

189

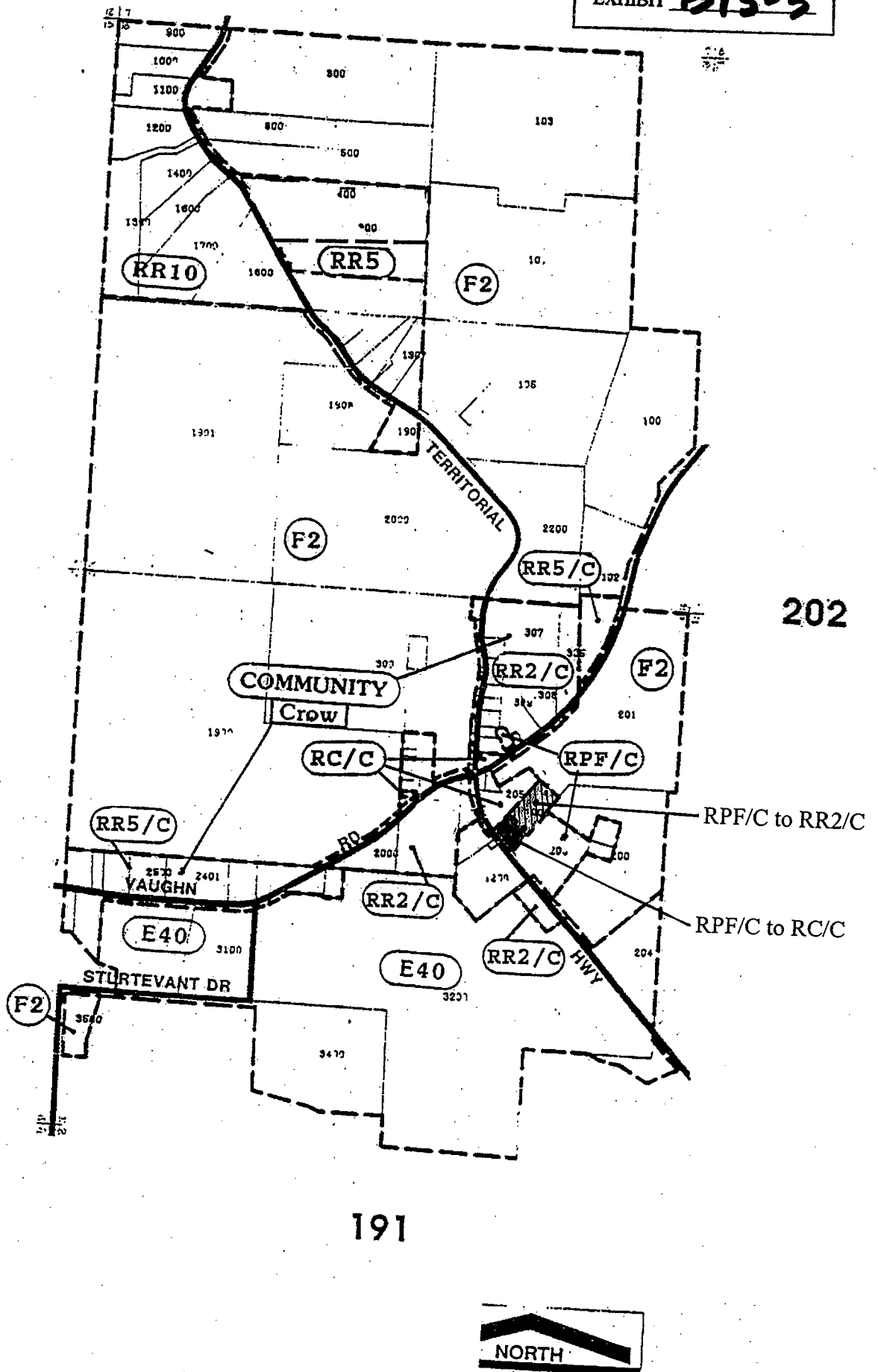
PR CONTROL NO. 15
EXHIBIT B15-3

179

202

191

FLOODPLAIN



Lane County

OFFICIAL ZONING MAP PLOT # 190

Township Range Section
18 05 18

Township Range Section
18 05 19

ORIGINAL ORD. # PA 884

DATE 2/29/1984

FILE #

VISION # 1 ORD. # PA4085-95

DATE 3/30/96

FILE # PA4085-95

189

PR CONTROL NO. 15

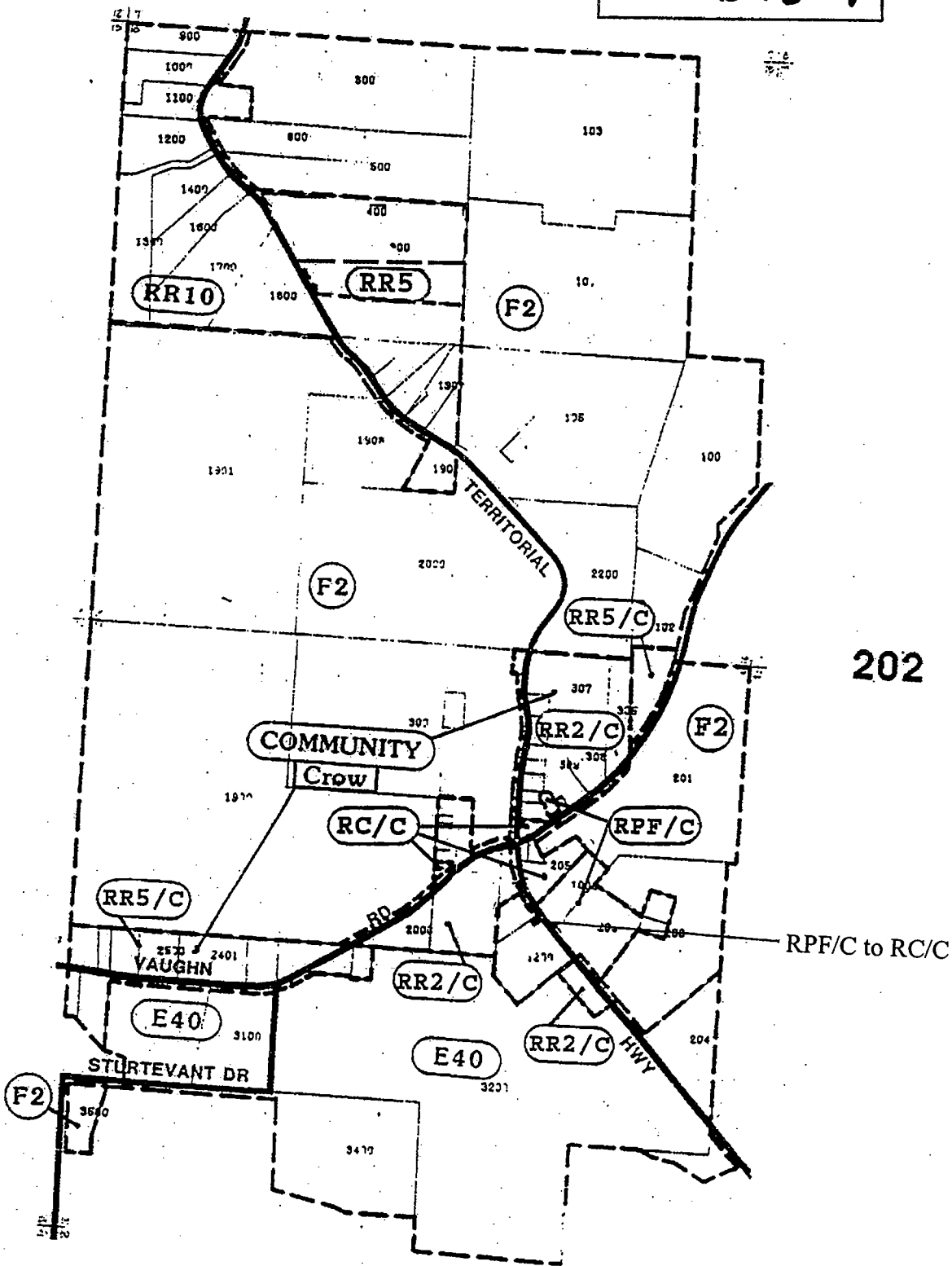
EXHIBIT B15-4

179

202

191

FLOODPLAIN



Lane County

OFFICIAL ZONING MAP PLOT # 190

Twnshp Range Section

18 05 18

Twnshp Range Section

18 05 19

ORIGINAL ORD. # PA 884

DATE 2/29/1984

FILE #

VISION # 1 ORD. # PA4085-95

DATE 3/30/96

FILE # PA4085-95

189

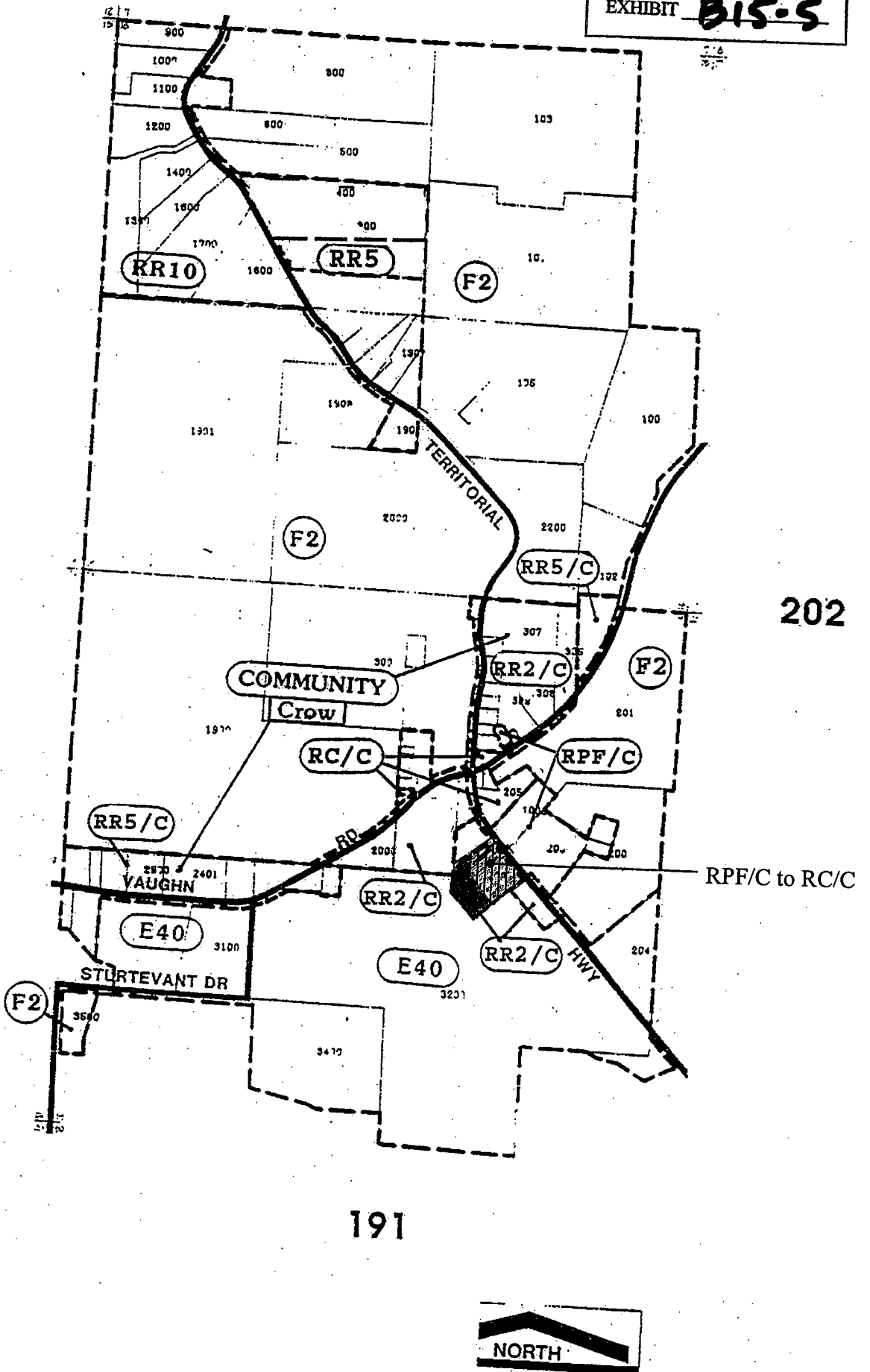
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EXHIBIT B15-5

179

202

191

FLOODPLAIN



OFFICIAL ZONING MAP PLOT # 190

Twtnshp Range Section	Twtnshp Range Section
18 05 18	18 05 19

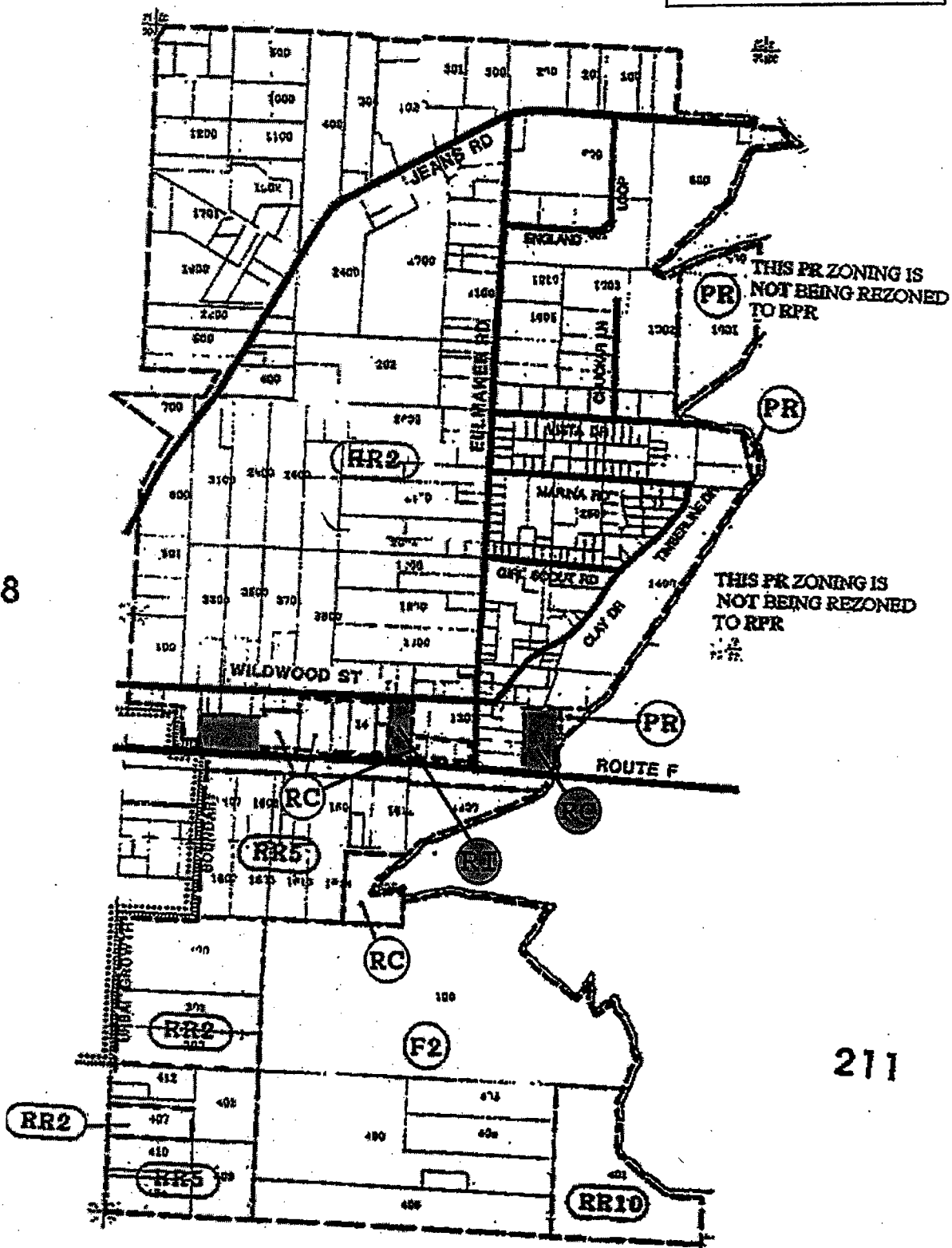
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VISION # 1 ORD. # PA4085-95 DATE 3/30/96 FILE # PA4085-95

