



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

7/26/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: Polk County Plan Amendment
DLCD File Number 003-10

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

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Monday, August 06, 2001

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

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

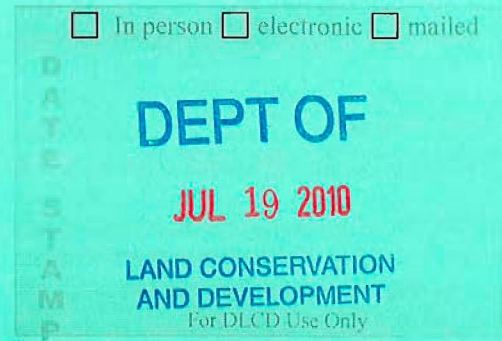
*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification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

Cc: Dana Gibson, Polk County
Jon Jinings, DLCD Community Services Specialist
Gary Fish, DLCD Regional Representative
Katherine Daniels, DLCD Farm/Forest Specialist

<paa> YA

Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: Polk County

Local file number: PA 10-03 & ZC 10-03

Date of Adoption: July 14, 2010

Date Mailed: July 16, 2010

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes Date: February 12, 2010

- Comprehensive Plan Text Amendment, Comprehensive Plan Map Amendment, Land Use Regulation Amendment, Zoning Map Amendment, New Land Use Regulation, Other

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

The adopted amendment changes the comprehensive plan designation of a 165 acre tract from Forest to Public and changes the zoning designation of the property from Timber Conservation (TC) to Public and Private Educational Facilities (PE) and Limited Use Overlay (LU). A Comprehensive Plan Text amendment was adopted to include a reasons exception to Statewide Planning Goal 4.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: Forest

to: Public

Zone Map Changed from: TC

to: PE / LU

Location: 22505 Black Rock Road, Falls City, OR

Acres Involved: 165

Specify Density: Previous: 80 acre minimum

New: No min. parcel size

Applicable statewide planning goals:

- Goals 1-19 with checkboxes, goal 4 is checked.

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

- 45-days prior to first evidentiary hearing? Yes No
If no, do the statewide planning goals apply? Yes No
If no, did Emergency Circumstances require immediate adoption? Yes No

DLCD file No. _____

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

ODFW

Local Contact: **Jerry Sorte**

Phone: (503) 623-9237 Extension:

Address: **850 Main Street**

Fax Number: **503-623-6009**

City: **Dallas**

Zip: **97338-**

E-mail Address: **sorte.jerry@co.polk.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

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

2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

RECEIVED
JUL 14 2010
POLK COUNTY
COMMUNITY DEVELOPMENT

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8 **BEFORE THE BOARD OF COMMISSIONERS**
9 **FOR THE COUNTY OF POLK, STATE OF OREGON**
10

11 In the matter of Plan Amendment PA 10-03)
12 And Zone Change ZC 10-03 on a 165-Acre Parcel)
13 Zoned Timber Conservation at T8S, R7W, Section 13,)
14 Tax Lots 6001, 3100.3201,3102, 3300, and T8S, R7W,))
15 Section 23A, Tax Lot 100.)
16
17
18

19 **ORDINANCE NO. 10-07**
20

21 **WHEREAS**, the Board of Commissioners held a public hearing on June 30, 2010 with
22 due notice of such public hearing having been given, and provided an opportunity for public
23 comments and testimony; and
24

25 **WHEREAS**, the Board of Commissioners received a recommendation in support of Plan
26 Amendment 10-03 and Zone Change 10-03 from Polk County Hearings Officer based upon his
27 public hearing and conclusions; and
28

29 **WHEREAS**, the Board of Commissioners received a recommendation in support of Plan
30 Amendment 10-03 and Zone Change 10-03 from Polk County Planning staff based upon the
31 findings and evidence in the record; and
32

33 **WHEREAS**, the Board of Commissioners on June 30, 2010, publicly deliberated and
34 unanimously passed a motion to approve Plan Amendment 10-03 and Zone Change 10-03; now
35 therefore,
36

37 **THE POLK COUNTY BOARD OF COMMISSIONERS ORDAINS AS FOLLOWS:**
38

39 Sec. 1. That Polk County adopts the findings for Plan Amendment 10-03 and Zone
40 Change 10-03 located in the Hearings Officer's recommendation as shown on Exhibit C.
41

42 Sec. 2. That Polk County adopts as part of the Polk County Comprehensive Plan a
43 "Reasons" exception to Oregon Statewide Planning Goal 4 for the 165-acre tract. Polk County
44 amends Appendix F to include the "Reasons" exception findings located in the Hearings
45 Officer's recommendation.
46

47 Sec. 3. That Polk County amends the Polk Comprehensive Plan Map for the subject
48 tract from Forest to Public as shown on Exhibit A.
49

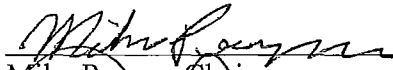
1 Sec. 4. That Polk County amends the Polk County Zoning Map for the subject tract
2 from Timber Conservation (TC) to Public and Private Educational Facilities (PE), and Limited
3 Use Overlay (LU) as shown on Exhibit B. As recommended by the Hearings Officer, the limited
4 use overlay shall restrict use of the subject property to a school providing an emphasis on
5 outdoor recreational and education programs in a natural setting. The following uses shall be
6 permitted provided they are accessory to the school:


- 7
8 A. Dwelling for the caretaker or watchman or housing for staff; and
9
10 B. Dwelling, mobile home, or dormitory for students and/or faculty; and
11
12 C. Eating places and/or drinking places for faculty, staff, and students.
13

14 Sec. 5. An emergency is declared and the provision of this ordinance become effective
15 upon its adoption.
16
17
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19

20 Dated this 14th day of July 2010 at Dallas, Oregon.
21

22 **POLK COUNTY BOARD OF COMMISSIONERS**
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26 Mike Propes, Chair

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30 Ron Dodge, Commissioner

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34 Tom Ritchey, Commissioner
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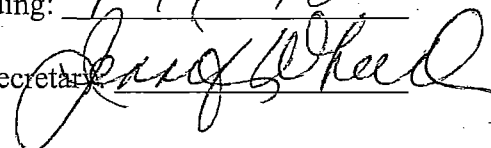
39 Approved as to form:

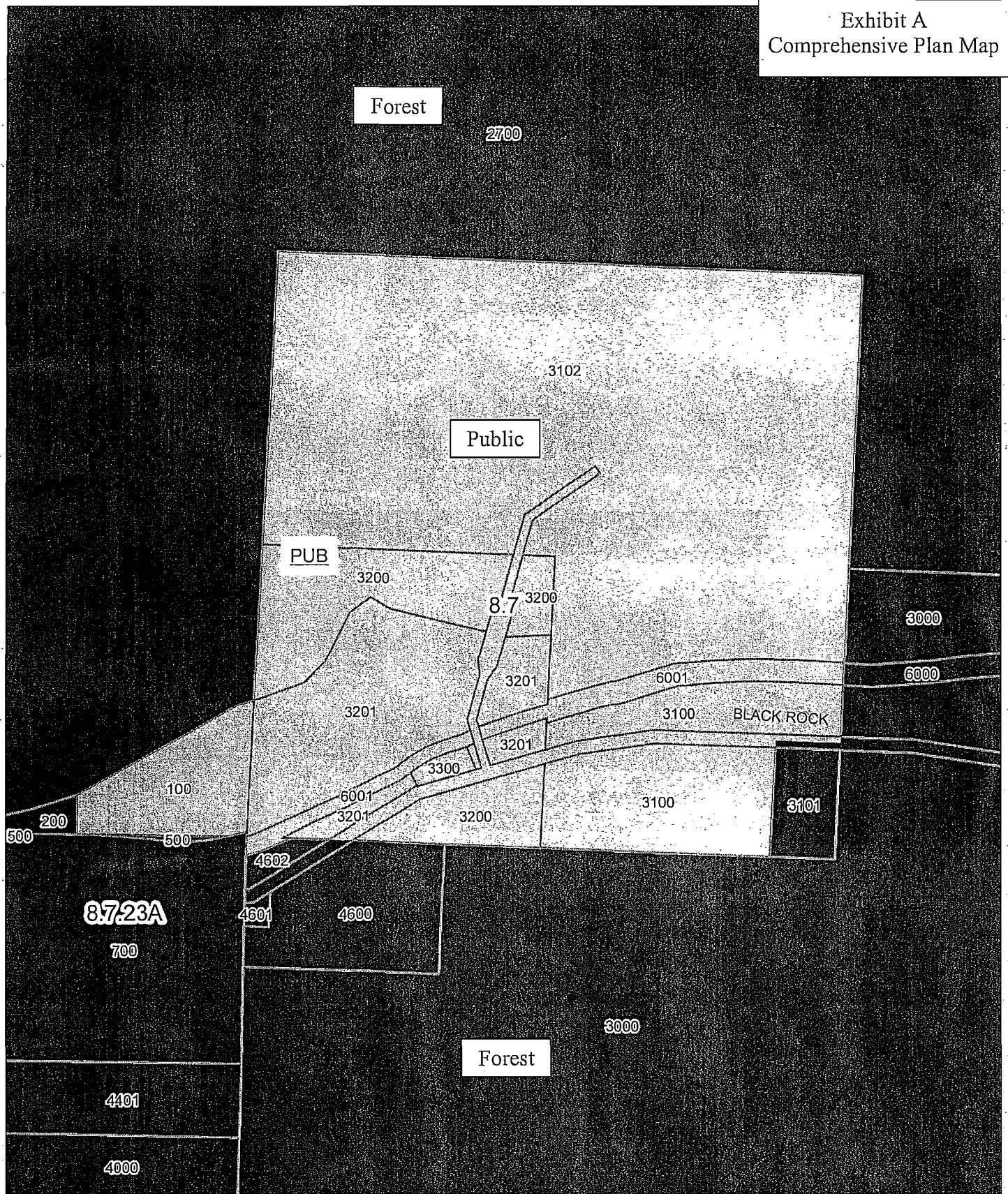
40 
41

42 David Doyle
43 County Counsel

44 First Reading: 7-14-10

45
46 Second Reading: 7-14-10

47
48 Recording Secretary: 
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Forest

