



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

October 13, 2008



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Crook County Plan Amendment
DLCD File Number 004-08

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: October 23, 2008

This amendment was submitted to DLCD for review 45 days 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 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.**

Cc: Doug White, DLCD Community Services Specialist
Mark Radabaugh, DLCD Regional Representative
Bill Zelenka, Crook County

<paa> ya

FORM 2

DEPT OF

OCT 06 2008

LAND CONSERVATION
AND DEVELOPMENT

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 06 2008

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: Crook County

Local File No.: C-MA-017-07

(If no number, use none)

Date of Adoption: September 19, 2008

(Must be filled in)

Date Mailed: 10-2-08

(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 5-5-08

☐ 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 ASee Attached.≡

To approve a zone map change to SR-1, consistent with Crook County

requirements and actions necessary for the proper regulation and

jurisdiction of the Urban Growth Boundary.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write ASame.≡ If you did not give notice for the proposed amendment, write AN/A.≡

Same

Plan Map Changed from : NA to NA

Zone Map Changed from: EFU-2 to SR-1

Location: 1400 NE Barnes Butte Rd. Acres Involved: 3.4

Specify Density: Previous: NA New: NA

Applicable Statewide Planning Goals: 1, 2, 3, and 4

Was an Exception Adopted? Yes: ☐ No: ☒

DLCD File No.: 004-08 (16882)

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: XX 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: _____
DLCD, Assessor

Local Contact: Bill Zelenka Area Code + Phone Number: 541/447-8156

Address: 300 NE Third St., Rm. 11 City: Prineville, OR

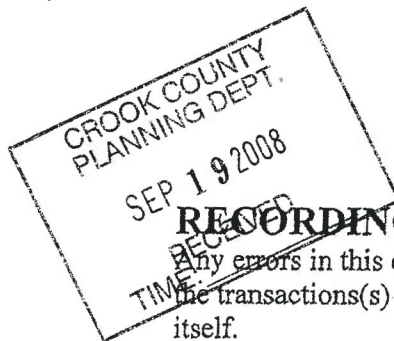
Zip Code+4: 97754 Email Address: bill.zelenka@co.crook.or.us

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 ANotice of Adoption≡ is sent to DLCD.
6. In addition to sending the ANotice 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.



RECORDING COVER SHEET

Any errors in this cover sheet DO NOT affect the transactions(s) contained in the instrument itself.

AFTER RECORDING RETURN TO:

CLERK'S VAULT

NAME OF TRANSACTION

ORDINANCE NO 209

An ordinance amending the Crook County zoning map to rezone property located at 202 NE Barnes Butte Road (the "Warren Property") from EFU-2 to SR-1 and declaring an emergency

GRANTOR: CROOK COUNTY

STATE OF OREGON } ss 2008-124
COUNTY OF CROOK }
I CERTIFY THAT THE WITHIN INSTRUMENT WAS
RECEIVED FOR RECORD ON THE 19th DAY OF
September 08, AT 11:45 A.M.
AND RECORDED IN C/TRNL
RECORDS OF SAID COUNTY MF NO. 2008-124
DEANITA E. BERMAN, CROOK COUNTY CLERK
BY Julie Hammell DEPUTY.



IN THE COUNTY COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK

AN ORDINANCE AMENDING THE
CROOK COUNTY ZONING MAP TO
REZONE PROPERTY LOCATED AT
202 NE BARNES BUTTE ROAD (THE
"WARREN PROPERTY") FROM EFU-2
TO SR-1 AND DECLARING AN
EMERGENCY

Ordinance No. 209

WHEREAS, the Crook County Planning Commission has recommended that the Crook County Zoning Map be amended to rezone the subject property; and

WHEREAS, amending the zoning map is authorized by Title 18 Chapter Sections 18.12.020 and 18.168 and the Comprehensive Plan of Crook County;

NOW, THEREFORE, the Crook County Court ordains as follows:

SECTION ONE. *Amendment.* The boundaries of the zones of the zoning map described in Ordinance 18.12.020 is amended by changing the zoning for:

An area of land in Section 29, T 14 S R 16 EWM Crook County, Oregon, described as follows:

**A parcel of land located in the Northwest one-quarter Northwest one-quarter (NW ¼ NW ¼) of Section 29, Township 14 South, Range 16 East of the Willamette Meridian, Crook County, Oregon, more particularly described as follows:
Beginning at the Northwest corner of said Section 29 thence South 89 degrees 49'56" East along the North line of said Section 29 a distance of 530.00 feet to the Northeast corner of a parcel of land deeded to Henry Leroy Coiner and wife by Oregon Western Colonization Company in Deed Book 50 at Page 310, Records of Crook County, Oregon; thence South 00 degrees 26'56" West along the East line of said Coiner parcel a distance of 16.99 feet to the South line of that parcel conveyed to Crook County by W.D. Royster and wife in Deed Book 76 at Page 518, Records of Crook County, Oregon; thence South 89 degrees 58'45" West along said line a distance of 115.05 to the True Point of Beginning of this legal description, thence South 05 degrees 45'24" West a distance of 140.38 feet; thence South 84 degrees 14'36" East a distance of 10.0 feet; thence South 05 degrees 45'24" West a distance of 141.38 feet to the South line as deeded to Coiner; thence North 89 degrees 49'58" West along said line a distance of 345.85 feet to the East line of McKay Road; thence North 00 degrees 26'56" East along said line a distance of 419.36 feet to the South**

line of said Crook County parcel; thence North 89 degrees 58'45" East along said line a distance of 384.96 feet to the True Point of Beginning.

from EFU-2 to SR-1.

SECTION TWO. *Findings*. The Crook County Court adopts the Planning Commission Recommendation attached hereto as its findings in support of its Decision.

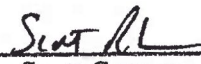
SECTION THREE. *Emergency*. This Ordinance being necessary for the health, welfare and safety of the people of Crook County, an emergency is hereby declared to exist and this Ordinance shall become effective upon signing.

First Reading, September 3, 2008.

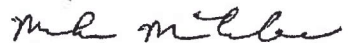
Second Reading, September 17, 2008.

Dated this 17th day of SEPT., 2008.

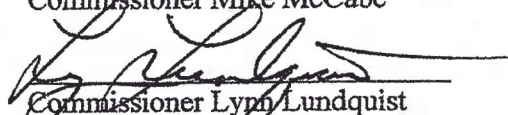
CROOK COUNTY COURT



Judge Scott Cooper



Commissioner Mike McCabe



Commissioner Lynn Lundquist

 **FYI**

CROOK COUNTY

BEFORE THE PLANNING COMMISSION

NO. C-MA-017-08
RECOMMENDATION

APPLICANT: Michael and Barbara Warren
PO Box 781
Prineville OR 97754

PROPERTY LOCATION: T 14 S R 16 EWM Sec 29 TL 900.

PROPOSAL: Recommendation to the Crook County Court on a request for approval of a Zoning Map Amendment to change the zoning classification of a portion of the subject property from Exclusive Farm Use EFU-2 to Suburban Residential SR-1.

The property was included within the Prineville Urban Growth Boundary as a residential expansion area by Amendment 57 to Ordinance #17 adopted by the Crook County Court on November 5, 2003.

CONCLUSIONS: The Commission finds that the applicant has met the burden of demonstrating compliance with all local codes and state statutes. The County also finds that the applicant has supplied adequate evidence and testimony showing that the subject parcel meets the definitional requirements to be included in a Suburban Residential SR-1 zone.