199

PR CONTROL NO. 16
EXHIBIT B16-1

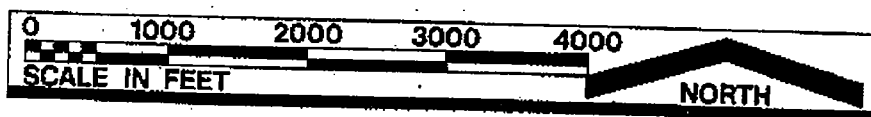
FLOODPLAIN

188



211

201



Lane County

OFFICIAL ZONING MAP PLOT # 200

Township Range Section
17 05 29

Township Range Section
17 05 29

ORIGINAL ORD. # PA 884

DATE 2/29/1984

FILE #

REVISION # 4 ORD. # PA3747-95

DATE 3/18/96

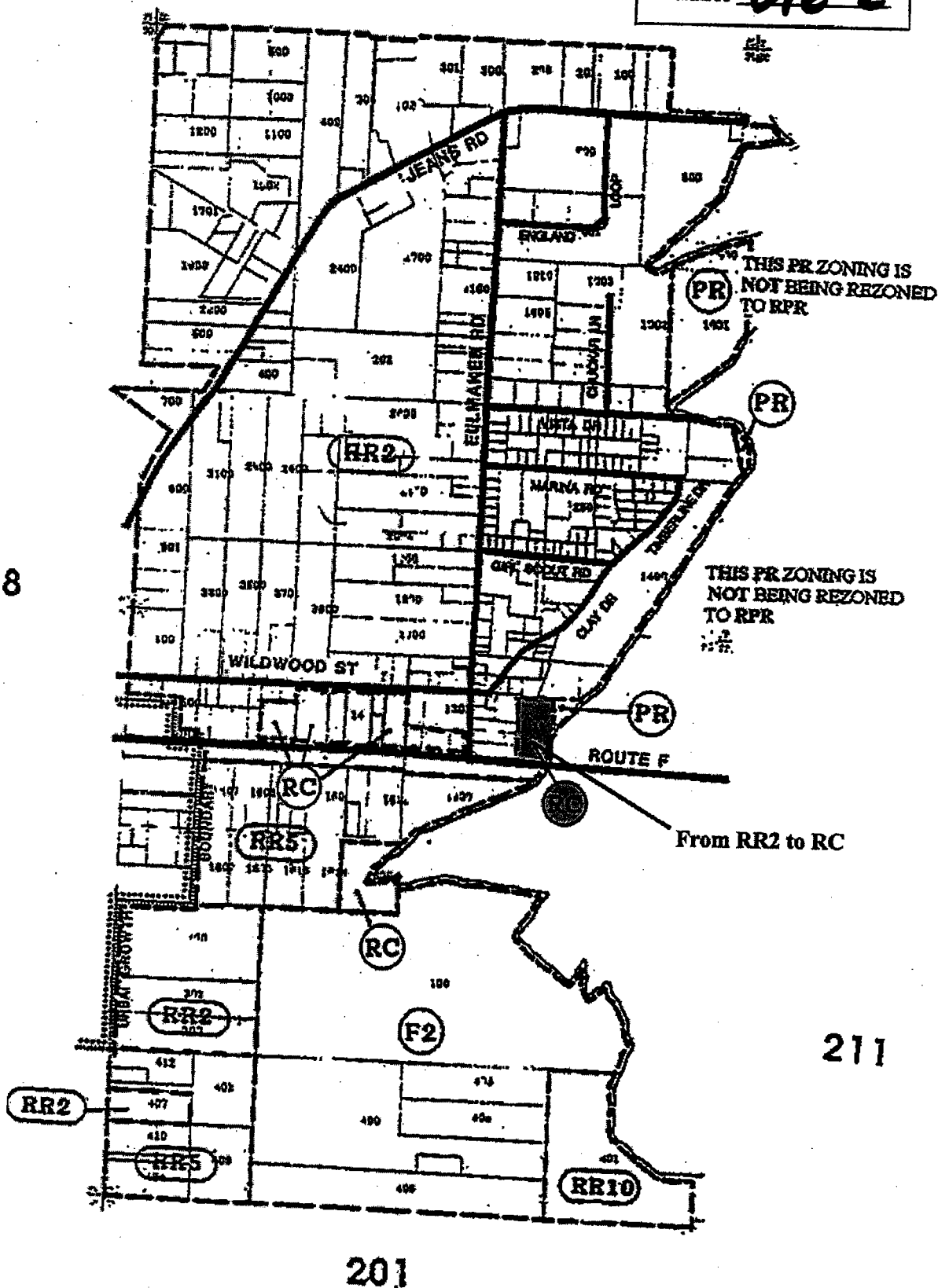
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EXHIBIT B16-2

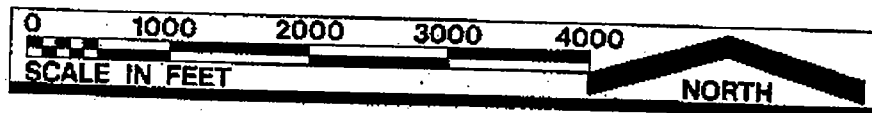
FLOODPLAIN

188



211

201



OFFICIAL ZONING MAP PLOT # 200

Twship Range Section 17 05 29	Twship Range Section 17 05 29
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ORIGINAL ORD. # PA 884

DATE 2/29/1984

FILE #

DIVISION # 4 ORD. # PA3747-95

DATE 3/18/96

FILE # PA3747-95

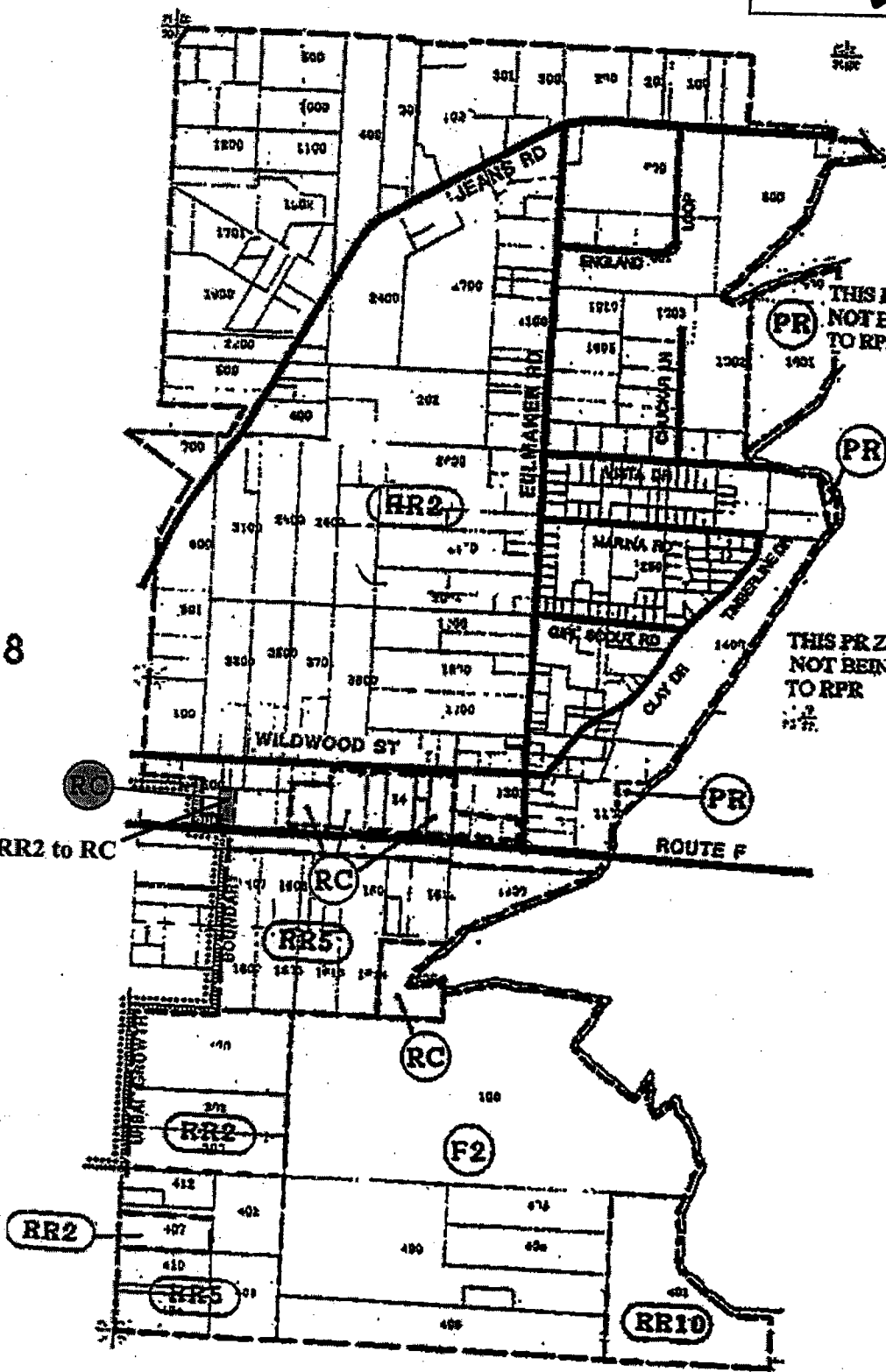
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PR CONTROL NO. 16
EXHIBIT B16-3

FLOODPLAIN

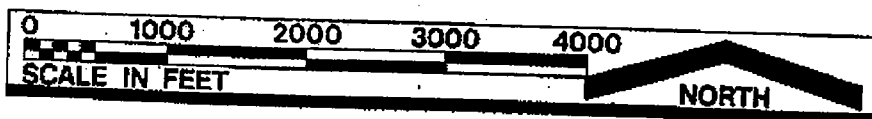
188

From RR2 to RC



211

201



OFFICIAL ZONING MAP

PLOT # 200

Township Range Section

17 05 29

Township Range Section

17 05 29

ORIGINAL ORD. # PA 884

DATE 2/29/1984

FILE #

DIVISION # 4 ORD. # PA3747-95

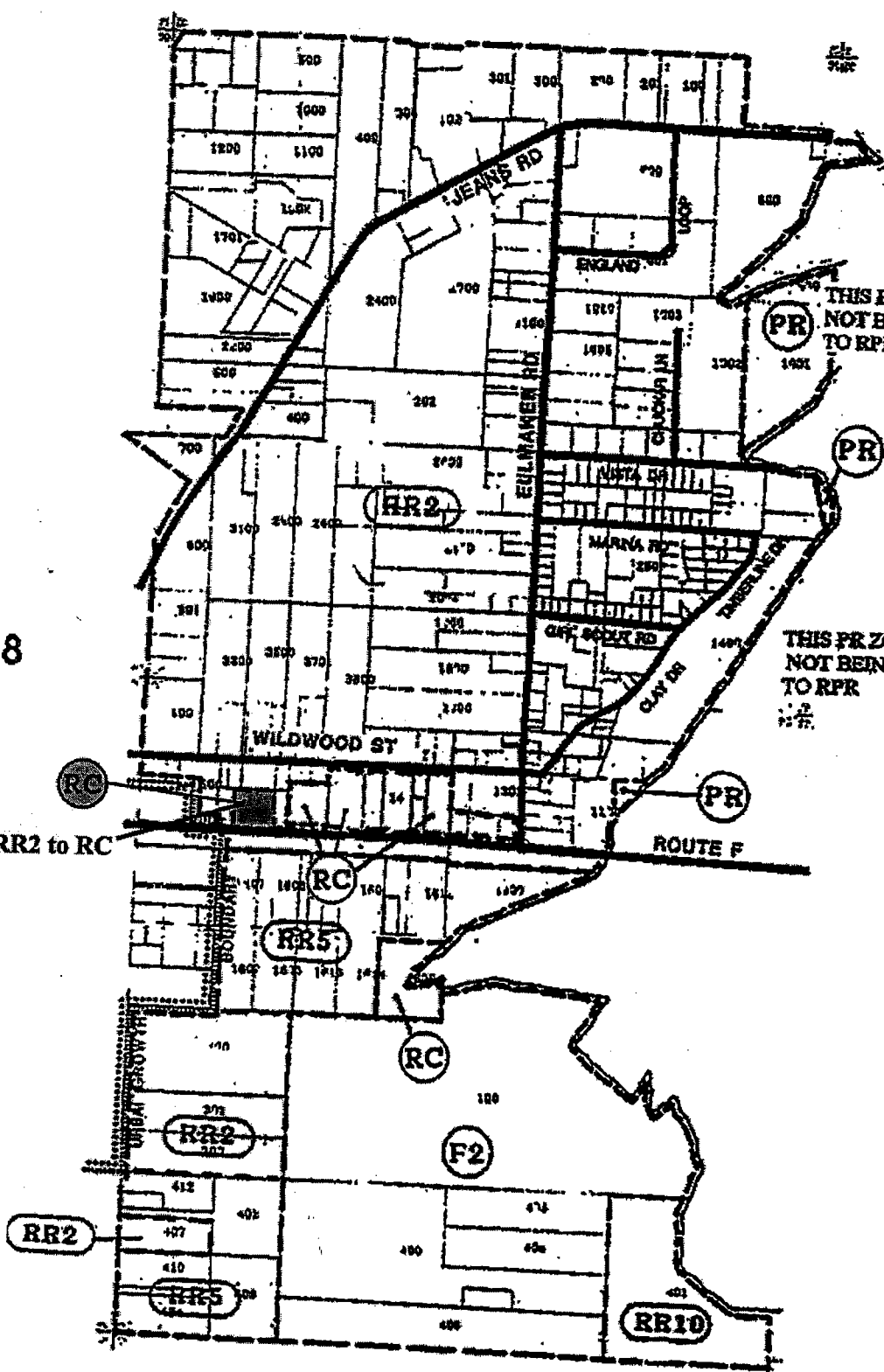
DATE 3/18/96

FILE # PA3747-95

FLOODPLAIN

188

From RR2 to RC

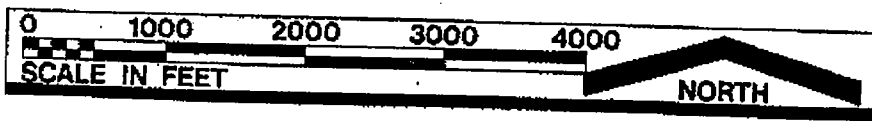


THIS PR ZONING IS NOT BEING REZONED TO RPR

THIS PR ZONING IS NOT BEING REZONED TO RPR

211

201



OFFICIAL ZONING MAP

PLOT # 200

Township Range Section
17 05 29

Township Range Section
17 05 29

ORIGINAL ORD. # PA 884

DATE 2/29/1984

FILE #

DIVISION # 4 ORD. # PA3747-95

DATE 3/18/96

FILE # PA3747-95

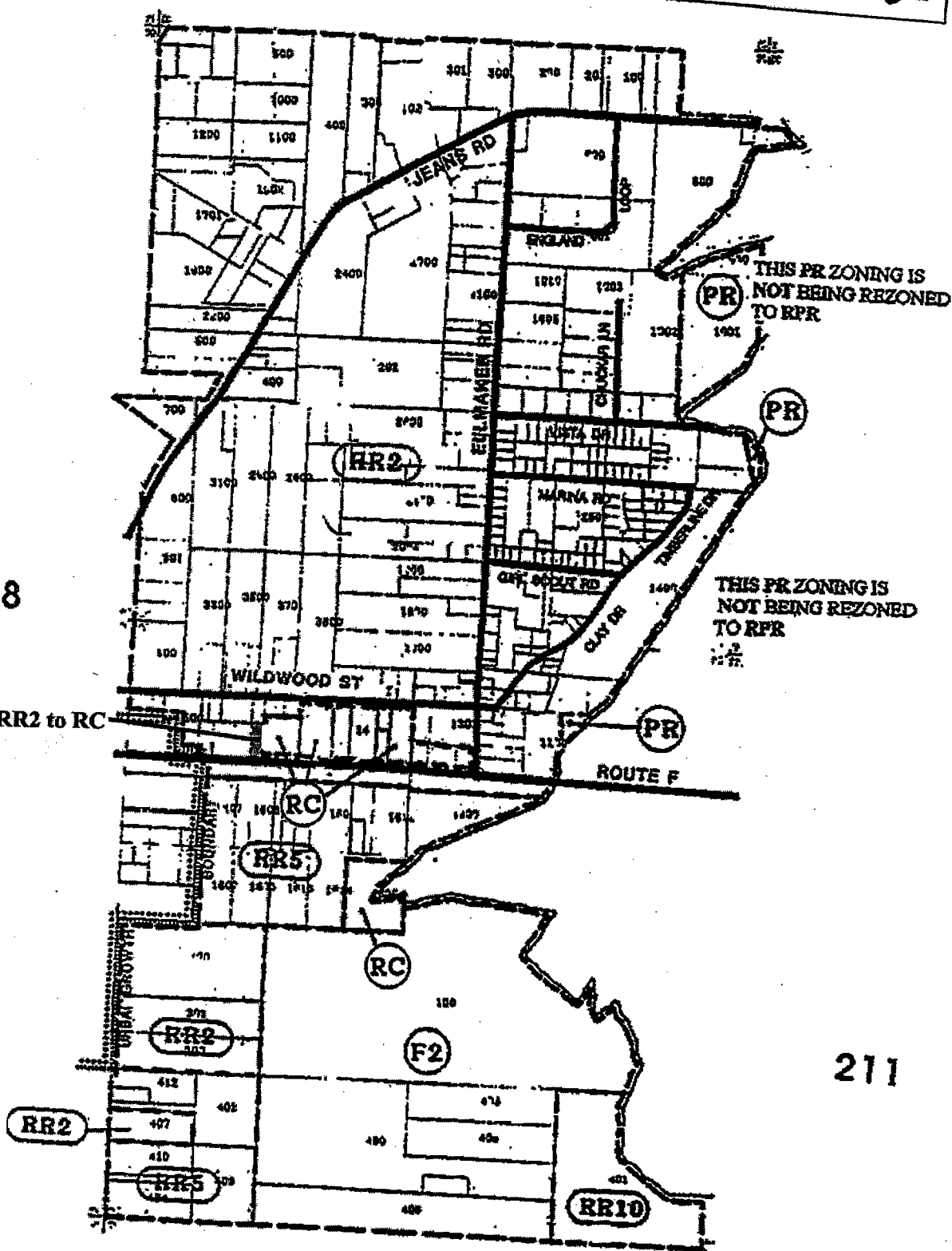
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PR CONTROL NO. **16**
EXHIBIT **B16-5**

