



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

July 3, 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 003-07

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 19, 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: Doug White, DLCD Community Services Specialist
John Renz, DLCD Regional Representative
Mark Bernard, Douglas County

<paa> ya/

FORM 2

DLCD

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

In person electronic mailed

DEPT OF

JUN 29 2007

LAND CONSERVATION
AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: **Douglas County**

Local file number: **07-037**

Date of Adoption: **6/27/2007**

Date Mailed: **6/28/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **2/28/2007**

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 "See Attached".

Christopher Joseph Gray adoption of a Plan map designation amendment from (CT) Tourist Commercial and (CC) Community Commercial to (RLD) Low Density Residential and a zone change from (CT) Tourist Commercial to (RS) Suburban Residential on three adjoining parcels of 0.51, 0.49 and 0.82 acres for the purpose of making the zoning consistent with the intended use of the property.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **CT & CC**

to: **RLD**

Zone Map Changed from: **CT**

to: **RS**

Location: **Brown Street within the Glide UUA**

Acres Involved: **2**

Specify Density: Previous: **N/A**

New: **3 DU/1 AC**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD # 003-07 (15911)

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

ODOT, DLCD, Glide Rural Fire District, Pacific Power, Glide Water Association, Glide-Idlewyld Sewer System, P.T.I., Glide School District No. 12

Local Contact: **Mark Bernard**

Phone: (541) 440-4289 Extension:

Address: **Room 106, Justice Building**

Fax Number: **541-440-6266**

City: **Roseburg**

Zip: **97470-**

E-mail Address: **mabernar@co.douglas.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 Complete Copies** (documents and maps) 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. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
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 Notice of Adoption is sent to DLCD.
6. In addition to sending the 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 now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

BEFORE THE BOARD OF COMMISSIONERS
OF DOUGLAS COUNTY, OREGON

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 (CT) Tourist)
Commercial and (CC) Community Commercial)
to (RLD) Low Density Residential together with)
a Zone Change from (CT) Tourist Commercial)
to (RS) Suburban Residential on three adjoining)
parcels of 0.51, 0.49 and 0.82 acres.)
Applicant: Christopher Joseph Gray.)
Planning Department File No. 07-037.)

JUN 28 2007
ORDER

The Douglas County Board of Commissioners being informed that the Douglas County Planning Commission, on May 17, 2007, and on request from the above captioned applicant, approved a Plan Map designation amendment for property described below. The subject property is located on Brown Street in the Glide 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 17, 2007, attached).


Description of Plan Amendment Site:


See Exhibit B attached hereto.

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 June, 2007.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, OREGON


Chair


Commissioner



Commissioner

Exhibit B

PARCEL ONE

A part of Lot 8, Block 2, Glide Plat "C" being more particularly described as follows:

Beginning at a 5/8" iron rod on the Westerly right-of-way line of Brown Street from which the Southeast Corner of said Lot 8 bears S 8° 14' 01" E 25.03 feet; thence S 84° 29' W 162.01 feet to a 5/8" iron rod; thence along the arc of a 37.50 foot radius curve to the right (the long chord of which bears N 49° 40' 22" W 53.81 feet) 60.01 feet to a 5/8" iron rod; thence N 3° 49' 45" W 78.70 feet to a 5/8" iron rod; thence N 86° 10' 15" E 191.96 feet to a 5/8" iron rod on the Westerly right-of-way line of Brown Street; thence S 8° 14' 01" E along Brown Street 11174 feet to the point of beginning and containing 0.51 acres of land, more or less.

PARCEL TWO

A part of Lot 8, Block 2, Glide Plat "C" being more particularly described as follows:

Beginning at a 5/8" iron rod on the South Line of said Lot 8 from which the Southeast Corner of said Lot 8 bears N 84° 29' E 163.18 feet; thence S 84° 29' W along the South Line of said Lot 8 269.68 feet to the center of Little River; thence downstream N 23° 28' 37" W 74.32 feet to a point; thence leaving Little River N 74° 22' 49" E 105.16 feet; thence N 75° 47' 43" E 91.26 feet to a 5/8" iron rod; thence along the arc of a 37.5 foot radius curve to the right (the long chord of which bears S 48° 49' 45" E 53.03 feet) 58.98 feet to a 5/8" iron rod; thence along the arc of a 62.5 foot radius curve to the left (the long chord of which bears S 49° 40' 22" E 89.68 feet) 100.02 feet to the point of beginning and containing 0.47 acres of land, more or less.

TOGETHER WITH a 25 foot wide easement being more particularly described as the Southerly 25 feet of the above said Lot 8 beginning at the Westerly Line of Brown Street and running to the Easterly Line of the above described Parcel Two.

PARCEL THREE

A part of Lot 8, Block 2, Glide Plat "C" being more particularly described as follows:

Beginning at a 1/2" iron pipe at the Southeast Corner of said Lot 8; thence along the South Line of said Lot 8 S 84° 29' W 163.18 feet to a 5/8" iron rod; thence along the arc of a 62.5 foot radius curve to the right (the long chord of which bears N 49° 40' 22" W 89.68 feet) 100.02 feet to a 5/8" iron rod; thence along the arc of a 37.5 foot radius curve to the left (the long chord of which bears N 48° 49' 45" W 53.03 feet) 58.90 feet to a 5/8" iron rod; thence S 75° 47' 43" W 91.26 feet to a 5/8" iron rod; thence S 74° 22' 49" W 105.16 feet to the center line of Little River; thence downstream along said center line N 23° 28' 37" W 74.32 feet to the Northwest Corner of said Lot 8; thence leaving said centerline and running along the North line of said Lot 8 N 65° 34' 14" E 299.32 feet to a 5/8" iron rod; thence leaving said North Line S 3° 49' 45" E 174.89 feet to a 5/8" iron rod; thence along the arc of a 37.5 foot radius curve to the left (the long chord of which bears S 49° 40' 22" E 53.81 feet) 60.01 feet to a 5/8" iron rod; thence N 84° 29' E 162.01 feet to a 5/8" iron rod on the Westerly right-of-way line of Brown Street; thence S 8° 14' 01" E along the Westerly right-of-way line of Brown Street 25.03 feet to the point of beginning and containing 0.51 acres of land, more or less.

EXHIBIT A

BEFORE THE DOUGLAS COUNTY PLANNING COMMISSION

Christopher Joseph Gray, Findings of Fact and Decision, Planning Department File No. 07-037.

This matter came on regularly for hearing before the Douglas County Planning Commission on April 19, 2007 in Room 216 of the Douglas County Courthouse.

The applicant was present at the hearing.

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

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 73 days prior to April 19, 2007.
 2. At least 45 days prior to April 19, 2007, 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 North 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 19, 2007.
 4. At the hearing we recognized the following parties in the matter: Christopher Joseph Gray, applicant; Dave Gray, representative; Mack and Barbra Brown, titleholders; Glide Water Association, Karen Sumstine; and, Oregon Department of Transportation, 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, 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.
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Decision/GRAY
Page 2
May 17, 2007

DECISION

Based on evidence received, the findings above and the findings contained in the Staff Report, we APPROVED the request for a Comprehensive Plan Amendment from (CT) Tourist Commercial and (CC) Community Commercial to (RLD) Low Density Residential and a concurrent Zone Change from (CT) Tourist Commercial to (RS) Suburban Residential on three adjoining parcels of 0.51, 0.49 and 0.82 acres, respectively, for the purpose of making the zoning consistent with the intended use of the property.

Dated this 17th day of May, 2007.

DOUGLAS COUNTY PLANNING COMMISSION

By: David Angus
Chairman