

Rural Unincorporated Community Plan

BELLFOUNTAIN, BENTON COUNTY 2013



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Historic information and photos courtesy of Benton County Historical Society Museum.

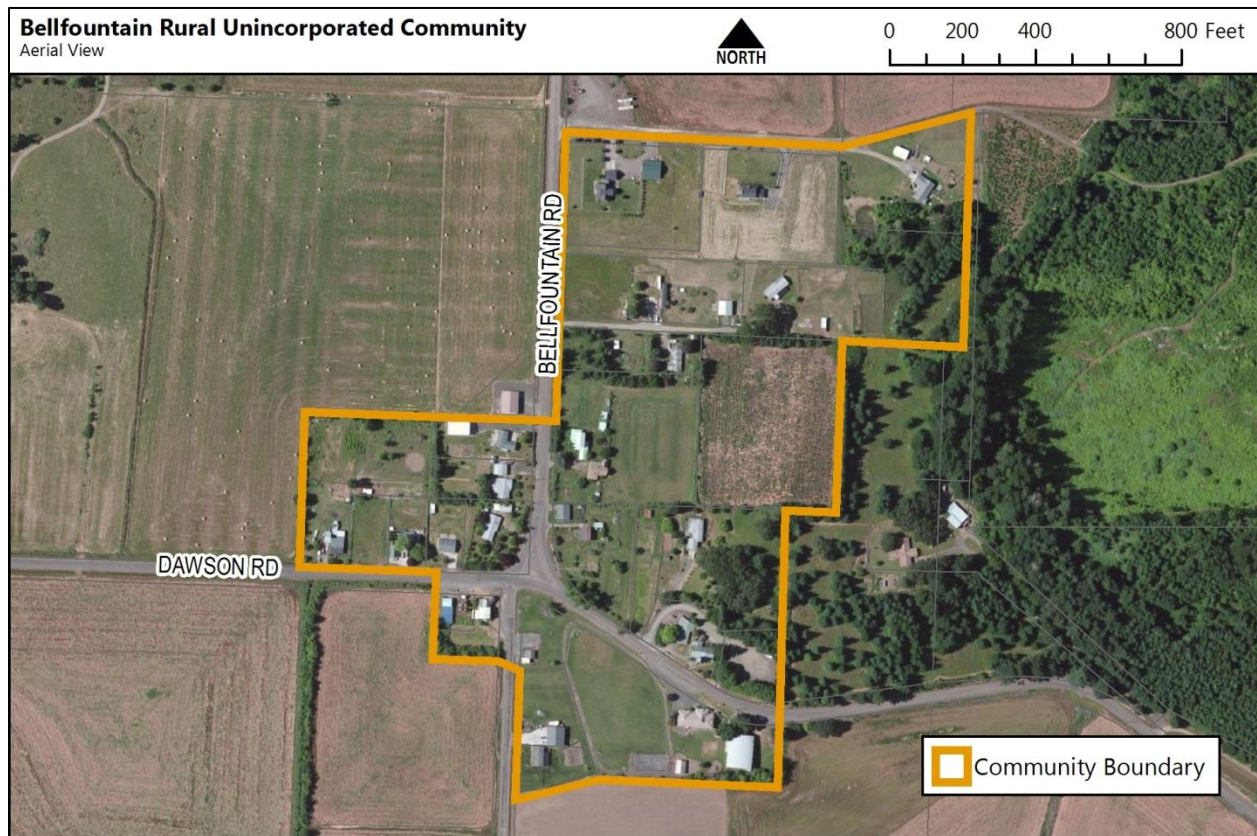
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Bellfountain Rural Community Plan

I. Background

a. Location and Community Description

Bellfountain is located in southeastern Benton County, at the intersection of Dawson and Bellfountain Roads, 17 miles south of Corvallis. The Goal 3 and 4 exception area consists of 29 parcels totaling 39 acres, ranging in size from 0.13 acre to 4.14 acres. All are zoned Rural Residential 2-acre minimum parcel size (RR-2) except two parcels totaling 0.74 acre, that are zoned Rural Commercial (RC). Uses are primarily residential, and the two (2) RC parcels are occupied by vacant commercial buildings. Bellfountain Church, the only active non-residential use, owns and occupies 5 acres of RR-2 zoned land with a church, a parsonage, and a historic school building used for church activities.