FLOODPLAIN

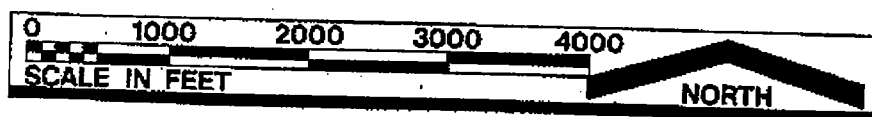
188

From RR2 to RC



211

201



Lane County

OFFICIAL ZONING MAP

PLOT # 200

Township Range Section
17 05 29

Township Range Section
17 05 29

ORIGINAL ORD. # PA 884

DATE 2/29/1984

FILE #

DIVISION # 4 ORD. # PA3747-95

DATE 3/18/96

FILE # PA3747-95

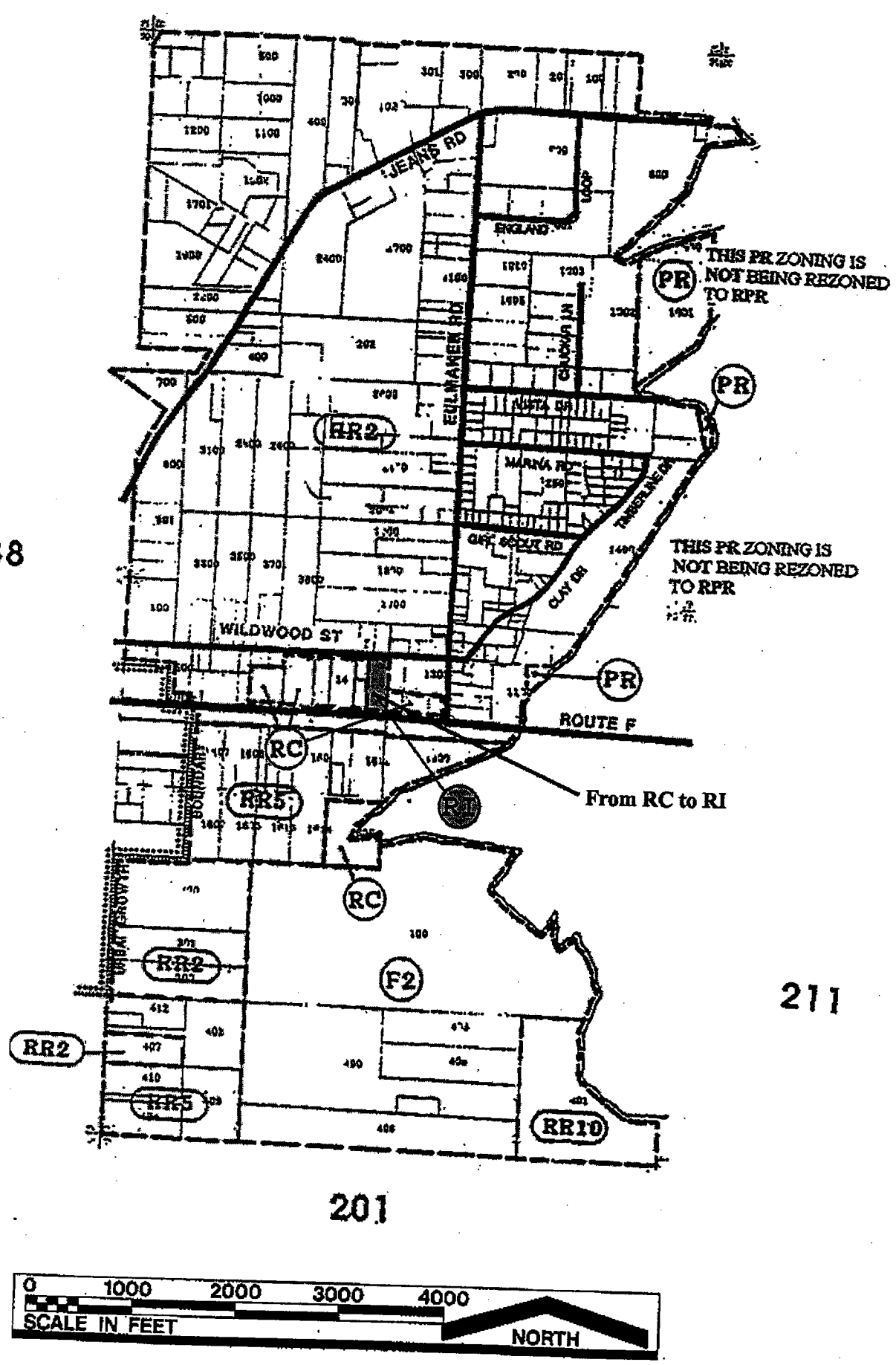
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188

211

201

FLOODPLAIN



OFFICIAL ZONING MAP

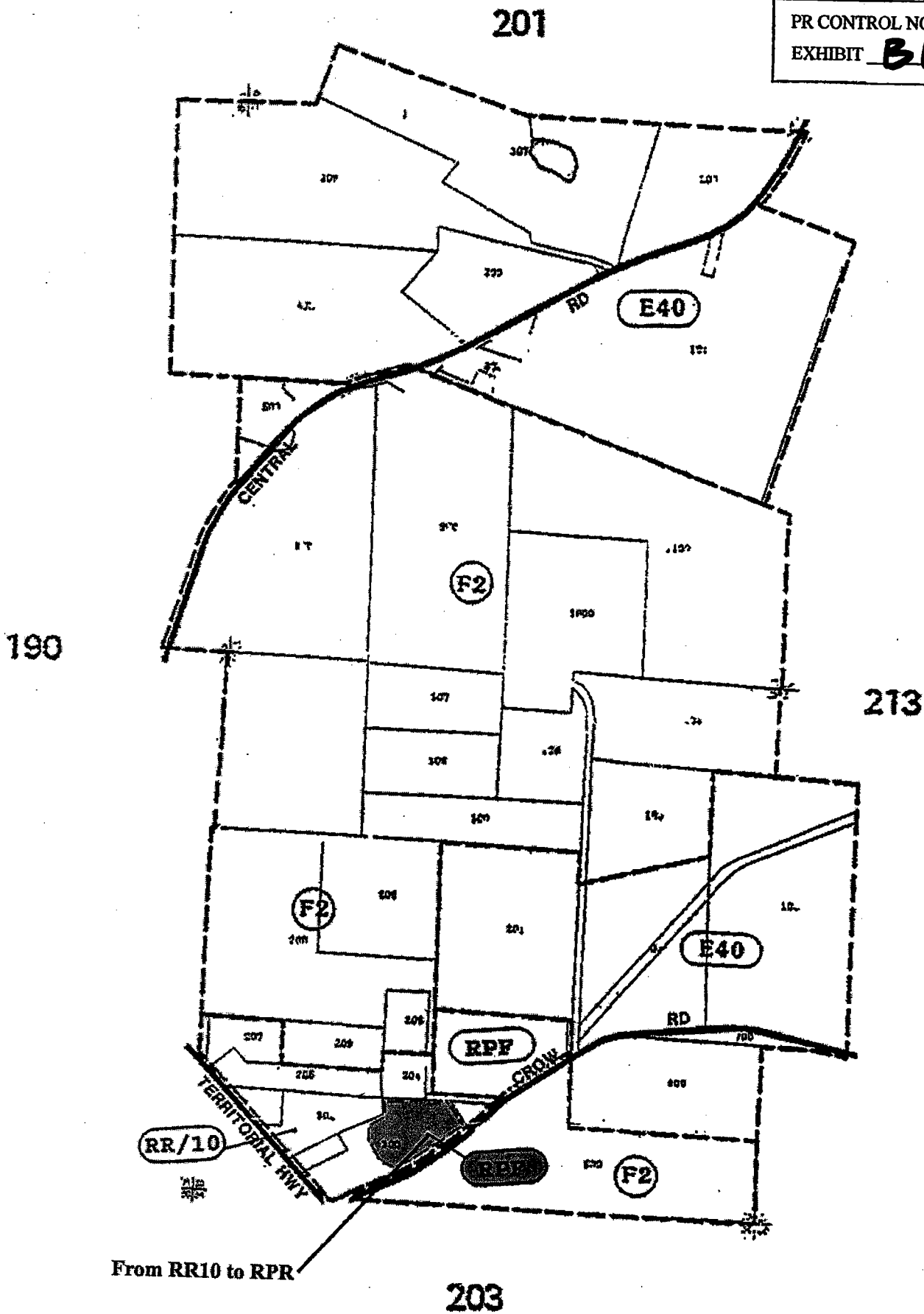
PLOT # 200

Township Range Section	Township Range Section
17 05 29	17 05 29

ORIGINAL ORD. # PA 884 DATE 2/29/1984 FILE # _____

DIVISION # 4 ORD. # PA3747-95 DATE 3/18/96 FILE # PA3747-95

PR CONTROL NO. 17
EXHIBIT B17



lane county



OFFICIAL ZONING MAP

PLOT# 202

Township Range Section

18 05 17

18 05 20

ORIGINAL ORD. # PA 884

DATE 2/29/1984

FILE #

REVISION # ORD. #

DATE

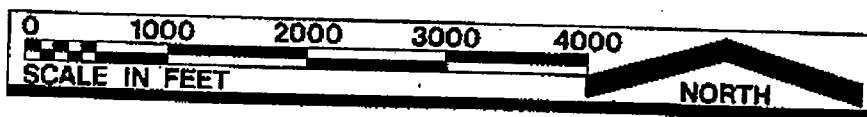
FILE #

From E40 TO RPF

207

233

220



OFFICIAL ZONING MAP

PLOT# 219

Twnshp Range Section

15 05 34

16 05 03

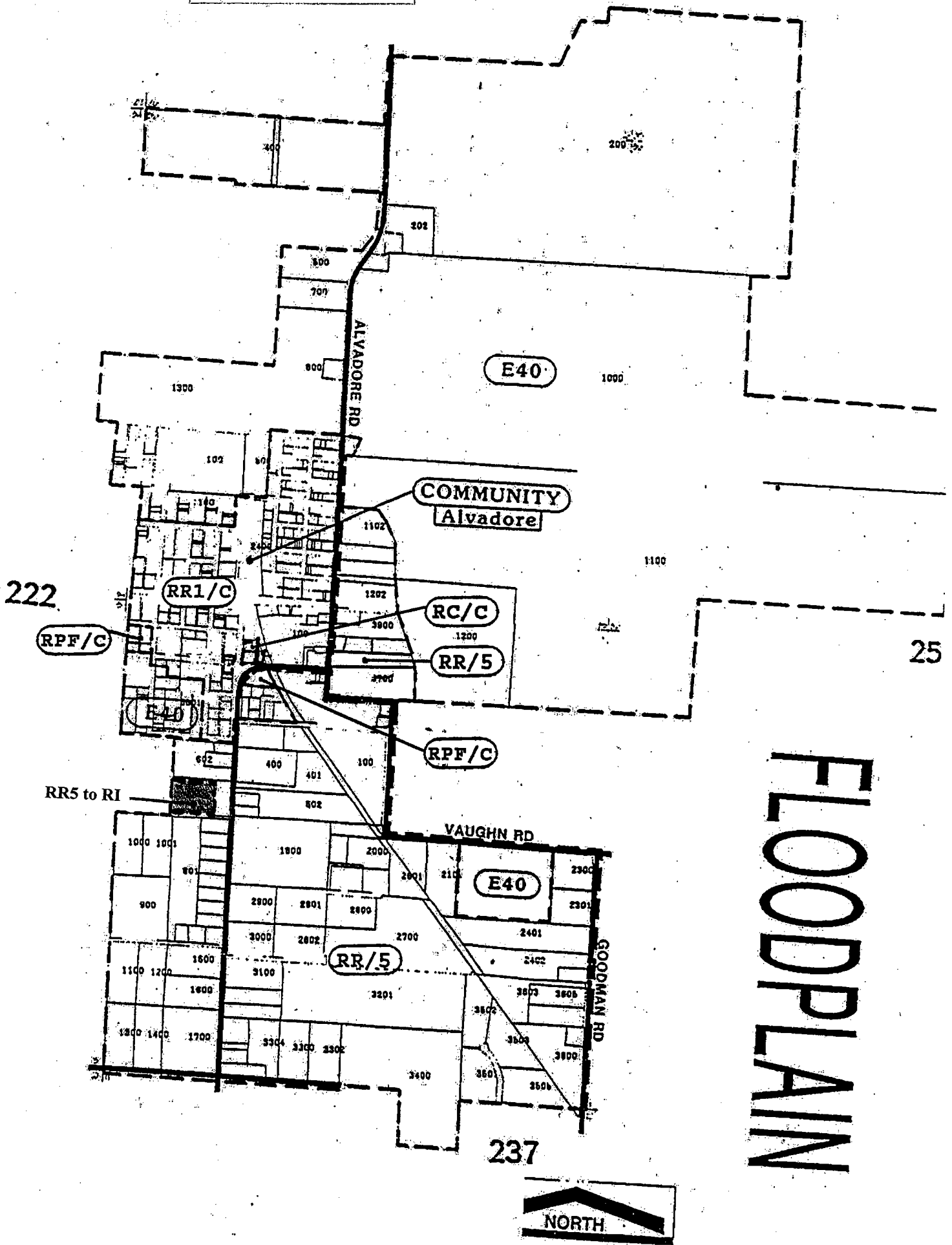
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REVISION # _____ ORD # _____ DATE _____ FILE # _____

PR CONTROL NO. 19
EXHIBIT B-19

B. Zoning Map, Plot # 236 with proposed zone change.

235



lane county



OFFICIAL ZONING MAP

PLOT# 236

Township Range Section

16 05 35

17 05 02

ORIGINAL ORD. # PA 884

DATE 2/29/1984

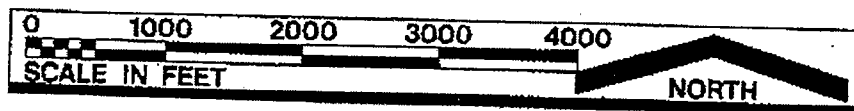
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REVISION # 1 ORD # PA 992

