



Oregon

Theodore R. Kubongski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

5/26/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Douglas County Plan Amendment
DLCD File Number 003-06R

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, June 10, 2010

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Cheryl Goodhue, Douglas County
Jon Jinings, DLCD Community Services Specialist
John Renz, DLCD Regional Representative

<paa> YA/



FORM

2

DLCD

Notice of Adoption

In person Electronic Mailed

DEPT OF

MAY 21 2010

LAND CONSERVATION
AND DEVELOPMENT

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **Douglas County**

Local file number: **06-025**

Date of Adoption: **5/19/10**

Date Mailed: **5/20/10**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **3/3/06**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

VALYNN CURRIE REPRESENTING TIMOTHY & MERYLUZ FOLEY, remand request for a Plan Amendment from (AGG) Agriculture to (RR5) Rural Residential - 5 Acre and Zone Change from (FG) Exclusive Farm Use - Grazing to (5R) Rural Residential - 5 Acre, based on a Nonresource Determination and a demonstration of consistency with the County's Rural Residential - 5 Acre Designation on a 76.21 acre parcel.

Does the Adoption differ from proposal? No

N/A

Plan Map Changed from: **AGG**

to: **RR5**

Zone Map Changed from: **FG**

to: **5R**

Location: **off Country Hill Drive, northwest of Roseburg**

Acres Involved: **76.21**

Specify Density: Previous: **1DU/160 acres**

New: **1DU/5 acres**

Applicable statewide planning goals:

1 **2** **3** **4** **5** **6** **7** **8** **9** **10** **11** **12** **13** **14** **15** **16** **17** **18** **19**

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 003-06R (15056) [16141]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

ODOT, Douglas County Fire District No. 2, DFPA Charter Communications, Pacific Power, Avista Utilities, Williams Gas Pipelines, Umpqua Basin Water Association, Roseburg School District No. 4

Local Contact: **Jonathan Wright**

Phone: **(541) 440-4289** Extension: N/A

Address: **Rm 106, Justice Bldg, Douglas County Courthouse** Fax Number: **541-440-6266**

City: **Roseburg**

Zip: **97470**

E-mail Address: **jmwright@co.douglas.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light **green paper if available**.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615).
10. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

Updated December 22, 2009

**BEFORE THE BOARD OF COMMISSIONERS
OF DOUGLAS COUNTY, OREGON**

DOUGLAS COUNTY OREGON
FILED

MAY 19 2010

AN ORDINANCE ADOPTING AN AMENDMENT TO THE)
DOUGLAS COUNTY COMPREHENSIVE PLAN MAP AND)
ZONING MAP BASED UPON A NONRESOURCE)
DETERMINATION FOR GOALS 3 AND 4, AND ON A)
DEMONSTRATION OF CONSISTENCY WITH THE)
COUNTY'S RURAL RESIDENTIAL-5 ACRE DESIGNATION)
ON A 76.21 ACRE PARCEL LOCATED OFF OF COUNTRY)
HILL DRIVE, COUNTY ROAD NO. 31C, NORTHWEST OF)
ROSEBURG, AND DESCRIBED AS TAX LOT 100 IN SECTION)
22 OF T26S, R6W, W.M., PROPERTY ID NOS. R51435 &)
R51421. PLANNING DEPARTMENT FILE NO. 06-025.)

ORDINANCE NO. 2010-05-09
BARBARA E. NIELSEN, COUNTY CLERK

RECITALS

- A. Valynn Currie, representing Timothy & Meryluz Foley, requested a Comprehensive Plan Amendment from (AGG) Agriculture to (RR5) Rural Residential - 5 Acre and Zone Change from (FG) Exclusive Farm Use Grazing to (5R) Rural Residential-5 Acre, based upon a Determination that the property is nonresource land and is not subject to the Agricultural and Forest Land Goals, and upon a demonstration that the subject property is consistent with the County's Rural Residential -5 Acre Designation. The property is located off of Country Hill Drive, County Road No. 31C, northwest of Roseburg, and is described as Tax Lot 100 in Section 22 of T26S, R6W, W.M., Property I.D. Nos. R51435 & R51421.
- B. The matter came before the Douglas County Planning Commission on remand from the Land Use Board of Appeals. The Planning Commission held a remand hearing on March 18, 2010 to consider the assignments of error sustained by the LUBA in its Final Opinion and Order, and subsequently recommended approval of the request in a Findings and Decision document dated April 15, 2010.
- C. The Board of Commissioners considered the matter on May 19, 2010 at a hearing held pursuant to Section 6.900.2 of the Douglas County Land Use & Development Ordinance. The Board affirmed the Planning Commission decision and ordered that the request be granted.

