

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS

2 FOR MULTNOMAH COUNTY, OREGON

3 ORDINANCE NO. 744

4
5 An Ordinance amending Comprehensive Framework Plan Policy 11, Commercial
6 Forest Land and Plan Policy 12, Multiple Use Forest to ensure that future land divisions and
7 land uses in forest areas are compatible with forest practices and to bring Multnomah County's
8 land use planning program into compliance with Oregon Administrative Rule 660, Division 6.

9 (Underlined sections are new or replacements; [~~bracketed~~] sections are deleted.)

10 Multnomah County Ordains as follows:

11
12 Section I. Findings.

13 (A). On January 25, 1990 the State of Oregon Land Conservation and Development
14 Commission (LCDC) adopted significant amendments to the Statewide Planning Goal 4, Forest
15 Lands and the related Oregon Administrative Rule (OAR Chapter 660, Division 6). By
16 February 5, 1993 Multnomah County must implement those rules into the comprehensive plan
17 text, plan map, zoning code, and zoning map.

18 (B). The Land Conservation and Development Commission stated four primary reasons
19 for the amendments: "The Commission has found it necessary to amend Goal 4 and OAR 660,
20 Division 6, for several reasons. In 1986, the Oregon Supreme Court in 1000 Friends of Oregon
21 v. LCDC and Lane County interpreted Goal 4 contrary to Commission interpretations
22 contained in acknowledged comprehensive plans. Second, the Oregon Legislature passed HB
23 3396 which limited the authority of counties to regulate forest practices. Third, the commercial
24 forest land base continues to shrink while the state's timber supply diminishes thereby affecting
25 the state's economy. Fourth, recent forest fire seasons have been extremely costly, and have
26 illustrated the difficulties in suppressing wildfires in forest areas where dwellings are present."

1 (C). This ordinance amends Comprehensive Framework Plan Policy 11, Commercial
 2 Forest Land Area to comply with the State Goal and Rule requirements. Comprehensive
 3 Framework Plan Policy 12, Multiple Use Forest is retained unchanged except that the Policy
 4 will now be limited for use to those areas in which the Statewide Planning Goal 4, Forest Lands
 5 does not apply.

6 (D). A 46 page findings document examining the impacts of the State Rule changes
 7 and the reasons for the course of action taken is on file with the Multnomah County
 8 Department of Environmental Services, Division of Planning and Development. The findings
 9 have the title "C 4-92, Exhibit A, Findings Associated with Bringing the Multnomah County
 10 Zoning Code into Compliance with the Oregon Administrative Rule on Forest Lands." They
 11 are attached hereto, are incorporated by reference, and are adopted.

12 (E). On May 4, 1992, June 1, 1992, and July 8, 1992 the Planning Commission held
 13 open workshops for drafting of the forest amendments. On August 17 and 18, 1992 County
 14 staff conducted public information meetings to explain the State requirements and the proposed
 15 County ordinances to meet those requirements. The Planning Commission then held public
 16 hearings on September 8, 1992, September 21, 1992 and October 5, 1992. Hearings before the
 17 Board of County Commissioners followed on November 24, 1992 and December 8, 1992.
 18 At each of the hearings all interested persons were given an opportunity to appear and be heard.

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 20 Section II. Amendments.

21 Multnomah County Comprehensive Framework Plan Policy 11, Commercial Forest
 22 Land Area and Policy 12, Multiple Use Forest Area are amended to read as follows:

23 POLICY 11 COMMERCIAL FOREST LAND

24 INTRODUCTION

25 The purpose of the Commercial Forest Land Area Classification is to [~~protect the continued use~~
 26 ~~of lands for renewable commercial forest resource use, water resources protection, recreation,~~

1 ~~wildlife habitat, and other related or compatible uses. Uses not compatible with forest~~
2 ~~management practices will be discouraged in order to minimize the possibilities of damage~~
3 ~~from fire, pollution and conflicts caused by urbanization.] conserve forest lands by maintaining~~
4 ~~the forest land base and to protect the state's forest economy by making possible economically~~
5 ~~efficient forest practices that assure the continuous growing and harvesting of forest tree~~
6 ~~species as the leading use on forest land consistent with sound management of soil, air, water,~~
7 ~~and fish and wildlife resources and to provide for recreational opportunities and agriculture.~~

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9 The intent of the Commercial Forest Land Area Classification is to allocate lands which are
10 suitable for commercial forest management including adjacent or nearby lands which are
11 necessary to permit forest operations or practices and other forested lands that maintain soil,
12 air, water and fish and wildlife resources. [~~however, agricultural uses will also be permitted.~~
13 ~~Other uses such as community facilities appropriate to the area, natural resource extraction, and~~
14 ~~ancillary support and processing services for forestry activities may also be permitted.]~~

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16 Forest operations, practices and auxiliary uses shall be allowed on forest lands subject only to
17 such regulation of uses as are found in ORS 527.722. Uses which may be allowed subject to
18 standards set forth in Statewide Planning Goal 4 and Oregon Administrative Rule 660, Division
19 6 are: (1) uses related to and in support of forest operations; (2) uses to conserve soil, water and
20 air quality, and to provide for fish and wildlife resources, agriculture and recreational
21 opportunities appropriate in a forest environment; (3) locationally dependent uses; (4) forest
22 management dwellings that are necessary for, and accessory to, forest operations; and (5) other
23 dwellings under prescribed conditions.

