

Mohler Community Plan Tillamook County, Oregon

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Tillamook County Board of Commissioners

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Executive Summary

Planning Overview

Planning for unincorporated communities in Tillamook County began with changes in the state land use rules in the early 1990's. The Rural Communities Rule (OAR 660-22) requires planning for Unincorporated Communities. Mohler is classified as a Rural Service Center. As part of its Periodic Review, The Tillamook County Department of Community Development has undertaken planning for Mohler and eleven other Rural Communities. Planning for four of the five county's Urban Unincorporated Communities occurred first, in the late 1990's.

Planning for Mohler, the county's five Rural Communities and remaining Urban Unincorporated Community began in 2000, with the adoption of Unincorporated Community Boundaries. In March and April of 2002, Community Development staff conducted a Community Survey by mail and held a Community Meeting in Mohler.

Community Profile

Mohler is the smallest Unincorporated Community in Tillamook County and is considered a Rural Service Center because it provides services for local residents and residents from other communities. Mohler is located approximately 17 miles north of the town of Tillamook on the Nehalem River, near the junction of Highways 101 and 53.

Community Goals and Policies

With the input of residents and other stakeholders through the community survey and community meeting, and with an understanding of the current state of the community, staff identified a community goal for Mohler:

Goal 1: Mohler will be an attractive, safe and clean small town.

The goal is supported by several County policies.

Chapter 1: Planning Overview

1.1 The Planning Process

Planning for unincorporated communities in Tillamook County began with changes in the state land use rules in the early 1990' s. A court decision ruled that Oregon counties had to plan for their unincorporated communities. The Oregon Land Conservation and Development Commission adopted the Rural Communities Rule (OAR 660-22) in 1994 in order to comply with the ruling of the court.

Tillamook County has identified twelve Unincorporated Communities that meet the state' s criteria. Mohler has been classified as a Rural Service Center. The other communities identified in the county are:

Urban Unincorporated Communities:

- Neahkahnie
- Netarts
- Oceanside
- Pacific City
- Barview-Watseco-Twin Rocks

Rural Communities:

- Beaver
- Cloverdale
- Hebo
- Idaville
- Neskowin
- Siskeyville

The Tillamook County Department of Community Development has undertaken planning for each of these communities. The department has included these efforts as part of its periodic review tasks. Planning for four of the county' s five Urban Unincorporated Communities occurred first, in the late 1990' s. Each Urban Unincorporated Community went through a separate planning process guided by a committee in each community. Planning for the county' s five Rural Communities, one Rural Service Center and remaining Urban Unincorporated Community began in 2000. The planning processes involved in creating and adopting the Unincorporated Community Boundaries and Community Plans are detailed in the rest of this chapter.

1.2 The Unincorporated Community Boundary

The Unincorporated Community Boundaries for Mohler and the other Rural Communities were determined through a public process in 2000 and 2001. The County adopted the boundaries in 2001. Mohler' s adopted Unincorporated Community Boundary contains approximately 8 acres of land. Appendix A contains maps of the Unincorporated Community Boundary.

1.3 The Community Survey

In March and April of 2002, Community Development staff conducted a community survey. All registered property owners within the Unincorporated Community Boundary received a survey in the mail. The survey asked four questions of residents:

1. What do you feel is the most important issue facing Mohler?
2. What one thing would you like to change about Mohler in the next 20 years?
3. What is your favorite thing about Mohler?
4. What is your least favorite thing about Mohler?

Nine surveys were mailed out to property owners and staff and community members distributed additional surveys. No surveys were returned to Community Development.

1.4 Community Open House

On May 9, 2002, Community Development staff held an open house for the Mohler community to discuss the community plan. Staff held the open house at the Nehalem Bay Winery, in Mohler. Staff notified citizens of the open house through a mailing to all property owners within the Unincorporated Community Boundary along with a community survey and advertised a notice in the Tillamook Headlight-Herald Newspaper. (see section 1.2). Approximately three people from the community and near by area attended the meeting.

At the meeting, staff briefly introduced those present to the process, and solicited suggestions. Staff opened the meeting up to comments and discussion about Mohler.

