

PRIMARY FOREST ZONE(PF-80)

[Amd. Ordinance 2010-11, eff. 1.05.11].

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Section 500 PRIMARY FOREST ZONE - 80 PF-80

501 .1 Purpose. The purpose of this zone is to retain forest land for forest use and to encourage the management of forest land for the growing, harvesting, and processing of forest crops consistent with the Oregon Forest Practices Act. Uses in this zone will also provide for other forest uses including watershed protection, soil protection, maintenance of clean air and water, wildlife and fisheries habitat, outdoor recreation activities, open space and scenic preservation, and agricultural activities free from the encroachment of conflicting non-forest uses and influences.

The Primary Forest (PF) Zone is intended to:

- A. Conserve, protect, and encourage the management of forest lands for continued timber production, harvesting and related uses;
- B. Conserve and protect watersheds, soil, fish and wildlife habitats and other such uses associated with forests;
- C. Provide for orderly development through planned development of both public and private recreational uses as appropriate and not in conflict with the primary intent of the zone for timber management;
- D. Recognize that the forest lands within the County are necessary for the continuous production of renewable natural resources in the form of forest

- crops and, as such, are beneficial to the economy of the County and to the welfare of its people;
- E. Recognize locationally dependent uses, such as communication towers, mineral and aggregate resources, etc;
 - F. Provide for dwellings under prescribed conditions;
 - G. Provide a compatible zone for those areas inventoried and designated as Forest Lands in the Columbia County Comprehensive Plan; and
 - H. Implement the Goals and Policies of the Columbia County Comprehensive Plan.
- .2 Definitions. For the purposes of this Zoning District the following definitions shall apply:
- A. "Auxiliary" means a use or alteration of a structure or land which provides help or is directly associated with the conduct of a particular forest practice. An auxiliary structure is located on site, temporary in nature, and is not designed to remain for the forest's entire growth cycle from planting to harvesting. An auxiliary use is removed when a particular forest practice has concluded.
 - B. "Commercial Tree Species" means trees recognized under rules adopted under ORS 527.715 for commercial production.
 - C. "Cubic Foot Per Acre" means the average annual increase in cubic foot volume of wood fiber per acre for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS) soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue western Oregon site class maps, or other information determined by the State Forester to be of comparable quality.
 - D. "Cubic Foot Per Tract Per Year" means the average annual increase in cubic foot volume of wood fiber per tract for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS) soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue western Oregon site class maps, or other information determined by the State Forester to be of comparable quality.
 - E. "Date of Creation and Existence." When a lot, parcel or tract is reconfigured pursuant to applicable law after November 4, 1993, the effect of which is to qualify a lot, parcel or tract for the siting of a dwelling, the date of the reconfiguration is the date of creation or existence. Reconfigured means any change in the boundary of the lot, parcel, or tract.
 - F. "Forest Operation" means any commercial activity relating to the growing or harvesting of any forest tree species as defined in ORS 527.620(6).

- G. "Tract" means one or more contiguous lots or parcels in the same ownership. A tract shall not be considered to consist of less than the required acreage because it is crossed by a public road or waterway.

502 Table of Authorized Uses & Development. The following uses, activities, and development are authorized in the Primary Forest Zone, subject to review and approval under applicable regulatory standards:

Key

- P Permitted outright.
- AR Subject to administrative review pursuant to Section 1601.
- CUP/PC Subject to Planning Commission review and approval as a conditional use pursuant to Section 1503.

Note: The CCZO Section Column lists only subsections of authorization and specific criteria of this PF-80 zone. Other criteria may apply to a proposed use such as site design review, overlay zoning, special use standards, or conditional use permits.

<u>TABLE OF AUTHORIZED USES & DEVELOPMENT</u>		
RESOURCE USES	AUTHORIZATION	PF - 80 SECTION
Forest Operations and Practices	P	503.1
Physical Alterations of the Land Auxiliary to Forest Practices	P	503.4
Farm Use as defined in ORS 215.203 except Marijuana Growing and Producing	P	503.2
Marijuana Growing and Producing subject to standards in Section 1803	AR	504.16
Soil, Air and Water Conservation Activities	P	503.5
RESOURCE-RELATED USES AND DEVELOPMENT	AUTHORIZATION	PF - 80 SECTION
Temp. Structures Auxiliary to Forest Practices	P	503.3
Utility Distribution Lines in Existing Rights-of-Way	P	503.6
Portable Facilities for Primary Processing of Forest Products	P	503.7
Exploration for Mineral and Aggregate as defined in ORS Chap. 517	P	503.8
Wild Fire Towers and Stations	P	503.9
Irrigation Water intake facilities, canals and distribution lines for farm irrigation and ponds	P	503.10

TABLE OF AUTHORIZED USES & DEVELOPMENT		
Temporary Labor Camps - No Permanent Structures	P	503.12
Exploring, Mining and Processing of Subsurface resources as defined in ORS Chap. 520; and the mining and processing of aggregate and mineral resources as defined in ORS Chap. 517	CUP/PC	505.2, 508 - 510
Permanent Facility for Primary Processing of Forest Products	AR	504.6, 508 - 510
Permanent Logging Equipment Repair and Storage Facility	AR	504.7, 508 - 510
Log Scaling and Weigh Stations	AR	504.3, ,508- 510
Research and Experimentation Facilities as defined by ORS 526.215 or where accessory to forest operations	AR	504.8, 508- 510
SINGLE-FAMILY RESIDENCES	AUTHORIZATION	PF - 80 SECTION
“Lot-of-Record” Forest Land Dwelling	AR	504.1 & 506.1, 507- 510
Large & Multiple Tract Forest Land Dwelling	AR	504.1 & 506.2, 507 - 510
“Template” Forest Land Dwelling	AR	504.1, 506.4, 506.5, 507- 510
Temporary Dwelling for Medical Hardship defined in ORS 215.213 & 215.283	AR	504.2,507- 510
Caretaker Residence for Public Parks and Hatcheries	AR	503.14, 507- 510
INDUSTRIAL	AUTHORIZATION	PF - 80 SECTION
Abandoned/diminished mill sites	CUP/PC	505.13, 508- 510
COMMERCIAL	AUTHORIZATION	PF - 80 SECTION
Home Occupation as defined in ORS 215.448 per CCZO Section 1507	AR (Type1) CUP/PC Type 2)	504.4, 505.1, 507 - 510
Kennel as a Home Occupation	CUP/PC	505.17, 507, 508, 510
PARKS / PUBLIC / QUASI-PUBLIC FACILITIES	AUTHORIZATION	PF - 80 SECTION
Private Parks, Campgrounds, and Youth Camps	CUP/PC	505.4, 505.11, 508 - 510
Public Parks	CUP/PC	505.14, 508 - 510