History – Bellfountain’s earliest name was “Dusty”, and the US Post Office was established under that name in 1895, soon to change because the residents wished for something more optimistic. Stories vary on the origin of the current name, with some claiming it was named for Bellfontaine, Ohio, and others alleging that it drew its name

from a nearby bell-shaped fountain. The early settlement included stores, a livery stable and blacksmith's shop, school, and churches. Bellfountain gained wide fame in 1937 when its high school basketball team of eight boys won the state championship. Locals still tell the story of the "Bellfountain Giant Killers", and the historic Bellfountain School proudly displays the trophies today.

A few miles west on Dawson Road is Hull-Oakes Lumber Company, a National Register Historic Site, and one of the last operating steam-powered sawmills in the country today.

Economy – As the town center for an agriculture- and logging-based economy, Bellfountain provided commercial services for the area. By the mid-1950s many of the businesses had closed, and many were demolished. Today the local agricultural products are grass seed and Christmas trees, and the nearby sawmill operates at a lower level than in the past, with much of its market in specialty large-scale timbers.

b. Planning of Unincorporated Communities

In December of 1994 the State of Oregon's Land Conservation and Development Commission (LCDC) adopted Oregon Administrative Rule (OAR) amendments that provided a framework for counties to use in identifying and designating unincorporated communities outside established Urban Growth Boundaries (UGBs). Known as the Unincorporated Communities Rule, or simply "the Rule", OAR Chapter 660, Division 22 establishes planning rules for unincorporated communities pertaining to allowed land uses, public facilities, and development standards.

The Unincorporated Communities Rule requires counties to adopt land use and zoning measures specific to unincorporated communities in order to ensure that cumulative development in the communities will not:

- Result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations, or
- Exceed the carrying capacity of the soil or of existing water supply resources and sewer services.

The Unincorporated Communities Rule limits the types of land that can be included in an officially designated Unincorporated Community. Lands identified as "exception areas" (i.e., rural lands that are zoned for commercial, industrial or residential use, not farm or forest use) can be included if they have historically been considered part of the community. The land included must represent a "contiguous concentration" of commercial, industrial, public use, or residential land. Residential land to be included must be of a greater density than residential exception lands that are outside of identified Unincorporated Communities.

Further, the designated community must have been identified in a county's acknowledged comprehensive plan as a "rural community," "service center", "rural center", "resort community" before the adoption of the Rule, or the community must be listed in the DLCDC's January 30, 1997 "Survey of Oregon's Unincorporated Communities."

Benton County's 1982 Comprehensive Plan identifies ten (10) rural communities, then known as "rural service centers", and the county was required to prepare plans for five (5) of these communities as Periodic Review tasks. These communities are:

- **Alpine**
- **Alsea**
- **Bellfountain**
- **Greenberry**
- **Wren**

Community plans for two communities, Wren and Alsea, were adopted in 2005. This document details Benton County's planning process and resulting plan for the community of Bellfountain. Benton County's 2007 Comprehensive Plan outlines policies for planning of rural communities. See Appendix A.