DATE 1/18/91

FILE #

244



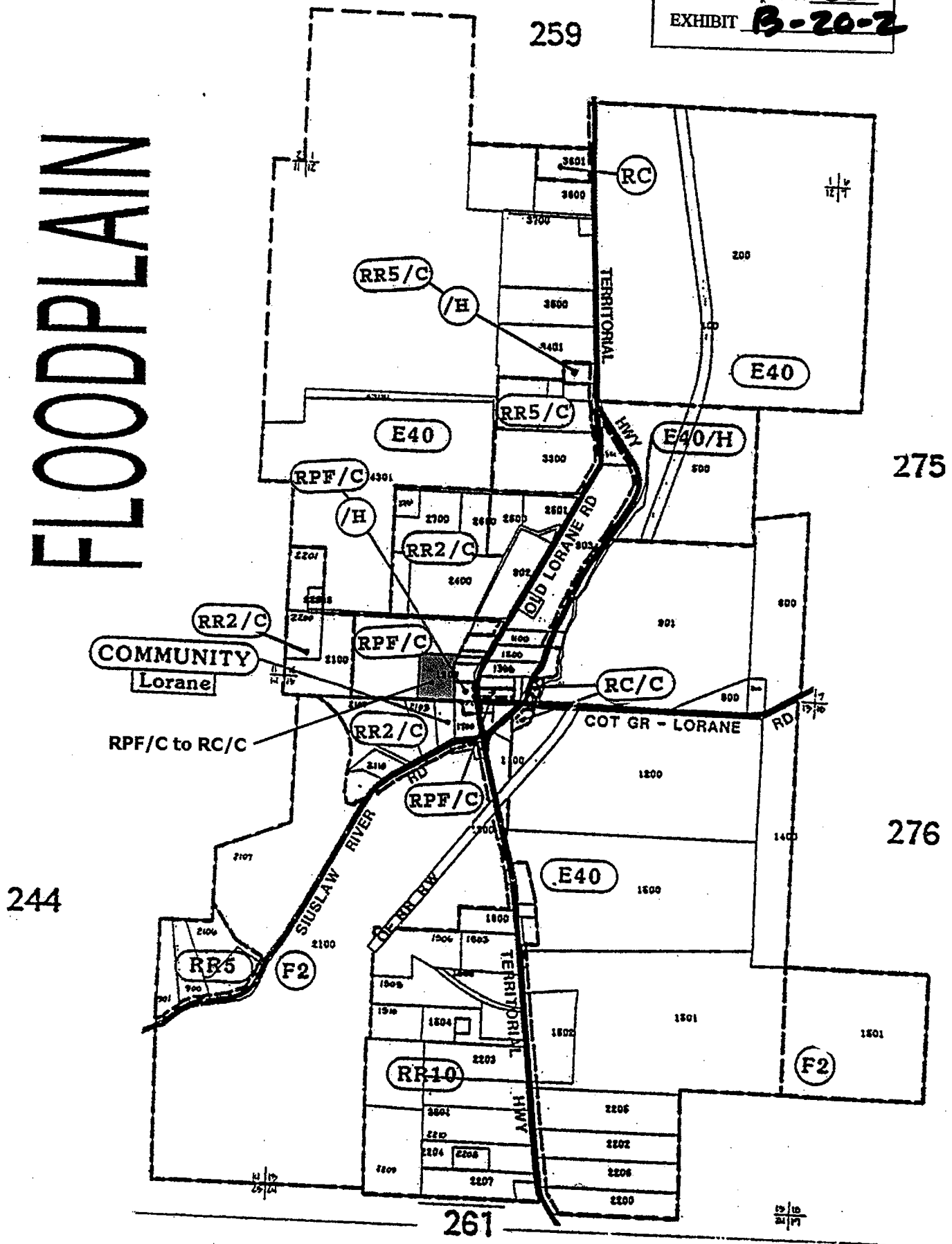
PLOT# 260

20 05 13

REVISION # _____ ORD # _____ DATE _____ FILE # _____

PR CONTROL NO. 26
EXHIBIT B-20-2

FLOODPLAIN



ane county



OFFICIAL ZONING MAP

PLOT# 260

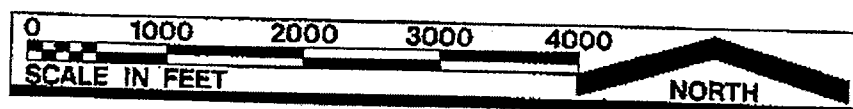
Township Range Section

20 05 12

20 05 13

ORIGINAL ORD. # PA 884 DATE 2/29/1984 FILE #

REVISION # ORD # DATE FILE #



PLOT# 260

20 05 13

REVISION # _____ ORD. # _____ DATE _____ FILE # _____

PR CONTROL NO. **20**
EXHIBIT **B-20-4**

FLOODPLAIN

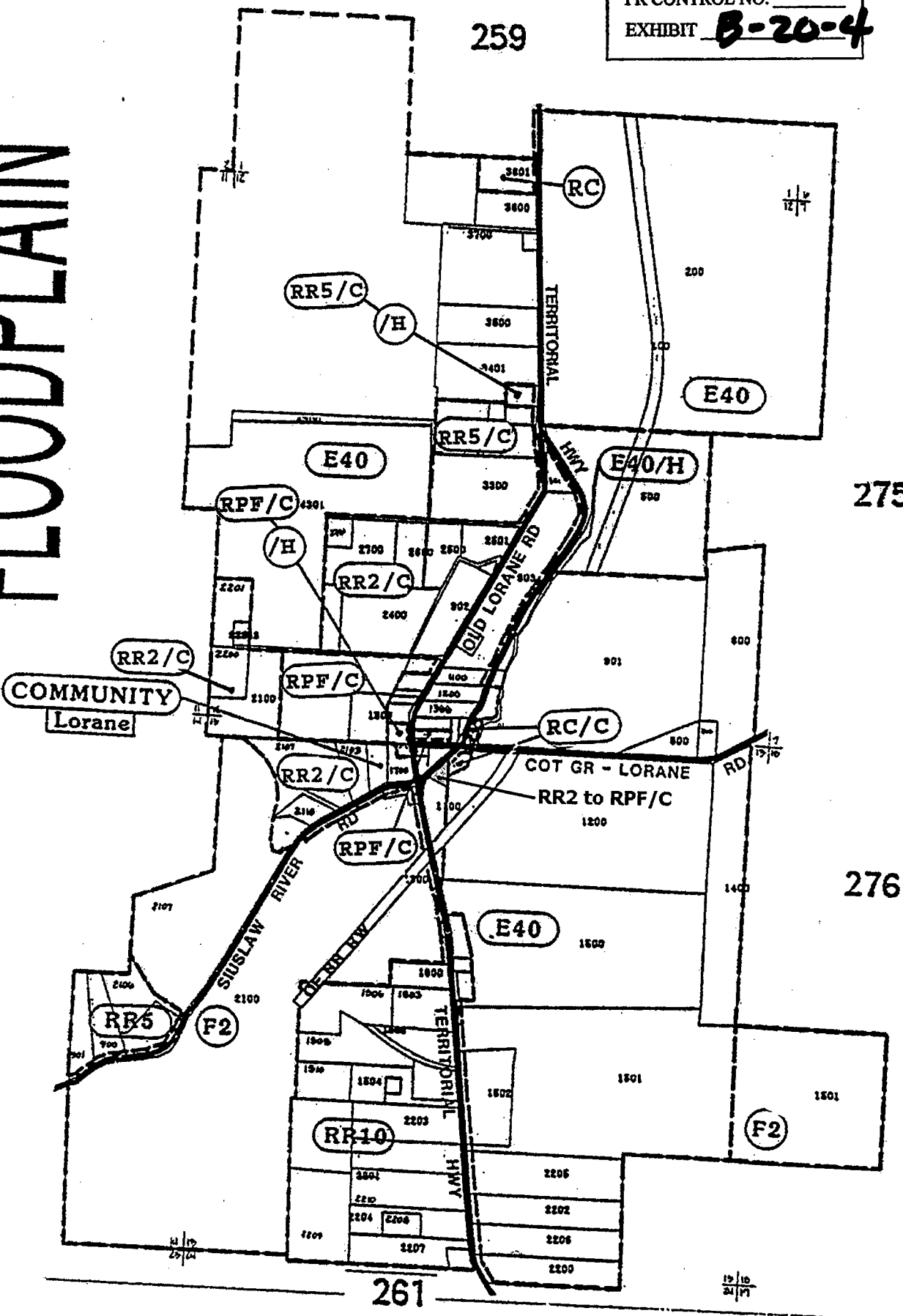
244

259

275

276

261



ane county



OFFICIAL ZONING MAP

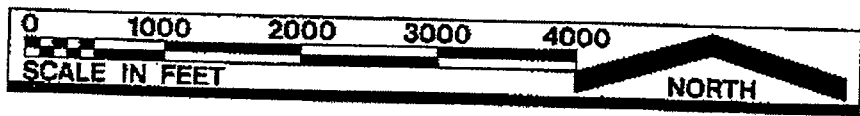
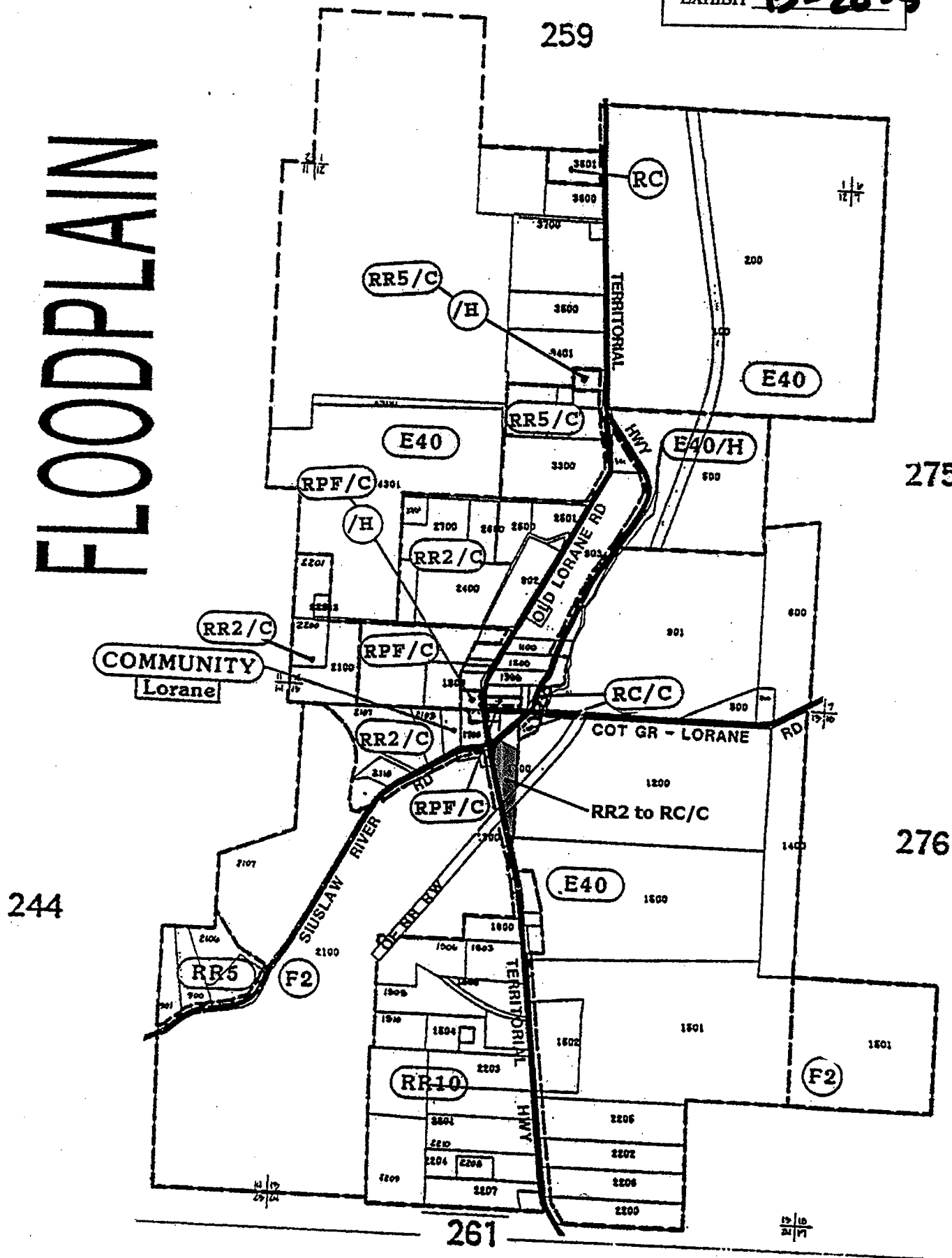
PLOT# 260

Township Range Section
20 05 12 / 20 05 13

ORIGINAL ORD. # _____ PA 884 DATE 2/29/1984 FILE # _____
REVISION # _____ ORD. # _____ DATE _____ FILE # _____

PR CONTROL NO. **20**
EXHIBIT **B-20-5**

FLOODPLAIN



ane county



OFFICIAL ZONING MAP

PLOT# 260

Township Range Section

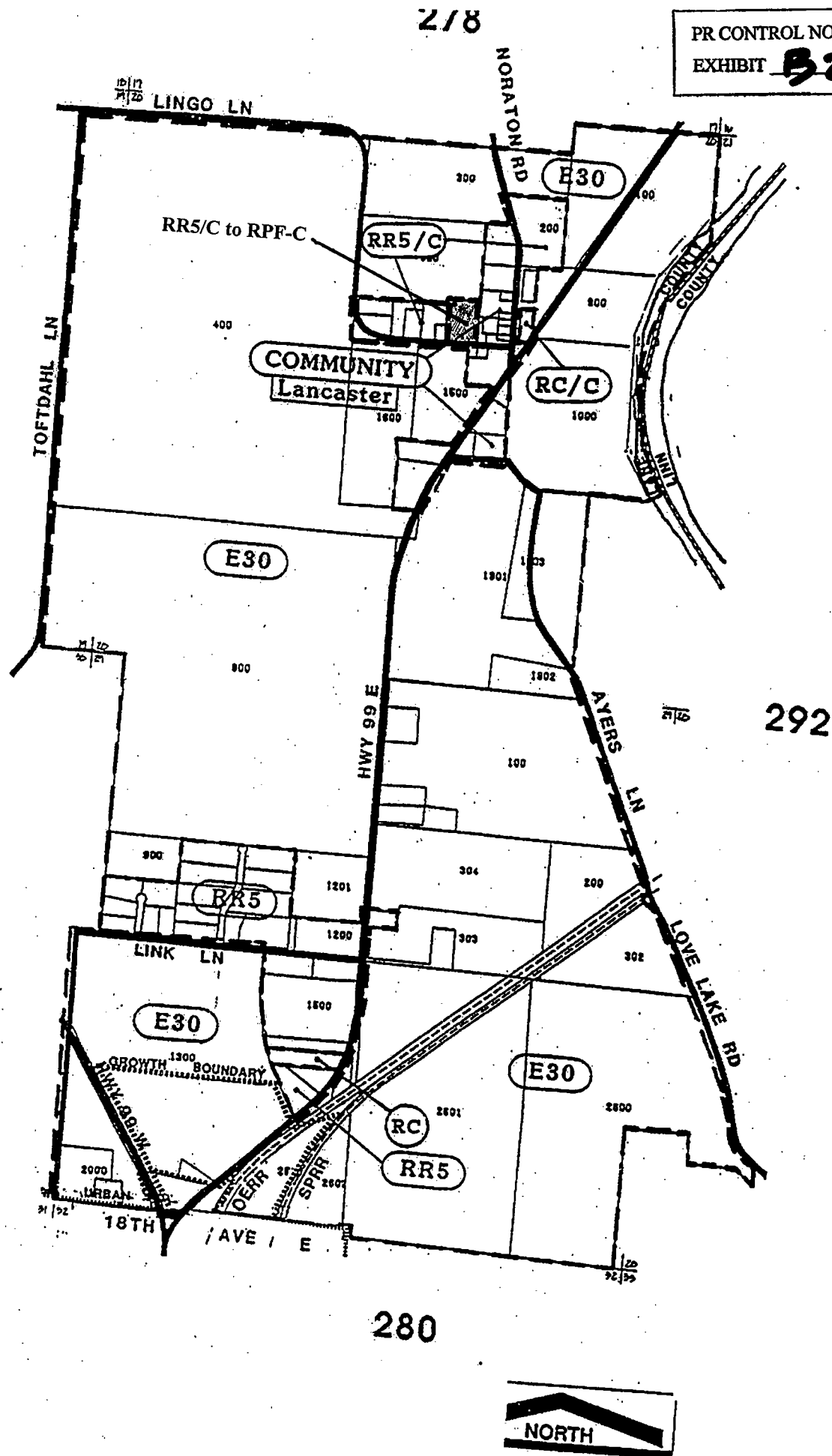
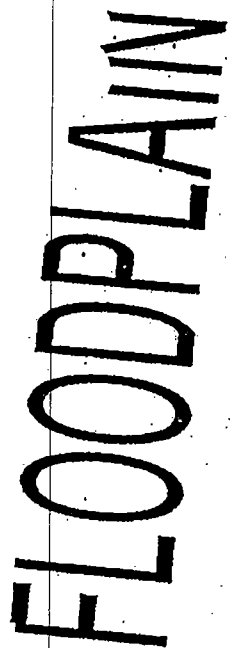
20 05 12

20 05 13

ORIGINAL ORD. # PA 884 DATE 2/29/1984 FILE #

REVISION # ORD. # DATE FILE #

PR CONTROL NO. 21
EXHIBIT B21-1



re county



OFFICIAL ZONING MAP

PLOT# 279

Twtnsh Range Section
15 04 20

15 04 29

ORIGINAL ORD. # PA 884

DATE 2/29/1984

FILE #

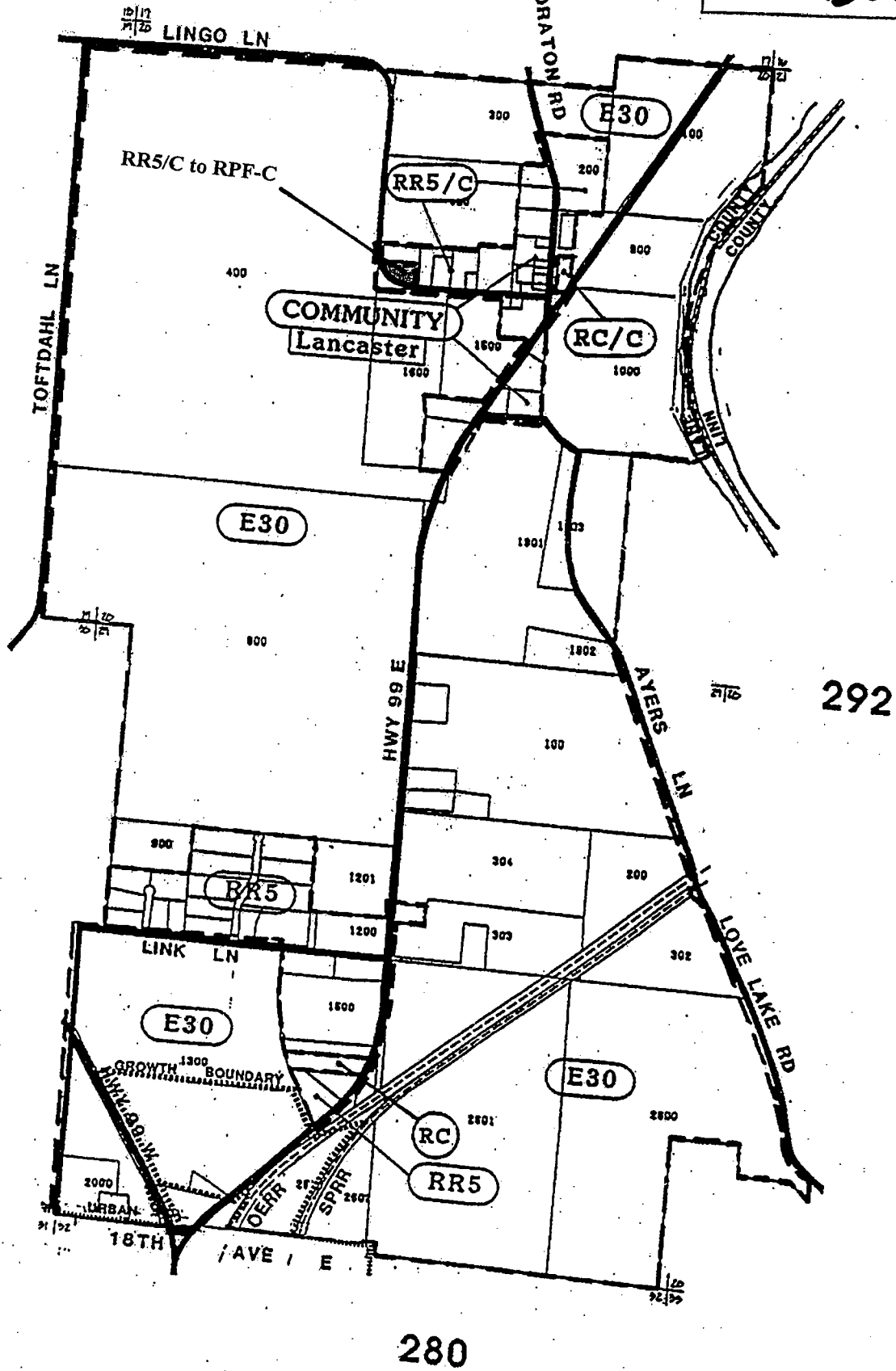
VISION # 2 ORD. # PA 1053

DATE 01 / 12 / 94 FILE #

218

PR CONTROL NO. 21
EXHIBIT B21-2

FLOODPLAIN



OFFICIAL ZONING MAP

PLOT# 279

ORIGINAL ORD. # PA 884 DATE 2/29/1984 FILE # 15 04 29
VISION # 2 ORD. # PA 1053 DATE 01 / 12 / 94 FILE #

Zoning Map, Plot #281 with proposed zone change for all five subject properties.

