



Oregon

Theodore R. Kulongoski, 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

01/06/2014

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

FROM: Plan Amendment Program Specialist

SUBJECT: Linn County Plan Amendment
DLCD File Number 001-13

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: Tuesday, January 21, 2014

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: Olivia Glantz, Linn County
Jon Jinings, DLCD Community Services Specialist
Ed Moore, DLCD Regional Representative
Katherine Daniels, DLCD Farm/Forest Specialist

<paa> YA



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 001-13 (20037)
[17726]
Received: 12/31/2013

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: LINN COUNTY

Local file no.: **BC13-0001**

Date of adoption: 12/31/2013 Date sent: 12/31/2013

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

- Yes: Date (use the date of last revision if a revised Form 1 was submitted): 10/10/2013
- No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No
If yes, describe how the adoption differs from the proposal:

Local contact (name and title): OLIVIA GLANTZ, ASSOICATE PLANNER

Phone: 541-967-3816 EXT. 23 E-mail: OGLANTZ@CO.LINN.OR.US

Street address: PO BOX 100, ROOM 114 City: ALBANY Zip: 97322-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from _____ to _____ . _____ acres. A goal exception was required for this change.
- Change from _____ to _____ . _____ acres. A goal exception was required for this change.
- Change from _____ to _____ . _____ acres. A goal exception was required for this change.
- Change from _____ to _____ . _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): _____ . _____

- The subject property is entirely within an urban growth boundary
- The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from EFU to F/F. Acres: 49.31

Change from to . Acres:

Change from to . Acres:

Change from to . Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: . Acres added: . Acres removed:

Location of affected property (T, R, Sec., TL and address): 13S-01W-16-300; NO ADDRESS

List affected state or federal agencies, local governments and special districts: LC Environmental Health, Assessor, GIS, Building Official, Road Department. Sweet Home Rural Fire, Oregon Dept. Forestry, Parks, Fire Marshal, ODFW and SURROUNDING land owners

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Resolution and Order 2013- & Ordinance 2013-

NOTICE OF ADOPTED CHANGE – SUBMITTAL INSTRUCTIONS

1. A Notice of Adopted Change must be received by DLCD no later than 20 days after the ordinance(s) implementing the change has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) as provided in [ORS 197.615](#) and [OAR 660-018-0040](#).

2. A Notice of Adopted Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of Adopted Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of Adopted Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 2 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here:

<http://www.oregon.gov/LCD/forms.shtml>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@state.or.us with the subject line “Notice of Adopted Amendment.”

Submittals may also be uploaded to DLCD’s FTP site at http://www.oregon.gov/LCD/Pages/papa_submittal.aspx.

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 2 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of Adopted Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

6. **Content:** An administrative rule lists required content of a submittal of an adopted change ([OAR 660-018-0040\(3\)](#)). By completing this form and including the materials listed in the checklist below, the notice will include the required contents.

Where the amendments or new land use regulations, including supplementary materials, exceed 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

7. Remember to notify persons who participated in the local proceedings and requested notice of the final decision. ([ORS 197.615](#))

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail plan.amendments@state.or.us.

Notice checklist. Include all that apply:

- Completed Form 2
- A copy of the final decision (including the signed ordinance(s)). This must include city *and* county decisions for UGB and urban reserve adoptions
- The findings and the text of the change to the comprehensive plan or land use regulation
- If a comprehensive plan map or zoning map is created or altered by the proposed change:
 - A map showing the area changed and applicable designations, and
 - Electronic files containing geospatial data showing the area changed, as specified in [OAR 660-018-0040\(5\)](#), if applicable
- Any supplemental information that may be useful to inform DLCD or members of the public of the effect of the actual change

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR LINN COUNTY

IN THE MATTER OF AN ORDINANCE)
AMENDING THE LINN COUNTY)
ZONING MAP)

ORDINANCE NO. 2013-433
(Amending Code)
(Planning and Building Department BC13-0001)