2700

Public

PUB

3000

6000

BLACK ROCK

3101

8723A

700

Forest

3000

PA 10-03 1/29/2010

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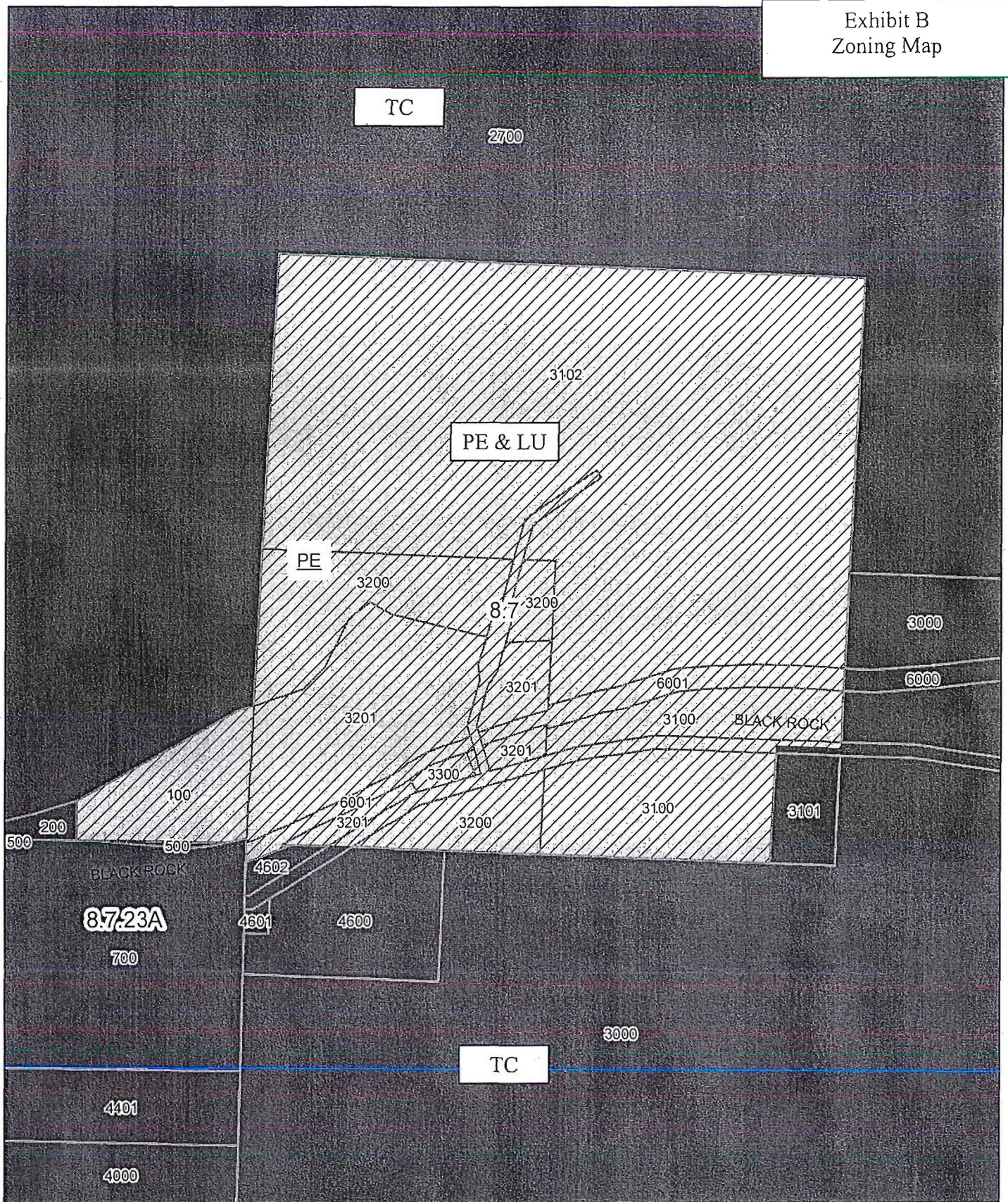
This map was produced from the Polk County geographic databases to support its governmental activities. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. The County is not responsible for any map errors, possible misuse, or misinterpretation.

0 450 900 1,800 Feet



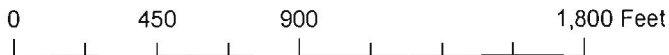
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Exhibit B
Zoning Map



This map was produced from the Polk County geographic databases to support its governmental activities. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. The County is not responsible for any map errors, possible misuse, or misinterpretation.

ZC 10-03 1/29/2010



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POLK COUNTY
COMMUNITY DEVELOPMENT

**BEFORE THE PLANNING DIVISION
FOR POLK COUNTY, OREGON**

In the matter of the application of) Plan Amendment 10-03
Camp Tapawingo, Inc., and) Zone Change 10-03
North American Baptist NW, Inc.)

SUMMARY OF PROCEEDINGS

This matter arose on the application of Camp Tapawingo, Inc., and North American Baptist Northwest, Inc., for an amendment to the Polk County Comprehensive Plan (PCCP) Map to change the designation of the subject property from Forest to Public; for a PCCP text amendment to adopt a "reasons" exception to Statewide Planning Goal 4; and a zoning map amendment to change the zoning of the subject property from Timber Conservation (TC) to Public and Private Educational Facilities (PE) and a Limited Use Overlay (LU).

The subject property consists of approximately 165 acres and is located at 22505, 22695 and 23055 Black Rock Road, Falls City, Polk County, Oregon, and is legally described as Assessment Map T8S, R7W, section 13, tax lots 6001, 3100, 3200, 3201, 3102, 3300 and T8S, R7W, section 23A, tax lot 100.

The applicable review and decision criteria are Polk County Zoning Ordinance (PCZO) 111.140, 111.275, 115.050(A); Oregon Administrative Rules (OAR) 600-004-0018(4)(a), 660-004-020(1) and (2), 660-004-0022(1), 660-012-0060; and Oregon Statewide Planning Goals.

The applicants, Camp Tapawingo, Inc., and North American Baptist Northwest, Inc., request a PCCP Map amendment from Forest to Public and a Zoning Map amendment from TC to PE and LU zone. The LU zone overlay would restrict the use of the subject property to a school providing an emphasis on outdoor recreational and education programs in a natural setting and the following accessory uses: Dwelling for the caretaker or watchman or housing for staff; dwelling, mobile home, or dormitory for students and/or faculty; and eating places and/or drinking places for faculty, staff, and students. The applicant has also requested a text amendment to the PCCP in order to adopt a "Reasons" exception to Statewide Planning Goal 4. The applicant is proposing these amendments to facilitate the continued operation of Camp Tapawingo.

As described by the applicant, Camp Tapawingo was established at its present site in 1954 by Oregon Baptist Conference Grounds, Inc. In 1973, Oregon Baptist Conference Grounds, Inc conveyed the camp property to Oregon Association of North American Baptists, Inc., later known as the Central Pacific Association of North American Baptists, Inc., and now known as North American Baptist Northwest, Inc. The camp has been continuously owned and operated as a camp since it was first established. With additional land acquisitions since 1954, and a property line adjustment to Willamette Industries in 1993, the camp currently occupies approximately 165 acres.

The camp is operated during the summer as a youth camp (Grades 3 through 12), serving a variety of Christian denominations, offering a series of one-week camps, with an emphasis in religious education and recreation in a forest camp setting. During the rest of the year public and private schools use the camp for a variety of church and school-related programs, which are integral to the camp. In recent years, schools utilizing the camp have included the Falls City School District summer youth program, Pacific Crest Community School (Portland), Century High School (Hillsboro), LaCreole Middle School (Dallas) Peers Helpers program, Liberty High School (Hillsboro), Molalla High School symphonic band, Howard Street Charter School (Salem), Student

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Leadership Development Center (State of Oregon), Dallas High School Future Farmers of America, and several outdoor school programs. It is also used by churches in the Association for congregation and leadership retreats, as well as community and nonreligious organizations, including the Polk County "Summer Fun" youth program, Salem Youth Symphony, Salem Police "B.L.A.S.T." youth outreach program, Hemophilia Foundation of Oregon, and Salem Youth Symphony.

The existing camping and educational activities take place on the camp property. The camp accommodates up to 108 campers housed in four dorm type cabins with shower and bath facilities. Meal service is provided in the dining hall and main lodge. Additional facilities include Stevens Glen, a retreat house that sleeps up to 10; and Mountain View, another retreat house that sleeps up to 24 and is served by a common area that includes a small kitchenette. The applicant anticipates that the camp would add an additional multi-purpose building approximately 11,015 square feet in gross area if this application is approved.

Existing recreational facilities and activities at the camp, which are offered as an integral part of the camping and educational program, include swimming (in a pond and one in-ground swimming pool), fishing, hiking on a trail system throughout the camp property, outdoor basketball, volleyball and paint ball, Frisbee golf, an open-air amphitheater for outdoor gatherings, and recreation fields for softball, soccer and other appropriate camp-related activities. The camp is managed by a full-time onsite camp manager, who lives in a manager's residence at the camp. Additional seasonal and camp-related staff; such as instructors and counselors live in the cabins and other overnight facilities provided at the camp.

The camp property consists principally of timber, brush and open pasture land with development, including buildings, roads, trails and activity areas, interspersed throughout. The property is bisected by the Little Luckiamute River, with several other small creeks that run through the property into the river.

The subject property and all surrounding properties currently are designated Forest in the PCCP, and zoned TC.

The subject property is located at 22505, 22695 and 23055 Black Rock Road, Falls City, Oregon (Assessment Map T8S, R7W, Section 13, Tax Lots 6001, 3100, 3200, 3201, 3102, 3300 and T8S, R7W, Section 23A, Tax Lot 100). The "subject property" consists of three parcels that were lawfully created pursuant to Polk County Subdivision and Partition Ordinance Section 91.950(a) and (b).

