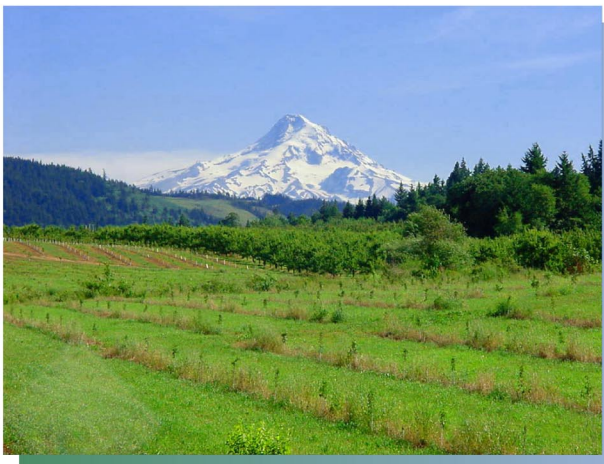


# Oak Grove Community Plan



**Adopted  
June 6, 2005**



prepared by  
Cogan Owens Cogan

# **OAK GROVE COMMUNITY PLAN**

**ADOPTED JUNE 6, 2005**

**EFFECTIVE JULY 7, 2005**

*Prepared for*

**Hood River County**

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*This project was funded by a grant from  
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**CHAPTER I. BACKGROUND**

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**A. LOCATION AND COMMUNITY DESCRIPTION**

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The Oak Grove community is located in Hood River County, Oregon, approximately four miles southwest of the Hood River city limits. The center of the community is at the intersection of Portland Drive, Country Club Road, Reed Road, and Binns Hill Drive. Most of Oak Grove's residents live there year-round.

Like the rest of Hood River County, the local economy in and around Oak Grove is primarily based in agriculture, particularly fruit growing. Orchards surround Oak Grove on all sides, but there are none within the boundaries of the Oak Grove Rural Unincorporated Community (UC). There are no existing commercial businesses in Oak Grove and the old Oak Grove Market building is vacant. The community has one industrial business, the Luhr Jensen smoke house facility. The community includes the Oak Grove County Park, the former Oak Grove School building, and several residences. The Oak Grove Water Company provides water service. There is no sewer service, and soils in the area are marginal in terms of absorption rates and ability to accommodate septic waste.

The state Unincorporated Communities Rule (OAR 660-022) requires counties to adopt land use and zoning measures specific to unincorporated communities in order to ensure that cumulative development in the communities will not:

- Result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations, or
- Exceed the carrying capacity of the soil or of existing water supply resources and sewer services.

The Unincorporated Communities Rule limits the types of land that can be included in an officially designated Unincorporated Community. Lands identified as "exception areas" (i.e. rural lands that are zoned for commercial, industrial or residential use, not farm or forest use) can be included if they have historically been considered part of the community. The land included must represent a "contiguous concentration" of commercial, industrial, public use, or residential land. Residential land to be included must be of a greater density than residential exception lands that are outside of identified Unincorporated Communities.

Land zoned for farm or forest use may only be included in the Unincorporated Community if it is adjacent to exception lands included in the community boundary and was occupied on October 28, 1994 (the date of the Unincorporated Community Rule) by one or more of the following public uses -- church, cemetery, school, park, playground, community center, fire station, museum, golf course, or utility facility. In this case, only the portion of the lot or parcel that is occupied by the public use(s) is included in the UC boundary; the property must continue to be planned and zoned as farm or forestland.

The Oak Grove Unincorporated Community is consistent with these requirements. The UC boundary encircles a contiguous area of "exception land," as all of the properties within the boundary are zoned Rural Center (RC).<sup>1</sup> The proposed boundary does not necessarily include

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<sup>1</sup> The zoning described in this paragraph is that which was in place at the time this plan was developed.

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specific parcels requested for inclusion by individual property owners during public meetings or as part of other public comments provided to the County. However, it is consistent with overall community survey and public outreach results.

## **B. PROJECT HISTORY**

In December 1994, the State of Oregon's Land Conservation Development Commission (LCDC) adopted Oregon Administrative Rule (OAR) Chapter 660, Division 22, or the Unincorporated Communities Rule ("the UCR"). The UCR provides a framework for counties to use in identifying and designating unincorporated communities outside established Urban Growth Boundaries, and establishes planning rules for unincorporated communities pertaining to development standards, allowed land uses and public facilities.

Hood River County initiated a project in August 2002 to plan for the rural communities of Odell and Parkdale in accordance with the UCR. The project was partially funded by the State's Department of Land Conservation and Development (DLCD) as part of a periodic review grant. The County's periodic review process has been ongoing since 1995.

The County selected a consultant team led by Cogan Owens Cogan, LLC, to lead the unincorporated communities planning efforts for the communities of Odell and Parkdale. This planning effort resulted in Unincorporated Community Plans for the two communities, along with amendments to the County's Comprehensive Plan, Policy Document, and Zoning Ordinance, which are expected to be adopted by the County in spring or summer 2005.

In November 2003, the County selected Windmaster Corner as the third community to undergo an unincorporated community planning process. Windmaster Corner was selected in large part because the community had a history of failing septic systems, and the County wished to extend sewer service to the area. However, local voters did not approve measures to establish and fund a Sewer District to address the health hazard during the November 2004 election. Work on the Windmaster Corner Unincorporated Community Plan began in February 2004, and the final draft was completed in November 2004. Adoption of the Plan is expected in early 2005.

The County began work on Unincorporated Community Plans for Oak Grove, Rockford, and Pine Grove/ Van Horn in June 2004. After conducting initial research, the County determined that the Pine Grove/ Van Horn community does not meet the state's requirements for an Unincorporated Community designation. Final Unincorporated Community Plans for Oak Grove and Rockford were completed in spring, 2005.

The consultant team had the primary responsibility for reviewing and evaluating information on existing land uses and public facilities, drafting a community questionnaire, preparing draft zoning ordinance amendments and accompanying maps, with assistance from County GIS and Planning staff. The consultant team's responsibilities related to the public involvement process included drafting meeting agendas and informational materials, facilitating community meetings, preparing summaries of the meeting results, and assisting County staff in responding to inquiries from residents and property owners.

County staff was responsible for providing existing land use and public facility information to the consultants, distributing community questionnaires, identifying venues for public meetings, notifying residents and property owners about the public meetings and proposed zoning

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changes, providing assistance at the public meetings, responding to inquiries from residents and property owners, and preparing GIS maps.

## **C. PLAN PROCESS**

Work on this project began in June 2004. The County and its consultants engaged in the following activities between the project start date and December 2004, leading to the development of the first draft of the Oak Grove Unincorporated Community Plan.

- ◆ Identified preliminary community boundary options based upon UCR rules, discussion with county staff, and public comment.
- ◆ Obtained and analyzed planning data related to existing land uses (including building sizes), access to and capacity of public services, parcel size and location, current plan and zone designations, and development constraints.
- ◆ Reviewed existing zoning designations within the proposed community boundaries and compared these to the requirements from the UCR.
- ◆ Modified the County's Rural Center zoning designation to make it consistent with state rules when applied in the Rural Unincorporated Communities of Oak Grove and Rockford.
- ◆ Analyzed current development and anticipated future buildout as compared to available and planned public facilities capacity. Identified public facility improvements planned or needed to serve anticipated buildout, cost of said improvements, and anticipated sources of needed funding.

In addition to the above activities, the County and its consultants engaged in an extensive public process to involve residents and landowners in the unincorporated community planning effort, including two public meetings.

The first meeting took place on September 16, 2004, in the Hood River Valley High School cafeteria, located approximately three miles northeast of Oak Grove. The purpose of the meeting was to provide an overview of the project background and purpose, and to discuss options for UC boundaries and zoning designations in Oak Grove, Rockford, and Pine Grove/Van Horn. The meeting also was intended to solicit public comments and answer questions from property owners and residents. Approximately 50 residents attended.

Community surveys were compiled and distributed by the County in October 2004. The surveys asked Oak Grove residents their opinions on community character and the types of residential zoning densities and land use and zoning that they would like to see in their community. The surveys also allowed respondents to write in any additional comments or suggestions that they had about the project. The results of the community survey are available in Appendix C.

Approximately 55 – 60 residents attended the second public meeting, which was held on November 16, 2004, at the Rockford Grange on Barrett Drive. In this second meeting, the County's consultants presented an overview of the project and presented recommendations regarding a preliminary community boundary and proposed changes to county zoning ordinances for the area. The consultants then solicited and responded to questions and

comments from meeting participants. The results were considered and incorporated in the planning process.

Summaries of the two public meetings, as well other written comments related to the Oak Grove planning process, are included in Appendix D. Future land use decisions will be reviewed and approved by the Planning Director and/or Planning Commission through a public process. Citizens and property owners in Oak Grove will be notified of such decision-making processes and have opportunities to comment through public hearings and other processes.

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## CHAPTER II. LAND USE PLANNING

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### A. LAND USE AND ZONING

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The Oak Grove Rural Unincorporated Community includes 12 tax lots<sup>2</sup>, all zoned Rural Center (RC).

**Table 1. Tax Lots, Size, and Number of Existing and Potential Dwellings for Parcels in the Oak Grove Unincorporated Community**

| TAX LOTS | AVERAGE SIZE | TOTAL<br>(LEGAL ACRES) | EXISTING<br>DWELLINGS | POTENTIAL<br>TOTAL<br>DWELLINGS |
|----------|--------------|------------------------|-----------------------|---------------------------------|
| 12       | 0.97 acres   | 11.64                  | 8                     | 16                              |

There are currently eight dwelling units within the UC boundary, including the former Oak Grove School building (which is used for residential purposes), plus one parcel occupied by a vacant shed or barn. Each of these nine residential parcels is less than one acre in size. Six of the parcels are at or below 0.5 acres, the minimum lot size previously allowed in the RC zone.

Changes to the RC zoning district, adopted concurrent with this Plan, have instituted a one-acre minimum lot size in the RC zone.<sup>3</sup> As none of the residential parcels are larger than two acres there is no potential for them to subdivide and create additional residences.

The former Oak Grove Market is now vacant, and there are no parcels currently in commercial use. The Luhr Jensen smokehouse facility is the only industrial use in the community. At 4.44 acres it is the largest tax lot within the Oak Grove UC boundary. The remaining parcel in the boundary is the Oak Grove County Park, owned by Hood River County.

Any of these three non-residential parcels could be converted to residential use with a Conditional Use Permit, which requires approval from the County Planning Director. The County-owned park is large enough to accommodate two residences under the new RC zone, although it is highly unlikely that the park would be converted to any other use. Converting the two other parcels to residential use could add up to five new dwelling units, as the Luhr Jensen parcel is large enough to be divided into four lots given the one-acre minimum lot size of the revised RC zone, and the Oak Grove Market site could potentially accommodate a dwelling. The parcel occupied by the vacant barn could also be converted to a residence. Similarly, the areas zoned RC that are currently in residential use could be converted to commercial use with approval of a Conditional Use Permit.

Therefore, the “maximum build-out” for the Unincorporated Community is 16 dwellings, assuming that all residential parcels retain their current use and all other parcels are converted to residential use, or fourteen dwellings if all properties other than the County Park are converted to residential use.

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<sup>2</sup> For the purpose of this study, tax lots are treated and referred to as “parcels”.

<sup>3</sup> At the time the Plan was prepared, the RC Zone allowed for a half acre minimum lot size.



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Given the limited size and amount of developable land in Oak Grove, no population projection analysis was performed for this community.

## **B. CHANGES TO ZONING AND DEVELOPMENT REQUIREMENTS**

The Unincorporated Community rule sets restrictions on the size and type of commercial uses that counties may allow in unincorporated communities. Specifically, the rule allows new commercial uses that are:

- Authorized under Goals 3 (Agricultural Lands) or 4 (Forest Lands);
- Considered “small-scale” and “low impact;” or
- Intended to serve the community and surrounding rural area or the travel needs of people passing through the area.

In rural unincorporated communities, a commercial use is considered “small-scale, low-impact” if it takes place “in a building or buildings not exceeding 4,000 square feet of floor space.”

Additionally, hotels and motels of up to 35 units may be authorized in any unincorporated community that is at least 10 miles from any urban growth boundary bordering Interstate Highway 5 and is served by a community sewer system. Hotels and motels are not allowed in Oak Grove, but could be allowed in the future if a community sewer system is constructed.

Hood River County’s existing commercial zoning ordinances as of the year 2002 did not satisfy all of the zoning and development requirements for unincorporated communities found in OAR 660-022. To comply with these requirements the County and its consultants created new commercial zones specifically for use in unincorporated communities. Separate zones were created for urban unincorporated communities and other rural unincorporated communities to account for the differences in the applicable state regulations. In Oak Grove, rather than apply these new commercial and industrial zones, the County has decided to modify its Rural Center (RC) zone, consistent with state requirements. This decision was based in large part on public input during the planning process.