WHEREAS, The Board of County Commissioners for Linn County (Board) advertised notice that it would consider a proposed amendment to the Linn County Zoning map on December 11, 2013;

WHEREAS, At 10:00 a.m., on December 11, 2013, the Board conducted a regularly scheduled and duly advertised public hearing and considered the proposed amendment to the zoning map;

WHEREAS, The Board having read the proposed ordinance and having received and considered the oral and written public testimony presented prior to and at the hearing; and

WHEREAS, The findings in support of this ordinance are attached to Resolution and Order No. 2013-432 and entitled Exhibit 1 (BC13-0001 Decision Criteria, Findings and Conclusions); and, now, therefore, be it

Ordained by the Board of County Commissioners for Linn County, That:

Section 1. Map Amendment. Appendix 1, Zoning map, following LCC Chapter 920 [see LCC 920.010(B)] be amended to designate Tax Lot 300 on Assessor map T13S, R1W, Section 16, Linn County, Oregon, as identified in Exhibit 1, "Farm/Forest (F/F)" on the Linn County zoning map.

Section 2. Savings clause. Repeal of a code section or ordinance shall not revive a code section or ordinance in force before or at the time the repealed code section or ordinance took effect. The repeal shall not affect a punishment or penalty incurred before the repeal took effect, nor a suit, prosecution, or proceeding pending at the time of the repeal for an offense committed under the repealed code section or ordinance.

Section 3. Severability. Invalidity of a section or part of a section of this ordinance shall not affect the validity of the remaining sections or parts of sections.


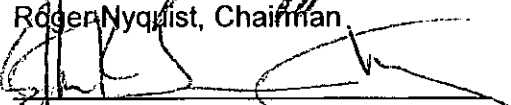
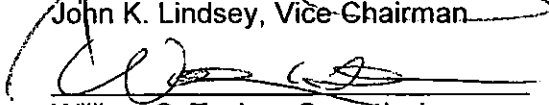
Section 4. Effective date. To protect the health, safety, and welfare of the citizens of Linn County, this ordinance shall take effect following adoption.

Section 5. Codification. Following adoption, this ordinance shall be codified pursuant to LCC Chapter 120.


Public reading held December _____, 2013.
Adopted and passed December _____, 2013.
The effective date of this Ordinance shall be December _____, 2013.

BOARD OF COUNTY COMMISSIONERS FOR LINN COUNTY

Signed December 31, 2013

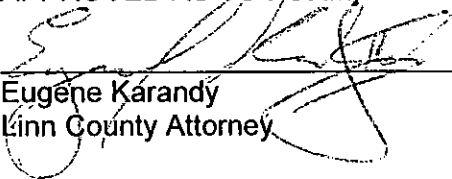
		Voting	
		For	Against
Steve Druckenmiller, Linn County Clerk Recording Secretary	 _____ Roger Nyquist, Chairman	X	_____
	 _____ John K. Lindsey, Vice-Chairman	X	_____
	 _____ William C. Tucker, Commissioner	X	_____

APPROVED AS TO CONTENT:



Robert Wheeldon
Linn County Planning and Building Director

APPROVED AS TO FORM:



Eugene Karandy
Linn County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR LINN COUNTY OREGON

IN THE MATTER OF A ZONING MAP)
AMENDMENT; APPLICATION BY)
LARRY AND BESSIE TO CHANGE THE)
ZONING MAP DESIGNATION ON)
49.31-ACRE PROPERTY)

RESOLUTION &
ORDER NO. 2013-432
Planning and Building Department
(BC12-0002)
(Findings and Conclusions)

WHEREAS, The Board of County Commissioners for Linn County (Board) conducted a duly advertised public hearing on December 11, 2013 for the purpose of considering the matter of a proposed zoning map amendment that would amend the zoning map designation on a 49.31 acre property identified as Tax Lot 300 on map T13S, R1W, Section 16;