THE DOUGLAS COUNTY BOARD OF COMMISSIONERS ORDAIN AS FOLLOWS:

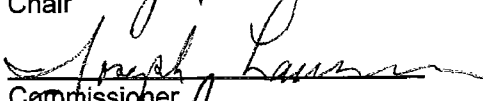
SECTION ONE: The requested Comprehensive Plan Map Amendment and Zone Map Amendment based upon a Nonresource Determination are GRANTED.

SECTION TWO: The "Findings of Fact and Order" of the Board (attached, dated May 19, 2010) and the "Findings of Fact and Decision" of the Douglas County Planning Commission (attached, dated April 15, 2010), are ADOPTED and by reference made part of this Ordinance.

DATED this 19th day of May, 2010.

**BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, OREGON**


Chair


Commissioner


Commissioner

S:\BC ORDINANCE CURRIE FOLEY REMAND 2.wpd

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK
COMMISSIONERS' JOURNAL

CJ 2010-578

05/19/2010

**BEFORE THE BOARD OF COMMISSIONERS
OF DOUGLAS COUNTY, OREGON**

Valynn Currie, representing Timothy & Meryluz Foley,)
requested a Plan Amendment from (AGG) Agriculture)
to (RR5) Rural Residential-5 Acre and a Zone Change)
from (FG) Exclusive Farm Use - Grazing to (5R) Rural)
Residential-5 Acre, based on a Determination that the)
property is nonresource land and is not subject to the)
Agricultural and Forest Land Goals, 3 and 4, and on)
a demonstration that the subject property is consistent)
with the County's Rural Residential - 5 Acre Plan)
Designation. The subject property is a 76.21 acre parcel)
located off Country Hill Drive, County Road No. 31C,)
northwest of Roseburg, and described as Tax Lot 100)
in Section 22 of T26S, R6W, W.M., Property I.D. Nos.)
R51435 & R51421. Planning Department File 06-025.)

**FINDINGS OF FACT
AND ORDER**

INTRODUCTION & PROCEDURAL FINDINGS

1. This matter came before the Board of County Commissioners ("the Board") at a public hearing on May 19, 2010, in Room 216 of the Douglas County Courthouse, Roseburg, Oregon, pursuant to Section 6.900.2 of the Douglas County Land Use and Development Ordinance.
2. The matter came before the Douglas County Planning Commission on remand from the Land Use Board of Appeals. The Planning Commission remand hearing was held on March 18, 2010, at which time the Commission recommended approval of the request.
3. The Planning Commission memorialized its decision in a Findings and Decision document dated April 15, 2010. No appeals of that Decision were filed.
4. At the Board meeting on May 19, 2010, the public hearing on this matter was opened and parties were given an opportunity to speak on the Record. The Board subsequently deliberated to affirm the Planning Commission decision at the May 19, 2010 public hearing.

FINDINGS

1. Upon considering evidence and exhibits entered as part of the Planning Commission Record, including the written submittals from the applicant and parties, the written Staff Report and the Findings and Decision approved by the Planning Commission on April 15, 2010, and in consideration of evidence considered at the May 19, 2010 Board hearing, the Board finds that the applicable decision criteria, as established in the Remand Staff Report dated March 11, 2010, have been adequately addressed by the applicant.

ORDER/ Currie/Foley Remand
May 19, 2010
Page 2

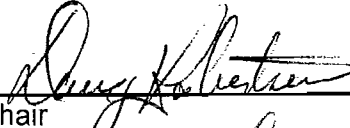
2. The Board finds that the relevant facts raised in this matter support the conclusions and decision reached by the Planning Commission in their Findings and Decision, dated April 15, 2010.
3. The Board adopts the Planning Commission Findings and Decision, attached hereto, as its own.

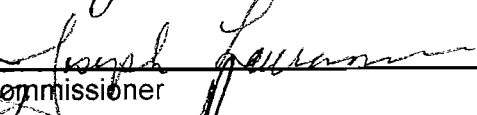
ORDER

Based on the foregoing, it is hereby ordered by the Board of Commissioners that the Planning Commission decision is affirmed and the application is GRANTED.