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1 THE COUNTY'S POLICY IS TO DESIGNATE AND MAINTAIN AS COMMERCIAL FOREST LAND,
2 AREAS WHICH ARE:

3 A. PREDOMINANTLY IN FOREST CUBIC FOOT SITE CLASS I, II, AND III, FOR DOUGLAS FIR
4 AS CLASSIFIED BY THE U.S. SOIL CONSERVATION SERVICE;

5 B. SUITABLE FOR COMMERCIAL FOREST USE AND SMALL WOODLOT MANAGEMENT;

6 C. ~~[IN PREDOMINANTLY COMMERCIAL FOREST USE AND PREDOMINANTLY OWNED BY~~
7 ~~PUBLIC AGENCIES AND PRIVATE TIMBER COMPANIES]~~ POTENTIAL REFORESTATION
8 AREAS, BUT NOT AT THE PRESENT USED FOR COMMERCIAL FORESTRY;

9 D. NOT IMPACTED BY URBAN SERVICES; AND

10 E. COHESIVE FOREST AREAS ~~[WITH LARGE PARCELS]~~; OR

11 F. OTHER AREAS WHICH ARE:

12 1. NECESSARY FOR WATERSHED PROTECTION OR ARE SUBJECT TO LANDSLIDES,
13 EROSION OR SLUMPING; OR

14 2. WILDLIFE AND FISHERY HABITAT AREAS, POTENTIAL RECREATION AREAS OR OF
15 SCENIC SIGNIFICANCE.

16 THE COUNTY'S POLICY IS TO ALLOW FOREST MANAGEMENT WITH RELATED AND
17 COMPATIBLE USES, BUT TO RESTRICT INCOMPATIBLE USES FROM THE COMMERCIAL
18 FOREST LAND AREA, RECOGNIZING THAT THE INTENT IS TO PRESERVE ~~[THE BEST]~~
19 FOREST LANDS FROM INAPPROPRIATE AND INCOMPATIBLE DEVELOPMENT.

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21 **STRATEGIES**

22 A. The following strategies ~~[should]~~ shall be addressed as part of the Community Development Ordinance.

23 The strategies are designed to make land divisions and allowed uses compatible with forest operations
24 and agriculture consistent with Statewide Planning Goal 4 and Oregon Administrative Rule (OAR)
25 660, Division 6:

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- 1 **1. The Zoning Code** should include a Commercial Forest Zone with:
- 2 a. A base minimum lot size of 80 acres appropriate to commercial forestry, with aggregation of lots
- 3 in single ownership required;
- 4 b. Forest and farm uses as primary uses;
- 5 c. [~~Residences allowed under objective prescribed conditions if resource related, and~~] Forest
- 6 management dwellings and dwellings not related to forest management as conditional uses [~~if~~
- 7 ~~non-resource related~~]. Such dwellings are to be allowed under approval criteria and siting
- 8 standards designed to assure conservation of the natural resource base, protection from hazards,
- 9 and protection of big game winter habitat;
- 10 d. Compatible community service uses allowed by OAR 660, Division 6, mineral and aggregate
- 11 extraction, and support services for forestry activities as conditional uses;
- 12 e. Lots of Record provisions; and
- 13 f. Mortgage lot provisions.
- 14 **2. The County Street and Road Standards Code** should include criteria related to street width, road
- 15 construction standards, and required improvements appropriate to the function of the road.
- 16 **3. The Capital Improvements Program** should not program public sewers to this area, and the
- 17 County should not support the formation or expansion of existing service district areas for the
- 18 provision of water service.
- 19 **B.** The conversion of land to another broad land use classification should be in accord with the standards
- 20 set forth by the LCDC Goals, OAR's and in this Plan.

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22 **POLICY 12 MULTIPLE USE FOREST**

23 **LIMITATION**

24 Pursuant to the requirements of the 1990 amended Oregon Administrative Rule 660, Division 6, Forest

25 Lands, the Multiple Use Forest plan designation and zoning district shall apply only to the following two

26 areas in Multnomah County:

- 1 1. All Multiple Use Forest lands within the Columbia River Gorge National Scenic Area until such
- 2 time that the County enacts plan revisions and zone changes in compliance with the "Management
- 3 Plan for the Columbia River Gorge National Scenic Area," adopted by the Columbia River Gorge
- 4 Commission on October 15, 1991; and
- 5 2. All Multiple Use Forest designated lands within the Urban Growth Boundary until such time as plan
- 6 revisions and/or zone changes take place in conformance with the applicable urban services policies
- 7 (OAR 660-06-020 states that Goal 4 does not apply within urban growth boundaries).

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14 ADOPTED THIS 8th day of December, 1992, being the date of its 2nd

15 reading before the Board of County Commissioners of Multnomah County.



22 By Gladys McCoy

23 Gladys McCoy, County Chair

24 MULTNOMAH COUNTY, OREGON

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Peter Lurayson

John DuBay, Deputy County Counsel
of Multnomah County, Oregon