WHEREAS, The proposed zoning map amendment had been previously considered by the Linn County Planning Commission at a duly advertised meeting on November 12, 2013 and who voted 7-0 to recommend approval to the Board;

WHEREAS, The Board, after considering all testimony and evidence submitted, reached a consensus to recommend that a modification of the proposed zoning map amendment be adopted; and

WHEREAS, The findings in support of the proposed zoning map amendment are attached hereto as Exhibit 1 (BC13-0001 Decision Criteria, Findings and Conclusion); and now therefore, be it

RESOLVED, That the Board of County Commissioners for Linn County approve the Findings and Conclusions as set forth in Exhibit 1 (BC13-0001 Decision Criteria, Findings and Conclusions); and

RESOLVED, That the Board of Commissioners for Linn County approve a zoning map amendment on a 49.31 property, as shown in Exhibit 2 (Tax Lot 300 on map T13S, R1W, Section 16); and


ORDERED, That the Linn County Zoning map be prepared by county staff for amendment to designate the 49.31 acre property, as shown in Exhibit 2, as Farm/Forest (F/F) on the zoning map.

Resolved this 31, day of December, 2013.

BOARD OF COUNTY COMMISSIONERS
FOR LINN COUNTY



Roger Nyquist, Chairman

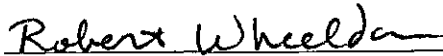


John K. Lindsey, Commissioner



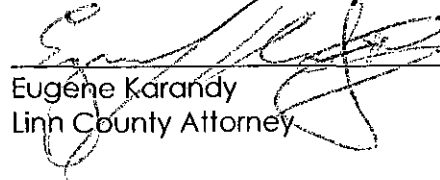
William C. Tucker, Commissioner

APPROVED AS TO CONTENT:



Robert Wheeldon
Linn County Planning and Building Director

APPROVED AS TO FORM:



Eugene Karandy
Linn County Attorney

Exhibit 1

(BC13-0001 Decision Criteria, Findings and Conclusions)

Resolution and Order No. 2013-432

Planning File BC13-0001
Larry and Bessie Johnson
Zone Map Amendment from Exclusive Farm Use to Farm/Forest
Decision Criteria, Findings and Conclusions

PROJECT SUMMARY AND ANALYSIS

The applicant is proposing to change the current Zoning Map designation from Exclusive Farm Use (EFU) to Farm/Forest (F/F). The 43.31-acre property is zoned Exclusive Farm Use. The 43.31 acre property has a Comprehensive Plan designation of Farm/Forest.

DECISION CRITERIA AND FINDINGS

The decision criteria applicable to the requested zone amendment are contained in Linn County Code (LCC) 921.822(A), 921.874(A), and 905.960. The proposed zone amendment must also be found to be consistent with the Oregon Statewide Planning Goals and implementing administrative rules.

LCC 921.822 Decision criteria for Zoning Map amendments

(A) When a Zoning Map or Land Development Code text amendment is necessary due to a proposed *Comprehensive Plan* amendment, only findings and conclusions responding to the *Comprehensive Plan* amendment criteria for decision are necessary to amend the Zoning Map or Code text provisions.

FACTS: The property has a Plan designation of Farm/Forest. The Farm/Forest (F/F) zoning designation is consistent with the Plan designation. The application does not require a Comprehensive Plan amendment; therefore this criterion is not applicable.

(B) Except as stated in subsection (A) and LCC 921.824, a Zoning Map amendment from one zoning district to another may be granted if on the basis of the application, investigation, testimony and evidence submitted, findings and conclusions show that all of the following conditions exist:

- (1) The presence of development limitations including but not limited to geologic hazards, natural hazards, water quality and quantity and septic suitability, do not significantly adversely affect development permitted in the proposed zoning district;

FACTS: The subject property is not located within an area of geological concern or a Flood hazard area. The property does not contain a well, septic system or structures.

