



Oregon

Theodore R. Kubongski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

5/26/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Washington County Plan Amendment
DLCD File Number 001-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, June 10, 2010

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Aisha Willits, Washington County
Jon Jinings, DLCD Community Services Specialist
Katherine Daniels, DLCD Farm/Forest Specialist

<paa> YA



FORM **2**

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person electronic mailed

DATE STAMP

DEPT OF

MAY 21 2010

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **Washington County**

Local file number: **10-057-PA**

Date of Adoption: **May 18, 2010**

Date Mailed: **May 19, 2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **3/5/2010**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Comprehensive plan map amendment to remove the Agriculture and Forestry – 20 Acre (AF-20) District designation and designate the properties Exclusive Forest Conservation (EFC) District.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **AF-20**

to: **EFC**

Zone Map Changed from: **N/A**

to: **N/A**

Location: **North of Banks, Or at the intersection of NW Hahn & Davidson Roads** Acres Involved: **78.05**

Specify Density: Previous: **1 d.u./80 acres**

New: **1 d.u./80 acres**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD File No. 001-10 (18160) [16144]

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:
Washington County Sheriff's Office, Banks School District, Banks Fire District

Local Contact: Anne Elvers

Phone: 503-846-3583

Address: 155 N. 1st Avenue, Suite 350-14

Fax Number: 503-846-4412

City: Hillsboro Zip: 97124

E-mail Address: anne_elvers@co.washington.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light **green paper if available**.
3. Send this Form 2 and **One (1) Complete Paper Copy and One (1) Electronic Digital CD** (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

IN THE BOARD OF COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of a Proposed Plan) RESOLUTION AND ORDER
Amendment Casefile 10-057-PA)
for Norman & Vicki Ballou) No. 10-41

This matter having come before the Washington County Board of Commissioners (Board) at its meeting of May 18, 2010; and

It appearing to the Board that the above-named applicants applied to Washington County for a Plan Amendment to change the plan designation for certain real property described in the Notice of Public Hearing (Exhibit "A"), attached hereto and by this reference made a part hereof, from Agriculture and Forest District 20 Acres (AF-20) to Exclusive Forest Conservation (EFC); and

It appearing to the Board from evidence and findings in the Application (Exhibit "B") and in the Staff Reports (Exhibits "C" and "D") attached hereto and by this reference made a part hereof, that the aforementioned application does meet the requirements of the Rural/Natural Resource Plan for such a Plan Amendment; and therefore, that the aforesaid application should be approved; and

It appearing to the Board that the findings described in Exhibits "B", "C" and "D" constitute appropriate findings and should be adopted by this Board; and

It appearing to the Board that the Planning Commission, at the conclusion of its public hearing on April 21, 2010, voted to recommend that the Board adopt 10-057-PA, it is therefore

RESOLVED AND ORDERED that Casefile No. 10-057-PA for a Plan Amendment for property described in Exhibit "A" is hereby approved, based on the findings in Exhibits "B", "C" and "D", and is subject to the conditions of approval set forth in the Summary of Decision (Exhibit "E").

4 votes Aye, 0 votes Nay.

	AYE	NAY	ABSENT	
BRIAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BOARD OF COUNTY COMMISSIONERS FOR WASHINGTON COUNTY, OREGON
SCHOUTEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
STRADER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ROGERS	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
DUYCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
APPROVED AS TO FORM:				<u>Andy Duyck</u> CHAIRMAN

[Signature]
Senior Assistant County Counsel
for Washington County, Oregon

Barbara Hejtmanek
RECORDING SECRETARY

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Land Use & Transportation (CPOs 8 & 14)

Agenda Title: CONSIDER PLAN AMENDMENT 10-057-PA TO CHANGE THE PLAN DESIGNATION FROM AF-20 TO EFC FOR FOUR PARCELS TOTALING 78.05 ACRES

Presented by: Brent Curtis, Planning Manager

SUMMARY:

The applicant is requesting a plan amendment to change the current land use designation of Agriculture and Forestry - 20 Acres (AF-20) to Exclusive Forest and Conservation (EFC) for four parcels totaling 78.05 acres. The parcels are described as tax map number 2N3 20, tax lot numbers 1200, 1202, 1203 and 1204. The properties are located at 16335 and 16465 NW Davidson Road, north of the intersection of NW Hahn Road and NW Davidson Road, as shown on the attached public notice.

Because this request involves lands designated under statewide planning goals addressing agriculture (Goal 3) and forest lands (Goal 4), a Planning Commission hearing was held for the purpose of making a recommendation to the Board on this matter. It is the Board's responsibility to make a final decision on this application.

On April 21, 2010, the Planning Commission conducted an expedited public hearing on the plan amendment. The Commission voted 8-0 to forward a recommendation for approval to the Board. Although the Board does not have an expedited hearing process, the Board may wish to conduct the hearing similar to the Planning Commission's procedures.

-Continued-

Attachments: Public Notice
Resolution and Order

The staff report for the May 18, 2010 hearing and the applicant's submittal will be provided to the Board and the Board's clerk under separate cover prior to the hearing.

DEPARTMENT'S REQUESTED ACTION:

Conduct the public hearing. Approve the proposed plan amendment based on evidence and findings in the staff report and the applicant's submittal. Authorize the Chair to sign the Resolution and Order approving Plan Amendment 10-057-PA.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

100-601000

RO 10-41

Agenda Item No. 4.c.

Date: 05/18/10

Under the Planning Commission's procedures, an expedited hearing process can be used under the following conditions:

- The staff report recommends approval
- The applicant has no objection
- No one in the audience wishes to testify
- There is no objection from any member of the Planning Commission

Under the expedited process, the Planning Commission relies on the written record, opens the hearing, dispenses with a verbal staff report and places on the record the fact that neither the applicant nor anyone in the audience wishes to testify.

If an expedited hearing process cannot be utilized, the Board's Rules of Procedure set the following time limits for testimony at quasi-judicial hearings. The Board may by motion grant different time limits.

1. Proponents of the action or applicant: 12 minutes
2. Supporter(s): 3 minutes per person or organizations in support
3. Opponent(s): 12 minutes total for recognized organizations (CPO, business or homeowner's associations) which shall be divided as directed by the Presiding Officer if more than one organization seeks to testify, and 3 minutes per person.
4. Rebuttal: 3 minutes by the proponent or applicant.



WASHINGTON COUNTY
DEPARTMENT OF LAND USE AND TRANSPORTATION
LONG RANGE PLANNING DIVISION
ROOM 350-14
155 NORTH FIRST AVENUE
HILLSBORO, OREGON 97124
(503) 846-3519 fax: (503) 846-4412
www.co.washington.or.us

NOTICE OF PUBLIC HEARING

PROCEDURE TYPE III

CPO: 8 & 14

COMMUNITY PLAN: Rural/Natural Resource Plan

EXISTING LAND USE DISTRICT(S):
Agriculture and Forest (AF-20)

PROPOSED PLAN AMENDMENT:
Remove existing AF-20 (Agriculture and Forest) District designation and designate the parcels EFC (Exclusive Forest Conservation)

CASE FILE NO. 10-057-PA

APPLICANT:
Norman & Vicki Ballou
PO Box 688
Banks, OR 97106

APPLICANT'S REPRESENTATIVE:
N/A

OWNER:
Norman & Vicki Ballou
PO Box 688
Banks, OR 97106

PROPERTY DESCRIPTION:
ASSESSOR TAX MAP: 2N3 20
TAX LOT NUMBERS: 1200, 1202, 1203 & 1204
SITE SIZE: 78.05 acres
ADDRESS: 16335 & 16465 NW Davidson Road
LOCATION: North of the intersection of NW Hahn Road and NW Davidson Road

Notice is hereby given that the Planning Commission will review the request for the above stated proposed plan amendment at a meeting on **April 21, 2010 at 7:30 PM** in the auditorium of the Charles D. Cameron Public Services Building, 155 North First, Hillsboro, Oregon. After the hearing, the Planning Commission will decide on a recommendation to the Board of County Commissioners on this matter.

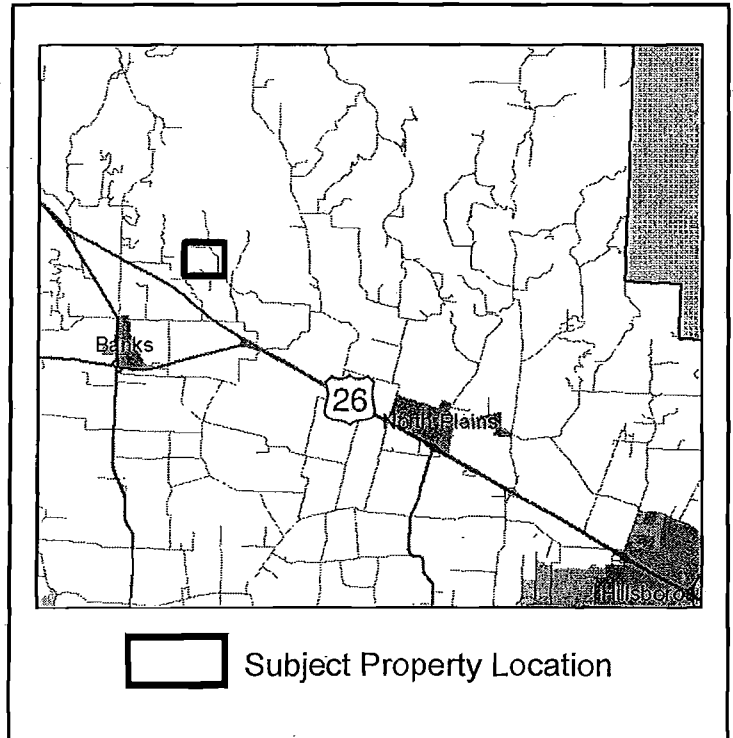
The Board of Commissioners will consider the request at a public hearing on **May 18, 2010 at 10:00 AM** in the auditorium of the Washington County Public Services Building, 155 North First, Hillsboro, Oregon. The decision of the Board is final unless appealed.

All interested persons may appear and provide written or oral testimony (written testimony may be submitted prior to a hearing). Only those making an appearance of record shall be entitled to appeal. The public hearings will be conducted in accordance with the rules of procedure as adopted by the Board of County Commissioners. Reasonable time limits will be imposed.

Assistive Listening Devices are available for persons with impaired hearing and can be scheduled for this meeting by calling 648-8611 (voice) or 693-4598 (TDD-Telecommunications Devices for the Deaf) no later than 5:00pm on the Monday prior to the meeting date(s). The county will also upon request endeavor to arrange for the following services to be provided: qualified sign language interpreters for persons with speech or hearing impairments and qualified bilingual interpreters. Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the county of your need by 5:00pm on the Monday preceding the meeting date.
FOR FURTHER INFORMATION, PLEASE CONTACT:

Anne Elvers, Associate Planner

AT THE WASHINGTON COUNTY DEPARTMENT OF LAND USE AND TRANSPORTATION. (503) 846-3519.



NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER:

ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

All interested persons may appear and provide written or oral testimony (written testimony may be submitted prior to the hearing but not after the conclusion of the hearing). Only those making an appearance of record (those presenting oral or written testimony) shall be entitled to appeal. Failure to raise an issue in the hearing, in person or by letter, or failure to provide sufficient specificity to afford the Review Authority (Planning Commission and/or Board of County Commissioners) an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) based on the issue.

The public hearing will be conducted in accordance with the following rules of procedure as adopted by the Board of County Commissioners. Reasonable time limits may be imposed.

RULES OF PROCEDURE

1. The staff will summarize the applicable substantive review criteria
2. A summary of the staff report is presented.
3. The applicant's presentation is given.
4. Testimony of others in favor of the application is given.
5. Testimony of those opposed to the application is given.
6. Applicant's rebuttal testimony is given.

Unless there is a continuance, if a participant so requests before the conclusion of the hearing, the record shall remain open for at least seven days after the hearing. Such an extension shall be subject to the limitations of ORS 215.428 or 227.178.

When the Review Authority reopens a record to admit new evidence or testimony, any person may raise new issues which relate to the new evidence, testimony or criteria for decision-making which apply to the matter at issue.

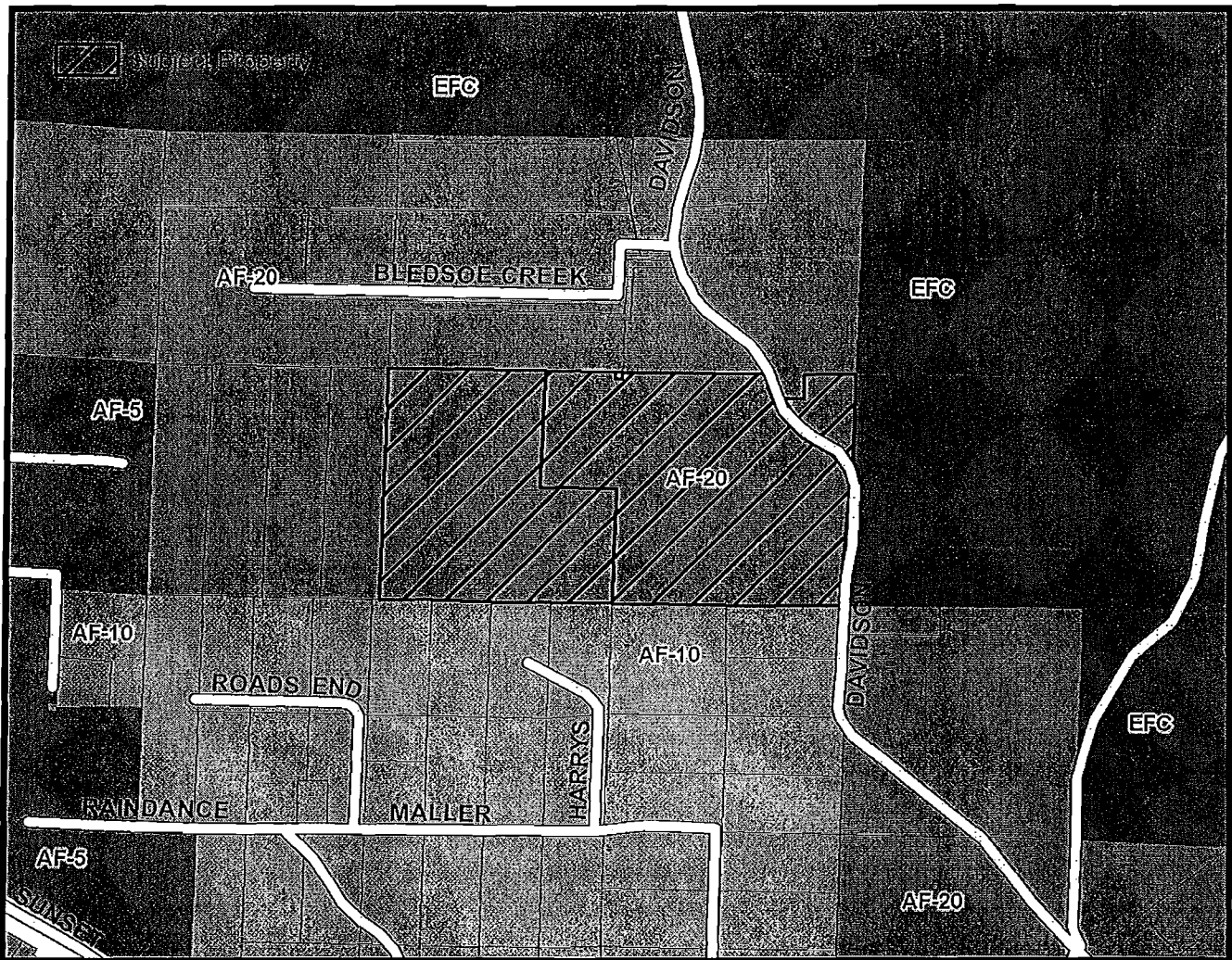
A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost at the Department of Land Use and Transportation. A copy of this material will be provided at reasonable cost.

A copy of the staff report will be available for inspection at no cost at the Department of Land Use and Transportation at least seven days prior to the hearing. A copy of the staff report will be provided at reasonable cost.

For further information, please contact **Anne Elvers, Associate Planner**, Department of Land Use and Transportation, at **503-846-3583**.

Tax Map/Lot Number: 2N3 20, tax lots 1200, 1202, 1203 & 1204

Case File Number: 10-057-PA



AF-5 (Agriculture and Forest Five Acre District)
AF-10 (Agriculture and Forest Ten Acre District)
EFC (Exclusive Forest and Conservation District)

AF-20 (Agriculture and Forest District)
EFU (Exclusive Farm Use)

Land Use Districts Applicable to this Request:

AF-20 & EFC

Applicable Goals, Policies & Regulations:

- A. LCDC Statewide Planning Goals 1, 2, 3, 4, 5, 7, 11, 12
- B. Washington County Rural/Natural Resource Plan Policies 1.p.8, 2, 6, 8, 10, 14.a.1, 16, 17, 22 & 23
- C. Washington County Community Development Code: Article II; Article III, Sections 342, 344; Article IV Section 421, 422; Article V
- E. OAR 660-012-0060, OAR 660-006, OAR 660-033
- F. Washington County Transportation Plan Policies 1, 2, 4, 5, 6, 10 & 19



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NOTICE OF PUBLIC HEARING

PROCEDURE TYPE III:

CPO: 8 & 14

COMMUNITY PLAN: Rural/Natural Resource Plan

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PROPOSED PLAN AMENDMENT:
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CASE FILE NO. 10-057-PA

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 Norman & Vicki Ballou
 PO Box 688
 Banks, OR 97106

APPLICANT'S REPRESENTATIVE:
 N/A

OWNER:
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 PO Box 688
 Banks, OR 97106

PROPERTY DESCRIPTION:
ASSESSOR TAX MAP: 2N3 20
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SITE SIZE: 78.05 acres
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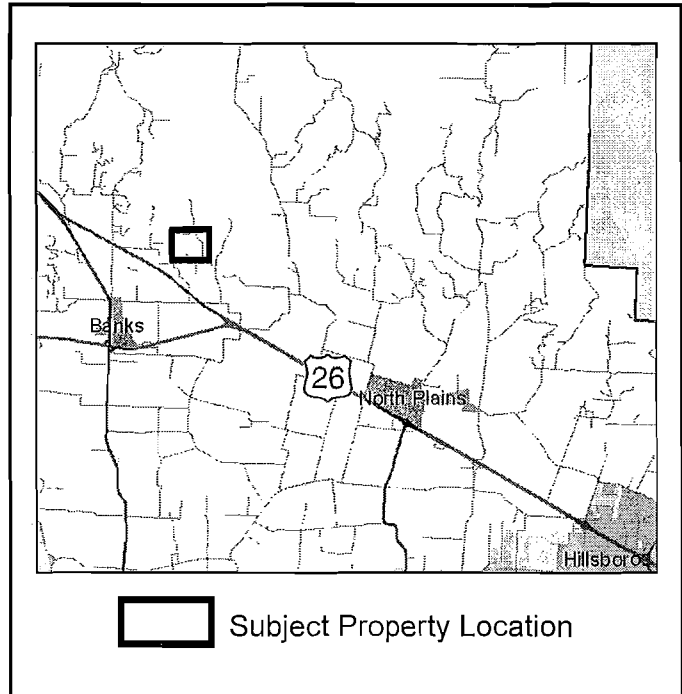
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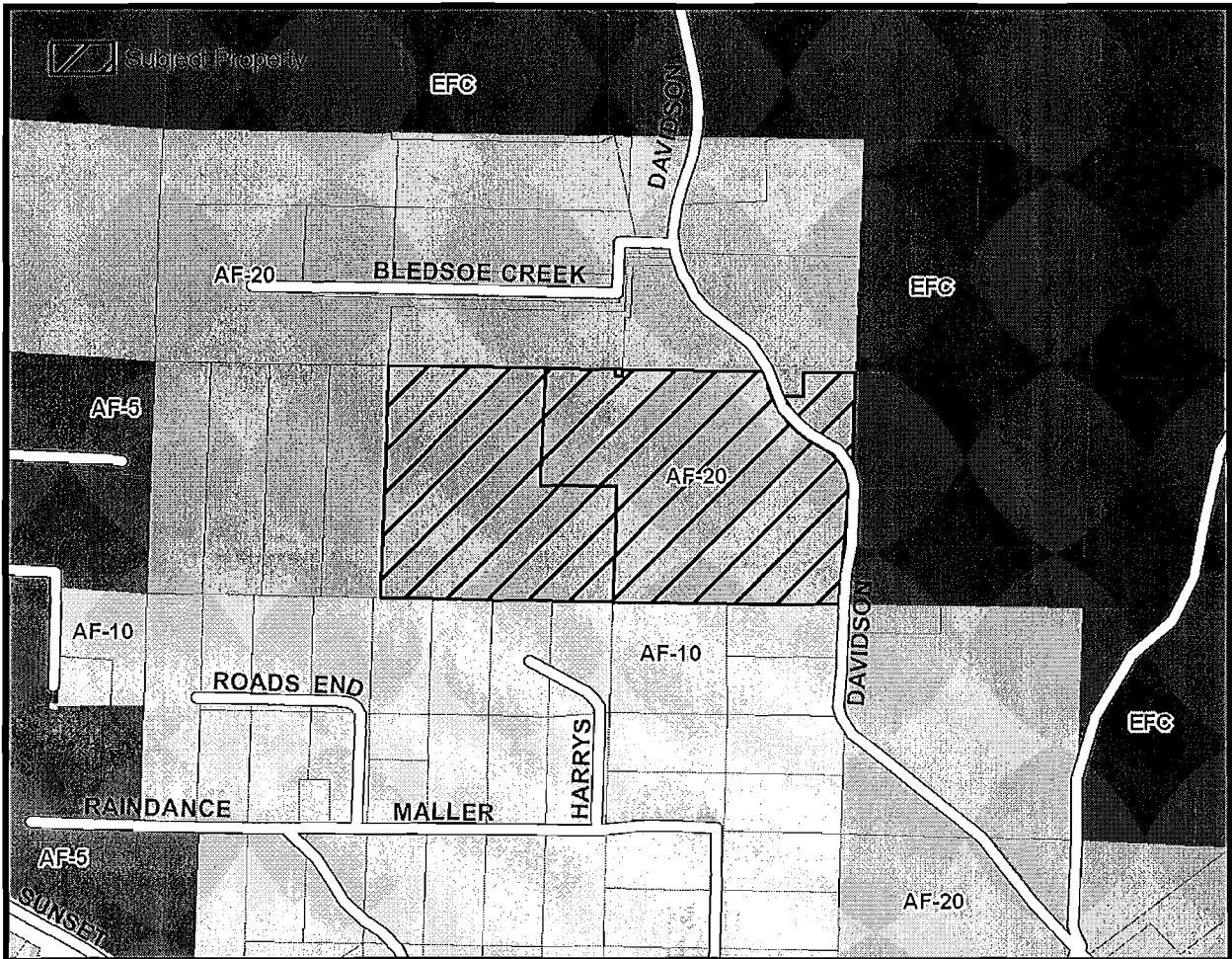
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Case File Number: 10-057-PA



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AF-10 (Agriculture and Forest Ten Acre District)
EFC (Exclusive Forest and Conservation District)

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- E. OAR 660-012-0060, OAR 660-006, OAR 660-033
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WASHINGTON COUNTY
DEPARTMENT OF LAND USE AND TRANSPORTATION
PLANNING DIVISION
ROOM 350-14
155 NORTH FIRST AVENUE
HILLSBORO, OREGON 97124
(503) 846-3519

CASEFILE NO. _____

RECEIVED

JAN 22 2010

APPLICANT NAME AND ADDRESS:
Normand Vicki Ballin
PO Box 688
Banks, OR 97106

Land Development Services
Land Use & Transportation

PLAN AMENDMENT APPLICATION

PROCEDURE TYPE III (QUASI-JUDICIAL PUBLIC HEARING)

CPO: 8814

COMMUNITY PLAN: Rural Natural Resource

EXISTING LAND USE DISTRICT(S): Agriculture and Forest (AF-30)

PROPERTY DESCRIPTION
ASSESSOR MAP NO(S): 21130 20320
TAX LOT NO(S): 1206, 1202, 1203, 1204
SITE SIZE: 78.05 acres
ADDRESS: 16465 and 16335 NW Davidson Rd
LOCATION: North of the intersection of NW Hall Road and NW Davidson Road. NW Davidson Road bisects the site.

APPLICANT'S REPRESENTATIVE AND ADDRESS:

OWNER'S NAME AND ADDRESS:
Ballin Family Trust
PO Box 688
Banks, OR 97106

APPLICANT PHONE: 503-802-2028

OWNER PHONE: 503-647-2267

ALSO NOTIFY:

PROPOSED PLAN AMENDMENT: Change designation from AF-20 to EFC

DATE OF PRE-APPLICATION CONFERENCE:
(Attach copy of summary) 12/4/2009

STAFF MEMBER: Anne Elvers

EXISTING USE OF THE SITE: Forest

LIST ASSESSOR MAP AND TAX LOT NUMBERS OF ALL CONTIGUOUS LOTS OR PARCELS UNDER IDENTICAL OWNERSHIP:

LIST ALL PREVIOUS DEVELOPMENT REQUESTS, LAND USE ACTIONS AND DATES OR PREVIOUS ACTIONS RELATING TO THE SUBJECT PROPERTY:
None

WE, THE UNDERSIGNED HEREBY AUTHORIZE THE FILING OF THIS APPLICATION AND CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS COMPLETE AND CORRECT TO THE BEST OF OUR KNOWLEDGE.

[Signature] D. Ballin 1-22-2010
 OWNER CONTRACT PURCHASER DATE
[Signature] Wick P Ball 1/22/2010
 OWNER CONTRACT PURCHASER DATE

OWNER CONTRACT PURCHASER DATE

OWNER CONTRACT PURCHASER DATE

NOTES:

- ◆ THIS APPLICATION MUST BE SIGNED BY ALL THE OWNERS OR ALL THE CONTRACT PURCHASERS OF THE SUBJECT PROPERTY, AS DEFINED BY THE COMMUNITY DEVELOPMENT CODE, SECTION 106-149.
- ◆ IF THIS APPLICATION IS SIGNED BY THE CONTRACT PURCHASER(S), THE CONTRACT PURCHASER(S) IS (ARE) CERTIFYING THAT THE CONTRACT VENDOR HAS BEEN NOTIFIED OF THE APPLICATION.
- ◆ THE APPLICANT OR A REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC HEARINGS.
- ◆ NO APPROVAL WILL BE EFFECTIVE UNTIL THE APPEAL PERIOD HAS EXPIRED.
- ◆ AN APPROVAL OR DENIAL OF THIS REQUEST MAY BE OVERTURNED ON APPEAL.

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WASHINGTON COUNTY
 DEPARTMENT OF LAND USE AND TRANSPORTATION
 LONG RANGE PLANNING DIVISION
 ROOM 350-14
 155 NORTH FIRST AVENUE
 HILLSBORO, OREGON 97124
 (503) 846-3519 fax: (503)846-4412

PLAN AMENDMENT PRE-APPLICATION CONFERENCE SUMMARY

PROCEDURE TYPE III

CPO: 8 & 14

COMMUNITY PLAN: Rural Natural Resource

EXISTING LAND USE DISTRICT(S): Agriculture and Forest (AF-20) & Exclusive Forest Conservation (EFC)

PROPOSED PLAN AMENDMENT:
 Change Designation from AF-20 to EFC

PRE-APPLICANT:
 Vicki Ballou

PROPERTY OWNER:
 Ballou Family Trust

PO Box 688

Banks, OR 97106

PROPERTY DESCRIPTION:

ASSESSOR MAP AND TAX LOT NO(S): 2N3 20, lots 1200, 1202 & 1203

SITE SIZE: 78.05 acres

ADDRESS: None

LOCATION: On the east side of NW Davidson Road and north of its intersection with NW Hahn Road

DATE OF PRE-APPLICATION CONFERENCE: 12/4/2009

PRE-APPLICANT PHONE: _____

STAFF MEMBER: Anne Elvers, Associate Planner & Aisha Willits, Senior Planner

APPLICATION SUBMITTAL DEADLINE AND OTHER APPLICABLE REQUIREMENTS:
FEBRUARY 15 (generally) for SPRING/SUMMER HEARINGS - AUGUST 15 (generally) for FALL/WINTER HEARINGS

(NOTE: AN APPLICATION WILL NOT BE SCHEDULED FOR A PUBLIC HEARING UNTIL IT IS ACCEPTED AS COMPLETE. A COMPLETE APPLICATION ADDRESSES ALL APPLICABLE PROVISIONS OF THE VARIOUS COMPREHENSIVE PLAN ELEMENTS AND OTHER APPLICABLE REQUIREMENTS, AND HAS ALL NECESSARY FORMS FILLED OUT COMPLETELY AND CORRECTLY, AND INCLUDES THE SPECIFIED FEE DEPOSIT AND THE CONTRACT SIGNED BY THE OWNER AGREEING TO PAYMENT OF ALL COSTS ASSOCIATED WITH APPLICATION PROCESSING.)

APPLICABLE POLICIES AND REGULATIONS

~~URBAN COMPREHENSIVE FRAMEWORK PLAN OR RURAL/NATURAL RESOURCE PLAN CONSIDERATIONS:~~
 DEMONSTRATE CONFORMANCE WITH THE FOLLOWING POLICIES AND APPLICABLE IMPLEMENTING STRATEGIES UNDER THESE POLICIES: 1.p.8, 2, 8, 10, 11, 14.a.1, 16, 17, 22 & 23

TRANSPORTATION PLAN CONSIDERATIONS:
 DEMONSTRATE CONFORMANCE WITH THE FOLLOWING POLICIES AND APPLICABLE IMPLEMENTING STRATEGIES UNDER THESE POLICIES: 1, 2, 4, 5, 6, 10 & 19

COMMUNITY PLAN CONSIDERATIONS (URBAN AREA ONLY):
 DEMONSTRATE CONFORMANCE WITH THE COMMUNITY PLAN OVERVIEW, GENERAL DESIGN ELEMENT NUMBER(S) _____, THE DESCRIPTION OF THE _____ SUBAREA, SUBAREA DESIGN ELEMENT NUMBER(S) N/A, PRESCRIPTIONS FOR AREA OF SPECIAL CONCERN N/A, AND SIGNIFICANT NATURAL AND HISTORIC & CULTURAL RESOURCE(S) DESIGNATION(S) OF N/A ON THE PROPERTY.

COMMUNITY DEVELOPMENT CODE CONSIDERATIONS:
 APPLICABLE LAND USE DISTRICT SECTIONS (PURPOSE AND PERMITTED USES): 344 (AF-20), 342 (EFC)
 PHYSICAL LIMITATIONS OF SITE (SECTIONS 421, 422): 421 (Flood Plain) & 422 (Significant Natural Resource Area)

Applicable plans and policies may be found at <http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/Publications/index.cfm>

On-site Public Notice Requirement (Rural Area Only): Section 204-1.4 requires the site to be posted with a public notice sign and an affidavit of posting filed within twenty-eight (28) days of application acceptance.

OTHER CONSIDERATIONS:

Metro Urban Growth Management Functional Plan Titles, Oregon Administrative Rules, including the State Transportation Planning Rule (OAR 660-012-0060): OARs 660-033-0030 (Identifying Agricultural Lands), 660-006-0015 (Plan Designation Outside an Urban Growth Boundary) & 660-012-0060 (Transportation Rule)

REVIEW AUTHORITY: Planning Commission Board of County Commissioners**

**For plan amendments involving the three resource districts (EFU, EFC and AF-20), the Planning Commission will hold an initial hearing to provide the Board of County Commissioners with a recommendation for approval or denial of the request.

GENERAL INFORMATION

ACTIVE CASE FILES: None

PREVIOUS CASE FILES: N/A

OUTSTANDING CONDITIONS AND VIOLATIONS: None

OTHER INTERESTED AGENCIES AND ORGANIZATIONS: N/A

HANDOUTS DISTRIBUTED

- PLAN AMENDMENT APPLICATION FORM
- PLAN AMENDMENT PROCEDURE SUMMARY
- AGREEMENT TO PAYMENT OF FEES FOR APPLICATION PROCESSING
- REQUEST FOR STATEMENT OF SERVICE AVAILABILITY FORMS
- TRAFFIC IMPACT STATEMENT FORM

DOCUMENTS TO BE SUBMITTED WITH APPLICATION

NUMBER OF COPIES

18 PRE-APPLICATION SUMMARY

18 PLAN AMENDMENT APPLICATION FORM

18 WRITTEN EXPLANATION, JUSTIFICATION (Submit one copy for Initial completeness review)

1 FEE CONTRACT (SIGNED)

1 WASHINGTON COUNTY TAX MAP(S) (must be obtained from Assessment & Taxation Department) 2N3 20

N/A WELL REPORT (LOGS) FOR ALL SECTIONS WITHIN ONE HALF-MILE OF THE SUBJECT PROPERTY

SERVICE PROVIDER LETTERS

18	SHERIFF (Washington County)	N/A	PARK
18	FIRE (Banks)	N/A	TRANSPORTATION: Traffic Impact Statement (TIS) and/or Traffic Analysis (Contact the Current Planning Division to determine whether a TIS is necessary - 503-846-8761)
18	SCHOOL (Banks)	N/A	TRI-MET
N/A	SEWER	N/A	ODOT - CONTACT _____
N/A	PUBLIC WATER	N/A	CITY OF _____
N/A	SURFACE WATER	N/A	OTHER _____

FEE DEPOSIT OF \$3,500 (this is an initial deposit towards payment of the true cost of processing the application)

MAILING LIST AND MAP FOR PROPERTIES IN AN ADJACENT COUNTY

THESE NOTES ARE GENERAL IN NATURE AND ARE NOT INTENDED TO COVER ALL OF THE ISSUES THAT MAY SURFACE IN THE REVIEW OF AN APPLICATION. ADDITIONAL INFORMATION MAY BE REQUIRED AND IT IS THE APPLICANT'S RESPONSIBILITY TO PROVIDE THE NECESSARY INFORMATION TO PROCESS AN APPLICATION AS REQUIRED BY OREGON LAW AND WASHINGTON COUNTY ORDINANCES AND REGULATIONS.

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OREGON
RECEIVED

JAN 22 2010

Land Development Services
Land Use & Transportation

Agreement for the Payment of Fees
Quasi-Judicial Plan Amendment Application

The parties to this Agreement are Norman D. and Vicki A. Ballou (Applicant), who hereby certifies that said party is the owner of record, contract purchaser or duly authorized representative of the owner of the property listed below, and Washington County Department of Land Use and Transportation, Long Range Planning Division (County).

In 1987, the Board of County Commissioners adopted Resolution and Order No. 87-145, incorporated herein by reference, which established fees for all quasi-judicial plan amendment applications and mandated that the applicant pay the true cost of processing such an application. The Board subsequently revised the original resolution several times since 1987, most recently in 2004 by Resolution and Order No. 04-60, incorporated herein by reference.

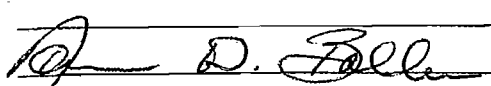
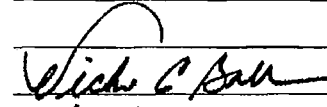
Since the Applicant desires to submit an application for a quasi-judicial plan amendment and is required by Resolution and Order No. 87-145 to pay the true cost of processing such an application, this Agreement is needed to ensure that the Applicant makes full payment.

Now, therefore, the Parties agree as follows:

1. This agreement governs the proposed plan amendment for the property described as Assessor Map and Tax Lot Number(s) 2N3 30 - 1200, 1202, 1203, 1204 (Property) to change the Property's Comprehensive Plan designation from AFC-20 to EFC.
2. The Applicant certifies that if the Applicant is a corporation, the corporation is duly authorized to do business in Oregon and the Applicant's representative is duly authorized by the corporation to sign this Agreement.
3. The Applicant has or has not met with county staff for a pre-application conference.
4. The Applicant hereby deposits \$3,500 with the County as an initial deposit towards the payment of the true cost of processing the plan amendment application.
5. If the true cost of processing the application is more than the initial deposit, the Applicant shall pay the remaining cost within thirty (30) days of receipt of a statement from the County. If an application is withdrawn, the Applicant remains liable for all costs incurred and shall pay within thirty (30) days of receipt of a statement from the County.
6. If the true cost of processing the application is less than the initial deposit, the County hereby agrees to promptly refund without interest any remaining funds that may be due.
7. It is agreed that the County retains the following means to assure payment of any balance due to the County:
 - A. If the application is approved or conditionally approved by the review authority, a condition of approval may be imposed requiring payment in full of such balance before the approval becomes effective.

Department of Land Use & Transportation • Long Range Planning Division
155 N. First Avenue, Suite 350-14, Hillsboro, OR 97124-3072
phone: (503) 846-3519 • fax: (503) 846-4412

- B. If the application is conditionally approved or denied by the review authority, and the Applicant appeals the decision, the County shall require that the balance due for processing the application be paid in full before the appeal is processed.
 - C. If the application is denied by the review authority and the Applicant does not appeal the decision, the County shall require that the balance due for processing the application be paid in full within thirty (30) days of receipt of the statement.
 - D. If payment is not received, the County may file a legal action to collect amounts due and be entitled to attorney fees.
8. The parties further agree that true costs to be charged to the Applicant shall be determined as set forth in Resolution and Order No. ~~87-145~~ and any subsequent Resolution and Orders adopted by the Board. Any dispute concerning the amounts due shall be resolved as follows:
- A. The Applicant agrees to first contact the Planning Division's designated staff member in charge of processing the application should a dispute arise.
 - B. If the staff member is unable to resolve the dispute, the Applicant may request a review of the matter by the Planning Division Manager, and the Manager shall notify the Applicant in writing of any determination.
 - C. The Applicant may request a determination by the Department of Land Use and Transportation Director only after making initial contact with the designated staff member and Planning Division Manager. Requests to the Director shall be made in writing and shall set forth the specific basis of objection. The decision of the Director concerning the amount due shall be final and shall not be appealable.
9. The parties agree that adjustments to the amount of refund or payment due may be made only on the basis of a clerical error in recording or computing actual time, material or service costs. The Applicant agrees that the selection of staff members to process an application, the activities of those staff members, and the time and materials necessary to process such application shall be within the sole discretion of the County, in accordance with the direction given in Resolution and Order No. 87-145.
10. In the event legal action is instituted by either party for enforcement of any provision herein or for collection of any amounts owing under this agreement, the prevailing party shall recover, in addition to costs and disbursements, such attorney fees as the court may judge reasonable to be allowed.

Applicant Name:	<u>Norman D. Ballin Norman D. Ballin</u>	Applicant Name:	<u>Vicki A. Ballin</u>
Title:	_____	Title:	_____
Company:	_____	Company:	_____
Address:	_____	Address:	_____
Signature:	<u></u>	Signature:	<u></u>
Date:	<u>1-22-2010</u>	Date:	<u>1/22/2010</u>

F:/Shared/Plng/WPShare/Plan Amendments/Master/Payment Agreement.doc
 Revised August 8, 2008

Department of Land Use & Transportation • Long Range Planning Division
 155 N. First Avenue, Suite 350-14, Hillsboro, OR 97124-3072
 phone: (503) 846-3519 • fax: (503) 846-4412

**BEFORE THE WASHINGTON COUNTY
DEPARTMENT OF LAND USE AND TRANSPORTATION**

In the Matter of an Application for an)
 Amendment to the Comprehensive Plan Map)
 from an Agriculture and Forest-20 (AF-20))
 Designation to an Exclusive Forest and)
 Conservation (EFC) Designation)
)
)
 The Ballou Family Trust, Applicant)

Case File: 10-057-PA

APPLICANT EXPLANATION

DATE:	March 3, 2010
PROCEDURE TYPE:	III
COMPREHENSIVE PLAN ELEMENT:	Rural/Natural Resource
CPO:	8 or 14
ASSESSOR MAP NUMBER AND TAX LOT NUMBERS:	Map 2N3-20 Tax Lots 1200, 1202, 1203 and 1204
SITE SIZE:	78.05 acres
LOCATION:	The site is north of the intersection of NW Hahn Road and NW Davidson Road. NW Davidson Road bisects the site.
EXISTING LAND USE DISTRICT:	AF-20
REQUEST:	Amendment to the Comprehensive Plan Map to change the site from an AF-20 designation to an EFC designation
APPLICANT:	Norman D. Ballou and Vicki A. Ballou PO Box 688 Banks, OR 97106
OWNER:	Norman D. Ballou and Vicki A. Ballou, Trustees Ballou Family Trust u/t/a dtd 07/05/07 PO Box 688 Banks, OR 97106
SITE ADDRESS:	16335 and 16465 NW Davidson Road, Banks, OR

I. APPLICABLE POLICIES AND REGULATIONS

A. Statewide Goals and Rules:

Statewide Planning Goals: Goal 1 (Public Involvement); Goal 2 (Land Use Planning); Goal 3 (Agricultural Lands); Goal 4 (Forest Lands); Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces); Goal 6 (Air, Water and Land Resources Quality); Goal 7 (Areas Subject to Natural Hazards); Goal 11 (Public Facilities and Services); and Goal 12 (Transportation)

Oregon Administrative Rules: OAR 660-033-0030 (Identifying Agricultural Lands), OAR 660-006-0015 (Plan Designation Outside an Urban Growth Boundary), and 660-012-0060 (Transportation Rule)

B. Washington County *Rural/Natural Resource Plan* Considerations: Part p.8 of Policy 1 (Land Use Planning); Policy 2 (Citizen Involvement); Policy 6 (Water Resources); Policy 8 (Natural Hazards); Policy 10 (Fish and Wildlife Habitat); Policy 11 (Significant Natural Areas); Part a.1 of Policy 14 (Plan Designations); Policy 16 (Exclusive Forest Lands); Policy 17 (Agriculture and Forest Lands); Policy 22 (Public Facilities and Services); and Policy 23 (Transportation)

C. Washington County *Transportation Plan* Considerations: Policy 1.0 (Travel Needs Policy); Policy 2.0 (System Safety Policy); Policy 4.0 (System Funding Policy); Policy 5.0 (System Implementation and Plan Management Policy); Policy 6.0 (Roadway System Policy); Policy 10.0 (Highway Safety Policy); and Policy 19.0 (Transportation Planning Coordination and Public Involvement Policy)

D. Washington County *Community Development Code* Considerations: Section 344 (AF-20 District Standards); Section 342 (EFC District Standards); Section 421 (Flood Plain and Drainage Hazard Area Development); and Section 422 (Significant Natural Resources)

II. AFFECTED JURISDICTIONS

Washington County
Department of Land Use and Transportation
Department of Public Safety
Banks Fire District #13
Banks School District #13

III. INTRODUCTION

A. Request

Applicant seeks to change the designation of the site on the County's *Comprehensive Plan Map* from an Agriculture and Forest District-20 (AF-20) resource designation to an Exclusive Forest Conservation (EFC) resource designation.

B. Background

The site consists of 78.05 acres currently made up of four tax lots.¹ (Exhibit A) Tax lots 1200, 1203 and 1204 are unimproved. There are two legal dwellings on tax lot 1202. The dwelling located at 16335 NW Davidson Road was built in 1900. The dwelling located at 16465 NW Davidson Road was built in 1965. The existence of two dwellings on the same parcel is a nonconforming use. (Exhibit K)

Applicant wishes to separate those two dwellings so each is on its own legal parcel and tax lot. For property designated as AF-20, there is no provision in the Washington County *Community Development Code* (the "CDC") that permits the partition of an AF-20 parcel with two dwellings into separate parcels. However, an EFC designation would permit Applicant to separate the two dwellings onto separate parcels. (Sections 342-5 and 424-9 of the CDC)

Although the site is currently designated as AF-20, it constitutes "forest lands" and is engaged in "forest uses". A majority of the property is in forest deferral.

The land on the eastern border of the site (and thousands of acres contiguous to that land) is zoned EFC. The parcels that border the other sides of the site are zoned AF-20 or AF-10. (Exhibits B and C)

Applicant's use of the site is compatible with the use of the surrounding land. Rezoning the site as EFC land and splitting the dwellings so they are on separate parcels will not change that.

C. Burden of Proof

Both the AF-20 and the EFC designations permit similar uses. For example, under the existing AF-20 designation, a farm-related dwelling (or even multiple farm dwellings) *may* be permitted if the relevant approval criteria are satisfied. Establishment of a dwelling on a lawfully created lot, parcel or tract of land under the proposed EFC land use designation is also permitted subject to satisfaction of relevant approval criteria. Since both designations provide for the same use, albeit subject to different review standards, there is no significant difference in the intensity of potential land uses and therefore, under Oregon Administrative Rules 660-033-0030(4) and 660-

¹ Shortly after Applicant's pre-application conference with the Washington County Planning Division, and after Applicant had sent the service provider letters to the Washington County Sherriff, Banks School District and Banks Fire Department, the County Department of Assessment and Taxation assigned a new tax lot number to the western parcel of old tax lot 1202 so it is now tax lot 1204. The eastern parcel of old tax lot 1202 retained the designation "tax lot 1202".

006-0015(2), addressed in Part IV.A below, the burden of proof for changing the *Comprehensive Plan Map* from one resource designation to another is low: the County need only document the factors that were used to select the appropriate designation—a forest designation.

IV. FINDINGS

A. STATEWIDE GOALS AND RULES

The *Rural/Natural Resource Plan Element* of Washington County's *Comprehensive Plan* and its related implementing strategies and ordinances are in conformance with LCDC's Statewide Planning Goals. Goals 3 and 4 and the Oregon Administrative Rules (OARs) for Goals 3 and 4 are specifically addressed below. The other goals applicable to this Application are addressed under the related policies from Washington County's *Rural/Natural Resource Plan Element* and in the Transportation Rules.

1. LCDC Goal 3, Agricultural Lands

This goal requires agricultural lands be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space and the state's agricultural land use policy. Here's the OAR Chapter 660, Division 33 requirement:

DIVISION 33 / AGRICULTURAL LAND
OAR 660-033-0030 – Identifying Agricultural Land

660-033-0030(4)

When inventoried land satisfies the definition requirements of both agricultural land and forest land, an exception is not required to show why one resource designation is chosen over another. The plan need only document the factors that were used to select an agricultural, forest, agricultural/forest, or other appropriate designation.

2. LCDC Goal 4, Forest Lands

This goal requires that forest lands be conserved 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 land consistent with sound management of soil, air, water and fish and wildlife resources and to provide for recreational opportunities and agriculture. Here's the OAR Chapter 660, Division 6 requirement:

DIVISION 6 / GOAL 4 FOREST LANDS
OAR 660-006-0015 - Plan Designation Outside an Urban Growth Boundary

660-006-0015(2)

When lands satisfy the definition requirements of both agricultural land and forest land, an exception is not required to show why one resource designation is chosen over another. The plan need only document the factors that were used to select an agricultural, forest, agricultural/forest, or other appropriate designation.

OVERVIEW

The site is currently designated AF-20, a resource designation for farm use. However, the site not only qualifies as "forest lands", but it is in actual "forest uses" as those terms are defined by the applicable version of Statewide Planning Goal 4 and the County's *Rural/Natural Resource Plan Element*. The timber on a significant portion of the site was commercially harvested in 2000, those areas have been restocked with commercial timber species, and they are being managed under a forest management plan. The rest of the site consists of a stream, riparian areas, wetlands and pasture land for livestock. A majority of the site is in forestland/small tract forestland deferral. Designating the site as EFC will accurately reflect both its historical and current use.

Because both agricultural land and forest land are resource designations, OAR 660-033-0030(4) and OAR 660-006-0015(2) require only that the County document the factors it used to select the forest designation. The findings under *Rural/Natural Resource Plan Element* Policy 1 and Policy 14 in Part IV.B of this Explanation address each of those factors and demonstrate that the site is better suited for forest use than for agricultural use, and therefore, a forest resource designation is the appropriate designation for the site.

3. OAR 660-012-0060 – Plan and Land Use Regulation Amendments.

Applicant addresses OAR 660-012-0060(1) in connection with Washington County *Transportation Plan* Considerations - Policy 19.0 - in Part IV.C below.

B. RURAL/NATURAL RESOURCE PLAN CONSIDERATIONS

Policy 1 – The Planning Process

It is the policy of Washington County to establish an on-going Planning Program which is a responsive legal framework for Comprehensive Planning, Community Development and Resource Conservation which accommodates changes and growth in the physical, economic and social environment, in response to the needs of the county's citizens. It is the policy of Washington County to provide the opportunity for a landowner or his/her agent to initiate quasi-judicial amendments to the Comprehensive Plan on a semi-annual basis. In addition, the Board of Commissioners, the Planning Director, or the Planning Commission may initiate the consideration of quasi-judicial map amendments at any time deemed necessary.

Applicable Implementing Strategies:

Implementing Strategy "p.8" for Policy 1:

The County will:

§p: Require that plan map amendments meet the following criteria:

- 8. Amendments from Mixed Agricultural and Forestry – 20 to Exclusive Farm Use or Exclusive Forest and Conservation shall be based on:**
 - A. A mistake in this 1983 plan; or**
 - B. Findings that the subject land is:**
 - I. in farm or forest use;**
 - II. on farm or forest deferral;**
 - III. agricultural or forest land as defined by LCDC Goal 3 or Goal 4; or**
 - IV. compatible with surrounding land uses.**
 - C. Require that the parcel be contiguous to land with the same plan map designation being requested or be 76 acres or more in area.**

APPLICANT COMMENT:

Section p.8.A - The designation of the site as AF-20 in the 1983 plan was a mistake.

In 1973, a majority of the site was in "forest use" and was "forest land" when it was initially designated as an Agricultural-Forest district with a minimum lot size of 10 acres (AF-10). It was in "forest use" and was "forest land" in 1983 when the County changed the designation of the site to AF-20. Thus, designation of the site as AF-10, and later as AF-20, was a mistake.

If the 1983 designation of the site was not a mistake, the site must satisfy at least one of the criteria under Section p.8.B and one of the criteria under Section p.8.C. of the Implementing Strategies for Policy 1 in order to change the designation of the site from AF-20 to EFC. It does both.

Section p.8.B – The site satisfies all four of the criteria in Section p.8.B:

1. The site is in forest use.

The site is being used for at least five "forest uses" listed in the Glossary attached as Appendix A to the County's *Rural/Natural Resource Plan*. It is used for:

- "1) the production of trees and the processing of forest products;

* * * * *

- "3) watershed protection and wildlife and fisheries habitat;

- "4) soil protection from wind and water;

- "5) maintenance of clean air and water; [and]

* * * * *

- "7) grazing land for livestock."

This definition is identical with the definition of "forest uses" in the 1983 version of Statewide Planning Goal 4 that was in existence when the County's *Comprehensive Plan* was acknowledged.²

Tax Lot 1200 (.04 acres): TL 1200 is in the riparian area of Bledsoe Creek. (Exhibit B)

Tax Lot 1202 (42.46 acres): More than 95% of TL 1202 is in forest use: 13.5 acres (33%) contain mature timber; 10 acres (24%) consist of Bledsoe Creek, two tributaries, riparian areas and wetlands that provide watershed protection and wildlife and fisheries habitat, that protect the

² See, also, "Summary Findings and Conclusions" for Washington County *Rural/Natural Resource Plan Element*, Policy 16 (Exclusive Forest Lands) at page 2: "LCDC Goal 4 defines forest uses as the production of trees * * *; as watershed protection and wildlife and fisheries habitat; as soil protection from the wind and water; as maintenance of clean air and water; * * * and for agricultural support services such as grazing land for livestock."

soil from wind and water, and that maintain clean air and water; and 15.5 acres (38%) consist of grazing land for livestock. The barn, and the paddock and loading area near the barn, cover approximately half an acre (1%). Ever since Applicant purchased the site in 2005, Applicant has raised natural, grass-fed beef on the site's grazing land and has filed Schedule F, "Profit or Loss from Farming", as part of Applicant's federal tax return. Line A of that schedule identifies the principal product as "cattle". The prior owners of the site raised beef for several years before that.

Two dwellings occupy the remaining three acres of TL 1202. The older dwelling, its yard, driveway and a detached garage, cover approximately an acre. The yard, driveway and a small shop associated with the newer dwelling occupy approximately two acres.

