



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

March 15, 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 019-05

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: March 29, 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: Cheryl Goodhue, Douglas County

<paa> n

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 18 2006
LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: Douglas County Local File No: 05-328
(if no number, use none)

Date of Adoption: 03/08/06 Date Mailed: 03/10/06
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 12/01/05

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."

BTL Properties, request for a Plan Map Amendment from (RHD) High Density Residential (in part) and (CO) Commercial (in part) to (RMD) Medium Density Residential on a 4.93 acre portion of the 13.16 acre subject property, and a Zone Change from (RS) Suburban Residential to (R-1) Single Family Residential on a 9.68 acre portion of the 13.16 acre property, to allow future subdivision of the 9.68 acre 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: RHD & CO to RMD

Zone Map Changed From: RS to R-1

Location: at the end of Brittney Avenue off of Roberts Creek Road in the Green UUA.

Acres Involved: 9.68 acre portion

Specify Density: Previous: multi-fam./commercial New: 1-6 DUs/acre

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

Was an Exception Adopted? Yes: No:

=====
DLCD File No: 019-05 (14841)

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

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

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

BEFORE THE BOARD OF COMMISSIONERS
OF DOUGLAS COUNTY, OREGON

MAR 09 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 (RHD) High Density)
Residential (in part) and (CO) Commercial (in part))
to (RMD) Medium Density Residential on a 4.93± acre)
portion of the 13.16 acre subject property, together)
with a Zone Change from (RS) Suburban Residential)
to (R-1) Single Family Residential on a 9.68 acre)
portion of the property to allow future subdivision of)
the 9.68 acre site. Applicant: BTL Properties.)
Planning Department File No. 05-328.)

BARBARA E. WELSEN, COUNTY CLERK

ORDER

The Douglas County Board of Commissioners being informed that the Douglas County Planning Commission, on February 16, 2006, and on request from the above captioned applicant, approved a Plan Map designation amendment for property described below. The subject property is located at the end of Brittney Avenue off of Roberts Creek County Road No. 16C in the Green 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 February 16, 2006, attached).

DESCRIPTION OF PLAN AMENDMENT SITE:

A UNIT OF LAND IN THE SOUTH WEST ¼ OF SECTION 11, TOWNSHIP 28 SOUTH, RANGE 6 WEST, WILLAMETTE MERIDIAN. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

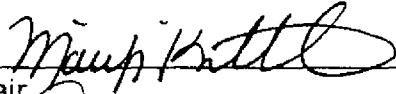
BEGINING AT A POINT ON THE SOUTHERLY RIGHT OF WAY OF GRANGE ROAD, COUNTY ROAD #349, FROM WHICH THE SECTION CORNER COMMON TO SECTIONS 10, 11, 14, AND 15, TOWNSHIP 28 SOUTH, RANGE 6 WEST, WILLAMETTE MERIDIAN, BEARS SOUTH 29°53'08" WEST 854.41 FEET; THENCE SOUTH 45°21'02" EAST 279.16 FEET; THENCE NORTH 45°20'55" EAST 173.84 FEET; THENCE NORTH 45°17'58" EAST 230.15 FEET; THENCE SOUTH 7°10'41" EAST 512.50 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY AUTUMN STREET; THENCE ALONG SAID RIGHT OF WAY SOUTH 82°20'01" WEST 93.45 FEET; THENCE ALONG THE ARC OF A 470 FOOT RADIUS CURVE RIGHT 74.88 FEET (LONG CHORD OF WHICH BEARS SOUTH 86°55'10" WEST 74.80 FEET); THENCE SOUTH 88°29'41" WEST 317.70 FEET; THENCE LEAVING SAID RIGHT OF WAY NORTH 43°00'00" WEST 349.80 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF GRANGE ROAD, COUNTY ROAD #349; THENCE ALONG SAID RIGHT OF WAY, NORTH 45°16'52" EAST 189.79 FEET; THENCE NORTH 44°30'24" EAST TO THE POINT OF BEGINNING.

Order/BTL PROPERTIES
Page 2
March 8, 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 8th day of March, 2006.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, OREGON


Chair


Commissioner

ABSENT
Commissioner

- EXHIBIT A -

BEFORE THE DOUGLAS COUNTY PLANNING COMMISSION

BTL Properties, Findings of Fact and Decision, Planning Department File No. 05-328.

This matter came on regularly for hearing before the Douglas County Planning Commission on January 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, Rick Barnes, 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 January 19, 2006.
2. At least 20 days prior to January 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 January 19, 2006.
4. At the hearing we recognized the following parties in the matter: BTL Properties, applicant; T.J. Lindgren, titleholder, Schofield & Associates, Applicant's Representative; the Roseburg-Green PAC, and; ODOT, Tom Guevara.
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's representative, who also stipulated to the Record. Seeing no opposition and noting the PAC's unanimous recommendation for approval, 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.

