



# Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



## NOTICE OF ADOPTED AMENDMENT

06/23/2009

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Donald Plan Amendment  
DLCD File Number 001-09

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: Tuesday, July 07, 2009

This amendment was submitted to DLCD for review 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: John Morgan, City of Donald  
Gloria Gardiner, DLCD Urban Planning Specialist  
Steve Oulman, DLCD Regional Representative  
Thomas Hogue, DLCD Regional Representative  
Angela Lazarean, DLCD Urban Planner

<paa> YA

# 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

In person  electronic  mailed

DEPT OF

JUN 16 2009

LAND CONSERVATION  
AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: **City of Donald**

Local file number: **07/19/09**

Date of Adoption: **06/09/09**

Date Mailed: **06/16/09**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes Date: 05/01/09

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".  
Adoption of Employment Industrial Zone

Does the Adoption differ from proposal? Please select one

Further clarification on relationships of commercial elements to primary industrial use

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

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

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

None

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Local Contact: **John Morgan**

Phone: **(503) 304-9401** Extension:

Address: 10790 Main Street NE

Fax Number: **503-304-9401**

City: **Donald**

Zip: **9702**

E-mail Address: **john@morgancps.com**

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## **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 Complete Copies** (documents and maps) 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. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, or by emailing **[larry.french@state.or.us](mailto:larry.french@state.or.us)**.
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 now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also 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**.

Updated March 17, 2009

## ORDINANCE No. 139-09

### **AN ORDINANCE AMENDING THE TEXT OF THE CITY OF DONALD DEVELOPMENT CODE ORDINANCE BY ADDING A NEW EMPLOYMENT INDUSTRIAL ZONE WITH ASSOCIATED AMENDMENTS, AND AMENDING THE TEXT OF THE CITY OF DONALD COMPREHENSIVE PLAN BY ADDING AN INDUSTRIAL LANDS POLICY**

WHEREAS, on May 12, 2009, at a duly noticed public hearing the City Council voted unanimously to initiate an amendment to the text of the Donald Development Ordinance to create a new Employment Industrial zone and an amendment to the text of the Donald Comprehensive Plan's Industrial Lands Policy (Planning File – Case No. 09-1); and

WHEREAS, on May 19, 2009 the Planning Commission conducted a duly noticed public hearing regarding Planning File – Case No. 09-1, an application by the City of Donald regarding an amendment to the text of the Donald Development Ordinance and an amendment to the text of the Donald Comprehensive Plan, at which time the public was given a full opportunity to be present and heard on the matter. At that hearing the Planning Commission considered the information provided by City staff and the public, and, upon deliberation voted unanimously to recommend that the City Council approve the Donald Development Ordinance and Comprehensive Plan text amendments; and

WHEREAS, on June 9, 2009 the City Council conducted a duly noticed public hearing regarding Planning File – Case No. 09-1, and application by the City of Donald regarding an amendment to the text of the Donald Development Ordinance and an amendment to the text of the Donald Comprehensive Plan, at which time the public was given a full opportunity to be present and heard on the matter. At that hearing the City Council considered the information provided by City staff, the Planning Commission's recommendation and the public, and, upon deliberation voted unanimously to approve the Donald Development Ordinance and Comprehensive Plan text amendments.

### **NOW, THEREFORE, THE CITY OF DONALD ORDAINS AS FOLLOWS:**

**Section 1** The City Council of the City of Donald does hereby amend the text of the City of Donald Development Ordinance to include the Employment Industrial Zone as presented in the attached Exhibit B and by making amendments the other provisions of the Ordinance to appropriately incorporate and reference the new zone as presented in the attached Exhibit B.

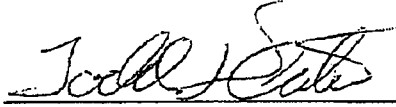
**Section 2** The City Council of the City of Donald does hereby amend the text of the City of Donald Comprehensive Plan to add an Industrial Lands Policy as presented in the attached Exhibit B.

**Section 3** The City Council of the City of Donald does hereby adopt those certain findings of fact and conclusions of law, and supporting documentation attached hereto as Exhibits A and C, and by this reference made part hereof.

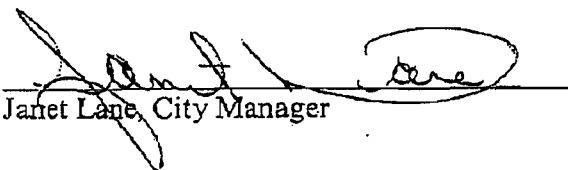
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PASSED and adopted by the City Council of the City of Donald on this 9<sup>th</sup> day of June 2009 by a vote of 6 ayes and 0 nays.

Approved by the Mayor on this 9<sup>th</sup> day of June 2009.

Date June 9, 2009 By   
Todd Deaton, Mayor

Attest:

Date June 9, 2009 By   
Janet Lane, City Manager

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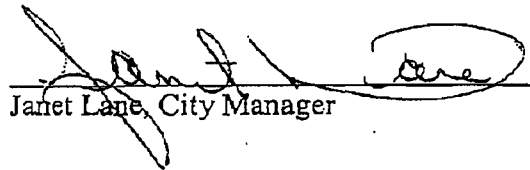
By

  
\_\_\_\_\_  
Todd Deaton, Mayor

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Date June 9, 2009

By

  
\_\_\_\_\_  
Janet Lane, City Manager