FILED
WASCO COUNTY

2010 APR 19 P 1:25

KAREN LEBRETON COATS
COUNTY CLERK

IN THE BOARD OF COUNTY COMMISSIONERS
OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE WASCO COUNTY PLANNING & DEVELOPMENT DEPARTMENT'S REQUEST TO APPROVE THE PROPOSED POST-ACKNOWLEDGEMENT LEGISLATIVE AMENDMENTS TO UPDATE THE FLOOD HAZARD OVERLAY AND ASSOCIATED CHAPTERS TO CREATE CONSISTENCY WITH FEDERAL REGULATIONS AND MAKE OTHER AMENDMENTS APPROPRIATE FOR WASCO COUNTY. (FILE NUMBER PLALEG-09-06-0002)	)	ORDINANCE #10-002

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Wasco County Board of County Commissioners being present; and

WHEREAS, the Wasco County Flood Damage Prevention Ordinance is not in compliance with State and Federal flood protection regulations; and the Flood Damage Prevention Ordinance is currently organized in a manner making it difficult to implement; and there are numerous other local issues that can be resolved with an amendment to this Overlay; and it has been approximately twenty years since the last significant update to this Overlay; and

P2010-0089 (17348)

WHEREAS The Wasco County Planning & Development Department was directed by the Wasco County Board of County Commissioners on July 1, 2010, per Section 9.010(A) of the Wasco County Land Use & Development Ordinance to initiate a Post-Acknowledgement Plan Amendment process for a legislative text amendment to the Land Use and Development Ordinance to update the Flood Hazard Overlay section and associated chapters to create consistency with state and federal regulations and make other amendments appropriate for Wasco County; and

WHEREAS: The Wasco County Planning & Development Department was directed by the Wasco County Board of County Commissioners on July 1, 2010, per Section 9.050 of the Wasco County National Scenic Area Land Use & Development Ordinance to initiate a legislative text amendment to the National Scenic Area Land Use and Development Ordinance to update the Flood Hazard Overlay section and associated chapters to create consistency with state and federal regulations and make other amendments appropriate for Wasco County; and

WHEREAS: The Wasco County Planning & Development Department sent notification to DLCD pursuant to ORS 197.610 on January 26, 2010, and all affected property owners pursuant to Measure 56 on January 26, 2010; and

WHEREAS: That on February 2, 2010, at the hour of 3:00 PM at the Columbia Gorge Discovery Center downstairs classroom the Wasco County Planning & Development Department held a legally notified public workshop with the Wasco County Planning Commission and the Wasco County Board of County Commissioners on the above matter to review Staff recommendations, back ground information, and listen to

P2010-0089 (27-348)

public comments for the purpose of identifying preferred options and the need for any additional information prior to the Planning Commission hearing; and

WHEREAS: That on March 2, 2010, at the hour of 3:00 PM at the Columbia Gorge Discover Center downstairs classroom, the Wasco County Planning Commission met to conduct a legally notified public hearing on the above matter. The Commission reviewed the record, heard the Staff recommendation and all relevant testimony from parties, deliberated and, on a vote of 4 to 0 (3 Commissioners Absent) elevated the request for a Post-Acknowledgement Plan Amendment with a recommendation of approval to the Wasco County Board of County Commissioners with additional amendments; and

WHEREAS: That on April 7, 2010, at the hour of 10:00 AM in the Wasco County Courtroom, Room 202, of the Wasco County Courthouse the Wasco County Board of County Commissioners met to conduct a legally notified public hearing on the above matter. The Board of County Commissioners reviewed the record, heard the Staff recommendation and all relevant testimony from the parties, deliberated and, on a vote of 3 – 0 approved the recommendation by the Wasco County Planning Commission on the above matter with additional amendments, as laid out in **Attachment A**, to be signed at the next scheduled Commissioners meeting, April 12, 2010; and

WHEREAS: That on June 1, 2010, the legislative amendments discussed previously in this Ordinance to the Wasco County Land Use and Development Ordinance and the Wasco County Comprehensive Plan shall become effective.

NOW THEREFORE IT IS HEREBY ORDERED: That the request by the Wasco County Planning & Development Department for a Post-Acknowledgement Plan

Amendment for legislative amendments to the Comprehensive Plan and the Land Use and Development Ordinance to update the Flood Hazard Overlay and associated chapters within the Wasco County Land Use and Development Ordinance and the Wasco County National Scenic Area Land Use and Development Ordinance to create consistency with state regulations and make other amendments appropriate for Wasco County is approved.

SIGNED this 12th day of April, 2010.

APPROVED AS TO FORM:

Eric J. Nisley
Wasco County District Attorney

WASCO COUNTY BOARD OF COUNTY COMMISSIONERS

Dan Ericksen, Chair of Commission

Sherry Holliday, Commissioner

Bill Lennox, Commissioner

P2010-0089 (4 of 348)

ATTACHMENT A

PLALEG-09-06-0002

Final Updated Versions of the Affected Chapters of the Wasco County LUDO, Wasco County National Scenic Area LUDO, and Wasco County Comprehensive Plan Pertaining to Amendments Associated with Updates to the Flood Hazard Overlay

Wasco County LUDO:

Title Page: This has been updated to reflect a new amendment date for the ordinance.

Chapter 2: Deleted Section 2.060.B.16, which requires variances to floodplain standards to be heard by the Planning Commission.

Chapter 3 – Development Standards were amended in each Zone found in Chapter 3 to advise that any development within a FEMA Designated Flood Zone required review through Section 3.740.

Chapter 3 Section 3.740: This includes all amendments within the Flood Hazard Overlay.

Chapter 22: The contents of this Chapter have been deleted and it is reserved for future expansion.

Wasco County Comprehensive Plan

Title Page: This has been updated to reflect a new amendment date for the Plan.

Chapter 2: Updated references to correct FEMA FIRMs, and updated Figure 10 with a modern GIS generated map.

Chapter 15: Updated references to correct FEMA FIRMs.

Wasco County National Scenic Area LUDO

Title Page: This has been updated to reflect a new amendment date for the ordinance.

Chapter 3 – Development Standards were amended in each Zone found in Chapter 3 to advise that any development within a FEMA Designated Flood Zone required review through Section 3.240. The Specific Language is as follows:

> Floodplain: Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.240, Flood Hazard Overlay.

Chapter 3 Section 3.240: This includes all amendments within the Flood Hazard Overlay.

Chapter 22: The contents of this Chapter have been deleted and it is reserved for future expansion.

P2010-0089 (5 of 348)

WASCO COUNTY
LUDO

P2010-0089 (6 of 348)

WASCO COUNTY

LAND USE AND DEVELOPMENT ORDINANCE

ADOPTED
June, 1985

EFFECTIVE
July, 1989
January, 1992
May, 1993
September, 1993
January, 1995
April, 1995
December, 1996
September, 1997
June, 1998
September, 1999
November 16, 1999
January 19, 2000
February 1, 2000
February 2, 2004
January 17, 2006
November 22, 2006
February 5, 2007
July 8, 2009
July 22, 2009
December 16, 2009
June 1, 2010

PREPARED BY THE
Wasco County Planning and Development Office

STAFF

Todd R. Cornett	Director of Planning
A. Gary Nychyk	Senior Planner
Brenda Jenkins	Planning Coordinator
Dawn M. Baird	Associate Planner
Jeanette Montour	Associate Planner
Benjamin Hoey	Planning Assistant
Keith Cleveland	Code Compliance Officer

P2010-0089 (78-348)

SECTION 3.110 "F-1" FOREST ZONE

A. Purpose

The purpose of the "F-1" Forest Zone is to provide areas for the continued practice of timber production, harvesting and related areas, and to help protect those areas from the hazards of fire, pollution, and the conflicts of urbanization.

It is also the primary intent of the zone to preserve and protect watersheds including the protection of surface water sources relied on for public drinking water, wildlife habitats and other uses associated with the forest, and preserve and maintain the high positive visual aspect of the forest area.

Residential development is prohibited in the "F-1" Forest Zone as the conflicts created between safe and efficient watershed management and residential development are unable to be mitigated.

Buildings or structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "F-1" Forest Zone shall comply with the following regulations:

B. Definitions

1. Auxiliary: A use or alteration of a structure or land which provides help or is directly associated with the conduct of a particular forest practice. An auxiliary structure is located on site, temporary in nature, and is not designed to remain for the forest's entire cycle from planting to harvesting. An auxiliary use is removed when a particular forest practice has concluded.

2. Covenants, Conditions, & Restrictions (CC&Rs) or Irrevocable Deed Restrictions: When referred to in this section as a requirement for approval of a dwelling or land division in the Forest Zone mean documents in conformance with Exhibit A of OAR 660-006 recorded in the deed records for Wasco County and in any additional counties where affected properties are located. The CC& Rs also:

   a. shall be irrevocable unless a statement of release is signed by an authorized representative of the appropriate county or counties, and then recorded in deed records; and

   b. shall be enforceable by the Department of Land Conservation and Development or by the county or counties where the property is located that is subject to the recorded form; and

   c. shall not affect the validity of the transfer of property or the legal remedies available to buyers of property which is subject to the recorded form if the requirements for implementation of CC&Rs are not followed; and

P2010-0089 (8 of 348)

d. shall be copied by the Planning Director, into a file and onto a map, sufficient to depict tracts which do not qualify for the siting of new dwellings based on the recorded CC&R document.

3. Forest Tree Species - Trees recognized under rules adopted under ORS 527.620 for commercial production.

4. Forest Operation - Any commercial activity relating to the establishment, management, or harvest of forest tree species as defined in ORS 527.620(6).

5. Forest Farm Management Easement - A binding document, to be recorded in the deed records of Wasco County, and prohibiting the landowner and landowner's successors in interest from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937

6. Temporary - A structure or use used, located or enjoyed for a period of time not to exceed the length of the particular forestry operation or duration of an emergency response including clean up and restoration work. Any structure associated with a temporary use in the "F-1" zone shall not be located on a permanent foundation.

7. Tract - One or more contiguous lots or parcels in the same ownership. A tract shall not be considered to consist of less than the required acreage because it is crossed by a public road or waterway.

C. Permitted Uses

In the "F-1" Forest Zone, the following uses and activities and their accessory uses are permitted, on a legal parcel, subject to the general provisions and exceptions set forth by this Ordinance and Chapter 10 – Fire Safety Standards:

RESOURCE USE

1. Forest operations or forest practices including, but not limited to, reforestation of forest land, road construction and maintenance, harvesting of forest tree species, application of chemicals and disposal of slash.

2. Temporary onsite structures which are auxiliary to and used during the term of a particular forest operation, as set forth in ORS 527.722. All structures proposed shall comply with the definition of temporary as defined in Section (B) of this zone.

3. Temporary forest labor camps. All structures/facilities proposed shall comply with the definition of temporary as defined in Section (B) of this zone.

4. Physical alterations to the land auxiliary to forest practices including, but not limited to, those made for the purposes of exploration, mining, commercial gravel extraction and processing, landfills, dams, reservoirs, road construction or

P2010-0089 (902348)

recreational facilities. All uses proposed shall comply with the definition of auxiliary as defined in Section (B)(1) of this zone.

5. Uses to conserve water, soil, open space, forest or wildlife resources including accepted fish and wildlife practices.

6. Uninhabitable structures accessory to fish and wildlife enhancement.

7. Farm use, as defined in Oregon Revised Statutes (ORS) 215.203(2).

8. Exploration for mineral and aggregate resources as defined in ORS Chapter 517.

EXISTING RESIDENTIAL USES

9. Maintenance, repair or replacement of existing legally implemented dwellings and/or accessory structures. Any replacement dwelling which meets the requirements listed below need not be replaced in kind and may be located on any part of the same lot or parcel so long as it complies, where practicable, with all applicable siting standards for dwellings in the Forest zone and Chapter 10 – Fire Safety Standards.

   a. A replacement dwelling must have:

   (1) Intact exterior walls and roof structures;

   (2) Indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;

   (3) Interior wiring for interior lights;

   (4) Heating system; and

   (5) Must be removed, demolished or converted to a non residential use within three months of the completion of a replacement dwelling if it is replaced.

   b. A replacement dwelling shall be subject to the following siting standards:

   (1) Replacement of a legally established dwelling in kind in the same location will be allowed and the applicant will be informed about and encouraged to address:

   (a) General Development Standards,
   (b) Siting Requirements for Compatibility.

   (2) Replacement of a legally established dwelling with a larger dwelling in the same location will be allowed and the applicant will be required to meet all applicable:

P2010-0089 (10 of 348)

(a) General Development Standards, and

Applicants replacing a dwelling in the same location with a larger dwelling will be informed about and encouraged to address

(b) Siting Requirements for Compatibility

(3) Replacement of a legally established dwelling in a new location will be allowed and the applicant will be required to meet all applicable–

(a) General Development Standards,
(b) Siting Requirements for Compatibility,

Chapter 13, Non conforming uses, buildings and lots, is not applicable to replacement of a dwelling described in this section. A temporary use permit need not be sought in order to live in the existing dwelling while the replacement dwelling is being constructed as long as removal, demolition, or conversion of the original dwelling is completed in accordance with time limits set above.

10. A building or use accessory to a legally established residential use subject to applicable Development Standards, Siting Requirements, contained in this section.

UTILITY FACILITIES, ROADS, AND SERVICES

11. Widening of roads within existing rights-of-way in conformance with the transportation element of the Wasco Comprehensive Plan including public roads and highway projects as described in ORS 215.213 (l), (m) through (p) and ORS 215.283 (l), (k) through (n).

12. Additional local distribution lines (e.g., electric telephone, natural gas) and accessory utility equipment (e.g. electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment that provides service hookups, including water service hookups.

13. Water intake facilities, canals and distribution lines for farm irrigation and ponds.

14. Disposal site for solid waste ordered by DEQ per ORS 259.049, together with the equipment, facilities or buildings necessary for its operation.

RECREATIONAL USE

15. Private hunting and fishing operations without any lodging accommodations or any other physical development.

16. The rehabilitation, replacements, minor betterment, repair and improvements and

P2010-0089 (11 D-348)

other similar construction activities, not considered by the Approving Authority to have land use impact, in public parks, public playgrounds, and public recreational grounds.

EMERGENCY USE

17. Temporary emergency response camps and staging areas for personnel and equipment necessary for one or more responders to respond to wildland fire, flood, or other emergency event.

18. Towers, communication facilities, and fire stations for forest fire protection.

D. Uses Permitted Conditionally

In the "F-1" Forest Zone, the following uses and activities and their accessory uses may be permitted on a legal parcel when authorized by the Approving Authority upon satisfactory demonstration of compliance with the general provisions and exceptions set forth by this Ordinance and Chapter 10 – Fire Safety Standards:

RESOURCE USE

1. Permanent facility for the primary processing of forest products and permanent logging equipment repair and storage.

2. Log scaling and weigh stations.

3. Forest management research and experimentation facilities as defined in ORS 526.215 or when accessory to forest operations.

4. Exploration for and production of geothermal, gas, oil and other associated hydrocarbons, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the well head.

5. Mining and processing of oil, gas or other subsurface resources as defined in ORS Chapter 520 and mining and processing of aggregate and mineral resources as defined in ORS Chapter 517.

EXISTING RESIDENTIAL

6. Home Occupations subject to Section 20.060.

UTILITY FACILITIES, ROADS, AND SERVICES

7. Television, microwave and radio communication facilities and transmission towers.

8. Water intake facilities, related treatment facilities, pumping stations and distribution

P2010-0089 (12 of 348)

lines.

9. Reservoirs and water impoundments.

10. Utility facilities for the purpose of generating power. A power generation facility shall not preclude more than ten acres from use as a commercial forest operation unless an exception is taken pursuant to OAR chapter 660, division 004 and must be reviewed and determined to comply with Chapter 19 standards and criteria for energy facilities and commercial energy facilities.

11. Aids to navigation and aviation.

12. Public road and highway projects as described in ORS 215.213 (2)(q) through (s) and ORS 215.283 (2)(p) through (r).

13. New electric transmission lines with right of way widths of up to 100 feet as specified in ORS 772.210. New distribution lines (e.g. electrical, gas, oil, geothermal) with rights-of-way fifty (50) feet or less in width.

14. Temporary asphalt and concrete batch plants as accessory uses to specific highway projects.

15. Expansion of existing airports.

EMERGENCY

16. Fire stations for rural fire protection and permanent fire protection staging areas including permanent grading and structures necessary to stage fire equipment for emergency response by one or more than one emergency responder.

E. Conditional Use Approval Standards

In addition to the general standards and conditions that may be attached to the approval of a conditional use as provided by Chapter 5 of this Ordinance and Section (H) and (I) of this zone, the following review criteria shall apply to conditional uses applied for in subsection (D) of this zone:

1. The proposed use will not significantly increase the fire hazard or significantly increase risks to fire suppression personnel.

2. The landowner for the use shall sign and record in the deed records for the County a forest Farm Management Easement document binding the landowner and landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury form farming or forest practices for which no action or claim is allowed under ORS 30.93.936 or 30.93.937.

F. Prohibited Uses - All other uses not listed which are not determined to be similar uses

P2010-0089 (13 of 348)

as provided in Section 4.010 of this Ordinance.

G. Parcel Size - The minimum lot or parcel size shall be 80 acres. The following exceptions may apply:

1. Exchanges and transfers between forest land owners for the purpose of consolidating existing private or public land is a ministerial action and exempt from Section 21.120. Units of land less than 80 acres may be exchanged to consolidate ownership as long as no new parcels are created from such exchange. Section 21.115(B) & (C), Section 21.125 & Section 21.130 are required to be met to consolidate transferred units of land into receiving parcel boundaries as necessary to avoid creating new parcels. Parcels created as a result of exchanges or transfers shall not be recognized as new parcels for the purpose of establishing additional homesites.

2. Divisions to create parcels for specified non resource use permissible in the F-1 Zone - Lot or parcel size may be reduced below 80 acres only for the uses listed in Section 3.110.C.14. and Section 3.110.D.1, 2, 3, 4, 8, 9, 10, 11, 12, 17 OAR 660-006-0025 (3) (m)-(o) and (4) (a)-(o) providing these uses meet all other applicable standards and criteria in this section.

3. Divisions of land containing single dwelling - The minimum parcel size may be waived to allow the division of a parcel containing a dwelling that existed prior to June 1,1995 provided that:

a. The parcel containing the dwelling shall not be larger than 5 acres, except as necessary to recognize physical factors such as roads or streams, in which case the parcel shall be no larger than 10 acres; and

b. The remaining parcel, not containing the dwelling, shall either:

(1) meet the minimum parcel size standard of the zone; or

(2) be consolidated with another parcel, and together the parcels meet the minimum parcel size standard of the zone.

c. The remaining parcel, not containing the dwelling, shall not be entitled to a dwelling unless authorized by law or goal.

d. An irrevocable deed restriction shall be recorded with the deed for the remaining parcel not containing the dwelling. The deed restriction shall be noted in Planning Department records, and shall preclude all rights to construct a dwelling on the remaining parcel unless authorized by law or goal. The deed restriction may be released by the Director if the property is no longer subject to protection under statewide planning goals related to agricultural land or forest land.

e. A forest farm management easement shall be recorded for each resulting parcel.

4. Divisions of land containing 2 or more dwellings - The minimum parcel size may be waived to allow the division of a lot or parcel zoned for forest use if:

   a. At least two dwellings lawfully existed on the lot or parcel prior to November 4, 1993;

   b. Each dwelling complies with the criteria for a replacement dwelling in this zone;

   c. Except for the parent parcel, each parcel created under these provisions shall be between two and five acres in size;

   d. At least one dwelling shall be located on each parcel created, including the parent parcel;

   e. An irrevocable deed restriction shall be recorded with the deeds for the parcels created (including the parent parcel) that prohibits the property owner and the property owner's successors in interest from further dividing the parcel. The deed restriction shall be noted in Planning Department records, and shall preclude all rights to further divide the affected parcels unless subsequently authorized by law or goal. The deed restriction may be released by the Director if the property is no longer subject to protection under statewide planning goals related to forest land.

   f. A lot or parcel may not be divided under the provisions of this subsection if;

      (1) an existing dwelling on the lot or parcel was approved under a land use regulation that required eventual removal of the dwelling; or

      (2) an existing dwelling on the lot or parcel was approved under a land use regulation that prohibited subsequent division of the lot or parcel; or

      (3) an existing dwelling on the lot or parcel was approved as a farm or non-farm dwelling under the EFU provisions allowed in mixed farm and forest zones.

5. Divisions of forest land to facilitate a forest practice, as defined in ORS 527.620, may result in parcels less than the minimum parcel size provided that the approval is based on findings which demonstrate that there are characteristics present in the proposed parcel that justify an amount of land smaller than the minimum parcel size in order to conduct the forest practice. Parcels created under this provision:

P2010-0089 (15 of 348)

a. Shall not be eligible for siting of a new dwelling;

b. Shall not serve as the justification for the siting of a future dwelling on other lots or parcels;

c. Shall not, as a result of the land division, be used to justify redesignation or rezoning of resource lands;

d. Shall not result in a parcel of less than 35 acres, except:

(1) where the purpose of the land division is to facilitate an exchange of lands involving a governmental agency; or

(2) where the purpose of the land division is to allow transactions in which at least one participant is a person with a cumulative ownership of at least 2,000 acres of forest land; and

e. If associated with the creation of a parcel where a dwelling is involved, shall not result in a parcel less than the minimum lot or parcel size of the zone.

f. An irrevocable deed restriction shall be recorded with the deed for the newly created parcel(s). The deed restriction shall be noted in Planning Department records, and shall preclude all rights to construct a dwelling on the new parcel(s) unless authorized by law or goal. The deed restriction may be released by the Director if the property is no longer subject to protection under statewide planning goals related to agricultural land or forest land.

g. A forest farm management easement shall be recorded for each parcel.

6. <u>Division of land for public park uses provided that:</u>

a. The land division is for the purpose of allowing a provider of public parks or open space, or a not-for profit land conservation organization, to purchase at least one of the resulting parcels; and

b. If one of the resulting parcels contains a dwelling, that parcel shall be large enough to support continued residential use of the parcel.

c. The parcel created for park or open space uses shall not contain a dwelling, and:

(1) is not eligible for siting a dwelling, except as may be authorized under ORS 195.120;

(2) may not be considered in approving or denying an application for siting any other dwelling;

P2010-0089 (16 of 348)

(3) may not be considered in approving a redesignation or rezoning of forest lands except for a redesignation or rezoning to allow a public park, open space or other natural resource use; and

(4) May not be smaller than 25 acres unless the purpose of the land division is:

(a) To facilitate the creation of a wildlife or pedestrian corridor or the implementation of a wildlife habitat protection plan; or

(b) To allow a transaction in which at least one party is a public park or open space provider, or a not-for-profit land conservation organization, that has cumulative ownership of a least 2,000 acres of open space or park property.

H. General Development Standards

1. Setback - No structure other than a fence or sign shall be located closer than forty (40) feet from the right-of-way of a public road and all other property lines. Structures shall also meet all siting standards and setbacks listed for structures in the F-1 zone.

2. Height - Maximum height for all structures shall be thirty-five (35) feet. Height is measured from average grade.

3. Stream or Lake Buffers - All structures, or similar permanent fixtures (except hydroelectric facilities) shall be set back from the high water line or mark along all streams or lakes a minimum distance of one hundred (100) feet when measured horizontally at a right angle.

4. Floodplain: Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

5. Signs - Signs shall not extend over a public right-of-way or project beyond the property line.

   a. Signs shall not be illuminated or capable of movement.

   b. Signs shall be limited to twelve (12) square feet in area and shall describe only uses permitted and conducted on the property on which the sign is located.

   c. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from right-of-way of public road.

P2010-0089 (17 of 348)

6. Parking - Off street parking shall be provided in accordance with Chapter 20 when and if necessary.

7. Lighting - All outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. Shielding and hooding materials shall be composed of nonreflective, opaque materials.

8. New Driveways - All new driveways which access a public road shall obtain a Road Approach Permit from the Wasco County Public Works Department.

I. Siting Requirements for Compatibility of New Accessory Structures and replacement dwellings in a new location

The following siting criteria shall apply to all replacement dwellings in a new location, and structures in forest and agriculture/forest zones. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands. Dwellings and structures shall be sited on the parcel so that:

1. Site Selection for Least Impact - Siting shall result in the least possible impact on nearby or adjoining forest or agricultural lands.

   a. Siting shall ensure that forest operations and accepted farming practices will not be curtailed or impeded.

   b. Siting shall minimize the amount of forest or farm land removed from production for access roads, service corridors, the dwelling and accessory structures.

   c. Siting shall minimize the risks associated with wildfire by imposing fire prevention standards applicable to the Forest zone.

2. Structure Set Backs - To satisfy 1. above, re-located dwellings and their accessory structures shall be sited a minimum of 100 feet from property lines. This set back is intended to limit the potential for conflict (including increased fire risk) between residential use and existing or potential resource use on surrounding parcels. Exceptions to this requirement may be granted outside the standard variance procedure in Chapter 6, if the applicant can demonstrate that the siting the dwelling within 100 feet but not less than 40 feet from the public right of way or property line better accomplishes the objectives listed in 1. above.

3. Clustering of Development - Clustering development near or among existing structures and in as limited a portion of the site as practical is considered preferable when developing in the Forest Zone. The applicant may be required to demonstrate that development has been clustered sufficiently to limit impacts on the undeveloped portion of the parcel or tract.

4. Good Proximity to Public Roads - Siting structures close to existing roads is generally considered preferable and may be required of the applicant if it best accomplishes the overall intent of the siting requirements.

5. Development Located on Least Productive Portion of Land - Siting development on that portion of the parcel least well suited for growing trees is considered preferable. The applicant may be required to demonstrate that the location of development will impact the least productive portion of the parcel or tract.

6. Road Maintenance Required - If road access to the re-located dwelling is by a road owned and maintained by the County, a private party, the Bureau of Land Management, or the United States Forest Service, then the applicant shall provide proof of a long-term road access use permit or maintenance agreement allowing permanent access to a dwelling site. The road use permit or maintenance agreement may require the applicant to agree to accept full or partial responsibility for road maintenance.

7. Authorization for Domestic Water Supply - The applicant shall provide evidence to the approving authority that the domestic water supply relied on for the re-located dwelling is from a source authorized in accordance with the Department of Water Resources Oregon Administrative Rules for the appropriation of ground water or surface water. For purposes of this section, evidence of a domestic water supply means:

   a. Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or

   b. A water use permit issued by the Water Resources Department for the use described in the application; or

   c. Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements, the applicant shall submit the well constructor's report to the county upon completion of the well.

8. Forest Stocking Requirements - Approval of a replacement dwelling in a new location shall be subject to the following requirements:

   Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules;

P2010-0089 (190 348)

a. The director or the director's designee shall notify the county assessor of the above condition at the time any decision to permit a dwelling is approved;

b. The property owner of a parcel more than 30 acres in size, shall submit a stocking survey report to the county assessor and the assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules. The assessor will inform the Department of Forestry in cases where the property owner has not submitted a stocking survey report or where the survey report indicates that the minimum stocking requirements have not been met;

(1) Upon notification by the assessor, the Department of Forestry will determine whether the tract meets minimum stocking requirements. If the tract does not meet those requirements the department will notify the owner and the assessor that the land is not being managed as forest land. The assessor will then remove the forest land designation (ORS 321.359) and impose the additional tax.

(2) The landowner for the dwelling shall sign and record in the deed records for the county a Forest Farm Management Easement. document binding the landowner and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.93.936 or 30.93.937.

P2010-0089 (2010-348)

SECTION 3.120 "F-2" FOREST ZONE

A. Purpose

The purpose of the "F-2" Forest Zone is to protect land designated as Forest on the Comprehensive Plan Map that is suitable and desirable for commercial forestry activities. The scope of the zone also encompasses the management of areas for the continued use of lands for renewable resource production, retention of water resources, open space, recreation, wildlife habitats and related forest uses. Residential development which might be affected by or in itself affect accepted forest management practices will be limited or prohibited so as to maximize the productivity of forest resource management in the zone. Residents of this zone must recognize that the intent of the zone is to protect resource management activities and that in the event of a conflict between residential use and normal forestry or agricultural practices, this code will be interpreted in favor of the resource management practice.

Buildings or structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "F-2" Forest Zone shall comply with the following regulations:

B. Definitions

1. Auxiliary - A use or alteration of a structure or land which provides help or is directly associated with the conduct of a particular forest practice. An auxiliary structure is located on site, temporary in nature, and is not designed to remain for the forest's entire cycle from planting to harvesting. An auxiliary use is removed when a particular forest practice has concluded.

2. Forest Tree Species - Trees recognized under rules adopted under ORS 527.620 (6) for commercial production.

3. Covenants, Conditions, & Restrictions (CC&Rs) or Irrevocable Deed Restrictions - When refered to in this section as a requirement for approval of a dwelling or land division in the Forest Zone mean documents in conformance with Exhibit A of OAR 660-006 recorded in the deed records for Wasco County and in any additional counties where affected properties are located. The CC& Rs also:

   a. shall be irrevocable unless a statement of release is signed by an authorized representative of the appropriate county or counties, and then recorded in deed records; and

   b. shall be enforceable by the Department of Land Conservation and Development or by the county or counties where the property is located that is subject to the recorded form; and

P2010-0089 (21 of 348)

c. shall not affect the validity of the transfer of property or the legal remedies available to buyers of property which is subject to the recorded form if the requirements for implementation of CC&Rs are not followed; and

d. shall be copied by the planning director, into a file and onto a map, sufficient to depict tracts which do not qualify for the siting of new dwellings based on the recorded CC&R document.

4. Cubic Foot Per Tract Per Year - The average annual increase in cubic foot volume of wood fiber per tract for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS). NOTE: On a lot or parcel for which NRCS data are not available or are shown to be inaccurate, an alternative method for determining productivity may be used. An alternative method must provide equivalent data and must be approved by the Department of Forestry. An alternative method would include contracting with a qualified professional forester to assess the forest productivity of a specific tract. General assumptions based on surrounding site capability cannot be substituted for site specific analysis by a qualified professional nor can unclassified soils be presumed to be more or less productive than surrounding soils previously classified by NRCS.

5. Date of Creation and Existence - the date of reconfiguration through division or lot line adjustment after November 4, 1993, is the date of creation or existence for a lot parcel or tract. Reconfigured means any legal change in the boundary of the lot, parcel or tract.

6. Forest Operation - Any commercial activity relating to the establishment, management or harvest of a forest tree species as defined in ORS 527.620(6).

7. Forest Farm Management Easement - A binding document, to be recorded in the deed records of Wasco County, and prohibiting the landowner and landowner's successors in interest from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

8. Public Road – means a road over which the public has the right to travel as a matter of public record [per ORS 368.001]

9. Temporary - A structure or use used, located or enjoyed for a period of time not to exceed the length of the particular forestry operation or the duration of an emergency response including clean up and restoration work. Any structure associated with a temporary use in the "F-2" zone shall not be located on a permanent foundation.

10. Tract – One or more contiguous lots or parcels in the same ownership. A tract shall not be considered to consist of less than the required acreage because it is crossed by a public road or waterway.

C. Permitted Uses

In the "F-2" Forest Zone, the following uses and activities and their accessory buildings and uses are permitted on a legal parcel subject to the general provisions and exceptions set forth by this Ordinance and Chapter 10 – Fire Safety Standards:

RESOURCE USES

1. Forest operations or forest practices including, but not limited to, reforestation of forest land, road construction and maintenance, harvesting of forest tree species, application of chemicals and disposal of slash.

2. Temporary on-site structures which are auxiliary to and used during the term of a particular forest operation, as set forth in ORS 527.722. All structures proposed shall comply with the definition of temporary as defined in Section (B) of this zone.

3. Temporary forest labor camps. All structures/facilities proposed shall comply with the definition of temporary as defined in Section (B) of this zone.

4. Physical alterations to the land auxiliary to forest practices including, but not limited to, those made for the purposes of exploration, mining, commercial gravel extraction and processing, landfills, dams, reservoirs, road construction or recreational facilities.

5. Uses to conserve soil, air and water quality and to provide for wildlife and fish resources.

6. Uninhabitable structures accessory to fish and wildlife enhancement.

7. Farm use as defined in Oregon Revised Statutes (ORS) 215.203(2).

8. Exploration for mineral and aggregate resources as defined in ORS 517.

EXISTING RESIDENTIAL USE

9. Maintenance, repair or replacement of existing legally implemented dwellings and/or accessory structures. Any replacement dwelling which meets the requirements listed below need not be replaced in kind and may be located on any part of the same lot or parcel so long as it complies, where practicable, with all applicable siting standards in the for dwellings Forest zone and fire protection standards in Chapter 10.

P2010-0089 (23 of 348)

a. A replacement dwelling must have:

(1) Intact exterior walls and roof structures;

(2) Indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;

(3) Interior wiring for interior lights;

(4) Heating system; and

(5) Must be removed, demolished or converted to a non residential use within three months of the completion of a replacement dwelling if it is replaced.

b. A replacement dwelling shall be subject to the following siting ~~and fire protection~~ standards:

(1) Replacement of a legally established dwelling in kind in the same location will be allowed and the applicant will be informed about and encouraged to address:

(a) General Development Standards,
(b) Siting Requirements for Compatibility.

(2) Replacement of a legally established dwelling with a larger dwelling in the same location will be allowed and the applicant will be required to meet all applicable:

(a) General Development Standards, and

Applicants replacing a dwelling in the same location with a larger dwelling will be informed about and encouraged to address

(b) Siting Requirements for Compatibility.

(3) **Replacement of a legally established dwelling in a new location** will be allowed and the applicant will be required to meet all applicable~~–~~

(a) General Development Standards,
(b) Siting Requirements for Compatibility,

Chapter 13, Non conforming uses, buildings and lots, is not applicable to replacement of a dwelling described in this section. A temporary use permit need not be sought in order to live in the existing dwelling while the replacement dwelling

P2010-0089 (24 & 348)

is being constructed as long as removal, demolition, or conversion of the original dwelling is completed in accordance with time limits set above.

10. A building or use accessory to a legally established residential use subject to applicable Development Standards, and Siting Requirements.

UTILITY FACILITIES, ROADS, AND SERVICES

11. Additional local distribution lines (e.g., electric telephone, natural gas) and accessory utility equipment (e.g. electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment that provides service hookups, including water service hookups.

12. Widening of roads within existing rights-of-way in conformance with the transportation element of the Wasco Comprehensive Plan including public roads and highway projects as described in ORS 215.28 (l), (m) through (p) and ORS 215.283 (l), (k) through (n).

13. Water intake facilities, canals and distribution lines for farm irrigation and ponds.

14. Disposal site for solid waste ordered by DEQ per ORS 259.049, together with the equipment, facilities or buildings necessary for its operation.

RECREATIONAL USE

15. Private hunting and fishing operations without any lodging accommodations or any other physical development.

16. The rehabilitation, replacements, minor betterment, repair and improvements and other similar construction activities, not considered by the Approving Authority to have land use impact, in public parks, public playgrounds, and public recreational grounds.

EMERGENCY USE

17. Towers, communication facilities and fire stations for forest fire protection.

18. Temporary emergency response camps and staging areas for personnel and equipment necessary for one or more responders to respond to wildland fire, flood, or other emergency event.

OTHER

19. An outdoor mass gathering as defined in ORS 433.735 (assembly of more than 3,000 people reasonably expected to continue for more than 24 consecutive hours

P2010-0089 (25 of 348)

but less than 120 hours within any three month period and which is held primarily in open spaces and not in any permanent structure) **OR** other gathering of fewer than 3,000 persons that is not anticipated to continue for more than 120 hours in any three month period. **NOTE:** A gathering described above is not subject to a land use decision or land use permitting. A Permit is required for outdoor mass gathering. Permit Application, notice, and fee, requirements are outlined in ORS 433.750-.755, to protect public health and safety.

D. Conditional Uses

In the "F-2" Forest Zone, the following uses and activities and their accessory buildings and uses may be permitted, on a legal parcel, when authorized by the Approving Authority upon satisfactory demonstration of compliance with the general provisions and exceptions set forth by this Ordinance and Chapter 10 – Fire Safety Standards:

RESOURCE USE

1. Permanent facility for the primary processing of forest products and permanent logging equipment repair and storage.

2. Log scaling and weigh stations.

3. Forest management research and experimentation facilities as defined in ORS 526.215 or when accessory to forest operations.

4. Mining and processing of oil, gas or other subsurface resources as defined in ORS Chapter 520 and mining and processing of aggregate and mineral resources as defined in ORS Chapter 517.

5. Exploration for and production of geothermal, gas, oil, and other associated hydrocarbons, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the well head.

EXISTING RESIDENTIAL USE

6. Home occupations subject to Section 20.060.

UTILITY FACILITIES, ROADS, AND SERVICES

7. Disposal site for solid waste, for which the Department of Environmental Quality has granted a permit under ORS 459.245, together with equipment, facilities or buildings necessary for its operation.

8. Television, microwave and radio communication facilities and transmission towers.

P2010-0089(26 of 348)

9. Utility facilities for the purpose of generating power. A power generation facility shall not preclude more than ten acres from use as a commercial forest operation unless an exception is taken pursuant to OAR chapter 660, division 004 and must be reviewed and determined to comply with Chapter 19 standards and criteria for energy facilities and commercial energy facilities.

10. Expansion of existing airports.

11. Public road and highway projects as described in ORS 215.213 (2)(q) through (s) and ORS 215.283 (2)(p) through (r).

12. Temporary asphalt and concrete batch plants as accessory uses to specific highway projects.

13. Aids to navigation and aviation.

14. Water intake facilities, related treatment facilities, pumping stations and distribution lines.

15. Reservoirs and water impoundments.

16. New electric transmission lines with right of way widths of up to 100 feet as specified in ORS 772.210. New distribution lines (e.g. electrical, gas, oil, geothermal) with rights-of-way fifty (50) feet or less in width.

RECREATIONAL USE

17. Parks and campgrounds. A campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes. A camping site may be occupied by a tent, travel trailer, yurt, or recreational vehicle. Campgrounds authorized under this section are to be located at a site or contiguous to lands with a park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground. The campground shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations. A private campground shall be subject to the following:

    a. Except on a lot or parcel contiguous to a lake or reservoir, campgrounds shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR 660-004.

    b. A private campground shall be designed and integrated into the rural agricultural and forest environment in a manner that protects the natural

P2010-0089 (278-348)

amenities of the site and provides buffers of existing native trees and vegetation or other natural features between campsites.

c. Overnight temporary use in the same campground by a camper or camper's vehicle shall not exceed a total of 30 days during any consecutive six month period; and

d. Separate sewer, water or electric service hook-ups shall not be provided to individual camp sites except for yurts meeting the following requirements:

(1) No more than one-third or a maximum of 10 campsites, whichever is less, may include a yurt; and

(2) The yurt shall be located on the ground or on a wood floor with no permanent foundation; and

(3) The Land Conservation and Development Commission may provide by rule for an increase in the number of yurts allowed on all or a portion of the campgrounds in Wasco County if the Commission determines that the increase will comply with the standards described in ORS 215.296(1).

(4) As used here, "yurt" means a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook up or internal cooking appliance.

e. Campfires will be subject to Oregon Department of Forestry regulated use closures during fire season. Camp grounds are not automatically exempted and need to comply with all applicable use restrictions.

18. Private seasonal accommodations for fee hunting or fishing operations occupied on a temporary basis may be approved upon findings that the request complies with the following requirements;

a. Accommodations are limited to no more than fifteen (15) guest rooms as that term is defined in the Oregon Structural Specialty Code.

b. Only minor incidental and accessory retail sales are permitted.

c. Accommodations shall only be occupied seasonally and temporarily for the purpose of hunting and fishing during seasons authorized by the Oregon Department of Fish and Wildlife.

d. Fishing accommodations must be located within 1/4 mile of fish-bearing waters.

e. Other conditions imposed by the Approving Authority deemed necessary.

19. Youth Camps subject to the limitations and requirements of OAR 660-006-0031.

20. Public parks and campgrounds subject to OAR 660-034.

EMERGENCY USE

21. Fire stations for rural fire protection and permanent fire protection staging areas including permanent grading and structures necessary to stage fire equipment for emergency response by one or more than one emergency responder.

OTHER

22. Cemeteries.

23. Firearms training facility.

24. Any gathering subject to review by the Wasco County Planning Commission under the provisions of ORS 433.763. This includes any gathering of more than 3,000 persons which continues or can reasonably be expected to continue for more than 120 hours within any three month period and any part of which is held in open spaces. Approval of a land use permit for this type of gathering is required. Special criteria listed in ORS 433.763 must be addressed.

E. Standards and Criteria for Establishment of New Dwelling(s) in the F-2 Zone

New single-family dwellings may be authorized on legally created parcels in the F-2 zone subject to Chapter 10 – Fire Safety Standards and the applicable standards listed in this section, including General Development Standards, and Siting Requirements for Compatibility. Unless otherwise stated in this section, a Forest Farm Management Easement will be required as a condition of approval for any dwelling approved in the F-2 zone.

1. Lot of Record Test. One single family dwelling on a lot of record, meeting the following qualifications:

a. The lot or parcel on which the dwelling is to be sited was lawfully created and was acquired and owned continuously by the present owner:

(1) Prior to January 1, 1985; or

(2) By devise or interstate succession from a person who acquired and had owned continuously the lot or parcel prior to January 1, 1985.

b. The tract or parcel on which the dwelling is to be sited is composed of soils not capable of producing four thousand (4,000) cubic feet per year of forest tree species as defined in subsection B of this section.

c. The tract or parcel on which the dwelling is to be sited is located within fifteen hundred (1,500) feet of a public road as defined by subsection B of this section that provides or will provide access to the subject tract. The road shall be maintained and either paved or surfaced with rock and shall not be:

(1) A United States Bureau of Land Management road; or

(2) A United States Forest Service Road unless the road is paved to a minimum width of 18 feet, there is at least one defined lane in each direction and a maintenance agreement exists between the United States Forest Service and landowners adjacent to the road, a local government or a state agency. Note: any access authorization must be demonstrated to provide a permanent access route to the home site.

d. The tract on which the dwelling will be sited does not include a dwelling.

e. The lot or parcel on which the dwelling will be sited was part of a tract on November 4, 1993 and no dwelling exists on another lot or parcel that was part of that tract.

f. If the tract on which the dwelling is to be sited consists of more than one lot or parcel, all lots and parcels within the tract shall be consolidated into a single lot or parcel.

g. As used in this subsection, "owner" includes the wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle niece, nephew, stepparent, stepchild, grandparent or grandchild of the owner or a business entity owned by any one or combination of these family members.

h. When the lot or parcel on which the dwelling will be sited lies within an area designated as big game winter range, the siting of the dwelling shall be consistent with the limitation on density upon which the Section 3.290 (Sensitive Wildlife Habitat Overlay) describes to protect habitat.

i. Approval of a dwelling is subject to meeting the siting standards and fire standard requirements for dwellings pursuant to Subsections (I) General Development Standards, (J) Siting Requirements, of this section.

2. Large Tract Test. If a dwelling is not allowed under the Lot of Record test, a dwelling may be allowed on land zoned for forest use if:

P2010-0089 (30 of 348)

a. It complies with all applicable provisions of law and is sited on a tract that does not include a dwelling; and

b. The tract consists of at least 240 contiguous acres, or 320 non-contiguous acres in one ownership in the same county or contiguous counties; and

c. CC&Rs or a deed restriction defined in subsection B of this section, has been executed and recorded that encumbers all other lots or parcels that comprise the tract used to meet the acreage test.

3. Dwelling for Caretaker in a Public Park or Fish Hatchery. A single family dwelling may be authorized within the Forest Zones for a caretaker's residence when the residence will be located on land dedicated and developed as a public park, and the residence is to be occupied by a caretaker and caretaker's family only.

4. Temporary Hardship Dwelling. A mobile home in conjunction with an existing legally implemented dwelling as a temporary use, subject to Chapter 8 Temporary Use Permit, for the term of a hardship suffered by the existing resident or a relative as defined in ORS 215.213 and 215.283 .

F. Conditional Use Approval Standards
In addition to the general standards and conditions that may be attached to the approval of a conditional use as provided by Chapter 5 of this Ordinance, the following review criteria shall apply to a conditional use applied for in subsection (D) of this Section:

1. The proposed use will not significantly increase the fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.

2. The landowner for the use shall sign and record in the deed records for the County a forest Farm Management Easement document binding the landowner and landowner's successors in interest, prohibiting them form pursuing a claim for relief or cause of action alleging injury form farming or forest practices for which no action or claim is allowed under ORS 30.93.936 or 30.93.937.

G. Prohibited Uses - All other uses not listed which are not determined to be similar uses, as provided in Section 4.010 of this Ordinance.

H. Parcel Size - The minimum lot or parcel size shall be 80 acres. The following exceptions may apply:

1. Exchanges and transfers between forest land owners for the purpose of consolidating existing private or public land is a ministerial action and exempt

P2010-0089 (31 of 348)

from Section 21.120. Units of land less than 80 acres may be exchanged to consolidate ownership as long as no new parcels are created from such exchange. Section 21.115(B) & (C), Section 21.125 & Section 21.130 are required to be met to consolidate transferred units of land into receiving parcel boundaries as necessary to avoid creating new parcels. Parcels created as a result of exchanges or transfers shall not be recognized as new parcels for the purpose of establishing additional homesites.

2. Divisions to create parcels for specified non resource use permissible in the F-2 Zone - Lot or parcel size may be reduced below 80 acres only for the uses listed in Section 3.120.C.14 and 3.120.D. 1, 2, 3, 4, 7, 8, 9, 13, 14, 15, 17, 20, 21, 22, & 23 OAR 660-006-0025 (3) (m)-(o) and (4) (a)-(o) providing these uses meet all other applicable standards and criteria in this section.

3. Divisions of land containing single dwelling - The minimum parcel size may be waived to allow the division of a parcel containing a dwelling that existed prior to June 1,1995 provided that:

   a. The parcel containing the dwelling shall not be larger than 5 acres, except as necessary to recognize physical factors such as roads or streams, in which case the parcel shall be no larger than 10 acres; and

   b. The remaining parcel, not containing the dwelling, shall either:

   (1) meet the minimum parcel size standard of the zone; or

   (2) be consolidated with another parcel, and together the parcels meet the minimum parcel size standard of the zone.

   c. The remaining parcel, not containing the dwelling, shall not be entitled to a dwelling unless authorized by law or goal.

   d. An irrevocable deed restriction shall be recorded with the deed for the remaining parcel not containing the dwelling. The deed restriction shall be noted in Planning Department records, and shall preclude all rights to construct a dwelling on the remaining parcel unless authorized by law or goal. The deed restriction may be released by the Director if the property is no longer subject to protection under statewide planning goals related to agricultural land or forest land.

   e. A forest farm management easement shall be recorded for each resulting parcel.

4. Divisions of land containing at least two dwellings - The minimum parcel size may be waived to allow the division of a lot or parcel zoned for forest use if:

P2010-0089 (32 of 348)

a. At least two dwellings lawfully existed on the lot or parcel prior to November 4, 1993;

b. Each dwelling complies with the criteria for a replacement dwelling in this zone;

c. Except for the parent parcel, each parcel created under these provisions shall be between two and five acres in size;

d. At least one dwelling shall be located on each parcel created, including the parent parcel;

e. An irrevocable deed restriction shall be recorded with the deeds for the parcels created (including the parent parcel) that prohibits the property owner and the property owner's successors in interest from further dividing the parcel. The deed restriction shall be noted in Planning Department records, and shall preclude all rights to further divide the affected parcels unless subsequently authorized by law or goal. The deed restriction may be released by the Director if the property is no longer subject to protection under statewide planning goals related to forest land.

f. A lot or parcel may not be divided under the provisions of this subsection if;

(1) an existing dwelling on the lot or parcel was approved under a land use regulation that required eventual removal of the dwelling; or

(2) an existing dwelling on the lot or parcel was approved under a land use regulation that prohibited subsequent division of the lot or parcel; or

(3) an existing dwelling on the lot or parcel was approved as a farm or non-farm dwelling under the EFU provisions allowed in mixed farm and forest zones.

5. Divisions of forest land to facilitate a forest practice, as defined in ORS 527.620, may result in parcels less than the minimum parcel size provided that the approval is based on findings which demonstrate that there are characteristics present in the proposed parcel that justify an amount of land smaller than the minimum parcel size in order to conduct the forest practice. Parcels created under this provision:

a. Shall not be eligible for siting of a new dwelling;

b. Shall not serve as the justification for the siting of a future dwelling on other lots or parcels;

P2010-0089 (339-348)

c. Shall not, as a result of the land division, be used to justify redesignation or rezoning of resource lands;

d. Shall not result in a parcel of less than 35 acres, except:

(1) where the purpose of the land division is to facilitate an exchange of lands involving a governmental agency; or

(2) where the purpose of the land division is to allow transactions in which at least one participant is a person with a cumulative ownership of at least 2,000 acres of forest land; and

e. If associated with the creation of a parcel where a dwelling is involved, shall not result in a parcel less than the minimum lot or parcel size of the zone.

f. An irrevocable deed restriction shall be recorded with the deed for the newly created parcel(s). The deed restriction shall be noted in Planning Department records, and shall preclude all rights to construct a dwelling on the new parcel(s) unless authorized by law or goal. The deed restriction may be released by the Director if the property is no longer subject to protection under statewide planning goals related to agricultural land or forest land.

g. A forest farm management easement shall be recorded for each parcel.

6. Division of land for public park uses provided that:

a. The land division is for the purpose of allowing a provider of public parks or open space, or a not-forprofit land conservation organization, to purchase at least one of the resulting parcels; and

b. If one of the resulting parcels contains a dwelling, that parcel shall be large enough to support continued residential use of the parcel.

c. The parcel created for park or open space uses shall not contain a dwelling, and:

(1) is not eligible for siting a dwelling, except as may be authorized under ORS 195.120;

(2) may not be considered in approving or denying an application for siting any other dwelling;

(3) may not be considered in approving a redesignation or rezoning of forest lands except for a redesignation or rezoning to allow a public park, open space or other natural resource use; and

(4) May not be smaller than 25 acres unless the purpose of the land division is:

(a) To facilitate the creation of a wildlife or pedestrian corridor or the implementation of a wildlife habitat protection plan; or

(b) To allow a transaction in which at least one party is a public park or open space provider, or a not-for-profit land conservation organization, that has cumulative ownership of a least 2,000 acres of open space or park property.

I. General Development Standards

1. Setback - No structure other than a fence or sign shall be located closer than forty (40) feet from the right-of-way of a public road and all other property lines. Dwellings and structures accessory to dwellings shall also meet all siting standards and setbacks listed for dwellings or structures in the F-2 zone.

2. Height - Maximum height for all structures shall be thirty-five (35) feet. Height is measured from average grade.

3. Stream and Lake Buffers - All structures, or similar permanent fixtures (except hydroelectric facilities) shall be set back from the high water line or mark along all streams or lakes a minimum distance of one hundred (100) feet when measured horizontally at a right angle.

4. Floodplain: Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

5. Signs - Signs shall not extend over a public right-of-way or project beyond the property line.

a. Signs shall not be illuminated or capable of movement.
b. Signs shall be limited to twelve (12) square feet in area and shall describe only uses permitted and conducted on the property on which the sign is located.

c. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from right-of-way of public road.

(1) Parking - Off street parking shall be provided in accordance with Chapter 20 when and if necessary.

(2) Lighting - All outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. Shielding and hooding materials shall be composed of nonreflective, opaque materials.

(3) New Driveways - All new driveways which access a public road shall obtain a Road Approach Permit from the Wasco County Public Works Department.

J. Siting Requirements for Compatibility of New Dwellings and Accessory Structures

The following siting criteria shall apply to all new dwellings and structures in forest and agriculture/forest zones. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands. Dwellings and structures shall be sited on the parcel so that:

1. Site Selection for Least Impact - Siting shall result in the least possible impact on nearby or adjoining forest or agricultural lands.

a. Siting shall ensure that forest operations and accepted farming practices will not be curtailed or impeded.

b. Siting shall minimize the amount of forest or farm land removed from production for access roads, service corridors, the dwelling and accessory structures.

2. Dwelling and Accessory Structure Set Backs - To satisfy 1. above, dwellings and their accessory structures shall be sited a minimum of 100 feet from property lines. This set back is intended to limit the potential for conflict (including increased fire risk) between residential use and existing or potential resource use on surrounding parcels. Exceptions to this requirement may be granted outside the standard variance procedure in Chapter 6, if the applicant can demonstrate that the siting the dwelling within 100 feet but not less than 40 feet from the public right of way or property line better accomplishes the objectives listed in 1. above.

3. Clustering of Development - Clustering development near or among existing structures and in as limited a portion of the site as practical is considered preferable when developing in the Forest Zone. The applicant may be required to demonstrate that development has been clustered sufficiently to limit impacts on the undeveloped portion of the parcel or tract.

4. Good Proximity to Public Roads - Siting close to existing roads is generally considered preferable and may be required of the applicant if it best accomplishes the overall intent of the siting requirements.

5. Development Located on Least Productive Portion of Land - Siting development on that portion of the parcel least well suited for growing trees is considered preferable. The applicant may be required to demonstrate that the location of development will impact the least productive portion of the parcel or tract.

6. Road Maintenance Required - If road access to the dwelling is by a road owned and maintained by the County, a private party, the Bureau of Land Management, or the United States Forest Service, then the applicant shall provide proof of a long-term road access use permit or maintenance agreement allowing permanent access to a dwelling site. The road use permit or maintenance agreement may require the applicant to agree to accept full or partial responsibility for road maintenance.

7. Authorization for Domestic Water Supply - The applicant shall provide evidence to the approving authority that the domestic water supply is from a source authorized in accordance with the Department of Water Resources Oregon Administrative Rules for the appropriation of ground water or surface water. For purposes of this section, evidence of a domestic water supply means:

   a. Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or

   b. A water use permit issued by the Water Resources Department for the use described in the application; or

   c. Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements, the applicant shall submit the well constructor's report to the county upon completion of the well.

8. Forest Stocking Requirements - Approval of a dwelling shall be subject to the following requirements:

   a. Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules;

   b. The director or the director's designee shall notify the county assessor of the above condition at the time any decision to permit a dwelling is approved;

   c. The property owner of a parcel more than 30 acres in size, shall submit a stocking survey report to the county assessor and the assessor will verify that

P2010-0089 (37 of 348)

the minimum stocking requirements have been met by the time required by Department of Forestry rules. The assessor will inform the Department of Forestry in cases where the property owner has not submitted a stocking survey report or where the survey report indicates that the minimum stocking requirements have not been met;

(1) Upon notification by the assessor, the Department of Forestry will determine whether the tract meets minimum stocking requirements. If the tract does not meet those requirements the department will notify the owner and the assessor that the land is not being managed as forest land. The assessor will then remove the forest land designation and impose (ORS 321.359) the additional tax.

(2) The landowner for the dwelling shall sign and record in the deed records for the county a Forest Farm Management Easement. document binding the landowner and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.93.936 or 30.93.937.

SECTION 3.210 EXCLUSIVE FARM USE ZONE

A. Purpose

The purpose of the Exclusive Farm Use Zone is to preserve and maintain agricultural lands for farm use consistent with historical, existing and future needs, including economic needs that pertain to the production of agricultural products. And to permit the establishment of only those uses that are compatible with agricultural activities consistent with the applicable Statutory and Administrative Rule provisions of ORS Chapter 215 and OAR Chapter 660, Division 33.

Uses, buildings or structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the Exclusive Farm Use zone shall comply with the following regulations. If these regulations are preempted by mandatory ORS's or OAR's those shall be applied directly pursuant to ORS 197.646.

B. Uses Permitted Without Review

The following uses may be allowed on lands designated Exclusive Farm Use without review.

FARM/FOREST USES

1. Farm use as defined by Section 1.090, Definitions and ORS 215.203 that is non-discretionary.

2. Propagation and harvesting of a forest product.

NATURAL RESOURCE

3. Creation of, restoration of or enhancement of wetlands that do not include development as defined by Section 22.030 in a FEMA designated Flood Zone. If the project is located wholly or partially within a FEMA designated Flood Zone and includes structural development it shall be subject to Section D(2) below.

MINERAL, AGGREGATE, SOIL & GAS

4. Operations for the exploration for minerals as defined by ORS 517.750. Any activities or construction relating to such operations shall not be a basis for an exception under ORS 197.732(1)(a) or (b).

5. Operations for the exploration for and production of geothermal resources as defined by ORS 522.005, and oil and gas as defined by ORS 520.005 including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the wellhead. (Processing of said resources is a conditional use.)

P2010-0089 (39 of 348)

TRANSPORTATION FACILITIES

6. Climbing and passing lanes within a highway right of way existing as of July 1, 1987.

7. Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right-of-way, but not including additional travel lanes, where no removal or displacement of buildings would occur and not resulting in any new land parcels.

8. Temporary public road and highway detours that will be abandoned and restored to original condition when no longer needed.

9. Minor betterment of existing public roads and highway related facilities such as maintenance yards, weigh stations and rest areas within right of way existing as of July 1, 1987, and contiguous public owned property utilized to support the operation and maintenance of public roads and highways.

UTILITY/DISPOSAL FACILITIES

10. Utility facility service lines: Utility facility service lines are utility lines and accessory facilities or structures that end at the point where the utility service is received by the customer and that are located on one or more of the following:

    a. A public right of way;

    b. Land immediately adjacent to a public right of way, provided the written consent of all adjacent property owners has been obtained; or

    c. The property to be served by the utility.

11. Transport of biosolids to tract of land for application. Pursuant to ORS 215.247 if biosolids are transported by vehicle to a tract on which the biosolids will be applied to the land under a license, permit or approval issued by the Department of Environmental Quality under ORS 454.695, 459.205, 468B.050, 468B.053 or 468B.055 or in compliance with rules adopted under ORS 468B.095, the transport and the land application are allowed outright.

    The application of biosolids which do not meet these criteria is subject to Section D(2) below.

12. Irrigation canals, delivery lines and those structures and accessory operational facilities associated with a district as defined in ORS 540.505.

COMMERCIAL USES

13. An outdoor gathering as defined in ORS 433.735 or other gathering of fewer than 3,000 persons that is not anticipated to continue for more than 120 hours in any three month period.

14. Minor Home occupation that:

a. Is carried on within a lawfully established dwelling only by members of the family who reside in the dwelling;

b. Does not serve clients or customers on-site;

c. Does not produce odor, dust, glare, flashing lights or noise;

d. Does not occupy more than 25 percent of the floor area of the dwelling; and

e. Does not include the on-premises display or sale of stock in trade.

Any Home Occupation that exceeds these standards is Major and subject to Section E(26) below.

C. Uses Permitted Subject to Property Development Standards
The following uses and activities may be allowed subject to a Type I Review on a legal parcel designated Exclusive Farm Use subject to the Subsection F - Property Development Standards, Chapter 10 - Fire Safety Standards and any other listed standards.

1. Agricultural Structure: Buildings and structures other than dwellings customarily provided in conjunction with farm use subject to meeting the definition in Section 1.090, Definitions.

2. Accessory Structure: Buildings and structures accessory to a legally established dwelling not provided in conjunction with farm use subject to meeting the definition in Section 1.090, Definitions.

3. A replacement dwelling to be used in conjunction with farm use if the existing dwelling has been listed in a county inventory as an historic property and is listed on the National Register of Historic Places. The application shall include a Farm Management Plan documenting how the replacement dwelling will be used in conjunction with a farm use.

D. Uses Permitted Subject to Standards
The following uses and activities may be allowed subject to a Type II Review on a legal parcel designated Exclusive Farm Use subject to the Subsection F - Property Development Standards, H – Agricultural Protection, Chapter 10 - Fire Safety Standards, as well as any other listed, referenced or applicable standards.

P2010-0089 (41 of 348)

FARM USES

1. Farm use as defined by Section 1.090, Definitions and ORS 215.203 that is discretionary.

2. Land application of reclaimed water, agricultural process or industrial process water or biosolids for agricultural horticultural or silvicultural production, or for irrigation in connection with a use allowed in an exclusive farm use zone, subject to the issuance of a license, permit or other approval by the Department of Environmental Quality under ORS 454.695, 459.205, 468B.050, 468B.053 or 468B.055, or in compliance with rules adopted under ORS 468B.095, and must be reviewed subject to Section J(11), Additional Standards below.

COMMERCIAL USES RELATED TO FARM USE

3. A winery subject to Section J(6), Additional Standards below and the applicable provisions of Chapter 20, Site Plan Review:

4. A facility for the processing of farm crops or the production of biofuel as defined in ORS 315.141 subject to the applicable provisions of Chapter 20, Site Plan Review following:

   a. The farm on which the processing facility is located must provide at least one-quarter of the farm crops processed at the facility.

   b. The building established for the processing facility shall not exceed 10,000 square feet of floor area exclusive of the floor area designated for the preparation, storage or other farm use or devote more than 10,000 square feet to the processing activities within another building supporting farm use.

   c. A processing facility shall comply with all applicable siting standards but the standards shall not be applied in a manner that prohibits the siting of the processing facility. No division of a lot or parcel shall be approved to separate a processing facility from the farm operation on which it is located.

5. Farm stands subject to Section J(12), Additional Standards below and the applicable provisions of Chapter 20, Site Plan Review:

RESIDENTIAL USES

6. Farm Dwelling: One single family dwelling customarily provided in conjunction with farm use, subject to Section J(5), Additional Standards below.

7. Accessory Farm Dwelling(s): An accessory farm dwelling is a single family dwelling occupied by a person or persons principally engaged in the farm use of the land and whose seasonal or year-round assistance in the management of the farm use such as planting, harvesting, marketing or caring for livestock, is or will be required by the farm operator. Accessory farm dwelling includes all types of

P2010-0089 (42 of 349)

residential structures allowed by applicable state building code. Accessory farm dwellings are also subject to Section J(2), Additional Standards below.

8. Relative Farm Dwelling: A single family dwelling on property used for farm use, to be occupied by a relative of the farm operator or farm operator's spouse and located on the same lot or parcel as the farm operator's dwelling, subject to the following standards:

   a. The relative is a child, parent, stepparent, grandchild, grandparent, stepgrandparent, sibling, stepsibling, niece, nephew or first cousin of the farm operator or the farm operator's spouse;

   b. The farm operator does, or will require the assistance of the relative in the management of the farm use;

   c. The farm operator shall continue to play the predominant role in the management and farm use of the farm. A farm operator is a person who operates a farm, doing the work and making the day-to-day decisions about such things as planting, harvesting, feeding and marketing; and

   d. The farm operator shall submit a farm management plan documenting how the relative dwelling is necessary for maintaining the farm use.

9. Lot of Record Dwelling: One single family dwelling on a lot or tract of record less than 80 acres, which does not otherwise qualify for a dwelling Subject to Section E(5) (Non-Farm Dwelling) below and also subject to Section J(4), Additional Standards below.

10. Alteration, restoration relocation, or replacement of a lawfully established dwelling subject to Section J(3), Additional Standards below.

NATURAL RESOURCE

11. Creation, restoration of or enhancement of wetlands that includes development as defined by Section 22.030 in a FEMA designated floodplain subject to Section 3.740, Flood Hazard Overlay and Chapter 22, Flood Damage Prevention.

UTILITY/ENERGY FACILITIES

Pursuant to Section 4.070, General Exceptions to Building Height Requirements, these uses do not require a variance if they exceed 35 feet in height.

12. Utility facilities "necessary" for public service, including wetland waste treatment systems, but not including commercial utility facilities for the purpose of generating electrical power for public use by sale, or transmission towers over 200 feet in height, subject to Section J(8), Additional Standards below and the applicable provisions of Chapter 20, Site Plan Review.

P2010-0089 (43 of 348)

13. A Transmission Facility under 200 feet in height subject to J(8)(a)(1) – (6) below and the applicable Subject to Standards criteria of Chapter 19.

14. A Wind Facility, Wind Energy Conversion System (WECS) or Wind Measurement Device pursuant to the applicable Subject to Standards criteria of Chapter 19.

15. A Hydroelectric Facility pursuant to the applicable Subject to Standards criteria of Chapter 19.

PARKS/PUBLIC/QUASI-PUBLIC FACILITIES

16. Public or private schools, including all buildings essential to the operation of a school, except that no such use may be authorized within three miles of an urban growth boundary, unless an exception is approved pursuant to ORS 197.732 and OAR 660, Division 4, and further that no such use may be authorized on high value farmland. This use is subject to the applicable standards of Chapter 20, Site Plan Review.

17. Model Aircraft take-off and landing sites including such buildings or facilities as may be reasonably necessary, subject to the following standards and the applicable standards of Chapter 20, Site Plan Review:

    a. Buildings and facilities shall not be more than 500 square feet in floor area or placed on a permanent foundation unless the building or facility pre-existed the use.

    b. The site shall not include an aggregate surface or hard surface area unless the surface pre-existed the use.

    c. "Model aircraft" means a small-scale version of an airplane, glider, helicopter, dirigible or balloon that is used or intended to be used for flight and controlled by radio, lines or design by a person on the ground.

18. Churches and cemeteries in conjunction with churches consistent with ORS 215.441, except that no such use may be authorized within three miles of an urban growth boundary, unless an exception is approved pursuant to ORS 197.732 and OAR 660 Division 4, and further that no such use may be authorized on high value farmland. Existing facilities wholly within a farm zone may be maintained, enhanced or expanded on the same tract. This use is subject to the applicable standards of Chapter 20, Site Plan Review.

MISCELLANEOUS USES

19. On-site filming and related accessory uses may be conducted provided the use does not exceed 45 days, subject to Section J(15), Additional Standards below. On-site filming in excess of 45 days is a conditional use.

P2010-0089 (44 of 348)

E. Conditional Uses

The following uses and activities may be allowed subject to a Type II or Type III Review on a legal parcel designated Exclusive Farm Use subject to Subsection F - Property Development Standards, H – Agricultural Protection, Chapter 5 – Conditional Use Review, Chapter 10 - Fire Safety Standards as well as any other listed, referenced, or applicable standards.

FARM/FOREST USES

1. Propagation, cultivation, maintenance, and harvesting of aquatic or insect species that are not under the jurisdiction of the State Fish and Wildlife Commission or insect species. Insect species shall not include any species under quarantine by the State Department of Agriculture or the United States Department of Agriculture. Notice of all applications under this shall shell be sent to the State Department of Agriculture at least 20 calendar days prior to any administrative decision or initial public hearing on the application.

2. Primary processing of forest products, subject to the following:

   a. Such facility does not seriously interfere with accepted farming practices and is compatible with farm uses as defined.

   b. Such facility may be approved for a one-year period which is renewable.

   c. The facility is intended to be only portable or temporary in nature.

   d. The primary processing of a forest product, as used in this section, means the use of a portable chipper or stud mill or other similar methods of initial treatment of a forest product in order to enable its shipment to market. Forest products as used in this section means timber grown upon a tract where the primary processing facility is located.

COMMERCIAL USES RELATED TO FARM USE

3. Commercial activities in conjunction with farm use as defined in ORS 215.203, including the processing of farm crops into biofuel not otherwise allowed in the definition of farm use or by Section D(4) above, subject to Section J(16), Additional Standards below and the applicable standards of Chapter 20, Site Plan Review.

4. Farm ranch recreation including but not limited to hunting preserves, fishing, fly fishing and tying clinics, trap and skeet range, archery range, ranch skills, horsemanship, equine eventing, habitat improvement, wildlife viewing, and outdoor schools in conjunction with a commercial farming operation subject to Section J(7), Additional Standards below and Sections 20.010 – 20.090 of Chapter 20, Site Plan Review.

P2010-0089 (45 of 348)

In season fee hunting shall not be included in Farm Ranch Recreation unless it includes lodging or is part of a larger farm ranch recreation operation.

RESIDENTIAL USES

5. Non-Farm Dwelling: One single family dwelling not provided in conjunction with farm use, subject to Section J(1), Additional Standards, below.

6. A temporary medical hardship dwelling for the term of hardship suffered by the existing resident or relative subject to Section 8.070, Temporary Use of a Mobile Home (Family Hardship):

7. Residential home which means a residential treatment or training or adult foster home in an existing dwelling licensed by or under the authority of the department, as defined in ORS 443.400, under ORS 443.400 to 443.825, a residential facility registered under ORS 443.480 to 443.500 or an adult foster home licensed under ORS 443.705 to 443.825 that provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related (or as further defined in ORS 197.660) subject to the applicable standards of Chapter 20, Site Plan Review.