Because TL 1202 separates TL 1204 from NW Davidson Road and there is no other access to TL 1204 except through TL 1202, TL 1202 is necessary to permit forest operations and forest practices on TL 1204. (Exhibits A and B)

Tax Lot 1203 (2.61 acres): TL 1203 contains mature timber. (Exhibit B)

Tax Lot 1204 (32.94 acres): Most of the timber on TL 1204 was harvested in 2000, was subsequently replanted, and is in compliance with the Forest Practices Act. It contains Douglas fir, western red cedar and red alder. Shortly after Applicant purchased the site, Applicant invited Jay P. Worley, a stewardship forester with the Oregon Department of Forestry (ODF), to visit the site. He developed a Forest Management Plan for these trees. That plan said the unit making up TL 1204 "is well stocked with approximately 310 young trees per acre" and recommended that Applicant control competing brush species. (Exhibit I) With the help of the ODF's Forest Land Enhancement Program (FLEP), Applicant complied with that recommendation.

Summary: More than 48 acres (62%) of the site is planted in commercial timber species, most of which is being actively managed for the commercial production of trees. (Exhibits B and I) Approximately 10 acres (13%) has been designated by the County as a significant natural resource area—*Water Areas, Wetlands & Fish and Wildlife Habitat*. (Exhibit D) That portion of the site is used for watershed protection and wildlife and fisheries habitat, as soil protection from wind and water and to maintain clean air and water. Most of the rest of the site (20%) is used as grazing land for livestock. (Exhibits B and D) Each of these uses qualifies as a "forest use" under the *Rural/Natural Resource Plan* and the applicable version of Statewide Planning Goal 4. Thus, approximately 95% of the site is in forest use.

2. All or a part of each tax lot is in forest deferral.

TL 1200 (.04 acres) and TL 1203 (2.61 acres) and are exclusively in forestland, small tract forestland deferral. According to the County Real Property Tax Statements for the site, 41.04 acres (Account No. R2015551) is in forestland/small tract forestland, and 34.36 acres (Account No. R015552, which includes the dwellings) is in a mixed farm and forestland/small tract forestland deferral.³

³ While the totals are the same, the allocation of the acreage on the County's Real Property Tax Statements for historical Tax Lot 1202 (which has now been split into two tax lots) does not match the allocation of the acreage between newly defined TL 1202 and new TL 1204.

3. The site is "forest lands" as defined by LCDC Goal 4.

The definition of "forest land" in Statewide Planning Goal 4 in 1983, when the County's *Comprehensive Plan* was acknowledged, includes the following:

- "(1) lands composed of existing and potential forest lands which are suitable for commercial forest uses;
- "(2) other forested lands needed for watershed protection, wildlife and fisheries habitat and recreation;
- "(3) lands where extreme conditions of climate, soil and topography require the maintenance of vegetative cover irrespective of use;
- "(4) other forested lands in urban and agricultural areas which provide urban buffers, windbreaks, wildlife and fisheries habitat, livestock habitat, scenic corridors and recreational use."

The definition of "forest lands" in the "Summary Findings and Conclusions" for Washington County *Rural/Natural Resource Plan Element*, Policy 16 (Exclusive Forest Lands) at page 2, and in the Glossary attached as Appendix A to that plan (page 3) is identical with this definition.

The soils on the site are forest soils. In fact, according to page 2 of the Washington County *Rural/Natural Resource Plan Element*, Policy 16 (Exclusive Forest Lands) "Generally, all soils in the County are considered forest soils as defined according to the United States Forest Service manual, 'Field Instructions for Integrated Forest Survey and Timber Management Inventories – Oregon, Washington and California, 1974.'"

The site contains the following soils types: 35.2 acres of Cornelius and Kinton silt loam, 14.6 acres of Wapato silty clay loam, 16.5 acres of Helvetia silt loam, 7.4 acres of Saum silt loam, 2.3 acres of Jory silty clay loam, and 2.0 acres of Laurelwood silt loam. (Exhibit E)

Cornelius and Kinton silt loam (35.2 acres): Approximately 19.5 acres of this soil are located on moderately steep slopes ranging from 7 to 20 percent and the remaining 15.7 acres of this soil are located on steep slopes ranging from 20 to 30 percent. (Exhibit E) This soil has a forest value of 167.5, a high potential productivity rating, and it is suitable for Douglas fir, western red cedar and grand fir. (Exhibits F and G)

Wapato silty clay loam (14.6 acres): This soil is located where Bledsoe Creek crosses the property, in the adjoining riparian areas and in the area where several large marshes are located. The soil surveys do not assign a forest value to this soil. Because it is poorly drained, its use for farming is also limited. (Exhibits E, F and G) The marshy areas are useful for "watershed protection and wildlife and fisheries habitat" and require vegetative cover. These uses fall within the definition of "forest lands".

Helvetia silt loam (16.5 acres): The Washington County Soil Survey does not assign a forest productivity rating for this type of soil because it is typically associated with farming—in particular, it is associated with a number of irrigated agricultural crops, including irrigated

berries, irrigated vegetable crops, irrigated hay and irrigated pasture. (Exhibit F) The only source of irrigation is Bledsoe Creek, but Applicant does not have water rights for irrigation. In addition, this soil is located on slopes ranging from 7 to 12 percent, which makes cultivating and harvesting it with machinery difficult. (Exhibit E)

Helvetia silt loam is, however, also suitable for the commercial production of trees. The USDA Official Series Description says this soil is suitable for "woodland" use. (Exhibit H) According to the Forest Management Plan prepared by ODF forester Worley, Helvetia silt loam soil has a forest productivity rating of 135, the same rating as Saum soil. (Exhibit I) Table 3 (Exhibit G) says that Saum's 135 rating is moderately high.⁴ Even when it is not cultivated, Helvetia silt loam supports Douglas fir and big leaf maple. (Exhibit F)

Saum silt loam (7.4 acres): This soil is located on slopes ranging from 7 to 30 percent and has a forest value of 135, a moderately high potential productivity rating. (Exhibits E and G) It is generally best suited for Douglas fir. It is not well suited to farming because of its slopes. (Exhibits E, F and G)

Jory silty clay loam (2.3 acres): This soil is located on moderate slopes ranging from 7 to 12 percent. (Exhibit E) It has a forest value of 155, a moderately high potential productivity rating. This soil is generally best suited for Douglas fir. (Exhibits E, F and G)

Laurelwood silt loam (2.0 acres): Most of this soil is located on moderately steep slopes ranging from 12 to 20 percent and a small fraction is located on gentle slopes ranging from 3 to 7 percent. (Exhibit E) It has a forest value of 157, a high potential productivity rating. This soil is generally best suited to Douglas fir. (Exhibits E, F and G)

Summary: The soil on 80% of the site has a forest value of 135 to 167 (moderately high-to-high potential productivity ratings). (Exhibits E, F, G and H) A significant majority of the site (62%) contains both mature and young replanted trees. (Exhibits B, I and J) All of the soils on the site qualify as "forest lands" as that term is defined in the applicable version of Goal 4. The findings for Policy 14 (Plan Designations) contain a parcel-by-parcel analysis of these soil types.

While a majority of the site's soil qualifies as high value farm soil, (23% in Class II and 71% in Class III), several factors make farming that soil problematic. Eighty percent of the property has moderate-to-steep slopes (7 to 30 percent grades). Cultivation of those slopes will not only cause soil erosion, but many are too steep to safely cultivate or harvest using machines. Cultivation is problematic in the wetlands areas, and the use of fertilizers, herbicides and pesticides near Bledsoe Creek and its riparian areas would negatively affect water quality. Finally, Applicant's lack of water rights for irrigation limits farming to dry-land crops, which the County recognizes require larger sized units to farm economically. *See, Washington County Rural/Natural Resource Plan Element, Policy 17 (Agriculture and Forest-20 Land) at page 3.*

⁴ Footnote 5 in *Shirley v. Washington County*, 20 Or LUBA 127 (1990), suggests that Helvetia silt loam's rating is higher than Cascade silt loam's 137 rating. According to Table 3, soils in the same group as Cascade soil, woodland suitability group 3w1, "have a moderately high potential productivity". (Exhibit G) Thus, the statement in the Forest Management Plan that a 135 rating is "relatively low" is wrong. (Exhibit I)

The "Summary Findings and Conclusions" for Washington County *Rural/Natural Resource Plan Element* for Policy 6 (Water Resources) says:

"Increasing demands are being placed on the limited supply of surface and ground water in Washington County. In rural areas, demand for water resources comes primarily from uses such as irrigation for agricultural users and domestic consumption. Excessive ground water withdrawals have resulted in water shortages in some parts of the Rural/Natural Resource Area.

"Water quality in some portions of the County has deteriorated because of * * * soil erosion and water pollution resulting from inadequately controlled run-off.

"Agricultural runoff in the Tualatin River Basin has contributed to increased turbidity and decreased overall water quality in the middle Tualatin and the lower portions of Gales Creek and Dairy Creek⁵. The health of rural stream systems and in particular headwater areas is a critical component of water quality downstream, which may include urban areas. When maintained in their natural state, Washington County's wetlands control run-off and thus decrease soil erosion and water pollution while reducing potential damage from flooding and helping to recharge ground water supplies.

"Natural wetlands also provide excellent habitat for fish and wildlife. Water from torrential winter and spring rains must be released in an orderly manner to replenish water tables and retain water supplies for period of water shortages."

Page 2. Emphasis and footnote added.

4. The forest uses on the site are compatible with surrounding land uses.

Mature forests surround most of the site, and land designated as EFC abuts the site's eastern border. That EFC land, in turn, is contiguous to thousands of acres of other forested EFC property. Exhibits A, B, C and D support the zoning and uses of the land adjacent to the site:

East

The three parcels contiguous to the eastern border of the site (TL 1500, TL 1501 and TL 1600) are zoned EFC. The northern and middle of those three parcels (TL 1600 and TL 1500) consist of a dwelling, a barn and trees. Half of the southern tract (TL 1501 in Section 20 and TL 101 in Section 29) consists of a dwelling, an out building, garden space and a pasture. The other half of that tract is trees.

Northeast Corner

The parcel contiguous to the northeast corner of the site, TL 1700, is zoned EFC. To Applicant's knowledge, that parcel does not have a dwelling or any other improvements. It is covered with trees.

⁵ Bledsoe Creek, which crosses the site, is a tributary of Dairy Creek.

North

The two parcels contiguous to the northern border of the site (TL 1000 and TL 1001) are zoned AF-20. The western of those two parcels (TL 1001) is completely forested except for a small wetland area where Bledsoe Creek crosses that parcel. There are not any dwellings or other improvements on TL 1001. Davidson Road bisects the eastern parcel (TL 1000). The portion of TL 1000 that is on the west side of Davidson Road contains the old Davidson homestead, a barn, a pasture, trees and, where Bledsoe Creek crosses that parcel, wetlands. The portion of TL 1000 that is on the east side of Davidson Road contains four outbuildings and a mix of conifers and deciduous trees.

Northwest Corner

The parcel contiguous to the northwest corner of the site (TL 702) is zoned AF-20. It has a dwelling and is otherwise covered with trees.

West

The 10-acre parcel contiguous to the western border of the site (TL 1101) is zoned AF-20. TL 1101 is completely forested. Applicant does not believe there is a dwelling or any other improvements on TL 1101.

Southwest Corner

The parcel contiguous to the southwest corner of the site (TL 500 in Section 29B) is zoned AF-10. That parcel has a dwelling and yard. There is a thin buffer of trees at the point between that parcel and the site.

South

There is a buffer of trees along much of the site's southern border. There are six tax lots contiguous to that border, each zoned AF-10. Four of those six tax lots are in Section 29B. The other two tax lots are in Section 29. In Section 29B, TL 100 is almost completely forested and does not appear to have a dwelling. There are dwellings on the other three tax lots, TL 200, TL 300 and TL 400. Approximately half of TL 200 and approximately a quarter of TL 300 contain trees that buffer those parcels from the site. TL 400 has only a thin buffer of trees between it and the site. In Section 29, TL 400 contains a dwelling and is otherwise covered with trees and some wetlands. TL 417 contains a dwelling and one out building and is in the flood plain. It contains relatively few trees except along the banks of Bledsoe Creek. The current occupants of TL 417 are raising two calves on that property.

All of the land surrounding the site has an agriculture or forest-related designation (i.e., EFC, AF-20 or AF-10). No commercial farming activity is observable on any of the parcels contiguous to the site. The parcels on the western, northern and eastern borders of the site are in forest use, as is the site. The parcels on the southern border of the site are, for the most part, in rural residential use or mixed forest and rural residential use. Most of those residences are separated from the site by a buffer of trees.

Most of the timber on the site is located on the western parcel, TL 1204. Because the canopy of young trees on that parcel is now taller than the competing brush species, no spraying, aerial or otherwise, should be necessary for more than 50 years—after that timber is harvested and replanted. However, if aerial spraying becomes necessary or desirable to manage that timber, the impact on the parcels along the site's southern border—the only contiguous parcels that are not also currently in forest use—can be mitigated by ensuring that spraying occurs only when the wind is blowing in a northerly direction.

The site contains commercial timber that is being managed under a forest management plan, and it is currently in forestland/small tract forestland deferral. If aerial spraying becomes necessary in the future, it will occur—in compliance with the Oregon Forest Practices Act and other applicable law—whether the designation of the site remains AF-20 or becomes EFC. Changing the site from an AF-20 to an EFC designation will merely reflect Applicant's use of the site, it is unlikely to change the forest management activities that will occur on the site.

Even though the site is currently designated as AF-20, its historical use was forest, and it remains in forest use today. Changing the designation of the site from AF-20 to EFC, will preserve—not impair—its compatibility with surrounding parcels.

Section 8.C – Policy 1 requires that the site either be (a) contiguous to land with the same plan map designation being requested—EFC, or (b) 76 acres or more in area. Applicant's property satisfies both requirements. Its entire eastern border is contiguous with three parcels that are designated EFC: TL 1500, TL 1501 and TL 1600. In addition, at 78.05 acres, the site is two acres larger than the 76 acre minimum required by Section p.8.C.

Summary: The site satisfies the requirements of Implementing Strategy p.8 for Policy 1.

(These findings also pertain to Statewide Planning Goal 3, Agricultural Lands, and Goal 4, Forest Lands.)

Policy 2 – Citizen Involvement

It is the policy of Washington County to establish an on-going Planning Program which is a responsive legal framework for Comprehensive Planning, Community Development and Resource Conservation which accommodates changes and growth in the physical, economic and social environment, in response to the needs of the county's citizens. It is the policy of Washington County to provide the opportunity for a landowner or his/her agent to initiate quasi-judicial amendments to the Comprehensive Plan on a semi-annual basis. In addition, the Board of Commissioners, the Planning Director, or the Planning Commission may initiate the consideration of quasi-judicial map amendments at any time deemed necessary.

APPLICANT COMMENT:

A request for an amendment to the *Comprehensive Plan Map* is a Type III, quasi-judicial procedure that involves a public hearing by both the Planning Commission and the Board of Commissioners and requires notice to neighbors and others. Those notice requirements are described in Section 203-3.3 and Section 204-4 of the CDC. Section 204-1.4 of the CDC requires that Applicant post notice on the site and file an affidavit of posting with the Director within 28 days of the acceptance of the Application. Applicant will comply with those procedural and notice requirements.

(These findings also pertain to Statewide Planning Goal 1, Citizen Involvement.)

Policy 6 – Water Resources

It is the policy of Washington County to maintain or improve surface and ground water quality and quantity.

APPLICANT COMMENT:

Bledsoe Creek is a medium sized, fish bearing stream that runs from north to southeast through the property. (Exhibits D and I) It is a tributary of the East Fork of Dairy Creek, and Dairy Creek is a tributary of the Tualatin River, Washington County's only river. (Wikipedia, "Dairy Creek (Oregon)" and "List of Rivers of Oregon", November 13, 2009) The property also contains two unnamed tributaries that flow into Bledsoe Creek and several large wetland areas, most of which remain marshy year-around. (Exhibits B and D)

In the context of plan amendments, Policy 6 has been interpreted to mean that, over time, development activities in the County should not negatively affect the quantity or quality of surface or groundwater. The thrust of the policy is to assure that development will have a

positive or neutral effect over an extended period of time, rather than being concerned with what quantity or quality of water is present at a particular point in time.

Forest use and forest practices will reduce or eliminate the need for damaging agricultural practices such as the use of pesticides, herbicides, fertilizer and fossil fuel, the effect of cultivation on erosion, and the consumption of water for irrigation, practices that are more likely to damage both surface and ground water than most forest practices. Encouraging forest rather than farming practices on the site will have a positive effect on both surface and ground water.

Applicable Implementing Strategies for Policy 6:

Implementing Strategy "a" for Policy 6:

The County will:

- a. Strive to ensure adequate water supplies for all uses by:**
 - 1. Encouraging water conservation programs by water users and purveyors;**
 - 2. Reviewing and revising existing development regulations where necessary or limiting the location or operation of new wells as a condition of development approval, considering advice and/or recommendations received from the State Water Resources Department;**
 - 3. Coordinating with State and Federal agencies in evaluating and monitoring ground water supplies;**
 - 4. Complying with the May 17, 1974, Order of the State Engineer establishing and setting forth control provisions for the Cooper Mountain-Bull Mountain Critical Ground Water Area; and**
 - 5. Requiring Applicant for quasi-judicial Plan Map Amendments to provide well reports (well logs) filed with the Water Master for all Public Lands Survey (township and range system) sections within one-half (1/2) mile of the subject site and provide an analysis of whether ground water quality and quantity within the area will be maintained or improved. The analysis should include well yields, well depth, year drilled or other data as may be required to demonstrate compliance with this policy. Well logs are not required for quasi-judicial plan amendments when the designation change will not result in an increase in density (i.e. EFU to EFC plan amendments).**

APPLICANT COMMENT:

1. Encouraging water conservation

An international study of changes in environmental conditions in agriculture since the mid-1980s concludes that even though conditions have improved, agricultural practices still cause significant environmental damage. "On the one hand, there has been a reduction in the nitrogen and pesticide loadings in rivers, lakes and groundwater, and a decrease in the level of agricultural greenhouse gas emissions in the past 15 years. But * * * farming is having harmful effects on bio-diversity, habitats and landscape features in some regions, while risks of further soil degradation and depletion of water resources persist." "Making farming more eco-friendly", *OECD Environmental Outlook*, April, 2001. Forest use will encourage water conservation.

2. Limiting development and the need for new wells

Two dwellings have existed on TL 1202 since 1965. (Exhibit K) Each dwelling has its own water supply, and no new wells will be required in connection with the partition of the parcel to separate those two dwellings into two parcels.

3. Coordinating the evaluation and monitoring of ground water supplies

The Application requests a change in land use designation from AF-20 to EFC. Both of these land use designations are rural resource designations. Potential permitted uses in those districts are similar. Neither amending the Comprehensive Plan Map to change the resource designation for the site, nor partitioning a parcel to separate the dwellings, will affect ground water supplies.

4. Protection of Cooper Mountain-Bull Mountain Critical Ground Water Area

Applicant's property is not in the Cooper Mountain-Bull Mountain Critical Ground Water Area.

5. Well Logs

Well logs are not required for plan amendments that change a resource designation from AF-20 to EFC. While approval of Applicant's requested amendment to the County's *Comprehensive Plan Map* could result in one or more new dwellings on the property, because both AF-20 and EFC districts are resource districts and because the potential allowed uses in those districts are similar, the worst-case scenario for the development impact on the property under either designation is similar.

Implementing Strategy "b" for Policy 6:

The County will:

- b. Ensure adequate quality of surface and ground water by:**
- 1. Promoting compliance with the Healthy Streams Plan, as adopted by Clean Water Services and in compliance with the CWS-county intergovernmental agreement, to the extent that the Healthy Streams Plan and associated CWS programs apply outside the UGB;**
 - 2. Promoting compliance with Department of Environmental Quality water quality standards;**
 - 3. Cooperating with the Soil and Water Conservation District in the implementation of effective methods of controlling non-point sources of water pollution in agricultural areas;**
 - 4. Cooperating with the Oregon State Department of Forestry in the implementation of effective methods of controlling non-point sources of water pollution in forest areas; and**
 - 5. Ensuring that the establishment of subsurface sewage disposal systems (e.g., septic tanks) will not adversely affect ground water quality.**

APPLICANT COMMENT:

Each of the two dwellings on TL 1202 has its own septic system. There is no evidence that either systems contributes to any non-point source water pollution or adversely affects ground water quality. The Department of Environmental Quality water standards and the Oregon Department of Forestry require Applicant to control non-point source pollution in forested areas. In fact, the Forest Practices Act mandates 70 foot-wide riparian management areas on each side of Bledsoe Creek and 50 foot-wide riparian management areas along its unnamed tributary. Encouraging forest use of the site will assist in the implementation of strategy "b" of Policy 6.

If Applicant wishes to conduct any other development activities on the site, Applicant will be required to obtain approval from the County Health Department prior to the issuance of a building permit. A septic system permit will not be issued if soils are not adequate to filter and clean wastewater. The standards for those permits must comply with DEQ requirements, which are designed to ensure adequate quality of groundwater. Any grading activities (e.g., construction of a dwelling) must comply with CDC Section 410 (Grading and Drainage), CDC Section 426 (Erosion Control) and Chapter 14.12 of the County Code (Grading).

Implementing Strategies "c", "d" and "e" for Policy 6:

The County will:

- c. **Protect and maintain natural stream channels wherever possible, with an emphasis on non-structural controls when modifications are necessary.**
- d. **Limit the alteration of natural vegetation in riparian zones and in locations identified as significant water areas and wetlands.**
- e. **Encourage property owners with qualifying lands to apply for natural resource-related exemption of that land from ad valorem taxation where such programs are available.**

APPLICANT COMMENT:

A large part of TL 1202, the parcel with the two dwellings, has been designated by the County as *Water Areas and Wetlands* and as *Water Areas, Wetlands & Fish and Wildlife Habitat*. That area includes Bledsoe Creek, a medium sized, fish bearing stream, two unnamed tributaries and several large wetlands areas. (Exhibits B, D and I) When I telephoned the Department of Environmental Quality to determine whether the site's wetlands have been designated, DEQ referred me to Carrie Landrum at the Oregon Department of State Lands (1-503-986-5285). According to Ms. Landrum, the site has not been "delineated" as a wetland area.

Partitioning TL 1202 so the two existing dwellings are on separate parcels will not affect those waterways or wetland areas or the natural vegetation in the riparian zones. If Applicant requests any other development in those areas, Applicant will be required to comply with development standards relating to the stream channels and riparian zones.

Oregon Department of Forestry rules, including the Oregon Forest Practices Act, regulate activities associated with timber reforestation, management and harvesting so as to protect riparian zones, water areas and wetlands.

Implementing Strategy "f" for Policy 6:

The County will:

- f. **Support viable water resources projects which are proposed in the County upon review of their cost benefit analysis, alternatives, and environmental and social impacts.**

APPLICANT COMMENT:

To Applicant's knowledge, there are no water resource projects in the vicinity of the site.

Implementing Strategy "g" for Policy 6:

The County will:

- g. Coordinate land use actions regarding water projects with agencies and jurisdictions which may be impacted by such projects.**

APPLICANT COMMENT:

To Applicant's knowledge, there are no water resource projects in the vicinity of the site.

Implementing Strategy "h" for Policy 6:

The County will:

- h. Support measures to conserve vegetation in drainage basin watersheds as a means of controlling the release of water to downstream farm lands and urban areas.**

APPLICANT COMMENT:

In its 2008 publication, *The Stream Care Guide*, Washington County's Clean Water Services Department recommends that property owners plant trees along streams and riparian areas to improve water quality. Oregon Department of Forestry rules require a 70 foot-wide riparian management area on each side of Bledsoe Creek and a 50 foot-wide riparian management area on each side of the creek's main tributary. The site was logged in 2000 and has been replanted with Douglas fir seedlings in substantial conformance with those rules. Those rules also require that Applicant submit a written plan when spraying, logging, brush cutting or thinning within 100 feet of streams. Applicant's plan must specify how the proposed operation will be done without damaging the resources involved. Encouraging forest use of the site will conserve vegetation in drainage basin water sheds thereby implementing strategy "h" for Policy 6.

Partitioning TL 1202 to separate the two existing dwellings will not affect any vegetation in the drainage basin watershed or elsewhere. If and when Applicant applies for any other development of the site, Applicant will be required to comply with the development standards in CDC Section 421 (Flood Plain and Draining Hazard Area Development) at the time of development review.

Implementing Strategy "i" for Policy 6:

The County will:

- i. Cooperate with the Division of State Lands, State of Oregon in their review and mitigation of projects that alter water areas and wetlands under their jurisdictions.**

APPLICANT COMMENT:

According to the County's map of Significant Natural Resources, the site contains both *Water Areas* and *Wetlands*. Bledsoe Creek is a medium sized, fish bearing stream. One of its unnamed tributaries is designated as a seasonal forested deciduous stream. If any other development occurs on the site, that development will be required to comply with the development standards in CDC Section 422 (Significant Natural Resources). (Exhibit I)

Implementing Strategy "j" for Policy 6:

The County will:

- j. Consistent with the recommendations of the Department of Environmental Quality, State of Oregon and Clean Water Services, support the expansion of stormwater sampling in the Tualatin Basin and consideration of proper planning and management measures for non-point source problems.**

APPLICANT COMMENT:

Any development of the site will have to comply with CDC sections that implement the preceding strategies as well as CDC Section 410 (Grading and Drainage) and 426 (Erosion Control) at the time of development review.

Summary: As these findings demonstrate, forest use on the site will not only conserve water by reducing potential demands on Bledsoe Creek that could arise from agricultural activities, but forest use will improve water quality not only on the site but downstream from the site as well.

(These findings also pertain to Statewide Planning Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces, and Goal 6, Air, Water and Land Resources Quality.)

Policy 8 – Natural Hazards

It is the policy of Washington County to protect life and property from natural disasters and hazards.

Applicable Implementing Strategies for Policy 8:

Implementing Strategy "a" for Policy 8:

The County will:

- a. **Regulate new development in flood plain areas identified as being subject to flooding in the event of a 100-year flood (a flood with a 1% chance of occurrence in any year) in the latest H.U.D. or Corps of Engineers flood area studies. Such regulations shall discourage new development in flood plains and alterations of existing identified flood plains. Modifications or additions to existing structures may be allowed subject to engineering requirements which do not increase flood damage potential.**

APPLICANT COMMENT:

Bledsoe Creek is a medium sized, fish-bearing stream. (Exhibit I) Bledsoe Creek and the areas adjacent to the creek are in the 100-year flood plain and contain drainage hazard areas. (Exhibit D) Both of the dwellings on TL 1202 are well above the flood plain. (Exhibits B, D and K) Applicant does not anticipate there will be any development in the flood plain.

Implementing Strategy "b" for Policy 8:

The County will:

- b. **Use Chapter 70 of the Uniform Building Code to regulate grading and/or filling on or near slopes.**

APPLICANT COMMENT:

No new construction is requested in connection with this Application. Any other development that occurs on or near any grading or slopes must comply with Chapter 70 of the Uniform Building Code in connection with that development.

(These findings also pertain to Statewide Planning Goal 7, Areas Subject to Natural Hazards.)

Policy 10 – Fish and Wildlife Habitat

It is the policy of Washington County to protect life and enhance Significant Fish and Wildlife Habitat.

APPLICANT COMMENT:

"Forests provide * * * clean water, fish and wildlife habitat and recreation." *Oregon's Forest Protection Laws*, © 2002, Oregon Forestry Resources Institute.

A number of academic research projects have demonstrated that there is a significant positive correlation between wildlife and fish habitat quality and the presence of forested land and a negative correlation between habitat quality and the presence of agricultural land in watersheds along streams. (See, also ORS 321.703(1)(a) and (e)) Given the impact of agricultural practices on fish habitats (e.g., the use of pesticides, herbicides, fertilizer and fossil fuel, the effect of cultivation on erosion and water turbidity and the consumption of water for irrigation), forest practices are less damaging to fish and their habitat than many farming practices.

Applicable Implementing Strategies for Policy 10:

Implementing Strategy "a" for Policy 10:

The County will:

- a. Establish standards with which development in areas defined as significant fish and wildlife habitat must comply, so as to assure the conservation of this habitat.**
- b. Allow activities customarily conducted in conjunction with commercial farm and forest practices in areas designated as Fish and Wildlife Areas.**
- c. Rely upon the Oregon Department of Forestry, through its administration of the Oregon Forest Practice Rules, to mitigate adverse impacts of commercial forestry upon fish and wildlife habitat.**
- d. Limit the alteration of natural vegetation in riparian zones, and in locations identified as significant water areas and wetlands thereby preserving fish and wildlife habitat.**

APPLICANT COMMENT:

The area around Bledsoe Creek and its tributaries is a significant natural resource and has been designated as a *Water, Wetlands & Fish and Wildlife Habitat* area. (Exhibit D) The Oregon Forest Practices Act and ODF Best Management Practices regulate the afforestation, reforestation, management and harvesting of timber in such a way as to minimize the alteration

of natural vegetation in riparian zones. Those regulations also protect water areas and wetlands that serve as fish and wildlife habitat and are designed to mitigate adverse impacts of timber operations on those habitats. The ODF is responsible for ensuring that Applicant follows those regulations. In addition, CDC Section 422 (Significant Natural Resources) will apply if alterations are proposed in areas designated as *Water Areas, Wetlands & Fish and Wildlife Habitat*. Encouraging forest use of the site by changing the resource designation from AF-20 to EFC will implement Policy 10.

Implementing Strategy "e" for Policy 10:

The County will:

- e. Implement the recommendations of the Oregon Department of Fish and Wildlife Habitat Protection Plan for Washington County and to mitigate the effects of development in the Big Game Range within the EFU, EFC and AF-20 land use designations. The recommendations of the Wildlife Habitat Protection Plan shall be applied to development applications for land outside an urban growth boundary.**
- f. Implement the recommendations of the Tualatin Basin Fish & Wildlife Habitat Program for rural areas of Washington County to promote efforts to enhance and conserve significant riparian habitat corridors.**

APPLICANT COMMENT:

The site is not located within the Big Game Range and is not subject to the Oregon Department of Fish and Wildlife Habitat Protection Plan. (Exhibit D) Applicant will cooperate with requirements of the Tualatin Basin Fish & Wildlife Habitat Program.

(These findings also pertain to Statewide Planning Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces.)

Policy 11 – Significant Natural Areas

It is the policy of Washington County to protect and enhance Significant Natural Areas.

Applicable Implementing Strategies for Policy 11:

Implementing Strategies "c," "d", "e", "g" and "h" for Policy 11:

The County will:

- c. Encourage property owners with lands that qualify as open space to apply for assessment under this category if the proposed use of the land meets the standards specified by ORS 308-740-790, including to "preserve or enhance natural or scenic resource".**
- d. Review development proposed in Significant Natural Areas to reduce its impact on the Area's unique or fragile character or features.**
- e. Limit development and the alteration of natural vegetation in riparian zones and in locations identified as significant water areas and wetlands. Since these areas overlap with several significant natural areas, the regulations should serve to protect significant natural areas from degradation.**

* * * * *

- g. Allow activities customarily conducted in conjunction with commercial farm and forest practices in areas designated as Significant Natural Areas where the land use plan designation and implementing code provisions allow farm and forest activities as primary uses.**
- h. Rely upon the Oregon Department of Forestry, through its administration of the Oregon Forest Practices Rules, to mitigate adverse impacts of commercial forestry upon Significant Natural Areas.**

APPLICANT COMMENT:

The County has designated Bledsoe Creek, one of its tributaries, and the area to the east of the creek, as Significant Natural Resources, as *Water Areas and Wetlands* and as *Water Areas, Wetlands & Fish and Wildlife Habitat*. (Exhibit D)

The western part of the site was logged in 2000 and was replanted with Douglas fir seedlings in substantial conformance with the Oregon Department of Forestry rules. Those rules require a 70 foot-wide riparian management area on each side of Bledsoe Creek and a 50 foot-wide riparian

management area on each side of the creek's main tributary. These requirements were satisfied and the required buffer retained. (Exhibit I)

Amending the *Comprehensive Plan Map* so that TL 1202 can be partitioned to separate the existing legal dwellings will not affect the natural vegetation in the riparian zones, the waterways or the wetland locations, and Applicant does not anticipate conducting any development activity in those areas. Encouraging forest rather than farming use will assist in the implementation of Policy 11.

Policy 14 – Plan Designations

It is the policy of Washington County to maintain distinct comprehensive plan map designations for the area outside the county's Urban Growth Boundaries and to provide land use regulations to implement the designations.

APPLICANT COMMENT:

The site is not within the urban growth boundary.

Applicable Implementing Strategy for Policy 14:

Implementing Strategy "a" for Policy 14:

The County will:

a. Designate Natural Resource lands in the following manner:

- 1. Lands which meet the definitions and criteria for agricultural lands contained in LCDC Goal 3 and OAR Chapter 660, Division 05 shall be designated Exclusive Farm Use (EFU) and lands which meet the LCDC Goal 4 definition of forest land shall be designated Exclusive Forest and Conservation (EFC). In determining which Plan Designation shall apply (EFU or EFC) when land meets criteria for both the EFU and EFC District, the following factors shall be utilized to determine the appropriate designation:
 - A. Soil types as related to Goal 3 and forest classifications as related to Goal 4.**
 - B. The predominant use of the property.**
 - C. The predominant use of the surrounding properties (must be contiguous or be a sufficiently large block of land).****

D. What kinds of crops or forest uses would be possible on the parcel given the size and conflicts with adjacent uses.

E. Physical characteristics of the site.

F. Whether the site is or has been on a farm or forest deferral.

APPLICANT COMMENT:

Implementing Strategy 14.a.1 lists the factors the County must consider when determining whether a site should have an exclusive farm (EFU or AF-20) or an exclusive forest (EFC) designation. The site's current designation, AF-20, is an exclusive farm use zone that recognizes the presence of marginal lands. Since the requested plan designation change is from AF-20 to EFC, this section addresses the factors applicable to the EFC District.

1. The soil is more suitable for forest use than agricultural use.

The applicable version of Statewide Planning Goal 4 and the Glossary attached as Appendix A to the County's *Rural/Natural Resources Plan Element* define "forest lands" as including the following four types of land:

- "(1) lands composed of existing and potential forest lands which are suitable for commercial forest uses;
- "(2) other forested lands needed for watershed protection, wildlife and fisheries habitat and recreation;
- "(3) lands where extreme conditions of climate, soil and topography require the maintenance of vegetative cover irrespective of use;
- "(4) other forested lands in urban and agricultural areas which provide urban buffers, windbreaks, wildlife and fisheries habitat, livestock habitat, scenic corridors and recreational use."

See, also, page 2 of "Summary Findings and Conclusions" for Policy 16 (Exclusive Forest Lands).

A detailed description of each soil type is included in the discussion of Policy 1 of the *Rural/Natural Resource Plan* in Part IV.B above.

TL 1200: TL 1200 consists of .04⁶ acres located in the riparian area of Bledsoe Creek.

Code	Soil/Slope	Acres	%
43	Wapato silty clay loam	.04	100.0%
TOTAL		.04	100.0%

Wapato silty clay loam, the only soil on TL 1200, does not have a forest classification. This parcel is in the riparian area for Bledsoe Creek and is therefore forested land needed for watershed protection and wildlife and fisheries habitat. The topography requires vegetative cover. (Exhibits B, E and F)

TL 1202: TL 1202 consists of 42.46 acres⁷ that contain some mature timber, a medium sized, fish bearing stream, two unnamed tributaries, several large wetlands areas and grazing land for livestock. The soils on that tax lot are as follows:

Code	Soil/Slope	Forest Value	Acres	%
11C	Cornelius and Kinton silt loams, 7 to 12 % slopes	167.5	4.5	10.6%
19C	Helvetia silt loam, 7 to 12% slopes	135.0 ⁸	16.5	38.9%
23C	Jory silty clay loam, 7 to 12% slopes	155.0	1.8	4.1%
38E	Saum silt loam, 20 to 30 % slopes	135.0	5.1	12.0%
43	Wapato silty clay loam	No rating	14.6	34.4%
TOTALS			42.5	100.0%

Nearly two-thirds of TL 1202 consists of soils with a forest rating with high or moderately high potential. Most of the rest of this parcel is in the 100-year flood plain. Bledsoe Creek, its tributaries and several marshes provide habitat for birds, fish and wildlife. The wetlands and riparian areas are needed for watershed protection and the topography requires the maintenance of vegetative cover, uses that are expressly included in the applicable definitions of "forest lands" and "forest use". (Exhibits D, E, F, G and H)

TL 1203: TL 1203 consists of 2.76 acres⁹ of mature timber.

⁶ This acreage is from the County Tax Map, not the soil report, which says TL 1200 is only .007 acres.

⁷ The acreage listed in the table (42.5 acres) for TL 1202 was generated using the USDA website and does not exactly match the acreage listed on the County Tax Map (42.46 acres).

⁸ Footnote 5 in *Shirley v. Washington County*, 20 Or LUBA 127 (1990), suggests that Helvetia silt loam's rating is higher than Cascade silt loam's 137 rating. According to Table 3, soils in the same group as Cascade soil, woodland suitability group 3w1, "have a moderately high potential productivity". (Exhibit G)

⁹ The acreage listed in the County Soil Report for Tax Lot 1203 (2.76) does not exactly match the acreage listed on the County Tax Map (2.61).

Code	Soil/Slope	Forest Value	Acres	%
23C	Jory silty claim loam, 7 to 12 % slopes	155.0	.51	18.5%
38C	Saum silt loam, 7 to 12% slopes	135.0	.26	9.4%
38D	Saum silt loam, 12 to 20 % slopes	135.0	1.78	64.5%
38E	Saum silt loam, 20 to 30 % slopes	135.0	0.21	7.6%
TOTALS			2.76	100.0%

TL 1203 has soils with a moderately high potential productivity rating and no serious management limitations. (Exhibit E)

TL 1204: TL 1204 consists of 32.94 acres¹⁰. Most of the timber on TL 1204 was harvested in 2000, has been replanted with Douglas fir in accordance with the Forest Practices Act, and is currently being managed under a forest management plan. (Exhibit I)

Code	Soil/Slope	Forest Value	Acres	%
11C	Cornelius and Kinton silt loams, 7 to 12 % slopes	167.5	15.0	45.8%
11E	Cornelius and Kinton silt loams, 20 to 30% slopes	167.5	15.7	48.0%
28B	Laurelwood silt loam, 3 to 7% slopes	157.0	.3	.9%
28D	Laurelwood silt loam, 12 to 20% slopes	157.0	1.7	5.3%
TOTALS			32.8	100.0%

Nearly all of TL 1204 consists of soils with a forest rating of 157 or higher, a high potential timber productivity rating. (Exhibit E, F, G and H)

Summary of soil on the site: While the soil on the site is suitable for both forestry and agricultural use, it is better suited to forest use. It is capable of, and much of it is engaged in, the commercial production of Douglas fir, western red cedar and red alder. Some of it serves as grazing land for livestock and as fish and wildlife habitat. Some of it is needed for watershed protection and for the maintenance of clean air and water and/or whose topography requires vegetative cover. While a majority of the soil on the property qualifies as high value farm soil, (23% in Class II and 71% in Class III), the following factors make farming problematic:

- (a) Applicant does not have water rights that would permit irrigation.
- (b) 63 acres—80%—of the site—have soil types and slope grades with medium-to-high run-off rates and moderate-to-severe erosion. (Exhibit G) Cultivating those portions of the site would contribute to soil erosion and run-off and impact water turbidity and quality.
- (c) Farming is not suitable in the wetland areas.

¹⁰ The acreage listed in the table (32.8 acres) for TL 1204 was generated using the USDA website and does not exactly match the acreage listed on the County Tax Map (32.94 acres).

2. The predominant use of the site is "forest use"

APPLICANT COMMENT

The predominant use of the site, and each parcel included in the site, is "forest use". The definition of "forest uses" in both the Glossary attached as Appendix A to the County's *Rural/Natural Resources Plan*, and in the applicable version of Statewide Planning Goal 4, includes:

- "1) the production of trees and the processing of forest products;
* * * * *
- "3) watershed protection and wildlife and fisheries habitat;
- "4) soil protection from wind and water;
- "5) maintenance of clean air and water; [and]
* * * * *
- "7) grazing land for livestock."

Tax Lot 1200: TL 1200 is in the riparian area of Bledsoe Creek. It is used for watershed protection and wildlife and fisheries habitat, it protects soil from wind and water, and it maintains clean air and water, each of which is a "forest use". (Exhibit B)

Tax Lot 1202: More than 95% of TL 1202 is in forest use: it contains mature timber, it is used for watershed protection and wildlife and fisheries habitat, it protects soil from wind and water, it helps maintain clean air and water, and it is used as grazing land for livestock. In addition, because TL 1202 separates TL 1204 from NW Davidson Road and there is no other access to TL 1204 except through TL 1202, TL 1202 is necessary to permit forest operations and forest practices on TL 1204. (Exhibits B)

Tax Lot 1203: All of TL 1203 contains mature timber. (Exhibit B)

Tax Lot 1204: All of TL 1204 is used for the commercial production of trees. It contains both mature Douglas fir and western red cedar, replanted Douglas fir and naturally reseeded western red cedar and red alder. (Exhibits B and I)

3. The site must be contiguous to other EFC land or be a sufficiently large block of land.

APPLICANT COMMENT

The three parcels contiguous to the site's eastern border (and thousands of acres contiguous to those parcels) are designated as EFC land. (Exhibits B and C) The parcels on the site's other borders are either fully or partially forested.

None of the parcels contiguous to the site appear to be engaged in commercial farming operations. Changing the designation of the site to an EFC designation will not impact farming practices on those parcels or on any other nearby lands. The site's eastern border is contiguous to other EFC land, and at more than 78 acres, the site is a sufficiently large block of land even standing alone.

4. Possible forest uses for the site.

APPLICANT COMMENT

The site is currently in forest use. Forty-eight acres are in timber: 30 acres in ten-year old replanted Douglas fir and in naturally reseeded western red cedar and red alder and 18 acres in mature timber. Approximately 10 acres consist of streams, riparian area, wetlands and wildlife and fish habitat. (Exhibit B) Approximately 16 acres are grazing land for livestock. These uses qualify as forest uses and do not conflict with the uses of any surrounding land.

Tax Lot 1200: TL 1200 is part of Bledsoe Creek's riparian area. (Exhibit B) It's protection of the watershed, wildlife and fisheries habitat and soil, and its contribution to the maintenance of clear air and water, qualify as forest uses and do not conflict with the use of any surrounding land.

Tax Lot 1202: TL 1202 is 42.46 acres. A third is in mature trees. Nearly a quarter consists of Bledsoe Creek, an unnamed tributary of Bledsoe Creek, riparian areas and wetlands. Approximately 38% is used as grazing land for livestock. (Exhibits B and D) Those uses qualify as forest uses and do not conflict with the use of any surrounding land.

Tax Lots 1203 and 1204: TL 1203 and TL 1204 are, and have for many years been, covered with either mature or replanted Douglas fir and in naturally reseeded western red cedar and red alder. (Exhibits B and I) That use qualifies as a forest use and does not conflict with the use of any surrounding land.

5. Physical characteristics of the site

APPLICANT COMMENT

Eighty percent of the site has moderately steep-to-steep slopes (36 acres with a 7 to 12 percent slope, four acres with a 12 to 20 percent slope and 23 acres with a 20 to 30 percent slope). (Exhibit E) Approximately 10 acres of the site consist of Bledsoe Creek, its tributaries and several large wetland areas. (Exhibits B and D) The steep slopes on nearly 63 acres (80%) of the site and the presence of the creek, its tributaries and the adjacent wetlands (approximately 13% and together with the sloped area, more than 93% of the site) make the site much more suitable to forest use than farm use.

6. The type of tax deferral for the site

APPLICANT COMMENT

Based on the County's Real Property Tax Statements for the site, nearly 56% of the site (44 acres) is exclusively in forestland/small tract forestland deferral, and 44% (a little more than 34 acres) is in a mixed farm and forestland/small tract forestland deferral.

Tax Lot 1200 (.04 acres) and Tax Lot 1203 (2.61 acres): The deferral for TL 1200 and TL 1203 is exclusively "forestland, small tract forestland". (Accounts R2028745 and R796197)

Tax Lot 1202 (42.46 acres) and Tax Lot 1204 (32.94 acres): While the totals are the same, the allocation of the acreage on the County's Real Property Tax Statements for historical Tax Lot 1202 (which has now been split into two tax lots) does not match the allocation of the acreage between newly defined TL 1202 and new TL 1204. According to the County's Real Property Tax Statements, the deferral for Account R2015551 (41.04 acres) is "forestland, small tract forestland". The deferral for Account R2015552 (34.36 acres) is mixed: "farmland [and] forestland, small tract forestland".

Implementing Strategy "a.2" for Policy 14:

The County will:

a. Designate Natural Resource lands in the following manner:

- 2. Lands which were zoned Agriculture and Forest-5 or 10 by the 1973 Comprehensive Framework Plan and for which an LCDC Goal 2 Exception has not been provided shall be designated Agriculture and Forest-20.**

APPLICANT COMMENT

Given the site's current AF-20 designation, it apparently did not qualify for a Goal 2 exception. As this Explanation demonstrates, the site does, however, qualify for an amendment to the *Comprehensive Plan Map* and a change of its designation from an AF-20 to an EFC designation under Policy 1, Policy 14 and the other relevant rules and regulations.

Implementing Strategy "b" for Policy 14:

The County will:

- b. Designate Exclusive Agricultural and Forest lands in "large blocks" of 76 acres or more in the legislative process which adopts this plan.**

APPLICANT COMMENT

The site is 78.05 acres, more than two acres larger than the minimum requirement in this implementing strategy. The site thus meets the "large block" requirement of 76 acres on its own. In addition, on the site's eastern border there are three adjacent parcels that are designated EFC. Those three parcels are, in turn, contiguous to thousands of other acres that are also zoned EFC. When combined with those parcels, the site will be part of a huge block of forested EFC land. (Exhibits B and C)

(These findings also pertain to Statewide Planning Goal 3, Agricultural Lands, and Goal 4, Forest Lands.)

Policy 16 – Exclusive Forest Lands

It is the policy of Washington County to conserve and maintain forest lands for forest uses consistent with existing and future needs for agricultural products, forest management and open space. Exceptions to this policy may be allowed pursuant to the provisions of LCDC Goal 2, OAR Chapter 660 Division 04, and the applicable plan amendment criteria in Policy 1.

Applicable Implementing Strategies for Policy 16:

Implementing Strategy "i" for Policy 16:

The County will:

- i. Maintain forest lands in blocks large enough to encourage and maintain commercial forest activities when considering Plan Amendments. This strategy will be used as one of the criteria in the designation of lands in the EFC District in the legislative process of adopting this plan.**

APPLICANT COMMENT

The site is 78.05 acres, and it is contiguous with other forested parcels, some of which are zoned EFC. The parcels adjacent to the site's eastern border and thousands of acres contiguous to those parcels are forested and are designated as EFC. (Exhibits B and C) Amending the County's *Comprehensive Plan Map* to change the designation of the site from AF-20 to EFC will encourage commercial forest activities, thereby implementing Policy 16.

Policy 17 – Agriculture and Forest Lands

It is the policy of Washington County to designate those lands as Agriculture and Forest-20 that were zoned AF-5 and AF-10 by the 1973 Comprehensive Framework Plan and for which a Goal 2 Exception has not been provided, and in doing so strive to retain small scale and part-time agriculture and forest production. Exceptions to this policy may be allowed pursuant to the provisions of LCDC Goal 2, OAR Chapter 660 Division 04, and the applicable plan amendment criteria in Policy 1.

APPLICANT COMMENT

Initially, the site was designated AF-10 by the 1973 *Comprehensive Framework Plan*. Even though that designation recognizes the existence of marginal lands, the site apparently did not qualify for a Goal 2 exception, and when the County permanently designated the site, it was designated as AF-20, an exclusive farm zone with a minimum lot size, at that time, of 20 acres (now an AF-20 designation requires an 80 acre minimum lot size). Because the requested EFC designation is a resource plan designation (as is the current AF-20 designation), it is not necessary to take an exception to Statewide Planning Goals 3 and 4 nor is it necessary to address the exception provisions of Statewide Planning Goal 2 and OAR 660-04.

As indicated above, quasi-judicial plan amendment applications to change an AF-20 designation to another resource designation are permitted by Policy 1 of the *Rural/Natural Resource Plan*, and the burden of proof necessary to change resource designations is relatively low. The findings in this Explanation demonstrate the site is better suited to forest use than farming use.

Policy 22 – Public Facilities and Services

It is the policy of Washington County to provide Public Facilities and Services in the Rural/Natural Resource Area in a coordinated manner, at levels which support rural type development, are efficient and cost effective, and help maintain public health and safety.

Applicable Implementing Strategies for Policy 22:

Implementing Strategy "a" for Policy 22:

The County will:

- a. Review the adequacy of the following public services and facilities in conjunction with new development:**
 - 1. Schools**
 - 2. Fire and police protection**

APPLICANT COMMENT

Banks School District #13

The site is four miles away from the three schools in the Banks School District, and it is served by the District's school buses. The current enrollment of Banks Elementary School is 595, which is 55 students below its capacity of 650. The current enrollment of Banks Junior High School is 207, which is 143 students below its capacity of 350. The current enrollment of Banks High School is 390, 60 students below its capacity of 450. Superintendent Foster confirms that the service level is adequate to serve the proposed project.

Banks Fire District #13

The site is four or five miles away from the Banks Fire District #13 station house. That station house has four engines, two water tankers and one rescue vehicle. According to its website (www.banksfire.org), Banks Fire District is staffed with a chief, two captains, seven lieutenants and more than 60 volunteer fire fighters. The average emergency response time to the site is seven minutes. Captain Eckhardt confirms that the service level is adequate to serve a change of zoning.

Washington County Sherriff

The service letter from the Washington County Sherriff confirms that the service level is adequate to serve the proposed project.

Copies of statements from the Banks School District, the Banks Fire District and the Washington County's Sherriff's Office are attached as Exhibit J.

(These findings also pertain to Statewide Planning Goal 11, Public Facilities and Services.)

C. WASHINGTON COUNTY *TRANSPORTATION PLAN*

The requested plan amendment is subject to seven policies from the County's *2020 Transportation Plan*, each of which is addressed below.

1.0 Travel Needs Policy

It is the policy of Washington County to provide a multi-modal transportation system that accommodates the diverse travel needs of Washington County residents and businesses.

APPLICANT COMMENT

The proposed plan amendment is not expected to have a detrimental impact on the capacity or level of service of any of the transportation facilities in the impact area since there is no anticipated significant increase in potential trip generation. Changing the designation of the site from AF-20 to EFC will not conflict with Policy 1.0.

2.0 System Safety Policy

It is the policy of Washington County to provide a transportation system that is safe.

APPLICANT COMMENT

Neither the proposed plan amendment itself nor the partition of TL 1202 to separate the two dwellings onto two parcels will affect the safety of the County's transportation system. The proposal is therefore consistent with Policy 2.0.

4.0 System Funding Policy

It is the policy of Washington County to aggressively seek adequate and reliable funding for transportation facilities and services, and to ensure that funding is equitably raised and allocated.

APPLICANT COMMENT

Neither the proposed plan amendment itself nor the partition of TL 1202 to separate the two dwellings onto two parcels will affect the County's transportation facilities or services. The proposal is therefore consistent with Policy 4.0.

5.0 System Implementation and Plan Management Policy

It is the policy of Washington County to efficiently implement the transportation plan and to efficiently manage the transportation system.

APPLICANT COMMENT

Applicant does not anticipate that there will be a significant increase in trip generation, an impact on roadway safety or any other appreciable change in travel demand as a result of the requested plan amendment. The proposal is therefore consistent with Policy 5.0.

6.0 Roadway System Policy

It is the policy of Washington County to ensure that the roadway system is designed in a manner that accommodates the diverse travel needs of all users of the transportation system.

APPLICANT COMMENT

NW Davidson Road is a well-graded gravel road that connects to Highway 26 via NW Hahn Road and Harrison Road. Harrison Road intersects with Highway 26 in two places. Therefore, Applicant and the resident of the other dwelling on TL 1202 have a direct route to Highway 26, a major arterial. Since the proposed plan amendment will not result in significant increases in trips or travel demand, it will not degrade the planned motor vehicle performance measures set forth in the strategies for implementation of Policy 6.0. The proposal is therefore consistent with Policy 6.0.