c. Plan Process

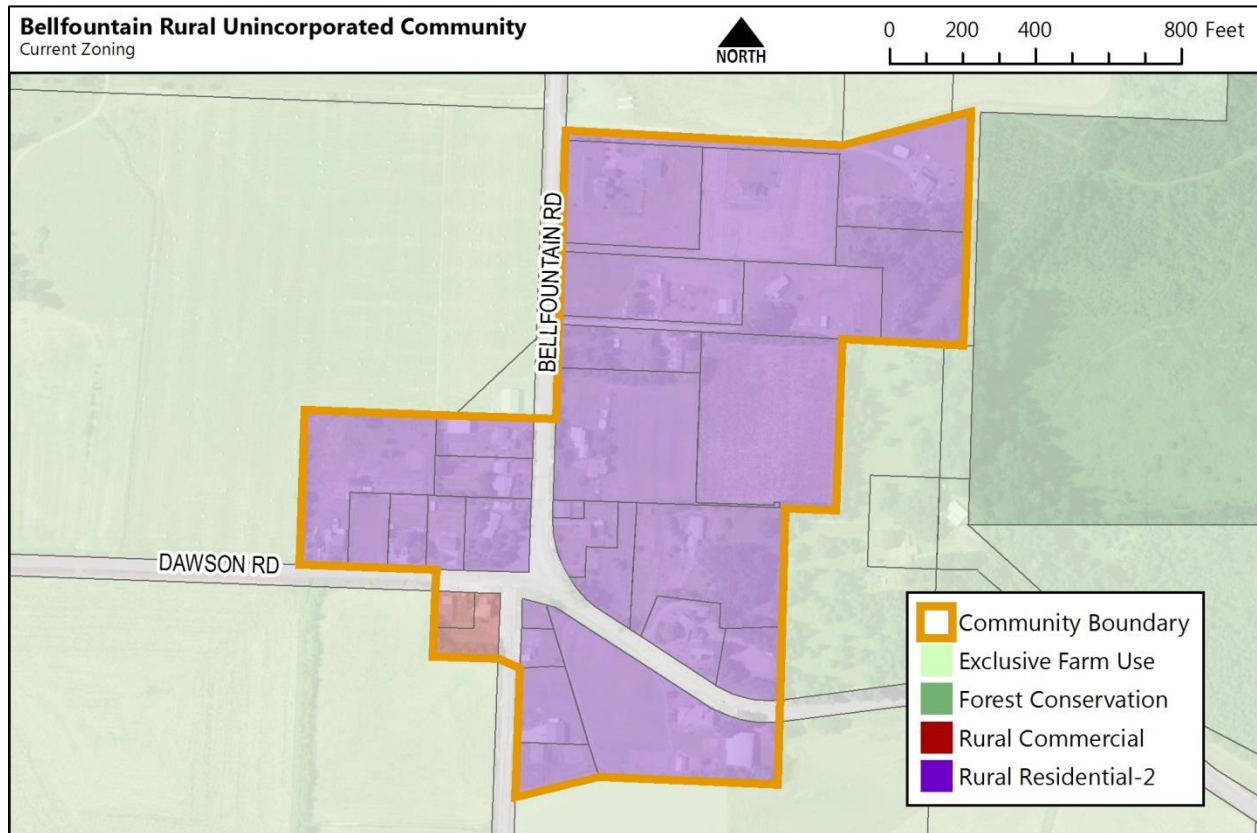
The county's process in preparing the Bellfountain Unincorporated Community Plan consisted of the following steps:

- Identification of the community boundary, complying with ORS 660-022-0020 and recognizing the county's 1982 Goal Exception document, and
- Inventory and analysis of data and information about the community related to the existing land uses, available public services, parcel sizes, and current plan policies and zoning regulations, and
- Review of the characteristics of the community and existing zoning regulations for consistency with the State Rule, and
- Public outreach consisting of notice to all residents within the community boundary and meetings with key community members, and
- Development of appropriate zoning changes, working closely with members of the community, to achieve community-identified land use goals by employing opportunities available in the State Rule.

II. Land Use Planning

a. Land Use and Zoning

Bellfountain's community boundary contains 39.1 acres, all zoned Rural Residential, 2-acre minimum parcel size (RR-2) except two parcels that total less than one acre, and are zoned Rural Commercial (RC). This community was not zoned until 1974, when the first zoning map for southern Benton County was adopted, zoning Bellfountain RR-2 and Commercial (C) with a configuration that differs slightly from today. Adoption of the 1979 Zoning Map zoned these lands RR-2 and C in the present-day configuration, as they have remained.



Residential Uses - Nineteen dwellings are located on lands zoned RR-2, and 5 parcels zoned RR remain vacant. Three of these parcels are owned by adjacent residents and are used for agriculture; one is 0.15 acre and thus unlikely to be developed; and one is used as the Church parking lot. In this community, building construction dates range from 1900 to 2007, and structures are well-maintained and in use.

