

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE PA 1087 ( IN THE MATTER OF AMENDING THE RURAL COMPREHENSIVE PLAN ( TO REDESIGNATE LAND FROM "FOREST" TO "NONRESOURCE" AND ( REZONING THAT LAND FROM "F-2/IMPACTED FOREST LAND" TO "RR- 10/ ( RURAL RESIDENTIAL 10", AND ADOPTING SAVINGS AND SEVERABILITY ( CLAUSES (file PA 0327-96; Smith)

WHEREAS, the Board of County Commissioners of Lane County, through enactment of Ordinance PA 884, has adopted Land Use Designations and Zoning for lands within the planning jurisdiction of the Lane County Rural Comprehensive Plan; and

WHEREAS, Lane Code 16.400 sets forth procedures for amendment of the Rural Comprehensive Plan, and Lane Code 16.252 sets forth procedures for rezoning lands within the jurisdiction of the Rural Comprehensive Plan; and

WHEREAS, in January 1996, application no. PA 0327-96 was made for a minor amendment to redesignate tax lot 107, map 16-03-34, from "Forest" to "NonResource" with a concurrent request to rezone the property from "F-2/Impacted Forest land" to "RR-10/Rural Residential 10"; and

WHEREAS, the Lane County Planning Commission reviewed the proposal in public hearing of March 5, 1996, and recommended approval of the proposed amendment; and

WHEREAS, evidence exists within the record indicating that the proposal meets the requirements of Lane Code Chapter 16, and the requirements of applicable state and local law; and

WHEREAS, the Board of County Commissioners has conducted public hearings and is now ready to take action;

NOW, THEREFORE, the Board of County Commissioners of Lane County Ordains:

Section 1. The Lane County Rural Comprehensive Plan is amended by the redesignation of tax lot 107, map 16-03-34, from "Forest" to "NonResource," such territory depicted on Plan Plot 394A and further identified as Exhibit "A" attached and incorporated herein.

Section 2. Tax lot 107, map 16-03-34, is rezoned from "F-2/Impacted Forest Land" (Lane Code 16.211) to "RR-10/Rural Residential 10" (Lane Code 16.231), such territory depicted on Rural Zoning Plot 394A and further identified as Exhibit "B" attached and incorporated herein.

FURTHER, although not a part of this Ordinance, the Board of County Commissioners adopts Findings as set forth in Exhibit "C" attached, in support of this action.

The prior designation and zone repealed by this Ordinance remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not effect the validity to the remaining portions hereof.

ENACTED this 8th day of May, 1996.

[Signature]
Chair, Lane County Board of County Commissioners

[Signature]
Recording Secretary for this Meeting

APPROVED AND FORWARDED
Date 4-2-96 Lane county
[Signature]
OF LANE COUNTY COUNSEL