Applicable Strategies for Policy 6.0:

Strategy "6.1" for Policy 6.0:

6.1 Provide a roadway system necessary to support travel demand associated with anticipated future development of land uses identified in the County Comprehensive Plan at or better than standards identified in Table 5 and consistent with the policies identified in this plan.

APPLICANT COMMENT

Neither the proposed plan amendment, nor the partition of TL 1202 to separate the two dwellings onto separate parcels, will increase trip generation, change the travel demands on the roads that serve the site or otherwise have a detrimental impact on the volume/capacity ratio for those roads. The proposal is therefore consistent with Strategy 6.1

10.0 Functional Classification Policy

It is the policy of Washington County to ensure the roadway system is designed and operates efficiently through use of a roadway classification system.

Applicable Strategies for Policy 10.0:

Strategy "F)" for Policy 10.0:

F) Local Street:

*** * * Many rural local roadways are unpaved, (gravel), and serviceability can vary with rainfall and maintenance. Rural local roads provide direct access to a variety of rural land uses including agriculture, forestry, quarry activities, low density rural residential uses as well as rural commercial and industrial uses. An objective of this Transportation Plan is to minimize the impacts of urban travel on rural land uses.**

APPLICANT COMMENT

NW Davidson Road and NW Hahn Road are well-graded gravel roads that connect to Harrison Road, portions of which are paved, and to Highway 26. Applicant and the resident of the other dwelling on Tax Lot 1202 have a direct route to Highway 26, a major arterial. NW Davidson, NW Hahn and Harrison Roads not only serve the site, but they also serve other land along NW Davison that is currently designated EFC.

Neither the proposed plan amendment itself, nor the partition of TL 1202 to separate the two dwellings onto separate parcels, will increase trip generation, change the travel demands on the roads that serve the site or otherwise have a detrimental impact on the volume/capacity ratio for those roads.

The change from one resource designation to another resource designation will not affect the functional classification of any nearby street or highway, nor will it result in land uses that are inconsistent with those identified in the Transportation Plan. The proposal is therefore consistent with Policy 10.0.

19.0 Transportation Planning Coordination and Public Involvement Policy

It is the policy of Washington County to coordinate its transportation planning with local, regional, state and federal agencies and to provide opportunities for citizens to participate in the planning process.

Applicable Strategies for Policy 19:

Strategy "19.13" for Policy 19:

19.13 Transportation Planning Rule as set forth in OAR 660-012-0060.

OAR 660-012-0060(1)

OAR 660-012-0060(1) says:

Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures * * * to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility.

APPLICANT COMMENT

Oregon Transportation Rule OAR 660-012-0060 requires an analysis of the impact of a proposed plan amendment on the planned transportation system to determine whether the proposal will "significantly affect" the planned transportation system in the area. According to this Administrative Rule, the proposed plan map amendment would significantly affect NW Davidson Road and/or the surrounding transportation network *if*, but only if, it does any of the following:

1. Changes the functional classification of an existing or planned transportation facility;

2. Changes the standards implementing a functional classification system as measured at the end of the planning period identified in the adopted Transportation System Plan (year 2020);
3. Allows types or levels of land uses that would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or
4. Would reduce the performance standards of the facility below the minimum acceptable performance standard identified in the Transportation System Plan; or
5. Would worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the Transportation System Plan;
6. Changes the functional classification of an existing or planned transportation facility.

In light of the criteria listed above, in order to determine if a plan amendment will significantly affect transportation facilities, the County generally requires a comparative analysis of a "reasonable worst-case development" of a site under current and proposed land use designations. Plan amendment requests may be for designations that permit more intensive land uses with greater trip generation potential. In those cases, applicants are typically required to submit traffic analyses that have been prepared by licensed traffic engineers in order to help evaluate the potential effects of proposed plan amendments on transportation facilities.

In this case, the proposed plan amendment is to re-designate the site from AF-20 to EFC. Oregon Administrative Rule 660-033-0030(4) and OAR 660-006-0015(2) establish a relatively low burden of proof for plan amendments changing a designation from one resource designation to another. In this instance, both the existing plan designation of AF-20 and the proposed plan designation of EFC are resource designations. LUBA has also clarified the relatively low burden required to amend one exclusive resource designation for another. *See, KO-AM Realty, 20* or LUBA 127 (1990). The relevant rules establish that when land satisfies the definition requirements of both agriculture and forest land, an exception is not required and the local plan need only document the factors that were used to select one designation (agriculture or forest) over another.

Under the existing AF-20 designation, a farm-related dwelling (or even multiple farm dwellings) *may* be permitted if the relevant approval criteria are satisfied. Establishment of a dwelling on a lawfully created lot, parcel or tract of land under the proposed EFC land use designation is also permitted subject to satisfaction of relevant approval criteria. Since both designations provide for the same use, albeit subject to different review standards, there is no significant difference in potential trip generation as a result of possible use of the site for dwellings.

No matter which exclusive resource designation is applied, the intensity of potential land uses is not substantially different. Impacts on the transportation system from this resource-to-resource plan amendment are, therefore, not significant.

The Application is consistent with the applicable provisions of the Transportation Planning Rule. It is therefore consistent with Policy 19.0.

(These findings also pertain to Statewide Planning Goal 12, Transportation)

**D. WASHINGTON COUNTY *COMMUNITY DEVELOPMENT CODE*
CONSIDERATIONS**

Article III – Land Use District

Section 344 (AF-20 District Standards)

344-1 Intent and Purpose

The intent of the Exclusive Agriculture and Forest AF-20 District is to provide an exclusive farm use zone within the County which recognizes that certain lands therein may be marginal.

The purpose of the District is to allow EFU uses and parcels, and through the provisions of Section 425, to provide a process and criteria for identifying marginal lands with the District. In addition, Section 344-8 provides for special uses for lands so identified.

APPLICANT COMMENT

The fact that the site was classified as AF-10 and then AF-20 confirms the presence of marginal lands. The topography and other physical characteristics of the site (moderate-to-steep slopes, a medium sized fish bearing stream, two unnamed tributaries and several large marshes) are more favorable to forest than farm use, even in areas where high value agricultural soil is present. Despite the presence of Bledsoe Creek on the site, Applicant does not have the right to use water from the creek for irrigation.

Section 342 (EFC District Standards)

The Exclusive Forest and Conservation District is intended to provide for forest uses and to provide for the continued use of lands for renewable forest resource production, retention of water resources, recreation, agriculture and other related or compatible uses, as set forth in Statewide Planning Goal 4, OAR 660-06 and ORS 215.

The purpose of this District is to encourage forestry as the dominant use of such lands, to conserve and manage efficiently the forest resources of the County and to prohibit uses of land which are not compatible with the management and development of forest resources, in order to minimize the potential for damage from fire, pollution, soil erosion and conflict caused by development. This District is suited for application to forest land as well as associated scenic lands, recreation land, wildlife habitat or other sensitive land forms or watershed areas.

APPLICANT COMMENT

The site has productive forest soils, and its topography and terrain (which includes moderate-to-steep slopes, a medium size fish bearing stream, other water areas, wetlands and a 100-year flood plain) are not conducive to farming. Most of the site is bordered by mature timber stands, and the parcels contiguous to the site's eastern border, and thousands of acres contiguous to those parcels, are forested and have been designated as EFC land. (Exhibits B, C and E)

The predominant historical use of the site has been, and continues to be, the commercial production of timber, the preservation of watersheds, riparian and wetlands areas, the protection of soil from wind and water, the maintenance of clean air, water and vegetative cover, and the provision of habitat for livestock, fish and wildlife. Those uses are consistent with and supportive of Section 342's goal of providing "for the continued use of lands for renewable forest resource production, retention of water resources, recreation, agriculture and other related or compatible uses * * * ."

Approval of Applicant's proposed amendment will encourage the continuation of forestry uses on the site. When the site is designated as EFC property, it will join timbered EFC property that is contiguous to the eastern border of the site and beyond. Together, that land will create a block of designated EFC forest land of thousands of acres. For these reasons, the resource designation for this 78.05 acre site should be changed to an EFC plan designation and added to the existing EFC area. (Exhibits B and C)

Article IV– Development Standards

Section 421 Flood Plain and Drainage Hazard Area Development

421-1.2 * * *[A]ll persons seeking a Development Permit for lands within [flood plain or drainage hazard areas] * * * shall submit with the Development Permit application [specified information about the flood plain/drainage hazard areas].

421-1.3 Persons seeking to develop within a flood plain or drainage hazard area must do so with the understanding that they and their successors assume the risks and that the risks cannot be eliminated, even with strict compliance with the standards adopted herein. This Section does not imply that lands outside of flood plain or drainage hazard areas, or development permitted within, will be free from flooding or flood damage.

APPLICANT COMMENT

Bledsoe Creek and two unnamed tributaries cross the site, and portions of those water ways and surrounding land are in the 100-year flood plain. (Exhibit D) The ODF's Best Management Practices address the management of forestry activities in and near drainage ways when timber is harvested. Although Applicant does not anticipate any future development in the flood plain or

any drainage hazard areas, Applicant understands that development within those areas will require land use approval pursuant to the requirements set forth in CDC Section 421.

422 Significant Natural Resources

422-1 Intent and Purpose

The intent and purpose of these standards is to permit limited and safe development in areas with significant natural resources, while providing for the identification, protection, enhancement and perpetuation of natural sites, features, objects and organisms within the County, here identified as important for their uniqueness, psychological or scientific value, fish and wildlife habitat, educational opportunities or ecological role.

Development within riparian areas, Water Areas and Wetlands, or Water Areas and Wetlands and Fish and Wildlife Habitat shall comply with applicable state and federal regulatory guidelines.

422-2 Lands Subject to this Section

Those areas identified in the applicable Community plan or the *Rural/Natural Resource Plan Element* as Significant Natural Resources and areas identified as Regionally Significant Fish & Wildlife Habitat on Metro's current Regionally Significant Fish & Wildlife Habitat Inventory Map. Significant Natural Resources have been classified in the Community Plans or the *Rural/Natural Resource Plan Element* by the following categories:

422-2.1 Water Areas and Wetlands - 100 year flood plain, drainage hazard areas and ponds, except those already developed.

422-2.2 Water Areas and Wetlands and Fish and Wildlife Habitat - Water areas and wetlands that are also fish and wildlife habitat.

422-2.3 Wildlife Habitat - Sensitive habitats identified by the Oregon Department of Fish and Wildlife, the Audubon Society Urban Wildlife Habitat Map, and forested areas coincidental with water areas and wetlands.

422-2.4 Significant Natural Areas - Sites of special importance, in their natural condition, for their ecological, scientific, and educational value.

APPLICANT COMMENT

The site contains areas designated as *Water Areas*, as *Wetlands* and as *Fish and Wildlife Habitat*. Applicant will comply with applicable state and federal guidelines with respect to any future development.

V. CONCLUSION

Changing the resource designation of the site from AF-20 to EFC complies with Statewide Goals 3 and 4 and LCDC's other applicable statewide goals. It also complies with Policy 1, Policy 14 and the other applicable policies and implementing strategies of the County's *Rural/Natural Resources Plan Element* required for an EFC designation and with the applicable provisions of the County's Community Development Code:

- A. The site's soils are "forest lands" that are more suitable for "forest uses" than farm uses.
- B. The predominate uses of the site are—and have historically been—forest uses.
- C. The predominate uses of the land in the vicinity of the site are forest uses.
- D. The continued use of the site as forest land will not conflict with any surrounding uses.
- E. The physical characteristics of the site—steep slopes, a creek, its tributaries and wetlands—make the site more suitable for forest uses than farm uses.
- F. A majority of the site is currently, and has for many years been, in forest deferral.
- G. The site is larger than 76 acres and, when considered in connection with the three adjacent EFC parcels on its eastern border, will be part of a block of thousands of acres of EFC zoned forest land.

This Application has been submitted in accordance with the requirements established in the Washington County *Community Development Code* relating to an amendment of the *Comprehensive Plan Map* from an AF-20 to an EFC designation.

This Explanation provides findings that address all applicable policies and regulations. Therefore, Applicant respectfully requests that the County change the designation of the site from an AF-20 designation to an EFC designation.

EXHIBIT LIST/ SUPPORTING DOCUMENTATION

MAPS

- Exhibit A Red-stamped County Tax Map of the Site and unofficial County Tax Map of Section 29 and Section 29B for the tax lots on the Site's southern border
- Exhibit B Aerial Photographs of the Site
- Exhibit C County Zoning Map
- Exhibit D County Significant Natural Resources Map and Applicant's Flood Plain Map

SOIL DOCUMENTS

- Exhibit E County and USDA Soil Reports for the Site
- Exhibit F Soil Survey of Washington County, Oregon, July 1982 (excerpts)
- Exhibit G Table 3 from Soil Survey of Washington County, Oregon, July 1982
- Exhibit H USDA Official Series Description – HELVETIA Series, 08/2006

MISCELLANEOUS DOCUMENTS

- Exhibit I 2006 ODF Forest Management Plan (excerpts)
- Exhibit J Service Provider Letters
- Exhibit K Site Plan and Other Information regarding the Two Dwellings

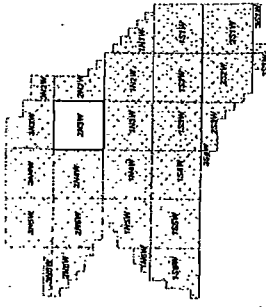
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2N 3 20

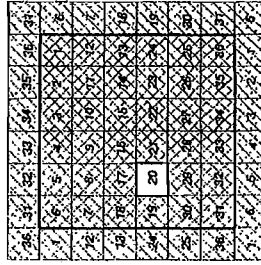
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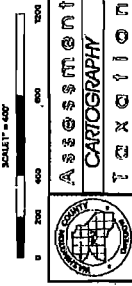
WASHINGTON COUNTY OREGON
SECTION 20 T2N R3W W1M.
SCALE 1" = 400'



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us

BB	BA	AB	AA
BC	BD	AC	AD
CB	CA	DB	DA
CC	CD	DC	DD

Cancelled Taxlots For: 2N030
1303, 1403, 200, 704, 101



PLOT DATE: January 21, 2010
FOR ASSESSMENT PURPOSES
ONLY - DO NOT RELY ON
FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched pattern indicate areas that have changed the appropriate map for the most current information.

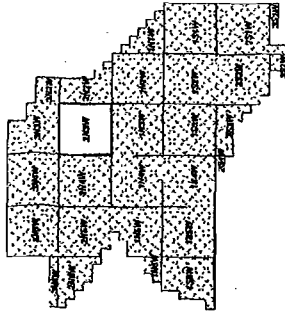
WASHINGTON COUNTY
DEPARTMENT OF
ASSESSMENT & TAXATION

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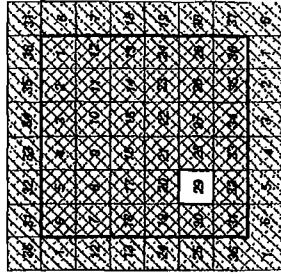
FOR ASSESSMENT PURPOSES
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FOR OTHER USE

13-11 AND/OR 13-14

A-1



WASHINGTON COUNTY OREGON
SECTION 29 T2N R3W W.M.
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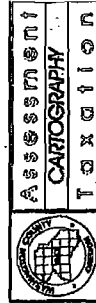


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CB	CA	DB	DA
CC	CD	DC	DD

SECTION 29

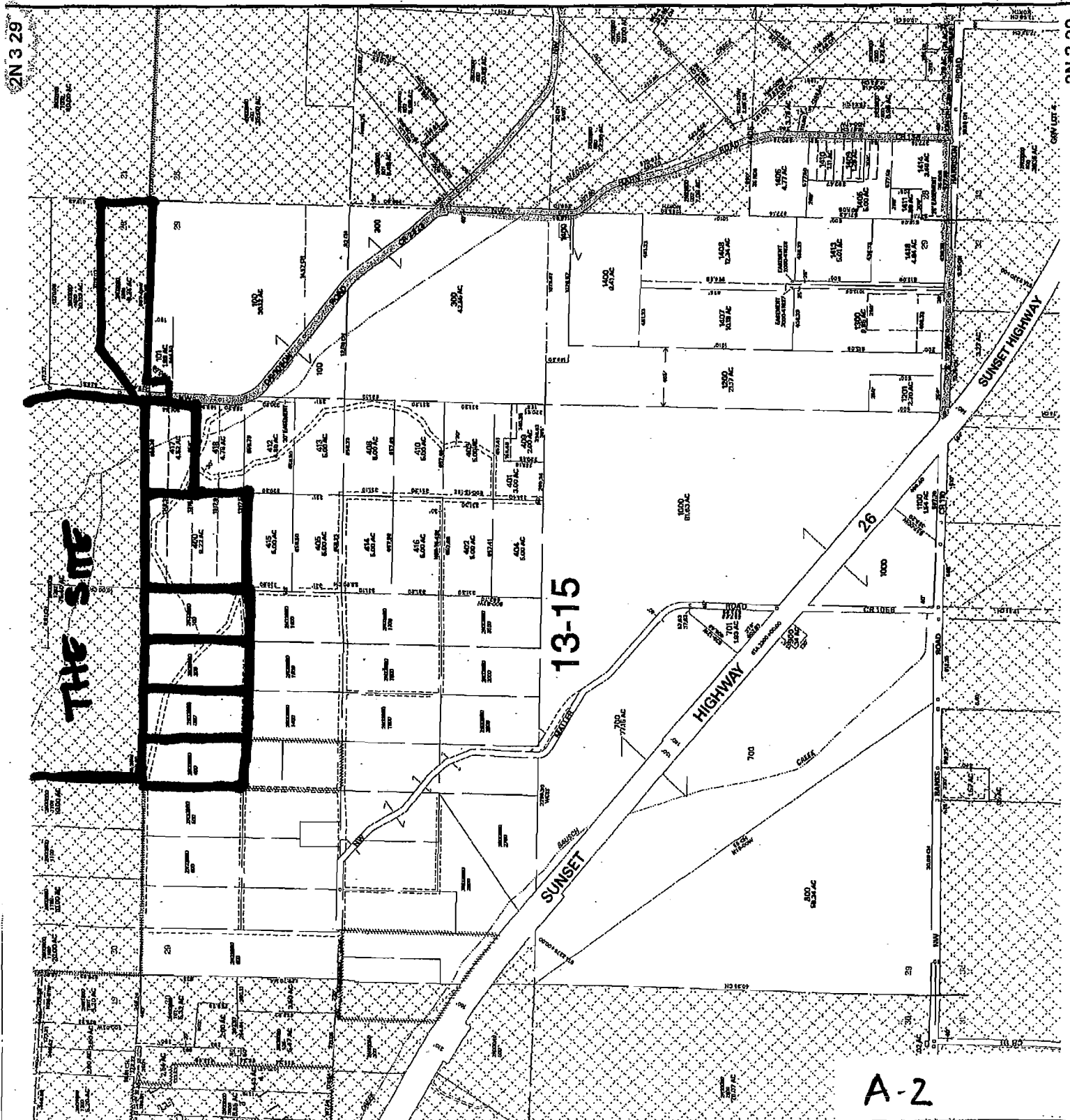
Copyrighted Textbook: Pric. 2N329
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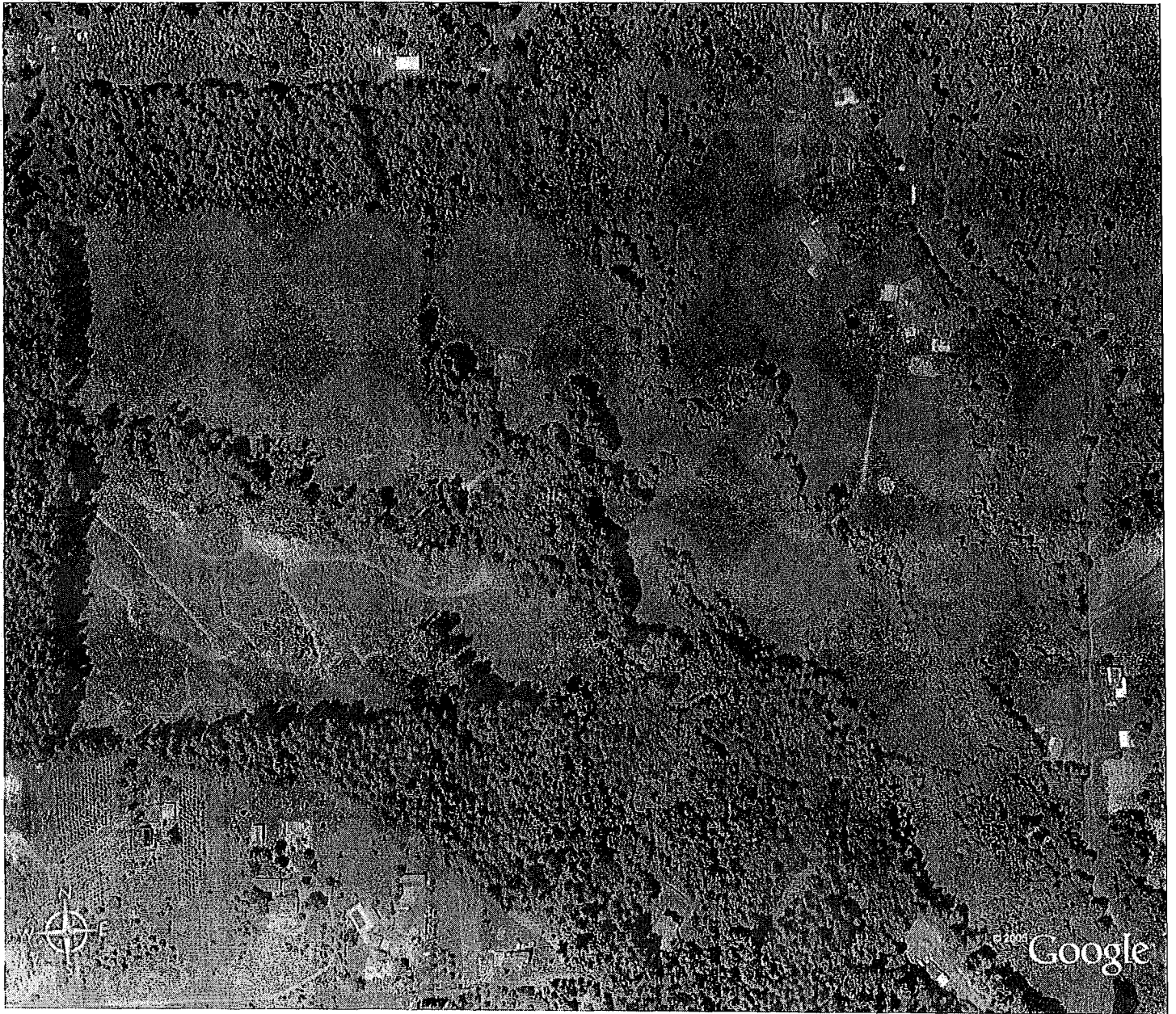
ASSESSMENT
CARTOGRAPHY
TERRITORY

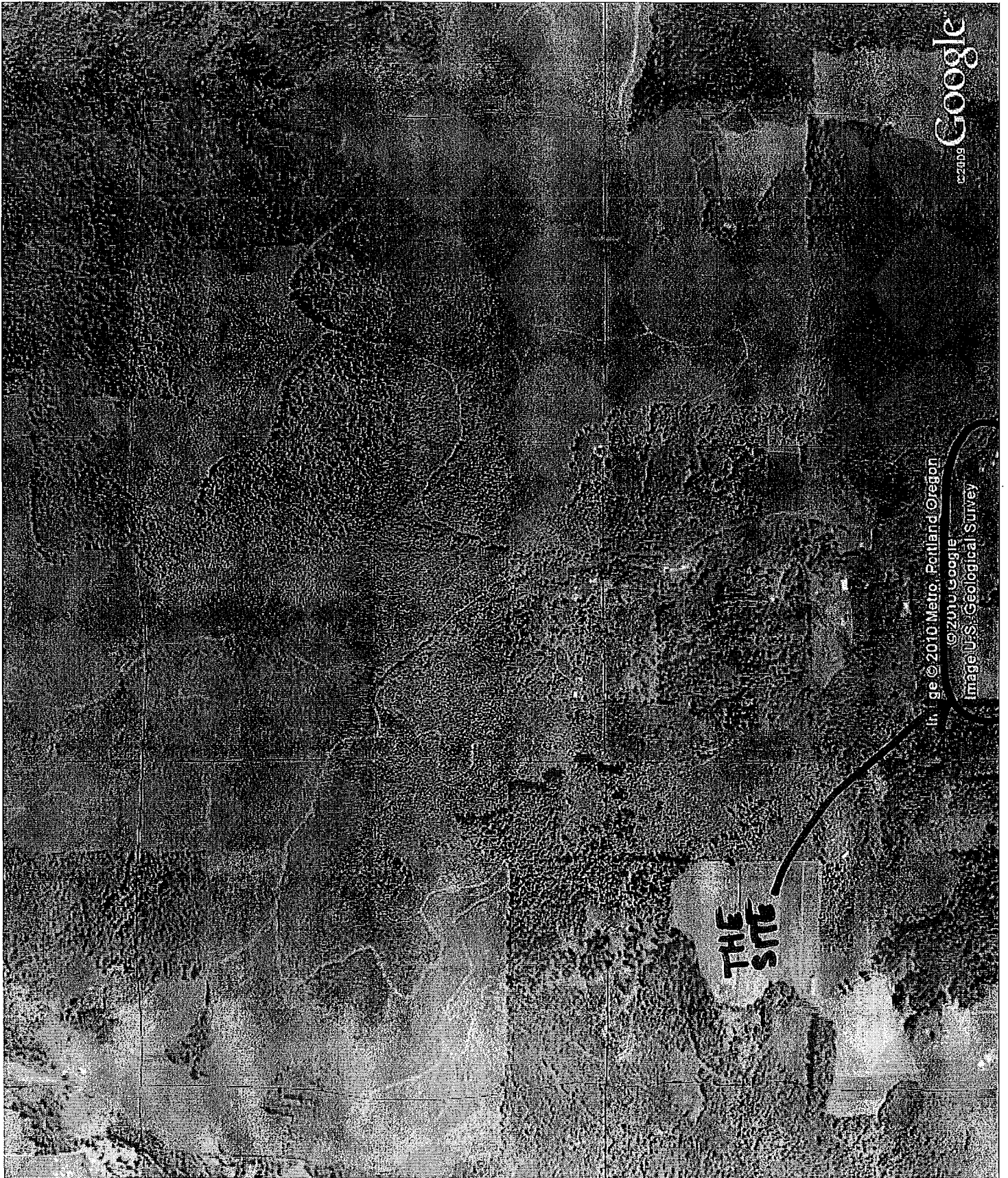
PLOT DATE: July 01, 2009
FOR ASSESSMENT PURPOSES
ONLY. DO NOT RELY ON
FOR OTHER USE

This area determined by other party shall be a non-encumbered
current property boundaries. Please consult the appropriate map
for the most current information.



A-2





RURAL / NATURAL RESOURCE PLAN

LAND USE DISTRICTS

(GENERAL DESCRIPTION)

This is a generalized description of the Land Use Districts. A complete description of each District and the uses permitted within each district is contained within the Washington County Community Development Code. For additional information, please refer to the Code.

EXCLUSIVE FOREST AND CONSERVATION (EFC)

Intended to provide for forest uses and the continued use of lands for renewable forest resource production, retention of water resources, recreation and other related or compatible uses. Prohibits uses of land which are not compatible with the management and development of forest resources. Application for most uses, including dwellings are reviewed for compatibility with the Plan designation. In most cases, new lots must be a minimum of 80 (eighty) acres.

EXCLUSIVE FARM USE (EFU)

Intended to preserve and maintain commercial agricultural land for farm use consistent with existing and future needs for agricultural products, forests and open spaces. Prohibits uses of lands which are not compatible with farm uses and agricultural land. Applications for most uses, including dwellings, are reviewed for compatibility with the Plan designation. No minimum lot size requirements for land divisions, however there are specific review standards for the creation of new parcels.

AGRICULTURE AND FOREST - 20 (AF-20)

Intended to preserve and maintain agricultural land in uses consistent with those included in an exclusive farm use district. Recognizes that certain lands therein may be of "marginal" use for agricultural and forestry purposes and provides a process and criteria for identifying marginal lands within the District. Applications for most uses, including dwellings, are reviewed for compatibility with the Plan designation. Creation of new lots for farm uses requires at least a 20 (twenty) acre minimum lot size. There are specific review standards provided in the Code for the creation of new parcels in the AF-20 District.

AGRICULTURE AND FOREST - 10 (AF-10)

Retains the area's rural character and conserves natural resources while providing for rural residential uses. This District is applied to rural lands with steep topographic characteristics where there are limited public facilities and services. A 10 (ten) acre minimum lot size is normally required for the creation of new parcels.

AGRICULTURE AND FOREST - 5 (AF-5)

Retains the area's rural character and conserves natural resources while providing for rural residential uses. Intended to recognize parcelization and diverse ownerships existing at the time of adoption of the Comprehensive Plan. A 5 (five) acre minimum lot size is normally required for creation of new parcels.

RURAL RESIDENTIAL - 5 (RR-5)

Recognizes rural areas which have been committed of developed for suburban residential uses with minimum farm and forest uses. Prohibits mobile homes. A 5 (five) acre minimum lot size is normally required for creation of new parcels, although divisions of land down to one acre are allowed in limited areas, through procedures specified in the Community Development Code.

RURAL COMMERCIAL (R-COM)






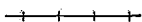





Provides for commercial activities which serve the convenience goods and service needs of rural residents while protecting the historic character of rural centers and the agricultural or forestry character of the area.

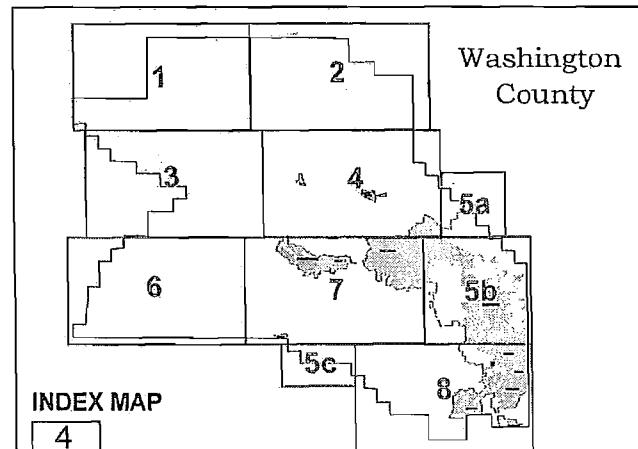
LAND EXTENSIVE INDUSTRIAL (MA-E)

Provides land for farm and forest-related industrial uses needed to support the natural resource base consistent with the rural character and level of services. Recognizes land designated MA-E pursuant to the 1973 Comprehensive Plan. Proposed industrial uses are evaluated to determine consistency with the Plan designation. Existing lawfully created industrial uses are recognized and allowed reasonable expansion, subject to certain conditions.

RURAL INDUSTRIAL (R-IND)

Provides for industrial uses in the County needed to support the natural resource base consistent with the rural character and rural level of services. Allows industrial uses which are primarily resource-related, such as: processing and manufacture of timber and forest-related products, farm crops and produce, and minerals and aggregates near the resource sites, and for the repair of mechanical equipment related to farm and forest activities. Proposed new industrial uses are evaluated to determine consistency with the Plan designation. Existing lawfully created industrial uses are recognized and allowed reasonable expansion, subject to certain conditions.

-  Regional Trafficway / Principal Arterial Routes
-  Primary Roadways
-  Secondary Roadways
-  Local Roads and other Minor Routes
-  Gravel or Unimproved Roads
-  Railroads
-  Spot elevation in feet
-  Urban Growth Boundary
-  County Boundary
-  Rivers
-  Incorporated Urban Areas

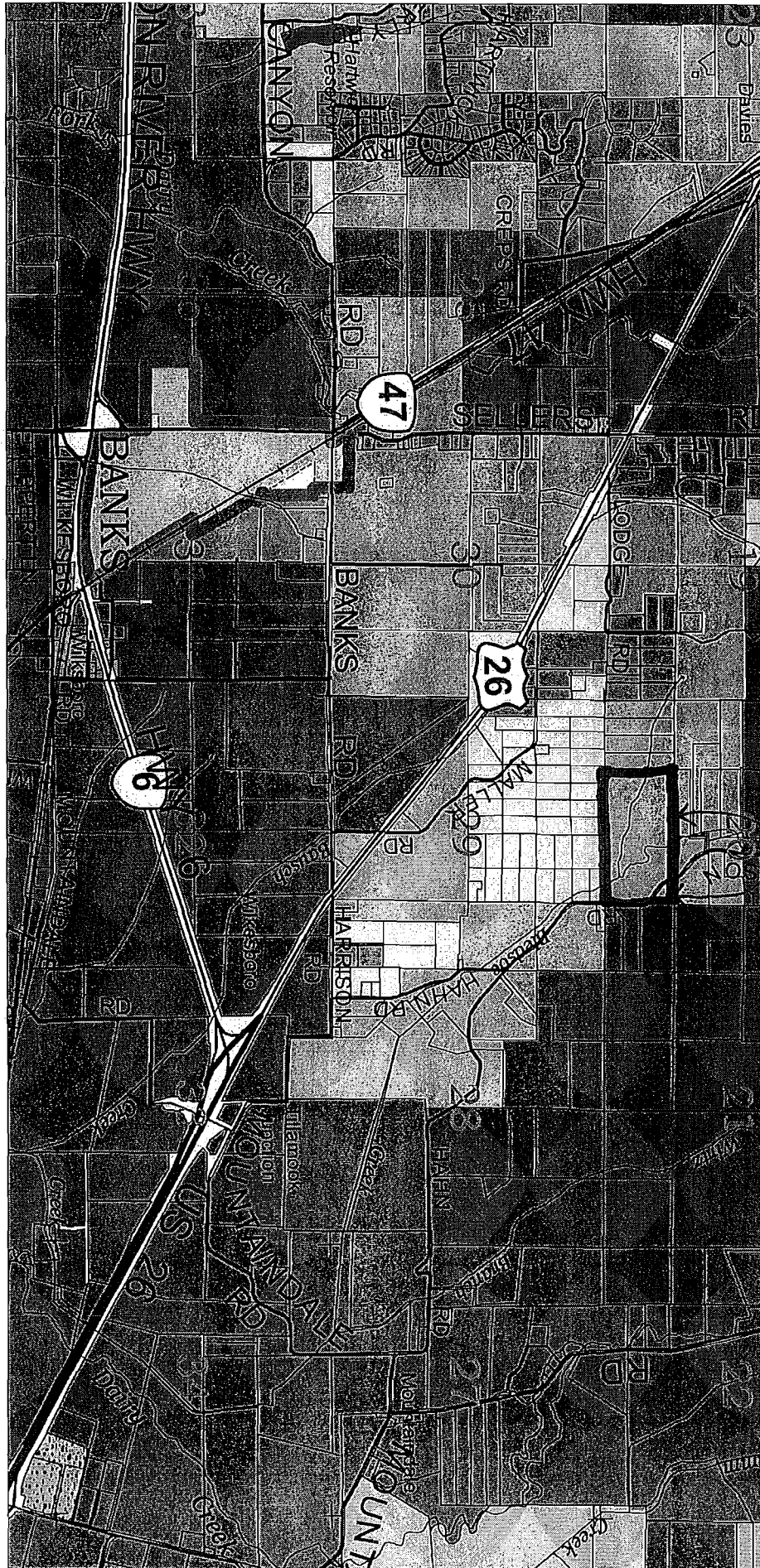


INDEX MAP

4

The map above shows the locations of the ten indexed maps for the Washington County Rural Natural Resource Plan. Each map is at a scale of 1:60,000 or 1 inch represents 5000 feet.

C-1



RURAL / NATURAL RESOURCE PLAN


SIGNIFICANT NATURAL RESOURCES


(GENERAL DESCRIPTION)

This is a generalized description of the significant resources. Additional information concerning each identified resource is available from the Washington County Department of Land Use and Transportation.


MINERAL AND AGGREGATE OVERLAY

Protects mineral and aggregate resources for future use; provides for the development of utilization of resources currently needed for economic development; regulates extraction and processing activities to minimize their impact on adjacent


 **DISTRICT A**
Applied only to sites upon which extraction, processing and stockpiling activities are currently undertaken and to sites which may be utilized for such activities in the future. Provides regulations which minimize impacts of resource extraction and processing on adjacent land use.

 **DISTRICT B**
Applied to land within one thousand feet of District A boundaries. Regulates the establishment of new noise sensitive uses which may be affected by mineral and aggregate extraction activities. Intended to reduce conflicting land uses and ensure that future extraction of minerals and aggregate will not be precluded by other development.


WATER AREAS AND WETLANDS

 100 Year flood plain, drainage hazard areas and ponds, except those already developed.


WILDLIFE HABITAT

 Sensitive habitats identified by the Oregon Department of Fish and Wildlife, and forested areas coincidental with water areas and wetlands.


WATER AREAS, WETLANDS & FISH AND WILDLIFE HABITAT

 Water areas and wetlands that are also fish and wildlife habitat.


SIGNIFICANT NATURAL AREAS

 Sites of special importance, in their natural condition, for their ecologic, scientific, and educational value.

HISTORIC AND CULTURAL RESOURCES

 Historic Resources described in the Washington County Cultural Resources Inventory, including sites, structures, objects and buildings. Historic buildings and structures are protected by regulations in the County's Historic and Cultural Resource Overlay District.

RESOURCE OVERLAP

 Indicates that more than one significant natural resource is located on this site. In such cases, the provisions of the Plan and Code for each resource apply.

SCENIC RESOURCES

Scenic Routes

Roads identified as excellent scenic roads and those sections of good scenic roads which offer a vista of the Tualatin Valley or the Cascade Mountains. Scenic Routes also include those stretches of streams which are identified as candidate routes for inclusion in the National Wild and Scenic River system.














Scenic Views

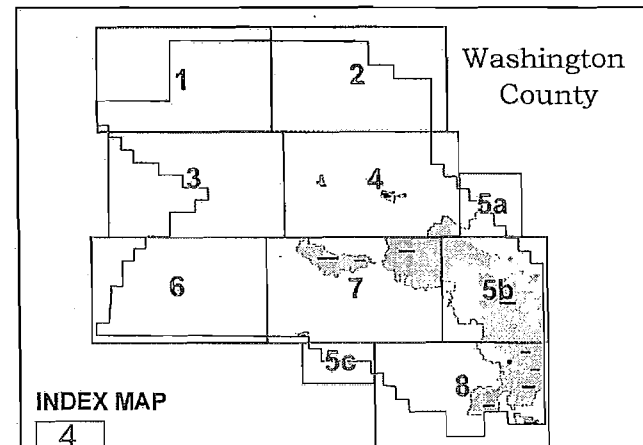
Viewpoints providing a vista of the Tualatin Valley, the Cascade Mountains, or other scenic features.



Scenic Features

Land forms, vegetation or water courses with aesthetic value to the surrounding area.

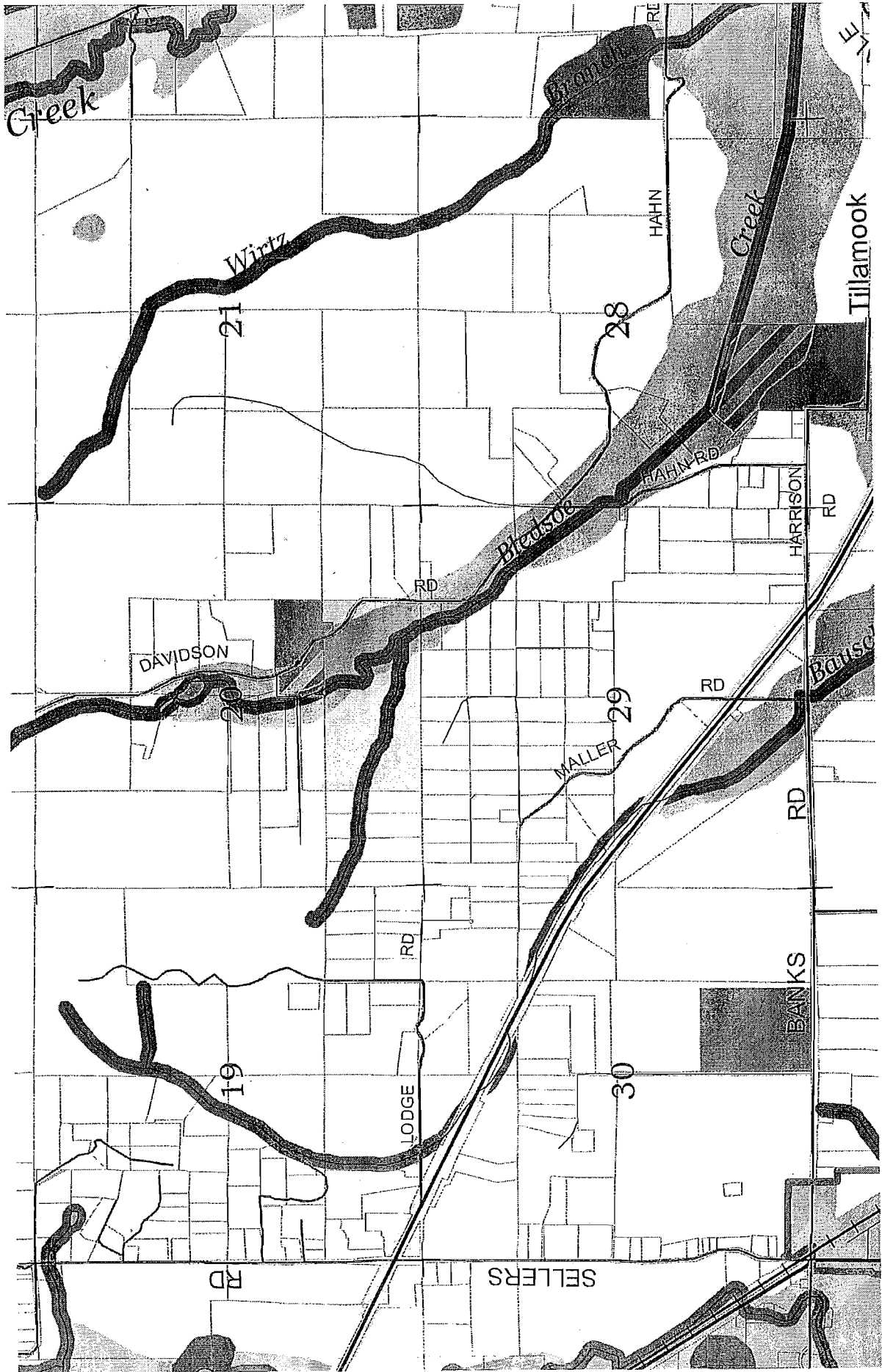
-  Regional Trafficway / Principal Arterial Routes
-  Primary Roadways
-  Secondary Roadways
-  Local Roads and other Minor Routes
-  Gravel or Unimproved Roads
-  Railroads
-  x 1195 Spot elevation in feet
-  Urban Growth Boundary
-  County Boundary
-  Rivers
-  Incorporated Urban Areas

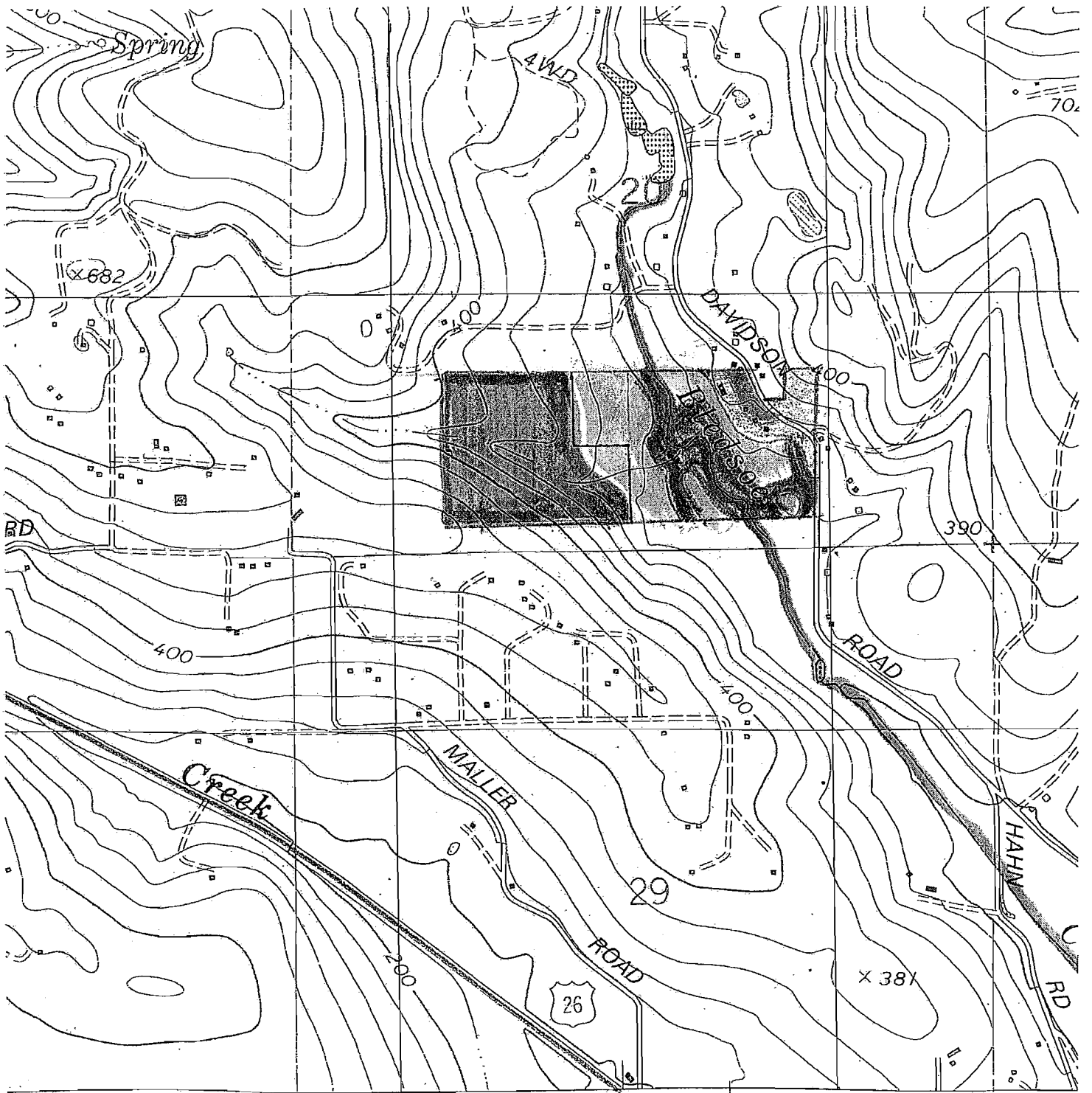


INDEX MAP

4

The map above shows the locations of the ten indexed maps for the Washington County Rural Natural Resource Plan. Each map is at a scale of 1:60,000 or 1 inch represents 5000 feet.





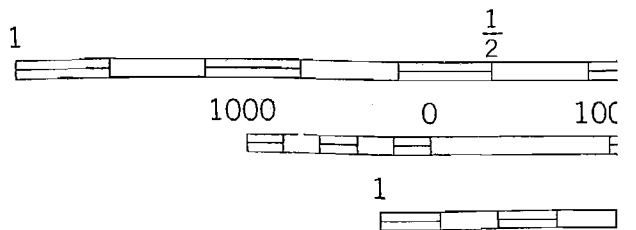
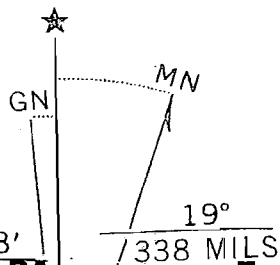
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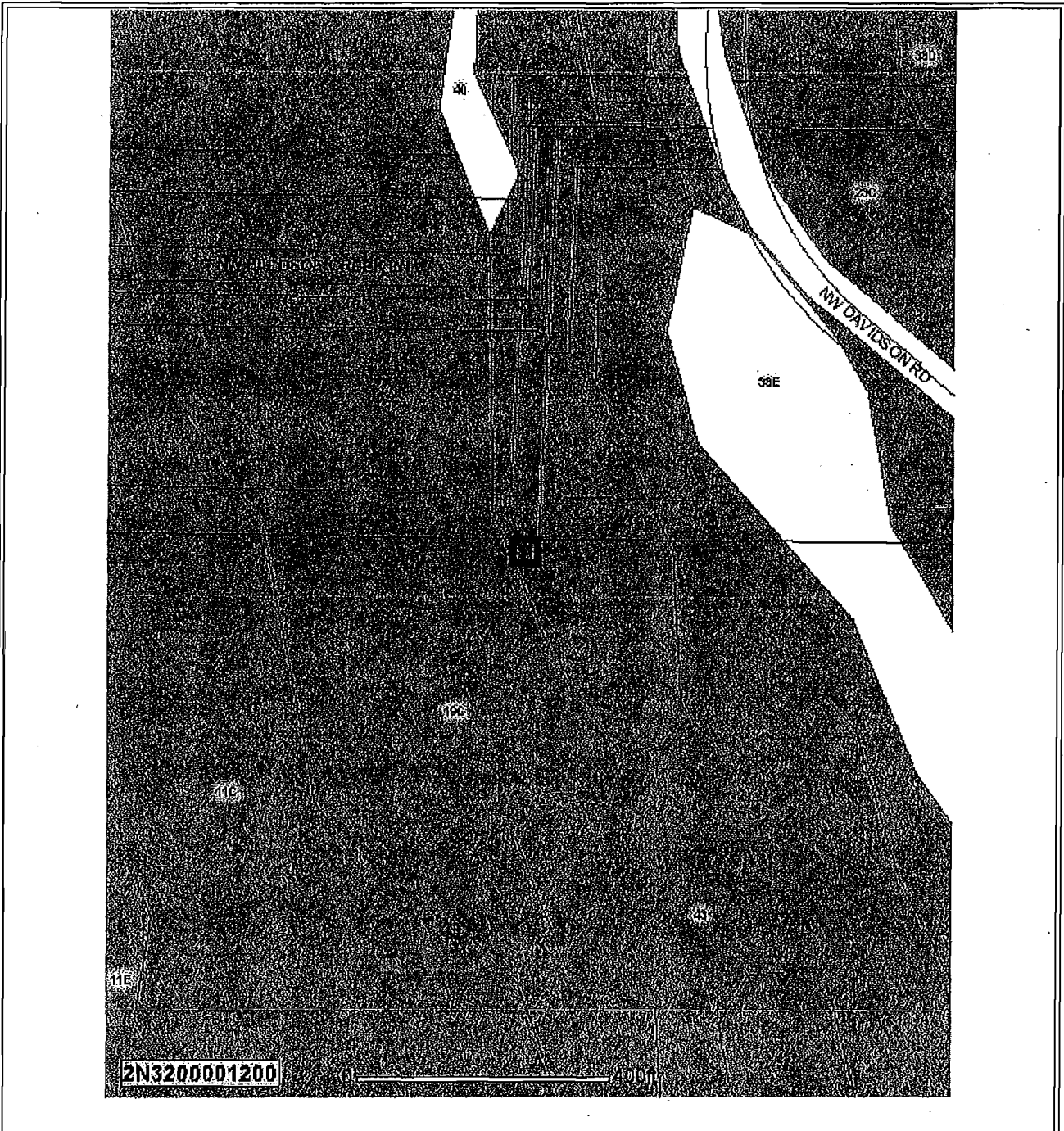
5'

NORTH PLAINS 4.5 MI.
PORTLAND 23 MI.

Flood Plain

own
7 and





This map was derived from several databases. The County cannot accept responsibility for any errors, omissions, or positional accuracy and therefore there are no warranties for this product. However, notification of errors would be appreciated.

