



PLANNING DEPARTMENT

2705 East Second Street • The Dalles, OR 97058  
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*Pioneering pathways to prosperity.*

# **WASCO COUNTY PLANNING** **COMMISSION AGENDA PACKET**

**FOR**

**Hearing Date:** June 1, 2021  
**Hearing Time:** 3:00 pm  
**Hearing Location:** Electronically via Zoom  
Meeting ID: 898 8021 7094

## **HEARING #1**

**File # 921-21-000017-PLNG – Mead - A Conditional Use Permit for a 1,404 Square Foot (SF), 52'L x 28'W x 14'H Non-Farm Dwelling, to be reviewed through the Planning Commission, per request of the applicant.**





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**Date:** May 25, 2021  
**To:** Wasco County Planning Commission  
**From:** Wasco County Planning Office  
**Subject:** Submittal for hearing dated June 1, 2021  
**Re:** Review File **#921-21-000017-PLNG** – Mead

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**SUMMARY OF INFORMATION**  
**Prepared for Planning Commission Hearing**

**Hearing Date:** June 1, 2021

**File Number:** 921-21-000017-PLNG

**Newspaper Publish Date:** May 13, 2021

**Request:** Conditional Use Permit for a 1,404 Square Foot (SF), 52'L x 28'W x 14'H, Non-Farm Dwelling, to be reviewed through the Planning Commission, per request of the applicant.

**Applicant:** Bill & Kim Mead, 78901 Victor Rd., Maupin, OR 97037

**Owner:** Kimberly S. Mead, 78901 Victor Rd., Maupin, OR 97037

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**Property Information:**

**Location:** The subject parcel is located on Walters Road, approximately 0.5 miles east of its intersection with Kelly Springs Road, approximately 1 mile southeast of Pine Grove, OR, more accurately described as:

<u>Existing Tax Lot</u>	<u>Acct#</u>	<u>Acres</u>
5S 12E 30 200	13041	10.73

**Zoning:** A-1 (160), Exclusive Farm Use

**Environmental  
Protection**

**Districts:** None

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**Attachments:**

- A. Conditions of Approval
- B. Time Limits & Appeal Information
- C. Maps
- D. Staff Report
- E. Lighting Standards
- F. Forest-Farm Management Easement
- G. Farm Mediation Ordinance
- H. Public Comment
- I. Soil Survey Determination

## **ATTACHMENT A – SUMMARY OF INFORMATION AND CONDITIONS**

The full staff recommendation with all proposed findings of fact is enclosed as **Attachment D** and was available at the Wasco County Planning Department for review one week prior to the June 1, 2021 hearing. The full staff recommendation is made a part of the record. This summary does not supersede or alter any of the findings or conclusions in the staff report, but summarizes the results of staff's review and recommendation.

An application was made by Bill & Kim Mead for a Conditional Use Permit for a 1,404 Square Foot (SF), 52'L x 28'W x 14'H, Non-Farm Dwelling in the A-1 (160), Exclusive Farm Use. The applicant has elected for the request to be reviewed through the Planning Commission therefore the Planning Commission must act on this request.

### **IF THE PROPOSAL IS APPROVED BY THE PLANNING COMMISSION, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:**

#### **A. Prior to issuance of zoning approval on a building permit application but after expiration of the 12-day appeal period, the owner shall comply with the following conditions of approval:**

1. The owner shall obtain a road approach permit from the Wasco County Public Works Department.
2. The property owners must sign and record a Forest-Farm Management Easement with the Wasco County Clerk (see Attachment F).
3. Sanitation approval is required before commencing construction.
4. The owner must submit a request to the Wasco County Assessor to disqualify the subject parcel from special assessment, and pay any additional tax imposed. Proof of disqualification shall be provided by the applicant to the Planning Department prior to zoning approval.
5. The owners must record a new deed for the subject parcel that lists the following statement: "This parcel may not qualify for special assessment unless, when combined with another contiguous lot or parcel, it constitutes a qualifying parcel by meeting the minimum lot size for commercial agriculture enterprises within the area."

#### **B. Miscellaneous Conditions:**

1. Outdoor lighting must be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. Shielding and hooding materials shall be composed of nonreflective, opaque materials.
2. The owner will be required to dispose of trash offsite.
3. The owners must maintain existing vegetation to the greatest extent possible and to reseed and/or revegetate disturbed areas within the first planting season (October – April).
4. The current or future property owner(s) must maintain the driveway from Victor Road to the proposed nonfarm dwelling with enough gravel on the running surface to cover the dirt base and minimize the amount of airborne dust.

## **ATTACHMENT A – SUMMARY OF INFORMATION AND CONDITIONS**

5. Noncompliance with any condition of approval shall be grounds for revocation of the permit. Revocation of the Conditional Use Permit shall be considered to be a land use action and shall be reviewed by the Planning Commission.
6. A 50 foot fire fuel break shall be provided and maintained around all physical development in accordance with the Chapter 10 – Fire Safety Standards, Defensible Space criteria.
7. The proposed dwelling shall meet criteria outlined in Chapter 10 – Fire Safety Standards, Construction Standards for Dwellings and Structures, and that the final structural designs shall meet all applicable building code standards.
8. The proposed dwelling shall meet criteria outlined in Chapter 10 – Fire Safety Standards, Access Standards, and that the driveway must end with a 95' diameter turnaround or a 120' hammerhead.

## **ATTACHMENT B - PLANNING COMMISSION OPTIONS & STAFF RECOMMENDATION**

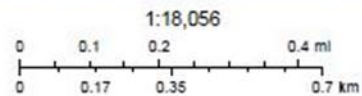
### **PLANNING COMMISSION OPTIONS**

- A. Approve the request, with amended Conditions and Findings; or
- B. Deny the request as described in the Staff Report; or
- C. If additional information is needed, continue the hearing to a date and time certain to allow the submittal of additional information.

### **STAFF RECOMMENDATION**

With conditions, staff recommends Option B: Deny the request as described in the Staff Report.

**Applicant/Owner: Bill & Kim Mead**  
**Map: 5S 12E 30, Tax Lot: 200**  
**Account #: 13041**  
**Vicinity Map**



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Wesco County Planning  
This Map is for Informational Purposes Only.

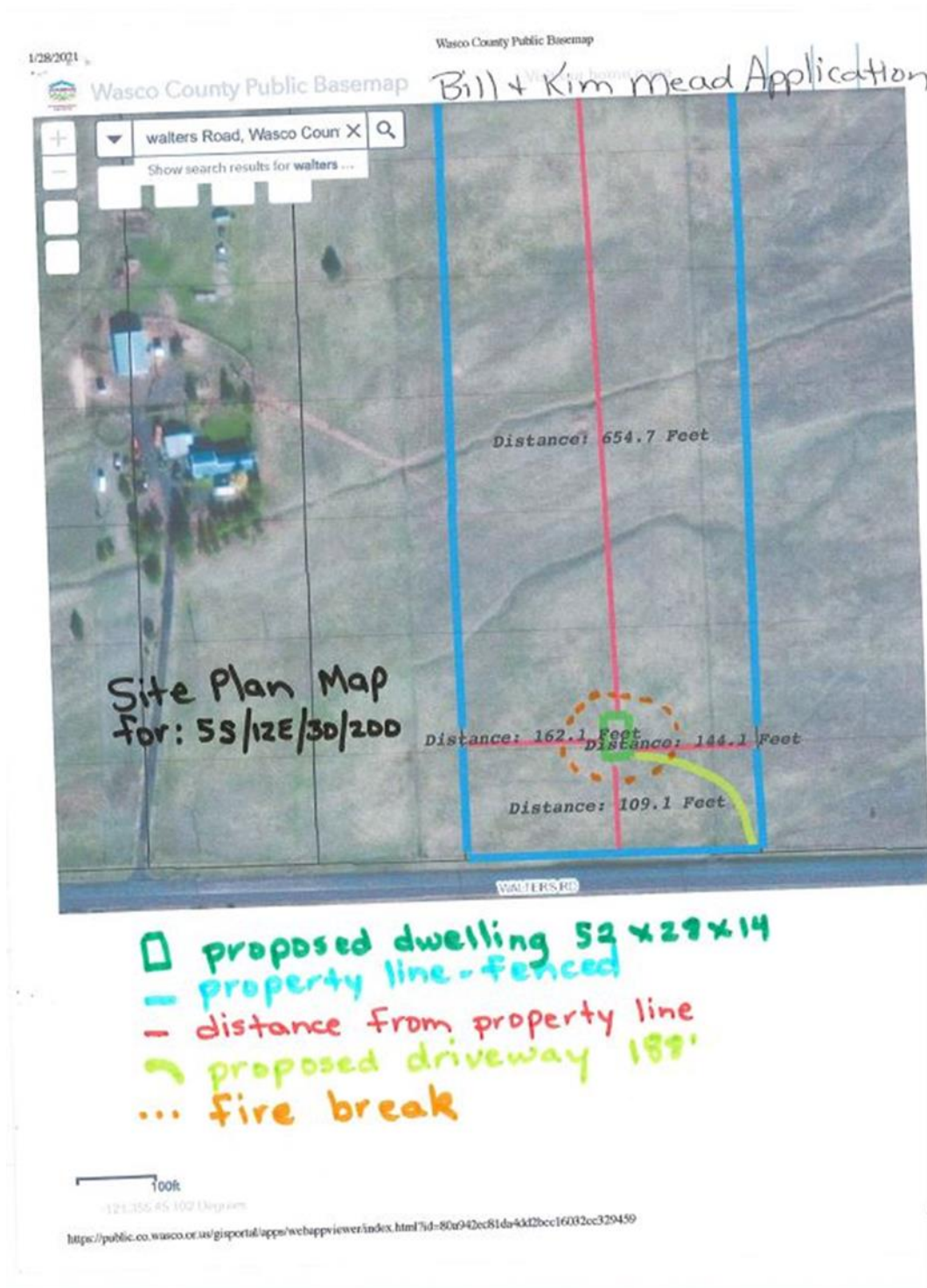
## ATTACHMENT C – MAPS

Applicant/Owner: Bill & Kim Mead

Map: 5S 12E 30, Tax Lot: 200

Account #: 13041

Site Plan



## ATTACHMENT D –STAFF REPORT

**File Number:** 921-21-000017-PLNG

**Applicant:** Bill & Kim Mead, 78901 Victor Rd., Maupin, OR 97037

**Owner:** Kimberly S. Mead, 78901 Victor Rd., Maupin, OR 97037

**Request:** Conditional Use Permit for a 1,404 Square Foot (SF), 52'L x 28'W x 14'H, Non-Farm Dwelling, to be reviewed through the Planning Commission, per request of the applicant.

**Recommendation:** Denial

**Planning Commission Hearing Date:** June 1, 2021

**Location:** The subject parcel is located on Walters Road, approximately 0.5 miles east of its intersection with Kelly Springs Road, approximately 1 mile southeast of Pine Grove, OR, more accurately described as:

<u>Tax Lot</u>	<u>Acct #</u>	<u>Acres</u>
5S 12E 30 200	13041	10.73

**Zoning:** A-1 (160), Exclusive Farm Use

**EPDs:** None

**Past Actions:** None

**Procedure Type:** Quasi-Judicial Hearing

**Prepared By:** Will Smith, Senior Planner  
Lisa Johnson, Associate Planner

## ATTACHMENT D –STAFF REPORT

### I. APPLICABLE STANDARDS

#### A. Chapter 3 – Basic Provisions

##### Section 3.210 – Exclusive Farm Use (A-1) Zone

Section 3.215.I	Uses Permitted Subject to Conditional Use Review (Nonfarm Dwelling)
Section 3.216	Property Development Standards
Section 3.218	Agricultural Protection
Section 3.219.A.	Additional Standards –Nonfarm Dwelling

#### B. Chapter 5 – Conditional Use Review

Section 5.020	Authorization to Grant or Deny Conditional Uses, and Standards and Criteria Used
Section 5.030	Conditions
Section 5.040	Revocation of Conditional Use Permit

#### C. Chapter 10 – Fire Safety Standards

Section 10.110	Siting Standards – Locating Structures for Good Defensibility
Section 10.120	Defensible Space – Clearing and Maintaining a Fire Fuel Break
Section 10.130	Construction Standards for Dwellings and Structures - Decreasing the Ignition Risks by Planning for a more Fire-Safe Structure
Section 10.140	Access Standards – Providing Safe Access to and Escape From Your Home
Section 10.150	Fire Protection or On-Site Water Required – Ensuring Dwellings Have Some Fire Protection Available Through Manned or Unmanned Response

### II. BACKGROUND

#### A. Legal Parcel: The Wasco County Land Use and Development Ordinance (LUDO) Section 1.090 – Definitions defines a Legal Parcel as:

*“(Legal) Parcel - A unit of land created as follows:*

- a. A lot in an existing, duly recorded subdivision; or*
- b. A parcel in an existing, duly recorded major or minor land partition; or*
- c. By deed or land sales contract prior to September 4, 1974.*

*A unit of land shall not be considered a separate parcel simply because the subject tract of land;*

- a. Is a unit of land created solely to establish a separate tax account;*
- b. Lies in different counties;*
- c. Lies in different sections or government lots;*
- d. Lies in different land use or zoning designations; or*
- e. Is dissected by a public or private road.”*

The subject property has a unique history. It was owned by the Wapinitia Cattle Grower’s Association as part of a larger 80 acre property consisting of this one, and the seven tax lots to the west of it, from November 12, 1943 to December 16, 1975. The deed for that larger



property is described in Book 95, Page 247 of the deed records of Wasco County. In 1975 it was discovered that an unincorporated association could not hold title to land, and the Association decided to divide it amongst its members. Towards that end, in December of 1975, eight deeds were created to give ownership of the WCGA to each individual of that association, unlawfully creating a subdivision. After 1974, the only way to divide property would have been by the partition or subdivision process, and the minimum parcel size of this area at the time was 20 acres, so the subject property would have been too small to be created lawfully. As the property in its current configuration was not created by deed prior to Sept 4, 1974; by partition; or by subdivision, it does not meet the WC LUDO definition of a Legal Parcel.

- B. Site Description:** The subject parcel is vacant and undeveloped, though surrounded by a fence. The property is taxed as an unimproved rural tract. Access is provided by Walters Road along the southern boundary. It is flat and treeless, covered in grasses.
- C. Surrounding Land Use:** Surrounding properties are also in the A-1 (160), Exclusive Farm Use Zone. All immediately adjacent property is also flat and treeless, with low hills and sparse tree cover beginning about a quarter mile to the south. Seasonal drainages create minor topographic contouring on properties to the east and north. A dwelling and accessory structures occupies the property to the east, along with several agricultural buildings. The properties immediately south, north, and east are vacant, but a scattering of other single family dwellings and accessory structures can be found along Walters Road. Pine Grove, a Rural Service Center, lies less than a mile to the north west. According to the USDA 2019 crop layer dataset, properties all around are dominated by use as "Grassland/Pasture" with intermittent "Alfalfa."
- D. Public Comment:** Pre-notice of the proposed administrative action was sent on March 11, 2021, to all property owners within 750' of the subject parcel, and affected agencies. As of the expiration of the comment period (4 p.m., March 23, 2021) no comments were received.

### III. FINDINGS:

#### A. Chapter 3 – Basic Provisions

##### ***Section 3.215 - Uses Permitted Subject to Conditional Use Review/Type II or Type III***

*The following uses may be permitted on a legal parcel designated Exclusive Farm Use (A-1) Zone subject to Section 3.216 - Property Development Standards, Section 3.218 - Agricultural Protection, Chapter 5 - Conditional Use Review, Chapter 10 - Fire Safety Standards, Chapter 20 - Site Plan Review only if the request includes off-street parking, off-street loading or bicycle parking, as well as any other listed, referenced, or applicable standards:*

*(\*\*\*)*

##### *Residential Uses*

- I. Non-Farm Dwelling: One single family dwelling not provided in conjunction with farm use, subject to Section 3.219 A, below.*

**FINDING:** The proposal includes a request for a Conditional Use Permit to construct a non-farm dwelling. Chapter 3, Sections 3.216-Property Development Standards, Section 3.218-Agricultural Protection, Section 3.219.A-Additional Standards for Non-Farm Dwellings; Chapter 5-Conditional Use Review; and Chapter 10-Fire Safety Standards are all addressed below.

This report lists the findings for all required sections, and finds that the proposal meets these other criteria for this zone and use, however, this Criterion only states that such a proposed use (a non-farm dwelling) “*may be permitted on a legal parcel...*” As discussed above in in Section II.A. of this report the subject property was created unlawfully by deed in 1975 and does not meet the Wasco County LUDO definition of a (Legal) Parcel.

Staff finds the request does not comply with Criterion 3.215.I. because the subject property is not a legal parcel.

**Section 3.216 - Property Development Standards**

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

**A. Setbacks**

**1. Property Line**

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

*(\*\*\*)*

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

*(\*\*\*)*

**FINDING:** The request is for a non-farm dwelling. Adjacent parcels are not used for crops, but are used for grazing, and are zoned EFU, requiring a 100’ minimum setback.

The required and proposed setbacks are listed below:

Boundary	Required	Proposed	Complies?
North	100'	654.7'	Yes
South	100'	109.1'	Yes
East	100'	144.1'	Yes
West	100'	162.1'	Yes

All proposed setbacks meet the minimum requirements. Staff finds the request complies with Criterion 3.216.A.1.a.(2).

- b. *Farm structures shall be set back a minimum of 25 feet from the property line.*

**FINDING:** The proposal does not include any farm structures. Staff finds that Criterion 3.216.A.1.b does not apply to the request.

c. *Additions, modifications, or relocation.....*

**FINDING:** The proposal does not include an addition, modification, or relocation. Staff finds that Criterion 3.216.A.1.c does not apply to the request.

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

**FINDING:** The proposal does not include any new fences, signs, roads, or retaining walls. Staff finds that Criterion 3.216.A.1.d does not apply to the request.

