



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

April 5, 2006



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of North Bend Plan Amendment
DLCD File Number 001-06

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: April 18, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.625 (1), 197.830 (2), and 197.830 (9) 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 ADOPTED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Dave Perry, DLCD Regional Representative
Dave Foster, City of North Bend

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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

MAR 31 2006

(See reverse side for submittal requirements)

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: CITY OF NORTH BEND Local File No.: NONE
(if no number, use none)

Date of Adoption: 3/28/06 Date Mailed: 3/30/06
(Must be filed in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 1/31/06

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."

AMEND COMP. PLAN MAP FROM "COMMERCIAL" TO
"RESIDENTIAL". AMEND ZONE MAP FROM "GENERAL
COMMERCIAL" (C-G) TO "RESIDENTIAL-MULTIFAMILY (R-M)

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: "C" to "R"

Zone Map Changed from: "C-G" to "R-M"

Location: ASSESSOR MAP 25-13-15AB Acres Involved: 0.28

Specify Density: Previous: — New: —

Applicable Statewide Planning Goals: —

Was an Exception Adopted? Yes: — No: —

DLCD File No.: 001-06 (14983)

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: N/A

Local Contact: DAVE FOSTER Area Code + Phone Number: 541-756-8535

Address: P.O. Box B City: NORTH BEND

Zip Code+4: 97459 Email Address: planner@uci.net

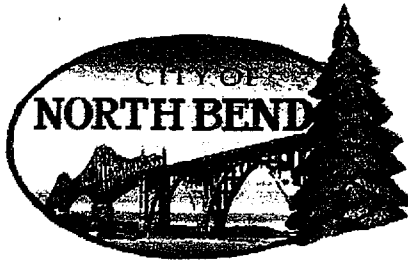
ADOPTION SUBMITTAL REQUIREMENTS

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 Mara.Ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.



City of North Bend

Planning Department, P.O. Box B, North Bend, OR 97459, 541-756-8535, FAX 541-756-8544, planner@uci.net

Notice of Decision Mattecheck – Plan Amendment and Rezone

March 29, 2006

Mark Mattecheck
2670 Sheridan Ave.
North Bend, OR 97459

Map/Tax Lot: T25, R13, Section 15AB, Tax Lot 17500 & 17600
Lots 19, 20, 21 and 22, Block 73, Western addition to North Bend

Address: 2065 Hamilton Ave

Request: The applicant requested to change the Comprehensive Plan designation of the subject property from "Commercial" to "Residential" and change the zoning of the property from "C-G" General Commercial to "R-M" Residential Multi-family.

Decision: The North Bend Planning Commission held a public hearing on March 20, 2006 and recommended approval of the plan amendment and rezone. The North Bend City Council held a public hearing on March 28, 2006 and approved the requested plan amendment and rezone.

The City Council approved Ordinance No. 1950 (copy attached) entitled "An Ordinance amending the comprehensive Plan designation from "Commercial" to "Residential" and the Zoning from "General Commercial" (C-G) to "Residential-Multifamily (R-M)".

Appeal Provisions: A party aggrieved by this final decision may have the decision reviewed under Oregon Revised Statute 197.830 to 197.845.

Dave Foster

Dave Foster, City Planner

March 30, 2006
Date Mailed

Attachment: Ordinance No. 1950

ORDINANCE NO. 1950

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP DESIGNATION FROM "COMMERCIAL" TO "RESIDENTIAL" AND THE ZONING MAP FROM "GENERAL COMMERCIAL" (C-G) TO RESIDENTIAL – MULTIFAMILY (R-M) FOR THE CERTAIN PROPERTY DESCRIBED HEREIN.

THE CITY OF NORTH BEND ORDAINS AS FOLLOWS:

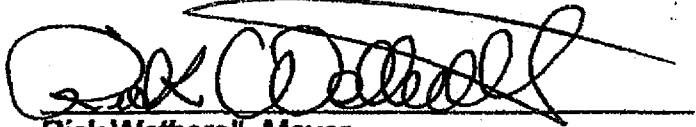
Section 1. The City of North Bend finds as follows:

1. An application to amend the Comprehensive Plan Map designation from "Commercial" to "Residential" and to amend the Zoning Map from "General Commercial" (C-G) to "Residential-Multifamily" (R-M) has been submitted by Mark Mattecheck, acting as the authorized representative of Robert J. Mattecheck and Mary Mattecheck, owners of the subject property.
2. Notice of the Comprehensive Plan Amendment and Zone Change was mailed to the Oregon Department of Land Conservation and Development (DLCD) on January 31, 2006. No concerns or comments were received from DLCD.
3. Notice was mailed to affected property owners on February 28, 2006. Said notice identified the subject property, applicable criteria, time, date and location of the public hearings and information concerning testimony and appeals.
4. Proper notice was published as required by law.
5. A public hearing was held by the City Planning Commission on March 20, 2006 and the Planning Commission made a unanimous recommendation to approve the request.
6. The City Council held a public hearing on March 28, 2006 at which time the City Council approved the requested Comprehensive Plan Map change and the Zoning Map change based on the information contained in the submitted application, the staff report, the Planning Commission recommendation and evidence submitted by the applicant.

