

Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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October 22, 2009

TO: Land Conservation and Development Commission

FROM: DLCD Plan Amendment Specialist

SUBJECT: NOTICE OF DEPARTMENT PARTICIPATION IN PLAN AND LAND USE
REGULATION AMENDMENTS

The following proposed plan amendments were received by the Department of Land Conservation and Development between October 5, 2009 and October 14, 2009.

The department has completed a preliminary review of the proposed actions. The statements in bold indicate the department's intentions regarding participation in the plan amendment adoption process.

THE DEPARTMENT INTENDS TO REVIEW THE FOLLOWING 8 PROPOSED AMENDMENTS AND WILL ADVISE LOCAL JURISDICTIONS IF IT HAS ANY CONCERNS.

ASHLAND

Local File # : 2009-01292

DLCD File # : 004-09

Proposal Summary:

Amend the Ashland Land Use Ordinance to adopt a new Chapter 18.53 the Croman Mill District to establish new Comprehensive Plan land use designations and development standards including: Office Employment (CM-OE), Compatible Industrial (CM-CI); Neighborhood Center (CM-NC), and a Mixed Use (CM-MU). Amend the Comprehensive Plan Map from Industrial, Employment and Single Family Residential (SFR) to CM-OE, CM-CI; CM-NC, and CM-MU; and the Zoning Map from M-1, E-1, and R-1-5 to CM-OE, CM-CI; CM-NC, and CM-MU for 80 acres located on Mistletoe Road, the site is bounded by the Central Oregon and Pacific Railroad, Siskiyou Boulevard, Mistletoe Road, and Interstate I-5, to redevelop the Croman Mill site.

Locally Identified Affected Agencies:

Federal Aviation Administration, Jackson County

Proposal Received: October 8, 2009

First Evidentiary Hearing Date: November 24, 2009

Final Hearing Date: January 5, 2010

Local Contact: Brandon Goldman Phone No: 541-552-2076

Regional Representative: John Renz

DLCD Reviewer(s): John Renz Matthew Crall

BEAVERTON

Local File # : TA2009-0006

DLCD File # : 018-09

Proposal Summary:

Amend the City Development Code Chapter 40 Applications Sections 40.10 Adjustment; 40.20 Design Review; 40.95 Variance, to adjust existing language in thresholds and approval criteria; and Chapter 60 Special Requirements Section 60.05 Design Review Design Principles, Standards and Guidelines to adjust existing standards and guidelines. This proposal received with 44 days before the First Evidentiary and Final Hearings.

Locally Identified Affected Agencies:

None

Proposal Received: October 5, 2009

First Evidentiary Hearing Date: November 18, 2009

Final Hearing Date: November 18, 2009

Local Contact: Scott Whyte Phone No: 503-526-2652 Ext.0

Regional Representative: Meg Fernekees

DLCD Reviewer(s): Jennifer Donnelly

CLACKAMAS COUNTY

Local File # : Z0656-08-CP/Z0657-08-~~ZIACD~~ File # : 004-09

Proposal Summary:

Amend the Comprehensive Plan Map from Agriculture to Forest; and the Zoning Map from Exclusive Farm Use (EFU) to Timber District (TBR) on a 32.00 acre portion for a total of 139.09 acres located approximately one-quarter mile west of the intersection of Redland and Ridge Road. This property is split-zoned with 81.90 acres of EFU zone and 57.19 acres TBR zone.

Locally Identified Affected Agencies:

Oregon Department of Agriculture, Oregon Department of Forestry

Proposal Received: October 9, 2009

First Evidentiary Hearing Date: November 23, 2009

Final Hearing Date: January 27, 2010

Local Contact: Gary Hewitt Phone No: 503-742-4519

Regional Representative: Gary Fish

DLCD Reviewer(s): Katherine Daniels Gary Fish

COTTAGE GROVE

Local File # : DCTA 2-09

DLCD File # : 003-09

Proposal Summary:

Amend the scrivener errors in the Municipal Code Ordinance No. 2959 Section C to repeal Title 18 Zoning Code and adopted Title 14 Development Code. This would bring the City into compliance with 14.4.7.500-600 of the Municipal Code and is based upon the City Council determination, after a Planning Commission public hearing and recommendation.

Locally Identified Affected Agencies:

None

Proposal Received: October 7, 2009

First Evidentiary Hearing Date: December 16, 2009

Final Hearing Date: January 25, 2010

Local Contact: Amanda Ferguson Phone No: 541-942-3340

Regional Representative: Ed Moore

DLCD Reviewer(s): Ed Moore

CROOK COUNTY

Local File # : AM-09-0163

DLCD File # : 003-09

Proposal Summary:

Amend the Comprehensive Plan and Zoning Maps from Exclusive Farm Use (EFU-3), with a Destination Resort overlay, to R-10. No exceptions to statewide goals are proposed.

