

The "public interest" must be considered, as such, but for the purposes of this decision it will be assumed that any of the proposed uses allowed in LC 16.292 will not have an adverse impact on surrounding uses and it will not be contrary to the public interest.

#### **IV. CONCLUSIONS**

1. This application has shown by a preponderance of evidence that the standards and criteria applicable for re-designating an irrevocably committed exception to Goal Three and Goal Four adopted by Lane County and acknowledged by DLCD in 1990, from an 8.7-acre site to a 7.0-acre site on the subject property, tax lot 300 of Assessors Map TRS 19-11-17, have been met;
2. This application has shown by a preponderance of evidence that the standards and criteria applicable for approval of amendments of Official Plan and Official Zoning Map Plot #150 designations for a 8.7-acre site on tax lot 300 of Assessors Map TRS 18-06-09, from Rural Industrial (RI) to Impacted Forest Land (F2), have been met; and
3. This application has shown by a preponderance of evidence that the standards and criteria applicable for approval of amendments of Official Plan and Official Zoning Map Plot #150 designations for a 7.0-acre site on tax lot 300 of Assessors Map TRS 18-06-09, from Impacted Forest Land (F2) to Rural Industrial (RI), have been met;

#### **V. RECOMMENDATIONS**

1. Approval of PRZC Control No. 13 of Ordinance PA 1203, for re-designating an irrevocably committed exception to Goal Three and Goal Four adopted by Lane County and acknowledged by DLCD in 1990, from an 8.7-acre site to a 7.0-acre site on the subject property, tax lot 300 of Assessors Map TRS 19-11-17;
2. Approval of PRZC Control No. 13 of Ordinance PA 1203, for amendment of Official Plan and Official Zoning Map Plot #150 designation for a 8.7-acre site on tax lot 300 of Assessors Map TRS 18-06-09, from Rural Industrial (RI) to Impacted Forest Land (F2); and
3. Approval of PRZC Control No. 13 of Ordinance PA 1203, for amendment of Official Plan and Official Zoning Map Plot #150 designation for a 7.0-acre site on tax lot 300 of Assessors Map TRS 18-06-09, from Impacted Forest Land (F2) to Rural Industrial (RI).

#### **VII. EXHIBITS**

- A. Plan Map Plot No. 150-1 with one proposed zone change depicted.
- B. Zoning Map Plot No. 150-1 with one proposed zone change depicted.
- C. Site Photographs: TRS 18-06-09, tax lot 300.
- D. Assessor's Map: TRS 18-06-09.
- E. Aerial Photograph: WAC 18-096-09 (June 1987).
- F. Composite: Zoning Map Plots #143 and 150.

FOR ASSESSMENT  
AND TAXATION  
ONLY

SECTION 9 T.18S. R.6W.W.M.

LANE COUNTY

SCALE 1" = 400'

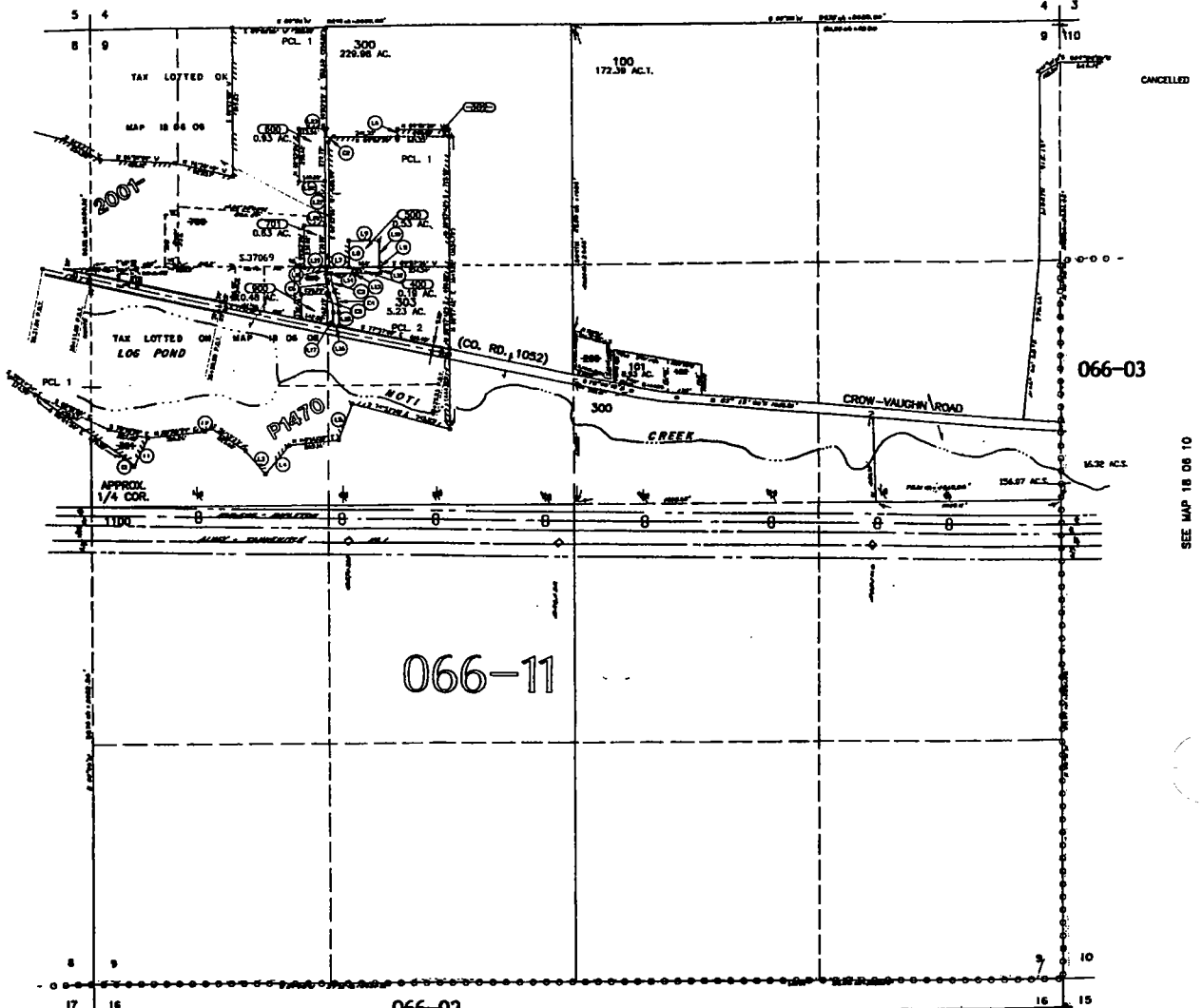
18 06 09

DATE	REVISION	APPROVED

SEE MAP 18 06 04

SEE MAP 18 06 08

SEE MAP 18 06 10



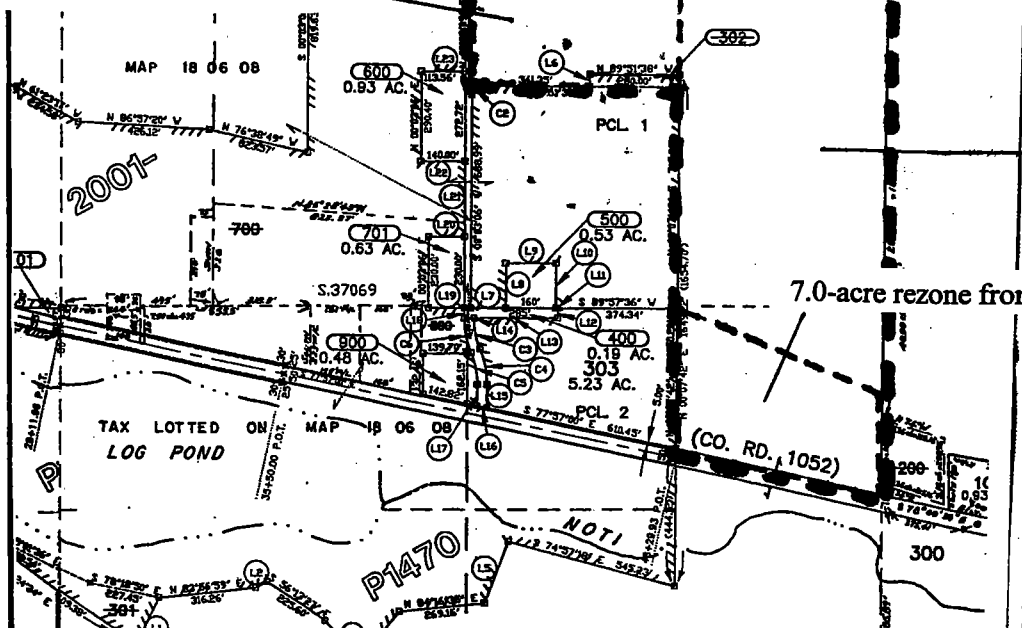
Insert

8.7-acre rezone from RI to F2

18 06 09

Tax lot 300

7.0-acre rezone from F2 to RI





F. Composite: Zoning Map Plots #143 and #150.

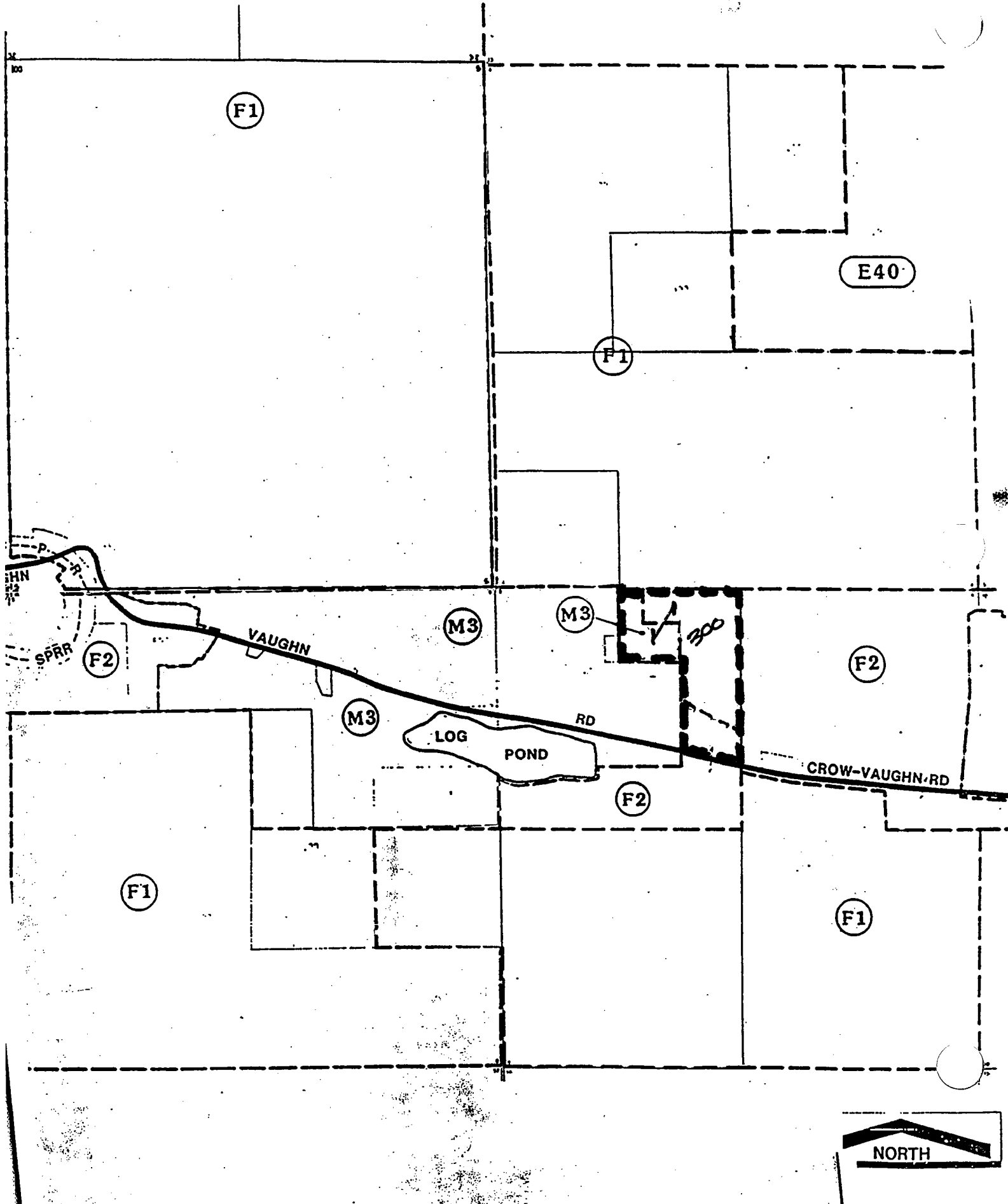


Exhibit No. C-14

PRZC Control No. 14

**Lane County -/- Siuslaw Watershed Periodic Review Legislative Rezoning Project**

**Developed & Committed Exception Area No. 155-1**

**Plan Amendments and Zone Changes for:  
Tax Lot 403 of Assessor's Map TRS 17-06-03**

<b>Tax lot</b>	<b>Acreage</b>	<b>From</b>	<b>To</b>
<b>403</b>	<b>1.52</b>	<b>Rural Residential (RR5)</b>	<b>Rural Public Facility (RPF)</b>

**Lane County -/- Siuslaw Watershed Periodic Review Legislative Rezoning Project****Developed & Committed Exception Area No. 155-1****Plan Amendments and Zone Changes for:  
Tax lot 403 of Assessor's Map TRS 17-06-03**

<b>Tax lot</b>	<b>Acreage</b>	<b>From</b>	<b>To</b>
<b>403</b>	<b>1.52</b>	<b>Rural Residential (RR5)</b>	<b>Rural Public Facility (RPF)</b>

**Statement of Criteria**

OAR 660-04-018(2) - *Planning & Zoning for Exception Areas*  
OAR 660-22-030(6)-(8) - *Planning and Zoning of Unincorporated Communities*  
Lane County Rural Comprehensive Plan Policies  
Lane Code 16.003 & 16.004 - *Purpose and Scope and Compliance*  
Lane Code 16.294 - *Rural Public Facility Zone*  
Lane Code 16.290 - *Rural Residential Zone*  
Lane Code 16.252(2), (5) - *Procedures for Zoning, Rezoning and Amendments to Requirements*

**I. FINDINGS OF FACT**

1. The property subject to this application, hereinafter referred to as the "subject property," is located south of Butler Road, 1,300 feet east of the intersection of Butler Road and County Road No. 619, and within the Developed & Committed Exception Area No. 155-1. The subject property can be identified as tax lot 403 of Assessor's map TRS 17-06-03, with a rural address of 23700 Butler Road, Elmira, OR 97412, 1.52 acres in size. The subject property is 60 feet wide and extends from Butler road south to the County Road.
2. The subject property is developed with a 28'x48' fire station constructed in 1978 per building permit LC 1125-78, occupied per Certificate of Occupancy issued September 8, 1978, and operated by Lane County Fire District #1.
3. The subject property is currently zoned for Rural Residential use (RR5/RCP).
4. The properties to the north across Butler Road right-of-way and to the east are zoned Nonimpacted Forest Land (F1)) and the properties to the south and west are zoned Rural Residential (RR5)
5. The request for the change of zone is to correct an error pursuant to RCP General Plan Policy 27 "Errors and Omission" and bring the property and public use into conformity with the Rural Comprehensive Plan and Lane Code 16.294 Rural Public Facility Zone.

Both fire station uses and caretaker quarters/dwelling are consistent with the Rural Public Facility (RPF) zone as provided for in: Lane Code 16.294(3)(o):

Lane Code 16.294(3)(o): *Governmental services, such as: post office, fire station and sheriff or police station. Such uses must be located inside an unincorporated community. The fire station has lawfully occupied the subject property for twenty-four years prior to the restriction on siting inside an unincorporated community; and*

Lane Code 16.294(3)(v): *A single family dwelling for a caretaker that meets the following requirements: (Refer to the code for criteria).*

The use complies with the *Purpose* statement of LC 16.294(1)(b) *Purpose: The purposes of the Rural Public Facility Zone (RPF, RCP) are (b) To provide land for public and semipublic uses and development that serve residents and people traveling through the area and that are by nature intensive or unusual use not normally associated with other zones.*

The change of zone would allow the applicant to continue with the public use and expand the facilities.

