



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/Coastal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

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

NOTICE OF ADOPTED AMENDMENT

June 26, 2006



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Douglas County Plan Amendment
DLCD File Number 005-06

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 7, 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
John Renz, DLCD Regional Representative
Cheryl Goodhue, Douglas County

<paa> ya/

FORM 2

DEPT OF

D L C D NOTICE OF ADOPTION

JUN 19 2006

This form must be mailed to DLCD within 5 working days after the final decision per ORS 197.610, OAR Chapter 660 - Division 18

CONSERVATION AND DEVELOPMENT

(See reverse side for submittal requirements)

Jurisdiction: Douglas County Local File No: 06-032 (if no number, use none)

Date of Adoption: 06/14/06 (Must be filled in) Date Mailed: 06/16/06 (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 03/03/06

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."

Bonnie Atkinson, request for a Plan map designation amendment from (CC) Community Commercial to (RMD) Medium Density Residential, and a Zone Change from (C-2) Community Commercial to (R-1) Single Family Residential on a .59± acre portion of a 69.92 acre parcel, to make the zoning consistent on this portion of the property and allow a future partition at the site.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice of the proposed amendment, write "N/A."

Same

Plan Map Changed From: CC to RMD

Zone Map Changed From: C-2 to R-1

Location: at the intersection of Chadwick Lane and Loop Road in the Tri City UUA

Acres Involved: .59± acre portion of a 69.92 acre parcel

Specify Density: Previous: Commercial New: 1-6 DUs/ acre

Applicable Statewide Planning Goals: 1, 2, 10, 11 & 12

Was an Exception Adopted? Yes: No: X

DLCD File No: 005-06(15058)

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 Government or Special Districts: ODOT, City of Myrtle Creek, Tri City Rural Fire District, Pacific Power, Avista Utilities, Citizens Communications, Charter Communications, Williams Gas Pipelines, Tri City Water & Sewer District, South Umpqua School District No. 19

Local Contact: Cheryl Goodhue Area Code + Phone Number: (541) 440-4289

Address: Room 106, Justice Building, Douglas County Courthouse

City: Roseburg, Oregon Zip Code + 4: 97470

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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** of 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 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 "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 8½ x 11 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.

DOUGLAS COUNTY OREGON
FILED

JUN 14 2006

BEFORE THE BOARD OF COMMISSIONERS
OF DOUGLAS COUNTY, OREGON

BARBARA E. NIELSEN, COUNTY CLERK

AN ORDER to affirm the Findings of Fact and)
Decision of the Planning Commission for an)
Amendment to the Douglas County)
Comprehensive Plan Map from (CC))
Community Commercial to (RMD) Medium Density)
Residential, together with a Zone Change from (C-2))
Community Commercial to (R-1 Single Family)
Residential on a .59± acre portion of a 69.92 acre)
parcel for Bonnie Atkinson; PD File No. 06-032.)

ORDER

The Douglas County Board of Commissioners being informed that the Douglas County Planning Commission, on May 18, 2006, and on request from the above captioned individual, approved a Plan Map designation amendment for property described below. The subject property is located at the intersection of Chadwick Lane, County Road No. 20B, and Loop Road, County Road No. 20C, in the Tri City Urban Unincorporated Area.

Pursuant to Section 6.900.1 of the Douglas County Land Use and Development Ordinance, the Board of Commissioners hereby affirms the Findings of Fact and Decision of the Planning Commission (Exhibit A, dated May 18, 2006, attached).

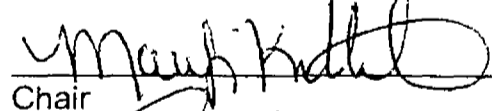
Description of the property:

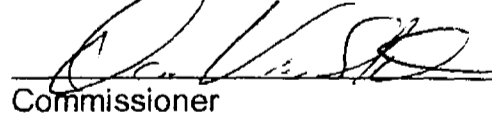
A .59± acre portion of a 69.92 acre parcel described as Parcel 1 of Land Partition Plat 1998-0102, Surveyor's Records, Douglas County, Oregon.

Based on the aforementioned Findings of Fact and Decision as affirmed, the Board of Commissioners hereby GRANTS the requested Plan Amendment and Orders that such Plan Amendment shall be filed in the County Court Journal, and the Douglas County Comprehensive Plan Maps shall be changed accordingly.

Dated this 14th day of June, 2006.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, OREGON


Chair


Commissioner

ABSENT

Commissioner

EXHIBIT A

BEFORE THE DOUGLAS COUNTY PLANNING COMMISSION

Bonnie Atkinson, Findings of Fact and Decision, Planning Department File No. 06-032.

This matter came on regularly for hearing before the Douglas County Planning Commission on April 20, 2006 in Room 216 of the Douglas County Courthouse.

The applicant was present at the hearing.

The Planning Commissioners present at the hearing were: Karen Gibbons, Rick Barnes, Brian Parkinson, David Jaques, Ed Stratton and James Mast.

The Planning Commission takes official notice of the following:

1. The Douglas County Comprehensive Plan, including the implementing Douglas County Land Use and Development Ordinance, adopted by the Douglas County Board of Commissioners December 31, 1980, effective April 1, 1981, and as later amended, which has been acknowledged by the Land Conservation and Development Commission on December 21, 1982, and by Compliance Acknowledgment Order 83-ACK-12 dated January 18, 1983.
2. The records of the Planning Department of Douglas County concerning publication and mailing of notice.

PROCEDURAL FINDINGS OF FACT

1. Application for the Plan Amendment was filed with the Planning Department at least 73 days prior to the April 20, 2006 Planning Commission meeting.
2. At least 45 days prior to April 20, 2006, notice of the proposed Plan Amendment was sent to the Department of Land Conservation and Development, and notice of the Public Hearing to be held in the matter was sent by mail to the applicant, to all property owners within 100 feet of the property, to service providers and governmental agencies and to the South Umpqua Planning Advisory Committee (PAC).
3. Notice of the hearing was given by publication in a newspaper of general circulation in the affected area at least 20 days prior to April 20, 2006.
4. At the hearing we recognized the following parties in the matter: Bonnie Atkinson, applicant; CKB Properties LLC (Cheryl Dean), titleholder; the South Umpqua PAC.
5. Staff entered Staff Exhibits 1 through 12, including the Staff Report, into the Record and gave the oral staff report, stipulating to the Record.
6. We heard testimony from the applicant, who also stipulated to the Record.
7. We moved to adopt the findings of the Staff Report and unanimously approved the request.

DECISION

Based on evidence received, the findings above and the findings contained in the Staff Report, we hereby APPROVE the request for a Plan Amendment from (CC) Community Commercial to (RMD)

Decision/ATKINSON
Page 2
May 18, 2006

Medium Density Residential, and Zone Change from (C-2) Community Commercial to (R-1) Single Family Residential on a .59± acre portion of a 69.92 acre parcel, to make the zoning consistent on this portion of the property and allow a future partition at the site.

Dated this 18th day of May, 2006.

DOUGLAS COUNTY PLANNING COMMISSION

By: 
Chairman

ASSESSOR MAP
T30S R5W SEC 5 & 8

P/D 06-032
ATKINSON

