



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

06/03/2013

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

FROM: Plan Amendment Program Specialist

SUBJECT: Jefferson County Plan Amendment
DLCD File Number 001-13

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: Friday, June 14, 2013

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: Phil Stenbeck, Jefferson County
Jon Jinings, DLCD Community Services Specialist
Karen Swirsky, DLCD Regional Representative

<paa> YA/email



FORM

2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

☐ In person ☐ electronic ☐ mailed

DATE

STAMP

DEPT OF

MAY 28 2013

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **Jefferson County**

Local file number: **13-PA-01**

Date of Adoption: **5/22/2013**

Date Mailed: **5/24/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 3/18/13

☒ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment

☐ Zoning Map Amendment

☐ New Land Use Regulation

☒ Other: **Zone text amendment**

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Jefferson County has made changes to its Crooked River Ranch Commercial (CRRC) zone which now include an architectural committee review as a part of the approval process, in some circumstances. Changes were also made to the Comprehensive Plan Citizen Involvement Chapter, which are consistent with the text changes in the CRRC zone.

Does the Adoption differ from proposal? Please select one

No.

Plan Map Changed from: **n/a**

to: **n/a**

Zone Map Changed from: **n/a**

to: **n/a**

Location: **n/a**

Acres Involved: **0**

Specify Density: Previous: **n/a**

New: **n/a**

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-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

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

City of Madras, Jefferson County

Local Contact: Phil Stenbeck, CFM, Planning Direct	Phone: (541) 475-4462	Extension:
Address: 85 SE "D" Street	Fax Number: 514-325-5004	
City: Madras	Zip: 97741-	E-mail Address: phil.stenbeck@co.crook.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

DEPT OF

AFFIDAVIT OF MAILING

LAND CONSERVATION
AND DEVELOPMENT

I, Tanya Cloutier being first duly sworn, hereby certify that an exact copy of the **DLCD Notice of Adoption** attached as Exhibit "A" was mailed at the Madras Post Office in Madras, OR on 5/24/13 enclosed in a sealed envelope, postage prepaid, addressed to the parties listed below.

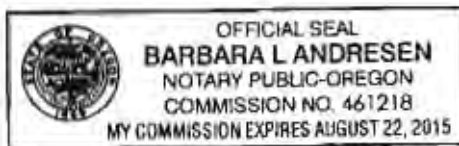
Attn: Plan Amendment Specialist
Department of Land Conservation and Development
635 Capitol Street NE, Ste. 150
Salem, OR 97301-2540

Tanya M. Cloutier

Tanya M. Cloutier
Senior Planning Technician
Jefferson County

STATE OF OREGON }
 }
COUNTY OF JEFFERSON } ss

Signed and sworn to (or affirmed) before me on May 24, 2013 (date) by
Tanya Cloutier (name(s) of person(s) making statement)



Barbara L. Andresen
Notary Signature

My commission expires: 8/22/2015

**BEFORE THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON FOR
THE COUNTY OF JEFFERSON**

IN THE MATTER OF A LEGISLATIVE)	
AMENDMENT TO THE JEFFERSON COUNTY)	
ZONING ORDINANCE SECTION 317 CROOKED)	Ordinance No. O-059-13
RIVER RANCH COMMERCIAL ZONE AND)	
GOAL 1 CITIZEN INVOLVEMENT OF THE)	
JEFFERSON COUNTY COMPREHENSIVE PLAN)	

WHEREAS, Jefferson County has submitted a legislative amendment to the Jefferson County Zoning Ordinance and the Jefferson County Comprehensive Plan; and

WHEREAS, the proposed legislative amendment both reduces the land use process in the Crooked River Ranch Commercial zone for some activities and also increases participation by the Crooked River Ranch Board and Architectural Review Committee; and

WHEREAS, at a public meeting on April 25, 2013, the Jefferson County Planning Commission conducted a public hearing, reviewed the staff report, accepted testimony and deliberated on the evidence presented therein, and has forwarded a recommendation of approval to the Board of Commissioners; with a vote of four in favor; zero opposed; and one abstention; and

WHEREAS, the Jefferson County Board of Commissioners conducted a public hearing on May 8, 2013 and on May 22, 2013 and accepted testimony on the application and reviewed the staff report. At the conclusion of the hearings, the Board closed the record and deliberated on the application. After considering and testimony, the Board voted unanimously to APPROVE the application;

NOW THEREFORE, the Jefferson County Board of Commissioners hereby **ORDAINS** as follows:

- Section 1. The legislative amendment to Section 317 of the Jefferson County Zoning Ordinance is hereby adopted as found in the staff report attached as Exhibit A; and

- Section 2. The legislative amendment to Goal 1 Citizen Involvement of the Jefferson County Comprehensive Plan is hereby adopted as found in the staff report attached as Exhibit A.