6. There is no record of any historical compatibility issues occurring between the existing fire station on the subject property and its neighbors since the station was established in 1978. Nor is there any record of complaints from any surrounding property owners concerning the operation of the fire station regarding compatibility issues or conflicts.
8. The subject properties do not lie within an area identified as a "water quantity limited" area in Lane Manual 13.010.
9. The subject properties receives the following public services: Fern Ridge School District 28J(schools); Emerald People's Utility District (electrical power); Lane County Fire District #1 (fire and ambulance); US Qwest (telephone); Lane County Sheriffs Department and Oregon State Police. The property has access to the Lane Receiving Station and franchised haulers for garbage service.
10. There is no apparent wetland on the subject properties, per NWI map Elmira 3.

## **II. Justification for the Recommendation (See Conclusion and Recommendation, below)**

### **Statewide Planning Goals**

The subject property is within an area subject to the Lane County Rural Comprehensive Plan. This Plan has been acknowledged by the Land Conservation and Development Commission in a series of acknowledgment orders. Acknowledgment indicates that the Plan is generally in compliance with the applicable standards of the statewide planning goals, and that appropriate exceptions have been approved for any matters of noncompliance. *Byrd v. Stringer*, 295 Or. 311, 666 P.2d 1332 (1983). Accordingly, the state statutes, the standards of the Plan, and the Lane Code provisions implementing the Plan, are relevant to this application. The statewide planning goals themselves do not apply to land use decisions in an area subject to an acknowledged Comprehensive Plan.

In implementing Part II of statewide planning Goal 2, Oregon Administrative Rule 660-04-018(2)(c) establishes requirements for zone changes in developed and committed exception areas:

*"Changes to plan or zone designations are allowed consistently with subsections (a) or (b) of this section, or where the uses or zones are identified and authorized by specific related policies contained in the acknowledged plan."*

Subsection (a) of OAR 660-04-018(2), the relevant requirement for changes in land use, density and public facilities for "physically developed" and "irrevocably committed" exception areas, allows zone changes for:

*(a) Uses which are the same as the existing types of land use on the exception site; or*

The zone change requested by this application is intended to recognize an existing public service and allowable use on the subject property. The fire station has provided protection for the surrounding area since 1978.

*(b) Which meet the following requirements:*

*(A) The rural uses, density, and public facilities and services maintain the land as "Rural Land" as defined by the goals and are consistent with all other applicable Goal requirements; and*

The Statewide Planning Goals define "Rural Land" as land located outside of an urban growth boundary that has no or hardly any public services and is not necessary or intended for urban use.

The subject property is located approximately six miles from the urban growth boundary of the City of Veneta. The property receives a rural level of police and provides fire protection.

*(B) The rural uses, density, and public facilities and services will not commit adjacent or nearby resource land to nonresource uses as defined in OAR 660-004-0028; and*

There are no (EFU) agricultural lands located adjacent to the subject property and none within the adjacent Zoning Plots or contiguous sections. The lands to the east and north are designated Nonimpacted Forest Land (F1). The management of the adjacent forest lands has been compatible with the fire protection services provided by the facilities on the subject property since 1978.

*(C) The rural uses, density, and public facilities and services are compatible with adjacent or nearby resource uses.*

The proposed designation of Rural Public Facility is for a facility that has been compatible with the management of the adjacent resource lands and protection of residential lands in the area since 1978.

This proposed zoning change, as it can be restricted to the use that exists, is in accord with the requirements of state law.

### **Plan Conformity**

The subject property is located in a "developed and committed" area of Lane County. It is proposed to be designated Rural Public Facility by the Lane County Rural Comprehensive Plan and zoned Rural Public Facility (RPF). The policies of the Rural Comprehensive Plan applicable to this request are as follows:



**A. Land Use Planning Policy #11(e). A Public Facility designation shall be applied to publicly owned grounds and facilities (i.e. schools, etc).**

This application requests this policy to be implemented on the subject property.

**1. The proposed use will not adversely affect the livability or appropriate development of the surrounding area;**

The livability of the surrounding area has not been defined, at least not directly. Therefore, for purposes of this analysis, the Planning Commission and Board of Commissioners may equate "livability" with the current level of impacts and services either suffered or enjoyed by the Community. An "adverse" impact on this standard would therefore mean to increase the negative impacts, such as traffic and noise, and to lessen or make more expensive the same range and scope of public services.

The livability in the area surrounding the subject property is defined, in part, by the fire protection service provided on the subject property for the past 26 years. The continuation of the use on the property would provide services that are intended for the benefit of the citizens in the area. The existing service has been serving residents in the vicinity since 1978.

There is no evidence in the record for one to conclude that the current or continued use has or will significantly affect surrounding properties in any adverse way. In support of this assumption is the lack of recorded complaints regarding compatibility issues concerning the site and established uses.

While the impacts from the fire station appear to be consistent with the livability and appropriate development of the surrounding area and the community-at-large, other uses permitted outright within the Rural Public Facility Zone (i.e. sewage disposal plant, solid waste disposal, etc) may not be. The applicant has not done a compatibility analysis of these uses. Therefore, the rezoning request can be approved but the establishment of any other public facility use on the subject property shall require Planning Director approval of a special use permit under the provisions of LC 16.294(3), and the site review criteria of Lane Code 16.294(4) shall apply.

The subject property is located directly north and east of a cluster of Rural Residential RR5 parcels. The residences are served by Butler Road, County Road #691 and Sheffler Road to the southwest. The site provides quick response capability for fire service to the surrounding resource and nonresource lands.

**B. Water Resources Policies #3 and #5:**

These policies state that the adequacy of groundwater supply is a major issue in planning actions and that land use designations shall be commensurate with groundwater aquifer capacities. The proposed rezoning will not change the type or intensity of the existing use of the subject property, which currently receives domestic water from an onsite well.

**C. Public Facilities and Services Policy #6.f:**

The appropriate public service levels established by this policy are enumerated in Public Facilities and Services Policy #6.f: schools, on-site or community sewage disposal, individual

or community water supply system, electrical service, telephone service, a rural level of fire and police protection, and reasonable access to a solid waste disposal facility. These services are all available to the subject property.

- D. Agricultural Lands, Policy # 8: “Provide maximum protection to agricultural activities by minimizing activities, particularly residential, which conflict with such use. Whenever possible planning goals, policies and regulations should be interpreted in favor of agricultural activities.”**

There are no agricultural zoned properties (EFU) within one mile of the subject properties.

- E. Flora and Fauna, Policies 1 and 10 “Implement construction, development and other land use activities which significantly alter natural systems only after evaluation of effects on wildlife habits and natural areas.” “Lands with an acknowledged exception as built upon or committed will be treated as Impacted Big Game Range, as identified in the 1982 Lane County Working Paper on Flora and Fauna and as revised and updated in 1983.”**

Significant, specific species wildlife habitat and other natural areas have not been identified on the subject property. The proposed rezoning will not change the existing use of the subject property and therefore will not pose a risk of significantly altering the natural system in the area. The proposed rezoning is in compliance with these Plan Policies.

### **Zone Conformity**

Lane Code 16.252(2) requires that a rezoning be consistent with the general purposes of Chapter 16, as set forth in Lane Code 16.003, not be contrary to the public interest, and be consistent with the purposes of the proposed zoning classifications and the Lane County Rural Comprehensive Plan elements. Conformity with the Rural Comprehensive Plan has already been discussed.

- A. Lane Code 16.003.** Lane Code 16.003 describes 14 purposes for Chapter 16. The purposes relevant to this application are as follows:

- (1) Ensure that development of property within the County is commensurate with the character and physical limitation of the land and, in general, to promote and protect the public health, safety, convenience, and welfare.**

The subject property is small and near to the intersection of three County roads (Butler, Sheffler, and No. 691). The existing fire station has served the needs of citizens in the surrounding rural area since 1978 and complies with the general “purpose” of promoting and protecting public health, safety, convenience and welfare.

- (2) Protect and diversify the economy of Lane County.**

The proposed use addresses the need for fire protection for the rural Lane County.

- (4) Conserve farm and forest lands for the production of crops, livestock and timber products.**

The subject property is located within Exception Area #155-1 and is currently zoned Rural Residential (RR5). The subject property, tax lot 403, 1.52 acres in size, is

already developed with a fire station, septic system and well, and it is too impacted for the production of resource products.

**(7) Provide for the orderly and efficient transition from rural to urban land use.**

The proposed change occurs in an exception area and adjacent to rural properties already developed with residential uses. The existing uses are rural uses that utilize a rural level of services.

**(11) Protect life and property in areas subject to floods, landslides and other natural disasters and hazards.**

Development on the subject property is a benefit to the public health, safety convenience and welfare, and provides a public service.

No natural hazards have been identified.

**B. Not Contrary to the Public Interest**

The “public interest” has not been defined, as such, but for the purposes of this decision it will be assumed that if the proposed use will not have an adverse impact on surrounding uses then it will not be contrary to the public interest. Additionally, the longevity of the existing use under the applicant’s ownership strongly suggests that there is a need for fire protection services in this area.

**C. Lane Code 16.294**

Lane Code 16.294(1) notes that the purpose of the Rural Public Facility Zone is to provide services needed by rural residents and to provide services and facilities for tourists and travelers. The operation of the fire station on the subject property is consistent with these two purposes.

**D. Lane Code 16.004(4)**

Lane Code 16.004(4) requires, among other things, that an application to rezone land which creates the potential for additional parcelization or water demands demonstrate the adequacy of a long-term water supply, as described in Lane Code 13.050(13)(a)-(d). The subject property is not located in an area identified as being water quantity limited and pumping records suggest that availability of water from the applicant’s wells is not a concern. The subject property is less than two acres in size and any future partitioning is unlikely and would by necessity have to comply with the carrying capacities of soils and groundwater for subsurface waste disposal system requirements. Any intensification of uses or introduction of a new use on the subject property would require compliance with Lane Code 16.294(4)(i) *The proposed use and development shall not exceed the carrying capacity of the soil or of the existing water supply resources and sewer service.*

**III. Conclusion**

The application has shown by a preponderance of evidence that the criteria and standards applicable to this rezoning request have been met.

**IV. Recommendation**

That the Lane County Fire District #1 application (PRZC Control No. 14 or Ordinance PA 1203) for the rezoning of tax lot 403, Assessors Map 17-06-03, from Rural Residential (RR5) to Rural Public Facility (RPF), be approved.

**V. Exhibits**

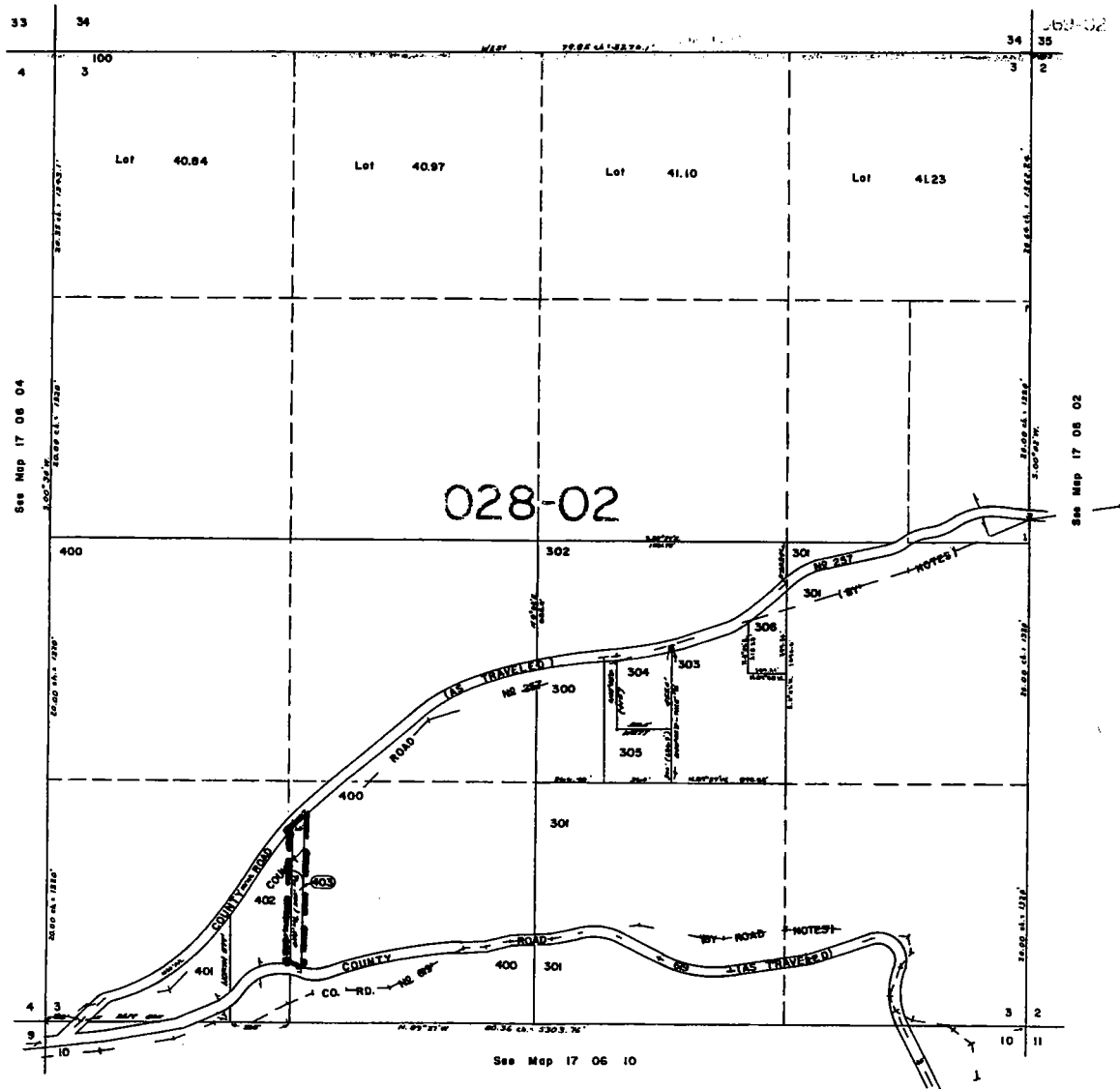
- A. Plan Map, Plot # 155-1 with proposed amendment
- B. Zoning Map, Plot # 155-1 with proposed amendment
- C. Assessor's Map 17-06-03
- D. LC 1125-78 permit
- E. Statutory Warranty Deed: Reel 815R, Instrument # 7651695

Sec. 3 T.17 S. R.6W. W.M.  
LANE COUNTY  
1"=400'

17 06 03

C. Assessor's Map 17-06-03

See Map 16 08 34



1125-78

TRS, TL \_\_\_\_\_ JOB LOCATION \_\_\_\_\_

LANE COUNTY PERMIT

Acreage or Lot Size \_\_\_\_\_ Partitioning # \_\_\_\_\_ ( ) Completed Subdivision \_\_\_\_\_  
Contractor's O.S. # \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

APPLICANT'S NAME AND ADDRESS \_\_\_\_\_  
\_\_\_\_\_

pick up. Call \_\_\_\_\_ (owner, etc.) when ready.  
Phone \_\_\_\_\_  
Phone \_\_\_\_\_  
Phone \_\_\_\_\_

PLANNING DIVISION:

FILE No. SR 78-190 B.P.# 1125-78

DATE FINAL: 5-27-78

TRS 17-06-03 TL 403

APPLICANT LEE BUILT CONSTRUCTION CO.

OWNER ELMIRA - NOT A FIRE DIST.

NOTIFY PHILL FINLEY WHEN PLANNING ACTION IS COMPLETED.

PROVIDE A COPY OF THE FRONT PAGE OF THE DECISION,

# BEDROOMS \_\_\_\_\_ # PLUMBING CONNECTIONS \_\_\_\_\_  
WAGE DISPOSAL \_\_\_\_\_ S.I. # \_\_\_\_\_

PLUMBING BY \_\_\_\_\_

at I have the following legal interest in the property: \_\_\_\_\_ owner of record;  
I further certify that (if not the owner) I am authorized to act for the owner of  
the property to comply with all applicable Codes relating to this permit.