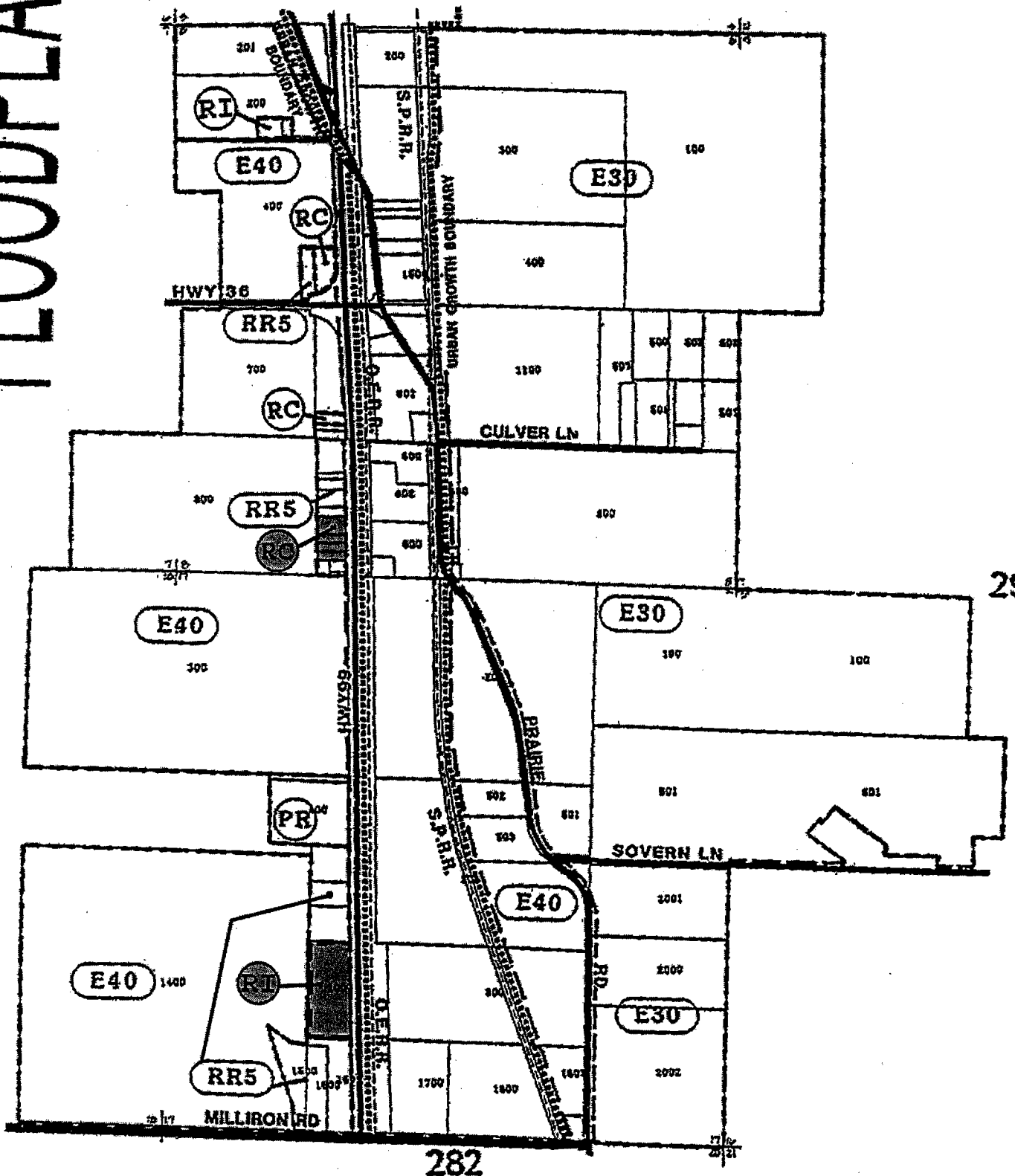
PR CONTROL NO. 22
EXHIBIT B-22-1

280

FLOODPLAIN

266

294



282



the county



OFFICIAL ZONING MAP

PLOT# 281

Township Range Section

16 04 08

16 04 17

ORIGINAL ORD. # _____ PA 884 _____ DATE 2/29/1984 FILE # _____

VISION # _____ ORD. # _____ DATE _____ FILE # _____

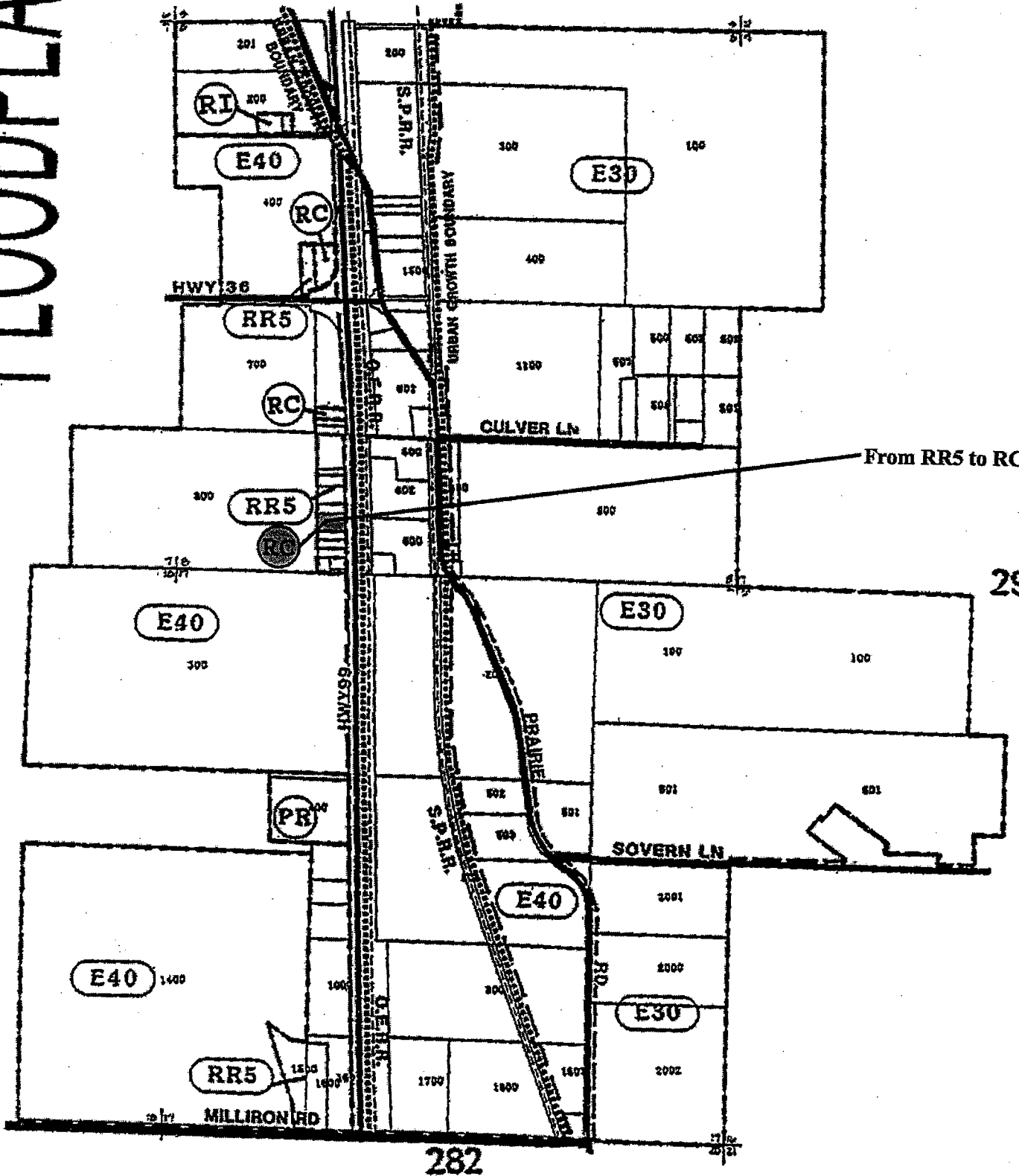
PR CONTROL NO. **22**
EXHIBIT **B-22-2**

FLOODPLAIN

280

266

294



the county



OFFICIAL ZONING MAP

PLOT# 281

Township Range Section

16 04 08

16 04 17

ORIGINAL ORD. # _____ PA 884 DATE 2/29/1984 FILE # _____

VISION # _____ ORD. # _____ DATE _____ FILE # _____

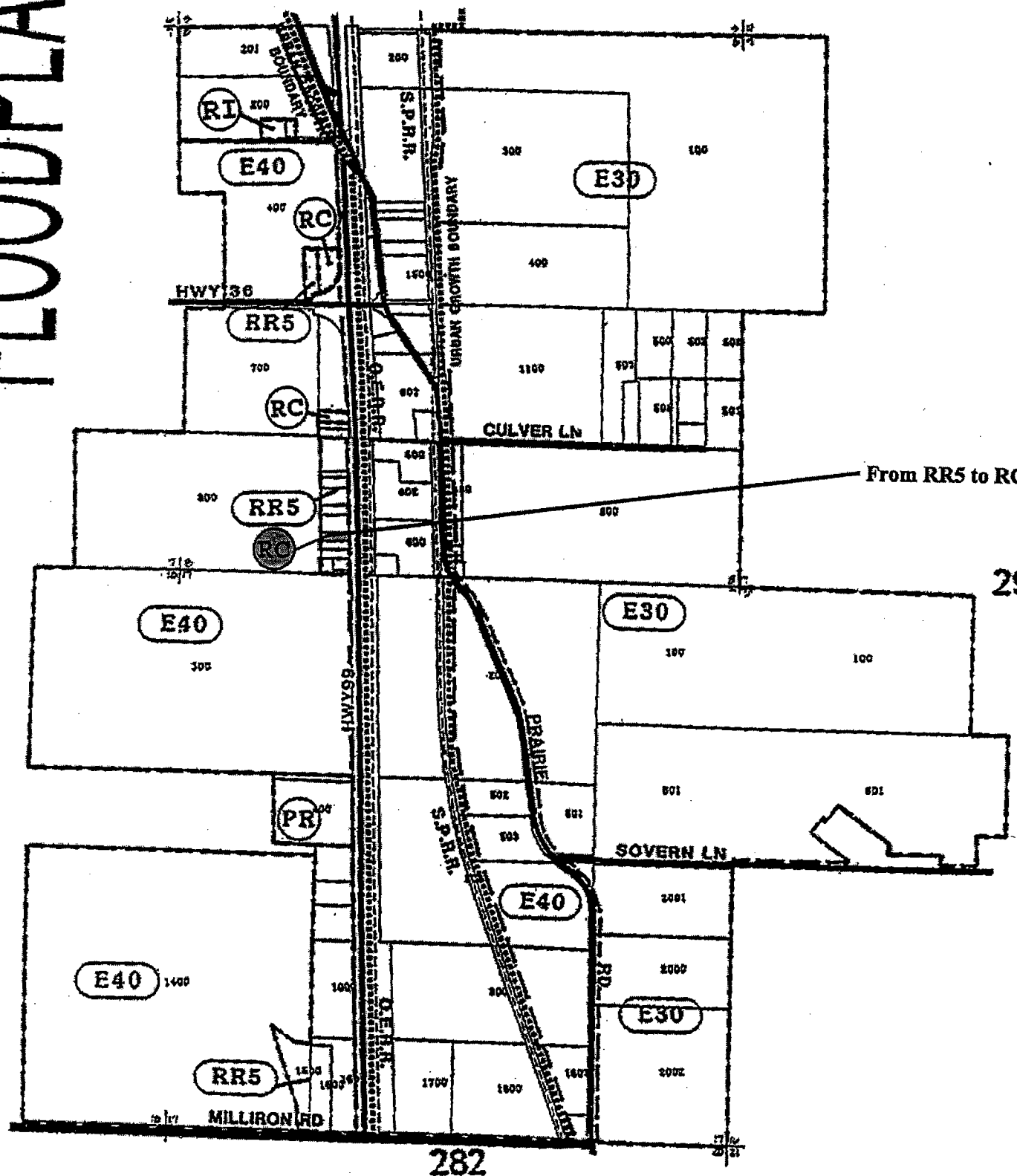
PR CONTROL NO. 22
EXHIBIT B-22-3

FLOODPLAIN

280

266

294



282



the county



OFFICIAL ZONING MAP

PLOT# 281

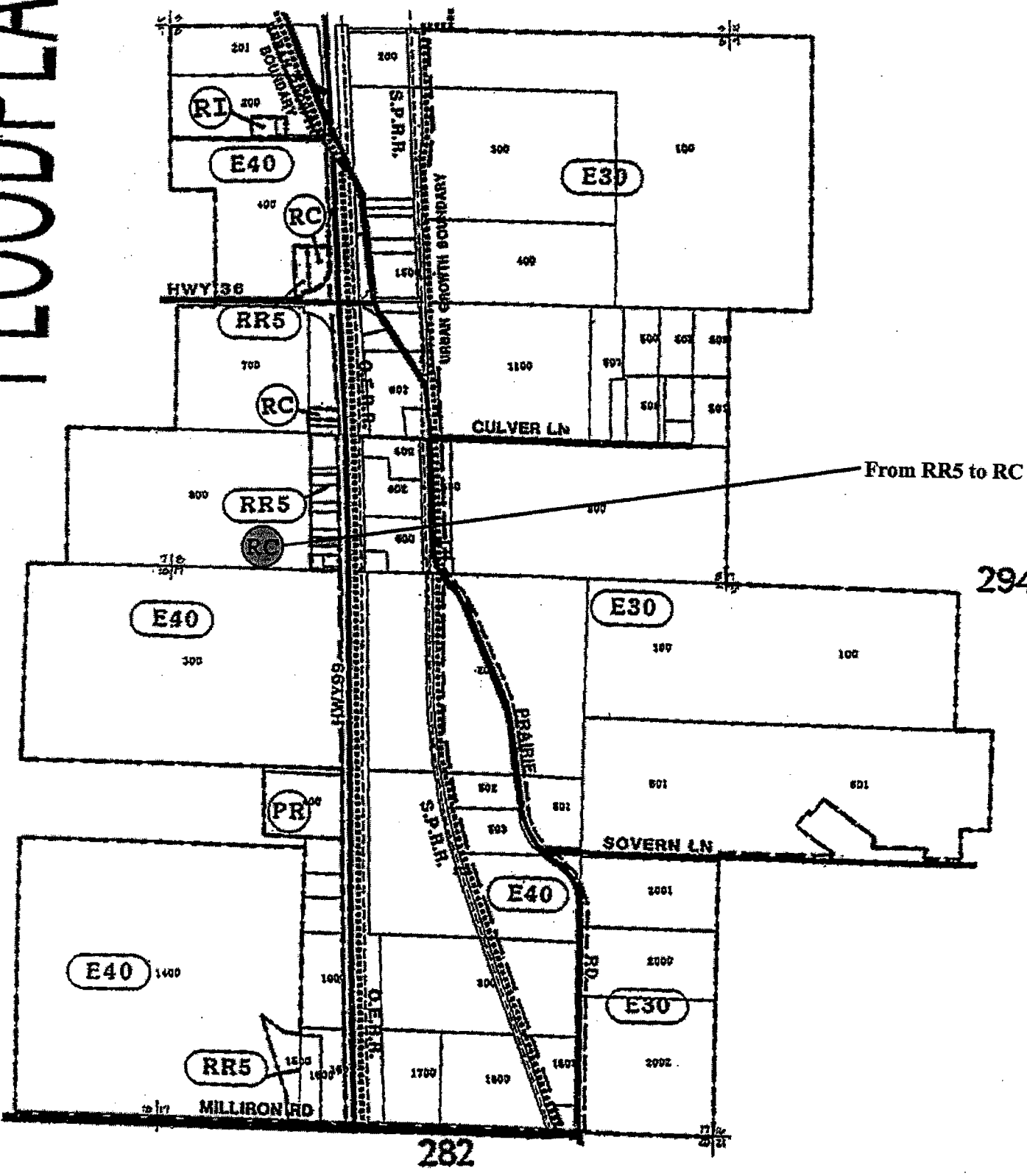
Township Range Section
16 04 08 / 16 04 17

ORIGINAL ORD. # PA 884 DATE 2/29/1984 FILE #
DIVISION # ORD. # DATE FILE #

PR CONTROL NO. 22
EXHIBIT B-22-4

FLOODPLAIN

280



the county



OFFICIAL ZONING MAP

PLOT# 281

Township Range Section

16 04 08

16 04 17

ORIGINAL ORD. # _____ PA 884 _____ DATE 2/29/1984 FILE # _____

VISION # _____ ORD. # _____ DATE _____ FILE # _____

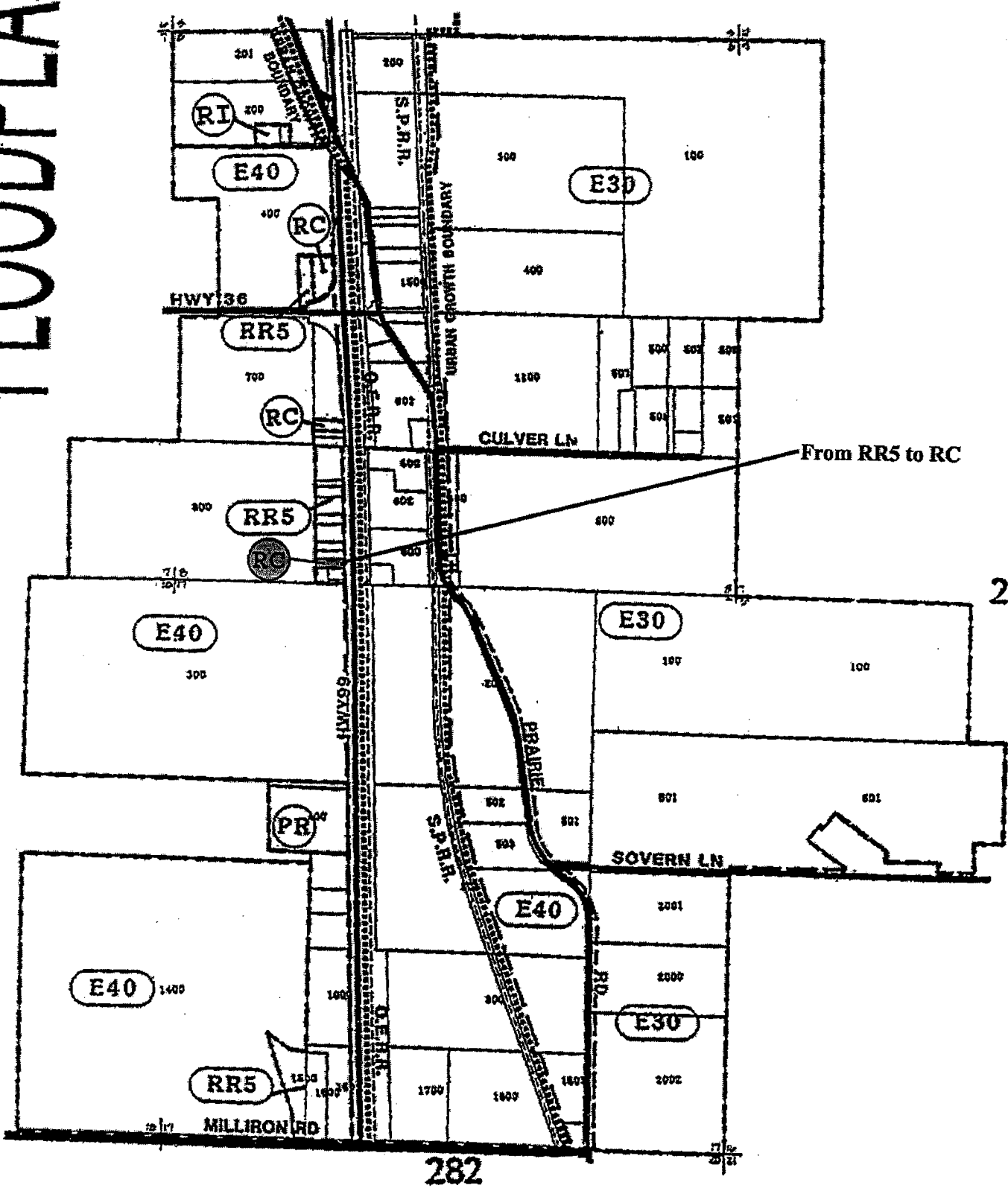
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EXHIBIT A-22-9