Washington County
 Geographic Information Systems
 155 N First Ave, Hillsboro OR
 97124
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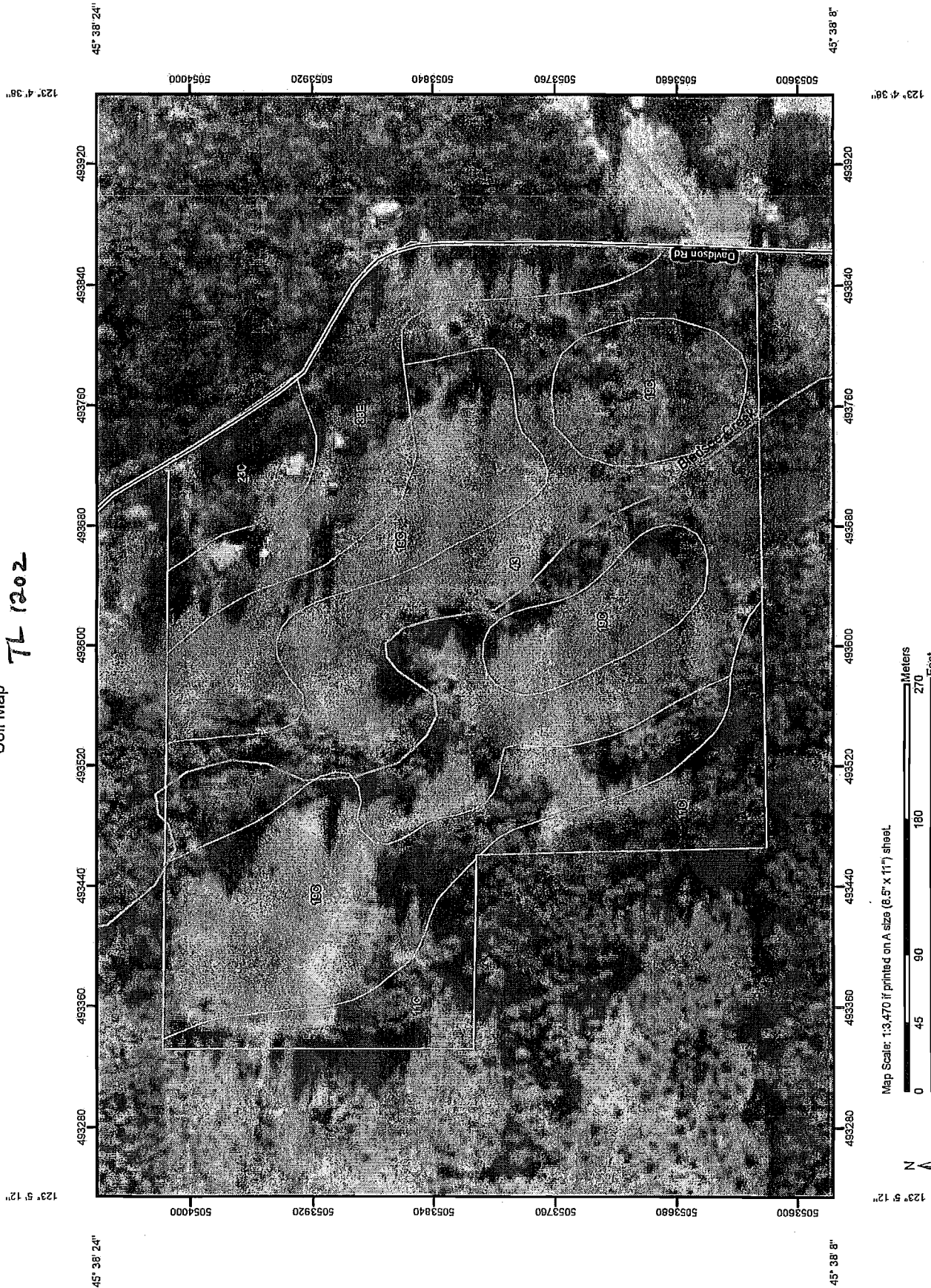
E-1

Soil Data Report for: 2N3200001200

Forest Value	Code	Cap Class	Plan Desig.	High Value	Description	Acres
0E-8	43	IIIW-2	AF-20	Y	Wapato silty clay loam	0.00689485
Total Acres:						0.00689485
Acres High Value Farmland: 0.00689485						
Percent High Value: 100%						

Custom Soil Resource Report
Soil Map

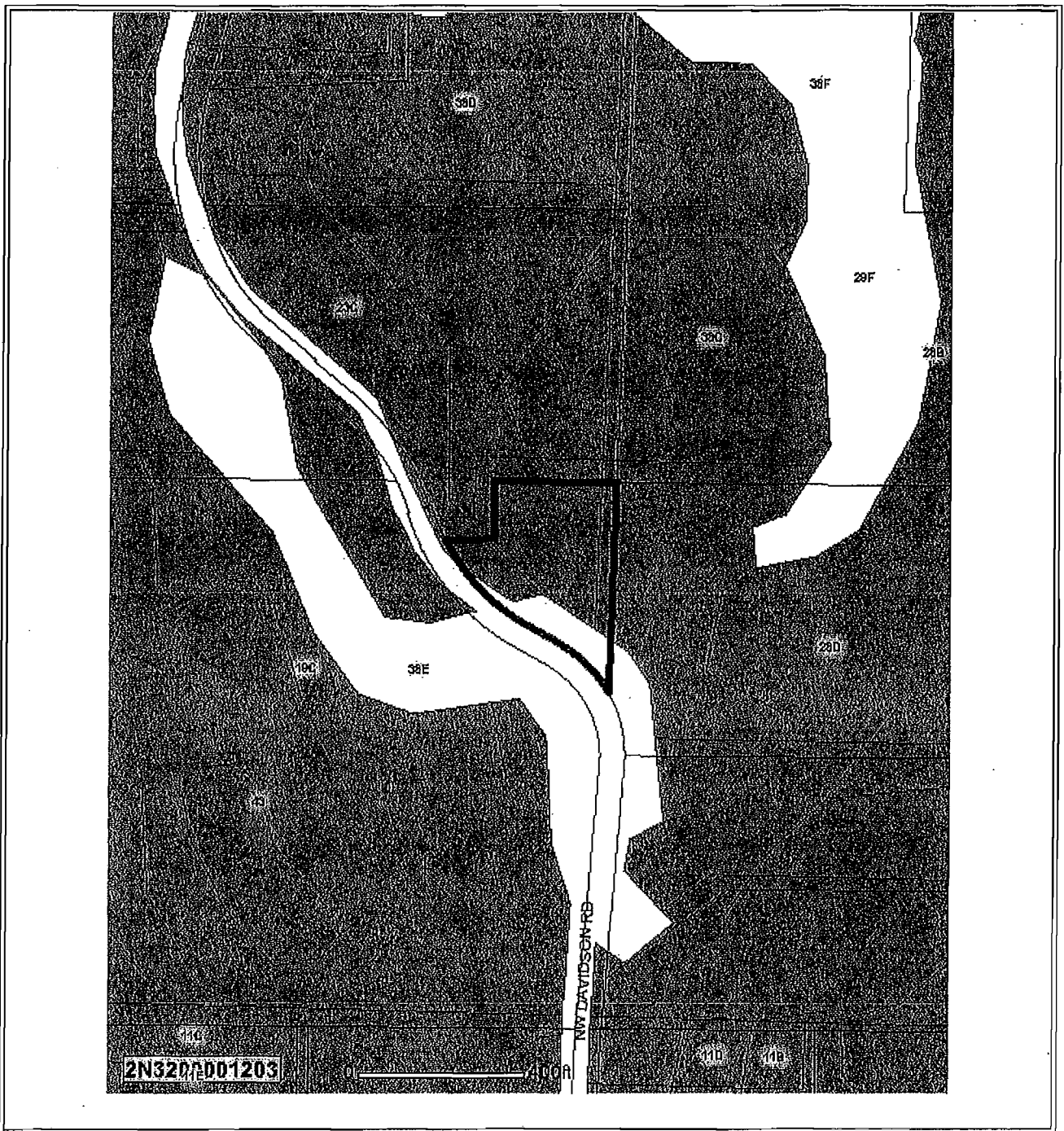
7L 1202



Custom Soil Resource Report

Map Unit Legend (Tax Lot 1202)

Washington County, Oregon (OR067)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
11C	Cornelius and Kinton silt loams, 7 to 12 percent slopes	4.5	10.6%
19C	Helvetia silt loam, 7 to 12 percent slopes	16.5	38.9%
23C	Jory silty clay loam, 7 to 12 percent slopes	1.8	4.1%
38E	Saum silt loam, 20 to 30 percent slopes	5.1	12.0%
43	Wapato silty clay loam	14.6	34.4%
Totals for Area of Interest		42.5	100.0%



This map was derived from several databases. The County cannot accept responsibility for any errors, omissions, or positional accuracy and therefore there are no warranties for this product. However, notification of errors would be appreciated.

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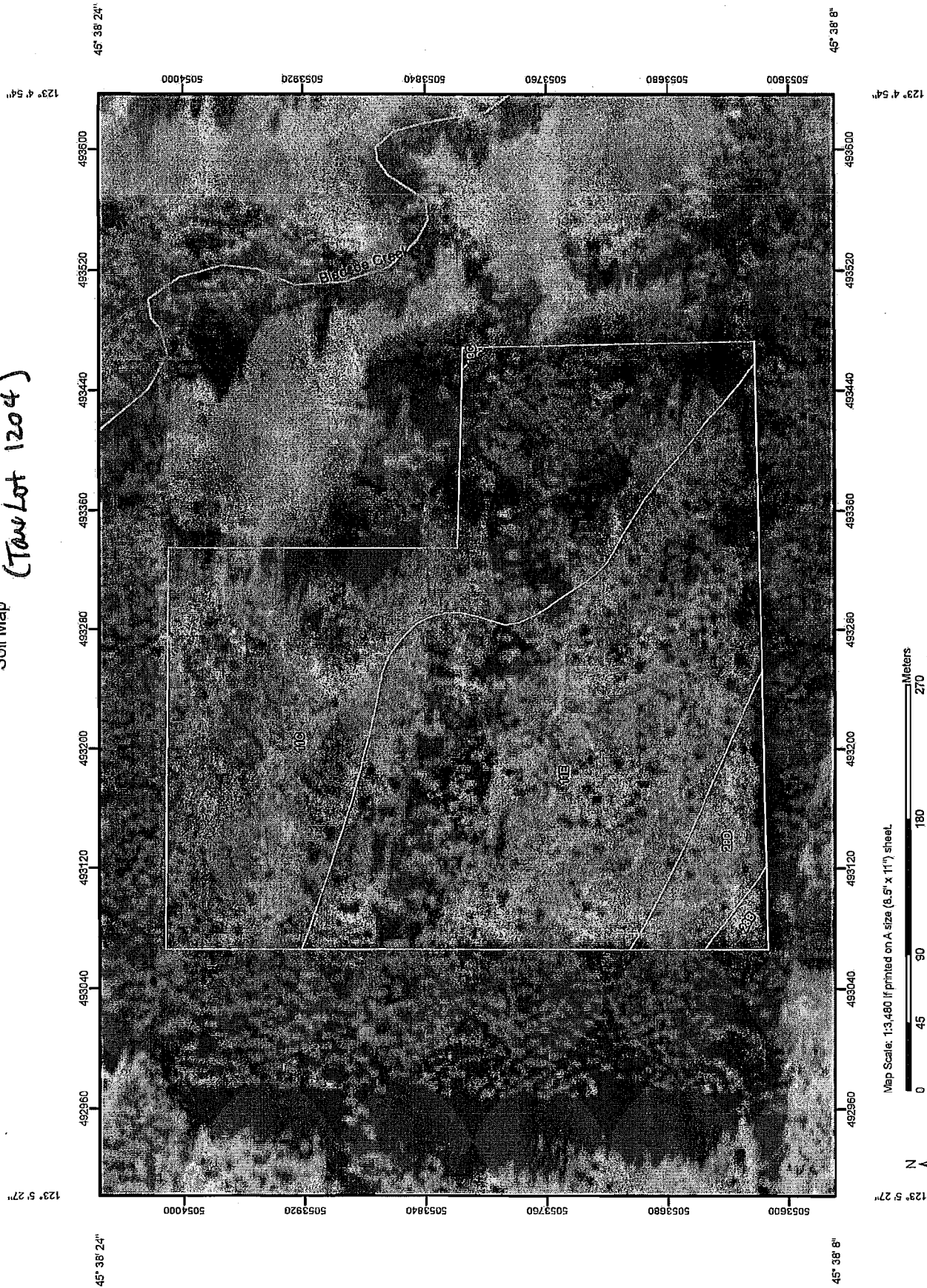
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E. 5

Soil Data Report for: 2N3200001203

Forest Value	Code	Cap Class	Plan Desig.	High Value	Description	Acres
155.00000000	23C	IIE-3	AF-20	Y	Jory silty clay loam, 7 to 12 percent slopes	0.51256384
135.00000000	38C	IIE-3	AF-20	Y	Saum silt loam, 7 to 12 percent slopes	0.26342277
135.00000000	38D	IIIE-2	AF-20	Y	Saum silt loam, 12 to 20 percent slopes	1.78173503
135.00000000	38E	IVE-2	AF-20		Saum silt loam, 20 to 30 percent slopes	0.21133533
Total Acres:						2.76905697
Acres High Value Farmland: 2.55772164						
Percent High Value: 92%						

Custom Soil Resource Report
Soil Map
(Tax Lot 1204)



Custom Soil Resource Report

Map Unit Legend

(Tax Lot 1204)

Washington County, Oregon (OR067)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
11C	Cornelius and Kinton silt loams, 7 to 12 percent slopes	15.0	45.8%
11E	Cornelius and Kinton silt loams, 20 to 30 percent slopes	15.7	48.0%
19C	Helvetia silt loam, 7 to 12 percent slopes	0.0	0.1%
28B	Laurelwood silt loam, 3 to 7 percent slopes	0.3	0.9%
28D	Laurelwood silt loam, 12 to 20 percent slopes	1.7	5.3%
Totals for Area of Interest		32.8	100.0%

This is a scanned version of the text of the original Soil Survey report of Washington County, Oregon, issued July 1982. Original tables and maps were deleted. There may be references in the text that refer to a table that is not in this document.

Updated tables were generated from the NRCS National Soil Information System (NASIS). The soil map data has been digitized and may include some updated information. These are available from <http://soildatamart.nrcs.usda.gov>.

Please contact the State Soil Scientist, Natural Resources Conservation Service (formerly Soil Conservation Service) for additional information.

SOIL SURVEY OF WASHINGTON COUNTY, OREGON

By George L. Green, Soil Conservation Service

Fieldwork by George E. Otte, Duane K. Setness, Richard T. Smythe, and Calvin T. High, Soil Conservation Service

United States Department of Agriculture, Soil Conservation Service, in cooperation with the Oregon Agricultural Experiment Station

WASHINGTON COUNTY is in the northwestern part of the Willamette Valley (fig. 1). The total land area is approximately 458,200 acres.

The southern and eastern parts of the survey area consist of a smooth valley area that is used for farming and urban communities, and the western and northern parts consist of a hilly or mountainous area that is used for timber.

With the exception of the headwaters of the Trask, Wilson, and Nehalem Rivers, which originate near the summit of the Coast Range and flow westward to the Pacific Ocean, the drainage of more than 90 percent of the county is eastward through forks and tributaries of the Tualatin River into the Willamette River, which flows into the Columbia River at Portland.

How this survey was made

Soil scientists made this survey to learn what kinds of soil are in Washington County, where they are located, and how they can be used. The soil scientists went into the county knowing they likely would find many soils they had already seen and perhaps some they had not. They observed the steepness, length, and

shape of slopes, the size and speed of streams, the kinds of native plants or crops, the kinds of rock, and many facts about the soils. They dug many holes to expose soil profiles. A profile is the sequence of natural layers, or horizons, in a soil; it extends from the surface down into the parent material that has not been changed much by leaching or by the action of plant roots.

The soil scientists made comparisons among the profiles they studied, and they compared these profiles with those in counties nearby and in places more distant. They classified and named the soils according to nationwide, uniform procedures. The *soil series* and the *soil phase* are the categories of soil classification most used in a local survey.

Soils that have profiles almost alike make up a soil series. Except for different texture in the surface layer, all the soils of one series have major horizons that are similar in thickness, arrangement, and other important characteristics. Each soil series is named for a town or other geographic feature near the place where a soil of that series was first observed and mapped. Aloha and Hillsboro, for example, are the names of two soil series. All the soils in the United States having the same series name are essentially alike in those characteristics that affect their behavior in the undisturbed landscape.

Soils of one series can differ in texture of the surface layer and in slope, stoniness, or some other characteristic that affects use of the soils by man. On the basis of such differences, a soil series is divided into phases. The name of a soil phase indicates a feature that affects management. For example, Hillsboro loam, 0 to 3 percent slopes, is one of several phases within the Hillsboro series.

After a guide for classifying and naming the soils has been worked out, the soil scientists drew the boundaries of the individual soils on aerial photographs. These photographs show woodlands, buildings, field borders, trees, and other details that help in drawing boundaries accurately. The soil map at the back of this publication was prepared from aerial photographs.

The areas shown on a soil map that are identified by the same symbol are called mapping units. On most maps detailed enough to be useful in planning the management of farms and fields, a mapping unit is nearly equivalent to a soil phase. It is not exactly

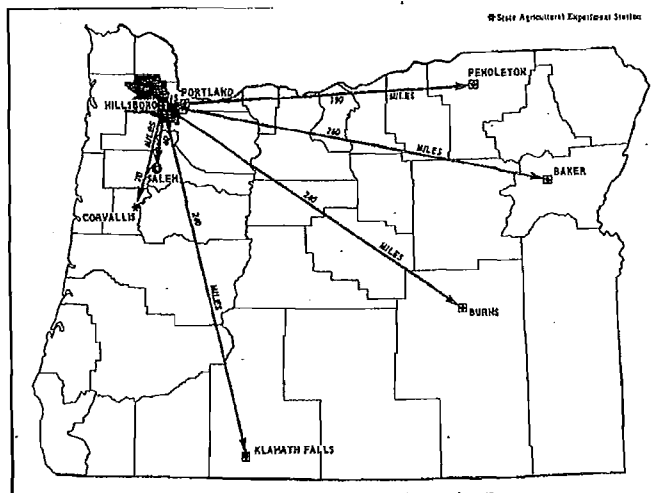


Figure 1.-Location of Washington County in Oregon.

inches thick. The profile is medium acid in the surface layer and upper part of the subsoil to strongly acid in the lower part of the subsoil.

Permeability is slow. Available water capacity is 5 to 7.5 inches. Water-supplying capacity is 17 to 19 inches. Effective rooting depth is 20 to 30 inches.

These soils are used for small grain, clover seed, hay, pasture, berries, timber, wildlife habitat, recreation, and homesites.

Representative profile of Cascade silt loam, 3 to 7 percent slopes, located 25 feet south of the section line and 100 feet west of Logie Trail Road in the NE1/4NE1/4NE1/4 section 28, T. 2 N., R. 2 W.:

- Ap-0 to 11 inches, very dark grayish-brown (10YR 3/2) silt loam, grayish brown (10YR 5/2) dry; moderate, very fine, subangular blocky structure; slightly hard, friable, slightly sticky and slightly plastic; many very fine roots; many, very fine, irregular pores; 10 percent hard fine concretions; medium acid (pH 6.0); clear, smooth boundary. 7 to 11 inches thick.
- B21-11 to 18 inches, dark-brown (7.5YR 3/3) heavy silt loam, brown (7.5YR 5/4) dry; moderate, fine, subangular blocky structure; slightly hard, friable, slightly sticky and slightly plastic; many very fine roots; many, very fine, tubular pores; medium acid (pH 5.9); clear, wavy boundary. 6 to 12 inches thick.
- B22-18 to 27 inches, brown (7.5YR 4/4) heavy silt loam, pale brown (10YR 6/3) dry; moderate, medium, subangular blocky structure; hard, firm, slightly sticky and plastic; common fine roots; many, very fine, tubular pores; medium acid (pH 5.6); clear, wavy boundary. 6 to 12 inches thick.
- IIBx1-27 to 37 inches, brown (7.5YR 4/4) silt loam, pale brown (10YR 6/3) dry; common, medium and coarse mottles which are reddish brown (5YR 4/4) moist and reddish brown (5YR 5/4) dry, dark grayish brown (10YR 4/2) moist and yellowish red (10YR 5/6) dry, and grayish brown (10YR 5/2) moist and white and pinkish white (10YR 8/1 and 10YR 8/2) dry; moderate, medium, subangular blocky structure; very hard, firm, slightly sticky and plastic; brittle; few moderately thick clay films in pores and on peds; few black manganese coatings in pores; strongly acid (pH 5.3); clear, irregular boundary. 6 to 10 inches thick.
- IIBx2-37 to 50 inches, brown (7.5YR 4/4) silt loam, very pale brown (10YR 7/3) dry; many, coarse, reddish-brown (5YR 4/4) and dark grayish brown (10YR 4/2) mottles white (10YR 8/1) dry; moderate, medium, subangular blocky structure; very hard, very firm, slightly sticky and plastic; very brittle; few moderately thick clay films in pores and on peds; common, black, manganese

coatings in pores and on peds; strongly acid (pH 5.3).

The depth to the fragipan ranges from 20 to 30 inches. The B horizon is silt loam or silty clay loam with 18 to 30 percent clay and less than 10 percent sand that is coarser than very fine sand. The fragipan ranges from 24 to 48 inches in thickness. It is silt loam or silty clay loam that is firm or very firm and hard or very hard. Clay films are few or common and thin or moderately thick on the fractures and in pores of the fragipan.

7B-Cascade silt loam, 3 to 7 percent slopes. This gently sloping soil is on smooth or rolling, convex ridgetops. The soil has the profile described as representative of the series.

Included with this soil in mapping were areas of Delena, Goble, Kinton, and Cornelius soils. Also included are areas of soils that are similar to this Cascade soil but are subject to greater precipitation. Included soils make up as much as 15 percent of this mapping unit.

Runoff is slow, and the hazard of erosion is slight. Capability unit IIIw-1; woodland suitability group 3w1; wildlife group 3.

7C-Cascade silt loam, 7 to 12 percent slopes. This moderately sloping soil is on uplands.

Included with this soil in mapping were areas of Delena, Goble, Kinton, and Cornelius soils. Also included are areas of soils that are similar to this Cascade soil but are subject to higher precipitation. Included soils make up as much as 15 percent of this mapping unit.

Runoff is medium, and the hazard of erosion is moderate. Capability unit IIIe-4; woodland suitability group 3w1; wildlife group 3.

7D-Cascade silt loam, 12 to 20 percent slopes. This moderately steep soil is on uplands.

Included with this soil in mapping were areas of Delena, Goble, Kinton, and Cornelius soils. Also included are areas of soils that are similar to this Cascade soil but are subject to higher precipitation. Included soils make up as much as 15 percent of this mapping unit.

Runoff is medium, and the hazard of erosion is moderate. Capability unit IIIe-4; woodland suitability group 3w1; wildlife group 3.

7E-Cascade silt loam, 20 to 30 percent slopes. This steep soil is on uplands.

Included with this soil in mapping were areas of Delena, Goble, Kinton, and Cornelius soils. Also included are areas of soils that are similar to this Cascade soil but are subject to higher precipitation. Included soils make up as much as 20 percent of this mapping unit.

Runoff is medium to rapid, and the hazard of erosion is moderate to severe. This soil is used mainly for pasture, timber, wildlife habitat, and homesites. Capability unit IVE-1; woodland suitability group 3w1; wildlife group 3.

7F-Cascade silt loam, 30 to 60 percent slopes. This steep to very steep soil is on uplands.

Included with this soil in mapping were areas of Delena, Goble, Kinton, and Cornelius soils and soils that are moderately deep to basalt. Also included are areas of soils that are similar to this Cascade soil but

fragipan in some pedons. Clay films on most ped faces are common, nearly continuous, and thin to moderately thick. The depth to the fragipan ranges from 30 to 40 inches. The fragipan is very firm to firm and very brittle, and it has few to many, thin to moderately thick clay films on most peds. It is a silt loam to silty clay loam and is commonly 2 feet or more in thickness. The fragipan overlies dark reddish-brown (2.5YR 3/4) clay in some areas.

11B-Cornelius and Kinton silt loams, 2 to 7 percent slopes. This undifferentiated group consists of about 50 to 65 percent Cornelius soils and 25 to 35 percent Kinton soils. These soils occur in a variable pattern. The Cornelius soil and the Kinton soil have the profile described as representative of their respective series.

Included with this undifferentiated group in mapping were areas of Cascade, Laurelwood, and Delena soils, which make up as much as 15 percent of this mapping unit.

Runoff is slow, and the hazard of erosion is slight. Capability unit IIIe-3; woodland suitability group 2o2; wildlife group 3.

11C-Cornelius and Kinton silt loams, 7 to 12 percent slopes. This undifferentiated group consists of about 50 to 65 percent Cornelius soils and 25 to 35 percent Kinton soils. These soils occur in a variable pattern.

Included with this undifferentiated group in mapping were areas of Cascade, Laurelwood, and Delena soils, which make up as much as 15 percent of this mapping unit.

Runoff is medium, and the hazard of erosion is moderate. Capability unit IIIe-3; woodland suitability group 2o2; wildlife group 3.

11D-Cornelius and Kinton silt loams, 12 to 20 percent slopes. This undifferentiated group consists of about 50 to 65 percent Cornelius soils and 25 to 35 percent Kinton soils. These soils occur in a variable pattern.

Included with this undifferentiated group in mapping were areas of Cascade, Laurelwood, and Delena soils, which make up as much as 15 percent of this mapping unit.

Runoff is medium, and the hazard of erosion is moderate. Capability unit IIIe-3; woodland suitability group 2o2; wildlife group 3.

11E-Cornelius and Kinton silt loams, 20 to 30 percent slopes. This undifferentiated group consists of about 50 to 65 percent Cornelius soils and 25 to 35 percent Kinton soils. These soils occur in a variable pattern.

Included with this undifferentiated group in mapping were areas of Cascade, Laurelwood, and Delena soils, which make up as much as 15 percent of this mapping unit.

Runoff is rapid, and the hazard of erosion is severe. This soil is used mainly for irrigated pasture, legume and grass seed, timber, and wildlife habitat. Capability unit IVe-6; woodland suitability group 2o2; wildlife group 3.

11F-Cornelius and Kinton silt loams, 30 to 60 percent slopes. This undifferentiated group consists of about 50 to 65 percent Cornelius soils and 25 to 35 percent Kinton soils.

percent Kinton soils. These soils occur in a variable pattern.

Included with this undifferentiated group in mapping were areas of Cascade, Laurelwood, and Delena soils, which make up as much as 15 percent of this mapping unit.

Runoff is rapid, and the hazard of erosion is severe. This soil is used mainly for timber and wildlife habitat. Capability unit VIe; woodland suitability group 2r2; wildlife group 3.

Cornelius Variant

The Cornelius Variant consists of somewhat poorly drained soils that formed in lacustrine silts on broad valley terraces. Slope is 0 to 12 percent. Elevation is 200 to 300 feet. Where these soils are not cultivated, the vegetation is Douglas-fir, Oregon white oak, shrubs, and grasses. Average annual precipitation is 40 to 50 inches, average annual air temperature is 51° to 53° F, and the frost-free period is 165 to 210 days.

In a representative profile the surface layer is dark-brown silt loam about 10 inches thick. The upper part of the subsoil is dark brown silt loam about 13 inches thick, and the lower part is brown silty clay loam about 16 inches thick over a brown, brittle silty clay loam substratum about 21 inches thick. The profile is medium acid in the upper part and slightly acid in the lower part of the subsoil and in the substratum.

Permeability is moderately slow. Available water capacity is 11 to 13 inches. Water-supplying capacity is 18 to 20 inches. Effective rooting depth is 30 to 40 inches.

These soils are used for orchards, pasture, and small grain. Other uses include wildlife habitat, recreation, and homesites.

Representative profile of Cornelius Variant silt loam, 0 to 3 percent slopes, located in the SW1/4NE1/4SW1/4 section 29, T. 1 N., R. 1 W.:

Ap-0 to 10 inches, dark-brown (10YR 3/3) silt loam, light brownish gray (10YR 6/2) dry; moderate, fine, subangular blocky structure; slightly hard, friable, slightly sticky and slightly plastic; few 2 millimeter to 5 millimeter concretions; many very fine roots; many, very fine, irregular pores; medium acid (pH 5.8); abrupt, smooth boundary. 0 to 10 inches thick.

B11-10 to 15 inches, dark-brown (10YR 4/3) silt loam; pale brown (10YR 6/3) dry; moderate, medium and fine, subangular blocky structure; slightly hard, friable, slightly sticky and slightly plastic; common black manganese stains on peds; common, fine, reddish-brown (5YR 4/4) mottles; few very fine roots; many, very fine, tubular pores; medium acid (pH 6.0); clear, smooth boundary. 5 to 9 inches thick.

B12-15 to 23 inches, dark-brown (10YR 4/3) silt loam, pale brown (10YR 6/3) dry; brown (7.5YR 4/4) and grayish-brown (10YR 5/2) coatings on peds; moderate, medium, subangular blocky structure;

Jory series

The Jory series consists of well drained soils that formed in fine textured colluvium from igneous materials on uplands. Slope is 2 to 60 percent. Elevation is 250 to 1,200 feet. Where these soils are not cultivated, the vegetation is Douglas-fir, Oregon white oak, poison-oak, shrubs, grasses, and forbs. Average annual precipitation is 40 to 60 inches, average annual air temperature is 50° to 54° F, and the frost-free period is 165 to 210 days.

In a representative profile the surface layer is dark reddish-brown silty clay loam about 22 inches thick. The subsoil is dark reddish-brown and dark-red clay more than 40 inches thick. The profile is medium acid in the surface layer and strongly acid in the subsoil.

Permeability is moderately slow. Available water capacity is 9 to 11 inches. Water-supplying capacity is 25 to 28 inches. Effective rooting depth is more than 60 inches.

These soils are used for orchards, irrigated berries, small grain, hay, pasture, timber, wildlife habitat, homesites, and recreation.

Representative profile of Jory silty clay loam, 12 to 20 percent slopes, located 50 feet east of driveway junction, NE1/4NW1/4SW1/4 section 10, T. 2 S., R. 3 W.:

A1-0 to 10 inches, dark reddish-brown (5YR 3/4) silty clay loam, reddish brown (5YR 4/4) dry; strong, fine, granular structure; slightly hard, friable, slightly sticky and plastic; many fine and very fine roots; common, very fine, irregular pores; common fine concretions; medium acid (pH 5.8); clear, smooth boundary. 5 to 20 inches thick.

A3-10 to 22 inches, dark reddish-brown (5YR 3/4) silty clay loam, yellowish red (5YR 4/6) dry; moderate, fine, subangular blocky structure; slightly hard, friable, slightly sticky and plastic; many fine roots; many, very fine, tubular pores; few, fine concretions; medium acid (pH 5.6); clear, smooth boundary. 3 to 12 inches thick.

B21t-22 to 26 inches, dark reddish-brown (2.5YR 3/4) clay, reddish brown (2.5YR 4/4) dry; strong, medium and fine, subangular blocky structure; very hard, very firm, very sticky and very plastic; common fine and medium roots; many, very fine, tubular pores; thin, continuous, clay films on peds; strongly acid (pH 5.4); clear, smooth boundary. 3 to 6 inches thick.

B22t-26 to 44 inches, dark reddish-brown (2.5YR 3/4) clay, reddish brown (2.5YR 4/4) dry; moderate, fine, subangular blocky structure; very hard, very firm, very sticky and very plastic; few fine roots; common, fine, tubular pores; many, fine, black stains; moderately thick, continuous, clay films on peds; strongly acid (pH 5.2); gradual, smooth boundary. 16 to 22 inches thick.

B23t-44 to 62 inches, dark-red (2.5YR 3/6) clay, red (2.5YR 4/6) dry; moderate, fine, subangular blocky structure; very hard, very firm, very sticky and very plastic; common, fine, tubular pores; thin continuous clay films on peds; many, fine, black manganese stains; strongly acid (pH 5.0).

The thickness of the solum is commonly 5 feet or more but is as little as 40 inches in places. The content of coarse fragments ranges from none to 15 percent in the upper 30 to 50 inches. Reaction ranges from medium acid to fiery strongly acid in the A horizon and from strongly acid to very strongly acid in the B horizon. Structure of B horizon ranges from moderate to strong. Stone lines occur in places at a depth below 24 inches.

23B-Jory silty clay loam, 2 to 7 percent slopes. This gently sloping soil is on uplands.

Included with this soil in mapping were areas of Saum, Laurelwood, Cornelius, Kinton, Melbourne, and Helvetia soils, which make up as much as 15 percent of this mapping unit.

Runoff is slow, and the hazard of erosion is slight. Capability unit IIe-3; woodland suitability group 301; wildlife group 3.

23C-Jory silty clay loam, 7 to 12 percent slopes. This moderately sloping soil is on uplands.

Included with this soil in mapping were areas of Saum, Laurelwood, Cornelius, Kinton, Melbourne, and Helvetia soils, which make up as much as 15 percent of this mapping unit.

Runoff is medium, and the hazard of erosion is moderate. Capability unit IIe-3; woodland suitability group 301; wildlife group 3.

23D-Jory silty clay loam, 12 to 20 percent slopes.

This moderately steep soil is on uplands. It has the profile described as representative of the series.

Included with this soil in mapping were areas of Saum, Laurelwood, Cornelius, Kinton, Melbourne, and Helvetia soils, which make up as much as 15 percent of this mapping unit.

Runoff is medium, and the hazard of erosion is moderate. Capability unit IIIe-2; woodland suitability group 301; wildlife group 3.

23E-Jory silty clay loam, 20 to 30 percent slopes.

This steep soil is on uplands

Included with this soil in mapping were areas of Saum, Laurelwood, Cornelius, Kinton, Melbourne, and Helvetia soils, which make up as much as 15 percent of this mapping unit.

Runoff is rapid, and the hazard of erosion is severe. Capability unit IVs-2; woodland suitability group 301; wildlife group 3.

23F-Jory silty clay loam, 30 to 60 percent slopes. This very steep soil is on uplands.

Included with this soil in mapping were areas of Saum, Laurelwood, Cornelius, Melbourne, and Kinton soils, which make up as much as 15 percent of this mapping unit.

Runoff is rapid, and the hazard of erosion is severe. This soil is used mainly for timber and wildlife habitat. Capability unit VIe; woodland suitability group 3r1; wildlife group 3.

erally absent above a depth of 40 inches, but below a depth of 40 inches they make up as much as 15 percent, by volume, of the profile.

26-Knappa silt loam. This nearly level soil is on smooth alluvial terraces along stream bottoms. It has the profile described as representative of the series.

Included with this soil in mapping are areas of Melby soils and a well-drained silty soil that formed in recent stream deposits. Included areas make up as much as 10 percent of this mapping unit.

Runoff is slow, and the hazard of erosion is slight. Capability unit IIe-1; wildlife group 1.

Labish series

The Labish series consists of poorly drained soils that formed in mixed alluvial or lacustrine material that is high in organic matter and is stratified with lenses of peat or muck. These soils are on flood plains or in basins that have impeded drainage. Slope is 0 to 1 percent. Elevation is 100 to 200 feet. Where these soils are not cultivated, the vegetation is sedges, willow, and cottonwood. Average annual precipitation is 40 to 50 inches, average annual air temperature is 52° to 54° F, and the frost-free period is 165 to 210 days.

In a representative profile the surface layer is black mucky clay about 13 inches thick. The next layer is black clay about 23 inches thick. It is underlain by a buried, organic horizon about 24 inches thick. The profile is slightly acid to medium acid in the surface 1.1yer and very strongly acid in the subsoil and in the buried organic horizon.

Permeability is slow. Available water capacity is 12 to 15 inches. Effective rooting depth is 24 to 36 inches.

These soils are used for onions and pasture.

Representative profile of Labish mucky clay, 0 to 1 percent slopes, located at Wapato Lake, in the SE1/4SE1/4NW1/4 section 1, T. 2 S., R. 4 W.:

Ap-0 to 6 inches, black (10YR 2/1) mucky clay, very dark gray (10YR 4/1) dry; strong, fine, granular structure; soft, friable, slightly sticky and plastic; many fine roots; many, very fine, irregular pores; slightly acid (pH 6.2) ; abrupt, smooth boundary. 6 to 7 inches thick.

A12-6 to 13 inches, black (10YR 2/1) mucky clay, very dark gray (10YR 3/1) dry; many, fine, dark yellowish-brown (10YR 4/4) and gray (N 6/) streaks and mottles; strong, fine, granular structure; soft, friable, slightly sticky and plastic; common fine roots; common, fine, irregular pores; medium acid (pH 5.5) ; abrupt, smooth boundary. 6 to 8 inches thick.

AC1-13 to 24 inches, black (10YR 2/1) clay, very dark gray (10YR 3/1) dry; weak, medium, prismatic structure; very hard, very firm, very sticky and very plastic; few fine roots; common, fine, tubular pores; many, fine, dark yellowish-brown (10YR 4/4) and gray (2.5Y 6/0) mottles; few thin lenses of dark yellowish-

brown (10YR 3/4) peat; very strongly acid (pH 4.6) ; abrupt, smooth boundary. 6 to 15 inches thick.

AC2-24 to 36 inches, variegated black (10YR 2/1, 3/1) clay; strata of dark yellowish-brown (10YR 3/4) muck; weak, coarse, prismatic structure; very hard, very firm, very sticky and very plastic; few fine roots; few to common, fine, tubular pores; very strongly acid (pH 4.6) ; abrupt, smooth boundary. 5 to 20 inches thick.

IIOb-36 to 60 inches, dark yellowish-brown (10YR 3/4), decomposed, fibrous organic material, black (10YR 2/1) dry; structureless; very strongly acid (pH 4.6).

The thickness of the solum ranges from 24 to 36 inches. The A and AC horizons are black, very dark grayish brown, or very dark brown. They have moderate to strong, fine, granular structure in the A horizon and moderate to weak, coarse, prismatic structure in the AC horizon. The organic-matter content of the surface layer is high, ranging from 10 to 25 percent. Organic materials also occur as thin, stratified lenses less than 4 inches thick and as thicker peat deposits below a depth of 36 inches.

27-Labish mucky clay. This level soil is on old concave lakebeds. It has the profile described as representative of the series.

Included with this soil in mapping were areas of Cove and Wapato soils, which make up as much as 5 percent of this mapping unit.

Runoff is slow to ponded, and the hazard of erosion is slight. Capability unit IIIw-3; wildlife group 1.

Laurelwood series

The Laurelwood series consists of well-drained soils that formed in silty, eolian material overlying fine-textured materials on uplands. Slope is 3 to 60 percent. Elevation is 200 to 1,500 feet. Where these soils are not cultivated, the vegetation is Douglas-fir, bigleaf maple, Oregon-grape and hazelbrush. Average annual precipitation is 45 to 60 inches, average annual air temperature is 51° to 53° F, and the frost-free period is 165 to 210 days.

In a representative profile the surface layer is dark-brown silt loam about 11 inches thick. The subsoil is dark-brown, yellowish-brown, and dark yellowish-brown silt loam and silty clay loam about 41 inches thick. The substratum is dark reddish-brown and yellowish-red silty clay about 20 inches thick. The profile is medium acid in the surface layer and upper part of the subsoil and strongly acid in the lower part of the subsoil and in the substratum.

Permeability is moderate. Available water capacity is 7.5 to 12 inches. Water-supplying capacity is 22 to 26 inches. Effective rooting depth is over 40 inches.

These soils are used for orchards, irrigated strawberries (fig. 8), small grain, hay, pasture, timber, and wildlife habitat.

Representative profile of Laurelwood silt loam 3 to 7 percent slopes, located at the top of Iowa Hill, in the

able to firm and is brittle. The C horizon is silty clay or clay with 3 to 25 percent fine, weathered igneous rock fragments.

28B-Laurelwood silt loam, 3 to 7 percent slopes.

This gently sloping soil is on long, convex side slopes on uplands. It has the profile described as representative of the series.

Included with this soil in mapping were areas of Kinton, Helvetia, Saum, Melbourne, and Jory soils, which make up as much as 15 percent of this mapping unit.

Runoff is slow, and the hazard of erosion is slight. Capability unit IIe-3; woodland suitability group 2o2; wildlife group 3.

28C-Laurelwood silt loam, 7 to 12 percent slopes.

This moderately sloping soil is on uplands.

Included with this soil in mapping were areas of Kinton, Helvetia, Saum, Melbourne, and Jory soils, which make up as much as 15 percent of this mapping unit.

Runoff is medium, and the hazard of erosion is moderate. Capability unit IIe-3; woodland suitability group 2o2; wildlife group 3.

28D-Laurelwood silt loam, 12 to 20 percent slopes.

This moderately steep soil is on uplands.

Included with this soil in mapping were areas of Kinton, Helvetia, Saum, Melbourne, and Jory soils, which make up as much as 15 percent of this mapping unit.

Runoff is medium, and the hazard of erosion is moderate. Capability unit IIIe-2; woodland suitability group 2o2; wildlife group 3.

28E-Laurelwood silt loam, 20 to 30 percent slopes.

This steep soil is on uplands.

Included with this soil in mapping were areas of Kinton, Helvetia, Melbourne, Saum, and Jory soils, which make up as much as 15 percent of this mapping unit.

Runoff is rapid, and the hazard of erosion is severe. Capability unit IVe-2; woodland suitability group 2o2; wildlife group 3.

29E-Laurelwood silt loam, 3 to 30 percent slopes. This gently sloping to steep soil is on uplands.

Included with this soil in mapping were areas of Jory, Kinton, Melbourne, and Saum soils, which make up as much as 20 percent of this mapping unit.

Runoff is medium to rapid, and the hazard of erosion is moderate to severe. Most of this soil is used for timber. The soil is suitable for cropland. Capability unit IVe-2; woodland suitability group 202; wildlife group 3.

29F-Laurelwood silt loam, 30 to 60 percent slopes.

This steep to very steep soil is on uplands.

Included with this soil in mapping were areas of Jory, Kinton, Melbourne, and Saum soils, which make up as much as 20 percent of this mapping unit.

Runoff is rapid, and the hazard of erosion is severe. Capability unit VIe; woodland suitability group 2r2; wildlife group 3.

McBee series

The McBee series consists of moderately well drained soils that formed in alluvium on flood plains. Slope is 0 to 3 percent. Elevation is 100 to 300 feet.

Where these soils are not cultivated, the vegetation is ash, cottonwood, and willow. Average annual precipitation is 40 to 60 inches, average annual air temperature is 50° to 54° F, and the frost-free period is 165 to 210 days.

In a representative profile the surface layer is dark-brown silty clay loam about 11 inches thick. The subsoil is silty clay loam about 34 inches thick. It is dark brown and has common to many, fine, dark yellowish-brown, gray, and dark grayish-brown mottles. The substratum is dark-gray clay loam about 20 inches thick. The profile is medium acid in the surface layer and slightly acid in the subsoil and substratum.

Permeability is moderate. Available water capacity is 10 to 12 inches. Effective rooting depth is more than 60 inches.

These soils are used for irrigated vegetable crops, small grain, irrigated hay, irrigated pasture, recreation, and wildlife habitat.

Representative profile of McBee silty clay loam, located about 40 feet south of the road, NW1/4NE1/4SW1/4 section 36, T. 1 S., R. 4 W.:

Ap-0 to 7 inches, dark-brown (10YR 3/3) silty clay loam, brown (10YR 5/3) dry; moderate, fine, subangular blocky structure; slightly hard, friable, slightly sticky and plastic; many very fine roots; many, very fine, irregular pores; medium acid (pH 6.0); abrupt, smooth boundary. 6 to 9 inches thick.

A12-7 to 11 inches, dark-brown (10YR 3/3) silty clay loam, brown (10YR 5/3) dry; few, fine, faint mottles of dark yellowish brown (10YR 4/4); weak, fine, subangular blocky structure; slightly hard, firm, slightly sticky and plastic; many fine roots; common, fine, tubular pores; medium acid (pH 6.0); clear, smooth boundary. 0 to 5 inches thick.

B1-11 to 24 inches, dark-brown (10YR 3/3) silty clay loam, brown (10YR 5/3) dry; common, fine, faint mottles of dark yellowish brown (10YR 4/4); moderate, fine subangular blocky structure; slightly hard, firm, slightly sticky and plastic; common fine roots; common, fine, tubular pores; slightly acid (pH 6.2); clear, smooth boundary. 0 to 16 inches thick.

B2-24 to 38 inches, fine variegated dark-brown, gray, and dark yellowish-brown (10YR 3/3) silty clay loam, brown (10YR 5/3) dry; moderate, fine, subangular blocky structure; slightly hard, firm, sticky and plastic; common fine roots; common, fine, tubular pores; slightly acid (pH 6.4); gradual, smooth boundary. 8 to 16 inches thick.

B3-38 to 45 inches, many, fine, distinct mottles of dark grayish brown, gray, and dark yellowish brown (10YR 4/2 5/1, 4/4) silty clay loam, brown (10YR 6/3) dry; moderate parting to weak, medium, subangular blocky structure; slightly hard,

reddish-brown (5YR 4/3) mottles; weak, hard, firm, slightly sticky and plastic; very few roots; many, coarse, medium, and fine, tubular pores; continuous clay films in pores and on peds; common manganese stains; medium acid (pH 5.9); gradual irregular boundary. 6 to 18 inches thick.

B3t-30 to 43 inches, dark yellowish-brown (10YR 3/4) loam, pale brown (10YR 6/3) dry; common, fine, dark grayish-brown (10YR 4/2) mottles; massive in places parting to weak, coarse, subangular blocky structure; slightly hard, firm, slightly sticky and slightly plastic; common, large and medium, tubular pores; thin continuous clay films on peds and in pores; medium acid (pH 6.0); gradual, irregular boundary. 10 to 20 inches thick.

C-43 to 62 inches, dark yellowish-brown (10YR 3/4) loam, yellowish brown (10YR 5/4) dry; common grayish-brown (10YR 6/2 & 5/8) mottles; massive; hard, firm, slightly sticky and slightly plastic; common, fine, tubular pores; medium acid (pH 6.0).

The thickness of the solum ranges from 40 to 60 inches. Texture of the A horizon is silt loam to loam. The Bt horizon ranges in texture from loam to clay loam. Structure in the Bt horizon ranges from moderate, coarse to fine, subangular blocky in the upper part and from nearly massive to weak, coarse, subangular blocky in the lower part. Clay films are thin to moderately thick, and they are in channels, in pores, and on vertical and horizontal ped faces. Stratified layers of sandy loam to loamy sand occur below a depth of 40 inches in places.

37A-Quatama loam, 0 to 3 percent slopes. This nearly level soil is on terraces. It has the profile described as representative of the series.

Included with this soil in mapping were areas of Aloha, Hillsboro, and Huberly soils, which make up as much as 15 percent of this mapping unit.

Runoff is slow, and the hazard of erosion is slight. Capability unit IIw-1; wildlife group 2.

37B-Quatama loam, 3 to 7 percent slopes. This gently sloping soil is on terraces.

Included with this soil in mapping were areas of Aloha, Hillsboro, and Huberly soils, which make up as much as 15 percent of this mapping unit.

Runoff is slow, and the hazard of erosion is slight. Capability unit IIe-2; wildlife group 2.

37C-Quatama loam, 7 to 12 percent slopes. This moderately sloping soil is on terraces.

Included with this soil in mapping were areas of Aloha, Hillsboro, and Huberly soils, which make up as much as 15 percent of this mapping unit.

Runoff is medium, and the hazard of erosion is moderate. Capability unit IIe-2; wildlife group 2.

37D-Quatama loam, 12 to 20 percent slopes. This moderately steep soil is on dissected terraces.

Included with this soil in mapping were areas of Aloha, Hillsboro, and Huberly soils, which make up as much as 15 percent of this mapping unit.

Runoff is medium, and the hazard of erosion is moderate. Capability unit IIIe-5; wildlife group 2.

Saum series

The Saum series consists of well-drained soils that formed in mixed eolian material, old alluvium, and residuum from basalt on uplands. Slope is 2 to 60 percent. Elevation is 250 to 1,200 feet. Where these soils are not cultivated, the vegetation is Douglas-fir, Oregon white oak, hazelbrush, poison-oak, grasses, and forbs. Average annual precipitation is 40 to 50 inches, average annual air temperature is 51° to 54° F, and the frost-free period is 165 to 210 days.

In a representative profile the surface layer is dark reddish-brown silt loam and silty clay loam about 14 inches thick. The subsoil is dark reddish-brown and reddish-brown silty clay loam about 18 inches thick. The substratum is yellowish-red silty clay loam about 18 inches thick. Basalt bedrock is at a depth of 50 inches. The profile is medium acid throughout.

Permeability is moderately slow. Available water capacity is 8 to 10.5 inches. Water-supplying capacity is 16 to 22 inches. Effective rooting depth is 20 to 40 inches.

These soils are used for irrigated strawberries, orchards, small grain, hay, pasture, timber, homesites, recreation, and wildlife habitat.

Representative profile of Saum silt loam, 2 to 7 percent slopes, located about 25 feet north of the road in the SW1/4SE1/4SW1/4 section 7, T. 3 S., R. 1 W.:

Ap-0 to 8 inches, dark reddish-brown (5YR 3/2) silt loam, reddish brown (5YR 5/3) dry; moderate, medium, granular structure; slightly hard, friable, slightly sticky and slightly plastic; many fine roots; many, very fine, irregular pores; 5 percent fine concretions; medium acid (pH 6.0); abrupt, smooth boundary. 5 to 8 inches thick.

A12-8 to 14 inches, dark reddish-brown (5YR 3/3) silty clay loam, reddish brown (5YR 5/4) dry; moderate, medium, subangular blocky structure; hard, firm, slightly sticky and plastic; many fine roots; many, fine, tubular pores; 5 percent fine concretions; medium acid (pH 5.8); clear, smooth boundary. 5 to 8 inches thick.

B2-14 to 23 inches, dark reddish-brown (5YR 3/4) silty clay loam, reddish brown (5YR 5/4) dry; moderate, medium and fine, subangular blocky structure; hard, firm, slightly sticky and plastic; many fine roots; many, fine, tubular pores; few pebbles; medium acid (pH 5.8); clear, smooth boundary. 8 to 15 inches thick.

IIb3-23 to 32 inches, reddish-brown (5YR 4/4) silty clay loam, yellowish red (5YR 5/6) dry; weak, medium and fine, subangular blocky structure; hard, firm, slightly sticky and plastic; few fine roots; many, fine, tubular pores; 20 percent weathered pebbles and 10 percent stones; few,

black, manganese stains; medium acid (pH 5.6); clear, smooth boundary. 7 to 12 inches thick.

IIC-32 to 50 inches, yellowish-red (5YR 4/6) silty clay loam, yellowish red (5YR 5/6) dry; massive, hard, firm, slightly sticky and plastic; many fine pores; 15 percent pebbles, 5 percent weathered cobbles, and 10 percent stones; thick continuous clay films on fragments; medium acid (pH 5.6). 5 to 20 inches thick.

IIR-50 inches, basalt bedrock.

Depth to bedrock ranges from 40 to 60 inches. The A horizon ranges in texture from silt loam to silty clay loam. The clay content of the B2 horizon ranges from 30 to 40 percent. The B3 horizon is 35 to 50 percent clay and 10 to 35 percent pebbles, cobbles, and stones.

38B-Saum silt loam, 2 to 7 percent slopes. This gently sloping soil is on uplands. The soil has the profile described as representative of the series.

Included with this soil in mapping were areas of Jory, Laurelwood, Cornelius, Kinton, and moderately deep stony soils, which make up as much as 20 percent of this mapping unit.

Runoff is slow, and the hazard of erosion is slight. Capability unit IIe-3; woodland suitability group 3o1; wildlife group 3.

38C-Saum silt loam, 7 to 12 percent slopes. This moderately sloping soil is on uplands.

Included with this soil in mapping were areas of Jory, Laurelwood, Cornelius, Kinton, and moderately deep stony soils, which make up as much as 20 percent of this mapping unit.

Runoff is medium, and the hazard of erosion is moderate. Capability unit IIe-3; woodland suitability group 3o1; wildlife group 3.

38D-Saum silt loam, 12 to 20 percent slopes. This moderately steep soil is on uplands.

Included with this soil in mapping were areas of Jory, Laurelwood, Cornelius, Kinton, and moderately deep stony soils, which make up as much as 20 percent of this mapping unit.

Runoff is medium, and the hazard of erosion is moderate. Capability unit IIIe-2; woodland suitability group 3o1; wildlife group 3.

38E-Saum silt loam, 20 to 30 percent slopes. This steep soil is on uplands. It has a profile similar to the one described as representative of the series.