<u>TABLE OF AUTHORIZED USES & DEVELOPMENT</u>		
Destination Resorts approved per ORS 197.435 through ORS 197.465 and Statewide Planning Goal 8	CUP/PC	505.15, 508 - 510
An outdoor gathering of less than 3,000 persons that is not anticipated to continue for more than 120 hours in any three-month period	P	503.18
A mass gathering of more than 3,000 persons that is anticipated to continue for more than 120 hours in any three-month period	CUP/PC	505.12, 508
Communication Towers and Facilities	CUP/PC	505.5, 508 - 510
Rural Fire Protection District Stations	AR	504.5, 508 - 510
Power Generating Facilities	CUP/PC	505.6, 508- 510
Solid Waste Disposal Site under ORS 459.245.	CUP/PC	505.3, 508 - 510
Aids to Navigation and Aviation	AR	504.11 508 - 510
Domestic Water intake facilities and related treatment facilities, pumping stations, & distribution lines	AR	504.12, 508 - 510
Reservoirs and Water Impoundments	AR	504.13, 508 - 510
Firearms Training Facility	CUP/PC	505.16, 508 - 510
Cemeteries	AR	504.9, 508 - 510
Hunting/Fishing Operations w/o Accommodations	P	503.15, 508 - 510
Temporary Private Seasonal Hunting/Fishing Operations with Accommodations	AR	504.10,504.14, 508 - 510
New electric transmission lines w/ROW up to 100 ft. wide as specified in ORS 772.210	CUP/PC	505.7, 508
Local distribution lines and accessory equipment, or equipment which provides service hookups, including water service hookups.	P	503.17, 508 -510
Temporary Asphalt and Concrete Batch Plants	CUP/PC	505.8, 508 - 510
Expansion of Existing Airport	CUP/PC	505.9, 508 - 510
Public Road and Highway Projects	AR	504.16, 508- 510
Structures Accessory to Fish and Wildlife Enhancement	P	503.5, 508 -510
Widening of Roads within Existing Right-of-Way for public roads and highway projects as described in ORS 215.283(1)(k) through (n)	P	503.16

<u>TABLE OF AUTHORIZED USES & DEVELOPMENT</u>		
Public road and highway projects as described in ORS 215.283(2)(q through (s)	AR	504.16

[Amd. Ordinance 2015-4, eff. 11-25-15]

503 Permitted Uses. The following uses are permitted in the Primary Forest Zone:

- .1 Forest operations or forest practices including, but not limited to, reforestation of forest land, road construction and maintenance, harvesting of forest tree species, application of chemicals, and disposal of slash.
- .2 Farm Uses as defined by ORS 215.203 except marijuana growing and producing.
- .3 Temporary on-site structures which are auxiliary to and used during the term of a particular forest operation.
- .4 Physical alterations to the land auxiliary to forest practices including, but not limited to, those made for purposes of exploration, mining, commercial gravel extraction and processing, landfills, dams, reservoirs, road construction or recreational facilities.
- .5 Uses and activities to conserve soil, air and water quality and to provide for and manage wildlife and fisheries resources, including ODFW Wildlife Habitat Conservation and Management Program.
- .6 Additional local distribution lines within existing rights-of-way (e.g., electric, telephone, natural gas, etc.) and accessory equipment (e.g., electric distribution transformers, meter cabinets, terminal boxes, pedestals), and which provide service hookups, including water service hookups.
- .7 Temporary portable facility for the primary processing of forest products. The facility shall be removed at the conclusion of the forest operation requiring its use.
- .8 Exploration for mineral and aggregate resources as defined in ORS Chapter 517.
- .9 Towers and fire stations for forest fire protection.
- .10 Water intake facilities, canals and distribution lines for farm irrigation and ponds.
- .11 Alteration, restoration, or replacement of a lawfully-established dwelling subject to the following:
 - A. The lawfully established dwelling has:
 - 1. Intact exterior walls and roof structure;

- 2. Interior plumbing, including kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;
 - 3. Interior wiring for interior lights: and
 - 4. A heating system.
- B. The dwelling to be replaced must be removed, demolished or converted to an approved non-residential use within 3 months of the completion of the replacement dwelling.
- .12 Temporary forest labor camps, without any permanent structures, limited to the duration of the forest operation requiring the use.
 - .13 Caretaker residences for public parks and fish hatcheries.
 - .14 Uninhabitable structures accessory to fish and wildlife enhancement.
 - .15 Private fee hunting or fee fishing operations without any accommodations.
 - .16 Widening of roads within existing right-of-way in conformance with the transportation element of acknowledged comprehensive plans including public road and highway projects. as described in ORS 215.283(1) (k) through (n)
 - .17 Local distribution lines and accessory equipment, or equipment which provides service hookups, including water service hookups.
 - .18 An outdoor gathering as defined in ORS 433.735 or other gathering of fewer than 3,000 persons that is not anticipated to continue for more than 120 hours in any three-month period and is consistent with applicable provisions of the Columbia County Mass Gathering and Public Road Event Ordinances.