FILED

MAY 15 1996

COUNTY CLERK
BY Pam DeWille

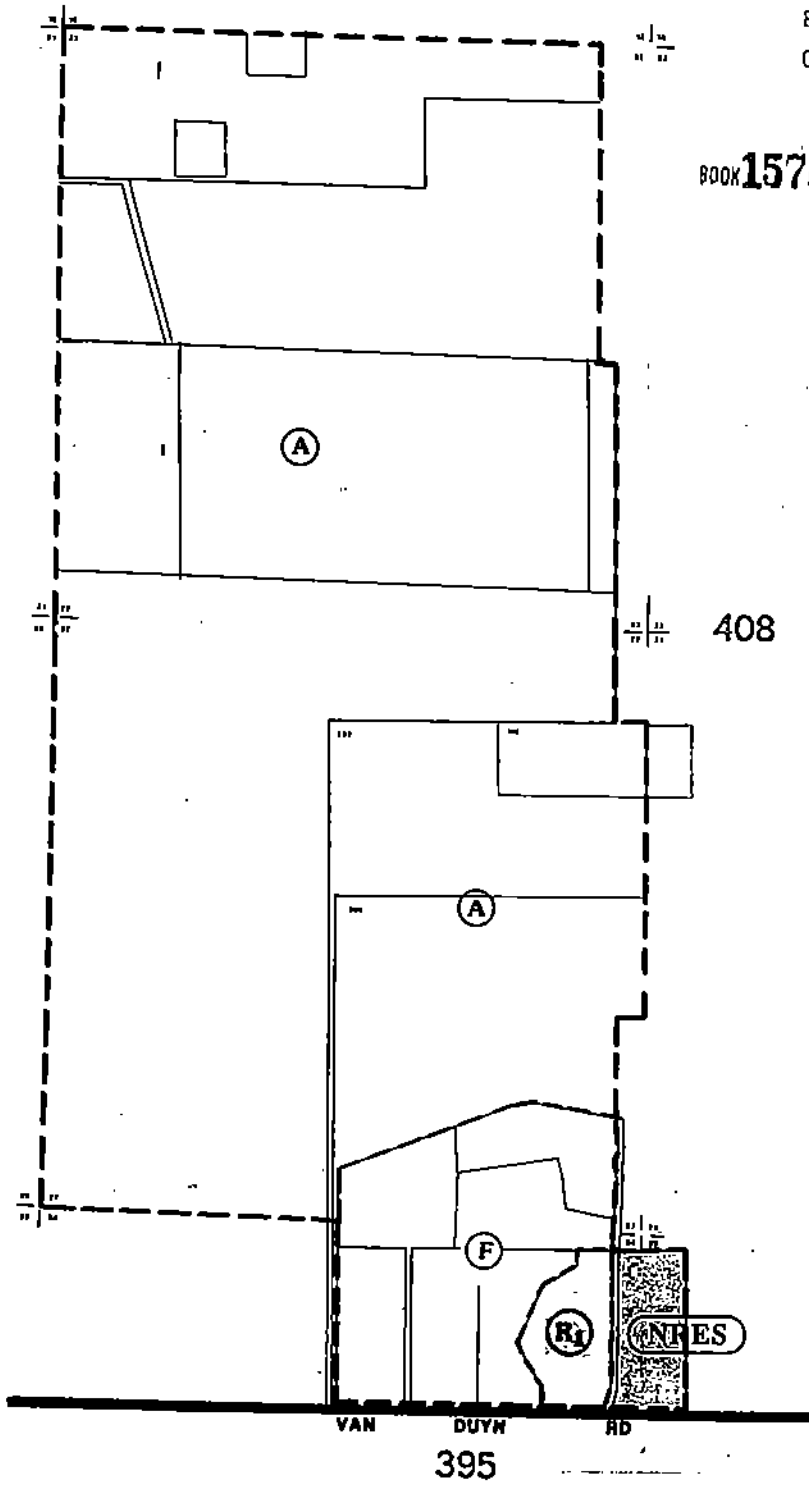
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Exhibit "A"  
Ord PA 1087