2. *Waterways*

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

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

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

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

**FINDING:** There are no wetlands on the subject property. The nearest water body (identified in the statewide inventory) is approximately 440' from the proposed development site. This is an unnamed, seasonal, non-fish bearing, riverine feature that runs from southwest to northeast on the adjacent parcel to the east of the subject property. During a site visit conducted on February 24, 2021, staff did not identify any other wetlands on the subject property. The 440' distance exceeds the minimum 50' required for all water bodies designated as non-fish bearing by any federal, state or local inventory. It is approximately 220' from the property boundary; there are no identified wetlands, fish bearing or non, within 100' of the subject parcel. Staff finds the request complies with Criterion 3.216.A(2)a.1.

b. *Floodplain: Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740 - Flood Hazard Overlay (EPD 1).*

**FINDING:** The proposal does not include development within the EPD 1- FEMA Floodplain Overlay. Staff finds that Criterion 3.216.A(2)b does not apply to the request.

3. *Irrigation Ditches: All dwellings and structures shall be located outside of the easement of any irrigation or water district. In the absence of an easement, all dwellings and structures shall be located a minimum of 50 feet from the centerline of irrigation ditches and pipelines which continue past the subject parcel to provide water to other property owners.*

*Substandard setbacks must receive prior approval from the affected irrigation district. These setbacks do not apply to fences and signs.*

**FINDING:** The proposal does not include development within an easement for an irrigation ditch or water district. Staff finds that Criterion 3.216.A(3) does not apply to the request.

4. Wasco County Fairgrounds...

**FINDING:** The proposal does not include development within the Wasco County Fairgrounds. Staff finds that Criterion 3.216.A(4) does not apply to the request.

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

**FINDING:** The request is for a Conditional Use Permit to construct a 14'H non-farm dwelling. This structure does not exceed the height requirements for this zone. Staff finds the request complies with Criterion 3.216.B.

*C. Vision Clearance: Vision clearance on corner properties shall be a minimum of thirty (30) feet.*

**FINDING:** The proposal is not on a corner property. Staff finds that Criterion 3.216.C does not apply to the request.

*D. Signs...*

**FINDING:** The proposal does not include any signs. Staff finds that Criterion 3.216.D does not apply to the request.

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

**FINDING:** The application does not indicate the placement of any new outdoor lighting; however it is not unusual for a dwelling to contain one or more lights by the door(s). A **condition** of approval is included in the Notice of Decision advising the owner that outdoor lighting must be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. Shielding and hooding materials shall be composed of nonreflective, opaque materials. With the proposed condition, staff finds the request complies with Criterion 3.216.E.

*F. Parking: Off street parking shall be provided in accordance with Chapter 20.*

**FINDING:** Chapter 20 requires one off-street parking space for a single family dwelling. The proposal includes a 188' long driveway on a subject parcel that is flat and treeless which is adequate space for multiple off-street parking spaces around the proposed dwelling. Staff finds that the request complies with Criterion 3.216.F.

*G. New Driveways: All new driveways and increases or changes of use for existing driveways which access a public road shall obtain a Road Approach Permit from the appropriate*

*jurisdiction, either the Wasco County Public Works Department or the Oregon Dept. of Transportation.*

**FINDING:** The proposal includes a new driveway. No road approach permit exists on file for this property. A **condition** of approval is included in the Notice of Decision stating that the owner shall obtain a road approach permit from the Wasco County Public Works Department prior to zoning approval. With the condition of approval, staff finds the request complies with Criterion 3.216.G.

***Section 3.218 - Agricultural Protection***

*The uses listed in Section 3.214 - Uses Allowed Subject to Standards and Section 3.215 - Conditional Uses must meet the following standards:*

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

**FINDING:** The proposed nonfarm dwelling is located on land that is not in commercial agricultural production. Surrounding lands do contain agricultural uses necessitating that the owners of the subject parcel sign a Forest-Farm Management Easement as described in Criterion A. A **condition** of approval is included in the Notice of Decision requiring that the property owners sign and record a Forest-Farm Management Easement (see Attachment F) with the Wasco County Clerk prior to obtaining zoning approval from the Wasco County Planning Department. With the proposed condition, staff finds the request complies with Criterion 3.218.A.

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

**FINDING:** The Farm Mediation Ordinance is being provided to the property owner as Attachment G. Staff finds that the request complies with Criterion 3.218.B.

(\*\*\*)

***Section 3.219 - Additional Standards***

- A. Non-Farm Dwelling:*

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

**FINDING:** The subject parcel is located in the A-1 (160) Exclusive Farm Use Zone. Staff finds that the request complies with Criterion 3.219.A.1.

- 2. There is no other dwelling on the parcel;*

**FINDING:** Staff conducted a site visit to the subject parcel on Feb. 24, 2021, and confirmed that there are no other dwellings on the subject property. Staff finds that the request complies with Criterion 3.219.A.2.

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

**FINDING:** The application is for a new dwelling. After planning approval the application will be evaluated and reviewed for a subsurface septic disposal system by North Central Public Health District, who is the review authority that will ensure there is adequate drainage for proper sanitation. A **condition** of approval is in the Notice of Decision requiring sanitation approval before commencing construction. Staff finds the request complies with Criterion 3.219.3.

4. *Criteria for Farmland within the EFU Zone:*

*The dwelling is situated upon a lot or parcel, or a portion of a lot or parcel that is generally unsuitable land for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the tract. A lot or parcel shall not be considered unsuitable solely because of size or location if it can reasonably be put to farm or forest use in conjunction with other land.*

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

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

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

**FINDING:** The proposed development will be occurring on a 10.73 acre parcel. This is less than 80 acres, and it was created in 1975, which is prior to January 1, 1993. In order to qualify, the entire parcel must be found to be generally unsuitable. Wasco County's data on soil classes comes from the Natural Resources Conservation Service (NRCS) Soil Survey and for this property indicated that the majority of soils were Class III, with some Class IV and Class VII. This would not meet the stated standard. However, the applicant pursued a local soils assessment in accordance with the rules described by the Department of Land Conservation and Development (DCLD). The DCLD website states:

*"Soil mapping done by the USDA Natural Resources Conservation Service (NRCS) is the most common tool used for identifying the types of soils in an area. The NRCS provides a rating for each soil type that indicates how suited the soil is for agriculture. Oregon's land use laws help keep the best soils for crop cultivation and agricultural use. Soils that are less productive have more opportunities for development than higher quality soils.*

“NRCS does not have the ability to map each parcel of land, so it looks at larger areas. This means that the map may miss a pocket of different soils. DLCD has a process landowners can use to challenge NRCS soils information on a specific property. Owners who believe soil on their property has been incorrectly mapped may retain a "professional soil classifier...certified by and in good standing with the Soil Science Society of America" (ORS 215.211) through a process administered by DLCD. This soils professional can conduct an assessment that may result in a change of the allowable uses for a property.” (Source: <https://www.oregon.gov/lcd/FF/Pages/Soils-Assessment.aspx>)

The applicant hired Gary Kitzrow of Growing Soils Environmental Associates, who is listed on the Soils Assessment website as an appropriately qualified soils scientist who performed the required soils assessment on September 3, 2020. This report was submitted to DLCD on September 26, 2020 where it was determined to be “complete and consistent with the reporting requirements” by Hillary Foote, Farm and Forest Specialist, on November 20, 2020.

The report states: “This study area and legal lot of record is comprised of 63.7% (6.83 ac.) of generally unsuited soils Capability Class 7 by Wasco County and DLCD definitions.”

According to the soils report, greater than 50% of the parcel is Class VII soil. Findings for Criterion c. are listed below. Staff finds the request complies with Criterion 3.219.A.4.b.

(\*\*\*)

*c. Generally Unsuitable Criteria:*

- (1) predominantly greater than 40 % slope, or*
- (2) produces less than 25 bushels per acre wheat or cereal grains crop, or less than 1 ton per acre of alfalfa or other type of hay as per Farm Service Agency (FSA) registered field crop information. Averages shall be based on acres in production, or*
- (3) never been cropped according to the ASCS (FSA) aerial photos and records, and requires more than 5 acres per AUM based on the soil productivity as shown in the most up to date soils survey or on a field determination conducted by an authorized professional using Natural Resource Conservation RCS standards.*

**FINDING:** The subject parcel must meet one of the criteria above to be considered generally unsuitable. Criterion (1) cannot be met as the slopes for the subject parcel are 0%. Criterion (3) applies because the subject parcel has never been cropped according to FSA records.

The Soils Assessment stated that 63.7% of the soil was Class VII, which it identified as 5C, Bakeoven-Watama complex. This criterion requires more than 5 acres per AUM based on the soil productivity. As shown by the portion of the Animal Unit Month (AUM) chart below, the acres per available AUM for a normal year are 10.53 for Bakeoven soils, and 2.87 for Watama soils. The average between these two numbers is 6.7, which exceeds the 5 acres per AUM required for this criterion.

Soil Symbol	Soil Name	Potential Production (Kind of Year)			Total AUM's / Acre			Total Acres / AUM			Acres /available AUM			NRCS Proper Use Factor of 25%
		Favorable	Normal	Unfavorable	Favorable	Normal	Unfavorable	Favorable	Normal	Unfavorable	Favorable	Normal	Unfavorable	
5C	Bakeoven	350	300	200	0.44	0.38	0.25	2.26	2.63	3.95	9.03	10.53	15.80	
	Watama	1,300	1,100	900	1.65	1.39	1.14	0.61	0.72	0.88	2.43	2.87	3.51	

Staff finds that the request complies with Criterion 3.219.A.4.c.

#### 5. Criteria for Forested land within the EFU zone

**FINDING:** The proposal does not include development on a parcel that is under forest assessment. Staff finds that Criterion 3.219.5 does not apply to the request.

6. *Cumulative Impact: The dwelling will not materially alter the stability of the overall land use pattern of the area. In determining whether a proposed nonfarm dwelling will alter the stability of the land use pattern in the area, consideration shall be given to the cumulative impact of nonfarm dwellings on other lots or parcels in the area similarly situated by applying the following standards:*

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

**FINDING:** Staff identified a study area containing 1,751.71 acres of land. This study area consists of 24 tax lots. Four of the lots are adjacent properties. Most of the analysis area has similar topography, soil types, land use patterns, and farm uses and are representative of the land patterns found in the area. All tax lots are zoned A-1 (160).

Twenty-two tax lots containing 1,661.68 acres are enrolled in a farm deferral program with the Wasco County Assessor. Two tax lots in the study area containing 79.33 acres are taxed at a forest deferral program rate.

**Soil Types:** The analysis area contains a mixture of rich productive soil (agricultural capability Class III, IV and VI), and areas of nonproductive soil (agricultural capability Class VII). Most Class VII soils are located in the northeast corner of the study area and interspersed with Class IV soils.

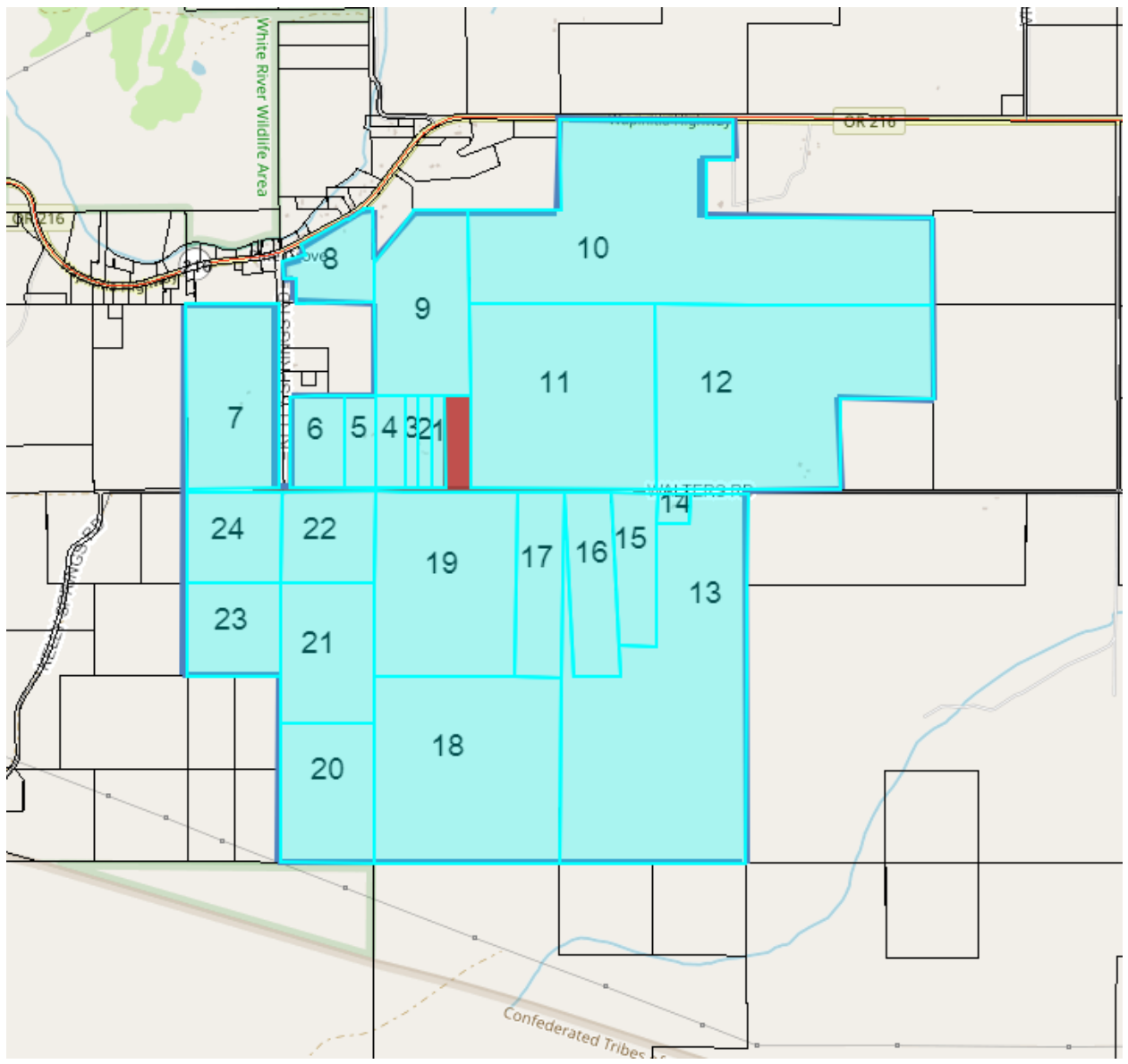
**Land use pattern/Type of farm or ranch operations that distinguish it from other adjacent agricultural areas:** The land in the study area in all directions predominantly in farm uses such as wheat, hay production, and grazing, and contains eight farm dwellings (manufactured homes) with accessory structures. Five parcels contain farm dwellings that are stick built. The residential neighborhood of Pine

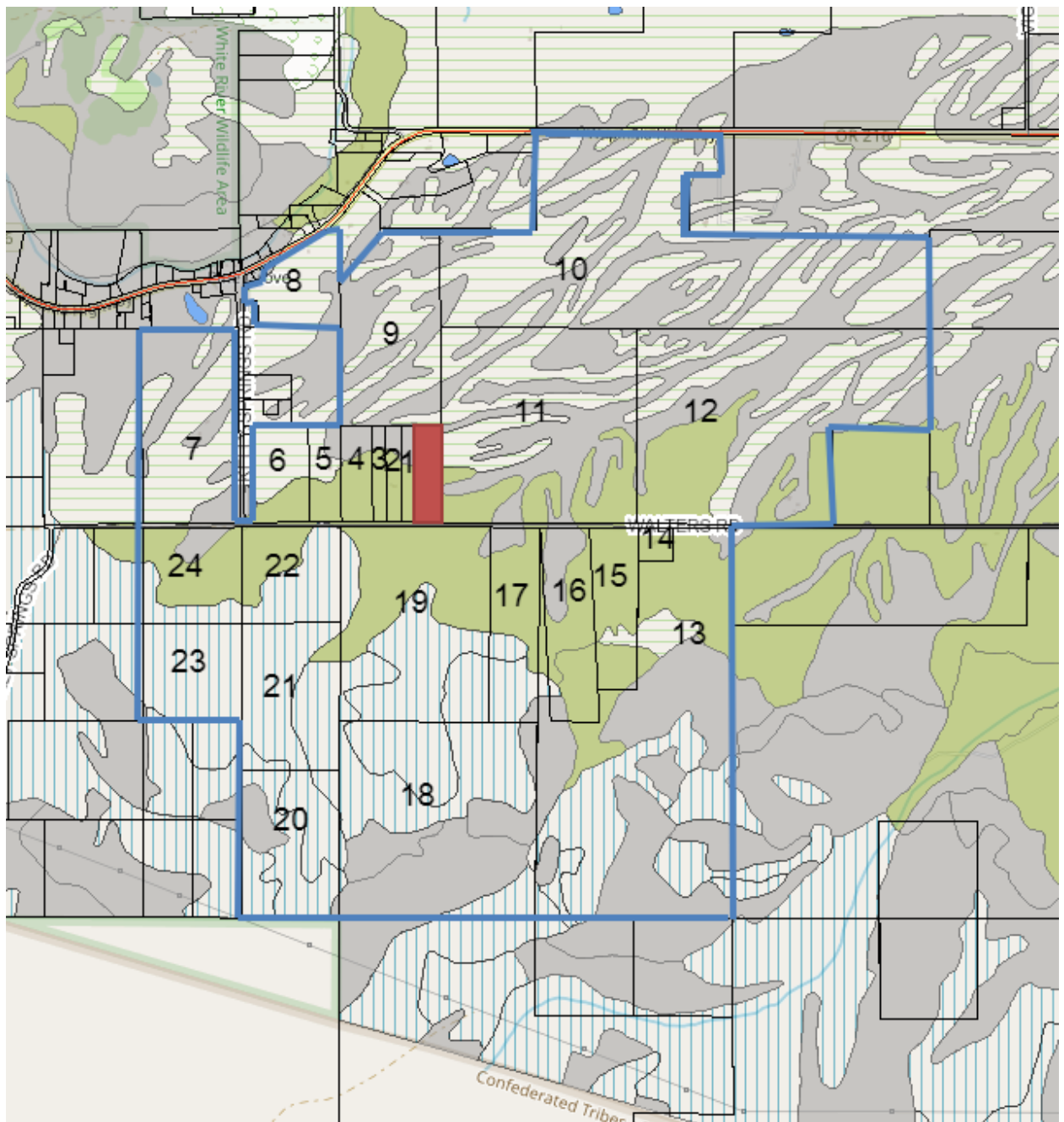


Grove is a ½ mile to the northwest of the subject parcel. The nearest incorporated city is Maupin, OR, approximately 14 miles northeast of the subject parcel.