[Amd. Ordinance 2015-4, eff. 11-25-15]

504 Uses Subject to Administrative Review. The following uses are permitted, subject to review and approval under prescriptive standards specified herein and as may otherwise be indicated by federal, state and local permits or regulations using the process contained in Section 1601. All authorized dwellings and permanent structures shall meet the standards listed in Sections 506, 507, 508, 509 and 510 of this Ordinance.

- .1 Single-family dwelling, as authorized under Section 506 of this Ordinance and such accessory buildings and uses as are normally associated with a single-family dwelling.
- .2 One manufactured home or recreational vehicle, or the temporary residential use of an existing building, in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident, subject to the general review standards in Section 506, if:
 - A. The medical hardship is documented by a licensed physician;

- B. The manufactured home is connected to the existing sewage disposal system, unless the Department of Land Development Services finds the existing system to be inadequate and that it cannot be repaired or is not physically available. If the manufactured home will use a public sanitary system, such condition will not be required;
 - C. The applicant agrees to renew the permit every year and will remove the manufactured home when the hardship condition no longer exists; and
 - D. Notice of Determination. Upon issuance of a temporary hardship determination by the Planning Director, determinations shall be mailed to the applicant and to the owners of parcels within 500 feet of boundaries of the subject parcels. An appeal of the Planning Director's decision shall be processed pursuant to Section 1600 of the Columbia County Zoning Ordinance.
- .3 Log Scaling and weigh stations.
 - .4 Type 1 Home Occupations as determined by Section 1507.
 - .5 Rural Fire Protection District Stations and Substations.
 - .6 Permanent Facilities for the primary processing of forest products.
 - .7 Permanent logging equipment repair and storage.
 - .8 Forest management research and experimentation facilities as defined by ORS 526.215 or where accessory to forest operations.
 - .9 Cemeteries.
 - .10 Private seasonal accommodations for fee hunting operations, subject to the following requirements:
 - A. Accommodations are limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code;
 - B. Only minor incidental and accessory retail sales are permitted;
 - C. Accommodations are occupied temporarily for the purpose of hunting during game bird and big game hunting seasons authorized by the Oregon Fish and wildlife Commission; and
 - D. Other conditions as deemed appropriate.
 - .11 Aids to navigation and aviation.
 - .12 Domestic Water intake facilities, related treatment facilities, pumping stations and distribution lines.
 - .13 Reservoirs and water impoundments.

- .14 Private accommodations for fishing occupied on a temporary basis subject to the following requirements:
 - A. Accommodations limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code;
 - B. Only minor incidental and accessory retail sales are permitted;
 - C. Accommodations occupied temporarily for the purpose of fishing during fishing seasons authorized by the Oregon Fish and Wildlife Commission;
 - D. Accommodations must be located within 1/4 mile of fish-bearing Class I waters; and
 - E. The governing body may impose other appropriate conditions.

- .15 Public road and highway projects as described in ORS 215.283(2)(q) through (s) including:
 - A. Construction of additional passing and travel lanes requiring the acquisition of right-of-way but not resulting in the creation of new land parcels;
 - B. Reconstruction or modification of public roads and highways involving the removal or displacement of buildings but does not result in the creation of new land parcels; and
 - C. Improvement of public road and highway related facilities, such as maintenance yards, weigh stations and rest areas, where additional property or right-of-way is required but not resulting in the creation of new land parcels.

.16 Marijuana growing and producing subject to standards in Section 1803.

[Amd. Ordinance 2015-4, eff. 11-25-15]

505 Conditional Uses. The following conditional uses may be allowed subject to the general review standards and process in Sections 1503 and 1603 of the Zoning Ordinance. All authorized uses and permanent structures shall also meet the applicable standards listed in Sections 506, 507, and 508 of the Zoning Ordinance and all other local, state, and federal laws pertaining to these uses.

- .1 Type 2 Home occupations, as defined by Section 1507, and subject to the general review standards under Sections 507 and 508 and compliance with the standards of Section 1507.

- .2 Exploring, mining and processing of oil, gas, or other subsurface resources, as defined in ORS Chapter 520 and the mining and processing of mineral and aggregate resources as defined in ORS Chapter 517.

- .3 Disposal site for solid waste approved by the governing body of a city or county or both and for which the Department of Environmental Quality has granted a permit under ORS 459.245, together with equipment, facilities or buildings necessary for its operation. Such site designation shall require owner consent.

- .4 Private parks and campgrounds.
 - A. Campgrounds in private parks shall only be those allowed by this subsection. Except on a lot or parcel contiguous to a lake or reservoir, campgrounds shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR Chapter 660, Division 004. A campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes, and is established on a site or is contiguous to lands with a park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground. A campground shall be designed and integrated into the rural agricultural and forest environment in a manner that protects the natural amenities of the site and provides buffers of existing native trees and vegetation or other natural features between campsites. Campsites may be occupied by a tent, travel-trailer or recreational vehicle. Separate sewer, water or electric service hook-ups shall not be provided to individual camp sites. Campgrounds authorized by this subsection shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations. Overnight temporary use in the campground by a camper or camper's vehicle shall not exceed a total of 30 days during any consecutive 6 month period.
 - B. Campsites may be occupied by a tent, travel-trailer, yurt or recreational vehicle. Separate sewer, water or electric service hook-ups shall not be provided to individual campsites except that electrical service may be provided to yurts allowed for in this subsection.
 - C. Subject to County approval, a private campground may provide yurts for overnight camping. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt. The yurt shall be located on the ground or on a wood floor with no permanent foundation. Upon request by the County, the County Planning Commission may provide by order for an increase in the number of yurts allowed on all or a portion of the campgrounds if the Commission determines that the increase will comply with the standards described in ORS 215.296(1). As used in this Ordinance, "yurt" means a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance.
- .5 Communication facilities such as television, cellular, microwave and radio and transmission towers over 200 feet in height, subject to compliance with Sections 508, 509, and 1503, and the following criteria:
 - A. The location, size, design, and functional characteristics of the tower are reasonably compatible with and have a minimum impact on the livability and development of other properties in the area;
 - B. The tower shall be located so as to not interfere with air traffic;