Conversation with the local citizens consisted of talking about the history of the community, what they liked and disliked about the Mohler and what they would like to see in the future. The common theme, was that everyone likes the current small quite rural character of Mohler. Residents enjoy the quietness and slow pace of life.

Chapter 2: Community Profile

2.1 Historic Information

Mohler was developed when the railroad was built, linking Tillamook to Hillsboro. The railroad was completed in 1911 and there was daily activity along the line. Mohler was named in memory of A.L. Mohler, a prominent railroad official and one-time president of the Union Pacific. The Mohler cheese factory was one of the early predominant businesses in town, however the cheese factory went out of business and the building now houses the Nehalem Bay Winery. The Mohler Co-Op is another long time establishment serving the community

2.2 Community Form

The community of Mohler is approximately seventeen miles north of the town of Tillamook. Highway 53 goes through the community and is located approximately one mile from Highway 101 which is a major North/South route that begins in Washington and ends in California. Highway 53 is a well-traveled highway that connects Highway 101 to Highway 26.

The community is located just west of the Nehalem River. Portions of the community are located within an numbered "A" zone floodplain. The floodplain area is the portion of the community north of the Port of Tillamook Bay Rail Road. The Flood Insurance Rate Map Community Panel Number is 41096 0020 A, Effective August 1, 1978. This area has flooded in the recent past and future development of buildings should be built to flood standards and codes.

Through the community, running west by southeast is an active railway, the Port of Tillamook Bay Railroad. The Port of Tillamook Bay owns and operates the rail line and there are currently no established stops within the community. The community is not close enough to Nehalem Bay for commerce via water.

The Tillamook County Sheriff' s Office provides police service and protection to Mohler. The Nehalem Rural Fire Protection District provides fire protection. Tillamook County General Hospital provides ambulance and hospital services.

Public utility services for Mohler are limited due to the location of the community and the topography of the area. Power is provided by the Tillamook People' s Utility District (PUD), Phone service is provided by Sprint. Recently a fiber optic line and a water main line for the City of Manzanita was placed through the community along Highway 53. Domestic water is currently supplied by on-site wells. The City of Manzanita is working on a new master plan and in the future is may be possible for Mohler to connect to the water system. Sanitary disposal is provided by on-site septic systems.

There are approximately 8 acres within the Mohler Unincorporated Community Boundary. Currently 3 of these 8 acres are designated as Community Single Family Residential (CSFR) areas. The remaining 5 acres are designated as Community Commercial (CC) zone. The predominate Commercial uses in Mohler are Nehalem Bay Winery and the Mohler Co-Op Store. The residential areas are rural in character. Large and small lots are common in Mohler.

2.3 Economics

Mohler economy is primarily based upon local residents and tourists who buy items from the local winery and Co-Op store. For other needs, residents travel to other nearby communities such as Wheeler, Nehalem or Tillamook.

2.4 Buildable Land

Tillamook County completed a Buildable Lands Inventory in 2001. The information gathered during the inventory process provides the County with an estimate of how much more residential development can occur within the Unincorporated Community Boundary.

Within the community's 8 acres of residential land and community commercial land , there are 15 parcels, 7 of which are developed. Assuming a minimum lot size of 20,000 square feet, 3 more residential parcels could be created. Adding the current potential residential lots 3 and multiplying the by standard 0.75 coefficient, the Buildable Lands Inventory determined that 2 potential residential lots could be developed in Mohler. A smaller minimum lot size would allow for a greater number of potential lots.

Chapter 3: Community Goals and Policies

With the input of residents and other stakeholders through the community survey and community meeting, and with an understanding of the current state of the community, staff has identified a community goal for Mohler. Each of these goals is supported through specific policies that the county should work toward implementing in all its activities.

Goal 1: Mohler will be an attractive, safe and clean small town.

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Policy 1.1: The County recognizes the importance of local community groups and organizations and will support community groups and organizations in Mohler in their community-building activities.

Policy 1.2: The County will work with community groups and organizations, business and property owners and agencies to improve the general appearance of Mohler.