Study area, its boundaries, the location of the subject parcel within this area, and why the selected area is representative of the land use pattern surrounding the subject parcel and is adequate to conduct the analysis required by this standard:

- Study area boundary: The study area boundary contains all property within 1 mile of the subject parcel in all directions.
- Location of parcel in study area: The subject parcel is located in the center of the study area.
- Topography of the area: The study area, and this portion of Wasco County in general, contains ridge/hilltops and valleys leading down to creeks and streams. Roads are typically the highest points in the area. The study area contains Walters Road, Wapinitia Highway 218, Kelly Springs Rd, and Endersby Road. The northern portion of the study area contains gentle slopes ranging up to 10%. Slopes to the south of the subject parcel range from 5%-35% as they start going up in elevation to the Laughlin Hills in the southwest.
- Similar agricultural uses: As previously stated in this report, farm uses consisting of grazing, hay and wheat are located on lands all around the subject parcel. Properties in the Pine Grove area to the east, and properties to the south contain farm dwellings, while properties to the northwest, and south are vacant.
- Neighboring nonfarm dwellings: Out of the seventeen neighboring parcels in the study area, no non-farm dwellings were identified and eight farm dwellings were identified. The rest of the parcels are vacant and used for agriculture and two are used for forestry. The number of farm dwellings is representative of the agricultural capability within the study area.
- Soils: Soil types in the study area range from Class III to Class VII soils. See below for the map showing existing soils in the area. Lands to the north of the subject parcel are predominantly Class IV soils which are generally suitable for agricultural uses, with interspersed Class VII which are considered by the State of Oregon to be unsuitable for commercial agricultural production in eastern Oregon. However, lands to the south are predominantly Class III and VI soils which are considered suitable for farming. It should be noted here that the applicant hired a soils scientist to perform an on the ground survey of the subject parcel's soil classes (Gary Kitzrow, Certified Professional Soil Classifier; Principal Soil Taxonomist for Growing Soils Environmental Associates, Certified Professional Soil Scientist #1741). Mr. Kitzrow determined that out of 10.73 acres on the subject parcel, 6.83 acres (63.70%) were generally unsuitable for agriculture, and 3.90 (36.30%) acres were suited for agriculture use.





Lands zoned for rural residential or other urban or non-resource uses shall not be included in the study area: All lands within the study area are zoned A-1, Exclusive Farm Use and do not include any residential, commercial or industrial lands within Wasco County.

This study area falls within the “smaller area not less than 1000 acres” requirement because the study area contains 1,751.71 acres. Staff concludes the study area is adequate for the purposes of this review based on the uniformity of adjacent farm practices, land uses, soils, topography, slopes, and general land use pattern. These are discussed in detail above. Data regarding the study area was obtained from County Assessor records, digital zoning, soil, farm commodity maps, and a visit to the site by staff on June 24, 2020. Staff finds that the request complies with Criterion 3.219.A.6.

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

**FINDING: Farm Uses:** The study area contains 1,751.71 acres. Based on data acquired from the assessor database, approximately 78% of the study area is allocated to farm uses, 10% to forest use, and 2% of the study area is identified in GIS and assessor data as not in commercial agricultural use.

Farm Use	Range	CRP	Tillable	Irrigated	Timber	Residential
Percentage of land within study area	41%	18%	17%	2%	10%	2%

**Number, Location and Type of Existing Dwellings:** There are eight existing single family farm dwellings in the study area on eight farm properties. The average property size in the study area is approximately 72 acres, with exception to a larger property containing 258.76 acres and a smaller property of 4.68 acres. Existing homes are generally located along Walters Road.

**Dwelling Development Trends Since 1993:** A total of three farm dwellings have been approved in the study area since 1993, and one was a replacement dwelling due to fire. The remaining five were built in the early 1900's or in the 1970s and 80s.

**Potential Number of Nonfarm/Lot-of-Record Dwellings and Nonfarm Divisions that could be approved:** Based on the existing zoning, soil classification and parcel creation date for properties in the study area, potentially five properties could contain a non-farm dwelling. There are no properties identified that would qualify for a lot of record dwelling. The properties that could potentially contain a Nonfarm Dwelling in the study area were identified as potentially being divided by a Nonfarm Division.

**Predominant Soil Classifications:** Soils classifications in the area range from Class III – Class VII. The entire study area is composed of approximately 1751.71 acres per Wasco County GIS data.

- Class III soils compose approximately 347.23 acres, or 19.82% of the study area.
- Class IV soils compose approximately 384.50 acres, or 21.95% of the study area.
- Class VI soils compose approximately 430.22 acres, or 24.56% of the study area.
- Lastly, Class VII soils compose 589.76 acres, or 33.67% of the study area.

Soil Class	Acres of Study Area*	% of Study Area
III	347.23	19.82%
IV	384.50	21.95%
VI	430.22	24.56%
VII	589.76	33.67%
*Approximate		

Land use pattern that could result from approval of possible nonfarm dwellings: Based on parcel sizes and soils in the area, there is the potential for two nonfarm dwellings in the study area. All future nonfarm dwellings must meet all pertinent criteria in the Exclusive Farm Use zone, including but not limited to, showing that the subject parcel is generally unsuitable for farm use. In addition, any future nonfarm dwelling will have to be able to prove that it will not significantly increase the cost of, or force a significant change in accepted farm or forest practices on surrounding lands devoted to or available for farm and forest use. The land use pattern that is likely to occur by new development is the location of a nonfarm residence, a minimum of two hundred feet from planted or irrigated farm fields, on lands that are not capable of producing crops or providing grass for livestock. Allowing a nonfarm dwelling on poor soils protects productive soils from being threatened by development, and allows them to continue to be farmed. Any future nonfarm dwelling would be located so that it does not interfere with surrounding farm use, and the primary activity in the area will continue to be farming. Staff finds the request complies with Criterion 3.219.6.b.

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

**FINDING:** The study area contains 1,751.71 acres. Less than one acre will be disturbed by the proposed residential development, including driveway, septic, well, etc. This area equals approximately 0.05% of the total land base of the study area. Future applications will be evaluated for their cumulative impacts on the land use pattern of the area.

Beyond the request there is a potential for the creation of five additional nonfarm dwellings in the study area. All future dwellings will be in similar locations, close to existing public roads, and away from existing farm fields on potential nonfarm sites that contain predominantly agricultural capability class VII soils considered nonproductive in eastern Oregon. There is limited farm use that can occur on these properties due to the mixture of productive and unproductive soils, slopes, and lack of water rights. The construction of new nonfarm dwellings in the area will not affect agricultural expansion, purchase or lease because they are on nonproductive sites.

The area currently has an agricultural character because lands within approximately one mile of the subject parcel are predominantly in CRP, wheat, hay and cattle grazing. After future nonfarm dwellings are constructed, the character of the area will remain unchanged due to the location of nonfarm dwellings on nonproductive soils.

Because the study area is zoned Exclusive Farm Use with a 160 acre minimum lot size requirement, a zone which has restrictions on property divisions and residential development, approval of this application will not result in destabilization of the agricultural land use pattern.

Based on the reasons above the proposed nonfarm parcels will not result in destabilization of the overall land use pattern within the study area therefore staff finds that the request complies with Criterion 3.219.6.c.

- d. *In addition to a – c, if the application involves the creation of a new parcel for a nonfarm dwelling, consideration shall be given to whether creation of the parcel will lead to creation of other nonfarm parcels, to the detriment of agriculture in the area by applying a – c above.*

**FINDING:** The request includes a Conditional Use Permit to construct a non-farm dwelling. Since the application approval will not result in the creation of any new parcels for a nonfarm dwelling, the above criterion does not apply. Findings in Criterion c., above, provides findings showing that the nonfarm dwelling will not result in destabilization of the overall land use pattern in the study area. Staff finds that Criterion 3.926.6.d is not applicable.

7. *Disqualification of Special Assessment: The owner of the parcel shall provide evidence that:*
- a. *The County Assessor has been notified that the proposed non-farm parcel or parcel to contain the non-farm dwelling is no longer being used as farmland; and*
  - b. *A Request has been made in writing to the County Assessor to disqualify the parcel from special assessment; and*
  - c. *Prior to receiving zoning approval on a building permit application or a final plat map, the non-farm parcel has been disqualified from special assessment pursuant to ORS 215.236 and any additional tax imposed upon disqualification from special assessment have been paid; and*

**FINDING:** The subject parcel is enrolled in a farm tax deferral program (Assessor class 550 according to Wasco County Assessor records accessed on March 24, 2021 available on Ascend web which can be reached from this website: [https://www.co.wasco.or.us/departments/assessment\\_and\\_taxation/index.php](https://www.co.wasco.or.us/departments/assessment_and_taxation/index.php)); therefore the property owner must request disqualification from special assessment. The Planning Department will provide notice to the Wasco County Assessor that the proposed nonfarm dwelling has been approved. A **condition** of approval is included in the Notice of Decision requiring the owner to submit a request to the Wasco County Assessor to disqualify the subject parcel from special assessment, and pay any additional tax imposed. Proof of disqualification shall be provided by the applicant to the Planning Department prior to zoning approval. With the condition of approval, staff finds the request complies with Criteria 3.219.7.a. – c.

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

**FINDING:** A **condition** is included in the Notice of Decision requiring that the owners record a new deed for the subject parcel that lists the following statement: “This parcel may not qualify for special assessment unless, when combined with another contiguous lot or parcel, it constitutes a qualifying parcel by meeting the minimum lot size for commercial agriculture enterprises within the area.” With the condition, staff finds the request complies with Criterion 3.219.7.d.

**Section 3.920 – Sensitive Wildlife Habitat Overlay (EPD-8)**

*In any zone which is in the Wildlife Overlay (EPD-8), the requirements and standards of this Chapter shall apply in addition to those specified in this Section for the underlying zone. If a*

*conflict in regulation or standards occurs, the provisions of this Section shall govern except that the larger minimum lot size shall always apply.*

**FINDING:** According to the GIS data on file at the time of application (Feb. 4, 2021), the subject parcel was not within the Sensitive Wildlife Habitat Overlay (EPD-8). This overlay has changed since that date, and the location is currently within EPD-8, however since the overlay was not in place at this location at the time of application, staff finds that this section of the ordinance will not apply.

(\*\*\*)

## **B. Chapter 5 – Conditional Use Review**

### ***Section 5.020 - Authorization to Grant or Deny Conditional Uses, and Standards and Criteria Used***

*Conditional uses listed in this Ordinance shall be permitted, enlarged or otherwise altered or denied upon authorization by Administrative Action in accordance with the procedures set forth in Chapter 2 of this Ordinance. In judging whether or not a conditional use proposal shall be approved or denied, the Administrative Authority shall weigh the proposal's appropriateness and desirability or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed, and to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable.*

*A. The proposal is consistent with the goals and objectives of the Comprehensive Plan and implementing Ordinances of the County.*

**FINDING:** The goals and objectives of the Comprehensive Plan are implemented through the Wasco County Land Use & Development Ordinance, which are addressed throughout this report. Staff finds the request complies with Criterion 5.020.A.

*B. Taking into account location, size, design and operational characteristics of the proposed use, the proposal is compatible with the surrounding area and development of abutting properties by outright permitted uses.*

**FINDING:** (Location) The subject parcel has access via direct frontage onto Walters Road.

The proposed nonfarm dwelling will be constructed near the southern boundary of the subject parcel, on a unit of land that contains predominantly unproductive agricultural capability, class VII soils. The applicant proposes setbacks from adjacent properties to the east a minimum of 100' from all other property lines. These distances meet or exceed the requirements of the A-1 Zone intended to protect agricultural and resource uses. The lack of complaints over the years in rural Wasco County has demonstrated that nonfarm dwellings are generally compatible with farm uses that do not require aerial spraying, such as alfalfa/hay/grazing, therefore, staff finds the proposed development will be compatible with the surrounding area and development on abutting properties.

(Size and Design) In considering this criterion, staff interprets the ordinance to place emphasis on the nature of the use, more than on the particular architectural characteristics of a proposed structure. In this instance, the proposal is for one single family dwelling. The relative size of the structure to the site provides sufficient area to accommodate onsite utilities, circulation, and drainage.

(Operational Characteristics) The proposed nonfarm dwelling will not adversely affect surrounding agricultural land because: (1) there are adequate separation distances between the proposed dwellings and existing and potential farm uses; and (2) the development of a single family dwelling will neither destabilize the land use pattern of the area which is farm in nature, nor have a cumulative impact that will result in substantial changes in the land use pattern.

Staff finds that the proposed nonfarm dwelling will not adversely affect surrounding properties, and that the request complies with Criterion 5.020.B.

*C. The proposed use will not exceed or significantly burden public facilities and services available to the area, including, but not limited to: roads, fire and police protection, sewer and water facilities, telephone and electrical service, or solid waste disposal facilities.*

**FINDING:** The subject parcel has frontage on Walters Road, a two-lane unpaved county road. Staff sent out a Notice of Administrative Action on March 11, 2021, which included notice to the Roadmaster. Staff did not receive comment from the Road Department, however direct comment is not required. The proposal is for one single family dwelling. Roads are further addressed below in Criterion D.

The subject parcel is located within the Juniper Flat RFPD structural fire district as well as Oregon State Forestry wildfire protection district. Neither agency provided comment during the pre-notice period. Staff concludes that one additional dwelling in this district will not significantly burden the local fire districts as they meet Fire Safety Standards further addressed below in C., Chapter 10 – Fire Safety Standards.

This area of the County is already patrolled by the Wasco County Sheriff's Office. The Sheriff's Office did not comment during the Notice of Administrative Action comment period. Staff concludes one additional dwelling in this location will not significantly burden the Wasco County Sheriff's Office.

No public water or sewer services are available to the area, but will be served by an on-site private well and subsurface septic disposal system. No additional burden will be placed upon utility providers.

A **condition** of approval is included in the Notice of Decision reminding the owner that sanitation approval on the building permit application is required prior to issuance of zoning approval on the application.

Electricity is provided to the subject parcel by Wasco Electric Cooperative. Telephone service is currently available via land lines and cellular telephone service.

Garbage pick-up and recycling is not available through The Dalles Disposal, therefore a **condition** of approval is included in the Notice of Decision that the owner will be required to dispose of trash offsite.

With the proposed condition of approval staff finds that the request complies with Criterion 5.020.C.

*D. The proposed use will not unduly impair traffic flow or safety in the area.*

**FINDING:** The proposal is for a new single family dwelling. Staff visited the subject parcel on February 24, 2021. The property has frontage onto Walters Road, which is an unpaved two way road. The applicant stated on page 4 of the CUP application form that "this will add 1 additional vehicle to Walters Road." On the same page they described the average number of daily trips that will be generated by the proposed use at "Two" and noted that there are no existing road approach permits for the property. A **condition** of approval is included in the Notice of Decision stating that the owner shall obtain a road approach permit from the Wasco County Public Works Department prior to zoning approval. Upon approval for the road approach permit, verification will be provided that the approach is located in an area that provides



adequate sight distance in each direction to safely enter the road. One vehicle and two daily trips on a county road will not unduly impair traffic flow or safety in the area. With the condition of approval, staff finds that the request complies with Criterion 5.020.D.

*E. The effects of noise, dust and odor will be minimized during all phases of development and operation for the protection of adjoining properties.*

**FINDING:** (Noise and Odor) Residential construction of this scale and nature is short in duration and will not create undue noise or odor given the distance and existing vegetation between the proposed development and all property lines.

(Dust) During residential construction vegetation will be disturbed that exposes soil and creates a high probability for airborne dust that can create a nuisance for surrounding property owners. A **condition** is included requiring the owners to maintain existing vegetation to the greatest extent possible and to reseed and/or revegetate disturbed areas within the first planting season (October – April).

The proposed driveway will have a gravel surface. Dust from driveways can create airborne dust which could be a nuisance to adjacent land owners. To suppress dust on the proposed subject parcel, a **condition** of approval is included in the Notice of Decision requiring the current or future property owner(s) to maintain the driveway from Walters Road to the proposed nonfarm dwelling with enough gravel on the running surface to cover the dirt base and minimize the amount of airborne dust.

With the proposed **conditions** of approval, the request complies with Criterion 5.020.E.

*F. The proposed use will not significantly reduce or impair sensitive wildlife habitat, riparian vegetation along streambanks and will not subject areas to excessive soil erosion.*

**FINDING:** The subject parcel was not located within the Sensitive Wildlife Habitat Overlay at the time of application. There are no riparian areas or streambanks on the subject property.

A previous **condition** of approval mentioned above is included in the Notice of Decision requiring the owners to maintain existing vegetation to the greatest extent possible and to reseed and/or revegetate disturbed areas within the first planting season (October – April). This will sufficiently address any erosion concerns. With this condition, staff finds the request complies with criterion 5.020.F.

*G. The proposed use will not adversely affect the air, water, or land resource quality of the area.*

**FINDING:** (Air) The proposed single family dwelling will not adversely affect air quality because air pollution created by a single family dwelling is minimal. The most common form of air pollution would be smoke from a woodstove/fireplace. This pollutant is regulated by the Oregon Department of Environmental Quality via standards for woodstoves.

(Water) The owner is required to comply with all North Central Public Health District requirements to install a septic system. Compliance with all sanitation requirements will ensure groundwater quality in the area will not be adversely affected by the new dwelling. A site evaluation will be performed and approved by the North Central Public Health District after planning approval. A previous **condition** was included requiring the owners to obtain sanitation approval on a building permit application prior to receiving zoning approval on the application.

A domestic well is proposed to serve the nonfarm dwelling. A well to withdraw water for home use does not affect water quality because it does not involve depositing contaminants into the ground.

(Land) A previous **condition** requiring maintenance of vegetation and reseeding or revegetation of all disturbed areas upon completion of the dwelling will ensure that excessive soil erosion does not occur.

To further ensure that land currently devoted to or available for agricultural use is not adversely affected by the proposed development, a previous **condition** in Section 3.218, Agricultural Protection of the Exclusive Farm Use Zone, was included requiring the owner to file a farm management easement with the County Clerk's Office.

With the previously stated **conditions**, staff finds the request complies with Criterion 5.020.G.

