



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

January 2, 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 013-06

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. Ordinance NS-2035 received without Notice of Adoption.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: January 12, 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
Aaron Henson, City Of Bend

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710 WALL STREET
PO BOX 431
BEND, OR 97709
[541] 388-5505 TEL
[541] 388-5519 FAX
WWW.ci.bend.or.us

NOTICE OF ADOPTED ORDINANCE

DATE MAILED: December 22, 2006
APPLICANT: Alterra Investments
FILE NUMBER: PZ 06-429 & PZ 06-430

BILL FRIEDMAN
Mayor

BRUCE ABERNETHY
Mayor Pro Tem

JOHN HUMMEL
City Councilor

R. DAVE MALKIN
City Councilor

CHRIS TELFER
City Councilor

LINDA S. JOHNSON
City Councilor

JIM CLINTON
City Councilor

HAROLD A. ANDERSON
City Manager

MARGARET ECHEVESTE
Finance Director

ANDREW JORDAN
Police Chief

LARRY LANGSTON
Fire Chief

PATRICIA STELL
City Recorder

Enclosed, is a copy of Ordinance No.NS-2035, amending the City of Bend Zoning Ordinance No.NS-1178. Ordinance NS-2035 was adopted by the City Council on December 6, 2006.

If you have any questions, please call our office at 388-5580.

CITY OF BEND PLANNING DIVISION

c DLCD
Janet Cowart
OTAK, Inc.-Paula Mason
Liz Fancher Attorney



ORDINANCE NO. NS-2035

AN ORDINANCE AMENDING THE CITY OF BEND ZONING ORDINANCE NO. NS-1178, BY CHANGING THE ZONING MAP DESIGNATION OF CERTAIN REAL PROPERTY FROM RESIDENTIAL SUBURBAN LOW DENSITY (SR 2 1/2) ZONE TO URBAN STANDARD DENSITY (RS) ZONE.

THE CITY OF BEND ORDAINS AS FOLLOWS:

Section 1. The Bend City Council has held a public hearing, considering the Hearings Officer's findings and record, and has found that there is a public need and benefit for the proposed change. The Bend City Council adopts the Decision and Recommendation of the Hearings Officer dated November 3, 2006, File Number PZ-06-429 and 06-430.

Section 2. Section 7(1) of Ordinance NS-1178 and the Zoning Map of the City of Bend are amended by changing the designation of the property described in Exhibit "A" and depicted on Exhibit "B" from SR 2 1/2, Suburban Low Density Residential to RS, Urban Standard Density Residential.

Read for the first time the 15th day of November, 2006.

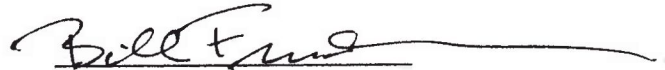
Read for the second time the 6th day of December, 2006.

Placed upon its passage the 6th day of December, 2006.

YES: 7

NO: 0

Authenticated by the Mayor the 6th day of December, 2006.


Bill Friedman, Mayor

ATTEST:

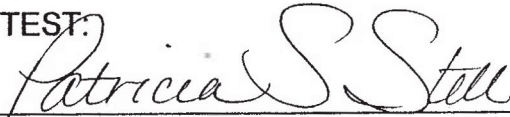
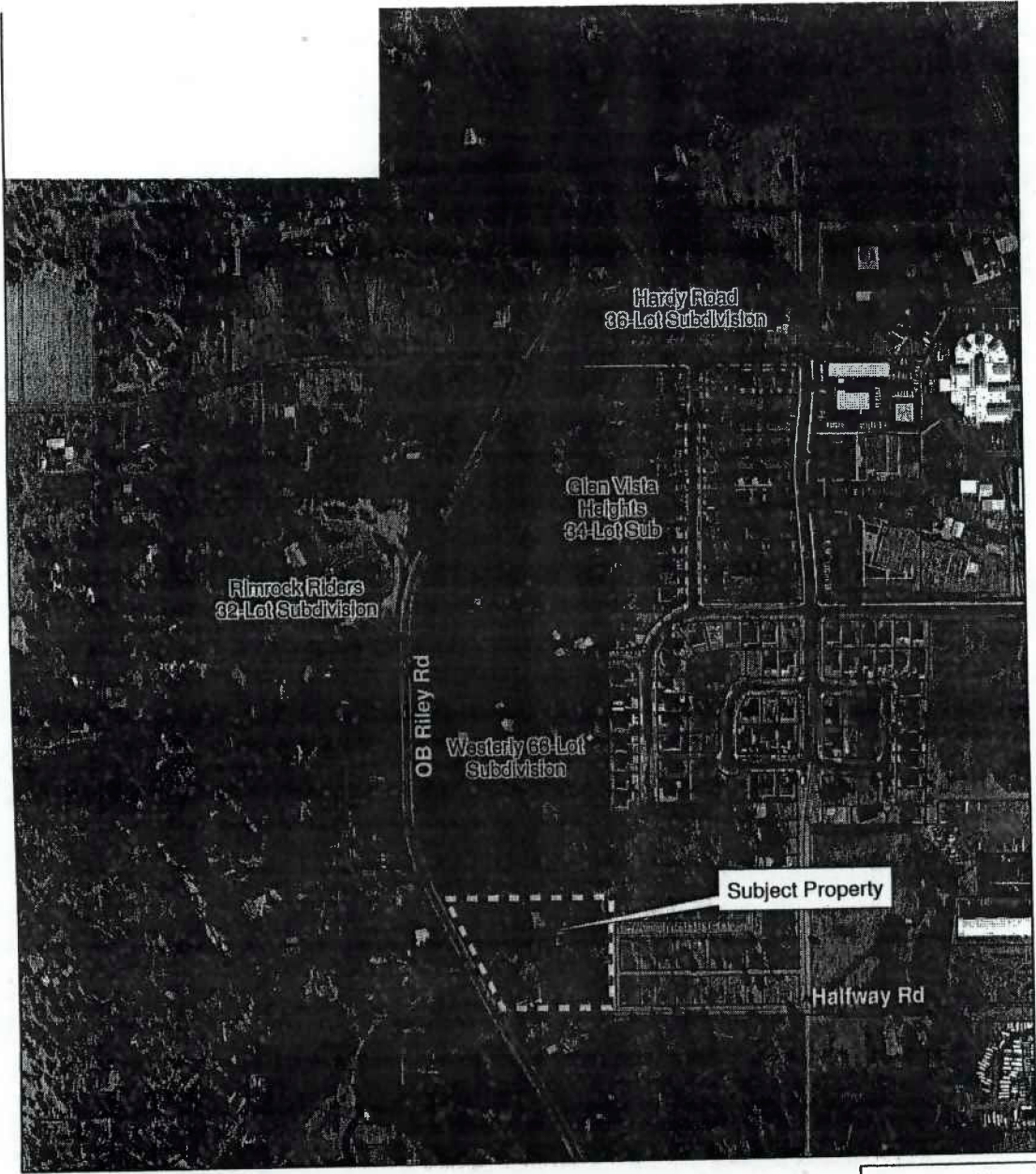

Patricia Stell, City of Bend Recorder

EXHIBIT "A"

A portion of the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 17, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

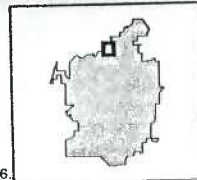
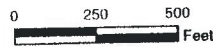
BEGINNING on the Easterly boundary of the Old Dalles California Highway, and 30.0 feet North of the South line of the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 17, Township 17 South, Range 12, East of the Willamette Meridian; thence South 89°55'44" East parallel with said South line for a distance of 363 feet more or less to a point which is 694.35 feet South 89°55'44" East and 30.00 feet North of the Southwest corner of said Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4); thence North for a distance of 360.0 feet; thence North 89°55'44" West to the East boundary of the Old Dalles California Highway; thence Southeasterly along the East boundary of said highway to the point of beginning.

EXCEPTING that portion conveyed to Deschutes County by deed recorded July 5, 1974 in Book 208, Page 117, Deed records.



PZ 06-429 and 06-430 Alterra Investments

 City Limits



Imagery acquired March 2004. Map prepared 11/2/06.