COLUMBIA REGION ASSOCIATION OF GOVERNMENTS

LAND USE FRAMEWORK ELEVENT OF THE CRAG REGIONAL PLAN

ADOFTED BY THE BOARD OF DIRECTORS PURSUANT TO ORS 197755 (2) DECEMBER 22, 1376

FEBRUARY 5, 1977

ASSOCIATION OF GOVERNMENTS **LAND USE FRAMEWORK DESCRIPTION** OF THE CRAG REGIONAL PLAN

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DECEMBER 1976

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LAND USE FRAMEWORK TEXT

LAND USE FRAMEWORK ELEMENT OF THE CRAG REGIONAL PLAN

TEXT

ARTICLE I. INTENT AND POLICIES

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SECTION 1. INTENT: The Land Use Framework Element is an element of the Regional Plan pursuant to Regional Objective II and to Section 3 of the Rules Adopting and Implementing the CRAG Goals and Objectives. This document is intended to:

- a. Address and implement the following Regional Objectives:
 - (1) Objective V, Section la (Urban).
 - (2) Objective V, Section lb (Natural Resource).
 - (3) Objective V, Section lc (Rural).
 - (4) Objective V, Section 2a (Cooperative Designation of Land Use Classifications).
 - (5) Objective V, Section 2b (Urban Inventory).
 - (6) Objective V, Section 2d (Natural Resource Inventory).
 - (7) Objective V, Section 2e (Agricultural and Forest Lands in Rural Growth Boundaries).

All other Objectives will be addressed in other elements or amendments to this element.

- b. Establish a framework within which staging of urban development for a minimum of twenty (20) years can be accomplished by local jurisdiction plans, this Framework Element or other elements of the Regional Plan.
- c. Establish a framework within which regional and local jurisdiction plans can be prepared for housing and economic development (commercial and industrial land use) and for supporting plans including transportation, public facilities and services, and recreation, open space and cultural areas.

SECTION 2. POLICIES: The Land Use Framework Element is based upon the following policies:

a. Adopted regional growth and development goals being achievable by a cooperative regional management effort, resort to no-growth or fixed population philosophies is unnecessary and is rejected.

- b. Because future population projections cannot be estimated with certainty, use of such projections must initially be limited to a best effort evaluation of whether the areas identified for further urban development are necessary. To ensure that these areas are sufficient, a constant monitoring process will be established which measures and compares the demand for urban residential land and the development capacity of land in urban areas over time.
- c. The Land Use Framework Element is to be implemented without substantial adverse effect on the housing industry's ability to provide housing within the income levels of the region's existing and future population.
- d. New urban development in the unincorporated areas within Urban Growth Boundaries should be contiguous to existing communities to encourage "filling in" of buildable lands within urbanizing areas and to reduce "leap-frog" or "sprawl" development. Such new urban development should:
 - be cost-effective in terms of required services such as streets and utilities;
 - (2) enhance the efficiency of existing transportation resources and the feasibility of public transit; and
 - (3) promote conservation and preservation of agricultural and forest lands.
- e. Urban and rural development areas are to be located as much as possible where no hazard conditions are known to exist.
- f. The locations of all land use designations are to be based as much as possible on evaluations of soil conditions, existing land use, parcelization, availability of public services, transportation access and impacts, and general suitability for urban, rural and natural resource purposes.
- g. Options for a rural way of life should be preserved and allowed, provided that practical means can be found to prevent rural development densities from creating need for urban investments outside of Urban Growth Boundaries.
- h. Land use designations in the Land Use Framework Element shall not be construed as commitments to permit immediate development or to provide immediate public services.
- i. In any review of local land use decisions for consistency with this element of the Regional Plan, the Board of Directors shall accept for review only such decisions which are of regional significance or which concern designated areas or activities of significant regional impact.

ARTICLE II. BOUNDARY INTERPRETATION

SECTION 1. Boundaries appearing on the Regional Land Use Framework Map are of two types with respect to level of specificity. They are:

- a. Type 1. Boundaries fully specified along identified geographic features such as rivers and roads or other described lines such as section lines and district boundaries. Such boundaries appear on the Framework Map as solid lines. Unless otherwise specified, where a Type 1 boundary is located along a geographic feature such as a road or river, the boundary shall be the center of that feature.
- b. Type 2. Boundaries not fully specified and not following identified geographic features. Such boundaries will be specified by local jurisdiction plans as those plans are determined to be in compliance with statewide goals and the Regional Plan. Such boundaries appear on the Framework Map as broken lines.