*H. The location and design of the site and structures for the proposed use will not significantly detract from the visual character of the area.*

**FINDING:** The standard does not require that there be no visual impact from the dwelling, but that any impact not be significant. The proposed nonfarm dwelling will be located a minimum of 100' from all property lines. On page 5 of the CUP application form, the applicant states "This residential home fits in with intermittent small homes located nearby." Staff confirmed that the development pattern on surrounding land consists of scattered dwellings at low densities, similar to the proposed dwelling on the subject property. Staff finds the request complies with Criterion 5.020.H.

*I. The proposal will preserve areas of historic value, natural or cultural significance, including archaeological sites, or assets of particular interest to the community.*

**FINDING:** According to the Wasco County Comprehensive Plan, there are no historic, natural, cultural, or archaeological sites on the subject parcel, nor are there any assets of particular interest to the community. Staff finds that the request complies with Criterion 5.020.I.

*J. The proposed use will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to or available for farm and forest use. (Revised 1-92)*

*K. The proposed use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to or available for farm or forest use. (Revised 1-92)*

**FINDING:** For the purpose of addressing these criteria, "surrounding lands" are considered to be those adjacent to the subject parcel. The applicant stated on page 3 of the CUP application form that "nearby lands are used for grazing" and that "This residential home will not affect nearby grazing. This property is totally fenced in on all four sides."

A Wasco County GIS dataset consisting of the layer "USDA Crops 2019" confirms that surrounding lands are used for "grassland/pasture" with an approximately half acre area of "alfalfa" present to the west. All proposed structural improvements will be located a minimum of 100' from all surrounding properties.

As part of a previous update to the LUDO, the Agricultural Resource Group (ARG) determined that nonfarm buildings should be located a minimum of 200' from all adjacent properties that contain planted fields, and 100' from grazing operations. The ARG was composed of County residents in all occupations, but focused on residents who operate lands in agricultural production (orchard, wheat, cattle). The group determined that the identified setbacks maintain an adequate distance from planted cropland and grazing operations that

will eliminate the need for a farmer to change his farming practices or increase his cost of operation.

To minimize potential conflicts between the proposed non-farm dwelling and surrounding farm uses, a previous **condition** was included requiring the applicant to sign and record in the deed records for the County a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937 prior to receiving zoning approval on a building permit (See Attachment F). With this previous condition of approval, staff finds the request complies with Criteria 5.020.J-K.

**Section 5.030 - Conditions**

*Such reasonable conditions as are necessary to ensure the compatibility of a conditional use to surrounding permitted uses as are necessary to fulfill the general and specific purposes of this Ordinance may be imposed in approving an application, pursuant to Section 2.110(D). Such conditions may include, but are not limited to, the following...*

**FINDING:** Conditions of approval are implemented throughout this report to ensure the use is compatible with surrounding permitted uses. Staff finds that the request is consistent with Section 5.030.

**Section 5.040 - Revocation of Conditional Use Permit (added 2 89)**

*Noncompliance with any condition placed on a conditional use permit shall be grounds for revocation of the permit. Revocation of a conditional use permit shall be considered a land use action and reviewed by the Planning Commission. The following procedures shall be completed at least twenty (20) days prior to the date of the revocation hearing: (Revised 1-92)*

- A. *A notice of violation pursuant to Section 15.090 shall be sent to the owner of the property on which the conditional use takes place.*
- B. *Notice of public hearing pursuant to Section 2.080 shall be sent.*

*The opportunity for review of the Planning Commission decision, pursuant to Section 2.170 shall be available.*

**FINDING:** The request is for a Conditional Use Permit to construct a new non-farm dwelling in the A-1, Exclusive Farm Use Zone in Wasco County.

Compliance with all Conditional Use criteria is required throughout the life of this permit. A **condition** of approval is included in the Notice of Decision advising the owner that noncompliance with any condition of approval shall be grounds for revocation of the permit. Revocation of the Conditional Use Permit shall be considered to be a land use action and shall be reviewed by the Planning Commission according to the requirements in Section 5.040.

With the proposed **condition** of approval, staff finds that the request complies with Section 5.040.

**C. Chapter 10 – Fire Safety Standards**

**Section 10.110, Siting Standards – Locating Structures for Good Defensibility**

**FINDING:** The criterion requires for structures to be located a minimum of 50' away from slopes greater than 30%, and to avoid slopes that are 40% or greater. As indicated in their application materials, and

confirmed by staff on a February 24, 2021 site visit, the entire parcel has flat slopes of 0% throughout. Staff finds that the request complies with Section 10.110.

***Section 10.120, Defensible Space – Clearing & Maintaining a Fire Fuel Break***

**FINDING:** The defensible space standard required for a fire fuel break around new development is 50'. According to the signed Fire Safety Standards Self Certification Form submitted by the applicant, and indicated on the site plan, a 50' fire fuel break will be provided around all existing and proposed structures. A **condition** of approval is included in the Notice of Decision that a 50 foot fire fuel break shall be provided and maintained around all physical development in accordance with the Chapter 10 – Fire Safety Standards, Defensible Space criteria. With this condition of approval, staff finds the request complies with Section 10.120.

***Section 10.130, Construction Standards for Dwellings and Structures – Decreasing the Ignition Risks by Planning for a More Fire-Safe Structure***

**FINDING:** The request is for a non-farm dwelling. According to the Fire Safety Standards Self Certification Form submitted as part of the application, roofing for the dwelling and new structures are proposed to be non-combustible composition shingle. The applicant also indicated they would verify that spark arrestors would be installed on chimneys or stove pipes, decks would be kept in a safe condition, all vents would be screened with ¼" or less openings, and that utilities and stand pipes would be installed and maintained in a fire safe manner. A **condition** of approval is included in the Notice of Decision that the proposed structures shall meet criteria outlined in Chapter 10 – Fire Safety Standards, Construction Standards for Dwellings and Structures, and that the final structural designs shall meet all applicable building code standards. With conditions of approval, staff finds the request complies with Section 10.130.

***Section 10.140, Access Standards – providing safe access to and escape from your home***

**FINDING:** This criterion requires for safe ingress and egress from the proposed dwelling to the road providing access. Safe access includes length of driveway, turnouts every 400' for driveways over 200', and grades of mostly 10% or less. The subject property is directly accessible from Walters Road. The driveway to the development area is proposed to be 188' long, so no turnouts are required, and the slope is 0%. However this driveway is longer than 150' so a safe turn around will be required. The applicant checked "Yes" in the Fire Safety Standards Self Certification Checklist form that they submitted to indicate that their driveway would end with a 95' diameter turnaround or a 120' hammerhead (Question 10.140.D.). As the property is flat, as confirmed on a February 24, 2021 site visit, there are no topographic constraints limiting the applicant's ability to meet this requirement. A condition of approval is included requiring the applicant to achieving compliance with these standards within one year of the date of approval and maintaining them through the life of the development. This certification further commits all future property owners to this same requirement. Staff finds the request complies with Section 10.140.

***Section 10.150, Fire Protection or On-Site Water Required – Ensuring Dwellings Have Some Fire Protection Available Through Manned or Unmanned Response***

**FINDING:** Section 10.150 requires dwellings to have structural fire protection and/or on-site water. The subject parcel has structural fire protection from the Juniper Flat RFPD, and has wildfire protection from the Oregon Department of Forestry. Section 10.150 requires dwellings over 3,500 SF to include on-site water for fire suppression. The proposal includes a 1,404 SF non-farm dwelling, which is less than 3,500 SF. Staff finds that the request complies with Criterion 10.150.



## ATTACHMENT E – LIGHTING STANDARDS

# Good Neighbor OUTDOOR LIGHTING

PRESENTED BY THE NEW ENGLAND LIGHT POLLUTION ADVISORY GROUP (NELPAG) AND SKY & TELESCOPE.

### What is good lighting?

Good outdoor lights improve visibility, safety, and a sense of security, while minimizing energy use, operating costs, and ugly, dazzling glare.

### Why should we be concerned?

Many outdoor lights are poorly designed or improperly aimed. Such lights are costly, wasteful, and distractingly glary. They harm the nighttime environment and neighbors' property values. Light directed uselessly above the horizon creates murky skyglow — the "light pollution" that washes out our view of the stars.

**Glare** Here's the basic rule of thumb: If you can see the bright bulb from a distance, it's a bad light. With a good light, you see lit ground instead of the dazzling bulb. "Glare" is light that beams directly from a bulb into your eye. It hampers the vision of pedestrians, cyclists, and drivers.

**Light Trespass** Poor outdoor lighting shines onto neighbors' properties and into bedroom windows, reducing privacy, hindering sleep, and giving the area an unattractive, trashy look.

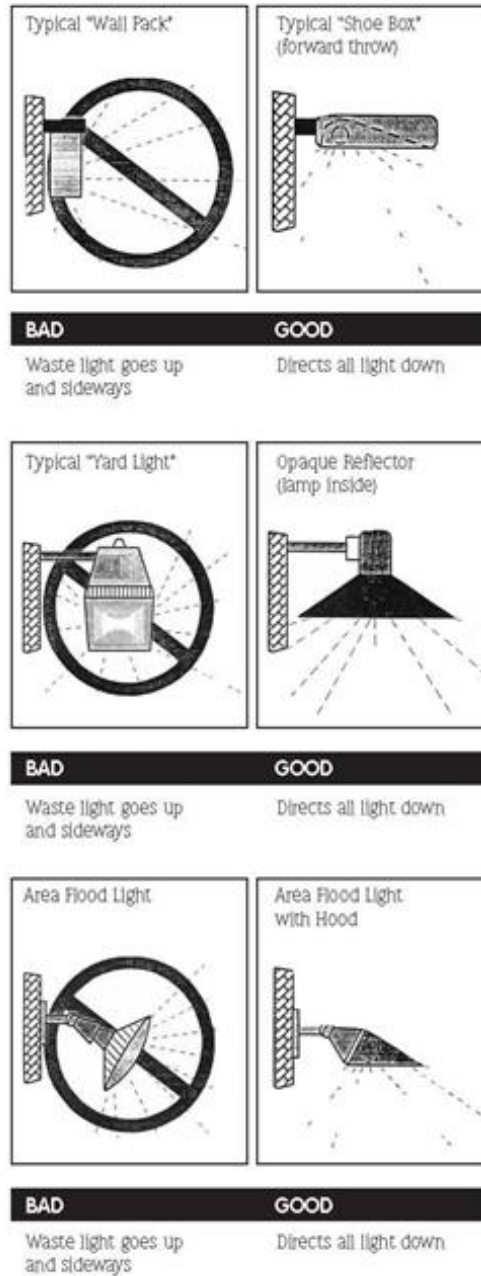
**Energy Waste** Many outdoor lights waste energy by spilling much of their light where it is not needed, such as up into the sky. This waste results in high operating costs. Each year we waste more than a billion dollars in the United States needlessly lighting the night sky.

**Excess Lighting** Some homes and businesses are flooded with much stronger light than is necessary for safety or security.

### How do I switch to good lighting?

- 1 Provide only enough light for the task at hand; don't over-light, and don't spill light off your property. Specifying enough light for a job is sometimes hard to do on paper. Remember that a full Moon can make an area quite bright. Some lighting systems illuminate

### Some Good and Bad Light Fixtures



## ATTACHMENT E – LIGHTING STANDARDS

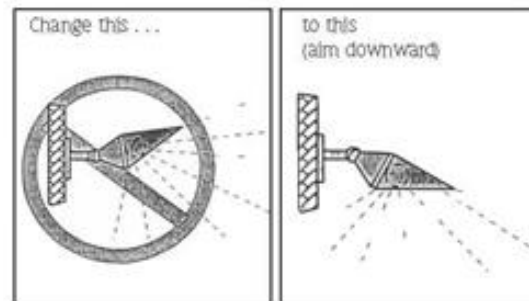
areas 100 times more brightly than the full Moon! More importantly, by choosing properly shielded lights, you can meet your needs without bothering neighbors or polluting the sky.

- 2** Aim lights down. Choose “full-cutoff shielded” fixtures that keep light from going uselessly up or sideways. Full-cutoff fixtures produce minimum glare. They create a pleasant-looking environment. They increase safety because you see illuminated people, cars, and terrain, not dazzling bulbs.
- 3** Install fixtures carefully to maximize their effectiveness on the targeted area and minimize their impact elsewhere. Proper aiming of fixtures is crucial. Most are aimed too high. Try to install them at night, when you can see where all the rays actually go. Properly aimed and shielded lights may cost more initially, but they save you far more in the long run. They can illuminate your target with a low-wattage bulb just as well as a wasteful light does with a high-wattage bulb.
- 4** If color discrimination is not important, choose energy-efficient fixtures utilizing yellowish high-pressure sodium (HPS) bulbs. If “white” light is needed, fixtures using compact fluorescent or metal-halide (MH) bulbs are more energy-efficient than those using incandescent, halogen, or mercury-vapor bulbs.
- 5** Where feasible, put lights on timers to turn them off each night after they are no longer needed. Put home security lights on a motion-detector switch, which turns them on only when someone enters the area; this provides a great deterrent effect!

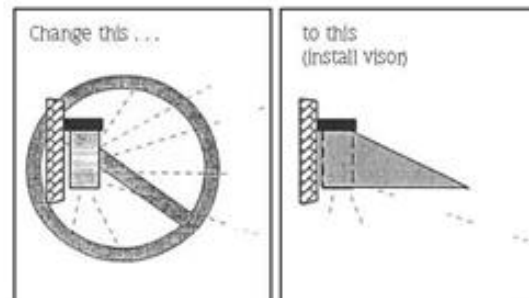
### Replace bad lights with good lights.

You'll save energy and money. You'll be a good neighbor. And you'll help preserve our view of the stars.

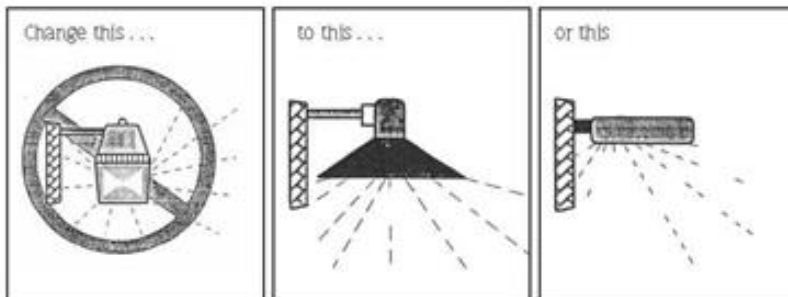
### What You Can Do To Modify Existing Fixtures



FLOOD LIGHT



WALL PACK



YARD LIGHT

OPAQUE REFLECTOR

SHOE BOX

Presented by the **New England Light Pollution Advisory Group (NELPAG)** (<http://www.nelpag.org>)

and **Sky & Telescope** (<http://SkyandTelescope.com/>).

NELPAG and **Sky & Telescope** support the International Dark-Sky Association (IDA) (<http://www.darksky.org/>).

We urge all individuals and groups interested in the problems of light pollution and obtrusive lighting to support the IDA and subscribe to its newsletter. IDA membership costs \$30 per year; send your check to IDA, 3225 N. First Avenue, Tucson, AZ 85719, U.S.A.

GNF01



Sky Publishing Corp.  
49 Bay State Road  
Cambridge, MA 02138  
[SkyandTelescope.com](http://SkyandTelescope.com)



## ATTACHMENT F - FOREST-FARM MANAGEMENT EASEMENT

**Owner Name:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_  
\_\_\_\_\_

Bill and Kim Mead, Property Owner(s), herein called the Grantor(s), is/are the owner(s) of real property described as follows:

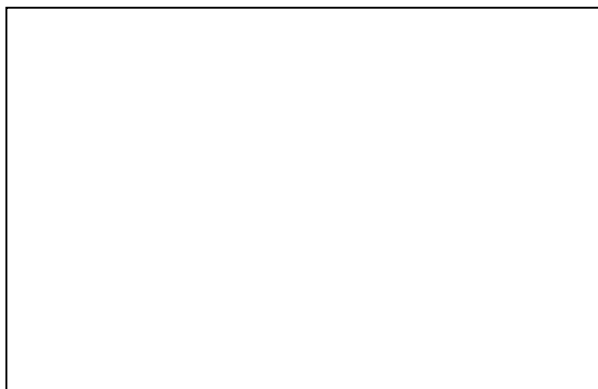
Township 5 South, Range 12 East W.M., Section 0, Tax Lot 200, Account# 13041

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In accordance with the conditions set forth in the decision of Wasco County Planning Staff, dated June 3, 2021, approving a Conditional Use Permit (File #921-21-000017-PLNG) to construct a Nonfarm Dwelling. Grantors hereby grant to the Owners of all property adjacent to the above described property, a perpetual nonexclusive easement as follows:

1. The Grantors, their heirs, successors, and assigns hereby acknowledge by granting of this easement that the above described property is situated in an Exclusive Farm Use/ Forest/Forest-Farm zone in Wasco County, Oregon, and may be subjected to conditions resulting from farm or forest operations on adjacent lands. Farm operations include, but are not limited to, the raising, harvesting and selling of crops or the feeding, breeding, management and sale of livestock or poultry, application of chemicals, road construction and maintenance, and other accepted and customary farm management activities conducted in accordance with Federal and State laws. Forest operations include, but are not limited to reforestation of forest land, road construction and

**After recording, please return  
original to: Wasco County  
Planning Department.**





maintenance, harvesting of forest tree species, application of chemicals and disposal of slash, and other accepted and customary forest management activities conducted in accordance with Federal and State laws. Said farm or forest management activities ordinarily and necessarily produce noise, dust, odor, and other conditions, which may conflict with Grantors' use of Grantors' property for residential purposes. Grantors hereby waive all common law rights to object to normal and necessary farm or forest management activities legally conducted on adjacent lands which may conflict with grantors' use of grantors' property for residential purposes and grantors hereby give an easement to adjacent property owners for such activities.

2. Grantors shall comply with all restrictions and conditions for maintaining residences in the Exclusive Farm Use/Forest/Forest-Farm zone that may be required by State and local land use laws and regulations.

This easement is appurtenant to all property adjacent to the above described property and shall bind to the heirs, successors and assigns of Grantors and shall endure for the benefit of the adjoining landowners, their heirs, successors and assigns.

