

# WALLOWA COUNTY COMPREHENSIVE LAND USE PLAN

## INTRODUCTION

THIS INTRODUCTORY MATERIAL HAS BEEN INCLUDED TO PROVIDE CITIZENS AND LOCAL, STATE, AND FEDERAL GOVERNMENTAL OFFICIALS A BRIEF EXPLANATION OF THE PLAN IN ORDER THAT THE INFORMATION CAN BE MORE EASILY UNDERSTOOD AND UTILIZED.

Summary: Wallowa County has developed a planning process for both long-range and administrative functions. Long-range planning includes preparation and maintenance of plan map and related goals, policies, and background information (essentially this document), which can be used as a guideline for land conservation and development in the foreseeable future - 10 to 15 years. The process adopted by the County Court to accomplish this effort is enclosed (Appendix 1-1,1-2)

Administrative planning primarily includes those functions controlled by zoning and subdivision ordinance provisions, which are regulatory and utilized as methods of plan implementation. The procedures in both ordinances provide the planning process and policy framework necessary for decision-making related to those concerns.

Land use planning has basically been a four-step process: (1) inventory assembly, (2) inventory analysis, (3) synthesizing the information into plan alternatives, and (4) assembly of the individual plan recommendations into an overall comprehensive plan.

The inventory assembly was an effort undertaken by the Planning Commission and staff, to gather information regarding all planning related factors about which material is available. Natural characteristics, particularly timber/grazing areas and soils conditions, have been among the most important considerations to recognize in planning.

Man-made or man-caused conditions have been equally important considerations. Existing uses are probably the single most important factor in determining how land will be utilized in the future. Other related considerations taken into account were building and subdivisions development, transportation, and urban service and facility improvements which are constructed to accommodate residential, commercial, industrial, and other urban uses. The plan process included an analysis of these factors, and determination as to what opportunities or limitations resulted from existence or lack of such improvements.

Population and employment characteristics were analyzed to provide social and economic input needed to make plan decisions. Desires of area residents provided similar input according to resident surveys (Appendix 1-3, 1976; Appendix 1-4, 1986)

All of this information had been sifted together into these preliminary recommendations, which will be reviewed by citizen and technical (agency) individuals and groups whose input will be considered at public hearing(s) held by the Planning Commission for approving the plan (Appendix 1-5). That plan will then be considered at public hearings held by the County Court prior to final adoption.

Background: The Wallowa County Court and Planning Commission started the planning process several years ago. However, it was not until 1969 when the Oregon State Legislature passed Senate Bill 10 that the Planning Commission became actively involved in developing zoning and subdivision ordinances. Senate Bill 10 is generally regarded as Oregon's first attempt to adopt Comprehensive Land Plans, Zoning Ordinances and Subdivision Ordinances. Wallowa County was able to develop both the Zoning and Subdivision Ordinance by the middle of 1972. The County initiated land use planning in 1973. Information assembled addressed four concerns: Natural Resources including agricultural, timbered, grazing, and recreational lands, Development, Public Service & Transportation. That planning effort was never completed. Implementation committees will be established to accomplish this effort (Appendix 1-6). The 1975 legislature passed Senate Bill 100, which required all local jurisdiction to not only establish a Comprehensive Land Use Plan and planning process, but to develop and plan consistent with fourteen Statewide Goals.

Senate Bill 100 created L.C.D.C. or the Land Conservation & Development Commission. To develop the Goals it also required public involvement in all phases of the planning process, established deadlines for all jurisdictions to comply. Failure to comply with State goals and compliance requirements may constitute a violation of Oregon State Law, and could subject the jurisdiction to penalties as provided in Oregon Revised Statute 197 (excerpts - Appendix 1-2).

Goal exceptions are authorized, providing certain conditions are met (Appendix 1-7).

#### Implementation of Plan:

Goal 2 requires that plans shall be the basis for specific implementation measures. In accordance with this requirement, the policies and goals of the land use classifications designated in this plan are implemented by zoning provisions.

Goal 3 lands, are designated as exclusive Farm use or Timber-grazing on the land use classification map. The exclusive Farm use classification is implemented by the EFU Exclusive Farm use zone. The Timber-grazing classification is implemented by the T-G Timber-grazing zone.

Goal 4 lands, are designated as forest on the land use classification map. The forest

classification is implemented by the T-C Timber-Commercial Zone.

Several areas of Wallowa County have qualified for exclusion from requirements of goals 3,4 and/or 11,14 due to existing levels of non-resource use or need to accommodate future non-resource uses. These areas are designated as exceptions. Information and detailed maps of each exception area are contained in the Appendix. The exception classification is implemented by the R-1, R-2, R-3, CR-2, UGA, M-1, EL-1, and R-C zones.

The Concept: This Land Use Plan is a public document prepared by the Planning Commission with assistance and input from County residents, private enterprise, and affected governmental agencies. It provides long-range guidelines for decision-making with regard to utility facility and road improvement projects, and other considerations related to county growth.

