



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

March 31, 2006



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Crook County Plan Amendment
DLCD File Number 008-05

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 19, 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: Doug White, DLCD Community Services Specialist
Jon Jinings, DLCD Regional Representative
Bill Zelenka, Crook 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)

DEPT OF
MAY 30 2006
PLANNING DIVISION

Jurisdiction: Crook County Local File No.: C-MA-008-05
(If no number, use none)
Date of Adoption: March 15, 2006 Date Mailed: March 29, 2006
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: _____

- 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 ASee Attached.≡
Request to rezone 16-14-16 Tax Lots 400, 500, 600, 700, 800, 900, 1400, 1500
and 1600; and 16-14-21 TL 100. The area is within the non-resource lands
approved by Crook County and DLCD by Ordinance 126.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write ASame.≡ If you did not give notice for the proposed amendment, write AN/A.≡
Same

Plan Map Changed from : _____ to _____
Zone Map Changed from: EFU3 to R5

Location: _____ Acres Involved: _____

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: _____

Was an Exception Adopted? Yes: _____ No: _____

DLCD File No.: 008-05 (14771)

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, Fire Department, Road Department.

Local Contact: Bill Zelenka Area Code + Phone Number: 541-447-8156

Address: 300 NE 3rd St., Rm 11 City: Prineville

Zip Code+4: 97754 Email Address: bill.zelenka@crook.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 Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

RECORDING COVER SHEET

Any errors in this cover sheet DO NOT affect the transactions(s) contained in the instrument itself.



AFTER RECORDING RETURN TO: CLERKS VAULT

DOCUMENT TITLE:

ORDINANCE 174, AN ORDINANCE AMENDING THE ZONING MAP DESIGNATION FROM EXCLUSIVE FARM USE EFU-3 TO RURAL RESIDENTIAL R-5 AND R-10 FOR SPECIFIC LANDS IN AREA 2-3 OF THE POWELL BUTTE STUDY AS DESCRIBED IN THE CROOK COUNTY COMPREHENSIVE PLAN

GRANTOR: CROOK COUNTY

Re-recording of 2006-180, recorded on March 15, 2006 at 2:30 P.M. to provide signatures on exhibit map.



STATE OF OREGON } ss 2006-182
COUNTY OF CROOK }
I CERTIFY THAT THE WITHIN INSTRUMENT WAS
RECEIVED FOR RECORD ON THE 28th DAY OF
March, 20, 2006, AT 2:20 P. M.
AND RECORDED IN CJRNL
RECORDS OF SAID COUNTY WF NO. 2006-182
DEANNA E. BERMAN, CROOK COUNTY CLERK
BY Clouse Brummer DEPUTY

N/c

EXHIBIT MAP



IN THE COUNTY COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK

ORDINANCE No. 174

AN ORDINANCE AMENDING THE ZONING MAP DESIGNATION FROM EXCLUSIVE FARM USE EFU-3 TO RURAL RESIDENTIAL R-5 and R-10 FOR SPECIFIC LANDS IN AREA 2-3 OF THE POWELL BUTTE STUDY AS DESCRIBED IN THE CROOK COUNTY COMPREHENSIVE PLAN

STATE OF OREGON } ss 2006180
COUNTY OF CROOK }
I CERTIFY THAT THE WITHIN INSTRUMENT WAS RECEIVED FOR RECORD ON THE 15th DAY OF March, 2006, AT 2:30 P. M. AND RECORDED IN CTRNT RECORDS OF SAID COUNTY OF NO. 2006-180
DEANNA E. BERMAN, CROOK COUNTY CLERK
BY Debra J. Baumer DEPUTY

WHEREAS, the Crook County Planning Commission has recommended an amendment to the current EFU-3 Zone to comply with the amended Comprehensive Plan dated January 25, 2006; and

WHEREAS, the Rural Residential Zones will enable the Planning Commission, the County Court and participants in the land use process to consider applications for future rural development Uses as identified by Ordinance 126, as amended; and

WHEREAS, the Crook County Planning Commission has held public hearings on December 11, 2005 and January 11, 2006 to receive comments and input from the general public and other agencies.

NOW, THEREFORE, the Crook County Court ORDAINS as follows:

SECTION ONE. That portion of land identified within Exhibit A, attached and incorporated herein approved by Ordinance 126, as amended identified as a portion of Powell Butte Study Area 2-3, constituting approximately 206.48 acres, shall be rezoned from Exclusive Farm Use EFU-3 to Rural Residential R-5 and R-10 with those lands located to the west of Shumway Road and north of Hahlen Road be zoned R-5 and and those lands south of Hahlen Road be zoned R-10. In addition that parcel of land identified as tax lot 400 located in Section 22B, T16S, R14 S which was omitted from the R-5 zone during adoption of Ordinance 171 be zoned R-5.