ENERGY/UTILITY/SOLID WASTE DISPOSAL FACILITIES

8. Commercial utility facilities (Wind, Hydroelectric or Other) for the purpose of generating power for public use by sale. This use is subject to the applicable provisions of Chapter 19, Standards for Energy Facilities and Commercial Energy Facilities and Chapter 20, Site Plan Review. A wind power generation facility shall also be subject to Section J(17), Additional Standards below

9. Transmission towers greater than 200 feet in height and transmission facilities pursuant to the applicable provisions of Chapter 19, Standards for Energy Facilities and Commercial Energy Facilities.

10. A site for disposal of solid waste approved by a city or county governing body and for which a permit has been granted by the Department of Environmental Quality under ORS 459.245, including the equipment, facilities, and building necessary for its operation, except that such uses are prohibited on high value farmland subject to the applicable provisions of Chapter 20, Site Plan Review.

11. Composting facilities (excluding non-green feedstocks) for which a permit has been granted by DEQ under ORS 459.245 and OAR 340-96-020 subject to Section J(10), Additional Standards below and the applicable provisions of Chapter 20, Site Plan Review.

MINERAL/AGGREGATE/GEOTHERMAL USES

12. Aggregate: Operations conducted for the mining, crushing or stockpiling of mineral, aggregate and other subsurface resources subject to Section J(9),

P2010-0089 (46 of 348)

Additional Standards below, Section 3.800, Mineral & Aggregate Overlay and the applicable provisions of Chapter 20, Site Plan Review.

13. Processing, as defined by ORS 517.750, of aggregate into asphalt or Portland cement, except that asphalt production shall not be permitted within two miles of a producing orchard or vineyard, which is planted as of the date that the application for asphalt production is filed, and subject to WCLUDO Section 3.800, Mineral and Aggregate Overlay and the applicable provisions of Chapter 20, Site Plan Review.

14. Processing of other mineral resources and other subsurface resources.

15. Mining and processing of geothermal resources as defined in ORS 522.005 and oil and gas as defined by ORS 520.005 not otherwise permitted in Section B(5) above and the applicable provisions of Chapter 20, Site Plan Review.

TRANSPORTATION

16. Personal use airports for airplanes and helicopter pads, including associated hangars, maintenance and service facilities. A personal-use airport, means an airstrip restricted, except for aircraft emergencies, to use by the owner, and, on an infrequent and occasional basis, by invited guests, and by commercial aviation activities in connection with agricultural operations. No aircraft may be based on a personal-use airport other than those owned or controlled by the owner of the airstrip. Exceptions to the activities permitted under this definition may be granted through waiver action by the Oregon Department of Aviation in specific instances. A personal-use airport lawfully existing as of September 13, 1975, shall continue to be permitted subject to any applicable rules of the Oregon Department of Aviation.

17. Construction of additional passing and travel lanes requiring the acquisition of right of way, but not resulting in the creation of new land parcels.

18. Reconstruction or modification of public roads and highways involving the removal or displacement of structures but not resulting in the creation of new land parcels.

19. Improvement of public roads and highway related facilities such as maintenance yards, weigh stations, and rest areas, where additional property or right of way is required, but not resulting in the creation of new land parcels.

20. Roads, highways and other transportation facilities and improvements not otherwise allowed by this ordinance subject to:

    a. Adoption of an exception to the goal related to agricultural lands and to any other applicable goal with which the facility or improvement does not comply; or

P2010-0089 (47 of 348)

b. ORS 215.296 for those uses identified by rule of the Land Conservation and Development Commission as provided in section 3, chapter 529, Oregon Laws 1993.

PARKS/PUBLIC/QUASI-PUBLIC FACILITIES

21. Fire service facilities providing rural fire protection services subject to the applicable standards of Chapter 20, Site Plan Review.

22. Community centers owned by a government agency or a nonprofit organization and operated primarily by and for residents of the local rural community subject to the applicable standards of Chapter 20, Site Plan Review.

    A community center authorized under this section may provide services to veterans, including but not limited to emergency and transitional shelter, preparation and service of meals, vocational and educational counseling and referral to local, state or federal agencies providing medical, mental health, disability income replacement and substance abuse services, only in a facility that is in existence on January 1, 2006. The services may not include direct delivery of medical, mental health, disability income replacement or substance abuse services.

23. Parks and playgrounds A public park includes only the uses specified under OAR 660-034-0035 or 660-034-0040 whichever is applicable and may only be established subject to the applicable provisions of Chapter 20, Site Plan Review and ORS 195.120,

24. Expansion of existing county fairgrounds and activities directly relating to county fairgrounds governed by county fair boards established pursuant to ORS 565.210 subject to the applicable provisions of Chapter 20, Site Plan Review.

25. Any gathering subject to review by a county planning commission under the provisions of ORS 433.76. These gatherings and any part of which is held in open spaces are those of more than 3,000 persons which continue or can reasonably be expected to continue for more than 120 hours within any three-month period subject to the applicable provisions of Chapter 20, Site Plan Review.

COMMERCIAL USES

26. Major Home occupation subject to the applicable provisions of Chapter 20, Site Plan Review. Construction of a structure that would not otherwise be allowed in the zone is not permitted.

27. Home Occupation with Room and Board or (Bed and Breakfast) arrangements in an existing residence, but may not be sited adjacent to or on high value lands within two (2) miles of the National Scenic Area Boundary subject to the applicable provisions of Chapter 20, Site Plan Review and the following.

P2010-0089 (48 of 348)

a. Room and board arrangements shall:

(1) Not exceed accommodations for five unrelated persons beyond the inhabitants of the house; and

(2) Include month to month rental with food contract.

b. Bed and breakfast arrangements shall:

(1) Not exceed five rooms;

(2) Limit occupation by guests to no more than 30 consecutive days; and

(3) Only allow breakfast to be served to guests and no other meals.

28. Home Occupation to Host Commercial Events: The commercial events are associated with a farm use, lawfully approved winery, bed and breakfast or farm ranch recreation and includes weddings, receptions, parties, bicycle races confined to the subject parcel(s) and other small-scale gatherings hosted for a fee that are incidental and subordinate to the primary use of the parcel. The use is subject to the applicable provisions of Chapter 20, Site Plan Review. Construction of a structure that would not otherwise be allowed in the zone is not permitted.

If the commercial event is in conjunction with a farm use, the applicant shall submit a Farm Management Plan which includes documentation that the property is capable of meeting the Farm Dwelling income test in Section J(5)(b) below.

29. Dog Kennels, except that such uses are prohibited on high value farmland, subject to the applicable provisions of Chapter 20, Site Plan Review.

30. Private parks, playgrounds, and campgrounds, as defined in Section 1.090, Definitions, except that such uses are prohibited on high value farmland, subject to Section J(14) Additional Standards below and the applicable provisions of Chapter 20, Site Plan Review.

31. Golf courses: A 9 or 18 hole regulation golf course or a combination 9 and 18 hole regulation golf course except that such uses are prohibited on high value farmland, subject to Section J(13), Additional Standards below and the applicable provisions of Chapter 20, Site Plan Review.

32. Operations for the extraction and bottling of water subject to applicable provisions of Chapter 20, Site Plan Review.

33. On-site filming if the activity exceeds 45 days on any site within a one-year period or involves the erection of sets that would remain in place for longer than

P2010-0089 (49 of 348)

45 days. These activities may include administrative or security functions and may include the use of campers, trailers, or similar temporary facilities. This use is also subject to Section J(15), Additional Standards below and the applicable provisions of Chapter 20, Site Plan Review.

F. Property Development Standards

Property development standards are designed to preserve and protect the character and integrity of agricultural lands, and minimize potential conflicts between agricultural operations and adjoining property owners. A variance subject to WCLUDO Chapter 6, or Chapter 7 may be utilized to alleviate an exceptional or extraordinary circumstances that would otherwise preclude the parcel from being utilized. A variance to these standards is not to be used to achieve a preferential siting that could otherwise be achieved by adherence to these prescribed standards.

1. Setbacks

a. Property Line

(1) All dwellings (farm and non farm) and accessory structures not in conjunction with farm use, shall comply with the following property line setback requirements:

(a) If adjacent land is being used for perennial or annual crops, the setback shall be a minimum of 200 feet from the property line.

(b) If adjacent land is being used for grazing, is zoned Exclusive Farm Use and has never been cultivated or is zoned F-1 or F-2, the setback shall be a minimum of 100 feet from the property line.

(c) If the adjacent land is not in agricultural production and not designated Exclusive Farm Use, F-1 or F-2, the setback shall be a minimum 25 Feet from the property line.

(d) If any of the setbacks listed above conflict with the Sensitive Wildlife Habitat Overlay the following shall apply and no variance shall be required:

i. The structure shall be set back a minimum of 25 feet from the road right of way or easement;

ii. The structure shall be located within 300 feet of the road right of way or easement pursuant Section 3.920(F)(2), Siting Standards; and

iii. As part of the application the applicant shall document how they are siting the structure(s) to minimize impacts to adjacent agricultural uses to the greatest extent practicable.

P2010-0089 (50 of 348)

(2) Farm structures shall be set back a minimum of 25 feet from the property line.

(3) Additions, modifications or relocation of existing structures shall comply with all EFU setback standards. Any proposal that cannot meet these standards is subject to the following:

(a) Dwellings: The proposed addition modification or relocation shall not result in nonconformity or greater nonconformity to property line setbacks or resource buffer requirements unless the addition will extend a structure further away from and perpendicular to the property line or resource. Any proposal that would place a relocated dwelling or extend an existing dwelling into or further toward the property line or resource, or expand an existing dwelling parallel into a setback or buffer shall also be subject to Chapters 6 & 7, Variances and any other applicable review criteria.

(b) Farm & Non-Farm buildings and structures: The proposed addition, modification or relocation shall not result in nonconformity or greater nonconformity to property line setbacks or resource buffer requirements. If the building or structure currently conforms to all setback standards and the proposal would result in non-conformity a Chapter 6 or 7 variance will be required. If the building or structure currently does not conform to all setback standards and the proposal would increase the non-conformity it shall be subject to the applicable provisions of Chapter 13, Nonconforming Uses, Buildings and Lots.

(4) Property line setbacks do not apply to fences, signs, roads, or retaining walls less than four (4) feet in height.

Front yard (road) property line setbacks do not apply to parking areas for farm related uses. However, parking areas for farm related uses must meet side and rear yard property line setbacks.

b. Waterways:

(1) Resource Buffers: All bottoms of foundations of permanent structures, or similar permanent fixtures shall be setback from the high water line or mark, along all streams, lakes rivers, or wetlands.

(a) A minimum distance of one hundred (100) feet when measured horizontally at a right angle for all waterbodies designated as fish bearing by any federal, state or local inventory.

(b) A minimum distance of fifty (50) feet when measured horizontally at a right angle for all waterbodies designated as non fish bearing by any federal, state or local inventory.

PZ010-0089 (51 of 348)

(c) A minimum distance of twenty five (25) feet when measured horizontally at a right angle for all waterbodies (seasonal or permanent) not identified on any federal, state or local inventory.

(d) If the proposal does not meet these standards it shall be subject to Section (a)(3), Additions or Modifications to Existing Structures, above.

(e) The following uses are not required to meet the waterway setbacks, however they must be sited, designed and constructed to minimize intrusion into the riparian area to the greatest extent possible:

(i) Fences;

(ii) Streets, roads, and paths;

(iii) Drainage facilities, utilities, and irrigation pumps;

(iv) Water-related and water-dependent uses such as docks and bridges;

(v) Forest practices regulated by the Oregon Forest Practices Act;

(vi) Agricultural activities and farming practices, not including the construction of buildings, structures or impervious surfaces; and

(vii) Replacement of existing structures with structures in the same location that do not disturb additional riparian surface area.

(2) Floodplain: Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

c. Irrigation Ditches:
All dwellings and structures shall be located outside of the easement of any irrigation or water district. In the absence of an easement, all dwellings and structures shall be located a minimum of 50 feet from the centerline of irrigation ditches and pipelines which continue past the subject parcel to provide water to other property owners. Substandard setbacks must receive prior approval from the affected irrigation district. These setbacks do not apply to fences and signs.

d. Wasco County Fairground

(1) Front Yard - No structure other than a fence or sign shall be located closer than ten (10) feet from the rights-of-way of a public road.

P2010-0089 (52 of 348)

(2) Side Yard - No structure other than a fence or sign shall be located closer than seven (7) feet for buildings not exceeding two and one-half (2 & 1/2) stories in height; for buildings exceeding two and one-half stories in height, such side yard shall be increased three (3) feet in width for every story or portion thereof that such buildings' height exceeds two and one-half stories.

(3) Rear Yard - No structure other than a fence shall be located closer than ten (10) feet from the rear yard property line.

(4) RV Spaces – RV spaces are subject to the setback requirements of Chapter 17, Recreational Vehicle Parks.

(5) Existing & Replacement Structures – All lawfully established structures which do not conform to current setback standards shall be allowed to be expanded, or replaced and expanded into the required setback as long as the expansion does not encroach upon the required setback more than the existing structure.

2. Height: Except for those uses allowed by Section 4.070, General Exception to Building Height Requirements, no building or structure shall exceed a height of 35 feet. Height is measured from average grade.

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

4. Signs:

a. Permanent signs shall not project beyond the property line.

b. Signs shall not be illuminated or capable of movement.

c. Permanent signs shall describe only uses permitted and conducted on the property on which the sign is located.

d. Size and Height of Permanent Signs:

(1) Freestanding signs shall be limited to twelve square feet in area and 8 feet in height measured from natural grade.

(2) Signs on buildings are permitted in a ratio of one square foot of sign area to each linear foot of building frontage but in no event shall exceed 32 square feet and shall not project above the building.

e. Number of permanent signs:

(1) Freestanding signs shall be limited to one at the entrance of the property. Up to one additional sign may be placed in each direction of vehicular

P2010-0089 (53 of 348)

traffic running parallel to the property if they are more than 750 feet from the entrance of the property.

(2) Signs on buildings shall be limited to one per building and only allowed on buildings conducting the use being advertised.

f. Temporary signs such as signs advertising the sale or rental of the premise are permitted provided the sign is erected no closer than ten feet from the public road right-of-way.

5. Lighting: Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways and waterways. Shielding and hooding materials shall be composed of nonreflective, opaque materials.

6. Parking - Off street parking shall be provided in accordance with Chapter 20.

7. New Driveways: All new driveways and increases or changes of use for existing driveways which access a public road shall obtain a Road Approach Permit from the appropriate jurisdiction, either the Wasco County Public Works Department or the Oregon Dept. of Transportation.

G. Property Size Standards
Subdivisions and Series Partitions pursuant to ORS 92.010 - 92.190, and 92.305-92.495: Subdivisions are prohibited in the Exclusive Farm Use Zone. Series Partitions for non-farm uses are prohibited in the Exclusive Farm Use Zone.

1. Farm Divisions:

a. 40 Acre: There shall be a 40 acre minimum land division for farm parcels in the A-1(40) zone.

b. 80 Acre: There shall be a 80 acre minimum land division for farm parcels in the A-1(160) zone to allow for land divisions around higher value per acre crops. All proposed farm parcels at least 80 acres but less than 160 acres shall meet the following standards:

(1) A farm management plan shall be submitted with the application. The farm management plan shall also include an evaluation of the following:

(a) The property size shall be large enough to keep commercial farms and ranches in the area successful and not contribute to their decline. This evaluation shall include the potential negative impacts such as increasing traffic on farm to market roads or adding practices or uses that would conflict with existing accepted farming practices on adjacent farms.

(b) Determine the nature of this type of commercial agricultural enterprise

P2010-0089 (54 & 348)

in the county, or within the surrounding area.

(2) The proposed farm parcel or parcels have been planted in a higher value per acre crop adequate to meet the income requirement in (3) below;

(3) Income Test

The proposed farm parcel or parcels are each capable of producing $250,000 in gross annual income (2009 dollars adjusted for inflation at an annual rate of *2.375%) from the sale of farm products.

Capability of producing the gross annual income described above shall be shown in one of two ways.

(a) Documentation of actual gross income received during the last two years or three of the last five years.

(b) Documentation that the current amount of acreage planted on the proposed farm parcel or parcels are each capable of producing the gross income described above. This documentation shall be prepared by a professional with the credentials to make such a determination such as a representative of the Oregon Department of Agriculture or Oregon State Extension Office. The documentation shall include the following:

(i) Identify the type(s) and size(s) of viable farms that comprise this commercial agricultural enterprise in the county, or within the surrounding area which meet or exceed the gross income described above.

(ii) Identify soils, topography, land forms, slopes, solar access, irrigation, rainfall, sunlight of viable farms that comprise this type of commercial enterprise and compare those to the proposed property.

(iii) Is there an identified industry with infrastructure for this type of commercial enterprise within the county or surrounding area? If so, how will this operation contribute to that enterprise? If not, will it be viable on its own?

Approval of a request to divide agricultural land to the 80-acre minimum does not necessarily guarantee a farm dwelling. Any subsequent request for a farm dwelling will have to meet applicable standards set forth in Section D(5), Farm Dwelling above.

*It is the intention of the Wasco County Court to reevaluate the validity of this inflationary adjustment percentage by 2014.

A2010-0089 (558 348)

c. 160 Acre: There shall be a 160 acre minimum land division for all parcels in the Exclusive Farm Use Zone that are not within the A-1(40) zone and cannot meet the 80 acre minimum test in b above.

2. Non-Farm Divisions (Part of Parcel)

a. Non-Farm Dwelling & Non-Farm Use Divisions

(1) A one time division of land to create:

(a) Up to two new parcels no less than 2 acres in size and no greater than 20 acres in size, each to contain a dwelling not provided in conjunction with farm use, only if the dwelling has been authorized in accordance with Section E(5), Non-Farm Dwelling above; or

(b) A parcel to contain a nonfarm use, except dwellings, listed in Section (E), Conditional Uses above, unless otherwise precluded by statute. The parcel shall be the minimum size needed to accommodate the use in a manner consistent with other provisions of law;

(2) The parcel(s) are divided from a lot or parcel that was lawfully created in its current configuration prior to July 1, 2001. This date applies to properties even if they were created after July 1, 2001 pursuant to this section;

(3) The parcel(s) are divided from a lot or parcel that exceeds 160 acres and which will continue to meet or exceed 160 acres after the division;

(4) The parcel(s) are generally unsuitable for the production of farm crops and livestock or merchantable tree species considering the terrain, adverse soil or land conditions, drainage or flooding, vegetation, location and size of the tract. A parcel may not be considered unsuitable based solely on size or location if the parcel can reasonably be put to farm or forest use in conjunction with other land; and

(5) The parcels for the nonfarm dwellings are not located in the "A-1(40)" zone.

(6) The non-farm parcels shall be disqualified from special assessment pursuant to Section J(1)(g) below.

(7) The non-farm parcels do not have established water rights for irrigation.

b. Park and Open Space Divisions: A land division for the purpose of allowing a provider of public parks or open space, or a not-for-profit land conservation organization, to purchase at least one of the resulting parcels subject to the following:

P2010-0089 (56 of 348)

(1) A parcel created by the land division that already contains a dwelling is large enough to support continued residential use of the parcel; and

(2) A parcel created pursuant to this subsection that does not contain a dwelling:

(a) Is not eligible for siting a dwelling, except as may be authorized under ORS 195.120;

(b) May not be considered in approving or denying an application for siting any other dwelling;

(c) May not be considered in approving a redesignation or rezoning of forestlands except for a redesignation or rezoning to allow a public park, open space or other natural resource use; and

(d) May not be smaller than 25 acres unless the purpose of the land division is:

(i) To facilitate the creation of a wildlife or pedestrian corridor or the implementation of a wildlife habitat protection plan; or

(ii) To allow a transaction in which at least one party is a public park or open space provider, or a not-for-profit land conservation organization, that has cumulative ownership of at least 2,000 acres of open space or park property.

H. Agricultural Protection: The uses listed in Section D, Uses Allowed Subject to Standards and E, Conditional Uses must meet the following standards:

1. Farm-Forest Management Easement: The landowner is required to sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or case of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

2. Protection for Generally Accepted Farming and Forestry Practices - Complaint and Mediation Process: The landowner will receive a copy of this document.

I. Challenging Soil Class Rating

1. Lot of Record: For the purposes of approving a Lot of Record application under Section D(9) above, the soil class, soil rating or other soil designation of a specific lot or parcel may be changed if the property owner:

a. Submits a statement of agreement from the Natural Resources Conservation Service of the United States Department of Agriculture that the soil class, soil

P2010-0089 (519348)

rating or other soil designation should be adjusted based on new information; or

b. Submits the following:

(1) Report from a soils scientist whose credentials are acceptable to the State Department of Agriculture that the soil class, soil rating or other soil designation should be changed; and

(2) Statement from the State Department of Agriculture that the Director of Agriculture or the director's designee has reviewed the report described in subparagraph (1) above of this section and finds the analysis in the report to be soundly and scientifically based.

2. All Other: The soil class or soil rating or other soil designation of a specific lot or parcel on lands other than Lot of Record as specified above, or High Value soils as specified by NRCS, may be changed if the property owner:

a. Submits a report to the Wasco County Planning Department from an accredited soils scientist, certified by ARCPACS that the soil class, soil rating or other soil designation should be changed and the rationale for the soil class change. The report will include the following technical data:

(1) Copy of the most current National Cooperative Soil Survey map(s) for the specified area;

(2) Methods used by the Soil Scientist;

(3) Level of order of survey used in field survey, scale, type of maps, number of sample locations and observation points all confirming or disagreeing with the NRCS mapping units;

(4) Methods used for observations (backhoe, auger, shovel, etc.) and methods used for documentation;

(5) Notation of any limitations encountered;

(6) Results, findings and decisions;

(7) Overview of geology, parent material, and related factors;

(8) Description of landforms, topography, confirming relationship of landforms to soil mapping units;

(9) Description of on-site and adjacent hydrology, including surface and subsurface features;

(10) Description of revised soil mapping units;

A2010-0089 (58 of 348)

b. Acquires Wasco County Planning Department administrative approval of soils class change, in conjunction with land use application request.

J. Additional Standards

1. Non-Farm Dwelling:

a. The parcel is not within the A-1(40) Zone.

b. There is no other dwelling on the parcel;

c. The site shall have appropriate physical characteristics such as adequate drainage, proper sanitation and water facilities to accommodate a residence or other non-farm use;

d. Criteria for Farmland within the EFU Zone:

The dwelling is situated upon a lot or parcel, or a portion of a lot or parcel, that is 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. A lot or parcel shall not be considered unsuitable solely because of size or location if it can reasonably be put to farm or forest use in conjunction with other land.

A lot or parcel is not "generally unsuitable" simply because it is too small to be farmed profitably by itself. If a lot or parcel can be sold, leased, rented or otherwise managed as a part of a commercial farm or ranch, it is not "generally unsuitable." A lot or parcel is presumed to be suitable if it is composed predominantly of Class I - VI soils. Just because a lot or parcel is unsuitable for one farm use does not mean it is not suitable for another farm use.

The term "generally unsuitable" is vague. The following criteria define and specify in clear, objective, measurable means what is generally unsuitable land for agriculture in Wasco County.

(1) On parcels less than 80 acres that were created prior to January 1, 1993, and parcels created pursuant to the Non-Farm Division (Part of Parcel) provisions when the entire parcel is found to be generally unsuitable. That is, over 50% of the parcel is a Class VII or poorer soil as determined by the NRCS Soil Survey for Wasco County, and (one) 1 of the criterion listed in (3) below.

(2) On parcels at least 80 acres but less than 160 acres that were created prior to January 1, 1993, a portion of the parcel that is identified for the dwelling site is a Class VII soil or poorer as determined by the NRCS Soil Survey for Wasco County, and (one) 1 of the criterion listed in (3) below.

P2010-0089 (592348)

(3) Generally Unsuitable Criteria:

(a) predominantly greater than 40 % slope, or

(b) produces less than 25 bushels per acre wheat or cereal grains crop, or less than 1 ton per acre of alfalfa or other type of hay as per Farm Service Agency (FSA) registered field crop information. Averages shall be based on acres in production, or

(c) never been cropped according to the ASCS (FSA) aerial photos and records, and requires more than 5 acres per AUM based on the soil productivity as shown in the most up to date soils survey or on a field determination conducted by an authorized professional using Natural Resource Conservation RCS standards.

e. Criteria for Forested land within the EFU zone

(1) If the parcel is unsuitable for agricultural use and is under forest assessment, the dwelling shall be situated upon generally unsuitable land for the production of merchantable tree species recognized by the Forest Practices Rules, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the parcel. If a lot or parcel is under forest assessment, the area is not "generally unsuitable" simply because it is too small to be managed for forest production profitably by itself. If a lot or parcel under forest assessment can be sold, leased, rented or otherwise managed as a part of a forestry operation, it is not "generally unsuitable".

(2) If a lot or parcel is under forest assessment, it is presumed unsuitable if it is composed predominantly of soils capable of producing less than 20 cubic feet of wood fiber per acre per year and may qualify for a dwelling if it can be found that:

(a) The dwelling is compatible; and

(b) The dwelling does not seriously interfere with forest or farm uses on surrounding land and it must not force a significant change in forest practices or significantly increase the cost of those practices on the surrounding land; and

f. Cumulative Impact: The dwelling will not materially alter the stability of the overall land use pattern of the area. In determining whether a proposed nonfarm dwelling will alter the stability of the land use pattern in the area, consideration shall be given to the cumulative impact of nonfarm dwellings on

P2010-0089 (60 of 348)

other lots or parcels in the area similarly situated by applying the following standards:

(1) Identify a study area for the cumulative impacts analysis. The study area shall include at least 2000 acres or a smaller area not less than 1000 acres, if the smaller area is a distinct agricultural area based on topography, soil types, land use pattern, or the type of farm or ranch operations or practices that distinguish it from other, adjacent agricultural areas. Findings shall describe the study area, its boundaries, the location of the subject parcel within this area, why the selected area is representative of the land use pattern surrounding the subject parcel and is adequate to conduct the analysis required by this standard. Lands zoned for rural residential or other urban or nonresource uses shall not be included in the study area;

(2) Identify within the study area the broad types of farm uses (irrigated or nonirrigated crops, pasture or grazing lands), the number, location and type of existing dwellings (farm, nonfarm, hardship, etc.), and the dwelling development trends since 1993. Determine the potential number of nonfarm/lot-of-record dwellings that could be approved under current regulations, including identification of predominant soil classifications, the parcels created prior to January 1, 1993 and the parcels larger than the minimum lot size that may be divided to create new parcels for nonfarm dwellings. The findings shall describe the existing land use pattern of the study area including the distribution and arrangement of existing uses and the land use pattern that could result from approval of the possible nonfarm dwellings;

(3) Determine whether approval of the proposed nonfarm/lot-of-record dwellings together with existing nonfarm dwellings will materially alter the stability of the land use pattern in the area. The stability of the land use pattern will be materially altered if the cumulative effect of existing and potential nonfarm dwellings will make it more difficult for the existing types of farms in the area to continue operation due to diminished opportunities to expand, purchase or lease farmland, acquire water rights or diminish the number of tracts or acreage in farm use in a manner that will destabilize the overall character of the study area;

(4) In addition to (1) – (3), if the application involves the creation of a new parcel for a nonfarm dwelling, consideration shall be given to whether creation of the parcel will lead to creation of other nonfarm parcels, to the detriment of agriculture in the area by applying (1) – (3) above.

g. Disqualification of Special Assessment:
The owner of the parcel shall provide evidence that:

P2010-0089 (61 of 348)

1. The County Assessor has been notified that the proposed non-farm parcel or parcel to contain the non-farm dwelling is no longer being used as farmland; and

2. A Request has been made in writing to the County Assessor to disqualify the parcel from special assessment; and

3. Prior to receiving zoning approval on a building permit application or a final plat map, the non-farm parcel has been disqualified from special assessment pursuant to ORS 215.236 and any additional tax imposed upon disqualification from special assessment have been paid; and

4. Record on the Property Deed the following: This parcel (legal description) has been disqualified from special assessment and may not re-qualify for special assessment unless, when combined with another contiguous lot or parcel, it constitutes a qualifying parcel by meeting the minimum lot size for commercial agriculture enterprises within the area.

2. Accessory Farm Dwelling:

a. The accessory farm dwelling will be occupied by a person or persons who will be principally engaged in the farm use of the land and whose seasonal or year-round assistance in the management of the farm use, such as planting, harvesting, marketing or caring for livestock, is or will be required by the farm operator. The applicant shall submit a Farm Management Plan to provide evidence of this;

b. The accessory farm dwelling will be located:

(1) On the same lot or parcel as the dwelling of the primary farm dwelling; or

(2) On the same tract as the primary farm dwelling when the lot or parcel on which the accessory farm dwelling will be sited is consolidated into a single parcel with all other contiguous lots and parcels in the tract; or

(3) On a lot or parcel on which the primary farm dwelling is not located, when the accessory farm dwelling is limited to only a manufactured dwelling and a deed restriction is filed with the county clerk. The deed restriction shall require the manufactured dwelling to be removed when the lot or parcel is conveyed to another party. The manufactured dwelling may remain if it is reapproved under these rules; or

(4) On a lot or parcel on which the primary farm dwelling is not located, when the accessory farm dwelling is limited to only attached multi-unit residential structures allowed by the applicable state building code or similar types of farm labor housing as existing farm labor housing on the ranch operation registered with the Dept. of Consumer & Business Services, Oregon Occupational Safety and Health Division under ORS

P2010-0089 (62 of 348)

658.750. Accessory farm dwellings approved Section H. shall be removed, demolished or converted to a nonresidential use when farm worker housing is no longer required; or

(5) On a lot or parcel on which the primary farm dwelling is not located, when the accessory farm dwelling is located on a lot or parcel at least the size of the applicable minimum lot size under Section G(1) below, Farm Divisions and the lot or parcel complies with the gross farm income requirements in subsection d below..

c. There is no other dwelling on the lands designated for exclusive farm use owned by the farm operator that is vacant or currently occupied by persons not working on the subject farm or ranch and that could reasonably be used as an accessory farm dwelling;

d. In addition to the requirements in subsection a - c. of this section, the primary farm dwelling to which the proposed dwelling would be accessory satisfies the following;

(1) The principal farm dwelling is located on a farm or ranch operation that is currently employed for farm use, as defined in Section 1.090 and ORS 215.203, and produced in the last two years or three of the last five years, one (1) of the following:

(a) On land not identified as high-value farmland at least *$55,000 (2009 dollars adjusted for inflation at an annual rate of 2.375%) in gross annual income from the sale of farm products.

(b) On land identified as high-value farmland, and produced at least (*$110,000 (2009 dollars adjusted for inflation at an annual rate of 2.375%) in gross annual income

and,

(2) In determining the gross income, the cost of purchased livestock shall be deducted from the total gross income attributed to the tract.

e. Wasco county shall not approve any proposed division of a lot or parcel for an accessory farm dwelling approved pursuant to this section.

If it is determined that an accessory farm dwelling satisfies the requirements Section D(6) above, One Single Family Dwelling Customarily Provided in Conjunction with Farm Use, a parcel may be created consistent with the minimum parcel size requirements in Section G(1), Farm Divisions; and

f. An accessory farm dwelling approved pursuant to this section cannot later be used to satisfy the requirements for a dwelling not provided in conjunction

P2010-0089(63 of 348)

with farm use pursuant to Section E(5), One Single Family Dwelling Not Provided in Conjunction with a Farm Use.

*It is the intention of the Wasco County Court to reevaluate the validity of this inflationary adjustment percentage by 2014.

3. Alteration, restoration, relocation or replacement of a lawfully established dwelling:

   a. Has intact interior walls and roof structure;

   b. Has indoor plumbing consisting of a kitchen sink, toilet, and bathing facilities connected to a sanitary waste disposal system;

   c. Has interior wiring or interior lights;

   d. Has a heating system;

   e. In the case of replacement, is removed, demolished or converted to a permitted nonresidential use within 90 days of completion of the replacement dwelling;

   f. If the dwelling to be replaced is located on a portion of the lot or parcel not zoned for exclusive farm use, the applicant, as a condition of approval, shall execute and record in the deed records for the county where the property is located a deed restriction prohibiting the siting of a dwelling on that portion of the lot or parcel; and

   g. Be subject to all applicable siting requirements.

4. Lot of Record Dwelling:

   a. The lot or parcel on which the dwelling is to be sited was lawfully created prior to January 1, 1985 and was acquired and owned continuously by the present owner:

      (1) Since before January 1, 1985; or

      (2) By device or by intestate succession from a person who acquired and had owned continuously the lot or parcel since before January 1, 1985.

   b. The tract upon which the dwelling is to be sited does not include another dwelling;

   c. The lot or parcel on which the dwelling will be sited was part of a tract on November 4, 1993, and no dwelling exists on another lot or parcel that was part of that tract;

P2010-0089 (64 of 348)

d. The tract on which the dwelling is to be sited is not high value farmland as defined in Section 1.090, Definitions.

e. If the tract on which the dwelling is to be sited consists of more than one lot or parcel, all lots and parcels within the tract shall be consolidated into a single lot or parcel;

f. The director or the director's designee shall notify the county assessor of any decision to permit a lot of record dwelling;

g. As used in this zone, "owner" includes the wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle niece, nephew, stepparent, stepchild, grandparent or grandchild of the owner or a business entity owned by any one or a combination of these family members; and

h. Land use approval for a lot of record dwelling may be transferred one time to any other person, prior to issuance of building permit.

5. Farm Dwelling:

a. Large Lot: a dwelling may be considered customarily provided in conjunction with farm use subject to the following:

(1) The land on which the dwelling to be sited is not identified as high-value farmland;

(2) The parcel on which the dwelling will be located is at least 160 acres;

(3) The subject tract is currently employed for farm use, as defined in Section 1.090 and ORS 215.203 as evidenced by a Farm Management Plan

(4) The dwelling will be occupied by an owner or a person or persons who will be principally engaged in the farm use of the land, such as planting, harvesting, marketing or caring for livestock, at a commercial scale. If the owner is not principally engaged in the day to day farm operation, no Accessory Farm Dwelling for farm help may be authorized pursuant to Section D(7) above; and

(5) There is no other dwelling on the subject tract.

b. Income Test (for Parcels Less than 160 acres) subject to the following and Subsection 3 below:

(1) Meets either (a) or (b) below:

(a) On land not identified as high-value farmland, a dwelling may be considered customarily provided in conjunction with farm use if the subject tract is currently employed for farm use, as defined in Section 1.090 and ORS 215.203, as evidenced by a Farm Management Plan, that produced at least at least *$55,000 (2009 dollars adjusted for inflation at an annual rate of 2.375%) in gross annual income from the sale of farm products in the last two or three of the last five years; or

(b) On land identified as high-value farmland, a dwelling may be considered customarily provided in conjunction with farm use if the subject tract is currently employed for the farm use, as defined in Section 1.090 and ORS 215.203, as evidenced by a Farm Management Plan, that produced at least *$110,000 (2009 dollars adjusted for inflation at an annual rate of 2.375%) in gross annual income from the sale of farm products in the last two or three of the last five years; and

(2) In determining the gross income required by this subsection:

(a) The cost of purchased livestock shall be deducted from the total gross income attributed to the farm or ranch operation;

(b) Only gross income from land owned, not leased or rented, shall be counted; and

(c) Gross farm income earned from a lot or parcel which has been used previously to qualify another lot or parcel for the construction or siting of a primary farm dwelling may not be used

(3) There is no other dwelling on lands designated for exclusive farm use pursuant to ORS Chapter 215 or for mixed farm/forest use pursuant to OAR 660-006-057 owned by the farm or ranch operator or on the farm or ranch operation; and

(4) The dwelling will be occupied by a person or persons who produced the commodities which grossed the income.

(5) Prior to issuance of zoning approval on a building permit application, a Notice of Decision shall be recorded in the deed records with the Wasco County Clerk for each lot or parcel subject to the application for the primary farm dwelling and shall preclude:

(a) All future rights to construct a dwelling except for accessory farm dwellings, relative farm assistance dwellings, temporary hardship dwellings or replacement dwellings allowed by ORS Chapter 215; and

(b) The use of any gross farm income earned on the lots or parcels to qualify another lot or parcel for a primary farm dwelling.

A2010-0089(66 & 348)

(6) The covenants, conditions and restrictions are irrevocable, unless a statement of release is signed by the Wasco County Judge;

(7) Enforcement of the covenants, conditions and restrictions may be undertaken by the Dept. of Land Conservation & Development or Wasco County;

(8) The Planning Director shall maintain a copy of the Notice of Decisions filed in the County deed records pursuant to this section and a map or other record depicting the lots and parcels subject to the covenants, conditions and restrictions filed in the County deed records pursuant to this section. The map or other record shall be readily available to the public in the Planning Office.

6. Winery:

a. The winery is a facility that produces wine with a maximum annual production of:

(1) Less than 50,000 gallons and it:

(a) Owns an on-site vineyard of at least 15 acres;

(b) Owns a contiguous vineyard of at least 15 acres;

(c) Has a long-term contract for the purchase of all of the grapes from at least 15 acres of a vineyard contiguous to the winery; or

(d) Obtains grapes from any combination of subparagraph (a), (b) or (c) of this paragraph; or

(2) At least 50,000 gallons and no more than 100,000 gallons and that:

(a) Owns an on-site vineyard of at least 40 acres;

(b) Owns a contiguous vineyard of at least 40 acres;

(c) Has a long-term contract for the purchase of all of the grapes from at least 40 acres of a vineyard contiguous to the winery; or

(d) Obtains grapes from any combination of subparagraph (a), (b) or (c) of this paragraph.

b. The winery described in subsection (a)(1) or (2) above shall allow only the sale of:

(1) Wines produced in conjunction with the winery; and

P2010-0089 (67 & 348)

(2) Items directly related to wine, the sales of which are incidental to retail sale of wine on-site. Such items include individually portioned prepackaged foods prepared from an approved source by a commercial processor and nonperishable beverages or any items additionally allowed by a limited service restaurant defined in ORS 624.010.

c. Prior to the issuance of zoning approval to establish a winery under this section, the applicant shall show that vineyards, described in subsection (a)(1) and (2) of this section, have been planted or that the contract has been executed, as applicable.

d. Siting Standards to limit conflicts with accepted farming or forest practices on adjacent lands include:

(1) Establishment of a setback, not to exceed 100 feet, from all property lines for the winery and all public gathering places; and

(2) Provision of direct road access, internal circulation and parking.

e. If a Home Occupation to host Commercial Events such as weddings, receptions or parties is desired, that use must be applied for under Section E(28). Failure to apply under Section E(28) for such a use will result in the hosting of any such events to be considered a land use violation.

7. Farm Ranch Recreation:

a. The tract or parcel is currently employed in a commercial agricultural operation as defined in Section 1.090 and ORS 215.203 as evidenced by a Farm Management Plan.

If the Farm Ranch Recreation utilizes agricultural operations on a tract to meet the commercial agricultural operation standards they will be required to own and operate the tract. If portions of the tract used to justify the commercial agricultural operation are sold the Farm Ranch Recreation approval will automatically become void and the owner will cease to operate within 60 days of selling the property.

b. The Farm Management Plan shall also include the Farm Ranch Recreation proposal including the number of acres devoted to the recreational use, proposed or existing buildings involved in the use, hours and days of operation, and anticipated usage (number of visitors). Additionally, it must be demonstrated how the Farm Recreation activities are compatible with the commercial farming operation.

c. The Farm Ranch Recreation proposal shall not be the primary use of the tract, but shall be subordinate to the commercial agricultural operation in scope, scale and impact, however, income generated from the farm ranch

P2010-0089(68 of 348)

recreation use does not have to be subordinate to income generated by the commercial agricultural operation. Scope, scale and impact shall take into consideration the number of acres/area devoted to the farm ranch recreation use, anticipated usage of the use, days and hours of operation.

d. New Farm Ranch Recreation structures shall be located on land that is "generally unsuitable" as defined in Section J(1)(d), Non-Farm Dwelling, where practicable. If the proposal is to not locate Farm Ranch Recreation structures on land that is "generally unsuitable", the application shall explain why and how the proposal best protects agricultural lands.

e. Recreational uses such as fly fishing and hunting off of the parcel or tract shall be allowed. However, the primary portion of the Farm Ranch Recreation use, excluding lodging, shall occur on the parcel or tract.

f. Overnight lodging units in new or existing structures may be permitted in conjunction with the Farm Ranch Recreation operation. Lodging unit means an individual guest room in a lodge, bunkhouse, cottage, cabin, tent or licensed recreational vehicles used only for transient lodging and not for a permanent residence. No more than 10 lodging units are allowed. No kitchen facilities are permitted in individual lodging units. All overnight facilities shall comply with Oregon Dept. of Environmental Quality and/or Wasco County Health Dept. requirements for sanitary sewage disposal.

g. In addition to overnight lodging units a separate kitchen area, rest rooms, storage or other shared indoor space shall be allowed.

h. Food services shall be incidental to the operation of the guest ranch and shall be provided only for the guests of the farm ranch recreation, individuals accompanying the guests and individuals attending a special event at the farm ranch recreation site. The cost of meals, if any, provided to guests of the farm ranch recreation, individuals accompanying the guests and individuals attending a special event at the farm ranch recreation may be included in the fee to visit or stay at the farm ranch recreation site. A farm ranch recreation may not sell individual meals to an individual who is not a guest of the farm ranch recreation, an individual accompanying a guest or an individual attending a special event at the farm ranch recreation site. Kitchen facilities associated with the farm ranch recreation shall comply with Oregon Dept. of Environmental Quality and/or Wasco County Health Dept. requirements.

h. The Approving Authority shall place reasonable no-shooting buffers (setbacks from property lines) for hunting preserves, with the ability to have a minimum one foot (1') buffer.

i. There shall be a two mile radius for public notification in the application of public or private target or shooting courses. There shall be a one-half mile radius for public notification in the application of a hunting preserve.

P2010-0089 (69 of 348)

8. Utility Facility:

a. A utility facility is necessary for public service if the facility must be sited in an exclusive farm use zone in order to provide the service. To demonstrate that a utility facility is necessary, an applicant must show that reasonable alternatives have been considered and that the facility must be sited in an exclusive farm use zone due to one or more of the following factors:

(1) Technical and engineering feasibility;

(2) The proposed facility is locationally dependent. A utility facility is locationally dependent if it must cross land in one or more areas zoned for exclusive farm use in order to achieve a reasonably direct route or to meet unique geographical needs that cannot be satisfied on other lands;

(3) Lack of available urban and nonresource lands;

(4) Availability of existing rights of way;

(5) Public health and safety; and

(6) Other requirements of state and federal agencies.

b. Costs associated with any of the factors listed in a. may be considered, but cost alone may not be the only consideration in determining that a utility facility is necessary for public service. Land costs shall not be included when considering alternative locations for substantially similar utility facilities and the siting of utility facilities that are not substantially similar.

c. The owner of a utility facility approved under this section shall be responsible for restoring, as nearly as possible, to its former condition any agricultural land and associated improvements that are damaged or otherwise disturbed by the siting, maintenance, repair or reconstruction of the facility. Nothing in this subsection shall prevent the owner of the utility facility from requiring a bond or other security from a contractor or otherwise imposing on a contractor the responsibility for restoration.

d. The governing body of the County or its designee shall impose clear and objective conditions on an application for utility facility siting to mitigate and minimize the impacts of the proposed facility, if any, on surrounding lands devoted to farm use in order to prevent a significant change in accepted farm practices or a significant increase in the cost of farm practices on surrounding farm lands.

e. In addition to a. through d. of this section, the establishment or extension of a sewer system as defined by OAR 660-011-0060(1)(f) in an exclusive farm use zone shall be subject to the provisions of OAR 660-011-0060.

B2010-0089 (70 of 348)

f. The provisions of a. through d. do not apply to interstate natural gas pipelines and associated facilities authorized by an subject to regulation by the Federal Energy Regulatory Commission.

9. Aggregate

a. A land use permit is not required for mining less then than 1,000 cubic yards of material or excavation preparatory to mining of a surface area of less than one acre.

b. A land use permit for mining of aggregate shall be issued only for a site included on an inventory in an acknowledged comprehensive plan.

c. "Mining" includes all or any part of the process of mining by the removal of overburden and the extraction of natural mineral deposits thereby exposed by any method including open-pit mining operations, auger mining operations, processing, surface impacts of underground mining, production of surface mining refuse and the construction of adjacent or off-site borrow pits except those constructed for use as access roads.

d. "Mining" does not include excavations of sand, gravel, clay, rock or other similar materials conducted by a landowner or tenant on the landowner or tenant's property for the primary purpose of reconstruction or maintenance of access roads and excavation or grading operations conducted in the process of farming or cemetery operations, on-site road construction or other on-site construction or nonsurface impacts of underground mines.

10. Composting facilities:

a. Composting operations and facilities allowed on land not defined as high-value farmland shall be limited to the composting operations and facilities allowed by OAR 660-033-0130(29)(a) or that require a permit from the Department of Environmental Quality under OAR 340-093-0050. Buildings and facilities used in conjunction with the composting operation shall only be those required for the operation of the subject facility. Onsite sales shall be limited to bulk loads of at least one unit (7.5 cubic yards) in size that are transported in one vehicle.

b. Composting operations and facilities allowed on high-value farmland are limited to those that are exempt from a permit from the Department of Environmental Quality (DEQ) under OAR 340-093-0050, only require approval of an Agricultural Compost Management Plan by the Oregon Department of Agriculture, or require a permit from the DEQ under OAR 340-093-0050 where the compost is applied primarily on the subject farm or used to manage and dispose of by-products generated on the subject farm. Excess compost may be sold to neighboring farm operations in the local area and shall be limited to bulk loads of at least one unit (7.5 cubic yards) in size. Buildings and facilities used in conjunction with the composting operation

P2000-0089 (71 of 348)

shall only be those required for the operation of the subject facility.

11. Land application of reclaimed water, agricultural process or industrial process water or biosolids.

a. A determination by the Department of Environmental Quality, in conjunction with the department's review of a license, permit or approval, that the application rates and site management practices for the land application of reclaimed water, agricultural or industrial process water or biosolids ensure continued agricultural, horticultural or silvicultural production and do not reduce the productivity of the tract.

b. The use of a tract of land on which the land application of reclaimed water, agricultural or industrial process water or biosolids has occurred under this section may not be changed to allow a different use unless:

(1) The tract is included within an acknowledged urban growth boundary;

(2) The tract is rezoned to a zone other than an exclusive farm use zone;

(3) The different use of the tract is a farm use as defined in ORS 215.203; or

(4) The different use of the tract is a use allowed under:

(a) ORS 215.213 (1)(c), (e) to (g), (k), (m) to (q), (s) to (u), (x), (z) or (aa);

(b) ORS 215.213 (2)(a) to (c), (i), (m) or (p) to (r);

(c) ORS 215.283 (1)(c), (e), (f), (k) to (o), (q) to (s), (u), (w) or (x); or

(d) ORS 215.283 (2)(a), (j), (L) or (p) to (s).

c. An evaluation of the alternatives to application and the reason for not using these alternatives.

d. The uses allowed under this section include:

(1) The treatment of reclaimed water, agricultural or industrial process water or biosolids that occurs as a result of the land application;

(2) The establishment and use of facilities, including buildings, equipment, aerated and nonaerated water impoundments, pumps and other irrigation equipment, that are accessory to and reasonably necessary for the land application to occur on the subject tract;

(3) The establishment and use of facilities, including buildings and equipment, that are not on the tract on which the land application occurs for the transport of reclaimed water, agricultural or industrial process water

P2010-0089 (72 of 348)

or biosolids to the tract on which the land application occurs if the facilities are located within:

(a) A public right of way; or

(b) Other land if the landowner provides written consent and the owner of the facility complies with ORS 215.275 (4); and

(4) The transport by vehicle of reclaimed water or agricultural or industrial process water to a tract on which the water will be applied to land.

e. Uses not allowed under this section include:

(1) The establishment and use of facilities, including buildings or equipment, for the treatment of reclaimed water, agricultural or industrial process water or biosolids other than those treatment facilities related to the treatment that occurs as a result of the land application; or

(2) The establishment and use of utility facility service lines allowed under B(10) above.

f. A division of land for the land application of reclaimed water, agricultural or industrial process water or biosolids shall not be allowed.

12. Farm stands:

a. The structures are designed and used for sale of farm crops or livestock grown on the farm operation, or grown on the farm operation and other farm operations in the local agricultural area, including the sale of retail incidental items, and fee-based activity to promote the sale of farm crops or livestock sold at the farm stand, if the annual sales of the incidental items and fees from promotional activity do not make up more than 25 percent of the total annual sales of the farm stand;

b. The farm stand does not include structures designed for occupancy as a residence or for activity other than the sale of farm crops and livestock and does not include structures for banquets, public gatherings or public entertainment;

c. "Farm crops or livestock" includes both fresh and processed farm crops and livestock grown on the farm operation, or grown on the farm operation and other farm operations in the local agricultural area. As used in this subsection, "processed crops and livestock" includes jams, syrups, apple cider, animal products and other similar farm crops and livestock that have been processed and converted into another product but not prepared food items; and

P2010-0089 (73 of 348)

d. "Local agricultural area" includes Oregon or an adjacent county in Washington.

13. Golf Courses

a. A regulation 18 hole golf course is generally characterized by a site of about 120 to 150 acres of land, has a playable distance of 5,000 to 7,200 yards, and a par of 64 to 73 strokes;

b. A regulation 9 hole golf course is generally characterized by a site of about 65 to 90 acres of land, has a playable distance of 2,500 to 3,600 yards, and a par of 32 to 36 strokes;

c. Non-regulation golf courses are not allowed uses within these areas. "Non-regulation golf course" means a golf course or golf course-like development that does not meet the definition of golf course in Section 1.090, including but not limited to executive golf courses, Par 3 golf courses, pitch and putt golf courses, miniature golf courses and driving ranges;

d. Accessory uses provided as part of a golf course shall be consistent with the following standards:

(1) An accessory use to a golf course is a facility or improvement that is incidental to the operation of the golf course and is either necessary for the operation and maintenance of the golf course or that provides goods or services customarily provided to golfers at a golf course. An accessory use or activity does not serve the needs of the non-golfing public. Accessory uses to a golf course may include: Parking; maintenance buildings; cart storage and repair; practice range or driving range; clubhouse; restrooms; lockers and showers; food and beverage service; pro shop; a practice or beginners course as part of an 18 hole or larger golf course; or golf tournament. Accessory uses to a golf course do not include: Sporting facilities unrelated to golfing such as tennis courts, swimming pools, and weight rooms; wholesale or retail operations oriented to the non-golfing public; or housing.

(2) Accessory uses shall be limited in size and orientation on the site to serve the needs of persons and their guests who patronize the golf course to golf. An accessory use that provides commercial services (e.g., pro shop, etc.) shall be located in the clubhouse rather than in separate buildings.

(3) Accessory uses may include one or more food and beverage service facilities in addition to food and beverage service facilities located in a clubhouse. Food and beverage service facilities must be part of and incidental to the operation of the golf course and must be limited in size and orientation on the site to serve only the needs of persons who patronize the golf course and their guests. Accessory food and beverage service facilities shall not be designed for or include structures for

P2010-0089 (74 of 348)

banquets, public gatherings or public entertainment.

14. Private Parks, Playgrounds and Campgrounds

a. The campground is established on a site or is contiguous to lands with a park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground.

b. Except on a lot or parcel contiguous to a lake or reservoir, private campgrounds shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR chapter 660, division 4.

c. A campground shall be designed and integrated into the rural agricultural and forest environment in a manner that protects the natural amenities of the site and provides buffers of existing native trees and vegetation or other natural features between campsites.

d. Campgrounds shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations.

e. Campsites may be occupied by a tent, travel trailer, yurt or recreational vehicle. Separate sewer, water or electric service hook-ups shall not be provided to individual camp sites except that electrical service may be provided to yurts allowed for by subsection f below.

f. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt. The yurt shall be located on the ground or on a wood floor with no permanent foundation.

As used in this paragraph, "yurt" means a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hookup or internal cooking appliance.

15. On Site Filming

a. No filming shall occur without written permission of the landowner.

b. Filming may be restricted during the hours between 10 p.m. and 8 a.m. if nearby residents would be disturbed by noise, lights or any other filming activity.

c. Filming shall not create traffic hazards.

d. Prior to filming, written authorization shall be obtained from the applicable fire department for the use of any fire-related activities, such as welding or cutting equipment, pyrotechnical devices or related activities.

P2010-0089 (75 of 348)

e. All federal, state and county aircraft regulations shall apply. It is the responsibility of the applicant to be aware of all regulations.

f. All structures shall be self-supporting. Digging or construction of permanent foundations will not be allowed.

g. Weekly garbage pickup shall be provided and any garbage or debris gathered daily.

h. All garbage, debris, sets, or other equipment or props must be removed and properly disposed of within 24 hours of completion of filming.

i. All food concessions shall obtain a permit from the Wasco County Health Department.

j. It is the responsibility of the applicant to provide proper sanitation, potable water, off-road parking, and security.

k. No mammals, fish, reptiles, or other animals shall be released into the environment during or after filming.

l. All animals shall be tethered, leashed or caged when not immediately required for filming.

16. Commercial Activities in Conjunction with Farm Use - The processing, packaging, treatment and wholesale distribution and storage of a product primarily derived from farm activities on the premises. Also, retail sales of agricultural products, supplies and services directly related to the production and harvesting of agricultural products. Such uses include the following:

-Storage, distribution and sale of feed, fertilizer, seed, chemicals, and other products used for commercial agriculture.

-Farm product receiving plants, including processing, packaging, and reshipment facilities.(revised 2-89)

-Livestock feed or sales yards.

-Storage, repair, or sale of fencing, irrigation, pipe, pumps, and other commercial farm-related equipment and implements.

-Farm equipment storage and repair facilities.

-Bulk storage and distribution facilities for fuels, pesticides, and fertilizers.

-Veterinarian clinic.

P2010-0089 (76 of 348)

-Horticultural specialties such as nurseries or greenhouses for retail sales of plants and products.

-Slaughtering of animals, including attendant retail and wholesale sales, which may be conducted outside an enclosed building.

-Wineries for production from fruits, a portion of which are grown on the property, including retail sales.

-And other such uses which may be construed as similar to the above listed uses.

The Approving Authority shall consider among other relevant criteria the Land Conservation and Development Commission decision No. 79-003.

17. Wind Power Generation Facility: For purposes of this section a wind power generation facility includes, but is not limited to, the following system components: all wind turbine towers and concrete pads, permanent meteorological towers and wind measurement devices, electrical cable collection systems connecting wind turbine towers with the relevant power substation, new or expanded private roads (whether temporary or permanent) constructed to serve the wind power generation facility, office and operation and maintenance buildings, temporary lay-down areas and all other necessary appurtenances.

a. For high-value farmland soils described in ORS 195.300(10), it must be found that all of the following are satisfied:

(1) Reasonable alternatives have been considered to show that siting the wind power generation facility or component thereof on high-value farmland soils is necessary for the facility or component to function properly or if a road system or turbine string must be placed on such soils to achieve a reasonably direct route considering the following factors:

(a) Technical and engineering feasibility;

(b) Availability of existing rights of way; and

(c) The long term environmental, economic, social and energy consequences of siting the facility or component on alternative sites, as determined under paragraph (2) of this subsection.

(2) The long-term environmental, economic, social and energy consequences resulting from the wind power generation facility or any components thereof at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located on other agricultural lands that do not include high-value farmland soils.

P2010-0089 (77 of 348)

(3) Costs associated with any of the factors listed in paragraph (1) of this subsection may be considered, but costs alone may not be the only consideration in determining that siting any component of a wind power generation facility on high-value farmland soils is necessary.

(4) The owner of a wind power generation facility approved under Section (a) above shall be responsible for restoring, as nearly as possible, to its former condition any agricultural land and associated improvements that are damaged or otherwise disturbed by the siting, maintenance, repair or reconstruction of the facility. Nothing in this subsection shall prevent the owner of the facility from requiring a bond or other security from a contractor or otherwise imposing on a contractor the responsibility for restoration.

(5) The criteria in Section (b), below are satisfied.

b. For arable lands, meaning lands that are cultivated or suitable for cultivation, including high-value farmland soils described in ORS 195.300(10), it must be found that:

(1) The proposed wind power facility will not create unnecessary negative impacts on agricultural operations conducted on the subject property. Negative impacts could include, but are not limited to, the unnecessary construction of roads, dividing a field or multiple fields in such a way that creates small or isolated pieces of property that are more difficult to farm, and placing wind farm components such as meteorological towers on lands in a manner that could disrupt common and accepted farming practices; and

(2) The presence of a proposed wind power facility will not result in unnecessary soil erosion or loss that could limit agricultural productivity on the subject property. This provision may be satisfied by the submittal and county approval of a soil and erosion control plan prepared by an adequately qualified individual, showing how unnecessary soil erosion will be avoided or remedied and how topsoil will be stripped, stockpiled and clearly marked. The approved plan shall be attached to the decision as a condition of approval; and

(3) Construction or maintenance activities will not result in unnecessary soil compaction that reduces the productivity of soil for crop production. This provision may be satisfied by the submittal and county approval of a plan prepared by an adequately qualified individual, showing how unnecessary soil compaction will be avoided or remedied in a timely manner through deep soil decompaction or other appropriate practices. The approved plan shall be attached to the decision as a condition of approval; and

(4) Construction or maintenance activities will not result in the unabated introduction or spread of noxious weeds and other undesirable weeds

P2010-0089 (789348)

species. This provision may be satisfied by the submittal and county approval of a weed control plan prepared by an adequately qualified individual that includes a long-term maintenance agreement. The approved plan shall be attached to the decision as a condition of approval.

c. For nonarable lands, meaning lands that are not suitable for cultivation, it must be found that the requirements of Subsection (b)(4) above are satisfied.

d. In the event that a wind power generation facility is proposed on a combination of arable and nonarable lands as described in Sections (b) and (c) above, the approval criteria of Section (b) shall apply to the entire project.

A2010-0089 (79 of 348)

SECTION 3.220 "F-F" FOREST-FARM

A. Purpose: The purpose of the Forest-Farm zone is to permit those lands which have not been in commercial agriculture or timber production to be used for small scale, part-time farm or forest units by allowing residential dwellings in conjunction with a farm use while preserving open space and other forest uses.

Buildings or structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "F-F" Forest-Farm zone shall comply with the following regulations.

B. Permitted Uses: In the "F-F" Forest-Farm zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance and Chapter 10 – Fire Safety Standards:

1. Farm use, as defined in ORS 215.203(2).

2. One single-family dwelling and other buildings and accessory uses provided in conjunction with a forest or farm use, including mobile home subject to Section 4.160 provided the following are met: (Revised 1-92)

   a. The parcel is currently employed in a farm or forest use and there are no other dwellings located on the subject lot-of-record. (Added 1-92)

   b. The parcel is currently enrolled in a farm or forest use tax deferral program by the Wasco County Assessor. (Added 1-92)

3. Propagation or harvesting of a forest product.

4. Utility facilities necessary for public service.

5. Public and private conservation areas and structures for the retention of water, soil, open space, forest or wildlife resources.

6. The rehabilitation, replacements, minor betterment, repair and improvements and other similar construction activities, not considered to have land use impacts, in public parks, playgrounds and recreational areas.

7. Subdivisions.

8. Planned Unit Developments (PUD).

9. Energy facilities subject to the provisions of Chapter 19.

10. Agricultural Produce Stand (subject to Chapter 20). (Revised 1-92)

P2010-0089 (80 of 348)

11. The breeding, boarding and training of horses for profit. (added 2-89)

12. Climbing and passing lanes within the right-of-way existing as of July 1, 1987. (added 2-89)

13. Reconstruction or modification of public roads and highways, not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result. (added 2-89)

14. Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed. (added 2-89)

15. Minor betterment of existing public roads and highway related facilities such as maintenance yards, weigh stations and rest areas, within right of way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways. (added 2-89)

C. Uses Permitted Conditionally: In the "F-F" Forest-Farm zone, the following uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5, Chapter 10 – Fire Safety Standards, and this Section:

1. Additional single-family dwellings, including mobile homes, in conjunction with a commercial farm or forest use subject to income requirements in Section 3.210 D.2. or D.3. (amended 6-98).

2. A single-family dwelling, including mobile home, not provided in conjunction with a forest or farm use.

3. Commercial activities that are in conjunction with farm use.

4. Exploration mining and processing of aggregate and other mineral resources or other subsurface resources.

5. Private parks, playgrounds, hunting and fishing preserves and campgrounds.

6. Parks, playgrounds, or community centers owned and operated by a governmental agency or a non-profit community organization.

7. Home occupations, subject to chapter 20.

8. Energy facilities and commercial energy facilities subject to the provisions of Chapter 19.

P2010-0089 (818-348)

9. Personal-use airports for airplanes and helicopter pads, including associate hangar, maintenance and service facilities.

10. Public or private schools.

11. Churches.

12. The propagation, cultivation, maintenance and harvest of aquatic species. (added 2-89)

13. Solid waste disposal site as provided in ORS 215.283(2)(j).

14. Sanitary landfill.

15. Facilities to manufacture alcohol from farm or timber waste.

16. Kennels.

17. Construction of additional passing and travel lanes requiring the acquisition of right of way but not resulting in the creation of new land parcels. (added 2-89)

18. Reconstruction or modification of public roads and highways involving the removal or displacement of buildings but not resulting in the creation of new land parcels. (added 2-89)

19. Improvement of public roads and highway related facilities, such as maintenance yards, weigh stations and rest areas, where additional property or right of way is required, but not resulting in the creation of new land parcels. (added 2-89)

D. Property Development Standards

1. Property Size - The minimum property size is ten (10) acres with a 330 foot minimum average lot width.

2. Lot Coverage - No more than ten percent (10%) of any lot or parcel may be occupied by non-farm or forest dwellings and their accessory buildings allowed by this section. (added 2-89)

3. Setbacks - In the "F-F (10)" zone no structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road (front yard), twenty-five (25) feet from side yard property lines and forty (40) feet from the rear yard property line.

4. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

5. Height - Maximum height for all structures shall be thirty-five (35) feet.

6. Stream Setbacks - All structures, or similar permanent fixtures (except hydroelectric facilities) shall be set back from the high water line or mark along all streams or lakes a minimum distance of one hundred (100) feet when measured horizontally at a right angle.

7. Floodplain: Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

8. Signs - Signs shall not extend over a public right-of-way or project beyond the property line.

   a. Signs shall not be illuminated or capable of movement.

   b. Signs shall be limited to twelve (12) square feet in area and shall describe only uses permitted and conducted on the property which the sign is located.

   c. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of a public road.

9. Parking - Off street parking shall be provided in accordance with Chapter 20.

10. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways and the Columbia River. (Added 5-93)

P2010-0089 (83 of 348)

SECTION 3.230 "A-R" AGRICULTURAL-RECREATIONAL ZONE

A. Purpose

The purpose of the "A-R" Agricultural-Recreational zone is to provide areas for outdoor recreation and to allow controlled growth to continue in existing rural communities and rural exception areas. Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "A-R" Agricultural-Recreational zone shall comply with the following regulations:

B. Permitted Uses

In the "A-R" Agricultural-Recreational zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance and Chapter 10 – Fire Safety Standards:

RESIDENTIAL USE

1. One single-family dwelling on any legally created parcel, including mobile homes at least eighteen (18) feet wide, subject to Section 4.160, provided proper sanitation approval is obtained.

2. Accessory structures customarily provided in conjunction with the primary use.

3. Guest house subject to standards in Section 4.170.

4. Mobile home parks in accordance with Chapter 16 with a density that meets or exceeds the minimum lot size for the zone, and that is demonstrated not to require service by a new community sewer or extension of an existing sewer system from within an urban growth boundary or from within an unincorporated community.

RECREATIONAL & COMMERICAL USE

5. Parks, recreation areas, and facilities preserves and community or neighborhood centers in accordance with Chapter 20, Site Plan Review.

6. Recreational vehicles provided such vehicles are not attached to the land and proper sanitation is maintained.

7. Recreational vehicle parks in accordance with Chapter 17, with a density that meets or exceeds the minimum lot size for the zone, and that is demonstrated not to require service by a new community sewer or extension of an existing sewer system from within an urban growth boundary or from within an unincorporated community.

8. Youth/family camp demonstrated not to require service by a new community sewer or extension of an existing sewer system from within an urban growth boundary or from within an unincorporated community. (Added 9/97).

P2010-0089 (84 of 348)

9. Dude ranches and hunting and fishing lodges, including overnight facilities in accordance with Chapter 20, Site Plan Review and demonstrated not to require service by a new community sewer or extension of an existing sewer system from within an urban growth boundary or from within an unincorporated community.

10. Any new commercial service, or retail use, permissible in this zone that will be located entirely within an existing, lawfully erected commercial building or structure. (Consistent with Chapter 4)

PUBLIC FACILITY USE

11. Water supply and treatment facility.

12. Sewage disposal and treatment facility.

FARM & FOREST USE

13. Farm use, provided animals and fowl are properly caged or housed and proper sanitation is maintained.

14. Forest uses, including the propagation and harvesting of forest products.

15. Agricultural Produce Stand in accordance with Chapter 20, Site Plan Review. (Revised 1-92)

MISCELLANEOUS USE

16. Subdivisions.

C. Uses Permitted Conditionally

In the "A-R" Agricultural-Recreational zone, the following uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 – Conditional Use Review, Chapter 10 – Fire Safety Standards and this section:

RECREATIONAL & COMMERCIAL USE

1. Small scale low impact retail commercial uses provided the following conditions are met:

   a. the use is in conjunction with the development of a, Subdivision, Mobile Home Park or Recreational Vehicle Park,

   b. the use is designed to serve the residents and their guests of the development, and

B20-0089 (85 of 348)

c. the Approving Authority may require that the applicant submit a market analysis demonstrating the need for the proposed commercial development.

2. Home Occupations, subject to Chapter 20. (added 2-89)

3. Bed and breakfast inns. (added 2-89)

4. Golf courses (except commercial driving ranges, miniature courses or similar courses operated as a business).

5. Airports.

6. Auditoriums, outdoor stages and entertainment areas.

   a. the use is in conjunction with the development of a, Subdivision, Mobile Home Park or Recreational Vehicle Park,

   b. the use is designed to serve the residents and their guests of the development, and

   c. the Approving Authority may require that the applicant submit a market analysis demonstrating the need for the proposed commercial development.

MISCELLANEOUS USE

7. Energy facilities and commercial energy facilities subject to the provisions of Chapter 19.

8. Utility facilities necessary for public service.

9. Exploration, mining and processing of aggregate and other mineral resources or other subsurface resources.

D. Property Development Standards

1. Property Size - Minimum parcel size for residential lots in the AR zone inside an unincorporated community boundary is 2 acres with a minimum lot width of 150 feet. Other uses shall be located on parcels determined to be sufficient to support the proposed use based on the amount of area required for proper sanitation, off-street parking, maintenance of setbacks and compatibility with adjacent uses.

2. Structure Size – A size limitation is applicable to all small scale low impact commercial uses. The total cumulative floor area of a commercial structure or structures, built to accommodate or support any of the commercial uses listed in the AR zone, shall not exceed 3,500 square feet in an exception area zoned AR

P2010-0089 (86 of 348)

3. Setbacks

   a. Front Yard - No structure other than a fence or retaining wall less than forty-eight (48) inches, or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road except where forty percent (40%) of the frontage is developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such depth shall establish the front yard depth of the entire frontage.

   b. Side Yard - No structure other than a fence or retaining wall less than forty-eight (48) inches shall be located closer than seven (7) feet from side property lines for interior lots and ten (10) feet from exterior side property lines for corner building sites.

   c. Rear Yard -

      (1) For properties not located along the reservoir edge at Pine Hollow or Rock Creek reservoirs - No structure other than a fence or retaining wall less than forty-eight (48) inches shall be located closer than seven (7) feet from the rear property line

      (2) For properties located along the reservoir edge at Pine Hollow or Rock Creek reservoirs - No structure other than a retaining wall less than forty-eight (48) inches shall be located closer than twenty (25) feet from the rear yard property line.

4. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

5. Height - Maximum height for all structures shall be thirty-five (35) feet. Height is measured from average grade.

6. Stream or Lake Setbacks -

   a. Pine Hollow and Rock Creek Reservoirs are both subject to the Environmental Protection District (EPD) provisions of EPD-6.

   b. All structures, or similar permanent fixtures (except hydroelectric facilities and docks), proposed in areas not mapped in the EPD-6, shall be set back from the high water line or mark along any streams or lakes a minimum distance of fifty (50) feet when measured horizontally at a right angle.

7. Floodplain: Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

P2010-0089 (87 of 348)

8. Signs - Signs shall not extend over a public right-of-way or project beyond the property line.

   a. Signs shall not be illuminated or capable of movement.

   b. Signs shall be limited to twelve (12) square feet in area and shall describe only uses permitted and conducted on the property which the sign is located.

   c. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.

9. Parking - Off street parking shall be provided in accordance with Chapter 20.

10. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways and waterways. The exterior of shielding and hooding materials shall be composed of non reflective, opaque materials.

11. New Driveways: All new driveways which access a public road shall obtain a Road Approach Permit from the Wasco County Public Works Department.

P2010-0089 (88 DD 348)

SECTION 3.240 "RR" RURAL RESIDENTIAL

A. Purpose: To provide for low density residential and agricultural uses in a rural atmosphere which will not conflict with commercial agricultural operations.

Buildings or structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "RR" Rural Residential zone shall comply with the following provisions:

B. Permitted Uses: In the "RR" Rural Residential zone the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance and Chapter 10 – Fire Safety Standards:

1. One single-family dwelling on any legally created parcel including mobile homes at least eighteen (18) feet wide subject to Section 4.160, provided proper sanitation approval is obtained.

2. Buildings accessory to a single-family dwelling such as garages, store-rooms, woodsheds, laundry room, playhouse, greenhouse, hobby shop, animal or fowl shelter or similar and related accessory uses.

3. Farm uses, provided animals and fowl are properly caged or housed and proper sanitation is maintained.

4. Forest uses, including the propagation and harvesting of forest products.

5. Agricultural Produce Stands in accordance with Chapter 20, Site Plan Review. (Revised 1-92)

6. Home occupation, subject to chapter 20.

7. Cemetery.

8. Planned Unit Developments in accordance with Chapter 18.

9. Subdivisions in accordance with Chapter 21.

10. Energy facilities subject to the provisions of Chapter 19.

11. Guest house subject to standards in Section 4.170.

C. Uses Permitted Conditionally: In the "RR" Rural Residential zone, the following uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 – Conditional Use Review, Chapter 10 – Fire Safety Standards and this section:

P2010-0089 (89 of 348)

1. Public and semi-public buildings, structures and uses essential to the physical, social and economic welfare of an area, including but not limited to: fire stations, schools, granges, community halls, churches and libraries.

2. Private schools or day nursery centers.

3. Parks, playgrounds and recreation areas and community or neighborhood centers.

4. Golf courses (except commercial driving ranges, miniature golf courses or similar course operated as a business), country club, swimming club or tennis club.

5. Temporary tract office for the sale of lots in subdivision or Planned Development in which the office is located.

6. Personal-use airports for airplanes and helicopter pads, including seasonal hangars, maintenance and service facilities, where approach zones will not constitute hazards to adjoining residential properties.

7. Mobile home parks.

8. Recreational vehicle parks.

9. Exploration mining and processing of aggregate and other mineral resources or other subsurface resources.

10. Kennels.

11. Energy facilities and commercial energy facilities subject to the provisions of Chapter 19.

12. Bed and breakfast inns. (added 2-89)

13. Dude ranches. (added 2-89)

D. Property Development Standards

1. Property Size - The minimum property size for new parcels is five (5) acres with a three hundred (300) foot minimum average lot width.

2. Setbacks

   a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road.

   b. Side Yard - No structure other than a fence shall be located closer than fifteen (15) feet from side property lines for interior lots and twenty (20) feet from exterior side property lines of corner building sites.

PZ010-0089 (90 of 348)

c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property line.

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

4. Height - Maximum height for structures shall be thirty-five (35) feet. Height is measured from average grade.

5. Stream Setbacks - All structures, or similar permanent fixtures (except hydroelectric facilities) shall be setback from the high water line or mark along all streams or lakes a minimum distance of fifty (50) feet when measured horizontally at a right angle.

6. Floodplain – Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

7. Signs - Signs shall not extend over a public right-of-way or project beyond the property line.

   a. Signs shall not be illuminated or capable of movement.

   b. Signs shall be limited to twelve (12) square feet in area and shall describe only uses permitted and conducted on the property which the sign is located.

   c. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.

8. Parking - Off street parking shall be provided in accordance with Chapter 20.

9. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways and waterways. The exterior of shielding and hooding materials shall be composed of nonreflective, opaque materials.

10. New Driveways – All new driveways which access a public road shall obtain a Road Approach Permit from the Wasco County Public Works Department.

SECTION 3.250 "R-R(10)" RURAL RESIDENTIAL

A. Purpose: The purpose of the Rural Residential (10) zone is to provide for low density residential and small scale, part time agricultural and forest uses in a rural atmosphere which will not conflict with commercial agricultural operations, while preserving open space and other forest uses.

Buildings or structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "R-R(10)" Rural Residential zone shall comply with the following regulations.

B. Permitted Uses: In the "R-R(10)" Rural Residential zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance and Chapter 10 – Fire Safety Standards:

1. One single-family dwelling and other buildings and accessory uses subject to the request meeting standards pursuant to subsections (D) and (E) of this section.

2. Farm use, as defined in ORS 215.203(2).

3. Propagation or harvesting of a forest product.

4. Utility facilities necessary for public service.

5. Public and private conservation areas and structures for the retention of water, soil, open space, forest or wildlife resources.

6. The rehabilitation, replacements, minor betterment, repair and improvements and other similar construction activities, not considered to have land use impacts, in public parks, playgrounds and recreational areas.

7. Subdivisions.

8. Energy facilities subject to the provisions of Chapter 19.

9. Agricultural Produce Stand (subject to Chapter 20).

10. The breeding, boarding and training of horses for profit.

11. Climbing and passing lanes within the right-of-way existing as of July 1, 1987.

12. Reconstruction or modification of public roads and highways, not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result.

P2010-0089 (92 of 348)

13. Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed.

14. Minor betterment of existing public roads and highway related facilities such as maintenance yards, weigh stations and rest areas, within right of way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways.

15. Guest house subject to standards in Section 4.170.

C. Uses Permitted Conditionally: In the "R-R(10)" Rural Residential zone, the following uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 – Conditional Use Review, Chapter 10 – Fire Safety Standards and this Section:

1. Commercial activities that are in conjunction with farm use as defined in ORS 215.203(2).

2. Exploration mining and processing of aggregate and other mineral resources or other subsurface resources.

3. Private parks, playgrounds, hunting and fishing preserves and campgrounds.

4. Parks, playgrounds, or community centers owned and operated by a governmental agency or a non-profit community organization.

5. Home occupations, subject to Chapter 20.

6. Energy facilities and commercial energy facilities subject to the provisions of Chapter 19.

7. Personal-use airports for airplanes and helicopter pads, including associate hangar, maintenance and service facilities.

8. Public or private schools.

9. Churches.

10. The propagation, cultivation, maintenance and harvest of aquatic species.

11. Facilities to manufacture alcohol from farm or timber waste.

12. Kennels.

13. Construction of additional passing and travel lanes requiring the acquisition of right of way but not resulting in the creation of new land parcels.

P2010-0089 (93 & 348)

14. Reconstruction or modification of public roads and highways involving the removal or displacement of buildings but not resulting in the creation of new land parcels.

15. Improvement of public roads and highway related facilities, such as maintenance yards, weigh stations and rest areas, where additional property or right of way is required, but not resulting in the creation of new land parcels.

D. Standards for Establishment of a Dwelling and Accessory Structures

1. Scenic Development Standards including:

   a. Dwellings should be sited and landscaped to blend with their surroundings.

   b. House and roof colors that are non-reflective, preferably earth tone colors, that blend with surrounding vegetation or landscape, should be used on all exterior surfaces.

   c. Existing vegetation shall normally be retained as much as possible and employed for landscaping and screening.

   d. Existing landforms will be preserved and utilized for screening where applicable.

   e. Access and roads shall be designed and located to fit the natural topography with minimum grading and minimal modifications of existing landforms. Crests and ridges are to be avoided where possible. Cuts and fills shall be rounded and reseeded with natural vegetation.

   f. All buildings and structures shall be set back at least fifty (50) feet from all bluff lines and cliffs.

   g. Fences should be constructed of non-reflective materials and/or painted with non-reflective colors. Placement and alignment should be done to minimize their visibility.

2. In areas of parcels characterized by a predominance of oak or oak woodlands, native vegetation shall be retained to the greatest extent possible.

   **Referenced publication is "Wildlife on White Oak Woodland", a Woodland Fish and Wildlife Project Publication available from the Wasco County Planning Office and ODFW in The Dalles.*

   (Washington Department of Fish and Wildlife has a draft report with additional quantifiable standards for accomplishing the above management goals. The recommendations are as of yet strictly draft recommendations and not to be cited as this time. Staff can follow up with ODFW to confirm if and when their recommendations become final and work with ODFW to verify their applicability to

P2010-0089 (94 of 348)

sites in the TLSA. In the meantime Oly Helgerson, OSU Extension Agent operating out of Stevenson, Washington will be able to provide guidance to individuals wishing to manage their oak woodlands.)

E. Property Development Standards

1. Property Size - The minimum property size is ten (10) acres with a 330 foot minimum average lot width.

2. Lot Coverage - No more than ten percent (10%) of any lot or parcel may be occupied by non-farm or forest dwellings and their accessory buildings allowed by this section.

3. Setbacks - In the "R-R (10)" zone no structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road (front yard), twenty-five (25) feet from side yard property lines and forty (40) feet from the rear yard property line.

4. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

5. Height - Maximum height for all structures shall be thirty-five (35) feet. Height is measured from average grade.

6. Stream Setbacks - All structures, or similar permanent fixtures (except hydroelectric facilities) shall be set back from the high water line or mark along all streams or lakes a minimum distance of one hundred (100) feet when measured horizontally at a right angle.

7. Floodplain – Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

8. Signs - Signs shall not extend over a public right-of-way or project beyond the property line.

   a. Signs shall not be illuminated or capable of movement.

   b. Signs shall be limited to twelve (12) square feet in area and shall describe only uses permitted and conducted on the property which the sign is located.

   c. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of a public road.

9. Parking - Off street parking shall be provided in accordance with Chapter 20.

B200-0089 (958348)

10. Road Disclosure Acknowledgement: Prior to the issuance of required permits for development, disclosure of the type of road which accesses the development shall be made known to the applicant/owner. If the road is determined to be a public road of local access and which does not meet county road access standards, the applicant shall sign a road Disclosure Acknowledgement which will be recorded in the deed records of Wasco County and which sets forth the following:

    a. A statement that the property is served by a sub-standard road which does not meet the standards for safe access for emergency vehicles.

    b. A statement that the property owner/applicant is aware of the type and extent of hazards present associated with the development of the subject property; and

    c. A statement acknowledging that the property owner assumes all risk associated with the development of the subject property.

11. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways and waterways. The exterior of shielding and hooding materials shall be composed of nonreflective, opaque materials.

12. New Driveways – All new driveways which access a public road shall obtain a Road Approach Permit from the Wasco County Public Works Department.

SECTION 3.310 "RR-2" RURAL RESIDENTIAL 2 ACRE ZONE

A. Purpose: The purpose of the "RR-2" Rural Residential 2 acre zone is to provide for single-family residential use plus related compatible uses such as schools and parks. This zone is designed for those areas outside an Urban Growth Boundary or acknowledged Unincorporated Community Boundary, subject to a resource land goal exception prior to November 4, 2000, and not necessarily served by a public water or public sewer system. Buildings or structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "RR-2" Rural Residential 2 acre zone shall comply with the following regulations.

B. Permitted Uses: In the "RR-2" Rural Residential zone the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance and Chapter 10 – Fire Safety Standards:

1. One single-family dwelling on any legally created parcel including mobile homes at least eighteen (18) feet wide subject to Section 4.160, provided proper sanitation approval is obtained.

2. Buildings accessory to a single-family dwelling such as garages, store-rooms, woodsheds, laundry room, playhouse, greenhouse, hobby shop, animal or fowl shelter or similar and related accessory uses.

3. Farm uses, provided animals and fowl are properly caged or housed and proper sanitation is maintained.

4. Forest uses, including the propagation and harvesting of forest products.

5. Agricultural Produce Stands in accordance with Chapter 20, Site Plan Review.

6. Home occupation, subject to chapter 20.

7. Cemetery.

8. Subdivisions in accordance with Chapter 21.

9. Guest house subject to standards in Section 4.170.

C. Uses Permitted Conditionally: In the "R-2" Rural Residential zone, the following uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5, Chapter 10 – Fire Safety Standards, and this section:

P2010-0089 (97 & 348)

1. Public and semi-public buildings, structures and uses essential to the physical, social and economic welfare of an area, including but not limited to: fire stations, schools, granges, community halls, churches and libraries.

2. Private schools or day nursery centers.

3. Parks, playgrounds and recreation areas and community or neighborhood centers.

4. Golf courses (except commercial driving ranges, miniature golf courses or similar course operated as a business), country club, swimming club or tennis club.

5. Temporary tract office for the sale of lots in subdivision in which the office is located.

6. Utility Facility necessary for public service.

7. Bed and breakfast inns.

8. Dude ranches and hunting and fishing lodges, including overnight facilities in accordance with Chapter 20, Site Plan Review and demonstrated not to require service by a new community sewer or extension of an existing sewer system from within an urban growth boundary or from within an unincorporated community.

D. Property Development Standards

1. Property Size - The minimum property size is two (2) acres with a one hundred twenty five (125) foot average lot width.

2. Setbacks:

   a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road except where forty (40) percent of the frontage is developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such depth shall establish the front yard depth of the entire frontage.

   b. Side Yard - No structure other than a fence shall be located closer than fifteen (15) feet from side property lines for interior lots and twenty (20) feet from exterior side property lines for corner building sites.

   c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property line.

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

P2010-0089 (988-348)

4. Height - Maximum height for all dwellings shall be thirty-five (35) feet. Height is measured from average grade. Detached accessory structures shall not exceed a maximum height of eighteen (18) feet. (Added 1-92)
5. Stream Setbacks - All structures or similar permanent fixtures shall be setback from the high water line or mark along all streams or lakes a minimum distance of fifty (50) feet when measured horizontally at a right angle.

6. Floodplain – Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

7. Signs - Signs shall not extend over a public right-of-way or project beyond the property line.

   a. Signs shall not be illuminated or capable of movement.

   b. Signs shall be limited to twelve (12) square feet in area and shall describe only uses permitted and conducted on the property which the sign is located.

   c. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.

8. Parking - Off street parking shall be provided in accordance with Chapter 20.

9. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways and waterways. The exterior of shielding and hooding materials shall be composed of nonreflective, opaque materials.

10. New Driveways – All new driveways which access a public road shall obtain a Road Approach Permit from the Wasco County Public Works Department.

P2010-0089 (99 of 348)

SECTION 3.410 "RC" Rural Commercial

A. Purpose: The "RC" Rural Commercial Zone is intended to provide for a wide variety of commercial housing and related activities. This designation is designed for application in exception areas outside Urban Growth Boundaries of incorporated cities and community boundaries of acknowledged unincorporated communities. Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "RC" Rural Commercial Zone shall make application for a site plan review, and comply with the following regulations.

B. Permitted Uses: In the "RC" Rural Commercial Zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance and Chapter 10 – Fire Safety Standards:

Any new commercial service, or retail use, listed in section C of this zone that will be located entirely within an existing, lawfully erected commercial building or structure, demonstrating compliance with off-street and public parking and loading area requirements in Chapter 4.

C. Uses Permitted Subject Site Plan Review: In the "RC" Rural Commercial Zone The following small scale low impact commercial uses or any combination of these uses and their accessory uses are permitted in a building or buildings not exceeding 3,500 sq. ft. of floor space when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 10 – Fire Safety Standards, Chapter 20 - Site Plan Review, and this Chapter:

1. Retail or service business.
2. Eating or drinking establishment.
3. Offices.
4. Veterinary clinic and kennel entirely within an enclosed building.
5. Studio.
6. Public garage, including usual automobile repairs and servicing enclosed within the building that, when within fifty (50) feet of an "A-1" or "R" zone, there shall be no openings in the building walls facing the boundaries of an "A-1" or "R" zone other than stationary windows, except where such building walls abut streets or alleys.
7. Residential use in the same building as an allowed use.

D. Uses Permitted Conditionally: In the "RC" Rural Commercial Zone, the following small scale low impact commercial uses or any combination of these uses and activities and

P2010-0089 (100 02 348)

their accessory building or buildings, not exceeding cumulative floor area of 3,500 square feet, are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5, Chapter 10 – Fire Safety Standards, and this section:

1. Automobile service stations.

2. Wind energy conversion system subject to the provisions of Chapter 19 (Standards for Energy Facilities).

3. Utility facilities necessary for public service, except landfill.

4. Recreational Vehicle Park.

5. Church.

6. Place of public assembly, stadium, auditorium, recreation building or natatorium.

7. Public or semi public buildings.

8. Commercial amusement establishments when enclosed in a building (stadium, theatre, bowling alley, theatre).

9. Public or private school.

10. Child care center.

11. Parks, athletic fields, playgrounds or community centers owned by a governmental or non profit agency or community organization.

12. Medical center.

13. Water supply or treatment facility.

D. Property Development Standards

1. Property Size - The minimum property size for development shall be determined based on the amount of area required for proper sanitation, off-street parking, maintenance of setbacks and compatibility with adjacent uses.

2. Setbacks:

   a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road except where forty percent (40%) of the frontage is developed with buildings having front yards with

P2010-0089 (10198348)

a variation of ten (10) feet in depth shall establish the front yard depth of the entire frontage.

b. Side Yard - Where the side of a lot or parcel in a "C-1" zone abuts the side of an "A-1" or an "R" zone, there shall be a side yard of not less than seven (7) feet. In all cases, on a corner lot or parcel, there shall be a side yard setback of ten (10) feet from exterior side property lines for corner building sites. In other cases, a side yard for commercial buildings shall not be required.

c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property line.

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

4. Height - Maximum height for all structures shall be thirty-five (35) feet. Height is measured from average grade.

5. Stream Setbacks - All structures or similar permanent fixtures shall be set back from the high water line or mark along all streams or lakes a minimum distance of fifty (50) feet when measured horizontally at a right angle.

6. Floodplain – Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

7. Signs - Except as is necessary for traffic safety, the following sign regulations shall apply to all uses:

a. Signs shall be limited to business identification and or goods and services manufactured and or sold on the premises.

b. No sign shall project above the building.

c. Signs are permitted in a ratio of one square foot of sign area to each linear foot of store frontage and shall be placed flat against the walls of the buildings with the exception of athletic field scoreboards which shall be the minimum size necessary for the intended purpose.

d. Signs shall not be placed upon walls or surfaces abutting an "A-1" or an "R" zone.

e. Separate directional signs not to exceed an area of sixteen (16) square feet are permitted on property of an Automobile Service Station or public parking area, but must not project beyond the property line of such establishment.

P2010-0089 (102 of 348)

f. Flashing, digital, electronic, and LED (light emitting diode) signs shall be prohibited except as is necessary for athletic scoreboards.

g. Signs capable of movement shall be prohibited.

h. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.

8. Parking - Off-street parking shall be provided in accordance with Chapter 20.

9. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways and waterways. The exterior of shielding and hooding materials shall be composed of nonreflective opaque materials.

10. New Driveways – All new driveways which access a public road shall obtain a Road Approach Permit from the Wasco County Public Works Department.

#2010-0089 (103 of 348)

SECTION 3.510 "RI" RURAL INDUSTRIAL ZONE

A. Purpose: The "RI" Rural Industrial Zone is intended to create, preserve, and enhance areas containing secondary manufacturing and related establishments and intense commercial uses with limited external impact. This designation is designed for application in exception areas outside Urban Growth Boundaries of incorporated cities and community boundaries of acknowledged unincorporated communities

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "RI" Rural Industrial Zone shall make application for a site plan review and comply with the following regulations.

B. Permitted Uses: In the "RI" Rural Industrial Zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance:

Any new industrial use listed in C of this zone, that will be located entirely within an existing, lawfully erected commercial or industrial building or structure demonstrating compliance with off-street and public parking and loading area requirements in Chapter 4.

C. Uses Permitted Subject to Site Plan Review: In the "RI" zone, the following small scale low impact industrial uses and activities and their accessory buildings and uses are permitted in a building or buildings not exceeding 35,000 sq. ft. of floor space when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 10 – Fire Safety Standards, Chapter 20 (Site Plan Review) and this Chapter:

1. Light manufacturing, compounding or assembly, reprocessing, recycling, fabricating or packaging of products from previously prepared materials such as cloth, plastic, paper, glass, leather, metal, stone, canvas, bone, cellophane, cork, feather, fiber, shell, wax, wire, wood yards, and paint not employing a boiling process.

2. Assembly, rebuilding, repair and maintenance of motor vehicles, including painting and upholstery.

3. Wood products manufacture but excluding paper and pulp manufacture and planing and lumber mill.

4. Retail or combination retail wholesale lumber and building materials yard, not including concrete mix.

5. Building, building maintenance, plumbing, electrical, heating, roofing, glass, landscaping, painting or similar contractor's offices and equipment storage yard, or storage and rental of equipment commonly used by contractors.

P2010-0089 (104 of 348)

6. Welding, sheet metal or machine shop provided such use is wholly enclosed within a building.

7. Transfer company and trucking companies.

8. Laundry and cleaning service industries.

9. Circus, rodeo or like activity.

10. Similar manufacturing, repairing, fabricating, processing, parking or storage uses not listed above.

11. Feed and seed store conducted wholly within a completely enclosed building except that package material may be stored in an enclosed outside yard.

12. Energy facilities and commercial energy facilities subject to the provisions of Chapter 19 (Standards for Energy Facilities).

13. One mobile home for watchman's quarters in conjunction with a permitted or conditional use.

D. Uses Permitted Conditionally: In the "RI" Rural Industrial zone, the following small scale low impact rural commercial and industrial uses and activities and their accessory buildings and uses may be permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 (Conditional Use Review), the applicable limit on commercial (3,500 square feet) or industrial (35,000 square feet) floor area, Chapter 10 – Fire Safety Standards, and this section:

1. Any use permitted subject to site plan review or conditionally in the Rural Commercial zone.

2. Primary or value added processing and/or sale of raw material produced in the rural vicinity of the proposal (NOTE: this type of activity is exempt from any small scale low impact commercial or industrial size limitation but may be subject to conditions imposed through the Conditional Use Review).

3. Junk yard or automotive wrecking yard, enclosed in a view obscuring fence or wall.

4. Recreation areas and facilities, including but not limited to: golf courses.

5. Bulk storage of petroleum or gas.

6. Operations conducted for the exploration, mining and processing of aggregate and other minerals as subsurface resources.

P2010-0089 (105 of 348)

7. Concrete batching plants and the manufacture and sale of concrete products.

8. Campground as defined by OAR 660-033-0130

D. Property Development Standards

1. Property Size - The minimum property size shall be determined based on the amount of area required for proper sanitation, off-street parking, loading, maintenance of setbacks and compatibility with adjacent uses.

2. Setbacks

   a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road except where forty percent (40%) of the frontage is developed with buildings having front yards with a variation of ten (10) feet in depth shall establish the front yard depth of the entire frontage.

   b. Side Yards - Where the side or rear of a lot or parcel in an "M-1" zone abuts the an residential zone, there shall be a side or rear yard of not less than fifty (50) feet. In all cases, on a corner lot or parcel, there shall be a side yard setback of at least ten (10) feet from exterior side property lines for corner building sites. Where the side of a lot or parcel in the "RI" zone abuts the side of an "A-1" zone, there shall be a side or rear lot setback of 100 feet from the common property line. In other cases, a side yard shall not be required.

   c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property line unless a greater setback is required next to an adjoining agricultural or residential zone in 2.b. above.

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

4. Height - Maximum height for all structures shall be forty-five (45) feet. Height is measured from average grade.

5. Stream Setback - All structures, or similar permanent fixtures (except hydroelectric facilities) shall be set back from the high water line or mark along all streams or lakes a minimum distance of fifty (50) feet when measured horizontally at a right angle. Exception may be granted upon a demonstration that the proposed use will not have an adverse effect on streams or lakes.

6. Floodplain – Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area

where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

7. Signs - Except as is necessary for traffic safety, the following sign regulations shall apply to all uses:

   a. Signs shall be limited to business identification and or goods and services manufactured and or sold on the premises.

   b. No sign shall project above the building.

   c. Signs are permitted in a ratio of one square foot of sign area to each linear foot of store frontage and shall be placed flat against the walls of the buildings with the exception of athletic field scoreboards which shall be the minimum size necessary for the intended purpose.

   d. Signs shall not be placed upon walls or surfaces abutting an "A-1" or an "R" zone.

   e. Separate directional signs not to exceed an area of sixteen (16) square feet are permitted on property of an Automobile Service Station or public parking area, but must not project beyond the property line of such establishment.

   f. Flashing, digital, electronic, and LED (light emitting diode) signs shall be prohibited except as is necessary for athletic scoreboards.

   g. Signs capable of movement shall be prohibited.

   h. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.

8. Parking - Off street parking shall be provided in accordance with Chapter 20.

9. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways waterways. The exterior of shielding and hooding materials shall be composed of non reflective opaque materials.

10. New Driveways – All new driveways which access a County road shall obtain a Road Approach Permit from the Wasco County Public Works Department.

11. Outdoor Storage – Outdoor storage must be enclosed by a sight obscuring fence, wall, or landscaping; all of which shall be maintained.

P2010-0089 (107 of 348)

SECTION 3.601 "RC-TV-R" TYGH VALLEY RESIDENTIAL ZONE

A. Purpose: The purpose of the "RC-TV-R" zone is to provide for single family residential use where single family dwellings, including manufactured homes, may be located on single-family lots/parcels, where manufactured home parks may be established conditionally if designed in accordance with zoning density standards and where single-family residential uses plus related compatible uses can be sited. This zone is designed for parcels not necessarily served by a public water or public sewer system.

Buildings or structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "RC-TV-R" zone shall comply with the following regulations.

B. Permitted Uses: In the "RC-TV-R" zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this ordinance and Chapter 10 – Fire Safety Standards:

1. One Single-family dwelling/manufactured home on each legal lot/parcel subject to Section 4.160. Pre-existing sub standard lots/parcels must provide proof of adequate sewer and water subject to DEQ standards. New lots/parcels which have tested to a higher density (see property development standards) shall adhere to the well and/or sub-surface septic system location requirements approved in conjunction with a partition and concurrent binding site plan.

2. Home occupation that:

   a. Is carried on within a dwelling only by members of the family who reside in the dwelling;

   b. Does not serve clients or customers on-site;

   c. Does not produce odor, dust, glare, flashing lights or noise;

   d. Does not occupy more than 25 percent of the floor area of the dwelling; and

   e. Does not include the on-premises display of sale of stock in trade.

3. Subdivisions subject to section 21.

C. Uses Permitted Conditionally: In the "RC-TV-R" zone, the following uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 - Conditional Use Review, Chapter 10 –

P2010-0089 (108 of 348)

Fire Safety Standards and this Chapter:

1. Public parks, recreation areas and community or neighborhood centers.

2. Public and semi-public buildings and uses not otherwise specified in this section.

3. Golf courses.

4. Mobile home parks subject to the density of the "RC-TV-R" zone and the provisions of Chapter 16.

5. Utility facilities necessary for public service except landfill.

6. Bed and breakfast inns.

7. Multi-family dwelling complex.

8. Home occupation, subject to Chapter 20.

9. Planned Unit Developments subject to section 18.

10. Retirement Center or nursing home.

11. Church.

D. Property Development Standards

1. Property Size- The purpose of this section is to ensure compliance with state rules and statutes requiring that unincorporated communities be zoned in a manner ensuring that when fully built out development will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations, and will not exceed the carrying capacity of the soil or of existing water supply resources and sewer services.

   a. New lots or parcels served by an approved community, municipal or public water system shall have a minimum average width of 250 feet and a minimum area of 2 acres.

      Lot/parcel owners can elect to test to a higher density, up to .5 acres, with a minimum average lot width of 100', by providing the Wasco County Planning Department with a concurrent binding site plan in addition to meeting the requirements of Section 21. This site plan shall indicate an approved location for sub-surface septic system(s) which shall not adversely impact neighboring properties and prevent them from testing to a higher density. The primary

P-2010-0089 (1090 348)

determinant of impacts to adjacent properties will be based on adequate setback of septic facilities from adjoining properties to ensure the full well setback is not required to be provided by adjacent property owners. See Diagram 1 below. The site plan shall be reviewed by both the Wasco County Sanitarian and Watermaster prior to acceptance by the Planning Department.

b. New lots or parcels not served by an approved community, municipal or public water system, evaluated in accordance with state laws governing review of public facilities plans in rural communities, shall a have a minimum average width of 250 feet and a minimum area of 4 acres.

Lot or parcel owners can elect to test to a higher density, up to 1.5 acres with a minimum average lot width of 150', by providing the Wasco County Planning Department with a concurrent binding site plan in addition to meeting the requirements of Section 21. This site plan shall indicate an approved location for well(s) and sub-surface septic system(s) which will not adversely impact neighboring properties and prevent them from testing to a higher density. The primary determinant of impacts to adjacent properties will be based on adequate setback of septic and well facilities from adjoining properties to ensure the full septic and well setback is not required to be provided by adjacent property owners. See Diagram 1 below. The site plan shall be reviewed by both the Wasco County Sanitarian and Watermaster prior to acceptance by the Planning Department.

2. Setbacks

a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road except where forty percent (40%) of the frontage is developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such depth shall establish the front yard depth of the entire frontage.

b. Side Yard - No structure other than a fence shall be located closer than seven (7) feet from side property lines for interior lots and ten (10) feet from exterior side property lines for corner building sites.

c. Rear Yard - No structure other than a fence shall be located closer than fifteen (15) feet from the rear property line.

d. Water Setbacks - All structures or similar permanent fixtures shall be set back from the high water line or mark along all water bodies a minimum distance of fifty (50) feet when measured horizontally at a right angle.

e. Agricultural setbacks – Any new structure requiring a building permit on a lot or

P2010-0089 (110 of 348)

parcel adjacent to EFU-zoned land which is currently used for or is suitable for agriculture use shall be set back a minimum of 100 feet from the common property line.

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

4. Height - Maximum height for all structures shall be thirty five (35) feet with the exception of lights for athletic fields which shall be the minimum height necessary for the intended purpose.

   Detached accessory structures shall not exceed a maximum height of eighteen (18) feet.

5. Floodplain – Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

6. Signs – Except as is necessary for traffic safety, the following sign regulations shall apply to all uses:

   a. Signs shall not extend over a public right-of-way or project beyond the property line.

   b. Signs shall be limited to twelve (12) square feet in area and shall describe only uses permitted and conducted on the property which the sign is located with the exception of athletic field scoreboards which shall be the minimum size for the intended purpose.

   c. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.

   d. Illuminated, flashing, digital, electronic, and LED (light emitting diode) signs shall be prohibited except as is necessary for athletic scoreboards.

   e. Signs capable of movement shall be prohibited.

7. Parking - Off street parking shall be provided in accordance with Chapter 20.

8. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. The exterior of shielding and hooding materials shall

P2010-0089 (111 of 348)

be composed of non-reflective opaque materials. Athletic field lighting shall follow normal good practices.

9. Building Orientation – New buildings shall have their primary orientation to the street utilizing features such as front porches, windows, doorways, and walkways.

10. Garage/Carport Placement – Garages and carports are encouraged to be located on the side of the single family dwelling.

11. Manufactured dwelling provisions - In addition to the minimum set-up and stand requirements established by the Oregon State Department of Commerce, Building Codes Division, manufactured dwellings shall:

    a. Be at least 18 feet wide and enclose a space of not less than 1,000 square feet.

    b. Be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade. If the home is placed on a basement, the 12 inch limitation shall not apply.

    c. Have a minimum roof pitch which is 3 feet in height for each 12 feet in width.

    d. Be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010.

    e. Be encouraged to have an attached or detached garage or a carport.

12. Access –

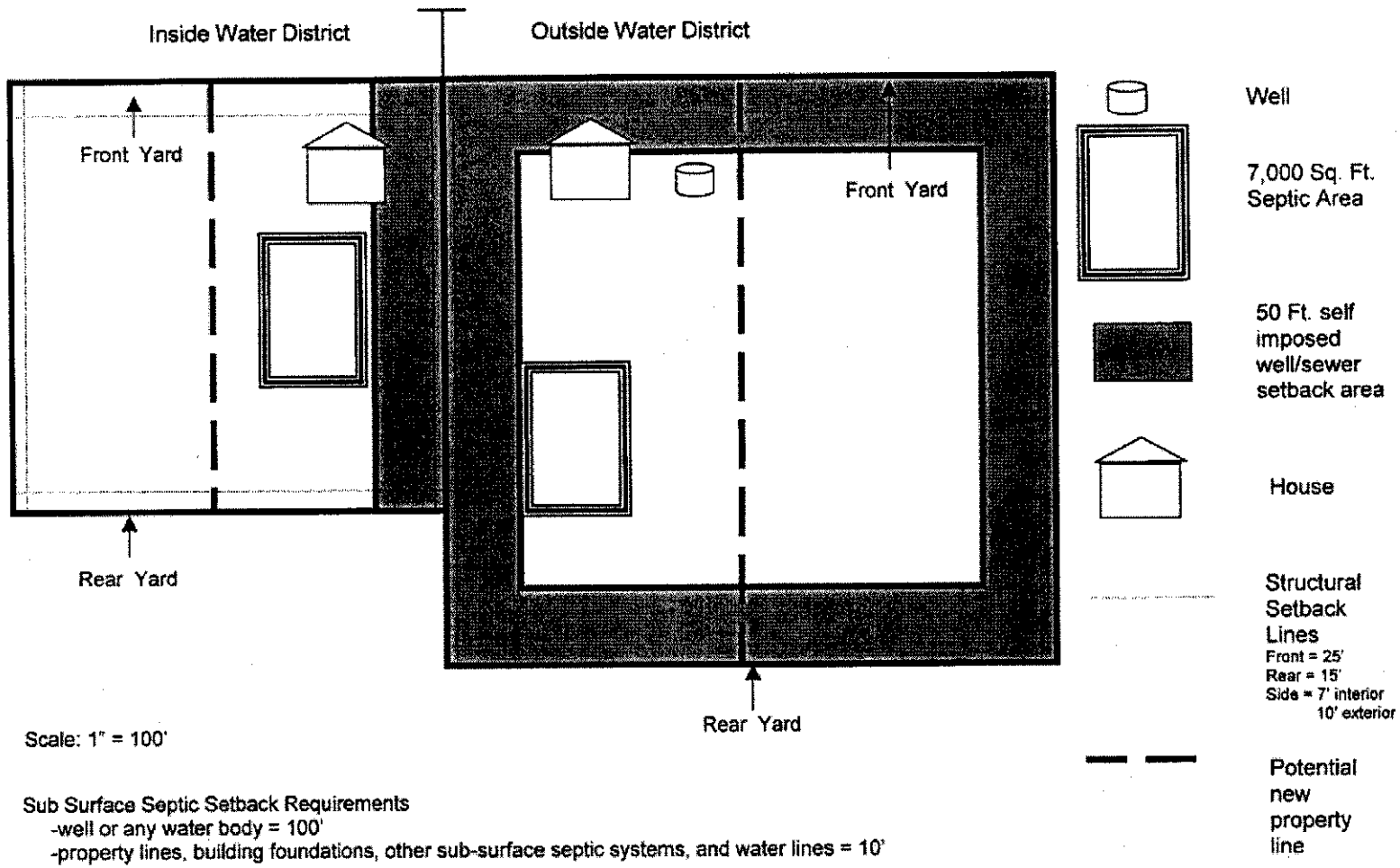
    a. No access will be allowed off of US Highway 197.

    b. Spacing- Parcels/lots fronting Highway 197 shall have their access off ORE Highway 216 or Wamic Market Road at least 500 feet from the junction of Highway 197.

    c. All accesses fronting ORE Highway 216 shall have a minimum spacing of 500 feet.

P2010-0089 (112 & 348)

Diagram 1. Two Acre Density Test Model



Scale: 1" = 100'

Sub Surface Septic Setback Requirements
-well or any water body = 100'
-property lines, building foundations, other sub-surface septic systems, and water lines = 10'

P2010.0089

(113 of 348)

SECTION 3.602 "RC-TV-C" TYGH VALLEY COMMERCIAL ZONE

A. Purpose: The purpose of the "RC-TV-C" zone is to provide areas for localized shopping facilities. It is intended to preserve and enhance a wide range of retail sales and service establishments serving both the long and short term needs of Tygh Valley and its surrounding area.

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "RC-TV-C" zone shall comply with the following regulations.

B. Permitted Uses: In the "RC-TV-C" zone, the following uses and activities and their accessory uses are permitted subject to the applicable provisions and exceptions set forth by this Ordinance:

Any new commercial service, or retail use, listed in Section C of this zone, that will be located entirely within an existing, lawfully erected building or structure.

C. Uses Permitted Subject Site Plan Review: In the "RC-TV-C" zone The following small scale low impact commercial uses and their accessory uses are permitted in a building or buildings not exceeding 4,000 sq. ft. of floor space when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in, Chapter 10 – Fire Safety Standards, Chapter 20 - Site Plan Review, and this Chapter:

1. Any combination of the following uses:

   a. Retail or service business.

   b. Eating or drinking establishment.

   c. Offices.

   d. Veterinary clinic and kennel entirely within an enclosed building.

   e. Studio.

   f. Public garage, including usual automobile repairs and servicing enclosed within the building that, when within fifty (50) feet of an "A" or "R" zone, there shall be no openings in the building walls facing the boundaries of an "A" or "R" zone other than stationary windows, except where such building walls abut streets or alleys.

   g. Residential use in the same building as an allowed use.

P2010-0089 (114 & 348)

D. Uses Permitted Conditionally: In the "RC-TV-C" zone, the following uses and small scale low impact commercial uses and activities and their accessory buildings and uses are permitted in a building or buildings not exceeding 4,000 square feet of floor space when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 -Conditional Use Review, Chapter 10 – Fire Safety Standards, and this Chapter:

1. Motel with a maximum of 35 units, only if served by a community sewer system as defined in OAR 660-22-101(2).

2. Automobile service stations.

3. Wind energy conversion system subject to the provisions of Chapter 19 (Standards for Energy Facilities).

4. Utility facilities necessary for public service, except landfill.

5. Recreational Vehicle Park.

6. Church.

7. Place of public assemble, stadium, auditorium, recreation building or natatorium.

8. Public or semi public buildings.

9. Commercial amusement establishments when enclosed in a building (stadium, theatre, bowling alley, theatre).

10. Public or private school.

11. Child care center.

12. Parks, athletic fields, playgrounds or community centers owned by a governmental agency or non-profit community organization.

13. Medical center.

14. Water supply or treatment facility.

E. Property Development Standards

1. Property Size - The minimum property size for commercial development shall be determined based on the amount of area required for proper sanitation, off-street

P2010-0089 (115 of 348)

parking, loading, maintenance of setbacks and compatibility with adjacent uses. If no use is proposed the minimum lot size shall be 2 acres.

2. Setbacks

   a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road except where forty percent (40%) of the frontage is developed with buildings having front yards with a variation of ten (10) feet in depth shall establish the front yard depth of the entire frontage.

   b. Side Yard - Where the side of a lot or parcel in a "C-2" zone abuts the side of an "R" zone, there shall be a side yard of not less than seven (7) feet.

      In all cases, on a corner lot or parcel, there shall be a side yard setback of ten (10) feet from exterior side property lines for corner building sites. In other cases, a side yard for commercial buildings shall not be required.

   c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property lines.

   d. Water Setbacks - All structures or similar permanent fixtures shall be set back from the high water line or mark along all water bodies a minimum distance of fifty (50) feet when measured horizontally at a right angle.

   e. Agricultural setbacks – Any new structure requiring a building permit on a lot or parcel adjacent to EFU-zoned land which is currently used for or is suitable for agriculture use shall be set back a minimum of 100 feet from the common property line.

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

4. Height - Maximum height for all structures shall be thirty-five (35) feet with the exception of lights for athletic fields which shall be the minimum height necessary for the intended purpose.

5. Floodplain – Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

6. Signs - Except as is necessary for traffic safety, the following sign regulations shall apply to all uses:

P2010-0089 (116 of 348)

a. Signs shall pertain only to goods and services sold on the premises.

b. No sign shall project above the building.

c. Signs are permitted in a ratio of one square foot of sign area to each linear foot of store frontage with the exception of athletic field scoreboards which shall be the minimum size necessary for the intended purpose.

d. Signs shall not be placed upon walls or surfaces abutting an "A" or an "R" zone.

e. Separate directional signs not to exceed an area of sixteen (16) square feet are permitted on property of an Automobile Service Station or public parking area, but must not project beyond the property line of such establishment.

f. Flashing, digital, electronic, and LED (light emitting diode) signs shall be prohibited except as is necessary for athletic scoreboards.

g. Signs capable of movement shall be prohibited

h. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.

7. Parking - Off street parking shall be provided in accordance with Chapter 20.

8. Design standards - Ground floor windows. The following criteria for ground floor windows are encouraged for all new commercial buildings.

   a. The window should equal at least 50 percent of the length and 25 percent of the height of the ground level wall area. Ground level wall area includes all exterior walls up to 9 feet above the finished grade. The window criteria apply to the ground level of exterior building walls that abut sidewalks or roads.

   b. Windows should allow views into either working areas, lobbies, pedestrian entrances, or displays.

9. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. The exterior of shielding and hooding materials shall be composed of non-reflective opaque materials. Athletic field lighting shall follow normal good practices.

10. Outdoor Storage - outdoor storage must be enclosed by a sight obscuring fence, wall or landscaping; all of which shall be maintained.

P2010-0089 (117 of 348)

11. Access –

a. No access will be allowed off of US Highway 197.

b. Spacing- Parcels/lots fronting Highway 197 shall have their access off ORE Highway 216 or Wamic Market Road at least 500 feet from the junction of Highway 197.

c. All accesses fronting ORE Highway 216 shall have a minimum spacing of 500 feet.

d. Any commercial use generating in excess of 200 trips per day shall be required to prepare a traffic impact study demonstrating that traffic generated can be accommodated within Oregon Department of Transportation Standards or necessary improvements, identified by the traffic study, to the affected highway will be made prior to commencement of the commercial operation.

P2010-0089 (118 of 348)

SECTION 3.603 "RC-TV-M1" TYGH VALLEY LIGHT INDUSTRIAL/COMMERCIAL ZONE

A. Purpose: The "RC-TV-M1" zone is intended to create, preserve, and enhance areas containing secondary manufacturing and related establishments and commercial uses with limited external impact.

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "RC-TV-M1" zone shall comply with the following regulations.

B. Permitted Uses: In the "RC-TV-M1" zone, the following uses and activities and their accessory uses are permitted subject to the general provisions and exceptions set forth by this Ordinance:

Any new industrial use listed in C of this zone, that will be located entirely within an existing, lawfully erected building or structure.

C. Uses Permitted Subject to Site Plan Review: In the "RC-TV-M1" zone, the following small scale low impact industrial uses and activities and their accessory buildings and uses are permitted in a building or buildings not exceeding 10,000 sq. ft. of floor space when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 10 – Fire Safety Standards, Chapter 20 - Site Plan Review and this Chapter:

1. Light manufacturing, compounding or assembly, reprocessing, recycling, fabricating or packaging of products from previously prepared materials such as cloth, plastic, paper, glass, leather, metal, stone, canvas, bone, cellophane, cork, feather, fiber, shell, wax, wire, wood yards, and paint not employing a boiling process.

2. Assembly, rebuilding, repair and maintenance of motor vehicles, including painting and upholstery.

3. Wood products manufacture but excluding paper and pulp manufacture and planing and lumber mill.

4. Retail or combination retail wholesale lumber and building materials yard, not including concrete mix.

5. Building, building maintenance, plumbing, electrical, heating, roofing, glass, landscaping, painting or similar contractor's offices and equipment storage yard, or storage and rental of equipment commonly used by contractors.

P2010-0089 (119 of 348)

6. Welding, sheet metal or machine shop provided such use is wholly enclosed within a building.

7. Transfer company and trucking companies.

8. Laundry and cleaning service industries.

9. Circus, rodeo or like activity.

10. Similar manufacturing, repairing, fabricating, processing, parking or storage uses not listed above.

11. Feed and seed store conducted wholly within a completely enclosed building except that package material may be stored in an enclosed outside yard.

12. Energy facilities and commercial energy facilities subject to the provisions of Chapter 19 (Standards for Energy Facilities).

13. One mobile home for watchman's quarters in conjunction with a permitted or conditional use.

D. Uses Permitted Conditionally: In the "RC-TV-M1" zone, the following small scale low impact industrial and commercial uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 -Conditional Use Review, Chapter 10 – Fire Safety Standards, and this Chapter:

1. A building or buildings not exceeding 4,000 square feet of floor space to be used by any combination of the following uses:

   a. Retail or service business.

   b. Eating or drinking establishment.

   c. Offices.

   d. Veterinary clinic and kennel entirely within an enclosed building.

   e. Studio.

   f. Public garage, including usual automobile repairs and servicing enclosed within the building that when within fifty (50) feet of an "A" or an "R" zone, there shall be no openings in the building walls facing the boundaries of an "A" or "R" zone

P2010-0089 (120 of 348)

other than stationary windows, except where such building walls abut streets or alleys.

g. Residential use in the same building as an allowed use in a. through f. above.

2. Motel with a maximum of 35 units, only if served by a community sewer system as defined in OAR 660-22-101(2).

3. Automobile service station in a building or buildings not exceeding 4,000 square feet of floor space.

4. Wind energy conversion system subject to the provisions of Chapter 19 (Standards for Energy Facilities).

5. Utility facilities necessary for public service, except landfill.

6. Recreational Vehicle Park with an office and accessory structures not exceeding 4,000 square feet of floor space.

7. Church.

8. Place of public assembly, stadium, auditorium, recreation building or natatorium in a building or buildings not exceeding 4,000 square feet of floor space.

9. Public or semi public buildings.

10. Commercial amusement establishments (stadium, theatre, bowling alley, theatre) when enclosed in a building or buildings not exceeding 4,000 square feet of floor space.

11. Public or private school.

12. Child care center.

13. Parks, playgrounds or community centers owned by a governmental agency or non-profit community organization.

14. Medical center.

15. Water supply or treatment facility.

16. Junk yard or automotive wrecking yard.

17. Recreation areas and facilities, including but not limited to: golf courses.

P2010-0089 (121 PZ-348)

18. Bulk storage of petroleum or gas.

19. Operations conducted for the exploration, mining and processing of aggregate and other minerals as subsurface resources.

E. Property Development Standards

1. Property Size - The minimum property size shall be determined based on the amount of area required for proper sanitation, off-street parking, loading, maintenance of setbacks and compatibility with adjacent uses.

2. Setbacks

   a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road except where forty percent (40%) of the frontage is developed with buildings having front yards with a variation of ten (10) feet in depth shall establish the front yard depth of the entire frontage.

   b. Side Yards - Where the side of a lot or parcel in an "M-1" zone abuts the side of an "R" zone, there shall be a side yard of not less than seven (7) feet. In all cases, on a corner lot or parcel, there shall be a side yard setback of ten (10) feet from exterior side property lines for corner building sites. In other cases, a side yard shall not be required.

   c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property line.

   d. Water Setbacks - All structures or similar permanent fixtures shall be set back from the high water line or mark along all water bodies a minimum distance of fifty (50) feet when measured horizontally at a right angle.

   e. Agricultural setbacks - Any new structure requiring a building permit on a lot or parcel adjacent to EFU-zoned land which is currently used for or is suitable for agriculture use shall be set back a minimum of 100 feet from the common property line.

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

4. Height - Maximum height for all structures shall be forty-five (45) feet.

5. Floodplain – Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

6. Signs - Except as is necessary for traffic safety, the following sign regulations shall apply to all uses:

   a. Signs shall pertain only to goods and services sold on the premises.

   b. No sign shall project above the building.

   c. Signs are permitted in a ratio of one square foot of sign area to each linear foot of store frontage and shall be placed flat against the walls of the buildings with the exception of athletic field scoreboards which shall be the minimum size necessary for the intended purpose.

   d. Signs shall not be placed upon walls or surfaces abutting an "A" or an "R" zone.

   e. Separate directional signs not to exceed an area of sixteen (16) square feet are permitted on property of an Automobile Service Station or public parking area, but must not project beyond the property line of such establishment.

   f. Flashing, digital, electronic, and LED (light emitting diode) signs shall be prohibited except as is necessary for athletic scoreboards.

   g. Signs capable of movement shall be prohibited.

   h. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.

7. Parking - Off street parking shall be provided in accordance with Chapter 20.

8. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. The exterior of shielding and hooding materials shall be composed of non-reflective opaque materials. Athletic field lighting shall follow normal good practices.

9. Outdoor Storage - Outdoor storage must be enclosed by a sight obscuring fence, wall, or landscaping; all of which shall be maintained.

P2010-0089 (123 of 348)

10. Design standards - Ground floor windows. The following criteria for ground floor windows are encouraged for all new commercial buildings.

a. The window should equal at least 50 percent of the length and 25 percent of the height of the ground level wall area. Ground level wall area includes all exterior walls up to 9 feet above the finished grade. The window criteria apply to the ground level of exterior building walls that abut sidewalks or roads.

b. Windows should allow views into either working areas, lobbies, pedestrian entrances, or displays.

P2010-0089 (124 of 348)

SECTION 3.604 "RC-TV-M2" TYGH VALLEY MEDIUM INDUSTRIAL ZONE

A. Purpose: The purpose of the "RC-TV-M2" zone is to provide for the location of needed industrial uses which are not dependent upon urban services. The "RC-TV-M2" zone encourages orderly and compatible development of industrial uses while protecting the existing rural character of the area as well as preserving or enhancing the air, water and land resources of the area.

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "RC-TV-M2" zone shall comply with the following regulations.

B. Permitted Uses: In the "RC-TV-M2" zone, the following uses and activities and their accessory uses are permitted subject to the general provisions and exceptions set forth by this Ordinance:

Any new industrial use, listed in C of this zone, that will be located entirely within an existing, lawfully erected building or structure.

C. Uses Permitted Subject to (Site Plan Review): In the "RC-TV-M2" zone, the following small scale low impact commercial uses and activities and their accessory buildings and uses are permitted in a building or buildings not exceeding 10,000 sq. ft. of floor space when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in, Chapter 10 – Fire Safety Standards, Chapter 20 - Site Plan Review, and this Chapter:

1. Any manufacturing, processing, repair, research, assembly, wholesale or storage uses, excepting the manufacture of explosives, the slaughter of animals, and the rendering of fats.

2. Light manufacturing, compounding or assembly, reprocessing, recycling, fabricating or packaging of products from previously prepared materials such as cloth, plastic, paper, glass, leather, metal, stone, canvas, bone, cellophane, cork, feather, fiber, shell, tobacco, wax, wire, wood yards, and paint not employing a boiling process.

3. Assembly, rebuilding, repair and maintenance of motor vehicles, including painting and upholstery.

4. Wood products manufacture but excluding paper and pulp manufacture and planing and lumber mill.

5. Retail or combination retail wholesale lumber and building materials yard, not including concrete mix.

6. Building, building maintenance, plumbing, electrical, heating, roofing, glass, landscaping, painting or similar contractor's offices and equipment storage yard, or storage and rental of equipment commonly used by contractors.

7. Welding, sheet metal or machine shop provided such use is wholly enclosed within a building.

8. Transfer company and trucking companies.

9. Laundry and cleaning service industries.

10. Circus, rodeo or like activity.

11. Similar manufacturing, repairing, fabricating, processing, parking or storage uses not listed above.

12. Feed and seed store conducted wholly within a completely enclosed building except that package material may be stored in an enclosed outside yard.

13. Energy facilities and commercial energy facilities subject to the provisions of Chapter19 (Standards for Energy Facilities).

14. Utility facilities necessary for public service, except landfill.

15. Veterinary clinic or kennel.

D. Uses Permitted Conditionally: In the "RC-TV-M2" zone, the following small scale low impact uses and activities and their accessory buildings and uses are permitted in a building or buildings not exceeding 10,000 sq. ft. of floor space when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 - Conditional Use Review, Chapter 10 – Fire Safety Standards, and this Chapter:

1. Concrete batching plants and the manufacture and sale of concrete products.

2. One mobile home or watchman's quarters accessory to a permitted or conditional use.

3. Mobile homes or recreational vehicles, as defined in Section 1.090, accessory to a permitted industrial use for the purpose of providing housing for personnel subject to the following additional criteria:

   a. The request for the mobile home or recreational vehicle shall be submitted in writing. Such request shall state the roles of the persons who will occupy the mobile home or recreational vehicle and provide documentation of

P2010-0089 (126 of 348)

employment with the permitted industrial use by at least one member of the household.

b. The request shall meet all applicable County health and sanitation requirements.

c. The location and use of the mobile home or recreational vehicle shall meet all other requirements of the zoning district.

d. No conditional use for a mobile home or recreational vehicle shall be transferable to any other owner or occupant.

e. Upon termination of the permitted industrial use or conditional use holders termination of employment with the permitted industrial use the conditional use mobile home or recreational vehicle shall be removed within sixty (60) days.

4. Automobile Service Stations.

5. Junk yard or automotive wrecking yard enclosed with a view-obscuring fence or wall.

6. Recreation areas and facilities, including but not limited to: golf courses.

7. Bulk storage of petroleum or gas.

8. Operations conducted for the exploration, mining and processing of aggregate and other minerals as subsurface resources.

9. A campground as defined by OAR 660-033-0130.

E. Property Development Standards

1. The minimum property size for development shall be determined based on the amount of area required for proper sanitation, off street parking and loading, maintenance of setbacks and compatibility with adjacent areas.

2. Setbacks

a. Front Yard - No structure other than a fence or sign shall be located closer than twenty (20) feet from the rights-of-way of a public road.

b. Side Yard - Where the side of a lot in the Medium Industrial Zone abuts the side of a lot in an "R" zone, there shall be a side yard of not less than seven (7) feet in width for buildings not exceeding two and one-half (2 & 1/2) stories in

#2010-0089 (127 of 348)

height; for buildings exceeding two and one-half stories in height, such side yard shall be increased three (3) feet in width for every story or portion thereof that such buildings' height exceeds two and one-half stories.

On corner lots, there shall be a side yard on the street side of such lots of not less than ten (10) feet in width for buildings not exceeding two and one-half (2 & 1/2) stories in height; for buildings exceeding two and one-half stories in height, such side yard shall be increased three (3) feet for each story or portion thereof that such buildings exceed two and one-half stories in height, but such side yard need not exceed twenty (20) feet in width.

Accessory buildings on a corner lot shall not project into the required side yard on the street side of such lot beyond the side of the main building on such lot. In other cases, a side yard for industrial or commercial buildings shall not be required.

c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property line.

d. Water Setbacks - All structures or similar permanent fixtures shall be set back from the high water line or mark along all streams or lakes a minimum distance of fifty (50) feet when measured horizontally at a right angle.

e. Agricultural setbacks – Any new structure requiring a building permit on a lot or parcel adjacent to EFU-zoned land which is currently used for or is suitable for agriculture use shall be set back a minimum of 100 feet from the common property line.

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

4. Height - Maximum height for all structures shall be seventy-five (75) feet.

5. Floodplain – Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

6. Signs - Except as is necessary for traffic safety, the following sign regulations shall apply to all uses:

a. Signs shall pertain only to goods and services sold on the premises.

b. No sign shall project above the building.

c. Signs are permitted in a ratio of one square foot of sign area to each linear foot of store frontage and shall be placed flat against the walls of the buildings with the exception of athletic field scoreboards which shall be the minimum size necessary for the intended purpose.

d. Signs shall not be placed upon walls or surfaces abutting an "A" or an "R" zone.

e. Separate directional signs not to exceed an area of sixteen (16) square feet are permitted on property of an Automobile Service Station or public parking area, but must not project beyond the property line of such establishment.

f. Flashing, digital, electronic, and LED (light emitting diode) signs shall be prohibited except as is necessary for athletic scoreboards.

g. Signs capable of movement shall be prohibited

h. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.

7. Parking - Off street parking shall be provided in accordance with Chapter 20.

8. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. The exterior of shielding and hooding materials shall be composed of non-reflective opaque materials. Athletic field lighting shall follow normal good practices.

9. Outdoor Storage - All outdoor storage must be enclosed by a sight obscuring fence, wall, or landscaping; all of which shall be maintained.

P2010-0089 (129 PR 348)

SECTION 3.605 "RC-TV-RR" TYGH VALLEY RURAL RESERVE ZONE

A. Purpose: Provide a zone where sensitive areas can be protected and community open space and recreational needs can be accommodated.

B. Permitted Uses : In the "RC-TV-RR" zone, the following uses and activities and their accessory uses are permitted subject to the general provisions and exceptions set forth by this ordinance:

Repair, maintenance, operation and improvement of existing, legally implemented, serviceable structures, including roads.

C. Uses Permitted Conditionally: In the "RC-TV-RR" zone, the following uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 - Conditional Use Review, Chapter 10 – Fire Safety Standards, and this Chapter:

Suitable community facilities to accommodate community gatherings and/or appropriate levels of recreational activities such as, community buildings, trails, waterfront access, cemeteries, athletic fields and parks.

D. Property Development Standards

1. Property Size - No new parcels.

2. Setbacks

a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road.

b. Side Yard - No structure other than a fence shall be located closer than seven (7) feet from side property lines for interior lots and ten (10) feet from exterior side property lines for corner building sites.

c. Rear Yard - No structure other than a fence shall be located closer than fifteen (15) feet from the rear property line.

d. Water Setbacks - All structures or similar permanent fixtures shall be set back from the high water line or mark along all water bodies a minimum distance of fifty (50) feet when measured horizontally at a right angle.

e. Agricultural setbacks – Any new structure requiring a building permit on a lot or parcel adjacent to EFU-zoned land which is currently used for or is suitable for

P2010-0089 (1307348)

agriculture use shall be set back a minimum of 100 feet from the common property line.

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

4. Height - Maximum height for all structures shall be twenty five (25) feet with the exception of lights for athletic fields which shall be the minimum height necessary for the intended purpose.

   Detached accessory structures shall not exceed a maximum height of eighteen (18) feet.

5. Floodplain – Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

6. Signs - Except as is necessary for traffic safety, the following sign regulations shall apply to all uses:

   a. Signs shall not extend over a public right-of-way or project beyond the property line.

   b. Illuminated, flashing, digital, electronic, and LED (light emitting diode) signs shall be prohibited except as is necessary for athletic scoreboards.

   c. Signs capable of movement shall be prohibited.

   d. Signs shall be limited to twelve (12) square feet in area and shall describe only uses permitted and conducted on the property which the sign is located with the exception of athletic field scoreboards which shall be the minimum size necessary for the intended purpose.

   e. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.

7. Parking - Off street parking shall be provided in accordance with Chapter 20.

8. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. The exterior of shielding and hooding materials shall be composed of non-reflective opaque materials. Athletic field lighting shall follow normal good practices.

P2010-0089 (13 of 348)

SECTION 3.606 "RC-TV-AG" TYGH VALLEY AGRICULTURAL ZONE

A. Purpose: The purpose of the "RC-TV-AG" zone is to preserve and maintain agricultural lands for farm use consistent with its location within the Rural Community Boundary.

B. Permitted Uses: In the "RC-TV-AG" zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance and Chapter 10 – Fire Safety Standards:

1. One Single-family dwelling/manufactured home on each legal lot/parcel subject to Section 4.160 (Exterior Finishing of Mobile Homes).

2. Home occupation that:

   a. Is carried on within a dwelling only by members of the family who reside in the dwelling;

   b. Does not serve clients or customers on-site;

   c. Does not produce odor, dust, glare, flashing lights or noise;

   d. Does not occupy more than 25 percent of the floor area of the dwelling; and

   e. Does not include the on-premises display of sale of stock in trade.

3. Public parks, athletic fields, recreation areas, preserves and community or neighborhood centers in accordance with Chapter 20 (Site Plan Review).

4. Farm use as defined by ORS 215.203, Oregon Revised Statutes, and found in Section 1.080 (Definitions).

5. Forest uses, including the propagation and harvesting of forest products.

6. Creation, restoration and enhancement of wildlife habitat.

7. Dude ranches and hunting and fishing lodges in accordance with Chapter 20 (Site Plan Review).

C. Uses Permitted Conditionally: In the "RC-TV-AG" zone, the following uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 - Conditional Use Review, Chapter 10 – Fire Safety Standards, and this Chapter:

P2010-0089 (132 of 548)

1. Home Occupations, subject to Chapter 20 (Site Plan Review).

2. Bed and breakfast Inn in an existing residence, subject to Chapter 20 (Site Plan Review).

3. Commercial activities in conjunction with farm use.

4. Dog kennels, except that such uses are prohibited on high value farmland.

5. Propagation, cultivation, maintenance, and harvesting of aquatic or insect species.

6. Golf courses (except commercial driving ranges, miniature courses or similar courses operated as a business).

7. Exploration, mining and processing of aggregate and other mineral resources or other subsurface resources subject to ORS 215.298 and WCLUDO Section 3.800 (Mineral & Aggregate Overlay).

8. Utility facilities "necessary" for public service.

9. Energy facilities and commercial energy facilities subject to the provisions of Chapter 19 (Standards for Energy Facilities).

10. Water supply and treatment facility.

11. Sewage disposal and treatment facility.

D. Property Development Standards

1. Property Size - New lots or parcels shall have a minimum average width of 500 feet and a minimum area of 20 acres.

2. Setbacks

   a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road.

   b. Side Yard - No structure other than a fence shall be located closer than twenty-five (25) feet from side property.

   c. Rear Yard - No structure other than a fence shall be located closer than forty (40) feet from the rear property line.

P2010-0089 (133 of 348)

d. Water Setbacks - All structures or similar permanent fixtures shall be set back from the high water line or mark along all water bodies a minimum distance of fifty (50) feet when measured horizontally at a right angle.

e. Agricultural setbacks – Any new structures requiring a building permit on a lot or parcel adjacent to EFU-zoned land which is currently used for or is suitable for agriculture use shall be set back a minimum of 100 feet from the common property line.

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

4. Height - Maximum height for all structures shall be thirty five (35) feet. with the exception of lights for athletic fields which shall be the minimum height necessary for the intended purpose.

5. Floodplain – Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

6. Signs - Except as is necessary for traffic safety, the following sign regulations shall apply to all uses:

   a. Signs shall not extend over a public right-of-way or project beyond the property line.

   b. Illuminated, flashing, digital, electronic, and LED (light emitting diode) signs shall be prohibited except as is necessary for athletic scoreboards.

   c. Signs capable of movement shall be prohibited

   d. Signs shall be limited to twelve (12) square feet in area and shall describe only uses permitted and conducted on the property which the sign is located with the exception of athletic field scoreboards which shall be the minimum size necessary for the intended purpose.

   e. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.

7. Parking - Off street parking shall be provided in accordance with Chapter 20.

8. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. The exterior of shielding and hooding materials shall be composed of non-reflective opaque materials. Athletic field lighting shall follow normal good practices.

9. Manufactured dwelling provisions - In addition to the minimum set-up and stand requirements established by the Oregon State Department of Commerce, Building Codes Division manufactured dwellings shall:

   a. Be at least 18 feet wide and enclose a space of not less than 1,000 square feet.

   b. Be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade. If the home is placed on a basement, the 12 inch limitation shall not apply.

   c. Have a minimum roof pitch which is 3 feet in height for each 12 feet in width.

   d. Be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010.

P2010-0089 (135 of 348)

SECTION 3.611 "RC-Wam-R-2" WAMIC RESIDENTIAL ZONE

A. Purpose: The purpose of the "RC-Wam-R-2" Residential zone is to provide for a single family residential use including mobile homes plus related compatible uses such as schools and parks.

Buildings or structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "RC-Wam-R-2" Residential zone shall comply with the following regulations.

B. Permitted Uses: In the "RC-Wam-R-2" Residential zone the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance and Chapter 10 – Fire Safety Standards:

1. One single-family dwelling, including mobile homes except single-wides, on each legal lot/parcel provided that the minimum average density is maintained and proper sanitation approvals are obtained. Dwellings on pre-existing sub standard lots/parcels must be connected to a Department of Environmental Quality permitted community or municipal sewer system.

2. Buildings accessory to a single-family dwelling such as garages, store-rooms, woodsheds, laundry rooms, playhouses, hobby shop or similar and related accessory uses.

3. Home occupation, subject to Chapter 20.

4. Planned Unit Development.

5. Subdivisions subject to Chapter 21.

C. Uses Permitted Conditionally: In the "RC-Wam-R-2" Residential zone, the following uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5, Chapter 10 – Fire Safety Standards and this section:

1. Hospitals and schools (kindergartens, elementary, junior high and high), provided setbacks are established from side and rear property lines of at least fifty (50) feet.

2. Public parks, recreation areas and community or neighborhood centers.

3. Public and semi-public buildings and uses not otherwise specified in this section.

P2010-0089 (136 & 348)

4. Golf courses.

5. Utility facilities necessary for public service except landfill.

6. Bed and breakfast inns.

D. Property Development Standards

1. Property Size

a. New lots or parcels served by an approved community, municipal or public water system and an approved community or public sewage system shall have a minimum property size of two (2) acre with a one hundred twenty-five (125) foot average lot width.

b. New lots or parcels served by either an approved community, municipal or public water system or an approved community or public sewage system shall have a minimum property size of two (2) acres with a one hundred twenty-five (125) foot average lot width.

c. New lots or parcels not served by either an approved community, municipal or public water system or an approved community or public sewage system shall have a minimum width of 300 feet with a minimum area of five (5) acres In addition, an applicant shall demonstrate that:

(1) The lot or parcel can meet DEQ on-site sewage disposal rules then in effect, which can be demonstrated either prior to land division approval or as a condition of such approval.

2. Setbacks -

a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road except where forty (40) percent of the frontage is developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such depth shall establish the front yard depth of the entire frontage.

b. Side Yard - No structure other than a fence shall be located closer than fifteen (15) feet from side property lines for interior lots and twenty (20) feet from exterior side property lines for corner building sites.

c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property line.

P2010-0089 (137 of 348)

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

4. Height - Maximum height for all dwellings shall be thirty-five (35) feet.

   Detached accessory structures shall not exceed a maximum height of eighteen (18) feet.

5. Stream Setbacks - All structures or similar permanent fixtures shall be setback from the high water line or mark along all streams or lakes a minimum distance of fifty (50) feet when measured horizontally at a right angle.

6. Floodplain – Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

7. Signs - Signs shall not extend over a public right-of-way or project beyond the property line.

   a. Signs shall not be illuminated or capable of movement.

   b. Signs shall be limited to twelve (12) square feet in area and shall describe only uses permitted and conducted on the property which the sign is located.

   c. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.

8. Parking - Off street parking shall be provided in accordance with Chapter 20.

9. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and the Columbia River.

P2010-0089 (138 DB 348)

SECTION 3.612 "RC-Wam-R-5" WAMIC RESIDENTIAL ZONE

A. Purpose: The purpose of the "RC-Wam-R-5" Residential zone is to provide for a single family residential use including mobile homes plus related compatible uses such as schools and parks.

Buildings or structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "RC-Wam-R-5" Residential zone shall comply with the following regulations.

