supplemental data necessary to show development and commitment for a portion of the lands within the contested Multiple Use Agriculture zone utilized by Multnomah County since 1977. The report details the methodology, the committed areas, and the zoning to be utilized for those farm uses not identified as committed. The purpose of this report is to bring Multnomah County into compliance with the Goal 2 exceptions process and with Goal 3 on agriculture.

I. OVERALL METHODOLOGY

As a result of a lengthy appeals process, a number of acres zoned Multiple Use Agriculture have been called into question. Through that same process, a number of the approximately 20,000 acres of land zoned MUA in Multnomah County were excluded from contention, such as the following:

- a. Lands of predominantly SCS Agricultural Capability Class VI and greater (Multnomah Channel, outside of the dike on Sauvie Island).
- b. Lands agreed upon appeal to be developed or committed to non-farm use (tip of Sauvie Island, rural centers, Pleasant Valley, and parts of Orient area south of the Orient rural center).
- c. Lands within the West Hills as excluded by the findings of the LCDC Continuance Order.

The balance of the lands (some 12,278 acres) still contested become the subject of further scrutiny.

A large amount of data about the lands already existed in the form of prior Exceptions Statements, the latest from October 1978. In order to meet the requirements of the Final Order (77-031) in the 1,000 Friends appeal and the Continuance Order as outlined in Section IV, page 22, some additional material was utilized. The methodology for identifying those lands which meet the test of development or commitment to non-farm use are outlined below.

All the possible data available was compiled at one place. This data included:

1. Soils data - The detailed soils information from the 1978 Multnomah County Soils Survey to include the aerial photo field sheets and interpretive OR-1 sheets.
2. Existing land use maps at 1" = 600' updated to include all building permits up to December 1979 and field verified.
3. Aerial photographs by section at the scale of 1" = 200', flown October 1977.
4. Property maps to include ownership information from County Tax Assessor, as well as access to microfilm County Assessor records.
5. All Greenbelt tax deferrals, both on maps and microfilm records, by section or subdivision.
6. Parcelization maps at 1" = 600' updated to the most available small scale property tax Assessor maps (1979 tax year).
7. Maps showing location of all water mains of the water districts at 1" = 600' taken from maps supplied by the water districts 1979.

This data was utilized in aggregate to identify those lands which were so impacted by parcelization, existing development, fractionated ownership, poorer soils, lack of agricultural use, and services so as to be developed or committed to non-farm uses. More than one factor was utilized to so classify an area as non-farm. Combinations of factors were generally the case, although some areas were excluded by virtue of their commitment to forest uses. A few acres (117) are being justified as a buffer, based upon the same data listed above. Each committed area was outlined on a 1" = 600' scale property tax map, and numbered. Each numbered area was then detailed in text form on a Committed Area Detail Form, and these follow this section of the report. All the committed areas were then added up and a summary section follows the detail forms for each area and in aggregate.

One further issue was raised within the Final Order (77-031) concerning the boundaries of the Corbett and Springdale rural centers. The Order states, "The Corbett and Springdale rural centers do appear to be committed, but the boundaries should be further defined." The scale of the maps submitted did not allow a detail understanding of the center boundaries. Maps are now provided which show in detail the center boundaries. The boundaries were selected based upon existing service uses, limited dense housing, and needs for about a 25% expansion capacity.

Rural center studies are to be conducted as a part of Plan update and revision, which could result in changes of these boundaries as a result of better need identification, as well as further detailing of the use areas within the centers.

II. COMMITTED AREA DETAIL FORMS

The forms which follow outline those areas within the contested MUA areas which are committed or developed to non-farm uses. The order of forms is: West Hills, Orient, and Corbett, and each numbered area corresponds to a map designation on one of three maps. The one exception to committed area data is that 1,422.87 acres conceded by the Petitioner in the 1000 Friends Petition for review, are to be committed in the Orient area. This area is identified on the Orient map and was referred to by the Petitioner on page 11 of Petitioner's Memorandum, and supplemented by a map (see Appendix I). The Final Order (77-031) refers to this area as follows (page 2): "7. The Commission makes no finding as to those areas in Pleasant Valley and Orient which the Petitioner concedes are committed." Although the Petitioner identifies this area as being 2,125 acres, it is, in fact, only 1,422 acres as calculated by aggregation of tax lot acreage figures and calculation of the size of subdivision parcels. (This figure does not include the Orient rural center.) If further data is needed for this area, it can be provided upon request.

WEST HILLS

COMMITTED AREA DETAIL FORM

AREA WEST HILLS

Map #	<u>1</u>	Proposed Zone	<u>MUA-20</u>		
<u>Acres</u>		<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total	<u>50</u>	<u>13</u>	Total <u>3</u>	No. <u>11</u>	<u>9</u>
		<u>6 Ac.</u>	Largest <u>13</u>	Acres	
		<u>4 Ac.</u>	Average		

Soil Types:
65% Class III, 30% Class IV, 5% Class VI

Existing Uses: A small nursery on 10 acres, the balance is rural homesites. 55% is in scrub forest, 10% nursery, and 35% in homesites and areas cleared for personal use.

Water Service: Yes No. , If yes; detail:

Additional Comments:
Plainview Acres subdivision with 70% developed lots.

Map #	<u>2</u>	Proposed Zone	<u>MUA-20</u>		
<u>Acres</u>		<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total	<u>52.97</u>	<u>11</u>	Total <u>0</u>	No. <u>5</u>	<u>8</u>
		<u>9.85</u>	Largest <u> </u>	Acres	
		<u>5</u>	Average		

Soil Types: 60% Class IV, 40% Class III.

Existing Uses: Rural homesites -- 60% wooded and steep, with 40% cleared for pasture and other personal use.

Water Service: Yes No. , If yes; detail:

Additional Comments:

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA WEST HILLS

Map # 3 Proposed Zone MUA-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>52.92</u>	<u>10</u>	Total <u>3</u>	No. <u>7</u>	<u>5</u>
	<u>12.42 Ac.</u>	Largest <u>13</u>	Acres	
	<u>5 Ac.</u>	Average		

Soil Types: 55% Class III, 45% Class VI.

Existing Uses: Rural homesites, with 40% cleared for pasture uses and personal use. 60% forested with scrub brush.

Water Service: Yes No. , If yes; detail:

Additional Comments:

Map # A-Andrews Acres + Proposed Zone MJR-20

area south of Germantown Rd.

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>132</u>	<u>35</u>	Total <u>4</u>	No. <u>19</u>	<u>14</u>
	<u>6 Ac.</u>	Largest <u>9</u>	Acres	
	<u>4 Ac.</u>	Average		

Soil Types: 75% Class IV - VI, 25% Class III.

Existing Uses: Mostly wooded (Douglas Fir, Cubic Foot Site Class 3 (high side of 3) 10% cleared for homesites and 9 acres cleared for pasturage.

Water Service: Yes No. , If yes; detail:

Additional Comments: This is an old platted subdivision in a wooded area which has not been used for agriculture and is developed with rural homesites. The balance of the land is best suited to forest uses.

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA WEST HILLS

Map #	<u>A - Tax Lots</u>	Proposed Zone	<u>MUF-20</u>		
<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>	
Total <u>52.8</u>	<u>4</u>	Total <u>0</u>	No. <u>4</u>	<u>2</u>	
	<u>30.01</u>	Largest <u> </u>	Acres		
	<u>20-30</u>	Average			

Soil Types: 65% Class IV - VI, 35% Class III, Douglas Fir Cubic Foot Site Class 3 (on high side).