The Plan will be used by public bodies as the basis upon which to make county development decisions, and by business and individuals to make investments or construction decisions, wherein it is desirable to have some assurance the county growth will take place as projected.

The Purpose: The basic purposes of this Plan are to: (1) to protect the custom, culture, and community stability of the county (Appendix 1-8), (2) (maintain the agricultural and timber basis of the county, (3) to accommodate anticipated development, and (4) to make provisions for those uses which may be needed by the county, but which may have such undesirable characteristics as noise, smoke, and odor.

The Plan shall be used to encourage desirable growth in that it identifies those uses which are wanted, and provides areas for their development. The elements of the lifestyle of Wallowa County that should be protected as custom culture and in the interest of community stability include but are not limited to: Timber Grazing; Agriculture; Local Business/Service; Tourism; Recreation; Retirement and the Arts. Anticipated development, as projected in the Plan can be accommodated by constructing those road and utility improvements which will be needed in order for that development to be realized. The Plan has also attempted to provide for the location of those uses which may have undesirable characteristics, but are needed in the county.

Flexibility: This Plan is flexible in that provisions are made for reviewing and updating as conditions in the area change. Such conditions may be economical, physical, social, political, or environmental. Boundary lines for the various land use classifications are general and may be adjusted (slightly) as the County determines desirable, providing the intent of the Plan is not changed by the adjustment.

Existing Uses: Any legal use existing at the time this Plan was adopted can be continued providing such use is not determined to be a nuisance under local nuisance ordinance provisions.

Legality: The State enabling legislation ORS 197.010 stipulates that coordinated comprehensive plans must be adopted and:

- (1) Are expressions of public policy in the form of policy statements, generalized maps and standards and guidelines;
- (2) Shall be the basis for more specific rules, regulations and ordinances which implement the policies expressed through the comprehensive plans;
- (3) Shall be prepared to assure that all public actions are consistent and coordinated with the policies expressed through the comprehensive plans.

The term coordination above refers (1) to planning interaction with other agencies at various levels of government, and (2) to relating the Land Use Plan to public utility, facility and transportation improvements, which are among the most important means of plan implementations. The law also requires plan review and revision as changing needs and desires arise. In December, 1974, the State Land Conservation and Development Commission (LCDC), adopted fourteen land use planning goals. Cities and Counties are responsible for preparation of their own respective plans, based on the adopted statewide goals. Counties are required to coordinate all of the plans prepared within their boundaries.

Zoning: In addition to public utility, facility and transportation improvement, zoning is the primary means of plan implementation. Zoning maps and land use plans are somewhat similar in that both delineate areas suitable for various uses, and attempt to assure use compatibility. Plans are more general and flexible, and provide long-range guidelines for orderly development. Zoning is specific and short-range, and is regulatory rather than recommendatory. Recent court cases have determined that the zoning ordinance must be a reflection of the land use plan.

Format: This document has three basic sections: The (preceding) Introduction, The Plan and Policies, and The Appendix. The introductory section provides a setting for the Plan, which is the legal part of the document and comprises the following:

1. Plan map and description of land use classifications.
2. The plan background information and related policies.
3. Recommended measures of implementation resulting from background information analysis, statements of policy or plan map revisions.
4. APPENDIX

Additional background information is on file in the County Planning Department.

### PLAN MAP AND DESCRIPTION OF LAND USE CLASSIFICATIONS

The following descriptions outline the general types of uses and activities allowed in each of the Wallowa County Comprehensive Land Use Plan Designations.

Wallowa County has 12 Comprehensive Land Use Plan designations with each designation having its own implementing zone:

- |                           |                       |
|---------------------------|-----------------------|
| 1. Exclusive Farm Use     | 7. Rural Service      |
| 2. Timber Grazing         | 8. Select Residential |
| 3. Timber Commercial      | 9. Industrial         |
| 4. Rural Residential      | 10. Rural Commercial  |
| 5. Recreation Residential | 11. Existing Lot      |
| 6. Commercial Recreation  | 12. Urban Growth      |

#### **EXCLUSIVE FARM USE:**

To carry out Goal III, the County applies the Exclusive Farm Use Comprehensive Land Use Plan designation to lands defined as agricultural lands under OAR 660-33-020(1)(a). The intent of the Exclusive Farm Use Comprehensive Land Use Plan designation is to preserve and maintain agricultural land for farm use. To accomplish this purpose, the County shall apply an Exclusive Farm Use zone to these lands pursuant to Goal III, OAR 660, Division 33 and ORS Chapter 215.

#### **TIMBER/GRAZING:**

To carry out Goals III and IV, Wallowa County applies the Timber Grazing Comprehensive Land Use Plan designation to lands that are intermingled with both agricultural land and forest lands. The intent of the Timber Grazing Comprehensive Land Use Plan designation is to preserve and maintain agricultural land for farm use, conserve forest lands, and carry out the legislative policy of ORS 215.700. To accomplish this purpose, Wallowa County shall apply a Mixed Farm and Forest zone to these lands pursuant to Goals III and IV, OAR 660, Divisions 6 and 33 and ORS Chapter 215.