Parcel 1, identified as Tax Lots 3100, 3102, 3200, 3201 and 6001, was lawfully created by a mutual consent property line adjustment perfected by the recording of Polk County Book of Record 275, Page 563, dated October 12, 1993 and Book of Record 275, Page 566, dated September 28, 1993. Based on a review of Polk County Community Development records, the county did not have a formal mutual consent property line adjustment process in 1993. At the time, both parcels were larger than the 80.00-acre minimum parcel size required in the TC zone, before and after the property line adjustment. The parent parcel of Parcel 1 (the parcel in its configuration prior to the mutual consent property line adjustment), was lawfully created by the recording of Book of Record 39, Page 615, dated February 12, 1973.

Parcel 2, identified as Tax Lot 3300, was lawfully created by Deed Volume 105, Page 182, dated November 30, 1939. Parcel 2 is currently described in Polk County Clerk Document 2008-8172, dated June 26, 2008.

Parcel 3, identified as Tax Lot 100, was lawfully created by Deed Volume 136, Page 451, dated September 23, 1948 and Deed Volume 136, Page 453, dated September 23, 1948. Parcel 3 was consolidated into one legal description and last conveyed via Book of Record 242, Page 1083, dated June 5, 1991.

The subject property is identified as containing significant deer and elk winter range habitat

on the Polk County Significant Resource Areas (SRA) Map. Based on a review of the National Wetland Inventory (NWI) map, Falls City Quadrangle, the subject property contains wetlands associated with the Little Luckiamute River, Sam's Creek, and several unnamed tributaries. The NWI map also indicates that the property contains an approximately 21-acre significant wetland area. The Little Luckiamute River and Sam's Creek are also identified as fish bearing streams on the SRA Map. The subject property is not located within an identified floodplain pursuant to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) panel number 41053C0355F dated December 19, 2006. There are no identified historic, archeological or Willamette River Greenway areas on the subject property.

As depicted on the soil report for the subject property derived from the Polk County Soil Survey, Attachment D of the Staff Report, the subject property contains productive forest soils. All soils, outside of those under a water body, produce equal to or in excess of 143 cubic feet of wood fiber per acre per year. The average forest productivity for those soils, not including those under a water body, is approximately 165 cubic feet of wood fiber per acre per year.

Notice of the May 25, 2010, public hearing before the Hearings Officer and the June 30, 2010 hearing before the Board of Commissioners was provided as required by PCZO 111.340 to 111.370. Notice was mailed to property owners located within 750 feet of the outside perimeter of the subject property, on April 29, 2010. Notice was printed in the local *Itemizer-Observer* newspaper on May 5, 2010. Notice was posted on the subject property on May 5, 2010.

The subject property has frontage along Black Road and Socialist Valley Road, both resource roads as designated in the *Polk County Transportation Systems Plan*, figure 3. It is served by an on-site sewage (septic) disposal system and an on-site, spring-fed water system.

No written comments were received by Polk County prior to the public hearing.

PUBLIC HEARING

A duly advertised public hearing was held in the Polk County Courthouse on the evening of May 25, 2010. The applicants were represented by Lane P. Shetterly, a Dallas, Oregon, attorney. Officials of the applicants appeared personally. There were no objections as to notice, jurisdiction, or conflict of interest. Staff delivered its report, recited the applicable review and decision criteria, and recommended approval. The Hearings Officer recited the admonitions required by law and ordinance. Shetterly testified in favor of the application. He summarized the application as seeking to align the PCCP and zoning with the existing camp, and concurred with the staff report and recommendation. He said the Department of Land Use and Conservation had been well apprised, but had no adverse comments. Nobody else appeared to testify, or present written evidence, so there was no occasion for a rebuttal. There were no requests for a continuance, or for the Record to remain open. Consequently, the Hearings Officer declared the Record closed and adjourned the meeting. Robert W. Oliver, Polk County Hearings Officer, presided. The Polk County Board of Commissioners authorized him to conduct the hearing and make a recommendation for action by the Board.

FINDINGS

(Authority)

The authorizations for a PCCP Map amendment and Zoning Map amendment are provided under PCZO 115.050 and 111.275. Under these provisions, the Hearings Officer conducts a public hearing pursuant to PCZO 111.190 and 115.030, and makes a recommendation to the Board of Commissioners. The Board conducts a public hearing pursuant to PCZO 111.200 and 115.030, and makes a final local decision. Staff findings and analysis are included below. The applicant provided findings with the application that are included as "Applicant Findings" below and also as Attachment E to the staff report.

(Comprehensive Plan Amendment)

Amendments to the Comprehensive Plan Map must meet one or more of the following criteria: [PCZO 115.050(A)]

- A. The Comprehensive Plan designation is erroneous and the proposed amendment would correct the error, or [PCZO 115.050(A)(1)]**
- B. The Comprehensive Plan Designation is no longer appropriate due to changing conditions in the surrounding area; and [PCZO 115.050(A)(2)]**

Applicants noted that the camp was established in 1954, and has been in continuous operation ever since. It was in operation prior to the enactment by the state legislature of SB 100 (1973), prior to the adoption of Statewide Planning Goal 4 (Forest Lands) (1975), and prior to the adoption and acknowledgment of the PCCP (1988).

At the time the Statewide Planning Goals were adopted and at the later time the PCCP was adopted, the camp was being operated on Tax Lots 3100, 3102, 3200, 3201, and 3101 (See Plat Map as described in the deed attached to the staff report as Exhibit 2).

As stated in the PCCP, “[t]he existing land use pattern is one of the most important factors in any land use planning program.” (PCCP, p. 5.) As part of the adoption process of the PCCP, a series of background reports with technical information and inventories of resources and current circumstances were prepared. Those reports became the basis of the PCCP policies and goals. (PCCP p. 8.) The PCCP identified the camp property as Forest Land.

Forest Land is described in the PCCP “the source of raw materials” for the timber industry. (PCCP p. 17.) Goal 1 of the PCCP relating to Forest Lands is to “conserve and protect, and encourage the management of forest lands for continued timber production, harvesting and related uses.” (PCCP p. 17.) (The second Goal is the protection and preservation of watersheds, fish and wildlife habitat and other resources.) The PCCP Policies for Forest Lands are addressed to the “protection of productive forest lands,” (Policy 1.1, PCCP p. 17), resource management (Policy 2, PCCP p. 19) and recreation use (Policy 3, PCCP p. 19).

While the camp property has natural features and characteristics of forest land, (it includes more than 100 acres of Forest Site Class II and III and is situated among large tract forest land parcels.) the designation of the property as Forest Land in the PCCP overlooked the historic and existing use of the property as a camp at the time the PCCP was adopted. The existence of the camp, with developed camp buildings, recreation facilities and trails throughout the property, operated year-round for camp and school purposes, was and is inconsistent with the operation and management of the property for timber production, harvesting and related uses, as provided in the goals and policies relating to Forest Land under the PCCP. See, *Denison v. Douglas County*, 101 Or App 131, 135-36, 789 P2d 1388 (1990). (Existing uses established before the adoption of the statewide planning goals that rendered property not available for resource (agricultural) use justified designating property for non-resource use in the comprehensive plan.)

To the extent that any timber has been harvested on the camp, it has been done primarily to remove diseased trees and to manage the health of the forest, to maintain it as a wilderness setting for the operation of the camp.

Under these circumstances, the more appropriate PCCP designation of Tax Lots 3100, 3102, 3200, 3201, and 3101 would have been “Public,” the purpose of which is to “accommodate or provide,” among other things, schools. (PCCP p. 68.) The Public plan designation is implemented through the PCZO as “PE, Public and Private Educational Facilities Zone.” PCZO 170.030. Such a designation would have recognized the existing use of the property, and that timber production, harvest and related purposes were not feasible or appropriate on property already in use as a camp.

It is instructive to note that a similar property, similarly managed and operated for similar camp purposes – the 4-H Conference and Education Center, located in rural resource lands at 5390

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4-H Road NW, Salem, Oregon – was designated “Public” under the PCCP and zoned PE, just as the applicant seeks to be designated by this application (and zoned by the companion application for zone change). (See Polk County Assessor’s Summary Report attached as Exhibit 17 of the staff report.) Like the applicant, the 4-H Conference and Education Center is a large tract situated in rural Polk County. (See the aerial photograph of the property attached as Exhibit 18 of the staff report.) The 4-H Conference and Education Center was established in 1968 – prior to the adoption of the PCCP and the statewide planning goals – and, like the applicant, offers “educational, camping and conference services,” on “more than 300 acres of forest, meadows and ponds.” (See Exhibit 19 of the staff report.) Also like the applicant, facilities at the 4-H Conference and Education Center include “meeting areas, learning shelters, sleeping accommodations, food service, swimming pool, educational equipment, archery area, and a Frisbee golf course.” (See Exhibit 20 of the staff report.) Like the applicant, the 4-H Conference and Education Center is operated by a nonprofit corporation, the Oregon 4-H Foundation. (Exhibit 21 of the staff report.)

Amendment of the PCCP as requested in this application will correct the error in having failed to properly recognize the existing use of the property that rendered it unsuitable for designation as Forest Land at the time the PCCP was adopted, and will promote consistency and equity in the plan designation between two substantially similar properties. Under all the circumstances, the Public land designation is the designation most appropriate to the use of the camp property, both prior the adoption of the PCCP and at all times since.

Tax Lot 100 was conveyed to the owner of the camp property by deed in 1991 (See Exhibit 2 of the staff report), and has been developed as the site of Stevens Glen, described above as a retreat house that sleeps up to ten, on a pond used for swimming and water activities. (The deed by which Tax Lot 100 was conveyed to the owner is expressly subject “to the conditions that the Grantee retain the above-described real property as a camp or similar use to benefit adults, children and/or families. . .”) Tax Lot 6001 was conveyed to the owner by deed in 1993 and Tax Lot 3300 was conveyed in 2008, both of which serve to connect small gaps in the parcels that comprised the original camp site. As such, these Tax Lots 100, 6601 and 3300 have been made integral to the operation of the camp, such that the incorporation into the ownership and active operation of the camp constitutes a change in circumstances that makes their designation as Public under the PCCP, like the rest of the camp property (as stated above), more appropriate than continued designation as Forest Land.