Existing Uses: Totally forested, never used for agriculture. Steep + varied terrain better suited to forest land use.

Water Service: Yes No. , If yes; detail:

Additional Comments:

Map #	<u>B</u>	Proposed Zone	<u>MUF-20</u>		
<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>	
Total <u>18.32</u>	<u>1</u>	Total <u>0</u>	No. <u>1</u>	<u>0</u>	
	<u> </u>	Largest <u> </u>	Acres		
	<u> </u>	Average			

Soil Types: 65% Class IV - VI, 35% Class III. Douglas Fir Cubic Foot Site Class III.

Existing Uses: Totally forested, steep + varied terrain. Cut diagonally by B.P.A. power line. Better suited to forest use.

Water Service: Yes No. , If yes; detail:

Additional Comments:

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA WEST HILLS

Map # C Proposed Zone MUF

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>61.84</u>	<u>13</u>	Total <u>0</u>	No. <u>13</u>	<u>1</u>
	<u>20.73</u>	Largest <u> </u>	Acres	
	<u>3 Ac.</u>	Average		

Soil Types: 75% Class IV - VI, 25% Class III. Douglas Fir Cubic Foot Site Class III.

Existing Uses: Heavily wooded, never used for agriculture. Steep and varied terrain better suited to forest uses.

Water Service: Yes No. X, If yes; detail:

Additional Comments:

Map # 4 Proposed Zone MJA-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>124.83</u>	<u>40</u>	Total <u>1</u>	No. <u>33</u>	<u>30</u>
	<u>8.86 Ac.</u>	Largest <u>3</u>	Acres	
	<u>4 Ac.</u>	Average		

Soil Types: 50% Class III, 50% Class IV - VI.

Existing Uses: Rural homesites with cleared areas for primarily personal use pasture and gardens. Area is split by Springville Road. 45% forested with non-commercial scrub forest with some larger trees.

Water Service: Yes No. X, If yes; detail:

Additional Comments:

* Building includes residential, commercial, industrial and community service.

WEST HILLS - Exceptions + EFU Acreages

Retain MUA Zoning		<u>Acres</u>	
AREA 1		50.00	
2		52.97	
3		52.92	
4		<u>124.83</u>	
	TOTAL:	280.72	(11.2%)

Change to MUF Zoning			
AREA A		184.80	
B		18.32	
C		<u>61.84</u>	
	TOTAL:	264.96	(10.6%)

Change to EFU Zoning			
	TOTAL:	1,954.32	(78.2%)

TOTAL ACREAGE: 2,500

ORIENT

COMMITTED AREA DETAIL FORM

AREA ORIENT

Map #	<u>1</u>	Proposed Zone	<u>MJA-20</u>		
<u>Acres</u>		<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total	<u>212.23</u>	<u>40</u>	Total <u>2</u>	No. <u>29</u>	<u>28</u>
		<u>19.79</u>	Largest <u>15</u>	Acres	
		<u>5 Ac.</u>	Average		

Soil Types: 90% Class III, 10% Class IV.

Existing Uses: The use pattern is small homesites, scrub forest (of the three lots over 15 acres in size, the primary use is scrub forest) not used for agriculture, and minor pasture and field patterns for personal use and limited commercial value (30%).

Water Service: Yes No. , If yes; detail:
Lines in Hogan Rd. and Palmer Rd. to the north within City of Gresham.

Additional Comments:
The fractionated ownership, lack of agricultural use, and the number of scattered rural homesites commits this area as much to non-farm use as does the uncontested committed area to the immediate east. The two deferrals are large housing compounds, wooded land, with a small amount of pasture.

Map #	<u>2</u>	Proposed Zone	<u>MJA-20</u>		
<u>Acres</u>		<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total	<u>20.00</u>	<u>2</u>	Total <u>0</u>	No. <u>2</u>	<u>1</u>
		<u>10.03</u>	Largest <u> </u>	Acres	
		<u>10.00</u>	Average		

Soil Types: 100% Class III.

Existing Uses: One lot is totally forested - the other has a homesite in the middle with cleared area around for seasonal use.

Water Service: Yes No. , If yes; detail: 4" water line down the east side in 282nd Avenue.

Additional Comments:

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA ORIENT

Map # 3 Proposed Zone MUA-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>11.4</u>	<u>5</u>	Total <u>1</u>	No. <u>5</u>	<u>3</u>
	<u>3.70 Ac.</u>	Largest <u>1</u>	Acres	
	<u>2.5 Ac.</u>	Average		

Soil Types: 25% Class III, 75% Class IV.

Existing Uses: Rural homesites.

Water Service: Yes No. , If yes; detail:

Additional Comments:

Half of all the lots are wooded, leaving about 6 acres of cleared land between 5 parcels.

Map # 4a Proposed Zone MUA-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>9.05</u>	<u>2</u>	Total <u>0</u>	No. <u>2</u>	<u>3</u>
	<u>6 Ac.</u>	Largest <u> </u>	Acres	
	<u>--</u>	Average		

Soil Types: 100% Class III.

Existing Uses: Rural homesites with some cleared area for personal use.

Water Service: Yes No. , If yes; detail: 8" line on east side down Altman Road.

Additional Comments:

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA ORIENT

Map # 4b Proposed Zone MUA-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>3.5</u>	<u>2</u>	Total <u>0</u>	No. <u>1</u>	<u>1</u>
	<u>2 Ac.</u>	Largest <u> </u>	Acres	
	<u> </u>	Average		

Soil Types: 100%Class III soils.

Existing Uses: This is the site of the Scenic Fruit Company, a processor.

Water Service: Yes No. , If yes; detail: 12" line on west side in Altman Road.

Additional Comments:

This facility needs to be zoned MUA so it can continue to operate and expand. It is an industrial type non-farm use which would not be allowed in EFU. Is needed here.

Map # 4c Proposed Zone MIA-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>34.93</u>	<u>19</u>	Total <u>1</u>	No. <u>15</u>	<u>15</u>
	<u>3.16 Ac.</u>	Largest <u>2</u>	Acres	
	<u>2 Ac.</u>	Average		

Soil Types: 100%Class III.

Existing Uses: 50% utilized for homesites (scattered throughout), the rest is cleared for limited personal use agriculture.

Water Service: Yes No. , If yes; detail: 12" line in Altman Rd. and Carpenter Lane and a 2" line in Altman Rd. on west side of Dodge Terrace subdivision.

Additional Comments:

None of these homesites are connected by ownership to larger adjacent parcels used for farm purposes.

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA ORIENT

Map # 4d Proposed Zone MUA-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>1.5</u>	<u>2</u>	Total <u>0</u>	No. <u>2</u>	
	<u>.75</u>	Largest <u> </u>	Acres	
	<u>.75</u>	Average		

Soil Types: 100% Class III.

Existing Uses: Two rural homesites, non-farm related

Water Service: Yes No. , If yes; detail: 2" line on north and east sides.

Additional Comments:

Map # 5 Proposed Zone MUA-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>143.61</u>	<u>42</u>	Total <u>4</u>	No. <u>35</u>	<u>32</u>
	<u>12.14 Ac.</u>	Largest <u>14</u>	Acres	
	<u>5 Ac.</u>	Average		

Soil Types: 35% Class I, 25% Class II, 40% Class III.

Existing Uses: Rural homesites scattered throughout - the house grounds take up 35% of the area - the balance is used for private cleared pasture, scrub, forest, and about 10% in scattered field patterns.