SECTION TWO. In compliance with the Crook County Comprehensive Plan, which describes the provisions for zone map amendment, the Crook County Court has initiated this hearing process to bring the entire Area 2-3 of the Non-Resource Study of Powell Butte into zone map compliance contemplated by the Comprehensive Amendment. The Planning Commission has forwarded findings that support approval of the application for zone map amendment with the County Court adopting the Planning Commission's findings.

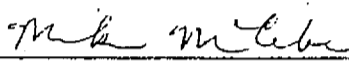
FIRST READING ADOPTED this 1st day of March, 2006.

SECOND READING ADOPTED this 15th day of March, 2006.

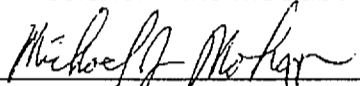
CROOK COUNTY COURT



Judge Scott R. Cooper

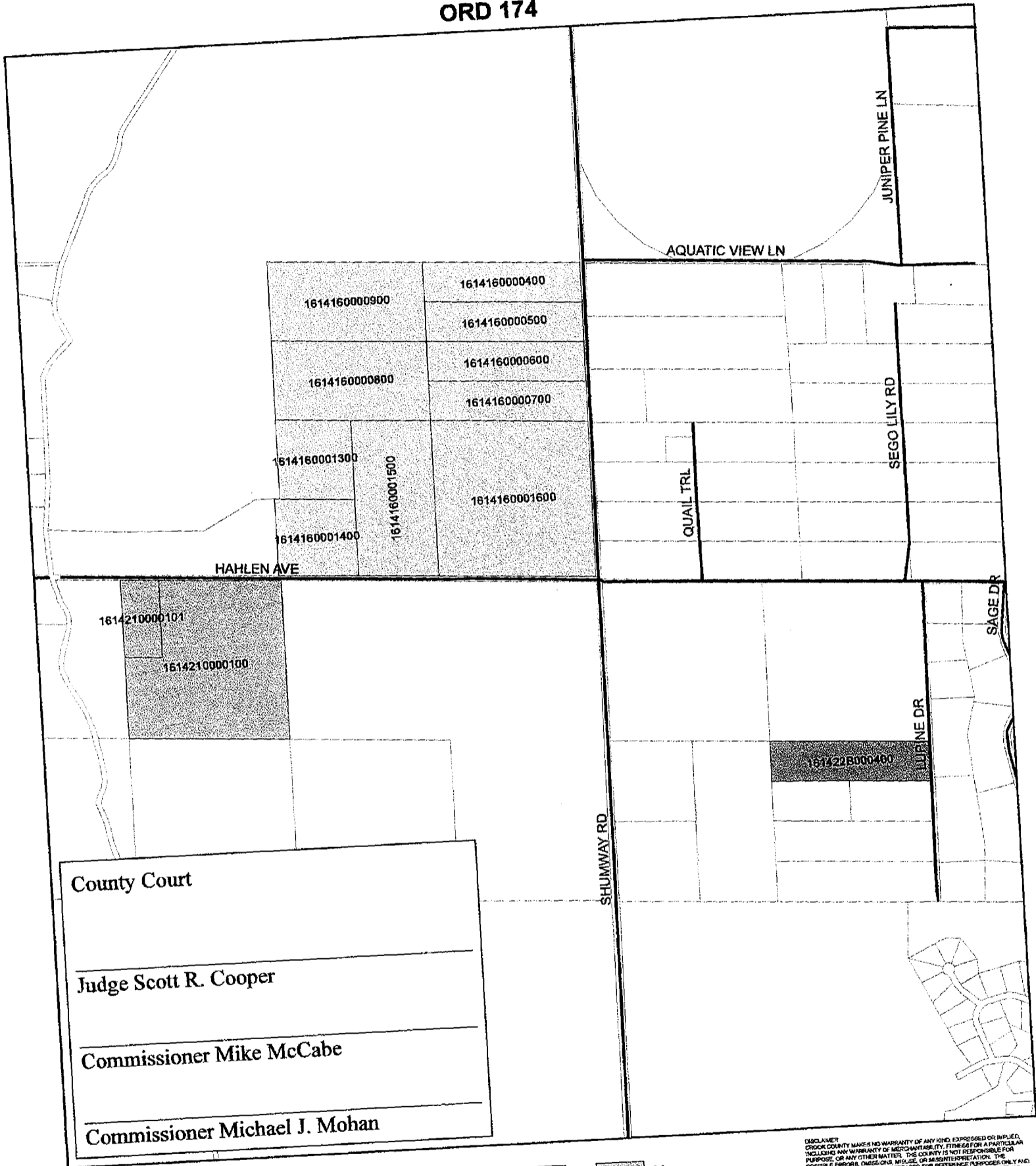


Commissioner Mike McCabe



Commissioner Michael J. Mohan

**Exhibit A
Zone Map Amendment
ORD 174**



County Court

Judge Scott R. Cooper

Commissioner Mike McCabe

