



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

January 10, 2007

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 010-06



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: January 17, 2007

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: Mark Bernard, Douglas County

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FORM 2

DEPT OF

JAN 03 2007

D L C D NOTICE OF ADOPTION

LAND CONSERVATION AND DEVELOPMENT

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: Douglas County Local File No: 06-230
(if no number, use none)

Date of Adoption: December 27, 2006 Date Mailed: December 29, 2006
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: August 30, 2006

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."
A Plan map designation amendment from (RLD) Low Density Residential to (RMD) Medium Density Residential and a zone change from (RR) Rural Residential to (R-1) Single Family Residential on a 0.53 acre parcel to accommodate the creation of one additional parcel on behalf of James W. & Karen Sue Pittman was adopted.

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: RLD to RMD

Zone Map Changed From: RR to R-1

Location: Little Valley Road in the Green Urban Unincorporated Area Acres Involved: 0.53 acres

Specify Density: Previous: 1 DU/2 AC New: 1-6 DUs/AC

Applicable Statewide Planning Goals: 1, 2, 6, 9, 10, 12 & 13

Was an Exception Adopted? Yes: No:

DLCD File No: 010-06 (15510)

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, Douglas County Fire District No. 2, Qwest, Charter Communications, Pacific Power, Williams Gas Pipelines, Avista Utilities, Green Sanitary District, Roberts Creek Water District, Roseburg School District No. 4.

Local Contact: Mark Bernard 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.

BEFORE THE BOARD OF COMMISSIONERS
OF DOUGLAS COUNTY, OREGON

DEC 27 2006

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 (RLD) Low Density)
Residential to (RMD) Medium Density Residential)
together with a Zone Change from (RR) Rural)
Residential to (R1) Single-Family Residential)
on a 0.53 acre parcel. Applicant: James W. and)
Karen Sue Pittman.)
Planning Department File No. 06-230.)

BARBARA E. NIELSEN, COUNTY CLERK

ORDER

The Douglas County Board of Commissioners being informed that the Douglas County Planning Commission, on October 19, 2006, and on request from the above captioned applicant, approved a Plan Map designation amendment for property described below. The subject property is located on the west side of Little Valley Road, County Road No. 186, within the Urban Unincorporated Area of Green.

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 October 19, 2006, attached).

DESCRIPTION OF PLAN AMENDMENT SITE:

A UNIT OF LAND IN THE NORTH EAST ¼ OF SECTION 3, TOWNSHIP 28 SOUTH, RANGE 6 WEST, WILLAMETTE MERIDIAN. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF LOT 67, PLAT H, ROSEBURG HOME ORCHARD TRACTS, SAID POINT BEING 156 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE WESTERLY AND PARALLEL TO THE NORTH LINE OF SAID LOT 67 FOR A DISTANCE OF 120 FEET TO A POINT; THENCE SOUTHERLY AND PARALLEL TO THE EAST LINE OF SAID LOT 67 FOR A DISTANCE OF 140 FEET TO A POINT; THENCE EASTERLY 120 FEET TO A POINT ON THE EAST LINE OF SAID LOT 67; THENCE NORTHERLY ALONG THE EAST LINE OF SAID LOT 67 FOR A DISTANCE OF 140 FEET TO THE POINT OF BEGINNING.

BEGINNING AT A POINT ON THE EAST LINE OF LOT 67, PLAT H, ROSEBURG HOME ORCHARD TRACTS, SAID POINT BEING 296 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE WESTERLY AND PARALLEL TO THE NORTH LINE OF SAID LOT 67 FOR A DISTANCE OF 120 FEET TO A POINT; THENCE SOUTHERLY AND PARALLEL TO THE EAST LINE OF SAID LOT 67 FOR A DISTANCE OF 118 FEET TO A POINT; THENCE EASTERLY 120 FEET TO A POINT ON THE EAST LINE OF SAID LOT 67; THENCE NORTHERLY ALONG THE EAST LINE OF SAID LOT 67 FOR A DISTANCE OF 118 FEET TO THE POINT OF BEGINNING.

Order/JAMES & KAREN PITTMAN


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December 27, 2006

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 27th day of December, 2006.

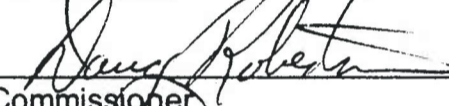
BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, OREGON



Chair



Commissioner



Commissioner

BEFORE THE DOUGLAS COUNTY PLANNING COMMISSION

James W. & Karen Sue Pittman, Findings of Fact and Decision, Planning Department File No. 06-230.

This matter came on regularly for hearing before the Douglas County Planning Commission on October 19, 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, Brian Parkinson, David Jaques, Ed Stratton, James Mast and Rich Raynor.

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.

FINDINGS OF FACT

1. Application was filed with the Planning Department at least 30 days prior to October 19, 2006 .
2. At least 20 days prior to October 19, 2006, notice of the hearing was sent by mail to the applicant, to all property owners within 100 feet of the property which is the subject of the application, to service providers and governmental agencies and to the Roseburg-Green 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 October 19, 2006.
4. At the hearing we recognized the following parties in the matter: James W. & Karen Sue Pittman, applicants and titleholders.
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. Seeing no opposition, we moved to adopt the findings of the Staff Report, concluding that the application meets the criteria for a Plan Amendment and Zone Change as provided in Section 6.500.2 and Section 3.38.100.2 of the Douglas County Land Use and Development Ordinance, and as set forth in the Statewide Planning Goals and applicable Oregon Administrative Rules.

Decision/PITTMAN
Page 2
November 16, 2006


DECISION

Based on evidence received, the findings above and the findings contained in the Staff Report, we hereby APPROVE the request for a Comprehensive Plan Amendment from (RLD) Low Density Residential to (RMD) Medium Density Residential and a concurrent Zone Change from (RR) Rural Residential to (R-1) Single-Family Residential on a 0.53 acre parcel for the purpose of creating one additional parcel.

Dated this 16th day of November, 2006.

DOUGLAS COUNTY PLANNING COMMISSION

By:



Chairman