Section 2. The Council of the City of North Bend hereby declares that the Comprehensive Plan Map shall be amended from "Commercial" to "Residential" and the Zoning Map shall be amended from "General Commercial" (C-G) to "Residential Multifamily (R-M) for the following described property:

Lots 19, 20, 21, and 22, Block 73, Western Addition to North Bend, identified as tax lot 17500 and 17600, assessor map 25-13-15AB, Coos County, Oregon.

Passed and enacted by the Council of the City of North Bend March 28, 2006.

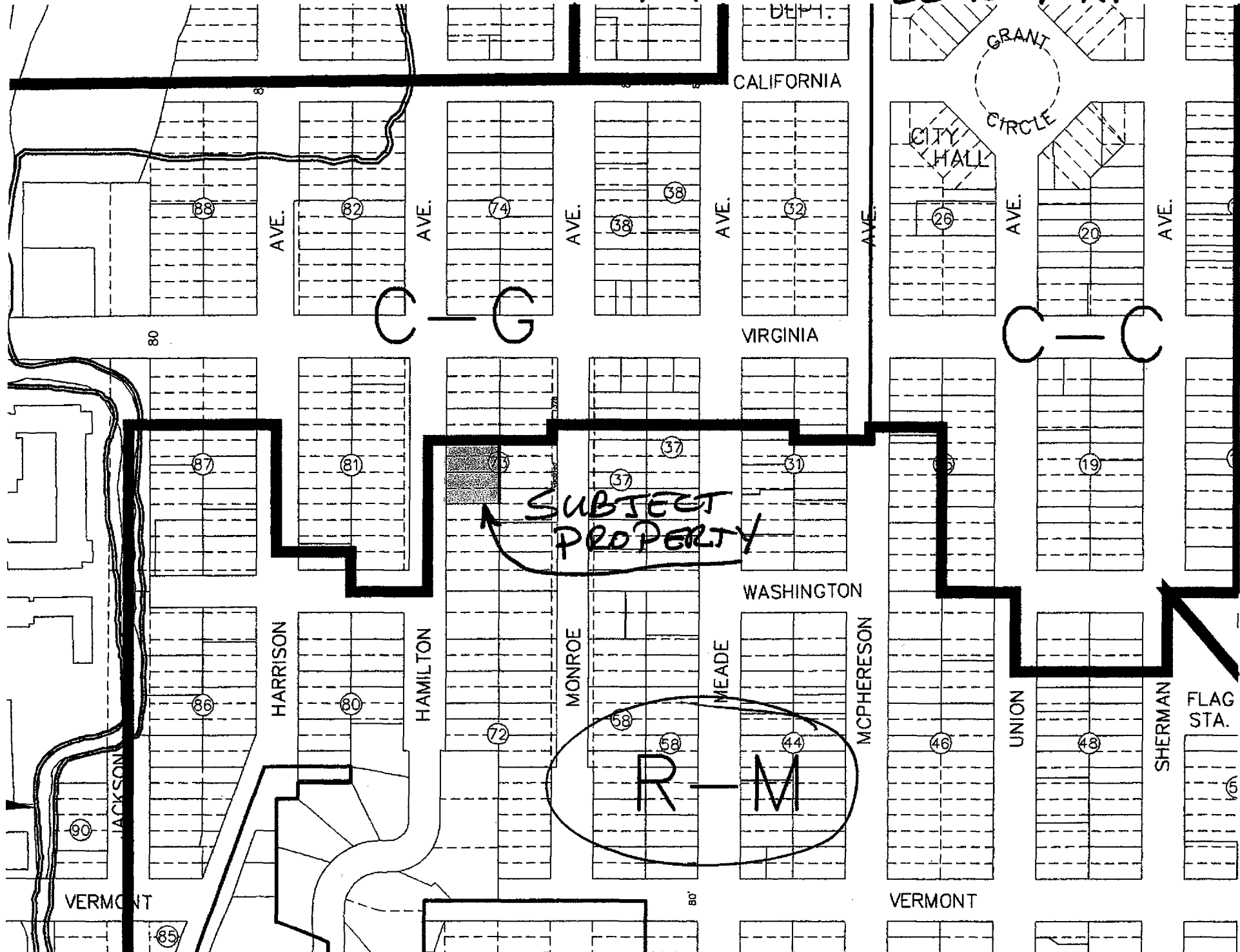

Rick Wetherell, Mayor

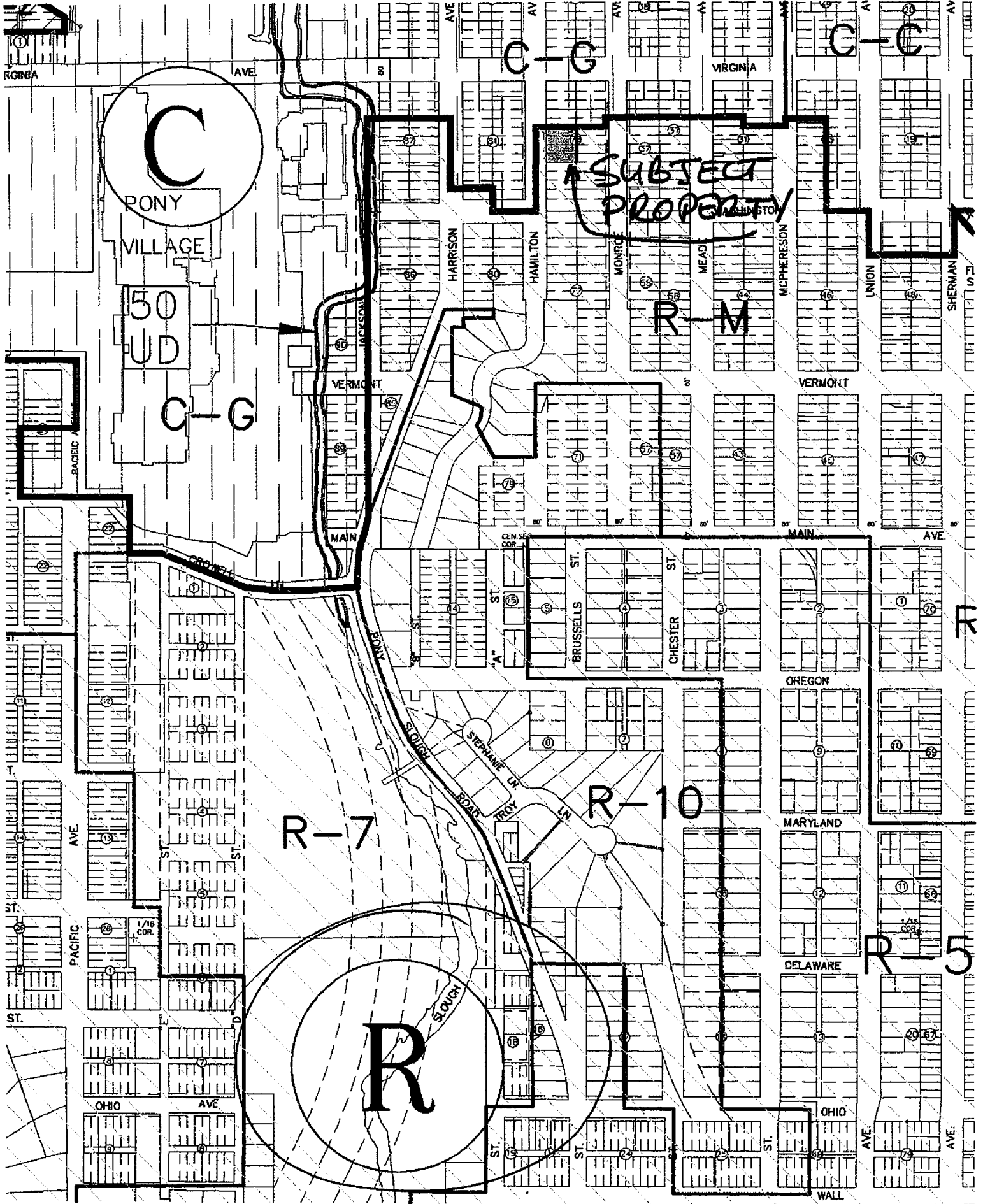
ATTEST:


Angie Kellar, City Recorder

3128/06

ZONE MAP





3/28/06 COMP. PLAN. MAP