



# Oregon

Theodore R. Kulongoski, 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](http://www.lcd.state.or.us)

### NOTICE OF ADOPTED AMENDMENT

March 19, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Bend Plan Amendment  
DLCD File Number 014-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: April 2, 2007**

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 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 DATE SPECIFIED ABOVE.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Mark Radabaugh, DLCD Regional Representative  
Craig Chenoweth, City Of Bend

<paa> ya/

**FORM 2**

**D L C D 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

(See reverse side for submittal requirements)

DEPT OF

MAR 15 2007

LAND CONSERVATION  
AND DEVELOPMENT

Jurisdiction: City of Bend Local File No.: 04-490  
(If no number, use none)

Date of Adoption: March 7, 2007 Date Mailed: March 12, 2007  
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: August 10, 2006

Comprehensive Plan Text Amendment  Comprehensive Plan Map Amendment

Land Use Regulation Amendment  Zoning Map Amendment

New Land Use Regulation  Other: \_\_\_\_\_

(Please Specify Type of Action)

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

A Zone Change is from Urban Standard Density Res.(RS) to Urban Medium Density (RM).

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

Same

Plan Map Changed from : \_\_\_\_\_ to \_\_\_\_\_

Zone Map Changed from: RS to RM

Location: Tax Map 17-12-28CA Tax Lots 800,1100, 1201 Acres Involved: 10

Specify Density: Previous: 2.0 to 7.3 units per acre New: 7.3 to 21.7 units per acre

Applicable Statewide Planning Goals: Goal 5 Housing

Was an Exception Adopted? Yes: \_\_\_\_\_ No: x

014-06(15452)

DLCD File No.: \_\_\_\_\_

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing**. Yes: x No: \_\_\_\_\_

If no, do the Statewide Planning Goals apply. Yes: \_\_\_\_\_ No: \_\_\_\_\_

If no, did The Emergency Circumstances Require immediate adoption. Yes: \_\_\_\_\_ No: \_\_\_\_\_

Affected State or Federal Agencies, Local Governments or Special Districts: Bend Metro Parks and Recreation, Bend-LaPine School District

Local Contact: Craig Chenoweth Area Code + Phone Number: 541 388-5563

Address: 710 NW Wall City: Bend

Zip Code: 97701 Email Address: cchenoweth@ci.bend.or.us

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## 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 (2) Copies 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. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
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 copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. NS-2041

AN ORDINANCE AMENDING THE CITY OF BEND AREA ZONING MAP, BY CHANGING THE ZONING DESIGNATION OF A PARCEL OF LAND AS SHOWN IN EXHIBIT "A" FROM STANDARD DENSITY RESIDENTIAL (RS) TO URBAN MEDIUM DENSITY RESIDENTIAL (RM).

THE CITY OF BEND ORDAINS AS FOLLOWS:

- Section 1. The Bend City Council has held a public hearing, considered the Hearings Officer's findings and record, and has found that there is a public need and benefit for the proposed change. Except as provided in Section 3 hereof, the Bend City Council adopts the Findings and Recommendation of the Hearings Officer dated December 20, 2006 file number PZ-06-490.
- Section 2. The Bend Area Zoning Map is amended by changing the designation of the property described as Tax Assessor's Map 17-11-28CA, Tax Lots 800, 1100 and 1201, as shown in Exhibit "A". The change will be from Urban Standard Density Residential (RS) to urban medium Density residential (RM).
- Section 3. In order to provide compatibility between the proposed development, the solar access required by the Bend Zoning Ordinance NS-1178 shall be required for any construction on the 4 proposed lots, lot numbers 55, 56, 57, and 58, that lie directly south of the home on tax lot 803 on Deschutes County Tax Assessor's Map #17-12-28 CA, also known as 2135 NE 8th Street, in Bend, OR.

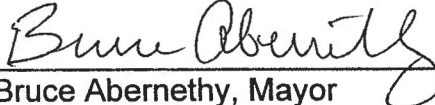
Read for the first time the 21st day of February, 2007.

Read for the second time the 7<sup>th</sup> day of March, 2007.

Placed upon its passage the 7<sup>th</sup> day of March, 2007.

YES: 6                      NO: 0

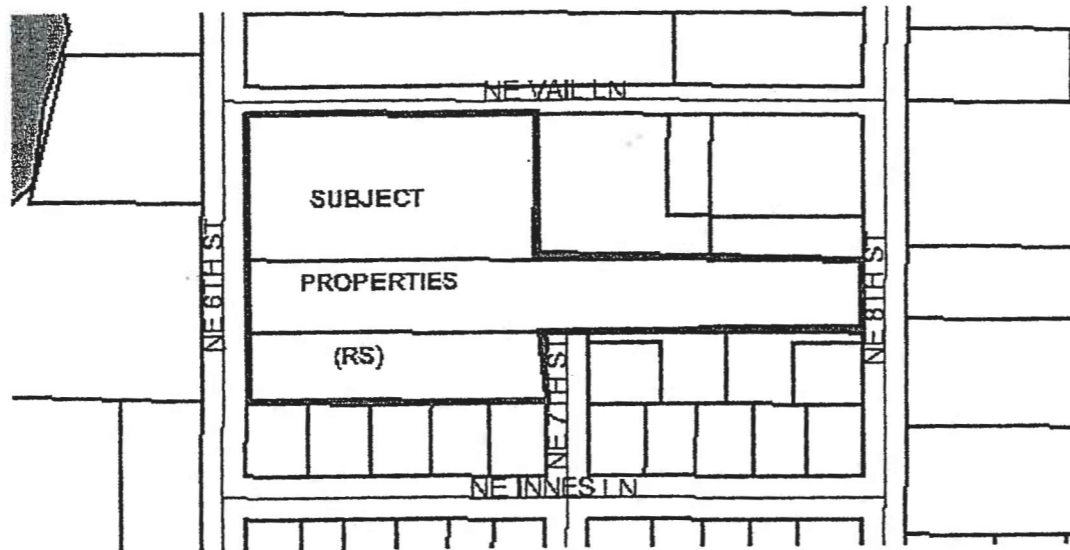
Authenticated by the Mayor the 7<sup>th</sup> day of March, 2007.

  
Bruce Abernethy, Mayor

ATTEST:

  
Patricia Stell, City of Bend Recorder

Exhibit A



Zone Change from Urban Standard Density Residential to Urban Medium Residential Density

1 in. = 102.0 feet

- canals
- Streams
- Streets
- Taxlots
- Current Zoning
- CD
- CC
- CG
- CII
- CL
- CN
- IG
- L
- P
- MC
- MR
- PF
- PO
- PQRMS
- RH
- RL
- RM
- RS
- SM
- SR2-UZ
- UAR10
- Deschutes River
- bend city limits
- Urban Area Reserve (UAR)



The Map 17-12-20CA 00600,01100,01201 Zone Change from Urban Standard Residential Density to Urban Medium Density Residential