Decision/BTL PROPERTIES

Page 2.

February 16, 2006

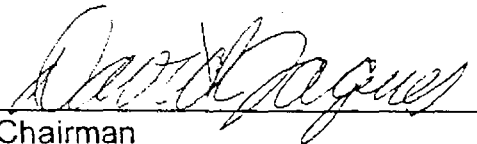
DECISION

Based on evidence received, the findings above and the findings contained in the Staff Report, we hereby APPROVE the request for a Plan Amendment from (RHD) High Density Residential (in part) and (CO) Commercial (in part) to (RMD) Medium Density Residential on a 4.93 acre portion of the 13.16 acre subject property, and a Zone Change from (RS) Suburban Residential to (R-1) Single Family Residential on a 9.68 acre portion of the 13.16 acre property, to allow future subdivision of the 9.68 acre site.

Dated this 16th day of February, 2006.

DOUGLAS COUNTY PLANNING COMMISSION

By: _____


Chairman

APPLICANT'S EXHIBIT

05-328

P/U 05-328
 B.T.L. PROPERTIES
 T28S R6W SEC 11
 NO SCALE

AREA OF PROPOSED AMENDMENT

T28S, R6W, SECTION 11CC

PREPARED FOR:	SCHOFIELD & ASSOCIATES		
B.T.L. PROPERTIES 11877 Semrock Circle Northridge, CA 91326	644 S. Main St., 8th Fl. Roseburg, OR 97438		
SCALE:	DATE:	DRAFTING:	PAGE:
1" = 100'	11/03	JLK	1 OF 1

NOT SURVEYED
 (ALL DIMENSIONS ARE APPROXIMATE)

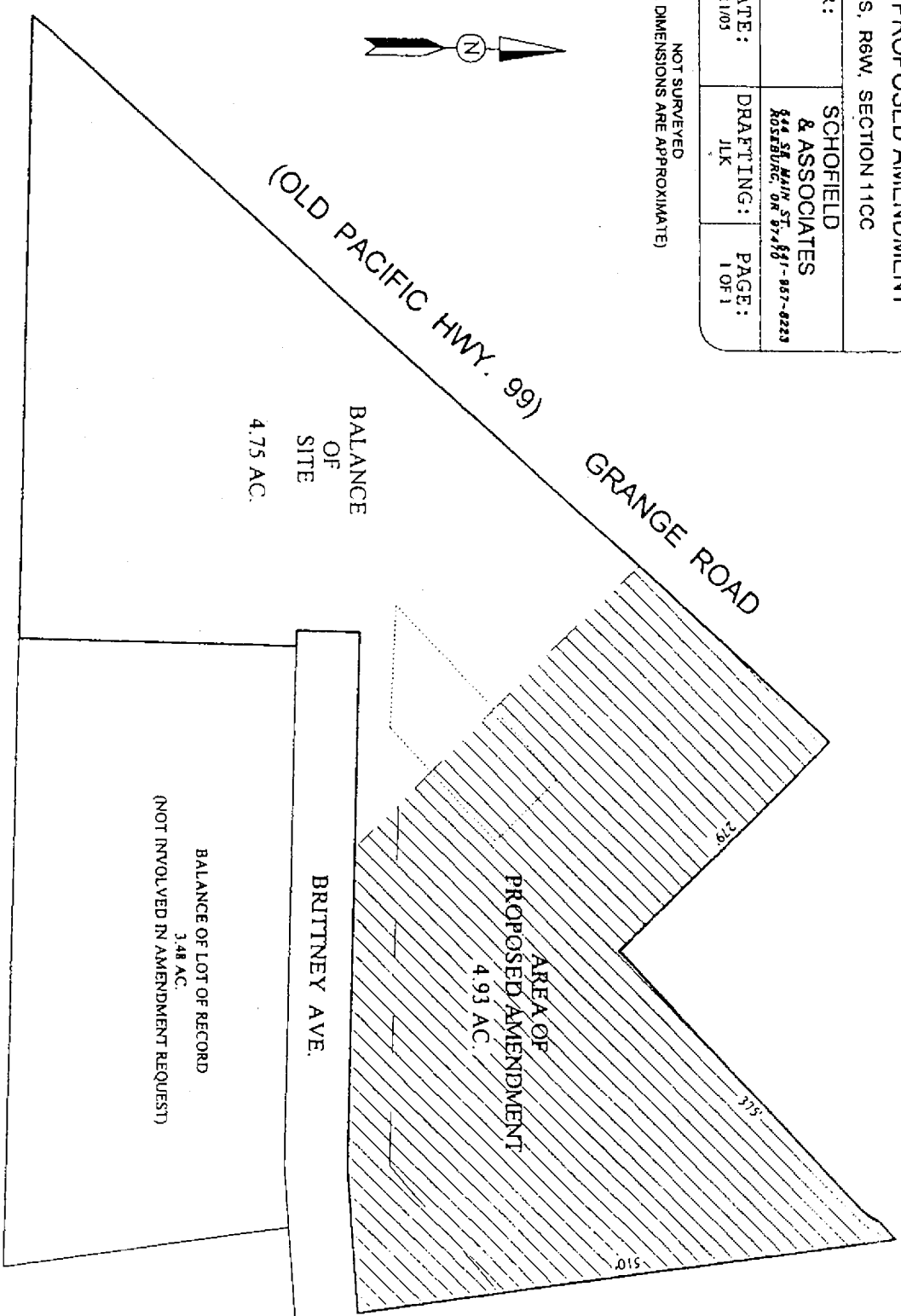
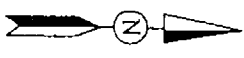