FINDINGS: There are no conditions on the property that will significantly affect development allowed under the F/F zoning designation. There are no known geological hazards, flood hazards or water quality hazards on the property. Because the F/F zoning is aimed at protecting farm and forest uses, the topographical features, soil and natural

features of the subject property will not significantly adversely affect the land uses permitted through the zoning district.

The topographical features, soil and natural features of the property make it suitable for farm/forest zoning designation. The proposed zoning is Farm/Forest. Septic suitability, water availability, and water quality are generally not factors in determine whether the property is appropriate for Farm/Forest designation. If a dwelling is placed on the property under a conditional use permit, the conditions for such approval will require septic, water and water quality standards to apply. The proposed F/F zone will be similar to the previous zone designation (EFU) in that it continues to protect farm uses. The proposed zone change will allow farm uses on portions of the subject property including livestock grazing and farming that are similar to these adjacent properties. The additional forest designation will permit further protection of water wildlife habitat and the natural resources on the property. Thus the proposed F/F zone will be compatible with the adjacent FCM zoned and adjacent EFU properties.

The land identified for this F/F zoning area is land not held in commercial ownership so it is not suitable for FCM zoning. In fact, because of the property's relatively small size and location, it is not suitable for commercial timber holdings. Other than the large tracks to the north and the one tract to the west, the properties adjacent to the subject property are generally not held in commercial ownership. These tracts are both large enough and productive enough to allow viable commercial operations. This property does not meet the needs of commercial timber ownership.

This property size and location make it more suitable for Farm/Forest zoning. Under LLC 905.300, the mixed use Farm/Forest zone is characterized by smaller parcel sizes and more residential development. At this location, small 5-10 acre EFU parcels properties containing residential homes are dotted along Santiam Terrace Road. The subject property is smaller than most commercially held forest properties further upslope or in the general area. The subject property is more consistent with the EFU-zoned parcels located nearby. Thus, the size and location of this property is suitable for Farm/Forest zoning.

Either farm or forest uses are suitable on this property given its location and topography. LCC 905.300(E) identifies the foothills of Linn County as the primary location of Farm/Forest zoning. As already mentioned above, the subject property is situated along the foothills of Linn County. Under LCC 905.300(B), typical land uses in the Farm/Forest area include farming, livestock grazing and small scale-timber operations. The property is located in the foothills of Linn County. The aerial map of this property, submitted as Exhibit 1 (of the application), shows a mixture of timber and open space. The topography on the property shows level portions of the property near Santiam Terrace Road (at the valley floor) and steeper as the property line moves up the foothill. Other properties near the subject property lie along Santiam Terrace Road predominately employ farming and livestock grazing. Properties further away from the valley floor utilize more timber production. This property's particular dimensions make it suitable for both farming and timber production.

The subject property is not within a mapped geological concerned area nor within in an area of food hazard. The proposed zoning map amendment would not authorize additional development then what is currently "allowed outright" in the Exclusive Farm Use zoning district. Any other development would require a conditional use permit application. The Board finds that this criterion is met.

- (2) The amendment will result in a development pattern having no significant adverse impact upon transportation facilities, police and fire protection, storm drainage facilities or the provision of other regional public facilities;

FACTS: The subject property is part of an area approximately 3,500 acres zoned Exclusive Farm Use (EFU). The property abuts an area approximately 730 acres of properties zoned Forest Conservation Management (FCM). The property is located within the Sweet Home Rural Fire District, is protected by the Linn County Sheriffs and abuts Santiam Terrace Road which is identified as a "local road" in the Linn County road network.