Included with this soil in mapping were areas of Jory, Laurelwood, Cornelius, Kinton, and moderately deep stony soils, which make up as much as 25 percent of this mapping unit.

Runoff is rapid, and the hazard of erosion is severe. Capability unit IVe-2; woodland suitability group 3o1; wildlife group 3.

38F-Saum silt loam, 30 to 60 percent slopes. This steep to very steep soil is on uplands.

Included with this soil in mapping were areas of Jory, Laurelwood, Cornelius, Kinton, Cascade, and moderately deep stony soils, which make up as much as 25 percent of this mapping unit.

Runoff is rapid, and the hazard of erosion is severe. This soil is used mainly for recreation, timber, and

wildlife habitat. Capability unit VIe; woodland suitability group 3r1; wildlife group 3.

Tolke series

The Tolke series consists of well-drained soils that formed in mixed eolian materials high in volcanic ash. Slope is 5 to 60 percent. Elevation is 800 to 2,500 feet. Where these soils are not cultivated, the vegetation is Douglas-fir, western hemlock, red alder, vine maple, Oregon-grape, salal, and swordfern. Average annual precipitation is 80 to 100 inches, average annual air temperature is 45° to 50° F, and the frost-free period is 145 to 200 days.

The surface layer is dark-brown silt loam and heavy silt loam about 10 inches thick. The subsoil is dark-brown and strong-brown silty clay loam 51 inches thick. The profile is strongly acid in the surface layer and very strongly acid in the subsoil. The profile throughout has a slightly or moderately smeary feel when moist or wet.

Permeability is moderate. Available water capacity is 11 to 13 inches. Water-supplying capacity is 20 to 26 inches. Effective rooting depth is 60 inches.

These soils are used for timber, recreation, wildlife habitat, and water supply.

Representative profile of Tolke silt loam, 5 to 30 percent slopes, located 100 feet east of State forest road in the SW1/4SW1/4NW1/4 section 9, T. 1 N., R. 5 W.

A1-0 to 6 inches, dark-brown (7.5YR 3/2) silt loam, brown (7.5YR 5/4) dry; strong, fine, granular structure; slightly hard, friable, slightly sticky and slightly plastic; many fine roots; many, very fine, irregular pores; 15 percent very fine concretions; strongly acid (pH 5.2); clear, smooth boundary. 2 to 6 inches thick.

A3-6 to 10 inches, dark-brown (7.5YR 4/4) heavy silt loam, yellowish red (5YR 5/6) dry; strong, very fine, subangular blocky structure; slightly hard, friable, slightly sticky and plastic; many fine roots; many, very fine, tubular pores; common fine concretions; strongly acid (pH 5.2); clear, smooth boundary. 0 to 10 inches thick.

B1-10 to 17 inches, dark-brown (7.5YR 4/4) silty clay loam, reddish yellow (5YR 6/6) dry; moderate, fine, subangular blocky structure; slightly hard, friable, slightly sticky and plastic; many fine roots; many, very fine, tubular pores; very strongly acid (pH 4.8); clear, smooth boundary. 0 to 11 inches thick.

B21-17 to 26 inches, strong-brown (7.5YR 4/6) silty clay loam, reddish yellow (5YR 6/6) dry; moderate, fine, subangular blocky structure; slightly hard, friable, slightly sticky and plastic; common fine roots; many, very fine, tubular pores; very strongly acid (pH 4.8); clear, smooth boundary. 9 to 18 inches thick.

B22-26 to 45 inches, strong-brown (7.5YR 4/6) silty clay loam, reddish yellow (5YR

A2-12 to 19 inches, very dark gray (10YR 3/1) silty clay loam, gray (10YR 6/1) dry; many, fine, dark reddish-brown (10YR 3/1) mottles; moderate, fine, subangular blocky structure; hard, firm, sticky and plastic; common fine roots; common, fine, tubular pores; medium acid (pH 6.0); abrupt, smooth boundary. 6 to 9 inches thick.

IIB2t-19 to 28 inches, very dark-gray (N 3/) light clay, grayish brown (2.5Y 5/2) dry; weak, medium, prismatic structure parting to moderate, medium, angular blocky; very hard, very firm, very sticky and very plastic; common fine roots along vertical ped faces, and few fine roots within peds; few, fine, tubular pores; many pressure faces on peds; neutral (pH 6.6); gradual, smooth boundary. 6 to 9 inches thick.

IIB3t-28 to 33 inches, dark grayish-brown (2.5Y 4/2) silty clay, light brownish gray (2.5Y 6/2) dry; weak, fine, prismatic structure parting to moderate, fine, angular blocky; very hard, very firm, sticky and very plastic; few fine roots between peds; common, very fine, tubular pores; many pressure faces on peds; neutral (pH 6.6); gradual, smooth boundary. 6 to 9 inches thick.

IIIC-33 to 50 inches, dark grayish-brown (2.5Y 4/2) silty clay loam, light gray (2.5Y 7/2) dry; many, medium, distinct, dark-brown (7.5YR 4/2) mottles; massive; hard, firm, sticky and plastic; few fine roots; few, fine and medium, tubular pores with very dark gray (N 3/) clay films; neutral (pH 6.6).

Mottles in the A horizon are faint to distinct. The IIB2t horizon ranges in texture from clay to silty clay. The texture of the IIB3t horizon ranges from silty clay to silty clay loam. The IIIC horizon is silty clay loam to silt loam in texture and ranges from neutral to mildly alkaline in reaction.

42-Verboort silty clay loam. This nearly level soil is in narrow, irregularly shaped, concave areas along drainageways. It has the profile described as representative of the series.

Included with this soil in mapping were areas of Dayton, Wapato, Labish, and Cove soils, which make up as much as 10 percent of this mapping unit.

Runoff is slow, and the hazard of erosion is slight. This soil is subject to flooding, and the hazard of streambank erosion is severe. Capability unit IIIw-2; wildlife group 1.

Wapato series

The Wapato series consists of poorly drained soils that formed in recent alluvium on flood plains. Slope is 0 to 3 percent. Elevation is 100 to 300 feet. Where these soils are not cultivated, the vegetation is ash, willow, rushes, and grass. Average annual precipitation is 40 to 60 inches, average annual air temperature

is 52° to 54° F, and the frost-free period is 165 to 210 days.

In a representative profile the surface layer is very dark grayish-brown silty clay loam about 14 inches thick. The subsoil is dark grayish-brown silty clay loam about 28 inches thick. The profile is slightly acid in the surface layer and slightly acid to medium acid in the subsoil.

Permeability is moderately slow. Available water capacity is 10 to 12 inches. Effective rooting depth in places is limited by a seasonal water table to less than 30 inches. The soils are saturated with water during winter unless artificially drained.

These soils are used mainly for pasture, wildlife habitat, and recreation. Other uses are small grain, hay, and late-planted irrigated vegetable crops.

Representative profile of Wapato silty clay loam, located southwest of farmstead in NW1/4SW1/4SW1/4 section 34, T. 1 S., R. 4 W.:

Ap-0 to 7 inches, very dark grayish-brown (10YR 3/2) silty clay loam, dark brown (10YR 4/3) dry; moderate, fine, subangular blocky structure; hard, friable, slightly sticky and plastic; many fine roots; many, very fine, irregular pores; slightly acid (pH 6.2); abrupt, smooth boundary. 6 to 9 inches thick.

A12-7 to 14 inches, very dark grayish-brown (10YR 3/2) silty clay loam, dark grayish brown (10YR 4/3) dry; many, fine, distinct, dark-brown (7.5YR 3/2) mottles; few, fine, black manganese stains; moderate, fine, subangular blocky structure; hard, friable, slightly sticky and plastic; many fine roots; many, fine tubular pores; slightly acid (pH 6.2); clear, smooth boundary. 4 to 10 inches thick.

B21g-14 to 28 inches, dark grayish-brown (10YR 4/2) silty clay loam, grayish brown (10YR 5/2) dry; many, fine, distinct, dark-brown (7.5YR 3/2) and gray (10YR 5/1) mottles; few, fine, black manganese stains; weak, fine, subangular blocky structure; hard, firm, slightly sticky and plastic; few fine roots; common, fine, tubular pores; slightly acid (pH 6.2); clear, smooth boundary. 5 to 17 inches thick.

B22g-28 to 42 inches, dark grayish-brown (10YR 4/2) silty clay loam, grayish brown (10YR 5/2) dry; many, fine, distinct, dark-brown (7.5YR 4/4) mottles; weak, fine, subangular blocky structure; hard, firm, sticky and plastic; common, fine, black stains; medium acid (pH 6.0).

The A horizon is slightly acid to neutral. The B2 horizon is dominantly silty clay loam, but in places it ranges to silty clay below a depth of 30 inches. It is slightly acid to medium acid. The B3 and C horizons, which are below a depth of 30 inches, are commonly silty clay. In some pedons a few water-worn pebbles are embedded in the solum below a depth of 40 inches.

43-Wapato silty clay loam. This soil is on bottom

lands along small streams and in low-lying areas adjacent to larger streams. It has smooth topography and is subject to short periods of overflow and ponding (fig. 10).

Included with this soil in mapping were areas of Chehalis, Cove, Labish, and McBee soils and of gravelly soils. Included soils make up as much as 15 percent of this mapping unit.

Runoff is slow, and water ponds for short periods during winter. The hazard of erosion is slight. Capability unit IIIw-2; wildlife group 1.

Willamette series

The Willamette series consists of well-drained soils that formed in old alluvium on low, broad valley terraces. Slope is 0 to 20 percent. Elevation is 150 to 450 feet. Where these soils are not cultivated, the vegetation is hazelbrush, wild blackberry, grasses, Oregon white oak, and Douglas-fir. Average annual precipitation is 40 to 50 inches, average annual air temperature is 50° to 54° F, and the frost-free period is 165 to 210 days.

In a representative profile the surface layer is very dark grayish-brown silt loam about 15 inches thick. The subsoil is very dark grayish brown, dark-brown, and brown silt loam and silty clay loam about 28

inches thick. The substratum is brown silty clay loam about 17 inches thick. The profile is medium acid in the surface layer and medium acid to slightly acid in the subsoil and substratum.

Permeability is moderate. Available water capacity is 10 to 12 inches. Water-supplying capacity is 15 to 20 inches. Effective rooting depth is more than 60 inches.

These soils are used for irrigated vegetable crops, irrigated berries, orchards, small grain, hay, irrigated pasture, homesites, recreation, and wildlife habitat.

Representative profile of Willamette silt loam, 0 to 3 percent slopes, located in the NE1/4SW1/4NE1/4 section 16, T. 1 N., R. 2 W.:

Ap-0 to 8 inches, very dark-brown (10YR 2/2) silt loam, grayish brown (10YR 5/2) dry; moderate, fine, granular structure; slightly hard, friable, nonsticky and slightly plastic; many fine roots; many, fine, irregular pores; medium acid (pH 5.8); abrupt, smooth boundary. 5 to 8 inches thick.

A12-8 to 15 inches, very dark grayish-brown (10YR 3/2) silt loam grayish brown (10YR 5/2) dry; moderate, fine, subangular blocky structure; slightly hard, friable, slightly sticky and slightly plas-



Figure 10.-Flooded area of Wapato silty clay loam surrounded by Woodburn soils.

per acre, and 20 to 30 pounds of sulfur per acre. Lime is applied at the rate determined by a soil test.

Applying preemergence spray helps to control weeds. Timely applications of fungicides and insecticides are necessary to control pests and diseases.

Irrigation is done by sprinklers and requires good water management such as proper timing, proper rate of application and distribution, and use of moisture blocks. Use of crop residue is a good conservation practice.

Group 2.-In this group are soils of capability units IIw-3 and IIw-4. Growing a cover crop in winter and maintaining permanent cover in overflow channels are the only additional practices needed.

Group 3.-In this group are soils of capability units IIe-2, IIe-3, and IIw-5. Additional practices needed are cross-slope farming or growing a cover crop in winter and establishing grassed waterways.

Group 4.-In this group are soils of capability units IIIe-1, IIIe-2, IIIe-3, IIIe-5, and IIIe-6. Additional practices needed are cross-slope farming, growing a cover crop in winter, and grassing waterways.

Group 5.-In this group are soils of capability units IIIw-1 and IIIe-4. The only additional practice needed is tile drainage.

Group 6.-In this group are soils of capability units IIIw-2 and IIw-3. Additional practices needed are growing a cover crop in winter, maintaining permanent cover in overflow channels, and tile drainage.

Group 7.-In this group are soils of capability units IIe-1, IIIe-7, IIIw-4, IVe-1, IVe-2, IVe-3, IVe-4, IVe-5, IVe-6, IVw-1, IVw-2, IVw-3, VIe, VIw, VIe, VIIe, and VIIe. These soils are too wet, too steep, too stony, or too shallow to cultivate, or are otherwise unsuited to irrigated beans.

Woodland¹

This section contains information concerning the relationship between soils and trees. It includes interpretations of the soil survey to make it more useful for landowners and operators in developing and carrying out plans for establishment and management of tree crops.

About 255,000 acres (56 percent) of Washington County is commercial forest. In 1964 the forest ownership was as follows: public, 95,000 acres (37 percent); forest industry, 8,000 acres (3 percent); farmer and miscellaneous private, 152,000 acres (60 percent) (6).

The principal forest cover types are Pacific Douglas-fir (fig. 12), red alder, Oregon white oak, Douglas-fir, western hemlock, and cottonwood-willow (10).

Table 3 contains information useful to landowners or managers in planning use of their soils for woodland. Mapping unit symbols for those soils suitable for woodland are listed alphabetically by soil name, and the ordination symbol, such as 3r2, of the woodland suitability group for each soil is given. All soils bearing the same ordination symbol require the same general management and have about the same potential productivity.

The first part of the symbol, a numeral, indicates the

¹ J. T. BEENE, forester, Soil Conservation Service, assisted in preparation of this section.

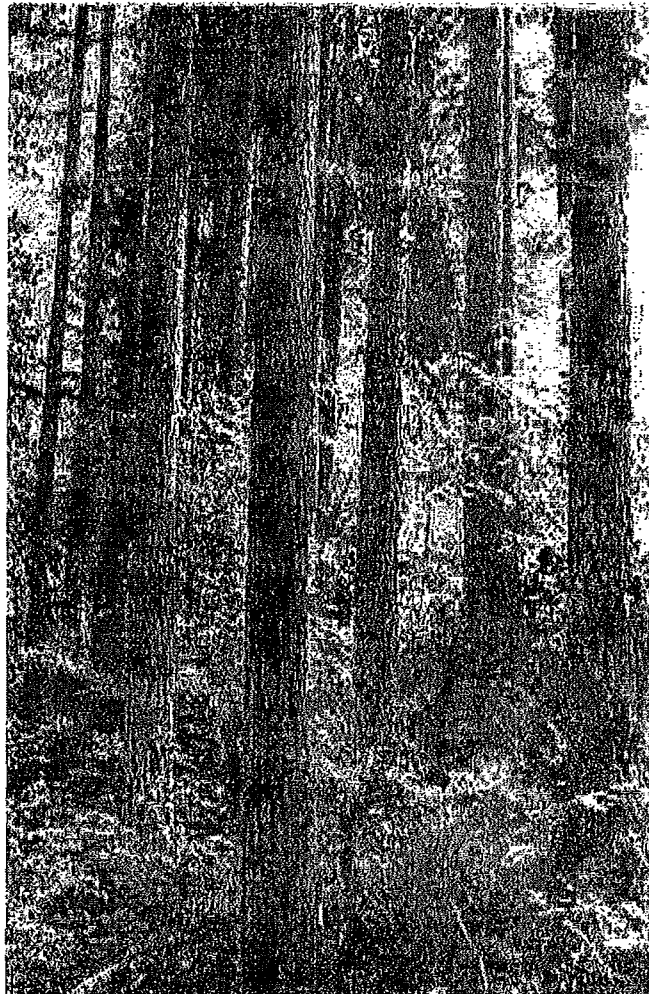


Figure 12.-Pacific Douglas-fir forest cover type on Pervina silty clay loam.

potential productivity of the soils for important tree species. The number 1 indicates very high productivity; 2, high; 3, moderately high; 4, moderate; and 5, low. The second part of the symbol, a letter, indicates the major kind of soil limitation. The letter *w* indicates excessive water in or on the soil; *f*, high content of coarse fragments in the soil profile; and *r*, steep slopes. The letter *o* indicates no significant limitations or restrictions. Priority in placing the soil into a limitation class is in the order in which the letters are listed above-*w*, *f*, and *r*. The third part of the symbol, another numeral, distinguishes the groups according to the degree of difficulty in applying woodland management. A numeral 3, for example, means that woodland management is more difficult to apply than if the numeral were 1 or 2.

In table 3 the soils are also rated for a number of factors to be considered in management. The ratings of slight, moderate, and severe are used to indicate the degree of major soil limitation.

Ratings of the hazard of erosion indicates the risk of soil loss in well-managed woodland. The risk is

slight if the expected soil loss is small; *moderate* if some measures are needed to control erosion during logging and road construction; and *severe* if intensive measures or special equipment and methods are needed to prevent excessive loss of soil.

Ratings of equipment limitation reflect the characteristics and conditions of the soil that restrict use of the equipment generally needed in woodland management or harvesting. A rating of *slight* indicates that use of equipment is not limited to a particular kind of equipment or time of year; *moderate* indicates a short seasonal limitation or need for some modification in management or equipment; *severe* indicates a seasonal limitation, a need for special equipment or management, or a hazard in the use of equipment.

Seedling mortality ratings indicate the degree that the soil affects expected mortality of planted tree seedlings when plant competition is not a limiting factor. The ratings are for seedlings from good planting stock that are properly planted during the proper period with sufficient moisture. A rating of *slight* indicates that the expected mortality of the planted seedlings is less than 25 percent; *moderate*, 25 to 50 percent; and *severe*, more than 50 percent.

Considered in the ratings of windthrow hazard are characteristics of the soil that affect the development of tree roots and the ability of soil to hold trees firmly. A rating of *slight* indicates that trees in wooded areas are not expected to be blown down by commonly occurring winds; *moderate*, that some trees are blown down during periods of excessive soil wetness and strong winds; and *severe*, that many trees are blown down during periods of excessive soil wetness and moderate or strong winds.

The potential productivity of merchantable trees on a soil is expressed as site index. This index is the average height, in feet, that dominant and codominant trees of a given species attain in 100 years. The site index ratings are related to potential board foot production in table 4 (5).

Trees to plant are those that are suitable for commercial wood production and that are suited to the soils.

Understory vegetation consists of grasses, forbs, shrubs, and other plants within the reach of grazing

or browsing wildlife. A well-managed woodland can produce significant amounts of understory vegetation for the support of wildlife.

The density of the forest canopy is a major influence in that it affects the amount of light that understory plants receive during the growing season.

Woodland suitability groups

In the following paragraphs, the woodland suitability groups in Washington County are discussed. The names of soil series represented are mentioned in the description of each woodland suitability group, but this does not mean that all soils in a given series are in the group. The woodland suitability group for any soil suitable for woodland can be found by referring to table 3, where management for woodland is discussed by soil.

Woodland suitability group 2o1

This woodland group consists of Astoria, Hembre, Melby, Olyic, Pervina, and Tolke soils. These are well drained silt loams and silty clay loams that formed in residuum and colluvium from sedimentary or igneous rock or from mixed eolian materials high in volcanic ash. Slope is 2 to 30 percent. Elevation is 300 to 2,800 feet. Annual precipitation is 60 to 110 inches. Runoff is slow to rapid, and the hazard of erosion is slight to severe. Water-supplying capacity is 18 to 26 inches. Roots penetrate to a depth of 30 inches to more than 60 inches.

The soils in this group have high potential productivity and no serious management limitations. They generally are best suited to Douglas-fir. Other adapted species include western redcedar, bigleaf maple, and red alder; western hemlock above 2,000 feet; and noble fir above 2,600 feet.

Construction of water bars and the seeding of cuts and fills help to protect roads and landings from erosion.

Woodland suitability group 2p2

This group consists of Cornelius, Kinton, Laurelwood, and Melbourne soils. These are well drained silt loams and silty clay loams that formed on old alluvium, residuum, and colluvium weathered from sedimentary or igneous rock and silty eolian material. Slope is 2 to 30 percent. Elevation is 200 to 1,500 feet. Annual precipitation is 40 to 60 inches. Runoff is slow to rapid, and the hazard of erosion is slight to severe. Water-supplying capacity is 17 to 28 inches. Roots penetrate to a depth of 40 inches to more than 60 inches.

The soils in this group have high potential productivity and no serious limitations for management. They generally are best suited to Douglas-fir. Other adapted species include Oregon white oak and bigleaf maple.

Construction of diversions and seeding of cuts and fills are needed in places to protect roads and landings from erosion.

Some areas of the soils of this group have been extensively cleared for pasture and cultivation.

In the original manuscript, there was a table in this space.
All tables have been updated and are available as a separate document.

Woodland suitability group 2r1

This woodland group consists of Astoria, Hembre, Melby, Olyic, Pervina and Tolke soils. These are well drained silt loams and silty clay loams that formed in residuum and colluvium from sedimentary or igneous rock or from mixed eolian materials high in volcanic ash. Slope is 30 to 60 percent. Elevation is 300 to 2,800 feet. Annual precipitation is 60 to 110 inches. Runoff is rapid, and the hazard of erosion is severe. Water-supplying capacity is 18 to 26 inches. Roots penetrate to a depth of 40 inches to more than 60 inches.

The soils in this group have high potential productivity. They generally are best suited to Douglas-fir. Other adapted species include western redcedar throughout, bigleaf maple and red alder below 2,000 feet elevation, noble fir above 2,600 feet, and western hemlock above 2,000 feet.

Roads and landings and other critical areas need special management to prevent erosion. Water bars, diversions, and grass seeding are needed. Road cuts and fills in areas of Astoria and Melby soils are unstable and subject to slumping. Roads in these areas need heavy base rock for season-long use.

Woodland suitability group 2r2

This woodland group consists of Cornelius, Kinton, Laurelwood, and Melbourne soils. These are well drained silt loams and silty clay loams that formed in old alluvium, residuum, and colluvium weathered from sedimentary or igneous rocks and silty eolian material. Slope is 30 to 60 percent. Elevation is 200 to 1,500 feet. Annual precipitation is 40 to 60 inches. Runoff is rapid, and the hazard of erosion is severe. Water-supplying capacity is 17 to 28 inches. Roots penetrate to a depth of 40 inches to more than 60 inches.

The soils in this group have high potential productivity. They generally are best suited to Douglas-fir. Other adapted species include bigleaf maple and Oregon white oak.

Roads and landings and other critical areas need special management to prevent erosion. Water bars, diversions, and grass seeding are needed.

Woodland suitability group 2r3

This woodland group consists of Hembre soils. These are well drained silt loams that formed in residuum. Slope is 60 to 90 percent. Elevation is 500 to 2,600 feet. Annual precipitation is 80 to 100 inches. Runoff is rapid, and the hazard of erosion is severe. Water-supplying capacity is 22 to 24 inches. Roots penetrate to a depth of 40 to 50 inches.

The soils in this group have high potential productivity. They generally are best suited to Douglas-fir. Another adapted species above 2,000 feet is western hemlock.

The very steep slopes limit most operations to cable or aerial logging and aerial seeding and weeding.

Construction and maintenance of roads are difficult because of very steep slopes and ledge rock.

Woodland suitability group 3o1

This woodland group consists of Goble, Jory, and

Saum soils. These are well drained or moderately well drained silty clay loams and silt loams that formed in mixed eolian material, old alluvium, and residuum from basalt on uplands. Slope is 2 to 30 percent. Elevation is 250 to 1,800 feet. Annual precipitation is 40 to 75 inches. Runoff is slow to rapid, and the hazard of erosion is slight to severe. Water-supplying capacity is 16 to 28 inches. Roots penetrate to a depth of 20 inches to more than 60 inches.

The soils in this group have moderately high potential productivity. They generally are best suited to Douglas-fir. Other adapted species include Oregon white oak.

Roads and landings need water diversions and grass seeding to help to control soil erosion.

A wide variety of Christmas trees are suited to these soils. Some areas of these soils have been extensively cleared for pasture and cultivated crops.

Woodland suitability group 3w1

This woodland group consists of Cascade soils. These are somewhat poorly drained silt loams that formed in silty loess, and old mixed alluvium on uplands. Slope is 3 to 60 percent. Elevation is 250 to 1,400 feet. Annual precipitation is 50 to 60 inches. Runoff is slow to rapid, and the hazard of erosion is slight to severe. Water-supplying capacity is 17 to 19 inches. Roots penetrate to a depth of 20 to 30 inches.

The soils in this group have moderately high potential productivity. Equipment limitations are severe because of drainage. Windthrow hazard is severe because of saturated conditions during the wet season and the impervious lower part of the subsoil, which impedes root penetration. The soils generally are best suited to Douglas-fir. Other adapted species include bigleaf maple and western redcedar.

Roads and landings should be protected by water bars and grass seeding. Roads need heavy base rock for season-long use. Water should be diverted from landings and areas subject to erosion.

Woodland suitability group 3f1

This woodland group consists of Klickitat soils. These are well-drained stony loams that formed in cobbly colluvium on uplands. Slope is 3 to 30 percent. Elevation is 800 to 3,500 feet. Annual precipitation is 80 to 100 inches. Runoff is slow to rapid, and the hazard of erosion is slight to severe. Water-supplying capacity is 17 to 19 inches. Roots penetrate to a depth of 40 to 50 inches.

The soils in this group have moderately high potential productivity. They generally are well suited to Douglas-fir, to western hemlock above 2,000 feet, and to noble fir above 2,600 feet. Other adapted species include western redcedar and red alder.

Seedling mortality is moderate. Some losses can be expected from drought, particularly on south-facing slopes. Natural regeneration sometimes is spotty.

Roads and landings should be protected by water bars and grass seeding.

Woodland suitability group 3r1

This woodland group consists of Goble, Jory, and Saum soils. These are well drained or moderately well

drained silt loams and silty clay loams that formed in mixed eolian material, old alluvium, colluvium, and residuum from basalt on uplands. Slope is 30 to 60 percent. Elevation is 250 to 1,800 feet. Annual precipitation is 40 to 75 inches. Runoff is rapid, and the hazard of erosion is severe. Water-supplying capacity is 16 to 28 inches. Roots penetrate to a depth of 20 to 60 inches.

The soils in this group have moderately high potential productivity. Severe plant competition may require site preparation or weeding to obtain full stocking. The soils generally are best suited to Douglas-fir. Other adapted species include Oregon white oak.

Roads and landings and other critical areas need special management to prevent erosion. Water bars, diversions, and grass seeding are needed.

Woodland suitability group 3r2

This woodland group consists of Klickitat soils. These are well drained stony loams that formed in cobbly colluvium on uplands. Slope is 30 to 60 percent. Elevation is 800 to 3,500 feet. Annual precipitation is 80 to 100 inches. Runoff is rapid, and the hazard of erosion is severe. Water-supplying capacity is 17 to 19 inches. Roots penetrate to a depth of 40 to 50 inches.

The soils in this group have moderately high potential productivity. They generally are well suited to Douglas-fir and to western hemlock above 2,000 feet, and to noble fir above 2,600 feet. Other adapted species include western redcedar and red alder.

Seedling mortality is moderate. Some losses can be expected from drought, particularly on south-facing slopes. Natural regeneration is spotty in places.

Roads and landings should be protected from erosion by water bars and grass seeding.

Woodland suitability group 3r3

This woodland group consists of Klickitat soils. These are well drained stony loams that formed in cobbly colluvium on uplands. Slope is 60 to 90 percent. Elevation is 800 to 3,500 feet. Annual precipitation is 80 to 100 inches. Runoff is rapid, and the hazard of erosion is severe. Water-supplying capacity is 17 to 19 inches. Roots penetrate to a depth of 40 to 50 inches.

The soils in this group have moderately high potential productivity. They generally are well suited to Douglas-fir, to western hemlock above 2,000 feet, and to noble fir above 2,600 feet. Other adapted species include western redcedar and red alder.

The very steep slopes limit most operations to cable or aerial logging and aerial seeding and weeding.

Construction and maintenance of roads are difficult because of very steep slopes and ledge rock.

Woodland suitability group 4r1

This woodland group consists of Kilchis soils. These are well drained gravelly loams that formed in residuum and colluvium weathered from basalt on uplands. Slope is 60 to 90 percent. Elevation is 800 to 3,500 feet. Annual precipitation is 80 to 100 inches. Runoff is rapid, and the hazard of erosion is severe. Water-supplying capacity is 16 to 20 inches. Roots penetrate to a depth of 12 to 20 inches.

The soils in this group have moderate potential productivity. Erosion hazard, equipment limitations, seedling mortality, and windthrow hazard are all severe because of shallow rooting depth, steep slopes, and general droughtiness. The soils are generally well suited to Douglas-fir. Other adapted species include vine maple, bigleaf maple, and western hemlock.

Seedling mortality is severe. The soils are shallow, are generally on southern exposures, and are droughty. Natural regeneration is often spotty or lacking. Natural or aerial seeding are the main available methods of regenerating stands:

Construction and maintenance of roads is difficult because of very steep slopes and ledge rock.

Wildlife'

All of the soils of Washington County are suited to and support wildlife habitat. The survey area includes a part of the Willamette Valley and the eastern slope of the Coast Range. Elevation ranges from 100 to 3,400 feet. The mild, moist climate produces a lush growth of trees, shrubs, grasses, and forbs that provide habitat for a great variety of wildlife.

The potential for wildlife habitat improvement through structural measures, agricultural and herbaceous plantings, and management of existing vegetation is good. Many of the soils in the survey area are suited to ponds for fish and wildlife and for recreation. The potential of these ponds for fish is fair.

Wildlife groups

Soils that have similar characteristics for wildlife production have been combined into wildlife groups. The groups are briefly described as they relate to various kinds of wildlife.

Wildlife group 1

This group consists of well drained to poorly drained silt loams, silty clay loams, mucky clays and clays that formed in mixed alluvium. These soils are on bottom lands and low terraces. Elevation is 100 to 300 feet. Average annual precipitation is 40 to 60 inches, and average annual air temperature is 50° to 54° F. The frost-free period is 165 to 210 days.

These poorly drained, frequently flooded, low-elevation soils are along stream courses. They produce a rich mixture of trees, shrubs, and grasses in this mild climate. These soils provide seasonal or year-round habitat for many kinds of wildlife, particularly for wintering waterfowl.

Other common wildlife species include a few black-tailed deer, fox, coyote, skunks, raccoon, opossum, squirrels, rabbits, and mice. Birdlife includes hawks, owls, vultures, jays, crow, woodpeckers, flycatchers, shore birds, blackbirds, lark, starling, and many other kinds of small birds. Game birds include waterfowl, ring-necked pheasant, quail, ruffed grouse, doves, and band-tailed pigeon.

Larger perennial streams provide habitat for beaver, muskrat, nutria, mink, and otter. Birds found here include herons, kingfisher, and an occasional egret.

R. A. CORTHELL, biologist, Soil Conservation Service, assisted in the preparation of this section.

Fishlife in the larger streams include coho salmon, steelhead trout, rainbow trout, and cutthroat trout. Some of these larger streams have good populations of warm water fish.

* The potential for improving wildlife habitat is good. Habitat can be improved by planting desirable vegetation and by protecting and managing existing vegetation. Frequent flooding reduces the value of some kinds of habitat development.

Wildlife group 2

This group consists of well-drained to poorly drained loams, stony silt loams, and silt loams that formed in alluvium or lacustrine silts on broad valley terraces. Elevation is 150 to 500 feet. Average annual precipitation is 40 to 60 inches. Average annual air temperature is 50° to 54° F, and the frost-free period is 165 to 210 days.

This group of soils makes up the majority of the agricultural cropland in this part of the Willamette Valley. In the native state these soils supported a rich mixture of trees, shrubs, and grasses that provide excellent food and cover for many kinds of wildlife. Under present use large acreages are used only for production of grass seed, which does not provide the balance and distribution of cover development for maximum wildlife populations.

Wildlife species, both resident and seasonal, using this area include black-tailed deer, ring-necked pheasant, quail, doves, band-tailed pigeon, waterfowl, foxes, coyote, raccoon, opossum, squirrels, skunks, rabbits, mice, moles, and gophers. Non-game birds include hawks, owls, vultures, jays, crow, woodpeckers, shore birds, flycatchers, and many kinds of small birds.

Wildlife found along perennial streams includes beaver muskrat, mink, otter, and nutria. Birdlife includes kingfisher and herons. Perennial streams nearly all contain rainbow and cutthroat trout, and some of the larger streams are inhabited by coho salmon and steelhead trout. Populations of warm water fish are present in some streams and ponds.

The potential for management of habitat for wildlife is good. For example, there are several waterfowl developments where choice food plants such as corn, sudangrass, and millet are grown. These developments are flooded with water to a shallow depth in fall to attract waterfowl for hunting. Many trout ponds have been constructed, and there is potential for more ponds in areas of this group.

Wildlife group 3

* This group consists of well-drained to poorly drained silt loams and silty clay loams that formed in loesslike material, mixed old alluvium, and colluvium from sedimentary or igneous materials. These soils are on rolling uplands. Elevation is 150 to 1,500 feet. Average annual air temperature is 50° to 54° F, and the frost-free period is 165 to 210 days.

This group of soils is in the fringe area of the valley, which is the transition from valley to forested hills. There is an almost equal mixture of openland and woodland. Wildlife populations are relatively stable in these habitats.

Wildlife species, both resident and seasonal, include

black-tailed deer, Roosevelt elk, black bear, coyote, bobcat, raccoon, skunks, foxes, opossum, rabbits, squirrels mice, and moles and gophers. Common birds include hawks, owls, jays, ravens, crows, vultures, woodpeckers, doves, band-tailed pigeon, ruffed grouse, blue grouse, mountain quail, California quail, ring-necked pheasant, and many kinds of smaller birds.

Larger streams are inhabited by coho salmon, steelhead trout, cutthroat trout, and rainbow trout. Common fur bearing animals include beaver, muskrat, mink, and nutria. Common water birds include waterfowl, shore birds, herons, and kingfisher.

Potential for wildlife habitat improvement lies mostly in the management of existing plant communities and some opportunity to grow vegetation desirable for food and cover. There is good potential for building ponds for fish and wildlife on the soils of this group. Many ponds have been built and fish production in general is good.

Wildlife group 4

This group consists of well-drained to moderately well drained stony loams and silt loams that formed in mixed colluvium and residuum from sedimentary or igneous rock or in eolian material over mixed, fine-silty, old alluvium. These soils are on uplands. Elevation is 300 to 3,500 feet. Average annual precipitation is 60 to 110 inches. Average annual air temperature is 45° to 50° F, and the frost-free period is 145 to 200 days.

These timber-producing soils grow vegetation rapidly in the mild, high-rainfall climate of the Coast Range. Vegetational stages change dramatically as a result of clear-cut logging and fire.

Species commonly finding suitable habitat in this group of soils include Roosevelt elk, black bear, coyote, bobcat, skunks, weasels, raccoon, mountain beaver, rabbits, and squirrels. Birds that are resident or seasonally abundant include hawks, owls, jays, raven, vulture, woodpeckers, grouse mountain quail, band-tailed pigeon, and many small birds.

The larger streams are inhabited by anadromous coho salmon, steelhead trout, cutthroat trout, and rainbow trout. Fur bearing animals such as beaver, mink, and otter are common along these streams.

The potential to produce wildlife, especially blacktailed deer, depends on the land being cleared and new vegetation in the form of trees, shrubs, and grasses being available to grazing animals. As the new forest develops and most of the ground vegetation is shaded out, deer populations return to a low level. Species such as blue grouse are then favored as the trees grow larger.

Wildlife habitat

Soils directly affect the kind and amount of vegetation that is available to wildlife as food and cover, and they affect the development of water impoundments. The kind and abundance of wildlife that populates an area depend largely on the amount and distribution of food, cover, and water. If any one of these elements is missing, inadequate, or inaccessible, wildlife will either be scarce or will not inhabit the area.

If the soils have the potential, wildlife habitat can

TABLE 3.—Woodland management and productivity

[Only the soils suitable for production of commercial trees are listed in this table. Absence of an entry in a column means the information was not available]

Soil name and map symbol	Ordination symbol	Management concerns				Potential productivity		Trees to plant
		Erosion hazard	Equipment limitation	Seedling mortality	Windthrow hazard	Important trees	Site index	
Astoria: 3E -----	2o1	Slight -----	Slight -----	Slight -----	Slight -----	Douglas-fir ----- Western hemlock -----	175 193	Douglas-fir, western hemlock, Sitka spruce, red alder.
3F -----	2r1	Severe -----	Moderate -----	Slight -----	Slight -----	Douglas-fir ----- Western hemlock -----	175 193	Douglas-fir, western hemlock, Sitka spruce, red alder.
Cascade: 7B -----	3w1	Slight -----	Slight -----	Slight -----	Moderate -----	Douglas-fir ----- Bigleaf maple ----- Western redcedar -----	137	Douglas-fir.
7C, 7D -----	3w1	Moderate -----	Slight -----	Slight -----	Moderate -----	Douglas-fir ----- Bigleaf maple ----- Western redcedar -----	137	Douglas-fir.
7E -----	3w1	Severe -----	Slight -----	Slight -----	Moderate -----	Douglas-fir ----- Bigleaf maple ----- Western redcedar -----	137	Douglas-fir.
7F -----	3w1	Severe -----	Moderate -----	Slight -----	Moderate -----	Douglas-fir ----- Bigleaf maple ----- Western redcedar -----	137	Douglas-fir.
Cornelius: ¹ 11B: Cornelius part -----	2o2	Slight -----	Slight -----	Slight -----	Moderate -----	Douglas-fir ----- Bigleaf maple ----- Western redcedar -----	165	Douglas-fir, western redcedar, grand fir.
Kinton part -----	2o2	Slight -----	Slight -----	Moderate -----	Moderate -----	Douglas-fir -----	170	Douglas-fir, western redcedar, grand fir.
¹ 11C, ¹ 11D: Cornelius part -----	2o2	Moderate -----	Slight -----	Slight -----	Moderate -----	Douglas-fir ----- Bigleaf maple ----- Western redcedar -----	165	Douglas-fir, western redcedar, grand fir.
Kinton part -----	2o2	Moderate -----	Slight -----	Moderate -----	Moderate -----	Douglas-fir -----	170	Douglas-fir, western redcedar, grand fir.
¹ 11E: Cornelius part -----	2o2	Severe -----	Slight -----	Slight -----	Moderate -----	Douglas-fir ----- Bigleaf maple ----- Western redcedar -----	165	Douglas-fir, western redcedar, grand fir.
Kinton part -----	2o2	Severe -----	Slight -----	Moderate -----	Moderate -----	Douglas-fir -----	170	Douglas-fir, western redcedar, grand fir.

TABLE 3.—Woodland management and productivity—Continued

Soil name and map symbol	Ordination symbol	Management concerns				Potential productivity		Trees to plant
		Erosion hazard	Equipment limitation	Seedling mortality	Windthrow hazard	Important trees	Site index	
¹ 11F: Cornelius part	2r2	Severe	Moderate	Slight	Moderate	Douglas-fir Bigleaf maple Western redcedar	165	Douglas-fir, western red- cedar, grand fir.
Kinton part	2r2	Severe	Moderate	Moderate	Moderate	Douglas-fir	170	Douglas-fir, western red- cedar, grand fir.
Goble: 17B	3o1	Slight	Slight	Slight	Moderate	Douglas-fir	143	Douglas-fir, western red- cedar.
17C, 17D, 18E	3o1	Moderate	Slight	Slight	Moderate	Douglas-fir	143	Douglas-fir, western red- cedar.
17E	3o1	Severe	Slight	Slight	Moderate	Douglas-fir	143	Douglas-fir, western red- cedar.
18F	3r1	Severe	Moderate	Slight	Moderate	Douglas-fir	143	Douglas-fir, western red- cedar.
Hembre: 20E	2o1	Slight	Slight	Slight	Slight	Douglas-fir Western hemlock	162	Douglas-fir.
20F	2r1	Moderate	Moderate	Slight	Slight	Douglas-fir Western hemlock	173	Douglas-fir.
20G	2r3	Severe	Severe	Slight	Slight	Douglas-fir Western hemlock	182	Douglas-fir.
Jory: 23B	3o1	Slight	Slight	Moderate	Slight	Douglas-fir	155	Douglas-fir.
23C, 23D	3o1	Moderate	Slight	Moderate	Slight	Douglas-fir	155	Douglas-fir.
23E	3o1	Severe	Slight	Moderate	Slight	Douglas-fir	155	Douglas-fir.
23F	3r1	Severe	Moderate	Moderate	Slight	Douglas-fir	155	Douglas-fir.
Kilchis: ¹ 24G: Kilchis part	4r1	Severe	Severe	Severe	Severe	Douglas-fir Western hemlock	110	Douglas-fir.
Klickitat part	3r3	Severe	Severe	Moderate	Slight	Douglas-fir Western hemlock	138	Douglas-fir.
Klickitat: 25E	3f1	Moderate	Slight	Slight	Slight	Douglas-fir Western hemlock	147	Douglas-fir.
25F	3r2	Severe	Moderate	Moderate	Slight	Douglas-fir Western hemlock	138	Douglas-fir.
25G	3r3	Severe	Severe	Moderate	Slight	Douglas-fir Western hemlock	138	Douglas-fir.
Laurelwood: 28B	2o2	Slight	Slight	Slight	Slight	Douglas-fir	157	Douglas-fir.
28C, 28D, 29E	2o2	Moderate	Slight	Slight	Slight	Douglas-fir	157	Douglas-fir.

TABLE 3.—Woodland management and productivity—Continued

Soil name and map symbol	Ordination symbol	Management concerns				Potential productivity		Trees to plant
		Erosion hazard	Equipment limitation	Seedling mortality	Windthrow hazard	Important trees	Site index	
28E -----	2o2	Severe -----	Slight -----	Slight -----	Slight -----	Douglas-fir -----	157	Douglas-fir.
29F -----	2r2	Severe -----	Moderate -----	Slight -----	Slight -----	Douglas-fir -----	157	Douglas-fir.
Melbourne: 31B, 31C -----	2o2	Slight -----	Moderate -----	Slight -----	Slight -----	Douglas-fir ----- Red alder ----- Western redcedar -----	160	Douglas-fir.
31D, 31E -----	2o2	Moderate -----	Moderate -----	Slight -----	Slight -----	Douglas-fir ----- Red alder ----- Western redcedar -----	160	Douglas-fir.
31F -----	2r2	Severe -----	Severe -----	Slight -----	Slight -----	Douglas-fir ----- Red alder ----- Western redcedar -----	160	Douglas-fir.
Melby: 32C, 32D, 33E -----	2o1	Moderate -----	Slight -----	Slight -----	Moderate -----	Douglas-fir -----	161	Douglas-fir, western hemlock.
32E -----	2o1	Severe -----	Slight -----	Slight -----	Moderate -----	Douglas-fir -----	161	Douglas-fir, western hemlock.
33F -----	2r1	Severe -----	Moderate -----	Moderate -----	Moderate -----	Douglas-fir -----	161	Douglas-fir, western hemlock.
33G -----	2r1	Severe -----	Severe -----	Moderate -----	Moderate -----	Douglas-fir -----	161	Douglas-fir, western hemlock.
Olyic: 34C, 34D, 34E, 35E -----	2o1	Slight -----	Slight -----	Slight -----	Slight -----	Douglas-fir ----- Bigleaf maple ----- Red alder -----	160	Douglas-fir.
35F -----	2r1	Moderate -----	Moderate -----	Slight -----	Slight -----	Douglas-fir ----- Bigleaf maple ----- Red alder -----	160	Douglas-fir.
35G -----	2r1	Severe -----	Severe -----	Slight -----	Slight -----	Douglas-fir ----- Bigleaf maple ----- Red alder -----	160	Douglas-fir.
Pervina: 36C, 36D -----	2o1	Moderate -----	Moderate -----	Moderate -----	Slight -----	Douglas-fir -----	160	Douglas-fir.
36E -----	2o1	Severe -----	Moderate -----	Moderate -----	Slight -----	Douglas-fir -----	160	Douglas-fir.
36F -----	2r1	Severe -----	Severe -----	Moderate -----	Slight -----	Douglas-fir -----	160	Douglas-fir.
Saum: 38B -----	3o1	Slight -----	Slight -----	Moderate -----	Moderate -----	Douglas-fir -----	135	Douglas-fir.
38C, 38D -----	3o1	Moderate -----	Slight -----	Moderate -----	Moderate -----	Douglas-fir -----	135	Douglas-fir.
38E -----	3o1	Severe -----	Slight -----	Moderate -----	Moderate -----	Douglas-fir -----	135	Douglas-fir.
38F -----	3r1	Severe -----	Moderate -----	Moderate -----	Moderate -----	Douglas-fir -----	135	Douglas-fir.
Tolke: 39E -----	2o1	Slight -----	Slight -----	Slight -----	Slight -----	Douglas-fir -----	163	Douglas-fir.
39F -----	2r1	Moderate -----	Moderate -----	Slight -----	Slight -----	Douglas-fir -----	163	Douglas-fir.

¹ This mapping unit is made up of two or more dominant kinds of soil. See mapping unit description for the composition and behavior of the whole mapping unit.

LOCATION HELVETIA

OR

Established Series
Rev. GLG/DRJ/RWL
08/2006

HELVETIA SERIES

The Helvetia series consists of very deep, moderately well drained soils that formed in glaciolacustrine deposits over silty and clayey alluvium. Helvetia soils are on foot slopes, toe slopes and terraces. Slopes are 0 to 30 percent. The mean annual precipitation is about 45 inches and the mean annual temperature is about 53 degrees F.

TAXONOMIC CLASS: Fine, mixed, superactive, mesic Ultic Argixerolls

TYPICAL PEDON: Helvetia silt loam, cultivated. (Colors are for moist soil unless otherwise stated.)

Ap1--0 to 5 inches; dark brown (10YR 3/3) silt loam, grayish brown (10YR 5/2) dry; moderate fine and very fine subangular blocky structure; slightly hard, friable, slightly sticky and slightly plastic; many very fine roots; many very fine pores; slightly acid (pH 6.4); abrupt smooth boundary. (5 to 10 inches thick)

Ap2--5 to 10 inches; dark brown (10YR 3/3) silty clay loam, grayish brown (10YR 5/2) dry; moderate medium, fine and very fine subangular blocky structure; slightly hard, friable, slightly sticky and moderately plastic; many very fine roots; many very fine pores; slightly acid (pH 6.2); abrupt smooth boundary. (0 to 8 inches thick)

BAt--10 to 16 inches; dark yellowish brown (10YR 3/4) silty clay, brown (10YR 5/3) dry; moderate medium and fine subangular blocky structure; hard, friable, moderately sticky and very plastic; common very fine roots; many very fine pores; common faint clay films on peds and many prominent clay films in pores and channels; slightly acid (pH 6.2); clear smooth boundary. (4 to 9 inches thick)

Bt1--16 to 28 inches; dark yellowish brown (10YR 3/4) silty clay, brown (10YR 5/3) dry; moderate coarse and medium subangular blocky structure; hard, friable, moderately sticky and very plastic; common very fine roots; many very fine pores; common faint clay films on peds and many prominent clay films in pores and channels; slightly acid (pH 6.2); clear smooth boundary. (4 to 12 inches thick)

Bt2--28 to 48 inches; dark yellowish brown (10YR 4/4) silty clay, pale brown (10YR 6/3) dry; moderate coarse and medium subangular blocky structure; hard, firm, very sticky and very plastic; few very fine roots; common very fine pores; common faint clay films on peds and many distinct clay films in channels and pores; moderately acid (pH 5.8); clear smooth boundary. (10 to 22 inches thick)

BC--48 to 60 inches; dark yellowish brown (10YR 4/4) silty clay loam, pale brown (10YR 6/3) dry; weak medium and fine subangular blocky structure; hard, firm, moderately sticky and very plastic; few very fine roots; common very fine pores; few fine distinct gray (10YR 6/1) and very dark grayish brown (10YR 3/2) iron depletions; few black stains; moderately acid (pH 5.8).

TYPE LOCATION: Washington County, Oregon; northwest of farmstead along the Mountain Home

Road; about 2,400 feet east and 700 feet south of the NW corner of section 21, T.2S., R.2W., Willamette Meridian. Scholls, Oregon USGS 7.5 minute topographic quadrangle; Latitude 45 degrees, 23 minutes, 15 seconds N. and Longitude 122 degrees, 56 minutes, and 16 seconds W.; NAD 27.

RANGE IN CHARACTERISTICS: The soils are usually moist, but are dry throughout between depths of 4 and 12 inches for 45 to 60 consecutive days following the summer solstice. The mean annual soil temperatures range from 53 to 56 degrees F. The soil is more than 60 inches deep to bedrock. The mollic epipedon is 10 to 20 inches thick. Hue is 10YR throughout. The soil has 0 to 5 percent gravel throughout. Depth to redoximorphic features with chroma of 2 or less is 30 inches or more. Base saturation in all or some part of the upper 30 inches is less than 75 percent (sum).

The Ap or A horizon has chroma of 2 or 3 moist and dry. Texture is silt loam with 15 to 27 percent clay in the upper part and silt loam or silty clay loam with 25 to 35 percent clay in the lower part. Reaction is moderately acid or slightly acid.

The BA_t horizon has value of 3 or 4 moist, 5 or 6 dry and chroma of 2 to 4 moist and dry. Texture is silty clay loam or silty clay with 35 to 45 percent clay. Reaction is moderately acid or slightly acid.

The B_t horizon has value of 3 or 4 moist, 5 or 6 dry and chroma of 3 or 4 moist and dry. Texture is silty clay loam or silty clay with 35 to 50 percent clay. Reaction is typically moderately acid or slightly acid but ranges to strongly acid in the lower part.

The BC horizon has value of 3 or 4 moist, 5 or 6 dry and chroma of 3 or 4 moist and dry. Texture is silt loam, silty clay loam or silty clay with 25 to 45 percent clay. Reaction is strongly acid or moderately acid

COMPETING SERIES: This is the Yorktree series. Yorktree soils are dry in all parts at a depth of 6 to 15 inches for more than 60 consecutive days following the summer solstice and are 40 to 60 inches deep to a lithic contact.

GEOGRAPHIC SETTING: The Helvetia soils are on smooth or rolling, convex old terraces. Elevations are 200 to 500 feet. Slopes are 0 to 30 percent. The soils formed in silty glaciolacustrine deposits over old silty and clayey alluvium. The climate is characterized by warm, wet winters and hot, dry summers. The average July temperature is 66 degrees F., average January temperature is 39 degrees F.; the average annual temperature is 52 to 54 degrees F. The average annual precipitation is 40 to 50 inches. The frost free period is 165 to 210 days.

GEOGRAPHICALLY ASSOCIATED SOILS: These are the Cascade, Cornelius, Delena, Hazelair, Helmick, Kinton, Laurelwood, Saum and Woodburn soils. Cascade, Cornelius and Kinton soils have fragipans and are on rolling hills. Delena soils have a fragipan and are in depressions on rolling hills. Hazelair soils are 20 to 40 inches to a paralithic contact and are in concave areas of hills. Laurelwood soils do not have a mollic epipedon or redoximorphic features with chroma of 2 or less and are on hills. Saum soils have hue of 7.5YR or 5YR, do not have redoximorphic features with chroma of 2 or less and are on hills. Helmick soils do not have an argillic horizon, have more than 60 percent clay in the particle-size control section and are on rolling hills.

DRAINAGE AND PERMEABILITY: Moderately well drained; moderately slow permeability. A high water table is at its uppermost limit from December to March.

USE AND VEGETATION: These soils are used for berries, orchards, small grain and seed crops, hay,

pasture, and woodland. Native vegetation is mainly Douglas fir, bigleaf maple, hazelbrush, poison oak, and other shrubs and grasses. *

DISTRIBUTION AND EXTENT: Northwestern Oregon; MLRA 2. The series is inextensive.

MLRA OFFICE RESPONSIBLE: Portland, Oregon

SERIES ESTABLISHED: Washington County, Oregon, 1975.

REMARKS: Diagnostic horizons and features recognized in this pedon include:

Mollic epipedon - the zone from the soil surface to 10 inches. (Ap1 and Ap2 horizons)

Argillic horizon - the zone from 10 to 48 inches (BA_t, Bt₁ and Bt₂ horizons)

Further investigation is needed to determine, if within the full extent of where this series is mapped, there is presence of redox depletions within a depth of 20 to 30 inches. If this diagnostic feature is met, this soil should be considered as an Aquultic Argixerolls.