- C. The tower will not have significant adverse effect on identified sensitive fish or wildlife habitat, natural areas, or scenic areas designated in the Comprehensive Plan;
 - D. The minimum setback from the property line shall be equal to the minimum setbacks from all property lines pursuant to applicable provisions in Subsection 509.6; and
 - E. The level of facilities and services provided shall be appropriate for, but not limited to, the needs and requirements of the area(s) to be served.
- .6 Power generating facilities, including alternative power generation facilities. (Note: An exception to the statewide Forest Lands Planning Goal 4 is required where development of the power generating facility removes more than 10 acres from use as a commercial forest operation).
 - .7 New electrical transmission lines with right-of-way width of up to 100 feet as specified in ORS 772.210 and new distribution lines (e.g., electrical, gas, oil, geothermal) with right-of-way 50 feet or less in width.
 - .8 Temporary asphalt and concrete batch plants accessory to specific highway projects.
 - .9 Expansion of existing public airport(s).
 - .10 Permanent forest labor structures to house laborers on a temporary basis for the duration of a forest operation.
 - .11 Youth Camps as defined and provided for in OAR 660-006-0031.
 - .12 Any gathering of more than 3,000 persons which continues or can reasonably be expected to continue for more than 120 hours within any three-month period and any part of which is held in open spaces.
 - .13 The conversion and rezoning of abandoned or diminished mill sites to industrial uses pursuant to ORS 197.719 and subject to the provisions in Section 306.20 of the Zoning Ordinance.
 - .14 Public Parks including only those uses specified under OAR 660-034-0035 or OAR 660-034-0040, whichever is applicable, and subject to provisions in Sections 508 through 510, 1503 and 1550.
 - .15 Destination Resorts reviewed and approved pursuant to ORS 197.435 through 197.465 and Statewide Planning Goal 8, and subject to provisions in Sections 508 through 510, 1503, and 1550.
 - .16 Firearms law enforcement training facility subject to provisions in Sections 508 through 510, 1503, and 1550.
 - .17 Kennel as a home occupation carried on by the resident as an accessory use within dwellings or other buildings allowed in conjunction with farm or forest use subject to standards contained in Section 1507 and Section 1802.

- A. Consistent with all home occupations, land use approval for a kennel granted as a home occupation shall be granted only to the person or persons named on the application and shall not be transferable to or include any other person or organization, unless approved through a new home occupation permit; and
- B. A home occupation permit for a kennel shall be granted only to an individual resident or residents of the dwelling and shall not be granted to an organization, such as but not limited to a business or non-profit corporation.

506 Standards for Dwellings. Dwellings are authorized in the Primary Forest Zone subject to standards found in Sections 507, 508, 509, 510 and documentation of meeting either the Small Tract, Large/Multi-Tract, or Template Dwelling criteria as follows.

- .1 Lot of Record Dwelling – Small Tract. A dwelling is authorized on a lot of record provided the parcel meets all of the following criteria:
 - A. The parcel was lawfully created and was acquired and owned continuously by the present owner prior to January 1, 1985. The owner may also qualify if the property was inherited by devise or intestate succession from a person who acquired the lawfully created parcel prior to January 1, 1985;
 - B. For the purposes of subsection A. of this section, “owner” includes wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent or grandchild of the owner or business entity owned by any one or combination of these family members;
 - C. The tract on which the dwelling will be sited does not include a dwelling;
 - D. The lot or parcel on which the dwelling will be sited was part of a tract on November 4, 1993, and no dwelling exists on another lot or parcel that was part of that tract;
 - E. Based on soil types, the tract is not capable of annually producing 5,000 cubic feet of commercial tree species as recognized under rules adopted under ORS 527.715 for commercial production;
 - F. The tract is located within 1,500 feet of a public road which will provide access to the property as defined by ORS 368.001. The road shall be maintained and either paved or surfaced with rock. The road shall not be a Bureau of Land Management road unless the road is maintained and paved to a minimum width of 18 feet and has one defined lane in each direction;
 - G. When the lot is located in a big game habitat area, the dwelling must comply with the siting criteria of Sections 507 and 1190 Big Game Overlay District;

- H. Where the dwelling is sited on a portion of a tract, the remaining portions of the tract are consolidated into a single parcel;
 - I. Authorization of a single-family dwelling under the provisions of this subsection may be transferred by a person who has qualified under this subsection to any other person after the effective date of the decision; and
 - J. Applicants owning parcels 10 acres or larger in size shall be required to submit and obtain approval of a Forest Land Assessment and Stocking Compliance Application prior to receiving a permit for a dwelling as authorized by this subsection.
- .2 Large Tract or Multi-Tract Forest Land Dwelling. A dwelling may be authorized on a tract that does not include a dwelling and that meets the following criteria [*Amd Order No. 78-2010, 12.15.10*]:
- A. The tract is at least 160 acres in size; or
 - B. The tract is part of one ownership, at least 200 acres in size, that may be composed of separate vacant tracts of designated forest land in Columbia County or its adjacent counties.
- .3 For a dwelling authorized by either 506.1 or 506.2, above, covenants, conditions and restrictions shall be recorded for all remaining parcels of the tract and tracts that are used to meet the acreage requirements of this section pursuant to the following provisions:
- A. The applicant shall consolidate the parcels of the tract and provide evidence that the intended covenants, conditions and restrictions set forth in Exhibit A found at the end of this Zone has been recorded with the County Clerk of the county or counties where the property subject to the covenants, conditions, and restrictions is located.
 - B. The covenants, conditions and restrictions are irrevocable until such time as the property described herein is no longer protected under the statewide planning goals for forest lands or the legislature otherwise provides by statute that these covenants, conditions and restrictions may be removed and the authorized representative of the county or counties where the property subject to the covenants, conditions, and restrictions is located executes and records a release of the covenants, conditions and restrictions.
 - C. Enforcement of the covenants, conditions, and restrictions may be undertaken by the Department of Land Conservation and Development or by the county or counties where the property subject to the covenants, conditions, and restrictions is located.
 - D. Failure to follow the requirements of this subsection shall not affect the validity of the transfer of property or the legal remedies available to the buyers of the property which is subject to the covenants, conditions, and restrictions required by this section.