FINDINGS: The zone change will not result in development pattern having a significant adverse impact on public facilities than previously allowed in the EFU zone. Enclosed at Exhibit 2, [of application] is a letter from the Sweet Home Rural Fire & Ambulance District indicating that the zone change will not have a significant adverse impact upon fire protection facilities. A copy of the application was sent from the Linn County Sheriff's Department. No objection has been received from the Sheriff's Department. There are no public sanitary facilities or storm drainage facilities nearby to be impacted. Santiam Terrace Road is the only transportation facility in the area. That roadway has sufficient capacity through the planning horizon. Further, the zoning change from EFU to F/F will not result in any more intense traffic use on the property than previously allowed. The zone change will not have a significant adverse impact upon the transportation facilities because the zone change will not result in any more intense traffic uses than previously allowed.

The Linn County Planning Commission and Linn County Board of Commissioners as part of the Acknowledgment process with the State of Oregon zoned the subject property Exclusive Farm Use (EFU). Based on historical aerial photos, the property appears to have been primarily in farm use. The property currently is wooded and would be consistent with the Farm/Forest zoning district. The Board finds that this criterion has been met.

- (3) The amendment will result in a development pattern compatible with uses on nearby lands and will have no significant adverse impact on the overall land use pattern in the area;

FACTS: The subject property is part of an area approximately 3,500 acres zoned Exclusive Farm Use (EFU). The property abuts an area approximately 730 acres of properties zoned Forest Conservation Management (FCM).

FINDINGS: The proposed zoning is Farm/Forest. The proposed F/F zone will be similar to the previous zone designation (EFU) in that it continues to protect farm uses. The proposed zone change will allow farm uses on portions of the subject property including livestock grazing and farming that are similar to these adjacent properties. The additional forest designation will permit further protection of, water, wildlife habitat and the natural resources on the property. Thus the proposed F/F zone will be compatible with the adjacent FCM zoned and adjacent EFU properties.

Either farm or forest uses are suitable on this property given its location and topography. LCC 905.300(E) identifies the foothills of Linn County as the primary location of Farm/Forest zoning. As already mentioned above, the subject property is situated along the foothills of Linn County. Under LCC 905.300(B), typical land uses in the Farm/Forest area include farming, livestock grazing and small-scale timber operations. The property is located in the foothills of Linn County. The aerial map of this property, submitted as Exhibit 1 [of



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

Robert Wheeldon, Director

Room 114, Linn County Courthouse
PO Box 100, Albany, Oregon 97321
Phone 541-967-3816, Fax 541-926-2060
www.co.linn.or.us

NOTICE OF ADOPTION

RESOLUTION NO: 2013-432
ORDINANCE NO. 2013-433
PLANNING FILE NO: BC13-0001
APPLICANT Larry and Bessie Johnson

PROPOSAL

BC13-0001; an application by Larry and Bessie Johnson for a *Zoning* map amendment on a 49.31-acre property identified as Tax Lot 300 on map T13S, R1W, Section 16, amend the zoning map designation from Exclusive Farm Use (EFU) to Farm/Forest (F/F). The property is located north of Santiam Terrace Road, about one mile north of the intersection Mountain Home Drive and Santiam Terrace Road, and about five miles south of Lebanon.

Board Action: Resolution and Order No. 2013-432

The Linn County Board Of Commissioners approved *Resolution and Order No. 2013-432* to: (1) Approve the Findings and Conclusions supporting the Board decision; (2) Order that the Linn County Zoning Map be prepared by county staff for amendment to designate the subject property as Farm/Forest.

Board Action: Ordinance No. 2010-140

The Linn County Board Of Commissioners approved *Ordinance No. 2013-433* to: (1) Amend the Linn County Zoning Map be amended to designate the subject property as Farm/Forest.

If you wish to appeal this decision, an appeal must be filed with the Land Use Board of Appeals (LUBA) within 21 days from the date this notice is mailed.

Appeals to LUBA must be filed in accordance with ORS 197.830. If you have any questions about this process, you should contact LUBA in Salem.

