



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

05/16/2011

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

FROM: Plan Amendment Program Specialist

SUBJECT: Union County Plan Amendment
DLCD File Number 001-11

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: Thursday, May 26, 2011

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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Hanley Jenkins, Union County
Jon Jinings, DLCD Community Services Specialist
Amanda Punton, DLCD Regional Representative

<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

(See reverse side for submittal requirements)

Jurisdiction: Union County Local File No.: 13370
(If no number, use none)

Date of Adoption: 5-4-11 Date Mailed: 5-5-11
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 2-8-11

- 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."

The adopted amendment added an aggregate (basalt) site on
the County Land Use Plan aggregate inventory.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

Same

Plan Map Changed from : NA to NA

Zone Map Changed from: NA to NA

Location: Twp. 1N, Range 40 EWM, TL 5900 Acres Involved: 10

Specify Density: Previous: NA New: NA

Applicable Statewide Planning Goals: Goal 5

Was an Exception Adopted? Yes: _____ No: X

DLCD File No.: 001-11 (18713) [16641]

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: DOGAMI

Local Contact: Hanley Jenkins, II Area Code + Phone Number: 541-963-1014
Address: 1001 4th Street, Suite C
City: La Grande, OR 97850 Zip Code+4: _____

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 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 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 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 - ATTENTION: PLAN AMENDMENT SPECIALIST.

BE IT REMEMBERED, that at a regular term of the Union County Board of Commissioners, for the County of Union, sitting for the transaction of County business, begun and held at the Joseph Building Annex in the City of La Grande, in said County and State, on Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable STEVE MCCLURE Chairman
MARK DAVIDSON Commissioner
WILLIAM ROSHOLT Commissioner

WHEN, on Wednesday, the 4th day of May, 2011 among others the following proceedings were had to-wit:

IN THE MATTER OF AMENDING }
THE UNION COUNTY LAND USE PLAN } ORDINANCE NO.
AGGREGATE INVENTORY (Hindman) } 2011-01

WHEREAS, Cody Hindman submitted an application to include 10 acres (part of Twp. 1N, Range 40 EWM, Tax Lot 5900) on the County Basalt Aggregate Inventory as a non-significant site;

WHEREAS, the Union County Planning Commission advertised and held a public hearing on March 28, 2011 and made a recommendation to approve the identified site;

WHEREAS, the Union County Board of Commissioners advertised and held a public hearing on April 20, 2011;

WHEREAS, the applicant has submitted evidence basalt rock is present on the subject property.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, COUNTY OF UNION, STATE OF OREGON:

SECTION 1: UNION COUNTY LAND USE PLAN

The Union County Land Use Plan Supplement - June 1984, page 37, is amended to include the following described property as a non-significant Goal 5 site in a Timber/Grazing Plan Classification for inventoried basalt sites in Table AS:

Twp. 1N, Range 40 EWM, Section 28, NE $\frac{1}{4}$, Tax Lot 5900
(about 10.0 acres- see attached map)

SECTION 2: SUPPORTING FINDINGS

This Ordinance is passed and adopted with the supporting findings included in Attachment "A".

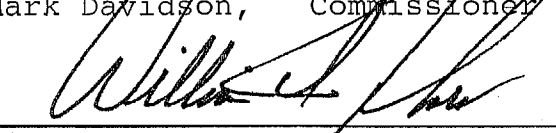
PASSED AND ADOPTED this 4th day of May, 2011, by a vote of the following members of the Union County Board of Commissioners voting therefore.