ADDITIONAL DATA: Characterization data for one pedon (S67-OR-34-6) from Oregon State University Soil Survey Laboratory. Not published.

National Cooperative Soil Survey
U.S.A.

FOREST MANAGEMENT PLAN
FOR
NORMAN AND VICKI BALLOU

16465 NW DAVIDSON ROAD
BANKS, OR 97106

Woodland Description

Type 1: Approximately 7 acres

This unit is comprised of mixed conifer and deciduous timber. The conifers are approximately 60 years old and comprised of Red Cedar and Douglas fir. The deciduous trees are Red Alder and Bigleaf Maple, these trees are also merchantable. Timber of this age and species make up is generally "clear cut" logged and replanted. Thinning is not appropriate for a stand like this. The stand is not stocked well enough, and is too old to use thinning as a viable forestry option.

Type 2: Approximately 30 acres

This area was harvested in 2000 and subsequently planted with Douglas fir. The unit has a site index of 165 (well above average) on this very productive site. The unit is well stocked with approximately 310 young trees per acre. The trees are growing well Unfortunately, so are the competing brush species.

There are three main species of brush that need to be controlled to save the young trees. Red Alder trees, blackberry, and sprouted Bigleaf maple stumps. Alder and blackberry is best controlled by helicopter spraying. Bigleaf Maple stumps, however, can only be killed by a hand herbicide application. I suggest an early spring 2006 aerial application of 1 quart Garlon 4 and 2/3 quart 2,4-D LV6 per acre. This will also damage the Bigleaf Maple stumps. We may, if lucky, postpone or eliminate the need for the hand application.

Soils

The forested (11), and reforested portions of the property are Cornellius-Kinton Silt Loam. These are very fertile forest soils with a site index rating of 165 to 170. This means trees should reach approximately 165 to 170 feet tall at age 100. These soils have a very low mortality rate for seedlings planted. These soils are considered moderately erosive, and moderate for windthrow hazard.

The pasture areas (19) are Helvetia Silt Loam. The main use of these soils is pasture and orchard. They are not highly rated for forestry use, with a site index of 135. This is relatively low.

Wapato Silty Clay Loam (43) is found in the wet SE portions of the property. This is a poorly drained soil not suitable for planting trees.

The Quatama (38) soils are moderately well drained. These soils will support Douglas fir, Red Cedar, and Oregon White Oak.

Jorg Silty Clay Loam (23) is a moderately well drained soil that will support Douglas fir, orchards, or pasture. This soil has a forest site index of 155, an average to good productivity rating.

Management Recommendation

1. Spray the 30 acres of Douglas fir reproduction in spring of 2006.
2. Proceed on fish passage (culverts) and establishment projects.
3. Convert any unused pasture areas that are suited, to forest tree species.
4. Make sure all available acres qualify for Forest or Farm deferral with the County Assessor.

FORESTRY ASSISTANCE STEWARDSHIP PLAN SIGNATURE PAGE

This stewardship plan describes the existing vegetation, soils, and wildlife/fisheries habitat on the property and addresses the opportunities for the protection of all natural resources while assisting the landowner in meeting his or her objectives for the management of the property. It provides guidelines for a sound strategy which reflects the landowner's management objectives and blends them with a land stewardship ethic. It focuses on the integration of all resources in the management of the property as a valuable legacy for future generations.

All plan elements listed below must be given consideration during plan development. Elements with an asterisk (*) need to be addressed in the plan when known to exist and appropriate to protect/improve a resource consistent with landowner objectives. All other elements must be explicitly addressed for the plan to qualify as a Forestry Assistance Stewardship Plan.

PLAN ELEMENT CHECK LIST	Check if included
Cover Page	<input checked="" type="checkbox"/>
Landowner Objectives	<input checked="" type="checkbox"/>
Map/Woodland Description	<input checked="" type="checkbox"/>
Forest Vegetation/ Timber	<input checked="" type="checkbox"/>
Wildlife/Fish Habitat	<input checked="" type="checkbox"/>
Soils	<input checked="" type="checkbox"/>
Roads	<input checked="" type="checkbox"/>
Water Resources*	<input checked="" type="checkbox"/>
Forest Health*	<input type="checkbox"/>
Fire Plan	<input checked="" type="checkbox"/>
Agroforestry*	<input type="checkbox"/>
Archeological and Cultural Resources*	<input type="checkbox"/>
Recreation*	<input type="checkbox"/>
Aesthetic/Scenic Resources*	<input type="checkbox"/>
Threatened and Endangered Species*	<input type="checkbox"/>
Forest Practice Rules	<input checked="" type="checkbox"/>
Sources of Assistance	<input checked="" type="checkbox"/>
Tax and Business Management	<input checked="" type="checkbox"/> NA
Management Recommendations	<input checked="" type="checkbox"/>
Signature Page	<input checked="" type="checkbox"/>

Actions recommended in this plan have no significant long-term adverse impact on any of the above listed resources. This plan does not limit or reduce any existing rights of the landowner.

Prepared for:

X
NA 3/28/06
 Landowner's Signature Date
Norman D. Ballou/Vicki A. Ballou
 Print Landowner's Name

Prepared by:

Jan P. Worley 3-13-06
 Resource Professional's Signature Date
Jan P. Worley
 Print Resource Professional's Name

County WASHINGTON

Approved by:

JPW 3-13-06
 ODF Representative's Signature Date

Acres of forestland 75±

Print ODF Representative's Name
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WASHINGTON COUNTY
 Dept. of Land Use & Transp.
 Land Development Services
 155 N. First Ave., Suite 350-13
 Hillsboro, OR 97124
 Ph. (503) 846-8761 Fax (503) 846-2908
 www.co.washington.or.us

**REQUEST FOR STATEMENT
 OF SERVICE AVAILABILITY FOR
 SCHOOLS**

PRE-APPLICATION DATE: _____

Service Provider: PLEASE RETURN THIS FORM TO:
APPLICANT:
 Individuals
 COMPANY: Norman Vicki Ballou
 CONTACT: _____
 ADDRESS: P O BOX 688
BANKS, OR 97106
 PHONE: 503-647-2267

OWNER(S):
 NAME: The Ballou Family Trust
 ADDRESS: P.O. Box 688
Banks, OR 97106
 PHONE: 503-647-2267

Property Desc.: Tax Map(s): 2N3-20 Lot Number(s): 1200, 1202, 1203

Site Size: 78.05 acres
 Site Address: 16335 and 16465 NW Davidson Rd
 Nearest cross street (or directions to site):
NW Hahn

BANKS
 SCHOOL DISTRICT NO.: 13

PROPOSED PROJECT NAME: _____

PROPOSED DEVELOPMENT ACTION: (DEVELOPMENT REVIEW, SUBDIVISION, MINOR PARTITION, SPECIAL USE)
Change Comprehensive Plan Map from AF-20 to EFC

EXISTING USE: Forest PROPOSED USE: Forest
 IF RESIDENTIAL: _____ IF INDUSTRIAL/COMMERCIAL: _____ IF INSTITUTIONAL: _____
 NO. OF DWELLING UNITS: 2 TYPE OF USE: _____ NO. SQ. FT. _____
 SINGLE FAM. 2 MULTI-FAM. _____ NO. OF SQ. FT. (GROSS FLOOR AREA) _____ NO. STUDENTS/EMPLOYEES/MEMBERS: _____

*******ATTENTION SERVICE PROVIDER*******
 PLEASE INDICATE THE LEVEL OF SERVICE AVAILABLE TO THE SITE (ADEQUATE OR INADEQUATE).
RETURN THIS COMPLETED FORM TO THE APPLICANT AS LISTED ABOVE.
 (Do NOT return this form to Washington County. The applicant will submit the completed form with their Land Development Application submittal).

SERVICE LEVEL IS ADEQUATE TO SERVE THE PROPOSED PROJECT. (Use additional sheets if necessary.)
 Please indicate what improvements, or revisions to the proposal are needed for you to provide adequate service to this project.

SIGNATURE: Airon Foster POSITION: Superintendent DATE: 1-6-2010

SERVICE LEVEL IS INADEQUATE TO SERVE THE PROPOSED PROJECT.
 If the present or future service level is inadequate, please provide information documenting your inability to provide an adequate level of service. Additionally, provide information regarding whether the use of alternative means can be employed to provide an adequate service level. Documentation of adequacy and alternatives to provide an adequate service level may include but not be limited to the following:
 1. Amount of bonded indebtedness; 2. Use of double shifting; 3. Extended school periods; 4. Bussing to underutilized facilities; 5. Year-around school; 6. Construction of new facilities; 7. Portable Classrooms; 8. Impact Fees; 9. Any combination of these or other alternatives.

SIGNATURE: _____ POSITION: _____ DATE: _____



Date: ___/___/___

Washington County School District Service Analysis

RE: Plan Amendment, changing from AF-20 to EFC, 2N3-20 Tax Lot 1200, 1202, 1203
(land use district) (map location)

Dear Washington County School District, # 13:

The Washington County Department of Land Use and Transportation requires a formal detailed analysis of certain Public Services to determine any adverse impact on those services by the above plan amendment.

In order to provide sufficient information for the staff's impact evaluation, your response to the following questions, in addition to the standard "Service Availability Statement", is required.

1. What is the location (in miles from the parcel(s) referenced above) of the nearest schools that would provide education services to future residents of the parcel(s) above?

4 miles

2. Is bus transportation provided for students that would be located on the parcel(s) listed above?

Yes.

3. What are the names of the existing school facilities in your district, current enrollment of those schools, and maximum student capacity for each school that would serve the parcel(s) listed above?

Name	Current Enrollment	Capacity
1. Banks Elementary School	595	650
2. Banks Jr High	207	350
3. Banks High School	390	450

4. Will the addition of N/A () future single family dwellings cause any serious impact on the current educational services provided?

No - it will accommodate existing dwellings

Thank you for providing the additional information for the plan amendment request.

SIGNATURE: Mario Mess DATE: 1/8/10
POSITION: Exec Asst

F:\SHARED\Plng\WPSHARE\Plan Amendments\Master\Misc forms\school questions.doc



WASHINGTON COUNTY
 Dept. of Land Use & Transp.
 Land Development Services
 155 N. First Ave., Suite 350-13
 Hillsboro, OR 97124
 Ph. (503) 846-8761 Fax (503) 846-2908
 http://www.co.washington.or.us

**REQUEST FOR STATEMENT
 OF SERVICE AVAILABILITY**

- WATER DISTRICT: _____
- FIRE DISTRICT: Banks Fire District #13
- TRI-MET
- TUALATIN HILLS PARK & REC. DISTRICT
- CITY OF _____
- CLEAN WATER SERVICES

PROPOSED PROJECT NAME: _____

PROPOSED DEVELOPMENT ACTION: (DEVELOPMENT REVIEW, SUBDIVISION, PARTITION, SPECIAL USE)

Plan Amendment from AF-20 (Ag/Forest) to EFC (Exclusive Forest Conservation)

EXISTING USE: Forest

PROPOSED USE: Forest

IF RESIDENTIAL:	IF INDUSTRIAL/COMMERCIAL:	IF INSTITUTIONAL:
NO. OF DWELLING UNITS: <u>2</u>	TYPE OF USE: _____	NO. SQ. FT. _____
SINGLE FAM. <u>2</u> MULTI-FAM. _____	NO. OF SQ. FT. (GROSS FLOOR AREA) _____	NO. STUDENTS/EMPLOYEES/MEMBERS: _____

PRE-APPLICATION DATE: _____

Service Provider: PLEASE RETURN THIS FORM TO:
 APPLICANT: Individuals:
 COMPANY: NORMAN EVICKI BALLOU
 CONTACT: _____
 ADDRESS: PO Box 688
BANKS, OR 97106
 PHONE: _____

OWNER(S):

NAME: The Ballou Family Trust
 ADDRESS: PO Box 688
Banks, OR 97106
 PHONE: 503-647-2267

Property Desc.: Tax Map(s): 2N3-20 Lot Number(s): 1200, 1202, 1203

Site Size: 78.05 acres

Site Address: 16335 and 16465 NW Davidson Rd.
 Nearest cross street (or directions to site):
NW Hahn

*****ATTENTION SERVICE PROVIDER*****

PLEASE INDICATE THE LEVEL OF SERVICE AVAILABLE TO THE SITE (ADEQUATE OR INADEQUATE).

RETURN THIS COMPLETED FORM TO THE APPLICANT AS LISTED ABOVE.

(Do NOT return this form to Washington County. The applicant will submit the completed form with their Land Development Application submittal).

- SERVICE LEVEL IS ADEQUATE TO SERVE THE PROPOSED PROJECT.
 Please indicate what improvements, or revisions to the proposal are needed for you to provide adequate service to this project.
This is not for the addition of house. This is just for the change of zones

SIGNATURE: Devi Cyedent POSITION: Captain DATE: 1/6/10

- SERVICE LEVEL IS INADEQUATE TO SERVICE THE PROPOSED PROJECT.
 Please indicate why the service level is inadequate.

SIGNATURE: _____ POSITION: _____ DATE: _____



Date: 1/6/10

Washington County Fire District Service Analysis

RE: Plan Amendment, changing from AF-20 to ERC, 2N3-20 Tax Lot 1200, 1202, 1203
(land use district) (map location)

Fire District: Banks Fire District #13

Dear Washington County Fire District,

The Washington County Department of Land Use and Transportation requires a formal detailed analysis of certain Public Services to determine any adverse impact on those services by the above plan amendment.

In order to provide sufficient information for the staff's impact evaluation, your response to the following questions, in addition to the standard "Service Availability Statement", is required.

1. What is the location (in miles from the parcel(s) referenced above) of the fire station?
Four to five miles
2. What will be the average emergency response time to the parcel(s) referenced above?
Ten minutes
Seven
3. What is the total number of personnel and equipment available for an initial attack on fire spread at the parcel(s) referenced above?
Four engines, two water tenders, 1 rescue, and a command officer
4. Will the addition of none () single family dwellings cause any serious impact on the current services provided?

Thank you for providing the additional information for the plan amendment request.

SIGNATURE: Lois Ogden DATE: 1/6/10
 POSITION: Captain

\\LUT1\DATA\SHARED\Plng\WPSHARE\Plan Amendments\Master\Misc forms\fire questions.doc

Department of Land Use & Transportation • Planning Division
155 N. First Avenue, Suite 350-14, Hillsboro, OR 97124-3072
phone: (503) 846-3519 • fax: (503) 846-4412



WASHINGTON COUNTY
 Dept. of Land Use & Transp.
 Land Development Services
 155 N. First Ave., Suite 350-13
 Hillsboro, OR 97124
 Ph. (503) 846-8761 Fax (503) 846-2908
 www.co.washington.or.us

**REQUEST FOR STATEMENT
 OF SERVICE AVAILABILITY FOR
 SHERIFF OR POLICE SERVICES**

WASHINGTON COUNTY SHERIFF

PRE-APPLICATION DATE: _____

Service Provider: PLEASE RETURN THIS FORM TO:

APPLICANT:

INDIVIDUALS: _____
 COMPANY: Norman & Vicki Ballou

CONTACT: _____

ADDRESS: PO Box 688
Banks, OR 97106

PHONE: 503-647-2267

OWNER(S):

NAME: The Ballou Family Trust

ADDRESS: P. O. Box 688
Banks, OR 97106

PHONE: 503-647-2267

Property Desc.: Tax Map(s): 2N3-20 Lot Number(s): 1200, 1202, 1203

Site Size: 78.05 acres

Site Address: 16335 and 16465 NW Davidson Rd
 Nearest cross street (or directions to site):
NW Hahn and NW Davidson

PROPOSED PROJECT NAME: _____

PROPOSED DEVELOPMENT ACTION: (DEVELOPMENT REVIEW, SUBDIVISION, MINOR PARTITION, SPECIAL USE)

change from AF-20 to EFC - Plan Amendment

EXISTING USE: Forests

PROPOSED USE: Forest

IF RESIDENTIAL:

IF INDUSTRIAL/COMMERCIAL:

IF INSTITUTIONAL:

NO. OF DWELLING UNITS: 2

TYPE OF USE: _____

NO. SQ. FT. _____

SINGLE FAM. 2 MULTI-FAM. _____

NO. OF SQ. FT. (GROSS FLOOR AREA) _____

NO. STUDENTS/EMPLOYEES/MEMBERS: _____

*******ATTENTION SERVICE PROVIDER*******

PLEASE INDICATE THE LEVEL OF SERVICE AVAILABLE TO THE SITE (ADEQUATE OR INADEQUATE).

RETURN THIS COMPLETED FORM TO THE APPLICANT AS LISTED ABOVE.

(Do NOT return this form to Washington County. The applicant will submit the completed form with their Land Development Application submittal).

SERVICE LEVEL IS ADEQUATE TO SERVE THE PROPOSED PROJECT. (Use additional sheets if necessary.)

Please indicate what improvements, or revisions to the proposal are needed for you to provide adequate service to this project.

SIGNATURE: _____

[Handwritten Signature]

POSITION: _____

Lieutenant

DATE: _____

01/08/10

SERVICE LEVEL IS INADEQUATE TO SERVE THE PROPOSED PROJECT.

If the present or future service level is inadequate, please provide information documenting your inability to provide an adequate level of service. Please also provide information regarding whether the use of alternative means can be employed to provide an adequate service level. Documentation of adequacy and alternatives to provide an adequate service level may include but not be limited to the following:

1. Contracting with private agency; 2. Contracting with other public agency; 3. Impact fees; 4. Any combination of these or other alternatives.

SIGNATURE: _____

POSITION: _____

DATE: _____

Service Pro Sheriff 12/11/03

Washington County, Oregon 17570

TWP W Section
2N 3 20
Tax Lot 1200

Code Area Number

1000

Tax Lot	Name of Owner	Name Flighting or Drainage Dist.	Journal Voucher Number	Acreage And Assessed Value		Timber Value	Improvement Value	Exemptions	Total Value As Equalized By County Board	Special Assessments Amount
				Acres	Value					
2N3 20 1200 13-11	Bass, Jacob % Everett Gregory 6421 Garden Home Rd Portland, Oregon			78.39 78.39	2,580 2,580		1,230 2,230		3,810 4,810	7.25
2N3 20 1200 13-11	Bass, Jacob % Everett Gregory 6421 Garden Home Rd Portland, Oregon			78.39 78.39	2,700 2,430		3,280 3,280		5,980 5,710	8.42
2N3 20 1200 13-11	Gregory, Everett M & Elsie I Route 1 Box 159 Banks, Oregon 97106		4719 51645 2-26-68	78.39 3.14	9700 200		19900		29600 200	
2N3 20 1200 13-11	Gregory, Everett M & Elsie I Route 1 Box 159 Banks, Oregon 97106		57189 57190	78.43	10,100	570	24,900		35,570	15.45
2N3 20 1200 13-11	Gregory, Everett M & Elsie I Route 1 Box 159 Banks, Oregon 97106		67445	78.43	10,100	660	25,400		36,160	

Key to Types of Special Assessments:
4. Fire Protection 5. Late Payment Pen.
6. Lighting Dist. 10. Debt Rating 11.
12. Drainage Dist.

K-1

Well Log Query Results

Township: 2N, Range: 3W, Section: 20, County: WASH

Well Log	T-R-S/ Q-Q	Taxlot	Street of Well	Owner	Company	Well Type	First Water	Completed Depth	Static Water Level	Yield	Completed Date	Received Date	Bonded Constructor	Starcard	Well Id #	Construction		
																New	Abandon	Deepen
WASH 4350	2.0N-3.0W-20 NW-NW			SEIFFERT, RICHARD		W	100.0	500.0	30.0	2.0	12/14/1994	12/20/1994	VANDEHEY, CYRIL	75143		X		
WASH 50719	2.0N-3.0W-20 SE-NW	300	17500 NW DAVIDSON RD, BANKS	BUNKER, WAYNE		W	30.0	140.0	0.0	5.0	06/04/1996	06/11/1996	JANNSEN, PRESTON A. A.M. JANNSEN DRILLING	86725	1402	X		
WASH 7446	2.0N-3.0W-20			KEENE, E		W	280.0	455.0	30.0	410.0	09/17/1972	10/31/1972	GREGORY, EVERETT M			X		
WASH 7447	2.0N-3.0W-20			GREGORY, E M		W	0.0	210.0	100.0	8.0	04/21/1965	05/21/1965	GREGORY, EVERETT M			X		
WASH 7449	2.0N-3.0W-20			KEENA, EDMOND		W	500.0	675.0	300.0	1.0	06/22/1978	06/28/1978	JANNSEN, EDWARD				X	
WASH 57085	2.0N-3.0W-20 SE-SE	1600	16250 NW DAVIDSON RD	VANDOMELEN, MIKE		W	95.0	124.0	23.0	6.0	03/07/2001	03/14/2001	DEVLAEMINCK, BERT DEVLAEMINCK WELL DRILLING	122510	21884	X		
WASH 58643	2.0N-3.0W-20 NW-SE	1000	16511 NW DAVIDSON RD	ROGERS, SCOTT		W	55.0	75.0	48.0	18.0	07/10/2002	07/18/2002	JANNSEN, ROY N A M. JANNSEN DRILLING	151679	59480	X		
WASH 7450	2.0N-3.0W-20 SW-SE			CONKLIN, VAN		W	70.0	179.0	60.0	9.0	10/18/1978	10/30/1978	ADAMS, LYLE			X		
WASH 50718	2.0N-3.0W-20 SE-NW	300	17500 NW DAVIDSON RD, BANKS	BUNKER, WAYNE		W					05/30/1996	06/11/1996	JANNSEN, PRESTON A. A.M. JANNSEN DRILLING	86717		X		X
WASH 55510	2.0N-3.0W-20 SW-SW	1100	16100 NW MALLER RD, BANKS	DREITH-BYNUM, LAVERNE	ESTATE OF LAVERNE DREITH-BYNUM	W	378.0	395.0	300.0	30.0	11/08/1999	11/16/1999	JANNSEN, PRESTON A. A.M. JANNSEN DRILLING	126916	37246	X		

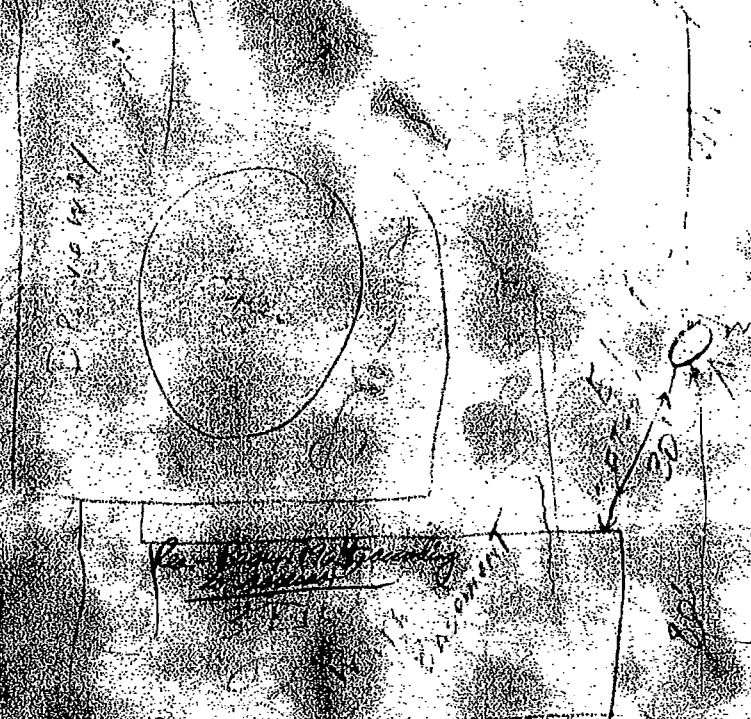
Page: First Previous 1 2 3 Next Last

[Download Data](#)

[Return to the Well Log Query Screen](#)

120074

Davidson Rd.



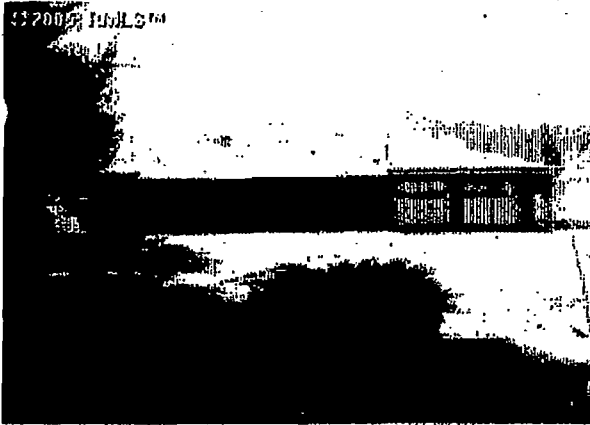
[Handwritten notes, possibly including names and dates]

10/29/66

[Handwritten signature]
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 Davidson Rd.

K-3



Presented By: David Saul
RE/MAX equity group Agent Full

FARMS & RANCHES Status: ACT 6/3/2005 9:17:09 AM
ML#: 5007998 Area: 149 List Price: \$
Addr: 16465 NW DAVIDSON RD
City: Banks Zip: 97106
Map Coord: 532/C/2 Zoning: AF & FL List Type: ER LR: N
County: Washington Tax ID: R2016552
Elem: BANKS Middle: BANKS
High: BANKS PropType: FARM
Habitable Resid: Y #Image: 8
Distance from School 150 Add Par: Y
Bus: Legal: In listing office
Internet: Y VOW: Y

GENERAL & RESIDENCE INFORMATION

Lot Size: 50-99.99AC # Acres: 78.05 Lot Dimensions:
Waterfront: River/Lake: Seller Disc: EXEMPT
Lot Desc: POND, SLOPED, TREES View: Other Disc:
Upper: 0 SFSrc: county tax #Bedrooms: 3 Year Built: 1965/ APPROX
Main: 1632 TotUp/Mn: 1632 #Levels: 2 Home Warranty:
Lower: 1632 Style: DAYRNCH #Garage: 2 / ATTACHD #Fireplaces: 2/ WOOD
Total: 3264 Roof: COMP Exterior: BRICK, CEDAR Bsmt/Fnd: DAYLITE, FINISHD

APPROXIMATE ROOM SIZES AND DESCRIPTIONS

Living: M / 15 X 24 / BLT-INS, FIREPL	Mstr Bd: M / 15 X 15 / HARDWOD, DBL-CLO	Baths	FB/PB
Kitchen: M / 15 X 15 / ISLAND, PANTRY	2nd Bd: M / 10 X 12 / CLO-ORG, HARDWOD	Upper Lvl:	.0
Dining: M / 9 X 15 /	3rd Bd: L / 10 X 12 /	Main Lvl:	1
Family: L / 30 X 29 / FIREPL, KITCHEN	4th Bd: /	Lower Lvl:	1
UTILITY L / 10 X 10 / SINK	MUD-RM L / 8 X 15 / WOODSTV	Total Bth:	2

OTHER FEATURES

Add Dwelling: Y /
Current Irrig. Wtr Rights: N /
Electric on Prop: Y / 220VLTs
Personal Prop:
Irrig. Source: WELL, CREEK
Fixtures Excluded: Y
Forest Service: N /AUM:
Crops Included: N
Private: /AUM:
Range: Wooded: 40
Pasture: 30
Fencing: ELECT, OTHER, X-FENCE, BARBWIR
Currently Useable: CATTLE, HORSES, OTHER, PASTURE
Exterior: BARN, DECK, OUTBUILD, PATIO, SATDISH, SEC-LIT, SHOP, TL-SHED, 2ND-RES
XSt/Dir: Hwy 26 w, 2nd Harrison exit, E to Hahn, L at 'Y' to 16465 Davidson Rd
Private: Quiet country setting overlooking 78.05 acres w/ easy access to Hwy 26. 3 lg feeding pastures for horses, cattle, or farm. w/ pond & creek. fenced/cross fenced/electric fenced. Westerly view. reforested w/ fir trees. Barn/Shop/Mult out bldgs. Main home has 2nd kitch on lower lvl w/huge 29x30 fm rm. 2nd home 1454 sq ft rented. Please do not disturb renters.
Public: Quiet country home on 78.05 acres, 2nd home rented. 3 large feeding pastures for horses or cattle. fenced & cross fenced, barn/shop/mult out bldgs. re-forested w/ fir trees, pond and creek. Tranquil country living.

UTILITIES

Cool: NONE Hot Water: ELECT Heat: FOR-AIR, WOODSTV Fuel: OIL
Water: WELL Sewer: SEPTIC Insul: SOME

FINANCIAL

Property Tax/Yr: 3603.82 Spcl Asmt Balance: Tax Deferral: Y BAC: % 2.7
Terms: CASH, CONV 3rd Party: Y SAC:
Documents Avail: PLT-MAP, LEGDESC FCS Shares Included: Escrow Preference: First American Title

BROKER / AGENT DATA

BRCD: EQTY11 Office: RE/MAX equity group Phone: 503-297-6202 Fax: 503-639-9982
LPID: SAULDAVI Agent: David Saul Phone: 503-939-5020 Cell/Pgr: 503-939-5020
CoLPID: CoBRCD: CoAgent:
Agent E-mail: davidsaul@comcast.net
ShowHrs: daytime Tran: 2/7/2005 List: 2/3/2005 Exp: 7/31/2005 Occ: OWNER Photo: TAKE
LBHrs/Loc/Cmb: daytime garage Owner: in LO Poss: NEGOT
Show: CALL-LA, RMLS LBX Tenant: Phone: Phone:

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

K-4

Farm/Ranch 78.05 Acres

\$



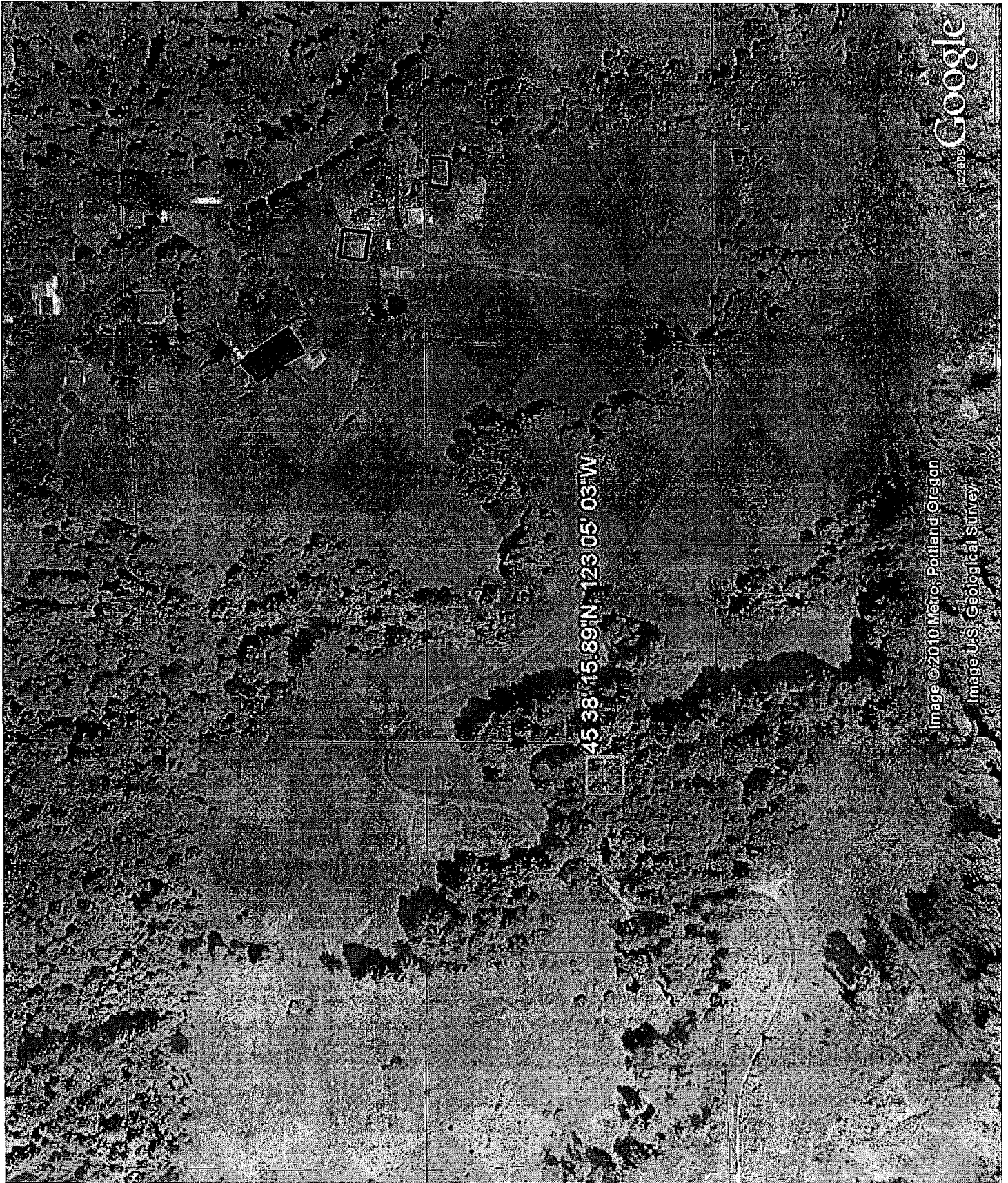
*Picturesque Setting
49 Acres Reforested
29 Acres Pasture
Pond/Creek
Barn/Lg. Shop
Fenced + Fenced
Custom Built Home
Over 3,200 Sqft.
Deck/Patio
Hardwood Floors
W/ Island/Pantry
29x30 Family Room
2 Kitchens*

*Easy Access off Hwy 26
3 Large Feeding Pastures
For Horses/Cattle
Great for Motor Cross
2nd Residence
1,454 Sqft. + Shed
Westerly View
Call for a showing*



*Presented by:
David Saul, Broker
Re/Max Equity Group
8555 SW Apple Way
Portland, OR 97225
503-939-5020*









Google
maps

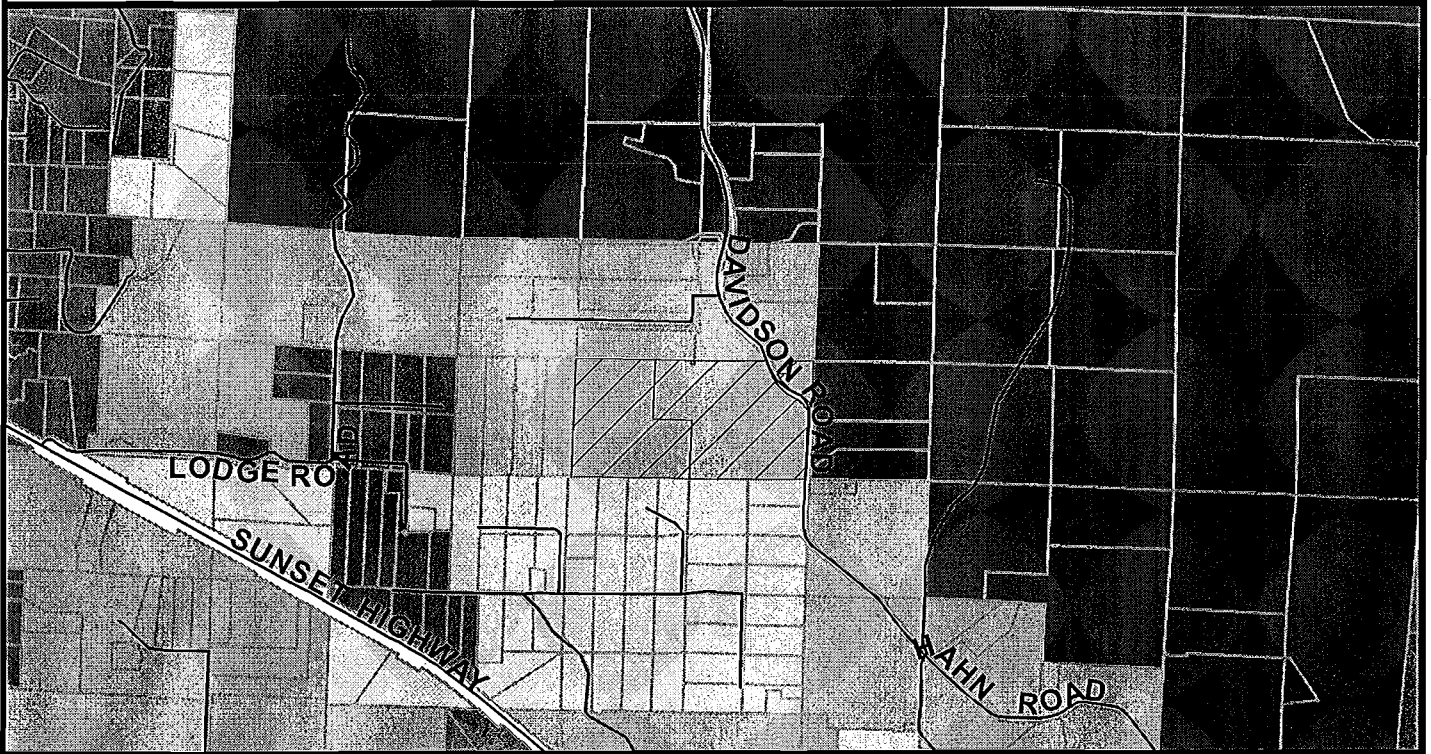
Image © 2010 Mapo, Portland Oregon
Image U.S. Geological Survey

45° 38' 15.89\"/>

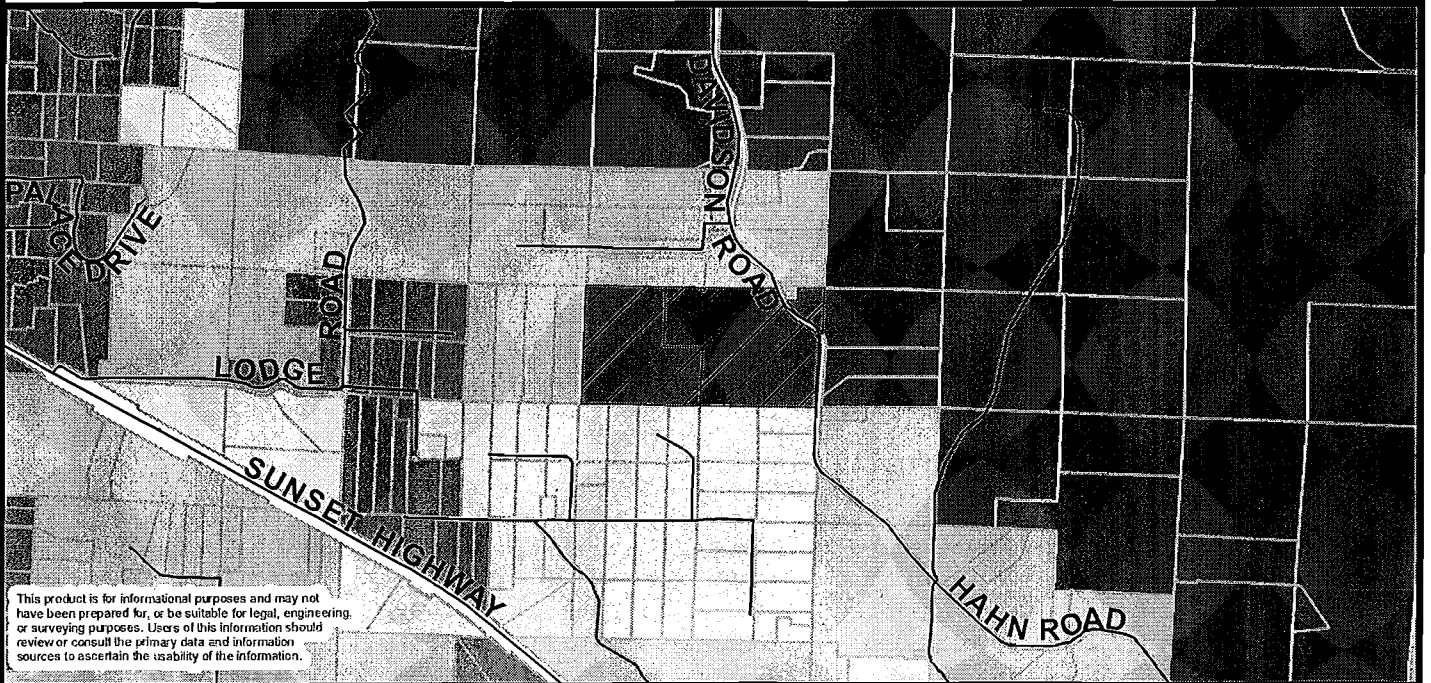
1965 Dwelling 
1900 Dwelling 
Barn 

Current Farm /
Forest road 

Existing Plan Designations






Proposed Plan Designations



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.




WASHINGTON COUNTY- GEOGRAPHIC INFORMATION SYSTEM

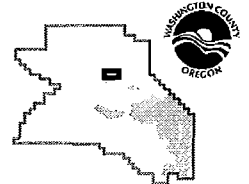
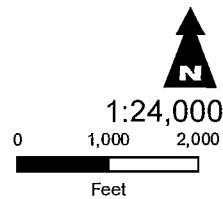
10-057-PA
Ballou
Plan Amendment
AF-20 to EFC

-  Subject Properties
-  Streets
-  Other Lots

Land Use Designations

-  AF-5
-  AF-10

-  AF-20
-  EFU
-  EFC





WASHINGTON COUNTY
Department of Land Use and Transportation
PLANNING DIVISION, SUITE #350-14
155 NORTH FIRST AVENUE
HILLSBORO, OREGON 97124-3072
Tel. (503) 846-3519 fax (503) 846-4412

CASEFILE NO.: 10-057-PA

APPLICANT:
Norman D. & Vicki A. Ballou
PO Box 688
Banks, OR 97106

STAFF REPORT

OWNER:
Ballou Family Trust
PO Box 688
Banks, OR 97106

PROCEDURE TYPE: III

SITE ADDRESS
16335 & 16465 NW Davidson Road

COMPREHENSIVE PLAN ELEMENT:
Rural/Natural Resource

ASSESSOR MAP NO(S) & TAX LOT NO(S): 2N3 20
1200, 1202, 1203 & 1204

CPOs: 8 & 14

SITE SIZE: 78.05 acres

EXISTING LAND USE DISTRICT: Agriculture and
Forest District (AF-20)

LOCATION: North of the intersection of NW Hahn
Road and NW Davidson Road

REQUEST: Comprehensive Plan Amendment to change the current land use designation of Agriculture and Forest (AF-20) District to Exclusive Forest Conservation (EFC) District.

Casefile No. 10-057-PA Staff Report for the April 21, 2010 Planning Commission Hearing

I. APPLICABLE REGULATIONS

- A. LCDC Statewide Planning Goals 1, 2, 3, 4, 5, 7, 11, & 12
- B. OAR 660-033-0030(4) (relating to agricultural land) and OAR 660-006-0015(2) (relating to forest land), 660-012-0060 (Transportation Planning Rule)
- C. Rural / Natural Resource Plan Policies: 1.p.8, 2, 6, 8, 10, 14, 16, 17, 22, 23
- D. Washington County Transportation Plan Policies 1, 2, 4, 5, 6, 10 & 19
- E. Washington County Community Development Code:
 1. Article II, Procedures
 2. Article III, Land Use Districts

Section 342	EFC District (Intent and Purpose)
Section 344	AF-20 District (Intent and Purpose)
 3. Article IV, Development Standards

Section 421	Flood Plain and Drainage Hazard Area Development
Section 422	Significant Natural Resources
 4. Article V, Public Facilities and Services

II. AFFECTED JURISDICTIONS

Washington County Sheriff
Washington County Department of Land Use and Transportation
Banks School District
Banks Fire District

III. RECOMMENDATION

Based on staff's findings in Section III of this report and Attachment A, and as summarized above under Section IV, staff recommends **APPROVAL** of the plan amendment from AF-20 to EFC. Therefore staff recommends that the Planning Commission forward to the Board of County Commissioners a recommendation for approval of the applicant's plan amendment request subject to the following conditions:

1. Any additional amount over and above the fee deposit submitted with this application which is determined to be owed to the County shall be paid upon receipt of a statement of balance due, consistent with the agreement for payment of fees for quasi-judicial plan amendment application processing previously signed by the owner. No subsequent land use applications shall be accepted prior to payment of any balances.
2. The requirements of the Community Development Code will apply to specific development applications on each parcel. Other applicable regulations will also apply, including requirements for wells and septic systems.

IV. FINDINGS

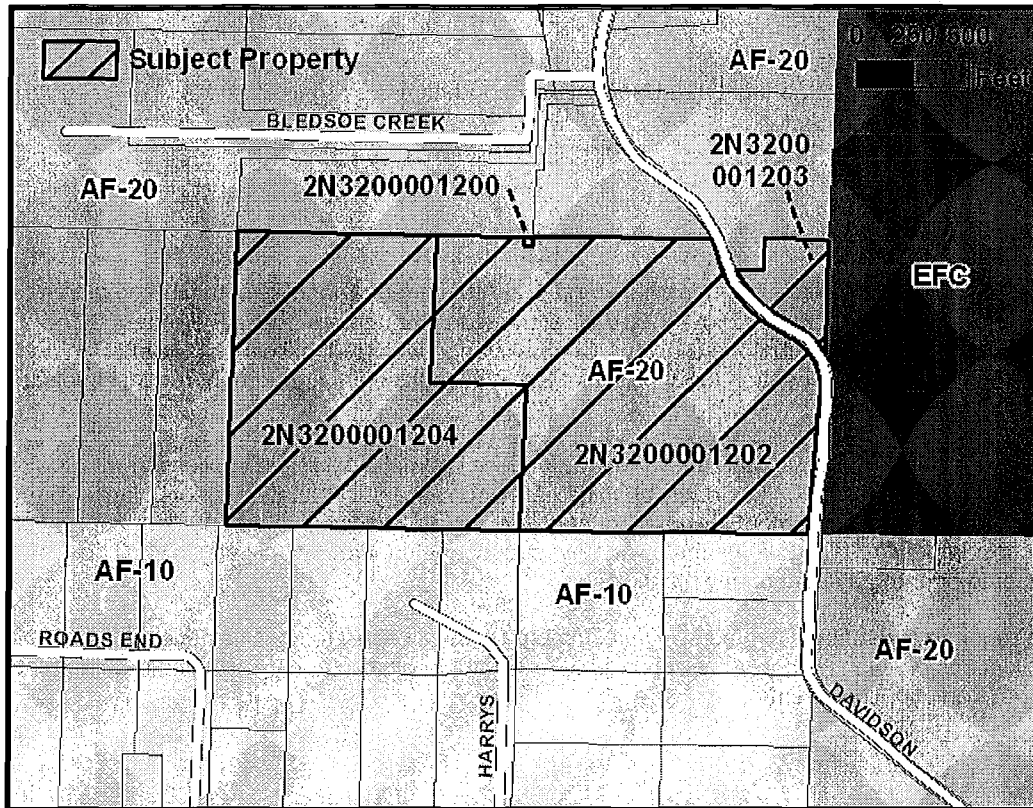
A. General

Applicant: See page 3 of the application.

Staff: This request involves four tax lots in common ownership. Three tax lots, tax lots 1200, 1202 and 1204, are located west of NW Davidson Road. Tax lot 1203 is located east of NW Davidson Road, across from tax lot 1202. Tax lot 1200 is 0.04 acre (1,742 square feet) and is vacant. Tax lot 1202 is 42.46 acres and is developed with two dwellings. Tax lot 1203 is 2.61 acres and is vacant. Tax lot 1204 is a vacant, 32.84 acre property that had been consolidated into tax lot 1202 by the Washington County Assessment and Taxation Department. In 2009, the owners reestablished tax lot 1204. Each tax lot was lawfully established. For the purposes of this report, these four tax lots will be referred to as "the property".

The property is 78.05 acres and is currently designated as Agriculture and Forest (AF-20). As stated, there are two dwellings on tax lot 1202, one built in 1900 and one built in 1965. Both dwellings were lawfully established. The property is adjacent to AF-20 designated properties to the north, west and southeast, Agriculture and Forest (AF-10) to the south and Exclusive Forest Conservation (EFC) to the east (see Figure 1 on page 3 of this report).

Figure 1.



According to the applicant, approximately 48 acres (62%) of the property is planted in timber and is actively managed for commercial timber production. The remaining 30 acres are comprised of two creeks, a floodplain which is used for livestock grazing, and areas used for the dwellings and agricultural buildings.

Portions of Bledsoe Creek and an unnamed tributary are located on the property. These waterways are significant natural resources, specifically *Water Areas, Wetlands and Fish and Wildlife Areas*. The 100-year floodplain for Bledsoe Creek covers the majority of tax lot 1202. The unnamed tributary is not designated as having a 100 year floodplain or as a drainage hazard area.

There are two access points to the property from NW Davidson Road, one driveway per dwelling.

The applicant's goal is to have each of the existing dwellings on tax lot 1202 on its own parcel. Section 344-7 of the Community Development Code (CDC) *Creation of Lots and Parcels by a Land Division* for the AF-20 District does not allow the partitioning of a lot with two dwellings into two separate lots, each containing one dwelling. However, the Exclusive Forest Conservation (EFC) District allows for such a partition (see Section 424-9 *Division of a Lot or Parcel with at Least Two Existing Dwellings in the EFC District*). Also, the EFC designation will most accurately reflect the use of the property. It is for these reasons that the applicant has applied for this comprehensive plan amendment.

No letters of comment have been received.

State law requires the Board of County Commissioners to make the final decision for plan amendments on resource lands. The Board is scheduled to review this plan amendment request at its meeting on May 18, 2010. The Planning Commission's recommendation will be provided to the Board prior to that hearing.

B. Compliance with LCDC Statewide Planning Goals

Staff: The Rural/Natural Resource Plan Element of Washington County's Comprehensive Plan and related implementing ordinances have been found to be in conformance with the statewide planning goals. Goals applicable to this proposal are addressed under related policies from Washington County's Rural/Natural Resource Plan Element and in Attachment A, the Transportation Report. In addition, Oregon Administrative Rules (OAR) for Goals 3 and 4 are specifically addressed below.

LCDC Goal 3, Agricultural Lands

This goal requires agricultural lands be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space and the state's agricultural land use policy. OAR Chapter 660, Division 33, sets forth the following requirement:

OAR 660-033-0030: Identifying Agricultural Land

(4) When inventoried land satisfies the definition requirements of both agricultural land and forest land, an exception is not required to show why one resource designation is chosen over another. The plan need only document the factors that were used to select an agricultural, forest, agricultural/forest, or other appropriate designation.

LCDC Goal 4, Forest Lands

This goal requires forest lands be conserved 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 land consistent with sound management of soil, air, water and fish and wildlife resources and to provide for recreational opportunities and agriculture. OAR Chapter 660, Division 6 sets forth the following requirement:

OAR 660-006-0015: Plan Designation Outside an Urban Growth Boundary

(2) When lands satisfy the definition requirements of both agricultural land and forest land, an exception is not required to show why one resource designation is chosen over another. The plan need only document the factors that were used to select an agricultural, forest, agricultural/forest, or other appropriate designation.

Staff: The property is currently designated AF-20, which is a resource designation for exclusive farm use. The applicant is requesting a plan amendment to EFC which is a resource designation for forest use. As stated in Goals 3 and 4 above, the applicant does not need to justify why one resource designation is more appropriate than another. This report need only document the factors used for recommending an EFC designation for the property. The applicant's findings and the staff report document the factors used to select the requested designation; therefore, the requirements of Goals 3 and 4 have been satisfied.

C. Rural / Natural Resource Plan

1. Policy 1, the Planning Process, states:

It is the policy of Washington County to establish an on-going Planning Program which is a responsive legal framework for Comprehensive Planning, Community Development and Resource Conservation which accommodates changes and growth in the physical, economic and social environment, in response to the needs of the county's citizens. It is the policy of Washington County to provide the opportunity for a landowner or his/her agent to initiate quasi-judicial amendments to the Comprehensive Plan on a semi-annual basis. In addition, the Board of Commissioners, the Planning Director, or the Planning Commission may initiate the consideration of quasi-judicial map amendments at any time deemed necessary.

Applicable Implementing Strategies:

p. Require that plan map amendments meet the following criteria:

As used in the following sections a mistake means a clerical error, or a mistake in the current designation such that it probably would not have been placed on the property had the error been brought to the attention of the Board during the adoption process.