DEPT. \_\_\_\_\_ ( ) SPECIAL PMT. AREA. MIN. ELEVATION: \_\_\_\_\_  
BUILDING \_\_\_\_\_

Type of Construction \_\_\_\_\_ Group \_\_\_\_\_ Fire Zone \_\_\_\_\_  
Use Classification \_\_\_\_\_

Comments: \_\_\_\_\_

D. LC 1125-78 permit

CONSTRUCTION PERMITS & INSPECTION DIVISION X-4301

By: PHILL FINLEY Date: 5/26/78  
PLANNING REQUIREMENTS SATISFIED. By: PHILL FINLEY Date Issued: 5/26/78  
ZONE: FRONT SETBACKS: FRONT SIDE FACING STREET (FROM C/L) INT. SIDE YARD REAR (FROM P/L)

LANE COUNTY DEPARTMENT OF ENVIRONMENTAL MANAGEMENT 5 EAST 8TH AVE., EUGENE, OREGON 97401 PHONE 7-4394

POST THIS PERMIT ON \_\_\_\_\_ BUILDING AT SITE

17-06-03 TL #403

23704 MILLER RD

JOB LOCATION

PLANNING ACTION

ATTACHED DEED

Agreave or Lot Size 1.31 acres  
Contractor's O.S. # #6257

LANE COUNTY PERMIT

Partitioning # NA ( ) Completed Subdivision NA

Lot Block

APPLICANT'S NAME AND ADDRESS LEE BUILT CONSTRUCTION CO P.O. BOX 2369 EUGENE OREGON 688-2042  
OWNER'S NAME AND ADDRESS TIMIRA NOTI FIRE DISTRICT EUGENE OREGON 935-1129  
CONTRACTOR'S NAME AND ADDRESS SAME AS APPLICANT  
Mail permit to (x) Applicant ( ) Owner ( ) Contractor. ( ) Prefer to pick up. Call (owner, etc.) when ready.

STRUCTURES NOW ON THE PROPERTY

THIS PERMIT IS FOR PERMIT TO CONSTRUCT TWO FIRE EXTINGUISHERS

# BEDROOMS NA # PLUMBING CONNECTIONS NA

WATER SUPPLY NONE SEWAGE DISPOSAL NONE S.I. # NA

THIS PROPERTY IS WITHIN ONE MILE OF THE CITY OF NA PLUMBING BY

I hereby certify that the above statements are true and accurate, and that I have the following legal interest in the property: owner of record; contract purchaser; potential buyer; (XX) realtor or agent. I further certify that (if not the owner) I am authorized to act for the owner of record, and that said owner is aware and approves of this action. I hereby agree to comply with all applicable Codes relating to this permit.

Fee Paid \$ 152.00 Signature Donald J. Miller Date 4/21/78

NEW ADDRESS ( ) FACILITY PERMIT TO TRANSPORTATION DEPT. ( ) SPECIAL PMT. AREA. MIN. ELEVATION: NA

SANITATION

Minimum Septic Tank Capacity (Gallons) 500  
Drainfield Required - Lineal Feet 131  
Maximum Depth 3

BUILDING

500 Type of Construction 131 Group 3 Fire Zone  
PARKING CAR Use Classification

Comments: CONCRETE INSPECTION REQUIRED.

Comments:

No plumbing in building.

By: John Chickbank Date: 5/26/78

By: PHIL FINLEY Date: 5/16/78

PLANNING REQUIREMENTS SATISFIED. BY: DATE: 4/21/78

Date Issued: 6-2-78

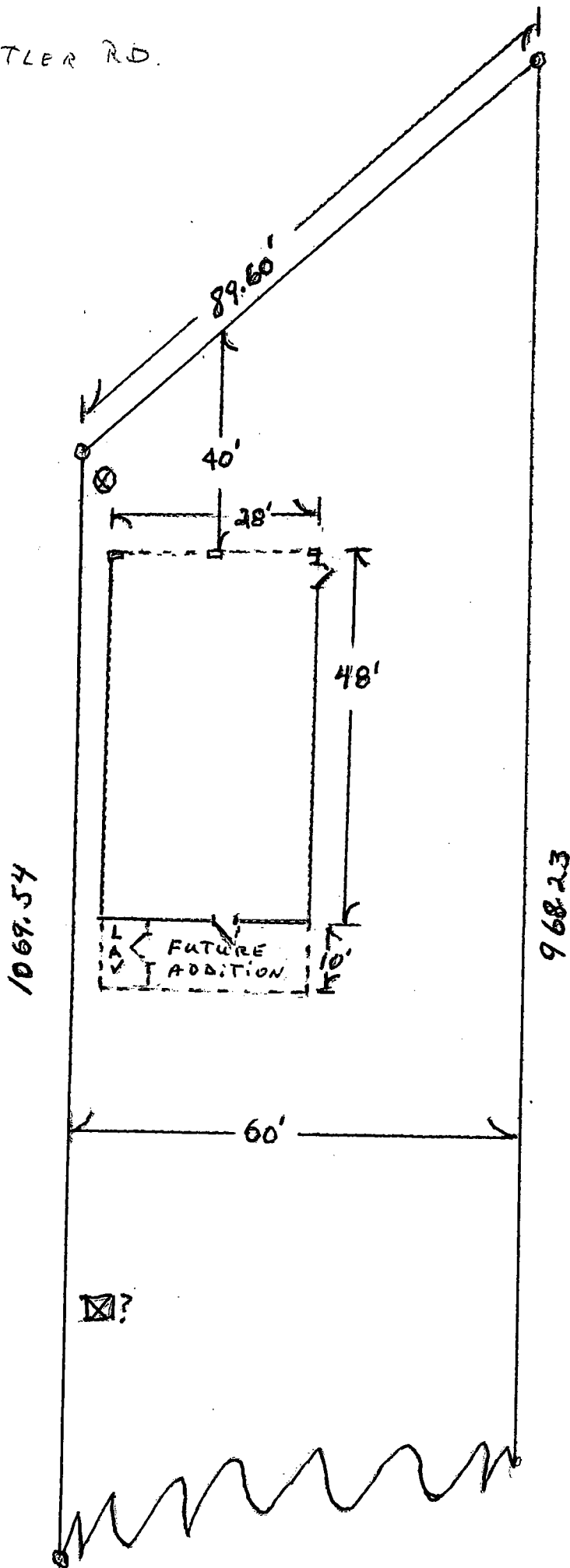
ZONE 20 SETBACKS: FRONT 50 SIDE FACING STREET (FROM C/L) INT. SIDE YARD 5 REAR 20 (FROM P/L)

LANE COUNTY DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, 125 EAST 8TH AVE., EUGENE, OREGON 97401 PHONE: 687-4394

POST THIS PERMIT ON MAIN BUILDING AT SITE

BLDG. PERMIT - WHITE; BUILDING - GREEN; PLUMBING - CANARY; SANITATION - GOLDENROD; OFFICE COPY - WHITE

23700 BUTLER RD.



5" = 100'  
1.3 ACRES  
⊗ - well

23700 Butler Rd  
1.3 acres  
5" = 100'  
⊗ well  
⊗ Septic Tank



6.00  
7651695

Sep 27, 19

E. Statutory Warranty Deed

17-06-03

23700 Butler Rd.

STATUTORY WARRANTY DEED

I, WILMER E. RIENSCH, herein referred to as Grantor, convey and warrant to ELMIRA-NOTI RURAL FIRE PROTECTION DISTRICT, Grantee, the following described real property, for so long as said property is used for a fire station. When said property is no longer so used, the interest of the grantee, its heirs or assigns shall automatically terminate and revert to the grantor, his heirs or assigns. The property conveyed by this deed is described as follows, To Wit:

Beginning at a point on the south line of Section 3, 1012 feet East of the Southwest corner of Section 3, Township 17 South, Range 6 West of the Willamette Meridian; thence along the south and east lines of that property as conveyed in Reel 505, Instrument No's. 26373 and 26374, the following, South 89° 27' East 325.00 feet and North 0° 30' East 670.00 feet, more or less (1100.0 feet, more or less), to the northeast corner of said above mentioned property, being the centerline of County Road No. 257 and the TRUE POINT OF BEGINNING of the following; thence Northeasterly along the centerline of said County Road No. 257 to a point which is on a line being 60.00 feet distant easterly from the True Point of Beginning, when measured at right angles to, the last course mentioned before the True Point of Beginning; thence South 0° 30' West to a point in the center of County Road No. 619; thence Westerly along the center line of said County Road No. 619 to a point being South 0° 30' West of the True Point of Beginning; thence North 0° 30' East to the TRUE POINT OF BEGINNING, in Lane County, Oregon.

Save and except a perpetual right reserved in Grantor, his heirs and assigns, in all timber growing, grown or to be grown thereon, as well as the right to enter upon the above described property for the purpose of planting, thinning, managing, or harvesting and removal of all timber.

The true and actual consideration for this conveyance is \$0.

Until a change is requested, all tax statements are to be sent to the following address: 88794 Fountain Road, Elmira, Oregon 97437.

JON D. BRIGGS

ATTORNEY AT LAW  
24981 WEST BROADWAY  
P.O. BOX 455  
VENETA, OREGON 97487  
TELEPHONE 935-2121

7651635

Dated this 27<sup>th</sup> day of September, 1976

*William E. Riemcke*  
William E. Riemcke

STATE OF OREGON )  
County of Lane ) ss.

Personally appeared the above named WILLIAM E. RIEMCKE and acknowledged the foregoing instrument to be his voluntary act and deed.

SUBSCRIBED AND SWORN to before me this 27<sup>th</sup> day of September, 1976.



*Jon D. Briggs*  
Notary Public for Oregon  
commission expires: 12-18-79

7651635

State of Oregon,  
County of Lane - ss.  
I, D. M. Penick, Director of the  
Department of Records and Elections,  
do hereby certify that the within instrument was  
received for record at

776 OCT 4 AM 11 37

815 R

Also County Official Record:  
P.O. Box 406  
Medford, Oregon 97507

Jon D. Briggs  
ATTORNEY AT LAW  
24001 WEST BROADWAY  
P.O. BOX 406  
MEDFORD, OREGON 97507  
TELEPHONE 928-2181

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Exhibit No. C-15

PRZC Control No. 15

**Lane County -/- Siuslaw Watershed Periodic Review Legislative Rezoning Project**

**Rural Community of Crow  
Developed & Committed Exception Area No. 190**

**Plan Amendments and Zone Changes for:  
Tax lots 203, 1000, 1100 and 1200 of Assessor's Map TRS 18-05-19**

<b>Tax lot</b>	<b>RR acres</b>	<b>RC acres</b>	<b>From</b>	<b>To</b>
<b>203</b>	<b>7.76</b>		<b>Rural Public Facility (RPF-C)</b>	<b>Rural Residential (RR2-C)</b>
<b>1000</b>		<b>1.17</b>	<b>Rural Public Facility (RPF-C)</b>	<b>Rural Commercial (RC-C)</b>
	<b>2.58</b>		<b>Rural Public Facility (RPF-C)</b>	<b>Rural Residential (RR2-C)</b>
<b>1100</b>		<b>0.10</b>	<b>Rural Public Facility (RPF-C)</b>	<b>Rural Commercial (RC-C)</b>
<b>1200</b>	<b>2.10</b>		<b>Rural Public Facility (RPF-C)</b>	<b>Rural Residential (RR2-C)</b>
		<b>4.79</b>	<b>Rural Public Facility (RPF-C)</b>	<b>Rural Commercial (RC-C)</b>
	<b>12.44</b>	<b>6.06</b>	<b>Total acreages</b>	

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**Lane County -/- Siuslaw Watershed Periodic Review Legislative Rezoning Project**

**Rural Community of Crow  
Developed & Committed Exception Area No. 190**

**Plan Amendments and Zone Changes for:  
Tax lots 203, 1000, 1100 and 1200 of Assessor's Map TRS 18-05-19**

<b>Tax lot</b>	<b>RR acres</b>	<b>RC acres</b>	<b>From</b>	<b>To</b>
<b>203</b>	<b>7.76</b>		<b>Rural Public Facility (RPF-C)</b>	<b>Rural Residential (RR2-C)</b>
<b>1000</b>		<b>1.17</b>	<b>Rural Public Facility (RPF-C)</b>	<b>Rural Commercial (RC-C)</b>
	<b>2.58</b>		<b>Rural Public Facility (RPF-C)</b>	<b>Rural Residential (RR2-C)</b>
<b>1100</b>		<b>0.10</b>	<b>Rural Public Facility (RPF-C)</b>	<b>Rural Commercial (RC-C)</b>
<b>1200</b>	<b>2.10</b>		<b>Rural Public Facility (RPF-C)</b>	<b>Rural Residential (RR2-C)</b>
		<b>4.79</b>	<b>Rural Public Facility (RPF-C)</b>	<b>Rural Commercial (RC-C)</b>
	<b>12.44</b>	<b>6.06</b>		

**Statement of Criteria**

OAR 660-04-018(2) - *Planning & Zoning for Exception Areas*  
OAR 660-22-030(6)-(8) - *Planning and Zoning of Unincorporated Communities*  
Lane County Rural Comprehensive Plan Policies  
Lane Code 16.003 & 16.004 - *Purpose and Scope and Compliance*  
Lane Code 16.294 - *Rural Public Facility Zone*  
Lane Code 16.290 - *Rural Residential Zone*  
Lane Code 16.291 - *Rural Commercial Zone*  
Lane Code 16.252(2), (5) - *Procedures for Zoning, Rezoning and Amendments to Requirements*

**I. BACKGROUND**

Pursuant to Lane County Rural Comprehensive Plan, General Plan Policies – Goal Two (Policy 10), Crow is designated as an “unincorporated rural community”.

These amendments to the Official Plan Map and Zoning Map Plot # 190 would revise the zoning designations of four properties; acknowledge the existing uses of the four properties located in the rural community of Crow; and provide for the anticipated use of those properties within the rural community.

The proposed amendments would rezone four properties (TRS 18-05-19, tax lots 203, 1000, 1100, 1200) and 12.44 acres to Rural Residential (RR2-C) and 6.06 acres to Rural Commercial (RC-C) within the rural community.

## **II. GENERAL FINDINGS OF FACT**

### **Rural Community of Crow**

Exception Area Plot # 190, Area 1

TRS: 18-05-18, 18-05-19

1. Crow is located at the junction of Territorial Highway and Vaughn Road, 3.5 miles south of the incorporated city of Veneta. Crow is one of several rural communities along the Territorial Highway corridor, which included Lorane, 11 miles to the south, and Elmira, five miles to the north, that were created as agrarian settlements in the last half of the 19<sup>th</sup> century.
2. In 1989, DLCD acknowledged the “community” of Crow to include 114.05 acres divided into 40 parcels. This yielded an averaged parcel size of 2.85.
3. In 1998, an analysis by the Land Management Division (Mann-Hoglund) found 47 existing residences and 5 parcels that had the potential for infill residential development.
4. Services are provided to the community of Crow (Levy Code 066-03) by:
  - Electricity: Emerald Peoples Utility District
  - Schools: Crow-Applegate-Lorane School District #66
  - Fire: Lane County Fire District #1
  - Ambulance: Lane County Fire District #1
  - Police: Lane County Sheriff  
Oregon State Police

All development is supported by individual onsite water and subsurface disposal systems.

5. Crow and the immediate vicinity contain no industrial parcels, but the community and surrounding area do include several commercial and public facility sites:

Four school buildings and school grounds including sports fields and track–

Crow Elementary School,  
Crolane Middle School (relocated to High School),  
Crow-Applegate-Lorane School District Office (relocated to High School), and  
Crow-Applegate-Lorane District bus barn.

Five commercial businesses –

Crow Country Store,  
Crow Mercantile and Country Gas,  
Crow Feed & Farm,  
Kitty’s Kids (day care),  
Crow Garage, and  
Bloom’s Automania.

Three public facilities –

Crow Grange #450,  
Gates Cemetery, and  
Lane County Fire District #1 – Crow Fire Station.

6. Because of the Findings of Facts 2. – 5. above, the Board of County Commissioners approved the designation of Crow as an unincorporated rural community on February 18, 2004 in compliance with the OAR 660-22-010(7) definition of an “unincorporated rural community”.