Previous to the adoption of this plan, the County’s Rural Center (RC) zone had a ½ acre minimum lot size wherever the zone was applied. The unincorporated community planning process for Oak Grove and Rockford required the County to assess the capability of the soils in those areas to handle the increased septic loads that would result from any new development in those communities. The County Health Department judged the soils in those communities to be marginal, and incapable of handling much of an increased septic load. Therefore, the RC zone has been amended to require a one-acre minimum lot size for new development in Oak Grove and Rockford. The one-acre minimum is contingent upon a successful site evaluation and septic system review by the County Environmental Health Department. Lot sizes of larger than one acre may be required if the site evaluation determines that a one-acre lot size would endanger local water quality. Only three parcels, including the Luhr Jensen property and the County Park, are affected by this change.

The County recently adopted “shadow platting” amendments to the Subdivision Ordinance, under Chapter 4 – Major Partitions, as part of the process of adopting its Transportation System Plan (TSP) and associated ordinance amendments in July 2003. These amendments require applicants for major partitions to allow for the future development of all other parcels that could

be created through further partitions of the original property as allowed under the existing zoning. In addition to the existing preliminary plat requirements for a major partition, these amendments require the applicant to draw a plan for the property as it would look if partitioned to the fullest extent allowed under the existing zoning. This plan would indicate all future lot patterns, utility line locations and easements, and would include a Future Street Plan illustrating how proposed future roadways on the property would align with existing and planned roadways adjacent to the property, including those identified on previously recorded tentative plans or Future Street Plans. The applicant would also have to identify how proposed utilities align with existing or planned public utilities on adjacent properties.

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## **CHAPTER III. PUBLIC FACILITIES**

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The state's rules for unincorporated community planning are found in Chapter 660, Division 22, of the Oregon Administrative Rules (OAR 660-022). OAR 660-022-0050 requires unincorporated community plans to assess the capacity of the local public facility infrastructure (i.e. sewer system or septic conditions, water, and transportation systems), and determine if they will be adequate to serve future growth anticipated or planned in the unincorporated community. If the public facilities are found to be inadequate to serve future growth, then the unincorporated plan must identify the improvements needed to accommodate the growth and establish a procedure to limit growth in the community until the necessary public facility improvements have been made.

### **A. SEPTIC CONDITIONS**

The Oak Grove area is not served by a community sewer district or system. All wastewater treatment in the area is accomplished through septic or on-site systems. According to County Health Department and Public Works Department officials, soils in the area are somewhat marginal in terms of absorption rates and ability to accommodate septic waste. Surface water issues related to a creek in the area contribute to overall septic absorption capacity.

There have been some previous septic failure issues associated with the old school located at the corner of Binn's Hill and Reed roads and the Luhr Jensen smokehouse facility, though these problems have been remedied. Public health could be compromised if new growth in the community leads to additional septic waste without some form of secondary treatment such as a sand filter or alternative treatment technology. Therefore, a minimum residential lot size of at least one acre is needed to address septic system requirements in this area. Minimum lot sizes could be larger for non-residential uses.

### **B. WATER SYSTEM**

The Oak Grove Water Company serves all developed properties in Oak Grove, including the now-vacant Oak Grove Market. The company has added service for only three new houses in the past 20 years, and is not obligated to serve all homes or businesses within its service area. It has allocated nearly its full existing water right to its existing customers but has the capacity to serve two to three additional residential customers, unless there is a decrease in usage among existing customers.

Oak Grove Water Company has a 100,000-gallon storage facility on Binn's Hill Road, about a mile west of the Oak Grove Market. The Ice Fountain Water District has a large storage reservoir located approximately two miles east of Oak Grove, and a water line running through the Oak Grove area. Ice Fountain has an excess capacity of approximately 550,000 gallons per day, which far exceeds the anticipated future growth within its service area. Thus, it is capable of serving any future development within the Oak Grove Unincorporated Community that would exceed the capacity of the Oak Grove Water Company.

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If Oak Grove should decide to discontinue service in this area, Ice Fountain potentially could serve existing and future development through the construction of a new water line to connect the existing Ice Fountain and Oak Grove storage facilities. An eight-inch line linking the two facilities would provide ample capacity to serve existing and new development in the Oak Grove area. In addition, it may be possible to serve properties with wells. While it is conceivable that Ice Fountain could absorb the Oak Grove Water Company in the future, this may not be feasible in the short term, as current area residents may not want to change water companies.<sup>4</sup>

## **C. TRANSPORTATION SYSTEM**

According to the County's Transportation System Plan (TSP) and information provided by the County Public Works Department, roads in the area are adequate to accommodate existing and future traffic levels. Roads and intersections have ample capacity to handle the amount of traffic that could result from projected buildout conditions. No needed future road or intersection capacity improvements were identified in this area in the TSP. Growth rates assumed in the TSP are consistent with potential buildout conditions for the area.

Given the limited amount of redevelopable land in the area, few improvements to existing roads or new local streets would be constructed in the future, with the exception of new access roads/driveways within the Luhr Jensen property if it is subdivided.

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<sup>4</sup> Alan Yenne, General Manager, Oak Grove Water Company. Personal Communication. August 12, 2004.

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**APPENDIX A. RURAL UNINCORPORATED COMMUNITY ZONES**

This Appendix includes the following new or updated Zoning Ordinance provisions:

- Article 22. Rural Center Zone (RC)
- Article 25. Rural Unincorporated Community Commercial Zone (RUC-1)

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**ARTICLE 22 – RURAL CENTER ZONE (RC)**

(Adopted June 6, 2005; effective July 7, 2005)

**Section 22.10 - Purpose and Intent**

This zone is intended to maintain rural communities as rural service centers. Uses will provide limited housing, business, cultural, and governmental services to the surrounding area without creating land use or traffic conflicts.

**Section 22.15 - Permitted Uses**

- A. In a Rural Center Zone, pre-existing commercial and residential uses shall be considered conforming uses. If an existing business or dwelling wishes to enlarge, it may do so without being subject to a Conditional Use Permit, with the following size limitations:
1. A limitation of 3,000 square feet of total building area shall apply to all non-farm buildings outside the unincorporated communities of Oak Grove and Rockford.
  2. A limitation of 4,000 square feet of total building area shall apply for commercial uses within the unincorporated communities of Oak Grove and Rockford. A limitation of 3,000 square feet of total building area shall apply to non-farm and non-commercial buildings within the unincorporated communities of Oak Grove and Rockford. The total amount of building space for commercial and non-commercial non-farm uses shall not exceed 4,000 square feet.
- B. Pursuant to compliance with the Farm Stand Development Standards listed below, Farm Stands are permitted uses in the Rural Center Zone. (See Article 3, Farm Stand Definition.)
1. Adequate off-street parking will be provided pursuant to provisions of the County Off-Street Parking and Loading Ordinance.
  2. All vehicle maneuvering will be conducted on site. No vehicle backing or maneuvering shall occur within adjacent roads, streets, or highways.
  3. No building or parking will be allowed within the right-of-way.
  4. All egress and access points shall be clearly marked.
  5. Vision clearance at all street intersections shall be 35'.
  6. Signs are not permitted within the right-of-way, unless approved by either the County Public Works Department or the State Highway Division. Approval is also required from the County Public Works Department regarding adequate egress and access
  7. Off-premise signs to be approved by affected property owner.
  8. Outside lighting shall be hooded and directed away from adjacent lands in residential or farm use and adjacent roads, highways, etc.
  9. Only four (4) signs are permitted. They shall be located in such a manner as to protect the public's health, safety and welfare.

10. Compliance with the County Sanitarian or Department of Agriculture requirements.
11. Obtain an approved County building permit, if necessary, or County Building Official approval.
12. Compliance with the dimensional standards of the Rural Center Zone.

#### **Section 22.20 - Conditional Uses Permitted**

- A. Any change in use of a pre-existing structure shall be subject to a Conditional Use Permit. Such permit shall be granted by the Planning Director if the conditions outlined in Sections 22.25 and 22.30 are met.
- B. In the unincorporated communities of Oak Grove and Rockford, the uses permitted outright or conditionally in the RUC-1 Zone may be applied for as a conditional use, with the exception that hotels and motels are not allowed in the unincorporated communities of Oak Grove and Rockford.

#### **Section 22.25 - Conditional Use Criteria**

The Planning Director may grant a Conditional Use Permit for uses described in Section 22.20 if each of the below criteria is met, as determined by the Director:

- A. The use will primarily serve the rural population in the immediate surrounding area. This criteria is not applicable within the unincorporated communities of Oak Grove and Rockford.
- B. The use will not discharge smoke, fumes, noise, sewage or other nuisances beyond the property on which it is located. Discharges solely attributed to highway vehicle traffic are excluded. The use shall comply with all Limitations of Use and Dimensional Standards applicable to this zone.

#### **Section 22.30 - Limitations of Use**

In a Rural Center Zone, the following conditions shall apply:

- A. Use Standards:
  1. All non-farm commercial uses and operations in a Rural Center Zone shall be predominantly retail or service establishments serving the rural population of the immediate surrounding area. This criterion is not applicable to the unincorporated communities of Oak Grove and Rockford.
  2. All non-residential, non-farm uses on property abutting or facing a residential or farm zone shall be conducted wholly within an enclosed building unless screened from the residential or farm zone by a site-obscuring fence or planting permanently maintained at least six feet in height or a character in keeping with residential development. Screening shall allow for vision clearance at driveways. Screening shall be located outside of public right-of-way.

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3. Openings to structure on sides adjacent to or across a street from a residential or farm zone shall be prohibited if such access or openings will cause glare, excessive noise or other adverse effects on residential or farm properties.
  4. Any non-farm use and operations, which cause nuisance due to unsightliness, odor, dust, smoke, noise, glare, heat, vibration, or other similar causes, shall be prohibited. In addition, light from a sign shall be directed away from a lot in a farm or residential zone.
- B. Lighting: All exterior lighting shall be hooded and directed away from adjoining zones.
- C. Parking:
1. Site plan submitted with an application for a land use permit must include a parking plan which shows the location and number of parking spaces, circulation patterns and ingress and egress provisions, consistent with the provisions of Article 51 ("Off Street Parking and Loading") of the County Zoning Ordinance.
  2. A change of use requiring a conditional use permit shall follow the Zoning Ordinance for required number of parking spaces.
  3. Adequate provisions for safe and convenient circulation, ingress, and egress shall be provided, as determined by the Planning Director.
- D. Signs: In a Rural Center Zone, all new signs must meet the following conditions:
1. Any exterior sign displayed shall pertain only to the use conducted within the building.
  2. In no case shall any sign extend above the roofline of the building.

### **Section 22.50 - Dimensional Standards**

A. Setback Requirements:

1. No building shall be closer to a lot in a residential or farm zone than a distance equal to the height of the building, or twenty feet, whichever is greater.
2. If the parcel is surrounded by Rural Center Zoning, no building shall be closer to a lot in residential or farm use than a distance equal to the height of the building, or twenty feet, whichever is greater.
3. No building shall be constructed closer to the centerline of a road than fifty feet.
4. Vision clearance setbacks from all road intersections shall be thirty-five feet.

B. Maximum Floor Area:

1. In the unincorporated communities of Oak Grove and Rockford, the maximum floor area for commercial buildings shall be 4,000 square feet.



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2. In the unincorporated communities of Oak Grove and Rockford, the maximum floor area of a non-commercial main building and its accessory buildings exclusive of off-street parking, shall not exceed three thousand (3,000) square feet except uses allowed either outright or conditionally in an Exclusive Farm Use Zone, which may be larger.
  3. Outside the unincorporated communities of Oak Grove and Rockford, the maximum floor area of a main building and its accessory buildings exclusive of off-street parking, shall not exceed three thousand (3,000) square feet except uses allowed either outright or conditionally in an Exclusive Farm Use Zone, which may be larger.

C. Height Maximum:

Height maximum shall be two and one half stories or thirty-five feet, whichever is higher, excluding antennas, chimneys or windmills.

D. Minimum Lot Size:

1. Outside the Oak Grove and Rockford Unincorporated Communities, the minimum lot size shall be one-half acre.
2. Within the Oak Grove and Rockford Unincorporated Communities the minimum lot size shall be one acre. A successful site evaluation and septic system review by the County Environmental Health Department will be required for new commercial uses in these communities. Lot sizes of larger than one acre may be required if the site evaluation determines that a one-acre lot size would endanger local water quality.

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**ARTICLE 25 – RURAL UNINCORPORATED COMMUNITY COMMERCIAL ZONE**  
**(RUC-1)**

(Adopted June 6, 2005; effective July 7, 2005.)

**Section 25.05 – Purpose and Intent**

This section is adopted to implement the policies of the Comprehensive Plan for rural unincorporated communities. These provisions accommodate local shopping needs, recognize and protect the historic character of rural centers and rural communities while preserving and protecting the agricultural or forestry character of the surrounding areas.

