



# 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

May 23, 2006



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Lake Oswego Plan Amendment  
DLCD File Number 001-06

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: June 8, 2006**

This amendment was submitted to DLCD for review 45 days 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 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.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Meg Fernekees, DLCD Regional Representative  
Mark Darienzo, DLCD Flood Map Modernization Program Coordinator  
Paige Goganian, City of Lake Oswego

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MAY 19 2006

LAND CONSERVATION AND DEVELOPMENT

NOTICE OF ADOPTION
Must be filed within 5 Working Days
See OAR 660-18-040

Jurisdiction City of Lake Oswego Local File No. LU 06-0014
Date Mailed 5/18/2006 Date of Approval 5/16/2006
Date Proposal was Provided to DLCD 2/3/06

Type of Adopted Action (Check all that apply)

- Comprehensive Land Use New Land Use
Plan Amendment Regulation Amendment Regulation

Please complete (A) for text amendments and (B) for map amendments

A. Summary of Adopted Action (A brief description is adequate. Please avoid highly technical terms and zone code abbreviations. Please do not write "see attached"):

The City Council accepted a recommendation of approval from the Planning Commission for an amendment to the Comprehensive Plan Map and to apply the Resource Protection Overlay District to a Class II Stream Corridor (RP II) located on one parcel located at 18008 Green Bluff Drive (21E15DA02000).

Describe how the Adopted Amendment Differs from the Proposal (If it is the same, write "Same". If it was not proposed, write "N/A".):

This was combined with an annexation ordinance and adopted as Ordinance 2452.

B. If the Action Amends the Plan or Zone Map, Provide the Following Information for Each Area Which was Changed (Provide a separate sheet for each area. Multiple sheets can be submitted as a single adoption action. Please include street address whenever possible. Do not use tax lot number alone.):

Previous Plan Designation: New Plan Designation:
No sensitive lands designation Resource protection designation
Previous Zone: New Zone:
No sensitive lands designation Resource protection designation
Location: 18008 Green Bluff Drive
Acreage involved: 1.43

Does this change include a Goal exception? Yes No

For Residential Changes, Please Indicate the Change in Allowed Density in Units Per Net Acre

Previous Density New Density
N/A N/A

DLCA # 001-06 (15034)

If Notice of Proposal was not sent to DLCD 45 Days Prior to the Final Hearing Please Indicate Why:

- Statewide Planning Goals are Inapplicable
Emergency Circumstances Required Expedited Review

**List Statewide Goals Which May Apply:**

Goal 5

**List any State or Federal Agencies, Local Government or Local Special Service Districts Which May be Interested in or Impacted by the Adoption:**

N/A

**Direct Questions and Comments to:**

Paige Goganian, Associate Planner  
City of Lake Oswego  
P. O. Box 369  
Lake Oswego, OR 97034  
(Phone) (503) 503-675-3737

**Send To:** Department of Land Conservation and Development  
635 Capitol St. NE, Suite 150  
Salem, OR 97301-2540

**Attach one (1) copy of the Adopted Action to this form and/or three (3) copies of Bound Materials and Maps larger than 8-1/2 by 11 inches.**

**Note:** If more copies of this form are needed, please contact the DLCD office at 503-373-0050, or this form may be duplicated on green paper. Failure to provide notice of an adopted plan or land use regulation amendment results in an extension of the appeal period. Appeals may be filed within 21 days of the date the proposal is mailed to DLCD. Statutes require mailing within 5 days of the action becoming final (See OAR 660-18-040).

**\*\*\*FOR DLCD OFFICE USE\*\*\***

**DLCD File Number** \_\_\_\_\_

**ORDINANCE NO. 2452**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE OSWEGO AMENDING THE LAKE OSWEGO COMPREHENSIVE PLAN MAP AND THE SENSITIVE LANDS ATLAS TO APPLY THE RESOURCE PROTECTION OVERLAY DISTRICT TO APPROXIMATELY 0.2 ACRES OF CLASS II STREAM CORRIDOR (RP-II) LOCATED ON THE PROPERTY LOCATED AT 18008 GREEN BLUFF DRIVE (21E15DA TAX LOT 2000). (LU 06-0014)**

WHEREAS, an application for annexation to the City of Lake Oswego of the territory described below was received; and

WHEREAS, the City initiated amendments to the Lake Oswego Comprehensive Plan Map and the Sensitive Lands Atlas to designate approximately 0.2 acres of Resource Protection Overlay District for a Class II Stream Corridor (RP-II) on said property to be applied upon annexation into the City as shown in the map in Attachment "A"; and

WHEREAS, the City has followed the requirements of LOC 50.16.020 and Statewide Planning Goal 5 in completing an ESEE Analysis to determine whether a RP-II Overlay District should be imposed; and