Locally Identified Affected Agencies:

Oregon Department of Agriculture

Proposal Received: October 9, 2009

First Evidentiary Hearing Date: December 9, 2009

Final Hearing Date: December 16, 2009

Local Contact: Bill Zelenka Phone No: 541-447-8156

Regional Representative: Jon Jinings

DLCD Reviewer(s): Jon Jinings Katherine Daniels

HILLSBORO

Local File # : ZC 7-09

DLCD File # : 007-09

Proposal Summary:

Amend the Zoning Map to add two new zoning districts, the Airport Use Zone (AU) to 189 Airport properties; and six Airport Safety and Compatibility Overlay zones (ASCO) to 5861 properties for approximately 3200.00 acres located within a 6,000' radius of the Hillsboro Airport, pursuant to Oregon Administrative Rules Chapter 660, Division 13. This proposal received with 26 days before the First Evidentiary Hearing and 40 days before the Final Hearing.

Locally Identified Affected Agencies:

Federal Aviation Administration, Oregon Department of Aviation, Washington County, Port of Portland

Proposal Received: October 9, 2009

First Evidentiary Hearing Date: November 4, 2009

Final Hearing Date: November 18, 2009

Local Contact: Debbie Raber Phone No: 503-681-6155

Regional Representative: Meg Fernekees

DLCD Reviewer(s): Jennifer Donnelly Gary Fish

LEBANON

Local File # : 09-10-52

DLCD File # : 003-09

Proposal Summary:

Amend Chapter 5 Population and Economy to incorporate the "Lebanon Economic Opportunities Analysis (2007)" document as an Appendix to provide background information and analysis to the plan document. In the event of an expansion of the Urban Growth Boundary (UGB) this will be updated as needed.

Locally Identified Affected Agencies:

Oregon Business Development Department

Proposal Received: October 5, 2009

First Evidentiary Hearing Date: November 18, 2009

Final Hearing Date: December 9, 2009

Local Contact: Walt Wendolowski Phone No: 541-258-4252

Regional Representative: Ed Moore

DLCD Reviewer(s):

MCMINNVILLE

Local File # : G-3-09

DLCD File # : 001-09

Proposal Summary:

Amend the Zoning Ordinance Chapter 17.72 Public Hearings in order to solely contain the application submittal, review and appeal processes within this chapter, and be renamed "Applications and Review Process." As a result, information related to the application submittal, review and appeal process in Chapters 17.53 Land Division Standards, Chapter 17.56 Large Format Commercial Development, and Chapter 17.59 Downtown Design Standards and Guidelines would be removed and replaced with language directing the reader to Chapter 17.72, Chapter 17.75 Administrative Provisions would be deleted in its entirety, sections of which are proposed to be incorporated into Chapter 17.72 and Chapter 17.03, Chapters 17.66 Conditional Uses and 17.69 Variances would be deleted in their entirety and a new Chapter 17.74 Review Criteria is proposed to address the review criteria for various applications; and revise Chapter 17.53 Land Division Standards to reflect a Director's review process for tentative subdivisions with up to ten lots.

Locally Identified Affected Agencies:

None

Proposal Received: October 5, 2009

First Evidentiary Hearing Date: November 19, 2009

Final Hearing Date: January 26, 2010

Local Contact: Jennifer Lynagh Phone No: 503-434-7311

Regional Representative: Steve Oulman

DLCD Reviewer(s): Steve Oulman

THE DEPARTMENT MAY YET DETERMINE ITS ROLE IN THE FOLLOWING 6 PROPOSED AMENDMENTS.

CURRY COUNTY

Local File # : CP-0902

DLCD File # : 005-09

Proposal Summary:

Amend Comprehensive Plan Section 8.7 - Recreational Needs and Zoning Ordinance to Section 4.080 - implement new regulations for development of Destination Resorts; and draft a map of potential eligible areas for the siting or destination resorts.

Locally Identified Affected Agencies:

Oregon Department of Transportation; Department Environmental Quality; Oregon Department of Fish Wildlife; Oregon Department of Forestry; Oregon Department of Water Resources; Oregon State Fire Marshall; Department of Geology and Mineral Industries; Oregon Department of Parks and Recreation; Oregon Department of Agriculture; the Cities of Brookings, Gold Beach, and Port Orford; Coos Curry Electric Co-Op; 1000 Friends of Oregon; and the Oregon Shores Conservation Coalition.