Policy 1.3: The County will work with the Oregon Department of Transportation to improve the function of Highway 53 within Mohler to improve safety for autos, pedestrians and bicyclists.

Policy 1.4: The County recognizes the rural character of Mohler and will work with community groups and organizations, business and property owners and agencies to maintain and enhance Mohler.

Chapter 4: Community Zoning

Mohler has two zoning designations. They are the Community Single-Family Residential (CSFR) zone and the Community Commercial (CC) zone. There is approximately 3 acres of CSFR zoned land and 5 acres of CC zoned land.

Inventory of Residential Lands for Mohler

(Based on Data from June 2001)

Zoning	CSFR	CC	TOTAL
1 How many acres are in this zone?	3	5	8
2 What is the zone's minimum lot size?	20,000 sq. ft.	*	*
3 How many lots exist there now?	5	10	15
4 How many lots are developed now?	4	3	7
5 How many residential lots are vacant?(Row 3 Row 4)	1	*	1
6 How many more new residential lots could be created?	2	*	2
7 What is the gross total of potential residential lots that could be developed?	3	*	3
8 What is the net total of potential residential lots that could be developed? (Row 7 X 0.75)	2	*	2

* *Not Applicable*

Constraints on Development

Mohler has few constraints to development. The land is mostly flat and free of geological hazards.

Public Services and Facilities

Mohler is served by a community water system. Sewage treatment is provided by onsite systems.

Development Patterns and Potential

With a store, winery, gas station and shops, Mohler's commercial buildings outnumber its dwellings. The community is quite small to begin with, and its residential lands all are in small lots, most of which have been developed. The community's potential for future residential development thus is negligible.

The purpose of the Community Single-Family Residential (CSFR) zone is to provide for the creation and use of small acreage residential homesites. Land that is suitable for Community Single Family Residential use has limited value for farm or forest use; it is physically capable of having homesites on small parcels of five acres or less; and it can be utilized for residential

purposes without constraining the use of surrounding resource zoned properties for resources production purposes. In Mohler the allowable parcel size is 20,000 square feet.

