



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

NOTICE OF ADOPTED AMENDMENT

November 1, 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 015-07

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: November 14, 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
Amanda Punton, Dlcd Natural Resource Specialist
Craig Chenoweth, City of Bend

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FORM 2

DLCD 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
OCT 25 2007
LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: City of Bend Local File No.: 07-388
(If no number, use none)

Date of Adoption: October 3, 2007 Date Mailed: October 24, 2007
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: July 19, 2007

☐ 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."
Approval of an amendment to the Bend Area General Plan ("BAGP") and Bend Urban Area Zoning
Map to remove the Upland Area of Special Interest Overlay (ASI) Zone from the subject property.
This area is Area 14 of the Bend Urban Lands Survey.

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 : N/A to N/A
Zone Map Changed from: N/A to N/A

Location: Tax Map 17-12-21D Tax Lot 100 Acres Involved: _____

Specify Density: Previous: N/A New: N/A

Applicable Statewide Planning Goals: Goal 5 and 9

Was an Exception Adopted? Yes: _____ No: x

DLCD File No.: 015-07 (16258)

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: City of Bend

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

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-2076

AN ORDINANCE AMENDING THE CITY OF BEND DEVELOPMENT CODE NO. NO. NS-2016 BY CHANGING BY THE GENERAL PLAN DESIGNATION AND BY CHANGING THE ZONING MAP DESIGNATION FOR THE AREA OF SPECIAL INTEREST IDENTIFIED AS AREA OF SPECIAL INTEREST #14

THE CITY OF BEND ORDAINS AS FOLLOWS:

Section 1. The Bend City Council has held a public hearing, considered the testimony, the record, and the Hearings Officer decision, and has found that there is a public need and benefit for the proposed change. The Bend City Council adopts the Hearings Officer Findings and Decision, dated August 27, 2007 file number PZ 07-388.

Section 2. The Bend Urban Area General Plan and Bend urban Area Zoning Maps are amended by changing the boundary of ASI #14 by eliminating the portion of the ASI as shown as shown in "Exhibit A" from Lot 29 so that the ASI line does not extend past the North boundary line of Lot 32 North Brinson Business Park Phase I.

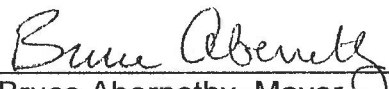
Read for the first time the 19th day of September, 2007.

Read for the second time the 3rd day of October, 2007.

Placed upon its passage the 3rd day of October, 2007.

YES: 6 NO: 1

Authenticated by the Mayor the 3rd day of October, 2007.


Bruce Abernethy, Mayor

ATTEST:

Patricia Stell, City of Bend Recorder

EXHIBIT A

ASI Zoning Overlay / Light Industrial Zone / North Brinson Business Park