**Section 25.10 - Uses Permitted Outright**

In a RUC-1 zone, the following uses and their accessory uses are permitted outright:

- A. Retail trade establishment.
- B. Commercial and professional service establishments unless otherwise listed.
- C. Single family, two family, or multi-family dwellings.
- D. A mobile home for agricultural purposes, security personnel, and as a temporary use while constructing a dwelling for a period not exceeding two years. Applicable provisions in Article 16 shall apply.
- E. Motels and hotels, up to 35 units, if served by a community sewer system.
- F. Service and retail uses serving the farm and forest industries, including but not limited to feed stores, logging equipment sales and service, and farm implement dealers, unless otherwise listed.
- G. Airport
- H. Cemetery including mausoleum, crematorium, columbarium
- I. Church
- J. Community club building
- K. Public building or use such as a park or fire station
- L. School – nursery, primary, elementary, high
- M. Home occupation
- N. Health services

- O. Funeral service and crematories
- P. Eating and drinking places
- Q. General merchandise
- R. Grocery Stores
- S. Automobile repair and services
- T. Second hand stores

### **Section 25.20 - Conditional Uses Permitted**

In the RUC-1 Zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Article 60:

- A. Animal hospital.
- B. Trailer park. Mobile home parks shall comply with applicable provisions in Article 16.
- C. Mobile homes for a dependent relative (temporary use) shall comply with provisions in Article 16, Section 16.25.

### **Section 25.30 - Limitations on Use**

In a RUC-1 zone, the following conditions shall apply:

- A. All business, service, repair, processing, storage, and merchandise display on property abutting or facing a residential or farm zone shall be conducted wholly within an enclosed building unless screened from the residential or farm zone by a site-obscuring fence or planting permanently maintained at least six feet in height or a character in keeping with residential development. Screening shall allow for vision clearance at driveways. Screening shall be located outside of public right-of-way.
- B. Openings to structure on sides adjacent to or across a street from a residential or farm zone shall be prohibited if such access or openings will cause glare, excessive noise or other adverse effects on residential or farm properties.
- C. Light from a sign shall be directed away from a lot in a farm or residential zone.
- D. Dwellings shall comply with the lot size, setbacks, height and lot coverage requirements of an R-2 zone.

### **Section 25.35 – Building Size**

- A. Existing Buildings. Uses listed in Section 25.10 and 25.20 may be established in buildings of any size that existed on October 28, 1994. Commercial uses that existed on

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October 28, 1994 shall be deemed to comply with this section (i.e., not nonconforming on the basis of size) regardless of building size.

- B. Expansion of existing buildings. Buildings in the RUC-1 zone that existed on October 28, 1994 may be expanded as follows:
1. For uses listed in Section 25.10, after expansion no use shall occupy a building or buildings exceeding 4,000 square feet of floor space, or up to 20% greater than their original size, whichever is greater, except as identified in lines 2. and 3. below. Only one expansion of an existing use will be allowed if the resulting total area exceeds 4,000 sq. ft of floor space.
  2. For uses listed in Sections 25.20 and 25.10 C. through O., no building size limitation applies in the Parkdale and Windmaster Corner Unincorporated Communities.
  3. For uses listed in Section 25.10 Q. through T., a maximum size limitation of 8,000 sq. ft. of floor space, or up to 20% greater than their original size, whichever is greater, applies in the Parkdale Unincorporated Community, based on findings in the County Comprehensive Plan that these uses typically serve the community and the surrounding rural area or the travel needs of people passing through the area. If the expansion results in a total building area greater than 8,000 sq. ft. of floor space, no further expansion will be allowed.
  4. For uses listed in Section 25.10 R. and S., a maximum size limitation of 8,000 sq. ft. of floor space, or up to 20% greater than their original size, whichever is greater, applies in the Windmaster Corner Unincorporated Community, based on findings in the County Comprehensive Plan that these uses typically serve the community and the surrounding rural area or the travel needs of people passing through the area. If the expansion results in a total building area greater than 8,000 sq. ft. of floor space, no further expansion will be allowed.
- C. New Buildings. Any new building constructed in the RUC-1 zone shall comply with the following standards.
1. For uses listed in Section 25.10, no use shall occupy a building or buildings exceeding 4,000 square feet except as identified in lines 2. and 3. below.
  2. For uses listed in Sections 25.20 and 25.10 C. through O., no building size limitation applies in the Parkdale and Windmaster Corner Unincorporated Communities.
  3. For uses listed in Section 25.10 S. through T., a maximum size limitation of 8,000 sq. ft. of floor space applies in the Parkdale Unincorporated Community based on findings in the County Comprehensive Plan that these uses typically serve the community and the surrounding rural area or the travel needs of people passing through the area.

**Section 25.40 - Lot Coverage Requirements**

In the RUC-1 zone, buildings, except covered parking and loading areas, shall not cover more than 50 percent of the lot area.

**Section 25.50 - Setback Requirements**

In the RUC-1 zone, setbacks shall be as follows:

- A. No building shall be closer to a lot in a residential or farm zone than a distance equal to the height of the building, or 20 feet, whichever is greater.
- B. No building shall be constructed closer to the centerline of a street than 50 feet.
- C. Vision clearance setbacks from all street intersections shall be 35 feet.

**Section 25.60 – Site Design Standards<sup>1</sup>**

At the time of new development, or change of use, the applicant shall demonstrate:

- A. Site access will not cause dangerous intersections or traffic congestion. They will have adequate visibility for motorists and pedestrians and will be kept at the minimum needed for safe ingress and egress. Roadway capacity, speed limits and number of turning movements shall all be considered.
- B. The storm drainage or natural drainage system will handle the increased runoff created by the new development.
- C. No new building site shall be located within the 100-year floodplain without a floodplain permit.

**Section 25.65 – Street Design Standards**

- A. The following street design standards shall apply to new streets built within this zone for new developments with a proposed or potential average lot size of one-half acre or less:

| ROW     | Roadway              | Travel lanes | Center lane          | Bike Lanes | Parking              | Planting strip | Sidewalk  | Utility easement* |
|---------|----------------------|--------------|----------------------|------------|----------------------|----------------|-----------|-------------------|
| 60'-70' | 30'-42' <sup>1</sup> | Two 11'      | 12' min., if needed. | None       | 8' one or both sides | See note 2     | Two 6'-8' | One or two 5'-10' |

- 1. 42' with center turn lane
- 2. 4'- 6' wide planting strip, or tree wells with 8 foot sidewalk
- \* = Optional

Standards are illustrated in diagrams in the County TSP and Road Design Standards document.

<sup>1</sup> Locational Criteria are listed in the County Policy Document under Goal 9 - Economy of the State.

B. The following street design standards shall apply to new streets built within this zone for new developments with a proposed or potential average lot size of more than one-half acre:

| ROW     | Roadway  | Travel lanes | Center lane | Shoulder | Parking              | Planting strip | Sidewalk | Utility easement* | Other/ Comments  |
|---------|----------|--------------|-------------|----------|----------------------|----------------|----------|-------------------|--|
| 60'-68' | 32'- 40' | Two 12'      | None        | None     | 8' one or both sides | None           | None     | One or two 5'-10' | 2' gravel shoulder both sides; 12' ditch one or both sides |

\* = Optional

Standards are illustrated in diagrams in the County TSP and Road Design Standards document.

**Section 25.70 – Access Management**

Access management guidelines are addressed in Article 19 (Access Management Standards) of the Hood River County Zoning Ordinance.

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**APPENDIX B. FINDINGS FOR CONFORMANCE TO OAR 660-022**

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**Summary**

This appendix provides findings to support zoning and comprehensive plan amendments to show compliance with OAR Chapter 660, Division 22, the Unincorporated Communities Rule.

**OAR 660-022-0010 Definitions**

- (7) "Rural Community" is an unincorporated community which consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area.

***Finding:*** *The unincorporated community of Oak Grove includes a county park, an industrial use (Luhr Jensen meat smoking equipment plant), a vacant commercial building, a former school building, seven residences, and one undeveloped lot.*

- (9) "Urban Unincorporated Community" is an unincorporated community which has the following characteristics:
- (a) Include at least 150 permanent residential dwellings units;
  - (b) Contains a mixture of land uses, including three or more public, commercial or industrial land uses;
  - (c) Includes areas served by a community sewer system; and
  - (d) Includes areas served by a community water system.

***Finding:*** *The unincorporated community of Oak Grove includes fewer than 150 dwelling units.*

- (10) "Unincorporated Community" means a settlement with all of the following characteristics:

- (a) It is made up primarily of lands subject to an exception to Statewide Planning Goal 3, Goal 4 or both;

***Finding:*** *The Oak Grove community is composed solely of state exception lands as described below in the findings for OAR 660-022-0020(3) and (4).*

- (b) It was either identified in a county's acknowledged comprehensive plan as a "rural community", "service center", "rural center", "resort community", or similar term before this division was adopted (October 28, 1994), or it is listed in the Department of Land Conservation and Development's January 30, 1997 "Survey of Oregon's Unincorporated Communities";

***Finding:*** *Oak Grove is listed in the Department of Land Conservation and Development (DLCD) January 30, 1997 "Survey of Oregon's Unincorporated Communities." It also is identified as a rural center in Hood River County' Comprehensive Plan map.*

- (c) It lies outside the urban growth boundary of any city;

**Finding:** *Oak Grove is not within a UGB.*

- (d) It is not incorporated as a city; and

**Finding:** *Oak Grove is not incorporated as a city.*

- (e) It met the definition of one of the four types of unincorporated communities in sections (6) through (9) of this rule, and included the uses described in those definitions, prior to the adoption of this division (October 28, 1994).

**Finding:** *Oak Grove satisfies the definition of Rural Community under OAR 660-022-0010(7) (see findings for subsection 7 above).*

**CONCLUSION: The Oak Grove community satisfies the rule definitions of unincorporated community and Rural Community.**

#### **660-022-0020 Designation of Community Areas**

- (1) Except as provided in OAR 660-022-0070, county comprehensive plans shall designate and identify unincorporated communities in accordance with the definitions in OAR 660-022-0010. Counties may amend these designations as circumstances change over time.

**Finding:** *Adoption of the Oak Grove Community Plan as part of the Hood River County Comprehensive Plan will designate and plan for Oak Grove as a rural unincorporated community in accordance with the rule.*

- (2) Counties shall establish boundaries of unincorporated communities in order to distinguish lands within the community from exception areas, resource lands and other rural lands. The boundaries of unincorporated communities shall be shown on the county comprehensive plan map at a scale sufficient to determine accurately which properties are included.

**Finding:** *The Oak Grove Community Plan Map includes a boundary that distinguishes the unincorporated community from surrounding exception areas, resource lands, and other rural land. The map shows the Community boundary at a scale that clearly indicates the properties that are included within the boundary.*

- (3) Only land meeting the following criteria may be included within an unincorporated community boundary:
- (a) Land which has been acknowledged as a Goal 3 or 4 exception area and historically considered to be part of the community provided the land only includes existing, contiguous concentrations of:
    - (A) Commercial, industrial, or public uses; and/or
    - (B) Dwelling units and associated residential lots at a greater density than exception lands outside rural communities.



- (b) Land planned and zoned for farm or forest use provided such land meets the criteria in section (4) of this rule.

**Finding:** *The land included within the Oak Grove unincorporated community boundary includes only Goal 3 or 4 exception areas that have historically been considered part of the community and consist of commercial, industrial, residential, or public uses. There are no other exception lands in close proximity to Oak Grove. However, with a minimum lot size of 0.5 acre prior to this plan, land within Oak Grove has historically been zoned and developed at a density significantly higher than surrounding EFU land.*

- (4) Community boundaries may include land that is designated for farm or forest use pursuant to Goals 3 and 4 if all the following criteria is met:
- (a) The land is contiguous to Goal 3 or 4 exception lands included in the community boundary;
  - (b) The land was occupied on the date of this division (October 28, 1994) by one or more of the following uses considered to be part of the community: Church, cemetery, school, park, playground, community center, fire station, museum, golf course, or utility facility;
  - (c) Only the portion of the lot or parcel that is occupied by the use(s) in subsection (b) of this section is included within the boundary; and
  - (d) The land remains planned and zoned under Goals 3 or 4.

**Finding:** *No properties zoned for farm or forest use are proposed to be included within the Oak Grove unincorporated community boundary.*

- (5) Site specific unincorporated community boundaries that are shown on an acknowledged plan map on October 28, 1994, are deemed to comply with subsections (2) and (3) of this rule unless the boundary includes land designated for farm or forest use that does not meet the criteria in section (4) of this rule.

**Finding:** *The 1984 Hood River County Comprehensive Plan does not include specific boundaries for unincorporated communities. However, all land within the proposed boundary is designated as a rural center in the 1984 Comprehensive Plan.*

- (6) Communities which meet the definitions in both OAR 660-022-0010(6) and (9) shall be classified and planned as either resort communities or urban unincorporated communities.

**Finding:** *Oak Grove does not satisfy the definition of a resort community in OAR 660-022-0010(6), so this subsection does not apply.*

**CONCLUSION: The Oak Grove Community Plan is part of the Hood River County Comprehensive Plan and meets all designation requirements under OAR 660-022-00200.**

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**660-022-0030 Planning and Zoning of Unincorporated Communities**

- (1) For rural communities, resort communities and urban unincorporated communities, counties shall adopt individual plan and zone designations reflecting the projected use for each property (e.g., residential, commercial, industrial, public) for all land in each community. Changes in plan or zone designation shall follow the requirements to the applicable post-acknowledgment provisions of ORS 197.610 through 197.625.

