NOTICE OF ADOPTED AMENDMENT

02/20/2009

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Deschutes County Plan Amendment DLCD File Number 013-08

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: Thursday, March 05, 2009

This amendment was submitted to DLCD for review 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Will Groves, Deschutes County
    Doug White, DLCD Community Services Specialist
    Jon Jinings, DLCD Regional Representative

<paa> YA/email
Notice of Adoption

Jurisdiction: Deschutes County
Local file number: 2C08-4

Date sent to DLCD: 2/13/09  □ mail □ Electronic □ in person  Date of Adoption: ________

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? □ No  □ If yes, when: ________

□ 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".

Rezone of subject property from Forest Use (F1) to Forest Use (F2)

Does the Adoption differ from proposal? Please describe. If no proposal submitted, check here: □ No

Plan Map Changed from: ___________ to: ___________
Zone Map Changed from: F1 to: F2
Address of Property: ________________  Acres Involved: ________
Specify Density: Previous: 1 pete 80 ac  New: 1 pete 80 ac

Applicable statewide planning goals:

Was an Exception Adopted? □ YES □ NO

Did DLCD receive a Notice of Proposed Amendment...  □ Yes □ No

45-days prior to first evidentiary hearing?
If no, do the statewide planning goals apply? □ Yes □ No
If no, did Emergency Circumstances require immediate adoption? □ Yes □ No

DLCD file No. 013-08 (17106)
Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: [NAME]
Phone: [PHONE]
Extension: [EXTENSION]
Address: [ADDRESS]
City: [CITY]
Zip: [ZIP]
Fax Number: [FAX]
E-mail Address: [EMAIL]

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**: Go to: [http://webserver.lcd.state.or.us/upload2/uploadForm1.php](http://webserver.lcd.state.or.us/upload2/uploadForm1.php)
   Enter the number of files to be uploaded and then browse to locate files and when all files are found, press submit and your files will be sent to DLCD. At least **one** hard copy must be sent by mail or delivered in person. If you would like help with electronic submittals, please call Mara Ulloa at (503) 373-0050 extension 238.

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/](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.

http://www.lcd.state.or.us/LCD/forms.shtml

Updated April 18, 2007
BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Title 18, the Deschutes County Zoning Map, to Change the Zone Designation for Certain Property From Forest Use Zone – F-1 to Forest Use Zone – F-2.

WHEREAS, Belveron Real Estate Partners, LLC applied for a zone change to Title 18, Deschutes County Zoning Map, to rezone certain property from Forest Use Zone – F-1 to Forest Use Zone – F-2; and

WHEREAS, a public hearing was held on October 14, 2008 before the Deschutes County Hearings Officer after notice was give in accordance with applicable law and the hearings officer approved the zone change; and

WHEREAS, the Board of County Commissioners (“Board”) conducted a public hearing on January 5, 2009 and approved the zone change; now therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS as follows:

Section 1. AMENDMENT. DCC Title 18, Zoning Map, is amended to change the zone designation for certain property described in Exhibit “A” hereby and depicted on the map set forth as Exhibit “B”, attached and by this reference incorporated herein, from Forest Use Zone – F-1 to Forest Use Zone – F-2.
Section 2. FINDINGS. The Board adopts as its findings in support of this decision, the Decision of the Board, attached to Ordinance 2009-004 as Exhibit “C”, and by this reference incorporated herein.

Dated this _____ of __________, 2009

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

________________________
TAMMY BANEY, Chair

ATTEST:

________________________
DENNIS R. LUKE, Vice Chair

Recording Secretary

________________________
ALAN UNGER, Commissioner

Date of 1st Reading: _____ day of __________, 2009.

Date of 2nd Reading: _____ day of __________, 2009.

Record of Adoption Vote

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<th>Yes</th>
<th>No</th>
<th>Abstained</th>
<th>Excused</th>
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<td>Alan Unger</td>
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Effective date: _____ day of __________, 2009.
Zone Change from Forest Use 1 (F1) to Forest Use 2 (F2)

PROPOSED ZONING MAP

Belveron Real Estate Partners, LLC

Exhibit "B" to Ordinance 2009-004

Board of County Commissioners
Of Deschutes County, Oregon

Tammy Baney, Chair
Dennis R. Luke, Vice Chair
Alan Unger, Commissioner

ATTEST: Recording Secretary

Dated this ___ day of January, 2009
Effective Date: January ___, 2009