- Section 3. Severability: The provisions of this ordinance are severable. If any section, subsection, sentence, clause or phrase of this ordinance or any exhibit thereto is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance or exhibits thereto.

Section 4. DECLARING AN EMERGENCY: These amendments being necessary for immediate implementation, an emergency is declared to exist, and the specified amendments shall therefore take place and be effective on June 12, 2013.

Dated this 22nd day of May, 2013.

BOARD OF COMMISSIONERS

Wayne Fording
Wayne Fording, Commission Chair

Mike Ahern
Mike Ahern, Commissioner

John Hatfield
John Hatfield, Commissioner

Attest:

Barbara Anderson

Appeal Information

Planning Casefile #13-PA-01

This decision may be appealed to the Land Use Board of Appeals within 21 days of the Jefferson County Board of Commissioners Decision. Oregon Revised Statute (ORS) 197.830 sets forth the review procedures. Copies of the Board of Commissioners decision and the state statute are available from the Community Development Department located at 85 SE "D" Street, Madras, Oregon 97741.

Board of Commissioners adoption date: May 22, 2013

The complete file is available for review at the Jefferson County Community Development Department. For further information, contact the Community Development Department. Phone (541) 475-4462.

JEFFERSON COUNTY

Community Development Department

85 S.E. "D" St. • Madras, Oregon 97741 • Ph: (541) 475-4462 • FAX: (541) 475-4270



EXHIBIT A Board of Commissioner Staff Report

DATE: May 8, 2013

APPLICATION NO.: 13-PA-01 (Ordinance #O-059-13)

APPLICANT: Jefferson County

NOTICE TO DLCD: March 18, 2013

NEWSPAPER NOTICE: April 3, 2013

APPLICABLE CRITERIA: Chapter 8 of the Jefferson County Zoning Code and Part 5 of the Jefferson County Comprehensive Plan.

PROPOSAL: Jefferson County is proposing to legislatively amend the Jefferson County Crooked River Ranch Commercial Zone (CRRZ) and amend the County Comprehensive Plan making it consistent with the Zoning Ordinance.

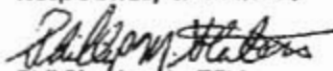
BACKGROUND

Attached please find a copy of the proposed Legislative amendments. As you may recall, the Board of Commissioners discussed the proposed changes to the Crooked River Ranch Commercial zone in Jefferson County with a representative of the Crooked River Ranch Association Board and Planning staff on February 20, 2013. The following proposed changes flow from this discussion. The purpose of the proposed zoning code changes is to address community needs that have been raised by residents who live in the Crooked River Ranch Unincorporated Community. The proposed amendments to the Jefferson County Zoning Ordinance and Comprehensive Plan are designed to simplify the land use process and at the same time provide a higher level of participation by the Crooked River Ranch Board Association and Architectural Review Committee. The attached shows the proposed amendments to Chapter 3, Section 317 of the Jefferson County Zoning Code and to the Citizen Involvement Chapter of the County Comprehensive Plan.

CONCLUSION

The Jefferson County Planning Commission held its commission meeting on April 25, 2013 in Crooked River Ranch. About twenty five people attended the meeting, with several testifying. Testimony, which was supportive, requested minor changes which have been incorporated into the proposal at the request of the Planning Commission. The Planning Commission voted 4 to 0 with 1 abstention in favor of the proposal forwarding a recommendation of approval to the Board of Commissioners. The Board of Commissioners are scheduled to hear this item on both May 8, 2013 and May 22, 2013 (two hearings).

