| 1               | BEFORE THE LAND USE BOARD C  | F APPEALS            |  |
|-----------------|--|----------------------|--|
| 2               | OF THE STATE OF OREG   | ON                   |  |
| 3               |  |                      |  |
| 4               | RENAE FORTUNE,   |                      |  |
| 5               | ,  | LUBA No. 96-125      |  |
| 6               |  |                      |  |
| 7               | ,  | FINAL OPINION        |  |
| 8               |  | AND ORDER            |  |
| 9               | ·  | MEMORANDUM ORTHON    |  |
| 10              | ,  | MEMORANDUM OPINION   |  |
| 11<br>12        | ,  | (ORS 197.835(16))    |  |
| 13              | ,  |                      |  |
| $\frac{13}{14}$ |  |                      |  |
| 15              | Appeal from Clackamas County.  |                      |  |
| 16              |  |                      |  |
| 17              | Mark Grider, Salem, filed the petition for review and                  |                      |  |
| 18              | argued on behalf of petitioner.  |                      |  |
| 19              |  |                      |  |
| 20              | Michael E. Judd, Chief Assistant County Counsel, Oregon                |                      |  |
| 21              | City, filed the response brief and argued on behalf of                 |                      |  |
| 22              | respondent.  |                      |  |
| 23<br>24        |  | Doforco partiginated |  |
| 25              | GUSTAFSON, Referee; LIVINGSTON, Referee, participated in the decision. |                      |  |
| 26              |  |                      |  |
| 27              |  | 6                    |  |
| 28              | ·  |                      |  |
| 29              |  | eview of this Order. |  |
| 30              |  |                      |  |
| 31              | l 197.850.   |                      |  |

1 Opinion by Gustafson.

## DISCUSSION

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- 3 Petitioner appeals the county's denial of her request
- 4 to change the zone on her property from FF-10, Farm Forest
- 5 10 Acre District, to RRFF-5, Rural Residential Farm Forest 5
- 6 Acre District. Specifically, petitioner contends the county
- 7 hearings officer erroneously interpreted the county's zoning
- 8 and development ordinance (ZDO) 13.02(a). (ZDO) 13.02(a)
- 9 requires that to qualify for the RRFF-5 zone, surrounding
- 10 "[p]arcels must be generally five acres."
- 11 Petitioner has not established any basis for remand or
- 12 reversal of the county's decision. While the hearings
- 13 officer's interpretation of ZDO 13.02(a) is not the only
- 14 plausible one, we find that his interpretation is reasonable
- 15 and correct.
- 16 The county's decision is affirmed.

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