Current Land Use	Current Zoning	Developed Parcels	Vacant Parcels
Residential	RR-2	29 total of 19 dwellings	5
Commercial	RC	2 closed businesses	0
Church	RR-2	3 church, parsonage, school, parking lot	0
Utility	RR-2	1 telephone switching station	0

Table 1: Bellfountain Zoning and Land Use

Commercial Uses – At the southwest corner of the crossroads, two parcels zoned C hold abandoned and dilapidated structures, a gas station and a store. Like many gas station/store locations in rural Benton County, these became vacant when the advent of improved roads and modern vehicles centralized commercial functions in larger towns.



Church Uses -

Bellfountain Church, built in 1899 and once known as “Union Church at Dusty”, is the only active non-residential use in the community today. The church owns and occupies 5 acres of RR-2 zoned land with its church, a parsonage, a parking lot, and a historic school building used for church activities.

Bellfountain School, built in 1908, replaced an 1870s school in this location, and with the 1913 school gymnasium is listed on the Benton County Register of Historic Resources. Today the historic character of the school complex is well-maintained. The facility is used for church meetings, youth activities, and basketball games.



b. Community Meeting and Goals

Staff conducted a community meeting at the Bellfountain School, with notification mailed to all residents within the community boundary. The three attendees discussed the community's concerns, with the general consensus that residents are satisfied with conditions, and see no reason to make changes, or even to attend a meeting. One resident of 40 years noted that she is still viewed as a newcomer, reflecting the long-established nature of this community. A copy of the invitation to this meeting is included as Appendix B.

Community Goals

As a result of conversations with residents and meetings held in Alpine, and based upon knowledge of the processes affecting the region, staff has identified 2 broad community goals for Bellfountain. Each of these goals is supported through specific policies that, through the adoption of this Community Plan, are adopted into the Benton County Comprehensive Plan.

Goal 1: Bellfountain will be a small, family-oriented community in which residents know each other and enjoy a quiet rural life-style.

Policy 1.a: Benton County recognizes the rural atmosphere of Bellfountain and will work with* individuals, organizations, and property owners who wish to maintain the community's character.

**Note: "work with", as used within these goals, includes recognition of community vision, administrative assistance, participation in inter-agency partnerships, and facilitation of community efforts to achieve stated goals.*

Goal 2: Bellfountain will provide opportunities for future small-scale business appropriate for its quiet rural character, providing limited goods and services to locals and tourists.

Policy 2.b: Benton County shall refine the residential zoning designation to offer options for existing organizations to thrive there, now and in the future.