B. Permitted Uses: In the "RC-Wam-R-5" Residential zone the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance and Chapter 10 – Fire Safety Standards:

1. One single-family dwelling, including mobile homes except single-wides, on each legal lot/parcel including mobile homes with a minimum of eight hundred (800) square feet of floor area subject to Section 4.160 provided that the minimum average density is maintained and proper sanitation approvals are obtained. Dwellings on pre-existing sub standard lots/parcels must be connected to a Department of Environmental Quality permitted community or municipal sewer system.

2. Buildings accessory to a single-family dwelling such as garages, store-rooms, woodsheds, laundry rooms, playhouses, hobby shop or similar and related accessory uses.

3. Home occupation, subject to Chapter 20.

4. Planned Unit Development.

5. Subdivisions subject to Chapter 21.

C. Uses Permitted Conditionally: In the "RC-Wam-R-5" Residential zone, the following uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5, Chapter 10 – Fire Safety Standards and this section:

1. Hospitals and schools (kindergartens, elementary, junior high and high), provided setbacks are established from side and rear property lines of at least fifty (50) feet.

2. Public parks, recreation areas and community or neighborhood centers.

P2010-0089 (1398 348)

3. Public and semi-public buildings and uses not otherwise specified in this section.

4. Golf courses.

5. Utility facilities necessary for public service except landfill.

6. Bed and breakfast inns.

D. Property Development Standards

1. Property Size -

   a. New lots or parcels served by an approved community, municipal or public water system and an approved community or public sewage system shall have a minimum property size of five (5) acres with a three hundred (300) foot average lot width.

   b. New lots or parcels not served by either an approved community, municipal or public water system or an approved community or public sewage system shall have a minimum width of 300 feet with a minimum area of five (5) acres. In addition, an applicant shall demonstrate that:

      (1) The lot or parcel can meet DEQ on-site sewage disposal rules then in effect, which can be demonstrated either prior to land division approval or as a condition of such approval.

2. Setbacks -

   a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road except where forty (40) percent of the frontage is developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such depth shall establish the front yard depth of the entire frontage.

   b. Side Yard - No structure other than a fence shall be located closer than fifteen (15) feet from side property lines for interior lots and twenty (20) feet from exterior side property lines for corner building sites.

   c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property line.

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

P2010-0089 (140 of 348)

4. Height - Maximum height for all dwellings shall be thirty-five (35) feet.

   Detached accessory structures shall not exceed a maximum height of eighteen (18) feet.

5. Stream Setbacks - All structures or similar permanent fixtures shall be setback from the high water line or mark along all streams or lakes a minimum distance of fifty (50) feet when measured horizontally at a right angle.

6. Floodplain – Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

7. Signs - Signs shall not extend over a public right-of-way or project beyond the property line.

   a. Signs shall not be illuminated or capable of movement.

   b. Signs shall be limited to twelve (12) square feet in area and shall describe only uses permitted and conducted on the property which the sign is located.

   c. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.

8. Parking - Off street parking shall be provided in accordance with Chapter 20.

9. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways and the Columbia River.

P2010-0089 (141 of 348)

SECTION 3.613 "RC-Wam C-2" WAMIC COMMERCIAL ZONE

A. Purpose: The purpose of the "RC-Wam-C-2" Commercial Zone is to provide areas for localized shopping facilities. It is intended to preserve and enhance areas with a wide range of retail sales and service establishments serving both long and short term needs in compact areas.

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "RC-Wam-C-2" Commercial Zone shall comply with the following regulations.

B. Permitted Uses: In the "RC-Wam-C-2" Commercial Zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance:

1. Any new commercial service, or retail use that will be located within an existing building or structure.

C. Uses Permitted Subject to Site Plan Review: The following uses and their accessory uses are permitted subject to the applicable provisions of this Chapter, Chapter - 4 Off street Parking, Chapter 10 – Fire Safety Standards, and Chapter 20 - Site Plan Review,

1. A building or buildings not exceeding 4,000 square feet of floor space to be used by any combination of the following uses:

a. Retail or service business

b. Eating or drinking establishment

c. Offices

d. Veterinary clinic and kennel entirely within an enclosed building

e. Public garage, including usual automobile repairs and servicing enclosed within the building that:

(1) When within fifty (50) feet of an "A" or "R" zone, there shall be no openings in the building walls facing the boundaries of an "A" or "R" zone other than stationary windows, except where such building walls abut streets or alleys.

f. Residential use in the same building as a use permitted in this subsection (B)

P2010-0089 (142 to 348)

D. Uses Permitted Conditionally: In the "RC-Wam-C-2" Commercial Zone, the following uses and activities and their accessory buildings and uses are permitted in a building or buildings not exceeding 4,000 square feet of floor space when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 – Conditional Use Review, Chapter 10 – Fire Safety Standards and this section:

1. Motel with a maximum of 35 units, only if served by a community sewer system as defined in OAR 660-22-101(2).

2. Automobile service stations.

3. Wind energy conversion system subject to the provisions of Chapter 19.

4. Utility facilities necessary for public service.

5. Recreational Vehicle Park

6. Church

7. Place of public assembly (stadium, auditorium, recreation building or natatorium).

8. Public or semi public buildings.

9. Commercial amusement establishments when enclosed in a building(stadium, theatre, bowling alley, theatre).

10. Public or private school.

11. Child care center

12. Parks, playgrounds or community centers owned by a governmental agency or non-profit community organization. (Goal 3).

13. Medical center in a building or buildings not exceeding 4,000 square feet of floor space.

14. Water supply or treatment facility.

E. Property Development Standards

1. Property Size - The minimum property size for commercial development shall be determined based on the amount of area required for proper sanitation, off-street

P2010-0089 (143 of 348)

parking, loading, landscaped area, maintenance of setbacks and compatibility with adjacent uses.

2. Sewer and water requirements - Applicant must obtain approval for an on-site sewage disposal system or if applicable, obtain a Department of Environmental Quality (DEQ) Waste Water Pollution control facility (WPCF) permit before approval or as a condition of approval of the land use permit.

3. The county shall notify the Wamic Water and Sewer District of land use action made under this chapter.

4. Setbacks

   a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road except where forty percent (40%) of the frontage is developed with buildings having front yards with a variation of ten (10) feet in depth shall establish the front yard depth of the entire frontage.

   b. Side Yard - Where the side of a lot or parcel in a "RC-Wam-C-2" zone abuts the side of an "A" or an "R" zone, there shall be a side yard of not less than seven (7) feet.

      In all cases, on a corner lot or parcel, there shall be a side yard setback of ten (10) feet from exterior side property lines for corner building sites. In other cases, a side yard for commercial buildings shall not be required.

   c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property lines.

5. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

6. Height - Maximum height for all structures shall be thirty-five (35) feet.

7. Stream Setbacks - All structures or similar permanent fixtures shall be set back from the high water line or mark along all streams or lakes a minimum distance of fifty (50) feet when measured horizontally at a right angle.

8. Floodplain – Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

9. Signs - Signs shall pertain only to goods and services sold on the premises. No sign shall project above or beyond the building. Signs are permitted in a ratio of one square foot of sign area to each linear foot of store frontage and shall be placed flat against the walls of the buildings. Signs shall not be placed upon walls or surfaces abutting an "A" or an "R" zone. Separate directional signs not to exceed an area of sixteen (16) square feet are permitted on property of an Automobile Service Station or public parking area, but must not project beyond the property line of such establishment.

10. Parking - Off street parking shall be provided in accordance with Chapter 20.

11. Site Plan Review - Provisions of Chapter 20 shall apply to Subsections B and C of this section.

12. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways and the Columbia River.

P2010-0089(145 to 348)

SECTION 3.614 "RC-Wam M-2" WAMIC MEDIUM INDUSTRIAL ZONE

A. Purpose: The purpose of the "RC-Wam-M-2" Medium Industrial Zone is to create, preserve and enhance areas containing a wide range of manufacturing and related establishments, and is typically appropriate to areas providing a wide variety of sites with good rail or highway access.

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "RC-Wam-M-2" Medium Industrial Zone shall comply with the following regulations.

B. Permitted Uses: In the "RC-Wam-M-2" Medium Industrial Zone, the following uses and activities and their accessory buildings and uses are permitted in a building or buildings not exceeding 10,000 sq. ft. of floor space, subject to the general provisions and exceptions set forth by this Ordinance and Chapter 10 – Fire Safety Standards:

1. Any manufacturing, processing, repair, research, assembly, wholesale or storage uses, excepting the manufacture of explosives, the slaughter of animals, and the rendering of fats.

2. Railroad yard, shipyard and barge docking facilities.

3. Assembly, rebuilding, repair and maintenance of motor vehicles, including painting and upholstery.

4. Wholesale business, storage warehousing, transfer company and trucking companies.

5. Contractor's offices and equipment storage yard, or storage and rental of equipment commonly used by contractors.

6. Light manufacturing, compounding or assembly, fabricating or packaging of products from previously prepared materials such as cloth, plastic, paper, leather, metal, stone, canvas, bone, cellophane, cork, feather, fiber, shell, tobacco, wax, wire, wood yards, and paint not employing a boiling process.

7. Welding and machine shop.

8. Laundry and cleaning service industries.

9. Wood products manufacture but excluding paper and pulp manufacture and planing and lumber mill.

10. Retail or combination retail whole lumber and building materials yard, not including concrete mix.

11. Outdoor storage when enclosed by a fence, wall or sight obscuring landscaping; all of which shall be maintained.

12. Circus, rodeo or like activity.

13. Similar manufacturing, repairing, fabricating, processing, parking or storage uses not listed above.

C. Uses Permitted Conditionally: In the "RC-Wam-M-2" Medium Industrial Zone, the following uses and activities and their accessory buildings and uses are permitted in a building or buildings not exceeding 10,000 square feet of floor space when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 and Chapter 10 – Fire Safety Standards and this section:

1. One mobile home or watchman's quarters in conjunction with a permitted or conditional use.

2. Concrete batching plants and the manufacture and sale of concrete products.

3. Automobile Service Stations.

4. Junk yard or automotive wrecking yard enclosed with a view-obscuring fence or wall.

5. Recreation areas and facilities, including but not limited to golf courses.

6. Bulk storage of petroleum or gas.

7. Operations conducted for the exploration, mining and processing of aggregate and other minerals as subsurface resources.

D. Property Development Standards

1. The minimum property size for development shall be determined based on the amount of area required for proper sanitation, off street parking and loading, landscaped area, maintenance of setbacks and compatibility with adjacent areas.

2. Sewer and water requirements – Applicant must obtain approval for an on-site disposal system or if applicable obtain a Department of Environmental Quality (DEQ) Waste water Pollution control facility (WPCF) permit before approval or as a condition of approval of the land use permit.

3. The County shall notify the Wamic Water and Sewer District of land use actions made under this chapter.

4. Setbacks

   a. Front Yard - No structure other than a fence or sign shall be located closer than twenty (20) feet from the rights-of-way of a public road.

   b. Side Yard - Where the side of a lot in the "RC-Wam-M-2" Medium Industrial Zone abuts the side of a lot in an "A" or an "R" zone, there shall be a side yard of not less than seven (7) feet in width for buildings not exceeding two and one-half (2 & 1/2) stories in height; for buildings exceeding two and one-half stories in height, such side yard shall be increased three (3) feet in width for every story or portion thereof that such buildings' height exceeds two and one-half stories.

      On corner lots, there shall be a side yard on the street side of such lots of not less than ten (10) feet in width for buildings not exceeding two and one-half (2 & 1/2) stories in height; for buildings exceeding two and one-half stories in height, such side yard shall be increased three (3) feet for each story or portion thereof that such buildings exceed two and one-half stories in height, but such side yard need not exceed twenty (20) feet in width.

      Accessory buildings on a corner lot shall not project into the required side yard on the street side of such lot beyond the side of the main building on such lot. In other cases, a side yard for industrial or commercial buildings shall not be required.

   c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property line.

5. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

6. Height - Maximum height for all structures shall be seventy-five (75) feet.

7. Stream Setbacks - All structures, or similar permanent fixtures (except hydroelectric facilities) shall be set back from the high water line or mark along all streams or lakes a minimum distance of fifty (50) feet when measured horizontally at a right angle. Exception may be granted upon a demonstration that the proposed use will not have an adverse effect on streams or lakes.

8. Floodplain – Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area

where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740, Flood Hazard Overlay.

9. Signs - No standard established except no sign shall be placed upon walls or surfaces abutting an "A" or an "R" zone.

10. Parking - Off street parking shall be provided in accordance with Chapter 20.

11. Site Plan Review - Provisions of Chapter 20 shall apply.

12. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways and the Columbia River.

P2010-0089 (149 of 348)

DETAILED TABLE OF CONTENTS

SECTION 3.740: FLOOD HAZARD OVERLAY

SECTION	TITLE	PAGE
3.740	FLOOD DAMAGE PREVENTION	3.740-1
3.741	SPECIAL DEFINITIONS	3.740-3
3.742	PLANNING DIRECTOR	3.740-8
3.743	DEVELOPMENT PERMIT	3.740-10
3.744	VARIANCES	3.740-17
3.745	APPEALS	3.740-19
3.746	COMPLIANCE REQUIRED	3.740-19
3.747	REVISING FIRM MAPS	3.740-20
3.748	NOTES ON INSURANCE	3.740-21

PZ010-0089 (150 of 348)

SECTION 3.740 DIVISION 1 - FLOOD HAZARD OVERLAY

A. Background

1. Findings of Fact

a. The Areas of Special Flood Hazard of Wasco County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. All of which adversely affects the public health, safety, and general welfare.

b. These flood losses are caused by the cumulative effect of obstructions in the areas of special flood hazard which increase flood heights and velocities, which may damage uses in other areas. Uses that are inadequately protected from flood damage also contribute to the losses associated with the flood.

2. Statement of Purpose

It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by implementing provisions designed to:

a. Protect human life and health;

b. Minimize expenditure of public money for costly flood control projects;

c. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

d. Minimize prolonged business interruptions;

e. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, and streets and bridges located in areas of special flood hazard;

f. Help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas;

g. Ensure that potential buyers are notified that property is in an area of special flood hazard; and,

P2010-0089 (152 Pg 348)

h. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

3. Methods of Reducing Flood Losses

In order to accomplish its purposes, this chapter includes methods and provisions for:

a. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

b. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

c. Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;

d. Controlling filling, grading, dredging, and other development which may increase flood damage; and,

e. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

B. Applicability

1. Lands to which this Chapter Applies:

a. This chapter shall apply to all Areas of Special Flood Hazards within the jurisdiction of Wasco County.

b. Although Wasco County holds and utilizes the official Flood Insurance Rate Maps (FIRMs) supplied by FEMA, there is no Flood Insurance Study (FIS) for the County. This FIS typically provides the detailed information and cross sections necessary to establish the Base Flood Elevation in a given area. For that reason, the Area of Special Flood Hazard as shown on the FEMA FIRMs is only an approximation of the Floodplain boundary. Without the FIS, the Director may require additional information to determine that a proposed development, which may appear to be located outside of an Area of Special Flood Hazard based on the FIRMs, is in fact reasonably safe from flooding as required by Section 3.742.B – Duties and Responsibilities of the Planning Director. In a situation where the Director determines that it is unclear if a proposed development lies in or out of the Area of Special Flood Hazard, it shall be the responsibility of the applicant to provide the Base Flood Elevation for the property using FEMA approved methodologies.

P2010-0089 (153 of 348)

2. Basis for Establishing the Areas of Special Flood Hazard: The Areas of Special Flood Hazards identified by the Federal Insurance Administration on its Flood Insurance Rate Map (FIRM), dated September 24, 1984, and any revision thereto, is adopted by reference and declared to be a part of this Ordinance. The Flood Insurance Rate Map is on file at the Wasco County Planning and Development Office.

3. Abrogation and Greater Restrictions: This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another chapter, ordinance, state building code, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

C. Interpretation

In the interpretation and application of this chapter, all provisions shall be:

1. Considered as minimum requirements;

2. Liberally construed in favor of the governing body; and,

3. Deemed neither to limit nor repeal any other powers granted under State statutes and rules including state building codes.

D. Warning And Disclaimer Of Liability

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of Wasco County, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

SECTION 3.741 Special Definitions

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this section its most reasonable application. The words or phrases found below only apply to this Section of the Land Use and Development Ordinance.

P2010-0089 (154 of 348)

Area of Special flood hazard (ASFH) – The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

Appeal – A request for a review of the interpretation of any provision of this ordinance.

Base Flood – The flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood". Designation on maps always includes the letters A or V.

Base Flood Elevation (BFE) – The computed elevation to which floodwater is anticipated to rise during the Base Flood. Base Flood Elevations (BFEs) are shown on Flood Insurance Rate Maps (FIRMs) and on the flood profiles.

The BFE is the regulatory requirement for the elevation or floodproofing of structures. The relationship between the BFE and a structure's elevation determines the flood insurance premium.

Basement – Any area of the building having its floor sub-grade (below ground level) on all sides.

Critical Facility – A facility where the potential for even minimal water damage might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire, and emergency response facilities, installations that produce, store or use hazardous materials or hazardous waste. (Approval of any new Critical Facility within the ASFH must be reviewed through the Administrative Variance provisions (Chapters 6 and 7) of the Wasco County Land Use and Development Ordinance.)

Development – Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

Development does not include low impact practices using hand based tools to perform habitat restoration activities, which **do not** result in: ...

- the potential destabilization and/or erosion of the designated floodplain by removal of bank stabilizing root systems or other means;
- alteration of the topography of the designated ASFH;
- the accumulation of woody vegetative debris within the ASFH;
- a violation of any prior condition of approval associated with a review on the subject property;
- a violation of any Wasco County or other agency natural resource regulations; or
- the siting of any structure.

P2010-0089 (155 of 348)

Elevated Building (for Insurance Purposes) – A non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Flood or Flooding – A general and temporary condition of partial or complete inundation of normally dry land areas from:

a. The overflow of inland or tidal waters and/or

b. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) – The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study – The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary Map, and the water surface elevation of the Base Flood.

Flood-Resistant Material – Any building product capable of withstanding direct and prolonged (at least 72 hours) contact with floodwaters without sustaining significant damage (any damage requiring more than low-cost cosmetic repair such as painting.)

Improvement or Repair Cost – The cost to improve or repair a structure. This is used to determine if the proposed repairs and / or improvements constitute Substantial Damage and / or Substantial Improvement.

Improvement or Repair Costs **include** but are not limited to structural elements, footings, concrete slabs, attached decks and porches, interior partition walls, wall finishes, windows, doors, roofing materials, flooring, sub-flooring, cabinets, utility equipment, and labor.

Improvement or Repair Costs **exclude** plans, surveys, permitting costs, post-emergency debris removal and clean-up, landscaping, sidewalks, fences, yard lights, pools, detached structures, and landscape irrigation systems.

Lowest Floor – The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance found at Section 3.743.E – Specific Standards.

P2010-0089 (156 of 348)

Manufactured Home – A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" **does not** include a "recreational vehicle."

Manufactured Home Park or Subdivision – A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale. (Approval of any New or expansion of a manufactured home park or subdivision within the ASFH must be reviewed through the Administrative Variance provisions (Chapters 6 and 7) of the Wasco County Land Use and Development Ordinance.)

New Construction – Structures for which the lawful "start of construction" commenced on or after the effective 1 June 2010.

Raised Structure – A non-basement structure that has its lowest elevated floor raised a minimum of one foot above the Base Flood Elevation.

Recreational Vehicle (Flood Hazard Overlay Section only) – A vehicle which is:

a. Built on a single chassis; and

b. 400 square feet or less when measured at the largest horizontal projection; and

c. Designed to be self-propelled or permanently towable by a light duty truck; and

d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory Floodway – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Start of Construction – Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not

P2010-0089 (157 of 348)

occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure (Flood Hazard Overlay Section only) – A walled and roofed building, as well as any gas or liquid storage tank, that is principally above ground.

Substantial Damage – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement – Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either:

a. Before the improvement or repair is started, or

b. If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

a. any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or,

b. any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

Variance – A grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance."

Water Dependant – A structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations, including but not limited to bridges, docks, piers, wharfs, certain fish and wildlife structures, boat launch facilities and marinas. Dwellings, parking lots, spoil and

P2010-0089 (158 of 348)

dump sites, restaurants, trailer parks, resorts, and motels are not water dependent.

SECTION 3.742 PLANNING DIRECTOR

A. Designation of the Planning Director

The Planning Director is hereby appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

B. Duties and Responsibilities of the Planning Director

Duties of the Planning Director shall include, but not be limited to:

1. Review of Building Permits
   Where elevation data is not available either through the Flood Insurance Study or from another authoritative source (Section 3.742.B.5), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

2. Interpretation of ASFH Boundaries
   Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).

3. Determination of Appropriate Review Method (Type I or Type II)
   Review all development permit applications to determine that the appropriate review method (Type I or Type II) is applied. Any application without sufficient evidence to clearly deem the request compatible with the Type I process shall be reviewed through the Type II process.

4. Development Permit Review

   a. Review all development permits to determine that the permit requirements and conditions of this chapter have been satisfied.

   b. Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required.

   c. Review all development permits to determine if the proposed development adversely affects the flood carrying capacity of the Area of Special Flood

P2010-0089 (159 of 348)

Hazard. For the purposes of this chapter, "adversely affects" means damage to adjacent properties because of rises in flood stages attributed to physical changes of the channel and the adjacent overbank areas.

i. If it is determined that there is no adverse effect, then the permit shall be granted consistent with the provisions of this chapter.

ii. If it is determined that there is an adverse effect, then flood damage mitigation measures shall be made a condition of the permit.

5. Use of Other Base Flood Data

When base flood elevation data has not been provided in accordance with Section 3.740.B.2 – Basis for Establishing the Areas of Special Flood Hazard, the Planning Director shall require, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer Section 3.743.E – Specific Standards.

6. Alteration of Watercourses

a. Notify adjacent communities, Department of State Lands, Department of Land Conservation & Development, and the Department of Water Resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

b. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

7. Information to be Obtained and Maintained

a. Where base flood elevation data is provided through the Flood Insurance Study or required as in Section 3.742.B.5, obtain and record the actual (as-built) elevation (in relation to mean sea level) to the lowest floor (including basements and below grade crawl-spaces) of all new or substantially improved structures, and whether or not the structure contains a basement (Elevation Certificate).

b. Maintain for public inspection all records pertaining base flood elevations and flood-proofing certificates required in Section 3.742.B.7.

c. Where base flood elevation data is changed via a restudy, limited map maintenance project, map revision amendment, those changes shall be obtained and recorded.

P2010-0089 (160 of 348)

d. Submit any new or revised map information that could affect the ASFH to FEMA when it becomes available.

e. For all new or substantially improved floodproofed structures:

i. Obtain and record the actual elevation (in relation to mean sea level) to which the structure was flood proofed, and

ii. Maintain the floodproofing certifications required in Section 3.743.C – Application Requirements.

f. Maintain for public inspection all records and data pertaining to this chapter.

SECTION 3.743 DEVELOPMENT PERMIT

A. Establishment of Development Permit

1. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.740.B – Applicability. The permit shall be for all structures including manufactured homes, as set forth in the "DEFINITIONS", and for all development including fill and other activities, also as set forth in the "DEFINITIONS".

2. If the director determines that it is unclear if a proposed development lies in or out of the Area of Special Flood Hazard, then Establishment of the Development Permit shall be based on the following:

a. Within thirty (30) days of receiving an appropriate Land Use Application, the Director or the Director's designee shall conduct a site inspection on the proposed development. If during that site inspection, the Director is able to determine that the proposed development is reasonably safe from flooding based to topography or other pertinent data, then no ASFH Development Permit will be required.

b. If during the above mentioned site inspection, the Director cannot determine that the proposed development is reasonably safe from flooding, then the applicant will be required to establish the Base Flood Elevation for the Development using FEMA approved methodologies. Appropriate methodologies may include HEC, SMADA, SWWM, QUICK-2, or other FEMA approved hydraulic or hydrologic modeling programs.

c. If the Director determines that the BFE must be established for a development, then the applicant will be required to hire a competent consultant (engineer, surveyor, hydrologist, architect, etc.) with proof of

P2010-0089 (161 of 348)

suitable credentials to determine the BFE using appropriate FEMA approved methodologies.

B. Application Types

1. Administrative (Type II) Development Permits

The Administrative (Type II) Development Permit provides the default review process for most Development within the ASFH. Type II Development Permits include but are not limited to structures, improvements to structures (remodel, repair, etc.), critical facilities, utilities, manufactured homes, recreational vehicles, mining, paving, and other development that is not specifically addressed in 2 below.

2. Ministerial (Type I) Development Permits

a. The Ministerial (Type I) Development Permit enables an applicant to apply for certain low-impact projects through a more expeditious and less expensive review process.

b. Any development listed in Section 3.743.B.1 is excluded from the Type I development review process.

c. Type I Development Permits may only be utilized when evaluating uses that are permitted without review in their applicable zone as specified in Chapter 3 of the LUDO. Such uses may include accessory structures that are less than 200 square feet and less than ten feet (10') in height, wildlife habitat enhancements, fish habitat enhancements, fences, vegetation removal and / or installation, minor grading that does not require the placement of fill, etc.

d. If the applicant does not provide sufficient evidence to fully justify a Type I Development Permit, then the request will be reviewed as a Type II Development Permit.

C. Application Requirements

Any application for a Development Permit shall be made on forms furnished by the Planning Director and may include, but not be limited to: plans drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing structures, proposed structures, fill, storage of materials, utilities, septic facilities, and drainage facilities.

Specifically, the following information is required:

P2010-0089 (162 of 348)

1. General elevation to mean sea level of building site using best information available.

2. Elevation of the lowest floor (including basement) of all structures.

3. Distance between ground elevation and level to which a structure is to be flood-proofed.

4. Certification by a registered professional engineer or architect that the flood-proofing methods for any non-residential structure meet the flood-proofing criteria in Section 3.743.E.6 – Specific Standards.

5. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

6. Copies of all permits required from any governmental agency, together with a certification under penalties of perjury that all certificates and permits requested have been obtained.

D. General Standards

In all areas of special flood hazards the following standards are required:

1. Anchoring

   a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

   b. All manufactured homes must likewise be anchored to prevent flotation, collapse and lateral movement, according to requirements set forth in the Oregon Manufactured Dwelling Specialty Code. (See FEMA's Manufactured Home Installation in Flood Hazard Areas" guidebook for additional information).

2. Construction Materials and Methods

   a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage. See FEMA 348 (Protecting Building Utilities from Flood Damage) for details.

   b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

   c. Electrical, heating, ventilation, plumbing, and air- conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located

so as to prevent water from entering or accumulating within the components during conditions of flooding.

3. Utilities

   a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

   b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,

   c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with the North-Central Public Health District.

E. Specific Standards

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 3.742.B.5, Use of Other Base Flood Data, the following standards are required:

1. Residential Construction

   a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated a minimum of one foot (1') above base flood elevation.

   b. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

      i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

      ii. The bottom of all openings shall be no higher than one foot above grade.

P2010-0089 (164 & 348)

iii. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of flood-waters.

2. Partition and Property Line Adjustment Proposals

   a. All partition and property line adjustment proposals shall be consistent with the need to minimize flood damage;

   b. Parcels created through these processes shall wherever practical include suitable sites for the construction of buildings, structures, sewage systems, and water supplies outside of the ASFH.

   c. Parcels created through these processes shall wherever practical be designed so that access to the proposed parcel does not traverse the ASFH.

3. Subdivision Proposals

   a. All subdivision proposals shall be consistent with the need to minimize flood damage;

   b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

   c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,

   d. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed development which contain at least fifty (50) lots or five (5) acres (whichever is less).

4. Manufactured Homes

   a. All manufactured homes to be placed or substantially improved within the ASFH shall be elevated on a permanent foundation such that the such that the bottom of the longitudinal chassis frame beam is elevated a minimum of one eighteen inches (18") above the base flood elevation and be securely anchored to an adequately designed foundation system to resist floation, collapse and lateral movement, and shall be in accordance with the provisions of subsection 3.743.D.1 – General Standards.

P2010-0089 (165 of 348)

b. Fully enclosed areas below the lowest floor that are subject to flooding shall comply with Sections above. Non-structural metal or vinyl skirting does not constitute a "fully enclosed area".

5. Recreational Vehicles

Recreational Vehicles placed on sites with an "A" zone (Areas of 100-year flood) as identified on the Flood Insurance Rate Maps (FIRM) must:

a. Be on the site for fewer than 180 consecutive days; and

b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

c. Meet the requirements of Section 3.743.E – Specific Standards above.

6. Non-residential Construction

New construction and substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated at or above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

a. Be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,

c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the Planning Director as set forth in Section 3.743.C.

d. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in Section 3.743.E.1 – Specific Standards.

e. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the

P2010-0089 (164 of 348)

floodproofed level (e.g. a building constructed to the base flood level will be rated as one foot below that level).

7. Storage of Hazardous or Toxic Materials
The storage of hazardous or toxic materials shall be a minimum of one foot (1') above the BFE of the property. This may require alterations to a structure or development to ensure that the potential storage of such materials can be accommodated. Hazardous or toxic materials include but are not limited to those regulated by the EPA and DOT.

8. Critical Facilities
Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Area Special Flood Hazard (ASFH) (100-year floodplain). Construction of new critical facilities shall be permissible subject to an Administrative Variance (LUDO Chapters 6 and 7) within the ASFH if no feasible alternative site is available. Critical facilities constructed within the ASFH shall have the lowest floor elevated three feet above the BFE. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

9. Development Within Riparian Areas
The Wasco County FIRMs do not designate regulatory floodways. No new construction, substantial improvements, or other development (including fill) shall be permitted within the ASFH unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated onsite development, will not increase the water surface elevation of the base flood more than one foot at any point within the community. The methodology for conducting this research must conform to the methodologies prescribed in the FEMA Region X Procedures for "No-Rise" Certification for Proposed Development s in the Regulatory Floodway.

10. Fish Habitat Structures
Projects for stream habitat restoration may be allowed subject to a Type I or Type II review provided:

   a. The project qualifies for a Department of the Army, Portland District *Regional General Permit for Stream Habitat Restoration* (NWP-2007-1023), and

   b. The applicant supplies a feasibility analysis and certification from a qualified professional that the project was designed to keep any rise in the 100-year flood levels as close to zero as practically as possible, and that no structures

B200-0089 (167 of 348)

would be impacted by a potential rise, and

c. No structures would be impacted by a potential rise in flood elevation, and

d. An agreement to monitor the project, correct problems, and ensure that the flood carrying capacity remains unchanged is included with the application.

e. Qualified professionals may include private hydrology or hydraulic consultants, or hydrology or hydraulic professionals from the Soil and Water Conservation District, Natural Resources Conservation Service, Oregon Department of Fish and Wildlife, or similar qualified agency.

f. Other restrictions set forth in the most recent applicable Policy from FEMA may be required of such projects.

SECTION 3.744 Variances

A. Variances to any Flood Hazard Overlay regulations shall be reviewed administratively unless the Planning Director elects the matter to be heard before the Planning Commission.

B. In considering a variance to floodplain standards, the Planning Director or his designee shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:

1. The danger that materials may be swept onto other lands to the injury of others;

2. The danger to life and property due to flooding or erosion damage;

3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

4. The importance of the services provided by the proposed facility to the community;

5. The necessity to the facility of a waterfront location, where applicable;

6. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

7. The compatibility of the proposed use with existing and anticipated development;

P200-008(168 of 348)

8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

9. The safety of access to the property in times of flood for ordinary and emergency vehicles;

10. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and

11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

C. Upon consideration of the factors in B., and the purposes of this ordinance, conditions may be attached to the granting of the variance as is deemed necessary to further the purposes of this ordinance.

D. Records of all appeal actions shall be maintained by Wasco County and any variances shall be reported to the Federal Insurance Administration upon request.

E. Conditions for Variances:

1. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (1-11) in Section 3744.A have been fully considered. As the lot size increases the technical justification required for issuing the variance increases.

2. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the Statewide Inventory of Historic Properties, without regard to the procedures set forth in this section.

3. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

5. Variances shall only be issued upon:

   a. A showing of good and sufficient cause;

P2010-0089 (169 of 348)

b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;

c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

6. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece or property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

7. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except 3.744.E.1 and otherwise complies with Sections 3.743.D.1 and 3.743.D.2 of the General Standards.

8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

SECTION 3.745 Appeals

Appeals shall be processed as described in Chapter 2 of this Ordinance.

SECTION 3.746 Compliance Required

A. No person shall construct, erect, locate, maintain, repair, alter, enlarge, or change the use of a structure located within the ASFH in violation of this Ordinance.

B. No person shall initiate any development within the ASFH in violation of this Ordinance.

C. The, construction, erection, location, maintenance, repair, alteration, enlargement or change in use of any structure, or the initiation of any development in violation of this Ordinance or those conditions and limitations approved pursuant to the provisions of

P2010-0089 (170 of 348)

this Ordinance shall be deemed a nuisance and shall be subject to the provisions of the Wasco County Code Compliance and Nuisance Abatement Ordinance.

SECTION 3.747 Revising FIRM Maps

A. Reasons to Revise FIRMs
The Wasco County FIRMs were established in 1984. Advances in technology along with physical changes in a given flood situation may necessitate a FIRM map being updated, revised, corrected, or changed. Common reasons why a FIRM may need to be changed include correcting certain features, including better ground elevation data, reflecting physical changes to the floodplain, submitting new or revised flood data, or to reflect a new flood control project.

Regardless of the reason a FIRM is changed, all changes must be submitted to FEMA and retained by Wasco County.

B. Types of Changes
There are four approaches to changing FIRMs. They include restudies, limited map maintenance projects, amendments, and revisions. Any request for a restudy, amendment or revision must be reviewed by Wasco County for compliance with this chapter.

1. Restudy

a. A restudy is a new Flood Insurance Study for a part or all of a community.

b. Restudies are typically large scale projects conducted by FEMA

2. Limited Map Maintenance Project (LMMP)

a. A LMMP is a small-scale restudy that is limited in size and cost. This type of study is often used for studies of unnumbered A Zones, like those found in Wasco County.

b. A LMMP may be conducted by FEMA or the community.

3. Revision

a. A revision is typically used for:

i. Scientifically based challenges to flood elevations, or
ii. Incorporation of new flood data, or
iii. Reflecting fill placed in the floodplain, or

P2010-0089 (171 & 348)

iv. Changing floodplain boundaries,

b. Revisions may be conducted by FEMA, requested by the community, or requested by property owner(s).

4. Amendment

a. An amendment is only used to remove an area that was inadvertently included in the ASFH. Often the ground is higher than depicted on the base map used for the FIRM.

b. FEMA will review map amendments based on information submitted by the applicant. An amendment does not challenge the Flood Insurance Study or FIRM; it simply removes certain portions of a property from the ASFH because they are higher than the Base Flood Elevation

C. Requesting Map Changes
FEMA may actually change a FIRM and publish new copies. A restudy or LMMP will generally result in a new map. Additionally, FEMA may issue a Letter of Map Change (LOMC) when a revision can be adequately described in writing or through use of a small annotated map panel.

There are two types of LOMCs; a Letter of Map Revision (LOMR) and a Letter of Map Amendment (LOMA).

1. Letters of Map Revision (LOMRs) address revisions to the FIRM as described in Section B.3 above. A LOMR may be requested of FEMA by the applicant. A copy of the final LOMR must be provided to the County. FEMA typically charges a processing fee for all LOMRs.

2. Letters of Map Amendment (LOMAs) address revisions to the FIRM as described in Section B.4 above. A LOMA may be requested of FEMA by the applicant. A copy of the final LOMA must be provided to the County. FEMA may not charge a processing fee for a LOMA.

SECTION 3.748 <u>Notes on Insurance</u>
The provisions of this section are provided for informational purposes and are subject to change without notice.

A. Coverage: Flood insurance is available for insurable buildings and their contents to property owners within the ASFH

P2010-0089 (172-8348)

B. Waiting Period: Unless a Flood Insurance Policy is purchased at the time of closing, a 30-day waiting period typically follows the purchase of that policy before it goes into effect.

C. Mandatory Flood Insurance Purchase: If a building is located within the ASFH, a federally regulated lender is required by law to require the recipient of the loan to purchase a Flood Insurance Policy on the building. This policy is typically equal to the value of the mortgage on the building.

D. Lender's Choice: Although a lender may not be required by law to secure a Flood Insurance Policy on a building or structure located outside of the ASFH, it may choose to require coverage as a condition of a loan for any property. Neither Wasco County, nor FEMA control this requirement.

E. Flood Insurance for Contents: Mandatory Flood Insurance as described above typically does not cover the contents of the building unless an additional voluntary insurance policy is purchased specifically for the contents.

F. Further elevation of a structure beyond the required one foot (1') above BFE may significantly reduce the cost of a Flood Insurance Policy.

P2010-0089 (173 of 348)

DETAILED TABLE OF CONTENTS
CHAPTER 22

[Reserved for Future Expansion]

WASCO COUNTY COMP PLAN

P2010-0089 (175 of 348)

CHAPTER 2 PHYSICAL CHARACTERISTICS

A. General Location

Wasco County lies east of the Cascade Range along the Columbia River. It is bounded on the west by the forests of Mt. Hood National Forest, on the north by the Columbia River, and on the east by the Deschutes and John Day Rivers. A large portion of the southern half of the county lies within the Warm Springs Indian Reservation. The line between Township 8 and 9 South forms the southern boundary of the county.

B. Topography

Steep rolling hills and sharp cliffs and canyons are characteristic landforms in Wasco County. Elevations vary from 5,700 feet at Flag Point in the western part of the county to 150 feet on the Columbia River. A general slope occurs to the north and east from the higher elevations of the Cascade range. Tributary streams dissect steep canyons as they make their way to the Columbia, Deschutes and John Day Rivers.

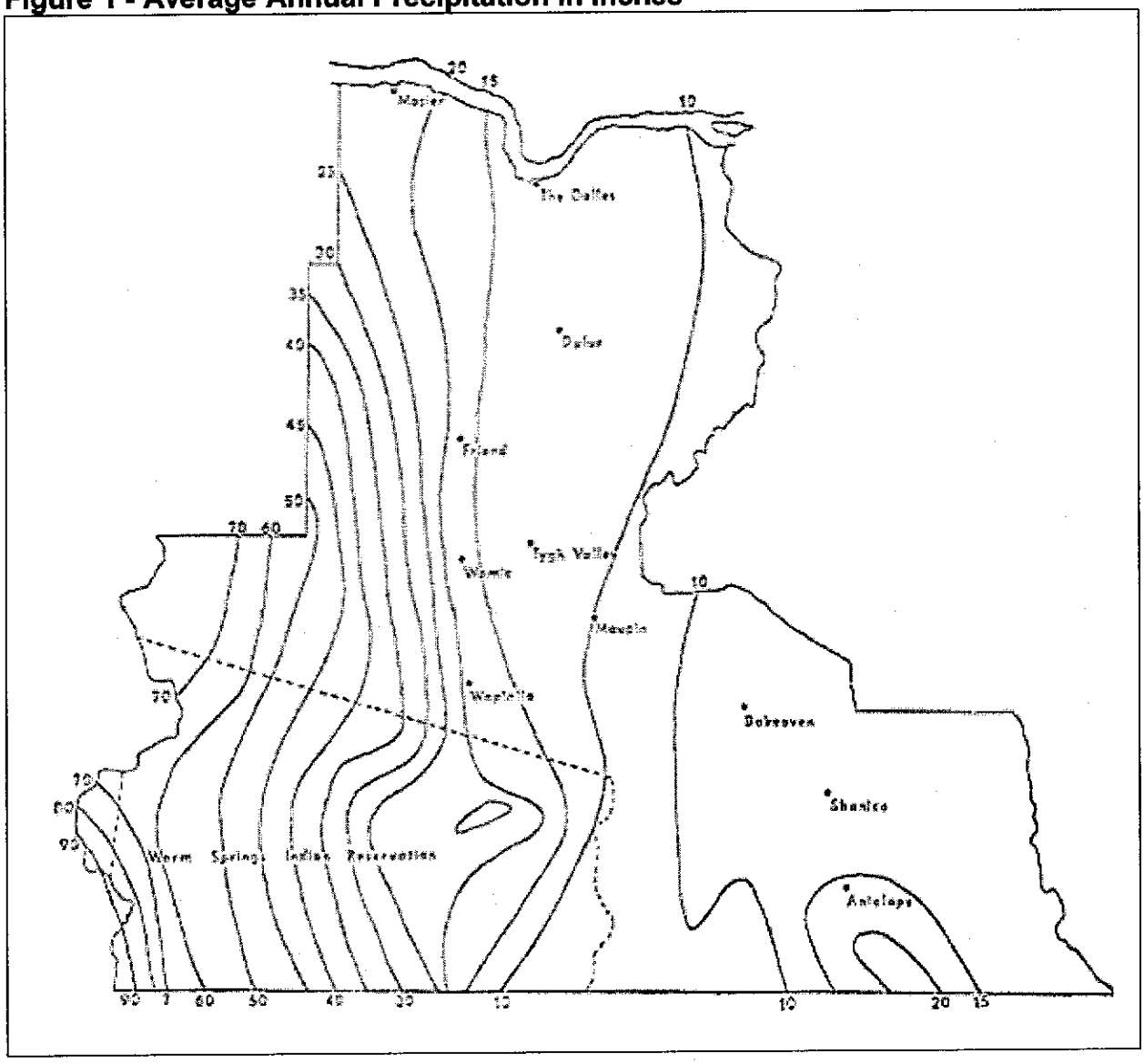
P200-0089 (176 of 348)

C. Climate

Wasco County lies in a transitional zone between western and eastern Oregon climates. Maritime air patterns are characteristic of western Oregon, while the drier continental air patterns dominate eastern Oregon. The Cascade Mountain Range forms a barrier which creates the climatic difference. The transition between these two major climates can be evidenced within the county.

The western portions of the county have higher amounts of precipitation with lower temperatures. Snowfalls as great as 14 to 20 feet can be found at the higher elevations near the Cascade Mountains. Rainfall amounts are also higher in the western portions of the county. The Cascade Mountains create this "rain shadow" effect, making the climate drier progressively to the east. (See Figure 1). The growing season in the western elevations is only thirty days. Temperatures are cooler, with a 43 degree Fahrenheit annual average at Friend.

Figure 1 - Average Annual Precipitation in Inches



P2010-0089 (177 & 348)

Warmer temperature averages can be found at lower elevations.

A drier, warmer climate is found in the eastern portions of the county. Precipitation amounts average less than fourteen inches per year. Average annual temperatures are greater than 50 degrees Fahrenheit. Precipitation decreases and temperatures increase at the lower elevations near the Columbia River and other river valleys. **Table 1** shows the annual temperature and precipitation ranges and growing season for several areas in Wasco County.

The eastern and lower portions of the county have a longer growing season. The average number of days without killing frost in Antelope is approximately 130 days. The normal frost-free season is from early May to late September.

Highly unstable climatic conditions are found in the Columbia Gorge and nearby areas. The contact between continental and maritime air masses produces strong wind patterns. The Dalles receives wind over fifty percent of the time. Sustained westerly winds above 65 miles per hour have been recorded. Prevailing winds are north-westerly in summer and northeasterly in winter. Winds are less dominant away from the Columbia Gorge. Western Wasco County is generally protected from winds by mountains in the west. The rolling topography makes local differences in wind patterns. Wind patterns are shown

The topography of the county forms microclimates. The higher portions of rolling hills have higher soil temperatures because they are exposed to the sun and drying winds. The creek bottoms and canyons have lower soil temperatures and retain a greater amount of moisture. Differences in microclimates can be seen in the changes of vegetation. Trees and bushes are found in the canyons, while bunchgrass dominates the tops of rolling hills.

Overall, the climate in Wasco County is temperate and semi-arid. Low annual precipitation, low winter temperatures, and high summer temperatures are typical. Seasonal differences in temperature are greater than daily changes. However, daily differences are usually greater than those in western Oregon. Extremes of temperature most often occur when a continental air mass dominates the area with an east wind.

P2010-0089 (178 of 348)

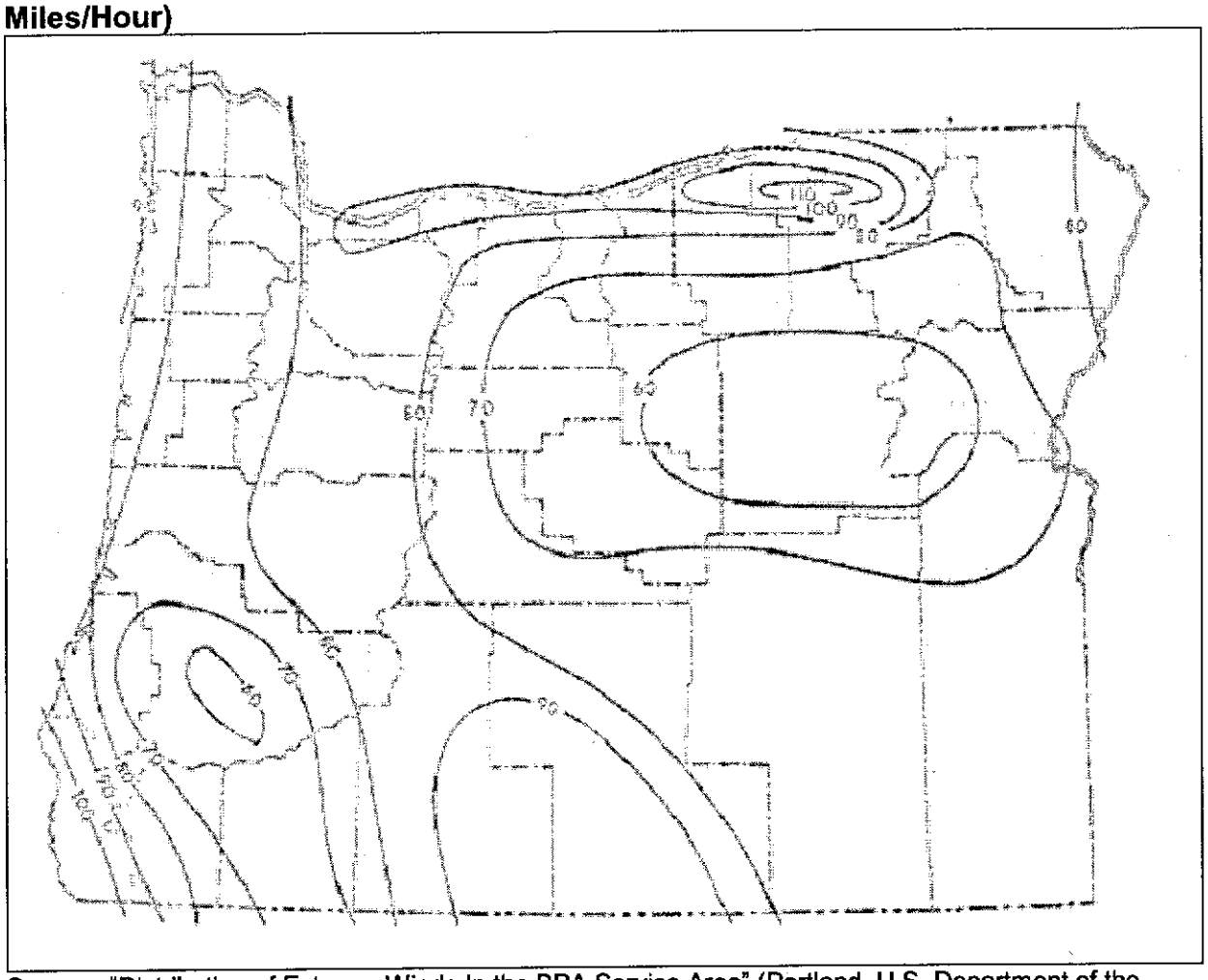
Table 1 – Annual Temperatures, Precipitations & Growing Seasons

Annual Temperature					
	The Dalles	Friend	Dufur	Big Eddy	Antelope
Avg. Max	64	58	63	64	63
Avg. Min	43	33	37	43	35
Mean	54	43	50	54	48
Highest	115	109	110	115	109
Lowest	-30	-28	-28	-26	-27
Annual Precipitation					
Least	6	9	5	7	7
Greatest	44	23	19	24	18
Mean	14	17	12	14	13

Growing Season	
Location	Average Number of Days without Killing Frost
Wasco Co. overall	100 to 217 (depending upon location and elevation)
Western Wasco Co. (higher elevations)	30
The Dalles	180
Wamic	110
Antelope	130

P2010-0089 (1798348)

Figure 2 – Extreme Winds – 100 Year Mean Recurrence Interval (Wind Speed in Miles/Hour)



Source: "Distribution of Extreme Winds In the BPA Service Area" (Portland, U.S. Department of the Interior, Bonneville Power Administration). (Mimeographed)

P2010-0089 (180 & 348)

D. Water Resources

1. Surface Water

Surface water resources are important in Wasco County. The county does not have an over abundance of these resources. Therefore, they must be utilized properly.

Wasco County lies within three major drainage basins, the Hood, Deschutes River and John Day River Basins. These are shown in Figure 3. The major rivers which drain these areas include the Columbia, Deschutes and John Day Rivers.

Table 2 lists surface water resources within Wasco County and give their yearly average quantity. In addition to those named, there are many unnamed seasonal streams and small reservoirs.

Table 2 – Surface Water Resources in Wasco County

Lakes	Average Quantity
Tooley Lake *	35 surface acres
Hog Lake (McClure) *	60 surface acres
Lake Camp Baldwin	4 surface acres
Salisbury Slough *	120 surface acres
Pullens Pond	---
Wassen Pond	---
Ketchum Pond	---
Badger Lake	45 surface acres
Boulder Lake	2 surface acres
Cearl Lake	555 surface acres
Cody Ponds	10 surface acres
Frog Lake	20 surface acres
Green Lake	2 surface acres
Little Boulder Lake	7 surface acres
Twin Lakes (2)	63 surface acres
Reservoirs	**Average Quantity**
(over three acres in size)	
Evans Reservoir	25 surface acres
Wicks Reservoir	The Dalles City Water Supply
Dufur City Reservoir	Dufur City Water Supply
Ketchum Reservoir	14 surface acres
Crow Creek Reservoir	31 surface acres-Municipal Water Supply
Gray Reservoir	3 surface acres
Merrel Reservoir	12 surface acres
Miller Reservoir	11 surface acres
Pine Hollow Reservoir	235 surface acres
Robert Reservoir No. 1-3	9 surface acres
Rock Creek Reservoir	105 surface acres
Smarts Reservoir	1 surface acre
Tygh Valley Log Pond	16 surface acres

P2010-0089(181 of 348)

Chase Reservoir	4 surface acres
Streams	Average Quantity
Mosier Creek and Tributaries	16,000 acre feet/year
Mill Creek and Tributaries	20,000 acre feet/year
Threemile Creek	3,000 acre feet/year
Fivemile Creek	12,000 acre feet/year
Eightmile Creek	12,800 acre feet/year - near Boyd
Fifteenmile Creek	20,900 acre feet/year - near Dufur
Dry Creek	1,000 acre feet/year - estimated
Currant Creek	3,000 acre feet, year - estimated
Muddy Creek	17,000 acre feet/year – estimated
Rock Creek	**Annual Stream
Chenowith Creek	Annual Stream
Brown Creek	Annual Stream
Rowena Dell	Annual Stream
Rowena Creek	Annual Stream
Japanese Hollow	Annual Stream
Ramsey Creek	Annual Stream
Larch Creek	Annual Stream
Barlow Creek	Annual Stream
Frog Creek	Annual Stream
Clear Creek	Annual Stream
Crane Creek	Annual Stream
Badger Creek	Annual Stream
Tygh Creek	Annual Stream
Gate Creek	Annual Stream
Wapinitia Creek	Annual Stream
Nena Creek	Annual Stream
Rivers	Average Quantity
Columbia River	Average discharge of 194,600 cubic feet per second--141,000,000 acre feet/year
Deschutes River	Average discharge 4,213,000 acre feet/year
John Day River	Average discharge 1,410,000 acre feet/year
White River	Average discharge 315,230 acre feet/year

* These are actually parts of the Columbia River.
**Annual streams flow during periods of high runoff, normally in the Spring and Fall. Measurement on these streams is difficult because of flow differences.

P2010-0089 (182 of 348)

Table 3 shows the annual run-off in the Hood Basin. It is interesting to compare the amounts of run-off in the Hood and Wasco County portions of this basin.

Table 3 – Estimate Average Annual Surface Outflows by Areas, 1932 - 1961

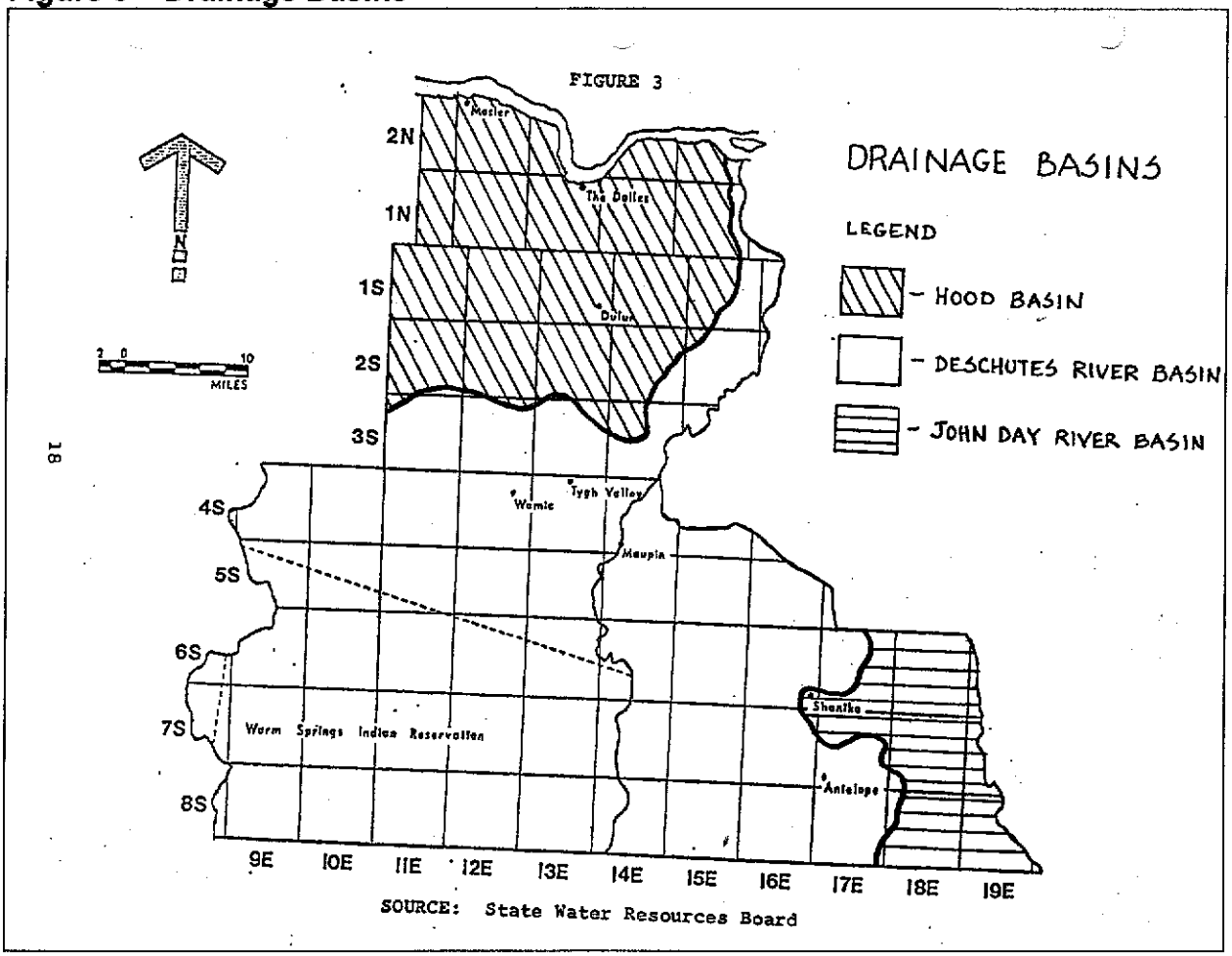
AREA	AVERAGE ANNUAL OUTFLOW		
	Sq. Mi.	Acre-feet	Inches Per Acre
Hood	482	1,250,000	48.6
Wasco	540	130,000	4.5
TOTAL OR AVERAGE	1,022	1,380,000	26.6

Data Source: USGS records and SWRB correlations

Many of the streams in Wasco County (those in the Hood and Deschutes River Basins), begin in the Cascades and run northeasterly with relatively steep profiles. Mosier Creek, for example, descends 3,000 feet in approximately eleven miles. Drainage patterns in these areas are characteristic of a youthful stage or early mature stage of stream development, with large, flat erosion surfaces incised by narrow stream channels. Topographic relief is quite pronounced.

P2010-0089(1830348)

Figure 3 – Drainage Basins



Stream flows are rapid during early winter rain-storms, before the heavy snowfall and freezing conditions prevail. This is the case with all streams in the county. Spring run-off due to snow melt greatly increases stream flow. Again, Mosier Creek can be used as an example. The maximum discharge on this creek has varied from a maximum of 4,790 cubic feet per second (cfs) in 1964, to a minimum of 0.60 cfs in the summer of 1968.

There are several gauging stations on rivers in Wasco County. Stations on the John Day River are maintained by the United States Geological Survey at Service Creek, Wheeler County, at river mile 156.7, approximately thirty-six miles upstream from the county border, and at McDonald Ferry, Sherman County, at river mile 20.9, approximately 125 miles downstream from Maupin.

The average discharge recorded at Service Creek for forty-six years was 1,327,000 acre/feet per year (Geological Survey, 1974). The estimated average discharge of the John Day River at its mouth for thirty-three years was 1,410,000 acre/feet per year (State Water Resources Board, 1962).

Gauging stations on the Deschutes River are maintained by the United States Geological Survey near Madras, Jefferson County, at river mile 100.1, ap-

P2010-0089 (184 of 348)

proximately ninety miles upstream of Wasco/Jefferson County line; and at Moody, Sherman County, at mile 1.4, approximately eighty-five miles downstream of Maupin.

The average discharge recorded near Madras for fifty-one years was 3,225,000 acre/feet per year. The average discharge recorded at Moody for seventy years was 4,218,000 acre/feet per year (Geological Survey, 1974).

The Deschutes and John Day Rivers, as with most streams that drain arid basins, are subject to extreme flow variations. The John Day River has had periods when no flow was recorded. Seasonal variations are quite pronounced. The high water months normally are March, April, May, and June during snow melt.

A partial record station has been maintained within Wasco County on a small tributary stream of the John Day since 1969. The station is located approximately five miles west of Clarno along State Highway 218. In 1970, the gauge recorded an annual maximum discharge of thirty-seven cubic feet per second. In 1971, an annual maximum discharge of sixty-five cubic feet per second was recorded. In 1972, the recorded annual maximum discharge was fifty-four cubic feet per second. No flow was observed in 1973 (Geological Survey, 1970, 1971, 1972, 1973).

The White River is a major watershed in Wasco County. It is a tributary of the Deschutes River and has a drainage area of 238,080 acres in Wasco and Hood River Counties. It drops 830 feet per mile in its upper four miles, 96 feet per mile between miles 45 and 20, and averages 48 feet per mile between river mile 20 and its mouth. The White River originates at the White River Glacier on the east side of Mt. Hood and flows in an easterly direction through Tygh Valley to the Deschutes River. The river often carries heavy loads of glacial silt, making the water a chalky, white color. This material is emptied into the Deschutes as the White River joins it just north of Maupin.

2. Ground Water

a. Hood Basin:
The Dalles Ground Water Reservoir, or "The Dalles Pool", extends slightly beyond The Dalles Urban Area. This reservoir has been declared a Critical Ground Water Area by the State Engineer, because of declining water levels. It has been shown; however, that artificial recharge of this ground water source is practical by diverting surface water. Artificial re-charge means that a stream was diverted into the ground water reservoir to raise its level. A secondary ground water reservoir exists in lower Three-mile Creek Valley and is also a Critical Ground Water Area. There are no other Critical Ground Water Areas in Wasco County. Declines have been so severe in these areas that it is estimated the water supplies are near exhaustion. Fault impounded ground water reservoirs also exist in upper Mosier Creek Valley and along the

P2010-0089 (185 of 348)

North Fork of Mill Creek. Figure 4 shows the generalized ground water geology and the groundwater yield capabilities of each geologic unit.

Well depths in the Hood Basin vary from 50 to 1,000 feet. The average well depth for all completed wells is approximately 270 feet. The yield of these wells is highly variable. Some produce enough water for irrigation, while others barely supply water for domestic uses. Minimum well spacing of approximately', 1,500 feet has been found advisable for deep wells tapping the aquifer in the Columbia River basalt under steady pumping conditions. Five to ten million gallons per day is the maximum depletion recommended for a two square mile area. Large industrial users like Martin Marietta Aluminum in The Dalles use twenty million gallons of water per day. Average use users Dalles City residents equals 233 gallons per household.

Tests indicate that a range of flows between 1½ and 300 gallons per minute are derived from these wells that are not artesian. Average well flows are approximately 100 gallons per minute, with artesian wells to 300 gallons per minute and greater.

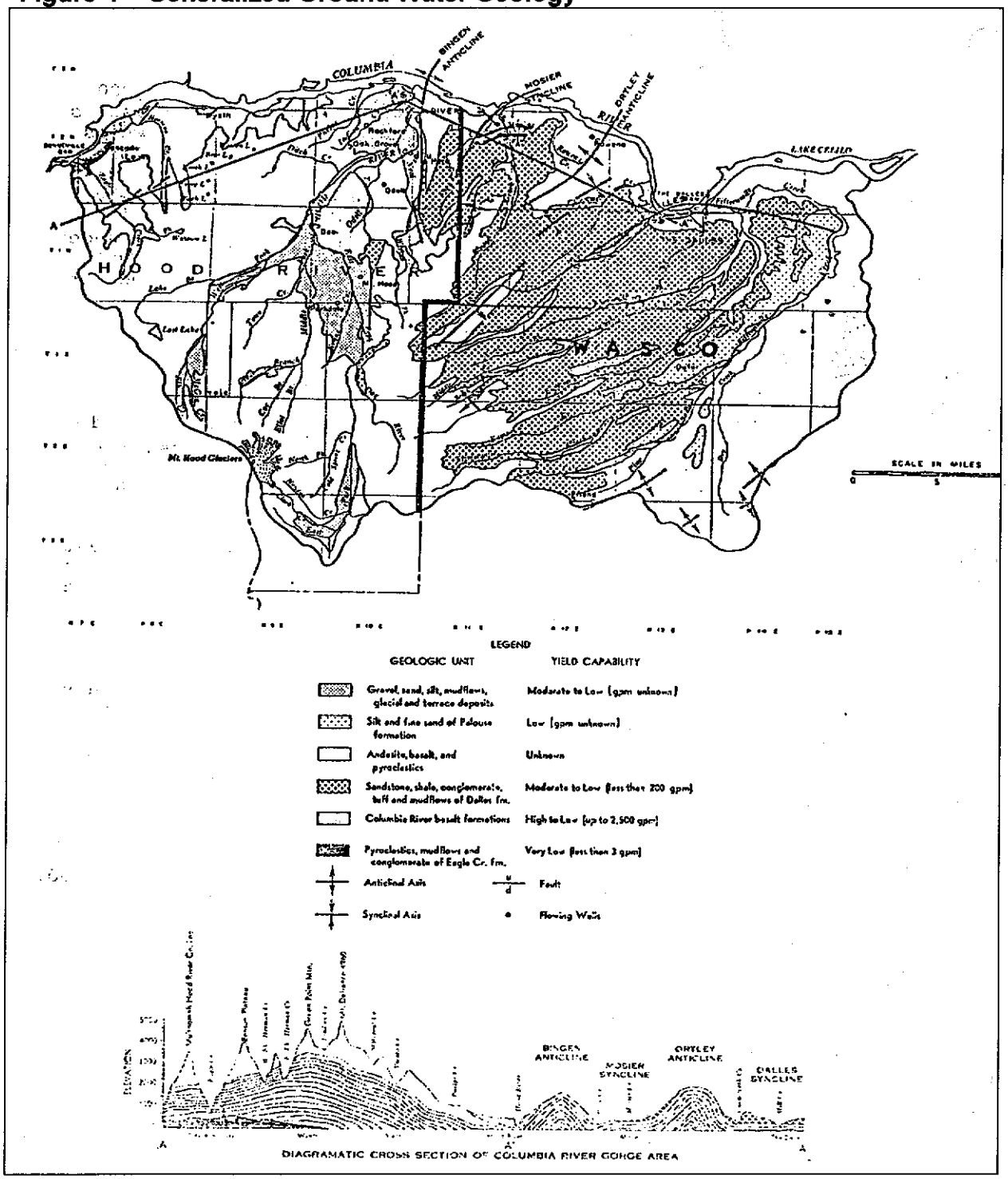
Ground water is used in varying amounts to supplement surface irrigation supplies along parts of Mosier, Chenowith, Mill, Threemile, Fivemile, and Fifteenmile Creeks. Around Friend, ground water is insufficient to supply even domestic needs. Most wells drilled in this area are dry.

The Dalles geologic formation, overlying much of this area, has low permeability and is a source of domestic water only. Moderate supplies of ground water are furnished along Chenowith Creek by gravel zones at the base of this formation. Wells show no indication of declining water levels.

Analysis of the quality of the ground water of selected wells of the area has been studied in Geological Survey Water-Supply Paper 1999-N (see Literature Cited). This publication reveals that ground water of the basalt is satisfactory without treatment for most ordinary uses of water. The water varies from moderately hard to hard, and has a slightly basic pH composition. Other chemical factors do not greatly affect the quality of the water.

P200-0089 (186 of 348)

Figure 4 – Generalized Ground Water Geology



One of the principal ground water problems is that much of the plateau land in the northwestern part of the county lies above the regional water table and necessitates high pumping lifts. Wells over 1,000 feet in depth have been drilled in this area. In the upper areas of Threemile, Fivemile, and Eight-mile Creeks, however, geologic fault barriers in the basalt cause ground water to accumulate at higher elevations than it would otherwise.

P2010-0089 (187 & 348)

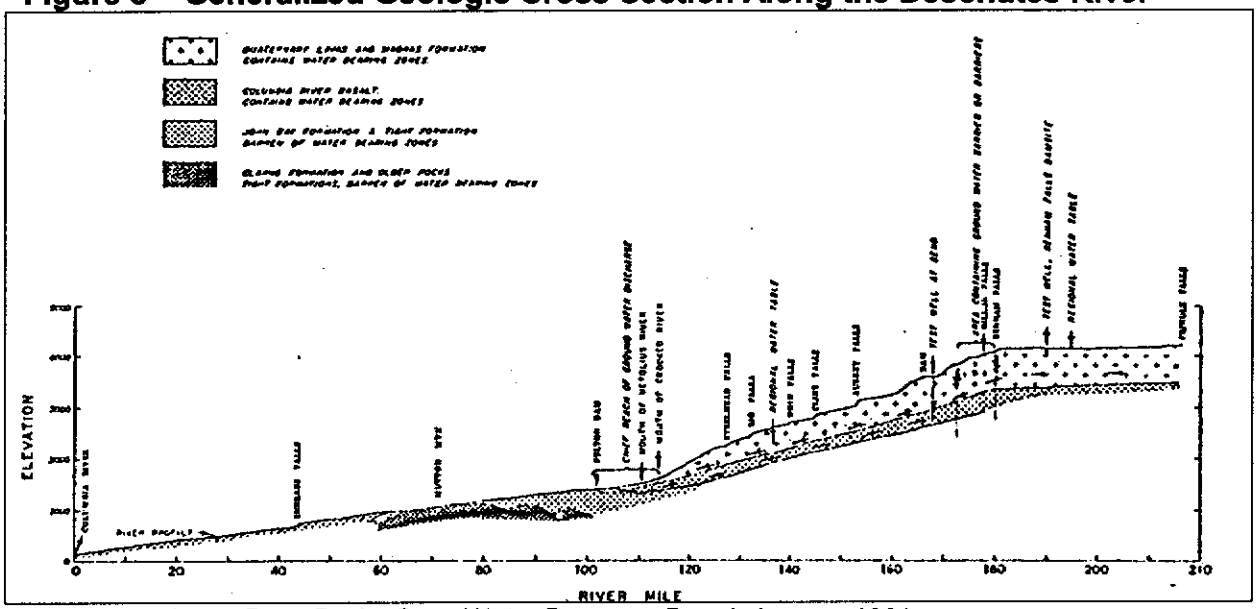
b. Deschutes Basin:

According to the report titled, Deschutes River Basin, (State Water Resources Board, 1961), very little is known about ground water resources in the northern part of the Deschutes Basin. Existing well logs are inadequate in number and coverage to determine ground water characteristics or occurrence. Figure 6 gives a general overview of ground water supplies for this portion of Wasco County.

