



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

April 6, 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 022-06



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. This amendment was submitted without a signed ordinance.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: April 20, 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

DEPT OF

APR 02 2007

DLCD 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: 06-332 (if no number, use none)

Date of Adoption: March 28, 2007 (Must be filled in) Date Mailed: March 30, 2007 (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: December 1, 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 (CT) Tourist Commercial to (IN) Industrial and a zone change from (CRE) Rural Commercial to (ME) Rural Industrial on a 0.09 acre portion of a 4.91 acre parcel to allow the placement of a freeway-oriented advertising sign (billboard) on the property on behalf of Beacon Advertising 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: CT to IN

Zone Map Changed From: CRE to ME

Location: Eagle Valley Road north of the Rice Hill Rural Community Acres Involved: 0.09 acres

Specify Density: Previous: N/A New: N/A

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

Was an Exception Adopted? Yes: No: X

DLCD File No: 022-06 (15130)

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: X 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, ODF&W, DSL, North Douglas County Fire & EMS District, Douglas Electric, Cascade Utilities, Yoncalla School District No. 22

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.

DOUGLAS COUNTY OREGON
FILED

MAR 28 2007

**BEFORE THE BOARD OF COMMISSIONERS
OF DOUGLAS COUNTY, OREGON**

BARBARA E. NIELSEN, COUNTY CLERK

BEACON ADVERTISING, request for a)
Comprehensive Plan Amendment from (CT))
Tourist Commercial to (IN) Industrial and)
a concurrent Zone Change from (CRE) Rural)
Commercial to (ME) Rural Industrial on a 0.09± acre)
portion of a 4.91 acre parcel to allow the placement)
of a freeway-oriented advertising sign on the site.)
The property is located off of Eagle Valley Road at)
Exit 150 of Interstate 5 and is described as)
Tax Lot 2000 in Section 15 of T23S, R5W, W.M.,)
Property I.D. No. R56887. Planning Department)
File No. 06-332.)

**FINDINGS OF FACT
AND ORDER**

INTRODUCTION & PROCEDURAL FINDINGS

1. This matter came before the Board of County Commissioners ("the Board") at a public hearing on March 28, 2007, in Room 216 of the Douglas County Courthouse, Roseburg, Oregon, pursuant to Section 6.900.2 of the Douglas County Land Use and Development Ordinance.
2. The matter originally came before the Douglas County Planning Commission on application filed by Beacon Advertising. The Planning Commission hearing was held on January 18, 2007, at which time the Commission recommended approval of the application.
3. The Planning Commission memorialized its decision in a Findings and Decision document dated February 15, 2007. No appeals of that Decision were filed.
4. At the Board meeting on March 28, 2007, the public hearing on this matter was opened and parties were given an opportunity to speak on the record. The Board subsequently deliberated to affirm the Planning Commission decision at the March 28, 2007 public meeting.

FINDINGS

1. Upon considering evidence and exhibits entered as part of the Planning Commission record, including the written submittals from the applicant and parties, the written Staff Report and the Findings and Decision approved by the Planning Commission on February 15, 2007, and in consideration of evidence considered at the March 28, 2007 Board hearing, the Board finds that the applicable decision criteria, as established in the Staff Report dated January 11, 2007, have been adequately addressed by the applicant.

ORDER/ Beacon
March 28, 2007
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2. The Board finds that the relevant facts raised in this matter support the conclusions and decision reached by the Planning Commission in their Findings and Decision, dated February 15, 2007.
3. The Board adopts the Planning Commission Findings and Decision as its own.

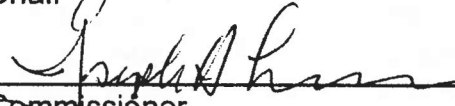
ORDER

Based on the foregoing, it is hereby ordered by the Board of Commissioners that the Planning Commission decision is affirmed and the application is GRANTED.

DATED this 28th day of March, 2007.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, OREGON


Chair


Commissioner


Commissioner

BEFORE THE DOUGLAS COUNTY PLANNING COMMISSION

Beacon Advertising, Findings of Fact and Decision, Planning Department File No. 06-332.

This matter came on regularly for hearing before the Douglas County Planning Commission on January 18, 2007 in Room 216 of the Douglas County Courthouse.

The applicant's representative 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 January 18, 2007.
2. At least 45 days prior to January 18, 2007, notice of the hearing was sent by mail to the applicant, to all property owners within 250 feet of the property which is the subject of the application, to service providers and governmental agencies and to the Elk Creek 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 18, 2007.
4. At the hearing we recognized the following parties in the matter: Don Jenkins representative of Beacon Advertising, applicant and lessee; Ron Schofield, Schofield & Associates, Applicant's Representative; Diamond Hawk Property Management, LLC, titleholder; Douglas County Public Works, Vic Cangie; Oregon Department of Transportation, Tom Guevara; Harold T. Stromberg, adjacent property owner.
5. Staff entered Staff Exhibits 1 through 10, including the Staff Report, into the Record and gave the oral staff report, stipulating to the Record.
6. We heard testimony from the applicants' representative, who also stipulated to the Record. The applicants' representative expressed concern about the scope of the sole condition in the Staff Report.
7. Members of the Planning Commission recommended the following language be substituted for the condition recommended in the Staff Report: "All development shall conform to the requirements of the Riparian Vegetation Corridor Overlay (RVCO)."

Decision/BEACON ADVERTISING

Page 2

February 15, 2007

8. Seeing no opposition, we moved to adopt the findings of the Staff Report, with the condition, as amended, 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

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 (CT) Tourist Commercial to (IN) Industrial and a concurrent Zone Change from (CRE) Rural Commercial to (ME) Rural Industrial on a 0.09± portion of a 4.91 acre parcel to allow the placement of a freeway-oriented advertising sign (billboard) on the site, subject to following condition:

1. All development shall conform to the requirements of the Riparian Vegetation Corridor Overlay (RVCO).

Dated this 15th day of February, 2007.

DOUGLAS COUNTY PLANNING COMMISSION

By: 
Chairman