NOTICE OF ADOPTED AMENDMENT

2/1/2010

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 003-09

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: Friday, February 12, 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 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.

Cc: Jonathan Wright, Douglas County
Jon Jining, DLCD Community Services Specialist
John Renz, DLCD Regional Representative
**Notice of Adoption**

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

<table>
<thead>
<tr>
<th>Jurisdiction: Douglas County</th>
<th>Local file number: 09-062</th>
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<tbody>
<tr>
<td>Date of Adoption: 1/20/10</td>
<td>Date Mailed: 1/22/10</td>
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<tr>
<td>Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes ☒</td>
<td>No ☐ Date: 10/02/09</td>
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<tr>
<td>☐ Comprehensive Plan Text Amendment</td>
<td>☒ Comprehensive Plan Map Amendment</td>
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<tr>
<td>☐ Land Use Regulation Amendment</td>
<td>☒ Zoning Map Amendment</td>
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<td>☐ New Land Use Regulation</td>
<td>☐ Other:</td>
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Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Richard & Marcia Sumner, request for a Comprehensive Plan Amendment from (FFT) Farm Forest Transitional to (CO) Commercial and Zoning Map Amendment from (FF) Farm Forest to (CRE) Rural Commercial based on a Nonresource Determination, together with a Conditional Use Permit to re-authorize the existing development on the property, “On The River RV Park,” as a conforming use in the Rural Commercial zone, located on the entire 10.28 acre subject property.

Does the Adoption differ from proposal? No

N/A

Plan Map Changed from: FFT to: CO
Zone Map Changed from: FF to: CRE
Location: South side of Highway 99, just outside of the south east portion of the Urban Unincorporated Area (UUA) boundary of Dillard.
Acres Involved: 10.28
Specify Density: Previous: N/A New: N/A

Applicable statewide planning goals:

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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. 003-09 (17868) [15950]
DLCD file No.
Please list all affected State or Federal Agencies, Local Governments or Special Districts:


Local Contact: Jonathan Wright
Phone: (541) 440-4289 Extension: N/A
Address: Rm 106, Justice Bldg, Douglas County Courthouse Fax Number: 541-440-4289
City: Roseburg Zip: 97470 E-mail Address: jwright@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

AN ORDINANCE ADOPTING AN AMENDMENT TO THE DOUGLAS COUNTY COMPREHENSIVE PLAN MAP AND ZONING MAP FROM FARM FOREST TRANSITIONAL (FFT) TO COMMERCIAL (CO) AND (FF) FARM FOREST TO RURAL COMMERCIAL (CRE) ON A 10.28 ACRE UNIT OF LAND, BASED ON A NONRESOURCE DETERMINATION, TOGETHER WITH A CONDITIONAL USE PERMIT TO RE-AUTHORIZE THE EXISTING DEVELOPMENT ON THE PROPERTY AS A CONFORMING USE IN THE RURAL COMMERCIAL ZONE. THE SUBJECT PROPERTY IS LOCATED ON OLD HIGHWAY 99 SOUTH, SOUTHEAST OF THE DILLARD UUA, AND IS DESCRIBED AS A PORTION OF TAX LOT 100 IN SECTION 3 OF T29S, R6W, W.M., PD FILE NO. 09-062.

APPLICANTS: RICHARD & MARCIA SUMNER.

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

RECITALS

A. RICHARD & MARCIA SUMNER, request for a Comprehensive Plan Map Amendment from (FFT) Farm Forest Transitional to (CO) Commercial and Zone Change from (FF) Farm Forest to (CRE) Rural Commercial based on a Nonresource Determination, together with a Conditional Use Permit to re-authorize the existing development on the property, "On The River RV Park," as a conforming use in the Rural Commercial zone. The subject property is a 10.28 acre unit of land located on the south side of Old Highway 99 South, County Road No. 387, just southeast of the Dillard Urban Unincorporated Area (UUA) boundary, and is described as a portion of Tax Lot 100 in Section 3 of T29S, R6W, W.M., Property I.D. No. R65275 (PT). Planning Department File No. 09-062.

B. The Douglas County Planning Commission approved the request at a public hearing held on November 19, 2009, and memorialized its approval in a Findings of Fact and Decision document dated December 10, 2009.

C. The Board of Commissioners considered the matter on January 20, 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, Zone Map Amendment and Conditional Use Permit are GRANTED.

SECTION TWO: The "Findings of Fact and Order" of the Board (attached, dated January 20, 2010) and the "Findings of Fact and Decision" of the Douglas County Planning Commission (attached, dated December 10, 2009), are ADOPTED and by reference made part of this Ordinance.

DATED this 20th day of January, 2010.

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, OREGON

Chair

Commissioner

SUBJECT: ORDINANCE SUMNER, wpd
BEFORE THE BOARD OF COMMISSIONERS
OF DOUGLAS COUNTY, OREGON

Richard & Marcia Sumner, request for a Comprehensive Plan Amendment from (FFT) Farm Forest Transitional to (CO) Commercial and Zoning Map Amendment from (FF) Farm Forest to (CRE) Rural Commercial based on a Nonresource Determination, together with a Conditional Use Permit to re-authorize the existing development on the property, "By The River RV Park," as a conforming use in the Rural Commercial zone. The property is a 10.28 acre unit of land located on the south side of Old Highway 99 South, County Road No. 387, southeast of the Dillard Urban Unincorporated Area boundary, and is described as a portion of Tax Lot 100 in Section 3 of T29S, R6W, W.M., Property ID No. R55275(PT). PD No. 09-062.