Based on the location of springs identified by the U.S. Geological Survey on topographic quadrangles, it would appear that most springs occur between the elevation of 3,400 feet and 3,700 feet. Many springs are located at the contact between the John Day Formation and the Basalts of the Columbia River Group.

Figure 6 shows a cross section of the Deschutes River from Pringle Falls to the Columbia. The river cuts through layers of Columbia River basalt, which is generally a good water-bearing formation.

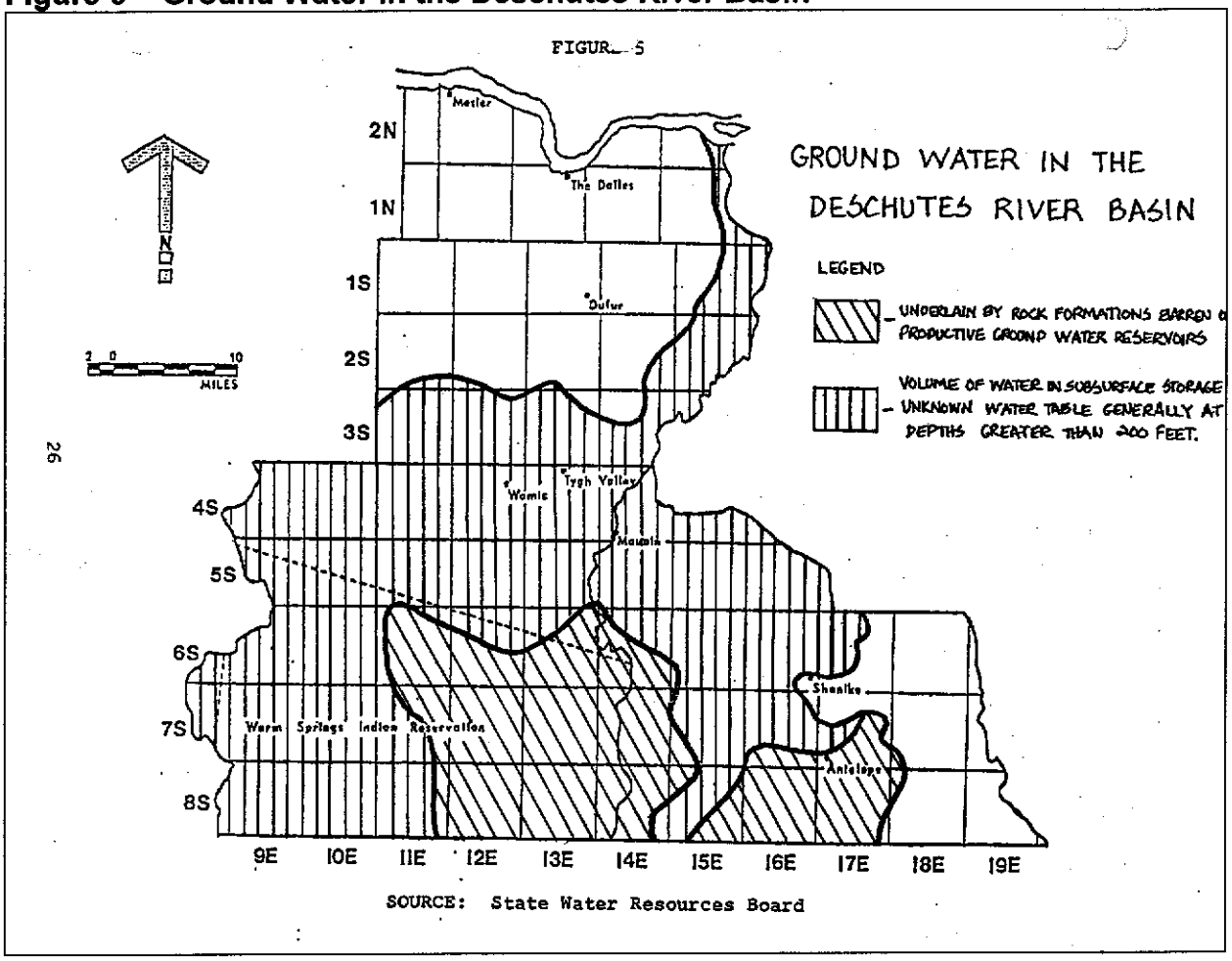
Figure 5 – Generalized Geologic Cross Section Along the Deschutes River



Source: Deschutes River Basin, State Water Resource Board, January 1961.

P2010-0089 (188 of 348)

Figure 6 – Ground Water in the Deschutes River Basin



c. John Day River Basin:
No general ground water studies have been made in the John Day River Basin. Figure 7 shows generalized ground water geology and corresponding yield capabilities.

3. Water Rights and Usage
The following Tables (4-6) show water rights for the Wasco County portions of the Hood and Deschutes River Basins. This information could not be extracted for the small portion of the county that lies within the John Day River Basin.

P2010-0089 (189 & 348)

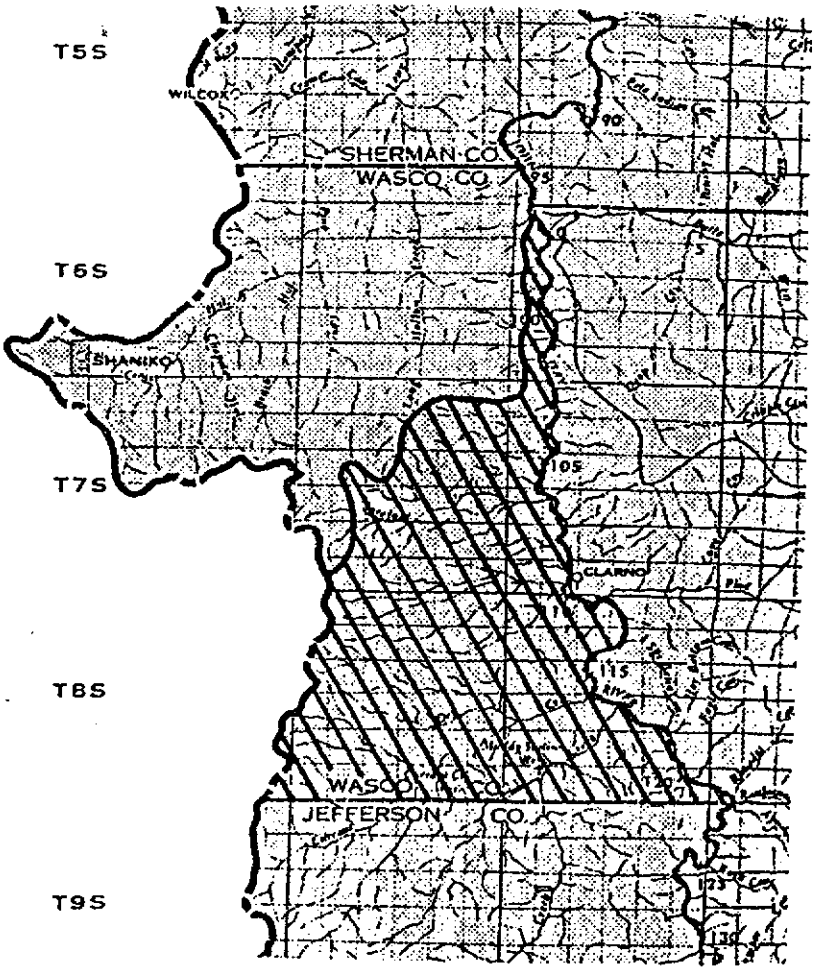
Table 4 – Surface Water Rights Summary, Sub-Basin 3 – Lower Deschutes River

USE	STREAM	CFS	TOTAL RIGHTS
Domestic	Antelope Creek	0.2	
	Badger Creek	0.4	
	Clear Creek	1.0	
	Deschutes River	1.2	
	Hay Creek	0.6	
	Rock Creek	0.1	
	Threemile Creek	0.2	
	Trout Creek	0.3	
	Tygh Creek	0.1	
	Wapinitia Creek	0.1	
	Warm Spring River	0.1	
	White River	0.3	
	TOTAL		4.6
Irrigation	Antelope Creek	6.2	
	Badger Creek	55.8	
	Buck Hollow Creek	1.6	
	Clear Creek	52.7	
	Columbia River	1.0	
	Deschutes River	8.1	
	Hay Creek	43.7	
	Rock Creek	12.0	
	Threemile Creek	26.6	
	Trout Creek	50.6	
	Tygh Creek	36.8	
	Wapinitia Creek	0.5	
	White River	42.6	
	TOTAL		338.2
Municipal	Antelope Creek	0.2	
	Badger Creek	1.0	
	Deschutes River	6.5	
	Threemile Creek	1.0	
	TOTAL		8.7
Industrial	Columbia River	0.1	
	Deschutes River	3.5	
	Tygh Creek	1.0	
	White River	0.2	
	TOTAL		4.8
Recreation	Warm Springs River	0.5	
	TOTAL		0.5
Power	Badger Creek	1.3	
	Clear Creek	0.1	
	Deschutes River	20.0	
	White River	262.0	
	TOTAL		283.4
Mining	Deschutes River	51.0	
	TOTAL		51.0
Fish	Deschutes River	71.4	
	TOTAL		71.4
	GRAND TOTAL		762.6

Source: State Water Resources Board

P2010-0089 (190 of 348)

Figure 7 – Generalized Water Geology in the John Day River Basin



LEGEND

GEOLOGIC UNIT	YIELD CAPABILITY
Columbia River Basalt	Medium to Low
Lava, Ash, Tuff, etc.	Very low

Source: John Day River Basin State Water Resources Board, 1962

f2010-0089(191 of 348)

Table 5 – Surface Water Rights Summary for Hood Basin As of January 1, 1964

AREA AND STREAM	CONSUMPTIVE						NONCONSUMPTIVE				TOTAL RIGHTS Cfs
	DOMESTIC Cfs	MUNICIPAL Cfs	IRRIGATION Cfs	IRRIGATION Acres	INDUSTRIAL Cfs	TOTAL Cfs	POWER Cfs	FISH Cfs	RECREATION Cfs	TOTAL Cfs	
WASCO AREA											
Fifteenmile Area											
Fifteenmile Creek	2.09	1.58	47.32	3,813		50.99	16.69			16.69	67.68
Ramsey Creek	0.01		2.76	220		2.77					2.77
Eightmile Area											
Eightmile Creek	1.45		13.95	1,112	0.28	15.68			0.10	0.10	15.78
Fivemile Creek	0.19		2.47	205	0.50	3.16					3.16
The Dalles Area											
Threemile Creek and Misc.	1.04		11.29	854		12.33	0.10			0.10	12.43
Mill Creek and Misc.	3.78	2.00**	13.47	1,074		19.25**					19.25**
Chenoweth Creek and Misc.	1.37		2.72	170		4.09					4.09
Columbia River Misc.	0.43		42.49	3,393	13.50	56.42					56.42
Mosier Area											
Mosier Creek and Misc.	4.43	*	5.62	383		10.05	1.88	0.10		1.98	12.03
TOTAL	14.79	3.58*	142.09	11,224	14.28	174.24**	18.67	0.10	0.10	18.87	193.61**
GRAND TOTAL	25.25	51.68*	710.50	53,534	60.08	847.49**	215.62	193.15	0.16	408.93	1,256.42**

Note: *Excludes two springs for municipal to the City of Mosier with no amount given.
**Excludes 4.55 cfs for ground water recharge of The Dalles Ground Water Pool.

Data Source: Oregon State Engineer and USGS

P200-0085 (192 of 348)

Table 6 – Ground Water Rights Summary – Hood Basin As of January 1 1964

Area	Use	Claimed Cfs	Inchoate Cfs	Perfected Cfs	Area Total Cfs
Wasco	Domestic	1.77	0.28	0	2.05
	Municipal	5.10	34.41	2.68	42.19
	Industrial	0.37	14.38	0.53	15.28
	Irrigation (acres)	1.89 (170)	15.58 (1277)	25.30 (2350)	42.77 (3797)
Subtotal		9.13	64.65	28.51	102.29
Basin Total		9.13	64.65	29.00	102.78

Note: Cfs for irrigation is based on a rate of 1/80 Cfs per acre and 3 acre-feet per acre per irrigation season.
Data Source: Oregon State Engineer

Table 7A Shows the estimated use of water in the Hood Basin (in 1964). This information was not available for other basins.

Table 7A – Estimated Water Consumption

Area	Surface Water Acre Feet	Ground Water Acre Feet	Total Consumed Acre Feet
Hood	46,000	0	46,000
Wasco	10,000	8,000	18,000
Total	56,000		64,000

Further information on water and its uses in Wasco County can be found in the following publications: Hood Basin, (1965); Deschutes River Basin, (1961); and, John Day River Basin, (1962), (State Water Resources Board).

4. Municipal Watersheds

The Dalles Watershed: "The Comprehensive Management Plan for The 'Danes Municipal Watershed", December, 1972, is the guiding document for planning in this area. This document will be considered as the inventories, analysis, and policies for this watershed.

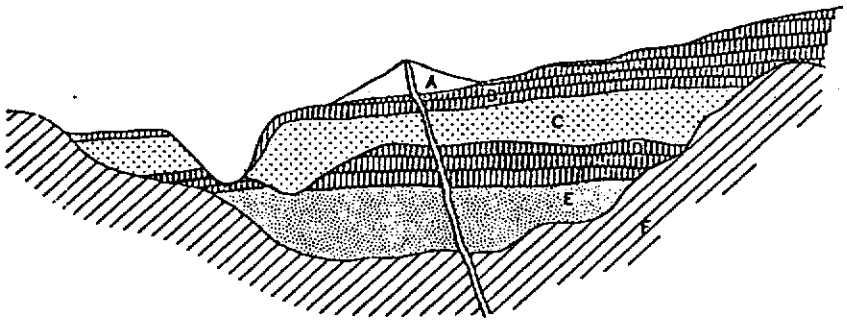
Dufur Watershed: This watershed supplies domestic water for the city of Dufur. This water from Fifteenmile Creek is the main source of domestic water, supplemented by two wells located inside the city limits. The wells producing approximately 350 and 1080 gallons per minute, respectively, supplement low summer flows in Fifteenmile Creek. The watershed is utilized at approximately 300 to 900 g.p.m. depending on the season. Turbidity is the major water quality problem, with occasional fecal coliform contamination due to grazing.

P2010-0089 / 193 & 348)

E. Geology

Figures 4, 5, and 7 have shown the basic geologic formations in the Wasco County portions of the Hood, Deschutes River and John Day River Basins. Figure 8 (below) shows the major rock units in the Deschutes River Basin.

Figure 8 - Diagrammatic section showing the major rock units of the Deschutes River Basin



Designation in Figure	Unit Name	Character	Water-bearing Characteristics
A	Quaternary pyroclastic deposits	Chiefly cinders associated with cinder cones.	Rocks of this unit are generally well drained and not sources of ground water. Where saturated they are capable of yielding large supplies of ground water.
B	Quaternary lavas	Chiefly basaltic lava flows associated with Newberry Crater, and volcanic eruptions in the Cascade Range.	Contains numerous porous lava flows. At most places are well drained and are unproductive. Where they are saturated, they are capable of yielding moderate to large supplies of ground water.
C	Madras formation	Chiefly stratified layers of sand, silt, ash, pumice with some gravel lenses. Contains some interbedded lava flows.	This formation is in large part fine grained and not a productive aquifer. At places it contains permeable lenses of gravel that are capable of yielding moderate supplies of ground water. Some of the interbedded volcanic rocks are permeable and are capable of yielding large supplies of ground water.
D	Columbia River basalt	Series of basaltic lava flows.	Contact zones between individual lava flows serve as aquifers. This formation is generally capable of yielding moderate to large supplies of ground water.
E	John Day formation	A sedimentary formation composed of silt, sand, and volcanic ash.	The fine grained character of this formation precludes it from being a productive source of ground water.
F	Clarno formation and older rocks undifferentiated	Chiefly consolidated sedimentary rocks, volcanic rocks and associated pyroclastics.	All of these rocks are believed to be of low permeability and not capable of furnishing more than meager supplies of ground water.

Generally, the county is underlain with expansive flows of Columbia River Basalt. Layers of ash, tuff, and other volcanic material have been deposited in many areas as have erosional materials from the Cascades, such as sand and silt. The flows of Columbia River Basalt are very obvious in the cliffs along the Columbia River Gorge and other parts of the county.

P2010-0089 (194 of 348)

F. Natural Hazards

Natural hazards include phenomena such as floods, earth-quakes, high winds, erosion, etc., which may be detrimental to human health and/or property values. There has only been a limited amount of study of natural hazards within Wasco County.

1. Geologic Hazards: Slopes, slide and slump areas, erosion areas, fault lines, and geologic units have been identified by the Oregon Department of Geology and Mineral Industries. Reference is made to Geologic Hazards of Parts of Northern Hood River, Wasco and Sherman Counties, Oregon, 1977. A complete explanation and maps showing the natural hazards and geologic units can be found in this document; however, this document should not be mistaken as a site-specific study. It shows generalized first approximations of actual conditions as they occur on specific parcels of land. Engineering solutions to problems should be considered in any of the identified hazard areas.

   Following is a list of the specific types of areas identified as geologic hazards. Figure 9 shows the slide and slump areas that have been identified in the county.

   a. Average regional slopes - slopes of varying degrees are identified; hazards increase with slope.

   b. Deep bedrock slides - possible hazards include continued sliding, variable foundation strength, variable cutbank stability, poor drainage, and others; potential for development variable.

   c. Earthflow and slump topography - (areas greater than ten to twenty acres) possible hazards may include continued movement, low cutbank stability, poor drainage, and others; development possible locally, but generally may reactivate or accelerate sliding.

   d. Steep slope mass movement - areas subject to localized debris flow, rock fall or rockslide.

   e. Thick talus - associated hazards include shallow sub-surface run-off, low cutbank stability especially in wet season, and debris flows either in talus or emanating from upslope canyons; deep cuts and development generally not recommended.

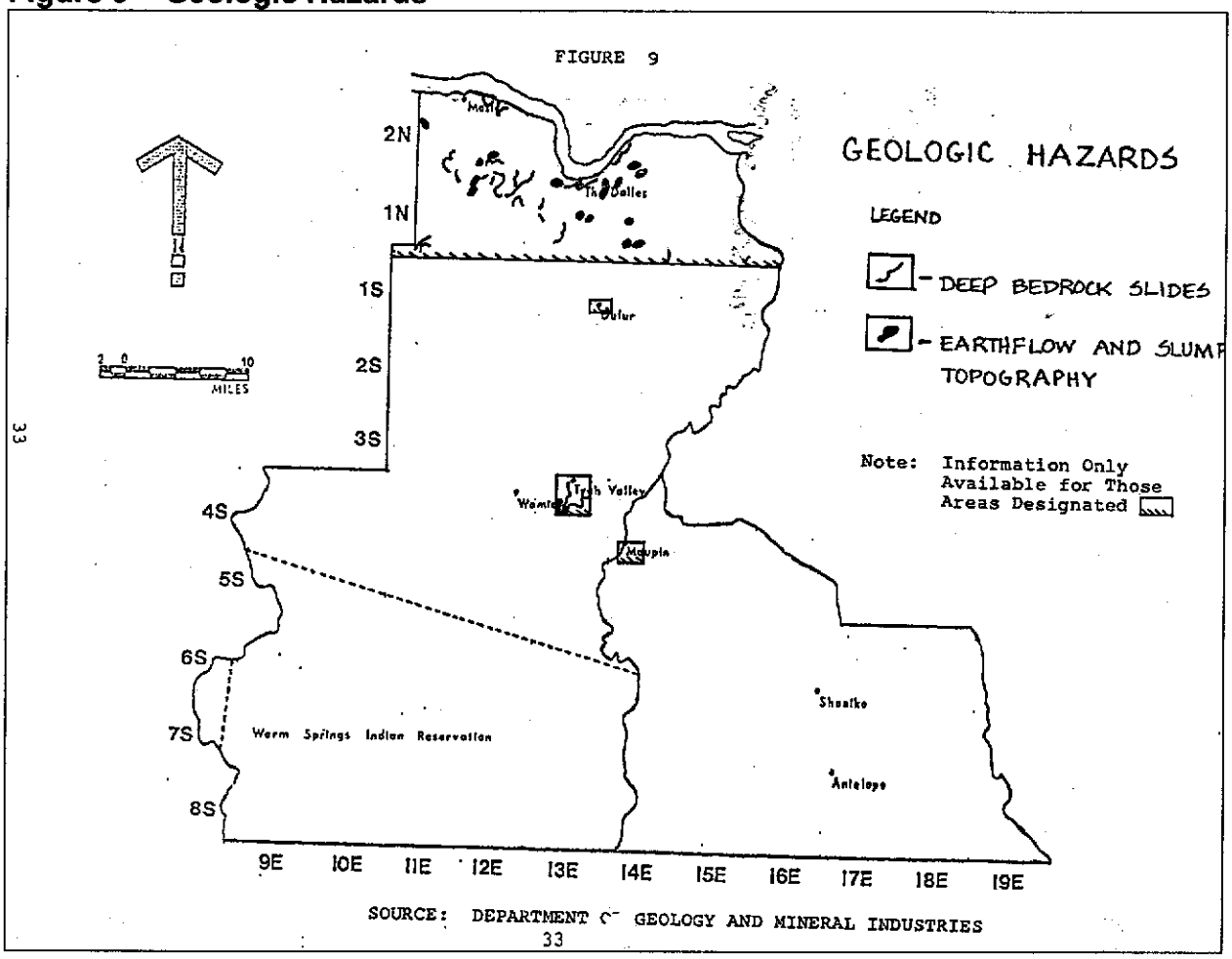
   f. Critical stream-bank erosion - (not including torrential flood channels) - mitigation may include riprap, channel modification, and land use restriction depending on local hydraulics, desired land use, and erosion rates.

   g. Lowland and torrential flooding - areas of historic or probable flooding shown in a generalized manner.

   h. Potential future mass movement - certain areas have potential for future hazards based on known occurrences; delineation requires detailed mapping.

P2010-0089 (195 of 348)

Figure 9 – Geologic Hazards



i. Faults - There appear to be no active faults in the Study area. It must be remembered that these geologic hazards have been identified in a general manner and boundaries are approximate. Evaluations of development require on-site investigation by a geologist.

j. Slope erosion - loss of soil material by moving water on slopes.

2. Flood Hazards: The Flood Insurance Rate Maps covering most of the unincorporated portions of Wasco County was published by the Federal Emergency Management Agency and became effective on September 24, 1984 The maps are on a scale of one inch equals 2,000 feet (1:24,000), and are revised and/or modified as needed. Figure 10 indicates areas within Wasco County that are designated as "Areas of Special Flood Hazard". The detailed maps are available at the Wasco County Planning Office. They are referred to when decisions are made concerning development near creeks, streams or rivers.

No slope studies have been initiated for the entire county. However, "71/2 - minute" (1:24,000) topographic maps are avail-able from the United States Geologic Survey. These maps can be used to determine areas of excessive

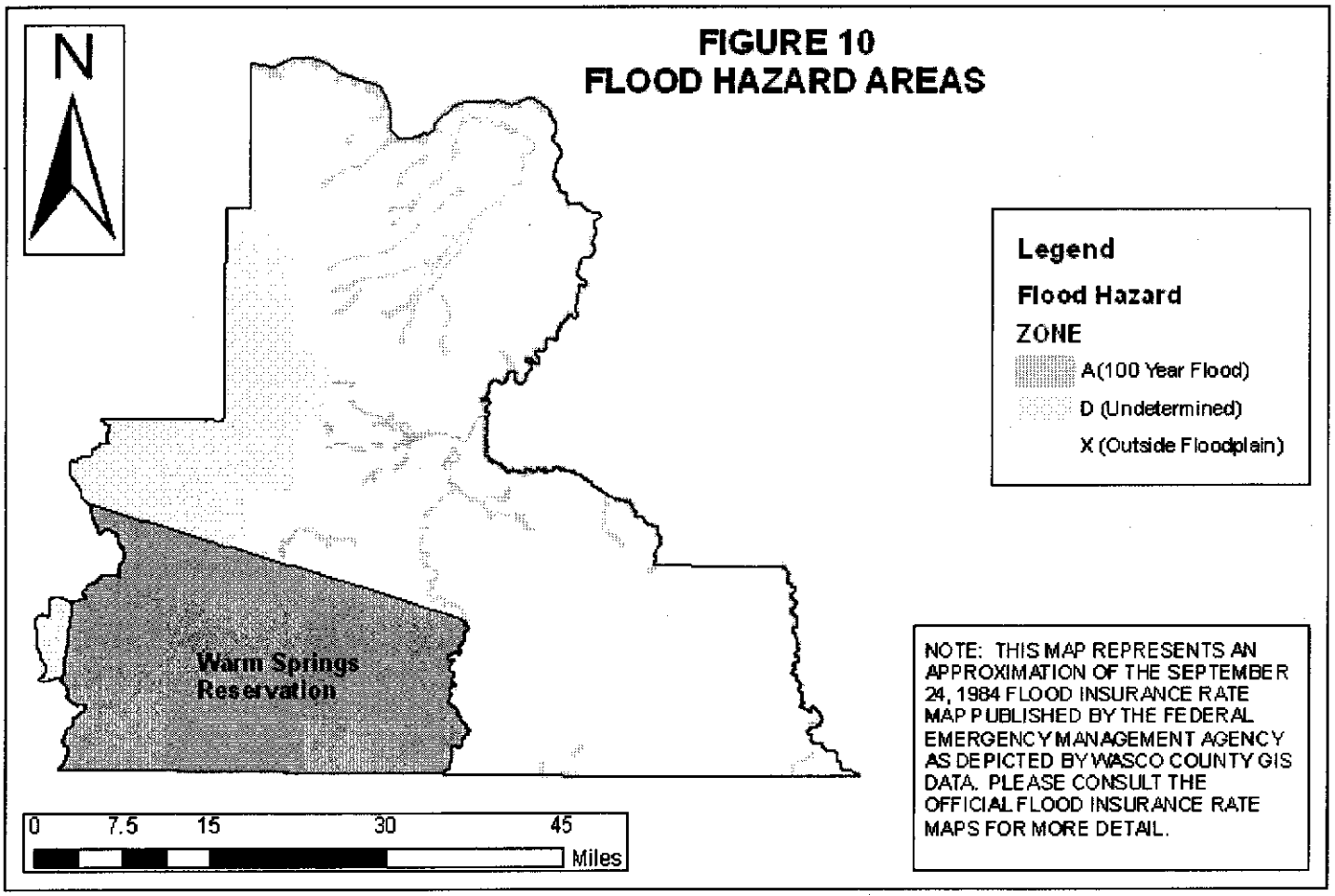
P2010-0089 (196 08348)

slope which may have high erosion potential or other geologic hazards. A map showing areas of excessive slope, (20% and over), should be prepared and included in the Plan during the updating process.

Neither of the above sources of natural hazard information should be mistaken as site-specific proof of incidence or non-incidence of a natural hazard. They only indicate generalized first approximations of actual conditions on specific parcels of land.

The summer of 1980 has brought another type of natural hazard sharply into focus; volcanic eruption and the resulting ash fall-out, flooding, debris flows and fires.

Figure 10 – Flood Hazard Areas



3. Volcanic Hazards: Although ash fall-out in Wasco County from the eruptions of Mount St. Helens has been minor, an eruption of Mount Jefferson or Mount Hood could cause vast destruction. The County Sheriff's Department would cooperate with state and local police, the National Guard and the Civil Defense (A Commission in case of national or widespread local emergency.

A2010-0089 (197 of 348)

Local radio stations test the National Warning System frequently. In case of an actual emergency, these stations would broadcast pertinent information and instructions.

G. Mineral & Aggregate Resources

1. General Information: Wasco County has few economically important mineral deposits. Some limited mining activity has occurred in the past. There are no active mineral mines in Wasco County.

   Most of the county is underlain with recent basalt flows which precludes the possibility of extensive mineral resources. The highest potential for minerals would be in the older geologic formations, found in other parts of Oregon or bordering counties. The primary minerals found in Wasco County are discussed below.

   a. Bauxite: Evidence suggests that there may be some potential low grade bauxite found in the Columbia River basalt group but no investigations have been undertaken in the County.

   b. Copper and Lead: These minerals have been mined in the Ashwood-Oregon King Mine located in Jefferson County to the south. Some deposits may occur in the County.

   c. Mercury and Molybdenum: No economically important deposits are located within the County.

   d. Semi-precious Gems: These are attractive to "rock hounds", rather than for their mineral value. The highest concentrations of these stones are indicated on Figure 11.

   e. Perlite: Mining was undertaken south of Maupin near the Deschutes River between 1945 and 1950. High quality acoustic and insulating tile was produced for a number of years from this perlite. It became unprofitable to mine at this location and the operation was discontinued. A large deposit still exists in the area and may become important in the future.

   f. Volcanic Tuffs: The Rainbow Rock Quarry, about five miles south of Pine Grove, has produced brightly colored and banded tuff since 1949. Rock of similar appearance has been uncovered but not developed on a nearby flat east of the quarry. Tuffs are utilized for decorative building stone and ceramic art.

   g. Peat: According to the U.S. Geological Survey, Mineral and Water Resources of Oregon, 1969, there are widely scattered minor deposits of peat in the Cascade region of the County and coal in the southeastern region. They have never been mined commercially.

P2010-0089 (198 of 348)

h. The Ka-Nee-Ta Stone Quarry: On the Warm Springs Indian Reservation. This quarry produces rough pieces of rhyolite. The stone is multi-colored and valuable for decoration. Other stone quarries include the Indian Candy, and Sorenson Quarry.

i. Quarry Rock: Quarry rock increases in importance as the more desirable deposits become depleted. Transportation costs are high so that quarries must be located within ample reserves of good quality crushing rock, those reserves are not always located conveniently with respect to present markets or proposed projects. The best rock for crushing generally is Columbia River basalt.

2. Inventory: Wasco County's cumulative demand projection for all aggregate material by the year 1995 was between four and six million tons (Wasco County Aggregate Site and Aggregate Demand Analysis (1976) Montagne and Associates). Total resources as inventoried in that document are 6.3 million tons. The demand projection was based on a per capita average.

Available information was sufficient to identify 135 resources sites in Wasco County. A study done in 1976 by Montagne and Associates, Wasco County Aggregate Sites and Aggregate Demand Analysis (1976), provided the basis for this information. However additional information requested by and received by the County for these sites seldom revealed site-specific location and never indicated quality of the material. Location and quality information should be augmented whenever a use is proposed within the proximity of a mapped site. Reclamation permits issued through the Oregon Department of Geology and Mineral Industries (DOGAMI) provided an additional source of information for mineral sites. During 1990-1991 additional information, to supplement the 1976 survey information, was gathered from individual owner/operators and from the DOGAMI Mined Information Layer (MLR) database to provide the County a more thorough and accurate record of sites in the County (Appendix A).

Available information was not sufficient to determine the specific location, quality and quantity for the majority of the 135 mineral sites identified. Most every source contained only general locational information. Quantity information was sometimes available, quality information was nearly always lacking. All Wasco County sites listed in the County Inventory and DOGAMI Mined Information Layer (MLR) database shall be incorporated into the County inventory and designated "Potential Sites" until further information is available to determine whether or not the site is significant. See Table 7B below for current inventory.

3. Application of the Goal 5 Process for Mineral Resources

a. Potential Conflicting Use in Zone Categories Applicable to Mineral Resource Sites: All except one currently inventoried resource site fall into three resource zones employed by the County: A-1, Agriculture; FF, Farm - Forest; F-2, Forest. One site is in an Industrial zone (Sun Pit). Conflicting uses are generally those which, if allowed to locate within the specific site identified, would render

P2010-0089 (1992-348)

the resource unrecoverable and those activities on surrounding lands which affects or is affected by aggregate operation. Most of the conflicting uses are structural improvements which commit the site to another use. Other less intensive uses such as recreation facilities, public parks and playgrounds, and golf courses which are conditional uses in some zones may conflict because, once established, they tend to diminish the value of the resource. Some competing uses, such as water impoundments or power generation facilities, may be determined to be of sufficient importance as to preempt the mineral resource value.

Specific potentially conflicting uses contained within the A-1, FF, and F-2 zones are;

Zone	Permitted Uses	Conditional uses
A-1	-Farm dwelling -Utility facility (public)	-Additional Farm Dwelling -Nonfarm dwelling -Commercial activities in conjunction -Private recreation facilities -Churches -Schools -Public parks and playgrounds -Golf courses -Utility facilities (commercial) -Personal use airport -Home occupations -Solid waste disposal site
FF	-Permitted uses in the FF zone are the same as A-1 except for following addition: -Boarding horses for profit	-Conflicting uses in the FF zone are the same as A-1 except for the following addition: -Kennels
F-2	-Utility Facilities (public)	-Forest-Farm Dwelling

b. Economic, Social, Environmental and Energy Consequences of Conserving Mineral Resources

(1) Economic Consequences: Aggregate is a crucial resource for nearly all types of structural development. As a basic building material, its relative abundance can exert either a positive or negative influence on the development of a local economy. It provides the building blocks for development, and the removal, transport and use provides jobs upon which a substantial part of the economy depends.

To protect mineral resource sites through the resolution of conflicts between mineral extraction and other competing uses (as identified) will help ensure a strong economic future. The economic consequences of not protecting mineral sites could be costly to the local economy through increased costs for basic building materials.

P2010-0089 (200 of 348)

(2) Social Consequences: The consequence of protecting mineral resource sites is necessary in order for public and private construction projects. The characteristics of sand and gravel operations may be a nuisance in that they do contribute to noise, dust, and visual blight.

The negative social consequence of applying regulations is similar to the negative economic consequences in that the same individuals may be inconvenienced in their building plans.

(3) Environmental Consequences: The importance of any mining activity lies within its economic value and the relative scarcity of the resource. State agencies regulate mining activities and require that reclamation plans be submitted prior to permit approval. Reclamation plans provide for productive uses of property following a mining operation and can include recreational features such as lakes and wildlife habitats.

Because the natural environment will, of necessity, be disturbed by mining, the protection of mineral resource sites may not result in positive environmental consequences (mineral extraction is temporary in nature). Farming, forestry and recreation can and do occur before and after a mining operation. In case of important mineral resource sites, the positive economic and social benefits must be weighed against the environmental consequences.

(4) Energy Consequence: Because of transportation costs, the deposits nearest to developing areas are, of necessity, the best ones in order to remain economically viable. As a result, the energy consequence of protecting the best mineral resource site (those close to construction areas) is entirely positive.

(5) Conclusion: In Wasco County decisions to protect aggregate sites for Goal 5 will be on a site by site basis. The consequences of establishing requirements which limit conflicting uses in identified mineral resource sites should prove to be of substantial benefit to the economic, social, and energy systems within which we live. As long as provision for reviewing extenuating circumstances is included, the limitation of conflicting uses within identified mineral resources sites is warranted.

c. A Program to Conserve Mineral Resource Sites: The program to conserve significant mineral resource sites is designed to limit some conflicting uses and prohibit others through the use of an overlay zone. The overlay will ensure that most structural development will not preempt the use of a needed mineral resource.

Based on a site specific ESEE analysis, the County shall make a determination on the level of protection to be afforded each significant site. The County shall make one of the following determinations:

P2010-0089(2010-348)

(1) Protect the site fully and allow mining. To implement this decision the county shall apply the Mineral and Aggregate Overlay zone. Development of the significant site shall be governed by the standards in Section 3.835 of the Wasco County Land Use and Development Ordinance. As part of the final decision, the County shall adopt site-specific policies prohibiting the establishment of conflicting uses within the Impact Area.

(2) Allow conflicting uses, do not allow surface mining. To implement this decision the county shall not apply the Mineral and Aggregate Overlay zone. The significant site will not be afforded protection from conflicting uses, and surface mining shall not be permitted.

(3) Balance protection of the significant site and conflicting uses, allow surface mining. To implement this decision the county shall apply the Mineral and Aggregate Overlay zone, and identify which uses in the underlying zone will be allowed, allowed conditionally, or prohibited. Development of the significant site shall be governed by the standards in Section 3.835 of the Wasco County Land Use and Development Ordinance and any other site-specific requirements designed to avoid or mitigate the consequences of conflicting uses and adopted as part of the final decision. Development of conflicting uses within the Impact Area shall be regulated by Section 3.845 of the Wasco County Land Use and Development Ordinance and any other site-specific requirements designed to avoid or mitigate impacts on the resource site and adopted as part of the final decision.

Any uses not mentioned below will be allowed as specified in the Land Use and Development Ordinance.

Under the Mineral Resource Overlay, the following uses, by zone, will be prohibited:

Zone	Prohibited Use
F-2	Single-family dwelling
A-1	-Churches -Second farm dwelling -Schools -Additional farm dwellings -Nonfarm dwellings
FF	-Churches -Second farm dwelling -Schools -Additional farm dwellings -Nonfarm dwellings

The following uses by zone, will require a conditional use permit.

P2010-0089 (202 08 348)

Zone	Conditional Use
F-2	-Public recreational facilities -Water impoundments -Private recreation facilities
A-1	-Public utility facilities -Solid waste disposal site -Water impoundments -Commercial activities in conjunction with farm use -Private recreation facilities -Public parks and playgrounds -Golf courses -Commercial utility facilities -Personal use airport -Boarding horses for profit -Farm Dwellings
FF	-Placement of power generation facilities -Kennels -Public utility facilities -water impoundments -Commercial activities in conjunction with farm use -Public parks and playgrounds -Golf courses -Commercial utility facilities -Personal use airport -Boarding horses for profit -Private recreation facilities -Solid waste disposal sites -Farm Dwelling

P2010-0089 (2038348)

Table 7B - Wasco County Aggregate Inventory

Inv. #	Current Map/Tax Lot	Former Map & Tax Lot	Owner Name & Address	Application #'s	DOGAMI #	Goal 5	Zone
1	2N 11E 2 D 200	2N 11E 0 1400	Hood River Sand & Gravel 2630 Columbia River Dr. HR OR 97031	CUP 92-110	33-0055	No	Mosier UGA
2	2N 11E 11 900	2N 11E 11 2800	ODOT – Bend Region 4 63034 O.B. Riley Road Bend OR 97701		33-0060	No	NSA A-2(80)
3	2N 11E 2 D 300	2N 11E 11 200	ODOT – Bend Region 4 63034 O.B. Riley Road Bend OR 97701		33-0057		Mosier UGA
4	2N 11E 1 D 200	2N 11E 1 D 200	Hood River Sand & Gravel 2630 Columbia River Dr. HR OR 97031	CUP 92-136	33-0076	No	NSA A-1(40)
5	2N 11E 13 600	2N 11E 3500	Ken & Joan Hudson 1020 Mosier Creek Rd. Mosier, OR 97040			No	F-2(80)
6	2N 11E 24 500	2N 11E 6001	Ken Thomas PO Box 156 Dufur, OR 97021			No	F-2(80)
7	2N 12E 19 1200	2N 12E 19 600	Tony Heldstab 2175 Mosier Creek Road Mosier OR 97040	CUP 92-126 94-111	33-0088	No	F-2(80)
8	2N 12E 29 1801	2N 12E 29 1800	Ken Thomas PO Box 156 Dufur, OR 97021			No	F-2(80)
9	2N 11E 11 800	2N 11E 11 2700	Jayson & Julie Sprague (Weisfield Pit) 195 Hood River Rd Mosier, OR 97040	CUP 92-101 - *Exp. 1997*	33-0079	No	NSA A-2(80)
10	2N 12E 0 4300		Ardyce Edling Chenoweth Air Park 6200 Chenowith Rd. The Dalles, OR 97058			No	F-F(10) & R-R(10)
11	2N 13E 19 1600	2N 13E 19 100	Ulrich Wingens 1525 Norland Dr. Sunnyvale, CA 94087			No	NSA A-1(160)
12	2N 13E 19 600	2N 13E 19 800	Yvonne Walton 4900 Seven Mile Hill Rd The Dalles, OR 97058		33-0009	No	NSA A-1(160)
13	**2N 12E 0 1300**	**2N 12E 24 12500**	**Jim Ellett 5693 Chenoweth Road The Dalles OR 97058**	**CUP 90-124 & C90-0249**	**33-0056**	**Yes**	**NSA A-1(160)**
14	2N 12E 16 D 1900	2N 12E 16 D 1700	William Ringllbauer 2244 Dell Vista Drive The Dalles OR 97058			No	F-F(10)
15	2N 12E 0 100		Mayer State Park (Rowena Loops)			No	NSA SMA Open Space
16	2N 13E 17 B 200	2N 13E 17 1801	US Forest Service 902 Wasco Ave Ste 200 Hood River OR 97031			No	NSA SMA Open Space
17	2N 13E 20 300	2N 13E 20 1000	Wayne & Jana Webb P O Box 692 The Dalles OR 97058	CUP-98-122 *Exp. 1-2000*	33-0064	No	NSA A-1(160)
18	2N 12E 13 20 ROW Site Not Identified		ODOT Gooseberry Springs			No	NSA A-1(160)
19	2N 12E 13 20 ROW Site Not		ODOT Gooseberry Springs			No	NSA A-1(160)

P2010-0089 (204 of 348)

	Identified						
20	2N 14E 0 500 & 2N 14E 0 2300		Dalles Dam - State of Oregon Gard Fulton 3775 Fifteen Mile Road The Dalles, OR 97058			No	NSA A-1(160)
21	2N 13E 0 20 700, 600	2N 13E 20 600	(Sun Pit) - Munsen Paving & Excavating 1022 W 9th Street The Dalles OR 97058	CUP 91-101 SPR 91-103	33-0011 33-0083	No	NSA A-1(160)
22	2N 15E 0 500	2N 15E0 700	Celilo - State of Oregon Sandra Richard 7240 SW Benz Park Ct Portland, OR 97225			No	NSA A-1(160)
23	Fifteen Mile Road ROW Site Not Identified		Wasco County 511 Washington St. The Dalles, OR 97058			No	
24	2N 14E 25 ROW	2N 14E 0 25	Wasco County 511 Washington St. The Dalles, OR 97058			No	A-1(160)
25	2N 14E 0 1100	2N 14E 0 1000	Jacob Kaser 4550 Fifteen Mile Road The Dalles OR 97058			No	A-1(160)
26	2N 14E 0 2200	2N 14E 28 2700	Donna E. Ashbrook et al 75 Heimrich St. Dufur OR 97021		33-0014	No	A-1
27	2N 14E 33 500	2N 14E 33 400	Judith F. Bayley et al 6331 SW Radcliff St Portland OR 97219			No	A-1
28	2N 14E 0 2400	2N 14E 33 3000	C Gard Fulton 3775 Fifteen Mile Rd. The Dalles OR 97058		33-0023	No	A-1(160)
29	1N 14E 0 300	1N 14E 0 400	William Johnson 4800 McCoy Rd The Dalles OR 97058			No	A-1(160)
30	**1N 14E 2000**	**1N 14E 0 3500**	**Sylvia Weimer 2230 Five Mile Road The Dalles, OR 97058**			**Yes**	**A-1(160)**
31	1N 14E 0 2300	1N 14E 0 3300	William & Sheli Markman/Wasco County 4800 Eight Mile Road The Dalles OR 97058			No	A-1(160)
32	1N 15E 0 3700	1N 15E 3700	William & Carmen Eddins 1312 W 10th St Unit 17 The Dalles OR 97058			No	A-1(160)
33	1N 14E 0 500	1N 14E 0 6700	Mike Byers 3693 Fifteen Mile Rd, The Dalles, OR 97058			No	A-1(160)
34	1S 13E 0 100	1S 13E 0 100	Tom May 5650 Eight Mile Rd. The Dalles, OR 97058		33-0013		A-1(160)
35	1S 14E 17 300	1S 14E 3100	Miller Ranch Co. 110 NE Greenwood Ave. Bend OR 97701			No	A-1(160)
36	1S 14E 0 3000	1S 14E 0 3401	Paul & Velma Limmeroth 2520 Ward Road The Dalles OR 97058			No	A-1(160)
37	1S 14E 18 100	1S 14E 18 100	Miller Ranch Co. 110 NE Greenwood Ave. Bend OR 97701			No	A-1(160)
38	1S 14E 0 3200	1S 14E 0 3600	Mary Sylvester 3813 Faith Home Road			No	A-1(160

P2010-0089 (205 of 348)

			Ceres CA 95307				
39	1S 14E 20 Site Not Identified	1S 14E 20	Dufur			No	
40	2S 13E 0 100	2S 13E 35 100	Richard Neil 4820 Davis Cut-Off The Dalles, OR 97058		33-0050	No	A-1(160)
41	**2S 13E 0 5000**	**2S 13E 35 5200**	**ODOT - 33-025-4 Tygh Ridge Quarry**		**33-0071**	**Yes**	**A-1(160)**
42	3S 13E 0 100	3S 13E 0 100	William Hulse 61906 Dufur Gap Rd. Dufur OR 97021			No	A-1(160)
43	3S 13E 0 2300	3S 13E 0 2500	Frances Limmeroth Trust 63439 Dufur Gap R. The Dalles OR 97058			No	A-1(160)
44	3S 13E 0 2300	3S 13E 0 2500	Frances Limmeroth Trust 63439 Dufur Gap R. The Dalles OR 97058			No	A-1(160)
45	3S 13E 0 2700	3S 13E 0 3200	Tygh Ridge Ranch 82859 Hwy 216 Tygh Valley OR 97063	CUP 96-101	33-0054	No	A-1(160)
46	3S 13E 33 100	3S 13E 33 3500	Tygh Ridge Ranch 82859 Hwy 216 Tygh Valley OR 97063		33-0047	No	A-1(160)
47	2N 11E 36 100	2N 11E 7600	Hattie Schmidt 2050 State Rd. Mosier OR 97040		33-0081	No	F-2(80)
48	2N 12E 30 1100	2N 12E 9139	David McKinney PO Box 291 Georgetown, ME 04548		33-0088	No	F-2(80)
49	2N 13E 31 B 600	2N 13 31 600	Leroy Greenway 3323 Sandlin Rd. The Dalles OR 97058			No	R-R(5)
50	1N 11E 25 100	1N 11E 0 900	Ketchum Ranch Inc 6282 Chenowith Road W The Dalles OR 97058			No	F-2(80)
51	1N 13E 0 1300	1N 13 0 4490	John Skirving Trust 809 W. 9th St The Dalles OR 97058			No	A-1(160)
52	1N 13E 32 200	1N 13E 0 5300	Orchard Meadow LLC 3573 Olney Rd. The Dalles OR 97058			No	A-1(160)
53	1N 13E 0 700	1N 13E 25 700	Munsen Paving LLC 1022 W. 9th St. The Dalles OR 97058	CUP 90-113	33-0082	No	A-1(160)
54	1N 15E 0 3500	1N 15E 0 2900	Joanne Brewer Et Al 5854 Robert Mkts Road The Dalles OR 97058			No	A-1(160)
55	1S 15E 0 700	1S 15E 0 402	James Q Johnson 6352 Roberts Market Road The Dalles OR 97058			No	A-1(160)
56	1S 15E 0 2000	1S 15E 0 1400	Julia Testa Living Trust 8604 Buckboard Dr. Alexandria, VA 22308			No	A-1(160)
57	1S 15E 0 2601	1S 15E 0 2600	Carleton & Pam Clausen 85681 Adkisson Rd. Dufur OR 97021			No	A-1(160)
58	2S 14E 0 1900	2S 14E 0 1600	Martin Underhill P O Box 266 Dufur OR 97021			No	A-1(160)
59	2S 14E 0 2000	2S 14E 0 1800	Martin Underhill P O Box 266 Dufur OR 97021			No	A-1(160)

P2010-0089 (206 & 348)

60	2S 14E 0 2300	2S 14E0 2000	Robert & Nancy Hammel 62250 Tygh Ridge Road Tygh Valley OR 97063			No	A-1(160)
61	1N 15E 0 2200	1N 15E 21 2100	William & Barbara Hammel 7075 Fifteen Mile Road The Dalles OR 97058			No	A-1(160)
62	1N 15E 0 2200	1N 15E 0 2100	William & Barbara Hammel 7075 Fifteen Mile Road The Dalles OR 97058			No	A-1(160)
63	1N 15E 0 2900	1N 15E 20 2700	Joanne Brewer 5854 Roberts Mkt Rd. The Dalles OR 97058			No	A-1(160)
64	1S 14E 0 4500	1S 14E 0 4900	Martin & Beverly Underhill PO Box 266 Dufur OR 97021			No	A-1(160)
65	1S 14E 0 5100	1S 14E 31 5600	Pamila Ruthorford 720 E. Scenic Dr. The Dalles, OR 97058			No	A-1(160)
66	1S 14E 0 2800	1S 14E 0 1900	William Bolton 66447 Bolton Rd. Dufur OR 97021			No	A-1(160)
68	2N 12E 4 1100 2N 12E 5 100	2N 12E 4/5	Wasco County 511 Washington St. The Dalles, OR 97058			No	NSA A-1(160)
70	2S 12E 0 1700	2S 12E 12 3000	Charlotte West 80852 South Valley Rd Dufur OR 97021			No	A-1(160)
71	2S 12E 0 5100	2S 12E 23 5700	Martin & Beverly Underhill P O Box 266 Dufur OR 97021			No	A-1(160)
72	3S 12E 0 1000	3S 12E 3	Wasco County 511 Washington St. The Dalles OR 97058			No	A-1(160)
73	3S 12E 25 300	3S 12E 25 3700	Russell & Wanda Sinclair 80624 Shadybrook Rd. Tygh Valley OR 97063			No	A-1(160)
74	2S 13E 0 5200	2S 13E 32 4900	Keith & Mary Smith 60538 Dufur Gap Rd. Dufur OR 97021			No	A-1(160)
75	4S 13E 0 2800	4S 13E 12 6800	Robert Ashley Trust 4120 River Rd. The Dalles, OR 97058		33-0015	No	R-I
76	3S 13E 0 3800	3S 13E 31 4000	Jonnie Justesen 59720 Twin Lakes Rd Grass Valley OR 97029	*Cancelled 1976*	33-0051	No	A-1(160)
77	4S 13E10 600	4S 13E 10 600	Wasco County 511 Washington St. The Dalles, OR 97058			No	TV-RR
78	4S 12E 0 2300	4S 12E 0 2700 Formerly Cody Logging	Michelle Detwiler 2513 NE Dunckley St. Portland, OR 97212		33-0048	No	A-1(160)
79	4S 13E 0 7100	4S 13E 31 10800	Joanne Gutzler 81610 Victor Rd. Maupin OR 97037			No	A-1(160)
80	5S 12E 0 400	5S 12E 0 400	FJR LLC PO Box 189 Boring, OR 97009			No	A-1(160)
81	5S 12E 0 800	5S 12E 4 800	Blue Pearl LLC ET AL 36855 Hauglum Rd Sandy, OR 97055			No	A-1(160)
82	5S 12E 0 2300	5S 12E 12 2100	Loren & Sandra MCLeod 1208 Toliver Rd. Mollala, OR 97038			No	A-1(160)

P2010-0089 (2010-348)

83	5S 13E 0 1400	5S 13E 6 1400	Eugene H. Walters 8050 Hwy 216 Maupin OR 97037			No	A-1(160)
84	5S 13E0 6300	5S 13E 28 5200	Lorraine Gabel 913 Cessna St. Independence, OR 97351			No	A-1(160)
85	5S 12E 0 7100	5S 12E 35 5400	Kenneth Hein 948 NE 175th Ave. Portland, OR 97230			No	A-1(160)
86	5S 11E 0 5100	5S 11E 35 4802	Wasco County 511 Washington St. The Dalles, OR 97058		33-0074	No	A-1(160)
87	6S 11E 0 1000	6S 11E 9	Mickey Snodgrass PO Box 325 Maupin, OR 97037			No	Warm springs Reservation
88	4S 13E 11 100 4S 13E 0 2700	4S 13E 11 100 4S 13E 0 2700	Robert Ashley	CPA-01-101 CUP-01-112			A-1(160)
101	Site Not Identified		Port of The Dalles				
102	Site Not Identified		Interpretative Center				
150	4S 14E 0 3700		BLM 3050 NE 3rd St. Prineville, OR 97754		33-0093(?)	No	A-1(160)
151	4S 14E 0 2700	4S 14E 0 2400	Connolly Land & Livestock Inc. - Bakeoven Pit 412 W. 4th St. The Dalles OR 97058	CUP 93-110	33-0093(?)	No	A-1
152	4S 15E 0 800	4S 15E 30 800	Ruth Lindley 87670 Bakeoven Rd. Maupin OR 97037			No	A-1(160)
153	4S 15E 0 1000	4S 15E 30 1200	BLM 3050 NE 3rd St. Prineville, OR 97754			No	A-1(160)
154	5S 16E0 2000	5S 16E 20 2200	Janis Brown 91443 Hinton Rd. Maupin, OR 97037			No	A-1(160)
155	5S 16E 0 3300	5S 16E 32 3300	Lonny & Pamela Brown 91443 Hinton Rd Maupin, OR 97037			No	A-1(160)
156	5S 16E 0 3400	5S 16E 32 2401	Warnock Ranches Inc. 91440 Bakeoven Rd Maupin, OR 97037			No	A-1(160)
157	6S 19E 0 900	6S 16E 5 106	BLM 3050 NE 3rd St. Prineville, OR 97754			No	A-1(160)
158	6S 16E 0 900	6S 16E 5 106	Warnock Ranches Inc. 91440 Bakeoven Rd. Maupin, OR 97037			No	A-1(160)
159	6S 16E 0 2100	6S 16E 21 101	ODOT - 33-051-4 Bakeoven Quarry		33-0017	No	A-1(160)
160	7S 17E 0 1700	7S 17E 31 1990	Richard & Betty Baker 5200 SW Meadows Rd Ste. B-100 Lake Oswego, OR 97035		33-0032	No	A-1(160)
161	8S 17E 0 600	8S 17E 4 692	Eagle Valley Ranch LLC P O Box 70 Antelope OR 97001			No	A-1(160)
162	8S 17E 0 1400	8S 17E 14 1500	Wilton & Francis Dickson PO Box 156 Antelope, OR 97001			No	A-1(160)
163	8S 16E 0 4300	8S 16E 36 3400	James McNamee P O Box 99			No	A-1(160)

P2010-0089 (208 of 348)

			Antelope OR 97001				
164	8S 17E 0 2000	8S 17E 35 2100	Herbert McKay P O Box 5 Antelope OR 97001			No	A-1(160)
165	8S 18E 0 900	8S 18E 34 800	Young Life Washington Family Ranch PO Box 20 Antelope, OR 97001			No	A-1(160)
166	8S 19E 0 1600	8S 19E 31 1900	BLM 3050 NE 3rd St. Prineville, OR 97754			No	A-1(160)
167	8S 14E 0 1400	8S 14E 13 101	Wasco County 511 Washington St. The Dalles, OR 97058			No	A-1(160)
168	8S 14E 0 2200	8S 14E 21 1900	BLM 3050 NE 3rd St. Prineville, OR 97754			No	A-1(160)
169	7S 14E 0 3100	7S 14E 32 3000	Kaskela Farms 21180 S Leland Rd Oregon City, OR 97045			No	A-1(160)
170	3S 13E 0 4000	3S 14E 0 2800	Jack Stevens 56100 Smock Road Wamic, OR 97063	CPA-06-102 CUP-06-112 Added 12/28/06	33-0051		A-1
200	4S 14E 0 3700	4S 14E 33 3800	BLM 3050 NE 3rd St. Prineville, OR 97754			No	A-1(160)
201	**5S 14E 35 C 400**	**5S 14E 35 4400**	**ODOT - 33-036-4 Maupin Pit**		**33-0004**	**Yes**	**A-1(160)**
202	**6S 14E 0 700**	**6S 14E 11 100**	**ODOT**			**Yes**	**A-1(160)**
203	**7S 14E 0 200**	**7S 14E 12 1200**	**ODOT - 33-038-4 Criterion Sum Pit**		**33-0078**	**Yes**	**A-1(160)**
204	**6S 17E 3 400**	**6S 17E 3 500**	**ODOT - 33-049-4 County Line Quarry**		**33-0102**	**Yes**	**A-1(160)**
205	6S 17E 0 2000	5S 17E 0 2000	Wasco County 511 Washington St. The Dalles, OR 97058			No	A-1(160)
206	**6S 17E 0 2300**	**6S 17E 19 1800**	**ODOT- 33-050-4 Hinton Quarry**		**33-0100**	**Yes**	**A-1(160)**
208	**7S 16E 0 1300**	**7S 16E 6 1000**	**ODOT - 33-053-4 Identifier Quarry**		**33-0024**	**Yes**	**A-1(160)**
209	**7S 15E 0 1600**	**7S 15E 22 1600**	**ODOT - 33-059-4 Garbage Pit Quarry**		**33-0097**	**Yes**	**A-1(160)**
211	8S 15E 0 2200	8S 15E 22 1701	Marie Winkler Trust 18140 Couch Market Rd. Bend, OR 97701			No	A-1(160)
212	8S 15E 0 2000	8S 15E 27/28 1701	Robert Pamplin 805 SW Broadway #2400 Portland, OR 97205			No	A-1(160)
213	**8S 15E 0 3500**	**8S 15E 26 2900**	**John Priday 89037 Hwy 293 Madras OR 97741 Priday Quarry**	**CPA 96-101**	**33-0094**	**Yes**	**A-1(160)**
214	**7S 17E 0 1500**	**7S 17E 20 2000**	**ODOT - 33-062-4 Shaniko Rock Production**		**33-0065**	**Yes**	**A-1(160)**
215	**8S 18E 0 600**	**8S 18E 6 501**	**ODOT - 33-064-4**			**Yes**	**A-1(160)**
216	**8S 18E 0 400**	**8S 18E 4 400**	**ODOT - 33-065-4 Antelope Rock Product**		**33-0069**	**Yes**	**A-1(160)**
217	5S 12E 0 8500	5S 12E 33 7200	Richard Dodge 78888 Walters Rd. Maupin, OR 97037	CUP 87-104 Added 3/93	33-0080	No	A-1(160)
218	4S 12E 0 2800	4S 12E 17 1900	Everett Metzentine	CUP 91-102	33-0086	No	A-1(160)

P2010-0089 (2098 348)

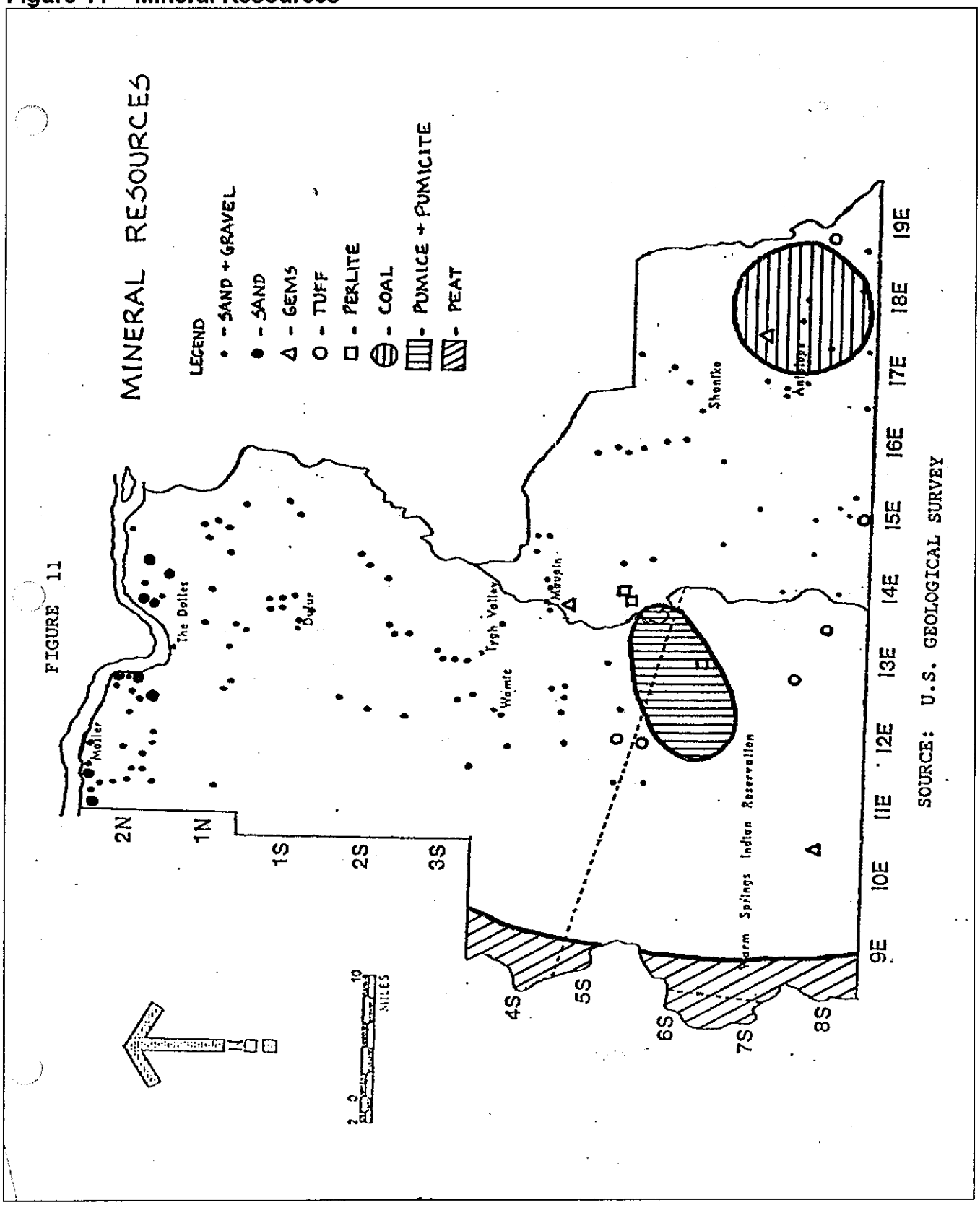
			PO Box 615	Added 3/93			
219	2N 11E 0 900	2N 11E 2 900	SDS Co LLC PO Box 266 Willard, WA 98605 Rock Creek Quarry 33-002			No	
220	2N 13E 20 800	2N 13E 20 800	ODOT - 33-007 Shooting Range Quarry			No	NSA A-1(160)
221	2N 13E 20 ROW Site Not Identified	2N 13E 20/21 500	ODOT - 33-008				NSA A-1(160)
222	1S 14E 0 3300	1S 14E 20 3700	ODOT Boyd Quarry - 33-021			No	A-1(160)
223	3S 13E 33 200	3S 13E 33 4100	ODOT - 33-028-4 Butler Canyon Quarry		33-0062	No	A-1(160)
224	5S 14E 6 200	5S 14E 6 200	ODOT - 33-032 Maupin Maintenance Yard			No	Maupin City Limits
225	**7S 15E 0 2000**	**7S 15E 29 2100**	**ODOT - 33-039 Filler Pit**			**Yes**	**A-1(160)**
226	**8S 15E0 2000**	**8S 15E 15**	**ODOT - 33-040**			**Yes**	**A-1(160)**
227	**8S 15E 0 3100**	**8S 15E 22 2800**	**ODOT - 33-041 Cow Canyon Quarry**		**33-0075**	**Yes**	**A-1(160)**
228	**5S 11E 36 1600**	**5S 11E 36 5300**	**ODOT - 33-045-4 Pine Grove Quarry**		**33-0074**	**Yes**	**A-1(160)**
229	**Site Not Identified**	**5S 12E 30 200**	**ODOT**			**Yes**	**A-1(160)**
230	**6S 12E 2 700**	**6S 12E 2 300**	**ODOT 33-048-4 Paquet Gulch Quarry**		**33-0101**	**Yes**	**A-1(160)**
231	7S 17E 0 600		Shaniko Ranch	CUP 93-106	33-0092	No	A-1(160)
232	1N 13E 0 1000		Marilyn Phetteplace 2028 Steel Rd. The Dalles, OR 97058	CUP 98-113 CPA 98-103	33-0098	No	A-1(160)
233	6S 17E 0 2400		Jonnie Justesen 59720 Twin Lakes Rd. Grass Valley, OR 97029	CUP 99-105 CPA-99-104	33-0072	No	A-1(160)
234	1N 13E 0 600	1N 13E 0 2900	Charles & Irene Komegay 2880 Five Mile Rd. The Dalles, OR 97058	CUP 94-135	33-0096	No	A-1(160)
235	2N 12E 0 2000		Mueller Seven Springs Ranch 6300 Seven Mile Hill Rd. The Dalles, OR 97058	CUP 90-107	33-0081	No	A-1(160) & F-2(80)
625	1S 13E 36 200	1S 13E 36 102	Wasco County 511 Washington St. The Dalles, OR 97058 Dufur County Pit			No	A-1(160)
649	4S 12E 0 6100	4S 12E 36 7400	Wasco County 511 Washington St. The Dalles, OR 97058 Kennedy Pit			No	A-1(160)
673	8S 14E 0 101	8S 14E 13 101 a portion of	Wasco County 511 Washington St. The Dalles, OR 97058 South Junction Pit			No	A-1(160)
713	5S 11E 35 4802	5S 11E 35 4802	Wasco County 511 Washington St. The Dalles, OR 97058 Kelly Springs Pit			No	A-1(160)
790	2S 14E 0 2700	2S 13E 33 2900 a portion of	Robert & Nancy Hammel 62250 Tygh Ridge Rd. Dufur, OR 97021 Hilgen Pit (Wasco County)			No	A-1(160)

P2010-0089 (210 of 348)

800	8S 17E 0 400	8S 17 4 500	Wasco County 511 Washington St. The Dalles, OR 97058 Helyer Pit			No	A-1(160)
833	3S 12E 0 800	3S 12 3 1101	Wasco County 511 Washington St. The Dalles, OR 97058 Schindler Pit			No	A-1(160)
850	2S 12E 0 1700	2S 12E 12 3000	Charlotte West 80852 South Valley Rd. Dufur, OR 97021 West Pit (Wasco County)			No	A-1(160)
870	3S 12E 25 100	3S 12E 25 1102	Wasco County 511 Washington St. The Dalles, OR 97058 Shadybrook Pit			No	A-1(160)
871	**2N 12E 0 1000 & 2N 13E 19 400**	**2N 12E 0 1000**	Wasco County 511 Washington St. The Dalles, OR 97058 **Harvey Pit**		**33-0009**	**Yes**	**NSA A-1(160)**
872	2S 13E 0 4400 & 4900		Filbin Family RLT 61906 Dufur Gap Rd. Dufur, OR 97021	CUP-99-102 CPA-99-101	33-0099	No	A-1(160)

P2010-0089 (211 & 348)

Figure 11 – Mineral Resources



P2010-0089 (212 of 348)

H. Soils

The soils in Wasco County have formed in a variety of parent materials. In the northeastern part of the county soils have developed from loess deposits. These deposits range from a few inches to more than fifteen feet in thickness. In a southerly direction, the deposits become finer textured and thinner. Where a thin deposit of loess occurs, the soils developed from a mixture of loess and basalt. In the western part of the area, soils have developed from volcanic ash deposited over sediments. Soils in the southern part of the area have developed in fine textured sediments. These soils are predominantly fine textured with high percentages of coarse fragments. Water deposited soils formed in recent alluvium also occur along the major drainages in the county. Small amounts of volcanic ash occur throughout the county (General Soil Map with Soil Interpretations for Land Use Planning, Wasco County, Oregon, Soil Conservation Service, U.S.D.A., June, 1972; (pp. 1 & 2)).