FLOODPLAIN

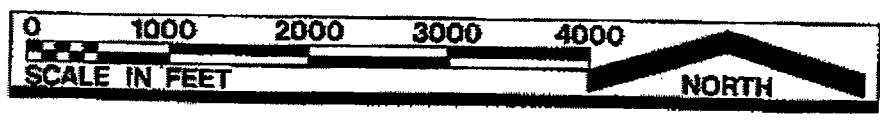
280

266

294



282



the county



OFFICIAL ZONING MAP

PLOT# 281

Township Range Section
16 04 08 / 16 04 17 ()

ORIGINAL ORD. # _____ PA 884 DATE 2/29/1984 FILE # _____
DIVISION # _____ ORD. # _____ DATE _____ FILE # _____

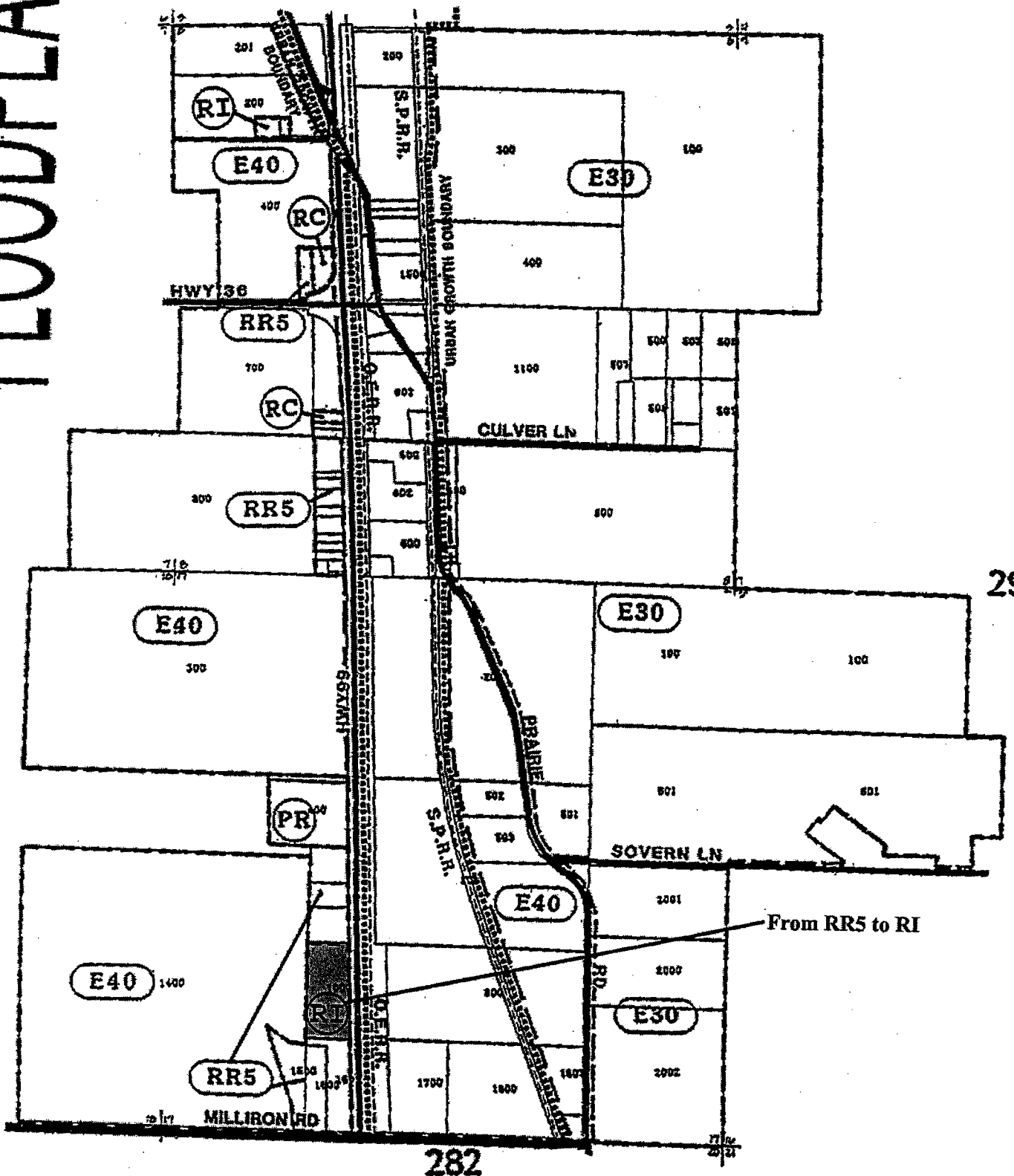
PR CONTROL NO. **22**
EXHIBIT **A-22-6**

FLOODPLAIN

280

266

294



282



the county



OFFICIAL ZONING MAP

PLOT# 281

Township Range Section

16 04 08

16 04 17

ORIGINAL ORD. # _____ PA 884

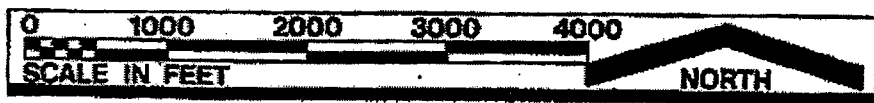
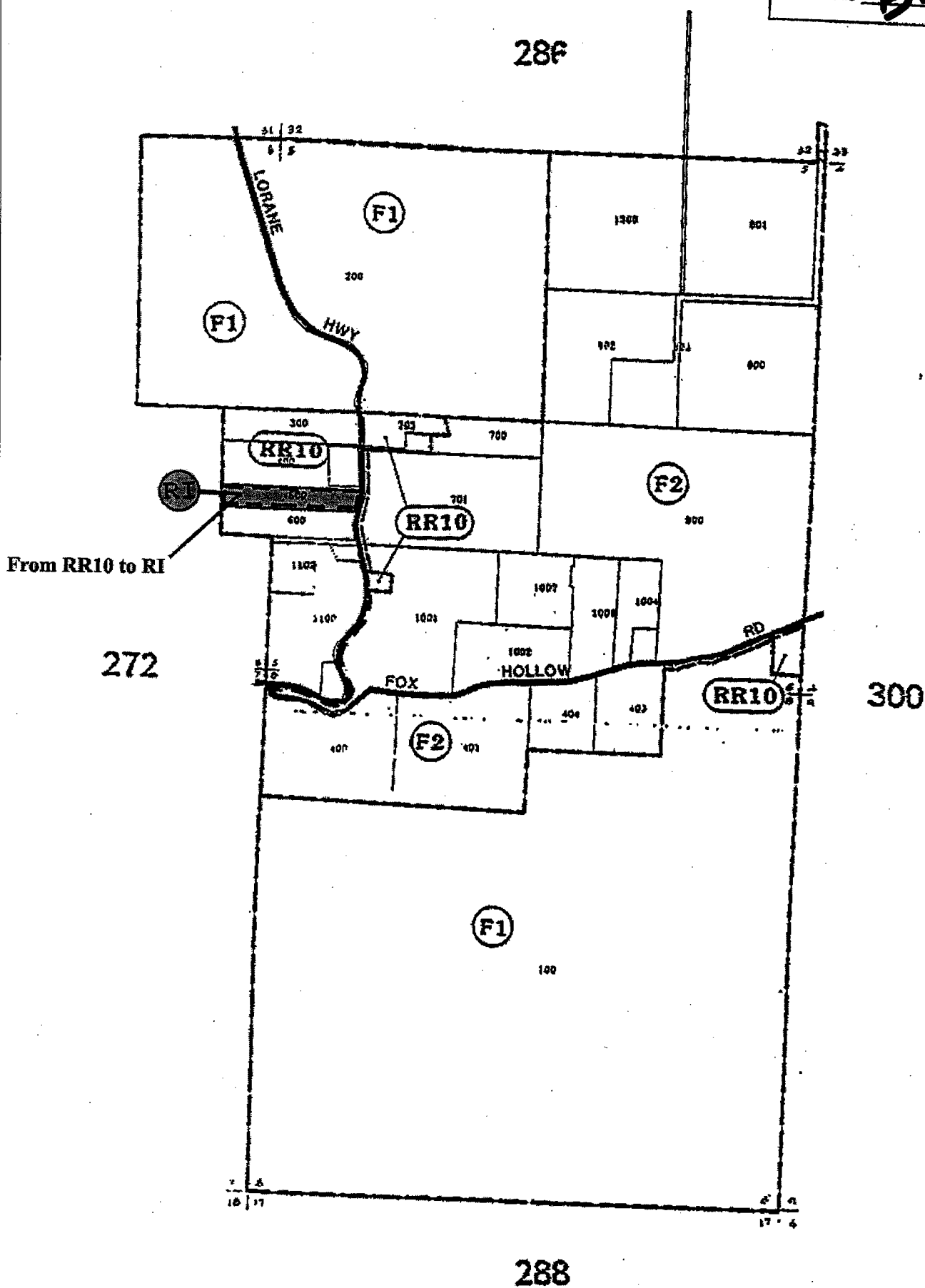
DATE 2/29/1984

FILE # _____

VISION # _____ ORD. # _____

DATE _____

FILE # _____



ane county



OFFICIAL ZONING MAP

PLOT# 287

Township Range Section

19 04 05

19 04 08

ORIGINAL ORD. # _____ PA 884 DATE 2/29/1984 FILE # _____

REVISION # _____ ORD # _____

Exhibit No. C-1

PRZC Control No. 1

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

**Unincorporated Rural Community of Glenada
Developed and Committed Exception Areas No. 14, 15, 23, 24**

**Plan Amendments and Zone Changes for
Tax lot 2102 of Assessor's Map 19-12-03.1
Tax Lot 3900 of Assessor's Map 19-12-10.1**

Tax lots	Acreage	From	To
2102	3.22	Parks and Recreation (PR)	Rural Commercial (RC-C)
3900	0.38	Rural Industrial Land (RI)	Rural Commercial (RC-C)

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<u>III. Parcel Specific Findings of Fact</u>	5
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TRS 19-12-10.1. tax lot 3900, 0.38 of an acre	7
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Lane County -/- Siuslaw Watershed Periodic Review Legislative Rezoning Project

**Unincorporated Rural Community of Glenada
Developed and Committed Exception Areas No. 14, 15, 23, 24**

**Plan Amendments and Zone Changes for:
Tax lot 2102 of Assessor's Map 19-12-03.1; and
Tax Lot 3900 of Assessor's Map 19-12-10.1**

Tax lots	Acreage	From	To
2102	3.22	Parks and Recreation (PR)	Rural Commercial (RC-C)
3900	0.38	Rural Industrial Land (RI)	Rural Commercial (RC-C)

Statement of Criteria

OAR 660-04-018(2) - *Planning & Zoning for Exception Areas*
OAR 660-04-018, 020, 025, and 028 - *Exception Requirements*
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 16.291 - *Rural Commercial Zone*
Lane Code 16.292 - *Rural Industrial 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), Glenada is designated as an “unincorporated rural community”.

These amendments to the Official Plan Map and Zoning Maps (Plots 14 and 15) would revise the zoning designations of two properties; acknowledge the existing uses of the two properties located in the northern half of the rural community of Glenada; and provide for the anticipated use of those properties within the rural community.

One amendment would add one property (tax lot 2102) and 3.22 acres to Rural Commercial Lands inventory in the rural community. The other amendment would be rezone one property from Rural Industrial Land (RI-C) to Rural Commercial Land (RC-C) and add 0.38 of an acre to the Rural Commercial inventory.

II. GENERAL FINDINGS OF FACT

Rural Community of Glenada

Exception Areas Plots # 014-1, 015-1, 023-2, 024-1

TRS: 18-12-26, 18-12-34.4.1, 18-12-35, 19-12-02.2, 19-12-02.3.2,
19-12-02.3.3, 19-12-03.1, 19-12-03.4, 19-12-10.1, 19-12-11, 19-12-15.

1. The unincorporated Rural Community of Glenada is situated directly south of the Siuslaw River and straddles Pacific Coast Highway between the City of Florence to the north and Dunes City to the southeast. Glenada extends across sections lines of four developed & committed exception area plots. An analysis of all lands within the community for each of the four plots includes the following:

<u>Plots:</u>	<u>Township-Range-Section</u>	<u>No. parcels</u>	<u>Acres</u>	<u>Average</u>	<u>Residences</u>
014-1	TRS 18-12-34, 19-12-03	178	252.6	1.42	95
015-1	TRS 19-12-10, 19-12-15	66	142.6	2.16	56
023-2	TRS 18-12-35	78	55.5	0.71	48
024-1	TRS 19-12-02, 19-12-11	116	194.7	1.17	66
		438	645.4	1.37	265

2. The residential development of the unincorporated community of Glenada was originally created adjacent to the Siuslaw River resources through subdivisions circa 1889-1894. During this same period, a second timber-oriented community known as Westlake was developing approximately five miles to the south on the western and northern shorelines of Siltcoos Lake. Westlake and lands immediately north and adjacent to Woahink Lake would eventually incorporate as Dunes City in 1964 leaving a two-mile length of Highway 101 as an unincorporated mixture of commercial, industrial and residential uses which was identified as the "community" of Glenada in 1984.
3. Glenada is very densely developed with 645.4 acres divided amongst 438 parcels or lots with an average parcel size of 1.37 acres. Residential development included 265 dwellings in 1989 within the Rural Residential (RR2) zoning designation with a two-acre minimum parcel size for new divisions. Commercial development is clustered along the Highway 101 corridor with approximately 30% of the parcels vacant or underutilized. The dominant use is tourism and recreation facilities associated with the Oregon Dunes National Recreation Area to the west, three coastal lakes in the area (Cleawox, Woahink and Siltcoos), and Honeyman State Park adjacent to the southern boundary of Glenada.
4. Uses in the community include:
 - Three motels --
 - Best Western with 46 units, lounge and restaurant (Pier Point Inn);
 - Park Motel with 1 cabin, 16 units and 4 park model RV units;
 - Ocean Breeze Motel with 13 units; and
 - One mobile home park -- Big Spruce Mobile Home Park (the MH Park infrastructure includes a community water system with 46 connections DHS # 4100295.)
 - One restaurant -- Morgan's Country Kitchen.
 - Two convenience stores --
 - Cleawox market (groceries); and
 - K-G's One Stop Market (groceries and gas station).

Two recreational centers –

Sandland Adventures (bumper boats, go-karts, miniature golf, dune buggy rides),
Camp 101 (Driving range, pitch & putt course, recreation room)

Vocational training center for disabled adults – Mid-Coast Enterprises Inc.

Non-profit museum – Siuslaw Pioneer Museum

Several retail businesses including –

Double Barrel Brewing (brewing and wine making supplies);
Oregon Water Services (pumps & water treatment systems);
Tail Waggers (pet grooming);
Tony's Dings and Dents (auto repair); and
Fine Timed (clock-watch repair).

Wholesale businesses –

Mushroom buyers;
Cord wood sales.

Service providers –

Cedar Water Association; and
Waste Connections, Inc (recycling).

Light industry –

Gary Foglio Trucking Inc. (logging industry); and
Siuslaw Towing (auto salvage).

5. Services are provided to the rural community of Glenada (Levy code 097-16) by:

Electricity: Central Lincoln Peoples Utility District
Fire: Siuslaw Rural Fire Protection District #1
Ambulance: Western Lane Ambulance District
School: Siuslaw School District 97J
Lane Community College
Lane Education Service District
Police: Lane County Sheriff
Oregon State Police
Other: Port of Siuslaw
Siuslaw Public Library District

6. For the reasons mentioned above, the Board of County Commissioners approved the designation of Glenada as an unincorporated rural community on February 18, 2004 in compliance with the OAR 660-22-010(7) definition of a unincorporated rural community.
7. Two parcels within the rural community of Glenada are being proposed to the Planning Commission and Board of Commissioners for zone designation changes. The parcels and circumstances are summarized below:

-- TRS --	Tax lot	Acres	From	To
19-12-03.1	2102	3.22	<u>Parks & Recreation (PR)</u>	<u>Rural Commercial (RC-C)</u>
			Circumstances: Sales office for NACO campground facilities to the west on tax lot 2101	
19-12-10.1	3900	0.38	<u>Rural Industrial Land (RI-C)</u>	<u>Rural Commercial (RC-C)</u>

8. As a result of the zone designation amendments cited in 7., above, the rural community of Glenada will gain 3.6 acres in Rural Commercial land. Although the acreage is small, the

potential benefits to the community in providing for commercial employment opportunities are significant.