FIGURE 2

APPLICANT'S EXHIBIT

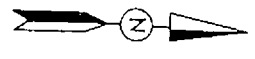
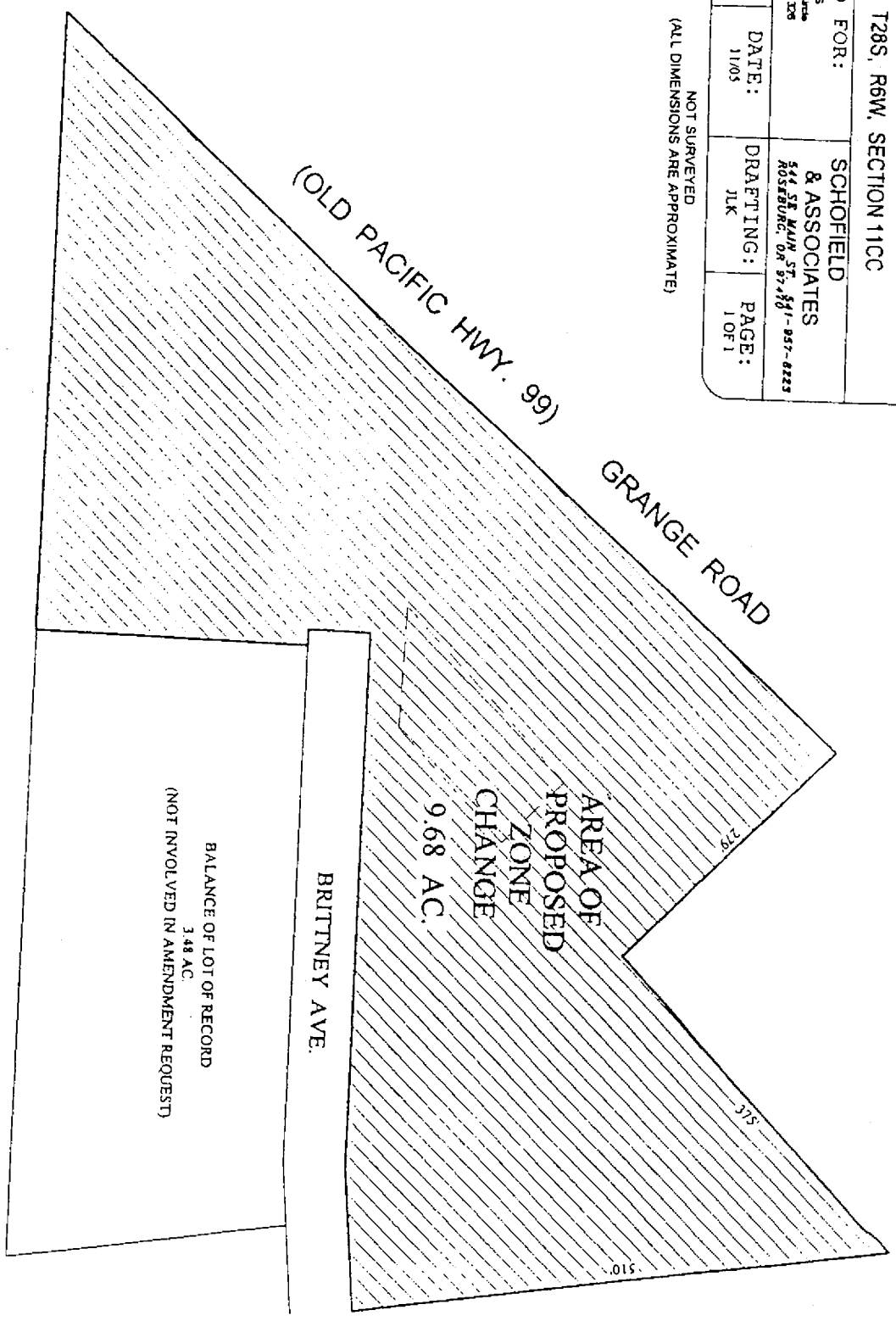
05-328

