



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

October 24, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Cottage Grove Plan Amendment
DLCD File Number 002-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: November 6, 2006

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Marguerite Nabeta, DLCD Regional Representative
Steven Santos, DLCD Economic Development Planning Specialist
Amanda Ferguson, City of Cottage Grove

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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)

DEPT OF

OCT 17 2006

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: City of Cottage Grove Local File No.: PA 1-06 (If no number, use none)

Date of Adoption: 08-28-06 (Must be filled in) Date Mailed: 10-16-06 (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 06-02-06

- Comprehensive Plan Text Amendment
Land Use Regulation Amendment
New Land Use Regulation
[X] Comprehensive Plan Map Amendment
Zoning Map Amendment
Other: (Please Specify Type of Action)

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

Redesignated 0.12 acre parcel from Industrial to Parks and Open Space.

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: I Industrial to P Parks and Open Space

Zone Map Changed from: to

Location: 415 South 10th Street Acres Involved: 0.12

Specify Density: Previous: N/A New: N/A

Applicable Statewide Planning Goals: 1, 2, 8, 14, 11

Was an Exception Adopted? Yes: No: X

DLCD File No.: 002-06 (15280)

RESOLUTION NO. 1605

A RESOLUTION AMENDING THE COTTAGE GROVE
COMPREHENSIVE PLAN LAND USE DIAGRAM MAP (PA 1-06)

WHEREAS, a Comprehensive Plan for Cottage Grove has been developed in accordance with State-wide Planning Goals and acknowledged by the Oregon Land Conservation and Development Commission; and,

WHEREAS, Bohemia Foundation (Bud Stewart) and the City of Cottage Grove have made an application to amend the said Development Plan; and,

WHEREAS, the City of Cottage Grove proposes to change the Land Use Designation of the land described as Map 20-03-33-21 Tax Lots 100 as shown in Exhibit "A" attached hereto and by reference made a part of this resolution from Industrial to P Parks & Open Space on the Land Use Diagram Map of the Comprehensive Plan; and

WHEREAS, the Department of Land Conservation and Development was given forty-five day notice prior to the first hearing on July 19, 2006 pursuant to Oregon Revised Statutes; and

WHEREAS, the Planning Commission has forwarded said amendment to the Plan to the City Council with a favorable recommendation after holding a public hearing on July 19, 2006; and,

WHEREAS, the City Council held a public hearing on the said amendment to the Plan on August 28, 2006; and


WHEREAS, the City Council finds the amended plan to adequately address the land use needs of the community and adopted findings attached as Exhibit "B";

NOW, THEREFORE, BE IT RESOLVED that the Comprehensive Plan for Cottage Grove is hereby amended to change the land use designation of the land described as the Map 20-03-33-21 Tax Lot 100, shown on Exhibit "A" attached hereto and by reference made a part hereof from I Industrial to P Parks and Open Space on the Land use Diagram Map of the Comprehensive Plan.

This resolution shall take effect immediately.

PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR THIS
28TH DAY OF AUGUST, 2006.

ATTEST:


Richard Meyers, City Manager
Date: Aug 29, 2006

APPROVED:

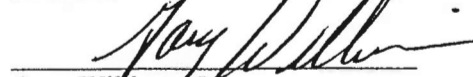

Gary Williams, Mayor
Date: August 28, 2006

EXHIBIT A

Resolution No. 1605
20-03-33-21, LOT 00200

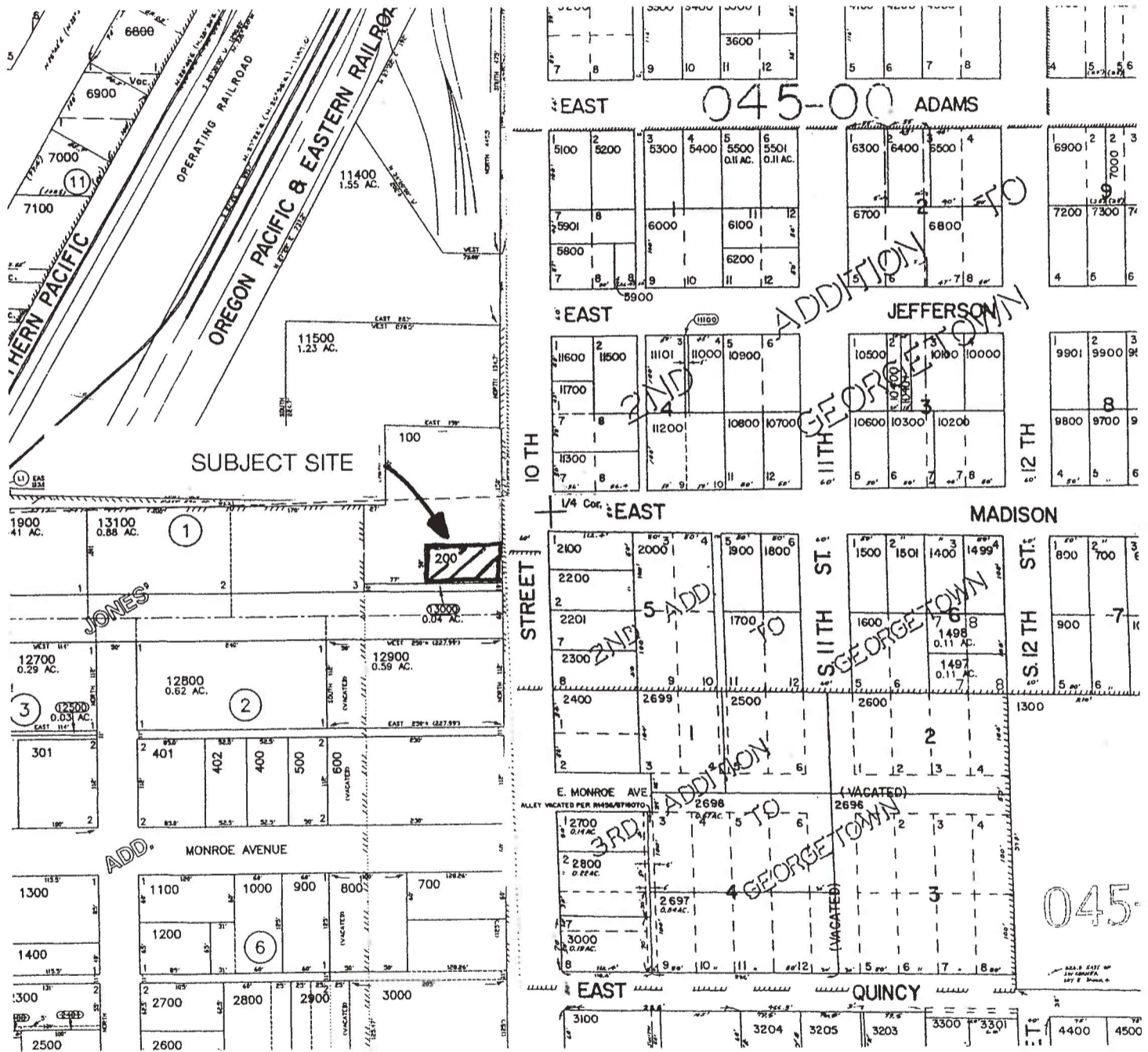


EXHIBIT B
RESOLUTION NO 1605

1. The City of Cottage Grove, together with the property owners have made an application to redesignate 14.36 acres of land on the east side of South 6th Street north of Cleveland Avenue from Low Density Residential to Medium Density Residential.
 2. If the land is redesigned to Medium Density Residential the maximum density is 10 units per acre.
 3. The City Comprehensive Plan, under "The Plan in General" states that it contains broad generalized patterns of land use for those areas in which a given land use is best suited, where a land use is compatible to surrounding land uses and where the need for a give land use exists.
 4. The City Comprehensive Plan also states that the plan is not complete. It is subject to revision to meet the many possible economic, political and technological events that might occur in the future... The plan must also remain flexible and responsive to the citizens in reflecting their desire and needs to remain current and reflect the changing form of the community.
 5. When the City Comprehensive Plan was originally established all residential land was designed as General Residential. Since that time under goal #12 for Community Development: Housing it states: For Medium Density Residential needs both plan amendments to Medium Density Residential. .. for large parcels will be relied upon to assure that sufficient land, in addition to that shown on the Land Use Diagram, is made available for multiple family residential uses.
 6. From the draft Available Land Inventory a need has been identified to provide additional Medium Density Residential land for the next 20 years of 51 acres.
 7. The redesignation of the land to Medium Density Residential will allow for providing needed residential units and flexibility in the area of both single family and multiple family dwellings.
 8. Adequate public facilities, such as water, sewer, streets, etc. are available to the site, the dwelling density is not to great, and location is convenient to community services and the activity is not disruptive to the normal functions of a residential neighborhood.
 9. The following Statewide Planning Goals are not applicable to the proposed redesignation: Goal 3-Agricultural Lands; Goal 4-Forest Lands; Goal 9-Economic Development; Goal 15-Willamette River Greenway; Goal 17-Coastal Shorelands; Goal 18-Beaches and Dunes; and Goal 19-Ocean Resources.
 10. The following Statewide Planning Goals are applicable and the amendment complies with them as noted:
 - Goal 1-Citizen Involvement: Public hearing have been held at the Planning Commission and City Council level to consider this redesignation. Our process involves various forms of notification of the public in the immediate area, through media and other governmental agencies.