- E. The County Planning Director shall maintain a copy of the covenants, conditions, and restrictions filed in the County deed records pursuant to this subsection and a map or other record depicting tracts which do not qualify for a siting of a dwelling under the covenants, conditions and restrictions.. The map or other record required by this subsection shall be readily available to the public in the county planning office.
- .4 Template Dwelling for Tracts Smaller than 80 Acres. A dwelling may be authorized on a tract that satisfies and meets all the following criteria:
- A. The tract is composed of soils that meets one of the following:
 - 1. Soils that are capable of annually producing more than 85 cubic feet per acre of wood fibre if:
 - a. All or part of at least 11 other lots or parcels that existed on January 1, 1993 and are not within an Urban Growth Area are within a 160 acre square centered on the center of the subject tract. (Note: If the tract abuts a road that existed as of January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-quarter mile wide centered on the center of the subject tract and aligned with the road to the maximum extent possible); and
 - b. At least three (3) dwellings existed on January 1, 1993 and continue to exist on the other lots or parcels; or
 - 2. Soils that are capable of annually producing 50 to 85 cubic feet per acre of wood fibre if [*Amd Order No. 78-2010, 12.15.10*]:
 - a. All or part of at least seven (7) other lots or parcels that existed on January 1, 1993 and are not within an Urban Growth Area are within a 160 acre square centered on the center of the subject tract. (Note: If the tract abuts a road that existed as of January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-quarter mile wide centered on the center of the subject tract and aligned with the road to the maximum extent possible.); and
 - b. At least three (3) dwellings existed on January 1, 1993 and continue to exist on the other lots or parcels.
 - 3. Soils that are capable of annually producing 0 to 49 cubic feet per acre of wood fibre if:
 - a. All or part of at least three (3) other lots or parcels that existed on January 1, 1993 and are not within an Urban Growth Area are within a 160 acre square centered on the center of the subject tract. (Note: If the tract abuts a road that existed as of January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-quarter mile

wide centered on the center of the subject tract and aligned with the road to the maximum extent possible.); and

- b. At least three (3) dwellings existed on January 1, 1993 and continue to exist on the other lots or parcels; and
 - B. The tract contains no dwellings on other lots or parcels that make up the tract;
 - C. No dwellings are allowed on other lots or parcels that make up the tract consistent with the recorded covenants, conditions and deed restrictions established under in Subsection 506.3; and
 - D. Parcels 10 acres or greater in size shall be required to submit and obtain approval of a Forest Land Assessment and Stocking Compliance application prior to receiving a permit for the dwelling as authorized by this subsection.
- .5 Template Dwelling for Tract of 60 Acres or Larger [Rectangular Template]. A dwelling may be authorized on a tract that meets the following criteria:
- A. If a tract is 60 acres or larger described under Subsection 506.4A. above and abuts a road that existed on January 1, 1993, or a perennial stream, the measurement shall be made by using a 160-acre rectangle that is one mile long and 1/4 mile wide centered on the center of the subject tract and that is to the maximum extent possible aligned with the road or stream, provided one of the three required dwellings is on the same side of the road or stream as the tract [*Amd Order No. 78-2010, 12.15.10*], and
 - 1. Is located within a 160 acre rectangle that is one mile long and 1/4 mile wide centered on the center of the subject tract and that is, to the maximum extent possible aligned with the road or stream; or
 - 2. Is within 1/4 mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.
 - B. If a road crosses the tract on which the dwelling will be located, at least one of the three required dwellings shall be on the same side of the road or stream as the proposed dwelling.
- .6 The Planning Director may deny or refer to the Planning Commission for review at a public hearing for the approval of a new dwelling on any property zoned for Primary Forest where the Director determines that approval of the dwelling would:
- A. Exceed the facilities and service capabilities of the area;
 - B. Materially alter the stability of the overall land use pattern in the area; or
 - C. Create conditions or circumstances that would be contrary to the purposes or intents of the Comprehensive Plan and/or the Primary Forest Zone.

507 Siting of Dwellings and Structures

- .1 All new dwellings and structures are subject to the siting standards in this section. Relevant physical and locational factors including, but not limited to, topography, prevailing winds, proximity to existing roads, access, surrounding land use and source of domestic water shall be used to identify a site which:
 - A. Has the least impact on nearby or adjacent lands zoned for forest or agricultural use;
 - B. Ensures that forest operations and accepted farming practices on the tract will not be curtailed or impeded by locating dwellings and structures as near to each other and to existing developed areas as possible considering topography, water features, required setbacks and firebreaks;
 - C. Minimizes the amount of forest lands used for building sites, road access and service corridors;
 - D. Is consistent with the provisions of Section 510 related to Fire Siting Standards and minimizes the risk associated with wildfire; and
 - E. Is consistent with other requirements contained in the Comprehensive Plan or implementing ordinances, including, but not limited to, regulations which apply to flood, steep slopes, and landslide hazard areas, development within the Willamette River Greenway, development in forested areas or development in significant resource and natural areas, such as wetland riparian and slide-prone areas.
- .2 The applicant shall provide evidence consistent with OAR 660-006-0029(3) that domestic water supply is from a source authorized in accordance with the Department of Water Resources' administrative rules for the appropriation of ground water or surface water in OAR Chapter 690 and not from a Class II stream as defined in the Forest Practices Rule in OAR Chapter 629. If the water supply is unavailable from public sources or sources located entirely on the subject property, then the applicant shall provide evidence that a legal easement has been obtained permitting domestic water lines to cross the properties of affected owners.
- .3 As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry or the U.S. Bureau of Land management, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.
- .4 Pursuant to OAR 660-006-0029 (5), approval of a dwelling shall be subject to the following requirements:
 - A. The owner of the tract shall plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in the Department of Forestry administrative rules;

