



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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

## 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

## D L C D 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.: 20027-06-CP  
20028-06-2  
(If no number, use none)  
 Date of Adoption: June 29, 2006 Date Mailed: July 7, 2006  
(Must be filed in) (Date mailed or sent to DLCD)

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 FARM FOREST AND EXCLUSIVE FARM 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. (TBR)  
 Location: Eastern portion 15021<sup>1</sup>/<sub>2</sub> S. Macksburg Rd. Molalla Acres Involved: 14.67 acres  
 Specify Density: Previous: none New: one  
 Applicable Statewide Planning Goals: 3 & 4

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

**DEPT OF**  
**JUL 10 2006**

DLCD File No.: 004-06(15019)

**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: DIVISION OF STATE LANDS

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 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 [Mara.Ulloa@state.or.us](mailto:Mara.Ulloa@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 and Zone Change  
for Randy Griffith.



ORDER NO. 2006-260

File No.: Z0027-06-CP / Z0028-06-Z

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

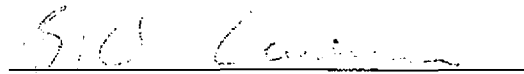
Based upon the evidence and testimony presented, this Board makes the following findings and conclusions:

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