c. Changes to Zoning and Development Requirements

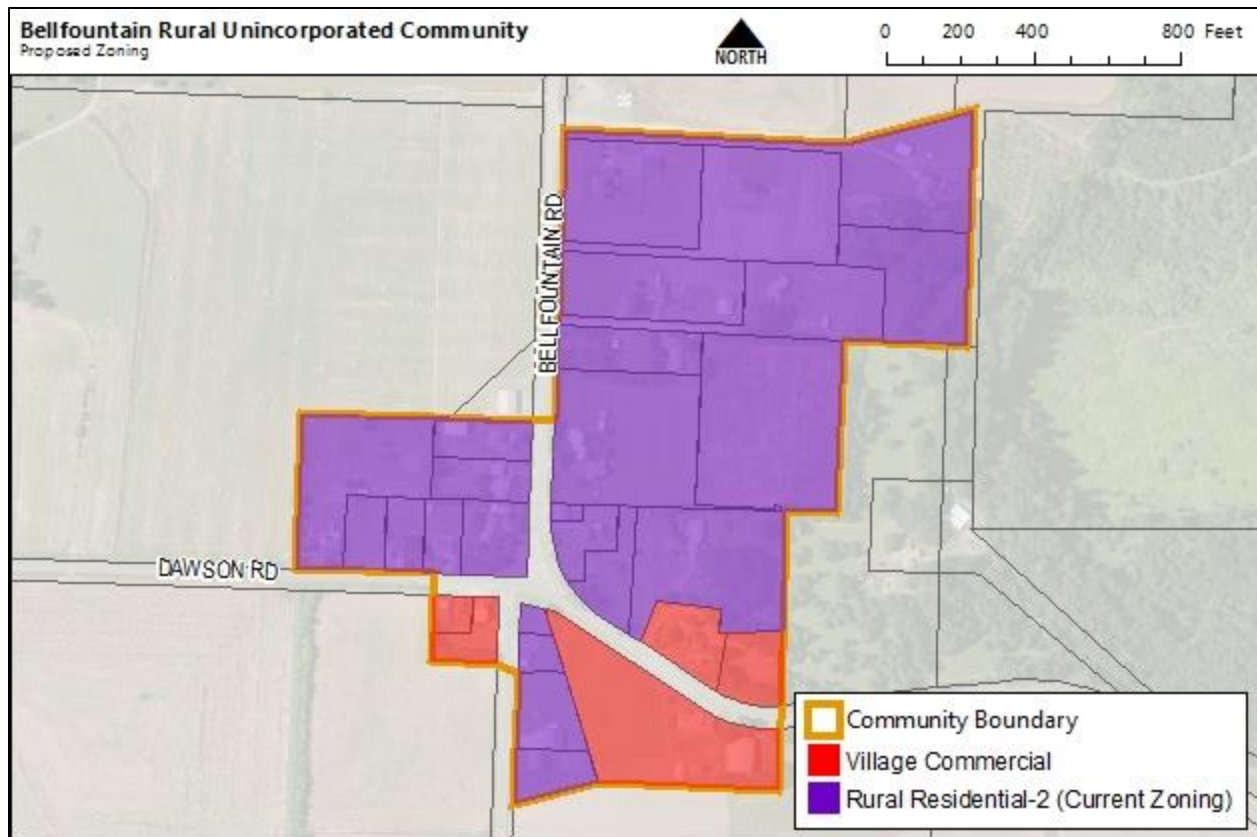
Meetings between Staff and the Pastor of Bellfountain Church focused on the Church's potential in this location, and the restrictions imposed by its status as a nonconforming use in the RR zone. At a subsequent official meeting of the Church Board of Directors, a decision was made to request changing the zoning designation of the Church's three (3) parcels totaling five (5) acres from RR-2 to Village Commercial (VC) as part of the Community Planning effort. This re-zoning would preserve options for the future of these properties by allowing the church as an outright permitted use, a public or private school as a conditional use, and various small-scale commercial uses such as gallery, retail, restaurant, and theater. The proposed zone change is reflected on the Proposed Zoning map on page 9. Complete Development Code text for Village Commercial is included as Appendix C.

At the southwest corner of the Bellfountain/Dawson Roads intersection are two parcels totaling 0.76 acre, holding abandoned commercial structures, zoned Rural Commercial. In response to recommendation of the Planning Commission, these parcels will be re-zoned Village Commercial, to allow more flexibility in the event that they wish to re-establish commercial uses in the future.

III. Public Facilities

The Unincorporated Communities Rule requires that counties shall adopt public facility plans for unincorporated communities over 2,500 in population, or for communities with growth projected to outstrip the capabilities of the current systems to provide services. Each of the 21 occupied parcels requiring water and sewer in the community of Bellfountain is served by an individual private well and on-site septic system. No changes to this scenario are anticipated.

In the event that residential development is proposed for the three (3) vacant and buildable RR-2 zoned parcels in Bellfountain, on-site wells and septic systems would be required. It is not expected that provision of water and septic disposal would be problematic for these properties, in light of the adequate wells and functioning septic systems currently in place within the community boundary, and the low density of residential development existing.



IV. Appendices

- A – Benton County Comprehensive Plan Policies
- B – Invitation to Community Meeting
- C – Village Commercial Zone

Appendix A
Benton County Comprehensive Plan Policies
On Rural Communities

From Chapter 14, Urbanization:

Overview: State land use guidelines also establish planning and zoning requirements for unincorporated communities outside established urban growth boundaries. Benton County is responsible for developing plans for the communities of Alpine, Alesa, Bellfountain, Greenberry, and Wren. As plans for these rural unincorporated communities are developed, they will be incorporated into the Comprehensive Plan by reference in accordance with Oregon Administrative Rules (OAR 660-22-000).