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lane county



OFFICIAL PLAN MAP

**PLOT # 394A**

Township Range Section

16 03 22

16 03 27

ORIGINAL ORD. # \_\_\_\_\_ PA 884 \_\_\_\_\_ DATE 2/29/1984 FILE # \_\_\_\_\_

REVISION # \_\_\_\_\_ ORD # \_\_\_\_\_ DATE \_\_\_\_\_ FILE # \_\_\_\_\_

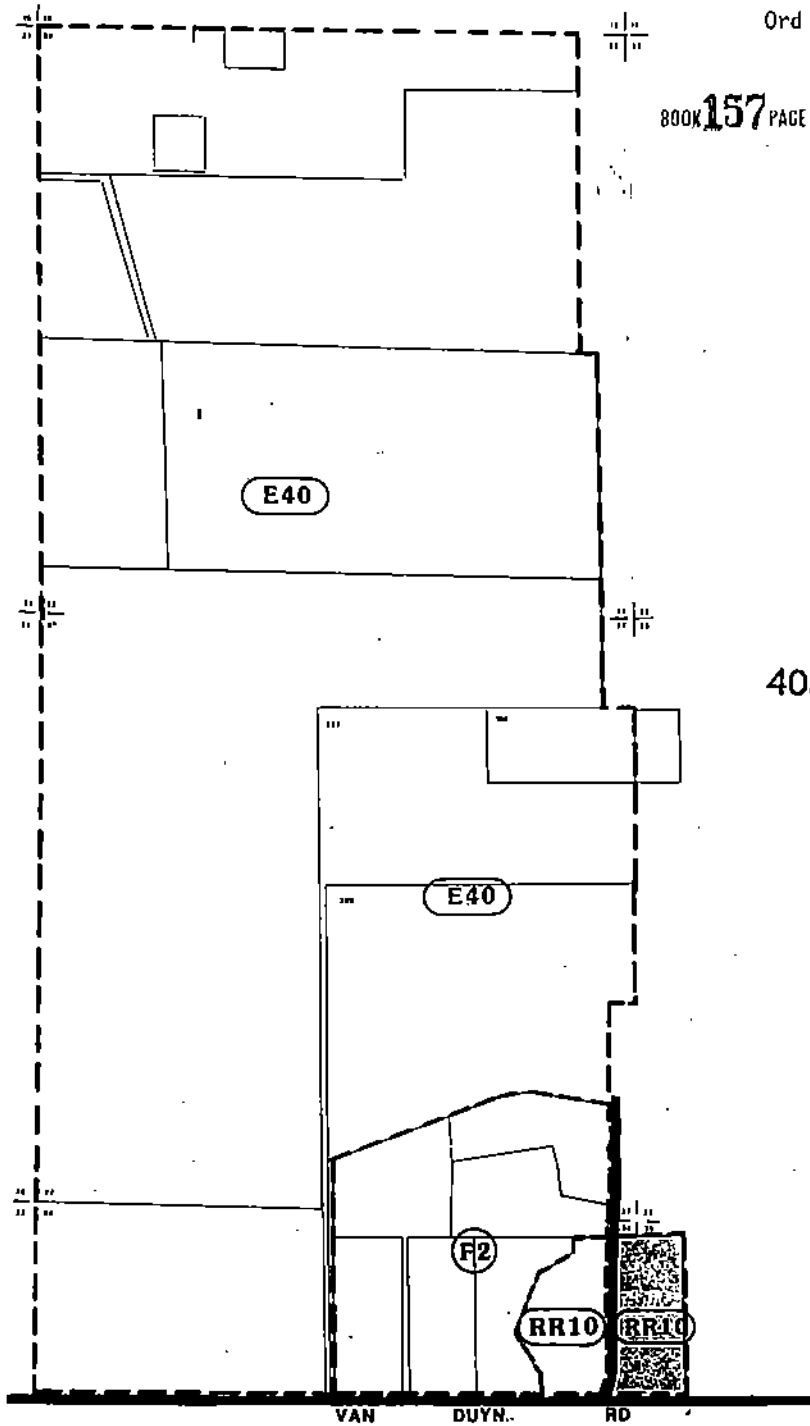
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lane county



OFFICIAL ZONING MAP

PLOT# 394 A

Township Range Section

16 03 22

16 03 27

ORIGINAL ORD. # PA 884 DATE 2/29/1984 FILE #

REVISION # ORD. # DATE FILE #

commercial forest land or other agricultural or forest land as defined by Goals 3 and 4.

14. The subject property is not irrigated or capable of supporting pasture irrigation. The Soil Conservation Service (SCS) indicates each soil type is not suited for irrigation. The subject property is composed wholly of Class VI soils, defined by SCS as having severe limitations for soil cultivation.

15. The subject 20 acre property has been used for limited cattle grazing between late spring and early summer. This use is hobby scale and is only feasible upon supplying supplemental feed and limiting the duration of grazing to non-wet and droughty periods, typically 7-8 months per year. Imported loam soil was required for garden purposes because of poor soil conditions.

16. The subject property is impractical to farm due to the combination of constraints that include: size, soil conditions, lack of irrigation from either surface water or groundwater sources, and location.

17. The Soil Conservation Service indicates agricultural use of the subject soils is impractical due to soil conditions that include: shallow soil depth to rock, slope, clayey soil texture, droughtiness, cobbles on the surface that limit use of equipment, high soil compaction and erosion conditions during wet periods, swale-drainage characteristics, seasonal high water table, wetness and plant winter-kill due to grazing.

18. The subject property is provided adequate domestic water by two wells which yield 5 and 15 gpm. A water quality test of a subject well, conducted on June 26, 1995, indicates maximum contamination levels are not exceeded. There are 11 recorded well logs in section 34 which includes the subject property and 12 in the adjoining section 35. These wells have yields that range from 0.25 to 150 gpm, with an average and median yield of 23 and 34 gpm, respectively. The subject property is not located within a water quantity/quality limited area as identified by Lane Manual 13.010.

## II. Findings and Conclusions Related to Lane Code 16.400 Plan Amendment Criteria.

Lane Code 16.400(6)(h)(iii) provides the Board may amend or supplement the RCP upon making the following findings:

(aa) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan component or amendment meets all applicable requirements of local and state law, including Statewide Planning Goals and Oregon Administrative Rules.