Water Service: Yes No. , If yes; detail: 6" line down center in Cottrell Rd. and on north end in Lusted Rd.

Additional Comments:

Deferrals are scattered and take up less than 10% of the area.
One building is a community service use, the rest are homesites.

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA ORIENT

Map #	<u>6</u>	Proposed Zone	<u>MUA-20</u>		
<u>Acres</u>		<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total	<u>85.92</u>	<u>39</u>	Total <u>1</u>	No. <u>31</u>	<u>36</u>
		<u>5.16 Ac. Largest</u>	<u>2</u>	Acres	
		<u>3 Ac. Average</u>			

Soil Types: 100% Class III

Existing Uses: 65% of the area are homesites and wooded area, the balance is in pasture and garden uses for the rural homes.

Water Service: Yes No. , If yes; detail: 6" line through middle of area in Pipe Line Road and Altman Rd.

Additional Comments:

This is a fairly dense enclave of rural homesites in an area of agricultural uses, that cannot greatly expand and is largely developed with homesites.

Map #	<u>7a</u>	Proposed Zone	<u>MUF-20</u>		
<u>Acres</u>		<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total	<u>115.2</u>	<u>42</u>	Total <u>0</u>	No. <u>30</u>	<u>17</u>
		<u>12.82 Ac. Largest</u>		Acres	
		<u>4 Ac. Average</u>			

Soil Types: 50% Class VI, 15% Class IV, and 35% Class III.

Poorer soils follow a steep ravine going northwest by southeast through area.

Existing Uses: Rural homesites, 90% forested, only 15% is cleared for small lot personal agricultural uses.

Water Service: Yes No. , If yes; detail: 4" line along north end in Division, 6" line in northwest end in Division, and a 2" line down 302nd.

Additional Comments:

This forested steep ravine, although somewhat committed to rural uses, logically belongs with a forest zone as opposed to an agriculture zone. It is not part of adjacent farms, or managed for woodlots by adjacent farms. It is a tributary to the Sandy Canyon.

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA ORIENT

Map # 7b Proposed Zone MUA-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>52.5</u>	<u>16</u>	Total <u>1</u>	No. <u>13</u>	<u>16</u>
	<u>5 Ac.</u>	Largest <u>4</u>	Acres	
	<u>5 Ac.</u>	Average		

Soil Types:

Existing Uses: Rural homesites in 5 acre parcels in the small cleared areas for personal use and very limited commercial.

Water Service: Yes X No. , If yes; detail: 4" line along Division (north side) and down Victory Road (center and south end).

Additional Comments:

Map # 7c Proposed Zone MUA-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>43.86</u>	<u>17</u>	Total <u>0</u>	No. <u>15</u>	<u>14</u>
	<u>6.5 Ac.</u>	Largest <u> </u>	Acres	
	<u>3 Ac.</u>	Average		

Soil Types: 50% Class II, 50% Class III

Existing Uses: Rural homes on 82% of the parcels - small areas cleared for personal garden and livestock uses.

Water Service: Yes X No. , If yes; detail: 6" and 8" line in Division on south side, and 8" line in 302nd on east side.

Additional Comments:

Rural residential enclave surrounded by larger farmland parcels.

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA ORIENT

Map #	<u>7d</u>	Proposed Zone	<u>MJA-20</u>		
<u>Acres</u>		<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total	<u>13.08</u>	<u>6</u>	Total <u>0</u>	No. <u>5</u>	<u>5</u>
		<u>4.8</u>	Largest <u> </u>	Acres	
		<u>2</u>	Average		

Soil Types: 100% Class III

Existing Uses: Rural homesites, 30% forested with balanced cleared for personal use.

Water Service: Yes No. , If yes; detail: 6" line on east side down 302nd.

Additional Comments:

Map #	<u>8</u>	Proposed Zone	<u>MJA-20</u>		
<u>Acres</u>		<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total	<u>409.15</u>	<u>115</u>	Total <u>5</u>	No. <u>98</u>	<u>91</u>
		<u>13.70*</u>	Largest <u>35</u>	Acres	
		<u>2.6 Ac.</u>	Average		

Soil Types: 90% Class III, 10% Class IV - Beaver Creek Ravine on the far west side of the area.

Existing Uses: 91 rural homesites with cleared areas for personal and very limited commercial uses, a large 40 acre urban high school, nursing home, and 2 water structures. The largest aggregate ownership is 15 acres.

Water Service: Yes No. , If yes; detail: All the major roads have water lines in them ranging from 4"-8".

Additional Comments: Public ownership makes up 45.85 total acres (11%) which are utilized in non-farm use, the deferrals make up 8% of the area, and are scattered throughout with residences on them. Adjoins City of Gresham on west boundary. The largest deferral is a 10 acre nursery. This area is 90% committed to non-agricultural pursuits and could not be reformed for future use without much expense and effort. * Largest private ownership - the Sam Barlow High School site is the largest parcel at 37.81 acres, in public ownership.

* Building includes residential, commercial, industrial and community service.

The Gresham-Troutdale Buffer

The Gresham-Troutdale Buffer was the subject of the following finding in the Final Order (77-031):

"12. The Gresham-Troutdale buffer identified and discussed at pages 40-42 of the recommendation have (sic) not been shown to be committed or otherwise appropriate for exception from Goal Three."

The discussion in the Hearings Officer's report concentrates on the information submitted by the Petitioner, that this area is not committed to non-farm use, and in one sentence, dismisses the County's argument of need for this buffer. Although circumstances since that time have changed the situation in that area, the County continues to believe that its original decision was correct, and added rationale is given.