14.1.9 Benton County shall designate unincorporated communities outside urban growth boundaries and shall develop and maintain up to date plans for the housing, facilities, and economic viability of these areas in order to preserve and enhance their rural “small town” character.

14.1.10 The policies of unincorporated community plans, adopted or modified by the Benton County Board of Commissioners pursuant to OAR 660 Division 22, shall be considered analogous to Comprehensive Plan policies for the particular community, and shall guide drafting of Development Code provisions specific to that community.

BENTON COUNTY COMPREHENSIVE PLAN



Adopted by
Ordinance
No. 2007-0217

First Reading:
February 6, 2007

Second Reading:
February 20, 2006

Effective Date:
March 22, 2007

Appendix B
Invitation to Community Meeting
Informational Handout
Meeting Minutes

Postcard

Bellfountain Community Meeting!

You are invited to join members of the community to share your vision for the desired future of Bellfountain.

The purpose of this meeting is to enable residents to identify their concerns and help guide the future of land use in Bellfountain.

Date: Wednesday, May 22

Time: 6:00 to 7:30 pm

Place: Bellfountain School, 25398 Dawson Road

Please attend, and let us know what you think!

Questions: call Chris Bentley 541-766-6819 chris.bentley@co.benton.or.us

Snacks and beverages will be served



Public Meeting Handout

Unincorporated Rural Communities Planning

This year Benton County will be planning for the unincorporated rural community of Alpine, as defined in the 1982 Comprehensive Plan Goal Exception document. The tasks involved in this planning are specified by the Land Conservation and Development Department (ORS 660-022-000 through 660-022-0070) and are requirements of Periodic Review. Periodic Review is the process through which each county must update its comprehensive plan to comply with the Statewide Planning Goals of Oregon.

Although Unincorporated Communities Planning (UCP) must follow certain state-prescribed guidelines, results of the UCP have the potential of providing benefits to the community beyond the scope of the state's requirements.

Purpose:

- Comply with Periodic Review mandate
- Address land use issues specific to the individual community
- Develop zones appropriate to circumstances in the community, ensuring that cumulative development does not exceed capacities
- Revise zoning maps, comprehensive plan, and development code, where necessary
- Encourage a sense of community
- Partner with community in reaching self-defined goals

Steps:

- Establish community boundary in accordance with state statute
- Identify community type: rural, urban, resort, or rural service center, in accordance with definitions in state statute
- Inventory and assessment of existing and projected land uses, vacant lands, public facilities
- Public meeting to identify concerns, set goals
- Draft Unincorporated Community Plan
- Draft Comp Plan policies, Development Code amendments, Boundary and Zoning Map revisions, if necessary
- Public meeting to review drafts
- Finalize drafts
- Review and approval by Planning Commission, Board of Commissioners, Department of Land Conservation and Development

Limitations:

- Rezoning of land designated as Farm (EFU) or Forest (FC) is unlikely
- The scope of this effort is limited to land use issues
- The time frame is brief, with completion required by June of 2011

Input from the community is welcome. Notice of public meetings will be mailed to residents and published in the Gazette Times and Tri-County News. Your community newsletter will also carry notice of any public meetings, when possible. Feel free to contact Chris Bentley at the Community Development Department (766-6819) chris.Bentley@co.benton.or.us with any questions or concerns.

Summary of Meeting – Bellfountain Rural Community Plan May 22, 2013, Bellfountain School

Attending members of the public: Pastor Greg Klein of Bellfountain Community Church, Kristen Nugent of Bellfountain, and Linda Wade, an area

1. Welcome and Introduction – The meeting was convened at 6:00pm by Chris Bentley, staff planner with the Benton County Community Development Department. All attendees were welcomed and thanked for attending, in particular for their willingness to come to the meeting and contribute.