SECTION 2. Boundaries specifying Urban Areas are called "Urban Growth Boundaries" and those specifying Rural Areas, "Rural Growth Boundaries".

ARTICLE III. DEFINITIONS

Terms used in this text employ the same definitions as those contained in the CRAG Goals and Objectives.

ARTICLE IV. URBAN AREAS

SECTION 1. GENERAL

All areas within Urban Growth Boundaries on the Regional Land Use Framework Map are "Urban Areas". They include existing urban areas and future urbanizable land forecasted to meet urban population needs for a minimum of twenty (20) years.

SECTION 2. URBAN DEVELOPMENT POLICIES AND STRATEGY

- a. All development in Urban Areas shall be consistent with the following policies:
 - (1) the maximum feasible use of existing public facilities prior to construction of new facilities;
 - (2) the timely, orderly and efficient extension, construction or improvement of public facilities and services;
 - (3) that all areas of local responsibility for provision of urban services shall be designated, coordinated and acknowledged;

- (4) compliance with Statewide Goals of the Land Conservation and Development Commission relevant to the conversion of urbanizable land to urban uses; and
- (5) compliance with other regional policies stated in Article I, Section 2 of this element.
- b. The above policies shall be implemented by designation of Immediate Growth Areas and Future Urbanizable Areas as follows:
 - (1) Immediate Growth Areas within the Urban Growth Boundary shall be composed of:
 - (a) land within city limits, and
 - (b) land outside city limits which are:
 - (i) served by water and sewer or fiscally committed to water and sewer installation by an adopted plan, contract or administrative practice of a city or county; or
 - (ii) specifically identified by cities and counties as intended to be developed for urban purposes within the immediate future.
 - (2) Future Urbanizable Areas shall consist of all lands between the Immediate Growth Boundary and the Urban Growth Boundary.
- c. The policies in Section 2a. above shall further be implemented by designation of Urban Service Areas. Such areas shall consist of land inside the regional Urban Growth Boundary to which each member and special districts intend to provide a full range of urban services or intend to annex. Once designated and coordinated, the boundaries of Urban Service Areas shall serve as a basis for annexations and for future regional planning for urban development, facilities and services.

SECTION 3. APPROPRIATE LAND USES, FACILITIES AND SERVICES IN URBAN AREAS

- a. Except as indicated in subsection b. of this section, all land uses, facilities and services are appropriate in Urban Areas provided that they are permitted by local jurisdictions and are consistent with the urban development policies (Article IV, Section 2) stated in this element of the Regional Plan.
- b. Land uses and public facilities and services permitted in subsection a. of this section shall apply in areas to be designated Future Urbanizable only until such time as Immediate Growth Boundaries are determined and adopted by the

Board of Directors. Thereafter, such uses, facilities and services within the Future Urbanizable Areas as are approved by the Board of Directors shall apply.

ARTICLE V. RURAL AREAS

SECTION 1. GENERAL: All areas within Rural Growth Boundaries on the Regional Land Use Framework Map are "Rural Areas".

It is not intended that all lands within Rural Areas should be fully built-up or developed for rural uses. There are lands subject to hazards and natural resource lands that should remain open or relatively undeveloped within Rural Areas. These will be specified in other elements of the Regional Plan or in local comprehensive plans.

SECTION 2. APPROPRIATE LAND USES IN RURAL AREAS

Areas shown on the Regional Land Use Framework Map as "Rural Areas" indicate where the following land uses may be located and allowed:

- a. Housing at densities compatible with the character of designated Rural Areas. Minimum residential site sizes for all housing types are to be determined by local jurisdictions based upon the following planning considerations:
 - (1) The need to preserve and conserve all agricultural and forestry land not otherwise exempted through exception procedures of Statewide Goal 2, Part II, of the Land Conservation and Development Commission.
 - (2) The optimum use of existing rural services and the timely, orderly and efficient phasing of future rural services.
 - (3) Pre-existing commitments to rural development, including, but not limited to, current lotting pattern in the area, availability of rural services and the existence of service districts.
 - (4) Sufficiency of the physical resource base to accommodate rural development, considering such factors as soil limitations for septic tanks, permeability or flooding problems, slopes and ground water supply and quality.
- b. Resource-related housing such as farmhouses, migratory labor camps and forest ranger stations.
- c. Houseboats or floating home moorages provided that local jurisdiction standards have been adopted concerning, but not limited to, water supply and waste disposal, on-shore parking, on-shore transportation access and shoreline conservation.