Staff reported that, based on the information in the record, Camp Tapawingo was established in 1954, prior to the development of the PCCP. At that time the Camp Tapawingo property consisted of what Staff has called the “parent parcel of Parcel 1.” See above. The portion of the parent parcel, that is still utilized as a part of Camp Tapawingo contains approximately 151 acres and is identified as Tax Lots 3100, 3102, 3200, and 3101. Staff agreed with the applicant that it may have been appropriate for Polk County to designate the Camp property as Public on the PCCP Map when the Plan was developed. This would have been consistent with the fact that the County designated the 327-acre Oregon 4-H Foundation property located at 5300 4-H Road, Salem, Oregon as Public on the PCCP Map.

As described by the applicant, the Camp Tapawingo property has changed in its configuration since it was designated Forest on the PCCP Map. The original camp parcel (the parent parcel of Parcel 1) was reconfigured by a property line adjustment, and the Camp acquired additional property identified as Parcel 2 and Parcel 3. Parcel 2 contains approximately ½ acre and Parcel 3 contains approximately 9 acres. Based on a review of Polk County Assessor records and the 2008 aerial photograph, Parcel 2 contains one dwelling established in 1940 and one accessory structure. Parcel 3 contains one dwelling established in 1974 and 7 accessory structures. According to the applicant, Parcel 3 has been integrated into the operations of the camp. Parcel 2 contains only ½ acre and is completely surrounded by Camp property.

Staff agreed with the applicants that the Forest PCCP designation is not appropriate for the subject property. Approximately 151 acres of the subject property was developed as a camp in 1954,

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and the property continues to be used for educational purposes. That property, arguably, should have been designated as Public on the PCCP Map when the Plan was developed. The additional approximately 14 acres that were acquired since the PCCP was acknowledged are situated contiguous to the original camp parcel. The applicant indicates that those areas are being used as a part of Camp Tapawingo. The proposed Public PCCP designation would better match the existing and historic use of the subject property.

Based on the findings provided by the applicant, staff concluded that the application complies with this criterion, and the Hearings Officer concurs.

C. The purpose of the Comprehensive Plan will be carried out through approval of the proposed Plan Amendment based on the following: [PCZO 115.050(A)(3)]

1. Evidence that the proposal conforms to the intent of relevant goals and policies in the Comprehensive Plan and the purpose and intent of the proposed land use designation. [PCZO 115.050(A)(3)(a)]

a. The purpose of the Public Plan designation is to recognize those areas and improvements which accommodate or provide various government services to the people of Polk County. These include schools, parks fire stations, hospitals, cemeteries and other public buildings. Adequate public facilities are essential to well ordered community life, sustaining and enhancing the health, safety, educational and recreational aspects of rural living. [PCCP, Section 4, Public Land Designation]

b. Polk County will require that the availability of police and fire protection in levels adequate to meet the requirements of a proposed land development action or annexation be demonstrated prior to the County approving such an action. [PCCP, Section 2, Public Facilities and Services Policy 6.2]

Applicants say that under the Public Services and Facilities Goal of the PCCP, “[p]ublic facilities and services provide the basic support systems for urban and rural development *as well as for many activities in our daily lives.*” (PCCP, p. 40. Emphasis added.) As noted above, one of the purposes of the Public land designation in the PCCP is to “accommodate or provide,” among other things, schools. (PCCP, p. 68.) The Public Services and Facilities Goal is implemented in part through PCZO Chapter 170. In particular, PCZO 170.030 authorizes, within the PE, Public and Private Educational Facilities Zone, buildings, structures and premises to be used for school and educational institution purposes. As noted above, the camp is operated during the summer months as a Christian youth camp, and through the remainder of the year is operated in conjunction with several school programs from around Northwest Oregon. The PE zone also allows dwellings for caretaker and staff and dwellings, mobile homes and dormitories for students and faculty. Eating places are also permitted as an accessory use, subject to certain commercial use limitations that do not apply to this application and use. All of these types of facilities are present and in use on the camp property.

Applicants conclude that the proposal to designate the Camp Tapawingo property as Public, to be zoned PE, conforms to the relevant goals and policies in the PCCP and the purpose and intent of the proposed land use designation.

The purpose of the Public Plan designation is listed in Section 4 of the PCCP. As noted by the applicant, that section of the PCCP lists one of the functions of the Public Plan designation to recognize those areas that are schools. Based on the description provided by the applicant Camp Tapawingo is a school. The PCZO lists definitions for specific types of school, but not for the term “school” as it is broadly used in the PE zone. Merriam-Webster’s Online Dictionary defines “school” as “an organization that provides instruction: as (a) an institution for the teaching of children...” As described in the application and in Section I of this report, Camp Tapawingo provides educational instruction to youth. Consequently, designating the subject property as Public on the PCCP Map would be consistent with the objective to recognize existing schools.

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According to the information submitted by the applicant, the property is served by an on-site spring fed water system and a septic system. The applicant is, and would be, required to comply with all applicable state and federal water laws. There have been no identified effects on local schools that would result from the proposed change. The Southwest Polk Rural Fire Protection District serves approximately 110 acres of the subject property. Based on a review of the 2008 Polk County Aerial Photograph, all portions of the property that contain buildings and structures are located within the Southwest Polk Rural Fire Protection District. The Polk County Sheriff Department provides emergency services to the subject property. The subject property has frontage along Black Rock Road and Socialist Valley Road. Based on the above, Staff concluded that there are adequate public facilities, services, and transportation networks available at this time for water provision, sewage disposal, transportation, and emergency services. Approval of this proposed zone change and PCCP amendment would not authorize the applicant to establish a use that would exceed the capacity of those services until such services are planned or available.

Based on the above and uncontroverted evidence provided by the applicant, the Hearings Officer finds that the proposal complies with this criterion.

2. Compliance with Oregon Revised Statutes, statewide planning goals and related administrative rules which applies to the particular property(s) or situations. If an exception to one or more of the goals is necessary, the exception criteria in Oregon Administrative Rules, Chapter 660, Division 4 shall apply. [PCZO 115.050(A)(3)(b)]

This application is based on a "Reasons Exception" to Statewide Planning Goal 4 (Forest Land), pursuant to Goal 2, part II(c), and OAR 660-004-0020. A reasons exception "can be taken for any use not allowed by the applicable goal(s)." OAR 660-004-0022.

Applicants state that Goal 4 provides that its purpose is "[t]o conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture." OAR 660-006-0025, which implements Goal 4, describes the "Uses Authorized in Forest Zones," and the uses listed in the rule do not include the operation of Camp Tapawingo. OAR 660-006-0031, the "Youth Camp Rule," does permit certain youth camps to be established in a forest zone, but the rule does not apply to Camp Tapawingo under subsection 0031(2), which states: "The provisions of this rule shall not apply to youth camps established prior to the effective date of this rule." The Youth Camp Rule was adopted in 2000 and amended in 2006. As noted above, Camp Tapawingo has been in existence for more than 50 years. Therefore, the Youth Camp Rule does not directly sanction the operation of the camp on the subject property or the construction of the proposed activity building. (The proposed building would have been allowed under the 20-year Master Plan for the camp approved as Conditional Use 83-42, but the term of that approved Master Plan has expired. With the adoption of the Youth Camp Rule and other amendments to the Goal 4 rules since 1983, it appears that neither the camp nor the proposed building could be approved as a conditional use today, as presently constituted or proposed.)

Addressing Goal 12: Transportation Planning Requirements,

(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to 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. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

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- (b) *Change standards implementing a functional classification system; or*
- (c) *As measured at the end of the planning period identified in the adopted transportation system plan:*
 - (A) *Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) *Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*
 - (C) *Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

Black Rock Road and Socialist Valley Road (which provide direct access to the camp) are both designated as Resource Roads under the *Polk County Transportation System Plan* (TSP). (TSP, p. 45.) As noted above, the proposed PCCP amendment of the camp property (and related zone change) and the proposed development of the proposed activity building (which will only serve campers already attending the camp) will not increase vehicle traffic or otherwise increase transportation demands on roads to and from the camp. Therefore, the PCCP amendment requested with this application will not “significantly affect” a transportation facility under OAR 660-012-0060(1), and no mitigating measures are required under subsection (2) of the rule.

Polk County Public Works Road Standards 1998 requires a Transportation Impact Analysis (TIA) for any proposed development “that reasonably can be expected to generate more than 300 vehicle trips during a single day and/or more than 100 vehicle trips during a single hour.” (Road Standards, Section X.B 1.) A TIA may be required for any proposed development expected to generate more than 150 vehicle trips per day or more than 40 per hour. (Road Standards, Section X.B 2.) For the reasons stated above, no TIA is required for this proposed PCCP amendment under either standard.

Applicant acknowledges that in the event of any future development of the camp that would add capacity or otherwise generate increased vehicle traffic, such development will be subject to all applicable provisions of the TSP and the Public Works Road Standards, and may not exceed the planned capacity of the county roads serving the camp.

The purpose of Goal 14 (Urbanization) is “[t]o provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.”

These applications comply with Goal 14. As shown in the applications filed with the county, these applications seek to conform to the PCCP and zoning with an already long-established rural camp providing education and recreational activities in a natural setting. The camp describes itself on its website as a “year-round forest retreat center nestled in the foothills of the Coast Range Mountains.” The camp is expressly rural in nature, and the natural setting of the facility is an essential characteristic.

As the record demonstrates, the camp has been in existence and operation on the property since 1954, and has been expressly recognized by the county as a lawful use by prior county action, including approval of a Master Plan as a conditional use, CU 83-42, in 1983. Applicants point out that the camp has developed facilities pursuant to the Master Plan that do not strictly conform to the standards and criteria of a “youth camp” under the Youth Camp Rule, OAR 660-006-0031, which also underscores why the rule does not apply.