Proposal Received: October 8, 2009

First Evidentiary Hearing Date: December 3, 2009

Final Hearing Date:

Local Contact: David Pratt Phone No: 541-247-3228

Regional Representative: Dave Perry

DLCD Reviewer(s):

DOUGLAS COUNTY

Local File # : 09-062

DLCD File # : 003-09

Proposal Summary:

Amend the Comprehensive Plan Map from Farm Forest Transitional (FFT) to Commercial (CO); and the Zoning Map from Farm Forest (FF) to Rural Commercial (CRE) for the establishment of a RV Park on 10.28 acres located on the south side of Highway 99, just outside of the south east boundary of the Urban Unincorporated Community (UUA) of Dillard.

Locally Identified Affected Agencies:

Oregon Department of Transportation, Oregon Department of Fish and Wildlife, Oregon Department of State Lands, Douglas Fire Protective Association, Winston - Dillard Fire District, Winston - Dillard School District, Qwest, Pacific Power, Avista Utilities, Charter Communication

Proposal Received: October 5, 2009

First Evidentiary Hearing Date: November 19, 2009

Final Hearing Date: November 19, 2009

Local Contact: Jonathan Wright Phone No: 541-440-4289

Regional Representative: John Renz

DLCD Reviewer(s):

JOSEPHINE COUNTY Local File # : NONE

DLCD File # : 002-09

Proposal Summary:

Amend the Rural Land Development Code Article 69.1 Flood Hazard Overlay to add and delete text; add a new Section 69.155 Administration in Floodway Fringe Areas Without Mapped Floodways to adopt the new Flood Insurance Study (FIS) and the Digital Flood Insurance Rate Maps. The proposal was received with 35 days before the First Evidentiary Hearing and without notice of a Final Hearing date.

Locally Identified Affected Agencies:

Federal Emergency Management Agency

Proposal Received: October 5, 2009

First Evidentiary Hearing Date: November 9, 2009

Final Hearing Date:

Local Contact: Michael Snider Phone No: 541-474-5421 Ext.5424

Regional Representative: John Renz

DLCD Reviewer(s):

JOSEPHINE COUNTY Local File # : NONE

DLCD File # : 003-09

Proposal Summary:

Amend the Rural Development Code (1) Section 50.120 Modification of Conditions of Approval for tentative plans for land divisions to provide for quasi-judicial land use review procedures; and (2) Section 50.130 Time Limits and Extensions by clarifying language and adding the opportunity for an additional two year extension of tentative plan approvals; and (3) Section 56.030 Application Requirements for final plat approvals to conform to the changes made in Section 50.130; and (4) Section 41.030 Time Limit, Extension and Expiration of Permits to distinguish requirements for ministerial and quasi-judicial review procedures. This proposal was received with 32 days before the First Evidentiary Hearing and without notice of a Final Hearing date.

Locally Identified Affected Agencies:

None

Proposal Received: October 8, 2009

First Evidentiary Hearing Date: November 9, 2009

Final Hearing Date:

Local Contact: Michael Snider Phone No: 541-474-5421 Ext.5424

Regional Representative: John Renz

DLCD Reviewer(s):

KLAMATH COUNTY Local File # : LCUP/ZC 07-09 DIGITAL MAP File # : 008-09

Proposal Summary:

Adopt the GIS-based map series of (1) Class I Streams, (2) Comprehensive Plan Land Use Map, (3) Geothermal Overlay, (4) Aggregate Pits, (5) Fish Habitat, (6) Wildlife Hazards, (7) Mineral Resources, (8) Raptor Overlay and (9) USGS Soils. This proposal was received without text and maps. This proposal received with 42 days before the First Evidentiary and Final Hearing.

Locally Identified Affected Agencies:

None

Proposal Received: October 13, 2009

First Evidentiary Hearing Date: November 24, 2009

Final Hearing Date: November 24, 2009

Local Contact: Les Wilson Phone No: 541-883-5121 Ext.3079

Regional Representative: Jon Jinings

DLCD Reviewer(s):

NEWPORT Local File # : NONE DLCD File # : 013-09

Proposal Summary:

Locally Identified Affected Agencies:

United States Army Corp of Engineers, Oregon Department of State Lands

Proposal Received: October 14, 2009

First Evidentiary Hearing Date: December 14, 2009

Final Hearing Date: January 5, 2010

Local Contact: Derrick Tokos Phone No: 541-574-0626

Regional Representative: Matt Spangler

DLCD Reviewer(s):

cc: Regional Representatives