

SECTION 3.150 "F-3" Small Woodland Forest Zone (GMA Only)

A. Purpose

The purpose of the Small Woodland-Forest Zone is to protect and enhance Small Woodland forest land for forest uses. Small woodland forest land is land that contains land in the nonindustrial ownership class which occur in smaller tracts, have organized structural fire protection services, are capable of growing fifty (50) cubic feet per acre per year or more of merchantable tree species and are generally bounded by other lands in the same ownership class or lands devoted to nonforest use.

B. Uses Permitted Without Review

The uses and activities listed in Section 3.100 may be allowed without review on lands designated Small Woodland Forest.

C. Uses Permitted Subject To Expedited Review

The uses and activities listed in Section 3.110 may be allowed on a legal parcel designated Small Woodland Forest subject to Expedited Review and Subsection G - Property Development Standards and Chapter 11 - Fire Safety Standards, as well as all other listed or referenced standards

D. Uses Permitted Subject to Review

The following uses and activities may be allowed on a legal parcel designated Small Woodland Forest subject to Subsection G - Property Development Standards, Chapter 11 - Fire Safety Standards & Chapter 14 - Scenic Area Review, as well as any other listed or referenced standards.

FOREST/FARM USE

1. New cultivation: Any operation that would cultivate land that has not been cultivated.
2. Temporary on-site structures which are auxiliary to and used during the term of a particular forest operation. The structure shall be subject to the standards in Chapter 8, Temporary Use Permit. An "auxiliary" use or structure shall meet the following standards:
 - a. The use or alteration of a structure or land provides help to or is directly associated with the conduct of a particular forest practice.
 - b. The auxiliary structure is located on-site, is temporary in nature, and is not designed to remain for the forest's entire growth cycle from planting to harvesting.
 - c. The auxiliary use is removed when a particular forest practice has concluded.
3. Temporary portable facility for the primary processing of forest products grown upon a parcel of land or contiguous land in the same ownership where the facility is to be located. The facility shall be subject to the standards in Chapter 8, Temporary Use Permit, and be removed upon completion of the harvest

operation.

4. Agricultural structures, except buildings, in conjunction with agricultural use. Non commercial wind energy conversion systems which fit this category are subject to the applicable provisions of Chapter 19.
5. Agricultural buildings in conjunction with current agricultural use and, if applicable, proposed agricultural use that a landowner would initiate within one year and complete within five years and meet the following:

The size of proposed agricultural buildings shall not exceed the size needed to serve the current agricultural use and, if applicable, the proposed agricultural use. The applicants shall submit a floor plan showing intended uses of the agricultural building (e.g., space for equipment, supplies, agricultural products, livestock) as well as a Farm Management Plan defined in Section 1.200 with their land use application:

RESIDENTIAL USE

6. One (1) single family dwelling on a legally created lot/parcel upon enrollment in the forest deferral taxation by the County Assessor's Office, or subject to findings that the lot/parcel cannot qualify for forest deferral taxation, a lot/parcel is entitled to one (1) single family dwelling. In either case, a declaration shall be signed by the land owner and recorded into County deeds and records specifying that the owners, successors, heirs and assigns of the subject property are aware that adjacent and nearby operators are entitled to carry on accepted farm or forest practices on lands designated Forest or Agriculture.
7. One single family dwelling customarily provided in conjunction with agricultural use, as defined, subject to the following standards:
 - a. There are no other dwellings on the subject farm or ranch, including all of its constituent lots/parcels, contiguous or otherwise, which are vacant or currently occupied by persons not directly engaged in farming or working on the subject farm or ranch and which could be used as the principal agricultural dwelling;
 - b. The farm or ranch upon which the dwelling will be located is currently devoted to agricultural use, as defined, where the day-to-day activities of one or more residents of the agricultural dwelling will be principally directed to the agricultural use of the land. Current use includes a minimum area which would satisfy (c)(4) below; and
 - c. The operation is a commercial agricultural enterprise as determined by an evaluation of the following factors:
 - (1) Size of the entire unit, including all land in the same ownership;
 - (2) Type(s) of operation (crops, livestock) and acreage;

(3) Operational requirements for the particular agricultural activity common to area agricultural operations; and

(4) The farm or ranch, and all its constituent parcels, is capable of producing at least \$40,000 in gross annual income. This determination can be made using the following formula:

$$\text{Average Yield Per Acre/Unit} \times \text{Average Commodity/Unit Price} \times \text{Total Acres for Production of Commodity/Units} = \text{Income Capability}$$

8. Accessory structures for an existing or approved dwelling that are not otherwise allowed outright, eligible for the expedited development review process, or allowed in 9 below. Non commercial wind energy conversions systems which fit this category are subject to the applicable provisions of Chapter 19.