**Finding:** *All land within the Oak Grove Community Plan is proposed to continue to be zoned as rural center, with a new minimum lot size of 1.0 acre. The rural center zone allows residential and commercial development as a conforming use. It designates industrial uses as non-conforming uses but allows them to continue to operate. If they are vacant or not used for industrial purposes for more than one year, they cannot be used for industrial purposes after that time without a change in zoning. The Rural Center zoning requirements have been modified to conform with requirements of this OAR regarding commercial building size and residential density per water service and wastewater treatment conditions. These changes are described in more detail in findings for OAR sections 660-022-0030 (2) through (4) below.*

- (2) County plans and land use regulations may authorize any residential use and density in unincorporated communities, subject to the requirements of this division.

**Finding:** *The Oak Grove Community Plan and Map authorize single-family residential uses at a density of one unit per acre based on the ability of area soils to process septic waste. This density is lower than that allowed previous to the adoption of this plan.*

- (3) County plans and land use regulations may authorize only the following new industrial uses in unincorporated communities:
- (a) Uses authorized under Goals 3 and 4;
  - (b) Expansion of a use existing on the date of this rule;
  - (c) Small-scale, low impact uses;
  - (d) Uses that require proximity to rural resource, as defined in OAR 660-004-0022(3)(a);
  - (e) New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of this rule, or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage;
  - (f) New uses more intensive than those allowed under subsection (a) through (e) of this section, provided an analysis set forth in the comprehensive plan demonstrates, and land use regulations ensure:
    - (A) That such uses are necessary to provide employment that does not exceed the total projected work force within the community and the surrounding rural area;
    - (B) That such uses would not rely upon a work force served by uses within urban growth boundaries; and

- (C) That the determination of the work force of the community and surrounding rural area considers the total industrial and commercial employment in the community and is coordinated with employment projections for nearby urban growth boundaries.

**Finding:** *The Oak Grove Community Plan does not allow for any new industrial uses. It allows for the existing Luhr Jensen industrial facility as a non-conforming use. If this use changes or the plant is out of operation for a year or more, industrial use would not continue to be allowed with a change in zoning designation.*

- (4) County plans and land use regulations may authorize only the following new commercial uses in unincorporated communities:
- (a) Uses authorized under Goals 3 and 4;
  - (b) Small-scale, low impact uses;
  - (c) Uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area.

**Finding:** *The Rural Center designation to be applied by the Oak Grove Community Plan permits the uses identified in OAR 660-022-0030 (4). This zone includes a limit on building sizes consistent with the definition of small-scale, low impact uses (maximum 4,000 square feet of floor space) as defined by OAR 660-022-0030(10). No uses with larger allowed building size limits are identified in the proposed ordinance.*

- (5) County plans and land use regulations may authorize hotels and motels in unincorporated communities only if served by a community sewer system and only as provided in subsections (a) through (c) of this section:
- (a) Any number of new motel and hotel units may be allowed in resort communities;
  - (b) New motels and hotels up to 35 units may be allowed in an urban unincorporated community, rural service center, or rural community if the unincorporated community is at least 10 miles from the urban growth boundary of any city adjacent to Interstate Highway 5, regardless of its proximity to any other UBG;
  - (c) New motels and hotels up to 100 units may be allowed in any urban unincorporated community that is at least 10 mile from any urban growth boundary.

**Finding:** *The Rural Center Zone does not allow hotels or motels because Oak Grove is not served by a community sewer system.*

- (6) County plans and land use regulations shall ensure that new uses authorized within unincorporated communities do not adversely affect agricultural or forestry uses.

**Finding:** *Oak Grove is surrounded by Exclusive Farm Use land. The Oak Grove Community Plan and other County land use regulations and policies, including those in the Hood River County Policy Document and zoning ordinance, ensure that surrounding agricultural uses will not be affected. The county's Zoning Ordinance section for EFU land (Article 7) includes a number of provisions intended to protect agricultural land, including right-to-farm requirements,*

restrictions on uses on high-value farmland and buffering requirements. Furthermore, permitted uses in Oak Grove do not represent a change in existing development patterns or an extension of residential or other non-agricultural areas, as no substantial changes in zoning are proposed. There is very limited potential for new development (up to a total of nine new dwellings if all vacant or non-residential parcels, including the County Park, were redeveloped for residential use at their maximum density). Any such new development will adhere to the minimum setback standards included in the RC zone, which includes a minimum 20-foot setback.

- (7) County plans and land use regulations shall allow only those uses which are consistent with the identified function, capacity and level of service of transportation facilities serving the community, pursuant to OAR 660-012-0060(1)(a) through (c).

**Finding:** The land use regulations contained in the Oak Grove Community Plan and other applicable County planning documents are consistent with the function, capacity, and level of service identified for the transportation facilities serving Oak Grove in the Hood River County Transportation System Plan (TSP). The County's TSP was recently adopted in July 2003. The TSP did not indicate the need for any capacity or other system improvements in the Oak Grove area. Assumptions about future growth and development embedded in the TSP are consistent with the level of development that could occur in Oak Grove if it were built out based on proposed zoning for the community.

- (8) Zoning applied to lands within unincorporated communities shall ensure that the cumulative development:
- (A) Will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations; and
  - (B) Will not exceed the carrying capacity of the soil or of existing water supply resources and sewer services.

**Finding:** The community of Oak Grove is not within a health hazard area nor is it served by a community sewer system. Wastewater can only be treated through septic or other on-site treatment systems. Soils in the area are somewhat marginal for septic treatment. Some problems with septic service have been identified by the County Health Department but have since been remedied. Based on recommendations from the County Health Department, a minimum lot size of 1.0 acre has been established. As noted above, a very limited number of additional dwellings could be constructed within the Oak Grove community.

Based on the unincorporated community boundary proposed, Oak Grove could accommodate up to eight new dwellings on the following parcels:

- Vacant residential property. One potential new dwelling could be developed.
- Vacant Oak Grove Store. One potential new dwelling could be developed.
- County Park property. Conversion of this property to residential use could result in two dwellings. However, conversion to residential use is unlikely.
- Luhr Jensen property. Conversion to residential use could result in four new dwellings.

There are three potential options for providing water service to these properties.

- Use of Wells. Luhr Jensen currently uses wells for the bulk of its water usage. At least a portion of future potential residential use likely could be served with well water. The potential for use of well water to serve other properties in the area is not known.

- 
- *Service by Oak Grove Water Company (Oak Grove WC). Oak Grove WC currently serves the Oak Grove Store property and presumably could continue to serve it in the future. Oak Grove WC staff has indicated that they have the capacity to serve two or three new dwellings in the future. However, other Oak Grove WC representatives have indicated that the Oak Grove Water Company “is not interested in supplying domestic water to any new development” in Oak Grove.*
  - *Service by the Ice Fountain Water District (IFWD). Representatives of IFWD have indicated that IFWD has a large storage reservoir located approximately two miles east of Oak Grove, and a water line running through the Oak Grove area. Ice Fountain has an excess capacity of approximately 550,000 gallons per day, which far exceeds the anticipated future growth within its service area. Thus, it is capable of serving any future development within the Oak Grove Unincorporated Community that would exceed the capacity of the Oak Grove WC. One Oak Grove WC Board Member has indicated that Oak Grove is not interested in any new development being served by IFWD. However, staff for Oak Grove WC indicate that they have an informal agreement with IFWD that IFWD may serve development within Oak Grove’s service area if the Oak Grove WC does not have capacity to do so. In addition, the Hood River County Water Master indicates that IFWD may be able to serve the area within the Oak Grove WC service area per ORS 540.510(3)(a).*

*Based on all of this information, the County finds that properties zoned for potential future residential or other development within the Oak Grove Unincorporated Community Boundary, per their proposed zoning, would not exceed the carrying capacity of existing water supply resources, meeting the requirements of Oregon Administrative Rules for unincorporated Communities.*

*On the whole, the public facilities analysis concludes that minimum lot sizes proposed for the area are adequate to ensure that future buildout development can be served and will not contribute to a health hazard.*

- (9) County plans and land use regulations for lands within unincorporated communities shall be consistent with acknowledged metropolitan regional goals and objectives, applicable regional functional plans and regional framework plan components of metropolitan service districts.

***Finding:*** *This requirement is not applicable, because there is no metropolitan or regional plan in place in Hood River County.*

- (10) For purposes of this section, a small-scale, low-impact commercial use is one which takes place in an urban unincorporated community in a building or building not exceeding 8,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 4, 000 square feet of floor space.

***Finding:*** *The Rural Center Zone includes the 4,000 square foot size limit for small-scale, low-impact buildings in commercial use within rural unincorporated communities (See Appendix A of this Plan).*

- (11) For purposes of this section, a small-scale, low impact industrial use is one which takes place in an urban unincorporated community in a building or buildings not exceeding 60,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 40,000 square feet of floor space.

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**Finding:** *This requirement is not applicable because no new industrial uses will be allowed under the zoning designations proposed for Oak Grove.*

**CONCLUSION: The Oak Grove Community Plan is implemented through the revised Rural Center Zone. The application of this zone is consistent with the requirements of OAR 660-022-0030.**

### **660-022-0050 Community Public Facility Plans**

- (1) In coordination with special districts, counties shall adopt public facility plans meeting the requirements of OAR 660, Division 11, and include them in the comprehensive plan for unincorporated communities over 2,500 in population. A community public facility plan addressing sewer and water is required if the unincorporated community is designated as an urban unincorporated community under OAR 660-022-0010 and 660-022-0020. For all communities, a sewer and water community public facility plan is required if:
- (a) Existing sewer or water facilities are insufficient for current needs, or are projected to become insufficient due to physical conditions, financial circumstances or changing state or federal standards; or
  - (b) The plan for the unincorporated community provides for an amount, type or density of additional growth or infill that cannot be adequately served with individual water or sanitary systems or by existing community facilities and services; or
  - (c) The community relies on groundwater and is within a groundwater limited or groundwater critical area as identified by the Oregon Department of Water Resources; or
  - (d) Land in the community has been declared a health hazard, or has a history of failing septic systems or wells, or a community sewage or water system is projected to be needed by the next periodic review.

**Finding:** *Oak Grove is a rural unincorporated community with a population of less than 2,500. The community is served by the Oak Grove Water Company, and does not rely on groundwater, although new development could be forced to rely on groundwater, given that the Oak Grove Water Company is at capacity. No health hazard has been identified in the area. Therefore, this Unincorporated Community Plan is not required to include a sewer and water community public facility plan. However, an evaluation of public transportation, water and wastewater facilities has been conducted as part of this project as described previously.*

- (2) A community public facility plan shall include inventories, projected needs, policies and regulations for the water and sewerage facilities which are existing or needed to serve the unincorporated community, including:
- (a) An inventory of the condition and capacity of existing public facilities and services;

**Finding:** *While not formally required, the draft Community Plan includes an inventory of the condition and capacity of public facilities and services.*

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*The descriptions of these public facilities are found on pages 8-9 of the Oak Grove Unincorporated Community Plan.*

- (b) An assessment of the level of facilities and services needed to adequately serve the planned buildout within the community area boundary; and

**Finding:** *This Plan includes an assessment of the level of water, sewer, and transportation services necessary to adequately serve the planned buildout, at proposed zoning, within the Oak Grove Unincorporated Community. This evaluation is found on pages 8-9 of the Oak Grove Unincorporated Community Plan.*

- (c) Coordination agreements consistent with ORS Chapter 195.

**Finding:** *This subsection is not applicable because no community public facilities plan is required.*

- (3) If existing community facilities and services are not currently adequate to serve the development allowed in the plan and zoning ordinance, the community public facility plan shall contain either:
  - (a) Development restrictions to ensure development will not exceed the capacity of the land to absorb waste and provide potable water and will not exceed the capacity of public facilities; or
  - (b) A list of new facilities, and improvements for existing public facilities, necessary to adequately serve the planned buildout in the unincorporated community, including the projected costs of these improvements and an identification of the provider or providers of these improvements; and
  - (c) A discussion of the provider's funding mechanisms and the ability of these and possibly new mechanisms to fund the development of each community public facility project; and
  - (d) A requirement that development not occur until the necessary public facilities are available for that development.

**Finding:**

*Public facilities in the area are adequate to serve the level of development expected at build-out without contributing to a health hazard. As described in this Plan, the Oak Grove Water Company has sufficient capacity to serve two to three new dwellings. In addition, the Ice Fountain Water Company would have the capacity to serve additional dwellings in the long term if additional new development were proposed and the Oak Grove Water Company agreed to allow service by Ice Fountain within Oak Grove's service area. Therefore no development restrictions are needed.*

**CONCLUSION: The Oak Grove Community Plan satisfies the public facilities planning requirements of OAR 660-022-0050.**

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**660-022-0060 Coordination and Citizen Involvement**

- (1) Counties shall ensure that residents of unincorporated communities have adequate opportunities to participate in all phases of the planning process. Counties shall provide such opportunities in accordance with their acknowledged citizen involvement programs.