9. When Glenada was designated as a “community” and “developed and committed exception area #014-1” in 1984, the NACO West campground was omitted from the community boundaries. The eastern panhandle of the NACO ownership was extensively developed and expansion of the commercial activities has continued since.
10. The opportunity to add the small amount of land, 3.22 acres, into the boundaries of the rural community addresses the current aspirations of the property owners which is one of the primary purposes of the periodic review process.
11. The request for the changes of zone designations is to bring the current and proposed uses of the properties into conformity with the Rural Comprehensive Plan and Lane Code. The current zoning of the two subject properties, tax lots 2102 and 3900, are inconsistent with currently applied Lane Code provisions and the economical, social and cultural aspirations of the community’s property owners.
12. The existing industrial and commercial services and the proposed expansion of the uses are conditionally allowed in the Lane Code 16.291 Rural Commercial zones:

Lane Code 16.291(3)(a) and (c):

(a) Retail trade of products, including: food, new general merchandise, second-hand merchandise in an enclosed building; and building materials, hardware or farm equipment.

(c) Retail trade of services, including: personal, finance, insurance, banking, real estate, and professional.

13. 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 . . .

Rezoning of the subject properties, tax lots 2102 and 3900 to Rural Commercial as indicated in 7. above, will provide opportunities for Glenada property owners to revitalize their “community” and is the direct result of efforts on the part of the citizens of Glenada in response to Periodic Review Work Task 3. 3. in the Siuslaw 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 two zoning designations are the implementation phase of the “desires and opinions” for two properties within the original rural community of Glenada. Refer to 7. above.

III. PARCEL-SPECIFIC FINDINGS OF FACT

The two properties subject to plan amendments and zone changes in this application are addressed as they are located on a north-to-south and west-to-east axis in relation to the core of the rural community of Glenada.

TRS 19-12-03.1, tax lot 2102, 3.22 acres.

Property Owner: Thousand Trails, Inc (National American Corp. NACO)

Proposed change in zoning designation from Parks and Recreation (PR) to Rural Commercial (RC-C).

Findings of Fact

1. The property subject to this application, hereinafter referred to as the "subject property," can be identified as tax lot 2102, TRS 19-12-03.1. The subject property is a thin rectangle [155 feet (N-S) x 1,920 feet (E-W)], 3.22 acres in size. The subject property's public access point is off of South Jetty Road.
2. The subject property is physically developed with Thousand Trails NACO West sales office, subsurface disposal system drainfield, and asphalt parking area, which exists in conjunction with parking facilities on tax lot 401 to the south also owned by the applicant and designated as Rural Commercial (RC-C). Tax lot 401 is 4.00 acres in size. Thousand Trails also maintains portions of the existing campground and facilities on tax lot 801 further to the south that is designated Rural Commercial (RC-C) and 4.03 acres in size.
3. Rezoning the subject property to Rural Commercial (RC-C) would provide the applicant a total of 11.25 acres of RC-C land that is contiguous with the NACO West recreation vehicle campground on tax lot 2101 to the west, which is 45.59 acres in size. Refer to Exhibit F: Existing NACO West campground diagram (TRS 19-12-03.1, tax lots 401, 801, 2101, and 2102).
4. The combined 56.84 acres of the subject property (tax lot 2102) and the three contiguously owned properties (tax lots 401, 801 and 2101) includes the NACO West sales office (tax lot 2102), adult lodge (tax lot 801), parking lots (tax lots 401, 801 and 2102), activity center, pool, and dump stations (tax lot 2101), and 194-space recreational vehicle campground (tax lots 801 and 2101).
5. The subject property was developed with the "sales office" in 1986 per approved construction permit BP 86-1194 and sanitation (septic) permit SI 86-0070. The structure includes a 48 feet x 50 feet first floor, a 48 feet x 50 feet basement, and an 18 feet x 18 feet drive-through carport. Total area of the multi-story structure is 5,124 square feet.
6. The subject property is located west of the right-of-way of Pacific Highway 101S, south of the South Jetty Road right-of-way and the Rural Residential (RR2-C) designated lands situated north of South Jetty Road. It is adjacent to tax lot 401 with a zoning designation of Rural Commercial (RC-C), part of the commercial node extending further to the south within the unincorporated rural community of Glenada. Lands to the east (tax lot 2101) are zoned Park & Recreation (PR), which is owned by the applicant.
7. The subject property is within an area identified as a "water quantity limited" area in Lane Manual 13.010. Water for the sales office is provided from the NACO West campground water system on tax lot 2101.
8. There is no apparent wetland on the subject property, per NWI map Florence 2.
9. Eight-eight percent of the soils present on the subject property are Lint Silt Loam (74B), 0 to 7

percent slopes. Bullards-Ferrelo Loams (82C) with slopes of 7 to 12 percent, make up the other 12 percent of the property. Lint Silt Loam has a Douglas fir site index of 117, a fiber productivity of 169 cubic feet per acre per year and is listed as agricultural capability class 3 and is not considered high value in Lane County's inventory. Bullards-Ferrelo Loam has a Douglas fir site index of a complex with a fiber productivity of 84 cubic feet per acre per year and is listed as agricultural capability class 3 and is not considered high value in Lane County's inventory.

10. The subject property is separated from the management practices of nearby farm or forest operations on four sides: NACO West recreational vehicle campground to the west, South Jetty Road and Rural Residential (RR2-C) lands to the north, Rural Commercial (RC-C) lands to the south and Pacific Highway 101 to the east.
11. The zoning of the 3.22-acre subject property as Park and Recreation (PR) in 1984 was due primarily because the property was undeveloped at the time. The tax lot is the only property adjacent to the west right-of-way of Highway 101 and south of South Jetty Road in Section 3 that is not zoned either Rural Commercial or Rural Residential. Two other parcels (tax lots 401 and 801) to the south of similar size and configuration with the subject property were designated Rural Commercial (RC-C) in 1984.
12. Expansion of the uses on the property between 1986 and 2004 have shifted from solely park management to retail sales in response to recreational vehicle owners' need for repair parts, accessory parts, and upgrades on their units. To lawfully expand into retail sales, the subject property needs to be re-designated to Rural Commercial.

TRS 19-12-10.1, tax lot 3900, 0.38 acre.

Property Owner: John M. and Marilyn L. Boatman

Proposed change in zoning designation from Rural Industrial Land (RI-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 east of the right-of-way of Pacific Highway 101 and north of the Honeyman State Park. It can be identified as tax lot 3900, TRS 19-12-10.1. The subject property is rectangular in shape and 0.38 of an acre in size. The parcel's configuration includes approximately 100 feet of frontage along Highway 101 to the west. It is developed with a residence (1948) and accessory structures. The property has an assigned rural address of 84755 Highway 101, Florence OR 97439-8432.
2. The subject property is the residentially developed portion of a two-parcel contiguous ownership with tax lot 4000 to the north that is 0.62 of an acre in size. Tax lots 3900 and 4000 are designated as Rural Industrial (RI-C) and are part of an industrial node that extends to the north and east. The developed adjacent parcel (tax lot 4100) includes the Foglio Logging and Trucking Company, heavy equipment and truck repair services, construction drop box service, auto salvage yard, and a residence.
3. The applicant seeks to amend the zoning designation of the smaller, developed subject property to Rural Commercial (RC-C) in order to lawfully develop the two parcels with a industrial use

pursuant to Lane Code 16.292 on tax lot 4000 and a commercial or retail use pursuant to Lane Code 16.291 on the subject property, tax lot 3900.

The property to the south, tax lot 1100 of TRS 19-12-10, is zoned Park and Recreation (PR), 105.5 acres in size, and developed as the Honeyman State Park (State of Oregon).

Lands to the west of the subject property, across Highway 101, are zoned Rural Residential (RR2-C).

4. The subject property lies within an area identified as a "water quantity limited" area in Lane Manual 13.010 and is developed with an onsite well for domestic water purposes.
5. There is no apparent wetland on the subject property, per NWI map Florence 2.
6. The soil present on 74% the subject property is Bandon Sandy Loam (7F), 12 to 50 percent slopes. The remaining 26% of the property Bullards-Ferrello Loams (21C), 7-12 percent slopes. Bandon (7F) has a Douglas fir site index of 105 and productivity rating of 145 cubic feet per acre per year. The soil is listed as agricultural capability Class 6 and is not considered high value in Lane County's inventory. Bullard-Ferrelo has a Douglas fir site class of the complex and productivity rating of 84 cubic feet per acre per year. The soil is listed as agricultural capability Class 3 and has a non-high value listing.
7. The subject property is separated from the management practices of nearby farm or forest operations on four sides: Highway 101 to the west, Rural Industrial (RI-C) property to the east and north, and the Honeyman State Park to the south.

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 zone changes requested by this application are intended to:

1. Recognize the commercial use of the “NACO West sales office” on tax lot 2102, in conjunction with the Thousand Trails RV Campground on tax lots 401, 801 and 2101 of TRS 19-12-03.1, and the need to provide for expansion of the commercial uses associated with the RV Park.
2. Recognize the need for expansion of commercial services and retail sales of RV parts and as allowable and lawfully existing commercial uses on tax lot 2102.
3. Recognize the small-scale, low impact, watch and clock repair business known as “Fine Timed” on tax lot 3900 of TRS 19-12-10.1.
4. Recognize the advantage to the owners of tax lots 3900 and 4000 to be able to assemble or manufacture a product on the adjacent tax lot 4000 that is designated as Rural Industrial (RI-C) and market the product on the subject property with a designation of Rural Commercial (RC-C).
5. Provide a minimal amount of acreage for development for commercial uses in conjunction with the employment opportunities and recreational uses currently provided rural citizens and travelers in the area.

(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 or adjacent to the rural community of Glenada and are not located within an urban growth boundary. The properties receive a rural level of police and fire protection. The proposed rezoning to Rural Commercial will more closely fit the actual uses that have existed on the subject properties or currently exist.

(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 Glenada was founded as a fish cannery and lumber mill community in the lower Siuslaw River valley and near the coastal lakes of Cleawox, Woahink and Siltcoos. The community is sandwiched between the sand dunes and jack pine forests of the Pacific Coast to the west, the Siuslaw River to the north, and forest resource lands and coastal lakes to the east and south. The rural community includes the four Developed & Committed Exception Areas # 014-1, 015-1, 023-2, and 024-1. The incorporated city of Florence is located across the Siuslaw River to the north and the incorporated Dunes City lies to the south. The addition of tax lots 2102 (19-12-03.1) and 3900 (19-12-10.1) would increase the acreage of Rural Commercial lands in the community by 3.6 acres. There are currently 43 tax lots zoned Rural Commercial and

seven tax lots zoned Rural Industrial within the northern half (D&C #014-1 and #015-) of the rural community of Glenada.

The closest EFU E40 lands are located several sections to the east in Plot #-031 and the closest commercial forest lands are designated Impacted Forest Land (F2) and located 3,300 feet to the southwest across the densely developed residential area of Glenada. The managed forest lands to the southwest are isolated from the subject properties by the intervening developed and committed lands. No foreseeable impacts to resource lands have been identified from the rezoning of the two subject properties.

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

The community of Glenada includes relatively dense rural residential, rural commercial, and rural industrial uses. The rural commercial uses are a mixture of recreational activities and retail sales linked to the resource management of the Oregon Dunes Natural Recreation Area to the west and the Honeyman State Park to the south. Uses and services similar to the existing and allowable uses for the two subject properties have been provided within Glenada and the surrounding rural area for decades. A potable water sources are available from onsite wells and both properties are developed with a subsurface sanitation systems. The residential and recreational center has 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.

The subject properties are restricted from management with forest lands to the west and south due to the surrounding residential and commercial development in D&C Exception Areas #-14, 015, 023 and 024. The two subject properties, tax lots 2102 and 3900 are developed with a commercial structure and a residence/business, respectively, and both are developed with a well, septic system, and electrical service.

The operation of the NACO West sales office as a retail business since 1986 on tax lot 2102 has not adversely affected the management practices of forest or farm operators in the area south of Florence and there is no foreseeable way that the continued operation of the structure in the commercial zone could pose any adverse impact to management of farm or forest lands in the vicinity. Tax lot 3900 is developed with a residence and accessory structures that most likely will remain and be converted to commercial activities. The rezoning of tax lot 3900 from Rural Industrial to Rural Commercial will generally lessen the potential impacts usually associated with allowable uses within the two zones.

Any new commercial use proposed on either of the subject properties 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).

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;

No significant 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). Some additional use by the general public within the public right-of-way of Highway 101 could result from the zone changes. The zoning designation changes will acknowledge the commercial activities that have existed on the subject properties in one form or another since the 1980s.

(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 Highway 101. 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 March and April 2004. In the interim, any proposed expansion of the current uses or request for a new use on either of the subject properties shall be required to comply with LC 16.291(3) permitting process and the siting standards and criteria of LC 16.291(4). 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, to address traffic safety and congestion concerns anticipated by the development.

(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 Glenada, employees of NACO West, patrons or site owners in the campground, or the general traveling public to or through the rural community is warranted. Use of the county and state road system is essential to the tourism that fosters the commercial development in Glenada, the current employment options in Glenada and Dunes City /Westlake to the south, and any potential development of the proposed commercial 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 require Planning Director approval and compliance with LC 16.291(4)(i) criteria: *“(i) 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 require Planning Director approval and compliance with LC 16.291(4)(j) criteria: *“(j) 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

Two subject properties, tax lot 2102 of TRS 19-12-03.1, and tax lot 3900 of TRS 19-12-10.1, are located adjacent to or in "developed and committed" Exception Area #014-1 and #015-1-2 which are part of the unincorporated rural community of Glenada. They are proposed to be designated Commercial by the Lane County Rural Comprehensive Plan and zoned Rural Commercial RC-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 is defined, in part, by the operation of the NACO West RV Campground on tax lots 401, 801, 2101 and the subject property 2102. The proposed zone change acknowledges the commercial aspects of the “sales office” that has provided products and services within the rural community and surrounding area as well as the occasional traveling person since 1986.

Development of tax lot 3900 with Rural Commercial uses can be considered a generally less intensive option than uses allowed in the prior Rural Industrial Zone.

There is no evidence in the record for one to conclude that the current uses on either subject property 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.

The owners of the two subject properties, tax lot 2102 and 3900, have indicated that they intent to expand the existing sales activities on tax lot 2102 and create a commercial use on tax lot 3900 in conjunction with an industrial use on the contiguously owned tax lot 4000. The rezoning requests to Rural Commercial RC-C reflect those commitments.

The subject properties may have other owners over the decades to come. Future owners of the subject properties may decide that they want to intensify the existing uses of the properties or change the uses entirely. While the impacts from the existing use on tax lots 2102 and 3900 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 Commercial 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 of LC 16.291(3) and the site review criteria of LC 16.291(4).

- 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.**

The subject properties are located adjacent to the public highway (Pacific Highway 101) and within the clustered commercial and industrial zoning designations for the rural community of Glenada. The proposed rezoning of the two subject properties (2102 and 3900) to Rural Commercial will augment the recreation oriented employment and commercial uses 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. The proposed rezoning of tax lot 2102 will acknowledge the existing commercial uses of the subject property and the proposed rezoning of tax lot 3900 will acknowledge the commercial use of the property. The current uses of both properties are served by onsite wells and therefore will not alter the use or availability of groundwater that is currently provided to the structures. In the event that more intensive uses are proposed for either 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) *"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.

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 and future commercial operations on the subject properties and the current “commercial” uses within the rural community of Glenada have co-existed for decades with the agricultural and forest product industries in the surrounding area. Distances between the resource lands to the southwest and east, and the existing, dense development along Highway 101 effectively buffer any developed & committed uses on either property from the management of resource parcels in the vicinity. The nearest farm or forest zoned parcel is over 3,000 feet away. The nearest large stand of forested land is Honeyman State Park that is managed for camping and recreation sports such as water skiing and fishing on Cleawox, Woahink and Siltcoos Lakes. The Park is not managed for harvests.

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. Lake Woahink is located approximately 1,200 feet to the southeast from tax lot 3900 and is a Class I stream designated for protection in the RCP and identified as a Type F water by Oregon Department of Forestry. The setback standard for RC land for protection of the riparian corridor in LC 16.291 and LC 16.253 is 50 feet. There are no wetlands identified on the Florence 2 quad of the National Wetlands Inventory for either of the two subject properties proposed for rezoning. Therefore, the proposed uses will not pose any anticipated risk of significantly altering the natural system in the area.

The proposed zone changes for the two 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 the two subject properties, tax lots 2102 and 3900, to Rural Commercial (RC-C) is to 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) promoting and protecting public health, safety, convenience and welfare.

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

The proposed rezoning to Rural Commercial of tax lots 2102 and 3900 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 Glenada.

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

The subject properties are small ranging from 0.38 of an acre to 3.22 acres. None have been managed for the production of crops, livestock or timber products for the past forty years. Both of the subject properties have been used for residential or commercial activities in the past.

- (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 commercial uses, employment, and the retailing of commercial products in this area.

c. Lane Code 16.291

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. The proposed rezonings 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 located in an area identified as being water quantity limited and the properties include existing water systems with onsite wells. The subject properties are small in size and any future partitioning, which is unlikely, or change of use would by necessity have to comply with the carrying capacities of soils and groundwater for subsurface waste disposal system requirements.