Each attendee was asked to introduce themselves with their name, where they live, their purpose for attending, and how long they've lived in the area.

2. Agenda – The agenda was reviewed with the attendees, with the primary objective to learn what attendees wished to achieve through the community planning effort in Bellfountain.

3. Background and Purpose – Staff presented an overview of the project, and the impetus of the project. In Oregon, all counties are required by the state to plan for rural unincorporated communities, recognizing that these rural communities are unlike the cities and are not just dispersed rural residences. These communities have unique characteristics and unique needs. Staff discussed the Bellfountain planning project in conjunction with those completed in Alsea and Wren, and those to be completed in Alpine and Greenberry. A handout explaining the process was distributed.

4. Discussion – Attendees Nugent and Wade stated that they had lived in the community for many years, and were attending the meeting to learn what it was about and to determine whether the community planning effort would affect them. They determined that it wouldn't affect them, and expressed a desire for the community to remain the small peaceful place it has been. They noted that small home-based businesses had existed there in the past and probably would in the future, but that the small scale could be accommodated through home occupation standards. Pastor Klein stated that he could see the advantage of re-zoning the church properties to Village Commercial so that in the future more options would be available, especially for small-scale uses that would be compatible with the community. He noted that the Board of Directors of the Church needed to make the decision, and would do so soon.

5. Questions and Conclusion Staff explained the next steps in the process, and answered additional questions.

The meeting was adjourned at 7:00 pm.

Appendix B

Village Commercial Zone

Chapter 75

Village Commercial (VC)

75.005 Purpose. The Village Residential Zone shall provide areas within Benton County where commercial activities that support the local and traveling public can occur within recognized and planned Rural Unincorporated Communities (RUC). This zone shall recognize the rural village character of RUCs, the existing patterns of development, and the need for greater flexibility to allow these communities to maintain their viability. [Ord 2008-0226]

75.010 Application. The Village Commercial Zone shall apply to areas designated Commercial on the adopted Comprehensive Plan Map where they occur within the official boundaries of planned Rural Unincorporated Communities

75.020 Notification of Fire District. In consideration of the small lot size, proximity of forested area, and density of structures in the Village Commercial Zone, the Community Development Department shall notify the applicable fire district at the time of application for a building permit, establishment of a permitted use, or application for a conditional use permit.

75.105 Permitted Uses. The following uses are allowed in the Village Commercial Zone:

- (1) Vehicle parking lot to support permitted use.
- (2) One dwelling per parcel. A dwelling will be allowed for the employer or employee of a commercial use, either as a separate structure or occupying a portion of a commercial structure.
- (3) Residential home (care facility).
- (4) Hotels, motels, bed and breakfasts, inns, and cabin camps, limited to 35 rooms or less.
- (5) Farm use or forest use.
- (6) Accessory use or structure.
- (7) Dwelling units located above the first story of an active commercial use.
- (8) Church, grange hall, community hall, nonprofit meeting hall, or other similar non-profit community facility.

75.110 Permitted Uses – Limited Scale.

(1) The following uses are allowed in the Village Commercial Zone, provided the use does not exceed 4,000 square feet of floor space within one or more buildings:

- (a) Personal, medical, and business services such as beauticians, clinics, cleaners, accountants, and printers.

- (b) Eating and drinking establishments.
- (c) Sales and service establishments for vehicles, including autos, boats, and farm machinery.
- (d) General and specialty retail trade establishments.
- (e) Day care for fewer than thirteen children.
- (f) Art and craft galleries and studios.
- (g) Establishment for performance of film, theatrical, music or dance productions, limited to 300 seats.

75.120 Existing Uses.

(1) A lawfully established commercial use existing as of July 10, 2008 in the VC zone shall be considered an outright permitted use and shall not be classified as a nonconforming use. The total square footage, in one or more buildings, devoted to such an existing lawfully established commercial use may be expanded to a maximum of 4,000 square feet or an additional 25% of the floor area occupied on July 10, 2008, whichever is greater. The nonconforming use provisions of BCC 53.305 through 53.335 shall not apply.