1. The Board finds this plan amendment meets all legal processing requirements of the Lane Code and the acknowledged comprehensive plan. Findings provided herein address applicable county criteria and statewide planning goals.

(bb) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component is:

(i-i) necessary to correct an identified error in the Plan;

(iv-iv) necessary to provide for the implementation of adopted Plan policy or elements, or

(v-v) otherwise deemed by the Board, for reasons briefly set forth in its decision, to be desirable, appropriate or proper.

2. The Board finds that this amendment meets criteria (i-i, iv-iv, and v-v) above.

(i-i) The subject plan amendment identifies an error in the adopted Rural Comprehensive Plan (RCP), where the subject property was designated Forest Land, but evidence in the record indicates this designation is inconsistent with both county policies and statewide planning goal requirements. The Board finds the existing plan designation is in error and the proposed Nonresource Land designation more appropriately identifies the subject property.

(vi-vi) The Board also finds, this amendment implements RCP Goal 2 Policy 26 which provides for designating lands that are not farm or forest land as rural residential when the subject property does not meet the definition of Statewide Planning Goals 3 and 4. As previously indicated, the subject property does not qualify as far or forest land necessitating protection by the Goals, and therefore qualifies as nonresource land.

(v-v) Based upon reasons discussed in this application, the Board finds that it is desirable, appropriate and proper to designate the subject 20 acre parcel as Nonresource Land. It is the desire of the Board to direct rural residential development to areas like the subject property which are severely limited or precluded from any substantial resource use in order to relieve the strain of similar development on

lands more suitable for suitable farm and forest resource use in the county.

*(cc) For Minor Amendments as defined in LC 16.400(8)(a), the Plan amendment or component does not conflict with adopted Policies of the Rural Comprehensive Plan, and if possible, achieves policy support.*

3. The Board finds the proposed amendment conforms with the following applicable RCP Policies:

Goal 2 Policy 9: Provides that lands that are not farm or forest land lands may be designated rural residential upon a factual demonstration that the subject property is: a) not farm or forest land as defined by Goal 3 and 4, b) an exception is not required, c) small isolated nonresource tracts are not created that would be incompatible with surrounding farm and forest land, and d) the designation is consistent with other RCP Policies.

a) The subject property consists of Class VI soils and is not farm or forest land that requires protection by Goals 3 and 4. It is not composed of existing or potential forest land, the subject property has no forest site class, and is not suitable for commercial forest production.

b) The subject property is not farm or forest land and therefore no exception to Goals 3 and 4 are required.

c) The subject property is surrounded on three sides by similar 10 acre developed parcels. The proposed amendment and zone change does not involve or propose zoning an isolated tract to a RR-10 zone.

d) The proposed amendment/ zone change is consistent with the following Plan Policies:

Goal 2 Policy 17 provides rural densities for nonresource lands shall be one residence per five or ten acres upon consideration of: a) the existing development pattern of any adjacent committed areas; b) subsurface sewage disposal; c) domestic water supply; d) access; e) public services; f) lack of natural hazards; and g) effect on resource lands.

a) The subject property is surrounded on three sides by 10 acre parcels designated as Nonresource land, zoned RR-10 and improved with dwellings.

b) The property is served by a sand filter sewage disposal system. The subject property is composed of soils suitable for a sanitation system capable of serving the proposed residential density.

c) The Applicant has previously addressed the adequacy of domestic water availability. See Finding 18, above.

d) The subject property has direct access to Van Dуйn Road, a county road.

e) The subject receives an adequate level of rural services as discussed in Finding 5, above.

f) The subject property is not subject to any natural hazards identified by the RCP.

g) The subject property does not abut any farm or forest land. Lands to the north, east and west are zoned RR-10 and used for residential purposes. The property is separated from E-40 zoned grazing land to the south by a paved county road. The Applicant's dwelling and surrounding improved area is located between the grazing tract and the proposed future residence, buffering future uses.

Goal 5 Policy 3 indicates the adequacy of water supply, particularly those relying on groundwater sources, shall be a major concern in reviewing major land use changes. For purposes of applying this policy, major land use change shall be any application review by the Hearings Official or the Planning Commission.

Goal 5 Policy 5 requires land use designations in the Comprehensive Plan and implementing zoning shall be commensurate with groundwater aquifer capacities.

Policies 3 and 5 are applied through procedures established in Lane Code 13.050(13) that requires specific evaluation of domestic water supply as part of any subsequent land division application. The Applicant has demonstrated adequate water supplies exist to serve the proposed residential use.