 - Goal 2-Land Use Planning: The city has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The proposed change is compatible.
 - Goal 5-Open Spaces, Scenic and Historic Areas and Natural Resources: At the time of development these elements are reviewed. This plan amendment will not impact these factors.
 - Goal 6-Air, Water and Land Resources Quality: Development of these properties over time will have to comply with city, state and federal standards to protect air and water quality. No identified natural resources are being degraded by this redesignation and the land has the capacity to accommodate the future development.
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Goal 7-Areas Subject to Natural Disasters and Hazards: Steps will be taken to protect life and property from natural disasters and hazards during development. There is no identified hazard on the properties involved.

Goal 8-Recreational Needs: Recreational opportunities are looked at during development and planning for the area. An update of the parks plan is underway. The redesignation of the land classification will not impact recreational needs of the city.

Goal 10-Housing: This proposed amendment will provide for the housing needs of the city and provide for an opportunity of various types.

Goal 11-Public Facilities & Services: The redesignation of the property from low to medium density residential classification will still provide for the timely, orderly and efficient arrangement of public facilities and services for urban development. The services are sized in the area to handle the increase in density.

Goal 12 –Transportation: The development of the road pattern with the extension of 8th Street to Cleveland, improvement to Cleveland, and the development of Gateway Blvd. are all in compliance with our Transportation System Plan. These improvements as development occurs will provide and encourage a safe, convenient and economic transportation system.

Goal 13- Energy Conservation: The higher density with this redesignation will allow the opportunity to maximize the conservation of energy.

Goal 14 – Urbanization: The area is already in Cottage Grove's urban growth boundary and is designated for residential use. The increase in density with this application will provide for the orderly and efficient transition from rural to urban land use.

11. Comments on the proposed redesignation were received from City of Cottage Grove Fire Marshal Andy McClean, and Lane County Transportation, Lane County. These are part of the record.
 12. The property owners of the land involved in the Plan Amendment are all in favor of the redesignation.
 13. The proposed change from Low Density Residential to Medium Density Residential is in the public's interest; is in keeping with the development pattern in this area of the city; is in keeping with the intent of the City Comprehensive Plan; and serves the public's health, safety and welfare.
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