8. Amendments from Mixed Agriculture and Forestry-20 (AF-20) to Exclusive Farm Use (EFU) or Exclusive Forest and Conservation (EFC) shall be based upon:

A. A mistake in this 1983 plan; or

B. Findings that the subject land is:

I. in farm or forest use;

II. on farm or forest deferral;

III. agricultural or forest land as defined by LCDC Goal 3 or Goal 4; or

IV. compatible with surrounding land uses.

C. Require that the parcel be contiguous to land with the same plan map designation being requested or be 76 acres or more in area.

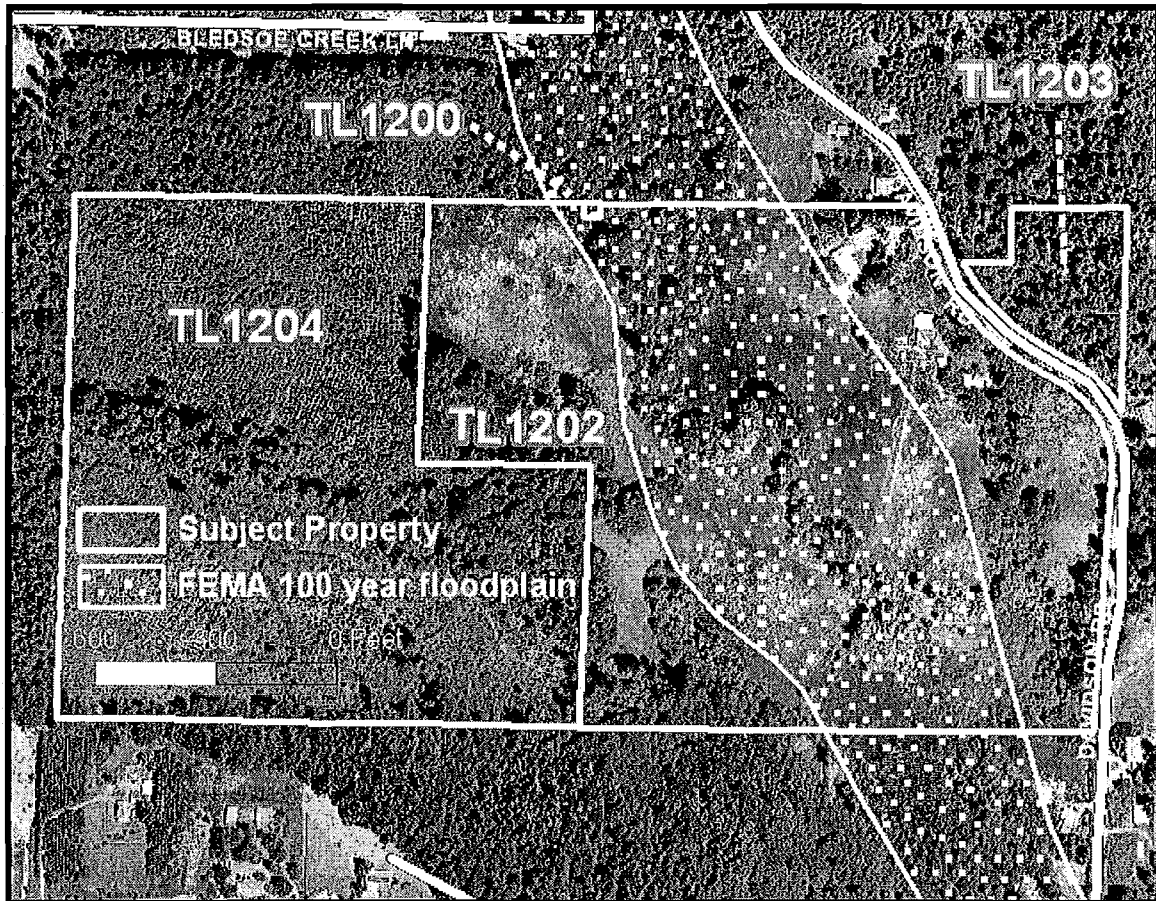
Applicant: See pages 6 - 13 of the application.

Staff: Policy 1.p.8.B requires quasi-judicial plan amendments to meet one of the above criteria. Based on the following findings, staff has determined that the evidence provided by the applicant and in county records satisfies all of the criteria.

I. in farm or forest use

Figure 2 (below) is an aerial view of the subject property which includes the general location of the Bledsoe Creek 100-year floodplain.

Figure 2.



Tax lot 1200 is comprised of 0.04 acre, is forested and is located within the floodplain of Bledsoe Creek.

According to the applicant's narrative, over 95% of tax lot 1202 (42.46 acres) is in forest use, although only 13.5 acres contain mature timber. Policy 16 *Exclusive Forest Lands* of the Rural/Natural Resource Plan states:

"LCDC Goal 4 defines forest uses as the production of trees and the processing of forest products; as open space, buffers from noise, and visual separation of conflicting uses; as watershed protection and wildlife and fisheries habitat; as soil protection from the wind and water; as maintenance of clean air and water; as outdoor recreational activities; and for agriculture support services such as grazing land for livestock."

Bledsoe Creek flows from north to south on the property, and an unnamed tributary crosses tax lot 1204 and flows into Bledsoe Creek near tax lot 1202's southern property line. Bledsoe Creek

and the unnamed tributary are significant natural resources, specifically *Water Areas, Wetlands & Fish and Wildlife Habitat Areas*. Also, the 100-year floodplain for Bledsoe Creek located on tax lot 1202 is considered a *Water Areas and Wetlands*. The applicant estimates that 10 acres of tax lot 1202 is comprised of Bledsoe Creek and its floodplain and the unnamed tributary.

The applicant states that 15.5 acres of tax lot 1202 is used for cattle grazing. Approximately one-half acre of the tax lot consists of the barn, loading areas and a paddock. The remaining three acres consists of two dwellings and their associated yards, driveways and accessory structures.

The land comprised of Bledsoe Creek, its floodplain, the unnamed tributary and the land used for cattle grazing may be considered forest uses because the Statewide Planning Goal 4 definition of forest lands in Policy 16 of the Rural/Natural Resource Plan lists land used for watershed protection, wildlife habitat and grazing land as forest lands. The remaining 13.5 acres contains mature timber. Therefore, tax lot 1202 is considered to be in forest use.

Tax lot 1203 is completely covered by mature timber.

Tax lot 1204 is 32.94 acres and contains Douglas fir, western red cedar and red alder. This tax lot was logged in 2000 and was replanted at over 300 seedlings per acre pursuant to Forest Practices Act standards. The applicant submitted a Forest Management Plan from Jay Worley of the Oregon Department of Forestry (see Exhibit I of the application) that the applicant used to manage the seedlings.

Based upon the current use of each tax lot, staff finds the property is in forest use.

II. on farm or forest deferral

Washington County Assessment and Taxation (A&T) records indicate that the property is mostly in farm and forest deferral. Tax lot 1200 has been in forest deferral since 1993. Tax lot 1202 has a combination of farm and forest deferrals, specifically, 32.53 acres is in farm deferral and 8.9 acres is in forest deferral. The remaining 1.03 acres of tax lot 1202 where the houses and accessory structures are located is not in deferral. The deferrals for tax lot 1202 have been in place since 1991. Tax lot 1203 has been in forest deferral since 1993. Tax lot 1204 began receiving forest deferral this year, after it was reestablished by the owner per A&T requirements.

III. agricultural or forest lands as defined by LCDC Goal 3 or Goal 4

LCDC Goal 3 defines agricultural land as land in western Oregon comprised of predominantly Class I, II, III and IV soils. The property is entirely comprised of Class II, III and IV soils; therefore, it is considered agricultural land. Approximately 90% of the property's soils meet the definition of "high value farmland" per OAR 660-033-0020(8).

LCDC Goal 4 broadly defines forest lands as soils that have a high potential for productivity and no serious management limitations. As previously mentioned, staff has found that the uses on the site qualify as forest uses per the Goal 4 definition. According to the Soil Survey of Washington County, Oregon, July, 1982 (SSWC), approximately 80% of the property is comprised of soil series and classes that have high or moderately high woodland productivity capability. Although the SSWC did not rate the soils on the remaining property for woodland capability, the applicant submitted documentation from 2006 from Jay Worley, Service Forester for the Oregon Department of Forestry, stating that the southeastern portion of the property (approximately 16.5 acres) is not suitable for woodlands because of the poorly drained soil, and the remaining 15 acres has a capability rating of 135 cubic feet/acre/year. A 2009 Oregon Land Use Board of Appeals (LUBA) case found that "(r)ural land with a wood fiber productivity rating of

over 80/cubic feet/acre/year is almost certainly suitable for commercial use, even if there are limiting factors¹."

Additional soils information is found on pages 12 -15 as part of the Policy 14 *Plan Designations* findings and in Attachment A of this report.

IV. compatible with surrounding land uses

The properties adjacent to the north and west are designated as AF-20, the properties to the east are designated as EFC and those to the south are designated as AF-10 (see Figure 1 on page 2 of this report). The EFC designation to the east of the property includes over 30,000 acres of land with that designation.

The applicant provided a detailed inventory of all adjacent properties. In summary, the two properties adjacent to the north are heavily forested and one has a dwelling. To the west is a vacant ten acre parcel that is heavily forested. To the south are seven parcels ranging in size from 4.28 acres to 9.00 acres, five of which have dwellings. To the east are three parcels, each with a dwelling.

The property is primarily used for forest uses and no physical changes to the property are being proposed as part of this application. The continuation of forest uses on the property will occur regardless of its plan designation. Therefore, staff finds that approval of this request will maintain compatibility with surrounding uses.

2. Policy 2, Citizen Involvement, states:

It is the policy of Washington County to encourage citizen participation in all phases of the planning process and to provide opportunities for continuing involvement and effective communication between citizens and their county government.

Staff: A quasi-judicial plan amendment such as this must be considered via a Type III public hearing review procedure. In accordance with CDC Section 204-4, notice of the Planning Commission and Board of Commissioners public hearings on this application was sent to all property owners within 1,000 feet of the subject property. This notice was sent at least 20 days prior to the first hearing (mailed April 2, 2010). Additionally, the county placed a legal notice of the hearing in *The Hillsboro Argus*, a newspaper of general circulation, at least ten days prior to the first hearing date (published April 9, 2010). As required by CDC Section 204-1.4, the applicant posted a sign on March 9, 2010, which was within 28 days of the April 20, 2009 acceptance date. A copy of the plan amendment application was mailed to Citizen Participation Organization (CPO) 10 on March 9, 2010. Finally, the staff report was available to interested parties seven days prior to the hearing as required by CDC Section 203-6.2. Staff finds these actions satisfy the requirements of Policy 2.

These findings for Policy 2 also pertain to Statewide Planning Goal 1, Citizen Involvement.

3. Policy 6, Water Resources, states:

It is the policy of Washington County to maintain or improve surface and ground water quality and quantity.

Applicant: See pages 14 & 15 of the application.

¹ Just v. Linn County, LUBA No. 2009-068

Staff: In the case of plan amendments, staff interprets Policy 6 to mean that, over time, development activities in Washington County should not negatively affect the quantity or quality of surface water or groundwater. The thrust of the policy is to assure that development will have a positive or neutral effect over an extended period of time, rather than being concerned with what quantity or quality of water is present at a particular point in time. Therefore, evidence of consistency with this policy should include, if possible, assessments of groundwater quantity and quality reflected over a period of time.

For resource to resource plan amendments such as this request, implementing strategy 6.a.5. does not require well log analysis because the designation change will not result in an increase in density. However, opposition testimony can be rebutted by an applicant by reviewing well logs and having an "expert" such as a professional geologist or hydrologist review well logs and opposition testimony and provide an opinion on the groundwater situation. Expert testimony that draws its findings primarily from evidence in the well reports, however, can be refuted by new evidence beyond that which is contained in the well reports. Recent measurements of water depth in existing wells are probably the best new evidence that can be used to determine what the present groundwater quantity trend is in a plan amendment area. The present well water depth can be compared to the measured depth at the time the well was drilled to determine how groundwater quantity trends are affecting existing wells.

Applicable Implementing Strategies:

The County will:

- a. **Strive to ensure adequate water supplies for all uses by:**
 1. **Encouraging water conservation programs by water users and purveyors;**
 2. **Reviewing and revising existing development regulations where necessary or limiting the location or operation of new wells as a condition of development approval, considering advice and/or recommendations received from the State Water Resources Department;**
 3. **Coordinating with State and Federal agencies in evaluating and monitoring ground water supplies; and**
 4. **Complying with the May 17, 1974 Order of the State Engineer establishing and setting forth provisions for the Cooper Mountain-Bull Mountain Critical Ground Water Area.**
 5. **Requiring applicants for quasi-judicial Plan Map Amendments to provide well reports (well logs) filed with the Water Master for all Public Lands Survey (township and range system) sections within one-half (1/2) mile of the subject site and provide an analysis of whether ground water quality and quantity within the area will be maintained or improved. The analysis should include well yields, well depth, year drilled or other data as may be required to demonstrate compliance with this policy.**

Well logs are not required for quasi-judicial plan amendments when the designation change will not result in an increase in density (i.e. EFU to EFC plan amendments).

Applicant: See page 16 of the application.

Staff: As indicated by Implementing Strategy 6.a.5., plan amendments between the three resource districts, AF-20, EFU and EFC, are not required to submit well logs. Because both the AF-20 and EFC Districts are resource districts and the allowed uses in these districts are similar, staff believes the worst-case scenario for the development impact on the subject site under either plan designation is similar. Therefore, the applicant's burden of proof is less than what would be required in other cases where the designation would allow an increase in the potential number of dwellings or new uses not permitted by the current designation.

The applicant states that forest use encourages water conservation because it does not require irrigation to establish seedlings or maintain timber stands which account for approximately 48 of the property's 78.05 acres. No additional dwellings are proposed.

The property is not located within the Cooper Mountain-Bull Mountain Critical Ground Water Area or a ground water limited area.

b. Ensure adequate quality of surface water and groundwater by:

- 1. Promoting compliance with Department of Environmental Quality water quality standards;**
- 2. Promoting compliance with Department of Environmental Quality water quality standards;**
- 3. Cooperation with the Soil and Water Conservation District in the implementation of effective methods of controlling non-point sources of water pollution in agricultural areas;**
- 4. Cooperating with the Oregon State Department of Forestry in the implementation of effective methods of controlling non-point sources of water pollution in forest areas; and**
- 5. Ensuring that the establishment of subsurface sewage disposal systems (e.g., septic tanks) will not adversely affect ground water quality;**

Applicant: See page 17 of the application.

Staff: Each of the two dwellings on tax lot 1202 has its own septic system. In the event that a new dwelling is proposed on one of the vacant tax lots, the applicant would be required to obtain approval for an on-site septic system from the County Health Department prior to the issuance of a building permit for a new dwelling. A septic system permit will not be issued if soils are not adequate to filter and clean wastewater. The standards for obtaining and maintaining such permits comply with DEQ requirements, which are designed to ensure adequate quality of groundwater. Any grading activities associated with development must comply with CDC Sections 410 (Grading and Drainage), 426 (Erosion Control) and Chapter 14.12 of the County Code (Grading). Compliance with these standards ensures adequate quality of surface water. Grading associated with timber management is subject to the state Forest Practices Act. Therefore, staff finds the criteria of Implementing Strategy 6.b. can be satisfied.

- c. Protect and maintain natural stream channels wherever possible, with an emphasis on non-structural controls when modifications are necessary.**
- d. Limit the alteration of natural vegetation in riparian zones and in locations identified as significant water areas and wetlands.**

- e. **Encourage property owners with land with qualifying lands to apply for natural resource-related exemption of that land from *ad valorem* taxation where such programs are available.**

Applicant: See page 18 of the application.

Staff: Bledsoe Creek and an unnamed tributary are located on the property. These waterways are identified as significant natural resources, specifically *Water Areas and Wetlands and Fish and Wildlife Habitat*. Any timber harvesting activities near the riparian areas are required to follow best management practices (BMPs) as determined by the Oregon Department of Forestry. The Oregon Department of Forestry is responsible for overseeing logging activities for compliance with BMPs. In the event that development is proposed, the applicant would be required to show compliance with Sections 421 (Flood Plain and Drainage Hazard Area Development) and 422 (Significant Natural Resources). Staff finds these strategies can be satisfied.

- f. **Support viable water resource projects which are proposed in the County upon review of their cost benefit analysis, alternatives, and environmental and social impacts.**

Applicant: See page 18 of the application.

Staff: There are no water resource projects proposed in the vicinity of this property.

- g. **Coordinate land use actions regarding water projects with agencies and jurisdictions which may be impacted by such projects.**

Applicant: See page 19 of the application.

Staff: There are no water resource projects proposed on this property.

- h. **Support measures to conserve vegetation in drainage basin watersheds as a means of controlling the release of water to downstream farm lands and urban areas.**

Applicant: See page 19 of the application.

Staff: The property is located within the Bledsoe Creek drainage basin watershed. If development on the subject property occurs, it will be required to comply with standards of Section 421 if it is proposed within or near the 100 year floodplain. The application states that the site was in conformance with Oregon Department of Forestry (ODF) regulations when it was logged in 2000 and replanted. The ODF BMPs apply to timber harvesting and address the conservation of vegetation as a means of controlling the release of water downstream from logged areas. Also, encouraging forest use on the site will conserve vegetation that will slow surface water runoff. Staff finds this strategy can be satisfied.

- i. **Cooperate with the Division of State Lands, State of Oregon in their review and mitigation of projects that alter water areas and wetlands under their jurisdictions.**

Applicant: See page 20 of the application.

Staff: The subject property contains *Water Areas and Wetlands and Fish and Wildlife Habitat* areas recognized by the Division of State Lands. If development occurs, it will be required to comply with Section 422 (Significant Natural Resources) which addresses development in significant natural resource areas such as *Water Areas and Wetlands and Fish and Wildlife Habitat* areas; therefore, staff finds that this strategy can be satisfied.

- j. **Consistent with the recommendations of the Department of Environmental Quality, State of Oregon, and Clean Water Services, support the expansion of stormwater sampling in the Tualatin Basin and consideration of proper planning and management measures for non-point source problems.**

Applicant: See page 20 of the application.

Staff: Any subsequent development of the subject property will have to comply with CDC sections that implement the above strategies, Sections 410 (Grading and Drainage) and 426 (Erosion Control) at the time of development review. Staff therefore finds this strategy can be satisfied.

These findings for Policy 6 also pertain to Statewide Planning Goals 5, Open Spaces, Scenic and Historic Areas and Natural Resources, and 6, Air, Water and Land Resources Quality.

4. Policy 8, Natural Hazards

It is the policy of Washington County to protect life and property from natural disasters and hazards.

Applicant: See page 21 of the application.

Staff: As previously mentioned, a portion of Bledsoe Creek's floodplain is located on tax lot 1202; therefore, future development in the vicinity of the floodplain will require compliance with Sections 421 and 422 of the CDC. Staff finds this policy can be satisfied.

5. Policy 10, Fish and Wildlife Habitat

It is the policy of Washington County to protect and enhance significant fish and wildlife habitat.

Applicable Implementing Strategies:

The County will:

- a. **Establish standards with which development in areas defined as significant fish and wildlife habitat must comply, so as to assure the conservation of this habitat.**
- b. **Allow activities customarily conducted in conjunction with commercial farm and forest practices in areas designated as Fish and Wildlife Areas.**
- c. **Rely upon the Oregon Department of Forestry, through its administration of the Oregon Forest Practice Rules, to mitigate adverse impacts of commercial forestry upon fish and wildlife.**
- d. **Limit the alteration of natural vegetation in riparian zones, and in locations identified as significant water areas and wetlands thereby preserving fish and wildlife habitat.**

Applicant: See pages 22 & 23 of the application.

Staff: Each time a property is logged as a commercial forestry use, BMPs must be employed when harvesting and conducting activities in areas designated as fish and wildlife habitats. As previously mentioned, ODF is responsible for ensuring that BMPs are followed. Again, Section

422 (Significant Natural Resources) will apply if alterations due to development are proposed in the significant natural resource areas of the property. Staff finds the criterion can be satisfied.

- e. **Implement the recommendations of the Oregon Department of Fish and Wildlife Habitat Protection Plan for Washington County and to mitigate the effects of development in the Big Game Range within the EFU, EFC and AF-20 land use designations.**

Applicant: See page 23 of the application.

Staff: The subject property is not located within the Big Game Range; therefore, the Habitat Protection Plan does not apply.

- f. **Implement the recommendations of the Tualatin Basin Fish & Wildlife Habitat Program for rural areas of Washington County to promote efforts to enhance and conserve significant riparian habitat corridors.**

Applicant: See page 23 of the application.

Staff: As previously mentioned, any development near or within the 100-year floodplain of Bledsoe Creek must comply with Sections 421 (Flood Plain and Drainage Hazard Area Development) and 422 (Significant Natural Resources). Enforcement of these sections enhance and conserve significant riparian habitat corridors. Therefore, staff finds these criteria can be met.

6. Policy 14, Plan Designations, states:

It is the policy of Washington County to maintain distinct comprehensive plan map designations for the area outside the County's urban growth boundaries, and to provide land use regulations to implement the designations.

Applicable Implementing Strategies:

- a. **Designate Natural Resource lands in the following manner:**
 - 1. **Lands which meet the definitions and criteria for agricultural lands contained in LCDC Goal 3 and OAR Chapter 660, Division 05 shall be designated Exclusive Farm Use (EFU) and lands which meet the LCDC Goal 4 definition of forest land shall be designated Exclusive Forest and Conservation (EFC). In determining which Plan Designation shall apply (EFU or EFC) when land meets criteria for both the EFU and EFC District, the following factors shall be utilized to determine the appropriate designation:**
 - A. **Soil types as related to Goal 3 and forest classification as related to Goal 4.**
 - B. **The predominant use of the property.**
 - C. **The predominant use of the surrounding properties (must be contiguous or be a sufficiently large block of land).**
 - D. **What kinds of crops or forest uses would be possible on the parcel given the size and conflicts with adjacent uses.**
 - E. **Physical characteristics of the site.**

F. Whether the site is or has been on a farm or forest deferral.

Applicant: See pages 25 – 32 of the application.

Staff: Implementing Strategy 14.a.1. sets forth the criteria used to determine if a site should have an exclusive farm (EFU or AF-20) or forest (EFC) designation. Since the requested plan designation change is from AF-20 to EFC, the criteria of this implementing strategy, as they relate to the EFC District, are applicable.

A. Soil types as related to Goal 3 and forest classification as related to Goal 4

As previously mentioned, approximately 90% of the property's soil is rated as high value farmland, and approximately 80% of the property is rated as having high or moderately high woodland production capability. A detailed description of the various soil and woodland capability classes is in Attachment A of this report.

Although approximately 16.5 acres located in the southeast corner of the site is not suitable for commercial timber propagation, the remaining land has high or moderately high potential for that use. In addition, the land not suitable for woodland propagation is being utilized as pasture for livestock and open space/waterways which are defined as a forest uses by Goal 4. Therefore, staff finds the property satisfies the definition of forest lands according to Goal 4.

B. The predominant use of the property

As discussed in the Policy 1 findings on pages 4 – 7 of this report, the predominant use of the property is forest use. Staff concludes that forestry is the predominantly use of the property based upon the current and past uses.

C. The predominant use of the surrounding properties (must be contiguous or be a significantly large block of land)

The majority of the adjacent parcels are forested. Those parcels to the north, west and southeast are designated AF-20, those to the south are AF-10 and those to the east are designated EFC. The property is 78.05 acres and it is adjacent to over 30,000 acres of EFC land to the east.

D. What kinds of crops or forest uses would be possible on the parcel given the size and conflicts with adjacent uses

Potential crops and woodland capability are described in detail in Attachment A of this report. The property's high value farmland gives it the potential to grow many crops, and it also has a moderately high to high woodland capability. Both of these uses are common in rural Washington County. There is no indication that continued forest use or the use of the site for agricultural purposes would negatively affect adjacent uses.

E. Physical characteristics of the site

The property has two dwellings and various outbuildings. Bledsoe Creek and an unnamed tributary traverse the site, and the Bledsoe Creek floodplain covers the majority of tax lot 1202 (see Figure 2 on page 5 of this report). The floodplain on tax lot 1202 is found at the lowest point on the property which is approximately 220 feet above sea level (ASL) and is used as pasture for cattle. The eastern portion of the property, specifically tax lot 1204, is wooded and has a slope range of 7-30%. The western portion of the property is currently used for timber propagation, and was planted at approximately 300 seedlings per acre after the area was logged in 2000. The

highest point of the property is the southwest corner of tax lot 1204 where the elevation reaches approximately 500 feet ASL.

F. Whether the site is or has been in farm or forest deferral

As previously mentioned, the property is in both farm and forest deferral. Approximately 31 acres receive farm deferral and approximately 44 acres receive forest deferral.

As OAR 660-006-0015 states, "(w)hen lands satisfy the definition requirements of both agricultural land and forest land, an exception is not required to show why one resource designation is chosen over another. The plan need only document the factors that were used to select an agricultural, forest, agricultural/forest, or other appropriate designation." Based upon this OAR and the findings of fact for Policy 14, staff finds the property meets the LCDC Goal 4 definition of forest land and that the EFC designation is appropriate and compatible with surrounding properties.

b. Designate Exclusive Agricultural and Forest lands in "large blocks" of 76 acres or more in the legislative process which adopts this plan.

Staff: The sum of the four tax lots equals 78.05 acres which exceeds the 76 acre minimum for the "large block" requirement. Also, tax lot 1203 is adjacent to over 30,000 acres of land designated as EFC.

These findings for Policy 14 also pertain to Statewide Planning Goals 3, Agricultural Lands; and 4, Forest Lands.

7. Policy 16, Exclusive Forest Lands, states:

It is the policy of Washington County to conserve and maintain forest lands for forest uses consistent with existing and future needs for agricultural products, forest management and open space. Exceptions to this policy may be allowed pursuant to the provisions of LCDC Goal 2, OAR Chapter 660 Division 04, and the applicable plan amendment criteria in Policy 1.

Applicable Implementing Strategies:

- i. Maintain forest lands in blocks large enough to encourage and maintain commercial forest activities when considering Plan Amendments. This strategy will be used as one of the criteria in the designation of lands in the EFC District in the legislative process of adopting this plan.**

Applicant: See page 33 of the application.

Staff: As stated previously, the four tax lots equal 78.05 acres, exceeding the "large block" definition of 76 acres. Also, there are over 30,000 acres of EFC land adjacent to the subject property. Finally, the property has approximately 48 acres managed for commercial timber propagation. These factors are evidence that the request will encourage and maintain large blocks of forest lands.

Although Implementing Strategy 16.i. refers to the legislative process, "large block" criterion has been applied to both the legislative and quasi-judicial processes.

8. Policy 17, Agriculture and Forest-20 Land, states:

It is the policy of Washington County to designate those lands as Agriculture and Forest-20 that were zoned AF-5 and AF-10 by the 1973 Comprehensive Framework Plan and for which a Goal 2 Exception has not been provided, and in doing so strive to retain a small scale and part-time agriculture and forest production. Exceptions to this policy may be allowed pursuant to the provisions of LCDC Goal 2, OAR Chapter 660 Division 04, and the applicable plan amendment criteria in Policy 1.

Applicant: See page 34 of the application.

Staff: The property was designated AF-10 by the 1973 Comprehensive Framework Plan, but did not qualify for a Goal 2 exception during the process to adopt the 1983 Rural/Natural Resource Plan. Consequently, the property was designated AF-20, consistent with Policies 14 and 17. Because the requested EFC designation is a resource plan designation like the AF-20 designation, it is not necessary to take an exception to Statewide Planning Goals 3 and 4. As a result, it is not necessary to address the exception provisions of Statewide Planning Goal 2 and OAR 660, Division 4.

9. Policy 22, Public Facilities and Services, states:

It is the policy of Washington County to provide public facilities and service in the Rural/Natural Resource Area in a coordinated manner, at levels which support rural type development, are efficient and cost effective, and help maintain public health and safety.

Applicable Implementing Strategy:

- a. **Review the adequacy of the following public services and facilities in conjunction with new development.**
 1. **Schools**
 2. **Fire and Police Protection**

Applicant: See pages 35 & 36 of the application.

Staff: Copies of statements of service availability from four service providers to the site are included in the applicant's submittal. These statements are from the Banks School District, Banks Fire District and the Washington County Sheriff's Office. The application includes a service analysis for the school district, describing present enrollments and capacity of the district's schools that serve the site, an analysis for the fire district, describing station location, equipment availability and response times, and an analysis for the Sheriff's Office, describing adequacy of service levels. Staff again notes that no new development is proposed with this request.

The County is responsible under Implementing Strategy a. of Policy 22 for reviewing the adequacy of public facilities and services in conjunction with new development. The hearings officer for LCDC found in the 1988 Enforcement Order proceedings that *"(T)he County must have evidence in the record showing that the service provider is accurate in its assessment."* Staff interprets this to refer to a provider's assessment that an adequate or inadequate level of service can be provided. Without the above-described statements and analyses, staff could not conclude that all the affected service providers in the area can provide an adequate level of service to development that may occur on the subject property under the EFC designation, should the proposed plan amendment be approved.

information obtained from the Banks School District shows the site is located within the following school attendance areas: Banks Elementary School, Banks Junior High School and Banks High School. The school district noted that the closest school is approximately four miles from the property. The school district states there is sufficient enrollment capacity to serve the existing dwellings in each school.

The site is within the service area of the Banks Fire District. The service provider letter states that the Banks Fire District is capable of serving the two dwellings on site. The Banks Fire District #18 fire station is located between four and five miles from the property, and the average response time would be seven minutes. The fire station is equipped with four engines, two water tanks, one rescue and one command officer.

The Washington County Sheriff's Office has reviewed the request and has determined that its service level is adequate for emergency calls only, which is consistent with the level of service provided to all rural areas.

Based on the service statements and analyses, staff finds that all the affected service providers in the area can provide an adequate level of service to the subject property if the proposed plan amendment is approved. As a result, this request complies with Policy 22.

These findings for Policy 22 also pertain to Statewide Planning Goal 11.

D. Washington County Transportation Plan

Applicant: See pages 37 - 41 of the application.

Staff: Findings pertaining to the County Transportation Plan and the Oregon Transportation Planning Rule are in Attachment B of this staff report, the Transportation Report for Casefile No. 10-057-PA.

E. Washington County Community Development Code

1. Article III, Land Use Districts:

Section 342 Exclusive Forest and Conservation District (EFC)

342-1 Intent and Purpose

The Exclusive Forest and Conservation District is intended to provide for forest uses and to provide for the continued use of lands for renewable forest resource production, retention of water resources, recreation, agriculture and other related or compatible uses, as set forth in Statewide Planning Goal 4, OAR 660-06 and ORS 215.

The purpose of this District is to encourage forestry as the dominant use of such lands, to conserve and manage efficiently the forest resources of the County and to prohibit uses of land which are not compatible with the management and development of forest resources, in order to minimize the potential for damage from fire, pollution, soil erosion and conflict caused by development. This District is suited for application to forest land as well as associated scenic lands, recreation land, wildlife habitat or other sensitive land forms or watershed areas.

The EFC District is provided to meet Oregon statutory requirements for forest lands. Uses permitted by the Forest Practices Act are not subject to the requirements of this Section.

All new buildings, including accessory buildings, in this District shall comply with the fire structure siting and fire safety standards of Section 428.

Section 344 Agriculture and Forest District (AF-20)

344-1 Intent and Purpose

The intent of the Exclusive Agriculture and Forest AF-20 District is to provide an exclusive farm use zone within the County which recognizes that certain lands therein may be marginal.

The purpose of the District is to allow EFU uses and parcels, and through the provisions of Section 425, to provide a process and criteria for identifying marginal lands within the District. In addition, Section 344-8 provides for special uses for lands so identified.

This AF-20 District is provided to meet Oregon statutory and administrative rule requirements.

Applicant: See pages 41 & 42 of the application.

Staff: The property is predominantly in forest use and is predominantly in forest deferral. The property meets the criteria for a change from AF-20 to EFC. Placing an EFC designation on the property would be consistent with the EFC District's purpose of preserving forest uses. The EFC District implements Goal 4, and the AF-20 and EFU Districts implement Goal 3. The findings under Policies 1 and 14 prove that the request complies with the applicable criteria for designation as EFC land.

These findings for the Community Development Code also pertain to Statewide Planning Goals 3 and 4.

Section 421 Flood Plain and Drainage Hazard Area Development

Staff: As previously mentioned, Bledsoe Creek and an unnamed tributary traverse the property. Best Management Practices set forth by the Oregon Department of Forestry, which include managing forestry activities in and near drainageways, must be followed when timber harvesting occurs again on the site. Future development within the drainage hazard area may require land use approval pursuant to the requirements set forth in Section 421. Staff finds that the criteria set forth in Section 421 can likely be satisfied through the development review process in the future.

Section 422 Significant Natural Resources

422-1 Intent and Purpose

The intent and purpose of these standards is to permit limited and safe development in areas with significant natural resources, while providing for the identification, protection, enhancement and perpetuation of natural sites, features, objects and organisms within the County, here identified as important for their uniqueness, psychological or scientific value, fish and wildlife habitat, educational opportunities or ecological role.

Development within riparian areas, Water Areas and Wetlands, or Water Areas Wetlands and Fish and Wildlife Habitat shall comply with applicable state and federal regulatory guidelines.

Staff: The Rural/Natural Resource Plan designates Bledsoe Creek and the unnamed tributary as *Water Areas, Wetlands and Fish and Wildlife Habitat* areas. Any disturbances within or near these areas must adhere to the requirements of Section 422, and staff finds that the requirements can likely be satisfied through the development review process in the future.

V. SUMMARY AND CONCLUSIONS

Staff considered the evidence provided by the applicant and all of the factors relevant to a plan amendment from AF-20 to EFC. The factors were listed under Implementing Strategy p.8. for Policy 1 of the Rural/Natural Resource Plan. This consideration included the review of soils, the present and past use of the property, the use of the surrounding properties, possible agricultural or forest uses, the physical characteristics of the site, the property's tax deferral status and the availability of public services and facilities. Pursuant to Plan Policies 14, 16 and 17, staff also considered the intent and purpose of the existing and proposed land use designations. The subject property described in this plan amendment request meets the applicable criteria for a plan amendment from AF-20 to EFC.

April 13, 2010

**ADDITIONAL SOIL INFORMATION
CASEFILE NO. 10-057-PA**

Applicant: Norman and Vicki Ballou
 Location: On the north side of the intersection of NW Hahn Road and NW Davidson Road, approximately 2 miles NE of Banks
 Tax Map/Lot: 2N3 20, tax lots 1200, 1202, 1203 & 1204
 Site Size: 78.05 acres (total)

The following soil analysis is based upon information contained in the Soil Survey of Washington County, Oregon, July, 1982 (SSWC).

Soil Series	Acres (Approx.)	Woodland Suitability Group	Soil Use and Management Capability Class
Wapato silty clay loam	16.5	none	IIIW-2
Helvetia silt loam	15	none	IIE-2
Cornelius Kinton	35	2o2	IIIE-3
Jory	2	3o1	IIE-3
Laurelwood	1.5	2o2	IIIE-3, IIIE-2
Saum	7.5	3o1	IIE-3, IIIE-2 & IVE-2

The soil use and management capability classes are summarized as follows:

- IIIW-2** This unit consists of deep, poorly drained Verboort and Wapato soils. Slope is 0-3%. Fertility is moderate. Permeability is slow, and water ponds during overflow. The hazard of erosion is slight. These soils are used primarily for small grain, hay, irrigated pasture, recreation and wildlife habitat. Other uses may include late-planted irrigated vegetable crops.
- IIE-2** This unit consists of very deep, moderately well drained Helvetia, Quatama and Woodburn soils that have slopes of 2-12%. These soils have high fertility. Permeability is moderately slow to slow. Surface runoff is slow to medium, and the hazard of erosion is slight to moderate. These soils are used for irrigated berries, irrigated vegetable crops, orchards, small grain, grass and legume seed crops, irrigated hay, irrigated pasture, recreation and wildlife habitat.
- IIIE-3** This unit consists of very deep, moderately well drained Cornelius and Kinton soils. Slope is 2-20%. Permeability is slow. Fertility is high. Surface runoff is slow to medium, and the hazard of erosion is slight to moderate. These soils are used for irrigated berries, irrigated vegetable crops, orchards, small grain, legume and grass seed, irrigated hay, irrigated pasture, timber, recreation and wildlife habitat.
- IIE-3** This unit consists of moderately deep to very deep, well-drained Jory, Laurelwood, Melbourne and Saum soils that have slopes of 2-12%. These soils have moderate fertility. Permeability is moderate to moderately slow. Surface runoff is slow to medium, and the hazard of erosion is slight to moderate. These soils are used for orchards, irrigated berries, small grain, pasture, hay, timber, recreation and wildlife habitat.

IIIE-2 This unit consists of the well-drained soils of the Jory, Laurelwood, Melbourne and Saum soils. These soils have moderate fertility. Slope is 12-20%. Permeability is moderate to moderately slow. Surface runoff is medium, and the hazard of erosion is moderate. Small surface slides develop in places during periods of heavy rain. These soils are used for orchards, irrigated berries, small grain, hay pasture, timber, wildlife habitat, homesites and recreation.

IVE-2 This unit consists of deep, well-drained Jory, Laurelwood, Melbourne and Saum soils. Slope is 3-30%. These soils have moderate fertility. Permeability is moderate to moderately slow. Surface runoff is rapid, and the hazard of erosion is severe. Small surface slides can develop during periods of heavy rain. These soils are used for orchards, irrigated berries, small grain, hay and pasture. Other uses include timber, wildlife habitat, homesites and recreation.

The woodland capability classes are summarized as follows:

Per the SSWC, woodland suitability group 2o2 soils (approximately 46% of the property) are described as having "high potential for productivity with no serious limitations for management." Woodland suitability group 3o1 soils (approximately 11% of the property) are described as having "moderately high potential productivity." The remaining soils, Wapato and Helvetia series, were not rated for woodland productivity by the SSWC.

The Wapato and Helvetia soils are found along Bledsoe Creek and in its floodplain. CDC Section 106-45 provides a definition for "cubic foot per acre per year" and states that in the absence of this information, alternative methods may be used to evaluate soil productivity, but the method must be approved by ODF. As previously mentioned, the applicant provided information from 2006 from Jay Worley, Service Forester for ODF, which included his analysis of the Wapato and Helvetia soils woodland capability. Mr. Worley states that the Wapato soils found in the floodplain area of the property are poorly drained and would not be suitable for timber propagation. He rates the Helvetia soil as having the capability to produce 135 cubic feet/acre/year. Staff does not dispute this information, but does not agree with Mr. Worley's statement that this capability is "relatively low". In the staff report, a LUBA case was cited which determined any soil with the capability of producing over 80 cubic feet/acre/year is appropriate for commercial timber propagation.

The SSWC describes the Wapato series as poorly drained, nearly level silty clay loams. Ponding in the winter and a persistent high water table in the spring are not uncommon.

For the Helvetia series, the applicant submitted information from the Natural Resource Conservation Service (NRCS) (see Exhibit H of the application) which describes the soils as being "usually moist, but are dry throughout between depths of 4 and 12 inches for 45 to 60 consecutive days following the summer solstice." This information is not included in the SSWC, but it was provided by the NRCS and is from 2006. Staff concurs with this information.

March 30, 2010

**TRANSPORTATION REPORT
CASEFILE NO. 10-057-PA**

Applicant: Norman and Vicki Ballou

Location: On the north side of the intersection of NW Hahn Road and NW Davidson Road, approximately 2 miles NE of Banks

Tax Map/Lot: 2N3 20, tax lots 1200, 1202, 1203 & 1204

Site Size: 78.05 acres (total)

Staff has reviewed this request for compliance with the applicable transportation planning policies and rules and submits the following findings and recommendations.

FINDINGS

A. General:

1. The proposed plan amendment would change the plan designation on the subject parcel from AF-20 (Agriculture and Forest) to EFC (Exclusive Forest and Conservation).
2. The subject property is located approximately two miles northeast of Banks, north of the intersection of NW Hahn Road and NW Davidson Road. Access is from NW Davidson Road. Of the four tax lots involved in this plan amendment request, three are vacant and one (tax lot 1202) supports two dwellings.
3. The following standards are applicable to this request and are addressed in this staff report:
 - a. OAR 660, Division 12, Oregon Transportation Planning Rule:
Section 060 - Plan and Land Use Regulation Amendments
 - b. Washington County 2020 Transportation Plan Policies:
 - 1.0 Travel Needs Policy
 - 2.0 System Safety Policy
 - 4.0 System Funding Policy
 - 5.0 System Implementation and Management Policy
 - 6.0 Roadway System Policy
 - 10.0 Functional Classification Policy
 - 19.0 Transportation Planning Coordination and Public Involvement Policy

B. Oregon Transportation Planning Rule

1. The Oregon Transportation Planning Rule, OAR 660-012-0060, requires an analysis of the impact of a proposed plan amendment on the planned transportation system to determine whether the proposal will 'significantly affect' the planned transportation system in the area.

2. Pursuant to the OAR, the proposed plan amendment would 'significantly affect' NW Davidson Road and/or the surrounding transportation network if it does any of the following:
 - Changes the functional classification of an existing or planned transportation facility;
 - Changes the standards implementing a functional classification system;
 - Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or
 - Would reduce the performance standards of the facility below the minimum acceptable performance standard identified in the Transportation System Plan; or
 - Would worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the Transportation System Plan as measured at the end of the planning period identified in the adopted TSP (year-2020) – note that the county is now using a planning horizon of year -2030 in evaluating plan amendments;
3. Considering the criteria above, in order to determine if a plan amendment will result in a 'significant impact' on transportation facilities, the County generally requires a comparative analysis of a reasonable worst-case development of a site under current and proposed land use designations. (Note: When a state highway is affected, the county typically relies on comments that are prepared by ODOT.) Plan amendment requests may be for designations that permit more intensive land uses with greater trip generation potential. In such cases, applicants may be required to submit traffic analyses that have been prepared by licensed traffic engineers in order to help evaluate the potential affects of proposed plan amendments on transportation facilities.
4. Under the existing AF-20 plan designation, no trip generation is assumed although periodic agricultural ingress and egress to the subject properties would likely occur. The two existing dwellings each generate approximately 10 ADT. Under the proposed plan amendment, it is possible (but not certain) that another dwelling might be established in the future. However, even if that were to happen, there are no identified capacity problems and there is currently available capacity on the surrounding rural road network. Considering these facts, the number of new trips that could be generated under the proposed plan designation is not likely to result in any capacity issues on the surrounding transportation network and a traffic analysis was not required to be submitted for this request.
5. Considering the findings above, the proposed plan amendment from AF-20 to EFC will not significantly affect the capacity or levels of travel on the nearby transportation network.

6. No changes in functional classification are proposed or required in order to accommodate the proposed plan amendment. Furthermore, the plan amendment will not affect the standards implementing the functional classification system as set forth in Policy 10.0 of the County's 2020 Transportation Plan nor will it significantly affect the capacity of the surrounding transportation network. Based upon these facts, staff concludes that the proposal is consistent with the identified function, capacity, and level-of-service for affected transportation facilities, consistent with Section 060 of the Oregon Transportation Planning Rule.

C. Washington County 2020 Transportation Plan

The proposed plan amendment is subject to seven policies from the County's 2020 Transportation Plan, which are listed and addressed below.

1.0 TRAVEL NEEDS POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO PROVIDE A MULTI-MODAL TRANSPORTATION SYSTEM THAT ACCOMMODATES THE DIVERSE TRAVEL NEEDS OF WASHINGTON COUNTY RESIDENTS AND BUSINESSES.

STAFF: As explained above in this report, the proposed plan amendment is not expected to have a detrimental impact on the capacity or level of service on any of the transportation facilities in the impact area. The proposal therefore does not conflict with Policy 1.0.

2.0 SYSTEM SAFETY POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO PROVIDE A TRANSPORTATION SYSTEM THAT IS SAFE.

STAFF: Any traffic safety impacts associated with potential future development on the subject property will be subject to the traffic safety regulations set forth in the Community Development Code and Resolution and Order 86-95 which implement Policy 2.0.

4.0 SYSTEM FUNDING POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO AGGRESSIVELY SEEK ADEQUATE AND RELIABLE FUNDING FOR TRANSPORTATION FACILITIES AND SERVICES, AND TO ENSURE THAT FUNDING IS EQUITABLY RAISED AND ALLOCATED.

STAFF: If development occurs on the affected property, it will be subject to payment of the appropriate Transportation Development Tax toward future capacity improvements. Payment of the Transportation Development Tax is consistent with the strategies included under Policy 4.0.

5.0 SYSTEM IMPLEMENTATION AND MANAGEMENT POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO EFFICIENTLY IMPLEMENT THE TRANSPORTATION PLAN AND TO EFFICIENTLY MANAGE THE TRANSPORTATION SYSTEM

STAFF: Significant impacts on capacity or roadway safety are not anticipated due to the relatively low potential trip generation under the proposed plan designation and the available capacity that exists on the surrounding roadway network. The proposal is therefore consistent with Policy 5.0 since there will be no appreciable change in travel demand as a result of the plan amendment.

6.0 ROADWAY SYSTEM POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO ENSURE THAT THE ROADWAY SYSTEM IS DESIGNED IN A MANNER THAT ACCOMMODATES THE DIVERSE TRAVEL NEEDS OF ALL USERS OF THE TRANSPORTATION SYSTEM.

STAFF: Since the proposed plan amendment will not result in significant increases in trips or travel demand, it will not degrade the planned motor vehicle performance measures set forth in the strategies for implementation of Policy 6.0. The proposal is therefore consistent with Policy 6.0.

10.0 FUNCTIONAL CLASSIFICATION POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO ENSURE THE ROADWAY SYSTEM IS DESIGNED AND OPERATES EFFICIENTLY THROUGH USE OF A ROADWAY FUNCTIONAL CLASSIFICATION SYSTEM.

STAFF: The proposed plan amendment will not affect the Functional Classification any nearby roadways, nor will it result in land uses that are inconsistent with those identified in the Transportation Plan.

19.0 TRANSPORTATION PLANNING COORDINATION AND PUBLIC INVOLVEMENT POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO COORDINATE ITS TRANSPORTATION PLANNING WITH LOCAL, REGIONAL, STATE AND FEDERAL AGENCIES AND TO PROVIDE OPPORTUNITIES FOR CITIZENS TO PARTICIPATE IN PLANNING PROCESSES.

STAFF: Policy 19 provides that all plan amendments be reviewed for consistency with the applicable provisions of the Transportation Planning Rule (OAR 660-012-0060). This request has been reviewed and determined to be consistent with the applicable provisions of the Transportation Planning Rule (see findings in Section B., above). It is therefore consistent with Policy 19.0.

CONCLUSION

Based on the findings in this report, staff concludes that this proposed plan amendment (AF-20 to EFC) will not "significantly affect" a transportation facility as defined in OAR 660, Division 12. Under the proposed EFC plan designation, the number of potential new trips from future development can be accommodated on the surrounding transportation network with no degradation in system performance. The proposal is also consistent with all of the applicable Washington County's 2020 Transportation Plan policies as discussed in Section C. of this report.

SUMMARY OF DECISION

Norman D. and Vicki A. Ballou applied to Washington County for a plan amendment to change the plan designation for four tax lots totaling 78.05 acres described as tax lots 1200, 1202, 1203, and 1204 on tax map 2N3, Section 20 from Agriculture & Forest – 20 Acre (AF-20) District to Exclusive Forest Conservation (EFC) District.

At its meeting on April 21, 2010, the Washington County Planning Commission unanimously agreed to forward a recommendation of approval to the Board of County Commissioners. On May 18, 2010, the Board heard this matter and approved the plan amendment request, subject to the following conditions:

1. Any additional amount over and above the fee deposit submitted with this application which is determined to be owed to the County shall be paid upon receipt of a statement of balance due, consistent with the agreement for payment of fees for quasi-judicial plan amendment application processing previously signed by the owner. No subsequent land use applications shall be accepted prior to payment of any balances.
2. The requirements of the Community Development Code will apply to specific development applications on each parcel. Other applicable regulations will also apply, including requirements for wells and septic systems.



WASHINGTON COUNTY
 Department of Land Use and Transportation
 PLANNING DIVISION, SUITE #350-14
 155 NORTH FIRST AVENUE
 HILLSBORO, OREGON 97124-3072
 Tel. (503) 846-3519 fax (503) 846-4412

CASEFILE NO.: 10-057-PA

APPLICANT:
 Norman D. & Vicki A. Ballou
 PO Box 688
 Banks, OR 97106

STAFF REPORT

OWNER:
 Ballou Family Trust
 PO Box 688
 Banks, OR 97106

PROCEDURE TYPE: III

SITE ADDRESS
 16335 & 16465 NW Davidson Road

COMPREHENSIVE PLAN ELEMENT:
 Rural/Natural Resource

ASSESSOR MAP NO(S) & TAX LOT NO(S): 2N3 20
 1200, 1202, 1203 & 1204

CPOs: 8 & 14

SITE SIZE: 78.05 acres

EXISTING LAND USE DISTRICT: Agriculture and
 Forest District (AF-20)

LOCATION: North of the intersection of NW Hahn
 Road and NW Davidson Road

REQUEST: Comprehensive Plan Amendment to change the current land use designation of Agriculture and Forest (AF-20) District to Exclusive Forest Conservation (EFC) District.

**Casefile No. 10-057-PA Staff Report for the
 May 18, 2010 Board of County Commissioners Hearing**

I. APPLICABLE REGULATIONS

- A. LCDC Statewide Planning Goals 1, 2, 3, 4, 5, 7, 11, & 12
- B. OAR 660-033-0030(4) (relating to agricultural land) and OAR 660-006-0015(2) (relating to forest land), 660-012-0060 (Transportation Planning Rule)
- C. Rural / Natural Resource Plan Policies: 1.p.8, 2, 6, 8, 10, 14, 16, 17, 22, 23
- D. Washington County Transportation Plan Policies 1, 2, 4, 5, 6, 10 & 19
- E. Washington County Community Development Code:
 - 1. Article II, Procedures
 - 2. Article III, Land Use Districts
 - Section 342 EFC District (Intent and Purpose)
 - Section 344 AF-20 District (Intent and Purpose)
 - 3. Article IV, Development Standards
 - Section 421 Flood Plain and Drainage Hazard Area Development
 - Section 422 Significant Natural Resources
 - 4. Article V, Public Facilities and Services

II. AFFECTED JURISDICTIONS

Washington County Sheriff
Washington County Department of Land Use and Transportation
Banks School District
Banks Fire District

III. PLANNING COMMISSION RECOMMENDATION

At the April 21, 2010 hearing, the Planning Commission held an expedited hearing and voted unanimously (8-0) to recommend **approval** of the request to the Board of County Commissioners (Board). No written or oral testimony was given. State law requires the Board to make the final decision for plan amendments on resource lands.

IV. STAFF RECOMMENDATION

Based on staff's findings in Section V of this report and Attachments A and B, and as summarized under Section VI, staff recommends **APPROVAL** of the plan amendment from AF-20 to EFC. Therefore, staff requests that the Board of County Commissioners approve the applicant's plan amendment request subject to the following conditions:

1. Any additional amount over and above the fee deposit submitted with this application which is determined to be owed to the County shall be paid upon receipt of a statement of balance due, consistent with the agreement for payment of fees for quasi-judicial plan amendment application processing previously signed by the owner. No subsequent land use applications shall be accepted prior to payment of any balances.
2. The requirements of the Community Development Code will apply to specific development applications on each parcel. Other applicable regulations will also apply, including requirements for wells and septic systems.