IN WITNESS WHEREOF, the Grantors have executed this easement on \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_  
Titleholders Signature

\_\_\_\_\_  
Titleholders Signature

STATE OF OREGON     )  
COUNTY OF WASCO    )

Personally appeared the above named \_\_\_\_\_ and  
\_\_\_\_\_, and acknowledged the above easement to be their  
voluntary act and deed.

\_\_\_\_\_  
Notary Public for Oregon

# ATTACHMENT G – MEDIATION ORDINANCE

IN THE COUNTY COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE ADOPTION OF )  
AN AMENDED ORDINANCE PROVIDING )  
PROTECTION FOR GENERALLY ACCEPTED )  
FARMING AND FORESTRY PRACTICES AND )  
ESTABLISHING A COMPLAINT MEDIATION )  
PROCESS. )

AMENDED  
ORDINANCE

THE WASCO COUNTY COURT ORDAINS AS FOLLOWS:

Section 1. SHORT TITLE. This Ordinance may be cited as the Wasco

County Farming and Forestry Practices Protection and Complaint Mediation

Ordinance.

Section 2. PURPOSE.

(1) Wasco County recognizes that complaints about farming and forestry practices will sometimes occur because these practices create odors, smoke, dust and noise and there is a close proximity of agricultural and forest lands to expanding urban and rural residential development.

(2) Wasco County recognizes that all resource use complaints have the potential of requiring immediate shutdowns or interruptions of farming and forestry practices which could result in significant economic consequences for resource users.

(3) The purpose of this Ordinance is therefore to provide a rapid complaint response and mediation process for resource use complaints by Wasco County residents in order to protect farming and forestry operations to the greatest extent possible from immediate shutdowns or interruptions.

1 – AMENDED ORDINANCE

Section 3. DEFINITIONS. As used in this Ordinance:

(1) "FACILITY" means any real or personal property, including appurtenances thereto and fixtures thereon, associated with a given use.

(2) "FARMING PRACTICE" means the cultivation, growing, harvesting, processing or selling of plants or animals of any kind, which lawfully may be grown, possessed and sold, including but not limited to fish, livestock, poultry, grapes, cherries, apples, pears, wheat, barley, Christmas trees and nursery stock.

(3) "FORESTRY PRACTICE" means any operation conducted on or pertaining to forest land, including but not limited to:

- (a) Reforestation of forest land;
- (b) Road construction and maintenance;
- (c) Harvesting of forest tree species;
- (d) Application of chemicals; and
- (e) Disposal of slash.

(4) "NONRESOURCE USE" means any facility, activity or other use of land which does not constitute a resource use, including but not limited to residential use.

(5) "RESOURCE USE" means any current or future generally accepted farming or forestry practice or facility conducted in compliance with applicable Wasco County Ordinances and Federal and State laws.

(6) "RESOURCE USE NUISANCE" means any current or future generally accepted farming or forestry practice or facility conducted in

2 - AMENDED ORDINANCE

compliance with applicable Wasco County Ordinances and Federal and State laws, which may be considered offensive, annoying, or interferes with or otherwise affects the urban and rural residents of Wasco County.

(7) "RESOURCE USE" does not include:

(a) Any unlawful act;

(b) The willful growing of infested, infected or diseased plants or animals;

(c) Trespass which involves actual physical intrusion onto the property of another by a person or by a person's animals;

(8) "DESIGNEE" means a Case Developer, appointed by the Six Rivers Community Mediation Services Director.

(9) "COMPLAINT MEDIATION PROCESS"

(a) Means a procedure established by the Wasco County Court to provide a forum for the mediation of Wasco County residents complaints regarding farming or forestry practices or facilities, including, but not limited to: odors from domestic livestock operations; blowing smoke from heaters, smokers and slash burning; noise from machines, including those devices producing sounds designed for agricultural purposes in order to frighten predacious birds or animals away from agricultural crops; drift or contamination from chemical and fertilizer applications; hours of operation; and littering of County roads; and

3 – AMENDED ORDINANCE

(b) Shall consist of at least two (2) mediators, working cooperatively in a co-mediation role. Both mediators shall maintain a neutrality and confidentiality throughout and beyond the process. The Six Rivers Community Mediation Services Director or Designee shall serve as a consultant to the Complaint Mediation Process. Consultation may come prior to, during or after the actual mediation, as appropriate.

(10) "PEER REVIEW BOARD" is a Board appointed, as needed, by the Wasco County Court to advise the Six Rivers Community Mediation Services on whether a disputed resource use activity is a generally accepted farming or forest practice or facility. The Board shall consist of 5 persons who regularly are involved in a resource use within the County, at least 3 of whom are regularly involved in the same type of disputed resource use being heard through the Complaint Mediation Process.

#### Section 4. PROTECTING RESOURCE USES.

(1) Wasco County shall not support a resource use nuisance complaint or claim for relief by nonresource uses or any persons or property associated therewith unless the resource use complaint response and mediation procedure of Section 5 of this Ordinance has been utilized.

(2) This Section applies regardless of:

- (a) The location of the purportedly affected nonresource use;
- (b) Whether the nonresource use purportedly affected existed before or after the occurrence of the resource use;

#### 4 - AMENDED ORDINANCE

- (c) Whether the resource use or nonresource use has undergone any change or interruption; and
- (d) Whether the resource use is inside or outside an urban growth boundary to the extent permissible under State law.

Section 5. RESOURCE USE COMPLAINT RESPONSE AND MEDIATION

PROCEDURE.

- (1) Initial resource use complaints involving farming or forestry practices or facilities shall:
  - (a) Be referred to the Six Rivers Community Mediation Services during regular operating hours or the Wasco County Sheriff's Office after hours and on weekends; and
  - (b) Be responded to as soon as possible.
- (2) The responding Six Rivers Community Mediation Services Agent or Designee shall:
  - (a) Use Six Rivers Community Mediation Services' procedures to respond to a complaint;
  - (b) Notify the Wasco County Court about the documented complaint as soon as possible and report on the effort and/or success in resolving the complaint.
- (3) If the initial contact is through the Wasco County Sheriff's Department, or any other law enforcement agency, the responding officer should:

- (a) Contact the complainant and document the complaint; and
  - (b) Encourage the complainant to call or meet with the resource user and attempt a one-on-one resolution of the complaint; and
  - (c) Provide both complainant and resource user with written documentation of the complaint, including, but not limited to the name and address of complainant, the name and address of the resource user, and a description of the nature of the complaint; and
  - (d) Inform both parties that the complaint will be referred to Six Rivers Community Mediation Services and that they will be contacted by that agency; and
  - (e) Deliver a copy of the complaint to the Six Rivers Community Mediation Services as soon as possible.
- (4) If the complainant and resource user that are principles in a documented resource use complaint within Wasco County request assistance beyond that provided by the Case Developer, the Case Developer shall implement the Complaint Mediation Process.
- (5) The Complaint Mediation Process shall:
- (a) Set a date to hear the complaint from both complainant and resource user within a reasonable amount of time; and

Work with both complainant and resource user in an attempt to resolve the complaint.

## 6 - AMENDED ORDINANCE

(6) The Complaint Mediation Process may:

- (a) Request the Wasco County Court to set up a Peer Review Board for assistance in determining whether an activity or facility is a generally accepted farming or forestry practice or facility;
- (b) Suggest recommendations for Peer Review Board members to the Wasco County Court; and
- (c) Meet with the complainant and resource user any number of times if the Mediators determine that progress is being made toward a resolution of the complaint.

(7) If the Complaint Mediation Process is unable to resolve the complaint, the complainant and resource user shall be advised by the Six Rivers Community Mediation Services of their additional options including, but not limited to, seeking advice from private counsel.

Section 6. \_\_\_ LAND USE DECISIONS. The fact that Wasco County's Comprehensive Plan, Zoning Ordinances and land use decisions allow the siting, development or support of any particular use does not negate the provisions of this Ordinance intended to protect a resource use.

Section 7. \_\_\_ EFFECT ON OTHER REMEDIES. The provisions of this Ordinance shall not impair the right of any Wasco County resident to pursue any remedy authorized by applicable Wasco County Ordinances or Federal and State laws that:

## 7 - AMENDED ORDINANCE



- (1) Concerns matters other than a resource use nuisance;
- (2) Does not expressly purport to prohibit or regulate a farming or forestry practice as a resource use nuisance; or
- (3) Prohibits or regulates the use or physical condition of resource use activities or facilities that adversely affect public health or safety.

Section 8. SEVERABILITY CLAUSE. If any portion of this Ordinance is held invalid by a Court of competent jurisdiction, such decision shall apply only with respect to the specific portion held invalid by the decision. It is the intent of Wasco County that the remaining portions of this Ordinance continue in full force and effect.

Section 9. EMERGENCY CLAUSE. This Ordinance being immediately necessary for the preservation of the public well being, an emergency is declared to exist and this Ordinance shall take effect immediately upon adoption.

Regularly passed and adopted by the unanimous vote of all members of the County Court of the County of Wasco, State of Oregon, present on this day.

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8 - AMENDED ORDINANCE

DONE AND DATED this 3rd day of September, 2003

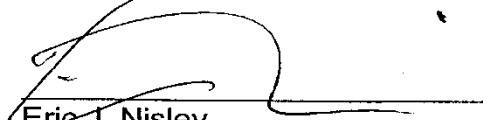
WASCO COUNTY COURT

  
Dan Ericksen, County Judge

  
Scott McKay, County Commissioner

  
Sherry Holliday, County Commissioner

APPROVED AS TO FORM:

  
Eric J. Nisley  
Wasco County District Attorney

9 – AMENDED ORDINANCE

## **ATTACHMENT H – PUBLIC COMMENT**

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Will S &lt;wills@co.wasco.or.us&gt;

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**File # 921-21-000017-PLNG**


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Mark Krautmann <mark@heritageseedlings.com>  
 To: "wills@co.wasco.or.us" <wills@co.wasco.or.us>

Wed, Mar 31, 2021 at 3:42 PM

Hi, Will,

We received public notice on above application.

I am puzzled how the application could advance since it is EFU with the 160-acre minimum eligibility requirement, given it's under 11 acres.

We initiated a dwelling permit and got foundation and septic installed, inspected and approved 10+ years ago but had to stop construction due to the recession back in '08-10. Dawn Baird was very helpful to us at the time but we simply could not build and still keep our business open at the time. We simply had to focus on keeping the nursery open with its 45 employees at that time.

This notice above, I am not contesting per-se, but it does move me to write to ask if there have been zoning changes or exceptions in the meantime, as we could easily finish our own dwelling if we can renew the permit we partially have done major work on already. The back story is that WC approved the dwelling application on our parcel as part of a "horse trade" between the owners whom we bought it from. They had donated land to the County along 216 hwy. for utility pole storage, etc. in exchange for the right to build on our parcel, transferrable to new owner....us.

Power, septic, well, driveway improvements, water plumbed from the 50 gpm well, and we could initiate a permit renewal if WC is open to that. As we contemplate selling the business and retire at age 68, we'd live over there a substantial part of the year. I personally spent weeks over there with a crew of 5 in forest thinning and improvement over the course of several years as we were building the home and meeting with inspectors from your office. John Zalaznik was the helpful guy for the septic – I remember his kind help so well. I suppose he may be no longer there, or Dawn, but it would be good to see them again when the office opens.

As is, the site is not generating much \$ for WC in the way of tax revenue and our dwelling is already substantially complete. All we need to do is frame it up from the existing anchor bolts on the approved foundation with sewer lines, PEX water lines, etc. already poured into the slab. I still have the plans and nothing has changed since so it would be easy to get this done this summer. Right as it is, we spend a lot of time and money for nothing, since the slab and septic are of no tax revenue value to WC and certainly no use to us as a beneficial improvement.

We use the site for harvest of wildflower seed for our other enterprise, Heritage Seedlings, Inc. And I may do more thinning of the woods since changing climate has further impacted the doug fir timber and even worse, the pine. We aim to keep the fire hazard low and worked a lot with Eugene (fire dept.) at the Wapinitia store. He can vouch for all my personal effort over there in the past, camping overnight for days just to monitor burn piles at night. I have years of labor invested in that place to improve it, including killing invasive knapweed and serious timber thinning by hand with chainsaws and a small tractor.

3/31/2021

Wasco County Mail - File # 921-21-000017-PLNG

How might we pursue this permit renewal, in your judgment? To whom would I address an appeal for our interest in finally finishing this project this year?

Respectfully,

*Mark Krautmann*

Krautmann Family Nursery

Lot 600 across the road, 120 acres

## **ATTACHMENT I – SOIL SURVEY DETERMINATION**

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# Oregon

Kate Brown, Governor

Department of Land Conservation and Development  
635 Capitol Street NE, Suite 150  
Salem, Oregon 97301-2540  
Phone: 503-373-0050  
Fax: 503-378-5518  
www.oregon.gov/LCD



## Soil Assessment Completeness Review

In accordance with OAR 660-033-0045(6)(a), the Department of Land Conservation and Development (DLCD) finds that this soils assessment is complete and consistent with reporting requirements. The county may make its own determination as to the accuracy and acceptability of the soils assessment.

DLCD has reviewed the soils assessment for completeness only. DLCD has not assessed whether the parcel is generally unsuitable for the production of farm crops and livestock or merchantable tree species as required by OAR 660-033-0130(4)(c)(B) or if it complies with other requirements for a nonfarm dwelling.

Hilary Foote  
11/20/2020

The department will consider soil assessments under OAR 660-033-0030 to be complete if they meet the following standards:

(1) General information, to include:

- (a) Title of the report; 'Mead- Order 1 Soil Survey Report'
- (b) Person making request for soils assessment; Kim Mead
- (c) Names of soil scientist/classifier conducting the field work and preparer of the report, along with their certification numbers; Gary Kitzrow, CPSC/CPSS #1741
- (d) Land use case file number (if available);
- (e) County in which the assessment was conducted; Wasco
- (f) Location of the project site, including the township, range, section and tax lot numbers; Taxlot 200, Section 30, Township 5 South, Range 12 East, W.M. Wasco County, OR
- (g) Present zoning designation; EFU
- (h) Current land use; Vacant
- (i) Parcel acreage: 10.73 ; evaluated: 10.73
- (j) A description of the purpose of the assessment; Non-Farm Dwelling.

(2) Previous Mapping or Background: The soil scientist/classifier shall provide a copy of the applicable and most current National Cooperative Soil Survey map(s) provided by the Natural Resources Conservation Service (NRCS) on the Web Soil Survey, with the area of investigation outlined on the map(s). The scale of the map(s) shall be



identified and a list of the map units under investigation shall be listed. The applicable interpretations and minor components (inclusions) for the map units for which the investigation is being made shall also be provided. NRCS map provided. NRCS soils are Bakeoven-Walama complex, 0 to 12 percent slopes (unit 5C, class 7s (Bakeoven) and 3e Irrigated or 4e Non-irrigated (Watama), Wapinitia variant silt loam, 1 to 7 percent (unit 52B, class 3e Non-irrigated) and NWatama-Wapinitia silt loams (unit 54B, class 3s irrigated or class 4s non-irrigated (Watama) and class 2e irrigated or class 2c non-irrigated (Wapinitia).

(3) Methods Used by Soil Scientist/Classifier: The soil scientist/classifier shall describe the methodologies used for the preparation of the report and shall include the following:

- (a) The level of order of survey used in the field survey, scale and type of maps used for field investigations, number of sample locations and observation points all confirming or disagreeing with the NRCS mapping units. The survey shall be one or more level of order higher than the NRCS survey as described in the NRCS Soil Survey Manual, 1993. Note that an Order 1 survey is more detailed than an Order 2 or greater survey. Order 1.
- (b) The date(s) of the field investigation; September 3, 2020
- (c) The methods used for observations (backhoe, auger, shovel, etc.) and methods used for documentation (for slope, color, pH, etc.); Backhoe, field texturing, Munsell color chart, soil pH kit, etc. as described on page 1.
- (d) The number and location of borings either shown on an aerial photograph base map of the parcel or provided in a table with latitude and longitude coordinates. In conducting Order 1 soil surveys, the scale of the base maps used for the survey needs to be large enough to enable the identification of polygons of soil map units as consociation map units. Soil map units identified as a complex, association, or undifferentiated group should be avoided as this defeats the purpose of an Order 1 survey. If, however, the soils are so intermingled that they cannot be mapped at a reasonable scale so as to identify consociation map unit polygons, then there should be sufficient sampling and documentation of the complex to demonstrate this soil component distribution. A percentage of each member of the complex will be used in determining area of extent and the reported percentages will be based on this sampling and its documentation, including soil profile descriptions, boring locations and, where useful, photographs. 10 soil excavations as described on page 1, 9 and 23. No complexes identified.
- (e) Geomorphic and vegetation correlations supporting the interpretation of land capability classes of soils that differ from those in the official soil survey information; and See page 1
- (f) A notation of any limitations encountered during the field investigation, such as soil depth, drainage, slope or inaccessibility. No investigation limitations were noted



(4) Results, Findings, and Decisions: The soils report shall describe how the level of order of survey used in this investigation differs from that used by NRCS in the original soil survey. The soils report shall also include:

- (a) An overview of the geology or geologic setting, describing sources of parent material, bedrock and related factors; Page 2.
- (b) A description of the landforms and topography, confirming the relationship of landforms to soil mapping units; Page 2.
- (c) A description of on-site and adjacent hydrology, including surface and subsurface features, intermittent versus perennial, floodplain and floodways and other related information; Page 2.
- (d) A description of the revised soil mapping units with their range of characteristics, explaining how and why they differ from NRCS soil mapping. The soils report shall include a summary of soil variability incorporating significance of preceding weather (above or below average), where known and crops and natural vegetation present; and Page 2.
- (e) A tabulation of all previous and revised soil mapping units complete with their acreages and land capability classification. Page 2.