7. The request for the changes of zone designations is to bring the current and proposed uses of the four properties into conformity with the economical, social and cultural aspirations of the School District #66 School Board.
8. The existing services on the four subject properties (TRS 18-05-19, tax lots 203, 1000, 1100, 1200) being considered for re-designation for commercial uses are conditionally allowed in the Lane Code 16.291 Rural Commercial zone:

*Lane Code 16.291(3)(f): Civic, social and fraternal meeting places, and educational facilities and services such as: nursery, primary and secondary education and special training schools such as those for vocations, trades, arts, music, dancing, driving, gymnastics and correspondence.*

The Purpose section of LC 16.291(1) states:

*(1) Purpose: The purposes of the Rural Commercial Zone (RC-RCP) are . . . to allow commercial uses and development for the retail trade of products or services needed by rural citizens or by persons traveling through the rural area, and . . .*

9. The re-designation of one subject property (TRS 18-05-19, tax lot 203) and portions of two subject properties (TRS 18-05-19, tax lots 1000, 1200) for residential development are provided for in Lane Code 16.290 Rural Residential zone:

Lane Code 16.290(1)(b) states that one of the Purposes of the Rural Residential Zone is: *To promote a compatible and safe rural residential living environment by limiting allowed uses and development to primary and accessory rural residential uses compatible with the uses of nearby lands.*

Lane Code 16.290(2)(a) allows as a permitted use: *The placement, alteration, and maintenance of not more than one permanent single-family dwelling or manufactured dwelling on a lot or parcel of any size.*

The proposed amendments to the zoning designations of the four subject properties (TRS 18-05-19, tax lots 203, 1000, 1100, 1200) to Rural Commercial and/or Rural Residential will provide opportunities for the Crow-Applegate-Lorane School District #66 to consolidate their facilities, develop their properties with more economically viable uses that will revitalize the “community” of Crow and are the direct result of efforts on the part of the citizens of Crow and the School Board in response to Periodic Review Work Task 3. 3. in the Long Tom Watershed: *Complete a survey of the desires and opinions of people in each unincorporated community about what they would like their community to be and look like.*

These proposed four zoning designations are the implementation phase of the “desires and opinions” for four properties within the original rural community of Crow.

### **III. PARCEL-SPECIFIC FINDINGS OF FACT**

The four properties subject to plan amendments and zone changes in this application are:

**TRS 18-05-19, tax lot 203, 7.76 acres.**

**Property Owner: Crow-Applegate-Lorane School District #66**

**Proposed change in zoning designation from Rural Public Facility (RPF-C) to Rural Residential (RR2-C)**

**Findings of Fact**

1. The property subject to this application, hereinafter referred to as the "subject property," can be identified as tax lot 203, TRS 18-05-19. The subject property is a trapezium shaped parcel, 7.76 acres in size. The subject property's current public access point is via tax lot 1000 to the northwest and from Territorial Road to the south. The subject property is developed with track enclosing a sports field (soccer-football). The sports facilities were used in conjunction with the Crolane Middle School directly across Territorial Road to the south prior to the closure of the facility in 2003.
2. When Crow was designated as a "community" in the Rural Comprehensive Plan in 1984, the subject property was physically developed with the School District #66 facility described above in 1. With closure of the school facilities on tax lot 1000 to the northwest and tax lots 1100 and 1200 to the southwest, the School District #66 School Board has elected to rezone the subject property Rural Residential in conformance with the surrounding RR2-C zoning.
3. Rezoning the subject property to Rural Residential (RR2-C) would provide the applicant an opportunity to place or construct one single-family dwelling on the any lawfully created parcel or parcels with a minimum acreage of two acres as provided for in Lane Code 16.290(2)(a) and (6)(b).
4. The subject property is not within an area identified as a "water quantity limited" area in Lane Manual 13.010
6. There is no apparent wetland on the subject property, per NWI map Crow NE2.
7. Fifty-five percent of the soils present on the subject property are Bellpine Silty Clay Loam (11D), with a Douglas fir site index of 115, a fiber productivity of 163 cubic feet per acre per year, and is listed as agricultural capability class 3 and is considered high value in Lane County's inventory. Seven percent of the soils are Bellpine (11C) with the same productivity ratings. Thirty-eight percent of the soils are Dupree Silt Loam (45C), which do not have a Douglas fir site index or a fiber productivity rating, and is listed as agricultural capability class 3 but is not considered high value in Lane County's inventory.
8. The subject property is separated from the management practices of nearby farm or forest operations on two sides: Territorial Road and lands to the south are zoned Public Facility and Rural Residential (RR2). Lands to the west and southwest are zoned Rural Commercial and Rural Public Facility. Lands (tax lot 200) to the northeast and east are zoned Impacted Forest Land (F2) and developed with a residence. Land at the northeast corner of the subject property (tax lots 100 and 202) is zoned Rural Public Facility and includes the Gates Cemetery.
9. To lawfully develop the subject property with residence(s), the subject property needs to be re-designated to Rural Residential (RR-C). Two-acre density has been applied in conformance with the adjacent division standard for adjacent residential lands to the west, north, and south.



**TRS 18-05-19, tax lot 1000, 3.75 acres.**

**Property Owner: Crow-Applegate-Lorane School District #66**

**Proposed change in zoning designation from Rural Public Facility (RPF) to:**

- 1.17 acres – Rural Commercial (RC-C); and
- 2.58 acres – Rural Residential (RR2-C).

**Findings of Fact**

1. The property subject to this application, hereinafter referred to as the "subject property," is located north of Territorial Road, west of the track and sports fields on tax lot 203, and east of the cluster of commercial operations that includes a gas station, country mercantile, and feed store. It can be identified as tax lot 1000, of Assessor's map TRS 18-05-19. The subject property is rectangular in shape and 3.75 acres in size. The parcel's configuration includes approximately 270 feet of frontage along Territorial Road to the south. It is developed with a structure that served as the Crow-Applegate-Lorane School District #66 district headquarters until the operation was consolidated into the high school. In recent years the structure has been used as a day-care center under private operation. The subject property was also developed with the old bus maintenance barn and a fenced parking area for the District's fleet of school buses. The property has an assigned rural address of 86025 Territorial Road, Eugene, OR 97402-8201. The property is developed with a subsurface disposal system drainfield, electrical service, and community water from the District's wells.
2. The School Board has elected to amend the zoning designation of the subject property to provide for the integration of the land into uses compatible with the surrounding zoning. The 3.75-acre property will be split-zoned in the following configuration:
  - a. Rural Commercial (RC-C) The southern 1.17 acres of the subject property shall be designated as RC-C. The frontage along Territorial Road is 270 feet in length. Beginning at the southwest corner of the property the RC-C designation shall extend north along the western property line for a distance of 185 feet. Beginning at the southeast corner of the property the RC-C designation shall extend north along the eastern property line for a distance of 235 feet. The northern boundary line of the RC-C designation shall connect between the points referenced on the western and eastern property lines. RC-C area shall include the old District office and bus maintenance facilities. Refer to Exhibit B-2 - Proposed Zone Change: TRS 18-05-19, tax lot 1000; and Exhibit C-2 – Photograph TRS 18-5-19, tax lot 1000.
  - b. Rural Residential (RR2-C): The northern 2.58 acres of the subject property shall be designated RR2-C. The area shall include all of the acreage north of the diagonal line defining the RC-C land in tax lot 1000.
3. The subject property is located north of the right-of-way of Territorial Road that provides legal access. A parcel (tax lot 205) to the west is occupied by commercial uses known as Crow Country Gas, Crow Mercantile, Crow Feed & Farm, and zoned Rural Commercial (RC-C) Tax lot 1300 to the southwest across Territorial Road is developed with the Crow Grange #450 and zoned Rural Public Facility (RPF-C). Lands to the north and west are designated as Rural Residential (RR2-C). Land to the south-southeast across Territorial Road include the campus of the Applegate Elementary and Crolane Middle Schools of the School District #66 which are also a candidate parcel for redesignation from RPF-C to RC-C/RR2-C.

4. The subject property is not within an area identified as a "water quantity limited" area in Lane Manual 13.010. Domestic water is provided by a community water system from an onsite, District #66 well.
5. There is no apparent wetland on the subject property, per NWI map Crow NE2.
6. The soils present on the subject property are Bellpine Silty Clay Loam (11D) and (11C), with a Douglas fir site index of 115, a fiber productivity of 163 cubic feet per acre per year, and is listed as agricultural capability class 3 and is considered high value in Lane County's inventory.
7. The subject property is situated in the center of a very densely developed section of Crow and separated from the management practices of nearby farm or forest operations on four sides by Rural Residential (RR1-C), Rural Commercial (RC-C), and Rural Public Facility (RPF-C) zoning as described in 3., above. Lands to the northeast are designated Impacted Forest Land (F2) and developed with a residence.
8. Consolidation of the Middle School with the High School on Crow Road approximately 1.5 miles to the northeast and vacation of the District office has eliminated much of the basis for designation of the subject property as Rural Public Facility. To allow development of the subject property in a prudent manner, the subject property needs to be re-designated to Rural Commercial (RC-C) and Rural Residential (RR2-C).
9. Consolidation of the 2.58 acres of the subject property with the contiguously owned 7.76 acres of tax lot 203 to the east would provide a tract of Rural Residential land totaling 10.34 acres that could be divided into five parcels or lots by either a series of approved partitions or a subdivision plat with a minimum acreage of two acres each.
10. Following approval of the proposed zone change, the Crow-Applegate-Lorane School District has the option to continue to operate the existing structures on the subject property for educational purposes as provided for in LC 16.291(3)(f): *(f) Civic, social and fraternal meeting places, and educational facilities and services such as: primary, secondary education and special training schools such as those for vocations, trades, arts, music, dancing, driving, gymnastics and correspondence.*

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**TRS 18-05-19, tax lot 1100, 0.10 of an acre.**

**Property Owner: Crow-Applegate-Lorane School District #66**

**Proposed change in zoning designation from Rural Public Facility (RPF-C) to Rural Commercial (RC-C).**

#### **Findings of Fact**

1. The property subject to this application, hereinafter referred to as the "subject property," is located south and adjacent to the right-of-way of Territorial Road. It can be identified as tax lot 1100, of Assessor's map TRS 18-05-19. The subject property is rectangular in shape and 0.10 of an acre in size. The parcel's configuration includes approximately 60 feet of frontage along Territorial Road to the north. It is developed as an asphalt apron and gravel driveway and in

the center of the combined access points and driveways of the Crow Grange to the southwest and the Crolane Middle School parking lot to the southeast.

2. When Crow was designated as a "community" in the Rural Comprehensive Plan in 1984, the subject was identified as a portion of the developed access point that is depicted in Exhibit C-3 Photograph : TRS 18-05-19, tax lot 1100 "Intersection". The access point is 200+ feet along the right-of-way. Recognizing the relationship and development status of the 0.10 of an acre, Lane County designated the subject property Rural Public Facility. In light of the request to approve a zone change to Rural Commercial (RC-C) for the front portion of the adjacent property, tax lot 1200, to the east, the applicant has elected to re-designate the subject property as Rural Commercial (RC-C), the zone that is closest to the historical use and proposed development on the property.
3. Parcels to the southwest along the south side of Territorial Road are zoned Rural Public Facility (RPF-C). Lands owned by the applicant to the southeast and northeast along Territorial Road are zoned Rural Public Facility and candidates for zone changes to Rural Commercial or Rural Residential. The 0.10-acre, access point identified as tax lot 1100 is encompassed in asphalt and gravel.
4. To allow continuation of the lawfully develop use on the subject property in conjunction with tax lot 1200 to the east and south, the subject property needs to be re-designated to Rural Commercial (RC-C).

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**TRS 18-05-19, tax lot 1200, 6.79 acres.**

**Property Owner: Crow-Applegate-Lorane School District #66**

**Proposed change in zoning designation from Rural Public Facility (RPF-C) to:**

- **2.10 acres – Rural Commercial (RC-C); and**
- **4.79 acres – Rural Residential (RR2-C).**

**Findings of Fact**

1. The property subject to this application, hereinafter referred to as the "subject property," can be identified as tax lot 1200, TRS 18-05-19. The subject property is a irregular-shaped parcel, 6.79 acres in size. The subject property's public access points are off of Territorial Road to the northwest. The property has an assigned rural address of 85955 Territorial Road, Eugene OR 97402-9206.
2. When Crow was designated as a "community" in the Rural Comprehensive Plan in 1984, the subject property was physically developed with the Applegate Elementary School and the Crolane Middle School. Lane County designated the subject property Rural Public Facility (RPF).

The School District consolidated the Middle School with the High School on Crow Road at the end of the 2003 school term.

3. The owner/applicant, Crow-Applegate-Lorane District #66 is requesting a zone change for the subject property to Rural Commercial (RC-C), which would still provide the applicant an option to continue operating or return operations to the vacated portion of the existing facilities as provided for in Lane Code 16.291(3)(f): *(f) Civic, social and fraternal meeting places, and*

*educational facilities and services such as: primary, secondary education and special training schools such as those for vocations, trades, arts, music, dancing, driving, gymnastics and correspondence.*

The Rural Commercial designation would also provide for an expanded list of uses for the existing vacant structures and acreage under LC 16.291(3) that includes some prudently fiscal planning options for the District.

4. The subject property is located south of the right-of-way of Territorial Road and west of the Crow Grange. The developed and committed designations on adjacent and nearby properties includes Rural Residential (RR2-C), Rural Public Facility (RPF-C), and Rural Commercial (RC-C). designated lands situated to the east and south. Tax lots 203 and 1000 across Territorial Road to the north are also owned by the School District, currently zoned Rural Public Facility, and are subjects proposed for rezoning to RR2 and RC.
5. The subject property is not within an area identified as a "water quantity limited" area in Lane Manual 13.010. Domestic water is provided by the District's well and water system.
6. There is no apparent wetland on the subject property, per NWI map Crow NE2.
7. Ninety-two percent of the soils present on the subject property are Bellpine Silty Clay Loam (11D) or (11C), with a Douglas fir site index of 115, a fiber productivity of 163 cubic feet per acre per year, and is listed as agricultural capability class 3 and is considered high value in Lane County's inventory. Eight percent of the soils are Linslaw (73), which does not have a Douglas fir site index, and is listed as agricultural capability class 3 and is considered high value in Lane County's inventory if the land is drained.
8. The subject property is separated from the management practices of nearby farm or forest operations on three sides: Rural Residential (RR2-C), Rural Commercial (RC-C) and Rural Public Facility (RPF-C) lands to the north, east and west separate the subject property from nearby resource lands. The southern boundary of the subject property abuts tax lot 3200 that is designated E40 (Exclusive Farm Use). The residence for the E40 land is located approximate 60 feet southwest from the fenced playground of the Elementary School. Refer to Exhibit F: Aerial Photograph.
9. The applicant is proposing to change the zoning designation of the subject property from Rural Public Facility (RPF-C) to:
  - 2.10 acres -- Rural Commercial (RC-C); and
  - 4.79 acres -- Rural Residential (RR2-C).

Refer to Exhibits B-4. *Proposed zone change: TRS 18-05-19, tax lot 1200; Exhibit C-4. Photograph: TRS 18-05-19, tax lot 1200; Exhibit D. Diagram of RC-C and RR2-C zoning designations on tax lots 2003, 1000, 1100, 1200; Exhibit E. Assessor's Map TRS 18-05-19 with enlarged insert; and Exhibit F. Aerial Photograph: June 11, 1986, WAC, 18-05-19.*

Approximately 2.1 acres in the southwestern corner would be designated RR2-C as configured on Exhibit D. *Diagram of RC-C and RR2-C zoning designations on tax lots 2003, 1000, 1100, 1200.* The proposed RR land is currently a fenced in playground and ball field.

The remaining 4.79 acres that includes the extensive structures of the two schools (Elementary School and Middle School), gymnasium, parking lots and administrative offices.

10. To provide for options by the School District to manage the vacant or under-utilized properties and facilities, it is fiscally prudent to allow lawful development of the subject property for commercial and residential uses. To accomplish this, the subject property needs to be re-designated to Rural Commercial (RC-C).

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#### **IV. JUSTIFICATION FOR THE CONCLUSIONS AND RECOMMENDATIONS.**

##### **A. Statewide Planning Goals**

The subject properties are within an area subject to the Lane County Rural Comprehensive Plan. This Plan has been acknowledged by the Land Conservation and Development Commission in a series of acknowledgment orders. Acknowledgment indicates that the Plan is generally in compliance with the applicable standards of the statewide planning goals, and that appropriate exceptions have been approved for any matters of noncompliance. *Byrd v. Stringer*, 295 Or. 311, 666 P.2d 1332 (1983). Accordingly, the state statutes, the standards of the Plan, and the Lane Code provisions implementing the Plan, are relevant to this application. The statewide planning goals themselves do not apply to land use decisions in an area subject to an acknowledged Comprehensive Plan.