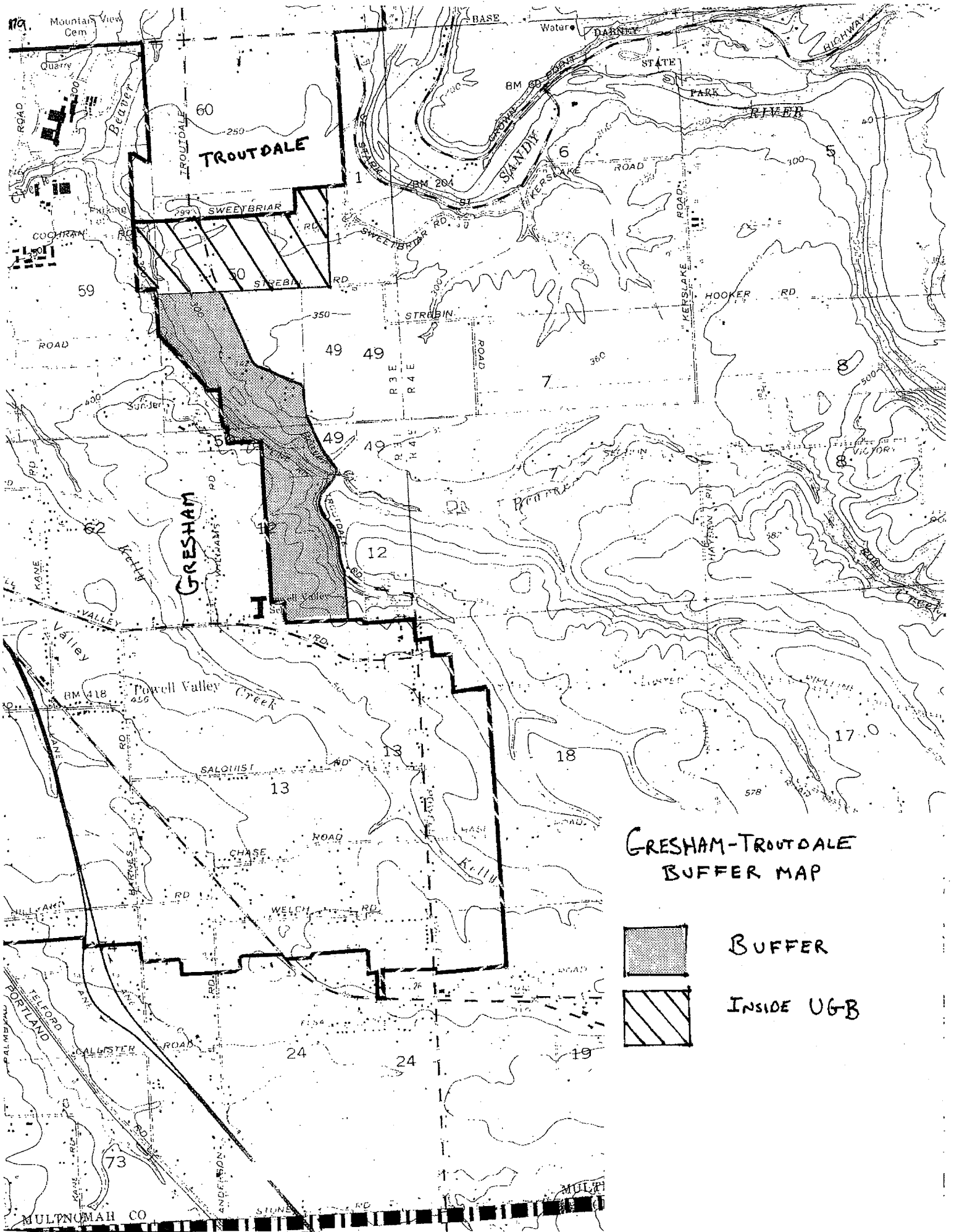
The original buffer strip consisted of 270 acres which was zoned rural residential in 1977 as a result of the County's blue sheet process developed through the Planning Commission. The full 270 acres was the subject of the appeal, but since then, 99 acres were approved by LCDC as part of the Metro Urban Growth Boundary, and the County has placed that land within its UGB. This leaves an area of 171.19 acres, all west of Troutdale Road and adjacent to the Gresham city boundary. The 99 acres removed from consideration made up about two-thirds of the total acreage under cultivation. The basic facts in relation to the 171 remaining acres are as follows:

14 parcels, 7 farm deferrals (on a total of _____ acres), 11 owners. The parcels range in size from 64.36, 32.03, 17.91, 14.59, 10.92, and 8 below 10 acres in size. There are 10 homes. The Beaver Creek ravine runs through the area from northwest to southeast, and 55% of the land is forested with second growth made up of primarily non-commercial species. The soils are basically Powell Silt Loams of 50% Agricultural Capability Class IV - VI, 25% Class III, and 25% Class II. An accompanying small scale slope map reveals that about 35% of the area has slopes of over 20%, 35% of between 10-20%, and the balance under 10%. The accompanying aerial photo shows the extent of the forested area, which generally follows the steeper slopes. The forested and steeper slopes are interspersed through the area, leaving a patchwork pattern of about 85 acres (about 10 of which are in buildings) devoted to cultivation. The parcels at the north and south ends of the area are owned by individuals who also own land to the east of Troutdale Road. The small parcels and the center area are not associated with other adjacent ownerships.

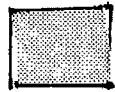
Although less than one-half the total acreage is in active farm use, the premise of the rural residential buffer is based not just upon the physical limitations of the site, but the need for the buffer. Under the guidelines for Goal #3 (A), one of the planning matters to be considered is that "urban growth should be separated from agricultural lands by buffer or transitional areas of open space." This guideline was given no discussion by the Hearings Officer's report, except to reference it from the County's Statement. There is a need in this area for a buffer from the intensive urban uses occurring to the north and west of this area. Letters submitted into the record of the appeal from the major landowner in the area attest to the large amount of vandalism and trespass which occur here. The steep Beaver Creek ravine makes an ideal topographic break between the farming areas to the east and the urban uses to the west. To separate the ravine itself, however, from the flatter cultivated pieces, would be very difficult, as can be seen from the submitted maps and by the fact that the ravine cuts northwest to southeast. Troutdale Road forms the eastern property edge, with one exception for all the properties. The rural residential buffer was placed on this 171 acres for the following reasons:

- 1) The property is 55% forested, with the balance in scattered, unrelated agricultural uses. The resultant loss of agricultural lands would be minor.
- 2) There is a need for a buffer between intensive urban uses and the agricultural areas east of Troutdale Road to limit interaction problems between intensive farm areas and urban development.
- 3) The Beaver Creek ravine makes an ideal geographical feature upon which to base the buffer area. Its location is central to the remaining 171 acres and bisects the area with steep slopes.
- 4) The City of Gresham does not service the area and could not sewer it until a trunk line extended down Beaver Creek, an event in the far future. Currently, the area is not part of Gresham's urban interest.
- 5) The use of a five acre density for the area would be acceptable with distant urban influence, and five acres is the minimum being recommended for urban future areas within the Urban Growth Boundary.
- 6) State Goal #3 recommends buffer areas between urban and rural areas under Guideline 'A', there has been no determination that these buffers should be placed inside UGB's taking up land needed for urban development, and this location along a geographical feature dividing urban and agricultural areas is a logical location for a buffer.

Due to the above discussion, the County submits that there is a need for the Gresham-Troutdale buffer and that the characteristics of this site for an urban/rural buffer are sufficient to justify this designation.



GRESHAM-TROUTDALE
BUFFER MAP



BUFFER



INSIDE UGB

ORIENT - Exceptions + EFU Acreages

Retain
MUA Zoning

	<u>Acres</u>
AREA 1	212.23
2	20.00
3	11.40
4	48.98
5	143.61
6	85.92
7	109.44
8	409.15
	<u>1,040.74</u>

UNCONTESTED: 1,422.87

TOTAL: 2,463.60 (27%)

Change to
MUF Zoning

AREA 7 158.28

TOTAL: 158.28 (2%)

Change to
EFU Zoning

TOTAL: 6,378.12 (71%)

TOTAL ACREAGE: 9,000

Retain
Buffer Strip
RR Zoning

171 Acres

CORBETT

COMMITTED AREA DETAIL FORM

AREA CORBETT

Map # 1 Proposed Zone MUA-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>100.98</u>	<u>17</u>	Total <u>5</u>	No. <u>13</u>	<u>8</u>
	<u>10.16 Ac.</u>	Largest <u>21</u>	Acres	
	<u>6 Ac.</u>	Average		

Soil Types:

All Class III

Existing Uses: Cleared for livestock use, homesites, 5% forested, 3 acre field pattern.

Water Service: Yes X No. , If yes; detail: Lines in Seidle and Ogden Roads along all of west and south side.

Additional Comments:

This area is parcelled, primarily for homesites, is not connected with adjacent farm ownership, and is not used for intensive agriculture.

Map # 2 Proposed Zone MUA-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>12 Ac.</u>	<u>10</u>	Total <u>0</u>	No. <u>9</u>	<u>9</u>
	<u>2.50 Ac.</u>	Largest <u> </u>	Acres	
	<u>1.25 Ac.</u>	Average		

Soil Types:

Class III, 90%; Class IV, 10%.

Existing Uses: Homesites.