(5) Summary or Conclusion: The soils report shall contain a section reiterating the purpose of the investigation, explaining the significance of the revised soil mapping and describing any other significant issues related to the report's purpose. See page 2

(6) References: This section may list any manuals or publications utilized or referenced by the report. See Pages 2 and 3

(7) Attachments: Other informational materials provided as attachments, such as maps, figures or appendices shall include the following and shall be printed on 8 ½ x 11" wherever possible:

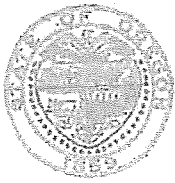
- (a) Vicinity map at a scale of 1:48,000 or smaller showing the project location; Map has been provided
- (b) The NRCS soils map generated from Web Soil Survey at a scale of 1:20,000 or larger outlining the project site; Map has been provided
- (c) Site condition map (aerial photo) at a scale of 1:5,000 or larger outlining the project site and showing the location of site investigations (borings) and other relevant features; Map has been provided
- (d) Topography map at a scale of 1:24,000 or larger outlining the project site; Map has been provided
- (e) Assessor's map at a scale of 1:5,000 or larger outlining the project site; Map has been provided
- (f) Revised soils map of the project site at a scale of 1:5,000 or larger; Map has

been provided

(g) Soil profile descriptions and site observation notes; and See Soil Profile Documentation Sheets

(h) Representative soil profile descriptions of any soil type identified in the project area that is not described or identified in the published soil survey for the area mapped. See Soil Profile Documentation Sheets

(8) Soils reports shall be submitted electronically to the department to timothy.murphy@state.or.us, accompanied by a Soils Assessment Submittal Form. Payment of a non-refundable administrative fee of \$625 should be sent by check.



# Oregon

Kate Brown, Governor

Department of Land Conservation and Development  
635 Capitol Street NE, Suite 150  
Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-373-5518

www.oregon.gov/LCD



## Soils Assessment Submittal Form

### Soils Professional Information

Soils professional\*: Gary A. Kitzrow Certification number: 1741

### Property Information

Person who requested soils assessment: Kimberly S. Mead  
Mailing address: 78901 Victor Rd. Maupin, OR 97037  
Email address: kimmead10@yahoo.com Telephone number: 541-993-4862  
Property owner (if different): N/A  
Property address (if different): Walters Rd. Maupin, OR <sup>no physical address</sup>  
County: Wasco Township: 55 Range: 12E Section: 30  
Tax lot(s): 200 Parcel Acreage: 10.73 Acres Evaluated: 10.73  
Comprehensive Plan designation: 0 Zone: EFU  
Proposed land use action: complete one non-farm dwelling

The soils professional must submit an electronic copy of the soils assessment together with this form to Timothy Murphy, Farm and Forest Lands Specialist, at the above address. The person requesting the soils assessment or the property owner must submit a check for a non-refundable administrative fee of \$625 made out to the Department of Land Conservation and Development, to Timothy Murphy, at the same address.

Soils assessments must be consistent with the Soils Assessment Report Requirements and will be checked for completeness and be subject to audits as described in OAR 660-033-0030(9). Some soils assessments will additionally be subject to review and field checks by a DLCD-contracted soils professional as described in OAR 660-033-0030(9). Property owners and soils professionals will be notified of any negative reviews or field checks. Soils assessments will not be released to local governments without submittal of a signed release form by the property owner and person who requested the soils assessment; however, when released, any negative reviews or field checks will accompany the soils assessments.

The department and the Land Conservation and Development Commission will not be held liable for non-performance or information that is contained in soils assessments, or for negative reviews, field checks or audits of soils assessments. For the protection of the department and commission, we ask that you read and sign the following authorization and disclaimer:

*I hereby expressly give my consent, should I be notified by the department that the submitted soils assessment for my property is selected for a review and field check, to authorize timely*

access to my property by a DLCD-contracted soils professional to perform a field check to corroborate the information provided in the submitted soils assessment. I understand that failure to authorize access to the property may result in a negative review.

I hereby waive my right to pursue a claim for relief or cause of action alleging injury from the content of soils assessments or from any negative reviews, field checks or audits conducted by the department and any and all soils professionals used by the department under OAR 660-033-0030(5) and (9). I hold these entities harmless and release them from liability for any injury or damage that may occur in conjunction with the submitted soils assessment.

In exchange for the department's review of this submittal under the soils assessment program, I expressly agree to forever waive and give up all claims, suits, actions, proceedings, losses, damages, liabilities, awards and costs of every kind and description, including any and all federal and state claims, reasonable attorney's fees, and expenses at trial (collectively "claims") which I have or may have a right to bring against any agency, department, the state, or their agents, officials or employees arising out of or related to my participation and performance in the soil assessment program, including but not limited to claims for mistake or negligence of the department, the state of Oregon, and their officers, employees and agents. I further agree that the provisions of this Liability Waiver and Release from Federal and State Claims shall be effective and binding upon my heirs, executors, administrators, successors, assigns, beneficiaries, or delegates and shall inure to the benefit of the department, the State of Oregon, and their officers, employees and agents.

Kimberly S. Mead

Person who requested soils assessment

9/22/2020  
Date

\_\_\_\_\_  
Property owner (if different)

\_\_\_\_\_  
Date

In addition to agreeing to the above, I hereby certify that the attached soils assessment that I performed for the property identified on this form is soundly and scientifically based and meets the reporting requirements established by the department.

[Signature]

Soils professional

9/20/20  
Date

\* Must be from the posted list of qualified soils professionals at: <http://www.oregon.gov/LCD/pages/soilsassessment.aspx>



Soils Assessment Submittal Form - 2 of 2



# Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD



## Soils Assessment Release Form

### Soils Professional Information

Soils professional\*: Gary A. Kitzrow Certification number: 1741

Date of submittal of soils assessment to department: Sept 26, 2020

### Property Information

Person who requested soils assessment: Kimberly S. Mead  
 Mailing address: 78901 Victor Rd. Maupin, OR 97037  
 Email address: Kimmead10@aiphoo.com Telephone number: 541-993-4862  
 Property owner (if different): N/A  
 Property address (if different): Walters Rd. Maupin, OR No physical address  
 County: Wasco Township: 55 Range: 12E Section: 30  
 Tax lot(s): 200 Parcel Acreage: 10.73 Acres Evaluated: 10.73  
 Comprehensive Plan designation: B Zone: EF4  
 Proposed land use action: complete one non-farm dwelling

If you would like the soils assessment for the subject property to be released to a County planning department for its consideration in a land use proceeding, please sign this form and send it to Timothy Murphy at the above address, or email to: [timothy.murphy@state.or.us](mailto:timothy.murphy@state.or.us).

I hereby request that the Department of Land Conservation and Development release the soils assessment submitted to the department on the above date regarding the above-described property to the Wasco County Planning Department, as well as any department notifications of deficiencies. I understand that any and all previous soils assessments applying to this property produced under this rule, as well as any department notifications of deficiencies in such soils assessments, will also be released to the local government.

Kimberly S. Mead  
 Person who requested soils assessment

9/22/2020  
 Date

Property owner (if different)

Date



Mead- Order 1 Soil Survey Report  
RE: OAR 660-033-0030

1). General Information

- a). Order 1 Soil Survey Report—0 Walters Rd. Maupin, Oregon
- b). Kim Mead
- c). Gary A. Kitzrow, M.S., CPSC/CPSS # 1741, Master of Science
- d). None
- e).
- f). RE: T5S R 12E Sec. 30 TL# 200
- g). EFU
- h).
- i). 10.73 Ac./10.73 acres
- j). complete a site-specific soil survey for the above parcel to determine if a preponderance of the property is comprised of generally unsuited soils. The goal is to secure one Non-Farm dwelling.

2). Enclosed

- a). Scale of enclosed USDA-NRCS Soil maps: 1:2260;--USDA Soil Legend: 5C Bakeoven-Watama Complex 3.7 acs., 52B Wapinitia 3). Methods 6.4 acs., 54B watama-Wapinitia Complex 0.7 Acs.
- a). We completed a total of 10 descriptions for the 10.73-acre study site.
- b). September 03, 2020
- c). A Backhoe was used to excavate the study area Field texturing was completed; Munsell color chart was used for soil colors; standard soil pH kit was used; field assessment for structure, consistence, pores, drainage class, root distribution, effective/absolute rooting depths and related morphology testing.
- d). Enclosed Is a map showing all description locations.
  - 1). 45 deg 06.167' N -121 deg 21.235' W
  - 2). 45 deg 06.186' N -121 deg 21.302' W
  - 3). 45 deg 06.153' N -121 deg 21.305' W
  - 4). 45 deg 06.136' N -121 deg 21.300' W
  - 5). 45 deg 06.142' N -121 deg 21.233' W
  - 6). 45 deg 06.086' N -121 deg 21.245' W
  - 7). 45 deg 06.040' N -121 deg 21.214' W
  - 8). 45 deg 06.018' N -121 deg 21.290' W
  - 9). 45 deg 05.989' N -121 deg 21.301' W
  - 10). 45 deg 06.000' N -121 deg 21.233' W

e). There are excellent correlations of soil mapping units and vegetation for this study area. The dominant Bakeoven soils are droughty due to shallow bedrock (< 20"), lack of CR horizons; and loamy matricies. Dead Grasses are noted on the 52B mapping units but largely not on the 5C. The moderately deep Wapinitia Variant mapping unit is droughty but does have an argillic horizon hence increased water holding capacities and increased clay content in the Control Section. The 5C soil mapping unit lacks any appreciable plant communities.

Regarding the geomorphic surfaces and soil mapping units; the determining factor for mapping units present include Saprolitic parent materials and duripan-like substrata due to Calcareous concentration in the upper 15+ inches of the Wapinitia and sometimes Bakeoven regulate the growth potential of pasture crops given no irrigation is present. No alluvium soils are present

(f). No limitations were encountered in completing this Soil Survey.

(4) Results, Findings and Decisions:

- (a) The bedrock geology for this land base is exclusively Basalt. The massive, lava basalt we encountered on this subject property will yield shallow soils unless the microsite is stable and accretion has occurred which appears common within the subject property general area. Little direct hard rock is noted in this area transitioning from definable soil. Soil development is generally a function of the presence or absence of ejected ash moving in to or out from the subject study area. The basalt itself yields very immature, shallow soils when soils erode from the site hence the Class 7.
- (b) The landforms present on this study site include planar to planar concave, non-colluvial lava plains. The soils we found strongly correlate to these landforms. Noteworthy ash mantles are still only present on the 52B mapping unit. Wapinitia Variant soils are Mollisols (thick epipedon), rock-free with a strong diagnostic argillic horizon (Bt) and are deep (>20") to bedrock or a Calcareous zone of accumulation. The Wapinitia Variant soils do show a combination of both planar and some planar concave microsites where soils have accumulated in depth. These contrasting areas do show up on the aerial photography for the study area.
- (c) No natural drainageways are confirmed within the parcel. Some evidence of overland flow is noted. A minor impoundment is noted about 1/8 mile to the east.
- (d) Our Order I Soil Survey confirms Bakeoven and Wapinitia Variant are the exclusive soil series on the subject property. No deep (Wapinitia) soils were confirmed. All soils on this ownership are either shallow or moderately deep to a geological contact. Bakeoven soils are very consistent in their occurrence on this property and are dominant.
- (e) Previous USDA Survey: 5C Bakeoven-Watama Complex 3.7 acs., 52B Wapinitia 3). Methods 6.4 acs., 54B watama-Wapinitia Complex 0.7 Acs.

(5) Summary and Conclusions:

The strong majority (preponderance) of this proposed lot is made up of the shallow, generally unsuited Class 7 Bakeoven (irrigated and non-irrigated). These lithic, entic Bakeoven soil mapping units are shallow, have restrictive rooting capabilities and low water holding capacities. Conversely, Wapinitia Variant soils are somewhat deeper, have a defined topsoils and more clay build-up than the competing deeper soil units. Noteworthy on this property is the consistent lack of deep and very deep soil mapping units. The original USDA soil maps show mostly deep soils on this property. That is not the case. In desert environments such as this soil depth is extremely important. This study area and legal lot of record is comprised of 63.7% ( 6.83Ac.) of generally unsuited soils Capability Class 7 by Wasco County and DLCD definitions.

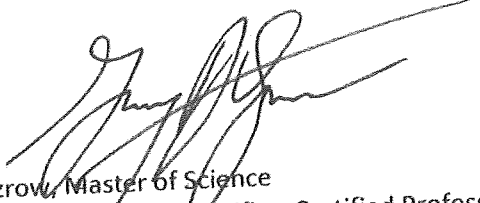
References: Official Soil Series Descriptions USDA NRCS-Wasco County- Bakeoven, Wapinitia Variant  
Soil Survey Report, Soil Survey, Wasco County  
Soil Taxonomy, USDA-NRCS- Complex Vs. Monotaxa

Pg. 3 T5S R 12E Sec. 30 TL# 200 Order I Soil Survey

Soil Survey Manual, USDA

(6) Attachments:

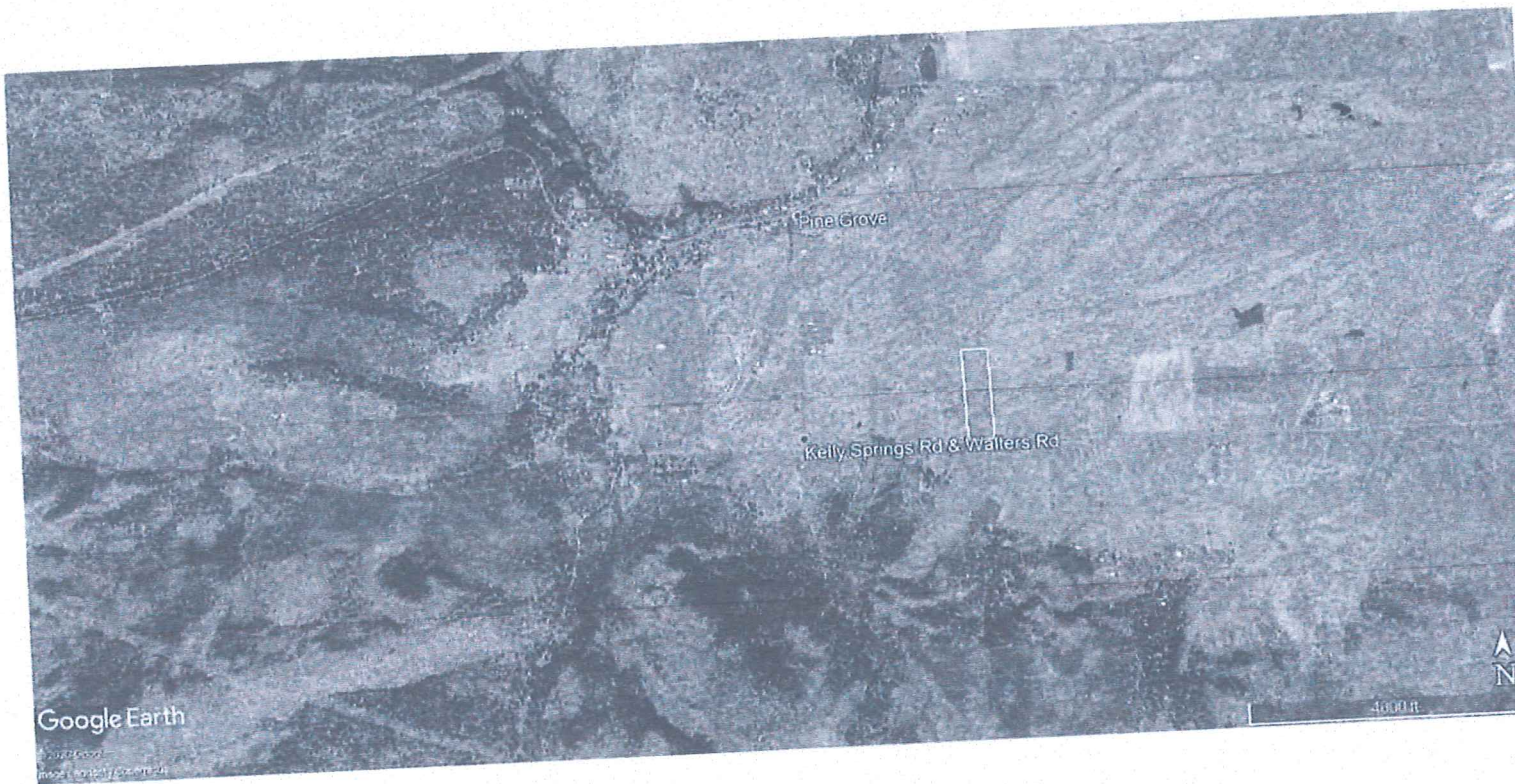
- (a) Vicinity Map
- (b) NRCS Soil Map for property
- (c) Site Condition map
- (d) Topography map outlining the subject property
- (e) Assessor's map outlining the study parcel
- (f) Revised Order I Soil Map
- (g) Soil Profile descriptions
- (h) Representative Soil profile descriptions -typifying pedons for Bakeoven, Wapinitia Variant-series.

