



# 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](http://www.lcd.state.or.us)

## NOTICE OF ADOPTED AMENDMENT

October 13, 2008

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Crook County Plan Amendment  
DLCD File Number 004-07



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: October 23, 2008**

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  
Jon Jinings, DLCD Regional Representative  
Bill Zelenka, Crook County

<paa> ya

**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

**DEPT OF**

(See reverse side for submittal requirements)

OCT 06 2008

**LAND CONSERVATION AND DEVELOPMENT**

Jurisdiction: Crook County Local File No.: C-TA-007-07(Z)  
Date of Adoption: March 5, 2008 Date Mailed: August 25, 2008  
(Must be filled in) (Date mailed or sent to DLCD)  
Date the Notice of Proposed Amendment was mailed to DLCD: August 28, 2007

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: \_\_\_\_\_  
(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write ASee Attached.≡  
Revision to Chapter 18.40, Subsection 18.40.010 (Uses permitted outright)

to add '(7) Church or other place of worship' to uses permitted outright.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write ASame.≡ If you did not give notice for the proposed amendment, write AN/A.≡

Same

Plan Map Changed from : NA to \_\_\_\_\_  
Zone Map Changed from: NA to \_\_\_\_\_  
Location: NA Acres Involved: NA  
Specify Density: Previous: NA New: \_\_\_\_\_  
Applicable Statewide Planning Goals: 1, 2, 8  
Was an Exception Adopted? Yes: \_\_\_\_\_ No: X

DLCD File No.: 004-07 (16352)



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 Governments or Special Districts: \_\_\_\_\_  
DLCD, County Assessor

Local Contact: Bill Zelenka Area Code + Phone Number: 541-447-8156

Address: 300 NE Third St., Rm. 11 City: Prineville

Zip Code+4: 97754 Email Address: bill.zelenka@co.crook.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 (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** 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 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 ANotice of Adoption is sent to DLCD.
6. In addition to sending the ANotice 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 8-1/2x11 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](mailto:Larry.French@state.or.us) - **ATTENTION: PLAN AMENDMENT SPECIALIST.**



CROOK COUNTY  
PLANNING DEPT.  
MAR 6 2008  
RECEIVED  
TIME:



STATE OF OREGON } ss 2008032  
COUNTY OF CROOK }  
I CERTIFY THAT THE WITHIN INSTRUMENT WAS  
RECEIVED FOR RECORD ON THE 5th DAY OF  
March, 202008, AT 3:15 P. M.  
AND RECORDED IN CTRNT.  
RECORDS OF SAID COUNTY MF NO. 2008-032  
DEANNA E. BERMAN, CROOK COUNTY CLERK  
BY [Signature] DEPUTY  
N/C

IN THE COUNTY COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF CROOK

AN ORDINANCE AMENDING TITLE 18  
THE CROOK COUNTY CODE, SECTION  
18.40.010, TO PERMIT A CHURCH OR  
OTHER PLACE OF WORSHIP AS AN  
OUTRIGHT PERMITTED USE IN THE  
RECREATION RESIDENTIAL MOBILE  
ZONE RR(M)-5; AND DECLARING AN  
EMERGENCY

ORDINANCE 199

WHEREAS, the Crook County Planning Commission has recommended that the text of the Crook County Code 18.040.010 be amended to allow churches and other places of worship as an outright permitted use in the RR(M)-5 Zone; and

WHEREAS, the Crook County Planning Commission held Public Hearings on October 31, 2007 and November 14, 2007 to receive comments and input from the general public and other agencies; and

WHEREAS, the Crook County Court held a Public Hearing on January 16, 2008 to receive comments and input from the general public and other agencies;

NOW, THEREFORE, the Crook County Court ORDAINS as follows:

SECTION ONE. CCC 18.40.010 is amended to add the following language:

(7) Church or other place of worship.

SECTION TWO. In support of its decision, the Crook County Court adopts the findings of the Planning Commission's recommendation, which is attached hereto as Exhibit A.

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SECTION THREE. The Ordinance being necessary for the health, welfare and safety of the people of Crook County, an emergency is hereby declared to exist and this Ordinance shall become effective upon signing.

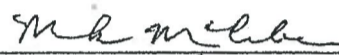
First Reading: February 20, 2008.

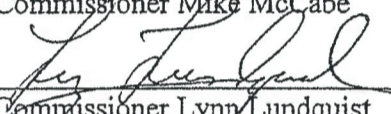
Second Reading: March 5, 2008.

Dated this 5<sup>th</sup> day of March, 2008.

CROOK COUNTY COURT

  
\_\_\_\_\_  
Judge Scott Cooper

  
\_\_\_\_\_  
Commissioner Mike McCabe

  
\_\_\_\_\_  
Commissioner Lynn Lundquist

**RECOMMENDATION**

**C-TA-007-07**

**AN ORDINANCE AMENDING THE CROOK COUNTY CODE SUBSECTION 18.40.010 TO PERMIT A CHURCH OR OTHER PLACE OF WORSHIP AS AN OUTRIGHT USE IN THE RECREATION RESIDENTIAL MOBILE ZONE RR(M)-5**

On August 21, 2007, Bradley P. Witbracht for the Juniper Canyon Baptist Church filed an application for a Land Use Regulation Amendment consisting of a revision to Crook County Code Title 18, Chapter 18.40 (Recreation Residential Mobile Zone RR(M)-5, Subsection 18.40.010 (Uses permitted outright) to add (7) Church or other place of worship,

**WHEREAS**, Oregon Revised Statute (ORS) 215.441 states that a local government may permit a church, synagogue, temple, mosque, chapel, meeting house or other nonresidential place of worship in accordance with local and state laws, subject to reasonable regulations, including site plan review or design review, concerning the physical characteristics of the use; and may prohibit or restrict the use of real property by a place of worship if the county finds that the level of service of public facilities, including transportation, water supply, sewer and storm drain systems is not adequate to serve the place of worship;

**WHEREAS**, churches are generally permitted in Crook County zoning districts where residential uses are permitted, but are not presently permitted in the Recreation Residential Mobile zone RR(M)-5;

**WHEREAS**, the applicant wishes to place a church within the Recreation Residential Mobile zone RR(M)-5 to serve parishioners living in that zone;

**WHEREAS**, the Crook County Planning Commission has held Public Hearings on October 31, 2007 and November 14, 2007, to receive comments and input from the general public and other agencies;

**EXHIBIT A**

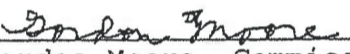
**NOW, THEREFORE**, the Crook County Planning Commission recommends to the Crook County Court that Crook County Code Title 18 be revised as follows:

Chapter 18.40 (Recreation Residential Mobile Zone RR(M)-5), Subsection 18.40.010, (Uses permitted outright) be revised to add **(7) Church or other place of worship.**

By a 6-0 vote on the motion to recommend approval by the Crook County Planning Commission on November 14, 2007, this written Recommendation is forwarded to the Crook County Court.

RECOMMENDED THIS 28<sup>th</sup> DAY OF November, 2007

  
\_\_\_\_\_  
W. R. Gowen, Commission Chairman

  
\_\_\_\_\_  
Gordon Moore, Commission Secretary



DEK COUNTY PLANNING DEPT.  
300 N. E. Third Street  
Prineville, OR 97754

012H16208489

\$04.80

10/02/2008

Mailed From 97754

US POSTAGE

Hasler



Plan Amendment Spec.

DLCD

635 Capitol St., NE

#150

Salem, OR 97301-2540