Water Service: Yes X No. , If yes; detail: Water lines in Ogden and Hurt Roads on west and south sides.

Additional Comments:

This is a small enclave of 9 homesites with personal gardens and small livestock areas.

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA CORBETT

Map # 3 Proposed Zone MUA-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>168</u>	<u>34</u>	Total <u>0</u>	No. <u>30</u>	<u>28</u>
	<u>10 Ac.</u>	Largest <u> </u>	Acres	
	<u>7 Ac.</u>	Average		

Soil Types: 85% Class III, and 15% Class VI

Existing Uses: Homesites, forested about 25% mainly on eastern end, private gardens, and cleared areas for livestock use, and scrub non-utilized areas.

Water Service: Yes No. , If yes; detail: Lines in Ogden, Woodward, Neilson Roads, and into Lots 60-63. Area is covered completely.

Additional Comments:

Map # 4A Proposed Zone MUF-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>31.93</u>	<u>2</u>	Total <u>0</u>	No. <u>3</u>	<u>2</u>
	<u>29.93</u>	Largest <u> </u>	Acres	
	<u>-</u>	Average		

Soil Types: Class II 25%, Class III 35%, Class IV 10%, Class VI 30%.

Existing Uses: Almost totally forested, only a very small private garden area in Tax Lot 64.

Water Service: Yes No. , If yes; detail: Lines in Seidl and Woodward Roads.

Additional Comments:

This land has not been used for agriculture and is better suited to a forestry zone.

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA CORBETT

Map #	<u>4b</u>	Proposed Zone	<u>MUF-20</u>		
<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>	
Total	<u>164.56</u>	<u>32</u>	Total	<u>0</u>	No. <u>24</u>
	<u>40 Ac.</u>	Largest	<u>Acres</u>		
	<u>6 Ac.</u>	Average			

Soil Types: Class II - 20%, Class III - 35%, Class IV - 25%, Class VI - 20%.
Soil patterns are mixed with steeper areas interspersed.

Existing Uses: 80% forested with non-commercial timber species. Entire 40 acre piece is forested. Small cleared areas with private garden/livestock uses exist around some of the 21 homesites.

Water Service: Yes x No. , If yes; detail: Waterlines exist in all the main roads which dissect this area through both north and south.

Additional Comments:

This is a very fractioned area, none is deferred or used for commercial agriculture, mostly forested, and is not integral to adjacent agricultural areas. Better suited to the multiple use forest zone.

Map #	<u>5</u>	Proposed Zone	<u>MUA-20</u>		
<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>	
Total	<u>19.92</u>	<u>6</u>	Total	<u>0</u>	No. <u>6</u>
	<u>5.5 Ac.</u>	Largest	<u>Acres</u>		
	<u>4 Ac.</u>	Average			

Soil Types: Class III 40%, Class IV 40%, Class VI 20%

Existing Uses: Rural homesites, private agric. cleared areas, 35% forested.

Water Service: Yes X No. , If yes; detail: Water line is in main access road on south side - Wand Rd.

Additional Comments:

Small enclave of rural homesites adjacent to agricultural areas on west and south side and a heavily forested area to east and north.

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA CORBETT

Map # 6 Proposed Zone MUA-20

Acres	Parcels	Deferrals	No. of Owners	Buildings*
Total <u>188.42</u>	<u>50</u>	Total <u>7</u>	No. <u>38</u>	<u>39</u>
	<u>12 Ac.</u>	Largest <u>37</u>	Acres	
	<u>6 Ac.</u>	Average		

Soil Types:

Class III 65%, Class IV 25%, Class VI 10%

Existing Uses: Homesites, cleared areas for private gardens & livestock, very limited commercial field patterns (5%), 25% of the area is forested.

Water Service: Yes No. , If yes; detail: Water lines in all major roads including through tax lots to the north and the southeast extension south of Crown Point Hwy. (Tax Lots 105, 112, 108).

Additional Comments:

This is a fractionated, heavily rural homesite area that has a linear southwest to northeast area of steep slopes and poor soils, that has remnants of prior farm patterns, but which is used for private purposes and limited commercial sales (5% scattered, of the total land base).

Map # 7 Proposed Zone MUA-20

Acres	Parcels	Deferrals	No. of Owners	Buildings*
Total <u>96.87</u>	<u>34</u>	Total <u>0</u>	No. <u>30</u>	<u>21</u>
	<u>8.88 Ac.</u>	Largest <u> </u>	Acres	
	<u>4 Ac.</u>	Average		

Soil Types: Class III 95%, Class IV 5%

Existing Uses: Rural homesites, cleared areas for private uses, 10% forested, some leased small field patterns.

Water Service: Yes No. , If yes; detail:

Additional Comments:

The agricultural activity in this area is present, but the commitment to non-farm residences not attached to adjacent farm areas is obvious from the 30 separate owners of small parcels and the 21 homesites, for an average density of 5 acres.

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA CORBETT

Map #	<u>8</u>	Proposed Zone	<u>MUA-20 and MUF-20</u>		
<u>Acres</u>		<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total	<u>265.86</u>	<u>66</u>	Total <u>1</u>	No. <u>60</u>	<u>45</u>
		<u>13.00 Ac.</u>	Largest * <u>2</u>	Acres	
		<u>5 Ac.</u>	Average		

Soil Types: Class III 50%, Class IV 45%, Class VI 5%. Douglas Fir Site Class III.

Existing Uses: 23 acres are utilized by Corbett High School for track football and baseball fields. Homesites are scattered throughout, the area is 50% forested with small cleared areas for homesites. Some areas are cleared for pasture patterns for private use, some areas are scrub (50 acres) and un-utilized.

Water Service: Yes X No. , If yes; detail:

Lines in Evans Road, NE 365th, down a private easement between Tax Lots 48, 87, 86, 63, 81, 79, 98, 34, and 64.

Additional Comments:

This is a fractionated use area that is used for rural homesites and not for agriculture. The ownership pattern, soils, services, and mixed forest, scrub, and cleared areas would preclude its use for commercial agriculture.

* Largest private parcel - the largest parcel is 23.63 Ac., part of the Corbett High School grounds.

Map #	<u>9</u>	Proposed Zone	<u>MUA-20</u>		
<u>Acres</u>		<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total	<u>87.71</u>	<u>23</u>	Total <u>1</u>	No. <u>19</u>	<u>17</u>
		<u>9.29 Ac.</u>	Largest <u>5.75</u>	Acres	
		<u>6 Ac.</u>	Average		

Soil Types: Class III - 40%, Class IV - 40%, Class VI - 20%. Steeper slopes exist in the east side and south end.

Existing Uses: Homesites, forested for about 35%, private cleared areas for livestock use.

Water Service: Yes X No. , If yes; detail: Main line in Crown Point Highway and line down Littlepage Road.

Additional Comments:

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA CORBETT

Map # 10 Proposed Zone MUF-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>29.8</u>	<u>6</u>	Total <u>0</u>	No. <u>3</u>	<u>0</u>
	<u>5.15</u>	Largest <u> </u>	Acres	
	<u>5</u>	Average		

Soil Types: Class III - 5%, Class IV - 50%, Class VI - 45%, Douglas Fir Site Class III.

Existing Uses: Totally forested on slopes of 15% to over 60%.

Water Service: Yes No. X, If yes; detail:
 Except individual lines out to Littlepage Road only, a distance of 800'.

Additional Comments:

This is a steep, undeveloped, forested area which is not, nor could be used for agriculture. It should be in a forest zone and is recommended to be joined with the adjacent MUF-20 area.