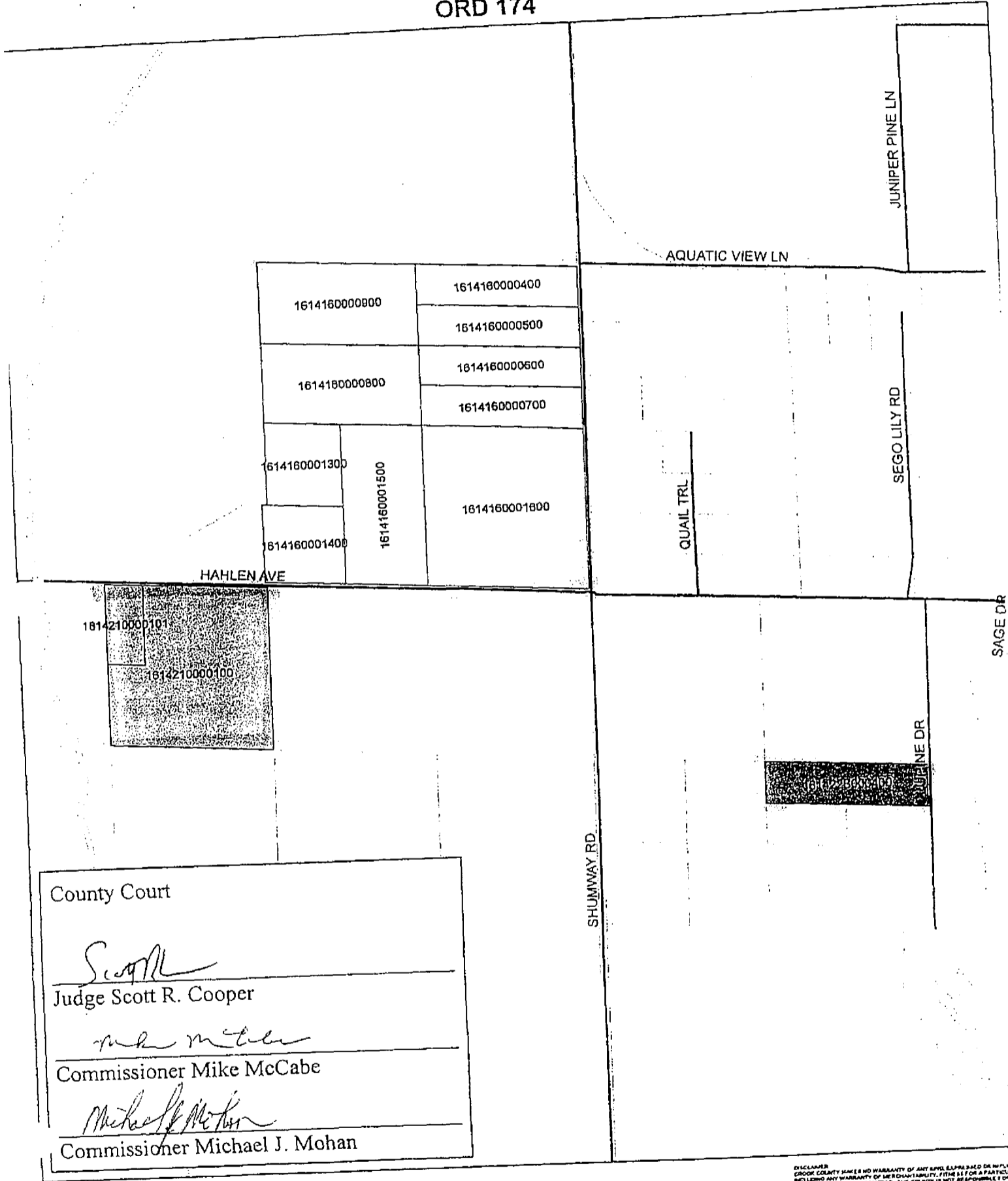
Commissioner Michael J. Mohan



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 R-5 R-5 R-10

DISCLAIMER
CROOK COUNTY MAKES NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ANY OTHER MATTER. THE COUNTY IS NOT RESPONSIBLE FOR POSSIBLE ERRORS, OMISSIONS, MISUSE, OR MISINTERPRETATION. THE INFORMATION ON THIS MAP IS PREPARED FOR REFERENCE PURPOSES ONLY AND SHOULD NOT BE USED AND IS NOT INTENDED FOR SURVEY OR ENGINEERING PURPOSES. NO REPRESENTATION IS MADE CONCERNING THE LEGAL STATUS OF APPARENT ROUTE OF ACCESS IDENTIFIED ON THIS MAP OR ANY OTHER APPARENT INFORMATION ON DATA. PLEASE NOTIFY CROOK COUNTY OF ANY ERRORS 541-464870.

Exhibit A
 Zone Map Amendment
 ORD 174



County Court

Scott R. Cooper
 Judge Scott R. Cooper

Mike McCabe
 Commissioner Mike McCabe

Michael J. Mohan
 Commissioner Michael J. Mohan

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