These factors, coupled with the proposed limited use overlay zone, which will restrict the use of the property to that primarily of a school providing an emphasis on outdoor recreational and

educational programs in a natural setting, demonstrate that the use (both existing and proposed) is not an urban use and complies (and will continue to comply) with Goal 14.

Staff concluded that the applicants are proposing a "Reasons" exception to Statewide Planning Goal 4 in order to change the PCCP designation of the subject property from Forest to Public and to change the zoning of the subject property from TC to PE/LU. The applicant proposed findings to show compliance with Goal 12 by addressing the transportation improvement standards for comprehensive plan amendments listed in OAR 660-012-0060. As stated by the applicant, the proposed PCCP amendment and zone change would facilitate the continued use and improvement of Camp Tapawingo. The applicant has indicated that one of the reasons for the proposed PCCP amendment and zone change is to facilitate improvement of the Camp through the construction of a multi-purpose building. The applicant indicates that the multi-purpose building would not accommodate an increase in total campers on-site, and would therefore not increase the number of vehicle trips associated with the Camp. The Polk County Public Works Department did not provide comments indicating a concern with the applicant's proposal. Based on this information, Staff agreed that the proposed amendment would not "significantly affect an existing transportation facility" as described in OAR 660-012-0060(1). The applicant's proposal is consistent with Goal 12. The applicant has also addressed Goal 14, and provided evidence to support that the camp facility is rural in nature, and changing the PCCP designation to Public would not result in an urban use of rural land.

The applicant has addressed the applicable Oregon Statewide Planning Goals. The Hearings Officer finds that the application complies with this criterion.

3. Compliance with the provisions of any applicable intergovernmental agreement pertaining to urban growth boundaries and urbanizable land. [PCZO 115.050(A)(3)(c)]

The subject property is not located within an urban growth boundary or within an incorporated city. As a result, there is no urban growth boundary agreement or other applicable intergovernmental agreement that applies to review of this application. This criterion is not applicable to the proposed amendment.

(Goal 4 Exception)

A. When a local government takes an exception under the "Reasons" section of ORS 197.732(1)(c) and OAR 660-004-0020 through 660-004-0022, plan and zone designations must limit the uses, density, public facilities and services, and activities to only those that are justified in the exception; [OAR 660-004-0018(4)(a)]

The applicant has proposed a PCCP map amendment from Forest to Public for the approximately 165-acre subject property. The applicant has also proposed a zone change from TC to PE/LU. The applicant has proposed to apply the LU zone that would limit the use of the property to a school providing an emphasis on outdoor recreational and education programs in a natural setting and the following accessory uses: dwelling for the caretaker or watchman or housing for staff; dwelling, mobile home, or dormitory for students and/or faculty; and eating places and/or drinking places for faculty, staff, and students. Staff believes that the proposed LU zone would be effective to restrict the use of the property to the use that is evaluated during this application process.

The Hearings Officer finds that the application complies with this criterion.

- B. If a jurisdiction determines there are reasons consistent with OAR 660-004-0022 to use resource lands for uses not allowed by the applicable Goal or to allow public facilities or services not allowed by the applicable Goal, the justification shall be set forth in the comprehensive plan as an exception. [OAR 660-004-0020(1)]**
- C. For uses not specifically provided for in subsequent sections of this rule or in OAR 660-012-0070 or chapter 660, division 14, the reasons shall justify why the state policy embodied in the applicable goals should not apply. Such reasons include but**

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are not limited to the following: [660-004-0022(1)]

1. There is a demonstrated need for the proposed use or activity, based on one or more of the requirements of Goals 3 to 19; and either [660-004-0022(1)(a)]
2. A resource upon which the proposed use or activity is dependent can be reasonably obtained only at the proposed exception site and the use or activity requires a location near the resource. An exception based on this subsection must include an analysis of the market area to be served by the proposed use or activity. That analysis must demonstrate that the proposed exception site is the only one within that market area at which the resource depended upon can reasonably be obtained; or [660-004-0022(1)(b)]
3. The proposed use or activity has special features or qualities that necessitate its location on or near the proposed exception site. [660-004-0022(1)(c)]

D. “Reasons justify why the state policy embodied in the applicable goals should not apply”; The exception shall set forth the facts and assumptions used as the basis for determining that a state policy embodied in a goal should not apply to specific properties or situations including the amount of land and why the use requires a location on resource land; [OAR 660-004-0020(2)(a)]

Applicant contends that reasons that meet the foregoing criteria for an exception to Goal 4 include that “[t]he proposed use or activity has special features or qualities that necessitate its location on or near the proposed exception site.” OAR 660-004-0022(1)(c). (This reason is one of three reasons listed under OAR 660-004-0022(1) that may be used to justify a reasons exception. The reasons listed in the rule are illustrative, and not exclusive, as the rule states: “Such reasons include but are not limited to” the reasons listed in the rule.) As noted above, the forest setting of the camp is integral to its purpose and operation as a wilderness retreat and setting for camp and outdoor school sessions. This nexus between the forest setting and the essence of the camp is expressed on the main page of the Camp Tapawingo website as follows:

“Welcome to Tapawingo Camp and Retreat Center

“Tapawingo is a year-round forest camp retreat center nestled in the foothills of the Coast Range Mountains, 30 miles west of Salem, Oregon. With the Little Luckiamute River flowing through its 160 acres, Tapawingo has been a “Place of Joy” for campers for over 50 years.

“Enhancing the outdoor experience are a recreational pond and several miles of forest trails used for mountain bike riding, walking and horseback riding.

“Camp Tapawingo provides a peaceful natural environment that allows campers to experience God in a unique way leading to a growing relationship with Jesus Christ. Groups choosing Tapawingo find a rare setting that enriches their retreat goals.”

<http://www.summercampinoregon.com/>

In addition, as noted above, the camp was in operation for almost 20 years prior to the adoption of the statewide planning goals as a camp and school facility. The existence of the camp, with developed camp buildings, recreation facilities and trails throughout the property, operated throughout the year for religious and educational purposes, was and is inconsistent with the operation and management of the property for timber production, harvesting and related uses.

Allowing this exception is also consistent with Polk County’s prior land use action approving the 20-year Master Plan for the camp, “to upgrade and add to the camp facilities” and to “increase in the existing lodging capacity of the camp from 143 to 347 and to increase the use of the camp during the fall through spring season.” (Conditional Use 83-42 Decision, Exhibit 15)

It is significant that, had the camp not been established prior to the adoption of the Youth Camp Rule in 2000, a new camp could be permitted today as a conditional use under the rule, and

an activity building could be built. (While not directly applicable to the camp, as noted above, the Youth Camp Rule expressly acknowledges as appropriate the characteristic of a youth camp located in a "forest setting needed to ensure a primarily outdoor experience without depending upon the use or natural characteristic of adjacent and nearby public and private land." OAR 660-006-0031.) Approving this comprehensive plan amendment will allow the camp to continue to be used and operated substantially as it would be allowed to operate under the Youth Camp Rule, if it was eligible for approval under the Youth Camp Rule.

As noted above, changing the PCCP designation and zoning on the property as requested is consistent with and will harmonize the treatment of two substantially similar properties and uses under Polk County land use regulations, that being the property that is the subject of this application and the 4-H Conference and Education Center located on resource land near West Salem.

Applicant believes granting the requested exception is consistent with Polk County's previous land use action on the property and will facilitate harmony and consistency in the PCCP. All of the foregoing reasons justify the exception.

On October 25, 1983, Polk County approved a 20-year Master Plan for Camp Tapawingo. The Master Plan was reviewed as Conditional Use 83-42, and included a number of development projects that were planned to be phased over the planning horizon. The Master Plan was designed to add facilities that would increase the lodge capacity of the camp from 143 to 347. The Master Plan included development projects that do not strictly conform with the definition of a "youth camp" in PCZO 177.040(X). PCZO 177.040(X) states that a youth camp may be approved as a conditional use in the TC zone subject to the standards and limitations in OAR 660-006-0031. OAR 660-006-0031(6)(a) states that "developed facilities such as tennis courts, gymnasiums, and golf courses shall not be allowed." The county-approved 1983 Master Plan included a multipurpose facility. Based on the floor plan of the building provided in the record, the multipurpose building would contain a basketball court, and for all intents and purposes would be a gymnasium. The applicant indicates that Camp Tapawingo is still interested in establishing an approximately 11,015 square foot multipurpose building. Consequently, even if the applicant were to apply for a new youth camp under PCZO 177.040(X), Polk County would likely not be able to approve the application because it would contain elements that may not be consistent with OAR 660-006-0031. Further, PCZO Chapter 177 does not permit a school or educational facility. Therefore, the applicant's intended use of the property is not permitted under Goal 4.

The applicant indicates that Camp Tapawingo has operated since 1954 and is patronized by numerous school groups and youth organizations. The longevity of the camp's operation and demand for its educational services demonstrates a need for continued operation of Camp Tapawingo. The applicant has provided findings to demonstrate that "the proposed use or activity has special features or qualities that necessitate its location on or near the proposed exception site." The applicant stresses the need for the camp to be located in a forested environment in order to meet its educational objectives. Further, Staff agreed with the applicant that continued operation and investment in the camp at its current location is appropriate because the majority of the subject property has been used as a camp for decades, and it already contains infrastructure needed to support the camp's educational objectives. Practically, these are "special features or qualities" that support use of the camp on the subject property.