***Finding:*** Hood River County and its consultants engaged in an extensive public process to involve residents and landowners in Oak Grove in the unincorporated community planning effort. This process included two public meetings for residents of the area. A community survey also was compiled and distributed by the County. The survey asked Oak Grove residents about their opinions on desired community character, preferences for residential zoning densities and commercial land use and zoning requirements, and any additional comments or suggestions that they had about the project (See Appendix C of this Plan for the results of the community survey and Appendix D for the public meeting summaries). Results of all public meetings and surveys were considered and incorporated, as appropriate, in this planning process. Citizens of Oak Grove and the rest of the County will be notified of such decisions pursuant to state and county notification requirements and will have the opportunity to comment through public hearings processes and other means. The County's Planning Commission will serve as the advisory body for addressing future land use issues in the Oak Grove area. The relatively small size and rural nature of the area (less than 10 residences in total) make formation of a separate advisory group for this area impractical.

- (2) When a county proposes to designate an unincorporated community or to amend plan provisions or land use regulations that apply to such a community, the county shall specify the following:
  - (a) How residents of the community and surrounding area will be informed about the proposal;
  - (b) How far in advance of the final decision residents of the community and the surrounding area will be informed about the proposal;
  - (c) Which citizen advisory committees will be notified of the proposal.
- (3) The information on these three points shall be included in the appropriate plan amendment proposals or periodic review work task.
- (4) When a county proposes to designate an urban unincorporated community, the county shall adopt a citizen involvement program for that community in accordance with the provisions of Goal 1, Citizen Involvement.

***Finding:*** Subsection (4) above applies to urban unincorporated communities, and is not applicable to Oak Grove.

- (5) Proposals to designate, plan, or zone unincorporated communities shall be coordinated with all special districts, metropolitan service districts, and cities likely to be affected by such actions. For any unincorporated community, such coordination shall include a minimum of 45-day mailed notice to all cities and special districts (including metropolitan service districts) located within the distance described in OAR 660-022-0040(2).



**Finding:** *Oak Grove lies less than 10 miles from the UGB of Hood River, an urban growth boundary with a population of less than 25,000. This project also has been coordinated with the Ice Fountain Water District, Oak Grove Water Company, County Public Works staff, consultants representing the county in planning for the future sewer district, and the Hood River County School District. Notice of the proposals to designate Oak Grove as an unincorporated community was mailed to these districts, other special districts in the County (irrigation and fire districts) and the City of Hood River prior to the first adoption hearing.*

**CONCLUSION:** **The Oak Grove Community planning process satisfies the requirements of OAR 660-022-0060.**

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## APPENDIX C. RESULTS OF COMMUNITY SURVEY

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In October, 2004, Hood River County staff distributed questionnaires to all owners of property within 1000 feet of the proposed Oak Grove unincorporated community boundary, plus 19 individuals from outside the area who attended the first unincorporated community planning meeting for Oak Grove and Rockford. Four (4) questionnaires were returned, representing about 8% of the property owners that were surveyed. Following is a summary of survey results by question.

### **Summary of Results**

It is not possible to adequately summarize these results, given the limited number of surveys returned and the lack of consistency among the responses. In addition, the limited number of responses means these results may not be indicative of the opinions of the majority of the Oak Grove community.

### **Detailed Findings**

Following is a summary of results for each question in the survey.

**Community Boundary.** *For this question, please refer to the attached map.*

1. What area do you consider to best represent what is historically considered to be the Oak Grove community? *(Please choose between the proposed boundary on the attached map or another boundary. If you select "other" please draw your preferred boundary on the map and label it "appropriate community boundary").*

Proposed boundary

Other *(please label on attached map)*

**One respondent selected the proposed boundary. Another selected both the proposed boundary and "other," and wrote in "All of it," but no map was attached. Two respondents did not answer the question.**

**Commercial Land Use/Zoning.** *The proposed Oak Grove Unincorporated Community includes 12 properties near the intersection of Portland Drive, Binns Hill Drive, Reed Road, and Country Club Road that are currently zoned "Rural Center." The "Rural Center" zone allows landowners the flexibility of putting residential, commercial, or light industrial uses on their property. The current uses include residential (eight properties), light industrial (one property), and other (the County park and the former school building). There is one vacant property that formerly held the Oak Grove market and could be zoned commercial.*

*The County could replace the Rural Center zone in Oak Grove with Residential, Commercial, and/or Light Industrial zoning designations that would allow the uses currently on those properties but provide less flexibility for changing the use (such as from residential to commercial).*

2. Do you think the County should rezone the "Rural Center" properties to a mix of zones that reflect their current uses?

Yes (Go to question 3)       No (Skip to question 9)

**Three respondents selected “No,” indicated that the “Rural Center” area should not be rezoned to reflect current uses. One respondent selected “Yes.”**

3. If you answered Yes above, should the County identify additional properties in Oak Grove to be zoned for commercial use?

Yes (Go to question 4)       No (Skip to question 5)

**See below.**

4. If you identified a need for more commercially zoned land, where do you think it should be located? (check all that apply)

Existing industrial area (next to the former Oak Grove Market on Binns Hill Road)

Existing residential areas adjacent to former Oak Grove Market

Other (please specify) \_\_\_\_\_

**One respondent selected “Yes,” to question 3, and “Other” for question 4, indicating that the County should identify an additional commercial property at the existing Oak Grove School house. Another selected “No” for question 3, but also selected “Other” for question 4 and indicated that commercial land use should be left to areas such as the Port of Hood River.**

5. Considering the information provided above, should the County identify additional properties to be zoned for light industrial use (in addition to the property adjacent to the former Oak Grove Market that is currently occupied by an industrial business)?

Yes (Go to question 6)       No (Skip to question 7)

**See below.**

6. If you identified a need for more light industrial land, where do you think it should be located? (check all that apply)

Existing commercial area (former Oak Grove Market)

Existing residential areas adjacent to existing light industrial area

Other (please specify) \_\_\_\_\_

**Two respondents answered “No” to question 5, indicating that no additional light industrial properties should be identified, and two others did not answer. One respondent who answered “No” on question 5 also selected “existing commercial area” for question 6.**

7. Considering the information provided above, should the County identify additional properties to be zoned for residential use (in addition to the existing residential properties)?

Yes (Go to question 8)       No (Skip to question 9)

**One respondent answered “Yes,” and two answered “No.” One respondent selected neither option, but wrote in “Farm use only.”**

8. If you identified a need for more residentially zoned land, where do you think it should be located? (check all that apply)

- Existing commercial area (former Oak Grove Market)
- Existing light industrial area (next to the former Oak Grove Market on Binns Hill Road)
- Other (please specify) \_\_\_\_\_

**One respondent selected the existing commercial area as the best location for additional residential land. Another chose “Other,” and specified “Portland” as the best location.**

9. Are there any types of commercial businesses that serve the Oak Grove community that require buildings larger than 4,000 square feet in size (approximately 63 feet x 63 feet)? (please list below)

**Responses were as follows:**

- **Only for agriculture related or value added uses.**
- **The existing Oak Grove schoolhouse is approximately 10,000 square feet.**
- **No. Phil Jensen is way too big! This is farm use only.**

10. As an alternative to replacing the Rural Center zone in Oak Grove with Residential, Commercial, and/or Industrial zoning designations, the County could replace the Rural Center with a “Mixed Use” zone that would allow landowners a similar level of flexibility as is currently provided in the Rural Center. Which of these options would you prefer for the part of Oak Grove currently zoned Rural Center?

- “Prescribed” zoning (allows current uses but less flexibility to change the use)
- “Mixed Use” zoning (allows flexibility to change uses between residential and commercial, or have both residential and commercial on the same property)
- Maintain Rural Center zoning

**Two respondents preferred a change to “prescribed” zoning. One selected “Maintain Rural Center zoning,” and another selected “Mixed Use.”**

11. Are there any other land-use or zoning issues that should be addressed as part of this process?

**Responses were as follows:**

- **There is a right-of-way for Country Club Road that goes between the schoolhouse property and the park. There currently are trees there. I would like to see the right-of-way vacated (abandoned).**
- **This is farming, ag, livestock, forestry, nature, orchards, etc. Luhr Jensen does not belong in Oak Grove! Go to the Port where the board heads love him.**

**Other Comments**

12. Do you have any other comments or suggestions about this project?

Responses were as follows:

- Fruit growers in the surrounding area receive more than enough "pressure" from neighboring non-farming residents, some of whom are friends and have lived here for many years. Growers do not need additional pressure in the form of increased residential or incompatible commercial or light industrial properties.
- We are planning to have a residential spiritual retreat center at the Oak Grove schoolhouse.
- Do not do it!!! Oak Grove is EFU farm use only.

**Demographic Information**

13. Where do you live?

In the area currently zoned Rural Center       Elsewhere

**Two respondents live within the RC zone, and two live elsewhere.**

14. Where do you work?

Within one mile of the proposed Oak Grove Unincorporated Community     Hood River  
 Other (please specify) \_\_\_\_\_

**Two respondents work within one mile of the proposed Oak Grove Unincorporated Community. One works in Hood River, and another in Portland.**

15. What is your gender?

Male                       Female

**Three respondents are male, one is female.**

16. What is your age?

|                                   |                                      |
|-----------------------------------|--------------------------------------|
| <input type="checkbox"/> under 20 | <input type="checkbox"/> 50-59       |
| <input type="checkbox"/> 20-29    | <input type="checkbox"/> 60-69       |
| <input type="checkbox"/> 30-39    | <input type="checkbox"/> 70-79       |
| <input type="checkbox"/> 40-49    | <input type="checkbox"/> 80 or older |

**Two respondents are age 40 – 49. One is age 50-59, another age 60-69.**

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**APPENDIX D. SUMMARIES OF PUBLIC MEETINGS**

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Following are summaries of the results of the public meetings conducted for the Oak Grove and Rockford communities, including additional comments provided in writing via comment forms and other correspondence.

**PUBLIC MEETING SUMMARY****SEPTEMBER 16, 2004****Hood River Valley High School****Background**

State land use planning laws and rules require all counties in Oregon to develop plans for rural unincorporated communities and update zoning and other land use requirements for rural residential, commercial and industrial land outside such communities. To comply with these laws, Hood River County is preparing a series of Unincorporated Community Plans for small rural communities in the County. The first two plans, for Odell and Parkdale, were completed in late 2003 and are anticipated to be adopted by the County sometime in the summer of 2004.

The County has also completed a draft Unincorporated Community Plan for Windmaster Corner. Planning for Oak Grove, Rockford, and Pine Grove/ Van Horn began in June, 2004, and is anticipated to be completed in early 2005.

This was the first public meeting to involve residents and property owners from Oak Grove, Rockford, and Pine Grove/ Van Horn in the planning effort. Approximately 50 people attended the meeting, which was facilitated by Matt Hastie of Cogan Owens Cogan (COC), with assistance from Damian Pitt of COC and County staff.

**Welcome and Introductions**

Mike Benedict, Hood River County Planning Director, welcomed participants and introduced Matt Hastie and Damian Pitt of COC, as well as Josette Griffiths, the County planner in charge of this project. He explained that this meeting was the first opportunity for community members to give their input into the process. There will be a second public meeting to allow for further community input, along with a questionnaire that will be mailed to everyone living or owning property within the affected communities. He emphasized that the preliminary community boundaries and other assumptions made by the County and its consultants to this point should be considered as "starting points" for community input, and should not be interpreted as the County's agenda or desired project outcome.

Matt briefly described the history of the project, saying that COC had assisted the County in preparing Unincorporated Community Plans for Odell, Parkdale, and Windmaster Corner. He reviewed the meeting agenda, which included a presentation on the project background and objectives, community overviews, and community boundary alternatives. This document summarizes each section of the presentation in its entirety, followed by the participants' questions relevant to that section, regardless of whether the questions were asked during or after the presentation. The questions are shown in italics, along with the answers provided by Matt and the County staff in regular text.

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## Project Background and Objectives

The preparation and adoption of Unincorporated Community Plans for eligible communities accomplishes the following objectives:

- Identifies a boundary for the community
- Updates County's zoning designations for land inside the community boundary; and
- Assesses existing public facility plans to determine if existing transportation, water, and proposed sewer services will be adequate to meet the communities' anticipated future needs.

The County is initiating this project to comply with Statewide Land Use Planning requirements, which were recently amended to disallow any new residential development at densities greater than two acres per lot in rural areas outside established unincorporated community boundaries. The County has zoning designations for smaller lots in Rockford and other unincorporated areas, which have been in place since before the two-acre minimum went into effect. Due to the state law, the owners of these properties are not allowed to develop them at the density allowed by the zoning. By creating officially recognized Unincorporated Communities in Oak Grove, Rockford, and Pine Grove/ Van Horn, the County can allow rural residential development at densities greater than the two-acre minimum. The actual allowed density within the unincorporated communities will be based on the public input received during this planning process and other factors, including the capacity of the existing and planned public facilities (i.e. water, sewer, septic and transportation facilities and conditions).