DATED this 19th day of May, 2010.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, OREGON


Chair


Commissioner


Commissioner

BEFORE THE DOUGLAS COUNTY PLANNING COMMISSION

VALYNN CURRIE REPRESENTING TIMOTHY & MERYLUZ FOLEY, remand from the Land Use Board of Appeals (LUBA), request for a Plan Amendment from AGG to RR5, and Zone Change from FG to 5R, based on a Nonresource Determination and a demonstration of consistency with the County's Rural Residential - 5 Acre Designation on a 76.21 acre parcel to allow development of the property at the 5R density. Findings of Fact and Decision. Planning Department File No. 06-025.

This matter came before the Douglas County Planning Commission on remand on March 18, 2010, in Room 216 of the Douglas County Courthouse. This is the third time the Planning Commission has heard this matter, first on May 18, 2006, and then once again on remand on February 1, 2007. In both cases, the Board of Commissioners adopted the Planning Commission Decision and in both cases the Board's Decision was appealed to LUBA by Shelley Wetherell.

In their Final Opinion & Order of August 8, 2007, (LUBA No. 2007-073), LUBA remanded the matter back to the County. On February 24, 2010, the County Board of Commissioners executed an Order remanding the matter back to the Planning Commission for an additional evidentiary hearing, limited to the assignments of error sustained by LUBA.

The applicant was present at the remand hearing.

The Planning Commissioners participating in the remand hearing were: William Duckett, Javier Goirigolzarri, Dave Leonard, Brian Parkinson, Rich Raynor, George Sandberg and Cindy Simmons. Commissioners Duckett, Goirigolzarri, Leonard, Sandberg and Simmons were not present at the last two hearings, but indicated that they had reviewed the Record and were prepared to hear the matter.

The Planning Commission takes official notice of the following:

1. The Douglas County Comprehensive Plan, including the implementing Douglas County Land Use and Development Ordinance, adopted by the Douglas County Board of Commissioners December 31, 1980, effective April 1, 1981, and as later amended, which has been acknowledged by the Land Conservation and Development Commission on December 21, 1982, and by Compliance Acknowledgment Order 83-ACK-12 dated January 18, 1983.
2. The records of the Planning Department of Douglas County concerning publication and mailing of notice.

PROCEDURAL FINDINGS OF FACT

1. At least 20 days prior to the hearing scheduled for this matter, notice of the remand hearing was sent to the parties in the matter, explaining that, only existing parties would be allowed to participate in the March 18, 2010, hearing, per Section 2.200.5 of the Douglas County Land Use and Development Ordinance.
2. Notice of the hearing was given by publication in a newspaper of general circulation in the affected area at least 20 days prior to March 18, 2010.
3. The parties qualified in this matter are on Record with the Planning Department.

ITEMS FOR CONSIDERATION ON REMAND

4. On this second remand, LUBA sustained a single assignment of error, based on two sub-assignments of error:

Assignment of Error: The Decision does not demonstrate that the subject property is neither suitable for grazing nor commercial forest land.

The sub-assignments of error and each of their sub-components are broken down as follows:

First Sub-assignment of Error	The remand must demonstrate that the property cannot be used for grazing like adjacent properties with the same soils and slopes.	Sub-components	Suitability for grazing as a farm use on the subject property.
			Adjacent property of similar soils and slope is used for grazing.
			County assumes seasonal-only grazing means not suitable for grazing.
Second Sub-assignment of Error	The remand must address why the subject property is not suitable for commercial forest uses.	Sub-components	Soils scientist didn't evaluate soils for timber production.
			The question is, "Is the property capable of producing commercial tree species?," not whether it has been forested in the past.
			Forester failed to provide objective measurement of property's capability for producing commercial timber for the property as a whole.

APPLICANT'S TESTIMONY

5. At the March 18, 2010 remand hearing, the hearing was opened with testimony from the Applicant's Representative, Valynn Currie, who discussed in detail her efforts and the efforts of the property owner to meet the points of remand. Ms. Currie stated that the property cannot be grazed and is not suitable for growing commercial timber. She then read supporting documents from Walt Barton, District Manager for the Douglas Soil and Water Conservation District; Laura Gow PhD, Agricultural Economist from the OSU Agriculture Program; Gordon Avery, neighboring property owner; Jack Tannehill, Stewardship Forester from the Department of Forestry; and, Dennis Hutchison, Certified Soils Scientist/Classifier, to the Commission. Currie then entered each item as Applicant Exhibits 1R through 6R.

