



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

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.

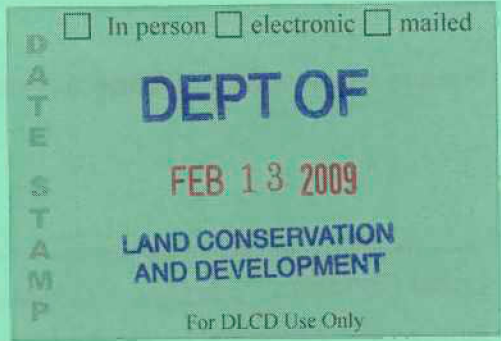
Cc: Will Groves, Deschutes County
Doug White, DLCD Community Services Specialist

Jon Jinings, DLCD Regional Representative

<paa> YA/email

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

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

Date sent to DLCD: 2.12.09 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
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- 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 per 80 AC New: 1 per 80 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 type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input 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... Yes No

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 file No. 013-08 (17106)

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

Local Contact: WELL GROVES Phone: 541-389-6518 Extension: _____
Address: 117 NW LAFAYETTE City: BEND Zip: 97701
Fax Number: _____ E-mail Address: WELLG@DESOUTES.ORG

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>
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/>. 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.

REVIEWED
LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Title 18, the Deschutes *
County Zoning Map, to Change the Zone * ORDINANCE NO. 2009-004
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

DENNIS R. LUKE, Vice Chair

ATTEST:

Recording Secretary

ALAN UNGER, Commissioner

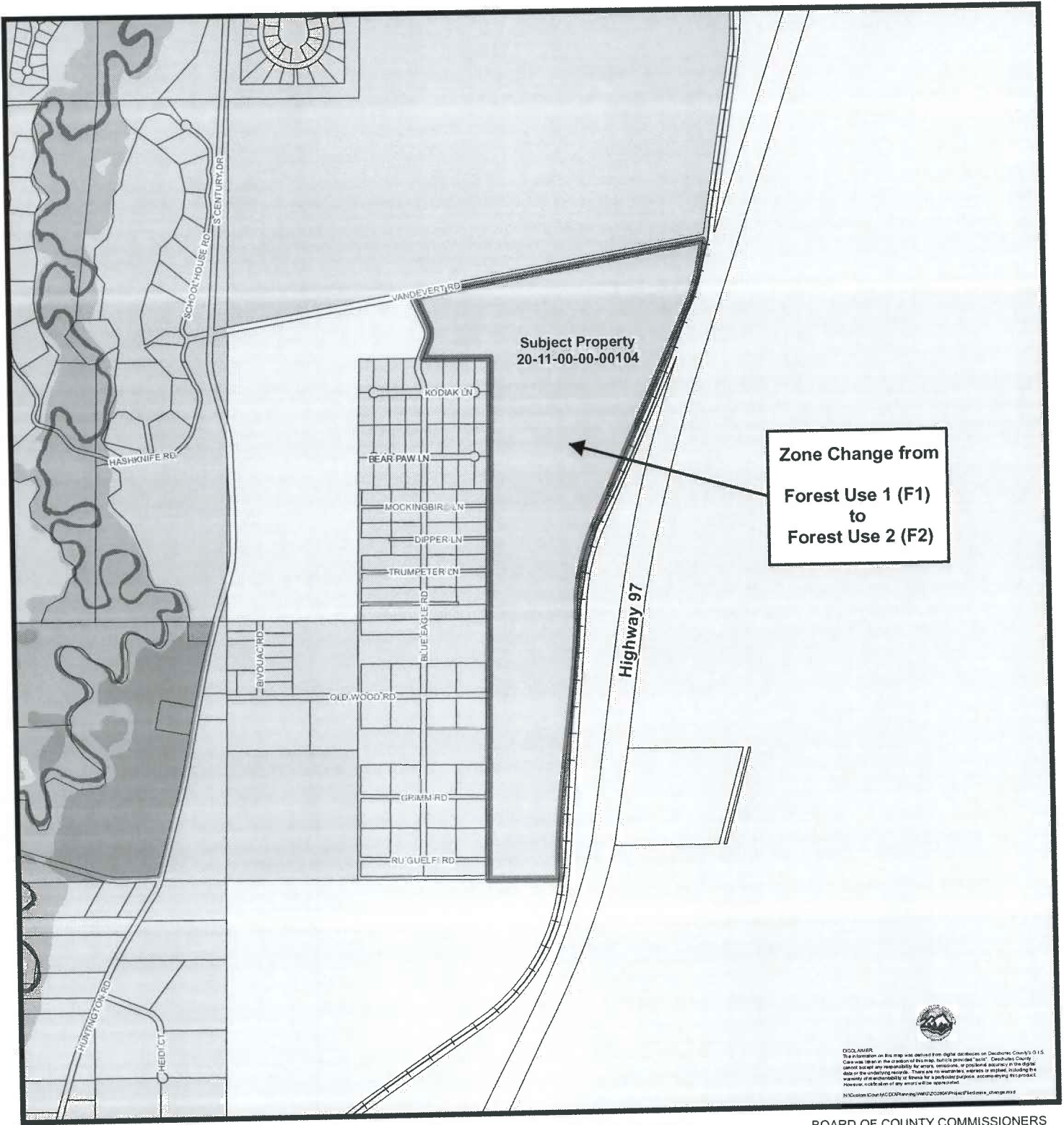
Date of 1st Reading: _____ day of _____, 2009.

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

Record of Adoption Vote

| Commissioner | Yes | No | Abstained | Excused |
|----------------|-------|-------|-----------|---------|
| Tammy Baney | _____ | _____ | _____ | _____ |
| Dennis R. Luke | _____ | _____ | _____ | _____ |
| Alan Unger | _____ | _____ | _____ | _____ |

Effective date: _____ day of _____, 2009.



**Zone Change from
Forest Use 1 (F1)
to
Forest Use 2 (F2)**



DISCLAIMER:
The information on this map was derived from digital databases on Deschutes County's GIS. Care was taken to ensure the accuracy of the data provided. Deschutes County cannot be held responsible for errors, omissions, or positional accuracy in the data or the underlying records. There are no warranties or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, no liability of any kind will be accepted.

PROPOSED ZONING MAP

Belveron Real Estate Partners, LLC

Exhibit "B"
to Ordinance 2009-004



January 07, 2009

Legend

-  Subject Property 20-11-00-00-00104
-  County Zoning
-  EFU La Pine Subzone (EFULA)
-  Flood Plain (FP)
-  Forest Use 1 (F1)
-  Forest Use 2 (F2)
-  Rural Residential (RR10)

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



Deschutes County Community Development Department

117 NW LAFAYETTE AVENUE
BEND, OREGON 97701-1925
(541) 388-6575

Plan Amendment Specialist
Dept. of Land Conserv. & Developmnt.
635 Capitol St., N.E., Suite 150
Salem, OR 97301-2540