Another purpose of the project is to identify, define, and achieve community objectives and needs, particularly those related to planning and zoning issues. Finally, this process will identify services needed to serve future growth in the area.

Matt then reviewed the project schedule, the first step of which is to identify a preliminary community boundary. The next steps are to obtain and review the necessary data and hold the first public meeting. Steps subsequent to this meeting include:

- Draft new or revised zoning designations;
- Evaluate public facility needs;
- Conduct second public meeting(s);
- Draft a Community Plan and findings; and
- Follow the County's review and approval process.

The final community boundaries for Oak Grove, Rockford, and Pine Grove/ Van Horn will be determined in large part by state requirements. Preliminary boundary options have been identified based on these requirements. After defining the proposed boundaries, the County and COC will have to determine the type of unincorporated community to be established in each area. State law defines an Urban Unincorporated Community (UUC) as an unincorporated community with a mixture of public, commercial, industrial, and residential land uses that includes at least 150 residential dwellings. A Rural Unincorporated Community (RUC) includes a similar mix of uses but with fewer than 150 residential dwellings. A Rural Service Center (RSC) consists mostly of commercial or industrial uses that serve the surrounding area, but must include at least two permanent residential dwellings. Generally speaking, state law allows larger commercial and industrial buildings within a UUC than an RUC or RSC.

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The following step in the project will be to apply new zoning designations to the Unincorporated Communities that reflect the uses and densities allowed under state law. New zoning designations for UUC's and RUC's have already been developed for Odell and Parkdale respectively. The County may choose to apply these existing zoning designations or prepare modified versions specifically for Oak Grove, Rockford, and/ or Pine Grove/ Van Horn. Some changes may also be required to the County's zoning designations for rural lands outside of unincorporated communities.

Another component of the unincorporated community planning process is to assess the capacity of the existing infrastructure to provide water, sewer and transportation services to the unincorporated community. COC will identify how many people could live in each community based on "full build-out" of the zoning designations that are ultimately recommended for the community, and will work with the County and the local water districts to identify what public facilities improvements, if any, will be necessary to meet future needs.

Matt said that the County had identified the following planning objectives for the project:

- Make minimal changes to the allowed land uses (i.e. not rezone residential areas to commercial or industrial use) unless requested by the community
- Allow the continuation of current lot sizes and densities unless changes are recommended by the public or otherwise deemed necessary
- Define the community's boundaries in a way that is consistent with state law, the community identity, and public service objectives
- Limit new commercial and industrial development in the community per state requirements

Issues to be addressed in the planning process include the density of residential development to be allowed in the community, the size and type of commercial and industrial uses to be allowed, and plans for future public facilities.

Matt ended this section of the presentation by reviewing the types of land uses allowed within unincorporated community boundaries. State law allows for existing rural residential, commercial, and industrial land (collectively known as "exception land") to be included in an unincorporated community boundary. Some properties can be included in the boundary if they are adjacent to exception areas in the boundary and used for specific community purposes. Other properties zoned for Exclusive Farm Use (EFU) or Forest (F1 or F2), can only be brought into the boundary through an arduous application process, and must be approved by the state's Land Conservation and Development Commission. Such applications are difficult to approve unless the property in question is relatively small, adjacent to an existing or proposed unincorporated community boundary, and is already developed or otherwise committed to non-resource use.

Questions related to the project background and objectives were as follows:

*Question 1: Is part of this process to identify the uses that will be allowed in the areas zoned Rural Center?*

Yes, but those areas may be re-zoned to Rural Residential, Commercial, or Light Industrial, depending on the existing uses. That is the proposed approach, but it could be changed depending on the input from the public.

*Question 2: Do these communities have any official boundaries now?*



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No; they have zoning boundaries but not official Unincorporated Community (UC) boundaries.

*Question 3: Could the RR-2.5 zoning change if the property becomes part of a UC?*

Through this UC planning process the zoning could stay the same or it could change to something denser, depending on public input. Properties outside a UC boundary cannot be zoned at any residential density greater than RR-2 (minimum two-acre lots).

*Question 4: Who would conduct the soil testing to see if a property could handle being divided into smaller parcels?*

There would probably not be any new testing. The Planning Department would confer with the County Health Department and the State Department of Environmental Quality to determine if the local soils could handle additional septic tanks. This would be done for each area as a whole, rather than on a parcel-specific basis.

*Question 5: Does the designation of an area as a UC have any implications for future annexation?*

I do not believe so, but I will have to check to make sure. It does affect the ability to be annexed into a sewer district. Areas within a UC may be annexed into a sewer district, but rural areas outside a UC cannot.

*Question 6: If the sewer system is upgraded within a UC boundary, are only the people within the boundary charged, or are others outside the boundary charged as well?*

I do not know. However, neither the County nor any of the sewer districts is proposing any new sewer system for Oak Grove, Rockford, or Pine Grove/ Van Horn.

### **Community Overviews and Boundary Alternatives**

Matt reviewed the state's requirements for lands to be allowed in an unincorporated community boundary. The boundary can only include:

- Existing contiguous exception areas, i.e. properties that are in residential, commercial, or industrial zones
- Lands zoned for EFU that have already been developed for other uses such as churches, schools, utilities, golf courses, and cemeteries

Both these types of lands must be historically considered part of the community to be included.

State law specifically prohibits any other properties zoned for farm and forest use (other than the exceptions mentioned above), from being included in the boundary. It also prohibits the inclusion of properties that are not contiguous to the remainder of the unincorporated community.

#### *Pine Grove/ Van Horn*

Matt began by discussing the Pine Grove/ Van Horn area. The Crystal Springs Water District serves this area, but it has no sewer services. It includes a small collection of buildings at the intersection of Highway 35 and Van Horn Drive that are zoned "Rural Center," including the Pine Grove Market, Pine Grove Pit Stop, and the Pine Grove Fire District. There are a number of other non-farm uses in the area along Van Horn Drive, including several residences, a school, and several buildings related to the fruit packing industry, but all of those are on land zoned

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EFU. The area is not likely to meet the state requirements for an unincorporated community. The area currently zoned RC may qualify as a Rural Service Center, but only if it includes two permanent residential dwellings. The white building next to the Pine Grove Grocery is in the RC zone and includes at least one housing unit, but it is not clear if there is a second apartment in the building. Matt asked the audience members if anyone knew the number of apartments in that building, but none did. (Note: it was later determined by staff that the structure's residential component was intended to serve only one single family dwelling.)

Questions concerning Pine Grove/ Van Horn were as follows:

*Question 7: What would the size of the Pine Grove/ Van Horn unincorporated community be, if it is determined to have two residences?*

It would include only the area currently zoned RC.

#### *Oak Grove*

The proposed Oak Grove Unincorporated Community boundary includes a small area of 12 tax lots zoned Rural Center around the intersection of Country Club Road, Reed Road, and Portland Drive. This area qualifies as an RUC, and includes eight residences, the Oak Grove County Park, a former school building, the former Oak Grove Market, and a facility to manufacture meat-smoking equipment. The surrounding tax lots are all zoned EFU, and most would not be considered candidates for an exception to state land use laws that would allow them to be included in the boundary.

The Oak Grove Water Company serves this area, but no sewer services are provided. Matt mentioned that the Water Company may not have the capacity to serve any additional growth in the area. An audience member agreed that the water supply is limited.

Matt mentioned that in all three communities the areas zoned RC could be re-zoned as part of the unincorporated community planning process to zoning designations that reflect their current uses (e.g. tax lots that now have residences would be zoned residential). Mike Benedict added that the zoning could also be changed to reflect the community's desire for the future development of the area, such as zoning an area currently occupied by industry for commercial use. Such a change would allow the current owners to continue to operate their industrial business, but would not allow future owners to use the site for industry.

Questions about Oak Grove were as follows:

*Question 8: What is the old school building in Oak Grove being used for?*

The current owners have indicated that they want to convert it into a spiritual retreat center.

*Question 9: Can the RC zoning designation be re-worded at all to make it more flexible and user-friendly?*

Yes, that could be considered. The County could also consider the possibility of a mixed-use zone where the RC designation is currently in place, which might allow the property owners greater flexibility.

*Question 10: Is the RC designation part of state law, or the County's?*

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It is a County zoning designation, which is only in place in a few rural communities such as Windmaster Corner, Rockford, Oak Grove, and Pine Grove/ Van Horn. This process could include changes to the RC zoning designation as mentioned previously.

### *Rockford*

Matt asked how many of the meeting participants live in the Rockford area, and approximately half raised their hands. The proposed Rockford Unincorporated Community is centered on the intersection of Barrett Drive and Markham Road and includes two boundary options. Option 1 consists of 17 tax lots near this intersection that are zoned RC, plus five zoned RR-1 (Rural Residential, with a one-acre minimum lot size). Boundary Option 2 includes all of Option 1 plus 25 properties to the north and southeast of Option 1 that are zoned RR-2.5 (Rural Residential with a 2.5-acre minimum lot size).

The proposed Option 2 boundary was drawn to include all RR-2.5 properties within approximately 1/8 mile of Option 1, but there are a number of additional RR-2.5 properties farther to the north and south that technically could be included in the boundary. In order to determine where best to draw the boundary, the County must consider a number of additional factors including the “historical boundaries” of the Rockford community. Matt asked the meeting participants how they would describe the historical boundaries of the Rockford community. Responses included:

- Any property where you can hear the Fire Department’s bell
- The buildings around the corner of Barrett and Markham, such as the fire station, the Grange, and the site of the old Rockford Store.

The Ice Fountain Water District serves the area, but there are no sewer services. Preliminary indications are that Ice Fountain has a significant amount of excess capacity to serve future growth in the area.

### *Question 11: Why is Rockford zoned RR-2.5? How difficult would it be to change that zoning?*

The proposed map of the Rockford Unincorporated Community shows the local zoning designations as they are currently. Changes to the current zoning can be included in the Unincorporated Community Plan and will go into effect when that Plan is adopted by the Board of Commissioners. Otherwise, the owners of any property can seek to change its zoning designation through the standard zone change process. However, state law no longer allows properties outside an Urban Growth Boundary or a designated UC to have residential densities of greater than RR-2 (2 acre minimum lot size).

### *Question 12: Would a property owner be guaranteed the right to subdivide into smaller lots if the property is in a UC?*

No, the ability to subdivide is dependent upon the availability of sufficient public facilities, such as transportation infrastructure, water, and sewer service, to serve the additional parcels. In communities such as Rockford that do not have sewer service the County must determine if the local soils can handle the additional septic systems resulting from applying a higher density residential zoning designation.

### *Question 13: What do you mean by “community”?*

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State law defines “unincorporated communities” as areas that are not within an urban growth boundary but include a mix of residential, commercial, industrial, and public uses (such as schools or fire stations). Rockford and Oak Grove both meet this definition.

*Question 14: Is it the County’s intent to turn the entire RC area into a commercial zone?*

No, the County is proposing to designate those properties currently in commercial use with a Commercial zone. Additional Commercial zoning could be added if community residents feel that is necessary.

*Question 15: Could someone who owns RR-2.5 property in the northeast corner of Boundary Option 2 have their property re-zoned for commercial?*

Yes, in theory. However, the re-zone would ultimately have to be approved by the Board of Commissioners, as part of the Unincorporated Community Plan or through a separate zone change process, so the feasibility of such a change would depend at least in part on the public’s reaction to the idea.

*Question 16: It sounds like the unincorporated community designation only affects allowable residential lot sizes. Are there any other impacts?*

Yes. There are also size limitations on the commercial uses allowed in an Unincorporated Community. In addition, uses allowed within the boundary must serve the local area. Commercial uses that would likely attract shoppers from outside the area, such as from the City of Hood River or beyond, are generally not allowed. Larger buildings are allowed within unincorporated communities, than outside them.

*Question 17: If property that is now zoned RC is rezoned to either Residential or Commercial, does that limit the owners from being able to change between residential and commercial uses?*

Residences are allowed in commercial zones. However, home occupations are the only type of commercial uses allowed in a residential zone. To allow any other new commercial use in a residential zone would require a zone change. Existing commercial uses in place at the time of the zone change from RC to residential would be allowed to remain as “non-conforming” uses, but new commercial uses would not be allowed.

*Question 18: The RC zone has been difficult to apply. It is confusing, and the flexibility that it allows limits the ability to form a consistent community. Also, we would like to see more opportunities for small businesses in the area.*

Thank you for those comments. The County may consider changes to the RC zoning designation, or possibly the application of some type of “mixed-use” zone, to address the community’s concerns.

We will send a questionnaire to residents of Oak Grove and Rockford that will ask respondents to identify their preferred community boundary.

*Question 19: Who makes the final decision on this plan?*

The Board of Commissioners makes the final decision, after hearing a recommendation from the County Planning Commission.