Respectfully submitted,


Phil Stenbeck, CFM
Planning Director
Jefferson County

Attachment: Exhibit A – Legislative Amendments to the Jefferson County Zoning Code and Comprehensive Plan

EXHIBIT A

Legislative Amendment
to the
Jefferson County Zoning Code
and Comprehensive Plan

April 25, 2013

Planning Commission

April 25, 2013

Board of Commissioners

May 8, 2013

May 22, 2013

- Background:** The Jefferson County Board of Commissioners have discussed the proposed changes to the Crooked River Ranch Commercial zone in Jefferson County with a representative of the Crooked River Ranch Association Board. The following proposed changes are the result of the discussions.
- Purpose:** The purpose of the proposed zoning code changes is to address community needs that have been raised by residents who live in the Crooked River Ranch Unincorporated Community. The proposed Comprehensive Plan Amendments are needed to support the changes in the Jefferson County Zoning Ordinance.
- Amendments:** The following shows the proposed amendments to Chapter 3, Section 317 of the Jefferson County Zoning Code and to the Citizen Involvement Chapter of the County Comprehensive Plan. The ~~striketrough~~ are deletions and the **underlined and bolded** are the additions.

Section 317 - Crooked River Ranch Commercial Zone (CRRC)

Purpose: The purpose of the Crooked River Ranch Commercial Zone is to permit the location or the continuation of certain limited service commercial and rural community support uses, which are developed in ways that are in harmony with the rural and rustic character and the unique environmental quality of this area.

A. Uses Permitted with Standards

The following uses permitted with standards are subject to review by the Crooked River Ranch Board of Directors.

1. **Temporary or seasonal businesses/services that reside within a non-permanent structure, mobile cart or trailer such as:**
 - a. **Food.**
 - b. **Beverages. (Coffee, Tea, Soda, including alcoholic beverages, etc.)**

2. All temporary or seasonal events such as:

- a. Rodeos.
- b. Art Galleries.
- c. Concerts in the park.
- d. Personal exempt wind energy facilities.

3. The Crooked River Ranch Board of Directors review process shall result in the following:

- a. An approval or denial within 45 days of receiving the application. If no action is taken within 45 days by the Crooked River Ranch Board of Directors, the request shall be deemed approved.
- b. If approved, all required County permits and approvals shall be obtained prior to commencement of the activity.
- c. If a denial is issued, the applicant may choose to apply for an Administrative Review under Section 903.4.

B. Uses Permitted Subject to Administrative Review.

The following uses and their accessory uses may be approved by the Planning Director under the Administrative Review procedures in Section 903.4 if found to comply with the Site Plan Review standards in Section 414 and other standards in this section:

- 1. Retail trade establishment.
- 2. ~~Business or professional office.~~ Buildings used for Personal, Business or Professional services.
- 3. ~~Public buildings, structures and uses.~~
- 4. Church, community center, school, day care facility and similar uses.
- 5. ~~Personal, financial and other service businesses.~~
- 6. ~~Commercial amusement establishments.~~
- 7. ~~Enclosed Storage.~~
- 8. ~~Restaurant or other food or beverage provider.~~
- 9. Recreational vehicle parks.

10. Utility and communication facilities. Approval of a wireless communication tower is also subject to the requirements of Section 427.
- ~~11. Bed and Breakfast Inn.~~
- ~~12. Assisted living facility.~~
13. On-site living quarters for the manager or caretaker of a business. Approval of the living quarters shall be in conjunction with a specific business on the parcel. If the type of business changes a new application for approval of the living quarters must be approved. The living quarters may not be occupied if the business is discontinued.
14. ~~Personal exempt~~ **Small** wind energy system subject to the notification requirements in section 431-3A of this ordinance.
- 15. Gas station.**

C. Conditional Uses

The following uses and their accessory uses may be approved by the Planning Commission following a public hearing in accordance with the procedures in Section 903.5 if found to comply with the conditional use criteria in Section 602, the Site Plan Review standards in Section 414, and other standards in this section:

1. Light industrial, warehousing or manufacturing business, provided the business will not generate excessive noise, dust or odors that are discernable from any adjoining property.

D. Uses not permitted:

1. Recycling sorting or processing facilities.
2. Commercial Bulk fuel loading and storage facilities. On-site fuel storage for vehicles and equipment used by a business on the property is permitted.

E. Siting Standards:

Uses listed in Subsection (A) and ~~(B)~~ of this section shall be approved in a CRRC Zone only after review for conformance with the following siting standards.

1. Commercial buildings require a written response from the Crooked River Ranch Board, after County review and prior to issuance of County Building Permits.

