

1 Opinion by Hanna.

2 **MOTION TO INTERVENE**

3 AT&T Wireless Services moves to intervene in this
4 proceeding on the side of respondent. There is no objection
5 to the motion, and it is allowed.

6 **DISCUSSION**

7 Petitioner appeals the county commission's approval of
8 a conditional use permit to install cellular telephone
9 communications equipment on Neahkahnie Mountain which is
10 located in Oswald West State Park. The equipment will
11 consist of an electronic equipment shelter and antennas
12 mounted on the shelter and on an already existing tower.

13 Petitioner makes seven assignments of error.
14 Petitioner alleges that the decision violates a Department
15 of State Parks and Recreation master plan prohibition on
16 specified uses; the decision violates the county
17 comprehensive plan and Ordinance prohibitions on specified
18 uses; three mandatory criteria in Tillamook County Land Use
19 Ordinance 6.040 were not supported in the record; the county
20 did not comply with ORS 197.763(4)(a); and the appeal fee
21 structure and the fee assessed by the county violate ORS
22 215.422(1)(c).

23 We find that none of petitioner's assignments of error
24 merits remand or reversal, and all are, therefore, denied
25 ORS 197.835(16)