Resolution/Order No. 2013-432 and Ordinance No. 2013-433 may be reviewed at the office of the Linn County Clerk, Room 205, Linn County Courthouse; that office is open from 8:30 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. A copy of the ordinance is available in the office of the Linn County Clerk. A fee to cover copying costs will be charged.

Robert Wheeldon
Director

Date

c: Linn County Assessors, Linn County GIS, Linn County Road Department, Larry and Bessie Johnson, Joel Kalberer, Oregon Department of Land Conservation and Development

application], shows a mixture of timber and open space. The topography on the property shows level portions of the property near Santiam Terrace Road (at the valley floor) and steeper as the property lines moves up the foothill. Other properties near the subject property that lie along Santiam Terrace Road predominately employ farming and livestock grazing. Properties further away from the valley floor utilize more timber production. This property's particular dimensions make it suitable for both farming and timber production. The Board finds that this criterion has been met.

(4) The amendment is consistent with the intent and purpose statement of the proposed zoning district;

FACTS: According to LCC 928.600 "The purpose of the Farm/Forest (F/F) zoning district is:

- (A) to preserve land suitable for agricultural and forest uses;
- (B) to allow the establishment of uses consistent with the predominate use of land for agricultural and forest use;
- (C) to allow for public and private outdoor recreational uses; and
- (D) to provide for the protection of open space, fish and wildlife habitat, watersheds, scenic resources, air, water and land resources quality and to permit the location of dwelling when applicable criteria are met."

FINDINGS: The applicant states the criteria is addressed above under LCC 921.822(B)(3). The statement of purpose in the EFU zoning district (LCC928.300) is similar to the purpose stated above for the Farm/Forest zoning district. The property is currently in a resource use. The Board finds that this criterion has been met.

(5) The amendment is consistent with the existing *Comprehensive Plan* map designation;

FACTS: The subject property currently has a *Comprehensive Plan* map designation of Farm/Forest. The Farm/Forest zoning designation is consistent with the Farm/Forest *Comprehensive Plan* designation, therefore this criterion is satisfied.

(6) The amendment will not have a significant adverse impact on a sensitive fish or wildlife habitat; and

FACTS: The property is Peripheral big game habitat area. The property does not contain a sensitive fish habitat stream and does not have any wetlands.

FINDINGS: The land uses allowed will not significantly impact fish or wildlife habitat. There is no sensitive fish or sensitive wildlife habitat on the property. The land uses allowed by rezoning do not allow much development of the property. Most land uses under F/F zone are aimed at protecting forest uses and protecting fish and wildlife habitat. Other than outright permitted uses, conditional uses on the property are not allowed if they significantly impact sensitive fish and wildlife habitat. The state purpose of the F/F zone under LCC 928.320(B) is to ensure protection of fish and wildlife habitat within farm and forested areas. The rezoning of F/F will help ensure such protect and avoid any adverse impact to these resources.

The subject property is within an identified peripheral big game wildlife habitat. (Exhibit C) The Linn County Development Code has standards for dwelling. (LCC 934.565) The Board finds that this criterion has been met.

(7) The amendment, if within an adopted urban growth boundary, is consistent with the *Comprehensive Plan* and implementing ordinances of the affected city.

FINDINGS: The property is not within an urban growth boundary; therefore this criterion is not applicable.

CONCLUSION

Based on the analysis of the decision criteria, facts and findings identified above, the Board finds there is sufficient evidence to conclude the proposed zone amendment satisfies the applicable decision criteria.

