NOTICE OF ADOPTED AMENDMENT

November 30, 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 009-05

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: December 13, 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
Jon Jinings, DLCD Regional Representative
Bill Zelenka, Crook County

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Jurisdiction: Crook County  
Local File No.: C-MA-007-05

Date of Adoption: June 9, 2006  
Date Mailed: November 22, 2006

Date the Notice of Proposed Amendment was mailed to DLCD: December 15, 2005

Comprehensive Plan Text Amendment
Comprehensive Plan Map Amendment
Land Use Regulation Amendment
Zoning Map Amendment
New Land Use Regulation
Other:

Summarize the adopted amendment. Do not use technical terms. Do not write ASee Attached.:

An adopted ordinance amending the zoning map designation from Exclusive Farm Use EFU-3 to Rural Residnential R-5 for specific lands in Area 2-1 of the Powell Butte Study as described in the Crook County Comprehensive Plan.

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.:

N/A

Plan Map Changed from: EFU-3 to R-5

Zone Map Changed from: EFU-3 to R-5

Location: Powell Butte Study Area 2-1  
Acres Involved: 116.87 +/-

Specify Density: Previous:  
New:  

Applicable Statewide Planning Goals: 1 & 3

Was an Exception Adopted? Yes: No: XX

DLCD File No.: 009-05 (14885)
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: XX  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: ________________________________

Fire Department, County Road Department & DLCD

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

Address: 300 NE Third Street  
City: Prineville

Zip Code+4: 97754  
Email Address: bill.zelenka@co.crook.or.us

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**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.**
Plan Amendment Specialist  
Department of Land Conservation and Development  
635 Capitol Street NE, Suite 150  
Salem, Oregon 97301-2540

November 22, 2006

Dear Sir/Madame,

It has come to my attention that our office never received a confirmation from DLCD of receipt of "Notice of Adoption." Therefore, I am mailing (possibly re-mailing) another copy of the adopted ordinance with the required forms for your review/records. If you have any questions or concerns, please do not hesitate to contact our office.

Sincerely,

[Signature]
Courtney A. Baker  
Assistant Planner  
Crook County Planning Department

Contact person:  
Bill Zelenka  
Director  
Crook County Planning Department  
300 NE Third Street, Rm. 11  
Prineville, Oregon 97754  
(541) 447-8156  
Bill.zelenka@co.crook.or.us
IN THE COUNTY COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK

AN ORDINANCE AMENDING THE ZONING MAP
DESIGNATION FROM EXCLUSIVE FARM USE
EFU-3 TO RURAL RESIDENTIAL R-5
FOR SPECIFIC LANDS IN AREA 2-1 OF THE
POWELL BUTTE STUDY AS DESCRIBED IN THE
CROOK COUNTY COMPREHENSIVE PLAN

WHEREAS, the Crook County Planning Commission has recommended
an amendment to the current EFU-3 Zone to comply with the amended
Comprehensive Plan dated March 22, 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 128, as amended; and

WHEREAS, the Crook County Planning Commission has held public
hearings on March 8, 2006 and March 22, 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 2-1, constituting approximately 116 acres,
shall be rezoned from Exclusive Farm Use EFU-3 to Rural Residential R-5.

SECTION TWO. In compliance with the Crook County Comprehensive
Plan, which describes the provisions for zone map amendment, the Crook
County Court takes note this hearing process will bring the entire Area 2-1 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 17 day of May, 2006.
SECOND READING ADOPTED this 9th day of June, 2006.

CROOK COUNTY COURT

Judge Scott R. Cooper

Commissioner Mike McCabe

Commissioner Michael J. Mohan
County Court

Judge Scott R. Cooper

Commissioner Mike McCabe

Commissioner Michael J. Mohan