(2) A lawfully established dwelling may be replaced, remodeled or expanded without review under BCC 53.305 through 53.335. Replacement shall be allowed if it occurs within one year of the destruction or abandonment of the dwelling.

(3) All other lawfully established uses existing as of July 24, 2008 0, 2008 in the VC zone shall be considered nonconforming uses subject to the provisions of BCC 53.305 through 53.335.

75.205 Conditional Uses. The following uses may be allowed in the Commercial Zone by conditional use permit approved by the Planning Official:

- (1) Public or private school.
- (2) Hospital, sanitarium, rest home, and nursing home.
- (3) Light industry.
 Definition: LIGHT INDUSTRY: A business having noise, dust, odor, light, traffic, and hazard impacts that are similar to those experienced in general business areas. Outdoor storage is screened with sight-obscuring fences.
- (4) Multi-Family Dwelling.
- (5) Tower for utility, communications, wind energy, or structures having similar impacts.
- (6) Recreational facility such as campground, stable, or skating rink.

(7) Mixed-use development providing a combination of residential and commercial uses, in which each commercial use meets the size limitations of BCC 75.110.

(8) Any use listed in section 66.105, Village Residential permitted uses.

75.305 Minimum Parcel or Lot Size. The minimum parcel or lot size in the Village Commercial Zone shall be determined by the type of facilities available. The minimum parcel or lot size shall be 5000 square feet if water and sewer services will be provided by the local service district.

75.405 Site Development Plan. When a building addition, new construction, or placement of a structure is proposed in the Village Commercial Zone, the applicant shall submit a site development plan prior to the issuance of building permits. A site development plan shall contain an appropriate level of detail showing existing and proposed locations of buildings, vehicular and pedestrian access, parking, loading, landscaping, drainage, water supply, sewage disposal, public utilities, signage, building façade, and exterior lighting.

75.410 Siting Standards. All structures allowed in the Village Commercial Zone shall be sited in compliance with the following standards:

(1) Every site shall be adequately served by water, sewage disposal, and improved roads, or final approval of the site development plan shall be contingent on assurances for the provision of the necessary facilities.

(2) Setbacks to roads and/or property lines, when they exist, shall be utilized for landscaping and/or pedestrian improvements, subject to Planning Official approval.

(3) Zero lot line development is allowed subject to Planning Official approval, and must conform to Fire Code in effect at the time of development.

(4) A vision clearance area shall be maintained at the intersection of two rights-of-way, or a right-of-way and a driveway. The vision clearance area shall extend thirty (30) feet from the intersection of the right-of-way lines or a right-of-way line and a driveway. No structure, vegetation or embankment shall be permitted in a vision clearance area in excess of two (2) feet in height above the center of the road or driveway, subject to staff approval.

(5) On-street parking and off-street parking for each commercial use shall be adequate to serve the permitted use, and may be located on adjacent parcels.

(6) Off-street parking areas and setbacks adjacent to residential zoned areas shall be adequately landscaped and screened to create a visual buffer.

(7) Auto access shall be designed to cause minimum interference with traffic movements on abutting streets. Where necessary, additional rights-of-way shall be dedicated to maintain adequate traffic circulation. Setbacks shall be reviewed when requiring a dedication of additional right-of-way.

(8) The arrangement of buildings, lighting, parking areas, signs, and other facilities shall be designed and oriented to minimize noise and glare effects on adjacent residential properties.

(9) Pedestrian access shall be considered in the design of site features to provide a clear, unobstructed path in which pedestrians are not required to share their space with autos.

(10) A structure shall not exceed forty (40) feet in height. Structures such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles, agricultural buildings, and other similar objects not used for human occupancy are not subject to the building height limitations of this code.

(11) On any parcel adjacent to a resource zone, any use or structure not directly related to resource use shall be located as far from the resource zone as practicable considering other required setbacks, topography, drainage, resource-zone setbacks on neighboring properties, and other factors, as determined by the Planning Official. Prior to approval of such use or structure, the owner shall sign a declaratory statement to be recorded in the County Deed Records recognizing resource use of adjacent lands.