The Soil Conservation Service has prepared a general soils map showing soil associations. A soil association is a group of soils that are geographically associated in a repeating pattern on the landscape. It consists of one or more major soils and at least one minor, often contrasting, soil and is named for the major soils. The soils in one association may occur in another but in a different pattern and proportion. Ibid

These maps depict not only soil associations, but their suitability for agriculture and their limitations for septic tank absorption field and as building sites. These maps may be seen at the Wasco County Planning Office or at the Soil Conservation Service office in The Dalles.

Table 9 lists the various soil associations that occur in Wasco County and gives a brief description of each one. Table 10 rates the various soil associations on their suitability and limitations for various types of uses.

Soils have been classified into eight capability groupings by the Soil Conservation Service. These classifications show in a general way the suitability of soils for most kinds of field crops. The soils are grouped (a) according to their limitations when used for field crops;

Table 9 – Soil Associations

Areas dominated by well drained soils formed in lacustrine material with 1 to 20 percent slopes

1. Chenoweth-Cherryhill association.Very deep loam soils with 1 to 20 percent slopes; and deep soils with a silt loam surface layer, loam subsoil and sandy clay loam substratum over semi-consolidated sediments and with 1 to 20 percent slopes.

Areas dominated by well drained soils formed in loess and well drained, very shallow, stony soils with 0 to 35 percent slopes

2. Walla Walla association.Very deep silt loam soils over basalt with 3 to 35 percent slopes.

3. Cantala-Condon association.Deep silt loam soils over basalt with 1 to 35 percent slopes; and moderately deep silt loam soils over basalt with 1 to 7 percent slopes.

4. Wapinitia-Stony land association. Moderately deep soils with a silt loam surface layer and heavy loam to silty clay loam subsoil over basalt and 0 to 12 percent slopes; and outcrops of basalt with 0 to 12 percent slopes.

5. Maupin-Stony land association.Moderately deep loam soils over basalt with 0 to 12 percent slopes; and outcrops of basalt with 0 to 12 percent slopes.

6. Bakeoven-Condon association.Very shallow soils with a very cobbly loam surface layer and very gravelly clay loam subsoil over basalt and 2 to 20 percent slopes; and moderately deep silt loam soils over basalt and with 1 to 20 percent slopes.

Areas dominated by well drained, very stony or rocky, shallow or moderately deep soils over basalt

7. Lickskillet-Wrentham association.Shallow soils with a very to extremely stony loam surface layer and very to extremely cobbly heavy loam or clay loam subsoil and with 15 to 70 percent south slopes; and moderately deep soils with a silt loan surface layer and very cobbly silt loam, clay loam or silty clay loam subsoil and with 35 to 70 percent north slopes.

Areas dominated by well drained soils formed in fine sediments with 1 to 70 percent slopes

8. Simas-Tub association.Moderately deep soils with a cobbly silty clay loam surface layer and calcareous silty clay subsoil over sediments and with 8 to 40 percent slopes; and Moderately deep soils with a gravelly clay loam surface layer and gravelly clay subsoil over sediments and with 1 to 40 percent slopes.

P2010-0089 (214 of 348)

9. McNeen association.Moderately deep soils with a silt loam surface layer and silty clay loam subsoil over very cobbly hardpan and with 1 to 12 percent slopes.

10. Simas-Curant-Tub association.Moderately deep soils with a very stony silty clay loam surface layer and calcareous silty clay subsoil over sediments and with 35 to 70 percent slopes; deep soils with a silt loam surface layer, heavy silt loam subsoil and loam substratum and 40 to 70 percent slopes; and moderately deep soils with a very stony clay loam surface layer and gravelly clay subsoil over sediments and with 40 to 70 percent slopes.

Areas dominated by well drained soils formed in materials high in volcanic ash with 1 to 70 perdent slopes

11. Hesslan-Frailey-Skyline association.
Moderately deep soils with a stony loam surface layer and cobbly loam subsoil over semi-consolidated sediments and with 40 to 65 percent slopes; deep soils with a loam or stony loam surface layer and loam or cobbly loam subsoil over semi-consolidated sediments and with 30 to 70 percent north slopes; shallow very cobbly loam surface layer and cobbly loam subsoil over semi-consolidated sediments and with 40 to 65 percent slopes.

12. Wamic-Ortley association.
Deep loam soils over basalt bedrock and with 1 to 20 percent slopes; and deep soils with a loam surface layer and silt loam subsoil and with 1 to 20 percent slopes.

13 Ketchly-Bins association.
Deep soils with a loam surface layer and clay loam subsoil and sub-stratum and with 3 to 30 percent slopes; and deep soils with a very friable gravelly loam surface layer, firm, clay loam subsoil and heavy loam substratum and with 1 to 30 percent slopes.

(Source: Soil Conservation Service)

P2010-0089 (215 of 348)

TABLE 10

SOIL SUITABILITIES AND LIMITATIONS

SOIL ASSOCIATIONS	AREA %	AREA ACRES	LAND CAPABILITY	SOIL SUITABILITY FOR: TOPSOIL	SAND & GRAVEL	ROAD FILL
1 Chenowith-Cherryhill	2	16,000	II, III, IV and VI	Good to Fair	Unsuitable	Fair
2 Walla Walla	6	63,000	II, III, IV, VI, VII and VIII	Good to Poor	Unsuitable	Fair
3 Cantala-Condon	14	140,000	I, II, III, IV, VI and VII	Good	Unsuitable	Fair
4 Wapinitia-Bakeoven	4	39,000	II, III, IV and VII	Fair to Poor	Poor	Poor
5 Maupin-Bakeoven	3	33,000	I, II, III, IV, VI and VII	Good	Unsuitable	Fair
6 Bakeoven-Condon	16	153,000	I, II, III, IV, VI and VII	Fair	Unsuitable	Poor
7 Lickskillet-Wrentham	20	195,000	I, II, III, IV, VI, VII, & VIII	Poor	Unsuitable	Poor
8 Simas-Tub	13	127,000	I, II, III, IV, VI, VII, & VIII	Poor	Unsuitable	Poor
9 McKeen	1	7,000	I, II, III, IV, VI, VII, & VIII	Fair	Unsuitable	Poor
0 Simas-Curant-Tub	3	33,000	I, II, III, IV, VI, VII, & VIII	Poor	Unsuitable	Poor
1 Hesslan-Frailey-Skyline	5	45,000	III, VI and VII	Poor	Unsuitable	Poor
2 Wamic-Ortley	10	98,000	III, IV, VI, and VII	Good	Unsuitable	Poor
3 Ketchley-Bins	3	30,000	III, VI, and VII	Poor	Unsuitable	Poor

Source: Soil Conservation Service

TABLE 10 (con.)

SOIL LIMITATIONS FOR:

OIL ASSOCIATIONS	Pond Embankment & Dikes	Terraces & Diversions	Playgrounds	Camp Areas	Picnic Areas	Paths & Trails
Chenowith-Cherryhill	MOD	MOD	SEV	SEV to MOD	SEV to SLIGHT	SLIGHT
Walla Walla	MOD	SLIGHT	SEV	SEV to SLIGHT	SEV to SLIGHT	SLIGHT
Cantala-Condon	MOD	SLIGHT	MOD	SLIGHT	SLIGHT	SLIGHT
Wapinitia-Bakeoven	MOD	MOD	SEV	MOD	SEV	SLIGHT
Maupin-Bakeoven	MOD	MOD	SEV to MOD	SLIGHT	SLIGHT	SLIGHT
Bakeoven-Condon	SEV	SEV	SEV	SEV	SEV	SEV
Lickskillet-Wrentham	SEV	Not Applicable	SEV	SEV	SEV	SEV
Simas-Tub	SEV	SEV	SEV	SEV	SEV	MOD
McKeen	MOD	MOD	SEV	MOD	MOD	SLIGHT
Simas-Curant-Tub	SEV	SEV	SEV	SEV	SEV	SEV
Hesslan-Frailey-Skyline	SEV	Not Applicable	SEV	SEV	SEV	SEV
Wamic-Ortley	MOD	SEV	MOD to SEV	MOD	SLIGHT	SLIGHT
Ketchley-Bins	SEV	Not Applicable	SEV	MOD	MOD	MOD

SEV = SEVERE MOD = MODERATE

A200-0085 (217 of 348)

TABLE 10 (con.)

SOIL LIMITATIONS FOR:

SOIL ASSOCIATIONS	Dwellings Without Basements	Septic Tank Absorption Fields	Sewage Lagoons	Sanitary Landfills (Trench Type)	Local Roads & Streets	Pond Reservoir
1 Chenowith-Cherryhill	MOD	SEV	SEV	MOD	MOD	SEV
2 Walla Walla	MOD	SEV	SEV	SLIGHT	MOD	SEV
3 Cantala-Condon	MOD to SLIGHT	SEV	SEV	SLIGHT	MOD	SEV
4 Wapinitia-Bakeoven	MOD	SEV	SEV	SEV	SEV	SEV
5 Maupin-Bakeoven	MOD	SEV	SEV	SEV	MOD	SEV
6 Bakeoven-Condon	SEV	SEV	SEV	SEV	SEV	SEV
7 Lickskillet-Wrentham	SEV	SEV	SEV	SEV	SEV	SEV
8 Simas-Tub	SEV	SEV	SEV	SEV	SEV	SEV
9 McKeen	MOD	SEV	SEV	MOD	MOD	SEV
0 Simas-Curant-Tub	SEV	SEV	SEV	SEV	SEV	SEV
1 Hesslan-Frailey-Skyline	SEV	SEV	SEV	SEV	SEV	SEV
2 Wamic-Ortley	MOD	SEV	MOD to SEV	MOD	MOD	MOD to SEV
3 Ketchley-Bins	MOD	SEV	SEV	MOD	MOD to SEV	SEV

SEV = SEVERE MOD = MODERATE

P2010-0089 (218 of 348)

(b) the risk of damage when they are so used; and (c) the way they respond to treatment. The grouping does not take into account major and generally expensive land-forming that would change slope, depth, or other characteristics of the soils; does not take into consideration possible major reclamation projects; and does not apply to rice, cranberries, horticultural crops, or other crops that require special management.

Statewide Goals and Guidelines as adopted by the Land Conservation and Development Commission mandate the retention of areas which are predominantly Class I, II, III, IV, V, and VI soils, in farm use. Lands in other classes which are necessary to permit farm practices to be undertaken on adjacent or nearby lands, shall be included as agricultural land. Areas which are predominantly class VII and VIII soils are generally unsuited to intensive agricultural production.

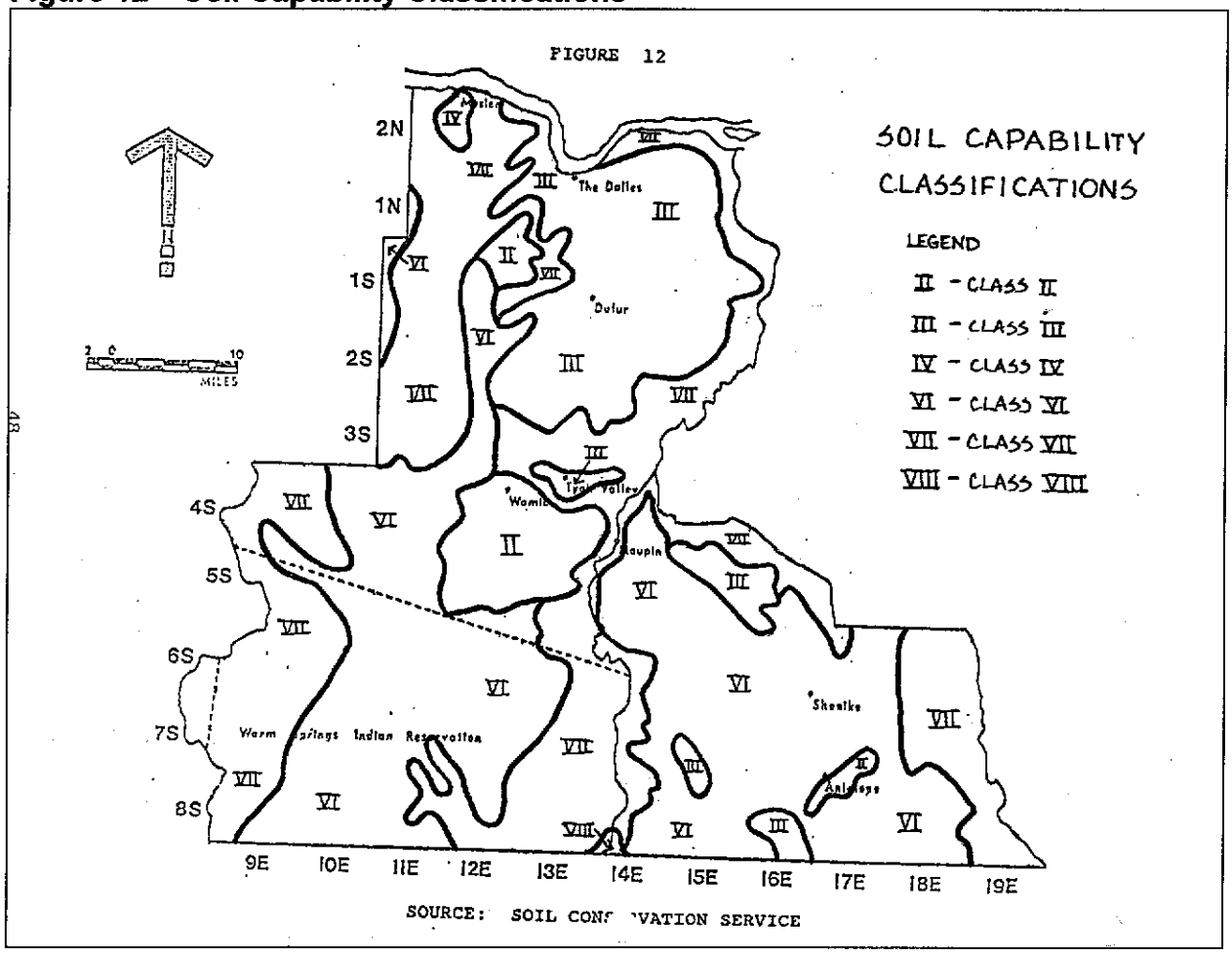
Figure 12 shows the soil capability classifications for soils in Wasco County. These are general classifications; more detailed information may be necessary when making site-specific decisions on land use. This information' is available from the Soil Conservation Service.

P2010-0089 (219 of 348)

I. Vegetation

The major vegetation species in each association are listed on the following page. The plant associations from east to west are grassland communities, chaparral-oak associations, ponderosa pine-white oak associations, Douglas fir-ponderosa pine association and forest land in higher elevations. These generalized categories have transitional zones between them which varies with topography, soil moisture, etc., and man's influences. Understory vegetation could occur in any of the tree covered areas as secondary vegetation. The main types of commercial vegetation are also listed.

Figure 12 – Soil Capability Classifications



P2010-0089 (220 of 348)

Natural Vegetation

Grassland Communities:

- Bluebunch wheatgrass
- Bitterbrush
- Idaho fescue
- Sandberg's bluegrass
- Cheatgrass

Shrub-Oak Association:

- Oregon white oak
- Elk sedge
- Common snowberry
- Oceanspray
- Heartleaf arnica
- Ceanothus
- Woods rose
- Wild strawberry
- Blue wildrye
- Bluebunch wheatgrass
- Cheatgrass
- Needlegrass
- Saskatoon serviceberry

Ponderosa Pine - White Oak Association:

- White oak
- Ponderosa pine
- Douglas fir
- Elk sedge
- Common snowberry
- Oceanspray
- Heartleaf arnica
- Ceanothus
- Woods rose
- Wild strawberry
- Blue wildrye
- Hairy lupine
- Woolly lupine
- Ornate lupine
- Poison oak

Douglas fir - Ponderosa Pine Association:

- Douglas fir
- Ponderosa pine
- Grand fir
- Western hemlock
- Western red cedar
- Willows
- Black cottonwood
- Bigleaf maple
- Western larch
- Incense cedar
- Western white pine

Higher Elevation Forest:

- Sub-Alpine fir
- Noble fir
- Pacific silver fir
- Engelmann spruce
- Mountain hemlock
- Lodgepole pine
- Whitebark pine

Understory Vegetation:

- Small golden chinkapin
- Vine maple
- Snowbrush
- Redstem ceanothus
- Deerbrush
- Prickly currant

Understory Vegetation:

- Big Huckleberry
- Wild rose
- Queencup beadlilly
- Hawkweeds Arnicas

P2010-0089 (221 of 348)

Columbia brome
Bedstraw
Twinflower
White trillium
Poison oak

Common thistle
Bracken fern
Pacific rhododendron
Beargrass

Introduced Vegetation

Commercial:

Sweet cherries -
Cultivars include:
Lambert
Bing
Royal Anne
Black Republican
Apples

Pears
Peaches
Apricots
Alfalfa
Clover
White wheats

Other

Cheatgrass
Yellow star thistle
Diffuse knapweed
Whitetop
Canada thistle
Puncture vine
Sand bur
St. Johnswort
Crested wheatgrass
Intermediate wheatgrass
Bluestem wheatgrass
Slender wheatgrass
Pubescent wheatgrass
Alta fescue
Western fescue
Pacific fescue
Big bluegrass
Bulbus bluegrass
Canada bluegrass
Kentucky bluegrass
Prairie junegrass
Orchardgrass
Redtop
Mountain brome

Soft brome

Velvetgrass
Alaska oniongrass
Timothy
Sagebrush
Scab-land sagebrush
Hoary sagebrush
Wild onions
Yarrow
Locoweed
Balsamroot
Rattlesnake grass
Russian knapweed
Rabbit brush
Golden cleome
Meadow larkspur
Fleabone
Tarweed
Western iris
Western juniper
Biscuitroot
Prairie clover
Lewis mockorange
Phlox
Smooth sumac

Tumbling mustard
Thurber needlegrass

P2010-0089 (222 of 348)

Many vegetative associations in the rangelands of the; county, especially in the southern part, have been disturbed by fire, grazing, trampling, and the effects of some types of introduced plants. For example, species such as sagebrush and bitterbrush are sensitive to fire, while many grasses are not as sensitive. A range fire will usually kill the brush without destroying the grass understory. This results in almost pure stands of bunch-grass. Overgrazing in rangelands and along streams have caused the reduction of vegetation in these areas, and has allowed new types of vegetation to become established. These new species of vegetation may greatly alter the ecology of the affected area, often in a detrimental way.

P2010-0089 (223 of 348)

J. Natural Areas

Areas in Wasco County which appear to have ecological and scientific value have been identified by the Oregon Natural Heritage Program, Nature Conservancy. Personal interviews, extensive literature search, field investigations, and aerial photography were the basis of this inventory list of natural areas. The list does include some areas which have not yet been verified by research or field study, but are considered potentially significant. Table 11-A gives the list of natural areas in Wasco County as identified by the Nature Conservancy. These areas are shown in Figure 12.5.

A "site" as it appears in Table 11-A is the geographic location of one or more noteworthy element occurrences. An element is any one natural feature of the landscape; for example, a bald eagle nest or an age-old forest, and the site is where it occurs. A site may have only one feature, such as a nest, or it may include several features, such as a stretch of river surrounded by an old growth forest with a rare plant species and nesting areas for endangered bird species. Descriptions accompanying the site on the inventory list have been written to point out features at the site.

Not all lands identified by the Nature Conservancy are being considered as natural areas. Many of the elements have not been verified. Many of the ones that have been verified have not been located specifically. The attempt has been made to locate the most significant natural areas and identify them with specific boundaries. Ownerships, conflicts of use, location, surrounding uses, size of the area and citizen input were taken into account when designating natural areas: Additional sites not listed by the Nature Conservancy have been included as natural areas. Table 11-B lists these sites.

All natural areas have been identified on the zoning map by placement of an environmental protection district overlay zone, (Division 4). This zone is described in the Wasco County Zoning Ordinance in Section; 3.700.

P2010-0089 (224 of 348)

Table 11A- Natural Areas as Identified by the Nature Conservancy

NATURAL AREAS AS IDENTIFIED BY THE NATURE CONSERVANCY — WASCO COUNTY

REF. NO.	SR	REFERENCE NAME	LOCATION T-R-S	PS	ELEMENT NO.	VO	ELEMENT NAME
WC-4	+	Oak Springs (B)	4S, 14E SE¼ 17,	3	1.18.986 2.02.402 2.02.431 4.11.110	V V V V	Wetland shrubland Rough-skinned newt Pacific giant salamander Cold spring
WC-6	+	Confluence of White River and Tygh Creek to Deschutes River (B)	4S, 13E 1, 2, 11, 12 4S, 14E 5-8	3	1.08.912 4.04.120 4.04.450 4.04.460 5.14.596	V V V V V	Wetland forest Low stream segment, low gradient reach River island Waterfalls Great blue heron rookery
WC-8	+	Lawrence Memorial Grassland Preserve (The Nature Conservancy) (B)	7S, 16E 15, 22	2	1.18.931 1.28.910 1.28.911 1.28.920 3.01.049 6.01.000	V V V V V V	Stiff sage/Sandberg's bluegrass Bluebunch wheatgrass-Idaho fescue Bluebunch wheatgrass-Sandberg's bluegrass Sandberg's bluegrass communities *Lomatium minus* Geologic feature
WC-11		Tygh Ridge Summit (C)	3S, 14E 16, 17, 20	3	1.28.910	V	Bluebunch wheatgrass-Idaho fescue
WC-13		Hollow Creek Area (A)	7S, 18E NW¼ 33 8S, 17E NE¼ 1	3	2.02.642	V	Golden eagle (2 nests)
WC-14		Mission Hollow (A)	2S, 15E 6	3	2.02.642	NV	Golden eagle
WC-15		Butler Canyon (B)	3S, 13E 14, 23	3	2.02.642	V	Golden eagle
WC-20		Buck Hollow Creek (C)	6S, 17E W½ 16	3	1.18.931 1.28.910 1.28.911	V V V	Stiff sage/Sandberg's bluegrass Bluebunch wheatgrass-Idaho fescue Bluebunch wheatgrass-Sandberg's bluegrass

KEY: SR=Site Report

4/78 Source: Oregon Natural Areas

PS=Protection Status
1-preserved
2-legally protected
unprotected

VO=Verification of Occurrence
V -verified
NV-not verified

P2010-00085 (B35 & 36)

WASCO COUNTY

REF. NO.	SR	REFERENCE NAME	LOCATION T-R-S	PS	ELEMENT NO.	VO	ELEMENT NAME
WC-28		Black Rock/Rotten Lake Basin (B)	7S, 18E 1-3, 10-15 7S, 19E 5-8, 18	3	2.02.642 4.07.110 4.10.100 6.01.000 6.02.000	NV NV NV NV NV	Golden eagle Low lake, permanent Lowland pond Geologic feature Paleontologic feature
WC-30		White River Canyon (B)	4, 5S, 11-13E	3	3.04.800	V	Isolated population, Douglas fir
WC-34		Camas Prairie (C)	5S, 10E 16, 17	3	1.25.118 3.04.000	V V	Marshland Wildflower area
WC-37		Mill Creek Falls (C)	1S, 12E NW¼ 5, NE¼ 6	3	1.05.620 4.04.460	NV V	Douglas fir forests Waterfalls
WC-38		Mill Creek Drainage (C)	1S, 11E NW¼ 3	3	3.01.037 3.02.000	V V	*Hydrophyllum capitatum* var. *thompsonii* *Lomatium columbianum*
WC-40		Nena Ranch (B)	6S, 13E 1, 12	3	1.05.913	NV	Wetland forest
WC-44		Oak Canyon (C)	2S, 14E 35, 36	3	1.05.621 1.05.911 1.25.114	V V V	Douglas fir-ponderosa pine Oregon white oak/grassland Bluebunch wheatgrass-Idaho fescue
WC-47		Boulder Creek Drainage (C)	8, 9S, 9-11E	3	1.05.600	V	Old growth Douglas fir forests
WC-50	+	Rowena Dell (The Nature Conservancy Preserve, part) (B)	2N, 12E 3, 4	2, 3	2.02.636 3.01.037 3.02.000 3.04.700 4.10.110 4.10.120 6.01.000 6.04.000	NV NV V V V V V V	Osprey *Hydrophyllum capitatum* var. *thompsonii* *Lomatium columbianum* Wildflower area Lowland pond/wetland, permanent Lowland pond/wetland, intermittent Geologic feature Historic feature

KEY: SR=Site Report

PS=Protection Status
1-preserved
2-legally protected
3-unprotected

VO=Verification of Occurrence
V - verified
NV - not verified

4/78

53

P2010-0089 (226 of 348)

WASCO COUNTY

REF. NO.	SR	REFERENCE NAME	LOCATION T-R-S	PS	ELEMENT NO.	VO	ELEMENT NAME
WC-51		Mosier Area (C)	2N, 11E 2	3	1.05.912 3.04.700	NV V	East Columbia Gorge rockfall with forest complex Wildflower area
WC-52		Seven Mile Hill Area (A)	2N, 12E 11	3	1.05.912 1.25.110	V V	East Columbia Gorge rockfall with forest complex East slopes Cascades grassland
WC-56		Memaloose Island (B)	3N, 12E 32	3	2.02.636	V	American osprey
WC-61		Mill Creek Research Natural Area (B)	1S, 11E 4, 8, 9, 16, 17	2	1.05.621 1.05.911 1.25.114	V V V	Ponderosa pine-Douglas fir Oregon white oak/grassland Bluebunch wheatgrass-Idaho fescue
WC-62		Persia M. Robinson Research Natural Area (C)	6S, 10E 10, 11	2	1.05.621 1.05.630 4.04.120	V V V	Ponderosa pine-Douglas fir Mixed conifers Lowland stream segment, low gradient reach
WC-65		Wapanitia Warm Springs (C)	6S, 12E 2, 11	3	4.11.120	V	Hot spring
WC-67		Deschutes Island (C)	2S, 16E 5	3	5.14.596	V	Great blue heron rookery
WC-69		Antelope Creek (A)	8S, 15E 25, NW¼ 35 8S, 16E NE¼ 4	3	2.02.642	V	Golden eagle (7 nests)
WC-70		Antelope Valley (C)	S½ 7S, 17E N½ 8S, 17E	3	2.02.640	V	Swainson's hawk (8 nests)
WC-71		Tygh Creek (C)	3S, 12E 26	3	2.02.643	V	Northern bald eagle

KEY: SR=Site Report

PS=Protection Status
1-preserved
2-legally protected
3-unprotected

VO=Verification of Occurrence
V -verified
NV-not verified

4/78

54

P2010-0089 (227 & 348)

WASCO COUNTY

REF. NO.	SR	REFERENCE NAME	LOCATION T-R-S	PS	ELEMENT NO.	VO	ELEMENT NAME
WC-72		White River Wildlife Management Area (B)	4, 5S, 11, 12E	2	2.02.643	V	Northern bald eagle
					2.02.510	V	Ring-necked duck
					2.02.513	V	Bufflehead
					2.02.641	V	Ferruginous hawk
					2.02.642	V	Golden eagle
					2.02.654	V	Western burrowing owl
					2.02.752	V	Gray-crowned rosy finch
					2.02.881	V	White-tailed jackrabbit
					2.02.902	V	Sagebrush vole
					5.14.621	V	Band-tailed pigeon mineral springs
					5.17.806	V	Elk critical winter range
WC-74		Sunflower Flat (C)	6S, 11E SW¼ 2, S½ 3, NW¼ 11	3	1.05.710	NV	Ponderosa pine
					1.05.810	NV	Western juniper woodland
					1.05.911	NV	Oregon white oak/grassland
WC-75		Abbot Pass (proposed Research Natural Area) (C)	5S, 9E 17	3	1.05.310	NV	Mountain hemlock
WC-76		Four Hills Grassland (C)	8S, 17E 2, 3, 10, 11	3	1.28.910	V	Bluebunch wheatgrass-Idaho fescue
					3.04.700	NV	Wildflower area
WC-77		Antelope Watershed (C)	7S, 17E 30	3	1.08.814	V	Western juniper/big sage/bitterbrush
WC-80		Unnamed (C)	7S, 17E 18	3	3.01.049	V	*Lomatium minus*
WC-81		Unnamed (C)	7S, 16E 5	3	3.01.049	V	*Lomatium minus*
					3.02.000	V	*Allium macrum*
					3.02.000	V	*Allium tolmiei* var. *tolmiei*
					3.02.000	V	*Claytonia minus*
WC-82		Unnamed (B)	4S, 14E 20, SW¼ 29	3	3.02.000	V	*Mimulus jungermannioides*

KEY: SR=Site Report

PS=Protection Status
1-preserved
2-legally protected
3-unprotected

VO=Verification of Occurrence
V-verified
NV-not verified

4/78

B010-0089 (328 of 348)

WASCO COUNTY

REF. NO.	SR	REFERENCE NAME	LOCATION T-R-S	PS	ELEMENT NO.	VO	ELEMENT NAME
WC-83		Dinger/Clear Lake proposed Research Natural Areas (A)	5S, 8½E W½ 1 5S, 9E 2-4, 6	3	1.05.310	V	Western hemlock zone
WC-84		Wasco Lookout (C)	2N, 12E SE¼ 32	3	3.01.037	V	*Hydrophyllum capitatum* var. *thompsonii*

*Areas marked with an "A" have been designated as natural areas using the locational description given.

Areas marked with a "B" have been designated as natural areas, although the area descriptions have been altered.

Areas marked with a "C" have been removed from the list because they are not considered unique or significant natural areas.

KEY: SR=Site Report

PS=Protection Status
1-preserved
2-legally protected
3-unprotected

VO=Verification of Occurrence
V -verified
NV-not verified

4/78

56

$200.0089 (229 of 348)

Application of Statewide Planning Goal # 5 To Inventoried Natural Areas in Forest Lands

In the May 20, 1982, Land Conservation and Development Commission's "in order to comply statement", Wasco County was directed to analyze the economic, social, environmental and energy (ESEE) consequences of the conflicts between forest operations and inventoried natural areas and develop a program to achieve the goal (3). Wasco County has identified three natural areas that are within forested areas. These areas include: the western end of the White River Canyon, site "WC-30"; the Mill Creek Research Natural Area, site "WC-61"; and the Dinger/Clear Lake Proposed Natural Research Area, site "WC-83".

Sites "WC-30" and "WC-83" are within the "F-2 (80)" zone and are also within the Environmental Protection District, Division 4 (EPD-4) overlay zone which permits the following uses which are identified as conflicting ESEE uses:

Permitted:

--Management, production and harvesting of forest products, including primary wood processing and operations.
--Utility facility necessary for public service.

Conditional:

--Single family residences and mobile homes in conjunction with a farm or forest use.
--Public facilities
--Personal-use airports
--Public and private parks
--Mining
--Sanitary Landfill

The prime factor in analyzing the ESEE consequences on these sites is ownership. There are no private holdings involved within these sites. Site "WC-30" is owned by the Oregon State Game Commission and is being managed for Big Game Winter Range and other wildlife habitat. The conflicting uses identified above, except for timber harvesting, will not occur on state lands. Any timber harvesting will be controlled by the Oregon Department of Fish and Wildlife under their program for wildlife habitat. The conflicting uses are, therefore, controlled and limited by the Department of Fish and Wildlife's program for habitat improvement.

Site "WC-83" is owned by the United States Forest Service and is part of the Mt. Hood National Forest. Again, timber harvesting would be the only conflicting use and that activity is controlled by the Forest Service. Compliance with local plans is not mandatory of federal agencies, although their co-operation is encouraged by Wasco County.

P2010-0089 (230 of 348)

Site "WC-61" is within the "F-1 (80)" zone. This zone includes only those lands within The Dalles Watershed. The EPD-4 over-lay zone permits only conditionally the following uses which are identified as conflicting ESEE uses:

-- Management, production and harvesting of forest products, including primary wood processing and operations.

-- Mining

-- Utility facilities necessary for public service.

Site "WO-61" is totally owned by the United States Forest Service and is within The Dalles Watershed. The watershed is managed through an agreement between The Dalles and the Forest Service called. "Comprehensive Management Plan for The Dalles Municipal Watershed". 1972. Forest harvesting activities as well as other uses is strictly controlled by both federal programs and regulations and by the cooperative agreement with The Dalles. The conflicting uses are, therefore, controlled and limited and no other measures need to be taken to protect the natural area.

Table 11B – Natural Areas

#	Site Name	Location	Verification of Occurance	Element Name
1	Cedar Island	T3S, R15E, Sec. 4	UV	River Island with a distinct population of incense cedars. (B.L.M.)
2	Sharps Island	T1S, R16E, Sec. 5	UV	Great Blue Heron rookery and riparian habitat.
3	Fall Creek Island	T1N, R16E, Sec. 31	UV	Great Blue Heron Rookery
4	Underhill Site	T2S, R11E, Sec. 15	UU	Environmental education site for children. Natural vegetation and habitats, trails, and historic sites are preserved (U.S. Forest Service)
5	Postage Stamp Lookout	T3S, R13E, Sec. 18, 19, & 20	UV	Laboratory research site. (State of Oregon)

Verification of Occurance: UV = Unsurveyed, verified. UU = Unsurveyed, unverified.

P2010-0089 (231 of 348)

K. Forest Resources

In accordance with Goal #4, lands suitable for forest uses have been inventoried by forest site class. The site class inventory is an estimate of the productive potential of forest land for wood growth. It is de-fined as the "height of a freely growing tree at age 100". The site class can be translated to cubic feet/acre/year. Generally, forest site classes less than VII are considered to be of commercial quality. (Refer to "Field Instructions for Integrated Forest Survey and Timber Management Inventories", United States Forest Service Manual; Oregon, Washington and California, 1974). Figure 13 shows the timber site productivity ratings for forest lands in Wasco County. A more detailed site class map can be found in the Planning' Office; the map on page 60 is highly generalized.

The following tables illustrate the land area and timber volume for forest land in Wasco County.

Land Area

Forest			
-Commercial	414,000 Acres	27%	
-Unproductive	135,000 Acres	9%	
-Reserve	1,000 Acres	0%	
Non-Forest	974,000 Acres	64%	
Total	1,524,000 Acres		

P2010-0089 (232 of 348)

COMMERCIAL FOREST - By Ownership (1973)

National Forest	153,000	Acres	37%
Other Public	199,000	Acres	48%
Forest Industry	15,000	Acres	4%
Other Private	47,000	Acres	11%
TOTAL:	414,000	Acres	100%

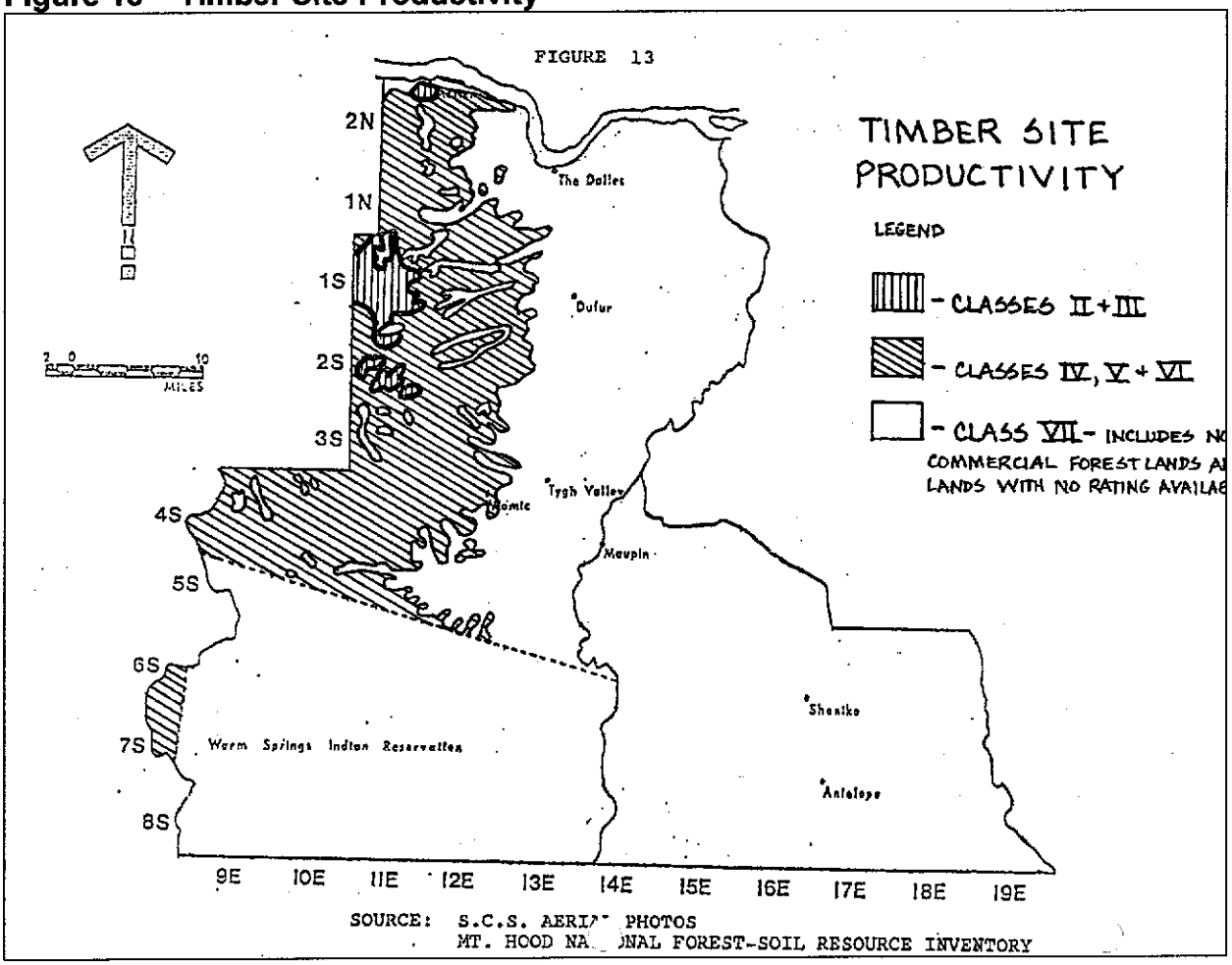
COMMERCIAL FOREST - Net Volumes by Ownership (1973)
(Million Cubic Feet)

National Forest	3,521	53%
Other Public	2,855	42%
Forest Industry	78	1%
Other Private	266	4%
TOTAL:	6,720	100%

The U.S. Forest Service and other public agencies administer about 95 percent of the commercial timber volume. These public lands are characterized by large inventories of old growth timber. On the other hand, private lands contain a considerable amount of timber in the younger classes (less than 40 years old). These; stocking characteristics indicate that the public lands must absorb future timber supply demands. Intensified management of all timber lands may increase yields in eastern Oregon in the long run.

P2010-0089 (233 & 348)

Figure 13 – Timber Site Productivity



P2010-0089 (234 of 348)

L. Land Use and Ownership

Land use information for Wasco County was obtained from aerial photographs and by field surveys. Figure 14 shows the generalized existing land use in Wasco County (*See Chapter 12 for legend definitions. Most of the county is in agricultural and, forestry uses, and urban development is concentrated in the Dalles Urban Area.

Existing land use is not shown within the boundaries of the Warm Springs Indian Reservation, nor are specific ownerships given. Due to their status as a nation, separate and independent from the jurisdictions of Wasco County, the State of Oregon or the U.S. Federal Government, the Warm Springs Reservation is included in this plan only briefly. Further information on the Confederated Tribes of Warm Springs Indians may be obtained through the Tribal Council and in the "Comprehensive Plan - Warm Springs Reservation, (1970)".

The exact boundaries of the Warm Springs Reservation had been disputed from 1871 until 1972 when Congress finally passed Public Law 92-427 ending the controversy. Following is a list of important dates describing the legal actions which have occurred regarding the disputed land. Wasco County fully recognized the McQuinn Strip as part of the Warm Springs Reservation.

1855 - The Warm Springs Reservation was established by treaty.

1871 - T.B. Handley made the first survey; the Tribes protested that the northern line of the survey was further south than agreed.

1886 - Congress authorized a resurvey.

1887 - John A. McQuinn completed the resurvey, establishing a line farther north than the Handley line.

1888 - The Commissioner of Indian Affairs approved the McQuinn line.

1890 - A commission appointed at the request of white settlers recommended the Handley line.

1894 - Congress approved the Handley line and established it as the reservation's boundary.

1917 - Fred Mensch made a study in response to continuing Indian protests, found the McQuinn line correct, but recommended revision with cash compensation to the Tribes in lieu of lands on which settlers had located.

1919 - The General Land Office approved the Handley line.

1921 - The Tribes refused to approve the Mensch Report.

1930 - Congress authorized the Tribes to sue in the Court of Claims.

P2010-0089 (235 of 348)

1941 - The court accepted the McQuinn line except for a small triangle at the extreme northeast but said the Tribes should re-cover the value of the land and not the land itself.

1943 - Sen. Charles McNary and Rep. Lowell Stockman introduced a bill fixing the modified McQuinn line as the boundary; the bill failed.

1945 - The Court of Claims, setting the value under its 1941 decision, said the Tribes should get $80,925 as the 1855 value of the 80,000 acres plus $160,159. interest. However it applied an "offset" rule, said the government had expended more than that on the Tribes. It said this wiped out the claim, and it dismissed the suit.

1948 - Congress passed a bill by Sen. Guy Cordon providing that the Tribes should receive the net revenues from the 61,360 acres of government land within the disputed area.

1971 - Rep. Al Ullman introduced in the House and Sens. Mark Hatfield and Bob Packwood in the Senate a bill establishing the McQuinn line, as modified by the Court of Claims, as the north and west boundary of the reservation.

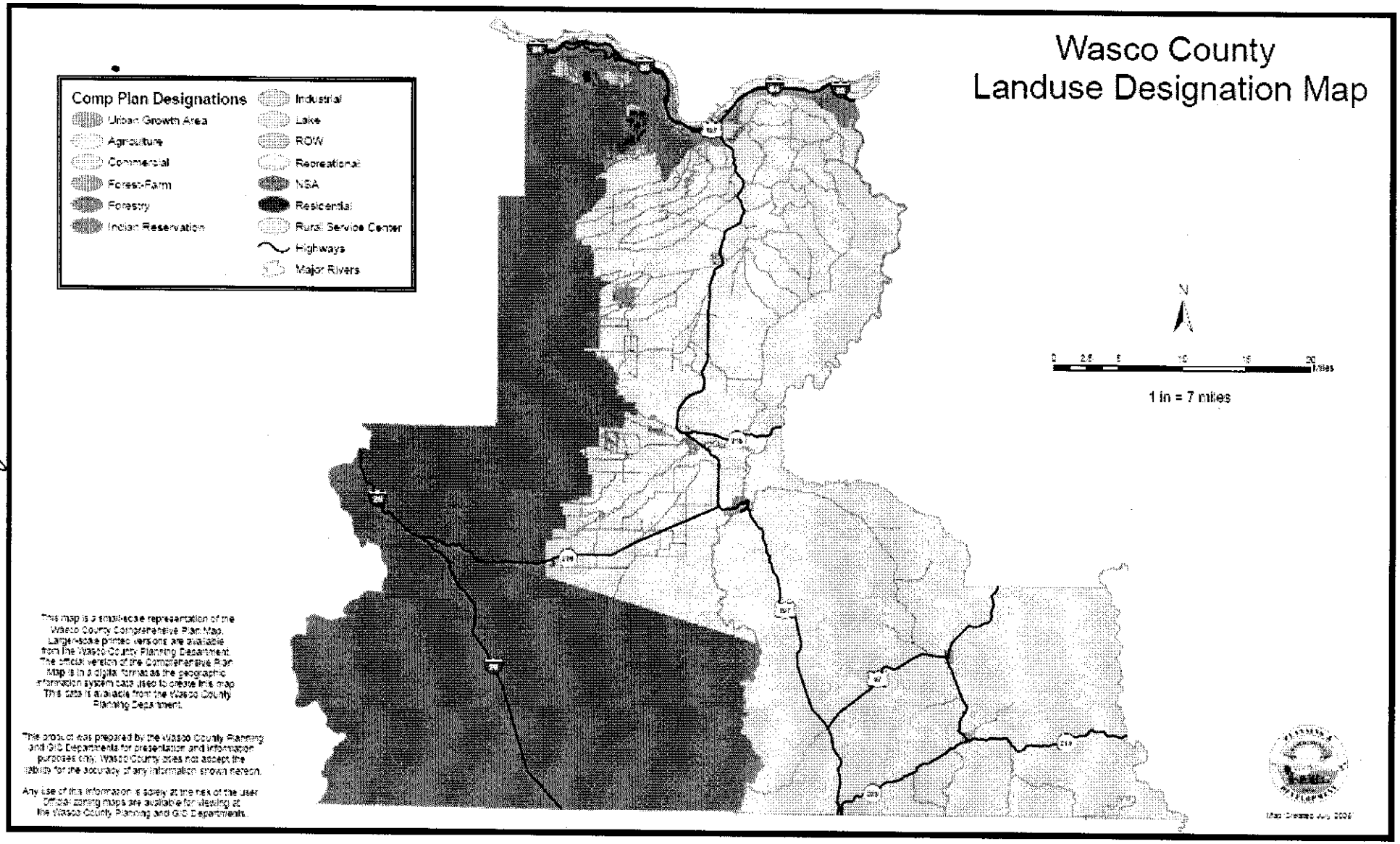
1972 - The bill ending the McQuinn Strip dispute became law.

Table 12 gives a listing of public and private land ownerships in Wasco County. The Assessor's records were the major source of information. Federal agencies were contacted for current ownerships.

It must be taken into account that ownerships, both public and private, are constantly changing. Figure 15 shows the ownerships in Wasco County as of July, 1980.

P2010-0089 (236 of 348)

Figure 14 – Generalized Existing Land Use



P2010-0089 (237 & 348)

TABLE 12 COUNTY OWNERSHIP

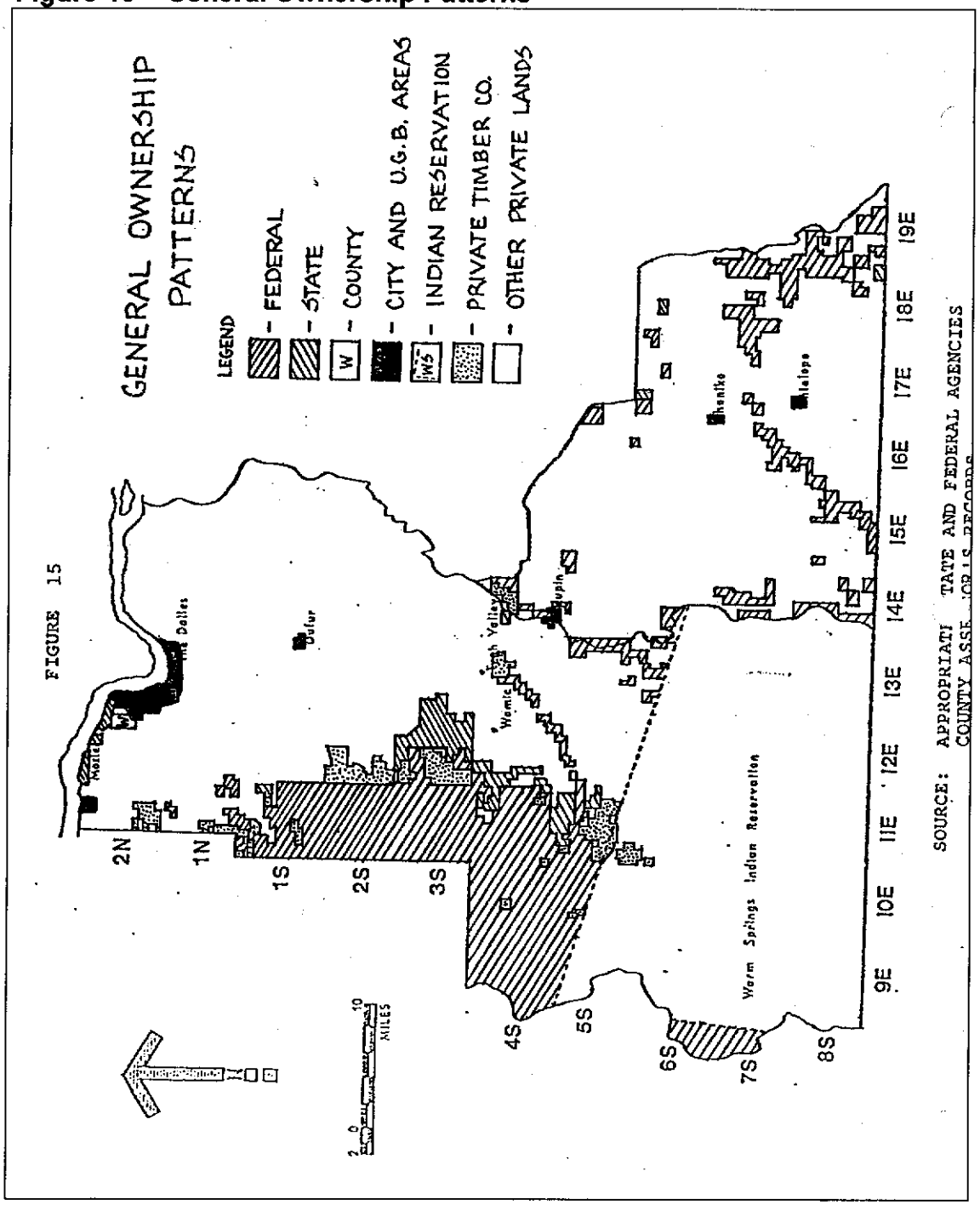
OWNERSHIP	# ACRES	% of
Federal:		
U.S. Forest Service	177,888	
Bureau of Land Management	20,476	
Army Corps of Engineers	2,656	
Bonneville Power Administration	786	
	201,806	13.2
State:		
State of Oregon	1,566	
Highway Commission	1,285	
Forestry Department	3	
Fish and Wildlife	21,979	
State Parks	1,296	
State Land Board	1,760	
	27,889	1.8
County:		
Wasco County	200	
	200	
Incorporated Cities:(Includes all lands within City Limits)		
Antelope	288	
Dufur	367	
Maupin	795	
Mosier	401	
Shaniko	320	
The Dalles	3,300	
	5,471	0.4
School Districts:		
Hood River # 1	1	
Chenowith # 9	38	
The Dalles # 12	81	
Petersburg # 14	155	
Dufur # 29	2	
Tygh Valley # 40	5	
# 42	2	
# 48	17	
Antelope # 50	1	
# 53	1	
	303	
Utilities:		
Telephone	5	
Water	8	
Electric	1,611	
Gas	1	
Railroad	17	
	1,642	0.1
Other Semi-Public and Public:		
Hood River Port	80	
Land Bank	10.	
Boy Scouts of America	793	
Cemetery	10	
The Dalles General Hospital	14	
	907	0.1

P2010-0089 (238 of 348)

Private Lands:		
Union Pacific	151	
OWR & N Company	9,279	
Boy Scouts of America	793	
Warm Springs Indian Reservation	387,113	
Mountain Fir Lumber Company	16,284	
Champion International	4,309	
Other Privately Owned Lands	871,533	
	1,289,462	84.4
TOTAL PUBLIC AND SEMI-PUBLIC LANDS	**238,218**	15.6
TOTAL PRIVATELY OWNED LANDS	**1.289,462**	84.4
TOTAL COUNTY LANDS	**1,527,680**	100. 0

P2010-0089(23902 348)

Figure 15 – General Ownership Patterns



13010-0089 (240 of 348)

M. Fish and Wildlife Resources

The variety of vegetation and the abundance of streams and lakes in Wasco County provide good habitat for many types of fish and wildlife. These animals are an integral part of the environment and provide enjoyment for both wildlife enthusiasts and sportsmen. Their populations can only be maintained if their habitats are not greatly disturbed or destroyed. Careful management of these habitats can maintain and even improve wildlife populations.

1. Wildlife Habitat

   Wildlife species are a product of vegetative community's water, and cover afforded by vegetation and geological features. Within the County each species of wildlife has its own habitat which is a complex and specific set of conditions to which it is adapted and without it, cannot survive. Destruction of the habitat need not be total to exclude a species from a given area. Loss of only one element which fills a critical need within the habitat is enough to render it inhospitable. Table 13 outlines the major habitat types found in the county, their general location and their relative importance to wildlife.

2. Wildlife Species

   There are up to an estimated 230 different species of mammals, birds, reptiles and amphibians in different parts of Wasco County. More species are generally found in the western portions of the county, where habitats are varied and more diverse. Table 14 is a list of species, their habitats and the periods of usage.

3. Sensitive Wildlife Habitat Areas

   All wildlife habitats can be considered sensitive to some degree as they all are affected by the impacts of man's use of the land. Changes brought about through soil tillage, livestock grazing, clear-cutting, and development have produced new landscapes, and with few exceptions, original vegetative cover has been altered.

P-2010-0089 (241 of 348)

Table 13 – Major Habitat Types

MAJOR HABITAT TYPES

HABITAT NAME	DESCRIPTION	WILDLIFE VALUE
Mixed Conifer	Dense cover, natural open space and mountain meadows (generally in public ownership). Located in higher elevation in western part of county.	Summer range, cover for rearing young. Deer, elk, black bear, cougar, migratory birds.
Mixed Conifer Oak	Dense cover--mixed locations and ownerships in northwestern part of county.	Summer range and cover for all big game species. Cover and nesting areas for migratory and game birds.
Pine Oak	Mid-elevation areas of central and southwestern portion of county. Grass and browse provides excellent cover for Merriam turkeys.	Winter range for big game, Merriam turkey, Lewis woodpecker, silver grey squirrel.
Oak	Ponderosa Pine, oak. Located generally in Township 1 South, 2 South, and 3 South, Range 12.	Deer, elk winter range. Year round habitat for wild turkey Feeding and nesting areas for Lewis woodpecker.
Oak Grass	Located in Sevenmile Hill areas of northwestern Wasco County. Tall grass and scrub oak.	Provides cover and food for various types of big game animals, smaller animals, and birds.
Brush Grass	Occurs mainly on steep slopes and in dry drainage bottoms. Dominated by big sage-brush, rabbit brush, horsebrush, cheatgrass, with lesser amounts of bitterbrush, bluebunch, wheatgrass and Idaho fescue.	Brush areas provide important habitat for deer, upland game and non-game wildlife.

66

P2010-0089 (242 of 348)

HABITAT NAME	DESCRIPTION	WILDLIFE VALUE
Grass Shrub	Cheatgrass, blue grass, bluebunch, wheatgrass, bitterbrush, sagebrush, snowberry, wild rose, sunflower, paintbrush, Balsamorphiza, Eriogonum, Lomatum and western Juniper; generally found in the southern portion of the County, east of the Deschutes River.	Deer range, bobcat, porcupine, packrat, cliff swallow, rock and canyon wrens, rattlesnakes, chukar partridge, bald and golden eagle, osprey.
Riparian	Vegetation along streams, streambeds and lakes. Found in all parts of the county. Consists of forbs and grasses, shrubs and trees.	Nesting, perching and feeding for many species of birds. Cover, feeding and shade for all types of wildlife. Water quality is dependent upon the condition of riparian vegetation.
Cultivated Agricultural Land	Wheatland, grazing, hay, alfalfa and other commercial agricultural crops.	Deer, upland birds, waterfowl, raptors, small birds and mammal species. Use occurs mainly around field edges near areas of more substantial cover.
Rural Residential and Abandoned Homestead	Old tree plantings.	Utilized by several bird species including scarce nesting areas for several species of hawks and owls.

67

A2010-0089 (243 of 348)

TABLE # 14

ANIMAL SPECIES IN WASCO COUNTY

undance Key:

= Abundant C = Common
= Few R = Rare
U = Unknown

ECIES: BIRDS	HABITAT TYPES								USE PERIOD			
	MIXED CONIFER	MIXED CONIFER OAK	PINE-OAK	OAK-GRASS	GRASS-SHRUB JUNIPER	RIPARIAN	AGRI-CULTURAL		SPRING	SUMMER	FALL	WINTER
Kildeer					C	C			X	X	X	X
Mallard Duck						C	C		X	X	X	X
Wood Duck						F			X	X	X	X
Turkey Vulture	C	C	C	C	C	C	C		X	X		
Bald Eagle	F	F	F	F	F	F			X		X	X
Rough-legged Hawk	F	F	F	F	C	F	C				X	X
American Kestrel	C	C	C	C		C	C		X	X	X	X
Long-eared Owl	C	C	F	C	F	F	F		X	X	X	X
Screech Owl	F	C	F	C	F	F	F		X	X	X	X
Great-horned Owl	C	C	C	C	C	C	C		X	X	X	X
Merriam's Turkey	C	C	C	C		C			X	X	X	X
California Quail	C	C	C	C	C	C	C		X	X	X	X
Ring-necked Pheasant		F	F	F	F	C	C		X	X	X	X
Mourning Dove		C	C	C	C	C	C		X	X	X	X
Rock Dove		C	C	C		C			X	X	X	X
Common Nighthawk	C	C	C	C	C	C	C		X	X		
Belted Kingfisher					F	C			X	X	X	X
[illegible]	C	C	C	C	F	C	C		X	X	X	X

P2010-0089 (244 of 348)

ECIES: BIRDS	MIXED CONIFER	MIXED CONIFER OAK	PINE-OAK	OAK-GRASS	GRASS-SHRUB JUNIPER	RIPARIAN	AGRI-CULTURAL		SPRING	SUMMER	FALL	WINTER
Lewis Woodpecker	C	C	C	C	F	C	C		X	X	X	X
Downy Woodpecker	C	C	C		F	C			X	X	X	X
Yellow Bellied Sapsucker	F	F	F			F			X	X	X	X
Western Kingbird	F	F	F		F	F	F		X	X		
Western Flycatcher	F	F	F		F	F	F		X	X		
Ash-throated Flycatcher	F		F		F	F	F		X	X		
Western Wood Pewee	F	F	F		F	F	F		X	X		
Horned Lark			C	C	C	C	C		X	X	X	X
House Wren	C	C	C		C	C	C		X	X		
Winter Wren	C	C	C			C	C				X	X
Bewick's Wren	F	F	F			F			X	X		
Rock Wren	F	C	F	C	C	F	F		X	X		
Canyon Wren	F	C	F	C	C	F	F		X	X		
Hermit Thrush	C	C	F			F			X	X		
Fox Sparrow	F	C	C			C	C		X	X	X	X
Song Sparrow	F	C	C			C	C		X	X	X	X
Canada Goose						C	C		X	X	X	X
Pintail						F	F				X	X
[illegible]						C	C				X	X

P2010-0089 (245 of 348)

SPECIES: BIRDS	MIXED CONIFER	MIXED CONIFER OAK	PINE-OAK	OAK-GRASS	GRASS-SHRUB JUNIPER	RIPARIAN	AGRI-CULTURAL		SPRING	SUMMER	FALL	WINTER
Blue-winged Teal						F	F				X	X
Cinnamon Teal						F	F		X	X	X	X
Green-winged Teal						F	F		X	X	X	X
Common Goldeneye	F					F			X	X	X	X
Bufflehead						F			X	X	X	X
Harlequin Duck						F			X	X	X	X
Common Merganser						C			X	X	X	X
Hooded Merganser						F			X	X	X	X
Goshawk	F	F				F			X	X	X	X
Coopers Hawk	C	F	C	F	F	C	C		X	X	X	X
Sharp-skinned Hawk	C	F			F	C	F		X	X	X	X
Osprey						F			X	X		
Ruffed Grouse	C	C	C			C			X	X	X	X
Blue Grouse	C	C	C			C			X	X	X	X
Spotted Owl	R								X	X	X	X
Great Blue Heron						C	C		X	X	X	X
American Coot						C			X	X	X	X
Common Snipe						F					X	X
Poor-will	F		F			F	F		X	X		

P2010-009 (246 of 348)

SPECIES: BIRDS	MIXED CONIFER	MIXED CONIFER OAK	PINE-OAK	OAK-GRASS	GRASS-SHRUB JUNIPER	RIPARIAN	AGRI-CULTURAL		SPRING	SUMMER	FALL	WINTER
Hairy Woodpecker	F	F	F						X	X	X	X
Alder Flycatcher	F					F	F		X	X		
Bank Swallow			C	C		C	C		X	X		
Clark's Nutcracker	F	F	F			F					X	X
Townsends Solitaire	C					C	C		X	X		
Loggerhead Shrike			F		F		F		X	X	X	X
House Finch		C	C	C	C	C	C		X	X	X	X
Western Grebe						C			X	X	X	X
Marsh Hawk					F	F	F		X	X	X	X
Hungarian Partridge					F	F	C		X	X	X	X
Ferruginous Hawk					R	R	R				X	X
Swainsons Hawk					F	F	F		X	X	X	X
Golden Eagle	F		F		F	F	F		X	X	X	X
Chukar Partridge					C	C	C		X	X	X	X
Prairie Falcon					F	F	F		X	X	X	X
Sparrow Hawk		F	C	C	C	C	C		X	X	X	X
Burrowing Owl					F	F	F		X	X		
Red-shafted Flicker	F	C	C	C	F	C	F		X	X	X	
Red-tailed Hawk	C	C	C	C	C	C	C		X	X	X	X

P2010.0089 (247 of 348)

SPECIES: BIRDS	MIXED CONIFER	MIXED CONIFER OAK	PINE-OAK	OAK-GRASS	GRASS-SHRUB JUNIPER	RIPARIAN	AGRI-CULTURAL		SPRING	SUMMER	FALL	WINTER
Eastern Kingbird				F	F	F	F		X	X		
Say's Phoebe				F	F	F	F		X	X		
Sage Thrasher					F				X	X		
Yellow Warbler	C	C	F			F	F		X	X		
Common Yellowthroat	C	C				F			X	X		
MacGilvray's Warbler	C	C				F	F		X	X		
Wilson Warbler	C	C				F	F		X	X		
Nashville Warbler	F					F	F		X	X		
Yellow-rumped Warbler	F					F	F		X	X		
Black-throated Gray Warbler	F					F	F		X	X		
House Sparrow	C	C	C	C	C	C	C		X	X	X	X
Western Meadowlark		C	C	C	C	C	C		X	X	X	X
Red-winged Blackbird		C	F	F	C	C	C		X	X	X	X
Brewer's Blackbird	F	C	F	F	C	C	C		X	X	X	X
Brown-headed Cowbird		C	F	C	C	C	C		X	X	X	X
Northern Oriole		C	F			F	F		X	X	X	X
Western Tanager	F					F	F		X	X		
Evening Grosbeak	C	F				C	C		X	X	X	X
Lazuli Bunting	F	F	F		F	F			X	X		

72

P2010-0089 (248 of 348)

SPECIES: BIRDS	MIXED CONIFER	MIXED CONIFER OAK	PINE-OAK	OAK-GRASS	GRASS-SHRUB JUNIPER	RIPARIAN	AGRI-CULTURAL		USE PERIOD SPRING	SUMMER	FALL	WINTER
Purple Finch	F	F	F	F		F	F		X	X		X
American Goldfinch	C	C	F	C	F	F	F		X	X		
Rufous-sided Towhee	C	C	C	C	C	C	C		X	X	X	X
Savannah Sparrow		C	F	C	C	F	F		X	X		
Vesper Sparrow		C	F	C	C	F	F		X	X	X	
Lark Sparrow		C	F	C	F	F	F		X	X	X	
Dark-eye Junco	C	C	C		F	C	C		X	X	X	X
Chipping Sparrow	F	C	F	C	F	F	F		X	X		
White-crowned Sparrow		C	C	C	C	C	C		X	X	X	X
Hummingbirds	C	C	C	F	F	C	C		X	X		
Pine Siskin	C	C				F			X	X		
Mountain Quail	C	F	F	F	R	C			X	X	X	
Barn Swallow		C	C	C	F	C	C		X	X		
Violet-green Swallow	C	C	C	C	C	C	C		X	X		
Tree Swallow	C	C	F		F	F	F		X	X		
Stellars Jay	C	C	C	C	F	C	C		X	X	X	X
Scrub Jay	C	F	F	F	F	C	F		X	X	X	X
Black-billed Magpie		C	F	C	C	C			X	X	X	X
Common Raven	C	C	C	C	C	C	C		X	X	X	X

P2010-0089 (249 & 348)

SPECIES: BIRDS	MIXED CONIFER	MIXED CONIFER OAK	PINE-OAK	OAK-GRASS	GRASS-SHRUB JUNIPER	RIPARIAN	AGRI-CULTURAL		USE PERIOD SPRING	SUMMER	FALL	WINTER
Common Crow	C	C	C	C	C	C	C		X	X	X	
Black-capped Chickadee	C	C	C		F	C	C		X	X	X	
Common Bushtit	C	C	F		F	F			X	X	X	
Dipper						C			X	X	X	
White-breasted Nuthatch	C	C	F			C			X	X	X	
Brown Creeper	C	C	F	F	F	C			X	X	X	
Red-breasted Nuthatch	C	C				C			X	X	X	
Grasshopper Sparrow					C				X	X		
American Robin	C	C	C	C	C	C	C		X	X	X	X
Varied Thrush	C	C				C	C		X	X	X	X
Swainsons Thrush	C	C				C			X	X	X	
Western Bluebird	C	C	C	C	F	C	C		X	X		
Mountain Bluebird	C	C		C	F	C			X	X	X	X
Golden-crowned Kinglet	C	C				C			X	X	X	X
Ruby-crowned Kinglet	C	C				C			X	X	X	
Bohemian Waxwing	C	C				F	F		X	X	X	X
Cedar Waxwing	C	C				F	F		X	X	X	
Starling	C	C	C	C	C	C	C		X	X	X	X
Vaux'- Swift	F				F	F	F		X	X		

74

SPECIES:	MIXED CONIFER	MIXED CONIFER OAK	PINE-OAK	OAK-GRASS	GRASS-SHRUB JUNIPER	RIPARIAN	AGRI-CULTURAL		SPRING	SUMMER	FALL	WINTER
BIRDS:												
Solitary Vireo	C	C	F			F	F		X	X		
Orange-crowned Warbler	C	C	F			F	F		X	X		
Sage Sparrow					F				X	X		
Short-eared Owl	F	C	F	C	F	F	F		X	X	X	X
AMPHIBIANS:												
Northern Long-toed Salamander						U			X	X	X	X
Western Toad	F	F			F	F			X	X	X	X
Pacific Tree Frog	C					C	F		X	X	X	X
Rough-skinned Newt	C					C			X	X	X	X
Spotted Frog						F			X	X	X	X
Leopard Frog						F			X	X	X	X
REPTILES:												
Painted Turtle						F			X	X	X	X
Northwestern Fence Lizard	C	C	C	C	F	C	C		X	X	X	X
Western Shink	F	F	F		F	F	F		X	X	X	X
Oregon Alligator Lizard		F	F			F	F		X	X	X	X
Rubber Boa						U			X	X	X	X
Sharp-tailed Snake		U	U			U			X	X	X	X

2000-0089 (251 of 348)

SPECIES:	HABITAT TYPES								USE PERIOD			
REPTILES:	MIXED CONIFER	MIXED CONIFER OAK	PINE-OAK	OAK-GRASS	GRASS-SHRUB JUNIPER	RIPARIAN	AGRI-CULTURAL		SPRING	SUMMER	FALL	WINTER
Stripped Whipsnake		U	U		F	U			X	X	X	X
Western Yellow-bellied Racer		U	U			U			X	X	X	X
Great Basin Gopher Snake	U	U	U	U		U			X	X	X	X
Pacific Gopher Snake		C	C	C		C	C		X	X	X	X
Valley Garter Snake	C	C	C	C	F	C	C		X	X	X	X
Wandering Garter Snake					U	U			X	X	X	X
Northern Pacific Rattlesnake	F	F	F	F	F	F	F		X	X	X	X
Western Ring-necked Snake	F	F	F	F	F	F	F		X	X	X	X
Great Basin Fence Lizard					F				X	X	X	X
Sagebrush Lizard	U	U	U	U	F	U	U		X	X	X	X
Side-blotched Lizard	U	U	U	U	F	U	U		X	X	X	X
Western Whiptail	U	U	U	U	U	U	U		X	X	X	X
Rocky Mt. Rubber Boa	U	U	U	U	U	U	U		X	X	X	X
Bullsnake			C	C	C	C	C		X	X	X	X
Night Snake	U	U	U	U	U	U	U		X	X	X	X

SPECIES: MAMMALS:	MIXED CONIFER	MIXED CONIFER O	PINE-OAK	OAK-GRASS	GRASS-SHRUB JUNIPER	RIPARIAN	AGRI-CULTURAL		SPRING	SUMMER	FALL	WINTER
Mule Deer					C	C	C		X	X	X	X
Blacktail Deer	C	C	C			C	C		X	X	X	X
Coyote	C	C	C	C	C	C	C		X	X	X	X
Bobcat	F	F		F	F	F			X	X	X	X
Racoon	C	C	C		F	C	C		X	X	X	X
Long-tailed Weasel	F	F			F	F	F		X	X	X	X
Badger		F		F	C				X	X	X	X
Striped Skunk	C	C	C	C	F	C	C		X	X	X	X
River Otter					F	F			X	X	X	X
Mink					F	C			X	X	X	X
Beaver						C			X	X	X	X
Muskrat			F			F			X	X	X	X
Merriam Shrew					U				X	X	X	X
Vagrant Shrew	U	U	U	U	U		U		X	X	X	X
Water Shrew					U				X	X	X	X
Pacific or Coast Mole	U	U			U	F	F		X	X	X	X
Little Brown Myotis	U	U	U		U	U	U		X	X	U	U
Fringed Myotis	U	U	U		U	U	U		X	X	U	U
California Myotis	U	U	U		U	U	U		X	X	U	U

77

A2010-0089 (253 of 348)

SPECIES: MAMMALS	HABITAT TYPES: MIXED CONIFER	MIXED CONIFER OAK	PINE-OAK	OAK-GRASS	GRASS-SHRUB JUNIPER	RIPARIAN	AGRI-CULTURAL		USE PERIOD: SPRING	SUMMER	FALL	WINTER
Western Harvest Mouse					C				X	X	X	
Canyon Mouse					C				X	X	X	
Deer Mouse	F	C	C	C	C		C		X	X	X	
Northern Grasshopper Mouse					C				X	X	X	
Bushy-tailed Wood Rat		C	C		C	C	C		X	X	X	
Sagebrush Mole					U				X	X	X	
Montane Meadow Mouse					U				X	X	X	
Norway Rat					F	C	C		X	X	X	
House Mouse			C	C	F	C	C		X	X	X	
Western Jumping Mouse			F	F	F				X	X	X	
Opossum		F				F	R		X	X	X	
Dusky Shrew	U	U	U	U			U		X	X	X	
Trowbridge Shrew	U	U	U			U	U		X	X	X	
Pacific Mole	U	U				R	F		X	X	X	
Yuma Myotis	U	U	U			U	U		X	X	U	U
Spotted Skunk	F	F	F	F	R	F	F		X	X	X	X
California Ground Squirrel	C	C	C	C	F	C	C		X	X	X	X
Yellow Pine Chipmunk	C	C	C			C			X	X	X	X
Toundsend Chipmunk	C	C	C			C			X	X	X	X

78

P2010-0087 (854 of 348)

SPECIES: MAMMALS:	MIXED CONIFER	MIXED CONIFER OAK	PINE-OAK	OAK-GRASS	GRASS-SHRUB JUNIPER	RIPARIAN	AGRI-CULTURAL		SPRING	SUMMER	FALL	WINTER
Small-footed Myotis	U	U	U		U	U	U		X	X	U	U
Hairy-winged Myotis					U				X	X	X	X
Long-eared Myotis	U	U	U		U	U	U		X	X	U	U
Silvery-haired Bat	U	U	U		U	U	U		X	X	U	U
Big Brown Bat	U	U	U		U	U	U		X	X	U	U
Western Pipistrelle	U	U	U		U	U	U		X	X	U	U
Pallid Bat	U	U	U		U	U	U		X	X	X	X
Lump-nosed Bat					U				X	X		
Blacktailed Hare					R				X	X	X	X
Whitetailed Hare					F		F		X	X	X	X
Mountain Cottontail	F	C	C	C	C	C	C		X	X	X	X
Pigmy Rabbit	F	F			F	F	F		X	X	X	X
Yellow-bellied Marmot					F				X	X	X	X
Belding Ground Squirrel					C		F		X	X	X	X
Towndsend Ground Squirrel					C		F		X	X	X	X
Least Chipmunk	F	F			F				X	X	X	X
Northern Pocket Gopher	C	C	C	C	C	C	C		X	X	X	X
Great Basin Pocket Mouse					U				X	X	X	X
Ord Kangaroo Rat					F				X	X	X	X

P2010-0089 (255 of 348)

SPECIES: MAMMALS	MIXED CONIFER	MIXED CONIFER OAK	PINE-OAK	OAK-GRASS	GRASS-SHRUB JUNIPER	RIPARIAN	AGRI-CULTURAL		SPRING	SUMMER	FALL	
Western Gray Squirrel	C	C	C			C	C		X	X	X	
Chickaree	C	C				C			X	X	X	
Northern Flying Squirrel	F	F				F			X	X	X	
Longtail Vole	C	C		C		C	C		X	X	X	
Oregon Vole	C	C		C		C	C		X	X	X	
Norway Rat						C	C		X	X	X	
Black Rat						C	C		X	X	X	
Porcupine	C	C	C	C	C	C	C		X	X	X	
Snowshoe Hare	C								X	X	X	
Black Bear	C								X	X	X	
Mountain Lion	F	F	F						X	X	X	
Rocky Mountain Elk	C	C	C	C		C	C		X	X	X	
Pika	C								X	X	X	
Nuttail Cottontail	C	C		C		C			X	X	X	

80

P2010-0089 (256 of 348)

The forested regions of the western portions of the county provide winter habitat for the deer and elk that range there from higher elevations. Migrational movements range from a few hundred feet to several miles. The winter range area varies in size depending on winter weather conditions and snow depth. Although much of the range area is in public ownership, many of the lower valley areas are now largely settled by private owners. Maintenance of the remaining big game winter range is necessary if viable herds of deer and elk are to remain in these portions of the county.