TESTIMONY IN OPPOSITION

6. The Commission heard testimony in opposition from Shelley Wetherell, who stated that the property is suitable for grazing and growing trees. Mrs. Wetherell submitted into the Record: Opposer's Exhibit 1R, a letter written by Shelley Wetherell and Friends of Douglas County, dated March 18, 2010; Opposer's Exhibit 2R, a soil survey of Douglas County; Opposer's Exhibit 3R, a report containing information on capability and soil classes; Opposer's Exhibit 4R, an e-mail and supporting documents from Wayne Mosher; Opposer's Exhibit 5R, a sample bill from Umpqua Basin Water Association; Opposer's Exhibit 6R, a letter written by David Morman, Department of Forestry (DOF); and, Opposer's Exhibit 7R and 8R, full size maps of the subject property and surrounding area.

APPLICANT REBUTTAL

7. The Commission heard rebuttal testimony from Valynn Currie, Applicant's Representative. She stated that the topography is highly sloped and is not suitable for grazing or forestry. Currie stated that all of the individuals who gave written testimony on her behalf have credentials and are all in agreement with one another. Currie addressed testimony given by Shelley Wetherell regarding Mr. Kennedy's rental property as hearsay and not credible. She also pointed out that there are no streams or ponds on the property and the Applicants would have to go through Umpqua Basin Water, which is not an inexpensive option. Ms. Currie stated that sheep are less profitable than cows. She also stated that sheep cannot live in soil with high water content.

SUBSTANTIVE FINDINGS OF FACT

8. The Commission acknowledges that LUBA's assignment of error is that, the Decision failed to adequately demonstrate that the subject property is neither farm nor forest lands, based on two sub-assignments of error. The Decision does not demonstrate that the subject property: 1) cannot be used for grazing like adjacent properties with the same soils and slopes.; 2) is not suitable for commercial forest uses.
9. The Commission finds that in order to address the first sub-assignment of error we must address the root of the requirement. The LUBA remand states that the County failed to establish, under OAR 660-033-0020(1)(a)(B), why the subject property is not suitable to support a grazing operation. This rule requires the Commission to address why the property is not considered "*land in other soil classes that is suitable for farm use.*" Farm use is defined by "ORS 215.203(2)(a)" as land being managed for the "*primary purpose of obtaining a profit in money.*" In the LUBA Final Opinion and Order No. 2005-045 (Great American Properties), based on an Oregon Supreme Court decision, LUBA held that when a County addresses a property's suitability for "*farm use*" it may consider profitability, which includes consideration of monetary benefits or advantages that are or may be obtained from the farm use on the property and the costs or expenses associated with those benefits.

10. The Commission finds that an analysis and supplemental report by Laura Gow, PhD, Agricultural Economist from the OSU Agriculture Program, addressed the economic feasibility of a grazing operation on the subject property both seasonally and year round. Gow's report evaluated the economic feasibility of a cow/calf grazing operation on the subject property. Dr. Gow found the "optimal" carrying capacity of the property, based on NRCS's recommendation, to be 17 beef (cow/calf pairs) for year-round grazing. Dr. Gow's analysis concludes that this property, if grazed, would operate at a loss of \$5,345 or \$314.39 per head. Gow's supplemental report addresses seasonal grazing by stating that such practice would only increase costs making it evermore economically challenging.
11. Gow's conclusions serve to support this Commission's findings from the 2007 remand where we found, based on the Order 1 Soils Report prepared by Dennis E. Hutchison, that the limitations inherent in the soil, slope and availability of water, "make grazing an unreasonable agricultural practice." While LUBA found that Dennis E. Hutchison is not an agricultural expert qualified to address agricultural enterprise, he is an expert at addressing soil factors that would contribute to the conclusion that this property could not be economically grazed, based on such factors as potential forage production, bearing capacity and erosiveness of the soils. Further, he is also qualified to address development limitations on the property such as soil retention for potential water impoundment sites for water storage.
12. The Commission finds, based on the reports from Laura Gow and Dennis Hutchison, that a farmer seeking to use the subject property for a grazing operation, either seasonal or year round, would be doing so without the hope of making a "profit in money;" therefore, the subject property is not suitable for grazing as provided in OAR 660-033-0020(1)(a)(B).
13. The Commission finds that adjacent to the east of the subject property is an 82.5 acre parcel owned by Michael and Louise Sullivan. The Sullivans have owned their property for over 19 years. In a letter dated September 3, 2007, the Sullivans give a first hand account of their experience and observations with the soils and slopes citing issues such as, low forage, rocky soils and limited water availability (suitability factors outlined in OAR 660-033-0020(1)(a)(B)). The Sullivans clarify that, while Umpqua Basin Water Association does provide water service to the area, it is not an economical source for agricultural enterprises. The Sullivans conclude and the Commission agrees that due to the factors and experience outlined in the Sullivans' letter, their property cannot be grazed with the intent of making a profit in money.
14. The Sullivans' conclusions are echoed in a letter from Gordan Avery, a property owner to the west of the subject property. Like the Sullivans, Avery states that he has not been successful in farming or grazing his property.
15. The Commission finds that, even though adjacent or nearby properties with similar soils and slopes have attempted agricultural operations in the past they have run into the same agricultural limitations as the subject property.