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- d. Public and quasi-public land uses.
- e. Parks and designated open spaces for the protection, enhancement and enjoyment of scenic, fragile, natural, recreation, historic or cultural resources.
- f. Commercial land uses necessary for, and on a scale commensurate with, rural development, including, but not limited to, small grocery stores, garages, service stations, taverns and home-related occupations.
- g. Industries which are not labor-intensive and are consistent with rural character, rural development and rural facilities and services, provided such industries are located on nonagricultural lands or agricultural lands exempted under the procedures of Statewide Goal 2, Part II, of the Land Conservation and Development Commission.
- h. Recreation lands consistent with rural development and character including, but not limited to, golf courses, campgrounds, recreation vehicle facilities, ski facilities, equestrian trails, and other resource-related uses.
- i. Agricultural and forestry.
- j. Resource-related activities, such as agricultural processing, sawmills, sanitary landfills and gravel extractions, including land uses and facilities necessary for rehabilitation of the land.

SECTION 3. APPROPRIATE FACILITIES AND SERVICES IN RURAL AREAS

Areas shown on the Regional Land Use Framework Map as Rural indicate where the following facilities and services may be provided:

- a. Rural highway and road systems primarily serving recreation and resource-related activity or commodity movement.
- b. Inter-regional transportation facilities such as airports, railroads and highways necessary for inter-regional travel.
- c. Individual water supply systems deemed necessary for land uses appropriate in Rural Areas and community, municipal, public utility or public water supply systems only if the following conditions exist:
 - (1) Where an area is within boundaries of an incorporated city or a domestic water supply district organized under ORS Chapter 264, if existing and if providing service on the effective date of this element of the Regional Plan.

- (2) Where an area is within service boundaries designated under ORS Chapter 199 for any public or private entity providing domestic water supply on the effective date of this element of the Regional Plan.
- (3) Where required by state health authorities to alleviate or prevent a public health hazard or where required as a result of federal regulations.
- (4) Where a single service connection is to be made directly from an existing water supply transmission line to an authorized development on a single lot for the sole purpose of supplying domestic water.
- d. Individual wastewater disposal systems deemed necessary for land uses appropriate in Rural Areas and sewerage systems only if sewers are required to alleviate a public health hazard or water pollution problem in an area officially so designated by the appropriate state agency.
- e. Solid-waste collection and disposal facilities.
- f. Storm drainage facilities necessary to prevent soil erosion or reduce flooding.
- g. Fire facilities and service necessary for appropriate land uses in Rural Areas.
- h. Police facilities and service of the same general nature as in Urban Areas but emphasizing needs which are unique in Rural Areas.
- i. Educational facilities and services necessary for appropriate land uses in Rural Areas.
- j. Health care facilities and services necessary for appropriate land uses in Rural Areas.
- k. Communication and energy transmission or generation facilities.
- 1. Water resource-related facilities, such as dams, ditches, water transmission lines and reservoirs.

ARTICLE VI. NATURAL RESOURCE AREAS

SECTION 1. GENERAL: All areas outside of Urban or Rural Growth Boundaries on the Regional Land Use Framework Map are "Natural Resource Areas".

It is not intended that all lands within Natural Resource Areas should be completely undeveloped. Some development may be appropriate in connection with natural resource activities or uses. This will be specified in other elements of the Regional Plan or in local jurisdiction plans.