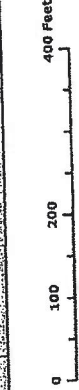
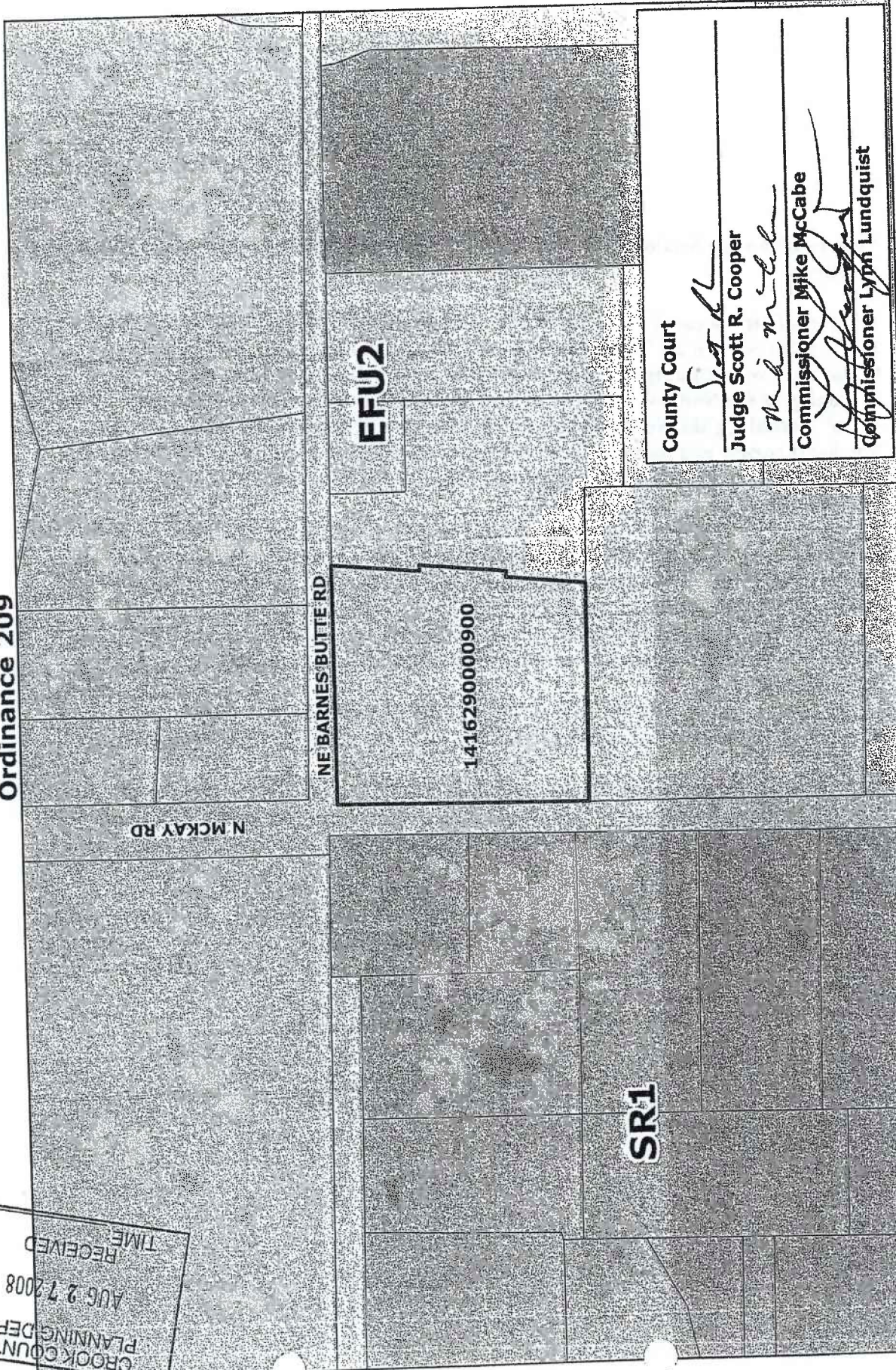
RECOMMENDATION: The Commission hereby recommends by a 6-0 vote that the proposed zone map change be approved as shown on Exhibit A and described in Exhibit B. The above recommendation is based on the applicable legal criteria, applicants' burden of proof, applicants' findings, and Commission findings and conclusions.

Dated this 23rd Day of July, 2008


W. R. Gowen
COMMISSION CHAIRMAN

Exhibit A Zoning Map Amendment Ordinance 209

CROOK COUNTY
PLANNING DEPT.
AUG 27 2008
RECEIVED
TIME



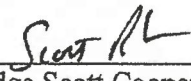
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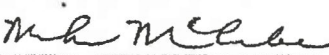
THIS MAP IS THE PROPERTY OF CROOK COUNTY, OREGON. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM CROOK COUNTY. THE CROOK COUNTY PLANNING DEPARTMENT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE CROOK COUNTY PLANNING DEPARTMENT IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS MAP. THE CROOK COUNTY PLANNING DEPARTMENT IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS MAP.

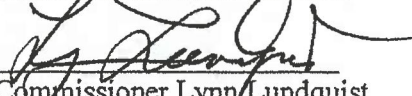
EXHIBIT B

An area of land in Section 29, T 14 S R 16 EWM Crook County, Oregon, described as follows:

A parcel of land located in the Northwest one-quarter Northwest one-quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 29, Township 14 South, Range 16 East of the Willamette Meridian, Crook County, Oregon, more particularly described as follows:
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Judge Scott Cooper


Commissioner Mike McCabe


Commissioner Lynn Lundquist

OK COUNTY PLANNING DEPT.
300 N. E. Third Street
Prineville, OR 97754

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\$04.80

10/02/2008

Mailed From 97754

US POSTAGE

Hasler



Plan Amendment Spec.

DLCD

635 Capitol St., NE

#150

Salem, OR 97301-2540