Goal 11 Policy 6 k describes the level of service appropriate for Nonresource Lands zoned Rural Residential. The subject property is provided all necessary services as indicated by Finding 5, above. The Board finds the resultant build-out proposed by this request will add one additional dwelling to the area. This increase is minimal and can be adequately served inconjunction with adjacent residential uses. The Board finds the existing type and level of services is adequate to accommodate the Rural Residential zoning without requiring an increase of services.

*(dd) For Minor Amendments as defined in Lane Code 16.400(8)(a), the Plan amendment or component is compatible with the existing structure of the Rural Comprehensive Plan, and is consistent with the unamended portions or elements of the Plan.*

4. The Board finds that this plan amendment conforms the existing procedural structure of the Comprehensive Plan. As a Minor Amendment, the impact of the proposal is site specific and consistent with the unamended portions of the Plan. The Board finds the proposed amendment conforms with existing plan policies and is therefore consistent with the unamended elements of the plan.

*Lane Code 16.400(8)(a): Amendments to the Rural Comprehensive Plan shall be classified according to the following criteria:*

*(i) Minor Amendment. An amendment limited to the Plan Diagram only and, if requiring an exception to the Statewide Planning Goals, justifies the exception solely on the basis that the resource land is already built upon or is irrevocably committed to other uses not allowed by an applicable goal.*

1. The Board finds that the proposed amendment is limited to a change of the plan diagram from Forest Land to Nonresource Land. No exception is required for this amendment, it therefore qualifies as a Minor Amendment.

*(c) Minor amendment proposals initiated by an applicant shall provide adequate documentation to allow complete evaluation of the proposal to determine if the findings required by LC 16.400(6)(h)(iii) above can be affirmatively made. Unless waived in writing by the Planning Director, the applicant shall supply documentation concerning the following:*

*(i) A complete description of the proposal and its relationship to the Plan.*

2. The required description has been previously provided. The proposed use of the subject property is for rural residential development at a density of one dwelling per 10 acres. The Nonresource Land designation is applied to the property through analysis that the subject property does not qualify as farm or forest land as previously described. The Board finds the Applicant's description to be accurate and complete, and therefore conforms to this criterion.

*(ii) An analysis responding to each of the required findings of LC 16.400(6)(h)(ii) above.*

3. The Board finds this required analysis has been addressed in previous findings, above.

(iii) *An assessment of the probable impacts of implementing the proposed amendment, including the following:*

(aa) *Evaluation of land use and patterns of the area of the amendment;*

4. The Board finds the Applicant has provided a complete description of the area land use pattern within the previous findings and incorporates by reference the Applicant's Statement and supporting exhibits.

(bb) *Availability of public and/or private facilities and services to the area of the amendment, including transportation, water supply and sewage disposal;*

5. The Board finds adequate public and private facilities and services are available to the property, including: individual on-site sewage and water systems, access to Van Duyn Road, a classified county minor arterial road, Coburg Rural Fire protection, US West Telephone service, Lane County Sheriff and State Police protection, EPUD electrical service and access to the Glenwood Solid Waste Disposal Site.

(cc) *Impact of the amendment on proximate natural resources, resource lands or resource sites including a Statewide Planning Goal 5 "ESSE" conflict analysis where applicable;*

6. The Board finds that no historic, archaeological or sensitive wildlife habitat sites have been identified on or near the subject property. The County's wildlife inventory indicates the property to be within an impacted Big Game Range. No special requirements are contained within the RCP or Lane Code for wildlife protection in an impacted range. The Board finds no conflict exists with Goal 5 resources and therefore an ESEE analysis is not applicable to this amendment.

(dd) *Natural hazards affecting or affected by the proposal;*

7. The Board finds the subject property is not located within a flood hazard, dangerous or natural hazards area.

*(ee) For a proposed amendment to a nonresidential, nonagricultural or nonforest designation, an assessment of employment gain or loss, tax revenue impacts and public service/facility costs, as compared to equivalent factors for the existing uses to be replaced by the proposal;*

8. The Board finds this criterion is not applicable since the proposed amendment is not for a nonresidential designation.

*(ff) For a proposed amendment to nonresidential, nonagricultural or nonforest designation, an inventory of reasonable alternative sites now appropriately designated by the Rural Comprehensive Plan, within the jurisdictional area of the Plan and located in the general vicinity of the proposed amendment;*

9. The Board finds this criterion is not applicable because the proposed amendment is not for a nonresidential designation.