Also ranging in these forested areas are black bear, cougar; migratory birds, northern bald eagles and other species. Many of these species have large ranging requirements and feed on deer mortalities. Proper management and maintenance of these species includes maintaining road less areas and preserving key stands of old timber.

Timber management on forest land has both beneficial and detrimental effect on wildlife species. Clear-cutting methods have increased habitat for big game species but have at the same time eliminated habitat for some bird and mammal species. Consequently, proper timber management is essential.

In recent years, the productive pine-oak habitat has been undergoing development into recreational subdivisions. Road access, off road vehicles and free-ranging dogs can have detrimental effects on animals utilizing these areas. Harvesting of old growth pine will diminish necessary habitat for animals such as the introduced Merriam's turkey, which has a definite preference for pine as a food source and roosting area.

Riparian habitats are very sensitive to adverse impacts, as these areas serve a great number of wildlife species in a variety of ways. Not only does this vegetation provide habitat, but is instrumental in maintaining water quality and preventing soil erosion. In some parts of the county, particularly the eastern and southern portions, riparian habitat is scarce and must be protected.

Livestock grazing has had a tremendous effect on vegetative cover along streams. Intensive grazing has caused a decline of large native grasses, such as blue brush wheatgrass and Idaho fescue. The Columbian sharp-tailed grouse, which was associated with native bunchgrass and adjoining bushy areas, has disappeared. Heavy grazing of livestock and deer in the summer has an adverse impact on wintering deer and other wildlife species. Fires, as well as misuse and over-use of riparian habitats by man also have tremendous detrimental effects.

Figure 16 shows areas of sensitive big game winter range and riparian habitat. These areas were determined through research by the Oregon Department of Fish and Wildlife.

4. Unique Habitats

P2010-0089 (2578-348)

The unique rock formations, rock slides and overall variable terrain features of the southern portion of the county and along the Deschutes, John Day and Columbia Rivers provide an important and unique wildlife habitat. Some wild-life species are directly associated with rock formations as a result of adaptation. An example is the chukar part-ridge. Rocky, steep terrain is an integral part of good chukar habitat, as these areas are utilized for shade, cover and escape routes. Other species closely associated with rock formations include bobcat, porcupine, wood rat, cliff swallow, rock and canyon wrens and the rattlesnake. Golden eagles and bald eagles nest in rock outcrops, cliffs and snags along the John Day and Deschutes Rivers, as do burrowing owls and the great blue heron. Osprey nest and feed along the Deschutes and Columbia.

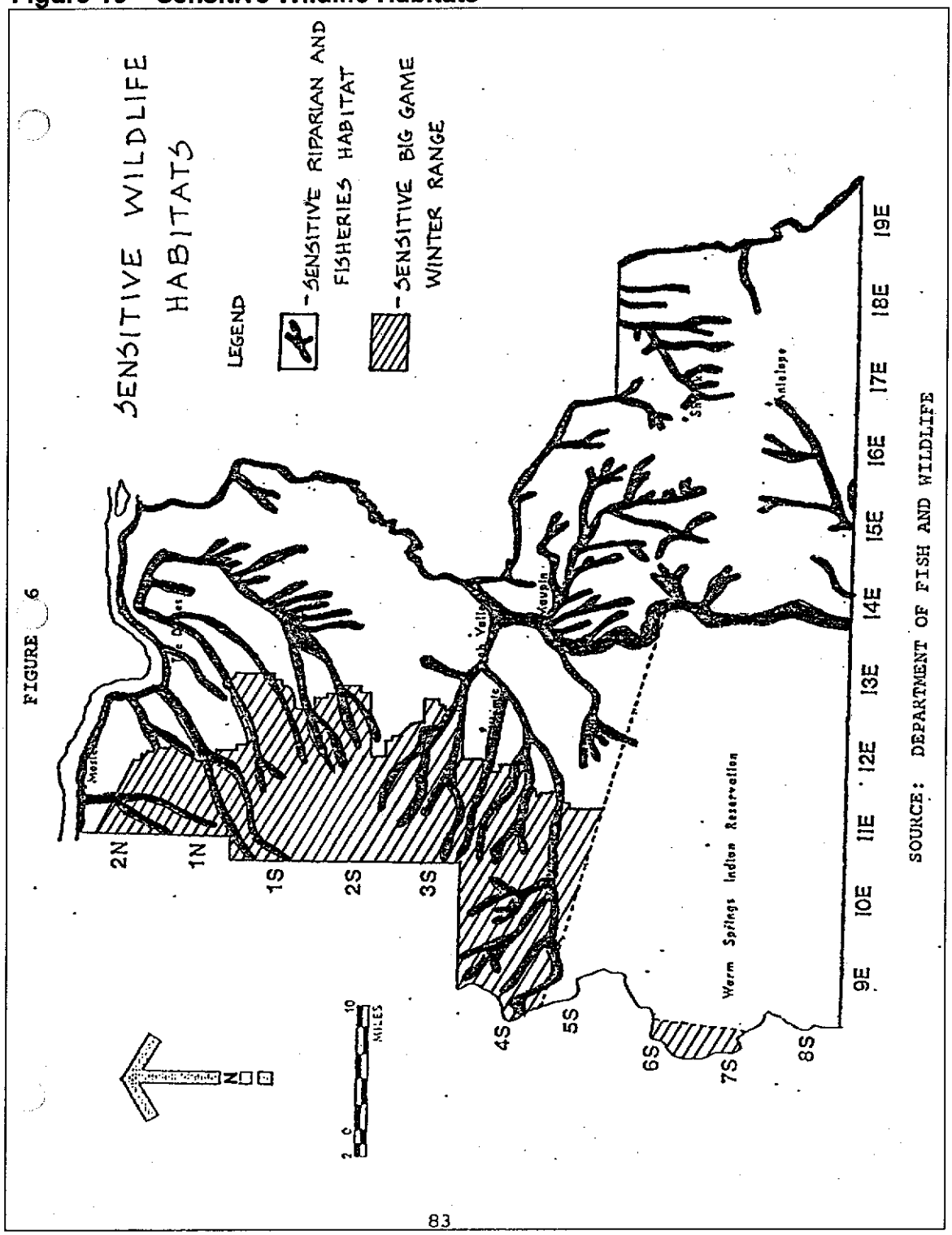
Oregon white oak is a common deciduous tree species in central Wasco County, but it is considered to be a unique entity, as there is little in the remainder of eastern Oregon. Older age class oaks provide many nest cavities for a wide range of non-game wildlife species. Several species directly associated with Oregon white oak include the Lewis woodpecker, silver gray squirrel and Merriam turkey.

5. Land Use Conflicts and Resolutions

The type and severity of conflicts between wildlife and other land uses vary depending upon the habitats and land use involved. Conflicts to habitat frequently results in habitat loss or degradation and harassment which reduce animal numbers and correspondingly recreational opportunities. Land uses most compatible with Wasco County's fish and wildlife resources include open space, agriculture and forest. Land use designations which maintain large minimum lot size result in low residential densities and reduced conflicts between habitats and human activities. It is important to note that valuable habitat is found throughout the County, not just in those areas identified as sensitive.

P2010-0089 (258 of 348)

Figure 16 – Sensitive Wildlife Habitats



83

P2010-0089 (259 & 348)

The conflicts with wildlife in sensitive habitat such as big game winter ranges, riparian, and salmonid spawning areas are identified and protected by various means. Special consideration will be given to fish and wildlife concerns in these areas when conflicting uses occur. Zoning and conditional uses will be used to further maintain or enhance fish and wildlife habitat.

Much of the sensitive winter range (see Map 16) is on, or adjacent to, private lands. Conflicts occur when wintering big game migrate to the lowlands and cause damage to fencing and agricultural crops. In an attempt to reduce damage from big game, the Department of Fish and Wildlife has been obtaining lands through purchase and lease agreements. Many big game now winter in the White River Wildlife Management Area shown in Figure 17.

The White River Management Area was initiated in 1953 by what was then the Oregon State Game Commission. It is a 25,000 acre project which not only provides big game winter range, but also recreational and agricultural uses such as fishing, hunting, picnicking, livestock grazing, timber harvest, fur-trapping, horseback riding, and share-crop wheat production.

A fence along the management area boundary has been partially constructed to restrict big game movement onto private lands. The Department's goal is to maintain deer populations on agricultural lands at levels that are compatible with agricultural and residential uses.

There are several means by which landowners can coordinate with the Department of Fish and Wildlife to achieve this goal. Each is briefly discussed below. This information was obtained by discussion with Department of Fish and Wildlife personnel, John Beck and Jim Torland, on September 2, 1980. Detailed information can be obtained from the local Department of Fish and Wildlife.

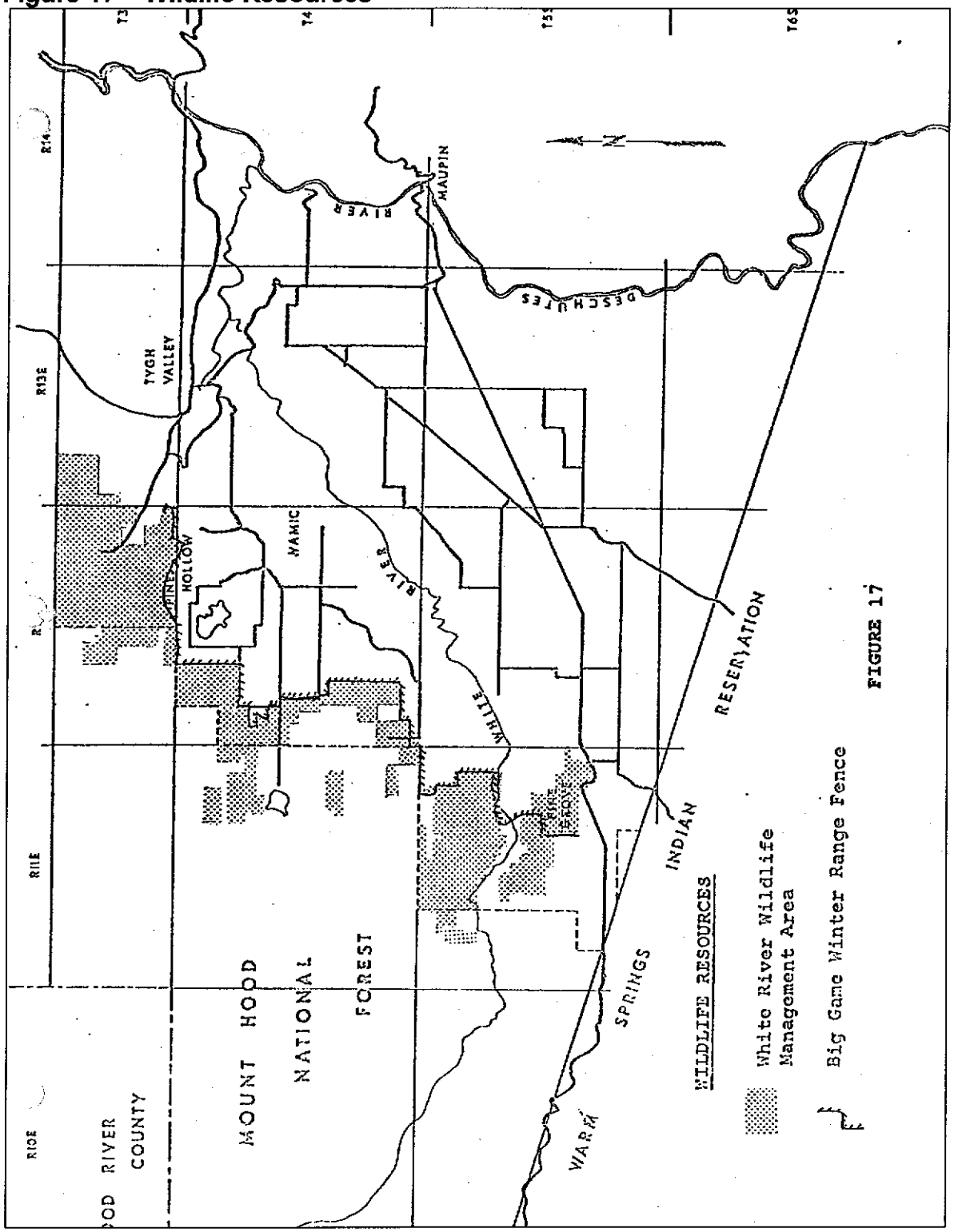
a. Damage control hunt: These hunts are tailored to meet the needs of landowners in specific areas. Farmers must agree to allow hunting on their properties. The duration of these hunts varies with the type of winter and population numbers in the area.

b. Kill permits: Landowners may be issued permits to kill a specified number of deer, or elk, as agreed upon by the Department of Fish and Wildlife prior to issuance.

c. Hazing permits: Allows the landowner to shoot to scare only. Fish and Wildlife Department personnel may use helicopters, cars, shotguns and even fire-crackers to scare wildlife from the area.

P2010-0089 (260 of 348)

Figure 17 – Wildlife Resources



P2010-0089 (261 of 348)

d. Repellents: The Department of Fish & Wildlife may utilize or authorize the usage of odiferous repellents applied to trees, orchards and plants to repel big game.

e. Fencing: The Department will provide small amounts of fencing free of charge and will participate in a cost-share program to provide fencing for large acreages. The Department will currently pay up to $7.50 per rod (one rod equals 16.5 feet) of fencing, with the landowner providing the additional cost and labor. The Department will also research and provide cost estimates for fencing supplies.

6. Fisheries Habitat

The fisheries resources in Wasco County can be broadly broken into six significant habitat types: the Columbia River, the backwater ponds of the Columbia, the Fifteenmile Creek drainage, the Deschutes River, the Deschutes River tributaries and lakes and reservoirs. The diversity of aquatic habitat provided by these water bodies supports an even wider variety of fish species. These species and their habitats are shown in Table 15, and discussed below.

a. The Columbia River:

The Columbia River is probably the single greatest fisheries resource in the Pacific Northwest. In recent years, the valuable anadromous salmonids in the Columbia River have been faced with increasing problems. At present, in the area between the Bonneville and the John Day dams, tens of thousands of adult salmonids are unaccounted for each year, probably largely due to mortalities from dam operations.

Juvenile fish suffer excessive delays during their down-stream migration through the numerous slow-moving Columbia River Reservoirs. Unscreened turbine intakes at most Columbia River dams allow a large percentage of the juvenile migration to pass through the turbines often killing large numbers.

Adult salmon and steelhead trout migrating up the Columbia River continue to face delays in passing some dams. These delays can be critical to those fish that are exposed to excessive river temperatures for an extended period. The warming of the water in the slow-moving Columbia River Reservoirs is favorable to outbreaks of bacterial and fun-gal infections. These infections can result in the death of the fish before they are able to spawn.

To date, dams on the main stream Columbia and Snake Rivers and their tributaries, have reduced by one-half the natural habitat available to Columbia Basin salmon and steelhead. Fortunately, artificial propagation has compensated for some of this loss and now accounts for an estimated fifty percent of the salmon and steelhead produced in the Columbia Basin.

12000-0089 (262 of 348)

Table 15 – Fish Species and Habitats

SPECIES	Columbia River	Deschutes River	White River	Fifteenmile Creek	Eightmile Creek	Fivemile Creek	Dry Creek	Tygh Creek	Badger Creek	Jordan Creek	Little Badger Creek	Threemile Creek	Rock Creek	Clear Creek	Frog Creek	Crane Creek	Harlow Creek	Gate Creek	Wapinitia Creek	Mena Creek	Eagle Creek	Oak Brook Creek	Buckhollow Creek	Deep Creek	Stag Canyon	Cove Creek	Brochor Creek	Trout Creek	Ward Creek	Antelope Creek	Bakeoven Creek	Columbia Backwater Ponds
inook Salmon	A	A	F																				R								R	C*
eelhead	A	A	C	C	F	R													F	F	F	F	A	C	F	R	F	C	F	F	A	C*
pho Salmon	A	C																														C*
hum Salmon	R																															
ockeye Salmon	A	C																														F*
inbow Trout	C	A	A	A	A	C	F	A	A	A	F	C	C	A	C	C	C	C	F	F	F	F	A	A	F	F	F	C	F	F	A	F
utthroat Trout	R			R	R	R										C																
hite Sturgeon	A																															
reen Sturgeon	F																															
untain Whitefish	A	C	C																													
erican Shad	A																															
annel Catfish	C																															C
own Bullhead	A																															A
[illegible]	C																															C
llow Perch	C																															C
rgemouth Bass	A																															A
allmouth Bass	A																															A
uegill	C																															C
mpkinseed	F																															F
ite Crappie	C																															C
ack Crappie	A																															A
ook Trout									C					A	C	R	C															
lly Varden Trout		F																														
AME SPECIES																																
rp	A	F																														A
rthern Squawfish	A	A	C																													A
ge-scaled Sucker	A	A	A	C	C	C																	A	A	F		C	A	C	C	A	A
rse-scaled Sucker	A	A	A	F																			C	F	F			C	C	C	C	A
cific Lamprey	A	A		C	C	C																										
ssalmouth	A	A	C																													
smouth	A	A	F																													
d-sided Shiner	A	C																														
ckled Dace	A	A	C	A	A	A	A	C	C	C	F	C	C						C	C			A	A	C	F	F	A	A	A	A	A
ng-nosed Dace	A	A	C	A	A	C	C	C	C	C	R	F	C						F	F			F	F				C	C	C	F	
[illegible]	A																															C
lpin	A	A	F	C	C	C		C	C	C	R	C	C				C	C					A	C				C	R	F	C	C

P200-0089 (263 of 348)

The utilization of the spillways cause nitrogen levels in .the water to reach 135 percent to 140 percent saturation, well above the critical thresholds for both adult and juvenile salmon and steelhead. Unscreened turbines account for significant mortalities ranging from eight to fifteen percent per dam.

Juvenile salmon and steelhead are faced with other threats in their downstream migration. Large predator populations, including the voracious Walleye Pike, which has recently found its way into the Columbia River, devour untold numbers.

The future of the anadromous fish species utilizing the Columbia River Basin will depend upon the efforts of numerous state (Idaho, Washington, and Oregon) fishery agencies, federal resource agencies, Army Corps of Engineers and the Bonneville Power Administration, and the coordination of these agencies with the private energy and fisheries sectors.

The outlook for summer steelhead, like that for spring and summer Chinook, is not good. The potential exists, however, for substantial recovery, if downstream migrant passage mortalities at main stream dams can be greatly reduced and additional mitigating measures provided.

b. Backwater Ponds of the Columbia River:
Production of warm water game fish in the Columbia River is affected by the fluctuating pool levels behind The Dalles and Bonneville Dams. Unfortunately, the backwater ponds adjacent to Interstate 84 are connected to the Columbia River with road culverts and, thus, fluctuate with the river. These fluctuations result in sporadic habitat change and reduction that may have detrimental effects on the resident fish populations.

c. Fifteenmile Creek Drainage:
Low summer stream flows, excessive water withdrawal, and extreme stream temperatures during the summer months of the year, are the most limiting fish production factors in the Fifteenmile Creek watershed. The excessive silt loads often carried by streams in this portion of the Fifteenmile system have drastically reduced the amount of quality of gravel available for resident and anadromous trout spawning. This silt originates from cultivated fields and stream banks during periods of heavy precipitation and run-off.

Much of the silt movement in this portion of the watershed could be checked with proper soil conservation practices. Many of the smaller intermittent feeder drainages could reduce silt movement if the vegetation in the bottom of the drainage was permitted to recover from overgrazing.

Deep, fertile bottomland within the flood plains of this watershed are often cultivated and planted with crops that are poorly suited for soil stabilization. These deep soil areas are often extremely vulnerable to flood erosion. Great quantities of valuable top soil can be lost during a short period of high water.

P2010-0089 (264 of 348)

Preservation and/or re-establishment of riparian vegetation is essential to help alleviate the problems plaguing the Fifteenmile Creek watershed. Riparian vegetation not only provides good stream bank erosion control, but it also improves stream water quality. Future water quality and fish production within this system will be dependent upon good stream corridor management.

Water storage for irrigation, flood control and minimum stream flow would be beneficial within the Fifteenmile Creek watershed where not in conflict with anadromous fish migrations. Studies will have to be made to determine where these sites could be located.

d. Deschutes River:

The high quality water and stable flows of the Deschutes River provide optimum conditions for fish production. The river has a diverse fish population comprised of anadromous and resident game species, as well as non-game species.

Major salmon, steelhead and resident trout spawning grounds are located throughout the reach of the Deschutes River. Figure 18 is a periodicity chart for salmon, steelhead and trout in the river.

The aquatic habitat of the Deschutes River is in fairly good condition. It is imperative that the present flow of the river not be compromised. Any further reduction in stream flow can only have a detrimental effect on the stream's valuable fishery.

The riparian habitat along this portion of the river has been deteriorating for many years. In many areas, the dominant overstories of hackberry and alder have been unable to successfully reproduce as a result of excessive livestock overgrazing. Many dead snags along the river bear witness to the gradual demise of this segment of the riparian corridor.

Throughout this section of river there is evidence of stream bank erosion. In most instances, the erosion is a direct result of livestock trampling or wave action from passing power boats.

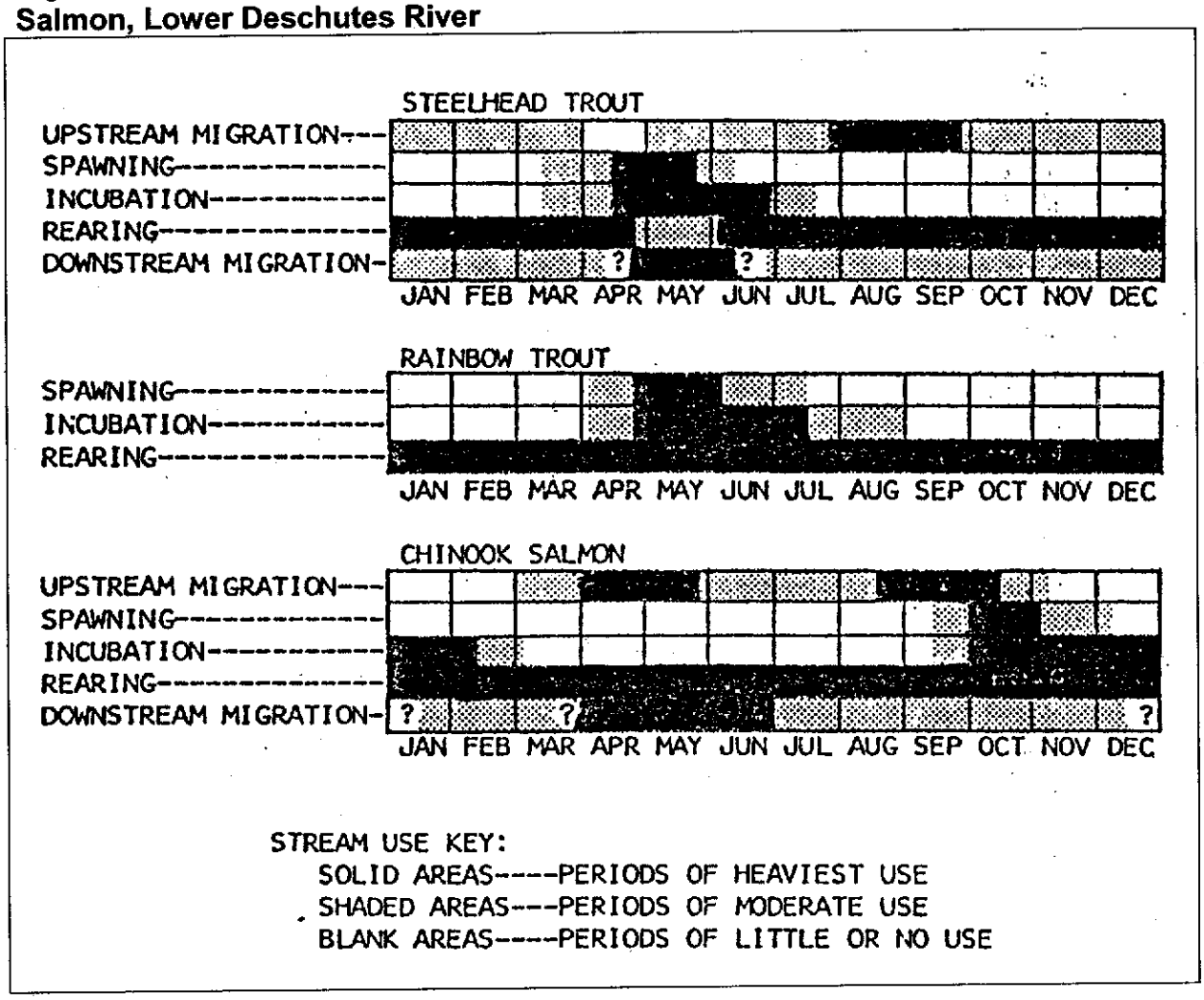
Fires, started by the railroad or negligent individuals, are a continual habitat threat along the Deschutes River. Valuable riparian habitat is destroyed each year by these remote blazes.

Reductions in flow of the Deschutes River would be detrimental to fish production. A report of a 1960's study, (Lower Deschutes River, Oregon: "Discharge and Fish Environment"), undertaken by the Oregon Game Commission, recommended a minimum Spring flow of 4,800 cubic feet per second, and a Fall flow of 4,500 cfs. The Federal Power Commission has directed the Portland General Electric Company to release a minimum of 3,000 cfs at Pelton Dam, which is below the recommended minimum flows.

P2010-0089 (265 of 348)

e. Deschutes River Tributaries:
The tributary streams of the Deschutes include the following: Buck Hollow Creek, Bakeoven Creek, Trout Creek, Ward Creek, Antelope Creek, White River, Nena Creek, Wapinitia Creek, Oak Brook, Eagle Creek, and the streams that flow through Oak, Ferry and Fall Canyons. These streams support relatively small numbers of resident steelhead and trout.

Figure 18 – Periodicity Chart, Steelhead Trout, Rainbow Trout and Chinook Salmon, Lower Deschutes River



P200-0089 (266 of 348)

Fish production in the Buck Hollow, Bakeoven, and Trout Creek systems is limited by low summer flows and a general lack of good riparian vegetation. These streams may be-come intermittent during the summer months.

Migrations of fish from the Deschutes River into Nena Creek and White River are blocked by the impassable falls within two miles of the Deschutes River. White River and its tributaries above White River Falls support good numbers of resident trout. Good numbers of non-game fish are also found in the lower reaches of the streams, while trout are predominant in the upper reaches low summer stream flows, siltation and excessive summer water temperatures are factors most limiting fish production in the streams that flow through the lower stretches of Oak, Ferry and Fall Canyons. These streams are commonly intermittent during the summer months. Fish production during this "pinch period" is limited to scattered potholes and short sections of flowing water.

These streams regularly transport large silt loads during periods of heavy precipitation. Wheat fields above the Deschutes Canyon rim are the primary sources of this silt.

Riparian vegetation is in poor condition along sections of these streams as a result of unregulated livestock grazing. Periodic flash flood conditions in these short drainages have damaged considerable riparian vegetation; however, regeneration of this stream cover is often impossible as a result of livestock "camping" on these stream bottoms.

Headwater storage projects that would release good minimum flows throughout the summer would be beneficial when not in direct conflict with anadromous fish. Good riparian vegetation, encouraged by the stable flows, would provide important stream cover and have a moderating effect on high summer water temperatures.

f. Lakes and Reservoirs:
The high mountain, walk-in lakes, such as Big Twin, Catalpa, and Little Boulder Lake, are stocked with trout annually or every other year. Clear Lake, Frog Lake, Pine Hollow Reservoir, and Rock Creek Reservoir, and other impoundments are stocked annually with trout.

P 2010-0089 (267 & 348)

N. Environmental Considerations

1. Air Quality

   Wasco County's air quality is considered good by the Department of Environmental Quality, State of Oregon. It complies with all federal and state air quality guidelines. Air pollution rarely goes over the primary or secondary federal and state standards.

   The major sources of air pollution in Wasco County and their yearly emissions are listed in Table 16. Particulate levels are found to be generally higher here than in the Willamette Valley. Wind entrained soil dust is the cause of the higher particulate levels. The nature of the soils in the county, the agricultural practices of dry plowing and disking, and vehicular traffic on unimproved roads are all factors in this type of air pollution. Grain elevators are a source of more localized air quality problems. Table 16 lists the particulate level for: one such elevator in Wasco County.

   Although specific data is lacking, observed climatic conditions indicate that conditions are often adverse for air quality management. Due to rapid heat loss during the night, atmospheric temperatures decline. The reduction of warm air stratification lowers the mixing level from several thousand feet to only a few hundred feet, resulting in early morning inversions. During an inversion particulates and contaminants could be trapped and concentrated within a few hundred feet off the ground.

   The highest potential for temperature inversions and related pollution problems exists within The Dalles airshed, or "bowl". This "bowl" is centered at The Dalles (100 feet above sea level) and bounded by the surrounding topography (2,000 to 3,000 feet above sea level). This natural basin or "bowl" restricts lateral dispersion of air. Other areas in Wasco County have little potential for air pollution problems.

2. Water Quality

   a. Surface Water Quality:

      The Columbia, Deschutes, and John Day Rivers are the only streams that are monitored regularly for water quality. Generally, the state and federal standards for water quality are met.

P2010-0089 (268 of 348)

Table 16 – Air Pollution Sources

SOURCE	PARTICULATE	SULFUROUS OXIDES
Tygh Valley Timber Co.	140.5	0.3
Martin Marietta Aluminum	806.5	528.5
Interior Elevator Co.	200.6	-0-
Light Duty Motor Vehicles	132.6	32.3
Heavy Duty Motor Vehicles	36.2	52.7
Railroads	17.4	39.6
Residential Space Heating	8.0	30.6
Commercial Space Heating	16.2	137.9
Slash Burning	396.1	-0-
Forest Fires	79.2	-0-
Orchard Prunings	29.2	-0-
	1952.5 or 12.7% of region total	821.9 or 23.1% of region* total

*region includes Crook, Deschutes, Hood River, Jefferson, Klamath, Lake, Sherman and Wasco Counties

The Dalles Sampling Station	Days Exceeding Primary Air Standard	Days Exceeding Secondary Air Standard
1970	0	6
1971	0	2
1972	0	2
1973	2	2
1974	0	0
1975	0	1

Source: Department of Environmental Quality

P2010-0089 (269 to 348)

The water of the Columbia River is relatively high in dissolved solids. High concentrations of fluoride, sulfate, and calcium ions are also apparent from water quality comparisons. Surveillance of radioactive contamination from upstream nuclear plants has shown that the water has not exceeded acceptable levels for drinking purposes. Following are typical water quality measurements:

Turbidity	1-4 Jackson Turbidity Units.
Color	1-30 Units
Total Alkalinity	30-60 mg/L.
Total Hardness	40-80 mg./L.
Algae Content	0-150/100 ml.
Bacteria Content	5-150/100 ml.
Total Solids	60-90 mg/L.

The water quality in the lower Deschutes River generally met the established standards for ph and for concentrations of dissolved oxygen and total coliforms except on occasions when minor technical violations of the ph and total coil-form levels occurred. These minor deviations from the standards, however, are not known to affect the uses of water for beneficial use.

There are four monitoring stations on the John Day River, although none are within Wasco County. There is no problem with coliform or other pollutants from septic systems due to the lack of development along this river. There are some non-point source water quality problems which are discussed below.

The State of Oregon, Department of Environmental Quality, has completed an assessment of non-point source problems throughout Oregon. It is a response to the Federal Clean Water Act of 1972, and specifically, to Section 208.

Table 17 outlines the non-point source pollution problems on various streams and rivers in Wasco County.

P200.0089 (270 of 348)

Table 17 – Non-Point Source Pollution

STREAM	Streambank Erosion	Sedimentation	Excessive Debris	Water Withdrawal Causing Stream Quality Problem	Elevated Water Temperature	Nuisance Algae or Aquatic Plant Growth
Mosier Creek	S/M			M	M	M
Mill Creek	S/M	M	M	M	M	
Mill Creek-South Fork	M	M	M	M		
Mill Creek-North Fork	M	M	M	M		
Threemile Creek	S	M		S/M	M	
Fivemile Creek	S/M	S/M		S/M	M	
Eightmile Creek	S/M	M	M	M	M	
Fifteenmile Creek	S/M	M		M	S/M	M
Browns Creek	S/M			M		
Ramsay Creek	S/M	M	S	M		
Pine Creek	S	S			M	
Dry Creek	S	S				
Jorden Creek	M	M				
Tygh Creek	M	M	M	M	M	
Badger Creek	M		M	M	M	
Wapinitia Creek	M	M		M	M	
Nena Creek	S/M	S/M			M	
Buck Hollow Creek	M	M			M	
Bakeoven Creek	M			M	M	
Coyote Creek	S	S			M	
Quartz Creek	S	M			M	
Mill Creek	S					
Ward Creek	S	M		M	M	
Deep Creek	M	M			M	
Antelope Creek		M		M	M	
Trout Creek		S		M		
Muddy Creek				S		
Deschutes River	S*	S*				
John Day River	S/M	M		M	M	
White River	M	M		S/M		
Warm Springs River		S			M	

(*the problem exists only on a very small stretch of this stream)

S = Severe
M = Moderate

Source: Department of Environmental Quality, 1978

P2010-0089 (271 of 348)

b. Sewer and Water Systems:

Communities with public sewerage systems and large industries which discharge waste water must obtain discharge permits from the Department of Environmental Quality. Twelve point source discharge permits have been issued in Wasco County. These permits allow the discharge of waste water into either public waterways or into waste treatment facilities, such as holding ponds. The permit holders are regularly monitored by the Department of Environmental Quality and are continuing to stay within the discharge limits allowed by their permits (Department of Environmental Quality, Bend, Oregon. Telephone conversation, Sept. 29, 1980)

According to the County Health Department, these are a few areas in Wasco County that have problems with septic or water systems. Pine Grove and Shaniko have very thin soils that cannot absorb large amounts of septic effluent. There is also some difficulty obtaining good wells in these areas. A study by the Health Department for the Environmental Protection Agency (EPA) has found that there may have been some pollution of one of the community water systems in Wamic by septic systems. The Environmental Protection Agency will analyze the extent of the problem and make a determination on how to resolve it. Misuse and over-use of septic systems is a problem in the Sevenmile Hill area, according to the Health Department. People who are used to city sewer and water systems may have a tendency to overload their drainfields with too much water at one time. The soils in this area allow for proper drainage and limiting the use of water would alleviate this problem. Other areas needing sanitary sewage disposal facilities in the near future include Tygh Valley and Pine Hollow.

All septic tank waste is handled by private pumpers under Department of Environmental Quality regulations for disposal. To date, no major problems exist.

c. Groundwater Quality:

According to the County Water master, groundwater quality in Wasco County is good. Wells are adequate and there does not appear to be any significant draindown of water tables.(Tom Paul, Wasco County Watermaster, Sept. 30, 1980)

There is a critical groundwater reservoir beneath The Dalles Urban Area that is currently being man-aged by the Water Resources Department. Excessive use of water from this pool in the 1950's prompted the placement of water restrictions. These restrictions limit the use of this water to residential use only arid limit the amounts that can be used.[5]Ibid

3. Land Resources Quality

The quality of land resources can be adversely affected by the improper disposal of solid waste. Several dumping areas in the county that have caused problems in the past have since been corrected. There appears to be few environmental problems connected with solid waste disposal in the county at the present time.

B2010-0089 (272 of 348)

Open burning is allowed twice a year, in the winter at the Northern Wasco County Sanitary Landfill, located three miles south of The Dalles. The burning is closely supervised by the Department of Environmental Quality and the Wasco Rural Fire Department and causes only minimal amounts of air pollution. As there is very little development in the area surrounding the landfill, the environmental impacts are minimal.

The landfill has had inadequate water supplies to meet its needs in the past. Water is needed for the operators who reside at the site, for dust control and for irrigating newly seeded areas. These water needs will increase as the size of the operation in-creases. The placement of new wells is currently being examined.

The Mid-Columbia Solid Waste Plan: Generation, Disposal and Management, (Mid-Columbia Economic Development District, November, 1975), outlines various other problems with solid waste disposal in Wasco County. Illegal and unsightly piles of refuse in alleys and streets and illegal burning of trash have been noted, possibly due to the fact that only 70 percent of the residents in The Dalles Urban area subscribe to garbage collection service. (pp. 40-41).

The other 30 percent must haul their own garbage to the landfill. Often refuse from private homes may be found in publicly and commercially owned garbage bins. One possible solution to these problems is mandatory garbage collection (p. 42). Re-cycling has also become a viable alternative, particularly in The Dalles area, where newspaper, glass, card board and metal are currently being recycled. (p. 43).

Other problems that plague proper rural area solid waste management are fire control, obtaining adequate revenues for operation and construction of new facilities and land acquisition, refuse collection and transfer to disposal sites and public participation in solid waste control. These difficulties may become more apparent as populations in rural areas increase.

4. Noise Pollution

Due to Wasco County's rural nature, noise pollution is not a serious problem. According to the County Sheriff's Office and The Dalles City Police, very few complaints about noise are received. Most complaints are received in the evening hours and are due to barking dogs or loud music and parties. More complaints (2-3 weekly), are received in the summer months, and are probably due to activities brought about by the longer summer days and the fact that students are out of school.

Additional noise sources that may be nuisances are agricultural equipment, especially large trucks and spray planes, industry and highway traffic; specifically Interstate Highway 84, Union Pacific Railroad, and lumber mills. Because agriculture is a common livelihood in Wasco County, the noise that accompanies it is generally accepted. Relatively few residential areas are affected by the noise from either highway traffic or industries. Generally, these uses are located away from residential neighborhoods.

P2010-0089 (273 of 348)

There is presently no noise ordinance in effect for Wasco County. The City of The Dalles has a noise ordinance that specifies certain hours when noise must be kept at a minimum.

P2010-0089 (274 of 348)

O. Energy

1. Sources
The continued development of energy sources will be important to supply increased energy consumption. The following is a brief discussion of the developed and potential sources of energy in Wasco County.

   a. Hydroelectric:
   Hydroelectric power will continue to be a major source of energy for the area. Use of dams and storage reservoirs has. made it possible to serve virtually all electric power requirements in the past. Most of the hydro power in the region has been developed; therefore, in the future other sources of energy will have to handle increased energy consumption.

   Wasco County is served by three electric companies: Northern Wasco County P.U.D., Wasco Electric Co-op, and Pacific Power and Light. All of these companies obtain 100% of their power. from the Bonneville Power Administration. Much of this power is produced locally at The Dalles Dam.

   b. Pumped Storage:
   Pumped storage is basically a refinement of conventional hydro power. It involves storing energy by pumping water into a storage reservoir during off-peak periods, and releasing it when peaking power is most needed. Five potential sites in Wasco County have been inventoried by the Army Corps of Engineers. This includes three sites along the Deschutes River, one near White River, and one in the Sevenmile Hill area. No further investigation has been made of these sites.

   c. Thermal:
   Thermal generation includes both nuclear and coal-fired plants. It is estimated that by the year 1995, thermal plants will operate as the main source of electric energy, supplemented by hydro power for peak demands. Nuclear plant development is important because its energy source is almost inexhaustible, yet relatively economical. The potential risks to the public from accidents remain controversial and may hamper development and increase costs to consumers. Coal-fired plants have gained some attention after development of a plant near Boardman, Oregon. Coal sources in Wasco County include some low grade coal in the John Day Basin on Dry Creek (Township 8 South, Range 19 East). However, these sources are not presently of suitable quality or quantity for use for energy production.

   d. Geothermal:
   The Columbia River basalt formation, which covers most of the county, has little potential for geothermal power. However, several areas on the Warm Springs Indian Reservation have some potential. No geothermal energy is presently being utilized in the county.

P2010-0089 (275 of 348)

e. Oil and Gas:

Exploration for oil took place in 1952, west of Dufur and The Dalles. The four exploration wells were drilled by small independent companies, and were dry. No other explorations for oil or gas have taken place.

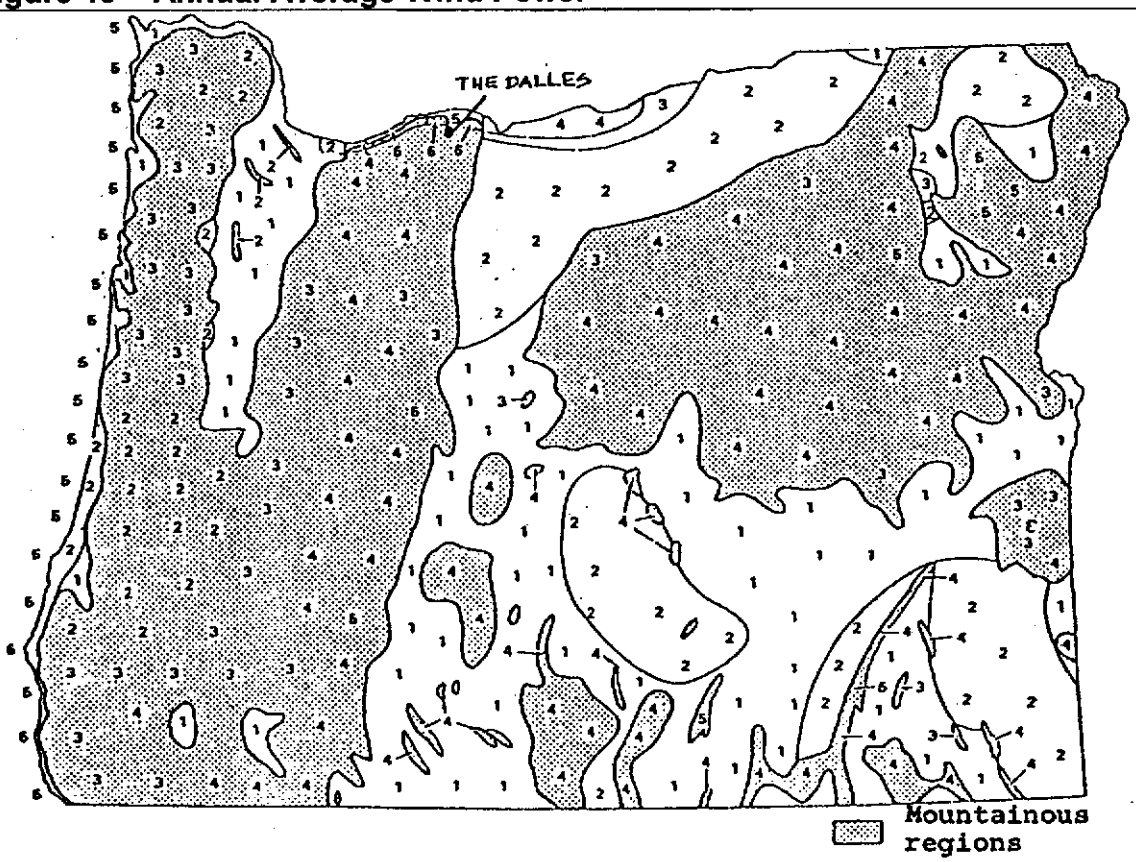
Suppliers of natural gas in Wasco County include the Northwest Natural Gas Company and the Petrolane-Columbia Gas Service Incorporated. These companies obtain most of their supplies from Canadian sources (60 to 70 percent for Northwest Natural Gas Co.). Additional gas comes from Utah and six wells in Mist, Oregon. The construction of the gas line from Alaska will provide an additional source in the future.

f. Wind:

The utilization of wind for energy in Wasco County appears to be very feasible. Figure 19, taken from the Wind Task Force Final Report to the Oregon Alternate Energy Development Commission, (June, 1980, p. 5), shows that the Columbia Gorge and particularly the hills around The Dalles are some of the best potential sites for wind energy production in Oregon.

P2010-0089 (276 & 348)

Figure 19 – Annual Average Wind Power



Source: Elliott, D.L. and W.R., Barchet. Wind Energy Resource Atlas Volume 1 - Northwest Region, PNL-3195 WERA-1. Richland: Battelle Pacific Northwest Laboratory, 1980.

P2010-0089 (277 & 348)

Table 18 provides the scale for interpretation of the numbers given in figure 14 (p. 6).

Table 18 – Average Wind Power Density and Speed Class*

		33 ft (10 m) aloft		164 ft (50 m) aloft	
Wind Power Class	Percent Land Area	Wind Power Density Watts/m^2	Average Speed** Mph (m/s)	Wind Power Density Watt/m^2	Average Speed** Mph (m/s)
1	84.00	100	9.8 (4.4)	200	12.5 (5.5)
2	11.00	150	11.5 (5.1)	300	14.3 (6.4)
3	N/A	200	12.5 (5.6)	400	15.7 (7.0)
4	2.90	250	13.4 (6.0)	500	16.9 (7.5)
5	.17	300	14.3 (6.4)	600	17.8 (8.0)
6	.01	400	15.7 (7.0)	800	19.7 (8.8)
7	N/A	1000	21.1 (9.4	2000	26.6 (11.9)

Source: Elliot, D.L. and W.R. Barchet. Wind Ener, Resource Atlas Volume 1 - Northwest Region, PNL-3195 WERA- .Richland: Battelle Pacific Northwest Laboratory, 1980

* Mean wind speed is based on Rayleigh speed distribution of equivalent mean wind power density.

** Average wind speed is for standard sea-level conditions. To maintain the same power density, speed increases of 5 percent per 5000 ft (3 percent per 1000 m) of elevation are required.

According to the report, a wind speed of twelve miles per hour is sufficient for energy generation. This is equivalent Wind Power Class 3. The greater the wind speed, the greater the amounts of electricity that can be generated.

The environmental effects of energy production by wind turbine generators (WTG) are considered to be very minimal (p. 16). These effects are summarized below.

(1) Siting - WTG's must be placed far enough apart to effectively utilize the wind. This may re-quire a substantial land area. In areas with little development, as little as .41 acres of dedicated land per 300 foot diameter WTG may be required (P. 17). Agricultural activities could occur all around the site right up to the tower. If towers were placed in developed or developing areas, as much as 3.66 acres would be required around each tower (P. 17). Land would also be required for utility lines, access roads, and maintenance buildings.

(2) Electromagnetic interference - WTG's may cause interference with radio and television trans-missions. Television receiving antenna would have to be within three miles of the WTG for interference to occur.

(3) Ecology - There is little impact to the flora and fauna of the immediate area. Only the areas altered by the construction of the towers, roads and maintenance facilities would be affected (P. 19).

(4) Noise - The effects of the low-frequency noise emitted by the WTG is being studied by NASA. The effects are considered to be minimal (P. 20).

P2010-0089 (278 348)

(5) Aesthetics - Often WTG's are placed along ridges and hilltops. In Wasco County, the placement of wind turbines would probably be along cliffs that would make them visible from the Columbia River Gorge. It is doubtful, however, that their presence would be any more visually unappealing than the high tension electrical lines and towers that are already present. They may even become a tourist attraction as the beneficial economic and environmental effects of wind energy become more widely acknowledged and accepted.

(6) Safety - Hazards could result from a fallen tower or thrown blade.It has been estimated that a blade could be thrown from 500 to 1500 feet. The danger is minimal if the area remains unimproved and has restricted access (P. 21).

The advantages and disadvantages to energy production using wind are many. They are listed in Table 19.

A2010-0089(279 of 348)

Table 19 – Wind Energy Production Advantages & Disadvantages

#	Advantages	Disadvantages
1	No air or water pollution	Visually unappealing
2	Produces more energy/acre than any other energy source except nuclear, but with far fewer negative externalities	Wind is often inconsistent in speed and direction (and availability)
3	Has little effect on the surrounding land or the ecology of the area	Conflicts of land use are likely as specific siting requirement must be met, due to nature of the areas wind resources
4	Are safer than many other forms of energy production	Initial development cost is high
5	Produces local employment	
6	Requires no waste disposal	
7	Promotes conservation of non-renewable resources	
8	Instills community pride in self sufficiency and promotes energy awareness	

Source: Wind Task Force Final Report to the Oregon Alternate Energy Development Commission, (June, 1980)

g. Solar:

The use of solar energy also has many advantages and disadvantages. Advantages include: simple access to a plentiful and free energy source, few environmental effects and conservation of non-renewable resources. Disadvantages include: the high initial installation cost; possibility of extended periods of cloudiness or shading of solar collection equipment by trees or other structures, and consequent need for back-up systems.

Use of solar power is a feasible energy alternative that has not had widespread application in Wasco County. This is often due to the high installation costs of solar equipment. These costs can be offset by the savings accrued through the use of this free and renewable energy source.

h. Waste Products:

(1) Solid Waste - Incineration of solid waste to produce energy is not only expensive, but can produce large amounts of air pollution. This method is generally only feasible in areas where large amounts of solid waste must be disposed of in a small land area. This form of energy production is not currently being utilized in Wasco County.

(2) Timber Production Wastes - Only one mill in the county that was contacted used timber production waste to produce energy. The pine mill in Tygh Valley uses chips, shavings and hog fuel to fire the boilers, which run the kiln to dry the lumber. Steam heat helps heat the plant also

P2010-0089 (280 of 348)

(Mountain Fir Lumber Co., Tygh Valley, Oregon. October 3, 1980). Use of waste materials represents a substantial savings in electrical costs for the plant.[7ibid]

(3) Organic Wastes - Use of agricultural wastes to produce energy has been studied by farmers and ranchers in Wasco County. This type of energy production requires large amounts of cheap organic waste, a large initial investment for equipment, a substantial profit and stable market for producers and an assured supply of good standard quality fuel for consumers. None of these conditions can be realized at this time. Perhaps as fossil fuels continue to go up in price, production of energy from agricultural organic wastes will become a feasible alternative.

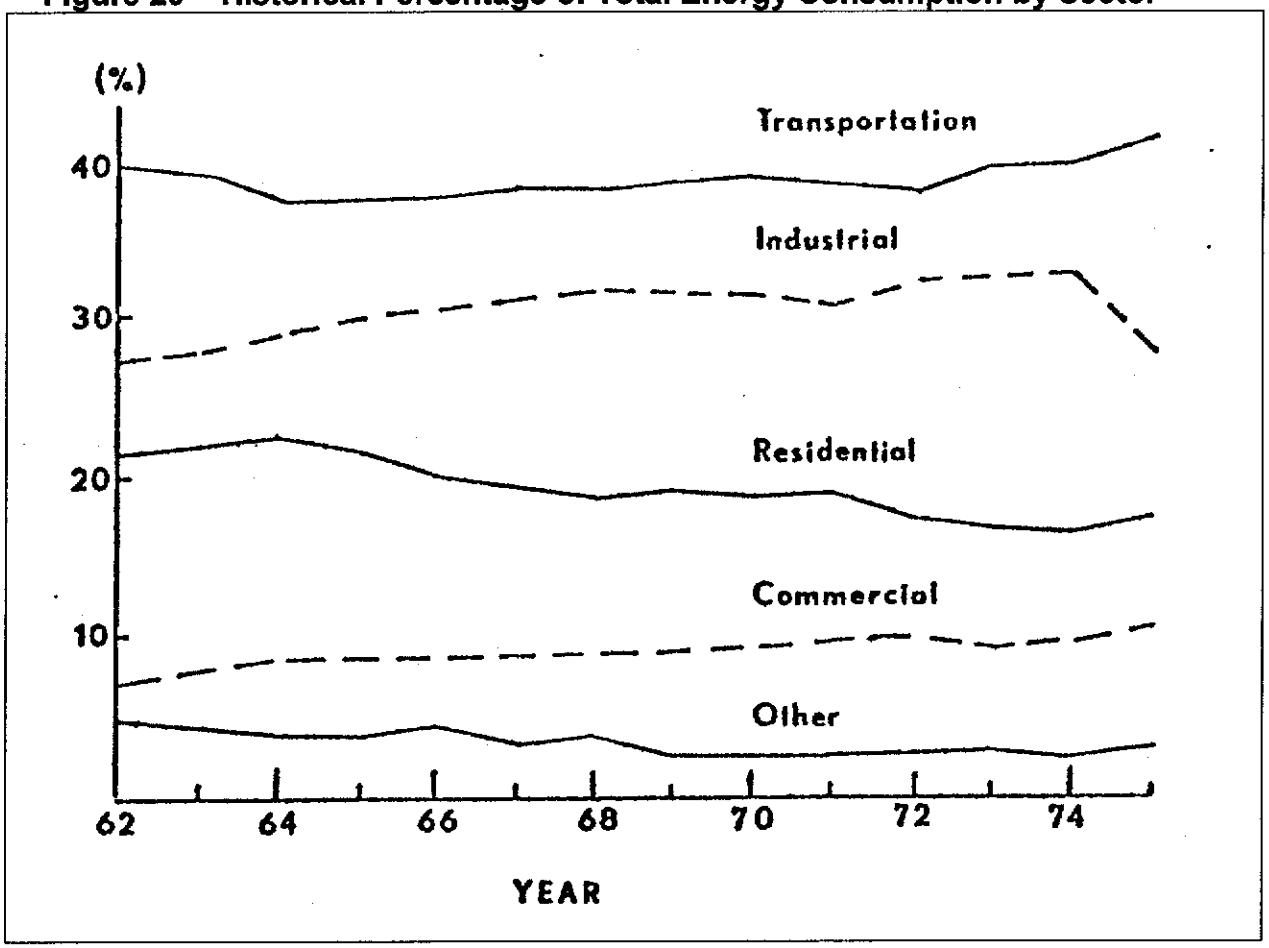
(4) Sewage - The Dalles Sewage Treatment Plant currently uses methane gas for a portion of its energy needs. The gas is produced during the treatment process and is used to run part of the equipment in the plant.

2. Consumption

It is important to understand trends in the consumption of energy so that adequate land use decisions can be made to affect these trends. Typical energy consumption in Oregon is shown in. Figure 20.

P2010-0089 (281 & 348)

Figure 20 – Historical Percentage of Total Energy Consumption by Sector



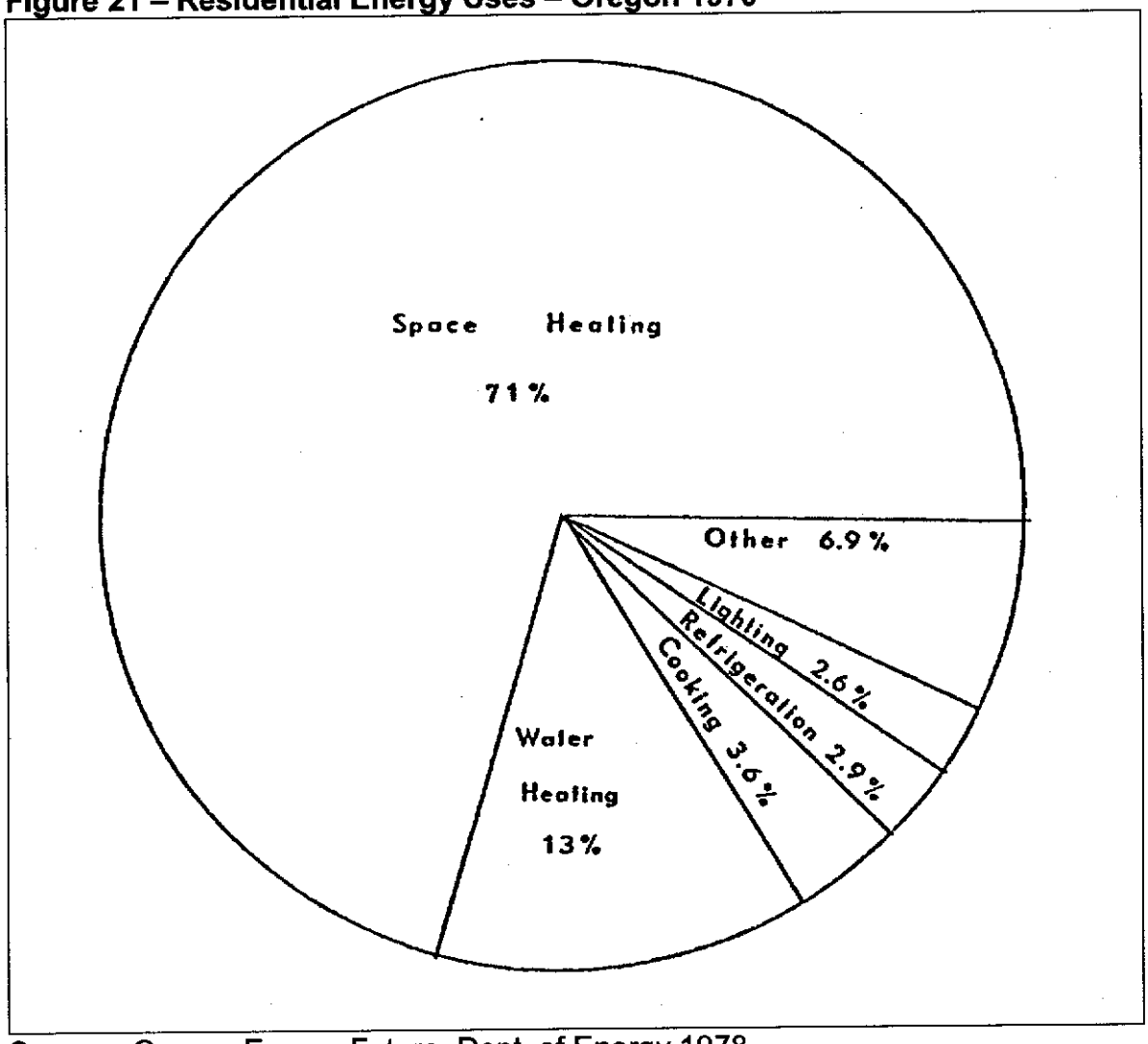
Transportation = 40% (3/4 for autos)
Industrial = 32%
Residential = 17%
Commercial = 9%
Agricultural = 1%
Other = 1%

P2010-0089 (282 & 348)

The transportation sector is the largest user of energy. Petroleum products account for almost all of the energy consumed. Growth in agricultural energy consumption will depend on trends in irrigation. There has been a slow increase in agricultural energy consumption in the past (1.6% annual growth rate).

Space and water heating dominate energy use in the residential sector. (See Figure 21.) There is an increase in the amount of electricity and natural gas consumed in residences, with a decrease in petroleum use. Single family residences consume more energy per square foot of floor area than multi-family buildings.

Figure 21 – Residential Energy Uses – Oregon 1970



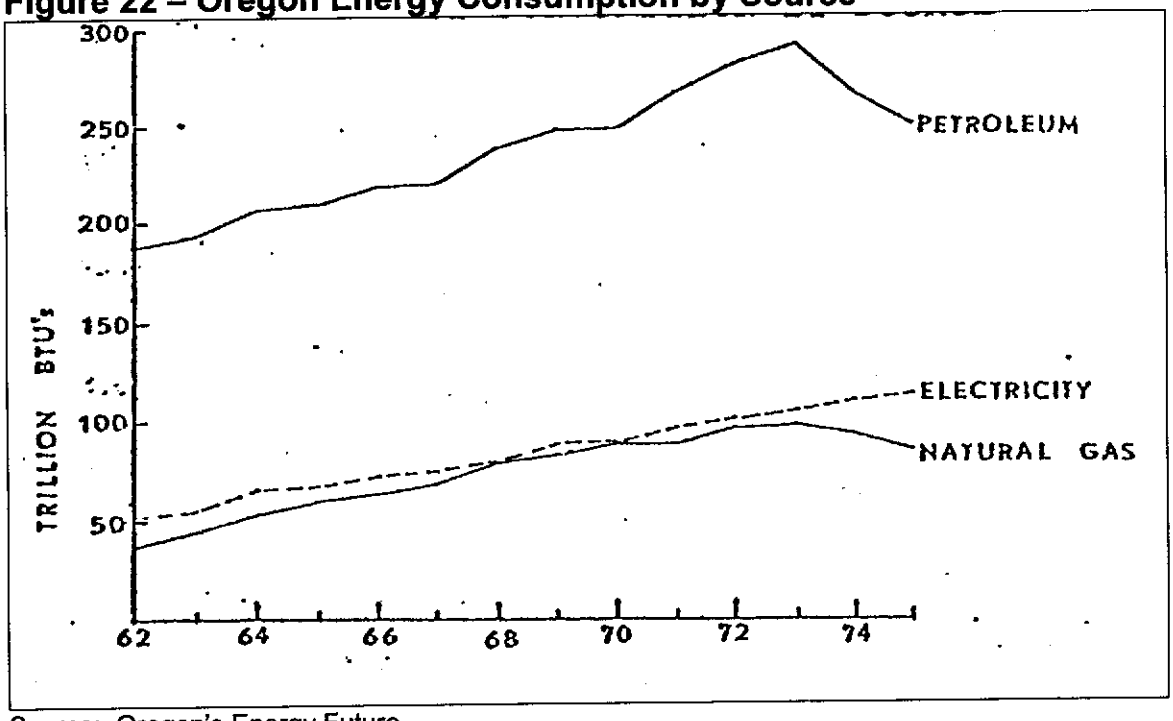
Source: Oregon Energy Future, Dept. of Energy 1978

P2010-0089 (283 & 348)

The commercial sector's pattern of consumption closely resembles use in the residential sector with high energy use for space and water heating. Industrial energy use is very responsive to price fluctuations. A wide range of policy options can influence future industrial energy use.

All sectors consume approximately 57% petroleum, 23% electricity, and 20% natural gas. The trends in this use are shown on the graph in Figure 22.