  
Gary A. Kitzrow, Master of Science  
Certified Professional Soil Classifier, Certified Professional Soil Scientist #1741  
Principal Soil Taxonomist  
GROWING SOILS ENVIRONMENTAL ASSOCIATES





**T5S R 12E Sec. 30 TL# 200 Mead  
Vicinity Map**







United States  
Department of  
Agriculture

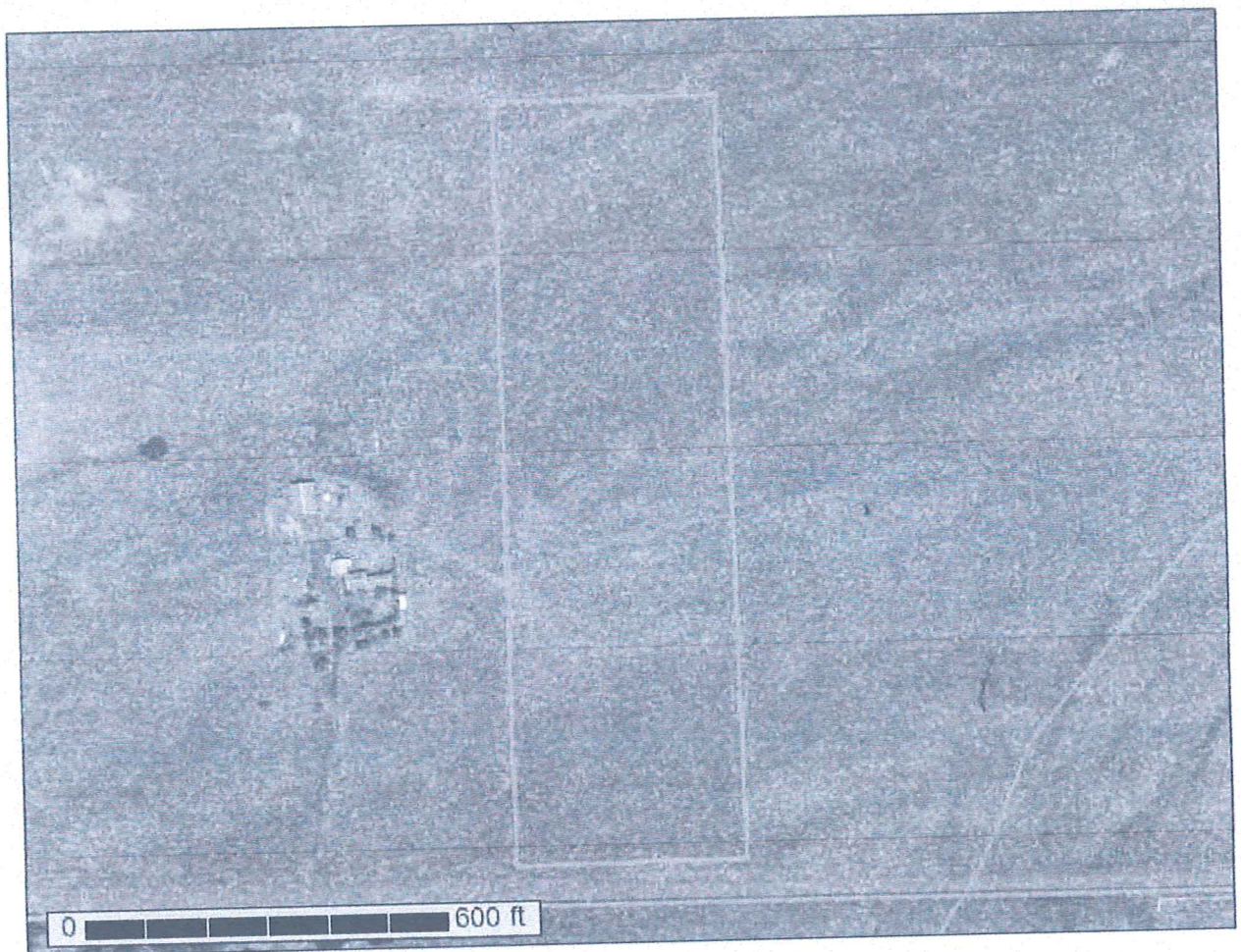
**NRCS**

Natural  
Resources  
Conservation  
Service

A product of the National  
Cooperative Soil Survey,  
a joint effort of the United  
States Department of  
Agriculture and other  
Federal agencies, State  
agencies including the  
Agricultural Experiment  
Stations, and local  
participants

# Custom Soil Resource Report for **Wasco County, Oregon, Northern Part**

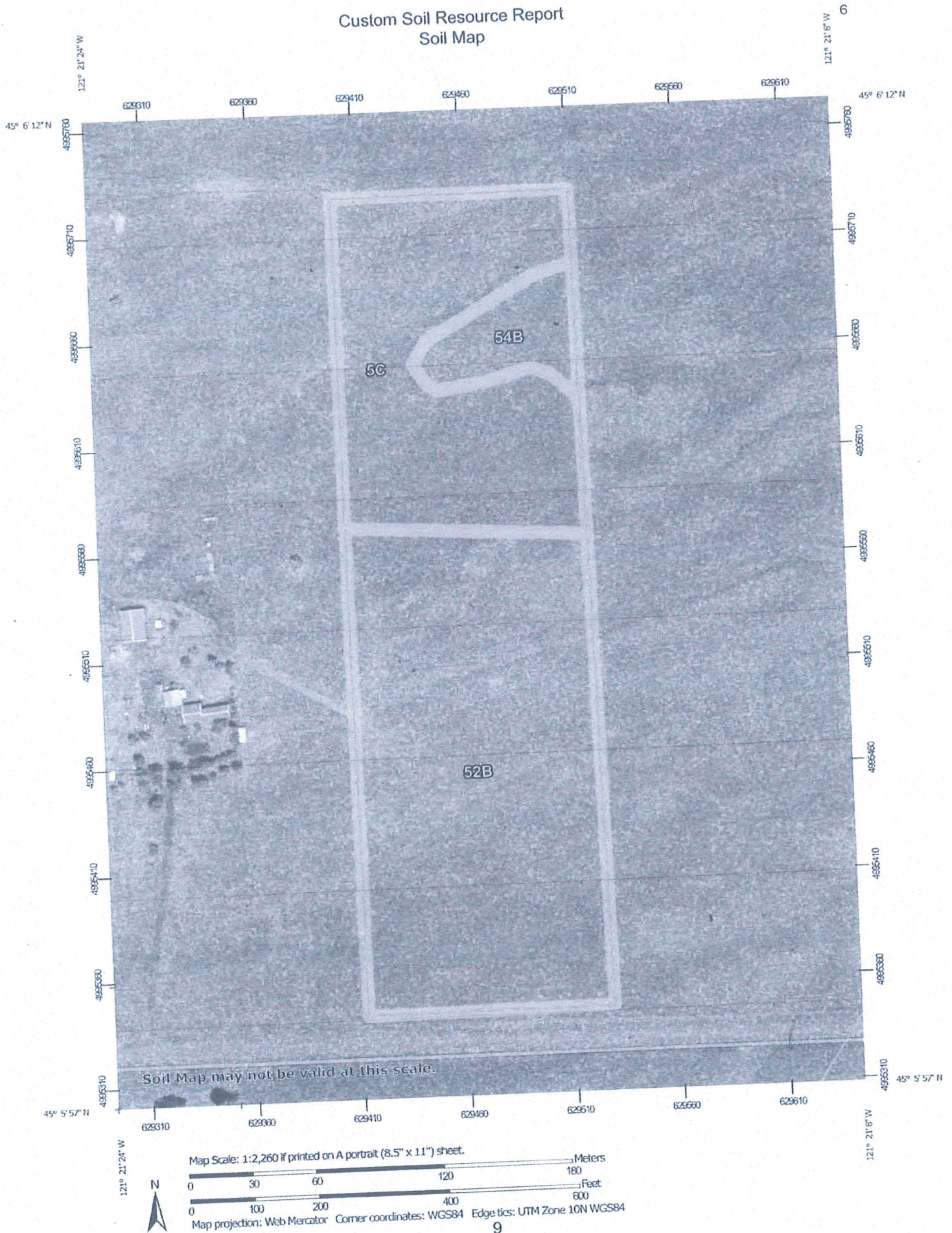
5



September 24, 2020



# Custom Soil Resource Report Soil Map



## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
5C	Bakeoven-Watama complex, 0 to 12 percent slopes	3.7	34.4%
52B	Wapinitia variant silt loam, 1 to 7 percent slopes	6.4	59.1%
54B	Watama-Wapinitia silt loams, 0 to 5 percent slopes	0.7	6.5%
Totals for Area of Interest		10.9	100.0%

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or

## Custom Soil Resource Report

- Class 8 soils and miscellaneous areas have limitations that preclude commercial plant production and that restrict their use to recreational purposes, wildlife habitat, watershed, or esthetic purposes.

*Capability subclasses* are soil groups within one class. They are designated by adding a small letter, e, w, s, or c, to the class numeral, for example, 2e. The letter e shows that the main hazard is the risk of erosion unless close-growing plant cover is maintained; w shows that water in or on the soil interferes with plant growth or cultivation (in some soils the wetness can be partly corrected by artificial drainage); s shows that the soil is limited mainly because it is shallow, droughty, or stony; and c, used in only some parts of the United States, shows that the chief limitation is climate that is very cold or very dry.

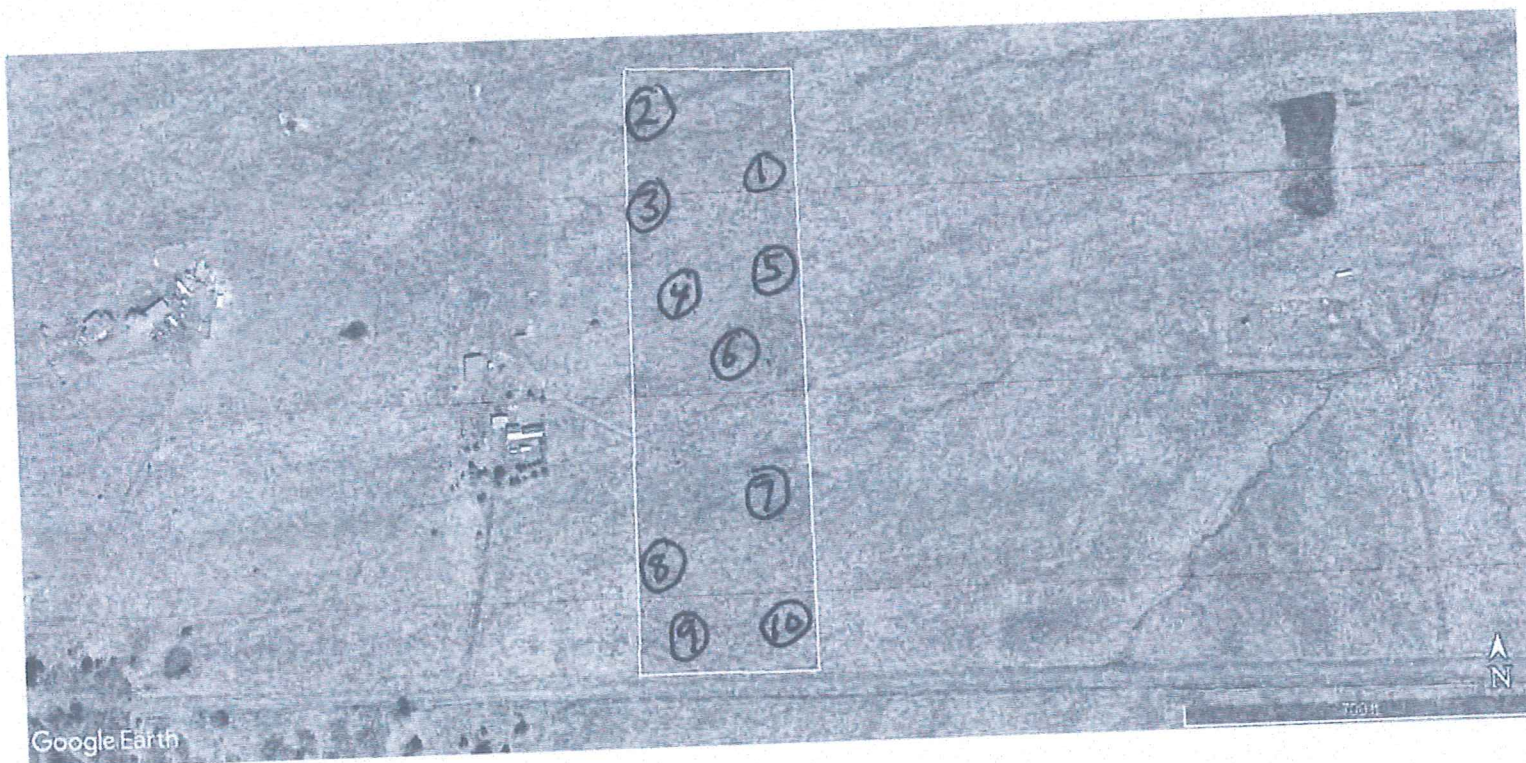
In class 1 there are no subclasses because the soils of this class have few limitations. Class 5 contains only the subclasses indicated by w, s, or c because the soils in class 5 are subject to little or no erosion.

## Report—Land Capability Classification

Land Capability Classification—Wasco County, Oregon, Northern Part				
Map unit symbol and name	Pct. of map unit	Component name	Land Capability Subclass	
			Nonirrigated	Irrigated
5C—Bakeoven-Watama complex, 0 to 12 percent slopes				
	65	Bakeoven	7s	—
	20	Watama	4e	3e
52B—Wapinitia variant silt loam, 1 to 7 percent slopes				
	90	Wapinitia, variant	3e	—
54B—Watama-Wapinitia silt loams, 0 to 5 percent slopes				
	60	Watama	4s	3s
	25	Wapinitia	2c	2e

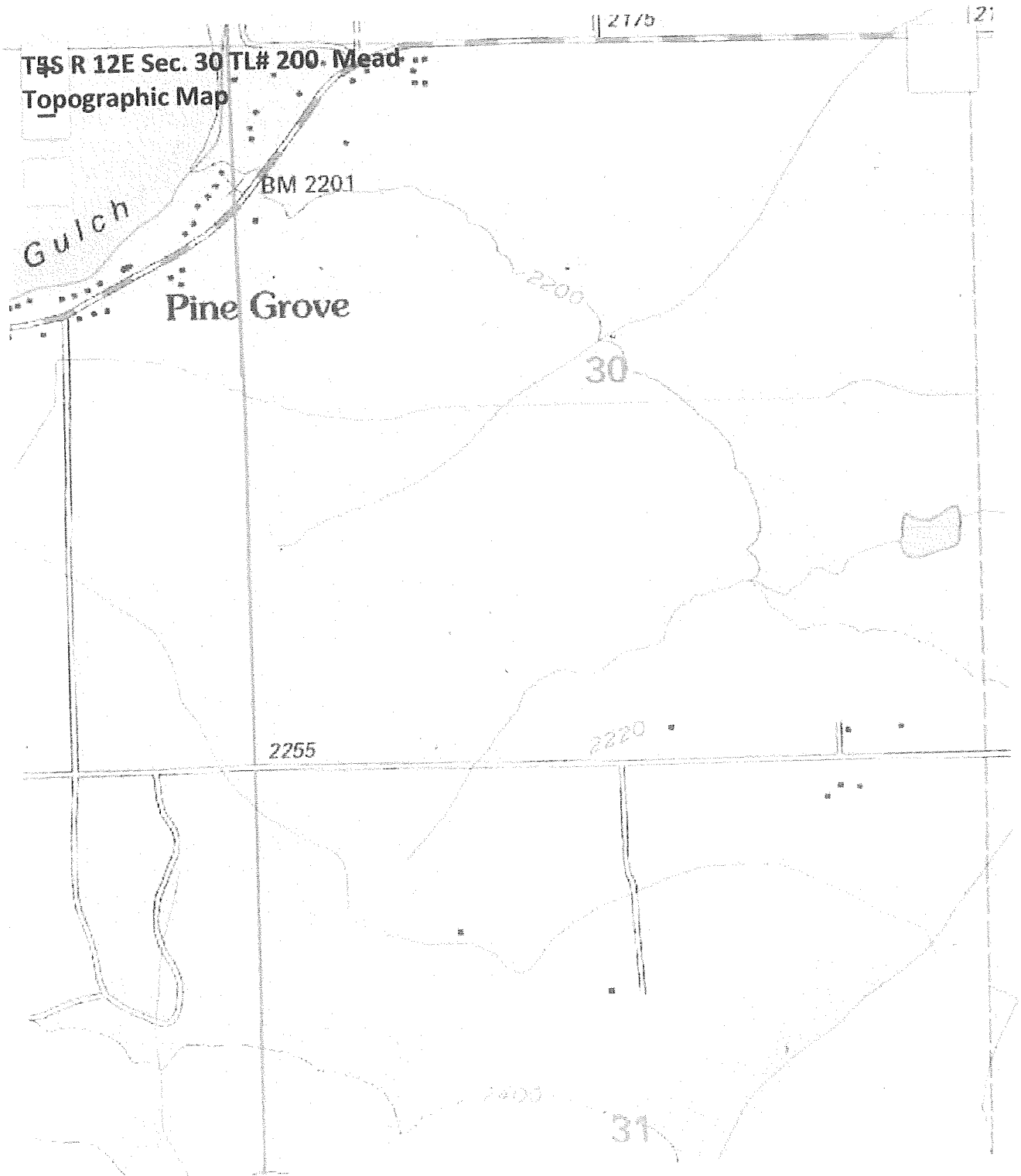


**T5S R 12E Sec. 30 TL# 200 Mead  
Site Condition Map**



# Pine Grove Topo Map in Wasco County Oregon

10



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SECTION 30 T.5S. R.12E. W.M.  
WASCO COUNTY

**T5S R 12E Sec. 30 TL# 200 Mead  
Assessor Map**

SEE MAP 55 12E

SEE MAP  
5S 12E 30B

5S 12E 30B

100  
17.33 AC

LOT 41.05

4

LOT 40.97

	500	400	300	200	10.78 AC
650	5.23	6.10	5.33		
72.42 AC					

LOT 40.88

SEE MAP 55 11E 25

SEE MAP ES 118 25A

	100	200	400 Feet
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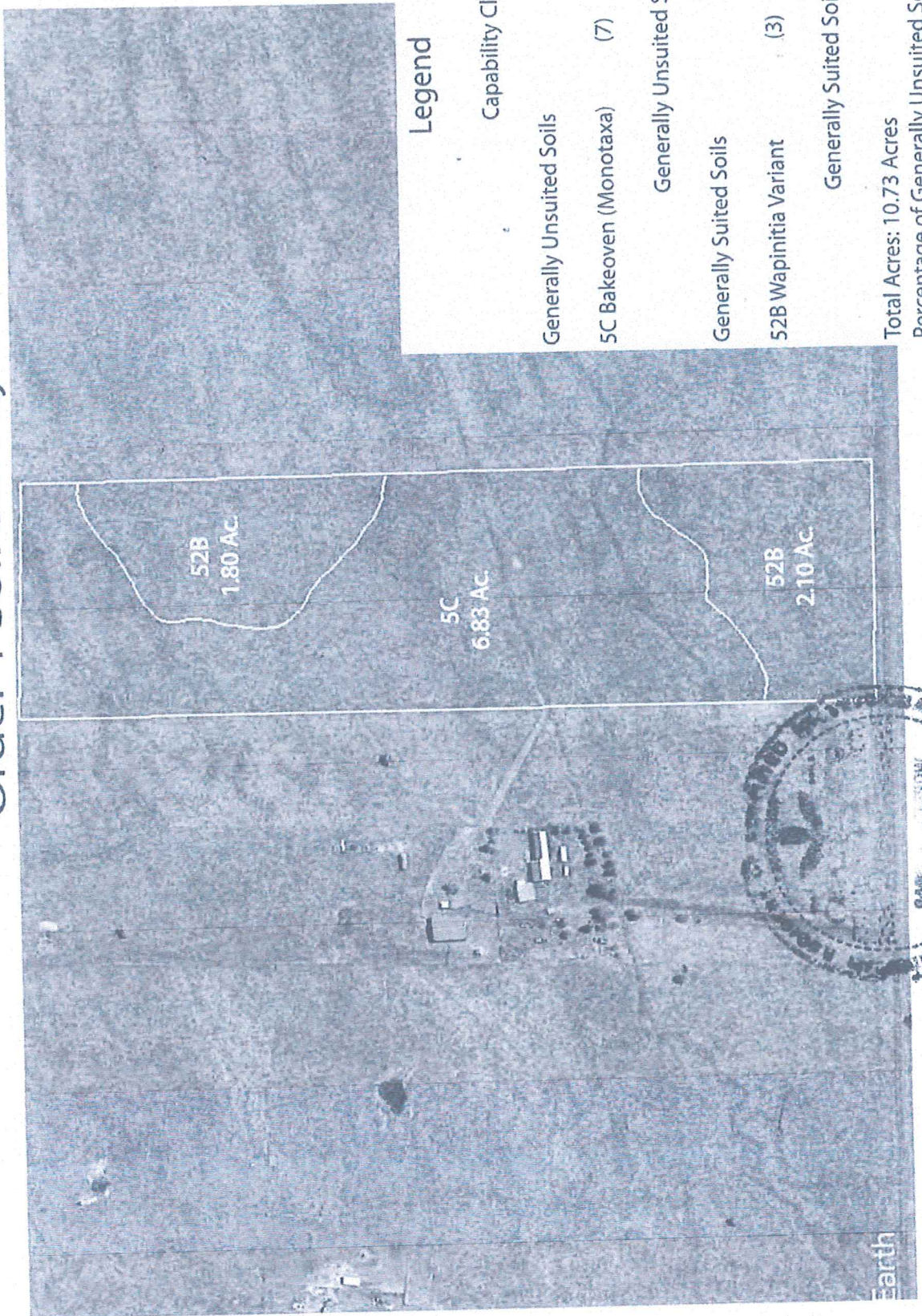
THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY



# Mead Property

Walters Road  
Maupin, Oregon  
T5S R12E Sec. 30 TL#200

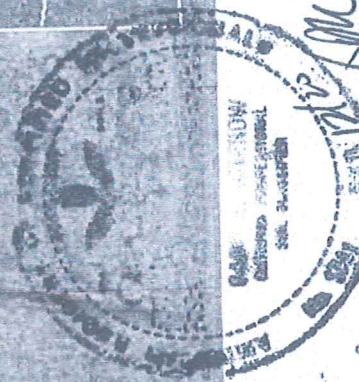
## Order 1 Soil Survey



### Legend

Capability Class	Acreage
Generally Unsuitable Soils	
5C Bakeoven (Monotaxa)	(7) = 6.83 Acres
Generally Unsuitable Soils	Generally Unsuitable Soils = 6.83 Acres
Generally Suitable Soils	
52B Wapinitia Variant	(3) = 3.90 Acres
Generally Suitable Soils	Generally Suitable Soils = 3.90 Acres
Total Acres: 10.73 Acres	
Percentage of Generally Unsuitable Soils: 63.7%	

12



## SOIL PROFILE DOCUMENTATION SHEET

Job Name Mead Date 9/3/20 Preparer K. T. Zrow  
 Stop # ① Location NE 1/4  
 GPS Coordinates See DLCD Report  
 Slope < 2 Elevation 669m Landform Lava plain / upland (convex)  
 Geology/Genesis ejeta over basalt  
 Vegetation leaf grasses

### BRIEF PROFILE DESCRIPTION

Horiz	Depth	Moist	Mott	Text	Struct	Frag	Ball	Rib-	Con-	Andic	Indur	Sat
		Color		Clay%			Hold	bon	sist	Smear	Cem	Intake
<u>Ap</u>	<u>0-6</u>	<u>10YR 3/2</u>	<u>θ</u>	<u>gr</u>	<u>1fgr</u>	<u>15</u>	<u>cm &lt; 2</u>	<u>yes</u>	<u>2 1/2</u>	<u>fr</u>	<u>θ</u>	<u>θ</u> X= <u>mod</u>
<u>Ap2</u>	<u>6-14</u>	<u>10YR 3/3</u>	<u>θ</u>	<u>S: L</u>	<u>2fgr</u>	<u>10</u>	<u>cm &lt; 1</u>	<u>yes</u>	<u>3 1/2</u>	<u>fi</u>	<u>θ</u>	<u>θ</u> X= <u>mod</u>
<u>Bt1</u>	<u>14-21</u>	<u>10YR 4/3</u>	<u>θ</u>	<u>S: CL</u>	<u>2fgr</u>	<u>10</u>	<u>yes</u>	<u>3"</u>	<u>Ufr</u>	<u>θ</u>	<u>θ</u>	<u>θ</u> X= <u>mod / low</u>
<u>Bt2</u>	<u>21-24</u>	<u>10YR 5/6</u>	<u>θ</u>	<u>S: CL</u>	<u>11</u>	<u>10</u>	<u>yes</u>	<u>2"</u>	<u>Ufr</u>	<u>θ</u>	<u>θ</u>	<u>θ</u> X= <u>X</u>
<u>2R</u>	<u>24"</u>			<u>basalt (fractured)</u>								<u>θ</u> X=

Remarks

20' 6.5 ft frags  
in BT

good development  
sail

θ duripan

(strong Mollisol)

Capability Class 3 Suitability = Gen. suited Gen. unsuited WHC = > 2" < 2"

Classification Family filo  
 Soil Drainage Class WD Soil Erodibility Index 127-37 Series Wapinitia Var  
 Hydrologic Group A Depth to Mottles θ Effective Rooting Depth θ  
 Depth Current Water Table θ Est Depth Seasonal High Water Table θ  
 Runoff Potential Low due to soil depth + good structure  
 Flooding Potential θ Wetland Conditions θ



✓ in capability  
ET HCW #1

### BRIEF PROFILE DESCRIPTION

④ hummocks in ←  
landform

Ror (54) ~~2~~" + highly fractured parallel w/ Effervescent nodules  
Duripan DDX Duripan (shell on left)

Remarks

\* strong ulcerous influence

~~Abdullah~~ Shallow to Duripam borderline cc y

Capability Class 7 Suitability = Gen. suited Gen. unsuited WHC = >2

Capability Class 7 Suitability 1 3

Classification LMic, Ochrepts Family Loamy

Soil Drainage Class SWex Soil Erodibility Index 3 Series Bakeoven

Hydrologic Group A Depth to Mottles 0 Effective Rooting Depth 26"

Depth Current Water Table 0 Est Depth Seasonal High Water Table 0

Runoff Potential hi due to shallow bedrock

Flooding Potential 0 Wetland Conditions 0

→ only 15" of usable soil  
CC 7 NI

## SOIL PROFILE DOCUMENTATION SHEET

Job Name Mead - Mcapin Date 9/3/20 Preparer Kitzerow  
 Stop # (3) Location NW 1/4 along western limits  
 GPS Coordinates see DLCD  
 Slope < 2 Elevation 6 m Landform Lava Plain  
 Geology/Genesis Ash over Lava  
 Vegetation isolated dead monacots

### BRIEF PROFILE DESCRIPTION

operability reflected  
CC7

Horiz	Depth	Moist	Mott	Text	Struct	Frag	Ball	Rib-	Con-	Andic	Indur	Sat
		Color		Clay%			Hold	bon	sist	Smear	Cem	Intake
A	0-3	10YR 3/2	0	L			cm 1-2		fr	0	0	X= mod
BW/A3-14	10YR 4/3	0	CL				cm 1		fi	0	0	X= mod
BK	14	10YR 4/4	0	CL			yes		Xfi	0	0	X= mod slow
Ror	14										(2f)	
Duripar											(2f)	
												X=
												X=
												X=

Remarks

poor site

borderline Argillitic thin 20" of upper soil

Capability Class 7 Suitability = Gen. suited Gen. unsuited WHC = > 2" < 2"

Classification Ohric L Mc Family Loamy Cateuron  
 Soil Drainage Class Swex Soil Erodibility Index  Series Bakeoven  
 Hydrologic Group A Depth to Mottles 0 Effective Rooting Depth < 6"  
 Depth Current Water Table  Est Depth Seasonal High Water Table 0  
 Runoff Potential hi due to shallow bedrock  
 Flooding Potential 0 Wetland Conditions 0

lower substratum = brittle consistency

## 16

Job Name Mead-Roberts Rd Date 9/3/20 Preparer Kitzrow  
Stop # (4) Location Mid Property  
GPS Coordinates See DLCD  
Slope <2 Elevation 682m Landform Lava Plain - toeslopes  
Geology/Genesis Ash over Lava - w/ calc  
Vegetation isolated dead monoclots

Horiz	Depth	Moist	Mott	Text	Struct	Frag	Ball	Rib-	Con-	Andic	Indur	Sat
	Color			Clay%			Hold	bon	sist	Smear	Cem	Intake
A	0-4 10YR	A	L		1m gr	20 soft	cm 1-2 yes	2 1/4	fr	Ø	Ø	X= mod
BW	4-14 10YR	Ø 5L			1 m, f, c sax	cm 1 LO	yes	3 1/4	fi	Ø	Ø	X= mod
BC	14-17 10YR	Ø L			"	40 soft	yes	3"	v fi	Ø	Ø	X= mod
Ror	(17 1/4)				indurated	CaCO <sub>3</sub>				X	(2+) (2+)	X= Ø
Duripan					Strongly Effervescent					(massive)		
					Ø BK horizon							X=

Remarks

Capability Class 7 Suitability = Gen. suited Gen. unsuited WHC = >2" <2"

Capacity Class 4

Classification L<sup>thic</sup>, Abruptic Ochre Family Filous Duripan

Soil Drainage Class Swex Soil Erodibility Index .30+ Series Bakeoven - Vcra

Hydrologic Group A Depth to Mottles 0 Effective Rooting Depth 26"

Depth Current Water Table \_\_\_\_\_ Est Depth Seasonal High Water Table 0

Runoff Potential hi due to shallow bedrock

Flooding Potential 0 Wetland Conditions 0

# Growing Soils Environmental Associates

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## SOIL PROFILE DOCUMENTATION SHEET

Job Name Mead - Walker Rd. Date 9/2/20 Preparer K. F. Zrow  
 Stop # (5) Location mid parcel  
 GPS Coordinates See DLCD Report  
 Slope < 2 Elevation 679m Landform Lava plain / upland  
 Geology/Genesis ejecta over basalt  
 Vegetation \_\_\_\_\_

## BRIEF PROFILE DESCRIPTION

Horiz	Depth	Moist	Mott	Text	Struct	Frag	Ball	Rib-	Con-	Andic	Indur	Sat
		Color		Clay%			Hold	bon	sist	Smear	Cem	Intake
<u>A<sub>p</sub> 0-6</u>	<u>10%</u>	<u>3/2</u>	<u>θ</u>	<u>S.L</u>	<u>1 fgr</u>	<u>cm &lt; 2</u>	<u>&lt; 15</u>	<u>yes</u>	<u>2 1/2</u>	<u>vsr</u>	<u>θ</u>	<u>θ</u> x= <u>mod</u>
<u>A<sub>p2</sub> 6-8</u>	<u>10%</u>	<u>θ</u>	<u>S.L</u>	<u>2 fgr</u>	<u>SPK</u>	<u>cm</u>	<u>yes</u>	<u>2 1/2</u>	<u>fi</u>	<u>θ</u>	<u>θ</u> x= <u>mod</u>	
<u>B<sub>A</sub> 8-13</u>	<u>10%</u>	<u>θ</u>	<u>S.L</u>	<u>2 m</u>	<u>SPK</u>	<u>cm</u>	<u>yes</u>	<u>3 1/2</u>	<u>fi</u>	<u>θ</u>	<u>θ</u> x= <u>mod / low</u>	
<u>B<sub>t</sub> 13-19</u>	<u>10%</u>	<u>θ</u>	<u>S.L</u>	<u>2 m</u>	<u>Columnar</u>	<u>cm</u>	<u>yes</u>	<u>4 1/2</u>	<u>Ufi</u>	<u>θ</u>	<u>θ</u> x= <u></u>	
<u>2CR 19-34</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>supra / fi</u>	<u>basalt</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>X</u>	<u>X</u> x= <u>X</u>	
<u>R = 34"</u>	<u>+</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>hard Basalt</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u> x= <u>—</u>	

Remarks

10% 5 ft fragment  
Well sorted  
⊕ CaCO<sub>3</sub> Acc

Capability Class 3 Suitability = Gen. suited Gen. unsuited WHC = > 2" < 2"

Classification

Argixerolls Family fi lo

Soil Drainage Class WD Soil Erodibility Index \_\_\_\_\_

Series Wapinitia Variant

Hydrologic Group A Depth to Mottles \_\_\_\_\_ Effective Rooting Depth 2.1 m

Depth Current Water Table θ Est Depth Seasonal High Water Table θ

Runoff Potential mod due to \_\_\_\_\_

Flooding Potential θ Wetland Conditions θ



## SOIL PROFILE DOCUMENTATION SHEET

Job Name Mead Date 9/3/20 Preparer Kitzerow  
 Stop # (6) Location mid property  
 GPS Coordinates see DLCD  
 Slope <2 Elevation 6' m Landform Lava Plain  
 Geology/Genesis Ash over Lava  
 Vegetation isolated dead monoclots

### BRIEF PROFILE DESCRIPTION

Horiz	Depth	Moist	Mott	Text	Struct	Frag	Ball	Rib-	Con-	Andic	Indur	Sat
		Color		Clay%			Hold	bon	sist	Smear	Cem	Intake
A	0-9	10YR	0	CB L	1m gr	30	cm 1-2 yes	24	(f)	0	0	X= mod
BH/BW	9-16	10YR	0	gr silt		20	cm 1 yes		v fi	0	0	X= mod
BC	16-20	10YR	0	11	1m SBK	20	yes		v fi	0	0	X= mod
Ror	20 1/4		X	Basalt			X	0	X	X	X	X= 0
<del>Dr. 1/4</del>												X=
												X=

Remarks CaCO<sub>3</sub> Prominence  
Bake oven  
too shallow for

Capability Class 7 Suitability = Gen. suited Gen. unsuited WHC = >2" <2"

Classification LMc Abruptic Ochrept Family file  
 Soil Drainage Class Swex Soil Erodibility Index 25-30 Series Bakeoven  
 Hydrologic Group A Depth to Mottles 0 Effective Rooting Depth <6"  
 Depth Current Water Table  Est Depth Seasonal High Water Table 0  
 Runoff Potential hi due to shallow bedrock  
 Flooding Potential 0 Wetland Conditions 0

## SOIL PROFILE DOCUMENTATION SHEET

Job Name Marpin / Mead Date 9/3/20 Preparer Kitzrow  
 Stop # ⑦ Location South Central  
 GPS Coordinates see DLCD Reporting  
 Slope 3 Elevation 6814 Landform Lava plain  
 Geology/Genesis ejecta over Basalt  
 Vegetation \_\_\_\_\_

## BRIEF PROFILE DESCRIPTION

Horiz	Depth	Moist	Mott	Text	Struct	Frag	Ball	Rib-	Con-	Andic	Indur	Sat
		Color		Clay%			Hold	bon	sist	Smear	Cem	Intake
<u>A</u>	<u>0-5</u>	<u>10yr 3/2</u>	<u>0</u>	<u>SIL</u>	<u>1m</u>	<u>SPK</u>	<u>10</u>	<u>yes</u>	<u>fr</u>	<u>0</u>	<u>0</u>	<u>x= mod</u>
<u>BW</u>	<u>5-14</u>	<u>3/3</u>	<u>0</u>	<u>SIL</u>	<u>1m, C</u>	<u>SPK</u>	<u>10</u>	<u>yes</u>	<u>fi</u>	<u>0</u>	<u>0</u>	<u>x= mod</u>
<u>BC</u>	<u>14-17</u>	<u>7/3</u>	<u>0</u>	<u>Sick</u>	<u>prismatic</u>	<u>yes</u>	<u>yes</u>	<u>hcd</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>x= mod</u>
<u>17"+</u>	<u>R</u>	<u>=</u>	<u>Fractured basalt</u>									<u>x=</u>
												<u>x=</u>
												<u>x=</u>

Remarks

→ soils are shallow but  
 advanced pedon development  
 A~~X~~ had bedrock prevents maturation

Capability Class 7/6 Suitability = Gen. suited Gen. unsuited WHC = >2" <2"

Classification Ochric Abruptic Family filo  
 Soil Drainage Class WD Soil Erodibility Index .30 ~ Series Bakeoven  
 Hydrologic Group A Depth to Mottles 0 Effective Rooting Depth 5"  
 Depth Current Water Table 0 Est Depth Seasonal High Water Table 0  
 Runoff Potential mod due to \_\_\_\_\_  
 Flooding Potential 0 Wetland Conditions 0



## SOIL PROFILE DOCUMENTATION SHEET

Job Name Mapin / Mead Date 9/3/20 Preparer K.itzrow  
 Stop # 8 Location South West 1/4  
 GPS Coordinates see DLCD Reporting  
 Slope 13 Elevation 682m Landform Lava plain - planer  
 Geology/Genesis ejecta over Basalt concave  
 Vegetation

## BRIEF PROFILE DESCRIPTION

Horiz	Depth	Moist	Mott	Text	Struct	Frag	Ball	Rib-	Con-	Andic	Indur	Sat
		Color		Clay%			Hold	bon	sist	Smear	Cem	Intake
A	0-7/10yr			CB HL		20	cm					
						yes	24	fr				X= mod
BW	7-16			Gr		15	cm					
				L		yes	24	fr				X= mod
BC	16-17			Gr		15	cm					
				L		yes	20	fr				X= mod
→ R = 17" firm bedrock												X=
												X=
												X=

Class 7 -

Remarks

Capability Class 7/b Suitability = Gen. suited Gen. unsuited WHC = >2" <2"

Classification  Family   
 Soil Drainage Class  Soil Erodibility Index  Series Bakeoven  
 Hydrologic Group  Depth to Mottles  Effective Rooting Depth   
 Depth Current Water Table  Est Depth Seasonal High Water Table   
 Runoff Potential mod due to   
 Flooding Potential  Wetland Conditions