WHEREAS, notice of public hearing for consideration of this Ordinance was duly conducted in the manner required by law, including notice to affected property owners pursuant to Measure 56; and

WHEREAS, a public hearing was held before the Lake Oswego Planning Commission on the 10<sup>th</sup> of April, 2006 at which the staff report, testimony and evidence was duly received and considered, and at which public hearing it was announced that a public hearing before the City Council of the City of Lake Oswego would be held; and

WHEREAS, the Planning Commission did deliberate, adopt findings of fact and conclusions, and make the following recommendations to the City Council of the City of Lake Oswego:

The Planning Commission recommends that LU 06-0014 be approved by the City Council; and

WHEREAS notice of a public hearing for consideration of this Ordinance was duly given in the manner required by law; and

WHEREAS, a public hearing was held before the City Council of the City of Lake Oswego on the 16<sup>th</sup> of May, 2006 at which the staff report, testimony and evidence was duly received and considered;

The City of Lake Oswego ordains as follows:

**Section 1.** For its Findings and Conclusions on this matter, the City Council hereby incorporates the Planning Commission's Findings, Conclusions and Order and Staff Report together with all exhibits in LU 06-0014.

**Section 2.** The Lake Oswego Comprehensive Plan Map and the Sensitive Lands Atlas are hereby amended to designate approximately 0.2 acres of Resource Protection Overlay District for a Class II Stream Corridor (RP-II) on the property located at 18008 Green Bluff Drive (21E15DA tax lot 2000) as shown in the map in Attachment "A" to be applied upon annexation into the City.

<u>Legal</u> <u>Description</u>	<u>Location</u>	<u>Resource</u> <u>No.</u>	<u>Proposed</u> <u>Overlay Zone</u>
21E15DA tax lot 2000	18008 Green Bluff Drive	Not Applicable	RP II


Read by title and enacted at the regular meeting of the City Council of the city of Lake Oswego held on the 16th day of May, 2006.