In implementing Part II of statewide planning Goal 2, Oregon Administrative Rule 660-04-018(2)(c) establishes requirements for zone changes in developed and committed exception areas:

*"Changes to plan or zone designations are allowed consistent with subsections (a) or (b) of this section, or where the uses or zones are identified and authorized by specific related policies contained in the acknowledged plan."*

Subsection (a) of OAR 660-04-018(2), the relevant requirement for changes in land use, density and public facilities for "physically developed" and "irrevocably committed" exception areas, allows zone changes for:

*(a) Uses which are the same as the existing types of land use on the exception site; or*

The four plan amendments and zone changes requested by this application are intended to:

1. Recognize the potential uses of the four subject properties, tax lots 203, 1000, 1100, and 1200 of Assessor's map TRS 18-05-19 which are developed with vacant or underutilized structures and uses:
  - Tax lot 203 – soccer and football field, track, open space;
  - Tax lot 1000 – District office and bus maintenance facility and parking area;
  - Tax lot 1100 – Access driveway;
  - Tax lot 1200 – Elementary and Middle School facilities and grounds.
2. Amend the Rural Public Facility (RPF-C) zoning on the three subject properties (203, 1000, 1200) and re-designate portions of the subject properties to Rural Residential RR2-C) in keeping with the surrounding RR density, to comply with the School District's desire to develop the 12.44 acres of the combined acreage for residential use.

3. Amend the Rural Public Facility (RPF-C) zoning on the three subject properties (1000, 1100, 1200) and re-designate portions of the subject properties (6.06 acres) to Rural Commercial (RC-C) to allow development of existing structures in conjunction with the other clustered commercial uses within the rural community. The zone changes are intended to provide opportunities for commercial uses in conjunction with the employment opportunities and recreational uses currently provided citizens within the rural community of Crow.
5. Reduce the overhead expenses to School District #66 for maintenance of vacant or underutilized facilities and lands and create opportunities for the District to generate income from the development of the subject properties for the school district funds.

*(b) Which meet the following requirements:*

*(A) The rural uses, density, and public facilities and services maintain the land as "Rural Land" as defined by the goals and are consistent with all other applicable Goal requirements; and*

The Statewide Planning Goals define "Rural Land" as land located outside of an urban growth boundary that has no or hardly any public services and is not necessary or intended for urban use.

The subject properties are located within to the rural community of Crow and are not located within an urban growth boundary. The properties receive a rural level of police and fire protection.

*(B) The rural uses, density, and public facilities and services will not commit adjacent or nearby resource land to nonresource uses as defined in OAR 660-004-0028; and*

The rural community of Crow was founded as an agrarian community along the Territorial Trail in the late 1800s. The rural community is within Developed & Committed Exception Area # 190-1, which is a hub of development providing services to the surrounding lower Willamette Valley citizens residing west of and separated from the I-5 corridor. There is no evidence in the record that the extensive facilities and uses in the past on the four subject properties has committed nearby resource lands to nonresource uses. The public record indicates that the prior uses have been compatible with adjacent agricultural use of the E40 agricultural and F2 forest lands.

The adjacent EFU E40 land to the south-southwest (tax lot 3200) is developed with a residence and the residence is located less than 100 feet from the common property line with tax lot 1200 that includes the Middle and Elementary School facilities. The adjacent Impacted Forest Land (F2) land (tax lot 200) to the north and east of tax lots 203 and 1000 has been managed for decades on the periphery of the rural community boundaries of Crow without conflict with the School District's facilities and uses. No foreseeable impacts to resource lands have been identified resulting from the rezoning of the four subject properties.

*(C) The rural uses, density, and public facilities and services are compatible with adjacent or nearby resource uses.*

The community of Crow includes relatively dense rural residential, rural commercial, and rural public facility uses. The rural commercial uses are a mixture of retail sales and services that normally support small communities including a grocery store, feed store, gas station, and auto repair shops. All properties within the community are developed with onsite water systems and subsurface sanitation systems. A grange hall and fire station provide essential public services. Territorial Road and Central Road intersect within the community and link the community with the urban areas of Eugene to the northeast and Veneta to the north.

The residential, commercial, and public facility uses have co-existed compatibly with the surrounding resource base for decades and there is no indication that the continued or anticipated uses of the properties and structures will adversely affect resource uses in any fashion.

#### **B. OAR 660-022-0030(6),(7),(8) – Unincorporated Community Rule**

*OAR 660-022-0030 (6) County plans and land use regulations shall ensure that new uses authorized within unincorporated communities do not adversely affect agricultural or forestry uses.*

Development standards and uses allowed conditionally by LC 16.291 in the Rural Commercial Zone were adopted in April 2002 in compliance with the Unincorporated Community Rule. The operation of the existing businesses within the community have not adversely affected the management practices of forest or farm operators in the area of Crow and there is no foreseeable way that the continued operation of the existing structures in the newly designated commercial zone could pose any new adverse impact to management of farm or forest lands in the vicinity. Any new commercial use proposed on tax lots 1000 or 1200 shall require prior approval by the Planning Director for a special use permit pursuant to the criteria of Lane Code 16.291(3) and (4).

Division standards of a minimum of two acres within the newly designated Rural Residential lands would provide for a maximum of six new parcels with dwellings; one south of Territorial Road (tax lot 1200) and five north of Territorial Road (combined acreage of tax lots 203 and 1000). The density reflects the surrounding RR lands.

*OAR 660-022-0030(7) County plans and land use regulations shall allow only those uses which are consistent with the identified function, capacity and level of service of transportation facilities serving the community, pursuant to OAR 660-012-0060(1)(a) through (c).*

#### **OAR 660-012-0060(1)(a)-(c) Plan and Land Use Regulation Amendments**

*(1) Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. This shall be accomplished by either:*

*(a) Limiting allowed land uses to be consistent with the planned function, capacity, and performance standards of the transportation facility;*

Some change in the uses on the subject properties will occur as a direct result of the proposed rezoning of the subject properties to Rural Commercial (RC-C) and Rural Residential (RR2-C). However, the allowable uses in the new zones will not be as extensive as the past activities of elementary and middle schools. Operation of the two schools and related facilities is one of the most intensive uses to be found in rural settings for draw-down on groundwater resources, disposal of septic waste, and use of public transportation corridors.

All of the properties have developed access points to public roads and the current uses are compatible with the capacity of the public roads.

*(b) Amending the TSP to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of this division;*

ODOT has adopted a TSP, which includes Territorial Road and Central Road. Lane County is continuing in an effort to update the Lane County TSP for county and public roads. The TSP project including revisions to Lane Code 15 Roads has been the subject of public hearings before the Planning Commission and recommendations for adoption have been forwarded to the Board of County Commissioners. The Board is scheduled to hold public hearings on the TSP and code revisions in April and May 2004. In the interim, any proposed expansion of the current uses or request for a new use on the subject properties shall be required to comply with the permitting process and the siting standards and criteria of LC 16.291(3) and (4) in the RC-C zone and LC 16.290(2), (3), (4) and (5) in the Rural Residential Zone. The criteria of LC 16.291(4)(e), (f), (g) and (h) requires that the applicant provide findings of fact and conclusions of law addressing available services, onsite traffic circulation and traffic generation on public roads, and provide for the Planning Director's conditions of approval to ensure improvements to public facilities such as roads, and to address traffic safety and congestion concerns anticipated by the development. Prior to development of the subject properties, tax lots 203, 1000 or 1200, for residential development, the applicant will need to address the same issues in the partitioning application processes LC 16.290(6) Area and LC Chapter 13 Land Division.

*(c) Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes; or*

No increase in anticipated traffic as a result of the proposed zone changes has been identified. No need to reduce automobile travel by citizens of Crow or the general traveling public to or through the rural community is warranted. Use of the county road system is essential to the tourism and local trade that supports the commercial development in Crow, the current employment options in Crow, and any potential development of the proposed commercial or residential properties, which is to serve rural citizens living in the vicinity and travelers coming to or passing through the area.

*OAR 660-022-0030(8) Zoning applied to lands within unincorporated communities shall ensure that the cumulative development:*

*(A) Will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations; and*

Expansion of existing uses or implementation of new uses within the RC-C zone or RR2-C zone require Planning Director approval and compliance with LC 16.291(4)(i) or LC 16.290(5)(d)



criteria: “( – ) *The proposed use and development shall not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations.*”

*(B) Will not exceed the carrying capacity of the soil or of existing water supply resources and sewer services.*

Expansion of existing uses or implementation of new uses within the RC-C zone or RR2-C zone require Planning Director approval and compliance with LC 16.291(4)(j) or LC 16.290(5)(c) criteria: “( – ) *The use or development shall not exceed the carrying capacity of the soil or of existing water supply resources and sewer services. Factual information shall be provided about any existing or proposed sewer or water systems for the site and the site’s ability to provide on site sewage disposal and water supply if a community sewer or water system is not available.*”

### **C. Plan Conformity**

The four subject properties are located in "developed and committed" Exception Area #190-1, which is part of the unincorporated rural community of Crow. They are proposed to be designated Commercial or Residential by the Lane County Rural Comprehensive Plan and zoned Rural Commercial RC-C or Rural Residential (RR2-C). The policies of the Rural Comprehensive Plan applicable to this request are as follows:

**a. Land Use Planning Policy #13. Plan refinement within a Community designation shall be accomplished by means of rezoning within the Community designation, addressing the following criteria:**

**1. The proposed use will not adversely affect the livability or appropriate development of the surrounding area;**

The livability of the surrounding area has not been defined, at least not directly. Therefore, for purposes of this analysis, the Planning Commission and Board of Commissioners may equate “livability” with the current level of impacts and services either suffered or enjoyed by the community. An “adverse” impact on this standard would therefore mean to increase the negative impacts, such as traffic and noise, and to lessen or make more expensive the same range and scope of public services.

The livability in the area surrounding the subject properties was defined, in part, by the existing operations on the subject properties. Services to the public by the Applegate Elementary School and the Crolane Middle School were located on four subject properties. Those extensive uses have been consolidated within the District’s other facilities. The zone changes would provide for six new residential units that could be located on approximately 12.43 acres of the subject properties. Conversion of existing facilities and structures for commercial uses is proposed by three of the zone change requests.

There is no evidence in the public record for one to conclude that the proposed uses on any of the subject properties have significantly affected surrounding properties in any adverse way. In support of this assumption is the lack of recorded complaints regarding compatibility issues concerning the sites.

While the impacts from the existing uses appear to be consistent with the livability and appropriate development of the surrounding area and the community-at-large, other uses conditionally allowed within the Rural Commercial Zone or Rural Residential Zone may not be. The applicants have not done a compatibility analysis of these uses. Therefore, the rezoning requests can only be approved if the change in zone is limited to the existing uses and expressed uses contemplated on the subject properties. Any future change of use shall be required to comply with the special use permit processes and the site review criteria of LC 16.291(3) and LC 16.291(4) in the Rural Commercial Zone and LC 16.290(2), (3), (4) and (5) in the Rural Residential Zone.

2. **Commercial and industrial activities within the Communities shall, to the greatest degree practicable, be concentrated in identifiable nodes which are favorably located with reference to transportation facilities and other public services.**

All of the subject properties are located adjacent to Territorial Road. The properties being considered for rezoning reflect existing structures or uses within clustered commercial or residential development. The proposed rezoning of the subject properties to Rural Commercial or Rural Residential will augment the employment and commercial uses as well as public services in the area and are most favorably located.

b. **Water Resources Policies #3 and #5:**

These policies state that the adequacy of groundwater supply is a major issue in planning actions and that land use designations shall be commensurate with groundwater aquifer capacities. All of the current uses on the four subject properties are served by the School District water system and therefore will not alter the use or availability of groundwater that is currently provided to the development. In the event that more intensive uses are proposed for any of the subject properties the property owners shall be required to secure Planning Director approval of the uses and comply with Lane Code 16.291(4)(j) or Lane Code 16.290(5)(c) *"The proposed use and development shall not exceed the carrying capacity of the soil or on the existing water supply resources and sewer service. To address this requirement, factual information shall be provided about any existing or proposed sewer or water systems for the site and the site's ability to provide on-site sewage disposal and water supply if a community water or sewer system is not available."*

c. **Public Facilities and Services Policy #6.f:**

The appropriate public service levels established by this policy are enumerated in Public Facilities and Services Policy #6.f: schools, on-site or community sewage disposal, individual or community water supply system, electrical service, telephone service, a rural level of fire and police protection, and reasonable access to a solid waste disposal facility. These services are all available to the subject properties. Refer to II. GENERAL FINDINGS OF FACT.

- d. **Agricultural Lands, Policy # 8:** "Provide maximum protection to agricultural activities by minimizing activities, particularly residential, which conflict with such use. Whenever possible planning goals, policies and regulations should be interpreted in favor of agricultural activities."

The existing commercial, residential or public service operations on the subject properties and the current commercial and public services within the rural community of Crow have co-

existed for decades with the agricultural and forest product industries in the surrounding area. Existence of the existing residence on the E40/EFU property to the south of tax lot 1200 effectively buffers any developed & committed uses on the four subject properties from the management of agricultural parcels in the vicinity. The existing dwelling on tax lot 200 (85919 Territorial Road) to the north and east of the subject property, tax lot 203, and the historic Gates Cemetery on tax lots 100 and 202 to the northeast, already buffers the four subject properties from impacting the surrounding forest lands. The existing development on the other subject properties, tax lots 1000, 1100 and 1200, has existed for decades as a part of the community of Crow without any known adverse impacts on forest operations in the area.

In addition to existing safeguards posed by location, prior development and distances, any new use on any of the four properties is subject to compliance with permit processing and siting standards in the base zones. In the case of residential uses, any approved use must comply with the approval criteria of LC 16.290(5)(a) – (b):

- (a) *Shall not create significant adverse impacts on existing uses on adjacent and nearby lands or on uses permitted by the zoning of adjacent or nearby undeveloped lands;*
- (b) *Where necessary, measures are taken to minimize potential negative impacts on adjacent and nearby lands;*

- e. **Flora and Fauna, Policies 1 and 10** “Implement construction, development and other land use activities which significantly alter natural systems only after evaluation of effects on wildlife habits and natural areas.” “Lands with an acknowledged exception as built upon or committed will be treated as Impacted Big Game Range, as identified in the 1982 Lane County Working Paper on Flora and Fauna and as revised and updated in 1983.”

Significant species or wildlife habitat and other natural areas have not been identified on the subject properties.

There are no wetlands identified on the Crow NE2 quad of the National Wetlands Inventory for any of the four subject properties proposed for rezoning. Therefore, the proposed uses will not pose any anticipated risk of significantly altering the natural wetland system in the area.

The proposed zone changes for the four subject properties are in compliance with these Plan policies.

#### **D. Zone Conformity**

Lane Code 16.252(2) requires that a rezoning be consistent with the general purposes of Chapter 16, as set forth in Lane Code 16.003, not be contrary to the public interest, and be consistent with the purposes of the proposed zoning classifications and the Lane County Rural Comprehensive Plan elements. Conformity with the Rural Comprehensive Plan has already been discussed.

- a. **Lane Code 16.003.** Lane Code 16.003 describes 14 purposes for Chapter 16. The purposes relevant to this application are as follows:
  - (1) **Ensure that development of property within the County is commensurate with the character and physical limitation of the land and, in general, to promote and protect the public health, safety, convenience, and welfare.**

The purpose of the zone change requests for portions of the three subject properties (tax lots 1000, 1100, and 1200) to Rural Commercial (RC-C), portions of three subject properties (tax lots 203, 1000, and 1200) to Rural Residential (RR2-C), is to provide opportunities for School District #66 to manage their closed facilities in a manner that could provide employment to citizens in the surrounding area and to provide services to rural residents and travelers passing through the area. Any new or expansion of existing development shall be required to comply with the siting standards of Lane Code 16.291(4) or Lane Code 16.290(5), promoting and protecting public health, safety, convenience and welfare.

**(2) Protect and diversify the economy of Lane County.**

The proposed rezoning to Rural Commercial for portion of three of the subject properties promotes the opportunity to further provide employment to citizens. The proposed rezoning of the subject properties to Rural Commercial seeks to support current and anticipated employment on nearby developed or committed parcels in the community of Crow.