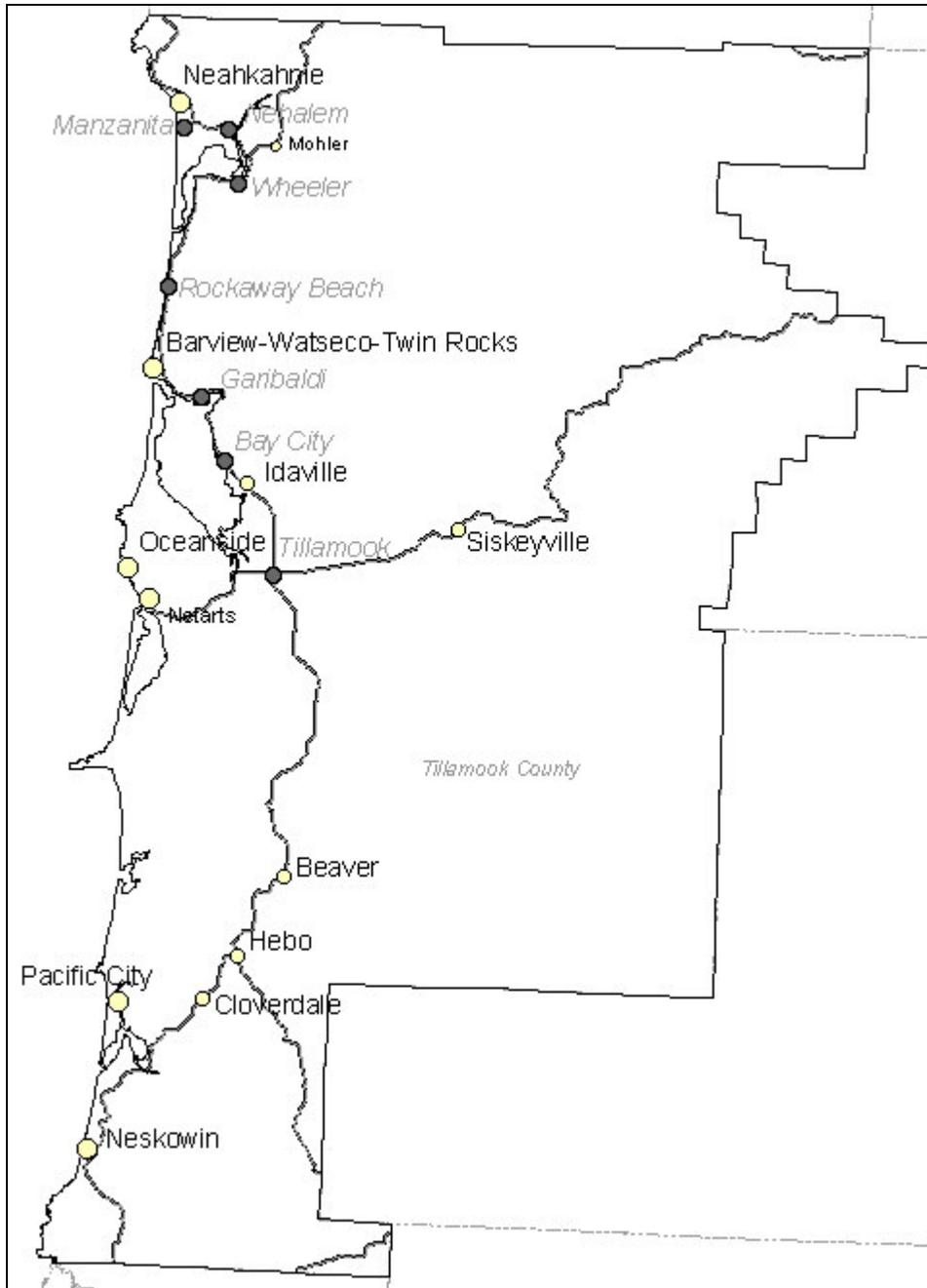
The purpose of the Community Commercial (CC) zone is to permit a moderate level of commercial activities to serve the commercial need of neighborhoods, rural areas, and tourist area. Commercial uses in the CC zone typically provide goods and services that would be required by most households in the area, and they have relatively few impacts on neighboring areas.

The zoning surrounding the community of Mohler is predominantly resource land. To the north, east and west of the Mohler Unincorporated Community Boundary the zoning is Farm (F-1). On the southern boundary the zoning is designated as a Forest (F) zone.

Due to the resource land, expansion of the Unincorporated Community Boundary would be very difficult. The citizens of Mohler indicated they are pleased with the current zoning areas within the community boundary.

Appendix A: Maps

Section 35 of Township 3 North, Range 10 West.



Appendix B: Community Zoning

SECTION 3.011: COMMUNITY SINGLE FAMILY RESIDENTIAL ZONE (CSFR)

- (1) **PURPOSE:** The purpose of the CSFR zone is to provide for the creation and use of small-acreage residential homesites. Land that is suitable for Community Single Family Residential use is located within an unincorporated community boundary and is physically capable of having homesites.
- (2) **USES PERMITTED OUTRIGHT:** In the CSFR zone, the following uses and their accessory uses are permitted outright, subject to all applicable supplementary regulations contained in this Ordinance.
 - (a) Single-family dwelling.
 - (b) Mobile or Manufactured Home.
 - (c) Recreational vehicle used during the construction or placement of a use for which a building or placement permit has been issued.
 - (d) Home occupations according to the provisions of Section 4.140 of this Ordinance.
 - (e) Farm uses, including aquaculture.
 - (f) Forest uses.
 - (g) Roadside stands for produce grown on the premises.
 - (h) Signs, subject to Section 4.020.
 - (i) Electrical distribution lines.
- (3) **USES PERMITTED CONDITIONALLY:** In the CSFR zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6 and the requirements of all other applicable supplementary regulations contained in this Ordinance.
 - (a) Planned Developments subject to Section 3.080, or Mixed Use Developments subject to Section 4.130. The number of attached single family dwelling units in a cluster shall be established in the Planned Development approval process and may exceed four units per cluster if it is demonstrated that benefits in protection of natural conditions, better views, or access will be achieved by such clustering. This shall apply only to CSFR/PD zoned property located within a community growth boundary.