Map # 11 Proposed Zone MUA-20

<u>Acres</u>	<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total <u>19.4</u>	<u>6</u>	Total <u>0</u>	No. <u>5</u>	<u>5</u>
	<u>4.85</u>	Largest <u> </u>	Acres	
	<u>3</u>	Average		

Soil Types: Class III - 95%, Class IV - 5%.

Existing Uses: Small rural homesites with cleared areas for private gardens and livestock use.

Water Service: Yes X No. , If yes; detail: Water lines in both roads - Littlepage and Knierhiem to the west and south.

Additional Comments:

Small enclave of rural residences adjacent to forested area, not dissimilar from adjacent areas, but are not deferred and are fully developed.

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA CORBETT

Map # 12 Proposed Zone MUF-20

Acres	Parcels	Deferrals	No. of Owners	Buildings*
Total <u>162.29</u>	<u>14</u>	Total <u>0</u>	No. <u>13</u>	<u>13</u>
	<u>76.27</u>	Largest <u> </u>	Acres	
	<u>Varied</u>	Average		

Soil Types: Class III - 40%, Class IV - 40%, Class VI - 20%,
Douglas Fir Site Class 3.

Existing Uses: The bulk of the area (90%) is totally forested, the balance is used for rural homesites and small areas are cleared for private livestock use.

Water Service: Yes No. , If yes; detail: Lines in Evans Road, Louden Road and Littlepage Road.

Additional Comments:
This is a forested area on slopes of 15% to 50% that has not and will not be used for agriculture. Roads cut through the largest block, water service is available, and the ownership is not agricultural. Forest uses are better suited to this property.

Map # 13 Proposed Zone MUF-20

Acres	Parcels	Deferrals	No. of Owners	Buildings*
Total <u>4.78</u>	<u>1</u>	Total <u>0</u>	No. <u>1</u>	<u>1</u>
	<u> </u>	Largest <u> </u>	Acres	
	<u> </u>	Average		

Soil Types: Class III

Existing Uses: Rural homesites, mostly forested.

Water Service: Yes No. , If yes; detail: Line in Rickert Road along north property boundary.

Additional Comments:
This is a lot along a boundary readjustment area where 39 acres are taken from MUF-20 and put into EFU. This one lot belongs more appropriately in the adjacent MUF-20 zone to the east. It is not a farm dwelling or common ownership with adjacent farmland.

* Building includes residential, commercial, industrial and community service.

COMMITTED AREA DETAIL FORM

AREA CORBETT

Map #	<u>14</u>	Proposed Zone	<u>MUA-20</u>		
<u>Acres</u>		<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total	<u>19.51</u>	<u>7</u>	Total <u>0</u>	No. <u>6</u>	<u>3</u>
		<u>4.02 Ac.</u>	Largest <u> </u>	Acres	
		<u>3 Ac.</u>	Average		
Soil Types:	Class III - 100%				
Existing Uses:	Rural homesites, 20% forested, the balance cleared for pasture use.				
Water Service:	Yes <input checked="" type="checkbox"/>	No. <u> </u>	If yes; detail:	Line down Gordon Creek Road.	
Additional Comments:	Small rural enclave of separately owned small lots on the fringe of the Sandy Canyon.				

Map #	<u>15</u>	Proposed Zone	<u>MUF-20</u>		
<u>Acres</u>		<u>Parcels</u>	<u>Deferrals</u>	<u>No. of Owners</u>	<u>Buildings*</u>
Total	<u>8.22</u>	<u>3</u>	Total <u>0</u>	No. <u>2</u>	<u>2</u>
		<u>4 Ac.</u>	Largest <u> </u>	Acres	
		<u>3 Ac.</u>	Average		
Soil Types:	Class III - 100%, Douglas Fir Site Class 3.				
Existing Uses:	Two rural homesites on land 80% heavily forested and not used for agriculture.				
Water Service:	Yes <input checked="" type="checkbox"/>	No. <u> </u>	If yes; detail:	Line in Loudon Road along north side of properties.	
Additional Comments:					

* Building includes residential, commercial, industrial and community service.

CORBETT - Exceptions + EFU Acreages

Retain MUA Zoning	<u>Acres</u>	
AREA 1	100.98	
2	12.00	
3	168.00	
5	19.92	
6	188.42	
7	96.87	
8	114.09	
9	87.71	
11	19.40	
14	<u>19.51</u>	
	TOTAL:	826.90 (17%)

Change to MUF Zoning		
AREA 4a	31.93	
4b	164.56	
8	151.77	
10	29.80	
12	162.29	
13	4.78	
15	<u>8.22</u>	
	TOTAL:	553.35 (12%)

Change to EFU Zoning	TOTAL:	3,319.75 (71%)
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TOTAL ACREAGE: 4,700

Additional EFU Zoning¹ 261.29

/1 Additional EFU zoning added from formerly zoned MUF-20 lands on Corbett eastern half.

EXCEPTIONS ACREAGE IN AGGREGATE

WEST HILLS	<u>Acres</u>	<u>%</u>
MUA Zoning	280.72	11.2
MUF Zoning	269.96	10.6
EFU Zoning	<u>1,954.32</u>	<u>78.2</u>
TOTAL:	2,500.00	100.0

ORIENT

MUA Zoning	2,463.60	27.0
MUF Zoning	158.28	2.0
EFU Zoning	6,378.12	<u>71.0</u>
TOTAL:	9,000.00	100.0

Buffer Strip RR Zoning 171 Acres

CORBETT

MUA Zoning	826.90	17.0
MUF Zoning	553.35	12.0
EFU Zoning	<u>3,319.75</u>	<u>71.0</u>
TOTAL:	4,700.00	100.0

III. PROPOSED ZONING.

A. Committed Areas.

The committed areas identified on the accompanying maps and in the text will continue to be zoned Multiple-Use Agriculture, as that zone currently exists. These lands, however, will be considered to be exempt from Goal 3 requirements. This zone will apply to all the lands identified as committed to non-farm use by the County and those acceded to as committed by the Petitioner.

B. Forest Areas.

Those lands identified as being better suited to forest uses on the maps and in the text will be rezoned to Multiple Use Forest. This zone will contain any changes deemed necessary to have this zone meet the Goal 4 requirements.

C. GreshamTroutdale Buffer.

The 171 remaining acres in the buffer strip will be retained in rural residential zoning with a five acre minimum lot size, based upon those reasons and facts outlined in the need statement.

D. Corbett and Springdale Rural Centers.

The need for further boundary definition of these rural centers was called for in the Final Order (77-031). A map of each center accompanies this report, outlining the specific boundaries. The zoning of these areas will remain RC, although a Comprehensive Plan update item calls for further study and possible refinement of these boundaries and the zone. The County has committed itself to this effort and will commence this work upon compliance. The Commission will be kept apprised of any changes taking place as a result of this work.