E. "Areas which do not require a new exception cannot reasonably accommodate the use": [OAR 660-004-0020(2)(b)]

- 1. The exception shall indicate on a map or otherwise describe the location of possible alternative areas considered for the use, which do not require a new exception. The area for which the exception is taken shall be identified; [OAR 660-004-0020(2)(b)(A)]**
- 2. To show why the particular site is justified, it is necessary to discuss why other areas which do not require a new exception cannot reasonably accommodate**

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the proposed use. Economic factors can be considered along with other relevant factors in determining that the use cannot reasonably be accommodated in other areas. Under the alternative factor the following questions shall be addressed: [OAR 660-004-0020(2)(b)(B)]

- (A) Can the proposed use be reasonably accommodated on non-resource land that would not require an exception, including increasing the density of uses on non-resource land? If not, why not? [OAR 660-004-0020(2)(b)(B)(i)]
 - (B) Can the proposed use be reasonably accommodated on resource land that is already irrevocably committed to non-resource uses, not allowed by this applicable Goal, including resource land in existing rural centers, or by increasing the density of uses on committed lands? If not, why not? [OAR 660-004-0020(2)(b)(B)(ii)]
 - (C) Can the proposed use be reasonably accommodated inside an urban growth boundary? If not, why not? [OAR 660-004-0020(2)(b)(B)(iii)]
 - (D) Can the proposed use be reasonably accommodated without the provision of a proposed public facility or service? If not, why not? [OAR 660-004-0020(2)(b)(B)(iv)]
3. This alternative areas standard can be met by a broad review of similar types of areas rather than a review of specific alternative sites. Initially, a local government adopting an exception need assess only whether those similar types of areas in the vicinity could not reasonably accommodate the proposed use. Site specific comparisons are not required of a local government taking an exception, unless another party to the local proceeding can describe why there are specific sites that can more reasonably accommodate the proposed use. A detailed evaluation of specific alternative sites is thus not required unless such sites are specifically described with facts to support the assertion that the sites are more reasonable by another party during the local exceptions proceeding. [OAR 660-004-0020(2)(b)(C)]

Applicant argues that this alternative site standard is both complicated and satisfied in this case by the fact that the camp is already located and in operation on the subject property, and has been for more than 50 years. The subject property is situated in a rural and remote area of the county that is generally designated as Forest Land under the PCCP (See the aerial vicinity photograph attached as Exhibit 22 of the application and the Polk County Assessor's Real Property Map Summaries for Tax Lots 2700, 200, 700, 4602, 4601, 3000, 3101, 6000, and 4600, all located in the immediate vicinity of the camp, attached as Exhibits 23 through 31 of the application.) (There is one residence in the vicinity, located on Tax Lot 4601, immediately south of the camp property and across Black Rock Road. (Exhibits 21 and 27 of the application). Black Rock Mountain Bike Area operates a mountain bike recreation area on property to the north of the camp.) It might be feasible to establish a new camp as a Youth Camp under the Youth Camp Rule on another forest land site in the area, but those sites are not reasonably available because it would not be reasonable nor would it make any sense (economically or otherwise) to take currently managed forest land out of production and relocate the camp to an area that does not require a new exception. (OAR 660-004-0020(2)(b)(B)(i)). There is no nonresource land in the vicinity that is irrevocably committed to nonresource uses that could accommodate the use. (OAR 660-004-0020(2)(b)(B)(ii)). The use cannot be reasonably accommodated inside an urban growth boundary because of the size of the use and the established nature of it as a forest camp retreat and outdoor experience in the natural environment. The nearest urban area is Falls City, which is not only not suited to the nature of the camp, but does not have land within a UGB that could accommodate the use. (OAR 660-004-0020(2)(b)(B)(iii)). This exception does not propose a public facility or service. (OAR 660-004-0020(2)(b)(B)(iv)).

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The Hearings Officer finds that this general assessment of alternative areas is sufficient under OAR 660-004-0020(C) to demonstrate that “those similar types of areas in the vicinity could not reasonably accommodate the proposed use.”

- F. The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in other areas requiring a Goal exception. The exception shall describe the characteristics of each alternative areas considered by the jurisdiction for which an exception might be taken, the typical advantages and disadvantages of using the area for a use not allowed by the Goal, and the typical positive and negative consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts. A detailed evaluation of specific alternative sites is not required unless such sites are specifically described with facts to support the assertion that the sites have significantly fewer adverse impacts during the local exceptions proceeding. The exception shall include the reasons why the consequences of the use at the chosen site are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site. Such reasons shall include but are limited to, the facts used to determine which resource land is least productive; the ability to sustain resource uses near the proposed use; and the long-term economic impact on the general area caused by irreversible removal of the land from the resource base. Other possible impacts include the effects of the proposed use on the water table, on the costs of improving roads and on the costs to special service districts; [OAR 660-004-0020(2)(c)]**

There is no alternative site – i.e., an alternative site that would also require a goal exception to operate the camp – that would have any less environmental, economic, social or energy consequences from the existing and proposed use of the property. On the contrary, such impacts have already been absorbed into and accommodated on the existing property, based on its long-time operation as a camp. To relocate the camp to some other parcel requiring a goal exception would require all new accommodations and measures to address the environmental, economic, social and energy consequences of the camp, while still leaving impacts from the existing development in place on the subject property.

The long-term environmental, economic, social and energy consequences from the proposed site with measures to reduce adverse impacts are not more adverse (significantly or otherwise) than would result from the same proposed site being located on areas requiring a goal exception other than the proposed site. (A detailed evaluation of specific alternative sites is not required unless such sites are specifically described with facts to support the assertion that the sites have significantly fewer adverse impacts during the local exceptions proceeding.” OAR 660-004-0020(2)(c).)

- G. “The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts.” The exception shall describe how the proposed use will be rendered compatible with adjacent land uses. The exception shall demonstrate that the proposed use is situated in such a manner as to be compatible with surrounding natural resources and resource management or production practices. “Compatible” is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses. [OAR 660-004-0020(2)(d)]**

Applicant says this criterion is easily satisfied by the long-established existence and operation of the camp on the subject property – for more than 50 years – without a history of reports or complaints of conflicts with adjacent uses. The camp has operated in harmony with those adjacent uses. This fact establishes that the camp is compatible with the adjacent uses. To the extent that any future development on the camp may have impacts on account of such development, those

impacts can be addressed in the context of the proposed development. In this case, compatibility is not a matter of conjecture or prediction; it is a matter of historic fact. The camp is compatible with other adjacent uses. ("Compatible," within the meaning of this section, "is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses." Goal 2, Part II; OAR 660-004-0020(2)(d).)

Staff concluded that the applicant has addressed all applicable criteria for an exception to Statewide Planning Goal 4. Staff concurred with the applicant's assertion that an exception to Goal 4 is warranted to allow use of the subject property as a school that provides an emphasis on outdoor recreational and education programs in a natural setting. The Hearings Officer also agrees, and so finds.

(Zone Change)

- A. A zone change is a reclassification of any area from one zone or district to another, after the proposed change has been reviewed and a recommendation made by the Hearings Officer or the Planning Commission. Such change shall be an ordinance enacted by the Board of Commissioners after proceedings have been accomplished in accordance with the provisions of this chapter. [PCZO 111.140]**

The criteria for a zone change and a PCCP text amendment are provided under PCZO 111.275, and 115.050. Procedurally, the Hearings Officer holds a public hearing pursuant to PCZO 111.190 and 115.030 and makes a recommendation to the Polk County Board of Commissioners. The Board then holds a public hearing pursuant to PCZO 111.200 and 115.030 and makes a final local decision. Planning Division Staff reviewed the proposed zone change, and prepared the staff report and recommendation for the Hearings Officer. These applications have been reviewed under the proper review process and comply with this criterion.

- B. Pursuant to Section 111.160, a zone change may be approved, provided that the request satisfies all applicable requirements of this ordinance, and provided that with written findings, the applicant(s) clearly demonstrate compliance with the following criteria:**
- 1. The proposed zone is appropriate for the comprehensive plan land use designation on the property and is consistent with the purpose and policies for the applicable comprehensive plan land use classification; [PCZO 111.275 (A)]**
 - a. The purpose of the Public Plan designation is to recognize those areas and improvements which accommodate or provide various government services to the people of Polk County. These include schools, parks fire stations, hospitals, cemeteries and other public buildings. Adequate public facilities are essential to well ordered community life, sustaining and enhancing the health, safety, educational and recreational aspects of rural living. [PCCP, Section 4]**

In support of the above, the following is quoted from the Statement of Intent in support of the companion application for change of the PCCP designation filed with this application:

"As noted above, the camp was established in 1954, and has been in continuous operation ever since. It was in operation prior to the enactment by the state legislature of SB 100 (1973), prior to the adoption of Statewide Planning Goal 4 (Forest Lands) (1975), and prior to the adoption and acknowledgment of the Polk County Comprehensive Plan (1988).

"At the time the Statewide Planning Goals were adopted and at the later time the Polk County Comprehensive Plan was adopted, the camp was being operated on Tax Lots 3100, 3102, 3200, 3201, and 3101 (See Plat Map attached as Exhibit 16), as described in the deed attached hereto as Exhibit 2.

"As stated in the Polk County Comprehensive Plan, '[t]he existing land use pattern is one of the

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most important factors in any land use planning program.’ (Polk County Comp Plan, p. 5.) As part of the adoption process of the Comprehensive Plan, a series of background reports with technical information and inventories of resources and current circumstances were prepared. Those reports became the basis of the Comprehensive Plan policies and goals. (Comp Plan, p. 8.) The Comprehensive Plan identified the camp property as Forest Land.

“Forest Land is described in the Comprehensive Plan as ‘the source of raw materials’ for the timber industry. (Comp Plan, p. 17.) Goal 1 of the Comprehensive Plan relating to Forest Lands is to ‘conserve and protect, and encourage the management of forest lands for continued timber production, harvesting and related uses.’ (Comp Plan, p. 17.) (The second Goal is the protection and preservation of watersheds, fish and wildlife habitat and other resources.) The Comprehensive Plan Policies for Forest Lands are addressed to the ‘protection of productive forest lands,’ (Policy 1.1, Comp Plan p. 17), resource management (Policy 2, Comp Plan p. 19) and recreation use (Policy 3, Comp Plan, p. 19).