- B. Land Development Services shall notify the Columbia County Assessor of the above condition at the time the dwelling is approved;
 - C. If the property is over 10 acres the owner shall submit a stocking survey report or a Forest Land Assessment and Stocking Compliance Application to the Columbia County Assessor and the Assessor shall verify that the minimum stocking requirements have been met by the time required by the Department of Forestry administrative rules;
 - D. Upon notification by the Assessor, the Department of Forestry shall determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If the Department determines that the tract does not meet those requirements, the Department shall notify the owner and the Assessor that the land is not being managed as forest land. The Assessor shall then remove the forest land designation pursuant to ORS 321.359 and impose additional tax pursuant to ORS 321.372; and
 - E. A waiver of remonstrance shall be recorded with the County Clerk certifying that the owner will not remonstrate against or begin legal action or suit proceeding to cause or persuade the owner or operator of any farm and forest lands to modify the conduct of legal and accepted farm and forest operations.
- .5 Dwellings and other structures to be located on a parcel within designated Big Game Habitat areas pursuant to the provisions of Section 1190 are subject to the additional siting criteria contained in Section 1190.

508 General Review Standards The Planning Director or hearings body shall determine that a use authorized by Sections 504 and 505 meets all of the following requirements:

- .1 The proposed use will not force significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands;
- .2 The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel;
- .3 A waiver of remonstrance shall be recorded with the County Clerk certifying that the owner will not remonstrate against or begin legal action or suit proceeding to cause or persuade the owner or operator of any farm or forest lands to modify the conduct of legal and accepted farm or forest operations; and
- .4 The proposed use is consistent with requirements contained in the Comprehensive Plan or implementing ordinances, including, but not limited to, regulations which apply to flood hazard areas, development within the Willamette River Greenway, development in forested areas or development in significant resource areas, such as riparian, wetlands or slide-prone areas.

509 Standards of Development

- .1 The minimum average lot or parcel width and minimum average lot or parcel depth shall be 100 feet for all activities except farming or forestry.
- .2 Access to parcels in this zone shall meet Fire Safety Design Standards for Roads in the County Road Standards and access standards found in Section 510 of the Zoning Ordinance.
- .3 There shall be no height limitation for forest operation and management-related structures unless otherwise permitted in the Primary Forest Zone. The maximum building height for all non-farm, non-forest structures shall be 50 feet or 2 ½ stories, whichever is less.
- .4 The standards and requirements described in Section 1300 of the Zoning Ordinance shall apply to all signs and name plates in the Primary Forest Zone.
- .5 The Oregon Department of Fish & Wildlife shall be notified and provided with the opportunity to comment on any development within major and peripheral Big Game Habitat.
- .6 Setbacks:
 - A. There shall be a minimum setback of 50' for front, side, and rear yards for all development in the Primary Forest Zone.
 - B. When this Ordinance or any other ordinance requires a greater or lesser setback than is required by this subsection, the greater setback shall apply.
 - C. All structures are subject to any special setbacks when adjacent to arterial or collector streets designated in the County Transportation Systems Plan.
 - D. No structure or use shall be established in a manner likely to cause contamination of a stream, lake or other body of water. Riparian and natural hazard setbacks set forth in Sections 1170 and 1182 of the Zoning Ordinance shall apply.
 - E. When land divisions create parcels of less than 40 acres for uses listed in Subsection 511.2A., provided those uses have been approved pursuant to this Ordinance, required building setbacks for these parcels will be determined on a case-by-case basis by the Director or the hearings body.
 - F. The owner shall provide and maintain primary fuel-free fire break and secondary fire break areas on land surrounding the dwelling and primary fuel-free break areas surrounding accessory structures in the Primary Forest Zone pursuant to the provisions in Subsections 510.2 and .3.
- .7 Approval Period for Use Permits. For all uses approved under sections 504 and 505, the approval period shall be valid for four (4) years. At a minimum, a development construction permit must be issued by the Land Development Services within the approval period. If a construction permit is not issued within the approval period, the land use permit expires. An extension of two years on the approval period may be granted by the Director if a written request is

received prior to its expiration and the reason for the delay is beyond the control of the owner.

510 Fire Siting Standards for Dwellings, Structures and Roads:

The following fire siting standards or their equivalent shall apply to new dwellings in this zone:

- .1 If a water supply is available, suitable and acceptable for fire protection by the fire protection district, such as a swimming pool, pond, stream, or lake, then road access to within 15 feet of the water's edge shall be provided for pumping units. The road access to the dwelling and access to the on-site water supply shall accommodate the turnaround of fire fighting equipment during the fire season. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.
- .2 The owner of the dwelling shall establish and maintain a primary fuel-free fire break surrounding the dwelling and accessory structure(s) no less than 30 feet wide in accordance with the provisions in "Protecting Your Home From Wildfire" published by the National Fire Protection Association. The owner may be required to increase the primary fuel-free fire break if the dwelling or structure is located on a 10% or greater slope. The primary fuel-free fire break could include a lawn, low ornamental shrubbery less than 24" in height and/or individual or groups of trees separated by a distance equal to the diameter of the crowns adjacent to each other, or 15 feet, whichever is greater. All existing tree limbs shall be pruned from the base to at least eight feet in height. Dead fuels shall also be removed.
- .3 A secondary fire break of 100 feet outside the primary fuel-free fire break, or its equivalent allowed by Columbia County Board Order No. 239-97 Firebreak Equivalents, shall also be provided and maintained for the dwelling in accordance with the provisions in "Protecting Your Home From Wildfire" published by the National Fire Protection Association. All existing trees shall be pruned from the base to at least 8 feet in height. Dead fuels shall be removed from the secondary fire break area. If the placement of the proposed dwelling cannot meet the secondary fire break due to physical constraints of the land or parcel size, the applicant may apply to obtain a secondary fire break easement from a neighbor or build the structure to a Class 1 or 2 Ignition Resistance Construction as allowed by Board Order No. 239-97, Firebreak Equivalents.
- .4 All roads in this zone, except private roads and bridges for commercial forest uses, shall be constructed so as to provide adequate access for fire fighting equipment according to the standards provided by the local rural fire protection district, the County Road Department, or the State Department of Forestry.
- .5 No portion of a tree or any other vegetation shall extend to within 15 feet of the outlet of a stove pipe or chimney.