INTRODUCTION & PROCEDURAL FINDINGS

1. This matter came before the Board of County Commissioners ("the Board") at a public hearing on January 20, 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 in a public hearing held on November 19, 2009, at which the Commission approved the request.

3. The Planning Commission memorialized its decision in a Findings of Fact and Decision document dated December 10, 2009. No appeals of that Decision were filed.

4. At the Board meeting on January 20, 2010, the public hearing on this matter was opened and parties were given an opportunity to speak on the Record. The Board deliberated to affirm the Planning Commission decision at the January 20, 2010 public meeting.

FINDINGS

1. Upon considering evidence and exhibits contained in 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 December 10, 2009, the Board finds that the applicable decision criteria, as established in the Staff Report dated November 12, 2009, have been adequately addressed by the applicant.

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 December 10, 2009.

3. The Board adopts the Planning Commission Findings and Decision as its own.
4. The description of the property for which the amendment has been approved is contained in the attached Exhibit A.

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 20th day of January, 2010.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, OREGON

[Signatures]
Chair

[Signatures]
Commissioner

[Signatures]
Commissioner
Exhibit A

Beginning at a Point which is the northeasterly property corner of Land Partition M102-53 as recorded in Douglas County Surveyor's Office from which the 1/4 Corner common to Section 34, Township 28 South and Section 3, Township 29 South, Range 6 West, Willamette Meridian bears North 67°31'36" West a distance of 2875.76 ft; thence South 11°04'51" East a distance of 140.86 ft to a Point; thence South 05°19'18" East a distance of 71.34 ft to a Point; thence South 01°15'38" West a distance of 311.22 ft to a Point; thence South 00°48'41" West a distance of 295.86 ft to a Point; thence North 88°54'34" West a distance of 133.94 ft to a Point; thence North 08°25'58" East a distance of 227.52 ft to a Point; thence North 00°00'00" East a distance of 125.99 ft to a Point; thence North 90°00'00" West a distance of 93.86 ft to a Point; thence South 01°33'50" East a distance of 140.55 ft to a Point; thence South 82°25'37" West a distance of 346.75 ft to a Point; thence North 77°16'19" West a distance of 528.82 ft to a Point; thence North 26°09'43" West a distance of 93.11 ft to a Point; thence North 87°09'48" East a distance of 269.55 ft to a Point; thence North 58°01'50" East a distance of 249.97 ft to a Point; thence North 29°28'59" East a distance of 175.77 ft to a Point; thence North 21°17'22" East a distance of 160.84 ft to a Point; thence North 89°58'34" East a distance of 339.33 ft to a Point; thence North 89°58'34" East a distance of 103.02 ft to the Point of Beginning; containing 10.28 acres more or less, all located in the East 1/2 of Section 3, Township 29 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.
BEFORE THE DOUGLAS COUNTY PLANNING COMMISSION

Richard & Marcia Sumner, Findings of Fact and Decision, Planning Department File No. 09-062.

This matter came on regularly for hearing before the Douglas County Planning Commission on November 19, 2009 in Room 216 of the Douglas County Courthouse.

The applicant was present at the hearing.

The Planning Commissioners present at the hearing were: William Duckett, Dave Leonard, Brian Parkinson, Rich Raynor, George Sandberg and Cindy Simmons.

The Planning Commission takes official notice of the following:


2. The records of the Planning Department of Douglas County concerning publication and mailing of notice.

PROCEDURAL FINDINGS OF FACT

1. Application for the Plan Amendment was filed with the Planning Department at least 73 days prior to the November 19, 2009 Planning Commission meeting.

2. At least 45 days prior to November 19, 2009, notice of the proposed Plan Amendment was sent to the Department of Land Conservation and Development, and notice of the Public Hearing to be held in the matter was sent by mail to the applicant, to all property owners within 500 feet of the property, to service providers and governmental agencies and to the Douglas Planning Advisory Committee (PAC).

3. Notice of the hearing was given by publication in a newspaper of general circulation in the affected area at least 20 days prior to November 19, 2009.

4. At the hearing we recognized the following parties in the matter: Richard & Marcia Sumner, applicant & titleholder; Mark Garrett, applicants' representative.

5. Staff entered Staff Exhibits 1 through 15, including the Staff Report, into the Record and stipulated to the Record.

6. We heard testimony from the applicants' representative, Mark Garrett, who stated that the applicants were satisfied and agreed with the findings of the Staff Report and the evidence in the Record; they too would stipulate to the Record.

7. We closed the public portion of the hearing and deliberated to a decision.
8. Commissioner Parkinson moved to adopt the findings of the Staff Report and approve the request; Commissioner Duckett seconded the motion. The motion passed unanimously.

DECISION

Based on evidence received, the findings above and the findings contained in the Staff Report, we hereby APPROVE the request for a Plan Amendment from Farm Forest Transitional (FFT) to Commercial (CO) and a Zone Change from Farm Forest (FF) to Rural Commercial (CRE), on a 10.28 acre parcel, based on a determination that the property is non-resource land, together with a Conditional Use Permit to re-authorize the existing development on the property, "On The River RV Park" as an RV park under the requested "Rural Commercial" zoning.

Dated this 10th day of December, 2009.

DOUGLAS COUNTY PLANNING COMMISSION

By: [Signature]
Chairman