SECTION 2. APPROPRIATE LAND USES IN NATURAL RESOURCE AREAS

Areas shown on the Regional Land Use Framework Map as Natural Resource indicate where the following land uses may be located and allowed:

- a. Housing at densities compatible with the character of designated nated Natural Resource Areas. Minimum residential site sizes for all housing types are to be determined by local jurisdictions based upon the following planning considerations:
 - (1) The need to preserve and conserve all agricultural and forest lands not otherwise exempted through exception procedures of Statewide Goal 2, Part II, of the Land Conservation and Development Commission.
 - (2) That designated wilderness and wildlife management areas be maintained.
 - (3) That designated watersheds or other areas known to be necessary for water supply systems be protected.
 - (4) That mineral and aggregate resources determined necessary to support future development be protected.
 - (5) That land for parks and open space be retained.
 - (6) The sufficiency of the physical resource base to accommodate housing in Natural Resource Areas, considering such factors as soil limitations for septic tanks, permeability of flooding problems, and slopes and groundwater supply and quality.
- b. Resource-related housing such as farmhouses, migratory labor camps and forest ranger stations.
- c. Agriculture, forestry and non-farm uses permitted under ORS 215.213 whether or not located in an exclusive farm use zone. The uses permitted by ORS 215.213 shall be subject to the procedures of ORS 215.203 to 215.273 as said statutes exist on the date of adoption of this Element.
- d. Parks and designated open spaces for the protection of scenic, fragile, natural, recreation, historic or cultural resources.
- e. Wildlife range or management use.
- f. Wilderness.
- g. Watersheds designated or necessary to a specific water resource management facility program.

- h. Resource-related land uses such as agricultural processing, sawmills, sanitary landfills and gravel extraction, including land uses or facilities necessary for their rehabilitation.
- Recreation lands which are consistent with the protection of natural resources including, but not limited to, campgrounds, hiking trails, ski facilities and other resource-related uses.
- j. Commercial land uses necessary for, and on a scale necessary to serve the needs of, the people of the area including, but not limited to, small stores, garages, service stations, taverns and home-related occupations.

SECTION 3. APPROPRIATE FACILITIES AND SERVICES IN NATURAL RESOURCE AREAS

Areas shown on the Regional Land Use Framework Map as Natural Resource indicate where the following facilities and services may be provided:

- a. Road systems primarily serving recreation and resourcerelated activities or commodity movement.
- b. Inter-regional transportation facilities, such as airports, railroads and highways necessary for inter-regional travel.
- c. Individual water supply systems deemed necessary for land uses appropriate in Natural Resource Areas and community, municipal, public utility or public water supply systems only if the following conditions exist:
 - (1) Where an area is within boundaries of an incorporated city or a domestic water supply district organized under ORS Chapter 264, if existing and if providing service on the effective date of this element of the Regional Plan.
 - (2) Where an area is within service boundaries designated under ORS Chapter 199 for any public or private entity providing domestic water supply on the effective date of this element of the Regional Plan.
 - (3) Where required by state health authorities to alleviate or prevent a public health hazard or where required as a result of federal regulations.
 - (4) Where a single service connection is to be made directly from an existing water supply transmission line to an authorized development on a single lot for the sole purpose of supplying domestic water.
- d. Individual wastewater disposal systems deemed necessary for land uses appropriate in Natural Resource Areas and sewerage systems only if:

(1) Sewers are required to alleviate a public health hazard or water pollution problem in an area officially designated by the appropriate state agency. souther geneties

- (2) Sewers are needed for parks or recreation lands which are consistent with the protection of natural resources or for housing necessary for the conduct of resourcerelated activities.
- e. Storm drainage facilities designed to prevent soil erosion or otherwise protect natural resources.
- f. Agricultural irrigation systems.
- g. Fire facilities and service necessary for natural resource management, such as forest fire control or for resourcerelated housing.
- h. Police facilities and service especially oriented to unique needs within Natural Resource Areas, such as rescue, game and motorized vehicle law enforcement and marine patrol.
- i. Communication and energy transmission or generation facilities.
- j. Water resource-related facilities such as dams, ditches, water transmission lines and reservoirs.

LAND USE FRAMEWORK RULES

RULES FOR ADOPTION AND IMPLEMENTATION OF THE LAND USE FRAMEWORK ELEMENT OF THE CRAG REGIONAL PLAN

Section 1. Authority and Purpose

(a) These rules are adopted pursuant to ORS 197.735 (4), 197.750
(1) (f) and 197.755 for the purpose of adopting and implementing the Land Use Framework Element of the CRAG Regional Plan, hereinafter referred to as the "Framework Element". The Framework Element shall include both a map and text.

