



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

### NOTICE OF ADOPTED AMENDMENT

March 15, 2006



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Winston Plan Amendment  
DLCD File Number 004-05

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: March 27, 2006**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.625 (1), 197.830 (2), and 197.830 (9) 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 ADOPTED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
John Renz, DLCD Regional Representative  
John Boyd, City of Winston

<paa> ya

FORM 2

DEPT OF

MAR 13 2006

LAND CONSERVATION AND DEVELOPMENT

**D L C D 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: City of Winston Local File No: 05-W021  
(if no number, use none)

Date of Adoption: March 6, 2006 Date Mailed: March 10, 2006

(Must be filled in)

(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: October 21, 2005

- Comprehensive Plan Text Amendment
- Comprehensive Plan Map Amendment
- Land Use Regulation Amendment
- Zoning Map Amendment
- New Land Use Regulation
- Other: Planned Development Overlay  
(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."  
Amend the Plan from Agriculture Open Space to Residential 7 DU/AC. Amend the Zoning from Agriculture Open Space to Residential Medium Density (RMD), Amend the zoning map to remove the Large Lot Overlay and add a Planned Development Overlay on a 177 ac +/- parcel.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice of the proposed amendment, write "N/A."  
The area requested for amendment was the same as the notice. The original notice was for a 150 acre site. The notice buffer area did not change. A math error was identified and corrected. The site was actually 177± acres.

Plan Map Changed From: Agriculture Open Space to Residential 7 DU/AC

Zone Map Changed From: Agriculture Open Space to Residential Medium Density

Location: Lookingglass Road (near intersection with Brockway Road) Acres Involved: 177±

Specify Density: Previous: 1 DU/ 50AC New: 7 DU/AC

Applicable Statewide Planning Goals: 1, 2, 3, 5, 7, 10, 11, 12 Already inside UGB

Was an Exception Adopted? Yes:  No:

=====  
DLCD File No: 004-05 (14257)

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 Government or Special Districts: ODOT, Umpqua Regional Council Of Governments, Umpqua Transit, Douglas County, City of Winston, Winston Dillard Water District, Winston Dillard Fire District, Winston Dillard School District,

Local Contact: John J. Boyd AICP Area Code + Phone Number: (541) 440-4289

Address: Room 106, Justice Building, Douglas County Courthouse

City: Roseburg, Oregon Zip Code + 4: 97470

---

---

### 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** of 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 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 "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 8½ x 11 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](mailto:Larry.French@state.or.us) - ATTENTION: PLAN AMENDMENT SPECIALIST.

**ORDINANCE NO. 613**

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP FROM AGRICULTURE OPEN SPACE TO RESIDENTIAL MEDIUM DENSITY AND ZONING MAP FROM AGRICULTURE OPEN SPACE TO RESIDENTIAL MEDIUM DENSITY, REMOVAL OF THE LARGE LOT OVERLAY ZONE AND ADDITION OF PLANNED DEVELOPMENT OVERLAY ZONE ON PROPERTY IDENTIFIED AS TAX LOT 200, 202, 203 IN SECTION 17, Part 404 in SECTION 20 IN TOWNSHIP 28S, RANGE 06W**

**Whereas**, the City of Winston Planning Commission held a public hearing on December 14 and 28, 2005 and January 11, 2006, to consider a request for a Comprehensive Plan map amendment and zone change for property owner Mark Buechley for property located north and east of the intersection of Brockway Road and Lookingglass Road.

**Whereas**, the Planning Commission forwarded a favorable recommendation to the City council to adopt the proposed Plan amendment, Zone change with Large Lot Overlay removal and addition of a Planned Development Overlay.

**NOW THEREFORE, THE CITY OF WINSTON ORDAINS AS FOLLOWS:**

**SECTION ONE: FINDINGS OF FACT**

A. A public hearing to amend the Comprehensive Plan and Zoning Map was held before the Planning Commission on December 14 & 28, 2005.

B. The Findings of Fact adopted by the Planning Commission on January 11, 2006, in support of their recommendation are attached as Exhibit "A" and by this reference made part of this ordinance.

**SECTION TWO: AMENDING COMPREHENSIVE PLAN AND ZONING MAPS**

The Comprehensive Plan Land Use Map and City Zoning Map are hereby amended to designate the following properties as (Plan) Residential Medium Density and (Zone) Residential Medium Density (RMD), Remove Large Lot Overlay (LLO) and add Planned Development Overlay:

Tax Lot 200, 202, 203 IN Section 17, Township 28S, Range 06W

Property ID No. R38977, R38993 and R39001

Part of Tax Lot 404 in Section 20, Township 28S, Range 06W

Property ID No. R122608

**SECTION THREE: EFFECT OF AMENDMENT**

Ordinance No. (s) 588 (Comprehensive Plan) and 590 (Zoning Ordinance) heretofore and herein amended, remain in full force and affect.

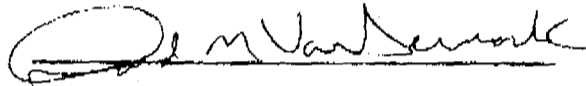
First reading before the City Council on the 21st day of February, 2006

PASSED BY THE COUNCIL THIS 6<sup>th</sup> day of March, 2006



Rex A. Stevens, Mayor

ATTEST:



David M. Van Dermark, City Administrator