“While the camp property has natural features and characteristics of forest land, (It includes more than 100 acres of Forest Site Class II and III and is situated among large tract forest land parcels.) the designation of the property as Forest Land in the Comprehensive Plan overlooked the historic and existing use of the property as a camp at the time the Plan was adopted. The existence of the camp, with developed camp buildings, recreation facilities and trails throughout the property, operated year-round for camp and school purposes, was and is inconsistent with the operation and management of the property for timber production, harvesting and related uses, as provided in the goals and policies relating to Forest Land under the Comprehensive Plan. *See, Denison v. Douglas County*, 101 Or App 131, 135-36, 789 P2d 1388 (1990). (Existing uses established before the adoption of the statewide planning goals that rendered property not available for resource (agricultural) use justified designating property for non-resource use in the comprehensive plan.)

“To the extent that any timber has been harvested on the camp, it has been done primarily to remove diseased trees and to manage the health of the forest, to maintain it as a wilderness setting for the operation of the camp.

“Under these circumstances, the more appropriate Comprehensive Plan designation of Tax Lots 3100, 3102, 3200, 3201, and 3101 would have been ‘Public,’ the purpose of which is to ‘accommodate or provide,’ among other things, schools. (Comp Plan, p. 68.) The Public plan designation is implemented through the Zoning Ordinance as ‘PE, Public and Private Educational Facilities Zone.’ PCZO 170.030. Such a designation would have recognized the existing use of the property, and that timber production, harvest and related purposes were not feasible or appropriate on property already in use as a camp.

“It is instructive to note that a similar property, similarly managed and operated for similar camp purposes – the 4-H Conference and Education Center, located in rural resource lands at 5390 4-H Road NW, Salem, Oregon – was designated ‘Public’ under the Comprehensive Plan and zoned PE, just as the applicant seeks to be designated by this application (and zoned by the companion application for zone change). (See Polk County Assessor’s Summary Report attached as Exhibit 17.) Like the applicant, the 4-H Conference and Education Center is a large tract situated in rural Polk County. (See the aerial photograph of the property attached as Exhibit 18.) The 4-H Conference and Education Center was established in 1968 – prior to the adoption of the Comprehensive Plan and the statewide planning goals – and, like the applicant, offers ‘educational, camping and conference services,’ on ‘more than 300 acres of forest, meadows and ponds.’ (See Exhibit 19.) Also like the applicant, facilities at the 4-H Conference and Education Center include ‘meeting areas, learning shelters, sleeping accommodations, food service, swimming pool, educational equipment, archery area, and a Frisbee golf course.’ (See Exhibit 20.) Like the applicant, the 4-H Conference and Education Center is operated by a nonprofit corporation, the Oregon 4-H Foundation. (Exhibit 21.)

“Amendment of the Comprehensive Plan as requested in this application will correct the error in having failed to properly recognize the existing use of the property that rendered it unsuitable for

designation as Forest Land at the time the Comprehensive Plan was adopted, and will promote consistency and equity in the plan designation between two substantially similar properties. Under all the circumstances, the Public land designation is the designation most appropriate to the use of the camp property, both prior the adoption of the Comprehensive Plan and at all times since.

“Tax Lot 100 was conveyed to the Owner of the camp property by deed in 1991 (See Exhibit 2), and has been developed as the site of Stevens Glen, described above as a retreat house that sleeps up to ten, on a pond used for swimming and water activities. (The deed by which Tax Lot 100 was conveyed to the Owner is expressly subject ‘to the conditions that the Grantee retain the above-described real property as a camp or similar use to benefit adults, children and/or families. . .’) Tax Lot 6001 was conveyed to the Owner by deed in 1993 and Tax Lot 3300 was conveyed in 2008, both of which serve to connect small gaps in the parcels that comprised the original camp site. As such, these Tax Lots 100, 6601 and 3300 have been made integral to the operation of the camp, such that the incorporation into the ownership and active operation of the camp constitutes a change in circumstances that makes their designation as Public under the Comprehensive Plan, like the rest of the camp property (as stated above), more appropriate than continued designation as Forest Land.”

Applicants contend that upon approval of the companion application to amend the PCCP designation of the property the proposed zone is appropriate for the designation and consistent with the applicable purposes and policies of for the applicable PCCP land use classification.

Staff states that, as described in Section 4 of the PCCP, the purpose of the public lands definition is to recognize those areas and improvements which accommodate or provide various government services to the people of Polk County. The applicant is proposing that the PE zone be applied in order to implement the proposed Public PCCP Map designation. The PE zone is a “Public” zone listed in PCZO Chapter 170, and is appropriate to implement the Public PCCP Map designation. The PE zone would allow the subject property to continue to be used as a school, which would be consistent with the Public PCCP designation. The applicant is also proposing to apply the LU zone to the subject property in order to comply with the OAR requirements for a “Reasons” exception. The proposed zoning is appropriate for the Public PCCP Map designation.

In order to ensure continued compliance with the PCCP, all future development on the subject property would need to comply with the applicable development standards in the PCZO. The Public Zone development standards are listed in PCZO 112.420. Prior to any future development of the subject property, the property owner would be required to obtain all necessary federal, state, and county permits, including those from the Polk County Building and Environmental Health Divisions, and the Polk County Public Works Department, prior to release of building permits. These permits may include, but are not limited to the following: Building, electrical and plumbing permits from the Polk County Building Division, septic installation permits from the Polk County Environmental Health Division, and a new or amended access permit from the Public Works Department. If water will be provided by a community water system, a “Statement of Water Availability” shall be submitted prior to building permit issuance. The applicant shall comply with all applicable state and federal water laws.

While the applicant has not proposed development in any specific location as a part of this application, the following is provided as general information. Based on a review of the National Wetlands Inventory (NWI) Map, the subject property contains identified significant wetlands. Polk County has adopted wetland setbacks to streams, lakes, and significant wetlands. As described in PCZO 182.050(B)(2), the width of the setback area must average between 25 feet and 100 feet depending on the size of the stream, lake, or significant wetland. Within the riparian setback area, structural development is prohibited, and all trees and at least 50 percent of the understory must be retained, excluding the exceptions authorized pursuant to PCZO Section 182.050(B)(1)(a-e). If the applicant establishes a “conflicting use” in the riparian setback as defined in PCZO 182.070(C), which includes any project that requires vegetation removal, then the applicant must develop a management plan according to the requirements of PCZO 182.040(E). That management plan must be coordinated with the Oregon Department of State Lands, and submitted to Polk County for

review and approval prior to commencement of the conflicting use.

2. The proposal conforms with the purpose statement of the proposed zone;
[PCZO 111.275 (B)]

Applicant contends that PCZO 170.030 describes the uses authorized in the PE, Public and Private Educational Facilities Zone. It authorizes buildings, structures and premises to be used for school and educational institution purposes. PCZO 170.030(A) and (B). As noted above, the camp is operated during the summer months as a Christian youth camp, and through the remainder of the year is operated in conjunction with several accredited school programs from around Northwest Oregon. The PE zone also allows dwellings for caretaker and staff and dwellings, mobile homes and dormitories for students and faculty. PCZO 170.030(D) and (E). Eating places are also permitted as an accessory use, subject to certain commercial use limitations that do not apply to this application and use. PCZO 170.030(E). All of these types of facilities are present and in use on the camp property.

This proposal to amend the zoning of the camp property to PE, applicant argues, conforms to the purpose and intent of the proposed land use designation.

Staff concluded that the applicant proposes applying the PE/LU Zoning District to the subject property. As discussed above, the PE zone would be an appropriate zone to implement the Public PCCP Map designation. Unlike most zones in Polk County, there is no purpose statement listed for the public zones in PCZO Chapter 170. As discussed above, Staff believed that Camp Tapawingo is a school, and should be recognized as such on the PCCP map Zoning Map.

Staff concluded that the application complies with this criterion, and the Hearings Officer concluded.

3. The uses allowed in the proposed designation will not significantly adversely affect allowed uses on adjacent lands; [PCZO 111.275(C)]

Applicant declares that the subject property is situated in a rural and remote area of the county that is generally designated as Forest Land under the comprehensive plan. (See the aerial vicinity photograph attached as Exhibit 22 and the Polk County Assessor's Real Property Map Summaries for Tax Lots 2700, 200, 700, 4602, 4601, 3000, 3101, 6000, and 4600, all located in the immediate vicinity of the camp, attached as Exhibits 23 through 31 of the application.) (There is one residence in the vicinity, located on Tax Lot 4601, immediately south of the camp property and across Black Rock Road. (Exhibits 21 and 27 of the application). Black Rock Mountain Bike Area operates a mountain bike recreation area on property to the north of the camp.) This criteria is easily satisfied by the long-established existence and operation of the camp on the subject property – for more than 50 years – without a history of reports or complaints of conflicts with adjacent uses. The camp has operated in harmony with those adjacent uses. This fact establishes that the camp does not adversely affect allowed uses on adjacent lands. To the extent that any future development on the camp may have impacts on account of such development, those impacts can be addressed in the context of the proposed development. In this case, compatibility is not a matter of conjecture or prediction; it is a matter of historic fact. The camp does not adversely affect other adjacent uses.

Staff found that the applicant is proposing to apply the PE/LU zones to the subject property. The LU zone would allow use of the property as a school providing an emphasis on outdoor recreational and education programs in a natural setting and the following accessory uses: dwelling for the caretaker or watchman or housing for staff; dwelling, mobile home, or dormitory for students and/or faculty; and eating places and/or drinking places for faculty, staff, and students. In addressing this criterion, it is necessary to understand what activities currently occur on adjacent lands, what possible negative offsite externalities would be caused by camp operations, and how the offsite externalities would have a significant adverse impact on the ability for adjacent property owners to continue to use their properties for their current uses.

Based on a review of Polk County Assessor's data and the 2008 aerial photograph, contiguous properties are owned by the State of Oregon and commercial timber companies. Adjacent properties

appear to be managed for forestry purposes. Based on a review of the Polk County Zoning Map, all contiguous properties are zoned Timber Conservation.

The applicant provided a description of the existing camp use, which is provided in detail above. In summary, the camp is designed to provide an outdoor educational curriculum primarily to students ranging from Grades 3 to 12. The camp provides overnight accommodations for staff and up to 108 campers at any one time.