(b) These rules shall become effective forty-five (45) days after the date of adoption.

Section 2. Adoption

That document entitled "Land Use Framework Element of the CRAG Regional Plan", dated December 22, 1976, a copy of which is on file at CRAG offices, is hereby adopted as an element of the CRAG Regional Plan and shall be implemented as required in these rules.

Section 3. Conformity to the Framework Element

Members shall not take any land use related action or permit any development which is not in conformity to the Framework Element.

Section 4. Review of Violations of the Framework Element

(a) Any member, interested person or group may petition the Board of Directors for review of any land use related action taken, or development permitted, by any member within sixty (60) days after the date of such action or development permit.

(b) Petitions filed pursuant to this section must allege and show that the subject action or development is of substantial regional significance and that the action or development violates the Framework Element.

(c) Upon receipt of a petition for review, the Board of Directors shall decide, without hearing, whether the petition alleges a violation of the Framework Element and whether such violation is of substantial regional significance, and if so, shall accept the petition for review. The Board shall reach a decision about whether to accept the petition within sixty (60) days of the filing of such petition. If the Board decides not to accept the petition, it shall notify the petitioner in writing of the reasons for rejecting said petition. If the Board decides to accept the petition, it shall schedule a hearing to be held within thirty (30) days of its decision. A hearing on the petition shall be conducted in accordance with applicable procedural rules.

(d) The decision on whether to accept a petition filed under this section may be by vote or by poll and each Director shall have one vote. Acceptance shall require a simple majority. (e) Upon receipt by CRAG of any petition filed pursuant to this section, each member shall be notified of the petition and of the essential elements of the petition. Such notice will be sent within ten (10) days of filing.

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Section 5. Change of Framework Map

(a) Except as provided in Section 6. and in subsection (b) of this section, changes made in the Framework Map shall be in accordance with procedural rules adopted by the General Assembly pertaining to review and amendment of the Regional Plan.

(b) Mistakes discovered in the Framework Map may be corrected administratively without petition, notice or hearing. Such corrections may be made by order of the Board upon determination of the existence of a mistake and of the nature of the correction to be made.

(c) Except as provided in subsection (b) of this section, and in addition to any other requirements of law, any petition requesting a change in the Framework Map shall allege and show that a need exists for the proposed conversion and that such conversion would conform to the policies stated in the Framework Element and in applicable Goals and Objectives.

Section 6. Boundary Lines

(a) Those boundary lines on the Framework Map which are designated in the plan as Type 2 (broken lines) shall be specifically defined and located by local jurisdictions. Each member's comprehensive plan shall include and designate specific locations of all Type 2 boundary lines within its jurisdiction and upon approval or certification by CRAG of each member's plan, the specific locations of such boundary lines indicated in member's plans shall be deemed to constitute the specific location of the Type 2 boundary lines on the Framework Map, and the Board of Directors shall administratively revise the map to reflect such specific locations. Thereafter, such boundary lines shall constitute Type 1 boundaries and may be amended in accordance with those rules relating to review and revision of the CRAG Regional Plan and the Framework Map.

(b) Prior to approval or certification of each member's comprehensive plan, Type 2 boundaries on the Framework Map shall not be construed as exact boundaries. Land clearly within or without a Type 2 boundary shall be subject to the designation on the Framework Map and the Framework Element provisions relating to that designation. Land not clearly within or without a Type 2 boundary shall have the designation of either side of the boundary as determined by members.

Section 7. Study Areas

(a) Certain areas are designated on the Framework Map as "Study Areas". Such designations are temporary and indicate land

deserving more study than has been accomplished at the time of adoption of the Framework Element. Such designations may also indicate land areas over which substantial disagreement as to use exists. It is the intention of the Board of Directors that study areas be further reviewed in an effort to eliminate such disagreements and to designate such areas in accordance with the Goals and Objectives and the Framework Element.

(b) After the effective date of these rules, no member shall issue any building permit for construction of any new building of any type, or approve any subdivision plat, tentative subdivision plan or major or minor partition, in any area designated by the Framework Element as "Study Area" unless and until such an area is subsequently redesignated as "Urban", "Rural" or "Natural Resource" by the Board of Directors or until the expiration of one (1) year from the effective date of these rules, whichever occurs first. This subsection shall apply only to the construction of new structures and not to additions or improvements to existing structures, and shall not apply to building permits for single family housing on lots approved or recorded prior to the effective date of these rules.