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*Question 20: Increasing density in Rockford does not address the primary problem of traffic, which has been brought about by infill along Markham Hill and Methodist Roads.*

We will examine potential impacts on traffic and capacity to handle the level of development expected (based on proposed zoning) as part of this process.

*Question 21: Is it accurate to say that a UC would allow more dense residential lot sizes?*

Yes, that is one of the primary differences between a UC and other rural areas of the County. In addition, a UC allows slightly larger commercial and industrial buildings and the opportunity for inclusion in a sewer district.

*Question 22: There are many small lots along Methodist Road that are less than two acres.*

That is because those lots were platted before the state adopted the Unincorporated Community Rule, which does not allow rural residential zoning at densities greater than two acres per lot.

*Question 23: How much is the population growing in this area?*

The US Census does not provide information specific to the Rockford area. The County Census District that includes Rockford is growing at an average rate of 0.5% to 1.5% per year.

*Question 24: If the smaller boundary option is chosen, would that eliminate the flexibility to develop the areas within Option 2 to a greater density?*

Some of the RR-2.5 land in Option 2 currently consists of lots that are much larger than 2.5 acres. These lots could still be developed down to the 2.5-acre minimum if they remain outside the UC boundary. If they are included within the boundary, a zone change to RR-1 or some other density would be allowable under state law.

### **Next Steps**

Matt reviewed the additional steps that will take place through the remainder of the project. They are:

- Identify preliminary community boundaries
- Identify proposed changes to zoning designations or requirements
- Conduct an additional public meeting for the Oak Grove and Rockford area. A separate meeting will be conducted for Pine Grove/ Van Horn if that area is determined to be eligible for an unincorporated community designation.
- Agree on community boundaries, land uses and zoning requirements, based on public input and other analyses
- Prepare draft Unincorporated Community Plans for Oak Grove, Rockford, and possibly Pine Grove/ Van Horn
- Adopt the necessary changes to the County's plans and ordinances

Matt asked if there were any final questions.

*Question 25: Is this process to be revisited long term, such as within the next 10 years?*

State approximately mandates that all cities and counties review and update their comprehensive plans every 10 years. It is an arduous and complicated process, and in reality most jurisdictions do not go through it as often as the law requires. The boundaries of Rural Unincorporated Communities can be changed as part of this “periodic review” process. It is possible that the Rockford boundary could be modified the next time the County goes through periodic review. The boundaries of Oak Grove and Pine Grove/ Van Horn are not likely to be modified because the surrounding lands are all zoned EFU and could not be included in the boundary without an exception to state land use laws.

*Question 26: Is it accurate to say that increased residential density is the only thing that is not allowed now that would be allowed in a UC?*

Yes, plus areas within a UC may have slightly larger commercial and industrial buildings than rural areas outside a UC. Also, areas within a UC may be included in a sewer district.

*Question 27: How would new development within a UC affect neighboring property values?*

I am not sure.

*Question 28: Is any information about this process available on the County’s website?*

The County’s website is relatively static. The Planning Department does not have funds available to regularly update the space (website) and include this type of information. Information about the project will continue to be mailed to all residents or property owners within 1000 ft. of the proposed boundaries, as well as to any other interested parties who ask to be on the project mailing list.

There were no further questions from participants, and the meeting adjourned. The next public meeting is expected to take place some time in November.

## **PUBLIC MEETING SUMMARY**

**NOVEMBER 16, 2004**

**ROCKFORD GRANGE**

### **Background**

State land use planning laws and rules require all counties in Oregon to develop plans for rural unincorporated communities and update zoning and other land use requirements for rural residential, commercial and industrial land outside such communities. To comply with these laws, Hood River County is preparing a series of Unincorporated Community Plans for small rural communities in the County. The first two plans, for Odell and Parkdale, were completed in late 2003 and are anticipated to be adopted by the County sometime in the winter of 2004/05. The County has also completed a draft Unincorporated Community Plan for Windmaster Corner. Planning for Oak Grove and Rockford began in June, 2004, and is anticipated to be completed in early 2005.

This was the second public meeting to involve residents and property owners from Oak Grove and Rockford in the planning effort. The first meeting also included residents of the Pine Grove/ Van Horn area, but the County later determined that Pine Grove/ Van Horn does not meet the state's requirements for an Unincorporated Community designation. Approximately 55 - 60 people attended the meeting, which was facilitated by Matt Hastie of Cogan Owens Cogan (COC), with assistance from Damian Pitt of COC and Josette Griffiths of Hood River County.

### **Welcome and Introductions**

Josette Griffiths welcomed participants and introduced Matt Hastie and Damian Pitt of COC. She explained that this was the second community meeting for the project, the first having been held on September 16 at Hood River Valley High School.

Matt then briefly described the history of the project, saying that COC has assisted the County in preparing Unincorporated Community Plans for Odell, Parkdale, and Windmaster Corner. He asked how many of the participants had attended the first project meeting, and approximately half raised their hands. He then reviewed the meeting agenda, which began with a review of project background and objectives, followed by separate presentations and discussions for each of the two communities on community survey results, proposed community boundaries, growth and buildout projections, public facility capacity, and proposed zoning designations.

This document summarizes each section of the presentation in its entirety, followed by the participants' questions relevant to that section, regardless of whether the questions were asked during or after the presentation. The questions are shown in italics, along with the answers provided by Matt and Josette in regular text.

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## Project Background and Objectives

The County is preparing, and expects to adopt, Unincorporated Community Plans for Rockford and Oak Grove. These plans will accomplish the following objectives:

- Identify a boundary for the community
- Update County's zoning designations for land inside the community boundaries; and
- Assess existing public facility plans to determine if local septic conditions and existing transportation and water services will be adequate to meet the communities' anticipated future needs.

The County initiated this project to comply with Statewide Land Use Planning requirements, which were recently amended to disallow any new residential development at densities greater than two acres per lot in rural areas outside established unincorporated community boundaries. The County has zoning designations that allow smaller lots in Rockford, Oak Grove, and other unincorporated areas, which have been in place since before the two-acre minimum went into effect. Due to the state law, the owners of these properties are not allowed to develop them at the density allowed by the zoning. By creating officially recognized Unincorporated Communities in Oak Grove and Rockford, the County can allow rural residential development at densities greater than the two-acre minimum. The actual allowed density within the unincorporated communities will be based on a number of factors, including the public input received during the planning process and the capacity of the existing and planned public facilities (i.e. septic conditions, water facilities, and transportation facilities).

Another purpose of the project is to identify, define, and achieve community objectives and needs, particularly those related to planning and zoning issues. Finally, this process will identify services (such as improved water or transportation facilities) that may be needed to serve future growth in the communities.

Matt then reviewed the project schedule. The County and its consultants have completed the following steps so far:

- Identified a preliminary community boundary;
- Obtained and reviewed data on land uses, zoning, and public facilities;
- Held the first public meeting; and
- Evaluated public facility needs;

After this second public meeting, the consultants will prepare a Draft Unincorporated Community Plan for each of the two communities including new or revised zoning designations and ordinance amendments as necessary. Drafts of these plans will go through a work session and a public hearing before the Hood River County Planning Commission, followed by another work session and public hearing before the Board of Commissioners. These four meetings are anticipated to take place in January and February, 2005, and will represent additional opportunities for public input on the project.

Matt ended the Project Background section of the presentation by reviewing the types of land uses allowed within unincorporated community boundaries. State law allows for existing rural residential, commercial, and industrial land (collectively known as "exception land") to be included in an unincorporated community boundary. Some properties can be included in the boundary if they are adjacent to exception areas in the boundary and used for specific community purposes. Other properties zoned for Exclusive Farm / Forest Use (EFU) can only



be brought into the boundary through an arduous application process, and must be approved by the state's Land Conservation and Development Commission. Such applications are difficult to approve unless the property in question is relatively small, adjacent to an existing or proposed unincorporated community boundary, and is already developed or otherwise committed to non-resource use.

### **Oak Grove**

Matt reviewed the findings of the Oak Grove Community Survey, which Hood River County staff distributed in October to all owners of property within 1,000 feet of the proposed Oak Grove unincorporated community boundary, plus people from outside the area who attended the first unincorporated community planning meeting for Oak Grove, Rockford, and Pine Grove. Four surveys were returned by the October 25 deadline. The County distributed survey summaries to the same people who received the surveys. Additional summaries are available upon request. Most respondents indicated that they would prefer to retain the community's existing "Rural Center" zoning. This is possible, but would require the County to amend some of the zone's requirements to make it consistent with state law. The majority of respondents also indicated that they do not want additional commercial, residential, or light industrial land in the community.

The Rural Center (RC) zone is intended to maintain rural communities as rural service centers for the areas surrounding them. Residential, commercial, or light industrial uses can meet the requirements of this zone. Any change in use, such as residential to commercial, requires a conditional use permit. Other requirements of the RC zone include:

- Uses may not discharge smoke, fumes, noise, or other nuisances beyond their property lines.
- Uses must serve the community and the surrounding area. This requirement may be amended as part of the project.
- Commercial building sizes are limited to 3,000 square feet. This limit can be increased to 4,000 s.f. for commercial uses within an unincorporated community.
- The minimum residential lot size is ½ acre. This may need to be raised to one acre in response to the County Health Department's evaluation of local septic conditions.

Matt then presented a map of the recommended Oak Grove Unincorporated Community Boundary, which was identical to the boundary option presented in the September public meeting. All properties zoned RC are included in the recommended boundary and would become part of the Oak Grove Rural Unincorporated Community. The surrounding properties would retain their current Exclusive Farm Use (EFU) zoning. The boundary cannot be expanded to include any of these surrounding properties without applying for an "exception" to state land use laws, which is a costly and time consuming process. Furthermore, those properties do not meet the requirements for such an exception, and the application would likely have little chance of approval.

Matt then described the existing land use within the Oak Grove boundary, which is summarized in the following table.

| <b>Land Use</b>    | <b>Residential</b> | <b>Commercial</b> | <b>Industrial</b> | <b>Other</b> |
|--------------------|--------------------|-------------------|-------------------|--------------|
| Number of Tax Lots | 8                  | 1                 | 1                 | 2            |

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The “Other” tax lots are the County Park and the former Oak Grove School property. The commercial property, site of the former Oak Grove market, is vacant, as is one adjacent property that was formerly in residential use.

The Oak Grove Water Company serves all of the properties within the recommended community boundary, and does not have the capacity to serve any new development. Local soil conditions are marginal, and the County Health Department has recommended a minimum residential lot size of one acre to prevent future septic failures. The local roads are adequate to handle projected future traffic.

The County considered three zoning options for the Oak Grove Rural Unincorporated Community:

*Option 1: Retain RC Zoning With Modifications*

This option would involve the least amount of change, and would mean the following:

- The Luhr Jensen facility would remain a “non-conforming” use;
- A conditional use permit would still be required for a change in use (such as from residential to commercial), and most of the requirements for receiving the permit would remain unchanged;
- The requirement that commercial uses serve predominantly the local community would be removed;
- The maximum commercial building size would increase to 4,000 square feet, consistent with state law for designated Unincorporated Communities;
- New site design and access management standards would be applied; and
- A new one-acre minimum residential lot size would be established, consistent with local septic capacity.

*Option 2: Combination of RC and Prescriptive Zoning*

This option would rezone the Luhr Jensen facility to RUM-2 (Rural Unincorporated Community Light Industrial), and would identify the vacant Oak Grove store and possibly one or two other properties as RUC-1 (Rural Unincorporated Community Commercial). The existing RC zoning would be retained for all other properties, with the following changes:

- Uses allowed under the RUC-1 designation would be allowed in the RC zone with a Conditional Use Permit
- The requirement that commercial uses serve predominantly the local community would be removed;
- The maximum commercial building size would increase to 4,000 square feet, consistent with state law for designated Unincorporated Communities; and
- New site design and access management standards would be applied.

*Option 3: Rezone Per Prescriptive Zoning*

This option changes the zoning to reflect the existing or desired type of land use on the property, and would include the following changes:

- The Luhr Jensen facility would be rezoned to RUM-2 (Rural Unincorporated Community Light Industrial);
- The vacant Oak Grove store would be rezoned to RUC-1 (Rural Unincorporated Community Commercial); and
- The remaining properties would be rezoned to Rural Residential, with a minimum lot size of between one and two acres.

The County recommends Option 1: Retain RC Zoning with Modifications, for the following reasons:

- Is generally consistent with the community survey results;
- Would limit future industrial development;
- Makes it somewhat easier to develop commercial uses, but still requires conditional use permit to do so; and
- Provides a process for community review of proposed commercial uses.

This option would increase the commercial building size limitation within the RC zone to 4,000 square feet of floor space. New industrial uses are not permitted in the RC zone, and could only be allowed in the Unincorporated Community with a zone change to RUM-2. The RUM-2 zone allows light industrial uses with building sizes of up to 40,000 square feet of floor space. Existing industrial uses within the RC zone (i.e. Luhr Jensen) would continue to be “non-conforming” uses.

Matt and Josette then fielded a series of questions about Oak Grove.

