NOTICE OF ADOPTED AMENDMENT

July 13, 2006

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 004-06

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: July 28, 2006

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
    Gary Hewitt, Clackamas County

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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)

Jurisdiction: Clackamas County

Local File No.: Z0027 - 06 - CD

Date of Adoption: July 29, 2006

Date Mailed: July 7, 2006

Date the Notice of Proposed Amendment was mailed to DLCD: 2 - 16 - 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.:

APPLICANT IS SEEKING A COMPREHENSIVE PLAN AMENDMENT FROM RURAL AND AGRICULTURAL TO A FOREST DESIGNATION AND A CORRESPONDING ZONE CHANGE FROM RURAL RESIDENTIAL TO FOREST AND EXCLUSIVE FARMLAND USE TO TIMBER DISTRICT.

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 AN/A.

SAME. ==

Plan Map Changed from: Rural Agriculture to Forest

Zone Map Changed from: RRFF5 & EFU to Timber Dist. (TRB)

Location: Eastern portion 150213 S.

Mackenzie Rd. Molalla

Acres Involved: 14.87 acres

Specify Density: Previous: none

New: one

Applicable Statewide Planning Goals: 3 & 4

Was an Exception Adopted? Yes: No: √

DEPT OF

DLCD File No.: 004-06 (5019)

LAND CONSERVATION AND DEVELOPMENT
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:  

LOCAL CONTACT:  

ADDRESS:  

ZIP CODE:  

Email Address:  

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.
In the Matter of a Comprehensive Plan and Zone Change for Randy Griffith.

This matter coming regularly before the Board of County Commissioners, and it appearing that Randy Griffith made application for a Comprehensive Plan map amendment and zone change on property described as T5S, R2D, Section 03A, W.M. Tax Lot 1500, located approximately one-half mile from the intersection of Hwy 211 and Macksburg Road, adjacent and southeast of 15021 S. Macksburg Road; and

It further appearing that planning staff, by its report dated April 3, 2006, recommended denial of the application; and

It further appearing that the Planning Commission, at its April 10, 2006 meeting, made no recommendation on the application; and

It further appearing that after appropriate notice a public hearing was held before the Board of County Commissioners on May 17, 2006, at which testimony and evidence were presented, and that a preliminary decision was made by the Board on May 17, 2006

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 and Rural to Forest, and corresponding zone changes from EFU and RRFF-5 to TBR.

2. This request complies with the applicable Statewide Planning Goals, Comprehensive Plan provisions and Zoning and Development Ordinance criteria.

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

DATED this 29th day of June, 2006.

BOARD OF COUNTY COMMISSIONERS

Bill Kennemer, Chair

Mary Raethke, Recording Secretary