AYES: Mayor Hammerstad, Graham, Groznik, Hoffman, McPeak, Peterson

NOES: None

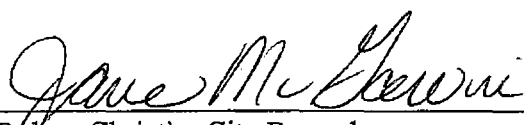
ABSTAIN: None

EXCUSED: Turchi

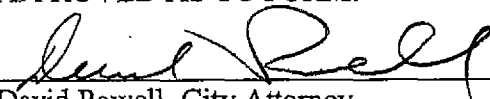
  
\_\_\_\_\_  
Judie Hammerstad, Mayor

Dated: May 17, 2006

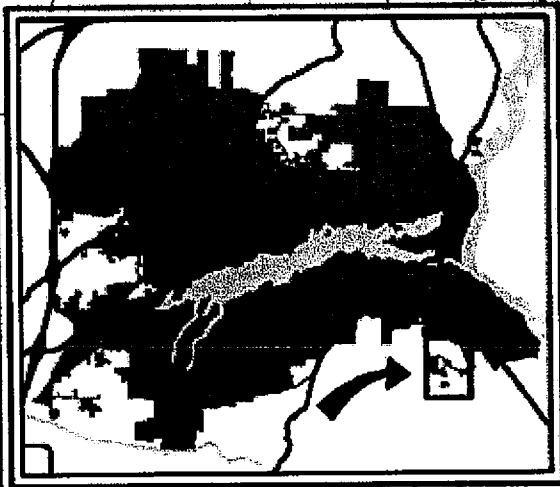
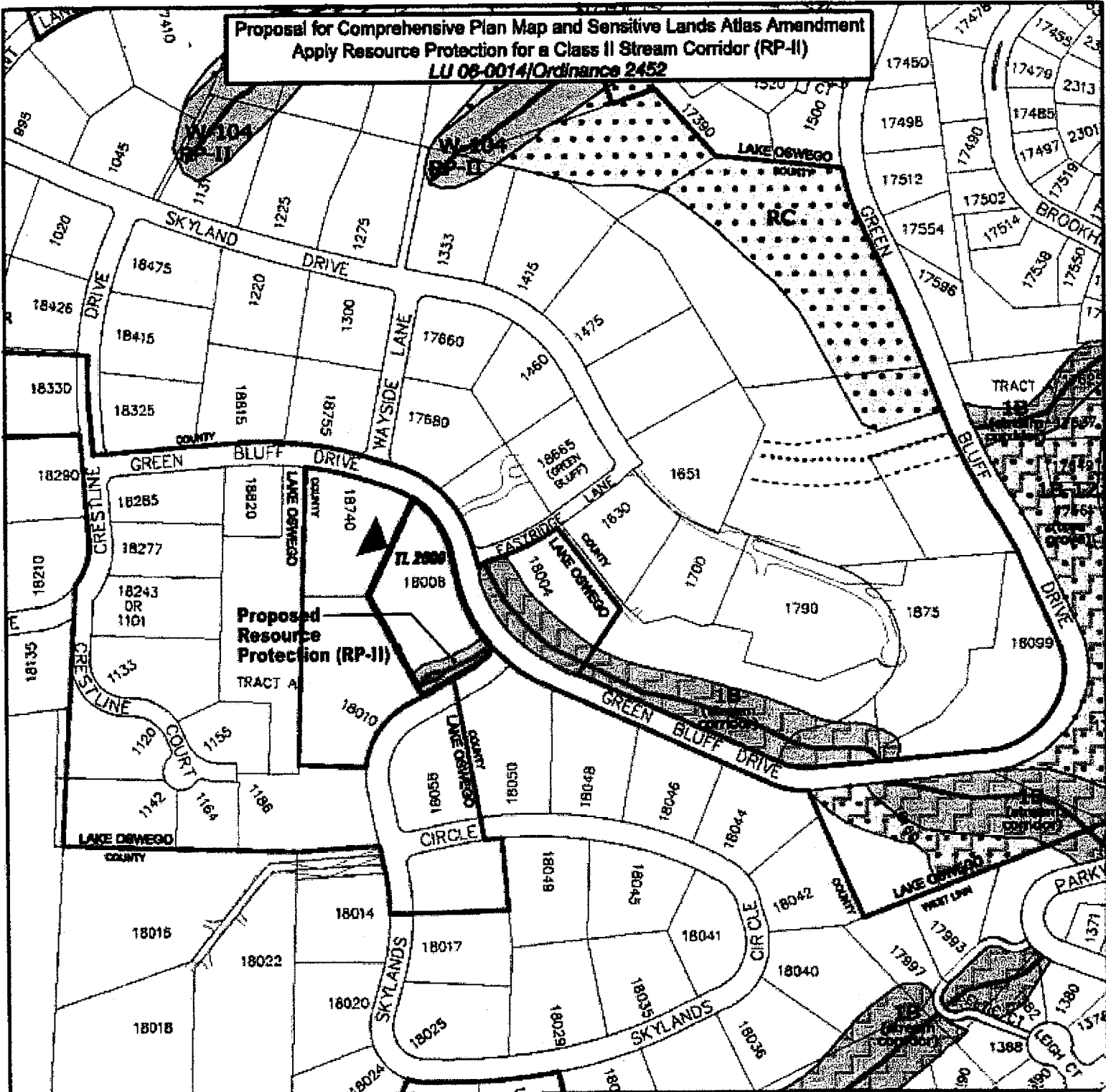
ATTEST:

  
\_\_\_\_\_  
~~Rebyn Christie, City Recorder~~  
Jane McGarvin, Deputy City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
David Powell, City Attorney

**Proposal for Comprehensive Plan Map and Sensitive Lands Atlas Amendment  
Apply Resource Protection for a Class II Stream Corridor (RP-II)  
LU 08-0014/Ordinance 2452**



Address/ Tax Lot #	Lot Acreage	RP Acreage
18008 Green Bluff Dr 21E15DA TL 2000	1.4 Acres	0.2 Acres

	Stream Corridor (RP)	<b>ATTACHMENT A</b>
	Tree Grove (RC)	
	1B Resource	
	Subject Properties	
	Lake Oswego City Limits	

0 100 200 400 800 800 1000 FEET

A/R/G/S Services/City of Lake Oswego



## CITY OF LAKE OSWEGO NOTICE OF COUNCIL DECISION

**File Number:** LU 06-0014  
**Applicant:** City of Lake Oswego  
**Location of Property:** 18008 Green Bluff Drive (21E15DA02000)  
**Date of Decision:** May 16, 2006

**Description of Decision:**

The City Council accepted a recommendation of approval from the Planning Commission for an amendment to the Sensitive Lands Overlay District on the Comprehensive Plan Map and Zoning Map to include the delineated Resource Protection (RP) Overlay District on one parcel.

This decision will become final unless appealed as described below under "Right to Appeal"

**How to Obtain More Information:** The decision is available for review. A copy may be obtained at the following address:

Lake Oswego City Recorder's Office (503) 675-3984  
Lake Oswego City Hall  
380 A Avenue, Third Floor  
P. O. Box 369  
Lake Oswego, OR 97034

**Right to Appeal:** This decision may be appealed by filing a written Notice of Intent to Appeal with the State of Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of the decision of May 16, 2006. For more information, contact LUBA at:

Land Use Board of Appeals (503) 373-1265  
550 Capitol Street NE, Suite 235  
Salem, OR 97301-2552