16. The Commission understands that, in addressing two of the sub-components of the second sub-assignment of error, the Commission must base its findings on objective measurement of the property's capability (soils) for producing commercial timber for the property as a whole. Therefore, the Commission adopts the conclusions of Marc E. Setchko, Consulting Forester, who, because NRCS Site Index data is available for only one of the three major soil types that comprise the subject property, calculated the Site Index for the other two soil types using accepted Oregon Department of Forestry methodology approved by the DOF.
17. The Commission finds, that Setchko's report calculated the potential productivity for the entire parcel and made findings under different stocking levels. Setchko's report concluded that it would be impossible to establish a fully stocked (100%) stand of conifers on the property. Setchko found Douglas Fir to be the predominate (only) species of conifer on the property. Based on his calculations Douglas Fir could be expected to yield between 47.7 cf/ac/yr - 76.6 cf/ac/yr depending on the stocking level that could actually be achieved. While Setchko states that these figures were calculated using approved ODFW methodology, he calls the figures "optimistic" and "difficult, if not impossible, to establish."
18. The Commission finds, that the last component of the second sub-assignment of error requires the County to find that the property cannot produce commercial tree species. The Commission finds that Setchko provided an objective measurement of the property's capability for producing commercial timber as a whole. Setchko's methodology in determining the property's forest capability was reviewed and approved by the DOF, who stated they concurred with his conclusions. Setchko's analysis demonstrated the property will not support a merchantable stand of conifers.
19. Based upon the preceding findings, the findings contained in the Staff Report, and the testimony and evidence in the Record, The Commission concluded that the assignment of error, with its two sub-assignments of error, which are the only items for consideration in this Remand, have been addressed. The subject property is not suitable for grazing and; therefore, does not fall into the category of "other suitable land." Adjacent property with the same soils and slopes have also failed to economically farm their property. Finally, based on the Setchko Report, the property is not suitable as commercial forest land. Therefore, it has been demonstrated that the subject property constitutes neither farm nor forest land and a Nonresource Determination is justified.
20. The Commission moved to approve the VALYNN CURRIE REPRESENTING TIM FOLEY request, on remand from LUBA, for a Plan Amendment from AGG to RR5, and Zone Change from FG to 5R, based on a Nonresource Determination and a demonstration of consistency with the County's Rural Residential - 5 Acre Designation on a 76.21 acre parcel to allow development of the property at the 5R density. The motion passed 5 to 2 with Commissioners Simmons and Sandberg dissenting.

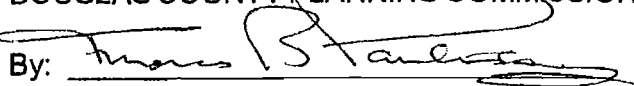
Decision/CURRIE (FOLEY)
Page 6
April 15, 2010

DECISION

Based on evidence received in the Record and the preceding Findings of Fact, we hereby APPROVE the requested Nonresource Determination, Plan Amendment from (AGG) Agriculture to (RR5) Rural Residential - 5 acre and Zone Change from (FG) Exclusive Farm Use - Grazing to (5R) Rural Residential - 5 Acre, on remand from the Land Use Board of Appeals.

Dated this 15th day of April 2010.

DOUGLAS COUNTY PLANNING COMMISSION

By: 
Chairman

DOUGLAS COUNTY PLANNING DEPARTMENT
ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSEBURG, OR 97470

DLCD
ATTN: PLAN AMENDMENT SPEC.
635 CAPITOL STREET NE SUITE 150
SALEM OR 97301-2540