(c) Where a specific "Study Area" is wholly or partially bounded by Type 2 boundary lines, members with jurisdiction over such areas shall determine the exact location of such lines, for purposes of compliance with this section, in accordance with Section 6. of these rules.

(d) It is the intent of the Board of Directors that all Study Areas will be redesignated as "Urban", "Rural" or "Natural Resource" areas within one (l) year from the effective date of these rules, and such redesignations shall be considered and effected as a continuation of the initial Framework Element adoption process rather than as amendments to the Framework Element.

(e) The Provisions of subsection (b) of this section shall not apply to any member city designated as a "Study Area" and located in any county which is not a member of CRAG. However, upon agreement by any such city and county of an Urban Growth Boundary for such city, the member city shall report the boundary to CRAG and the boundary will be considered and implemented pursuant to subsection (d) of this section.

Section 8. Urban Growth Management Strategy

(a) For the purpose of implementing Article IV, Section 2b and Section 3 of the Framework Element, all unincorporated land within the Urban Growth Boundaries shall be reviewed by CRAG members and special districts within each county, to determine which of such land should be designated as unincorporated Immediate Growth and Future Urbanizable, and to determine what land uses and public facilities and services should be allowed in Future Urbanizable Areas. Such determination shall be consistent with the policies in Article I, Section 2 and Article IV, Section 2 of the Framework Element. (b) Such determinations shall include exact boundaries separating unincorporated Immediate Growth Areas from Future Urbanizable Areas, and allowable land uses, facilities and services for the Future Urbanizable Areas.

(c) Such determination shall be recommended by CRAG members and special districts in each county and submitted to the Board of Directors within one (1) year from the effective date of these rules and shall include: (1) a detailed map suitable for incorporation into, or overlay upon the Framework Map, and (2) a list or description of land uses, facilities and services which will be allowed in Future Urbanizable Areas. CRAG will provide coordination and assistance to members when requested. If an impasse between members of CRAG and/or special districts occurs which prevents a determination from being reached, CRAG will, after due consultation with affected jurisdictions, make such determinations in order to meet the one-year requirement.

(đ) For the purpose of implementing Article IV, Section 2c of the Framework Element, CRAG shall receive from its members and special districts, designation of that land within the regional Urban Growth Boundaries to which each member and special districts intend to provide urban services or intend to annex. Such designations shall include exact boundaries of each Urban Service Area and a description of services intended to be provided in each area. CRAG will provide coordination and assistance to this process where members request it. Where an impasse between members, or between members and special districts, occurs which prevents the required designation from being agreed upon, CRAG will, after due consultation with affected jurisdictions, make such designations in order to meet the one-year requirement. Determinations of Urban Service Areas shall be adopted by the Board of Directors and added to the Framework Element within one (1) year from the effective date of these rules and shall include: (1) a detailed map of all Urban Services Areas for incorporation into, or overlay upon the Framework Map, (2) a list or description of urban services intended to be provided by each member in each area, (3) the location of special districts which are to provide urban services within the Urban Growth Boundaries, and (4) any necessary regulations governing extension of urban services beyond designated Urban Service Areas. For purposes of this subsection, "urban services" includes the public provision of water, sanitary sewers, drainage facilities, police and fire protection, schools and parks and recreation.

Section 9. Exception to Application of Rules

These rules shall not apply to the State of Washington members, but the Framework Element shall be advisory to such members and shall be applied to all reviews by CRAG of such members' land use related projects and grant proposals.

Section 10. Severability

(a) The sections hereinabove shall be severable, and any action or judgment by any state agency or court of competent jurisdiction

invalidating any section of these rules shall not affect the vailidity of any other section.

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(b) The sections of the document adopted by these rules shall also be severable and shall be subject to the provisions of subsection (a) of this section.

(c) For purposes of this section, the Framework Map shall be considered as severable sections, and any section or portion of the Map which may be invalidated as in subsection (a) above shall not affect the validity of any other section or portion of the Map.