**(4) Conserve farm and forest lands for the production of crops, livestock and timber products.**

The subject properties are small ranging from 0.10 of an acre (tax lot 1100) to 7.76 acres (tax lot 203). None have been managed for the production of crops, livestock or timber products for the past forty years. All of the subject properties have been used in connection with the School District's operation of the elementary and middle school operations and activities in the past. The total acreage for the four subject properties is 18.5 acres. Due to the location of the subject properties and their development with structures or facilities, none of the subject properties could effectively be managed for either commercial farm use or forest activities.

**(7) Provide for the orderly and efficient transition from rural to urban land use.**

The proposed changes occur in an exception area where development is focused in an area already intensely developed with residential and commercial uses. The existing uses are rural uses that utilize a rural level of facilities.

**(11) Protect life and property in areas subject to floods, landslides and other natural disasters and hazards.**

Development on the subject properties are not, or need not be, contrary to the public health, safety convenience and welfare in that they will be similar in density and nature to what exists in the immediate vicinity and will not cause an increase in public services. No natural hazards have been identified.

**b. Not Contrary to the Public Interest**

The "public interest" has not been defined, as such, but for the purposes of this decision it will be assumed that if the proposed use will not have an adverse impact on surrounding uses then it will not be contrary to the public interest. Additionally, the longevity of the existing uses strongly suggests that there is a need for acknowledging existing commercial and public uses, and promoting employment and the retailing of commercial products in this area.

While the potential impacts of a commercial use conditionally allowed pursuant to LC 16.291(3) and (4) appear to be culturally consistent with the livability and appropriate development of the surrounding area, the exact uses to which the properties could be put is unknown at this point. This application does not include a compatibility analysis of all conditional uses in the Rural Commercial (RC) or the Rural Residential (RR) zones. To provide a level of comfort for the surrounding residential properties, the special use permit processes of LC 16.291(3) or LC 16.290(2), (3), and (4), and the site review criteria of Lane Code 16.291(4) or LC 16.290(5) would be used to achieve this end.

**c. Lane Code 16.290, Lane Code 16.291 and Lane Code 16.294**

Lane Code 16.291(1) states that the purposes of the Rural Commercial Zone is to provide commercial goods and services needed by rural residents and to provide services and facilities for tourists and travelers, and to provide employment that rely on a rural location and work force.

Lane Code 16.290(1)(b) states that the purposes of the Rural Residential Zone is to promote a compatible and safe rural residential living environment by limiting allowed uses and development to primary and accessory rural residential uses compatible with the uses of nearby lands.

The proposed zone changes and uses are consistent with these purposes.

**d. Lane Code 16.004(4)**

Lane Code 16.004(4) requires, among other things, that an application to rezone land which creates the potential for additional parcelization or water demands demonstrate the adequacy of a long-term water supply, as described in Lane Code 13.050(13)(a)-(d).

The subject properties are not located in an area identified as being water quantity limited. The subject properties are small in size and any future partitioning, which is likely, or change of use would by necessity have to comply with the carrying capacities of soils for subsurface waste disposal system requirements.

**V. CONCLUSION**

This application has shown by a preponderance of evidence that the standards and criteria applicable for amendments of Plot # 190 Official Plan and Official Zoning designations for the following subject properties have been met:

TRS	Tax lots	Acres	From	To
18-05-19	203	7.76	Rural Public Facility (RPF-C)	Rural Residential (RR2-C)
18-05-19	1000	1.17	Rural Public Facility (RPF-C)	Rural Commercial (RC-C)
		2.58	Rural Public Facility (RPF-C)	Rural Residential (RR2-C)
18-05-19	1100	0.10	Rural Public Facility (RPF-C)	Rural Commercial (RC-C)
18-05-19	1200	4.79	Rural Public Facility (RPF-C)	Rural Commercial (RC-C)
		2.10	Rural Public Facility (RPF-C)	Rural Residential (RR2-C)

## **VI. RECOMMENDATION**

Approval of PRZC Control No. 15 of Ordinance PA 1203, amending the Official Plan Map No. 190 and the Official Zoning Map No. 190 designations for the following subject properties:

<b>TRS</b>	<b>Tax lots</b>	<b>Acres</b>	<b>From</b>	<b>To</b>
18-05-19	203	7.76	Rural Public Facility (RPF-C)	Rural Residential (RR2-C)
18-05-19	1000	1.17	Rural Public Facility (RPF-C)	Rural Commercial (RC-C)
		2.58	Rural Public Facility (RPF-C)	Rural Residential (RR2-C)
18-05-19	1100	0.10	Rural Public Facility (RPF-C)	Rural Commercial (RC-C)
18-05-19	1200	4.79	Rural Public Facility (RPF-C)	Rural Commercial (RC-C)
		2.10	Rural Public Facility (RPF-C)	Rural Residential (RR2-C)

## **VII. EXHIBITS**

- A. Amendment to Official Plan Map #190:
  - A-1. Proposed plan amendment: TRS 18-05-19, tax lot 203
  - A-2. Proposed plan amendment: TRS 18-05-19, tax lot 1000
  - A-3. Proposed plan amendment: TRS 18-05-19, tax lot 1100
  - A-4. Proposed plan amendment: TRS 18-05-19, tax lot 1200
- B. Amendment to Official Zoning Map #190:
  - B-1. Proposed zone change: TRS 18-05-19, tax lot 203
  - B-2. Proposed zone change: TRS 18-05-19, tax lot 1000
  - B-3. Proposed zone change: TRS 18-05-19, tax lot 1100
  - B-4. Proposed zone change: TRS 18-05-19, tax lot 1200
- C. Site Photographs:
  - C-1. Photograph: TRS 18-05-19, tax lot 203
  - C-2. Photograph: TRS 18-05-19, tax lot 1000
  - C-3. Photograph: TRS 18-05-19, tax lot 1100
  - C-4. Photograph: TRS 18-05-19, tax lot 1200
- D. Diagram of RC-C and RR2-C zoning designations on tax lots 2003, 1000, 1100, and 1200.
- E. Assessor's Map TRS 18-05-19 with enlarged insert.
- F. Aerial Photograph: June 11, 1986, WAC, 18-05-19.

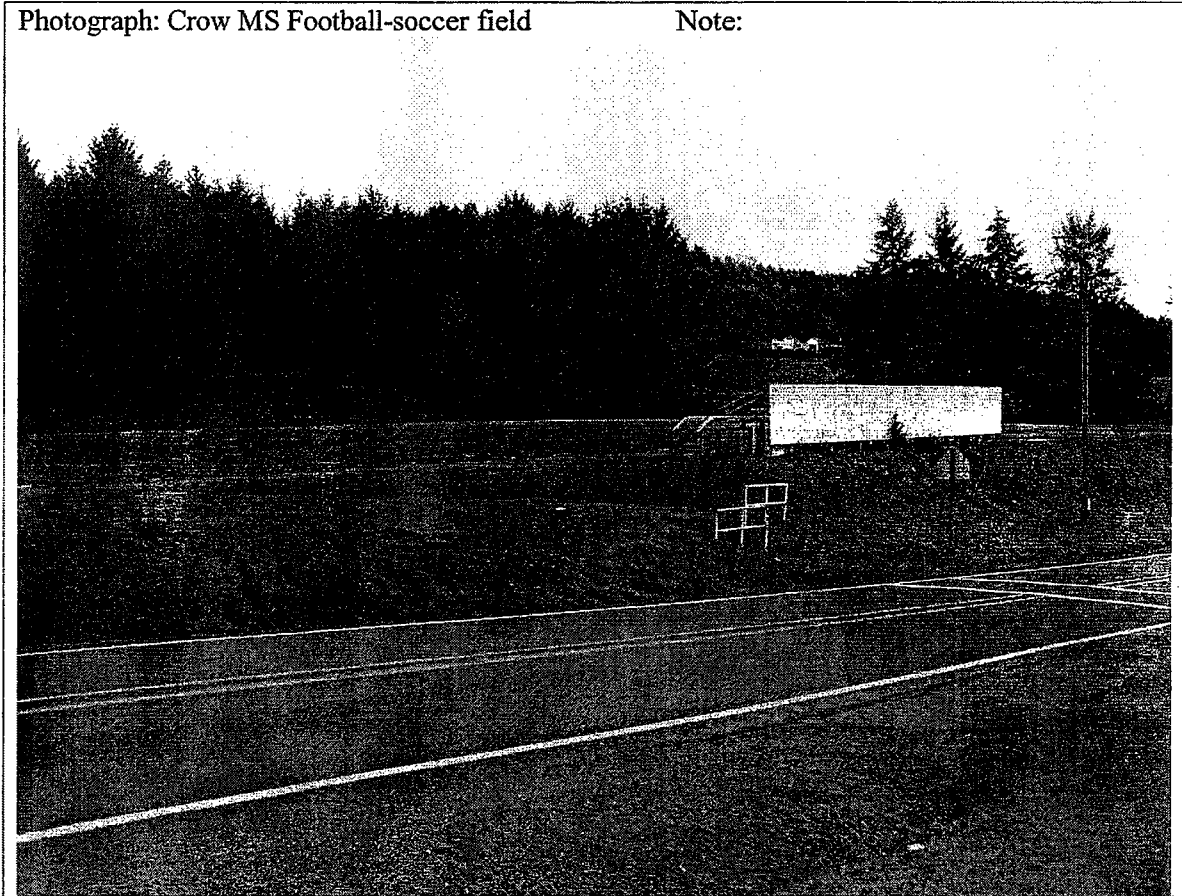
**C-1. Photograph: TRS 18-05-19, tax lot 203.**

**Periodic Review Work Program: Siuslaw Watershed and Long Tom Watershed (FY 02/03)**

D&C Plot No. 190      TRS Map: 18-05-19, Tax Lot(s): 203    Acres: 7.76  
Unincorporated Community: ☐ No ☒ Yes – Name: Crow  
Zoning Designation(s): [RPF]    Candidate for rezoning to Rural Residential (RR2-C)  
Owner: Crow-Applegate-Lorane School District #66      Use: Sports field and track.

Photograph: Crow MS Football-soccer field

Note:



**C-2. Photograph: TRS 18-05-19, tax lot 1000.**

**Periodic Review Work Program: Siuslaw Watershed and Long Tom Watershed (FY 02/03)**

D&C Plot No. 190 TRS Map: 18-05-19, Tax Lot(s): 1000 Acres: 3.75

Unincorporated Community of Crow

Address: 85999 Territorial Road, Eugene, OR 97402

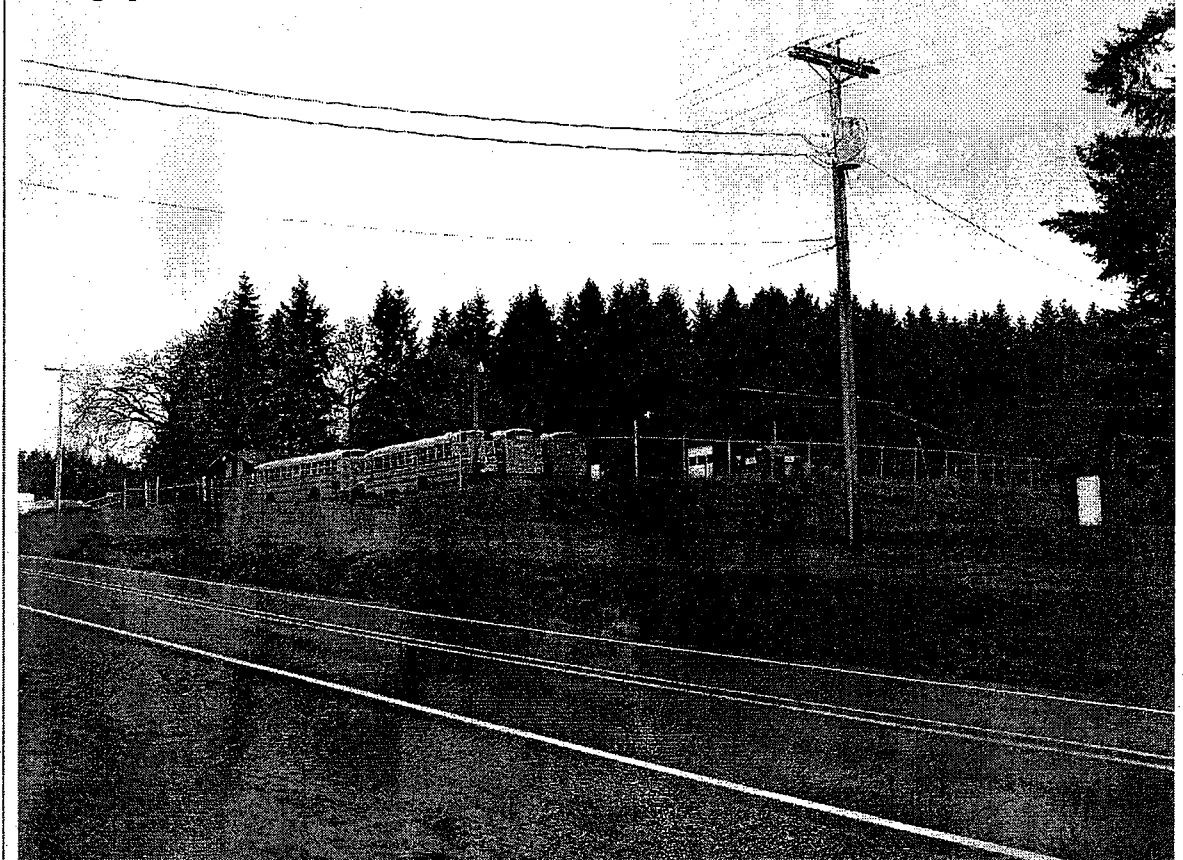
Location/Vicinity: North of Territorial Road

Zoning Designation(s): [RPF] Candidate for split-zoning to RC-C and RR2-C

Business: District #66 bus barn and yard Use: School bus maintenance and fleet parking

Photograph: Crow #66 Bus Barn

Note:





Periodic Review Work Program: Siuslaw Watershed and Long Tom Watershed (FY 02/03)

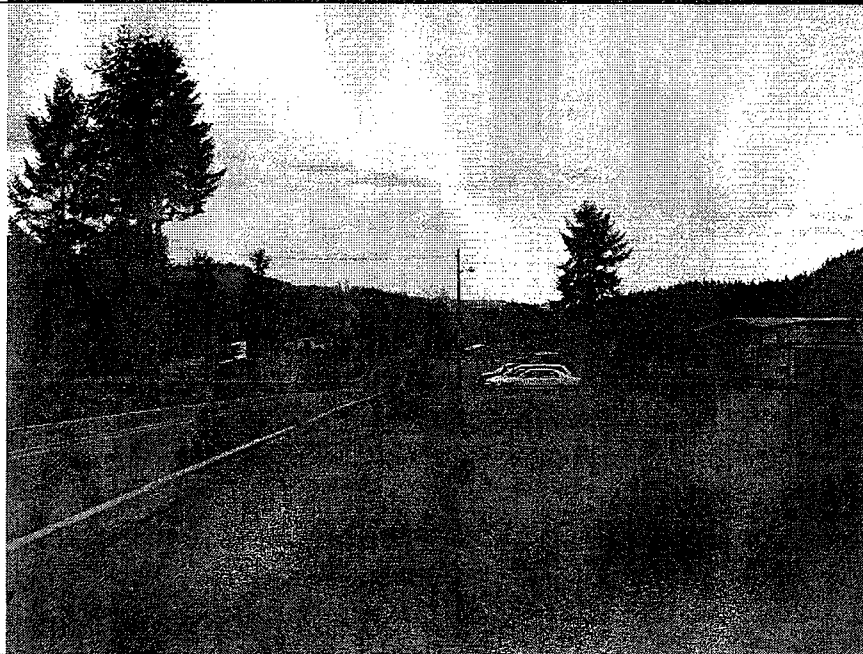
D&C Plot No. 190 TRS Map: 18-05-19, Vicinity of Tax Lot(s): 203, 1000, 1100, 1200