*What is the purpose of changing the Rural Center zone to a one to two-acre minimum when the parcels are smaller than one acre already? What would be the purpose of this if the half-acre minimum is currently working?*

This change would not affect the existing uses. It would prevent the Luhr Jensen property, the one privately owned property in Oak Grove that is larger than one acre, from subdividing into multiple parcels. (Note: however it might also affect Tax Lot 3500, which is 0.99 acre in size, and which could potentially be further divided with a request for a variance.) This is required to be consistent with state law and to prevent future septic failures.

*Aren't the soils pretty site-specific?*

We asked the Health Department about soil conditions in this specific area, and they recommended a one to two-acre minimum lot size. There have been septic issues in the past, such as with the old school property. There is also a drainage that comes through that area and affects septic conditions. We can have more conversations with the Health Department to confirm this.

*What would be the short and long-term effects on the properties within the boundary that are below that minimum residential lot size?*

There would be no effect on most since most of the properties in Oak Grove are currently well under one acre in size, with the exception of Luhr Jensen and the County Park. However, it might also affect Tax Lot 3500, which is 0.99 acre in size, and which might be able to be partitioned with a request for a variance. The existing parcels in Oak Grove, if under 1 acre in size, would be grandfathered in, so it would not affect them – the minimum lot size applies to

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new parcel creation. The changes proposed would also increase the building size limitation somewhat for new commercial uses if they were approved on these properties in the future.

*Is the maximum building size for industrial really 40,000 square feet? Does that mean Luhr Jensen could expand to that size if it applied for and received a zone change to light industrial?*

Yes, that is the state law that applies to properties in Rural Unincorporated Communities that are zoned for light industrial.

*If we follow these recommendations do things stay just the way they are?*

At a minimum, we would have to change the building size limitations and residential minimum lot sizes within the RC zone, as previously described, to comply with state law.

*Luhr Jensen is not serving the community now, so it makes sense to remove that requirement.*

That requirement is related to the conditional use process for changing the use. If the area remains zoned RC then no other properties could change their uses to industrial.

*Do the limitations apply only to new uses?*

Yes, existing uses are not affected.

*What are the requirements for establishing an unincorporated community in Oak Grove or elsewhere?*

The area needs to have a certain number of non-residential uses, such as Luhr Jensen and the County Park. Oak Grove also was identified on a state list of unincorporated communities subject to state rules.

*What would happen if someone came in and asked for zone change? Who would be able to voice their opinion?*

Any application would have to go through the same process as all other zone changes in the County. This includes hearings before the County Planning Commission and Board of Commissioners. Anyone can come to these hearings and testify, or provide written comments for or against the change. Certain zone change criteria must be met, and findings must be prepared that explain how the criteria are met. The county thinks commercial uses also could be allowed in the RC zone with a Conditional Use Permit. This would have to go through the standard process for receiving those permits.

*Is there precedent for moving from RC to prescriptive zoning? Does it matter if the property is RC or prescriptive when property owners try to rezone or develop surrounding EFU land?*

I don't think it would make a difference.

Matt asked if anyone from Oak Grove had an opinion on the recommended boundary or zoning. There were no responses from the audience. Matt asked the participants to fill out a comment sheet to share their opinions with the County.

*What would be the impact of Ballot Measure 37 on this process?*

Measure 37 allows property owners to put in a claim if a land use regulation goes into effect after they have purchased their property that negatively affects the property's value. There are a lot of issues that the state legislature must resolve regarding the measure's implementation. The County Board of Commissioners and Planning Commission discussed this matter a week

ago. The County will set up a process for receiving and processing Measure 37 claims. The true effects of the measure will not be known until has been worked out at the state level. It is not likely that the proposed changes in Oak Grove and Rockford will affect the value of very many properties, if any, or their potential for future development, as there are only a few properties that could subdivide under the existing zoning.

Also, the measure includes exceptions for land use or zoning changes that are necessary to protect public health and safety, and it is not clear how those exceptions will be interpreted.

The measure goes into effect in December. The Board of Commissioners will hold a special public meeting on Monday, November 29, to set out the process for making claims in the County.

Matt briefly described the project's next steps, and many participants from Oak Grove left the meeting.

### **Rockford**

Matt began the presentation on Rockford by reviewing the results of its community survey. Hood River County staff distributed the survey in October to all owners of property within 1,000 feet of the proposed Oak Grove unincorporated community boundary, plus people from outside the area who attended the first unincorporated community planning meeting for Oak Grove, Rockford, and Pine Grove. Rockford residents returned thirty-four surveys by the October 25 deadline. Slightly more than half of the respondents preferred the smaller of the two community boundary options (Option 1), which includes just the properties currently zoned RC or Rural Residential – one acre minimum lot size (RR-1). Option 2 included additional properties zoned RR-2.5 (2.5-acre minimum lot size) within approximately ¼ mile of the Option 1 boundary.

Most respondents indicated that they would prefer the community to remain rural in nature and retain its existing "Rural Center" zoning. As described for Oak Grove, maintaining the RC zone would require changing some of its requirements consistent with state law. The majority of respondents also indicated that existing residential lot sizes are appropriate and that they do not favor additional development in the community.

Matt then presented a map of boundary Option 1, the County's recommended boundary for the Rockford Rural Unincorporated Community. All surrounding properties would retain their current zoning (RR-2.5 or EFU). The boundary could be expanded in the future to include any of the adjacent RR-2.5 properties.

Matt then described the existing land use within the Rockford boundary, which is summarized in the following table.

| <b>Land Use</b>    | <b>Residential</b> | <b>Commercial</b> | <b>Industrial</b> | <b>Other</b> |
|--------------------|--------------------|-------------------|-------------------|--------------|
| Number of Tax Lots | 13                 | 7                 | 0                 | 2            |

The "Other" tax lots are the Rockford Grange/ Westside Fire District and the Sprint Sub-Station. There is one vacant lot. One of the lots in the RR-1 zone is large enough to be subdivided into two lots.

The minimum lot size in the existing RC zone is expected to increase from one-half acre to one acre or larger based on the capacity of soils in the area to process septic effluent.

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The community is served by the Ice Fountain water district, which has ample capacity to serve future projected growth in the area. Local soil conditions are marginal, and as in Oak Grove the Health Department has recommended a minimum residential lot size of at least one acre to prevent future septic failures. The local roads are adequate to handle projected future traffic.

The County considered three zoning options for the Oak Grove Rural Unincorporated Community:

*Option 1: Retain RC Zoning With Modifications*

This option would involve the least amount of change, and would mean the following:

- Existing commercial businesses within the boundary would be conforming uses;
- A conditional use permit would still be required for a change in use (such as from residential to commercial), and most of the requirements for receiving the permit would remain unchanged;
- The requirement that commercial uses serve the local community would be removed;
- The maximum commercial building size would increase to 4,000 square feet, consistent with state law for designated Unincorporated Communities;
- New site design and access management standards would be applied; and
- A new one-acre minimum residential lot size would be established, consistent with local septic capacity.

*Option 2: Combination of RC and Prescriptive Zoning*

This option would rezone existing commercial uses, such as John's Equipment Repair and Westside Choppers, to RUC-1 (Rural Unincorporated Community Commercial). The existing RC zoning would be retained for all other properties, with the following changes:

- Uses allowed under the RUC-1 designation would be allowed in the RC zone with a Conditional Use Permit
- The requirement that commercial uses serve the local community would be removed;
- The maximum commercial building size would increase to 4,000 square feet, consistent with state law for designated Unincorporated Communities; and
- New site design and access management standards would be applied.

*Option 3: Rezone Per Prescriptive Zoning*

This option changes the zoning to reflect the existing type of use, and would include the following changes:

- Existing commercial uses would be rezoned to RUC-1 (Rural Unincorporated Community Commercial); and
- The remaining properties would be rezoned to Rural Residential, with a minimum lot size of either one or two acres.

The County recommends Option 1: Retain RC Zoning with Modifications, for the following reasons:

- Is generally consistent with the community survey results;

- Would limit future industrial development;
- Makes it somewhat easier to develop commercial uses, but still requires conditional use permit to do so; and
- Provides a process for community review of proposed commercial uses.

This option would increase the commercial building size limitation within the RC zone to 4,000 square feet of floor space. New industrial uses are not permitted in the RC zone, and could only be allowed in the Unincorporated Community with a zone change to RUM-2. The RUM-2 zone allows light industrial uses with building sizes of up to 40,000 square feet of floor space. Existing industrial uses within the RC zone would be treated as “non-conforming” uses.

Matt and Josette then fielded a series of questions about Rockford.

*How was Boundary Option 2 determined?*

There is no formal required method for determining the most appropriate location for the boundary, so we used distance as a way to identify an alternative to Boundary Option 1. We drew the line for boundary Option 2 roughly ¼ mile outside the area zoned RC.

*What are the advantages to including the properties in Boundary Option 2?*

Smaller residential lot sizes are allowed within a UC boundary, so some of those properties would be able to subdivide assuming that septic conditions, water facilities, and transportation facilities are adequate. Also there would be larger building size limitations if some of the properties were later changed to commercial or light industrial zoning. Also, properties within the boundary could receive sewer service, if a community sewer system were developed in the future, but those outside the boundary could not.

*Are there plans to eventually put a sewer line in this area? What are the pipes that are piled up for?*

There are currently no plans for a sewer system. Those pipes are for use by the Farmers' Irrigation District.

*The benefit of a larger boundary is that it is easier to change the zoning within the boundary. If we want to retain the community's rural character then we should choose Boundary Option 1.*

Those survey results (preference to maintain a rural character) were considered in recommending Boundary Option 1. We also considered the fact that most survey respondents said that existing lot sizes in the area are appropriate.

*If Boundary Option 1 is chosen, will there be any effect on current businesses or property owners?*

There are two properties currently in the RC zone that are larger than an acre, and the proposed changes would affect the number of lots that could be built on those properties. Zoning ordinance amendments also would allow for larger buildings in the commercial areas. There would be no effect within the RR-1 area, which would not be changed.

*What does it mean when you say existing industrial uses are “non-conforming?”*

That means that the industrial use is not allowed under the zoning, but can remain because it was allowed at the time it was built. The impact on the property is that if the industrial use is abandoned for more than a year, then no other industrial uses can locate on that property in the

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future without a change in zoning. The intent is to make the property eventually conform to its zoning, without limiting the rights of the current owners.

*Why include the area currently zoned RR-1 in the boundary?*

We included that area because it is zoned at a higher density than the surrounding area, which is a factor for including areas in an Unincorporated Community boundary according to state rules. Given that the RR-1 area is adjacent to the RC area it made sense to include it in the Option 1 boundary, which became the recommended boundary. If it becomes part of the Unincorporated Community, the zoning could later be changed to allow smaller lot sizes, if a community sewer system were in place or if septic conditions improved. This would still require the standard zone change process and approval by the Board of Commissioners. Including this area also makes it slightly easier to change the zoning of those properties from residential to commercial use.

*Would the zoning of the RR-1 area change to RC?*

No, we propose that both areas retain their current zoning.

Matt asked if the meeting attendees had any questions, reactions, or feelings about the County's recommendations. None were mentioned. He asked the participants to write down their opinions on the comment forms, follow the remainder of the process, and make their opinions known to the county planning staff, Planning Commission, and Board of Commissioners.

### **Next Steps**

Matt reviewed the additional steps that will take place through the remainder of the project. They are:

- Refine the County's recommendations based on the public meeting results and further analysis, as needed;
- Prepare community plans for Oak Grove and Rockford, plus the necessary zoning ordinance amendments;
- Conduct work sessions and hearings with the Planning Commission and Board of Commissioners
- Adopt the necessary changes to the County's plans and ordinances

Matt asked if there were any final questions.

*Will we be notified of the work sessions, etc?*

Yes, everyone on the project mailing list will be contacted, including all residents within 1,000 feet of the proposed boundary.

There were no further questions, and the meeting adjourned.

### **Comment Sheets**

The County encouraged all meeting participants to write down their comments or questions on the sheets provided. The County received two responses by the November 22 deadline. Two of these were turned in at the public meeting, while two others were submitted by fax or in the mail. The comments were as follows:



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- I would like the Luhr – Jensen property to remain RC so that any additions or changes would require a conditional use permit. The community would be able to know and discuss any change in their operation.
  - After attending the meeting last night (Nov. 16) I feel better about what is taking place. I hope that people who filled in the survey will have their concerns about keeping our area rural considered. Let me add my note for that, also. I can see that this “change” is inevitable, if it is a mandate by the state, but in the long run it will be beneficial.
  - Use Option 1. *(Note: respondent was on the Rockford UC mailing list.)*
  - Please use Boundary Option 1, as planned, but exclude the lots zoned RR1. These are currently used for residences. There is no linkage between them and the businesses in the RC section. There is nothing about the look or feel, or the history in the last 40 years that would have them be other than what they are. There is no need to change the designation to permit/encourage chopping these parcels into subdivisions in the future. The existing status accommodates all recent/current/potentially useful “community” needs.