- (b) Mobile or manufactured home, in those areas identified in Section 5.160 as being subject to special mobile/manufactured home standards, which do not comply with those standards.
- (c) Cottage industries.
- (d) Recreational vehicle where not allowed outright by Section 5.130.
- (e) A temporary real estate sales office.
- (f) Churches and schools.
- (g) Accessory structures or accessory uses without an on-site primary structure.
- (h) Nonprofit community meeting buildings.
- (i) Cemeteries.
- (j) Fire or ambulance stations.
- (k) Towers for communications, wind energy conversion systems, or structures having similar impacts.
- (l) Public utility facilities, including substations and transmission lines.
- (m) Mining, quarrying, and the processing and storage of rock, sand, gravel, peat, or other earth products; on a contiguous ownership of 10 or more acres.
- (n) Small-scale primary wood processing facilities, such as a shake mill, chipper, or stud mill, on a contiguous ownership of 10 or more acres.
- (o) Rural industries on a contiguous ownership of 10 or more acres.
- (p) Mobile or Manufactured Home park on a contiguous ownership of 10 or more acres.
- (q) Foster family homes accommodating six or more children or adults.
- (r) Bed and breakfast enterprise.
- (s) Temporary placement of a mobile home or recreational vehicle to be used because of health hardship, subject to Section 6.050.
- (t) Parks, recreational campgrounds, primitive campgrounds hunting and fishing preserves, and other recreational uses and associated facilities, on a contiguous ownership of 10 or more acres.

- (u) Residential care, training, or treatment facility as defined by ORS 443.400; any facility which provides care, training, or treatment for six or more physically, mentally, emotionally, or behaviorally disabled individuals. Facilities that provide for five or less are addressed as ADULT FOSTER HOMES or FOSTER FAMILY HOMES.
 - (v) Home occupations according to the provisions of Section 4.140 of this Ordinance.
- (4) STANDARDS: Land divisions and development in the CSFR zone shall conform to the following standards, unless more restrictive supplemental regulations apply:
- (a) The minimum lot size is 20,000 for permitted uses.
 - (b) The minimum lot width and depth shall both be 100 feet.
 - (c) The minimum front yard shall be 20 feet.
 - (d) The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.
 - (e) The minimum rear yard shall be 20 feet; on a corner lot, it shall be no less than 5 feet.
 - (f) The maximum building height shall be 35 feet, except on ocean or bay frontage lots, where it shall be 24 feet. Higher structures may be permitted only according to the provisions of Article 8.
 - (g) Livestock can be located closer than 100 feet to a non-farm residential building on an adjacent lot only if one of the following conditions are met:
 - 1. The location of the livestock is a nonconforming use according to the provisions of Article VII of this Ordinance.
 - 2. The property has been taxed at the farm use rate during three of the past five year.
 - 3. The location of the livestock has been reviewed and approved as a conditional use according to the provisions of Article VI of this Ordinance.
 - (h) No residential structure shall be located within 50 feet of an F-1, F, or SFW-20 zone boundary, unless it can be demonstrated that natural or man-made features will act as an equally effective barrier to conflicts between resource and residential used; or that a residential structure could not otherwise be placed on

the property without requiring a variance to the 100 foot requirement. In either case, all yard requirements in this zone shall still apply.

SECTION 3.022: COMMUNITY COMMERCIAL ZONE (CC)