Unincorporated Community of Crow

Intersection of District #66 facilities and Territorial Road

Location/Vicinity: North and south of Territorial Road, looking west

Photograph: Intersection (Crow) looking west ----



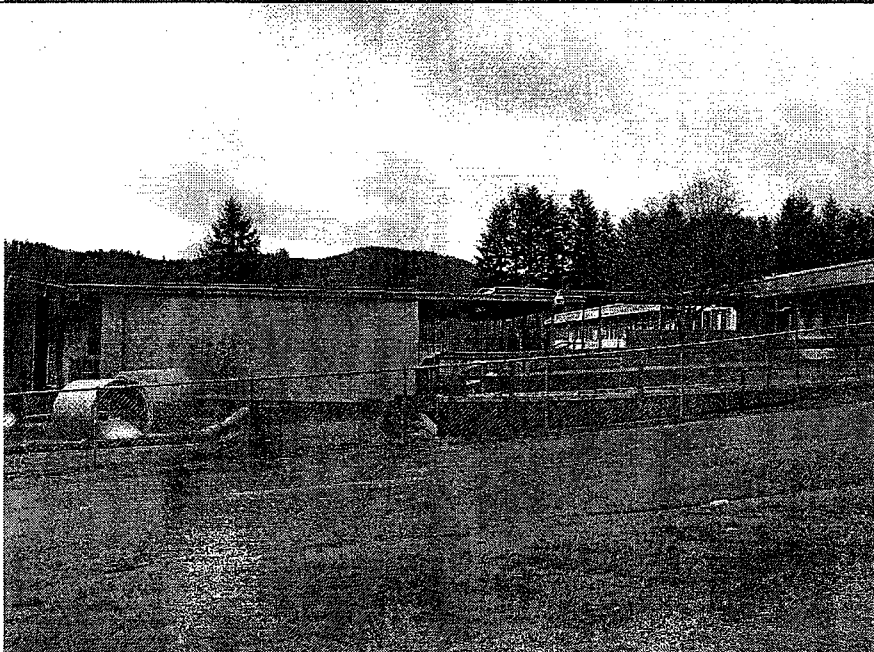
Photograph: looking east

Periodic Review Work Program: Siuslaw Watershed and Long Tom Watershed (FY 02/03)

D&C Plot No. 190      TRS Map: 18-05-19      Tax Lot(s): 1200      Acres: 7.73  
Unincorporated Rural Community of Crow  
Address: 85955 Territorial Rd, Eugene  
Zoning Designation(s): [PF]Public Facility – Candidate for rezoning to RR2-C and RC-C  
Business: District #66      Use: Applegate Elementary School

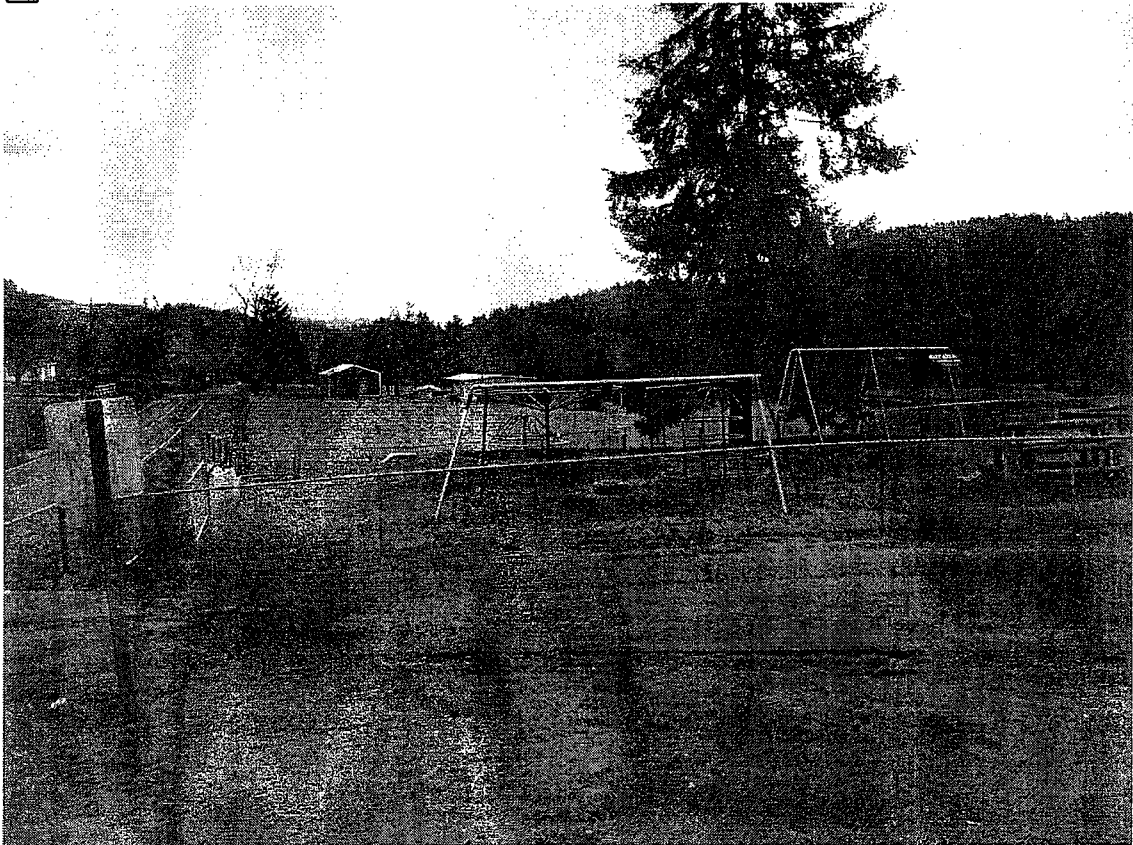
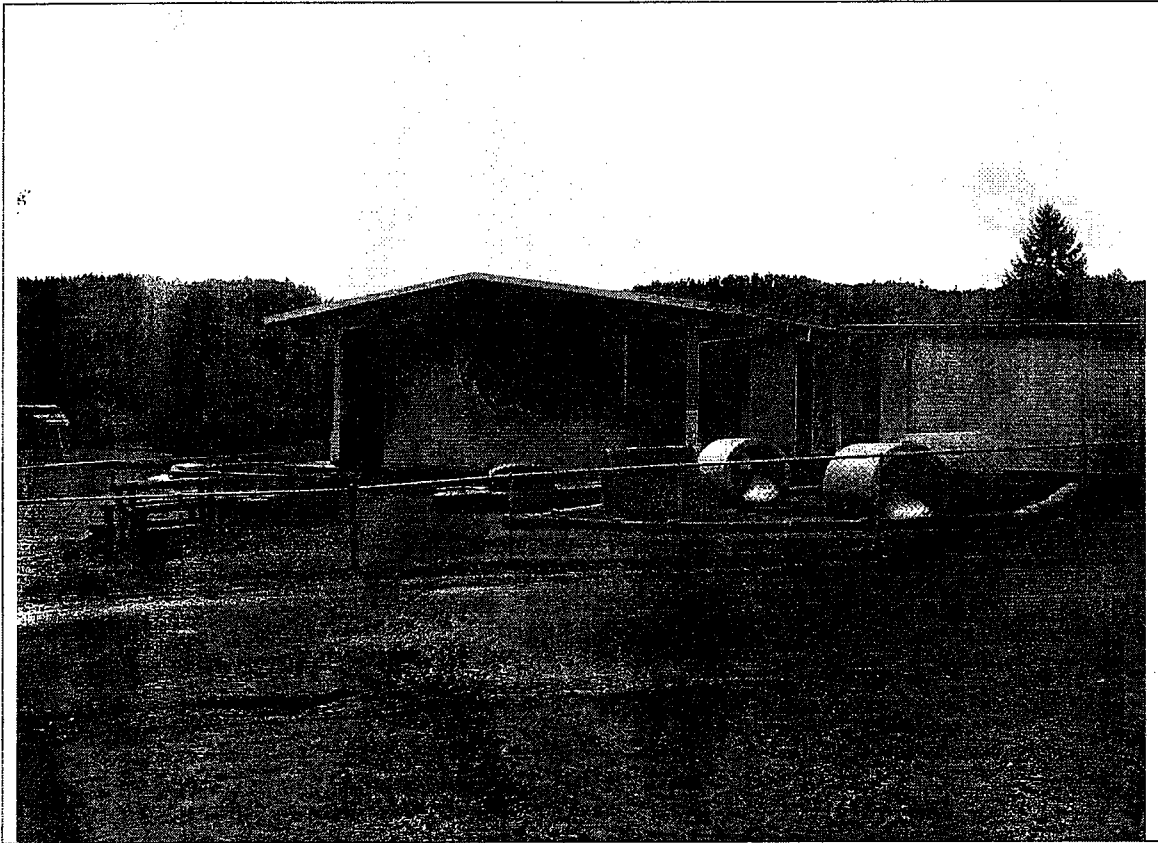
Photograph: Applegate Elementary

Note:



Photograph:

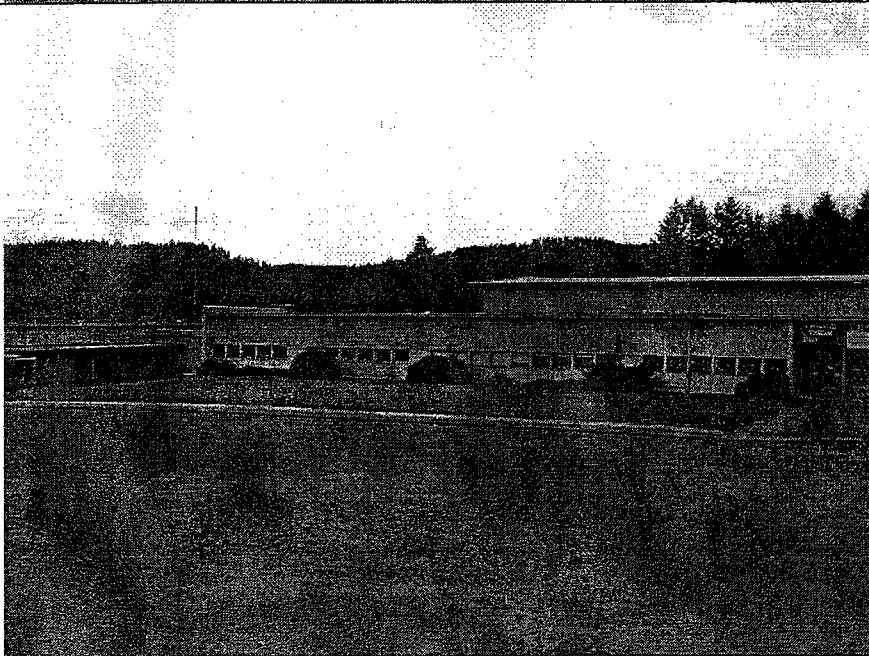
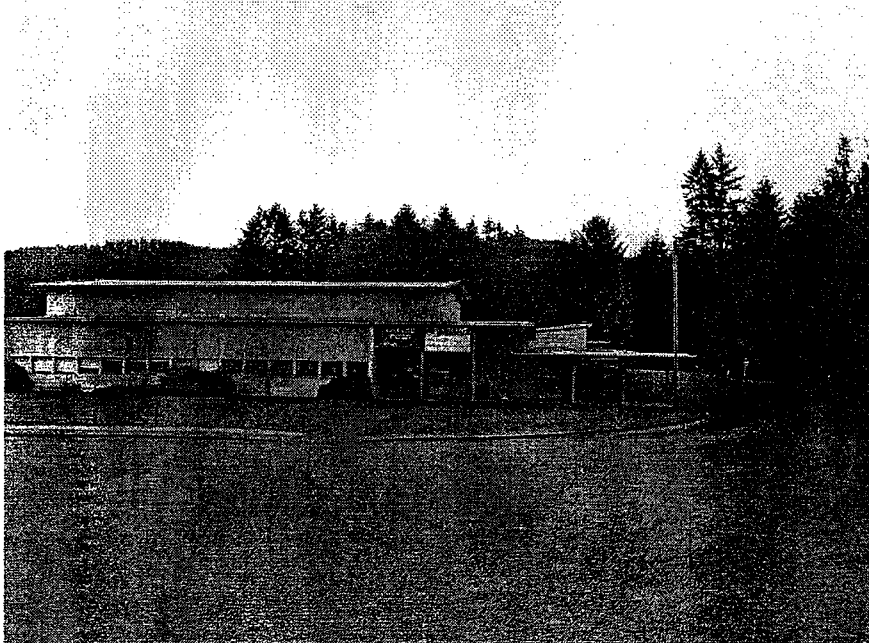
Note:



**Periodic Review Work Program: Siuslaw Watershed and Long Tom Watershed (FY 02/03)**

D&C Plot No. 190      TRS Map: 18-05-19, Tax Lot(s): 1200   Acres: 6.69  
Unincorporated Rural Community of Crow  
Address: 85955 Territorial Hwy, Eugene  
Location/Vicinity: South of Territorial Road  
Zoning Designation(s): [PF]      Candidate for rezoning to RR2-C and RC-C  
Business: District #66   Use: CroloneMiddle School

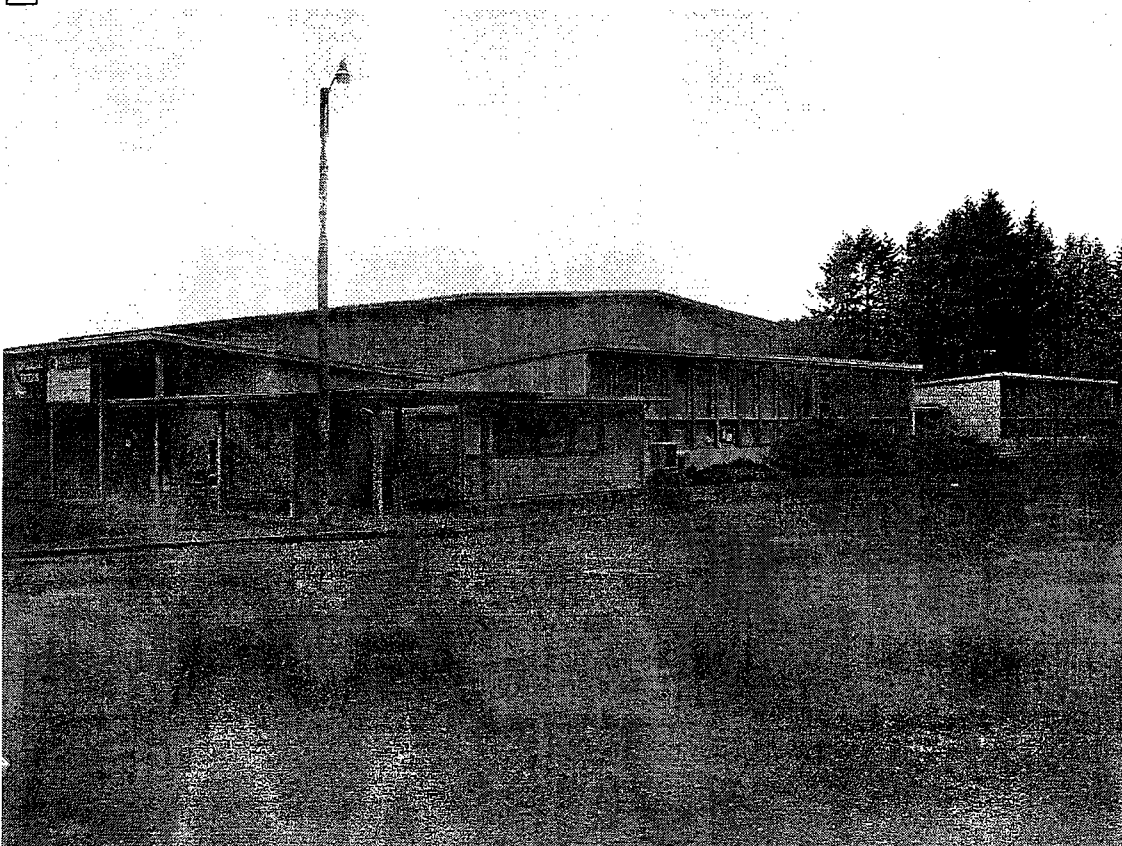
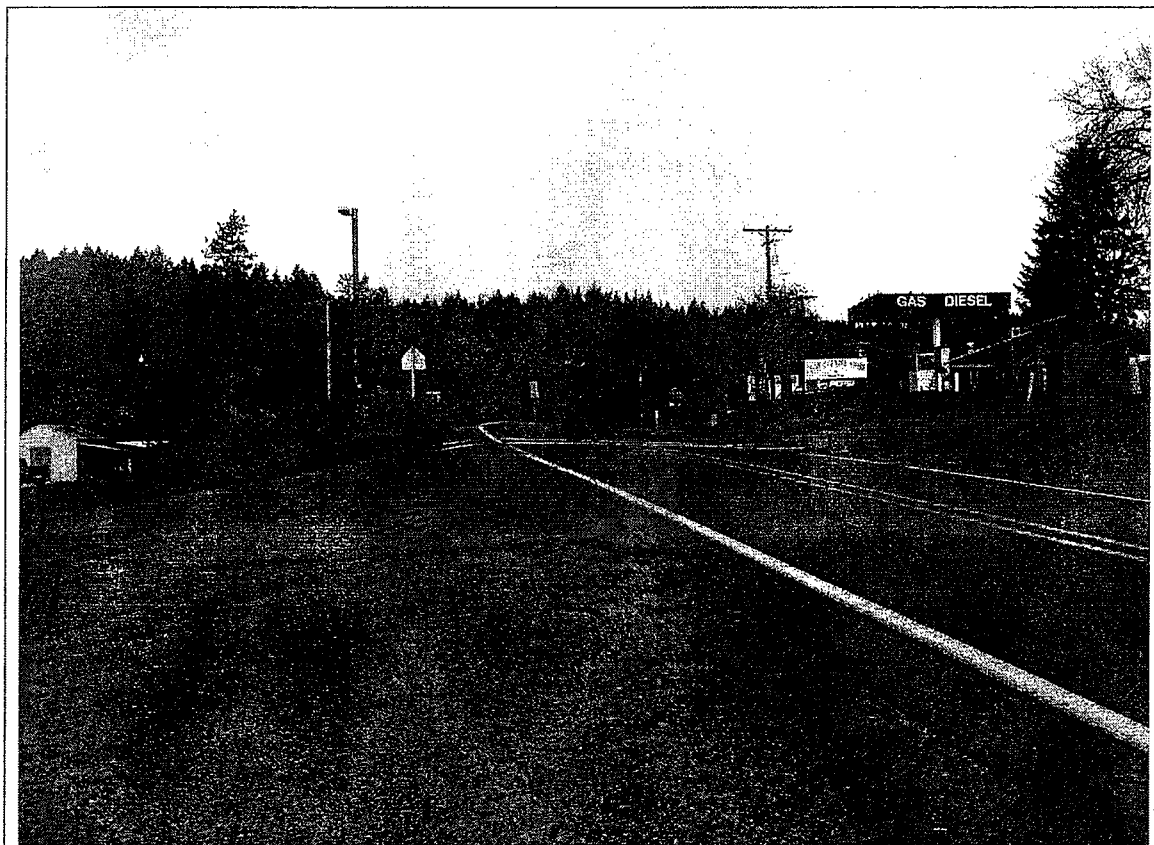
Photograph: Crolane Middle School - western half      Note:



Photograph: eastern half

Note:

7304



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(312)

D. Diagram of RC-C and RR2-C zoning designations on tax lots 203, 1000, 1100, 1200.

N Cor  
DLC  
NO 53

400

318

SEE DETAIL MAP N

CROW

NB 42° 53' E

200

205

1000

203

1300

1100

1200

3201

OLD

LEGEND:

RURAL  
RESIDENTIAL



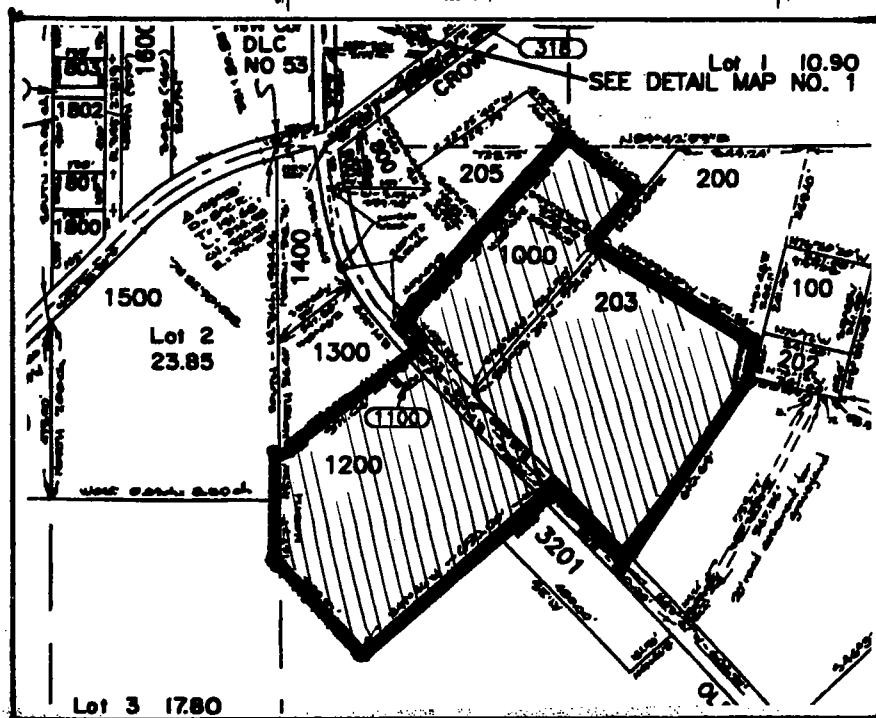
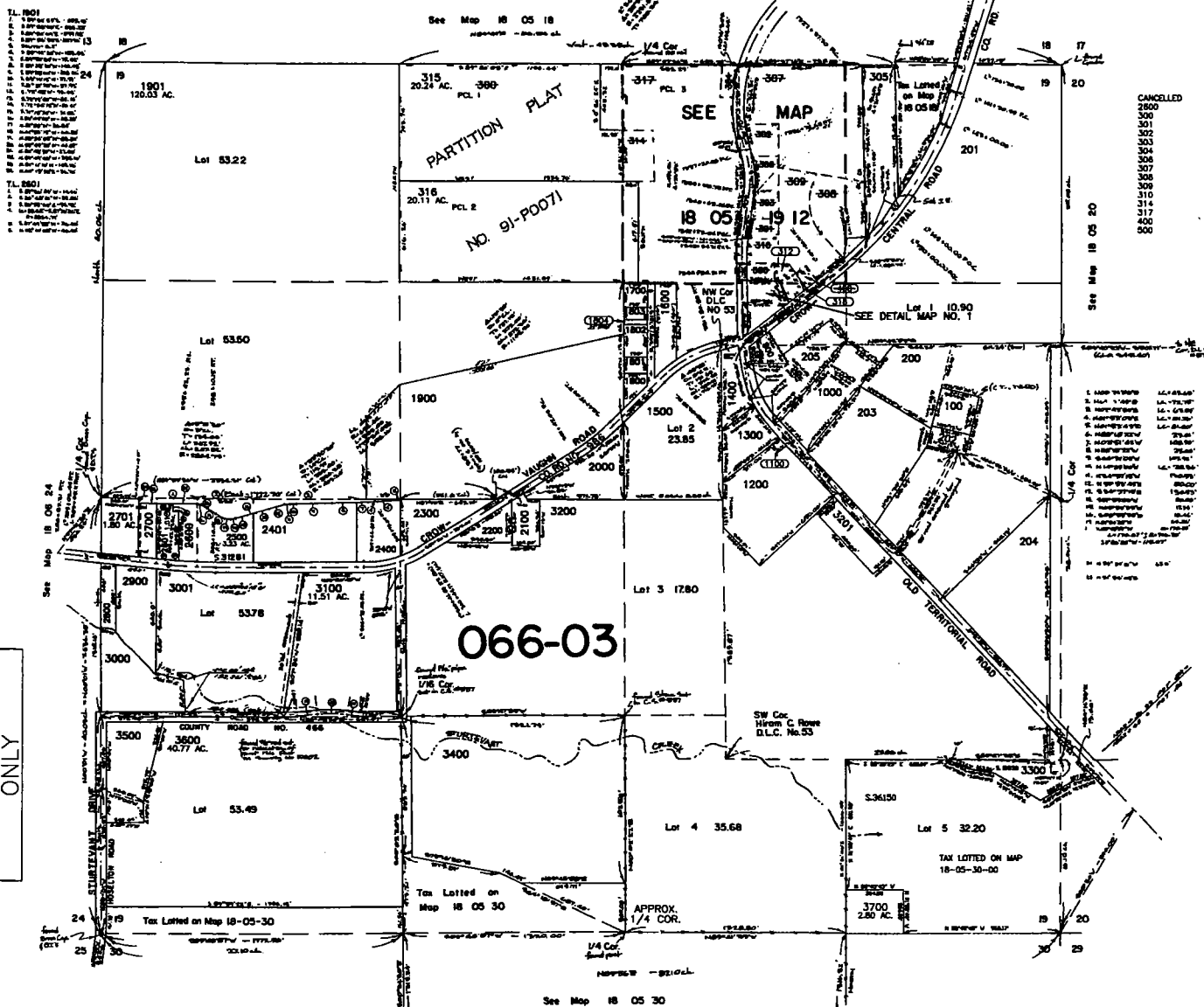
RURAL COMMERCIAL  
7.80





18 05 19

DATE	DESCRIPTION	DUPLEX#Z
06-18-79	BK OF THE YEAR TO NEW BIRTH DAY SET	COPY#99
06-18-79	MIA REVIEW TC 2ND & 3RD PRICING	COPY#80



F. Aerial Photograph: June 11, 1986, WAC, 18-05-19.

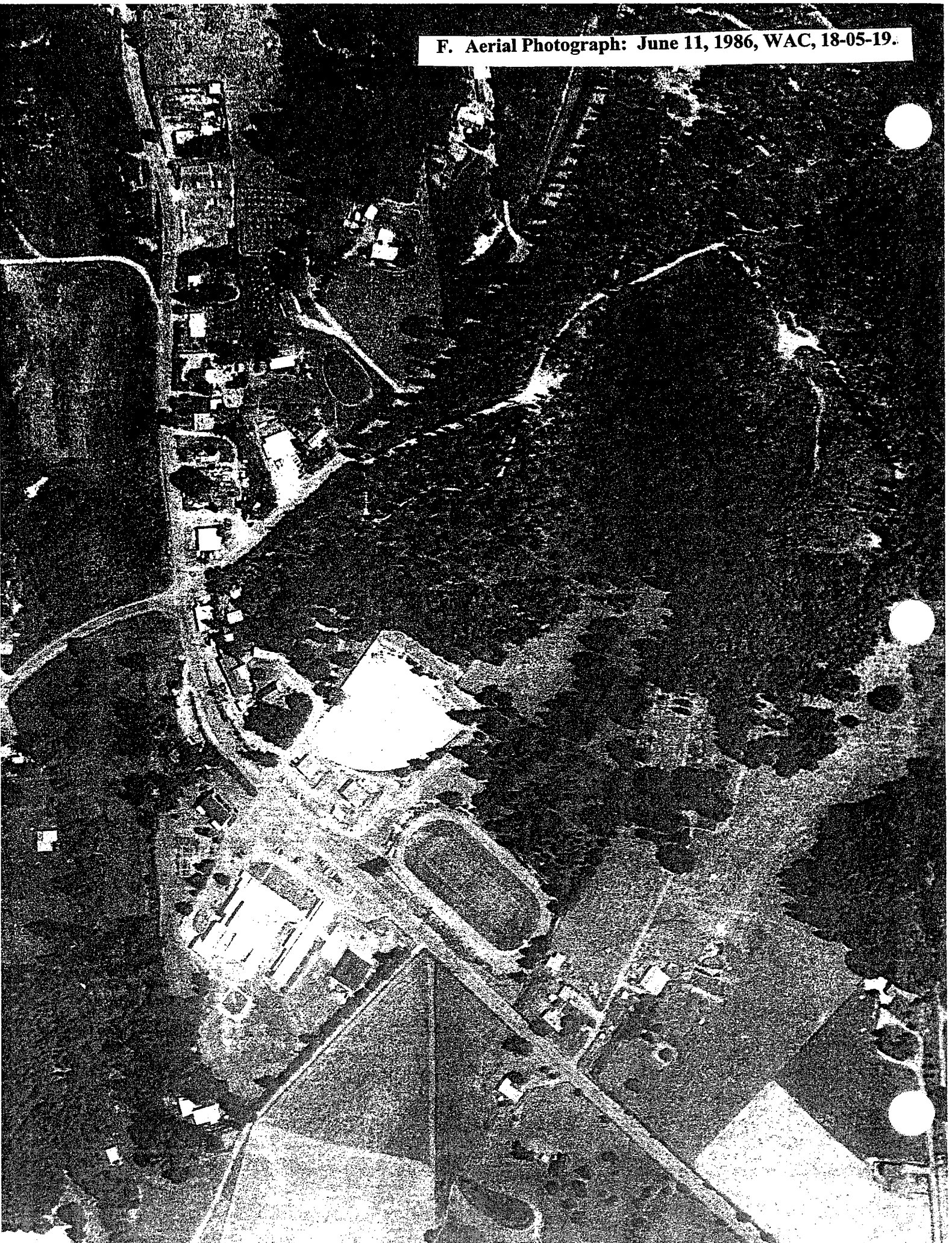




Exhibit No. 0-16

PRZC Control No. 16

**Lane County -/- Siuslaw Watershed Periodic Review Legislative Rezoning Project**

**Developed and Committed Exception Area No. 200-1**

**Plan Amendments and Zone Changes for:**

**Tax Lot 1100 of Assessor's Map 17-05-32.1**

**and**

**Tax Lots 501, 800, 1001, and 1500 of Assessor's Map 17-05-32.2**

TRS -Tax lots	Acreage	From	To
17-05-32.1, 1100	4.21	Rural Residential (RR2)	Rural Commercial (RC)
17-05-32.2, 501	0.80	Rural Residential (RR2)	Rural Commercial (RC)
17-05-32.2, 800	2.48	Rural Residential (RR2)	Rural Commercial (RC)
17-05-32.2 1001	0.74	Rural Residential (RR2)	Rural Commercial (RC)
17-05-32.2 1500	2.27	Rural Residential (RC)	Rural Industrial (RI)

Lane County -/- Siuslaw Watershed Periodic Review Legislative Rezoning Project

**Developed and Committed Exception Area No. 200-1**

**Plan Amendments and Zone Changes for:**

**Tax Lot 1100 of Assessor's Map 17-05-32.1  
and  
Tax Lots 501, 800, 1001, and 1500 of Assessor's Map 17-05-32.2**

TRS -Tax lots	Acreage	From	To
17-05-32.1, 1100	4.21	Rural Residential (RR2)	Rural Commercial (RC)
17-05-32.2, 501	0.80	Rural Residential (RR2)	Rural Commercial (RC)
17-05-32.2, 800	2.48	Rural Residential (RR2)	Rural Commercial (RC)
17-05-32.2 1001	0.74	Rural Residential (RR2)	Rural Commercial (RC)
17-05-32.2 1500	2.27	Rural Residential (RC)	Rural Industrial (RI)

**Statement of Criteria**

OAR 660-04-018(2) - *Planning & Zoning for Exception Areas*  
OAR 660-22-030(6)-(8) - *Planning and Zoning of Unincorporated Communities*  
Lane County Rural Comprehensive Plan Policies  
Lane Code 16.003 & 16.004 - *Purpose and Scope and Compliance*  
Lane Code 16.292 - *Rural Industrial Zone*  
Lane Code 16.291 - *Rural Commercial Zone*  
Lane Code 16.290 - *Rural Residential Zone*  
Lane Code 16.252(2), (5) - *Procedures for Zoning, Rezoning and Amendments to Requirements*

**I. GENERAL FINDINGS OF FACT**

1. The properties subject to this application, hereinafter referred to as the "subject properties," can be identified as:
  - A. Tax lot 1100 of Assessors Map 17-05-32.1, 4.21 acres;
  - B. Tax lot 501 of Assessors Map 17-05-32.2, with a rural address of 25703 Highway 126, Veneta, OR 97487, 0.80 of an acre;
  - C. Tax lot 800 of Assessors Map 17-05-32.2, with a rural address of 25513 Highway 126, Veneta, OR 97487, 2.48 acres;
  - D. Tax lot 1001 of Assessors Map 17-05-32.2, 0.74 of an acre; and