9. Accessory building(s) larger than 200 square feet in area or taller than 10 feet in height for a dwelling on any parcel:

a. Less than or equal to 10 acres in size are subject to the following additional standards:

(1) The combined footprints of all accessory buildings on a single parcel shall not exceed 1,500 square feet in area. This combined size limit refers to all accessory buildings on a parcel, including buildings allowed without review, existing buildings and proposed buildings.

(2) The height of any individual accessory building shall not exceed 24 feet.

b. Larger than 10 acres in size are subject to the following additional standards:

(1) The combined footprints of all accessory buildings on a single parcel shall not exceed 2,500 square feet in area. This combined size limit refers to all accessory buildings on a parcel, including buildings allowed without review, existing buildings and proposed buildings.

(2) The footprint of any individual accessory building shall not exceed 1,500 square feet.

(3) The height of any individual accessory building shall not exceed 24 feet.

10. The temporary use of a mobile home in the case of a family hardship, subject to the standards for hardship dwellings prescribed in Chapter 8, Temporary Use Permit.

11. A second single family dwelling for an agricultural operator's relative subject to the following standards:

a. The dwelling would be occupied by a relative of the agricultural operator or of the agricultural operator's spouse who will be actively engaged in the

management of the farm or ranch. Relative means grandparent, grandchild, parent, child, brother or sister of the agricultural operator;

- b. The dwelling would be located on the same lot or parcel as the dwelling of the principal operator; and
- c. Criteria 7(c)(1) – (4) above.

12. Agricultural labor housing subject to the following standards:

- a. The proposed housing is necessary and accessory to a current agricultural use as evidenced by the submittal of a Farm Management Plan, defined in Section 1.200, with the application;
- b. The housing shall be seasonal unless it is shown that an additional full-time dwelling is necessary to the current agricultural use of the subject farm or ranch unit. Seasonal use shall not exceed nine (9) months.
- c. The housing will be located to minimize the conversion of lands capable of production of farm crops, livestock, or forest products and will not force a significant change in or significantly increase the cost of accepted agricultural or forest practices employed on nearby lands devoted to agricultural or forest use.

13. Life Estate - A landowner who sells or otherwise transfers real property in an area designated Small Woodland may retain a life estate in a dwelling and a tract of land surrounding the dwelling. The life estate tract shall not be considered a lot/parcel as defined in this Ordinance. A second dwelling unit in a Forest Land designation may be allowed subject to the following standards.

- a. The proposed dwelling is in conjunction with agricultural use using the standards prescribed in Subsection D(7); or
- b. One (1) single family dwelling on a legally created lot/parcel upon enrollment in the forest deferral taxation by the County Assessor's Office, or subject to findings that the lot/parcel cannot qualify for forest deferral taxation, a lot/parcel is entitled to one (1) single family dwelling. In either case, a declaration shall be signed by the land owner and recorded into County deeds and records specifying that the owners, successors, heirs and assigns of the subject property are aware that adjacent and nearby operators are entitled to carry on accepted farm or forest practices on lands designated Forest or Agriculture.
- c. Upon termination of the Life Estate, the original or second dwelling shall be removed.

14. Driveways, easement roads, and private roads serving a residence.

MISCELLANEOUS USE

15. Additions to existing buildings greater than 200 square feet in area or greater

than the height of the existing building.