*(gg) For a proposed amendment to a Nonresource designation or a Marginal Lands designation, an analysis responding to the criteria for the respective request as cited in the Plan document entitled, "Working Paper: Marginal Lands" (Lane County, 1983).*

10. The Board finds the subject property is not farm or forest land as defined by Goals 3 and 4, nor is it capable or suitable for commercial forest production due to site soils that have no SCS forest capability rating. The Board further finds the subject property is not needed for watershed protection; will not adversely effect management for big game range, fish or waterfowl habitat; does not contain vegetation necessary to protect extreme soil or climatic conditions; is not required for the protection of urban buffers, wind breaks, wildlife and fisheries habitat, livestock habitat, scenic corridors or recreation uses; consists of Class VI soils; is not suitable for farm use; and is not Agricultural Land necessary to permit nearby farm uses.

III. Findings and Conclusions Relating to Lane Code 16.252 Rezoning Criteria.

Lane Code 16.252(2) Criteria. Zonings, rezonings and changes in the requirements of this Chapter shall be enacted to achieve the general purpose of this Chapter and shall not be contrary to the public interest. In addition, zonings and rezonings shall be consistent with the specific purposes of the zone classification proposed, applicable to Rural Comprehensive Plan elements and components, and Statewide Planning Goals for any portion of Lane County which has not been acknowledged for compliance with the Statewide Planning Goals by the Land Conservation and Development Commission. Any zoning or rezoning may be effected by Ordinance or Order of the Board of County Commissioners, the Planning Commission or the Hearings Official in accordance with the procedures in this section.

1. The Board finds the proposed RR-10 zoning appropriately implements the proposed Nonresource designation. The Board further finds the proposed RR-10 Zone is consistent with the General Purpose of Chapter 16, Purpose statement of the Rural Residential Zone and applicable Rural Comprehensive Plan Policies, previously addressed.

2. The Board finds the proposed RR-10 Zone is consistent and similar with existing RR-10 zoning on lands that surround the subject property on three sides. The subject property is separated from grazing lands to the south by Van Duyn Road, a paved county road. The Board finds the type and level of grazing on these lands will not be adversely effected or impacted by the proposed zone change.

CONCLUSIONS

The Board finds that the subject 20 acre parcel qualifies for a plan designation as Nonresource Land with a RR-10 Zone. The Board finds the facts presented accurately conclude the subject property is not forest land and that the proposed redesignation is consistent with Plan policies and the approval criteria, addressed herein.

The Board finds the subject 20 acres consists of Class VI soils, is not farm or forest land as defined by Goals 3 and 4, nor is required for protection by those Goals, is a developed parcel, will not adversely effect surrounding lands, and is consistent with the predominant residential density and use of surrounding lands.

The Board concludes that based upon the information contained in the Applicant's report and supplemental documents; evidence received at public hearings and made part of the record, and findings provided, the plan amendment and zone change conform with all applicable criteria to allow redesignation from Forest Land to Nonresource Land and rezoning from F-2 Impacted Forest Land to Rural Residential (RR-10).

## SUPPLEMENTAL FINDINGS ORDINANCE PA 1087

### STATEWIDE PLANNING GOALS

For purposes of the analysis of this section the following applicable statewide planning goal statements have been summarized. The Oregon Land Conservation and Development Commission Goals and Guidelines are incorporated herein by reference, except as noted.

#### GOAL 1 Citizen Involvement

Requires citizens and affected public agencies be provided an opportunity to comment on the proposed amendment and zone change. Public notification in the form of mailed public notice will be sent by Lane County to affected agencies, including the Department of Land Conservation and Development and owners of record within 500 feet of the subject property.

#### GOAL 2 Land Use Planning

Goal 2 establishes a land use planning process and policy framework as a basis for all land use decisions and requires an adequate factual base be developed to support such decisions. A minor change is one that does not have significant effect beyond the immediate area of change and is based on special studies or information. The public need and justification for the particular change must be established.

Lane County has adopted a comprehensive land use plan amendment process with specific criteria that must be addressed to justify a minor change. Substantial compliance with LC 16.400, Rural Comprehensive Plan Amendments (Section III A above) constitutes compliance with the applicable provisions of Goal 2.