Amend Zoning Map of
Subject Property from EFU to F/F

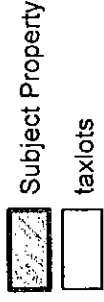
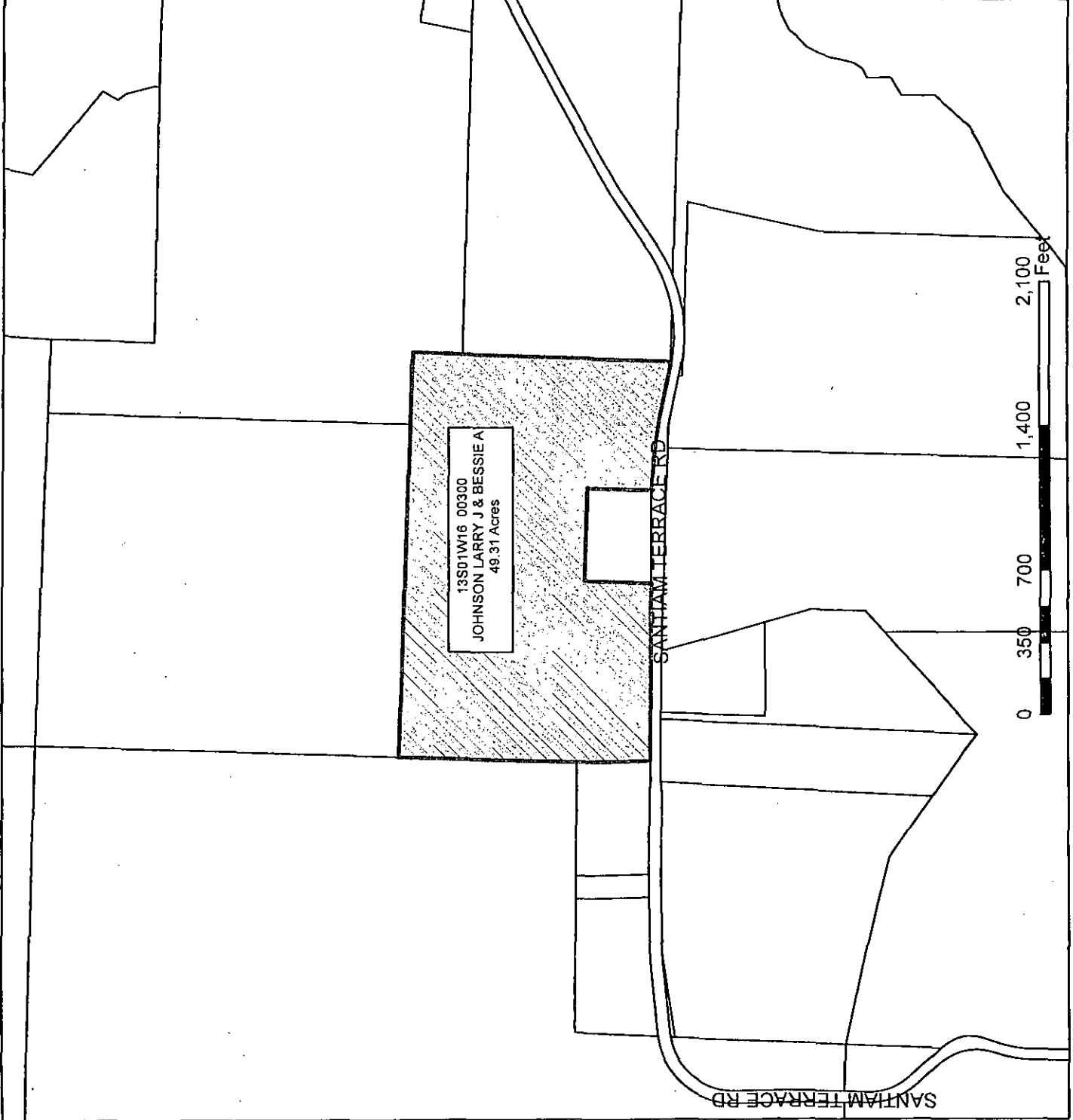


EXHIBIT 2

BC13-0001
13S01W16 00300
JOHNSON LARRY J & BESSIE A
49.31 acres



1 inch = 700 feet

Linn County Planning & Building Department

EXHIBIT 2