E. Exception Requirements

In implementing Part II of statewide planning Goal 2, Oregon Administrative Rule 660-04-018, 020, 025, and 028 establishes requirements for adopting an exception to a goal. One of the properties subject to the proposed zone changes is currently designated as resource land and requires an exception to Goal 3 (Agricultural) and Goal 4 (Forestry) be taken in order for them to be rezoned to a nonresource designation. The subject properties is:

<u>TRS - Tax Lot</u>	<u>Acreage</u>	<u>Current Designation</u>	<u>Proposed Designation</u>
TRS 19-12-03.1, 2102	0.26	Park and Recreation (PR)	Rural Commercial (RC-C)

The following findings of facts support the general findings of fact in **II. General Findings of Fact**, above and the site-specific findings in **III. Parcel Specific Findings of Fact**, above.

a. OAR 660-004-0018 Planning and Zoning for Exception Areas.

The Purpose statement in 660-004-018(1) “ . . .explains the requirements for adoption of plan and zone designations for exceptions. Exceptions to one goal or a portion of one goal do not relieve a jurisdiction from remaining goal requirements and do not authorize uses, densities, public facilities and services, or activities other than those recognized or justified by the applicable exception. Physically developed or irrevocably committed exceptions under OAR 660-004-0025 and 660-004-0028 are intended to recognize and allow continuation of existing types of development in the exception area. Adoption of plan and zoning provisions that would allow changes in existing types of uses, densities, or services requires the application of the standards outlined in this rule.

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

The exceptions and zone change requested by this application are intended to recognize and legitimize the existing structures and uses on the subject property, tax lot 2102 of Assessor’s map TRS 19-12-03.1. In addition, the actions are an acknowledgment of

currently existing uses on the subject property that are commonly located elsewhere in other rural community settings within the Siuslaw Watershed of Lane County.

Tax lot 2102 was designated as Park and Recreation, a resource zone, in 1984. The contiguous ownership by the applicant included the 45-acre NACO West Thousand Trails RV campground to the west on tax lot 2101 and three small panhandle properties to the east (tax lots 401, 801 and 2102), which are 4.0, 4.03, and 3.22 acres, respectively. Tax lots 401 and 801 were designated as Rural Commercial (CR) in 1984 due in part to the existing development on the properties at the time. The subject property was vacant at the time and even though it was adjacent to tax lot 401 and across the South Jetty Road from Rural Residential RR2 lands, it was designated PR. Two years later, NACO West lawfully constructed a "sales office" for campground memberships. In 1991, NACO West moved their headquarters into the building and retailed camp supplies, RV parts and supplies, and offered some services for appliances in the RV homes.

Commercial uses including retail sales of products and professional services are a necessary component of the operation of the campground. The current level of services and uses exceed the resource Park and Recreation (PR) allowable uses. This proposed zone change would bring the existing uses into conformance with uses allowed in the Rural Commercial Zone as provided for in LC 16.291(3)(a) and (c). The parent use in the Parks and Recreation Zone (LC 16.215) on the adjacent tax lot 2101 is the 194-space RV park. RV parks are an allowable use in the Rural Commercial Zone as provided for in LC 16.291(3)(v).

(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 on the northwestern quarter of the rural community of Glenada, the Developed and Committed Exception Area #014-1. The property receives a rural level of police and fire protection and relies on on-site, individual water and sewerage facilities. The proposed rezoning designations will more closely fit the actual current uses on the property that are essential to the management of the RV park in the rural setting, and the subject property that has existed adjacent to the RV park and within the community since the 1960s.

(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 subject property is a thin, 155-foot wide strip of land sandwiched between South Jetty Road to the north, Pacific Highway 101 to the east, and Rural Commercial (RC) land to the south. Lands to the east across the highway are zoned Rural Residential (RR2-C) and Rural Commercial (RC-C), developed with residences and uses, and inside the rural community boundaries. Lands to the north across South Jetty Road are zoned Rural Residential (RR2) and within the rural community boundaries of Glenada. Any

conceivable impacts from the development on the subject property to the surrounding resource lands has been present since circa 1960s. The surrounding lands to the east, north, and south have already been committed to nonresource uses. Lands to the west owned by the applicant has operated without conflict with the nearby uses in the capacity of a large RV park with a rural, wooded setting.

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

The historical uses and the similar current uses have been in existence for 40-plus years. The existing uses and structures have been on location since 1986. Any additional development on the 3.22-acre subject property would require compliance with setbacks, possible modifications to the subsurface disposal systems under DEQ standards, and utilization of the existing domestic water source. Adequate water is available and there is no indication that the anticipated water needs or effluent discharges will adversely affect resource uses to the surrounding area.

Public services such as fire protection and law enforcement are available and have served the development since 1986. Evidence in the record indicates the existing uses are compatible with adjacent and nearby resource uses.

b. OAR 660-004-0025 – Exception Requirements for Land Physically Developed to Other Uses.

- (1) A local government may adopt an exception to a goal when the land subject to the exception is physically developed to the extent that it is no longer available for uses allowed by the applicable goal.*
- (2) Whether land has been physically developed with uses not allowed by an applicable Goal, will depend on the situation at the site of the exception. The exact nature and extent of the areas found to be physically developed shall be clearly set forth in the justification for the exception. The specific area(s) must be shown on a map or otherwise described and keyed to the appropriate findings of fact. The findings of fact shall identify the extent and location of the existing physical development on the land and can include information on structures, roads, sewer and water facilities, and utility facilities. Uses allowed by the applicable goal(s) to which an exception is being taken shall not be used to justify a physically developed exception.*

Tax lot 2102, is developed with a two-level commercial building with 4,800 square feet of floor area. The property is also developed with a subsurface sewage disposal system and a large parking lot that extends across the common property line with tax lot 401 to the south. Legal access road and electrical service have been available on the property since 1986. Water service is provide from a community water system serving the campground. Refer to Exhibit A-1: Proposed zone change –Tax lot 2102; Exhibit C-1: Site Photographs – Tax lot 21-2; and Exhibit E: Aerial Photographs.

The subject property is irrevocably committed to and developed with commercial and retail uses.

c. OAR 660-004-0028 – Exception Requirements for Land Irrevocably Committed to Other Uses.

- (1) *A local government may adopt an exception to a goal when the land subject to the exception is irrevocably committed to uses not allowed by the applicable goal because existing adjacent uses and other relevant factors make uses allowed by the applicable goal impracticable:*
- (a) *A "committed exception" is an exception taken in accordance with ORS 197.732(1)(b), Goal 2, Part II(b), and with the provisions of this rule;*
- (b) *For the purposes of this rule, an "exception area" is that area of land for which a "committed exception" is taken;*
- (c) *An "applicable goal," as used in this section, is a statewide planning goal or goal requirement that would apply to the exception area if an exception were not taken.*
- (2) *Whether land is irrevocably committed depends on the relationship between the exception area and the lands adjacent to it. The findings for a committed exception therefore must address the following:*
- (a) *The characteristics of the exception area;*

The subject property being considered for a "committed and developed" exception is identified as tax lot 2102 of TRS 19-12-03.1, 3.22 acres in size, and located in the northwestern quarter of the rural community of Glenada in D&C Area No. 014-1, west of Highway 101, and south of South Jetty Road. The subject property is abutted on three sides by lands within the rural community designations with Rural Residential (RR2-C) or Rural Commercial (RC-C).

The unincorporated Rural Community of Glenada is situated directly south of the Siuslaw River and straddles Pacific Coast Highway between the City of Florence to the north and Dunes City to the southeast. Glenada extends across sections lines of four developed & committed exception area plots. An analysis of all lands within the community for each of the four plots includes the following:

<u>Plots:</u>	<u>Township-Range-Section</u>	<u>No. parcels</u>	<u>Acres</u>	<u>Average</u>	<u>Residences</u>
014-1	TRS 18-12-34, 19-12-03	178	252.6	1.42	95
015-1	TRS 19-12-10, 19-12-15	66	142.6	2.16	56
023-2	TRS 18-12-35	78	55.5	0.71	48
024-1	TRS 19-12-02, 19-12-11	116	194.7	1.17	66
		438	645.4	1.37	265

The residential development of the unincorporated community of Glenada was originally created adjacent to the Siuslaw River resources through subdivisions circa 1889-1894. During this same period, a second timber-oriented community known as Westlake was developing approximately five miles to the south on the western and northern shorelines of Siltcoos Lake. Westlake and lands immediately north and adjacent to Woahink Lake would eventually incorporate as Dunes City in 1964 leaving a two-mile length of Highway 101 as an

unincorporated mixture of commercial, industrial and residential uses which was identified as the "community" of Glenada in 1984.

Glenada is very densely developed with 645.4 acres divided amongst 438 parcels or lots with an average parcel size of 1.37 acres. Residential development included 265 dwellings in 1989 within the Rural Residential (RR2) zoning designation with a two-acre minimum parcel size for new divisions. Commercial development is clustered along the Highway 101 corridor with approximately 30% of the parcels vacant or underutilized. The dominant use is tourism and recreation facilities associated with the Oregon Dunes Natural Resources Area to the west, three coastal lakes in the area (Cleawox, Woahink and Siltcoos), and Honeyman State Park adjacent to the southern boundary of Glenada.

Uses in the community include:

Three motels --

- Best Western with 46 units, lounge and restaurant (Pier Point Inn);
- Park Motel with 1 cabin, 16 units and 4 park model RV units;
- Ocean Breeze Motel with 13 units; and

One mobile home park -- Big Spruce Mobile Home Park (the MH Park infrastructure includes a community water system with 46 connections DHS # 4100295.)

One restaurant -- Morgan's Country Kitchen.

Two convenience stores --

- Cleawox market (groceries); and
- K-G's One Stop Market (groceries and gas station).

Two recreational centers --

- Sandland Adventures (bumper boats, go-karts, miniature golf, dune buggy rides),
- Camp 101 (Driving range, pitch & putt course, recreation room)

Vocational training center for disabled adults -- Mid-Coast Enterprises Inc.

Non-profit museum -- Siuslaw Pioneer Museum

Several retail businesses including --

- Double Barrel Brewing (brewing and wine making supplies);
- Oregon Water Services (pumps & water treatment systems);
- Tail Waggers (pet grooming);
- Tony's Dings and Dents (auto repair); and
- Fine Timed (clock-watch repair).

Wholesale businesses --

- Mushroom buyers;
- Cord wood sales.

Service providers --

- Cedar Water Association; and
- Waste Connections, Inc (recycling).

Light industry --

- Gary Foglio Trucking Inc. (logging industry); and
- Siuslaw Towing (auto salvage).

Services are provided to the rural community of Glenada (Levy code 097-16) by:

- Electricity:** Central Lincoln Peoples Utility District
- Fire:** Siuslaw Rural Fire Protection District #1
- Ambulance:** Western Lane Ambulance District
- School:** Siuslaw School District 97J
Lane Community College
Lane Education Service District

Police: Lane County Sheriff
Oregon State Police
Other: Port of Siuslaw
Siuslaw Public Library District

Glenada developed in the 1880-1890s as the center for fishery and forest products within the Lower Siuslaw Valley and served as the distribution center for dairy products of the North Fork Siuslaw and Maple Creek drainages. Canneries proliferated along the Siuslaw River in the vicinity of Florence and Glenada, and schooner transportation of products thrived for many decades prior to the arrival of the railroad in 1916.

Glenada is characterized today as collection of residential subdivisions between the federally owned dunes to the west and the corporate forest lands to the east that are outside the urban growth boundaries of Florence to the north and Dunes City to the south. Highway 101 is aligned north to south along the center of this development pattern as a narrow ribbon of commercial and industrial uses. The majority of the commercial uses serve the traveling public and recreation users of the Oregon Dunes National Recreation Area (ODNRA).

(b) The characteristics of the adjacent lands;

The western boundary of the rural community is defined by the US Forest Service managed dunes within the ODNRA. The zoning designations on these lands are a mixture of Park & Recreation (PR) and Natural Resource (NR). Lands immediately to the south and astride Highway 101 are in State of Oregon ownership and managed as the Honeyman State Park. To the east and southeast, Dunes City, including the Westlake resorts, surrounds Woahink Lake and the northern portion of Siltcoos Lake with very dense residential development and very limited commercial uses.

Glenada is defined as the commercial strip of highway frontage and residential subdivision development that was created primarily after the incorporation of Dunes City in the early 1960s.

(c) The relationship between the exception area and the lands adjacent to it; and

The subject property functions as the headquarters for management of the Thousand Trails-NACO West campground that is the largest private ownership on the perimeter of Glenada. Glenada provides lodging, camping, restaurants, and services that are directly related to the use of the federal lands to the west by recreational users. Thousand Trails is linked in with the traveling public and provides destination sites for recreation vehicle owners.

(d) The other relevant factors set forth in OAR 660-004-0028(6).

(6) Findings of fact for a committed exception shall address the following factors:

(a) Existing adjacent uses;

Recreation uses of the PR and NR lands to the west are the primary resource uses in the area. Harvesting of trees in the F1 and F2 lands has been very limited for 30 years. Bureau of Land Management, National Forest, and private corporate lands across the valley and further to the east offer little employment opportunities or products.

(b) Existing public facilities and services (water and sewer lines, etc.);

Most of the properties within the current community boundaries are served by permitted onsite wells and subsurface sewage disposal systems. Several community water systems serve larger developments or subdivisions in the rural community including the subject property. Electrical power is provided by Central Lincoln Peoples Utility District. Fire protection is provided by Siuslaw Rural Fire Protection District in Florence. U.S. Qwest provides telephone service. Lane County Sheriff's Department and the Oregon State Police provide patrol and response services. K-12 education is provided in Florence by the Siuslaw School District #97J facilities.

(3) Whether uses or activities allowed by an applicable goal are impracticable as that term is used in ORS 197.732(1)(b), in Goal 2, Part II(b), and in this rule shall be determined through consideration of factors set forth in this rule. Compliance with this rule shall constitute compliance with the requirements of Goal 2, Part II. It is the purpose of this rule to permit irrevocably committed exceptions where justified so as to provide flexibility in the application of broad resource protection goals. It shall not be required that local governments demonstrate that every use allowed by the applicable goal is "impossible." For exceptions to Goals 3 or 4, local governments are required to demonstrate that only the following uses or activities are impracticable:

(a) Farm use as defined in ORS 215.203;

The 3.22 acres of land of the subject property is developed with a 50' x 48' commercial structure and extensive parking lot as well as a subsurface sewage disposal system-drainfield. The eastern half of the acreage is developed with these uses and the western half of the land is impacted by the access road. The property is narrow being only 155 feet in depth from north to south.

Eight-eight percent of the soils present on the subject property are Lint Silt Loam (74B), 0 to 7 percent slopes. Bullards-Ferrello Loams (82C) with slopes of 7 to 12 percent, make up the other 12 percent of the property. Lint Silt Loam has a Douglas fir site index of 117, a fiber productivity of 169 cubic feet per acre per year and is listed as agricultural capability class 3 and is not considered high value in Lane County's inventory. Bullards-Ferrello Loam has a Douglas fir site index of a complex with a fiber productivity of 84 cubic feet per acre per year and is listed as agricultural capability class 3 and is not considered high value in Lane County's inventory.

The subject property is tucked in between Pacific Coast Highway 101 on the east and South Jetty Road to the north. The parcel to the south is zoned Rural Commercial (RC). With the exception of small plots for gardening, there are no opportunities for agricultural practices and definitely none that could be construed to be of the scale or viability to qualify as a "farm use" on the properties under Goal 3.

The Board of County Commissioners addressed the issue of viable farm and forest acreage in Board Order 89-10-25-4 which established a Board policy interpretation in the adoption of the 1989 Addendum to the Lane County Developed & Committed Lands Working Paper, setting forth guidelines for determining whether or not land is or is not "practicable" for resource production by virtue of adjoining uses. This interpretation states in part:

“Parcels with dwellings on one adjoining side are impracticable for farm management if 5 acres or less, and impracticable for forest management if 15 acres or less.”

The development of an agricultural use on the subject property with the contiguously owned property to the west, tax lot 2101, is impracticable. Tax lot 2101 is developed with a 194-space, recreational vehicle campground and accessory structures in a wooded setting. Introducing commercial agricultural uses onto the property would conflict with the longstanding resource use of tax lot 2101 for recreational purposes under Goal 4.

(b) Propagation or harvesting of a forest product as specified in OAR 660-033-0120; and

Based on the site index and productivity rating above, the 3.22-acre site could produce approximately 480 cubic feet of fiber annually within the Lint Loam and 33 cubic feet of fiber annually in the Bullard-Ferrelo Loams. The current commercial use of the property as headquarters for the wooded, rural setting for a RV campground conflicts with harvesting of species for minimal short-term gains. Values for wildlife habitat and recreation far exceed the potential for management as a forest unit.

Consolidation as a harvest unit with the contiguous property to the west is impractical for the same reasons; it would require removal of the established 194-unit campground. Destruction or removal of the campground infrastructure and facilities as an economical option is impractical.

(c) Forest operations or forest practices as specified in OAR 660-006-0025(2)(a).

“660-06-025(2) The following uses pursuant to the Forest Practices Act (ORS Chapter 527) and Goal 4 shall be allowed in forest zones: (a) Forest operations or forest practices including, but not limited to, reforestation of forest land, road construction and maintenance, harvesting of a forest tree species, application of chemicals, and disposal of slash;”

Commercial forest practices on the 3.22-acre property are not practicable. Due to the parcelization patterns of the surrounding residential develop to the north and east, and the commercial development to the south within the rural community; slash burning and chemical spraying would be difficult to effectively accomplish on the subject property. Alternative practices to burning and aerial spraying would be economically prohibitive.

(4) A conclusion that an exception area is irrevocably committed shall be supported by findings of fact which address all applicable factors of section (6) of this rule and by a statement of reasons explaining why the facts support the conclusion that uses allowed by the applicable goal are impracticable in the exception area.

(5) Findings of fact and a statement of reasons that land subject to an exception is irrevocably committed need not be prepared for each individual parcel in the exception area. Lands which are found to be irrevocably committed under this rule may include physically developed lands.

(6) Findings of fact for a committed exception shall address the following factors:

(a) Existing adjacent uses;