E. Exclusive Farm Use Areas.

Of the total 16,200 acres called into question by the appeal, about 73% is now recommended for exclusive farm use zoning. The zone recommended for all these areas is an EFU-38, the same zone currently applied to Sauvie Island with modifications. This zone will utilize a 38 minimum lot size as being sufficient to ensure the "...continuation of the existing commercial agricultural enterprise within the area." This is due to the following findings:

- 1) The average parcel size in the three areas is currently 38 - 40 acres.
- 2) The 38-acre size is utilized in lieu of a quarter/quarter section (40 acres), due to lands removed from traditional quarters for roads and surveying adjustments.
- 3) The range of existing agricultural enterprises and the size range of farm units is very diverse. Cattle and dairy operations are larger (40-140 acres). Berry, nursery and vegetable crops are evident in the medium size ranges (20 - 80 acres), and horticulture (nursery stock), hobby farms, small livestock, and some small truck crops are grown on smaller units (10 - 40 acres). The size of individual ownerships varies from 150 to 10 acres, but the locations of both the ownerships units and the crop types vary considerably within each section.
- 4) The 38-acre lot size is considered sufficient to protect the range of agricultural uses within the area, especially in light of the facts that: a) aggregation of ownership will be required, b) the more specialized crop types (small berries, truck crops, and nursery stock) are economic units at this size, and c) only 10 parcels exist in the three areas which could be divided in half under a 38-acre minimum lot size.
- 5) The types of specialty crops mentioned above already exist in these areas, and contribute the bulk of Multnomah County's farm gate receipts. These are the types of agricultural uses which compete well for lands closer to metropolitan areas, are desired around urban areas, and are the types of uses the County wishes to encourage in its agricultural zone.

A copy of the EFU-38 zone is attached to this report as well as an outline of the proposed revisions to this zone.

IV. ALTERNATIVE ACTIONS.

Alternative actions which could be taken are within two categories, either meeting the requirements of the appeal Final Order (77-031), or not meeting them. The action courses are as follows:

A. Not Meeting the Requirements.

The County could choose to not follow the requirements of the appeal Final Order (77-031) and leave the areas zoned MUA-20. The course would put the County in defiance of an LCDC directive in the Continuance Order for Multnomah County.

B. Meeting the Requirements in Other Ways.

- 1) To utilize a smaller or larger minimum lot size for the proposed EFU zone, an EFU-20 could be utilized to match the prior MUA lot size. This size would be at the bottom end of the range of agricultural operations in the area, and would allow for additional lot splits. An EFU with a larger minimum lot size (say 60-80 acres) would be commensurate with protecting the largest operations (wheat, dairy, and cattle) and would require hearings on farm dwellings for smaller sizes. This larger lot size would only prevent 10 lot divisions in the 11,000 acres. This decision would not be commensurate with encouraging the smaller scale specialized farm operations to which this area has transitioned.
- 2) An alternative lot size for those committed lands to be retained in the MUA zone as a part of the exceptions process (which would not include other MUA zoned lands in Multnomah County) would be 10 acres as opposed to 20. This lot size would better reflect the existing lot pattern and ownership sizes of these areas as now identified. Some additional lot splits would result which would not have to go through the lot of exception procedure.
- 3) If justification is not felt great enough for the Gresham-Troutdale Buffer, this 171 acres could be rezoned EFU-38.
- 4) Aggregation could be removed as a requirement in the proposed EFU-38 areas. This would treat each tax lot as a lot of record, and lots smaller than 38 acres would be eligible for a farm related dwelling or a non-resource related dwelling through a hearing.

3.00 RESIDENTIAL DISTRICTS. MULTNOMAH COUNTY

3.10 EXCLUSIVE FARM USE DISTRICT EFU-38

[Originally the F-2 District; amended 1975, Ord. 115, §4 to become RL-C; amended 1977, Ord. 148, §3 to become EFU-38]

3.101 PURPOSES.

The purposes of the Exclusive Farm Use District are to preserve and maintain agricultural lands for farm use consistent with existing and future needs for agricultural products, forests and open spaces; to conserve and protect scenic resources; to maintain and improve the quality of the air, water and land resources of the County and to establish criteria and standards for farm uses and related and supportive uses which are deemed appropriate.

3.102 AREA AFFECTED.

This subsection shall apply to those areas designated EFU-38 on the Multnomah County Zoning Map.

3.103 USES.

No building, structure or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this district except for the following uses:

3.103.1 PRIMARY USES.

- a. Farm use, as defined in ORS 215.203(2)(a) (1977 Replacement Part), for the following purposes only:
 - 1. Raising and harvesting of crops;
 - 2. Feeding, breeding, managing and selling livestock;
 - 3. Dairying; or
 - 4. Any other agricultural or horticultural purpose or animal husbandry purpose or any combination thereof, except as provided in subsection 3.103.3b;
- b. The propagation or harvesting of forest products; and
- c. Residential use in conjunction with farm use, consisting of a single family dwelling constructed on a lot.

3.103.2 USES PERMITTED UNDER PRESCRIBED CONDITIONS.

- a. Residential use in conjunction with farm use, consisting of a single family dwelling constructed off-site, including a mobile or modular home, subject to the following conditions:
 - 1. Construction shall comply with the standards of the Building Code or as prescribed under ORS 446.002 through 446.200, relating to mobile homes.
 - 2. The dwelling shall be attached to a foundation for which a building permit has been obtained.
 - 3. The dwelling shall have a minimum floor area of 600 square feet.

- b. Residential use consisting of a single family dwelling for the housing of help required to carry out a primary use listed in subsection 3.103.1.a. or c. when the dwelling occupies the same lot as a residence permitted by subsections 3.103.1.c or 3.103.2.a, subject to the following conditions:
 - 1. In the event the dwelling is constructed off-site, construction shall comply with subparagraphs a.1. and 3. of this subsection.
 - 2. The location of the dwelling shall be subject to approval of the Planning Director on a finding that:
 - (a) the use is needed to carry out a use listed in subsection 3.103.1.a. or c.
 - (b) the standards of subsection 3.104.b are satisfied; and
 - (c) the minimum distance between dwellings will be 20 feet.

The decision of the Director may be appealed to the Board of Adjustment pursuant to subsections 12.38 and 12.39.

3.103.3 CONDITIONAL USES:

- a. The following uses may be permitted when approved by the Hearings Council pursuant to the provisions of Section 7.00:
 - 1. Public or private schools;
 - 2. Churches;
 - 3. Utility facilities including those for the purpose of generating power for public use by sale;

4. Operations for the exploration of geothermal resources as defined in ORS 522.005;
 5. Private parks, playgrounds, hunting and fishing preserves and campgrounds;
 6. Parks, playgrounds, or community centers owned and operated by a governmental agency or non-profit community organization; and
 7. Golf courses.
- b. The following uses may be permitted when approved by the Hearings Council pursuant to the provisions of Section 7.50:
1. Commercial activities that are in conjunction with farm use;
 2. Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005 or exploration, mining and processing of aggregate and other mineral resources or other subsurface resources;
 3. Residential use not in conjunction with farm use, consisting of a single family dwelling, including a mobile or modular home, upon a finding that the dwelling:
 - (a) is compatible with farm uses described in paragraph (a) of subsection (2) of ORS 215.203 and is consistent with the intent and purposes set forth in ORS 215.243;
 - (b) does not interfere seriously with accepted farming practices, as defined in paragraph (c) of subsection (2) of ORS 215.203, on adjacent lands devoted to farm use;
 - (c) does not materially alter the stability of the overall land use pattern of the area;
 - (d) 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 the tract;
 - (e) complies with subparagraphs 1., 2., and 3., of subsection 3.103.2.a if constructed off-site; and
 - (f) complies with such other conditions as the Council considers necessary.
 4. Raising any type of fowl, or processing the by-products thereof, for sale at wholesale or retail;

- 5. Feed lots;
- 6. Raising of four or more swine over three months of age;
- 7. Raising of fur-bearing animals for sale at wholesale or retail;
- 8. Home occupations pursuant to provisions of ORS 215.213(2) (h) (1977 Replacement Part);
- 9. Facilities for the primary processing of forest products, pursuant to ORS 215.213(2) (i) (1977 Replacement Part); and
- 10. The boarding of horses for profit.