- .6 A dwelling shall meet all of the following requirements:
 - A. The dwelling shall have a fire retardant roof;
 - B. The dwelling shall not be sited on a slope of greater than 40 percent;
 - C. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester; and
 - D. The dwelling shall be located upon a parcel within a fire protection district unless the applicant meets the criteria of subsection 510.7.

- .7 If the dwelling is not within a fire protection district, the applicant shall provide written documentation to the County of residential fire protection. The applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the County determines that inclusion within a fire protection district or contracting for residential fire protection is impracticable, the County and fire protection district may provide an alternative means for protecting the dwelling from fire hazards which may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable given the site conditions.

511 Land Division Requirements. No land(s) located within the Primary Forest Zone shall be divided without the expressed approval of Columbia County under the provisions set forth in the Columbia County Subdivision and Partitioning Ordinance. A plat shall be prepared by a registered surveyor to document the land partition. Upon final approval of the plat, the survey shall be recorded by the Columbia County Clerk. Parcels greater than 40 acres do not require a survey. No land division shall result in the creation of a new split-zoned parcel. Parcels resulting from a foreclosure action are exempted from the partitioning process. A deed or instrument conveying land in lieu of foreclosure shall not constitute a foreclosure action.

- .1 Primary Forest (PF) parcels that are 160 acres or larger may be partitioned subject to the following standards for divisions on resource parcels:
 - A. All parcels are 80 acres or greater in size;
 - B. The primary forest enterprise is appropriate for the area considering other forest enterprises located within 1/4 mile to determine if there are conflicts;
 - C. The additional parcel(s) will not significantly impact identified sensitive fish or wildlife habitat;
 - D. The resulting parcels are configured such that they are efficient for forest use employing accepted forest practices;
 - E. The division will not result in an appreciable increase in forest management and operating costs; and
 - F. The division will not materially alter the stability of the land use pattern in the area.

- .2 Partitioning Parcels Less Than 80 Acres. The following standards apply to all proposed land divisions on primary forest parcels where the proposed parcel is to be less than 80 acres and the parcel created is the minimum size necessary for the approved use according to subsections 503 and 504.
 - A. Land divisions of parcels less than the minimum lot size may be approved for any of the following uses:
 - 1. Exploration for and production of geothermal, gas, oil and other associated hydrocarbons;
 - 2. Destination resorts reviewed and approved pursuant to ORS 197.435 to 197.465;
 - 3. Disposal site for solid waste that has been ordered established by the Oregon Environmental Quality Commission under ORS 459.049 or approved under ORS 459.245;
 - 4. Permanent facility for the processing of forest products;
 - 5. Permanent logging equipment repair and storage;
 - 6. Logging scale and weight stations;
 - 7. Private parks and campgrounds not for residential purposes and with no separate sewer, water and electric service hookups to individual camp sites;
 - 8. Public parks specified under OAR 660-034-0035 or OAR 660-034-0040, whichever is applicable;
 - 9. Mining and processing of oil, gas and other subsurface resources;
 - 10. Transmission towers such as television, radio, and cellular;
 - 11. Fire Stations for rural fire protection.
 - 12. Utility facilities for the purpose of generating power. If on a parcel more than 10 acres in size, an exception pursuant to OAR Chapter 660, Division 4 will be required.
 - 13. Aids to navigation and aviation;
 - 14. Water intake facilities, related treatment facilities, reservoirs and water impoundments;
 - 15. Firearms training facility;
 - 16. Cemeteries;
 - 17. Preserving open space or parks provided in ORS 215.783

- B. The partitioning of a parcel with an existing dwelling is allowed subject to the following requirements:
 - 1. The parcel established for the dwelling shall not be larger than 5 acres or less than 2 acres, except as necessary to recognize physical factors such as roads or streams, in which case the parcel shall be no larger than 10 acres;
 - 2. The dwelling existed prior to June 1, 1995, and the remaining parcel not containing the dwelling is 80 acres or larger, or is consolidated with another parcel and, together, the parcels meet the minimum land division standards of the zone; and
 - 3. Covenants, conditions and deed restrictions set forth in Exhibit A found at the end of this Zone must be recorded at the County Clerk's Office and state that the remaining parcel, not containing the dwelling, is not entitled to a dwelling unless subsequently authorized by law or goal.

- C. Approval of a division of forest land to facilitate a forest practice as defined in ORS 527.620 shall be based on findings which demonstrate that there are unique property-specific characteristics present in the proposed parcel that require an amount of land smaller than 80 acres in order to conduct the forest practice. Parcels created pursuant to this subsection:
 - 1. Shall not be eligible for siting of any new dwelling;
 - 2. Shall not serve as the justification for the siting of a future dwelling on other lots or parcels;
 - 3. Shall not result in a parcel of less than 35 acres, except:
 - a. Where the purpose of the land division is to facilitate an exchange of lands involving a governmental agency; or
 - b. Where the purpose of the land division is to allow transactions in which at least one participant is a person with a cumulative ownership of at least 2,000 acres of forestland; and
 - 4. Shall not result in a parcel less than 80 acres or the minimum size required for dwellings approved under the provisions for Large or Multi-Tract Forest Land Dwellings in Subsection 506.2 if associated with the creation of a parcel where a dwelling is involved.