#### **TIMBER COMMERCIAL:**

To carry out Goal IV, Wallowa County applies the Timber/Commercial Comprehensive Land Use Plan designation to lands that are defined as forest lands under Goal IV. The

intent of the Timber/Commercial Comprehensive Land Use Plan designation is to conserve forest lands and carry out the legislative policy of ORS 215.700. To accomplish this purpose, the County shall apply a Forest zone to these lands pursuant to Goal IV and OAR 660, Division 6.

### **RURAL RESIDENTIAL:**

Rural Residential zoning provides for rural residential uses in areas that will not significantly affect surrounding resource uses and in areas for which an exception to Goals III and/or IV has been taken.

### **RECREATION RESIDENTIAL:**

Some areas of the Wallowa Lake Basin have been designated as Recreation Residential in the Comprehensive Land Use Plan. Other locations may be determined suitable for that purpose providing water supply, sewage disposal, fire protection, access and other requirements are met.

### **COMMERCIAL RECREATION:**

Commercial Recreation zoning provides minimum standard for commercial development and uses in areas of the County that are used primarily by visitors from outside the County.

### **RURAL SERVICE:**

Rural Service zoning provides areas suitable and desirable to meet recreational or rural service needs for which a demand is created by the surrounding area's rural development and/or recreational activities. Uses within this designation might include service stations, grocery stores, residences or cabins, and other uses. It has been indicated in Minam, Flora, Troy, Lapover, and Imnaha. Possible future service center have been identified at Dug Bar and Gumboot Creek.

### **SELECT RESIDENTIAL:**

Select Residential zoning provides areas suitable for small acreage parcels and maintains a buffer between urban and rural residential parcels. The Select residential zone was created to allow limited development at a two acre density within existing exception areas that are primarily developed with houses situated on lots or parcels that are two acres or smaller. It is important that this zone be applied in a manner consistent with the policies of the Plan and Statewide Planning Goals XI and XIV. Lands zoned Select residential are not intended to be served by public water or sewer.

## **INDUSTRIAL:**

Industrial zoning provides areas suitable and desirable to meet demands for industrial development. Some industrial areas have been included within urban growth areas already committed for industrial use.

## **RURAL COMMERCIAL:**

Rural Commercial zoning provides a district for a limited number and type of commercial enterprises which depend on proximity to major streets or arterials for trade or transportation and require lot sizes larger than are typically available within Urban Growth Boundaries and are compatible with surrounding areas.

## **EXISTING LOT:**

Existing Lot zoning provides for the establishment of non-farm, non-forest residential use in areas predominantly comprised of lots or parcels of insufficient size required for farm or forest use and/or where further creation of additional lots or parcels could potentially increase the need for public services such as road maintenance, school bus service, or law enforcement.

## **URBAN GROWTH AREA:**

Urban Growth zoning provides areas suitable and desirable for residential, commercial, industrial, public, and other development that will likely need urban level services, particularly water supply, sewage disposal, police, and fire protection. City limits and additional land that is developing or is anticipated to develop have been included within the urban growth boundaries. These boundaries may be expanded, primarily to encompass rural residential land that has a need for urban services and where the city has the capability and desire to provide them. Urban Growth Areas have been indicated for each of the incorporated cities. In some instances, certain urban services may be provided by the County or by special services district(s) by mutual city/county agreement.

## **PLAN ELEMENT DESCRIPTIONS AND GUIDELINES**

This section of the plan has been designed to provide goals and policies for planning decision making, to recommend measures for plan implementation, and to provide the background information upon which the goals, policies, and recommendations are founded. The format is based upon the following fourteen goal topics:

1. Citizen Involvement
2. Planning Process
3. Land Use
4. Transportation
5. Environmental Quality
6. Public Services
7. Housing
8. Recreation
9. Economy
10. Safety
11. Cultural Resources
12. Open Space
13. Parks and Recreation
14. Public Utilities

3. Agriculture
4. Forestry
5. Resources
6. Air, Land, & Water Quality
7. Disasters & Hazards
10. Housing
11. Public Facilities & Services
12. Transportation
13. Energy Conservation
14. Urbanization

The policies found under each topic provide regulatory guidelines, supplementary to the Plan map. If decisions are knowingly made contrary to the goals or policies, justification for the deviation should be acknowledged, and the reasons therefore set down in writing as part of the decision.

Recommendations are measures or actions which need to be undertaken or accomplished to implement the Plan. They are recommendatory only, and do not have the same regulatory effect as do the goals and policies.

The descriptive information includes that material which was taken into account in developing the Plan goals, policies and recommendations. As this information becomes outdated, assembly and review of new information should be made to determine whether policy and/or recommendation changes are needed (see planning process section).

The descriptive material of each goal topic includes summary and findings sections. The summary sections are overviews of the respective subjects as they affect the County. The findings sections are statements of fact which have been identified as the primary bases for plan provisions. Background material provides more detailed information than the summary sections where such information has been instrumental in the Plan recommendations.