3.103.4 ACCESSORY USES.

The uses or structures incidental and accessory to the uses permitted under subsection 3.103.1 through 3.103.3 are:

- a. Structures such as garages, carports, studios, pergolas, private workshops, storage buildings, greenhouses or similar structures, whether attached or detached, when in accordance with the yard requirements of this district;
- b. Structures or fenced runs for the shelter or confinement of poultry or livestock;
- c. Signs, pursuant to the provisions of subsection 3.106;
- d. Off-street parking and loading; and
- e. Other structures or uses customarily incidental to any use permitted or approved in this district.

3.104 DIMENSIONAL REQUIREMENTS.

- a. Except as provided in subsections 3.104.1, 3.104.2, and 3.104.3, the minimum lot size shall be 38 acres.
 - 1. That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the size of such lot.

Minimum Front Lot Line Length	Maximum Structure		Minimum Yard Dimensions - Feet			
			Front	Side	Street Side	Rear
	Stories	Feet				
50 feet	2 1/2	35	30	10	30	30

1. The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and additional yard requirements not otherwise established by Ordinance.
2. Structures such as barns, silos, windmills, antennae, chimneys or similar structures may exceed the height requirement if located at least 30 feet from any property line.

3.104.1 LOTS OF EXCEPTION.

The Hearings Council may grant an exception to permit the creation of a lot of less than 38 acres, after the effective date of Ordinance No. 148, when in compliance with the requirements of subsection 3.104.b. Any exception shall be based on findings that the proposal will:

- a. substantially maintain or support the character and stability of the overall land use pattern of the area;
- b. be situated upon land generally unsuitable for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation and location or size of the tract;
- c. be compatible with accepted farming practices on adjacent lands;
- d. be consistent with the purposes described in Section 3.101;
- e. satisfy the applicable standards of water supply, sewage disposal, and minimum access; and
- f. not require public services beyond those existing or programmed for the area.

3.104.11 In no event shall the Lot of Exception provisions be used to divide any Lot of Record into more than two parcels.

3.104.12 The Hearings Council may attach conditions to the approval of any Lot of Exception to insure that the use is consistent with the Comprehensive Plan and the purposes described in subsection 3.101.

3.104.13 The Planning Director may grant a Lot of Exception based on a finding that the permitted number of dwellings will not thereby be increased above that otherwise allowed in this district; provided that the decision of the Director may be appealed to the Hearings Council pursuant to subsections 12.38 and 12.39.

SECTION 2. AMENDMENTS OF THE EXCLUSIVE FARM USE DISTRICT.

(Note: Amendments under 3.10 of Ordinance No. 100 are amended to read:)
The following subsections of Section 3.10 of Ordinance No. 100 are amended to read:

3.10 EXCLUSIVE FARM USE DISTRICT EFU-38.

3.102 AREA AFFECTED.

This subsection shall apply to those areas designated EFU-38 on the Multnomah County Zoning Map.

3.103.1 PRIMARY USES.

(Subparts a. and b. are unchanged.)

~~c. Residential use in conjunction with farm use, consisting of a single family dwelling constructed on a lot of 80 acres or more on Sauvie Island or 38 acres elsewhere in the EFU district.~~

3.103.2 USES PERMITTED UNDER PRESCRIBED CONDITIONS.

a. Residential use in conjunction with farm use, under subsections 3.103.1.c., or 3.103.2.c., consisting of a single family dwelling constructed off-site, including a mobile or modular home, subject to the following conditions:

(Subparts 1, 2, and 3 are unchanged.)

b. Residential use consisting of a single family dwelling for the housing of help required to carry out a primary use listed in subsection 3.103.1.a. or c., or a use under prescribed conditions described in subpart c. of this subsection, when the dwelling occupies the same lot as a residence permitted by subsections 3.103.1.c., or 3.103.2.a, subject to the following conditions:

(Subparts 1 and 2 are unchanged.)

c. A primary use listed in subsection 3.103.1 a. or c:

1. On a lot created under MCC 11.45, Land Divisions, after the effective date of Ordinance No. _____:

2. With a lot size less than the minimum required under subsection 3.104.a., but not less than 38 acres on Sauvie Island or 20 acres elsewhere in this district;

3. Conducted according to a farm management plan containing the following elements:

(a) a written description of a five-year development and management plan which describes the proposed cropping or livestock pattern by type, location and area size and which may include forestry as an incidental use,

(b) soil tests or Soil Conservation Service OR-1 soils field sheet data which demonstrate the land suitability for each proposed crop or pasturage use,

(c) certification by the Oregon State University Extension Service, or by a person or group having similar agricultural expertise, that the lot and the farm management plan are physically and economically suited to the primary purpose of obtaining a profit in money, considering accepted farming practices, and

(d) a description of the primary uses on nearby properties, including lot size, topography, soil types, management practices and supporting services, and a statement of the ways the proposal will be compatible with them.

(e) EXCEPTION. A written description of the farm management program on that parcel as a separate management unit for the preceding five years may be substituted for subparts (a), (b) and (c) above.

4. The Planning Director shall make findings and a tentative decision within ten business days of the application filing. Notice of the findings and decision, and information describing the notice of appeals process shall be mailed by first class mail to the applicant and to the record owners of all property within 500 feet of the property proposed for the use.

5. The tentative decision shall be final at the close of business on the tenth calendar day after it is made, unless the applicant or a person entitled to mailed notice or a person substantially affected by the application files a written notice of appeal. Such notice of appeal and the decision shall be subject to the provisions of subsections 12.38 and 12.39, except that subsection 12.38.2 shall apply only to a notice of appeal filed by the applicant.

3.103.3 CONDITIONAL USES.

b.3. Residential use not in conjunction with farm use, consisting of a single family dwelling, including a mobile or modular home. ~~upon a finding that the dwelling~~ The lot shall satisfy the size standard of subsection 3.104.a, be a Lot of Record under subsection 3.104.2, or, if otherwise below the minimum lot size, be divided under the applicable provisions of MCC 11.45, Land Divisions. The Hearings Officer shall find that a dwelling on the lot as proposed:

(Subparts (a) through (e) are unchanged.)

(f) complies with such other conditions as the Officer considers necessary to satisfy the purposes of subsection 3.101;

(g) construction shall comply with the standards of the Building Code or as prescribed under ORS 446.002 through 446.200, relating to mobile homes;

(h) the dwelling shall be attached to a foundation for which a building permit has been obtained; and

(i) the dwelling shall have a minimum floor area of 600 square feet.

3.104. DIMENSIONAL REQUIREMENTS.

a. Except as provided in subsections ~~3.104.1~~, 3.103.2.c., 3.103.3.b.5, 3.104.2 and 3.104.3, the minimum lot size shall be 80 acres on Sauvie Island and 38 acres elsewhere in the EFU district.

(Subpart b. is unchanged.)

3.104.1 LOTS OF EXCEPTION, through subpart 3.104.13, is deleted.

3.104.2.a.1: No. 148 is deleted and the number of this Ordinance inserted.

3.104.4 Except as otherwise provided by subsections ~~3.104.1~~ and 3.104.2, no sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot or yard requirements or result in a lot with less than the area or width requirements of this district.

3.108.1 and 3.108.2: No. 148 is deleted and the number of this Ordinance inserted.