P/D 05-328
 B.T.L. PROPERTIES
 T285 R6W SEC 11
 NO SCALE

AREA OF PROPOSED ZONE CHANGE			
T285, R6W, SECTION 11CC			
PREPARED FOR:	SCHOFIELD & ASSOCIATES		
B.T. PROPERTIES 11072 Sandoz Circle Northridge, CA 91328	544 SE MILL ST ROSEBURG, OR 97131-9571-957-8223		
SCALE:	DATE:	DRAFTING:	PAGE:
1" = 100'	11/03	JLK	1 OF 1

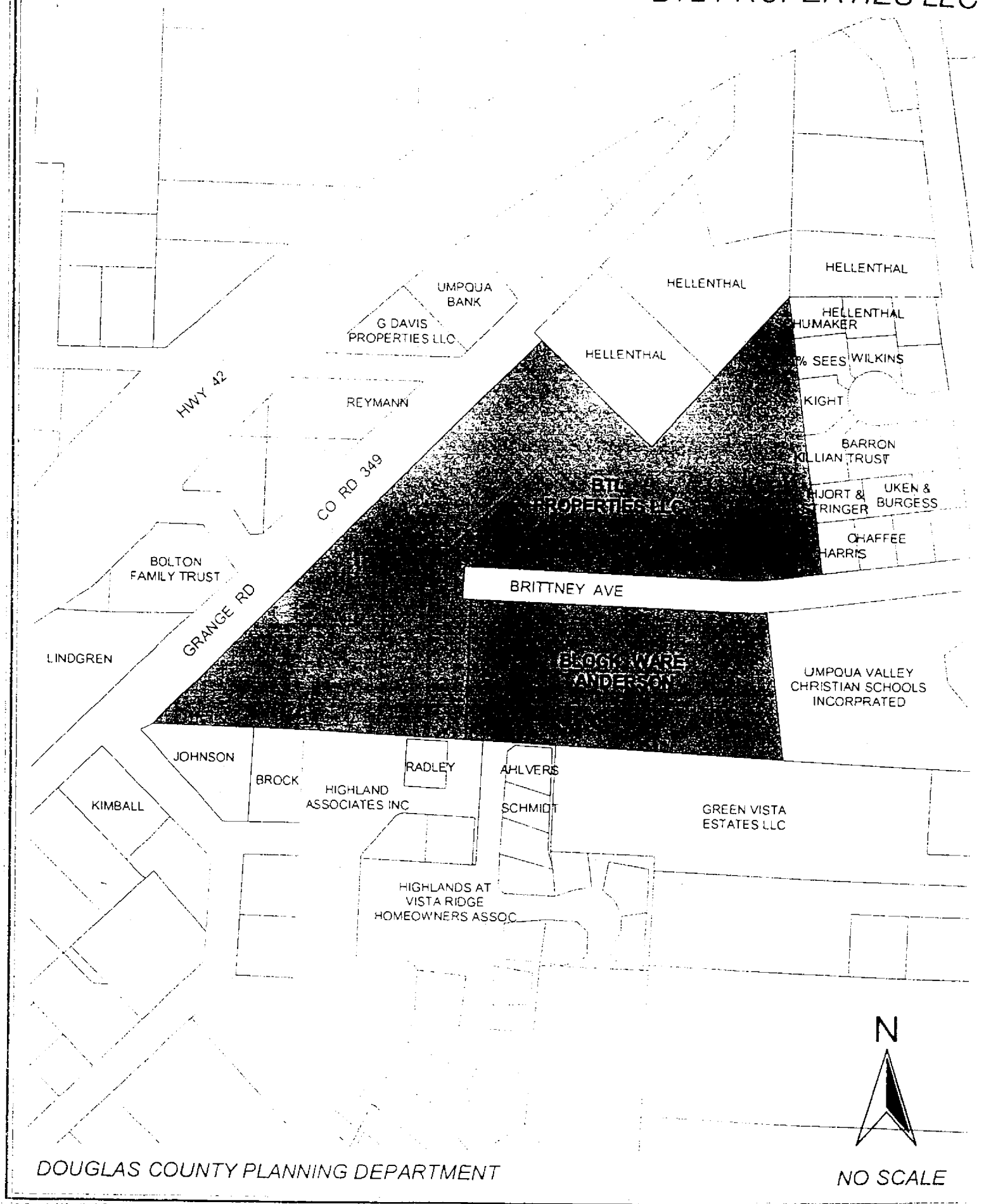
NOT SURVEYED
 (ALL DIMENSIONS ARE APPROXIMATE)

FIGURE 3



ASSESSOR MAP
T28S, R6W SEC 11

P/D 05-328
BTL PROPERTIES LLC



DOUGLAS COUNTY PLANNING DEPARTMENT

NO SCALE