



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

### NOTICE OF ADOPTED AMENDMENT

May 9, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Clackamas County Plan Amendment  
DLCD File Number 013-06

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: May 23, 2007**

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  
Gary Fish, DLCD Regional Representative  
Ron Eber, DLCD Farm and Forest Specialist  
Gary Hewitt, Clackamas County Planning Department

<paa> ya/



# FORM 2

## DLCD NOTICE OF ADOPTION DEPT OF

This form must be mailed to DLCD within 5 working days after the final decision  
per ORS 197.610, OAR Chapter 660 - Division 18

MAY 02 2007

(See reverse side for submittal requirements)

LAND CONSERVATION  
AND DEVELOPMENT

Jurisdiction: CLATSOP COUNTY Local File No.: Z0712-06-CP/Z0713-06-Z  
(If no number, use none)

Date of Adoption: 4-26-07 Date Mailed: 4-30-07  
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 12-19-06

- |  |  |
|--|--|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input checked="" type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment     | <input checked="" type="checkbox"/> Zoning Map Amendment             |
| <input type="checkbox"/> New Land Use Regulation           | <input type="checkbox"/> Other: _____                                |

(Please Specify Type of Action)

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

THE APPLICANT WAS APPROVED TO CHANGE THE COMPREHENSIVE PLAN  
FROM AGRICULTURE TO FOREST ON A 7.59 ACRE PARCEL WITH A ZONE  
CHANGE FROM EXCLUSIVE FARM USE<sup>(EFU)</sup> TO AGRICULTURAL/FOREST (AG/F).

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: AGRICULTURE to FOREST

Zone Map Changed from: EFU to AG/F

Location: 17877 SE FADEW/RO, OREGON CITY Acres Involved: 7.59

Specify Density: Previous: NONE New: NONE

Applicable Statewide Planning Goals: 3 3 4

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

DLCD File No.: 013-06(15756)

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:  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

Local Contact: GARY HEWITT Area Code + Phone Number: 503-353-4519

Address: 9101 SE SUNNYBROOK BLVD. City: CLACKAMAS

Zip Code+4: 97015 Email Address: gary.h@co.clackamas.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](mailto:Larry.French@state.or.us) - **ATTENTION: PLAN AMENDMENT SPECIALIST.**

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of a Comprehensive  
Plan Amendment and Zone Change  
for Troy R. Tracy

File No.: ZO712-06-CP / ZO713-06-Z

ORDER NO. 2007-268  
(Page 1 of 2)

This matter coming regularly before the Board of County Commissioners, and it appearing that Troy Tracy made application for a Comprehensive Plan amendment and zone change on property described as T2S, R3E, Section 35, W.M., Tax Lot 1200, located approximately .41 miles northeast from the intersection of Springwater Road and Eaden Road on the north and west side of Eaden Road; and

It further appearing that planning staff, by its report dated March 13, 2007, recommended denial of the application; and

It further appearing that the Planning Commission, at its March 19, 2007 meeting, recommended approval of the application; and

It further appearing that after appropriate notice a public hearing was held before the Board of County Commissioners on April 18, 2007, at which testimony and evidence were presented, and that a preliminary decision was made by the Board on April 18, 2007;

Based upon the evidence and testimony presented, this Board makes the following findings and conclusions:

1. The applicant requests approval of a Comprehensive Plan map amendment from Agriculture to Forest and zone change from EFU to AG/F.
2. Both the property itself and the surrounding area contain a mixture of agriculture and forest uses such that the AG/F zone is appropriate.
3. This application meets all relevant criteria in the Statewide Goals and administrative rules, the Comprehensive Plan, and the Zoning and Development Ordinance.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
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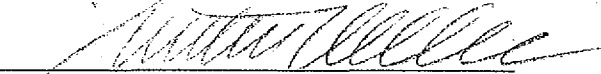
File No.: ZO712-06-CP / ZO713-06-Z

ORDER NO. 2007-268  
(Page 2 of 2)

NOW, THEREFORE, IT IS HEREBY  
ORDERED that the requested Comprehensive Plan amendment and zone change are  
granted.

DATED this 26th day of April, 2007.

BOARD OF COUNTY COMMISSIONERS



Martha Schrader, Chair



Mary Raethke, Recording Secretary

LAND USE - BOARD ORDER COVER SHEET

In the Matter of a Comprehensive Plan Amendment and Zone  
Change for Troy R. Tracy

File No.: Z0712-06-CP / Z0713-06-Z

Hearing Date(s): April 18, 2007

Minutes: Yes

Board Order Signed: April 26, 2007 2007-268

Sent to Parties: April 27, 2007

Frank Walker  
Recording  
Planning, Gary Hewitt  
Counsel  
File