16. Removal/demolition of structures that are 50 or more years old, including wells, septic tanks and fuel tanks.
 17. Resource Enhancement Projects for the purpose of enhancing scenic, cultural, recreation and/or natural resources, subject to the Resource Enhancement standards prescribed in Chapter 10.
 18. Uninhabitable structures accessory to hunting and fishing operations.
 19. Towers and fire stations for forest fire protection.
 20. Recreation development, subject to Section 14.700 and the Recreation Development Plan.
 21. Construction or reconstruction of roads or modifications not in conjunction with forest use or practices if designated in the Adopted Wasco County Transportation System Plan or designed and constructed as part of an approved, active development order.
 22. Docks and boathouses, subject to the standards below:
 - a. New, private docks and boathouses serving only one family and one property shall be allowed, up to 120 square feet in size;
 - b. New, private docks and boathouses serving more than one family and property shall be allowed, up to 200 square feet in size;
 - c. Public docks open and available for public use shall be allowed.
 - d. Boathouses may be allowed under criteria a and b above only when accessory to a dwelling and associated with a navigable river or lake.
 23. Land Divisions and Replats subject to the property development standards listed in G below, Section 21.100 and all other applicable provisions of Chapter 21.
 24. Property line adjustments and Replats that would result in the potential to create additional parcels through subsequent land divisions subject to the property development standards listed in G below, Section 21.200, and all other applicable provisions of Chapter 21.
- E. Uses Permitted Conditionally
The following uses and activities may be allowed with conditions on a legal parcel designated Small Woodland subject to Subsection G - Property Development Standards, Chapter 5 – Conditional Use Review, Chapter 11 - Fire Safety Standards & Chapter 14 - Scenic Area Review, as well as any other listed or referenced standards.

FOREST/FARM USE

1. Wineries, in conjunction with on-site viticulture upon a showing that processing of wine is from grapes grown on the subject farm or in the location region.
2. Wine sales/tasting rooms, in conjunction with an on-site winery.
3. Fruits and produce stands, upon a showing that:
 - a. Sales will be limited to agricultural products raised on the subject farm and other farms in the local region, and
 - b. The stand complies with licensing requirements of the Food and Dairy Division of the Oregon Department of Agriculture.
4. Agricultural product processing and packaging, upon demonstration that the processing will be limited to products grown primarily on the subject farm and sized to the subject operation.
5. Fish hatcheries and Aquaculture.
6. Boarding of horses. Findings shall be made on property characteristics, parcel size and impacts to neighbors, and shall specify the maximum number of horses based on those findings and the number of recommended animal units provided in the documentation by the OSU Extension Offices and the Natural Resource Conservation Service for the geographic area the application is located within.

COMMERCIAL USE

7. Commercial Events, subject to Commercial Events standards prescribed in Chapter 20.
8. Home occupations or cottage industry in existing residential or accessory structures subject to the Home Occupations and Cottage Industries standards prescribed in Chapter 20.
9. Bed and breakfast Inns may be permitted in a lawfully established single family dwelling subject to the Bed and Breakfast Inn standards prescribed in Chapter 20.
10. Special Uses in Historic Buildings subject to Special Uses in Historic Buildings standards prescribed in Chapter 20.

PUBLIC & QUASI-PUBLIC USE

11. Expansion of existing nonprofit group camps, retreats, or conference centers.
12. Nonprofit resource-related environmental learning facility or nonprofit resource-related research facilities.

MISCELLANEOUS USE

13. Utility facilities and railroads necessary for public service upon a showing that:

- a. There is no practicable alternative location with less adverse effect on scenic, cultural, natural or recreation resources, agricultural lands, or forest lands; and
- b. the size is the minimum necessary to provide the service.

14. Exploration, development and production of mineral and geothermal resources subject to the standards prescribed in Chapter 10.

15. Temporary portable asphalt/batch plants related to public road projects, not to exceed six (6) months.

16. Cluster developments on lots or parcels forty (40) acres in size or larger in the "F-3(20)" zone, eighty (80) acres in size or larger in the "F-3(40)" zone, or one-hundred sixty acres in size or larger in the "F-3(80)" zone, that creates lots/parcels smaller than the designated minimum lot/parcel size, subject to the provisions of Chapter 18.

17. Disposal sites managed and operated by the Oregon Department of Transportation, or the Wasco County Public Works Department for earth materials and any intermixed vegetation generated by routine or emergency/disaster public road maintenance activities within the Scenic Area, subject to Disposal standards prescribed in Chapter 10.