1. Limitations of soils shall be considered, including erosion, flooding and contamination of water, along with provisions to reduce adverse effects to minimal levels.
2. Evidence shall be submitted that a water supply system adequate for the proposed use is available.

3. Any outside storage of materials or supplies of the business shall be screened by fencing if visible from existing roadways.
 4. A building or buildings for a commercial use shall not exceed 4,000 square feet of building floor area unless an exception to statewide planning Goal 14 has been approved or the use is intended to serve the local community. A building or buildings for a warehousing, manufacturing, light industrial or storage use shall not exceed 40,000 square feet of building floor area unless an exception to statewide planning Goal 14 has been approved.
 5. Existing native vegetation should be preserved and protected on any site to the maximum extent possible, subject to standards for maintaining fire safety in Section 426 of the Jefferson County Code.
 6. Structures and uses shall comply with the riparian protection standards of Section 419, if applicable, including the requirement that buildings within one-half mile of a state scenic waterway or federal wild and scenic river be finished in natural wood or earth tone colors if the building will be visible from the river.
 7. Fences shall comply with the standards in Section 404 **and the Crooked River Ranch Architectural Review Committee.**
 8. ~~Outdoor lighting shall comply with the standards in Section 405.~~ **Parking shall be provided in accordance with Section 423 of the Jefferson County Code.**
 9. **A Traffic Plan showing ingress and egress shall be provided by the applicant.**
 10. **County Health Department review shall be obtained prior to final County approval.**
- F.** Minimum Lot Sizes: The minimum lot size for new lots shall be one (1) acre.
- G.** Setback Requirements: All commercial buildings or accessory structures shall be a minimum of ten (10) feet from any property line that abuts a residential zone, except when the abutting land is owned by the Crooked River Ranch Club and Maintenance Association.
- H.** Signs: All signs shall be constructed and placed in accordance with the requirements of Section 406 **and the standards specified by the Crooked River Ranch Architectural Review Committee.**

Jefferson County Comprehensive Plan
Goal 1 - Citizen Involvement
Page 8

Policy 2: Provide maximum opportunity for citizen participation in the land use permitting process.

2.3 The Board of Commissioners shall consider the appointment of Community Planning Advisory Committees representing the various geographic communities and interests to disseminate information on planning and development proposals to the local community and to provide input and recommendations on proposed land use activities in their areas of interest, if requested by such groups. Advisory Committees could represent Camp Sherman, Three Rivers Recreation Area, ~~(deleted) Crooked River Ranch~~, and agricultural interests. **(add) The Crooked River Ranch Association Board shall act as a Community Planning Advisory Committee, and shall review requests in the Crooked River Ranch Commercial (CRRRC) Zone as identified in the Jefferson County Zoning Ordinance (added).**

DEPT OF

LAND CONSERVATION
AND DEVELOPMENT

AFFIDAVIT OF MAILING

I, Tanya Cloutier being first duly sworn, hereby certify that an exact copy of the **DLCD Notice of Adoption** attached as Exhibit "A" was mailed at the Madras Post Office in Madras, OR on 5/24/13 enclosed in a sealed envelope, postage prepaid, addressed to the parties listed below.

Attn: Plan Amendment Specialist
Department of Land Conservation and Development
635 Capitol Street NE, Ste. 150
Salem, OR 97301-2540

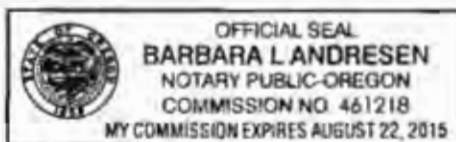
Tanya M. Cloutier
Tanya M. Cloutier
Senior Planning Technician
Jefferson County

STATE OF OREGON

COUNTY OF JEFFERSON

ss

Signed and sworn to (or affirmed) before me on May 24, 2013 (date) by
Tanya Cloutier (name(s) of person(s) making statement)



Barbara L. Andresen
Notary Signature

My commission expires: 8/22/2015

JEFFERSON COUNTY
COMMUNITY DEVELOPMENT DEPT.
85 SE "D" STREET
MADRAS OREGON 97741

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DEPT OF

MAY 28 2013

LAND CONSERVATION
AND DEVELOPMENT

Attn: Plan Amendment Specialist
Dept. of Land Conservation & Dev.
635 Capitol St. NE, Ste 150
Salem, OR 97301-2540

05/24/2013

041L11212088