- (1) **PURPOSE:** The purpose of the CC zone is to designate areas for high intensity commercial and some light industrial activities within unincorporated community boundaries. The zone is intended to accommodate all commercial needs of the community, surrounding rural areas, and visitors. Land that is suitable for the RC zone is suitable for the CC-2 zone, except that a higher level of use, and therefore a higher level of off-site impacts, must be anticipated.
- (2) **USES PERMITTED OUTRIGHT:** In the CC zone, the following uses and their accessory uses are permitted outright, subject to all applicable supplementary regulations contained in this ordinance.
 - (a) General and specialty retail trade establishments.
 - (b) Personal and business services such as barbers, tailors, printers, funeral homes, shoe repair shops, upholsterers, and cleaners.
 - (c) Business, government, professional, and medical offices; financial institutions; and libraries.
 - (d) Animal hospitals, kennels and similar animal boarding facilities.
 - (e) Retail establishments requiring drive-in facilities such as gas stations, bank drive-up windows, and fast food restaurants.
 - (f) Sales and service activities requiring large outdoor storage space, including the sale and repair of cars, trucks, farm equipment, heavy machinery, and marine craft; the storage of construction, plumbing, heating, paving, electrical, and painting materials; and parking for trucks as part of a construction or shipping operation.
 - (g) Shopping centers.
 - (h) Warehousing, including mini-storage.
 - (i) Eating and drinking establishments.
 - (j) Lodges, clubs, or meeting facilities for private organizations.
 - (k) Motels, hotels, and cabin camps.

- (l) A single-family dwelling, manufactured or mobile home for the owner of an active business located on the same lot or parcel.
 - (m) Mobile or manufactured homes or recreational vehicles used during the construction or placement of a use for which a building or placement permit has been issued.
 - (n) Community meeting buildings and associated facilities.
 - (o) Schools.
 - (p) Water supply and treatment facilities.
 - (r) Off-site advertising signs.
 - (s) Dwelling units accessory to an active commercial use, when located above the first story.
 - (t) Bed and breakfast enterprises.
 - (u) Swimming.
 - (v) Public park and recreation uses.
 - (w) Temporary produce stand- Not to exceed 45 days.
- (3) USES PERMITTED CONDITIONALLY: In the CC zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6 and the requirements of all applicable supplementary regulations contained in this ordinance:
- (a) One or two-family dwelling not associated with an active business.
 - (b) Light industries.
 - (c) Multifamily dwellings, including townhouses, and condominiums.
 - (d) Mobile home or recreational vehicle.
 - (e) Hospitals, sanitariums, rest homes, and nursing homes.
 - (f) Fire and ambulance stations.
 - (g) Utility substations and power transmission lines.
 - (h) Towers for communications, wind energy conversion systems, or structures having similar impacts.

- (i) Commercial amusement or entertainment establishments.
 - (j) Sewage treatment plants.
 - (k) Recreational campground.
 - (l) Foster family home accommodating six or more children or adults.
 - (m) Temporary mobile kitchen units.
 - (n) Mixed Use Developments subject to Section 4.130.
 - (o) Mobile/Manufactured Home Park.
 - (p) Residential care, training, or treatment facility as defined by ORS 443.400; any facility which provides care, training, or treatment for six or more physically, mentally, emotionally, or behaviorally disabled individuals. Facilities that provide for five or less are addressed as ADULT FOSTER HOMES or FOSTER FAMILY HOMES.
 - (q) Car wash.
 - (r) Outdoor Retail
- (4) STANDARDS: Land divisions and development in the CC zone shall conform to the following standards, unless more restrictive supplemental regulations apply:
- (a) The minimum lot dimensions and yard setbacks, and the maximum building heights for structures containing only residential uses, shall be the same as in the R-3 zone.
 - (b) In the CC zone, motels, hotels, and cabin camps shall be considered a commercial use.
 - (c) Minimum yards for any structure on a lot or parcel adjacent to a residential zone shall be 5 feet on the side adjacent to the residential zone, and 10 feet in the front yard. No rear yard is required.
 - (d) For commercial or combined commercial-residential structures, structures shall be either constructed on the property line or setback at least 3 feet or as required in Section 3.020 (4) (b)
 - (e) All structures shall meet the requirements for clear-vision areas specified in Section 4.010.

- (f) All uses shall meet off-street parking requirements as provided in Section 4.030.
- (g) Buildings shall not exceed 45 feet in height.
- (h) Outdoor storage abutting or facing a lot in a residential zone shall be screened with a sight-obscuring fence.
- (i) Maximum Floor Area Per Use: Individual uses shall not exceed 4,000 square feet of gross floor area.