18. Construction, reconstruction, or modifications of roads not in conjunction with forest use or practices if not designated in the Adopted Wasco County Transportation System Plan or not designed and constructed as part of an approved, active development order . (GMA Only)

F. Prohibited Uses

All other uses not listed.

G. Property Development Standards

1. Property Size - The creation or alteration of a parcel shall be subject to the following standards:

Zone	Minimum Parcel Size	Minimum Parcel Width
F-3(20)	Twenty (20) Acres	500'
F-3(40)	Forty (40) Acres	500'
F-3(80)	Eighty (80) Acres	1,000'

2. Structure Siting Standards

The approval of new dwellings and accessory structures on Small Woodland lands shall comply with the following standards:

- a. The dwelling and structures shall be sited on the lot/parcel so that they shall have the least impact on nearby or adjoining forest operations. Dwellings shall be set back at least two hundred (200) feet from adjacent properties unless they meet the requirements of criterion b below.
- b. Clustering or locating proposed development closer to existing development, including roads, on adjacent lands may minimize the impact on nearby or adjacent forest operations and may be considered as an alternative to the two hundred (200) foot setback required in criterion a above.

Dwellings and accessory buildings shall be setback at least fifty (50) feet from the right of way of the road unless the road is a Scenic Travel Corridor, in which case the provisions of Section 14.300 shall apply.

- c. Developments subject to Chapter 18 cluster development siting standards may be granted a variance to the two hundred (200) foot setback in order to best protect the scenic, natural, cultural and recreational resources of a site in accordance with chapters 6.
- d. The amount of forest land used to site dwellings, structures, access roads and service corridors shall be minimized. This can include locating new dwellings and structures as close to existing public roads as possible, thus minimizing the length of access roads and utility corridors; or locating the dwelling, access road and service corridors on portions of the lot/parcel that are least or poorly suited for forestry. Areas may not be suitable for forestry because of existing nonforest uses, adjacent dwellings and lastly, land productivity.
- e. Dwellings shall be located to minimize the risks associated with wildfire. Dwellings shall be located on level slopes when practical, and in any case not on slopes which exceed forty (40) percent. Narrow canyons and draws should be avoided. Dwellings should be located to minimize the difficulty in gaining access to the structure in the case of fire. Dwellings should be located to make the access roads as short and flat as possible.
- f. A variance to the Structure Siting Standards may be made in accordance with Chapter 6.
- g. Agricultural Setbacks - All new buildings to be located on a parcel adjacent to lands that are designated Large-Scale or Small-Scale Agriculture and are currently used for or are suitable for agricultural use, shall comply with the following setback standards:

Adjacent Use	Open or Fenced	Natural or Created Vegetation Barrier	8 foot Berm or Terrain Barrier
Orchards	250'	100'	75'
Row crops/ vegetables	300'	100'	75'

Livestock grazing, pasture, haying	100'	15'	20'
Grains	200'	75'	50'
Berries, vineyards	150'	50'	30'
Other	100'	50'	30'

- (1) Earth berms may be used to satisfy, in part, the setback guidelines. The berm shall be a minimum of eight (8) feet in height, and contoured at 3 to 1 slopes to look natural. Shrubs, trees and/or grasses shall be employed on the berm to control erosion and achieve a finished height of fifteen (15) feet.
 - (2) The planting of a continuous vegetative screen may be used to satisfy, in part, the setback guidelines. Trees shall be 6+ feet high when planted and reach an ultimate height of at least fifteen (15) feet. The vegetation screen shall be planted along the appropriate lot/parcel line(s), and be continuous.
 - (3) The necessary berming and/or planting shall be completed during the first phase of development and maintained in good condition.
 - (4) If several crops or crop rotation is involved in the adjacent operation, the greater setback shall apply.
 - (5) A variance to the setback requirements may be made in accordance with Chapter 6, Variances.
3. Height - Maximum height for all structures shall be thirty-five feet (35') unless further restricted in accordance with Chapter 14 - Scenic Area Review.
 4. 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 3.240, Flood Hazard Overlay.
 5. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.
 6. Parking - Off street parking shall be provided in accordance with Chapter 4.