#### Goal 3 Agricultural Lands

Goal 3 strives to preserve and maintain agricultural lands. In western Oregon agricultural land consists of predominantly Class I -IV soils as identified by the Soil Conservation Service and other lands which are suitable for farm use taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land use patterns, technological and energy inputs required, or accepted farming practices. Lands in other classes which are necessary to permit farm practices to be

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undertaken on adjacent or nearby lands, will be included as agricultural lands.

The Soil Conservation Service identifies soils on the subject property consist wholly of Class VI soils and is therefore not agricultural land protected by Goal 3.

The Soil Conservation Service Soil Survey for Lane County Area, Oregon, indicates the soils on the subject property consist of: Dixonville-Philomath-Hazelair Complex and Panther silty clay loam. These soils have the following constraints that severely limit farm use: shallow soil depth to rock, slope, clayey soil texture, droughtiness, cobbles on the surface that limit use of equipment, high soil compaction and erosion conditions during wet periods, swale-drainage characteristics, seasonal high water table, wetness and plant winter-kill due to grazing.

The Lane County Policies Component of the General Plan, Goal 3: Agricultural Lands, Policy 7 states: *Some agricultural land in the County is not suitable or available for agricultural use by nature of being built upon, committed to or needed for nonagricultural uses. The County shall plan and zone such lands for nonagricultural uses by using applicable comprehensive plan policies and the exceptions process of LCDC Goal 2, Part II.*

The subject property qualifies as nonresource land and therefore no exception to Goal 3 is required.

#### Goal 4 Forest Lands

Goal 4 requires the preservation and conservation of forest land for forest uses. Forest land is defined by Statewide Planning Goal 4 as: 1) lands composed of existing and potential forest lands which are suitable for commercial forest uses; 2) other forested lands needed for watershed protection, wildlife and fisheries habitat and recreation; 3) lands where extreme conditions of climate, soil and topography require the maintenance of vegetative cover irrespective of use; 4) other forested lands in urban and agricultural areas which provide urban buffers, windbreaks, wildlife and fisheries habitat, livestock habitat, scenic corridors and recreational use.

The generalized SCS soils information for the subject property indicates no listed forest capability for the subject property. No evidence exists that the subject

property has any prior forest use or capability as defined by Goal 4.

The subject property is not listed by SCS as having any forest capability. The property is open field/meadow and not forest land nor suitable for commercial forest production. The Rural Comprehensive Plan has not identified the subject property as forest land necessary for watershed protection, special wildlife or fisheries habitat or for recreation purposes. The subject property is located in a "developed" area where the predominant surrounding land use consists of dwellings on small rural acreages. It is predominantly open land, thus there is no requirement to maintain vegetative cover for extreme conditions, soils or topography. The property is not located in a urban area and is not forest land necessary for urban buffers, windbreaks, scenic values or livestock habitat. The subject property is not forest land and therefore no exception to Goal 4 is required.

#### **Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources**

Goal 5 requires the conservation of open space and the protection of natural and scenic resource that include: cultural, historic, scenic and wilderness area characteristics.

The subject property does not contain nor has been inventoried to include any specific resources detailed for conservation by Goal 5.

#### **Goal 6 Air, Water and Land Resource Quality**

The purpose of Goal 6 is to maintain and improve the quality of the air, water and land resources of the State. This Goal is generally implemented during the comprehensive planning process. As it pertains to site specific development, it requires that adequate protection measures are taken to assure the retention of air, water and land quality.

The property is served by adequate on-site water and sanitation facilities. A residential use does not produce or discharge any product or by-product that would degrade such resources.

**Goal 7 Areas Subject to Natural Disasters or Hazards**

The purpose of Goal 7 is to protect life and property from natural hazards. No hazards have been identified on or applicable to the subject property.

**Goal 8 Recreational Needs**

Goal 8 is to satisfy the recreational needs of the State and visitors. The proposed change from Forest Land to Nonresource Land has no impact on Goal 8.

**Goal 9 Economy of the State**

The purpose of Goal 9 is to diversify and improve the economy of the State. This goal is primarily applicable to commercial and industrial development.

**Goal 10 Housing**

Goal 10 is intended to provide for the housing needs of the citizens of the State.

**Goal 11 Public Facilities and Services**

The purpose of Goal 11 is to provide for the planning and development of a timely, orderly and efficient arrangement of public facilities and services to serve as a frame work for urban and rural development.