V. FINDINGS

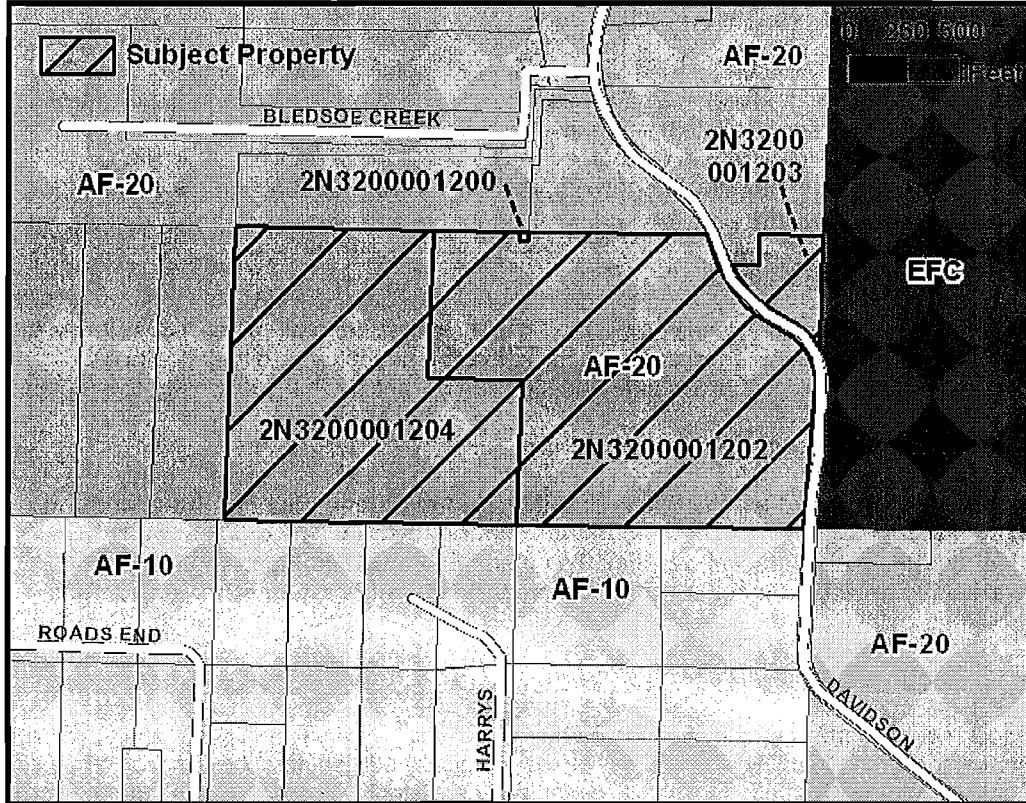
A. General

Applicant: See page 3 of the application.

Staff: This request involves four tax lots in common ownership. Three tax lots, tax lots 1200, 1202 and 1204, are located west of NW Davidson Road. Tax lot 1203 is located east of NW Davidson Road, across from tax lot 1202. Tax lot 1200 is 0.04 acre (1,742 square feet) and is vacant. Tax lot 1202 is 42.46 acres and is developed with two dwellings. Tax lot 1203 is 2.61 acres and is vacant. Tax lot 1204 is a vacant, 32.84 acre property that had been consolidated into tax lot 1202 by the Washington County Assessment and Taxation Department. In 2009, the owners reestablished tax lot 1204. Each tax lot was lawfully established. For the purposes of this report, these four tax lots will be referred to as "the property".

The property is 78.05 acres and is currently designated as Agriculture and Forest (AF-20). As stated, there are two dwellings on tax lot 1202, one built in 1900 and one built in 1965. Both dwellings were lawfully established. The property is adjacent to AF-20 designated properties to the north, west and southeast, Agriculture and Forest (AF-10) to the south and Exclusive Forest Conservation (EFC) to the east (see Figure 1 on page 3 of this report).

Figure 1.



According to the applicant, approximately 48 acres (62%) of the property is planted in timber and is actively managed for commercial timber production. The remaining 30 acres are comprised of two creeks, a floodplain which is used for livestock grazing, and areas used for the dwellings and agricultural buildings.

Portions of Bledsoe Creek and an unnamed tributary are located on the property. These waterways are significant natural resources, specifically *Water Areas, Wetlands and Fish and Wildlife Areas*. The 100-year floodplain for Bledsoe Creek covers the majority of tax lot 1202. The unnamed tributary is not designated as having a 100 year floodplain or as a drainage hazard area.

There are two access points to the property from NW Davidson Road, one driveway per dwelling.

The applicant's goal is to have each of the existing dwellings on tax lot 1202 on its own parcel. Section 344-7 of the Community Development Code (CDC) *Creation of Lots and Parcels by a Land Division* for the AF-20 District does not allow the partitioning of a lot with two dwellings into two separate lots, each containing one dwelling. However, the Exclusive Forest Conservation (EFC) District allows for such a partition (see Section 424-9 *Division of a Lot or Parcel with at Least Two Existing Dwellings in the EFC District*). Also, the EFC designation will most accurately reflect the use of the property. It is for these reasons that the applicant has applied for this comprehensive plan amendment.

B. Compliance with LCDC Statewide Planning Goals

Staff: The Rural/Natural Resource Plan Element of Washington County's Comprehensive Plan and related implementing ordinances have been found to be in conformance with the statewide planning goals. Goals applicable to this proposal are addressed under related policies from Washington County's Rural/Natural Resource Plan Element and in Attachment A, the Transportation Report. In addition, Oregon Administrative Rules (OAR) for Goals 3 and 4 are specifically addressed below.

LCDC Goal 3, Agricultural Lands

This goal requires agricultural lands be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space and the state's agricultural land use policy. OAR Chapter 660, Division 33, sets forth the following requirement:

OAR 660-033-0030: Identifying Agricultural Land

(4) When inventoried land satisfies the definition requirements of both agricultural land and forest land, an exception is not required to show why one resource designation is chosen over another. The plan need only document the factors that were used to select an agricultural, forest, agricultural/forest, or other appropriate designation.

LCDC Goal 4, Forest Lands

This goal requires forest lands be conserved 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 land consistent with sound management of soil, air, water and fish and wildlife resources and to provide for recreational opportunities and agriculture. OAR Chapter 660, Division 6 sets forth the following requirement:

OAR 660-006-0015: Plan Designation Outside an Urban Growth Boundary

(2) When lands satisfy the definition requirements of both agricultural land and forest land, an exception is not required to show why one resource designation is chosen over another. The plan need only document the factors that were used to select an agricultural, forest, agricultural/forest, or other appropriate designation.

Staff: The property is currently designated AF-20, which is a resource designation for exclusive farm use. The applicant is requesting a plan amendment to EFC which is a resource designation for forest use. As stated in Goals 3 and 4 above, the applicant does not need to justify why one resource designation is more appropriate than another. This report need only document the factors used for recommending an EFC designation for the property. The applicant's findings and the staff report document the factors used to select the requested designation; therefore, the requirements of Goals 3 and 4 have been satisfied.

C. Rural / Natural Resource Plan

1. Policy 1, the Planning Process, states:

It is the policy of Washington County to establish an on-going Planning Program which is a responsive legal framework for Comprehensive Planning, Community Development and Resource Conservation which accommodates changes and growth in the physical, economic and social environment, in response to the needs of the county's citizens. It is the policy of Washington County to provide the opportunity for a landowner or his/her agent to initiate quasi-judicial amendments to the Comprehensive Plan on a semi-annual basis. In addition, the Board of Commissioners, the Planning Director, or the Planning Commission may initiate the consideration of quasi-judicial map amendments at any time deemed necessary.

Applicable Implementing Strategies:

p. Require that plan map amendments meet the following criteria:

As used in the following sections a mistake means a clerical error, or a mistake in the current designation such that it probably would not have been placed on the property had the error been brought to the attention of the Board during the adoption process.

8. Amendments from Mixed Agriculture and Forestry-20 (AF-20) to Exclusive Farm Use (EFU) or Exclusive Forest and Conservation (EFC) shall be based upon:

- A. A mistake in this 1983 plan; or**
- B. Findings that the subject land is:**
 - I. in farm or forest use;**
 - II. on farm or forest deferral;**
 - III. agricultural or forest land as defined by LCDC Goal 3 or Goal 4; or**
 - IV. compatible with surrounding land uses.**
- C. Require that the parcel be contiguous to land with the same plan map designation being requested or be 76 acres or more in area.**

Applicant: See pages 6 - 13 of the application.

Staff: Policy 1.p.8.B requires quasi-judicial plan amendments to meet one of the above criteria. Based on the following findings, staff has determined that the evidence provided by the applicant and in county records satisfies all of the criteria.

I. in farm or forest use

Figure 2 (below) is an aerial view of the subject property which includes the general location of the Bledsoe Creek 100-year floodplain.

Figure 2.



Tax lot 1200 is comprised of 0.04 acre, is forested and is located within the floodplain of Bledsoe Creek.

According to the applicant's narrative, over 95% of tax lot 1202 (42.46 acres) is in forest use, although only 13.5 acres contain mature timber. Policy 16 *Exclusive Forest Lands* of the Rural/Natural Resource Plan states:

"LCDC Goal 4 defines forest uses as the production of trees and the processing of forest products; as open space, buffers from noise, and visual separation of conflicting uses; as watershed protection and wildlife and fisheries habitat; as soil protection from the wind and water; as maintenance of clean air and water; as outdoor recreational activities; and for agriculture support services such as grazing land for livestock."

Bledsoe Creek flows from north to south on the property, and an unnamed tributary crosses tax lot 1204 and flows into Bledsoe Creek near tax lot 1202's southern property line. Bledsoe Creek and the unnamed tributary are significant natural resources, specifically *Water Areas, Wetlands & Fish and Wildlife Habitat Areas*. Also, the 100-year floodplain for Bledsoe Creek located on tax lot 1202 is considered a *Water Areas and Wetlands*. The applicant estimates that 10 acres of tax lot 1202 is comprised of Bledsoe Creek and its floodplain and the unnamed tributary.

The applicant states that 15.5 acres of tax lot 1202 is used for cattle grazing. Approximately one-half acre of the tax lot consists of the barn, loading areas and a paddock. The remaining three acres consists of two dwellings and their associated yards, driveways and accessory structures.

The land comprised of Bledsoe Creek, its floodplain, the unnamed tributary and the land used for cattle grazing may be considered forest uses because the Statewide Planning Goal 4 definition of forest lands in Policy 16 of the Rural/Natural Resource Plan lists land used for watershed protection, wildlife habitat and grazing land as forest lands. The remaining 13.5 acres contains mature timber. Therefore, tax lot 1202 is considered to be in forest use.

Tax lot 1203 is completely covered by mature timber.

Tax lot 1204 is 32.94 acres and contains Douglas fir, western red cedar and red alder. This tax lot was logged in 2000 and was replanted at over 300 seedlings per acre pursuant to Forest Practices Act standards. The applicant submitted a Forest Management Plan from Jay Worley of the Oregon Department of Forestry (see Exhibit I of the application) that the applicant used to manage the seedlings.

Based upon the current use of each tax lot, staff finds the property is in forest use.

II. on farm or forest deferral

Washington County Assessment and Taxation (A&T) records indicate that the property is mostly in farm and forest deferral. Tax lot 1200 has been in forest deferral since 1993. Tax lot 1202 has a combination of farm and forest deferrals, specifically, 32.53 acres is in farm deferral and 8.9 acres is in forest deferral. The remaining 1.03 acres of tax lot 1202 where the houses and accessory structures are located is not in deferral. The deferrals for tax lot 1202 have been in place since 1991. Tax lot 1203 has been in forest deferral since 1993. Tax lot 1204 began receiving forest deferral this year, after it was reestablished by the owner per A&T requirements.

III. agricultural or forest lands as defined by LCDC Goal 3 or Goal 4

LCDC Goal 3 defines agricultural land as land in western Oregon comprised of predominantly Class I, II, III and IV soils. The property is entirely comprised of Class II, III and IV soils; therefore, it is considered agricultural land. Approximately 90% of the property's soils meet the definition of "high value farmland" per OAR 660-033-0020(8).

LCDC Goal 4 broadly defines forest lands as soils that have a high potential for productivity and no serious management limitations. As previously mentioned, staff has found that the uses on the site qualify as forest uses per the Goal 4 definition. According to the Soil Survey of Washington County, Oregon, July, 1982 (SSWC), approximately 80% of the property is comprised of soil series and classes that have high or moderately high woodland productivity capability. Although the SSWC did not rate the soils on the remaining property for woodland capability, the applicant submitted documentation from 2006 from Jay Worley, Service Forester for the Oregon Department of Forestry, stating that the southeastern portion of the property (approximately 16.5 acres) is not suitable for woodlands because of the poorly drained soil, and the remaining 15 acres has a capability rating of 135 cubic feet/acre/year. A 2009 Oregon Land

Use Board of Appeals (LUBA) case found that "(r)ural land with a wood fiber productivity rating of over 80/cubic feet/acre/year is almost certainly suitable for commercial use, even if there are limiting factors¹."

Additional soils information is found on pages 12 -15 as part of the Policy 14 *Plan Designations* findings and in Attachment A of this report.

IV. compatible with surrounding land uses

The properties adjacent to the north and west are designated as AF-20, the properties to the east are designated as EFC and those to the south are designated as AF-10 (see Figure 1 on page 2 of this report). The EFC designation to the east of the property includes over 30,000 acres of land with that designation.

The applicant provided a detailed inventory of all adjacent properties. In summary, the two properties adjacent to the north are heavily forested and one has a dwelling. To the west is a vacant ten acre parcel that is heavily forested. To the south are seven parcels ranging in size from 4.28 acres to 9.00 acres, five of which have dwellings. To the east are three parcels, each with a dwelling.

The property is primarily used for forest uses and no physical changes to the property are being proposed as part of this application. The continuation of forest uses on the property will occur regardless of its plan designation. Therefore, staff finds that approval of this request will maintain compatibility with surrounding uses.

2. Policy 2, Citizen Involvement, states:

It is the policy of Washington County to encourage citizen participation in all phases of the planning process and to provide opportunities for continuing involvement and effective communication between citizens and their county government.

Staff: A quasi-judicial plan amendment such as this must be considered via a Type III public hearing review procedure. In accordance with CDC Section 204-4, notice of the Planning Commission and Board of Commissioners public hearings on this application was sent to all property owners within 1,000 feet of the subject property. This notice was sent at least 20 days prior to the first hearing (mailed April 2, 2010). Additionally, the county placed a legal notice of the hearing in *The Hillsboro Argus*, a newspaper of general circulation, at least ten days prior to the first hearing date (published April 9, 2010). As required by CDC Section 204-1.4, the applicant posted a sign on March 9, 2010, which was within 28 days of the April 20, 2010 acceptance date. A copy of the plan amendment application was mailed to Citizen Participation Organization (CPO) 8 and 14 on March 9, 2010. Finally, the staff report was available to interested parties seven days prior to the hearing as required by CDC Section 203-6.2. Staff finds these actions satisfy the requirements of Policy 2.

These findings for Policy 2 also pertain to Statewide Planning Goal 1, Citizen Involvement.

3. Policy 6, Water Resources, states:

It is the policy of Washington County to maintain or improve surface and ground water quality and quantity.

Applicant: See pages 14 & 15 of the application.

¹ Just v. Linn County, LUBA No. 2009-068

Staff: In the case of plan amendments, staff interprets Policy 6 to mean that, over time, development activities in Washington County should not negatively affect the quantity or quality of surface water or groundwater. The thrust of the policy is to assure that development will have a positive or neutral effect over an extended period of time, rather than being concerned with what quantity or quality of water is present at a particular point in time. Therefore, evidence of consistency with this policy should include, if possible, assessments of groundwater quantity and quality reflected over a period of time.

For resource to resource plan amendments such as this request, implementing strategy 6.a.5. does not require well log analysis because the designation change will not result in an increase in density. However, opposition testimony can be rebutted by an applicant by reviewing well logs and having an "expert" such as a professional geologist or hydrologist review well logs and opposition testimony and provide an opinion on the groundwater situation. Expert testimony that draws its findings primarily from evidence in the well reports, however, can be refuted by new evidence beyond that which is contained in the well reports. Recent measurements of water depth in existing wells are probably the best new evidence that can be used to determine what the present groundwater quantity trend is in a plan amendment area. The present well water depth can be compared to the measured depth at the time the well was drilled to determine how groundwater quantity trends are affecting existing wells.

Applicable Implementing Strategies:

The County will:

- a. **Strive to ensure adequate water supplies for all uses by:**
 1. **Encouraging water conservation programs by water users and purveyors;**
 2. **Reviewing and revising existing development regulations where necessary or limiting the location or operation of new wells as a condition of development approval, considering advice and/or recommendations received from the State Water Resources Department;**
 3. **Coordinating with State and Federal agencies in evaluating and monitoring ground water supplies; and**
 4. **Complying with the May 17, 1974 Order of the State Engineer establishing and setting forth provisions for the Cooper Mountain-Bull Mountain Critical Ground Water Area.**
 5. **Requiring applicants for quasi-judicial Plan Map Amendments to provide well reports (well logs) filed with the Water Master for all Public Lands Survey (township and range system) sections within one-half (1/2) mile of the subject site and provide an analysis of whether ground water quality and quantity within the area will be maintained or improved. The analysis should include well yields, well depth, year drilled or other data as may be required to demonstrate compliance with this policy.**

Well logs are not required for quasi-judicial plan amendments when the designation change will not result in an increase in density (i.e. EFU to EFC plan amendments).

Applicant: See page 16 of the application.

Staff: As indicated by Implementing Strategy 6.a.5., plan amendments between the three resource districts, AF-20, EFU and EFC, are not required to submit well logs. Because both the AF-20 and EFC Districts are resource districts and the allowed uses in these districts are similar, staff believes the worst-case scenario for the development impact on the subject site under either plan designation is similar. Therefore, the applicant's burden of proof is less than what would be required in other cases where the designation would allow an increase in the potential number of dwellings or new uses not permitted by the current designation.

The applicant states that forest use encourages water conservation because it does not require irrigation to establish seedlings or maintain timber stands which account for approximately 48 of the property's 78.05 acres. No additional dwellings are proposed.

The property is not located within the Cooper Mountain-Bull Mountain Critical Ground Water Area or a ground water limited area.

b. Ensure adequate quality of surface water and groundwater by:

- 1. Promoting compliance with the Healthy Streams Plan, as adopted by Clean Water Services (CWS) and in compliance with the CWS-County intergovernmental agreement, to the extent that the Healthy Streams Plan and associated CWS programs apply to outside the UGB;**
- 2. Promoting compliance with Department of Environmental Quality water quality standards;**
- 3. Cooperation with the Soil and Water Conservation District in the implementation of effective methods of controlling non-point sources of water pollution in agricultural areas;**
- 4. Cooperating with the Oregon State Department of Forestry in the implementation of effective methods of controlling non-point sources of water pollution in forest areas; and**
- 5. Ensuring that the establishment of subsurface sewage disposal systems (e.g., septic tanks) will not adversely affect ground water quality;**

Applicant: See page 17 of the application.

Staff: Each of the two dwellings on tax lot 1202 has its own septic system. In the event that a new dwelling is proposed on one of the vacant tax lots, the applicant would be required to obtain approval for an on-site septic system from the County Health Department prior to the issuance of a building permit for a new dwelling. A septic system permit will not be issued if soils are not adequate to filter and clean wastewater. The standards for obtaining and maintaining such permits comply with DEQ requirements, which are designed to ensure adequate quality of groundwater. Any grading activities associated with development must comply with CDC Sections 410 (Grading and Drainage), 426 (Erosion Control) and Chapter 14.12 of the County Code (Grading). Compliance with these standards ensures adequate quality of surface water. Grading associated with timber management is subject to the state Forest Practices Act. Therefore, staff finds the criteria of Implementing Strategy 6.b. can be satisfied.

c. Protect and maintain natural stream channels wherever possible, with an emphasis on non-structural controls when modifications are necessary.

- d. **Limit the alteration of natural vegetation in riparian zones and in locations identified as significant water areas and wetlands.**
- e. **Encourage property owners with land with qualifying lands to apply for natural resource-related exemption of that land from *ad valorem* taxation where such programs are available.**

Applicant: See page 18 of the application.

Staff: Bledsoe Creek and an unnamed tributary are located on the property. These waterways are identified as significant natural resources, specifically *Water Areas and Wetlands and Fish and Wildlife Habitat*. Any timber harvesting activities near the riparian areas are required to follow best management practices (BMPs) as determined by the Oregon Department of Forestry. The Oregon Department of Forestry is responsible for overseeing logging activities for compliance with BMPs. In the event that development is proposed, the applicant would be required to show compliance with Sections 421 (Flood Plain and Drainage Hazard Area Development) and 422 (Significant Natural Resources). Staff finds these strategies can be satisfied.

- f. **Support viable water resource projects which are proposed in the County upon review of their cost benefit analysis, alternatives, and environmental and social impacts.**

Applicant: See page 18 of the application.

Staff: There are no water resource projects proposed in the vicinity of this property.

- g. **Coordinate land use actions regarding water projects with agencies and jurisdictions which may be impacted by such projects.**

Applicant: See page 19 of the application.

Staff: There are no water resource projects proposed on this property.

- h. **Support measures to conserve vegetation in drainage basin watersheds as a means of controlling the release of water to downstream farm lands and urban areas.**

Applicant: See page 19 of the application.

Staff: The property is located within the Bledsoe Creek drainage basin watershed. If development on the subject property occurs, it will be required to comply with standards of Section 421 if it is proposed within or near the 100 year floodplain. The application states that the site was in conformance with Oregon Department of Forestry (ODF) regulations when it was logged in 2000 and replanted. The ODF BMPs apply to timber harvesting and address the conservation of vegetation as a means of controlling the release of water downstream from logged areas. Also, encouraging forest use on the site will conserve vegetation that will slow surface water runoff. Staff finds this strategy can be satisfied.

- i. **Cooperate with the Division of State Lands, State of Oregon in their review and mitigation of projects that alter water areas and wetlands under their jurisdictions.**

Applicant: See page 20 of the application.

Staff: The subject property contains *Water Areas and Wetlands and Fish and Wildlife Habitat* areas recognized by the Division of State Lands. If development occurs, it will be required to

comply with Section 422 (Significant Natural Resources) which addresses development in significant natural resource areas such as *Water Areas and Wetlands and Fish and Wildlife Habitat* areas; therefore, staff finds that this strategy can be satisfied.

- j. **Consistent with the recommendations of the Department of Environmental Quality, State of Oregon, and Clean Water Services, support the expansion of stormwater sampling in the Tualatin Basin and consideration of proper planning and management measures for non-point source problems.**

Applicant: See page 20 of the application.

Staff: Any subsequent development of the subject property will have to comply with CDC sections that implement the above strategies, Sections 410 (Grading and Drainage) and 426 (Erosion Control) at the time of development review. Staff therefore finds this strategy can be satisfied.

These findings for Policy 6 also pertain to Statewide Planning Goals 5, Open Spaces, Scenic and Historic Areas and Natural Resources, and 6, Air, Water and Land Resources Quality.

4. Policy 8, Natural Hazards

It is the policy of Washington County to protect life and property from natural disasters and hazards.

Applicant: See page 21 of the application.

Staff: As previously mentioned, a portion of Bledsoe Creek's floodplain is located on tax lot 1202; therefore, future development in the vicinity of the floodplain will require compliance with Sections 421 and 422 of the CDC. Staff finds this policy can be satisfied.

5. Policy 10, Fish and Wildlife Habitat

It is the policy of Washington County to protect and enhance significant fish and wildlife habitat.

Applicable Implementing Strategies:

The County will:

- a. **Establish standards with which development in areas defined as significant fish and wildlife habitat must comply, so as to assure the conservation of this habitat.**
- b. **Allow activities customarily conducted in conjunction with commercial farm and forest practices in areas designated as Fish and Wildlife Areas.**
- c. **Rely upon the Oregon Department of Forestry, through its administration of the Oregon Forest Practice Rules, to mitigate adverse impacts of commercial forestry upon fish and wildlife.**
- d. **Limit the alteration of natural vegetation in riparian zones, and in locations identified as significant water areas and wetlands thereby preserving fish and wildlife habitat.**

Applicant: See pages 22 & 23 of the application.

Staff: Each time a property is logged as a commercial forestry use, BMPs must be employed when harvesting and conducting activities in areas designated as fish and wildlife habitats. As previously mentioned, ODF is responsible for ensuring that BMPs are followed. Again, Section 422 (Significant Natural Resources) will apply if alterations due to development are proposed in the significant natural resource areas of the property. Staff finds the criterion can be satisfied.

- e. **Implement the recommendations of the Oregon Department of Fish and Wildlife Habitat Protection Plan for Washington County and to mitigate the effects of development in the Big Game Range within the EFU, EFC and AF-20 land use designations.**

Applicant: See page 23 of the application.

Staff: The subject property is not located within the Big Game Range; therefore, the Habitat Protection Plan does not apply.

- f. **Implement the recommendations of the Tualatin Basin Fish & Wildlife Habitat Program for rural areas of Washington County to promote efforts to enhance and conserve significant riparian habitat corridors.**

Applicant: See page 23 of the application.

Staff: As previously mentioned, any development near or within the 100-year floodplain of Bledsoe Creek must comply with Sections 421 (Flood Plain and Drainage Hazard Area Development) and 422 (Significant Natural Resources). Enforcement of these sections enhance and conserve significant riparian habitat corridors. Therefore, staff finds these criteria can be met.

- 6. Policy 14, Plan Designations, states:

It is the policy of Washington County to maintain distinct comprehensive plan map designations for the area outside the County's urban growth boundaries, and to provide land use regulations to implement the designations.

Applicable Implementing Strategies:

- a. **Designate Natural Resource lands in the following manner:**
 - 1. **Lands which meet the definitions and criteria for agricultural lands contained in LCDC Goal 3 and OAR Chapter 660, Division 05 shall be designated Exclusive Farm Use (EFU) and lands which meet the LCDC Goal 4 definition of forest land shall be designated Exclusive Forest and Conservation (EFC). In determining which Plan Designation shall apply (EFU or EFC) when land meets criteria for both the EFU and EFC District, the following factors shall be utilized to determine the appropriate designation:**
 - A. **Soil types as related to Goal 3 and forest classification as related to Goal 4.**
 - B. **The predominant use of the property.**
 - C. **The predominant use of the surrounding properties (must be contiguous or be a sufficiently large block of land).**

D. What kinds of crops or forest uses would be possible on the parcel given the size and conflicts with adjacent uses.

E. Physical characteristics of the site.

F. Whether the site is or has been on a farm or forest deferral.

Applicant: See pages 25 – 32 of the application.

Staff: Implementing Strategy 14.a.1. sets forth the criteria used to determine if a site should have an exclusive farm (EFU or AF-20) or forest (EFC) designation. Since the requested plan designation change is from AF-20 to EFC, the criteria of this implementing strategy, as they relate to the EFC District, are applicable.

A. Soil types as related to Goal 3 and forest classification as related to Goal 4

As previously mentioned, approximately 90% of the property's soil is rated as high value farmland, and approximately 80% of the property is rated as having high or moderately high woodland production capability. A detailed description of the various soil and woodland capability classes is in Attachment A of this report.

Although approximately 16.5 acres located in the southeast corner of the site is not suitable for commercial timber propagation, the remaining land has high or moderately high potential for that use. In addition, the land not suitable for woodland propagation is being utilized as pasture for livestock and open space/waterways which are defined as a forest uses by Goal 4. Therefore, staff finds the property satisfies the definition of forest lands according to Goal 4.

B. The predominant use of the property

As discussed in the Policy 1 findings on pages 4 – 7 of this report, the predominant use of the property is forest use. Staff concludes that forestry is the predominantly use of the property based upon the current and past uses.

C. The predominant use of the surrounding properties (must be contiguous or be a significantly large block of land)

The majority of the adjacent parcels are forested. Those parcels to the north, west and southeast are designated AF-20, those to the south are AF-10 and those to the east are designated EFC. The property is 78.05 acres and it is adjacent to over 30,000 acres of EFC land to the east.

D. What kinds of crops or forest uses would be possible on the parcel given the size and conflicts with adjacent uses

Potential crops and woodland capability are described in detail in Attachment A of this report. The property's high value farmland gives it the potential to grow many crops, and it also has a moderately high to high woodland capability. Both of these uses are common in rural Washington County. There is no indication that continued forest use or the use of the site for agricultural purposes would negatively affect adjacent uses.

E. Physical characteristics of the site

The property has two dwellings and various outbuildings. Bledsoe Creek and an unnamed tributary traverse the site, and the Bledsoe Creek floodplain covers the majority of tax lot 1202 (see Figure 2 on page 5 of this report). The floodplain on tax lot 1202 is found at the lowest point

on the property which is approximately 220 feet above sea level (ASL) and is used as pasture for cattle. The eastern portion of the property, specifically tax lot 1204, is wooded and has a slope range of 7-30%. The western portion of the property is currently used for timber propagation, and was planted at approximately 300 seedlings per acre after the area was logged in 2000. The highest point of the property is the southwest corner of tax lot 1204 where the elevation reaches approximately 500 feet ASL.

F. Whether the site is or has been in farm or forest deferral

As previously mentioned, the property is in both farm and forest deferral. Approximately 31 acres receive farm deferral and approximately 44 acres receive forest deferral.

As OAR 660-006-0015 states, "(w)hen lands satisfy the definition requirements of both agricultural land and forest land, an exception is not required to show why one resource designation is chosen over another. The plan need only document the factors that were used to select an agricultural, forest, agricultural/forest, or other appropriate designation." Based upon this OAR and the findings of fact for Policy 14, staff finds the property meets the LCDC Goal 4 definition of forest land and that the EFC designation is appropriate and compatible with surrounding properties.

b. Designate Exclusive Agricultural and Forest lands in "large blocks" of 76 acres or more in the legislative process which adopts this plan.

Staff: The sum of the four tax lots equals 78.05 acres which exceeds the 76 acre minimum for the "large block" requirement. Also, tax lot 1203 is adjacent to over 30,000 acres of land designated as EFC.

These findings for Policy 14 also pertain to Statewide Planning Goals 3, Agricultural Lands; and 4, Forest Lands.

7. Policy 16, Exclusive Forest Lands, states:

It is the policy of Washington County to conserve and maintain forest lands for forest uses consistent with existing and future needs for agricultural products, forest management and open space. Exceptions to this policy may be allowed pursuant to the provisions of LCDC Goal 2, OAR Chapter 660 Division 04, and the applicable plan amendment criteria in Policy 1.

Applicable Implementing Strategies:

- i. Maintain forest lands in blocks large enough to encourage and maintain commercial forest activities when considering Plan Amendments. This strategy will be used as one of the criteria in the designation of lands in the EFC District in the legislative process of adopting this plan.**

Applicant: See page 33 of the application.

Staff: As stated previously, the four tax lots equal 78.05 acres, exceeding the "large block" definition of 76 acres. Also, there are over 30,000 acres of EFC land adjacent to the subject property. Finally, the property has approximately 48 acres managed for commercial timber propagation. These factors are evidence that the request will encourage and maintain large blocks of forest lands.

Although Implementing Strategy 16.i. refers to the legislative process, "large block" criterion has been applied to both the legislative and quasi-judicial processes.

8. Policy 17, Agriculture and Forest-20 Land, states:

It is the policy of Washington County to designate those lands as Agriculture and Forest-20 that were zoned AF-5 and AF-10 by the 1973 Comprehensive Framework Plan and for which a Goal 2 Exception has not been provided, and in doing so strive to retain a small scale and part-time agriculture and forest production. Exceptions to this policy may be allowed pursuant to the provisions of LCDC Goal 2, OAR Chapter 660 Division 04, and the applicable plan amendment criteria in Policy 1.

Applicant: See page 34 of the application.

Staff: The property was designated AF-10 by the 1973 Comprehensive Framework Plan, but did not qualify for a Goal 2 exception during the process to adopt the 1983 Rural/Natural Resource Plan. Consequently, the property was designated AF-20, consistent with Policies 14 and 17. Because the requested EFC designation is a resource plan designation like the AF-20 designation, it is not necessary to take an exception to Statewide Planning Goals 3 and 4. As a result, it is not necessary to address the exception provisions of Statewide Planning Goal 2 and OAR 660, Division 4.

9. Policy 22, Public Facilities and Services, states:

It is the policy of Washington County to provide public facilities and service in the Rural/Natural Resource Area in a coordinated manner, at levels which support rural type development, are efficient and cost effective, and help maintain public health and safety.

Applicable Implementing Strategy:

a. **Review the adequacy of the following public services and facilities in conjunction with new development.**

1. **Schools**
2. **Fire and Police Protection**

Applicant: See pages 35 & 36 of the application.

Staff: Copies of statements of service availability from four service providers to the site are included in the applicant's submittal. These statements are from the Banks School District, Banks Fire District and the Washington County Sheriff's Office. The application includes a service analysis for the school district, describing present enrollments and capacity of the district's schools that serve the site, an analysis for the fire district, describing station location, equipment availability and response times, and an analysis for the Sheriff's Office, describing adequacy of service levels. Staff again notes that no new development is proposed with this request.

The County is responsible under Implementing Strategy a. of Policy 22 for reviewing the adequacy of public facilities and services in conjunction with new development. The hearings officer for LCDC found in the 1988 Enforcement Order proceedings that "(T)he County must have evidence in the record showing that the service provider is accurate in its assessment." Staff interprets this to refer to a provider's assessment that an adequate or inadequate level of service can be provided. Without the above-described statements and analyses, staff could not

conclude that all the affected service providers in the area can provide an adequate level of service to development that may occur on the subject property under the EFC designation, should the proposed plan amendment be approved.

Information obtained from the Banks School District shows the site is located within the following school attendance areas: Banks Elementary School, Banks Junior High School and Banks High School. The school district noted that the closest school is approximately four miles from the property. The school district states there is sufficient enrollment capacity to serve the existing dwellings in each school.

The site is within the service area of the Banks Fire District. The service provider letter states that the Banks Fire District is capable of serving the two dwellings on site. The Banks Fire District #18 fire station is located between four and five miles from the property, and the average response time would be seven minutes. The fire station is equipped with four engines, two water tanks, one rescue and one command officer.

The Washington County Sheriff's Office has reviewed the request and has determined that its service level is adequate for emergency calls only, which is consistent with the level of service provided to all rural areas.

Based on the service statements and analyses, staff finds that all the affected service providers in the area can provide an adequate level of service to the subject property if the proposed plan amendment is approved. As a result, this request complies with Policy 22.

These findings for Policy 22 also pertain to Statewide Planning Goal 11.

D. Washington County Transportation Plan

Applicant: See pages 37 - 41 of the application.

Staff: Findings pertaining to the County Transportation Plan and the Oregon Transportation Planning Rule are in Attachment B of this staff report, the Transportation Report for Casefile No. 10-057-PA.

E. Washington County Community Development Code

1. Article III, Land Use Districts:

Section 342 Exclusive Forest and Conservation District (EFC)

342-1 Intent and Purpose

The Exclusive Forest and Conservation District is intended to provide for forest uses and to provide for the continued use of lands for renewable forest resource production, retention of water resources, recreation, agriculture and other related or compatible uses, as set forth in Statewide Planning Goal 4, OAR 660-06 and ORS 215.

The purpose of this District is to encourage forestry as the dominant use of such lands, to conserve and manage efficiently the forest resources of the County and to prohibit uses of land which are not compatible with the management and development of forest resources, in order to minimize the potential for damage from fire, pollution, soil erosion and conflict caused by development. This District

is suited for application to forest land as well as associated scenic lands, recreation land, wildlife habitat or other sensitive land forms or watershed areas.

The EFC District is provided to meet Oregon statutory requirements for forest lands. Uses permitted by the Forest Practices Act are not subject to the requirements of this Section.

All new buildings, including accessory buildings, in this District shall comply with the fire structure siting and fire safety standards of Section 428.

Section 344 Agriculture and Forest District (AF-20)

344-1 Intent and Purpose

The intent of the Exclusive Agriculture and Forest AF-20 District is to provide an exclusive farm use zone within the County which recognizes that certain lands therein may be marginal.

The purpose of the District is to allow EFU uses and parcels, and through the provisions of Section 425, to provide a process and criteria for identifying marginal lands within the District. In addition, Section 344-8 provides for special uses for lands so identified.

This AF-20 District is provided to meet Oregon statutory and administrative rule requirements.

Applicant: See pages 41 & 42 of the application.

Staff: The property is predominantly in forest use and is predominantly in forest deferral. The property meets the criteria for a change from AF-20 to EFC. Placing an EFC designation on the property would be consistent with the EFC District's purpose of preserving forest uses. The EFC District implements Goal 4, and the AF-20 and EFU Districts implement Goal 3. The findings under Policies 1 and 14 prove that the request complies with the applicable criteria for designation as EFC land.

These findings for the Community Development Code also pertain to Statewide Planning Goals 3 and 4.

Section 421 Flood Plain and Drainage Hazard Area Development

Staff: As previously mentioned, Bledsoe Creek and an unnamed tributary traverse the property. Best Management Practices set forth by the Oregon Department of Forestry, which include managing forestry activities in and near drainageways, must be followed when timber harvesting occurs again on the site. Future development within the drainage hazard area may require land use approval pursuant to the requirements set forth in Section 421. Staff finds that the criteria set forth in Section 421 can likely be satisfied through the development review process in the future.

Section 422 Significant Natural Resources

422-1 Intent and Purpose

The intent and purpose of these standards is to permit limited and safe development in areas with significant natural resources, while providing for the identification, protection, enhancement and perpetuation of natural sites, features,

objects and organisms within the County, here identified as important for their uniqueness, psychological or scientific value, fish and wildlife habitat, educational opportunities or ecological role.

Development within riparian areas, Water Areas and Wetlands, or Water Areas Wetlands and Fish and Wildlife Habitat shall comply with applicable state and federal regulatory guidelines.

Staff: The Rural/Natural Resource Plan designates Bledsoe Creek and the unnamed tributary as *Water Areas, Wetlands and Fish and Wildlife Habitat* areas. Any disturbances within or near these areas must adhere to the requirements of Section 422, and staff finds that the requirements can likely be satisfied through the development review process in the future.

VI. SUMMARY AND CONCLUSIONS

Staff considered the evidence provided by the applicant and all of the factors relevant to a plan amendment from AF-20 to EFC. The factors were listed under Implementing Strategy p.8. for Policy 1 of the Rural/Natural Resource Plan. This consideration included the review of soils, the present and past use of the property, the use of the surrounding properties, possible agricultural or forest uses, the physical characteristics of the site, the property's tax deferral status and the availability of public services and facilities. Pursuant to Plan Policies 14, 16 and 17, staff also considered the intent and purpose of the existing and proposed land use designations. The subject property described in this plan amendment request meets the applicable criteria for a plan amendment from AF-20 to EFC.

April 13, 2010

**ADDITIONAL SOIL INFORMATION
CASEFILE NO. 10-057-PA**

Applicant: Norman and Vicki Ballou
 Location: On the north side of the intersection of NW Hahn Road and NW Davidson Road, approximately 2 miles NE of Banks
 Tax Map/Lot: 2N3 20, tax lots 1200, 1202, 1203 & 1204
 Site Size: 78.05 acres (total)

The following soil analysis is based upon information contained in the Soil Survey of Washington County, Oregon, July, 1982 (SSWC).

Soil Series	Acres (Approx.)	Woodland Suitability Group	Soil Use and Management Capability Class
Wapato silty clay loam	16.5	none	IIIW-2
Helvetia silt loam	15	none	IIE-2
Cornelius Kinton	35	2o2	IIIE-3
Jory	2	3o1	IIE-3
Laurelwood	1.5	2o2	IIE-3, IIIE-2
Saum	7.5	3o1	IIE-3, IIIE-2 & IVE-2

The soil use and management capability classes are summarized as follows:

- IIIW-2** This unit consists of deep, poorly drained Verboort and Wapato soils. Slope is 0-3%. Fertility is moderate. Permeability is slow, and water ponds during overflow. The hazard of erosion is slight. These soils are used primarily for small grain, hay, irrigated pasture, recreation and wildlife habitat. Other uses may include late-planted irrigated vegetable crops.
- IIE-2** This unit consists of very deep, moderately well drained Helvetia, Quatama and Woodburn soils that have slopes of 2-12%. These soils have high fertility. Permeability is moderately slow to slow. Surface runoff is slow to medium, and the hazard of erosion is slight to moderate. These soils are used for irrigated berries, irrigated vegetable crops, orchards, small grain, grass and legume seed crops, irrigated hay, irrigated pasture, recreation and wildlife habitat.
- IIIE-3** This unit consists of very deep, moderately well drained Cornelius and Kinton soils. Slope is 2-20%. Permeability is slow. Fertility is high. Surface runoff is slow to medium, and the hazard of erosion is slight to moderate. These soils are used for irrigated berries, irrigated vegetable crops, orchards, small grain, legume and grass seed, irrigated hay, irrigated pasture, timber, recreation and wildlife habitat.
- IIE-3** This unit consists of moderately deep to very deep, well-drained Jory, Laurelwood, Melbourne and Saum soils that have slopes of 2-12%. These soils have moderate fertility. Permeability is moderate to moderately slow. Surface runoff is slow to medium, and the hazard of erosion is slight to moderate. These soils are used for orchards, irrigated berries, small grain, pasture, hay, timber, recreation and wildlife habitat.

- IIIE-2** This unit consists of the well-drained soils of the Jory, Laurelwood, Melbourne and Saum soils. These soils have moderate fertility. Slope is 12-20%. Permeability is moderate to moderately slow. Surface runoff is medium, and the hazard of erosion is moderate. Small surface slides develop in places during periods of heavy rain. These soils are used for orchards, irrigated berries, small grain, hay pasture, timber, wildlife habitat, homesites and recreation.
- IVE-2** This unit consists of deep, well-drained Jory, Laurelwood, Melbourne and Saum soils. Slope is 3-30%. These soils have moderate fertility. Permeability is moderate to moderately slow. Surface runoff is rapid, and the hazard of erosion is severe. Small surface slides can develop during periods of heavy rain. These soils are used for orchards, irrigated berries, small grain, hay and pasture. Other uses include timber, wildlife habitat, homesites and recreation.

The woodland capability classes are summarized as follows:

Per the SSWC, woodland suitability group 2o2 soils (approximately 46% of the property) are described as having "high potential for productivity with no serious limitations for management." Woodland suitability group 3o1 soils (approximately 11% of the property) are described as having "moderately high potential productivity." The remaining soils, Wapato and Helvetia series, were not rated for woodland productivity by the SSWC.

The Wapato and Helvetia soils are found along Bledsoe Creek and in its floodplain. CDC Section 106-45 provides a definition for "cubic foot per acre per year" and states that in the absence of this information, alternative methods may be used to evaluate soil productivity, but the method must be approved by ODF. As previously mentioned, the applicant provided information from 2006 from Jay Worley, Service Forester for ODF, which included his analysis of the Wapato and Helvetia soils woodland capability. Mr. Worley states that the Wapato soils found in the floodplain area of the property are poorly drained and would not be suitable for timber propagation. He rates the Helvetia soil as having the capability to produce 135 cubic feet/acre/year. Staff does not dispute this information, but does not agree with Mr. Worley's statement that this capability is "relatively low". In the staff report, a LUBA case was cited which determined any soil with the capability of producing over 80 cubic feet/acre/year is appropriate for commercial timber propagation.

The SSWC describes the Wapato series as poorly drained, nearly level silty clay loams. Ponding in the winter and a persistent high water table in the spring are not uncommon.

For the Helvetia series, the applicant submitted information from the Natural Resource Conservation Service (NRCS) (see Exhibit H of the application) which describes the soils as being "usually moist, but are dry throughout between depths of 4 and 12 inches for 45 to 60 consecutive days following the summer solstice." This information is not included in the SSWC, but it was provided by the NRCS and is from 2006. Staff concurs with this information.

March 30, 2010

**TRANSPORTATION REPORT
CASEFILE NO. 10-057-PA**

Applicant: Norman and Vicki Ballou
Location: On the north side of the intersection of NW Hahn Road and NW Davidson Road, approximately 2 miles NE of Banks
Tax Map/Lot: 2N3 20, tax lots 1200, 1202, 1203 & 1204
Site Size: 78.05 acres (total)

Staff has reviewed this request for compliance with the applicable transportation planning policies and rules and submits the following findings and recommendations.

FINDINGS

A. General:

1. The proposed plan amendment would change the plan designation on the subject parcel from AF-20 (Agriculture and Forest) to EFC (Exclusive Forest and Conservation).
2. The subject property is located approximately two miles northeast of Banks, north of the intersection of NW Hahn Road and NW Davidson Road. Access is from NW Davidson Road. Of the four tax lots involved in this plan amendment request, three are vacant and one (tax lot 1202) supports two dwellings.
3. The following standards are applicable to this request and are addressed in this staff report:
 - a. OAR 660, Division 12, Oregon Transportation Planning Rule:
Section 060 - Plan and Land Use Regulation Amendments
 - b. Washington County 2020 Transportation Plan Policies:
 - 1.0 Travel Needs Policy
 - 2.0 System Safety Policy
 - 4.0 System Funding Policy
 - 5.0 System Implementation and Management Policy
 - 6.0 Roadway System Policy
 - 10.0 Functional Classification Policy
 - 19.0 Transportation Planning Coordination and Public Involvement Policy

B. Oregon Transportation Planning Rule

1. The Oregon Transportation Planning Rule, OAR 660-012-0060, requires an analysis of the impact of a proposed plan amendment on the planned transportation system to determine whether the proposal will 'significantly affect' the planned transportation system in the area.

2. Pursuant to the OAR, the proposed plan amendment would 'significantly affect' NW Davidson Road and/or the surrounding transportation network if it does any of the following:
 - Changes the functional classification of an existing or planned transportation facility;
 - Changes the standards implementing a functional classification system;
 - Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or
 - Would reduce the performance standards of the facility below the minimum acceptable performance standard identified in the Transportation System Plan; or
 - Would worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the Transportation System Plan as measured at the end of the planning period identified in the adopted TSP (year-2020) – note that the county is now using a planning horizon of year -2030 in evaluating plan amendments;
3. Considering the criteria above, in order to determine if a plan amendment will result in a 'significant impact' on transportation facilities, the County generally requires a comparative analysis of a reasonable worst-case development of a site under current and proposed land use designations. (Note: When a state highway is affected, the county typically relies on comments that are prepared by ODOT.) Plan amendment requests may be for designations that permit more intensive land uses with greater trip generation potential. In such cases, applicants may be required to submit traffic analyses that have been prepared by licensed traffic engineers in order to help evaluate the potential affects of proposed plan amendments on transportation facilities.
4. Under the existing AF-20 plan designation, no trip generation is assumed although periodic agricultural ingress and egress to the subject properties would likely occur. The two existing dwellings each generate approximately 10 ADT. Under the proposed plan amendment, it is possible (but not certain) that another dwelling might be established in the future. However, even if that were to happen, there are no identified capacity problems and there is currently available capacity on the surrounding rural road network. Considering these facts, the number of new trips that could be generated under the proposed plan designation is not likely to result in any capacity issues on the surrounding transportation network and a traffic analysis was not required to be submitted for this request.
5. Considering the findings above, the proposed plan amendment from AF-20 to EFC will not significantly affect the capacity or levels of travel on the nearby transportation network.

6. No changes in functional classification are proposed or required in order to accommodate the proposed plan amendment. Furthermore, the plan amendment will not affect the standards implementing the functional classification system as set forth in Policy 10.0 of the County's 2020 Transportation Plan nor will it significantly affect the capacity of the surrounding transportation network. Based upon these facts, staff concludes that the proposal is consistent with the identified function, capacity, and level-of-service for affected transportation facilities, consistent with Section 060 of the Oregon Transportation Planning Rule.

C. Washington County 2020 Transportation Plan

The proposed plan amendment is subject to seven policies from the County's 2020 Transportation Plan, which are listed and addressed below.

1.0 TRAVEL NEEDS POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO PROVIDE A MULTI-MODAL TRANSPORTATION SYSTEM THAT ACCOMMODATES THE DIVERSE TRAVEL NEEDS OF WASHINGTON COUNTY RESIDENTS AND BUSINESSES.

STAFF: As explained above in this report, the proposed plan amendment is not expected to have a detrimental impact on the capacity or level of service on any of the transportation facilities in the impact area. The proposal therefore does not conflict with Policy 1.0.

2.0 SYSTEM SAFETY POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO PROVIDE A TRANSPORTATION SYSTEM THAT IS SAFE.

STAFF: Any traffic safety impacts associated with potential future development on the subject property will be subject to the traffic safety regulations set forth in the Community Development Code and Resolution and Order 86-95 which implement Policy 2.0.

4.0 SYSTEM FUNDING POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO AGGRESSIVELY SEEK ADEQUATE AND RELIABLE FUNDING FOR TRANSPORTATION FACILITIES AND SERVICES, AND TO ENSURE THAT FUNDING IS EQUITABLY RAISED AND ALLOCATED.

STAFF: If development occurs on the affected property, it will be subject to payment of the appropriate Transportation Development Tax toward future capacity improvements. Payment of the Transportation Development Tax is consistent with the strategies included under Policy 4.0.

5.0 SYSTEM IMPLEMENTATION AND MANAGEMENT POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO EFFICIENTLY IMPLEMENT THE TRANSPORTATION PLAN AND TO EFFICIENTLY MANAGE THE TRANSPORTATION SYSTEM

STAFF: Significant impacts on capacity or roadway safety are not anticipated due to the relatively low potential trip generation under the proposed plan designation and the available capacity that exists on the surrounding roadway network. The proposal is therefore consistent with Policy 5.0 since there will be no appreciable change in travel demand as a result of the plan amendment.

6.0 ROADWAY SYSTEM POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO ENSURE THAT THE ROADWAY SYSTEM IS DESIGNED IN A MANNER THAT ACCOMMODATES THE DIVERSE TRAVEL NEEDS OF ALL USERS OF THE TRANSPORTATION SYSTEM.

STAFF: Since the proposed plan amendment will not result in significant increases in trips or travel demand, it will not degrade the planned motor vehicle performance measures set forth in the strategies for implementation of Policy 6.0. The proposal is therefore consistent with Policy 6.0.

10.0 FUNCTIONAL CLASSIFICATION POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO ENSURE THE ROADWAY SYSTEM IS DESIGNED AND OPERATES EFFICIENTLY THROUGH USE OF A ROADWAY FUNCTIONAL CLASSIFICATION SYSTEM.

STAFF: The proposed plan amendment will not affect the Functional Classification any nearby roadways, nor will it result in land uses that are inconsistent with those identified in the Transportation Plan.

19.0 TRANSPORTATION PLANNING COORDINATION AND PUBLIC INVOLVEMENT POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO COORDINATE ITS TRANSPORTATION PLANNING WITH LOCAL, REGIONAL, STATE AND FEDERAL AGENCIES AND TO PROVIDE OPPORTUNITIES FOR CITIZENS TO PARTICIPATE IN PLANNING PROCESSES.

STAFF: Policy 19 provides that all plan amendments be reviewed for consistency with the applicable provisions of the Transportation Planning Rule (OAR 660-012-0060). This request has been reviewed and determined to be consistent with the applicable provisions of the Transportation Planning Rule (see findings in Section B., above). It is therefore consistent with Policy 19.0.

CONCLUSION

Based on the findings in this report, staff concludes that this proposed plan amendment (AF-20 to EFC) will not "significantly affect" a transportation facility as defined in OAR 660, Division 12. Under the proposed EFC plan designation, the number of potential new trips from future development can be accommodated on the surrounding transportation network with no degradation in system performance. The proposal is also consistent with all of the applicable Washington County's 2020 Transportation Plan policies as discussed in Section C. of this report.

SUMMARY OF DECISION

Norman D. and Vicki A. Ballou applied to Washington County for a plan amendment to change the plan designation for four tax lots totaling 78.05 acres described as tax lots 1200, 1202, 1203, and 1204 on tax map 2N3, Section 20 from Agriculture & Forest – 20 Acre (AF-20) District to Exclusive Forest Conservation (EFC) District.

At its meeting on April 21, 2010, the Washington County Planning Commission unanimously agreed to forward a recommendation of approval to the Board of County Commissioners. On May 18, 2010, the Board heard this matter and approved the plan amendment request, subject to the following conditions:

1. Any additional amount over and above the fee deposit submitted with this application which is determined to be owed to the County shall be paid upon receipt of a statement of balance due, consistent with the agreement for payment of fees for quasi-judicial plan amendment application processing previously signed by the owner. No subsequent land use applications shall be accepted prior to payment of any balances.
2. The requirements of the Community Development Code will apply to specific development applications on each parcel. Other applicable regulations will also apply, including requirements for wells and septic systems.

WASHINGTON COUNTY - DLUT
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155 North First Avenue
Hillsboro, OR 97124-3072

Attn: Plan Amendment Specialist
Dept. of Land Conservation & Development
635 Capitol Street NE, Suite 150
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