Steve McClure, Chairman



Mark Davidson, Commissioner



William Rosholt, Commissioner

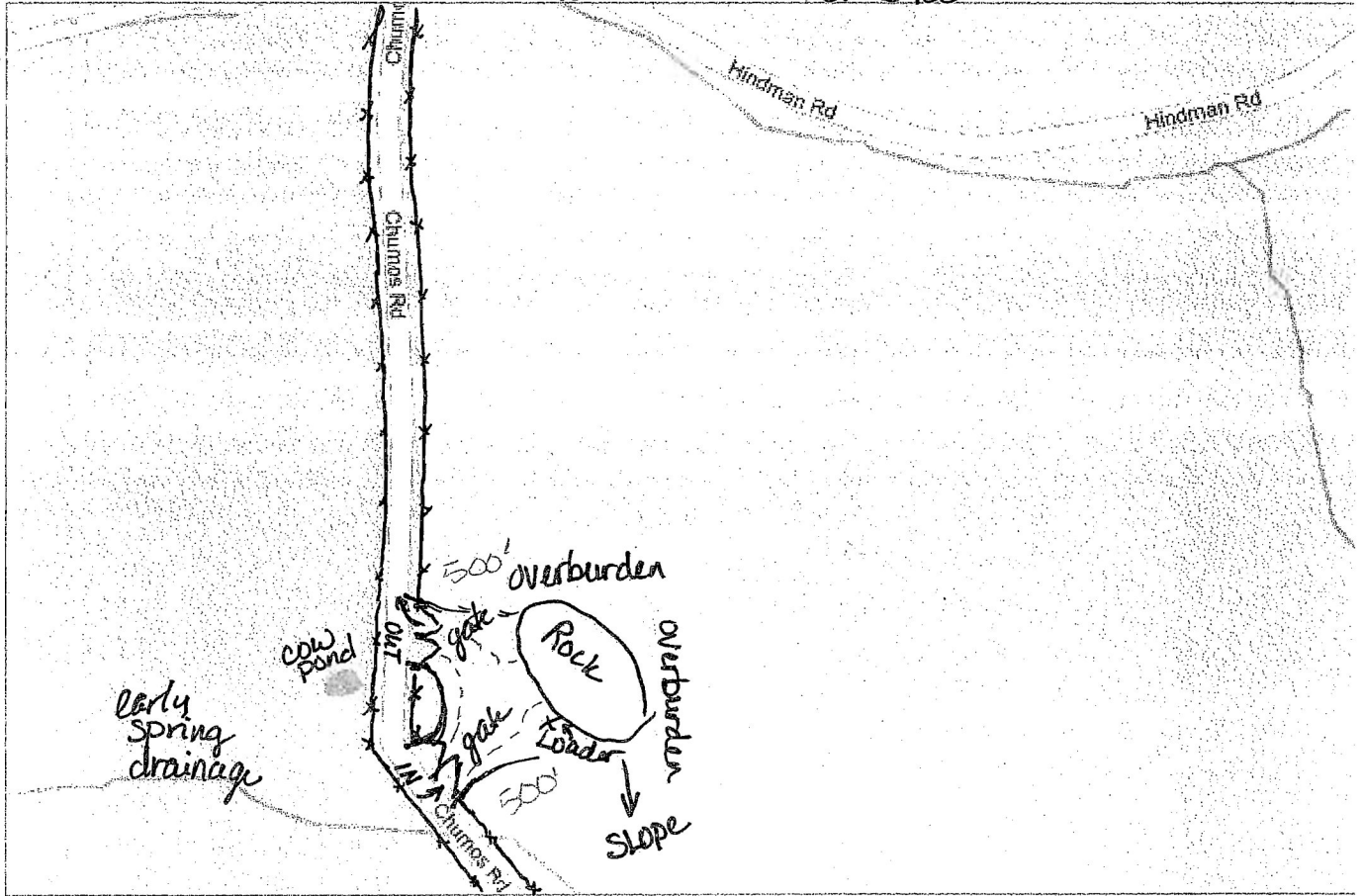
Attachment "A"

1. Union County Zoning, Partition & Subdivision Ordinance (UCZPSO) Section 23.05 identifies standards which must be satisfied in order to gain Plan Amendment approval.
2. OAR 660-023-0180 (4) & (6) identify criteria which must be satisfied in order to gain Plan Amendment approval for a non-significant aggregate site to be listed on a County's land use plan inventory.
3. The subject property is in an A-4 Timber Grazing Zone.
4. The subject property is accessed by Chumos Road which is a County Road with a 60 foot right-of-way width and graveled surface.
5. The applicants are requesting 10.0 acres of their 1,074.12 total acres be placed on the County Basalt Aggregate Inventory as a non-significant site.
6. The subject property is being used for timber production and livestock grazing.
7. The subject property has been used for limited aggregate extraction operations in the past.
8. The subject property is in the Elgin School District but outside of any rural fire protection district.
9. The applicants have satisfied UCZPSO Section 23.05 based on their "Exhibit C" submitted with the application.
10. The applicants have satisfied OAR 660-023-0180 (4), (5)(f) & (6) based on their "Exhibit C" submitted with the application.

Approval Condition

1. The applicants shall not mine more than 500,000 tons of material from this location for the life of the aggregate site.

Exhibit B
Plot Plan
(Home)
Lot 5900





DEPT OF
MAY 09 2011
LAND CONSERVATION
AND DEVELOPMENT

**UNION COUNTY
PLANNING DEPARTMENT**

1001 4th Street, Suite C
LA GRANDE, OREGON 97850

TO

Attn: Plan Amendment Specialist
DLCD
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540