A full range of rural services, as defined by Goal 11 RCP Policies 6e and 6k, necessary to serve the proposed residential use exists to the subject property. The existing use will not require any public services beyond the level of those that exist.

**Goal 12 Transportation**

The purpose of Goal 12 is to provide and encourage a safe, convenient and economic transportation system.

Goal 12 is not oriented toward specific land use actions such as this. It is intended to consider area-wide modes of transportation and is implemented at the comprehensive plan stage. The property is served by Van Duyn Road, a county road, designated as a minor arterial road. Residential trip generation from two single-family dwellings is estimated at 20 vehicle trips per day. Virtually all trips will be oriented to the west to the Coburg/I-5 interchange. This

level of use would not appear to cause any detrimental affect to local road system.

**Goal 13 Energy Conservation**

This Goal is more appropriately applied at the comprehensive plan phase and therefore is not applicable to this application.

**Goal 14 Urbanization**

The purpose of Goal 14 is to provide for the orderly and efficient transition from rural to urban land use. The subject property is not located within or adjacent to an urban growth boundary and therefore is not urbanizable. Goal 14 is not applicable to this request.

**Goals 15 - 19**

These Goals are not applicable to this application as they are geographically oriented and apply to the Willamette River Greenway and coastal resources.

**CONCLUSION**

The Board finds that the redesignation of the subject property from Forest Land to Nonresource Land and rezoning from F-2 Impacted Forest Land to RR-10 Rural Residential is consistent with the Statewide Planning Goals and Guidelines.

**Memo to File PA0327-96**

**From:** Kent Howe, Associate Planner, LMD KH  
**RE:** Letter dated April 4, 1996, from Jim Johnson, DLCD

Upon review of the request for a Plan amendment from "Forest" to "Nonresource" and a zone change from F-2/Impacted Forest Land to "RR-10/Rural Residential", Mr. Johnson objects to the forest soil rating provided for the property.

The soil unit in question is 43E Dixonville-Philomath-Hazelair complex, 12-35% slope. Mr. Johnson utilizes the most recent information provided by the USDA Natural Resource Conservation Service which indicates that the Dixonville component of the complex has a Douglas fir site index of 109 which is a rating capable of growing 152 cubic feet per acre per year of wood fiber. This capability appears to meet the USDA definition of prime forest land which is 85 cubic feet per acre per year.

Mr. Johnson states that unless evidence is available to show that the subject property is not forest land (i.e., that the subject property is composed primarily of soils other than the Dixonville component or an exception can be justified pursuant to OAR 660, Division 4, the department recommends that the subject property is forest land under Goal 4 and that this request be denied.

To address Mr. Johnson's concerns, I contacted Kathi Wiederhold (a Certified Professional Soil Scientist with the Lane Council of Governments on contract with the Land Management Division) to assist me with the following response.

The map unit description for 43E Dixonville-Philomath-Hazelair complex, 12-35% slope, in the Lane County Soil Survey (page 63) indicates the property is composed primarily of soils other than Dixonville: "This unit is 35 percent Dixonville silty clay loam, 30 percent Philomath cobbly silty clay, and 20 percent Hazelair silty clay loam."

The NRCS state soils database (June 6, 1994 for Dixonville in Lane County) indicates a mean site index of 109 for Dixonville in Lane County and gives no Douglas fir site index for either of the other two components of the complex.

A reasonable and accepted method to calculate a forest capability rating for soil complexes is to apply a weighted average. Applying a weighted average to the Dixonville component and normalizing to exclude the inclusions (which can comprise up to 15% of the complex and can be any of 3 different soil types, or a mixture), this site is capable of producing 61 cubic feet/acre/year. Refer to the table on the following page.

43E Dixonville-Philomath-Hazelair complex, 12-35% slopes

Soil Unit Component	% of Complex*	Normalized %	Douglas fir Site Index	Cubic Feet/ Acre/Year	Normalized % X CF/A/YR
Dixonville	35	40	109	152	61
Philomath	30	35	0	0	0
Hazelair	20	25	0	0	0

This is a conservative estimate because it assumes that it would be practical to manage the 35% of Dixonville on the property, although in reality it may occur in a pattern in the landscape which makes it impractical to manage separately in an efficient manner. A site capable of producing only 61 cubic feet/acre/year is below the 85 cubic feet/acre/year USDA standard cited by Mr. Johnson.

CC: Jim Johnson, DLCD Farm/Forest Coordinator  
 Thor Thorson, NRCS  
 Harry Taylor