Figure 22 – Oregon Energy Consumption by Source

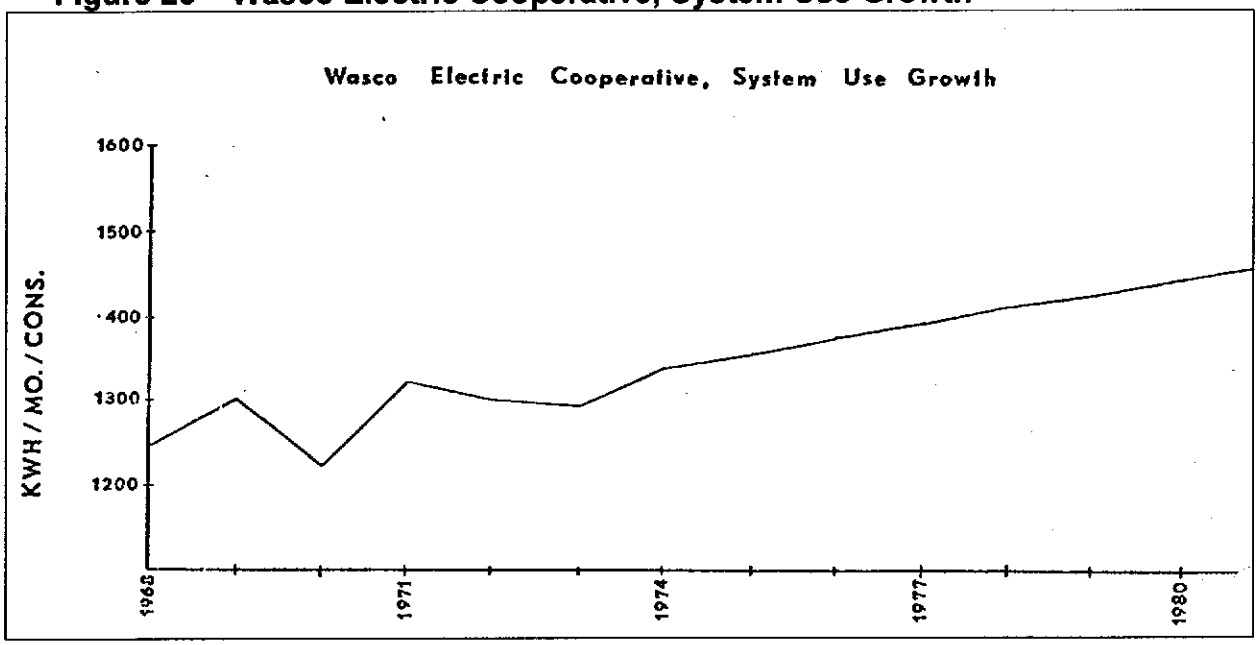


Source: Oregon's Energy Future

Electrical consumption in Oregon is 78% higher than the national average, which reflects the low cost of electricity and the electric intensity of industries. In rural Wasco County, electrical consumption includes approximately 1400 kilowatt hours per month per consumer (Wasco Electric Cooperative, Inc.). The forecast for increased electrical consumption is shown in Figure 23.

P2010-0089 (284 & 348)

Figure 23 – Wasco Electric Cooperative, System Use Growth



As energy sources become more scarce and expensive, conservation and use of renewable energy resources, (sun, wind, water, waste), will become intense. Conservation is the key: wasteful use of energy is never profitable; no matter how plentiful the source.

Building codes aid the home builder in conserving energy. The addition of thermo pane windows and specified amounts of insulation are instrumental in a building's energy efficiency. Many power and gas companies will do free estimates of where a person's home needs weatherizing. All these factors can help conserve energy.

Recycling, use of bicycles, mopeds, pedestrian walkways and carpooling are all effective means of conserving energy. Local governments need to be responsive to programs which encourage these practices.

P2010-0089 (285 of 348)

CHAPTER 15 GOALS & POLICIES

GOAL # 1 - CITIZEN INVOLVEMENT

To develop and maintain a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Policy 1

Improve the availability of planning information to all of the residents in the County

Implementation

A. Hold at least one Citizen Advisory Group meeting per year. Other meetings shall be held as needed to inform the group of proposed changes in the Comprehensive Plan or other land use actions.

B. The Chairmen of the planning areas shall be advised on all agency meetings or hearings on actions affecting land use.

C. Make all pertinent land use information from all agencies available to the Citizen Advisory Group chairmen,

Policy 2

A Citizen Involvement Program shall encourage the participation of citizens representing a broad cross-section of the population.

Implementation

A. A diversified geographic and vocational cross-section of citizens will be encouraged to participate in Citizen Advisory Groups.

B. The Wasco County Planning Office shall provide clear and concise notice of the opportunities for citizen involvement.

C. Encourage open attendance and participation by all people at Citizen Advisory Group meetings.

Policy 3

Encourage involvement of citizens and property owners in the land use planning process.

Implementation

A. Notices of all Citizen Advisory Group meetings should be given at least ten (10) days prior to the meetings.

P2010-0089 (286 & 348)

B. Notices of all Citizen Advisory Group meetings should be posted by the Wasco County Planning Office in the Wasco County Courthouse, at least two public places in each planning area, and shall be advertised in the newspaper of general circulation throughout the County.

C. When revising or adopting the Comprehensive Plan there shall be a public hearing held with each Citizen Advisory Group that is affected by the proposed action.

P2010-0089 (287 & 348)

GOAL # 2 - LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Policy 1

Citizen Involvement shall be an integral part of the planning process and shall be accomplished through the County's Citizen Involvement Program.

Implementation

A. The Citizen Involvement Program shall be maintained and updated periodically by the Wasco County Planning Office.

B. The Citizen Involvement Program shall abide by the policies as set forth in Goal # 1, "Citizen Involvement".

Policy 2

Comprehensive plans and implementing ordinances shall be consistent with the statewide goals and guidelines as well as the needs and desires of citizens in the County.

Implementation

A. The Comprehensive Plan shall include all elements identified by the Land Conservation and Development Commission which are applicable to the County.

B. Inventories and other forms of data used in the development of the Comprehensive Plan shall be the most factual and current data available.

C. The Comprehensive Plan shall be coordinated with all other plans and programs affected by, or having effect on, land use within the County.

D. All implementing ordinances applicable to the County shall be consistent with the Comprehensive Plan.

Policy 3

The Comprehensive Plan shall be reviewed periodically for necessary revisions to keep pace with changes in the physical, environmental, social and economic character of the County.

Implementation

A. The Citizen Advisory Groups, in conjunction with the County Planning staff, shall conduct annual Comprehensive Plan review and evaluation.

P2010-0089 (2889349)

B. Plan review and amendment shall take place every two years or whenever significant changes in the social, economic, physical, or environmental character of the County are evident.

C. Plan review, evaluation, and amendment shall be carried out utilizing the revisions process as set forth in the Comprehensive Plan. (This process is identical to the planning process employed for the initial development of the Comprehensive Plan.)

Policy 4
Increase public awareness of the planning process and plan implementation.

Implementation

A. Signs should be posted throughout the County to indicate permits are required.

B. Federal, State, County and City agencies should cooperate to simplify, combine and expedite permit application.

C. Allow for local public input into the process of locating electrical corridors.

D. Hearing notice procedures shall be included in the Wasco County Zoning Ordinance.

P2010-0089 (2899348)

GOAL # 3 - AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

Policy 1

Maintain Exclusive Farm Use zoning.

Implementation

A. Maintain Exclusive Farm Use zone consistent with O.R.S. 215.203 to 215.273 to qualify for special farm use assessment as set forth in O.R.S. 308.370 to 308.406.

B. Minimum lot sizes in agricultural zones shall be appropriate for the preservation of ground water resources, continued agricultural use and aesthetic qualities.

1. On all lands designated as Exclusive Farm Use on the Comprehensive Plan may, if determined to be non-productive, using the Soil Conservation Service soils maps (soils classes VII or VIII) the minimum lot size may be reduced to twenty (20) acres, in accordance with Chapter 3.210(2)(o) of the Wasco County Zoning Ordinance and the applicable regulations of the Wasco County Subdivision and Land Development Ordinance.

2. Commercial activities in conjunction with farm use shall be allowed as conditional uses in the Exclusive Farm Use zone.

3. Non-farm uses permitted within farm use zones adopted pursuant to O.R.S. 215.213 should be minimized to allow for maximum agricultural productivity.

4. Non-farm dwellings within the Exclusive Farm Use zone may be permitted with a conditional use permit in accordance with the provisions of O.R.S. 215.213.

5. Subdivisions and Planned Unit Developments will not be permitted in the Exclusive Farm Use zone.

Policy 2

Where rural agricultural land is to be converted to urbanizable land, the conversion shall be completed in an orderly and efficient manner.

Implementation

A. Conversion of rural agricultural land to urbanizable land shall be in accordance with Goal # 14, Policy 1, A-E.

P2010-0089 (250 & 348)

B. Extension of services, such as water supplies, shall be appropriate for proposed urban use.

C. Minimize an adverse impact which electrical systems may have on the productivity of agricultural lands by reviewing future plans of the Bonneville Power Administration for major power line corridors. Review and comment should be made by each of the affected planning areas.

D. Pre-existing farm dwellings occupied on a rental or lease basis shall not justify the partitioning of good agricultural land or smaller acreage tracts in farm use zones.

E. Encourage the development of conservation plans utilizing Best Management Practices (BMP's) as developed by Wasco County Soil and Water Conservation Districts as defined by its standards and specifications.

F. The opportunity for review and comment shall be provided for citizen groups in the development of plans for the location of utilities such as power-line and highways which may adversely impact agricultural lands.

Policy 3
Land division criteria and minimum lot sizes used in areas designated as agricultural by this Plan shall be appropriate for the continuation of existing commercial agricultural enterprise in the area.

Implementation

A. In order to promote the continuation of existing commercial agricultural enterprise in Wasco County, the zoning regulations shall provide for two classifications of Exclusive Farm Use. The "A-1 (80)" Exclusive Farm Use zone shall have a minimum property size of eighty (80) acres. The "A-1 (20)" Exclusive Farm Use zone shall have a minimum property size of twenty (20) acres. Land designated by the Comprehensive Plan as agricultural and containing acreages greater than or equal to the minimum property size of the appropriate zone classification shall be presumed to be commercial agricultural entities.

B. Revise the zoning regulations [A-1 (80) and A-1 (20) zones and appropriate procedural sections] to provide for the governing body or its designee to review all divisions of agricultural lands creating parcels for non-farm uses.

1. Divisions of agricultural lands for non-farm uses shall be consistent with all existing ordinances and the following criteria:

P2010-0089 (2919348)

(a) Any residential use which might occur on a proposed parcel will not seriously interfere with usual farm practices on adjacent agricultural lands.

(b) The creation of any new parcels and subsequent development of any residential use upon them will not materially alter the stability of the area's land use pattern.

(c) The proposed division or use of the proposed parcels will not eliminate or substantially reduce the commercial agricultural potential of the area nor be inconsistent with the Goals and Policies of this Plan.

(d) Such divisions are consistent with the provisions of O.R.S. 215.213(2) and (3), O.R.S. 215.243 and O.R.S. 215.263 as applicable.

Or one or more of the following conditions apply

(e) The parcel to be created will be sold to an adjoining farm operator, and such transaction does not result in the creation of an additional parcel or home site.

(f) The proposed division will create a separate parcel for a second dwelling which exists on the property, and creation of the parcel is consistent with criteria (a) through (d) listed above.

(g) The division clearly follows a physical feature which functionally divides and thus hinders normal farming activities, and creation of the parcel is consistent with criteria (a) through (d) listed above.

Policy 4
Where rural agricultural land is to be converted to urbanizable land, the conversion shall be completed in an orderly and efficient manner.

Implementation

A. Conversion of rural agricultural land to urbanizable land shall be in accordance with Goal #14, Policy 1, A-E.

B. Extension of services, such as water supplies, shall be appropriate for proposed urban use.

C. Minimize an adverse impact which electrical systems may have on the productivity of agricultural lands by reviewing future plans of the Bonneville Power Administration for major power-line corridors. Review and comment should be made by each of the affected planning areas.

P2010-0089 (292 of 348)

D. Pre-existing farm dwellings occupied on a rental or lease basis shall not justify the partitioning of good agricultural land or smaller acreage tracts in farm use zones.

E. Normal agricultural practices (aerial pesticide applications, burning of pruning, dust and noise by machinery) shall not be restricted by non-agricultural interests within agricultural areas.

F. The opportunity for review and comment shall be provided for citizen groups in the development of plans for the location of utilities such as power-lines and highways which may adversely impact agricultural lands.

Policy 5
Encourage multiple purpose storage reservoirs and land and water reclamation projects which enhance and benefit agricultural land.

Implementation

A. Encourage individual farmers to develop soil conservation plans for each farming unit by coordinating land use planning with the United States Department of Agriculture and Wasco County Soil and Water Conservation Districts.

B. Allow agriculture-related uses such as multiple purpose storage reservoirs and water reclamation projects in the "A-1" Exclusive Farm Use zone.

f3010-0089 (253 & 348)

GOAL # 4 - FOREST LANDS

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Policy 1

Land use regulations and tax incentives should be designed to safeguard forest management operations on both private and public lands.

Implementation

A. Encourage resource management on those lands which meet the stocking and survival requirements of the Forest Practices Rules for Eastern Oregon.

B. Only allow residential development, (i.e. in conjunction with forest use and not in conjunction with forest use), as conditional uses in the "F-2" Forest zone.

C. Prohibit residential development, (i.e. in conjunction with forest use and not in conjunction with forest use), in the "F-1" Forest zones (i.e. City of the Dalles Watershed and City of Dufur Watershed).

D. The minimum lot size of lands designated on the Comprehensive Plan map as "Forest" shall be eighty (80) acres.

E. Approval of a conditional use permit for a dwelling not in conjunction with a forest use shall be preceded by the parcels disqualification from receiving a farm or forest tax deferral.

Policy 2

Lands within the "F-1" Forest designation shall be managed for maintenance of water quality and quantity, in addition to timber protection, fish and wildlife, soil conservation and air quality.

Implementation

A. Land use actions within the "F-1" Forest zones shall be consistent with "The Dalles Municipal Watershed-Comprehensive Management Plan" and the City of Dufur Watershed Management Plan.

B. A limited number of uses are allowed within the "F-1" Forest zone, of these uses residential development is not one. As a result of negative impacts, which are unable to be mitigated, on the water supply to the City of The Dalles and Dufur, residential development is prohibited.

P2010-0089 (244 & 348)

Policy 3
All physical development should be located such that it minimizes the risk of wildfire and allows for assistance in the control of wildfire.

Implementation

A. All physical developments shall implement the applicable "Fire Safety Standards" of the zone in a timely manner.

B. A functioning on-site water supply shall be implemented prior to issuance of any zoning approval/building permit within the "F-1" and "F-2" Forest zones. The aforementioned water supply shall be connected to all applicable "Fire Safety Standards" of the zone.

C. Coordination with the appropriate fire protection agency shall occur prior to issuance of any zoning approval for any dwelling, temporary or permanent, in the "F-2" Forest zone.

D. Requests for dwellings not in conjunction with forest use, on property which is located outside of a rural fire protection district, shall not be accepted by the Approving Authority unless a contract for services has been reached with a rural fire protection district.

Policy 4
Coordination with the Oregon Department of Forestry and Oregon Department of Fish and Wildlife should occur whenever possible during the land use review process.

Implementation

A. Notice of all action on all conditional use permits shall be forwarded to these departments for their comments and analysis. Lack of concurrence from either department shall be considered by the Approving Authority in the decision making process.

Policy 5
Dwellings should be permitted on lands owned prior to extensive implementation of Goal 4 protection (Jan. 1985) where consistent with the Transition Lands Study Area study dated September 17, 1997.

Implementation

A. Adopt the Transition Lands Study document (September 17, 1997), and comprehensive plan map (ATTACHMENT A) by reference, as background information for planning purposes within Transition Lands Study Area.

P2010-0089 (295 of 348)

B. Implement the "lot of record" provision in the TLSA, for parcels within a fire protection district (OAR 660-006-0027 adopted June 1, 1998).

C. Do not implement the OAR provision for the "template test" in the TLSA based on the available area wide information regarding overall land use patterns, land values, and lack of infrastructure in the forest zone, based on the Transition Lands Study Area study dated September 17, 1997.

P2010-0089 (296 of 348)

GOAL # 5 - OPEN SPACES, SCENIC AND HISTORIC AREAS AND NATURAL RESOURCES

To conserve open space and protect natural and scenic resources.

Policy 1 – Mineral Resources

Protect and utilize appropriately the mineral and aggregate resources of Wasco County, and minimize conflict between surface mining and surrounding land uses.

Implementation

A. The development of new rock and aggregate resource sites shall be consistent with the State Planning Goal 5 and Oregon Administrative Rules Chapter 660, Division 16 process to balance conflicts between mining operations and new and existing surrounding conflicting uses.

B. Sites identified as significant aggregate resource sites shall not support interim or permanent uses which may jeopardize the future availability of the resource.

C. Mining and processing of gravel and mineral materials may only be allowed at sites included on the "Other Site" inventory or "Significant Sites" inventory.

1. Mining at sites on the "Other Sites" inventory may be allowed by a conditional use permit.

2. Mining at sites on the "Significant Sites" inventory may only be permitted in accordance with the Mineral Resources Overlay.

D. For each site determined to be significant, the County shall complete the remainder of the County Goal 5 process identifying conflicting uses, analyzing the ESEE consequences of the conflicting use(s), and designating a level of protection from conflicting uses. If the final decision concerning the site is to preserve fully or partially protect the resource from conflicting uses, the County shall zone the site with the Mineral Resources Overlay.

Policy 2 – Mineral Resources

The County shall maintain an inventory of mineral and aggregate resource sites. The comprehensive plan inventory shall consist of three parts:

-An inventory of "Significant Sites" identified through the Goal 5 process as important resources that will be protected from conflicting uses;

An inventory of "Potential Sites" for which sufficient information concerning the location, quality, and quantity of a resource site is not adequate to allow the County to make a determination of significance;

An inventory of "Other Sites" for which available information demonstrates that the site

P2010-0089 (297 & 348)

is not a significant resource to be protected.

Implementation

A. The significance of non-aggregate mineral resources shall be judged on a case-by-case basis, taking into account information concerning the commercial or industrial use of the resource, as well as the relative quality and relative abundance of the resource within at least the County.

B. The scope of an existing or "grandfathered" aggregate operation shall be established by:

1. authorization by a County land use approval; or

2. the extent of the area disturbed by mining on the date that the mining operation became a non-conforming use.

C. Sites on the "Other Sites" inventory shall not be protected from conflicting uses.

D. For sites on the "Potential Sites" inventory, the County shall review available information about mineral and aggregate resources, and if the information is sufficient, determine the site to be significant when one of the following conditions exist:

1. As part of the next scheduled Periodic Review;

2. When a landowner or operator submits information concerning the potential significance of a resource site and requests a Comprehensive Plan amendment;

3. When resolution of the status of a potential resource site is necessary to advance another planning objective.

E. In order to approve surface mining at a site zoned for exclusive farm or forestry use, the County shall find, as part of the ESEE analysis, that the proposed activity will not: 1) force a significant change in, or significantly increase the cost of, accepted farming or forestry practices on surrounding lands, and 2) will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.

F. The County may establish and impose conditions on operation of a surface mine when deemed necessary as a result of a site-specific Goal 5 analysis. Where such conditions conflict with criteria and standards in the Mineral and Aggregate Resources Overlay, the conditions developed through the Goal 5 analysis shall control.

P2010-0089 (298 of 348)

G. No surface mining or processing activity, as defined by the zoning ordinance, shall commence without land use approval from the County, and approval of a reclamation plan and issuance of an operating permit by DOGAMI.

H. Aggregate sites shall be subordinate to the landscape setting as seen from travel corridors when such travel corridors have been determined to be significant by the ESEE analysis.

Policy 3 – Mineral Resources
New mineral and aggregate sites shall not be allowed within the quarter mile boundary of either the John Day or Deschutes Rivers.

Policy 4 – Mineral Resources
All aggregate operations within the Columbia River Gorge National Scenic Area shall be operated in compliance with the Management Plan for the National Scenic Area and its implementing ordinance.

Policy 5 – Wild & Scenic Rivers
The Deschutes and John Day River Scenic Waterways shall be maintained and protected as natural and open space areas with consideration for agriculture and recreation.

Implementation

A. Coordinate all land use planning activities with the Bureau of Land Management, Oregon State Department of Transportation and the Warm Springs Indian Reservation. These three parties shall be notified of all proposed land actions within the Deschutes River and John Day River Scenic Waterways for their review and comment.

B. Allow agricultural operations within the Deschutes and John Day Scenic Waterways.

C. Allow only buildings customarily provided in conjunction with farm use within the visual corridors of the Deschutes and John Day Scenic Waterways.

D. Encourage the preservation of landscape features of the John Day and Deschutes Rivers.

Policy 6 - Wild & Scenic Rivers
Cooperate with managing agencies to solve recreation use management on the John Day and Deschutes River Scenic Waterways.

P2010-0089 (299 & 348)

Implementation

A. Coordinate with and support the managing agencies recreation use management issues and facilities necessary for recreation and resource protection.

Policy 7 – Columbia River Gorge
Maintain the existing aesthetic quality of the Columbia River Gorge.

Implementation

A. Scenic and Open Space areas in the Columbia River Gorge will be preserved by placement of the Environmental Protection District, Division 4, and overlay zone.

B. The Oregon State Highway Division should employ plantings to provide buffers between residential areas and Interstate 84 when feasible.

C. Forestry uses shall be in accordance with the Oregon Forest Practices Act.

D. Clear-cutting within the legal boundaries of the Columbia River Gorge is discouraged.

Policy 8 - Water
Encourage the construction of ponds for livestock, fire protection and water reclamation.

Implementation

A. Allow such uses in the "A-1" (Exclusive Farm Use) zone.

B. The County Water master and Sanitarian shall continue to regulate appropriations, diversions and sewage waste disposals to ensure quality water resources.

Policy 9 - Fish and Wildlife

-Encourage land use and land management practices which contribute to the preservation and enhancement of fish and wildlife resources, with consideration for private agricultural practices.

-To conserve and protect existing fish and wildlife areas.

-To maintain wildlife diversity and habitat so that it will support optimum numbers of game and nongame wildlife for recreation and aesthetic opportunities.

P2010-0089 (300 & 348)

Implementation

A. Identify and maintain all wildlife habitats by:

1. Implementation of an Environmental Protection District overlay zone for significant fish and wildlife habitats and for the big game winter range.

2. Designation of the Big Game Winter Range and Area of Voluntary Siting Standards (low elevation winter range) on the map contained in this plans Resource Element.

B. The winter range identified on the Big Game Habitat Map included in the Resource Element of this plan shall be protected by an overlay zone. The Rural Service Centers identified in the Comprehensive Plan which lie within the overlay zone shall be exempt from the provisions of the overlay zone.

C. Consistent with the development standards of the land use ordinance, sensitive riparian areas of perennial and intermittent streams identified in the Resource Element, as well as to protect people and property from flood damage, the zoning ordinance shall prohibit development within 100 feet of the mean high water mark of perennial or intermittent stream or lake in a resource zone, and 50 feet of the mean high water mark of a perennial or intermittent stream or lake in residential zones.

D. Sensitive bird habitat sites (bald eagle, golden eagle, osprey, great grey owl, great blue heron) and mammal habitat sites (Western pond turtle nesting sites) identified in the Resource Element of the plan shall be protected by a Sensitive Bird and Mammal Overlay Zone during periodic review pursuant to the current County approved work program.

E. When site specific information is available to the County on the location, quality and quantity of threatened and endangered fish and wildlife species listed by State or Federal Wildlife agencies and the Oregon Department of Fish and Wildlife develops protection criteria for the species, the county shall proceed with a Goal 5 ESEE analysis in compliance with OAR 660 Div. 16.

F. The county shall review the Transition Land Study Area (TULSA) big game habitat areas and designated as "1-B" Goal 5 resources, during the next periodic review or as additional information on the location, quality and quantity of the habitat areas becomes available. (ORD. 3.180)

G. County-owned land shall be managed to protect and enhance fish and wildlife habitat except where a conflicting public use outweighs the loss of habitat.

P2010-0089(301 of 348)

H. The county shall notify the Oregon Division of State Lands and the Oregon Department of Fish and Wildlife of any development application for land within a wetland identified on the National Wetlands Inventory maps. (ORD. 3.180).

I. An application for a destination resort, or any portion thereof, in a recognized big game habitat overlay zone shall not be accepted pending completion of the County's Goal 8 destination resort mapping process. (ORD 3.180)

J. The county shall provide ODFW an annual record of development approvals within the areas designated as Area of Voluntary Siting Standards' on the plan map to allow ODFW to monitor and evaluate if there is a significant detrimental effect on habitat.

Policy 10 - Historic, Cultural, And Archeological Resources
Preserve the historical, archaeological, and cultural resources of the County.

Implementation

A. The Wasco County Historical Landmarks Commission shall maintain a current inventory of significant archaeological, and cultural resources in the county.

B. Encourage preservation of resources identified as significantly historically, culturally, or archaeologically.

C. Develop and implement a program to review and regulate activities which may impact historic, archaeological and cultural resources per statewide Goal 5 and OAR 660-16 (Amended by Historic Preservation Overlay Ord. adopted Dec. 7, 1994).

D. Location of archaeological sites shall not be disclosed, (this information is exempt from the Freedom of Information Act), unless development is proposed which would threaten these resources. When any development is proposed which may affect an identified archaeological site, the site will be protected by the Wasco County Land Use and Development Ordinance, Chapter 3, Historic Preservation Overlay zone.

E. Resources listed as Wasco County Historic Landmarks will be protected by the Wasco County Land Use and Development Ordinance Chapter 3 Historic Preservation Overlay zone.

F. When adequate information becomes available, Wasco County shall evaluate its Goal 5 1-B historic resources for inclusion on the inventory or designation as a significant (1-C) resource and, where appropriate, provide protection under the County's Historic Preservation Overlay Chapter of the Wasco County Land Use and Development Ordinance.

P2010-0089 (302 & 348)

G. Pursue private and public sources of funding for use by property owners in renovation and maintenance of historic properties.

H. Pursue options and incentives to allow productive, reasonable use, and adaptive reuse of historic properties.

I. The County shall designate a Landmarks Commission to advise the County Court about the county's historic landmarks according to the Historic Preservation Overlay ordinance. (Adopted by Ord., December 7, 1994).

J. Appoint a Historic Review Board whose role is to protect and preserve historic Landmarks, Districts and Corridors and who individually have demonstrated interest and expertise in the field of Historic Preservation. This board shall be empowered to:

1. Maintain and update the Wasco County Cultural Resource Inventory.

2. Recommend to the County Court the designation of historic landmarks or districts that meet the criteria for designation as contained in Section 3.772 of the Land Use and Development Ordinance.

3. Protect historic landmarks or districts through the review, in accordance with the review criteria established for alterations, demolition and new construction.

4. Provide a forum for public participation in matters and issues related to historic preservation in the community.

5. Review proposed activities by the County or other agencies, businesses, or developers that may detrimentally affect historic landmarks and advise the Planning and Economic Development Staff, Planning Commission, and County Court regarding these matters.

K. All resources listed on the National Register or determined eligible for the National Register of Historic Places shall be designated a Wasco County landmark subject to the Historic Preservation Overlay.

P2010-0089 (303 & 348)

GOAL # 6 - AIR, WATER AND LAND RESOURCES QUALITY

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

Policy 1

Encourage land uses and land management practices which preserve both the quantity and quality of air, water and land resources.

Implementation

A. Recognizing that the soil resource base is vital to maintaining productivity, encourage agricultural conservation and management practices which minimize the adverse effects of wind and water erosion.

B. The adopted solid waste collection and disposal ordinance shall be enforced.

C. Riparian vegetation on natural stream banks shall be preserved by the placement of an Environmental Protection District overlay zone or by regulation of setback requirements.

Policy 2

Maintain air quality in compliance with state and federal standards.

Implementation

A. Encourage a more detailed study of air quality in Wasco County by the Department of Environmental Quality.

B. New industries must comply with the air quality standards set forth by the Department of Environmental Quality.

C. Support efforts to complete an air shed study in The Dalles and Dallesport area.

Policy 3

Maintain quantity and quality of water in compliance with state and federal standards.

Implementation

A. Support best management practices for identified problems to maintain and improve land and water resourced qualities as adopted in "Sediment Reduction Project - 208 Non-Point Source Pollution Control Program", prepared by the State Soil and Water Conservation Commission, August, 1978.

B. Incorporate all future water quality information into the Wasco County Comprehensive Plan.

P2010-0089 (30 of 348)

C. Continue regulation of subsurface sewage disposal systems and other point source water pollution emissions.

D. Evaporation ponds containing toxic chemicals should be sealed or lined, and monitored by the Department of Environmental Quality.

E. The adequacy of the Ground water supplies and their quality shall be a major consideration in all development.

F. The Dalles Watershed shall be managed by the "Comprehensive Management Plan for The Dalles Municipal Watershed," 1972.

G. The Dalles, Dufur and Antelope Watersheds shall be primarily managed for their domestic water supplies.

H. Encourage the reduction of siltation in the Columbia River drainage by whatever means are found to be reasonable and effective.

Policy 4
Noise levels should be maintained in compliance with state and federal standards.

Implementation

A. Noise levels for all new industries must be kept within standards set by state and federal agencies.

B. Consideration for the effects of noise on the surrounding environment will be given when a new development of any kind is proposed.

C. Noise sensitive areas should be identified and only compatible uses permitted in their vicinity.

D. When building new highways or making major improvements on existing highways, consideration shall be given to reducing the noise impact on surrounding land uses.

P2010-0089 (305 & 348)

GOAL # 7 - AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

To protect life and property from natural disasters and hazards.

Policy 1

Control flood hazards through active management of water resources, soil conservation techniques and flood plain identification.

Implementation

A. The County shall continue to meet participation requirements for the national flood insurance program in identified flood hazard areas.

B. Lands within identified flood plains should be excluded from intensive development.

C. Flood plains have been identified by the Flood Insurance Rate Maps effective September 24, 1984 and will be protected by placement of the Environmental Protection District zone, Division 1.

D. Coordinate the flood plain ordinance provisions with the Soil Conservation Service.

E. Open space and agricultural uses are preferred in identified flood plain areas.

F. Projects for channelization, diversion and other flood control measures designed to reduce flood hazards should be supported.

Policy 2

Intensive developments should not be allowed in an identified Natural Hazard Area.

Implementation

A. Active natural hazard areas will be identified by the placement of an Environmental Protection District overlay zone.

B. Only those activities which are associated with non-intensive recreational or agricultural pursuits should be allowed upon lands inventoried as active natural hazard areas.

C. Pre-existing uses, not in accordance with Goal # 7, Policy 2 B., should be phased-out in active natural hazard areas.

D. Development restrictions on active geologic hazard areas shall be specified in the Zoning Ordinance Chapter 3.750.

P2010-0089 (306 & 348)

E. Areas subject to active natural hazards should be evaluated as to the degree of hazard present, and appropriate limitations on use be imposed.

F. An on-site investigation and written report by a certified geologist shall be required before development will be allowed in an active geologic hazard area.

G. Applicants proposing development in an inactive geologic hazard area will be notified of that fact.

Policy 3
Wasco County shall maintain siting regulations for mobile homes to reduce safety and fire hazards.

Implementation

A. When securing a mobile home placement permit, siting regulations will be provided to the homeowners.

B. Due to potential wind hazards, tie-downs are required on all mobile homes located within thirty (30) miles of the Columbia River.

P2010-0089 (307 & 348)

GOAL # 8 - RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of Wasco County and visitors.

Policy 1

Manage the Deschutes and John Day Scenic Waterways to minimize recreational over-use, accumulation of solid waste and conflicts with agricultural use, while maximizing their scenic and recreational values.

Implementation

A. Encourage governmental agencies to restrict open camp fires on the Deschutes and John Day Rivers.

B. Encourage the development of a cooperative management plan between private landowners and government agencies.

C. Prohibit recreational subdivisions within the Deschutes and John Day Scenic Waterways.

D. Encourage governmental agencies, (including the Marine Board, Bureau of Land Management, Department of Transportation and Wasco County), to limit the use of recreational power boats on the Deschutes and John Day Rivers.

Policy 2

Develop and maintain a variety of recreational sites and open spaces adjacent to population concentrations to adequately meet the County's recreational needs.

Implementation

A. The County may establish public park lands adjacent to future multiple-purpose reservoirs. This may include the dedication of park land to the County from a federal agency or private land developer at future reservoir sites.

B. Encourage a system of safe and convenient trails for non-motorized recreation and transportation. Adequate right-of-way should be acquired on public roads to provide bicycle, pedestrian and equestrian paths where feasible.

C. Large planned developments shall include the reservation of a suitable area of park land or open space.

D. Aesthetic values in existing and future re-creational sites should be preserved and enhanced.

P2010-0089 (308 of 348)

Policy 3
Discourage illegal recreational access through private agricultural lands.

Implementation

A. Encourage governmental agencies to develop a public information program concerning recreational access through private lands.

B. Condemnation of private land for recreational use will be strongly opposed.

C. Easements for recreational use at well-established access points should be acquired. Possible funding sources such as the National Park Service and Oregon State Parks should be investigated.

P2010-0089 (309 of 348)

GOAL # 9 - ECONOMY OF THE STATE

To diversify and improve the economy of Wasco County.

Policy 1

Maintain agriculture and forestry as a basis of the County's rural economy.

Implementation

A. Subdividing and partitioning of productive agricultural and forest lands shall be discouraged.

B. Exclusive Farm Use zoning shall be maintained to allow special farm use assessment as an incentive for continued agricultural use.

C. Orchards, wheat, other small grain farms, and grazing lands shall be continued as a major portion of the economy.

D. Wasco County will encourage secondary wood processing plants in Maupin and Tygh Valley in order to provide more local basic employment.

E. Industries which process agricultural and forest products will be allowed, as a conditional use in the Exclusive Farm Use zone.

Policy 2

Commercial and industrial development compatible with the County's agricultural and forestry based economy will be encouraged.

Implementation

A. Wasco County will support commercial and industrial development within the Urban Growth Boundaries of incorporated cities, which will help to discourage conversion of productive orchard and other agricultural lands and provide more year-round employment opportunities.

B. Commercial activities in conjunction with farm use, including storage of agricultural goods, are allowed as conditional uses in agricultural areas of the County, to diversify the economy.

C. Because The Dalles Auction Yard provides a unique general service that is economically beneficial to the entire County; its present location shall be protected from incompatible land use intrusion.

D. Encourage increased commercial activity in the communities of Pine Grove and Tygh Valley rural service centers.

P2010-0089 (310 of 348)

E. Allow limited industrial growth in areas designated near Pine Grove and Tygh Valley.

F. Protection and utilization of valuable rock and aggregate sources should be carried out as specified in Goal #5, Policies # 1, A-E; and # 2, A-F.

Policy 3
Wasco County will support the expansion and increased productivity of existing industries and firms as a means to strengthen local and regional economic development.

Policy 4
Wasco County will support the Mid-Columbia Economic Development District, the Wasco County Over-all Economic Development Plan (OEDP), and the Warm Springs Over-all Economic Development Plan (OEDP).

Policy 5
Tourism in Wasco County will be supported and encouraged.

Implementation

A. Wildlife habitat and scenic waterways should be maintained for their scenic value to residents and tourists in Wasco County.

B. Historic sites should be preserved and maintained to promote tourism in Wasco County.

C. Additional parks, overnight camping areas, and other recreational areas should be provided when needed to encourage tourism in the County.

f2010 0089 (311 & 348)

GOAL #10 - HOUSING

To provide for the housing needs of the citizens of Wasco County.

Policy 1

The development of adequate housing for all Wasco County citizens will be encouraged.

Implementation

A. Mobile homes shall be allowed as a permitted or conditional use on agricultural land for landowners and employees.

B. Mobile homes are a type of housing that may be allowed as a conditional use on certain forest lands.

Policy 2

A variety of housing types, locations and densities shall be encouraged.

Implementation

A. Residential developments should be related to physical site characteristics.

B. Residential developments shall be protected from encroachment of incompatible land uses.

C. Multiple family dwellings should be allowed only within the Urban Growth boundaries of the incorporated cities and within excepted areas, unless connected with farm labor.

P2010-0089(3/2 & 348)

GOAL #11 - PUBLIC FACILITIES AND SERVICES

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

Policy 1

Provide an appropriate level of fire protection, both structural and wildfire, for rural areas.

Implementation

A. The Bureau of Land Management, private landowners and railroad companies should be encouraged to develop a cooperative fire management program for the Deschutes River Area.

B. Adequate fire protection should be a factor in locating and planning rural subdivisions or Planned Unit Developments.

C. The County will assist Rural Fire Protection Districts in the acquisition of equipment and development of facilities.

D. All community water systems shall provide minimum fire flow capacities and have a fire hydrant system.

E. Adequate access shall be provided to any available water sources within development areas.

F. Road design for rural subdivisions and planned unit developments should incorporate appropriate requirements with respect to mobility and access by fire suppression equipment.

Policy 2

Provide an appropriate level of police protection for rural areas.

Implementation

A. Wasco County should continue to provide police protection, in conjunction with the Oregon State Police, commensurate with the needs of the rural community.

Policy 3

Minimize adverse impacts resulting from power line corridor and utility development.

P2010-108(3/3 of 348)

Implementation

A. The Bonneville Power Administration should compensate for damage resulting from power-line corridor development at levels based on the loss of agricultural and residential values and productivity.

B. When economically and physically feasible, transmission lines should be laid underground.

C. The Planning Commission and Citizen Advisory Groups should review all future Bonneville Power Administration power line corridor developments which may be routed through Wasco County, as well as all electrical substation and power plant development proposals.

D. Public utility easements and transmission line corridors should be designed to provide for multiple land use.

E. Maximum utilization of existing utility right-of-way should be encouraged to minimize the need for additional rights-of-way.

F. Public utilities shall be responsible for appropriate maintenance including noxious weed control on all existing and future rights-of-way.

Policy 4
Encourage adequate and convenient school facilities for the citizens of Wasco County.

Implementation

A. The County will continue to cooperate with school district(s) in the planning and placement of future educational facilities.

B. The County will coordinate with the affected school district(s) when new subdivisions or Planned Unit Developments are proposed.

Policy 5
Future provision of public facilities and services shall be adequate to meet the needs of Wasco County citizens and be provided efficiently and economically.

Implementation

A. The Dalles Sanitary Landfill shall be maintained as the solid waste disposal site in Wasco County until such time as additional sites become necessary.

B. Improved public library and bookmobile service should be provided to all County residents.

P2010-0089 (314 of 348)

C. Increased and more efficient emergency medical service shall be encouraged, especially to those rural areas which must travel long distances for such service.

D. The development of sanitary sewage disposal facilities for Wamic, Tygh Valley, Pine Grove, and Pine Hollow should be encouraged.

E. Water systems developed on individual lots should provide a standpipe capable of handling the full capacity of the pumping system.

F. The placement of nuclear facilities for the gene-ration of nuclear energy shall be emphatically discouraged, especially in the more populous areas of the County where the obvious potential hazards would affect larger numbers of people.

G. The availability of necessary utilities and public services shall be made known at the time of the development of subdivisions, Planned Unit Development and major partitions.

H. The facilities and services provided shall be appropriate for, but limited to, the needs and requirements of the areas to be served.

I. Facilities and services provided to areas designated Rural Residential and Rural Service Center shall be at levels appropriate to and necessary for rural uses only and shall not support urban uses.

J. The County will coordinate its public facilities and services planning with the plans of affected special service districts and other governmental units.

K. The County will develop a detailed drinking water service plan which will comply with O.R.S. 448.165 at the next update of the plan. A water system inventory will be the initial step and other factors such as groundwater resources, population growth, system aging, water quality and quantity will be considered in the detailed plan.

Policy 6

The larger lot sizes (5 acres in Wamic and 4- acres in Tygh Valley) will continue to apply until approved facility plans are acknowledged even though water systems currently exist in both communities.

Implementation

A. Established minimum lot size in Wamic and Tygh Valley may be reduced to two (2) acre minimum property size standard when a community, municipal or public water and/or sewer public facility plan is "approved" by the county and

P2010-0089 (315 of 348)

acknowledged by the state pursuant to the post acknowledgement plan amendment (PAPA) requirements (ORS 197.610 through 197.650) and the requirements for facility plans under OAR 660, Division 22.

B. Upon the "acknowledgement" of an existing or new community, municipal or public water and/or sewer system facility plan, the minimum property size standard may be amended from the current five (5) acre standard to two (2) acres in Wamic, and from the current four (4) acre standard to two (2) acres in Tygh Valley.

P2010-0089 (316 of 348)

GOAL #12 - TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

Policy 1

Develop and maintain an adequate County road system.

Implementation

A. The County's six-year road plan shall be available for review and comment to citizens of Wasco County.

B. The development of alternative modes of transportation within the Wasco County six-year road plan shall be encouraged.

C. Road construction that has a minimum impact on agricultural production will be encouraged.

D. The safety features of County roads shall be improved to reduce congestion, adverse turns and impaired visibility.

E. Wasco County shall continue to publish biennial statements of road construction and re-construction priorities.

F. The Wasco County road system should be coordinated with the U.S. Forest Service road and trail system.

G. Controlled access along highways and major arterials should enhance traffic flow and promote safety.

H. Standards for development along highways and roads shall take into consideration setbacks to reduce traffic hazards and congestion.

Policy 2

A system of convenient private and public airports will be encouraged.

Implementation

A. Public and private airports will be evaluated to determine which are most valuable to future economic development and commerce.

B. All development of airports and their associated approach areas and clear zones should be maintained in uses compatible with airport activity.

C. The Environmental Protection District zone will be applied to all public airport approach areas and clear zones to prevent the establishment of air space obstruction in all approaches.

B2010-0089 (317 of 348)

D. The Chenowith Airport shall be retained as a base for the operation of private aircraft for residents of Wasco County.

Policy 3
Maintenance of the railroad service to the County will be encouraged.

Policy 4
Transportation services to make quality health and social services available and accessible to all residents will be provided when County revenues permit.

Implementation

A. A convenient and economic system of transportation should continue to be provided for needy senior citizens and the handicapped and other transportation disadvantaged.

B. Ramps, automatic doors, elevators, and other conveniences shall be placed in all new public buildings, to make access within those buildings possible for the handicapped and elderly.

C. Wasco County will consider the Transit Development Program developed by Mid-Columbia Economic Development District when implementing transportation programs.

D. Wasco County will use its one percent of total funds received from the State Highway Division for the development and maintenance of foot-paths, bicycle trails and curb cuts or ramps as they are needed.

P2010-0089(318 of 348)

GOAL #13 - ENERGY CONSERVATION

To conserve energy.

Policy 1

The County will work with appropriate State and Federal agencies to identify and protect, and if feasible, develop potential energy resources, especially renewable energy resources.

Policy 2

Reduce the consumption of non-renewable sources of energy whenever possible.

Implementation

A. Conversion of energy sources from non-renewable sources to renewable sources shall be encouraged.

B. The allocation of land and uses permitted on the land should seek to minimize the depletion of non-renewable sources of energy.

Policy 3

Minimize energy consumption through the use of zoning and subdivision standards.

Implementation

A. Zoning controls and subdivision design standards shall be developed and administered with consideration for the conservation of energy sources and the reduction of energy consumption.

B. In the review of subdivision plans, consideration shall be made of the following in relation to energy consumption:

1. Lot size, dimension and siting controls;
2. Building height, bulk and surface area;
3. Density of uses, particularly those which relate to housing densities;
4. Availability of light, wind and air.

C. Uses developed on the land shall be managed and controlled so as to maximize the conservation of energy.

Policy 4

Considerations should be given to systems and incentives for the collection, re-use and recycling of solid waste and other waste products.

P2010-0089 (319 & 348)

Implementation

A. Recycling centers for the collection of glass bottles, newspapers, tin cans, etc., should be encouraged.

B. Public awareness and education concerning the use of recycling centers and methods shall be encouraged.

C. Encourage the utilization of sewage treatment wastes for fertilizer, methane gas production or other feasible products.

Policy 5
The transportation system shall be diversified with emphasis on energy conservation.

Implementation

A. Bicycle paths and pedestrian walkways should be placed whenever and wherever feasible.

Policy 6
Use of renewable energy shall be encouraged.

Implementation

A. Wind generators will be permitted in the forestry, agricultural and rural zones.

B. The County should develop a solar access ordinance.

C. Facilities to manufacture alcohol from farm or timber waste products will be permitted as conditional uses in the forestry and agricultural zones.

P2010-0089 (320 of 348)

GOAL #14 - URBANIZATION

To provide for an orderly and efficient transition from rural to urban use.

Policy 1

Conversion of rural agricultural land to urbanizable land shall be based upon consideration of each of the following factors:

A. environmental, energy, social and economic consequences;

B. demonstrated need consistent with other goals;

C. availability of alternative suitable locations for the requested use;

D. compatibility of the proposed use with related agricultural land; and

E. the retention of Class I, II, III, IV, V, and VI soils in farm use.

Policy 2

Preserve community identity by encouraging concentration of residential development in and near existing communities.

Implementation

A. Restrict the subdivision of lands in areas with difficult access, topography or drainage; in areas lacking adequate domestic water supplies; or in areas having severe soil limitations for individual subsurface sewage disposal.

B. Population growth will be encouraged within the Urban Growth Boundaries of incorporated cities and unincorporated areas designated for residential uses within the comprehensive plan.

C. Industrial, commercial and dense residential development should be restricted to areas within the urban growth boundaries of incorporated cities as well as rural service centers and planned unit developments.

Policy 3

Encourage subdivisions to be developed by a planned development approach, maximizing physical design, the retention of open space and reducing adverse impacts.

Policy 4

Availability of public services shall be made known at the time of the development of subdivisions, Planned Unit Developments, and major partitions.

P2010-0089 (321 & 348)

Policy 5
Subdivision and partitioning activities shall be designed to reduce the County's financial participation in road construction within development areas.

DETAILED TABLE OF CONTENTS
CHAPTER 22

[Reserved for Future Expansion]

NSA LUDO

P2010-0089 (3248-348)

NATIONAL SCENIC AREA

LAND USE AND DEVELOPMENT ORDINANCE

Adopted
May 1994

Revised
July 1994
GMA -3 October 2005 SMA - 10 January 2006
9 December 2006
25 July 2007
1 June 2010

Prepared by the

WASCO COUNTY PLANNING & DEVELOPMENT OFFICE

STAFF

Todd R. Cornett	Director
Gary Nychyk	Senior Planner
Brenda Jenkins	Planning Coordinator
Dawn Baird	Associate Planner
Jeanette Montour	Associate Planner
Benjamin Hoey	Planning Assistant
Keith Cleveland	Code Compliance Officer

f2010-0089 (325 of 348)

DETAILED TABLE OF CONTENTS

SECTION 3.240: FLOOD HAZARD OVERLAY

SECTION	TITLE	PAGE
3.240	FLOOD HAZARD OVERLAY	3.240-1
3.241	SPECIAL DEFINITIONS	3.240-3
3.242	PLANNING DIRECTOR	3.240-8
3.243	DEVELOPMENT PERMIT	3.240-10
3.244	VARIANCES	3.240-16
3.245	APPEALS	3.240-19
3.246	COMPLIANCE REQUIRED	3.240-19
3.247	REVISING FIRM MAPS	3.240-19
3.248	NOTES ON INSURANCE	3.240-21

B2010 0089 (326 of 348)

P2010-0089(327 of 348)

SECTION 3.240 DIVISION 1 – FLOOD HAZARD OVERLAY

A. Background

1. Findings of Fact

a. The Areas of Special Flood Hazard of Wasco County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. All of which adversely affects the public health, safety, and general welfare.

b. These flood losses are caused by the cumulative effect of obstructions in the areas of special flood hazard which increase flood heights and velocities, which may damage uses in other areas. Uses that are inadequately protected from flood damage also contribute to the losses associated with the flood.

2. Statement of Purpose

It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by implementing provisions designed to:

a. Protect human life and health;

b. Minimize expenditure of public money for costly flood control projects;

c. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

d. Minimize prolonged business interruptions;

e. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, and streets and bridges located in areas of special flood hazard;

f. Help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas;

g. Ensure that potential buyers are notified that property is in an area of special flood hazard; and,

P2010-0089(328 of 348)

h. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

3. **Methods of Reducing Flood Losses**
In order to accomplish its purposes, this chapter includes methods and provisions for:

a. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

b. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

c. Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;

d. Controlling filling, grading, dredging, and other development which may increase flood damage; and,

e. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

B. Applicability

1. Lands to which this Chapter Applies:

a. This chapter shall apply to all Areas of Special Flood Hazards within the jurisdiction of Wasco County.

b. Although Wasco County holds and utilizes the official Flood Insurance Rate Maps (FIRMs) supplied by FEMA, there is no Flood Insurance Study (FIS) for the County. This FIS typically provides the detailed information and cross sections necessary to establish the Base Flood Elevation in a given area. For that reason, the Area of Special Flood Hazard as shown on the FEMA FIRMs is only an approximation of the floodplain boundary. Without the FIS, the Director may require additional information to determine that a proposed development, which may appear to be located outside of an Area of Special Flood Hazard based on the FIRMs, is in fact reasonably safe from flooding as required by Section 3.242.B – Duties and Responsibilities of the Planning Director. In a situation where the Director determines that it is unclear if a proposed development lies in or out of the Area of Special Flood Hazard, it shall be the responsibility of the applicant to provide the Base Flood Elevation for the property using FEMA approved methodologies.

P2010-0089 (329 of 348)

2. Basis for Establishing the Areas of Special Flood Hazard: The Areas of Special Flood Hazards identified by the Federal Insurance Administration on its Flood Insurance Rate Map (FIRM), dated September 24, 1984, and any revision thereto, is adopted by reference and declared to be a part of this Ordinance. The Flood Insurance Rate Map is on file at the Wasco County Planning and Development Office.

3. Abrogation and Greater Restrictions: This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another chapter, ordinance, state building code, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

C. Interpretation

In the interpretation and application of this chapter, all provisions shall be:

1. Considered as minimum requirements;

2. Liberally construed in favor of the governing body; and,

3. Deemed neither to limit nor repeal any other powers granted under State statutes and rules including state building codes.

D. Warning And Disclaimer Of Liability

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of Wasco County, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

SECTION 3.241 Special Definitions

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this section its most reasonable application. The words or phrases found below only apply to this Chapter of the Land Use and Development Ordinance.

R2010-0089 (330 of 348)

Area of Special flood hazard (ASFH) – The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

Appeal – A request for a review of the interpretation of any provision of this ordinance.

Base Flood – The flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood". Designation on maps always includes the letters A or V.

Base Flood Elevation (BFE) – The computed elevation to which floodwater is anticipated to rise during the Base Flood. Base Flood Elevations (BFEs) are shown on Flood Insurance Rate Maps (FIRMs) and on the flood profiles.

The BFE is the regulatory requirement for the elevation or floodproofing of structures. The relationship between the BFE and a structure's elevation determines the flood insurance premium.

Basement – Any area of the building having its floor sub-grade (below ground level) on all sides.

Critical Facility – A facility where the potential for even minimal water damage might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire, and emergency response facilities, installations that produce, store or use hazardous materials or hazardous waste. (Approval of any new Critical Facility within the ASFH must be reviewed through the Administrative Variance provisions (Chapter 6) of the Wasco County Land Use and Development Ordinance.)

Development – Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

Development does not include low impact practices using hand based tools to perform habitat restoration activities, which **do not** result in: ...

- the potential destabilization and/or erosion of the designated floodplain by removal of bank stabilizing root systems or other means;
- alteration of the topography of the designated ASFH;
- the accumulation of woody vegetative debris within the ASFH;
- a violation of any prior condition of approval associated with a review on the subject property;
- a violation of any Wasco County or other agency natural resource regulations; or
- the siting of any structure.

P2010-0089 (331 of 348)

Elevated Building (for Insurance Purposes) – A non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Flood or Flooding – A general and temporary condition of partial or complete inundation of normally dry land areas from:

a. The overflow of inland or tidal waters and/or

b. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) – The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study – The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary Map, and the water surface elevation of the Base Flood.

Flood-Resistant Material – Any building product capable of withstanding direct and prolonged (at least 72 hours) contact with floodwaters without sustaining significant damage (any damage requiring more than low-cost cosmetic repair such as painting.)

Improvement or Repair Cost – The cost to improve or repair a structure. This is used to determine if the proposed repairs and / or improvements constitute Substantial Damage and / or Substantial Improvement.

Improvement or Repair Costs **include** but are not limited to structural elements, footings, concrete slabs, attached decks and porches, interior partition walls, wall finishes, windows, doors, roofing materials, flooring, sub-flooring, cabinets, utility equipment, and labor.

Improvement or Repair Costs **exclude** plans, surveys, permitting costs, post-emergency debris removal and clean-up, landscaping, sidewalks, fences, yard lights, pools, detached structures, and landscape irrigation systems.

Lowest Floor – The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance found at Section 3.243.D – Specific Standards.

Manufactured Home – A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" **does not** include a "recreational vehicle."

Manufactured Home Park or Subdivision – A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale. (Approval of any New or expansion of a manufactured home park or subdivision within the ASFH must be reviewed through the Administrative Variance provisions (Chapter 6) of the Wasco County Land Use and Development Ordinance.)

New Construction – Structures for which the lawful "start of construction" commenced on or after the effective June 1, 2010

Raised Structure – A non-basement structure that has its lowest elevated floor raised a minimum of one foot above the Base Flood Elevation.

Recreational Vehicle (Flood Hazard Overlay Section only) – A vehicle which is:

a. Built on a single chassis; and

b. 400 square feet or less when measured at the largest horizontal projection; and

c. Designed to be self-propelled or permanently towable by a light duty truck; and

d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory Floodway – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

P2010089 (333 of 348)

Start of Construction – Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure (Flood Hazard Overlay Section only) – A walled and roofed building, as well as any gas or liquid storage tank, that is principally above ground.

Substantial Damage – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement – Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either:

a. Before the improvement or repair is started, or

b. If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

a. any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or,

P200-0089 (324 & 348)

b. any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

Variance – A grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance."

Water Dependant – A structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations, including but not limited to bridges, docks, piers, wharfs, certain fish and wildlife structures, boat launch facilities and marinas. Dwellings, parking lots, spoil and dump sites, restaurants, trailer parks, resorts, and motels are not water dependent.

SECTION 3.242 PLANNING DIRECTOR

A. Designation of the Planning Director

The Planning Director is hereby appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

B. Duties and Responsibilities of the Planning Director

Duties of the Planning Director shall include, but not be limited to:

1. Review of Building Permits

   Where elevation data is not available either through the Flood Insurance Study or from another authoritative source (Section 3.242.B.4), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

2. Interpretation of ASFH Boundaries

   Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).

3. Development Permit Review

   a. Review all development permits to determine that the permit requirements and conditions of this chapter have been satisfied.

P2010-0089 (335 of 348)

b. Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required. (added 4-87)

c. Review all development permits to determine if the proposed development adversely affects the flood carrying capacity of the Special Flood Hazard Area. For the purposes of this chapter, "adversely affects" means damage to adjacent properties because of rises in flood stages attributed to physical changes of the channel and the adjacent overbank areas.

i. If it is determined that there is no adverse effect, then the permit shall be granted consistent with the provisions of this chapter.

ii. If it is determined that there is an adverse effect, then flood damage mitigation measures shall be made a condition of the permit.

4. Use of Other Base Flood Data

When base flood elevation data has not been provided in accordance with Section 3.240.B.2 – Basis for Establishing the Areas of Special Flood Hazard, the Planning Director shall require, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer Section 3.243.D – Specific Standards.

5. Alteration of Watercourses

a. Notify adjacent communities, Department of State Lands, Department of Land Conservation & Development, and the Department of Water Resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

b. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

6. Information to be Obtained and Maintained

a. Where base flood elevation data is provided through the Flood Insurance Study or required as in Section 3.242.B.4., obtain and record the actual (as-built) elevation (in relation to mean sea level) to the lowest floor (including basements and below grade crawl-spaces) of all new or substantially improved structures, and whether or not the structure contains a basement(Elevation Certificate).

P2010-0089 (336 of 348)

b. Maintain for public inspection all records pertaining base flood elevations and flood-proofing certificates required in Section 3.242.B.6.

c. Where base flood elevation data is changed via a restudy, limited map maintenance project, map revision amendment, those changes shall be obtained and recorded.

d. Submit any new or revised map information that could affect the ASFH to FEMA when it becomes available.

e. For all new or substantially improved floodproofed structures:

   i. Obtain and record the actual elevation (in relation to mean sea level) to which the structure was flood proofed, and

   ii. Maintain the floodproofing certifications required in Section 3.243.B – Application Requirements. (added 4-87)

f. Maintain for public inspection all records and data pertaining to this chapter.

SECTION 3.243 DEVELOPMENT PERMIT

A. Establishment of Development Permit

1. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.240.B – Applicability. The permit shall be for all structures including manufactured homes, as set forth in the "DEFINITIONS", and for all development including fill and other activities, also as set forth in the "DEFINITIONS".

2. If the director determines that it is unclear if a proposed development lies in or out of the Area of Special Flood Hazard, then Establishment of the Development Permit shall be based on the following:

   a. Within thirty (30) days of receiving an appropriate Land Use Application, the Director or the Director's designee shall conduct a site inspection on the proposed development. If during that site inspection, the Director is able to determine that the proposed development is reasonably safe from flooding based to topography or other pertinent data, then no ASFH Development Permit will be required.

   b. If during the above mentioned site inspection, the Director cannot determine that the proposed development is reasonably safe from flooding, then the applicant will be required to establish the Base Flood Elevation for the

B2010-0089 (337 D2-348)

Development using FEMA approved methodologies. Appropriate methodologies may include HEC, SMADA, SWWM, QUICK-2, or other FEMA approved hydraulic or hydrologic modeling programs.

c. If the Director determines that the BFE must be established for a development, then the applicant will be required to hire a competent consultant (engineer, surveyor, hydrologist, architect, etc.) with proof of suitable credentials to determine the BFE using appropriate FEMA approved methodologies.

B. Application Requirements

Any application for a Development Permit shall be made on forms furnished by the Planning Director and may include, but not be limited to: plans drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing structures, proposed structures, fill, storage of materials, utilities, septic facilities, and drainage facilities.

Specifically, the following information is required:

1. General elevation to mean sea level of building site using best information available.

2. Elevation of the lowest floor (including basement) of all structures.

3. Distance between ground elevation and level to which a structure is to be flood-proofed.

4. Certification by a registered professional engineer or architect that the flood-proofing methods for any non-residential structure meet the flood-proofing criteria in Section 3.243.D.6 – Specific Standards.

5. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

6. Copies of all permits required from any governmental agency, together with a certification under penalties of perjury that all certificates and permits requested have been obtained.

C. General Standards

In all areas of special flood hazards the following standards are required:

1. Anchoring

P2010-0089 (338 of 348)

a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, and lateral movement of the structure.

b. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, according to requirements set forth in the Oregon Manufactured Dwelling Specialty Code. (See FEMA's Manufactured Home Installation in Flood Hazard Areas" guidebook for additional information).

2. Construction Materials and Methods

a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage. See FEMA 348 (Protecting Building Utilities from Flood Damage) for details.

b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

c. Electrical, heating, ventilation, plumbing, and air- conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

3. Utilities

a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,

c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with the North-Central Public Health District.

D. Specific Standards

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 3.242.B.4 Use of Other Base Flood Data, the following standards are required:

1. Residential Construction

P2010-0089 (339 of 348)

a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated a minimum of one foot (1') above base flood elevation.

b. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

ii. The bottom of all openings shall be no higher than one foot above grade.

iii. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of flood-waters.

2. Partition and Property Line Adjustment Proposals

a. All partition and property line adjustment proposals shall be consistent with the need to minimize flood damage;

b. Parcels created through these processes shall wherever practical include suitable sites for the construction of buildings, structures, sewage systems, and water supplies outside of the ASFH.

a. Parcels created through these processes shall wherever practical be designed so that access to the proposed parcel does not traverse the ASFH.

3. Subdivision Proposals

a. All subdivision proposals shall be consistent with the need to minimize flood damage;

b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,

d. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed development which contain at least fifty (50) lots or five (5) acres (whichever is less).

4. Manufactured Homes

a. All manufactured homes to be placed or substantially improved within the ASFH shall be elevated on a permanent foundation such that the bottom of the longitudinal chassis frame beam is elevated a minimum of eighteen inches (18") above the base flood elevation and be securely anchored to an adequately designed foundation system to resist floatation, collapse and lateral movement, and shall be in accordance with the provisions of subsection 3.243.C.1 – General Standards.

b. Fully enclosed areas below the lowest floor that are subject to flooding shall comply with Sections A.2.a – c above. Non-structural metal or vinyl skirting does not constitute a "fully enclosed area".

5. Recreational Vehicles

Recreational Vehicles placed on sites with an "A" zone (Areas of 100-year flood) as identified on the Flood Insurance Rate Maps (FIRM) must:

a. Be on the site for fewer than 180 consecutive days; and

b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

c. Meet the requirements of Section 3.243.D – Specific Standards above.

6. Non-residential Construction

New construction and substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated at or above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

a. Be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

P2010-0089 (341 of 348)

b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,

c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section 3.242.B.6.e.

d. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in Section 3.243.D.1 – Specific Standards.

e. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building constructed to the base flood level will be rated as one foot below that level). (added 4-87)

7. Storage of Hazardous or Toxic Materials
The storage of hazardous or toxic materials shall be a minimum of one foot (1') above the BFE of the property. This may require alterations to a structure or development to ensure that the potential storage of such materials can be accommodated. Hazardous or toxic materials include but are not limited to those regulated by the EPA and DOT.

8. Critical Facilities
Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Area Special Flood Hazard (ASFH) (100-year floodplain). Construction of new critical facilities shall be permissible subject to an Administrative Variance within the ASFH if no feasible alternative site is available. Critical facilities constructed within the ASFH shall have the lowest floor elevated three feet above the BFE. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

9. Development Within Riparian Areas
The Wasco County FIRMs do not designate regulatory floodways. No new construction, substantial improvements, or other development (including fill) shall

P2010-0089 (342 & 348)

be permitted within the ASFH unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated onsite development, will not increase the water surface elevation of the base flood more than one foot at any point within the community. The methodology for conducting this research must conform to the methodologies prescribed in the FEMA Region X Procedures for "No-Rise" Certification for Proposed Development s in the Regulatory Floodway.

10. Fish Habitat Structures
Projects for stream habitat restoration may be allowed provided:

a. The project qualifies for a Department of the Army, Portland District *Regional General Permit for Stream Habitat Restoration* (NWP-2007-1023, and

b. The applicant supplies a feasibility analysis and certification from a qualified professional that the project was designed to keep any rise in the 100-year flood levels as close to zero as practically as possible, and that no structures would be impacted by a potential rise, and

c. No structures would be impacted by a potential rise in flood elevation, and

d. An agreement to monitor the project, correct problems, and ensure that the flood carrying capacity remains unchanged is included with the application.

e. Qualified professionals may include private hydrology or hydraulic consultants, or hydrology or hydraulic professionals from the Soil and Water Conservation District, Natural Resources Conservation Service, Oregon Department of Fish and Wildlife, or similar qualified agency.

f. Other restrictions set forth in the most recent applicable Policy from FEMA may be required of such projects.

SECTION 3.244 Variances

A. Variances to any Flood Hazard Overlay regulations shall be reviewed administratively unless the Planning Director elects the matter to be heard before the Planning Commission.

B. In considering a variance to floodplain standards, the Planning Director or his designee shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:

1. The danger that materials may be swept onto other lands to the injury of others;

P2010-0089 (343 of 348)

2. The danger to life and property due to flooding or erosion damage;

3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

4. The importance of the services provided by the proposed facility to the community;

5. The necessity to the facility of a waterfront location, where applicable;

6. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

7. The compatibility of the proposed use with existing and anticipated development;

8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

9. The safety of access to the property in times of flood for ordinary and emergency vehicles;

10. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and

11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

C. Upon consideration of the factors in B., and the purposes of this ordinance, conditions may be attached to the granting of the variance as is deemed necessary to further the purposes of this ordinance.

D. Records of all appeal actions shall be maintained by Wasco County and any variances shall be reported to the Federal Insurance Administration upon request.

E. Conditions for Variances:

1. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (1-11) in Section 3744.A have been fully considered. As the lot size increases the technical justification required for issuing the variance increases.

P2010-0089(344 of 348)

2. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the Statewide Inventory of Historic Properties, without regard to the procedures set forth in this section.

3. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

5. Variances shall only be issued upon:

   a. A showing of good and sufficient cause;

   b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;

   c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

6. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece or property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

7. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except 3.244.E.1, and otherwise complies with Sections 3.243.C.1 and 3.243.C.2 of the General Standards.

8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

P2010-0089 (345 of 348)

SECTION 3.245 Appeals

Appeals shall be processed as described in Chapter 2 of this Ordinance.

SECTION 3.246 Compliance Required

A. No person shall construct, erect, locate, maintain, repair, alter, enlarge, or change the use of a structure located within the ASFH in violation of this Ordinance.

B. No person shall initiate any development within the ASFH in violation of this Ordinance.

C. The, construction, erection, location, maintenance, repair, alteration, enlargement or change in use of any structure, or the initiation of any development in violation of this Ordinance or those conditions and limitations approved pursuant to the provisions of this Ordinance shall be deemed a nuisance and shall be subject to the provisions of the Wasco County Code Compliance and Nuisance Abatement Ordinance.

SECTION 3.247 Revising FIRM Maps

A. Reasons to Revise FIRMs
The Wasco County FIRMs were established in 1984. Advances in technology along with physical changes in a given flood situation may necessitate a FIRM map being updated, revised, corrected, or changed. Common reasons why a FIRM may need to be changed include correcting certain features, including better ground elevation data, reflecting physical changes to the floodplain, submitting new or revised flood data, or to reflect a new flood control project.

Regardless of the reason a FIRM is changed, all changes must be submitted to FEMA and retained by Wasco County.

B. Types of Changes
There are four approaches to changing FIRMs. They include restudies, limited map maintenance projects, amendments, and revisions. Any request for a restudy, amendment or revision must be reviewed by Wasco County for compliance with this chapter.

1. Restudy

   a. A restudy is a new Flood Insurance Study for a part or all of a community.

R2010-1089(346 of 348)

b. Restudies are typically large scale projects conducted by FEMA

2. Limited Map Maintenance Project (LMMP)

   a. A LMMP is a small-scale restudy that is limited in size and cost. This type of study is often used for studies of unnumbered A Zones, like those found in Wasco County.

   b. A LMMP may be conducted by FEMA or the community.

3. Revision

   a. A revision is typically used for:

      i. Scientifically based challenges to flood elevations, or
      ii. Incorporation of new flood data, or
      iii. Reflecting fill placed in the floodplain, or
      iv. Changing floodplain boundaries,

   b. Revisions may be conducted by FEMA, requested by the community, or requested by property owner(s).

4. Amendment

   a. An amendment is only used to remove an area that was inadvertently included in the ASFH. Often the ground is higher than depicted on the base map used for the FIRM.

   b. FEMA will review map amendments based on information submitted by the applicant. An amendment does not challenge the Flood Insurance Study or FIRM; it simply removes certain portions of a property from the ASFH because they are higher than the Base Flood Elevation

C. Requesting Map Changes

FEMA may actually change a FIRM and publish new copies. A restudy or LMMP will generally result in a new map. Additionally, FEMA may issue a Letter of Map Change (LOMC) when a revision can be adequately described in writing or through use of a small annotated map panel.

There are two types of LOMCs; a Letter of Map Revision (LOMR) and a Letter of Map Amendment (LOMA).

1. Letters of Map Revision (LOMRs) address revisions to the FIRM as described in Section B.3 above. A LOMR may be requested of FEMA by the applicant. A copy

P200-0089 347 of 348

of the final LOMR must be provided to the County. FEMA typically charges a processing fee for all LOMRs.

2. Letters of Map Amendment (LOMAs) address revisions to the FIRM as described in Section B.4 above. A LOMA may be requested of FEMA by the applicant. A copy of the final LOMA must be provided to the County. FEMA may not charge a processing fee for a LOMA.

SECTION 3.248 Notes on Insurance

The provisions of this section are provided for informational purposes and are subject to change without notice.

A. Coverage: Flood insurance is available for insurable buildings and their contents to property owners within the ASFH

B. Waiting Period: Unless a Flood Insurance Policy is purchased at the time of closing, a 30-day waiting period typically follows the purchase of that policy before it goes into effect.

C. Mandatory Flood Insurance Purchase: If a building is located within the ASFH, a federally regulated lender is required by law to require the recipient of the loan to purchase a Flood Insurance Policy on the building. This policy is typically equal to the value of the mortgage on the building.

D. Lender's Choice: Although a lender may not be required by law to secure a Flood Insurance Policy on a building or structure located outside of the ASFH, it may choose to require coverage as a condition of a loan for any property. Neither Wasco County, nor FEMA control this requirement.

E. Flood Insurance for Contents: Mandatory Flood Insurance as described above typically does not cover the contents of the building unless an additional voluntary insurance policy is purchased specifically for the contents.

F. Further elevation of a structure beyond the required one foot (1') above BFE may significantly reduce the cost of a Flood Insurance Policy.