



# 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/Costal Fax: (503) 378-6033

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

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

### NOTICE OF ADOPTED AMENDMENT

August 1, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Silverton Plan Amendment  
DLCD File Number 003-06



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. This amendment was submitted without a signed ordinance.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: August 17, 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.**

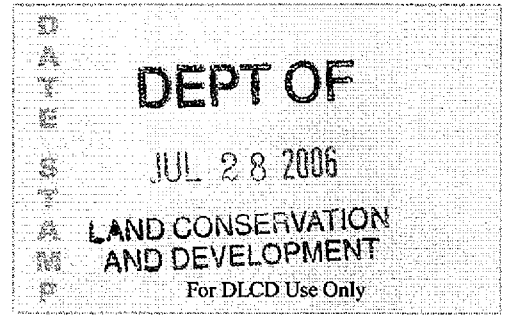
Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Matthew Crall, DLCD Transportation Planner  
Jason Locke, DLCD Regional Representative  
Linda Sarnoff, City of Silverton

<paa> ya/



# 2 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



Jurisdiction: City of Silverton Local file number: ZC-06-02

Date of Adoption: 7/10/2006 Date Mailed: 7/11/2006

Date original Notice of Proposed Amendment was mailed to DLCD: 4/28/2006

- |  |   |
|--|---|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment     | <input checked="" type="checkbox"/> Zoning Map Amendment  |
| <input type="checkbox"/> New Land Use Regulation           | <input type="checkbox"/> Other: _____                     |

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

**zone change from RL (multi-family low density) to RM (multi-family medium density)**

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: \_\_\_\_\_ to: \_\_\_\_\_

Zone Map Changed from: RL to: RM

Location: East terminus of Silver and Brook St Acres Involved: 1.3

Specify Density: Previous: \_\_\_\_\_ New: \_\_\_\_\_

Applicable Statewide Planning Goals: n/a

Was an Exception Adopted?  YES  NO

DLCD File No.: 003-06(15130)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

**Forty-five (45) 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

Affected State or Federal Agencies, Local Governments or Special Districts:

**Silverton Fire District**

Local Contact: **Linda Sarnoff** Phone: **(503) 874-2207** Extension: \_\_\_\_\_

Address: **306 S. Water Street** City: **Silverton, Oregon**

Zip Code + 4: **97381-** Email Address: \_\_\_\_\_

## 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** 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 not 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 the 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 8-1/2x11 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 **maru.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

**City of Silverton**  
 306 South Water Street  
 Silverton, OR 97381  
 (503) 874-2207  
[planner@silverton.or.us](mailto:planner@silverton.or.us)



*NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS CHAPTER 225 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.*

## NOTICE OF DECISION

**Date of Notice:** July 11, 2006 **Effective Date:** August 2, 2006  
**Hearing Body:** City Council **File Nos.:** ZC-06-02

**Type of Application:** Zone Change from R-L [Multi-Family Residential – Low Density (5 to 10 units per acre)] to R-M [Multi-Family Residential – Medium Density (10 to 20 units per acre)].

**Applicants:** Kristine Walter dba Willamette Design; P.O. Box 1391; Silverton, OR 97381. Filed by: Geoffrey C. James dba Oregon Permit Services; 4676 Commercial Street South, Suite 8; Salem, OR 97302. Berry A. Baker dba Baker Design and Engineering; 6062 Kasa Lane SE; Aumsville, Or 97325.

**Location and County Assessor's Map & Tax Lot Number:** East Terminus of Silver and Brook Streets (addresses to be assigned), (Marion County Assessor's Map 6-1W-34AD, Tax Lot 03800).

On **July 10, 2006**, the Silverton City Council *approved* the Zone Change from R-L (Multi-Family Residential – Low Density) to R-M (Multi-Family Residential – Medium Density). Because you testified either orally or in writing during the public hearing process we are required by law to notify you of this decision.

Copies of the adopted Ordinance containing the Findings of Fact are available in the Community Development Department, Silverton City Hall, 306 South Water Street and can be reviewed between the hours of 8:00 a.m. and 5:00 p.m.

An appeal of the City's decision regarding the Zone Change and Design Review may be filed with the Land Use Board of Appeals (LUBA) within twenty-one (21) days of the date of this notice (5:00 p.m., August 1, 2006). The applicant or any other person or agency who testified either orally or in writing may file an appeal in accordance with ORS 197.830 and 197.845. If you have any questions about this application or the decision, or need additional information, please call Linda Sarnoff or Candace Ribera at (503) 874-2212 or visit the Planning Department at the above address.

**Routing (For Department Use Only)**

Applicant(s):	<u>1</u>	Silverton Fire District:	<u>1</u>
Applicant's Representative(s)	<u>2</u>	Police Department:	<u>1</u>
Persons Providing Testimony:	<u>0</u>	Assistant Planner/Code Enforcement:	<u>1</u>
Building Department:	<u>1</u>	Marion County Assessor	<u>1</u>
Finance Department:	<u>1</u>	DLCD	<u>1</u>
Public Works Engineering:	<u>1</u>	File No. ZC-06-02	<u>1</u>

# SUBJECT PROPERTY

Beginning on the Northerly line of the Southern Pacific Railroad right-of-way at a point which is 332.20 feet North 0° 12' West and 341.20 feet North 89° 48' East, and 195.10 feet South 0° 12' East from the Southwest corner of the James Brown Donation Land Claim in Silverton, Marion County, Oregon; thence North 0° 12' West 235.10 feet to a point on the South line of Block 1, Browns Addition "B"; thence South 89° 48' West 201.20 feet to the Southwest corner of Lot 5 of said Block 1; thence South 0° 12' East 40.00 feet; thence South 89° 48' West 110.00 feet to a point on the East line of James Street; thence South 12' East along the East line of said Street, 216.00 feet to the Southwest corner of said Block 2 in said Addition; thence North 89° 48' East along the South line of said Block 2, a distance of 110 feet; thence South 0° 12' East 40.00 feet to a point on the North line of Block 3 of said Addition; thence North 89° 48' East, along the north line of said Block 2, a distance of 96.70 feet to a point on the Northerly line of said Railroad right of way; thence Northeasterly 116.00 feet, more or less to the place of beginning.

SAVE AND EXCEPT: Lots 1, 2, 3, and 4 of Block 2, Brown Addition "B". Marion County, Oregon.