- D. A division of a lot or parcel zoned for mixed farm/forest may be allowed if all of the following criteria are met:
 - 1. At least two dwellings lawfully existed on the lot or parcel prior to November 4, 1993;
 - 2. Each dwelling complies with the criteria for a replacement dwelling under Subsection 503.11 of this Ordinance;

3. Except for one lot or parcel, each lot or parcel created under this subsection is between two and five acres in size;
 4. At least one dwelling is located on each lot or parcel created under this subsection; and
 5. The landowner of a lot or parcel created under this subsection provides evidence that a restriction prohibiting the landowner and the landowner's successors in interest from further dividing the lot or parcel has been recorded with the County Clerk. This restriction shall be irrevocable unless subsequently authorized by law.
- E. The proposed use of the division will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel; and *[Amd. Order 78-2010, 12.15.10]*.
- F. A waiver of remonstrance is recorded with the deed certifying that the owner will not remonstrate against or begin legal action or suit proceeding to cause or persuade the owner or operator of any farm and forest lands to modify the conduct of legal and accepted farm & forest operations; and *[Amd. Order 78-2010, 12.15.10]*.
- G. The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming of forest practices nor will the division materially alter the stability of the forest enterprise in the area; and *[Amd. Order 78-2010, 12.15.10]*.
- H. The forest enterprise or other authorized use is appropriate for the subject property considering soils, productivity, topography, and any other forest or agricultural activities located within 1/4 mile to determine if there are potential conflicts; and *[Amd. Order 78-2010, 12.15.10]*.
- I. The resulting parcels are configured such that they are efficient for existing or future forest use(s) employing accepted forest management practices; and *[Amd. Order 78-2010, 12.15.10]*.
- J. The new parcels will not significantly impact identified sensitive fish and wildlife habitat; and *[Amd. Order 78-2010, 12.15.10]*.
- K. The division is consistent with Oregon Revised Statutes, Chapter 92. *[Amd. Order 78-2010, 12.15.10]*.

512 Property Line Adjustments. All property line adjustments require review and approval by the Planning Director subject to compliance with the following criteria:

- .1 Adjustments may be made between one parcel larger than the minimum lot size and one parcel smaller than the minimum lot size as long as the exchange results in the same number of parcels larger than the minimum lot size;

- .2 The lot boundaries resulting from the adjustment will maintain compliance with building setbacks including primary and secondary fire breaks, access standards and environmental health regulations;
- .3 The adjustment will create no additional parcel(s).
- .4 Parcels greater than 10 acres do not require a survey; and
- .5 Property line adjustments in the PA-80 zone may not be used to:
 - A. Decrease the size of a lot or parcel that, before the relocation or elimination of the common property line, is smaller 80 acres and contains an existing dwelling or is approved for the construction of a dwelling, if the abutting vacant tract would be increased to a size as large as or larger than the minimum tract size required to qualify the vacant tract for a dwelling; or
 - B. Allow an area of land used to qualify a tract for a dwelling based on an acreage standard to be used to qualify another tract for a dwelling if the land use approval would be based on an acreage standard.

513 Construction Financing/Mortgage Tax Lots. Persons owning land in the Primary Forest Zone may obtain construction financing for housing or forest improvements from a lending institution, governmental agency, or private lender. Should the lender require a portion of the property to be used for collateral for the loan, the property owner shall submit a plot plan and a written statement to the Planning Director describing the size of the mortgage area involved, the length and terms of the agreement and the purpose of the financing. The property owner shall certify that he/she understands that the financing agreement does not create separate parcels and that neither parcel may be sold or otherwise separated from the other except in the event of foreclosure.

514 Non-conforming Uses. The lawful use of any building, structure or land at the time of the enactment of this Ordinance may be continued. Alteration of any such use shall be permitted when necessary to comply with local, state, or federal regulations pertaining to the use and development of the land and the buildings thereon. A non- conforming use is transferrable; however, any significant change in, or replacement of, the non-conforming use shall require permits under current building and land development codes. Restoration or replacement shall be commenced within one year from the occurrence of any fire, casualty, or natural disaster. This section takes precedent over other non-conforming use provisions of the Zoning Ordinance.

515 Prohibited Uses. It is unlawful to erect, alter or establish in the Primary Forest Zone (PF-80) any building, structure or use not authorized and approved under the standards and procedures in this Ordinance.

516 Notification of State Agencies. The Oregon Department of Forestry's Columbia Unit Office and The Oregon Department of Fish and Wildlife's Forest Grove Office shall be notified and requested to comment on all conditional use requests filed under Section 503 of this Zone and all building or placement permit applications filed under the Primary Forest Zone. Responses should be received within 10 days of the date of mailing to be assured consideration.

660-006 - Exhibit A

**DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FORM**

[Add. Ordinance 2010-11, eff. 1.05.11].

Whereas, the undersigned _____ hereinafter referred to as Declarant, is owner in fee simple of the property described in Exhibit A attached hereto and incorporated by reference herein; and

Whereas, the Declarant desires to declare his/her intention to create certain covenants, conditions and restrictions in order to effectuate and comply with the requirements of Oregon Administrative Rule Chapter 660 Division 6.

Now, therefore, Declarant hereby declares that all of the property described on Exhibit A shall be held, sold, and conveyed subject to the following covenants, conditions and restrictions:

It is not lawful to use the property described in this instrument for the construction or siting of a dwelling or to use the acreage of the tract to qualify another tract for the construction or siting of a dwelling.

These covenants, conditions and restrictions can be removed only and at such time as the property described herein is no longer protected under the statewide planning goals for forest lands or the legislature otherwise provides by statute that these covenants, conditions and restrictions may be removed and the authorized representative of the county or counties in which the property subject to these covenants, conditions and restrictions are located executes and records a release of the covenants, conditions and restrictions created by this instrument.

In witness whereof, the undersigned, being Declarant herein, has heretofore set his/her hand this _____ day of _____, _____.

State of _____)
)
ss: County _____)

The foregoing instrument was acknowledged before me the _____ day of _____, _____ by _____.

Notary Public for Oregon
My Commission expires: _____

[Note: This page intentionally left blank for expansion].