Staff did not identify any significant offsite impacts that are expected to occur from continued use of the camp. The Polk County Public Works Department did not raise concerns about the traffic impact of the proposed PCCP Map and Zoning Map amendments. Further, as described by the applicant, Camp Tapawingo has been in operation since 1954, and has operated in harmony with its surrounding since that time. The applicant has indicated that there is no plan at this point to significantly increase the number of attending campers, so continued compatibility between the Camp and adjacent properties should be expected.

In consideration of the above factors, zoning the property PE/LU to reflect the historic use of the property would not significantly adversely affect allowed uses on adjacent lands. Staff found that the proposed zone change and PCCP amendment are appropriate when taking into account surrounding land uses. As a result, staff and the Hearings Officer conclude that the application meets this criterion.

4. Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property; [PCZO 111.275(D)]

Applicant states that, as noted above, water for the camp is provided by a spring-fed private water system. Sewage disposal is by septic drainfield. Both systems are adequate to serve the camp. It is located in the Southwest Polk County Fire District. Black Rock Road and Socialist Valley Road (which provides direct access to the camp) are both designated as Resource Roads under the *Polk County Transportation System Plan* (TSP). (TSP, p. 45.) As noted above, the proposed change in zoning of the camp property and the development of the proposed activity building (which will only serve campers already attending the camp) will not add to the camper capacity of the camp and increase traffic or the size or density of the camp. As such, the public facilities, services and transportation networks in place are adequate.

Staff found that the applicant has proposed to change the zoning of the subject property to PE/LU, which would restrict the use of the property to a school and specific accessory uses. According to the information submitted by the applicant, the property is served by an on-site spring fed water system and a septic system. The applicant is, and would be, required to comply with all applicable state and federal water laws. The Southwest Polk Rural Fire Protection District serves approximately 110 acres of the subject property. Based on a review of the 2008 Polk County Aerial Photograph, all portions of the property that contain buildings and structures are located within the Southwest Polk Rural Fire Protection District. The Polk County Sheriff Department provides emergency services to the subject property. The subject property has frontage along Black Rock Road and Socialist Valley Road. Based on the above findings, Staff concluded that there are adequate public facilities, services, and transportation networks available at this time for water provision, sewage disposal, transportation, and emergency services, and the Hearings Officer concurs. Approval of this proposed zone change and PCCP amendment would not authorize the applicant to establish a use that would exceed the capacity of those services until such services are planned or available.

- 5. The proposed change is appropriate taking into consideration the following:**
- a. Surrounding land uses,**
 - b. The density and pattern of development in the area,**
 - c. Any changes which may have occurred in the vicinity to support the**

proposed amendment. [PCZO 111.275(E)(1-3)]

Applicant states that the subject property is situated in a rural and remote area of the county that is generally designated as Forest Land under the PCCP. (See the aerial vicinity photograph attached as Exhibit 22 and the Polk County Assessor's Real Property Map Summaries for Tax Lots 2700, 200, 700, 4602, 4601, 3000, 3101, 6000, and 4600, all located in the immediate vicinity of the camp, attached as Exhibits 23 through 31 of the application. See also, footnote 6.) The camp has operated in harmony with those adjacent uses for more than 50 years, without a history of reports or complaints of conflicts with adjacent uses.

The forest setting of the camp is integral to its purpose and operation as a wilderness retreat and setting for camp and outdoor school sessions. (See the discussion under OAR 660-004-0022(1)(c).) While not directly applicable to this application, OAR 660-006-0031, the "Youth Camp Rule," authorizes youth camps as a conditional use within Forest Zones. The Youth Camp Rule expressly acknowledges as appropriate the characteristic of a youth camp located in a "forest setting needed to ensure a primarily outdoor experience without depending upon the use or natural characteristic of adjacent and nearby public and private land."

Based on the foregoing, the location of the camp property in an area of primarily forest uses, with minimal development in the area, establishes that the proposed change is appropriate.

Staff concluded that, as discussed above, the applicant has provided evidence to indicate that continuation of use of the subject property as a camp that provides an outdoor focused educational curriculum would be appropriate considering the uses of surrounding properties. Based on a review of Polk County Assessor's data and the 2008 aerial photograph, contiguous properties are owned by the State of Oregon and commercial timber companies, and appear to be managed for forestry purposes. Based on a review of the Polk County Zoning Map, all contiguous properties are zoned Timber Conservation.

The applicant provided a description of the existing camp use, which is provided in detail above. In summary, the camp is designed to provide an outdoor educational curriculum primarily to students ranging from Grades 3 to 12. The camp provides overnight accommodations for staff and up to 108 campers at any one time.

Staff did not identify any significant offsite impacts that are expected to occur from continued use of the camp. The Polk County Public Works Department did not indicate a concern with the proposed PCCP Map and Zoning Map amendments. As described by the applicant, Camp Tapawingo has been in operation since 1954, and the applicant indicates that the Camp has operated in harmony with its surrounding. The applicant has indicated that there is no plan at this point to significantly increase the number of attending campers, so continued compatibility between the Camp and adjacent properties should be expected.

In consideration of the above factors, zoning the property PE/LU to reflect the historic use of the property would not significantly adversely affect allowed uses on adjacent lands. The applicant has not indicated an intention to significantly intensify the use of the property. Staff concluded that the proposed zone change and PCCP amendment are appropriate when taking into account surrounding land uses. As a result, staff and the Hearings Officer find that the application meets this criterion

6. The proposal complies with any applicable intergovernmental agreement pertaining to urban growth boundaries and urbanizable land; and [PCZO 111.275(F)]

The subject property is not located within an urban growth boundary. This criterion is not applicable to this request.

7. The proposal complies with Oregon Revised Statutes, all applicable statewide planning goals and associated administrative rules. If an exception to one or more of the goals is necessary, the exception criteria in Oregon Administrative

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Rules, Chapter 660, Division 4 shall apply. [PCZO 111.275(G)]

Applicant states that this application is based on a "Reasons Exception" to Statewide Planning Goal 4 (Forest Land), pursuant to Goal 2, part II(c), and OAR 660-004-0020. A reasons exception "can be taken for any use not allowed by the applicable goal(s)." OAR 660-004-0022.

Goal 4 provides that its purpose is "[t]o conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture." OAR 660-006-0025, which implements Goal 4, describes the "Uses Authorized in Forest Zones," and the uses listed in the rule do not include the operation of Camp Tapawingo. OAR 660-006-0031, the "Youth Camp Rule," does permit certain youth camps to be established in a forest zone, but the rule does not apply to Camp Tapawingo per subsection 0031(2), which states: "The provisions of this rule shall not apply to youth camps established prior to the effective date of this rule." The Youth Camp Rule was adopted in 2000 and amended in 2006. As noted above, Camp Tapawingo has been in existence for more than 50 years. Therefore, the Youth Camp Rule does not directly sanction the operation of the camp on the subject property or the construction of the proposed activity building. (The proposed building would have been allowed under the 20-year Master Plan for the camp approved as Conditional Use 83-42, but the term of that approved Master Plan has expired. With the adoption of the Youth Camp Rule and other amendments to the Goal 4 rules since 1983, it appears that the neither the camp nor the proposed building could be approved as a conditional use today, as presently constituted or proposed.)

Staff concluded that an exception to Oregon Statewide Planning Goal 4 is necessary in order to approve the proposed zoning of the subject property. The applicant addressed the "Reasons" exception criteria above. The applicant also addressed Goals 12 and 14 above.

Staff and the Hearings Officer find that the application complies with this criterion.

8. The road function, classification, capacity and existing and projected traffic volumes have been considered.

To allow comprehensive plan map and zone map amendments that may generate trips up to the planned capacity of the transportation system, Polk County will consider road function, classification, road capacity and existing and projected traffic volumes, as criteria for comprehensive plan map and zone map amendments. [PCZO 111.275(H)]

Applicant says the subject property is accessed via Black Rock Road and Socialist Valley Road, which are resource roads as identified in the *Polk County Transportation Systems Plan*, Figure 3. The camp is an existing facility, and the Public Works Department did not express concern about the proposed PCCP Map and Zoning Map amendments. The Public Works Department indicated that Black Rock Road in the vicinity of the subject property is capable of accommodating approximately 250 vehicle trips per day. Based on 2004 and 2008 traffic count data, Black Rock Road sees approximately 15 vehicle trips per day. The road is currently operating under capacity.

Based on the information submitted by the applicant, the Hearings Officer finds that the application complies with this criterion.

CONCLUSIONS

Based on the findings above, the proposed PCCP Map amendment, Zoning Map amendment, and Statewide Planning Goal 4 "Reasons" exception have been reviewed following the proper process and comply with the applicable review and decision criteria. Based on the above findings, Staff and the Hearings Officer conclude that there are adequate public facilities, services, and transportation networks available at this time for water provision, sewage disposal, transportation,

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and emergency services.

RECOMMENDATIONS

Based on the evidence and information submitted into the record at the time of completion of this staff report, the Hearings Officer recommends that the Board of Commissioners APPROVE this application, as follows:

1. Change the PCCP Map designation of the subject property from Forest to Public,
2. Adopt a "Reasons" exception to Statewide Planning Goal 4 (PCCP text amendment), and
3. Change the zoning of the subject property from Timber Conservation (TC) to Public and Private Educational Facilities (PE) and Limited Use Overlay (LU). Use of the subject property shall be limited to a school providing an emphasis on outdoor recreational and education programs in a natural setting. The following uses shall be permitted provided they are accessory to the school:
 - a. Dwelling for the caretaker or watchman or housing for staff;
 - b. Dwelling, mobile home, or dormitory for students and/or faculty; and
 - c. Eating places and/or drinking places for faculty, staff, and students.

Dallas, Oregon, June 3 , 2010.

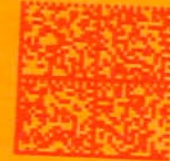


ROBERT W. OLIVER
Polk County Hearings Officer

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