



# Oregon

Theodore R. Kulongoski, 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](http://www.lcd.state.or.us)

## AMENDED NOTICE OF ADOPTED AMENDMENT

October 16, 2007

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 012-07



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: November 2, 2007**

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  
Marguerite Nabeta, DLCD Regional Representative  
Amanda Ferguson, City of Cottage Grove

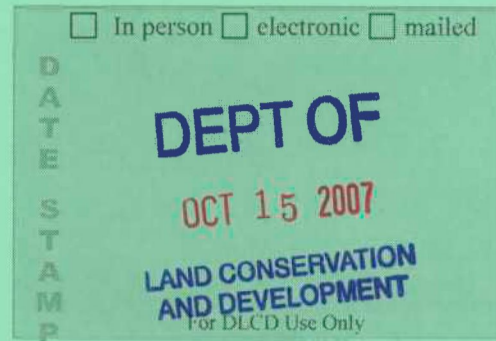
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FORM 2

# 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



Jurisdiction: **City of Cottage Grove**

Local file number: **PA 4-07**

Date of Adoption: **10/8/2007**

Date Mailed: **10/12/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 3/21/2007

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".

Housekeeping amendments to text of Housing & Economic Development Sections and adoption of amended Land Use Diagram to change title of Residential Professional Designation to Residential Commercial and Planned Unit Development to Master Planned Development. Also change map designation of 2 parcels from Neighborhood Commercial to Residential Commercial.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **Neighborhood Comm.**

to: **Residential Commercial**

Zone Map Changed from:

to:

Location: **1238 S 6<sup>th</sup> St. and 633 N 9<sup>th</sup> St.**

Acres Involved: **.35**

Specify Density: Previous: **0**

New: **0**

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 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"/>

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

**DLCD # 012-07 (15980)**

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**DLCD file No.** \_\_\_\_\_

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

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Local Contact: **Amanda Ferguson**

Phone: (541) 942-3340 Extension: 124

Address: **400 Main Street**

Fax Number: **541-942-1267**

City: **Cottage Grove**

Zip: **97424-**

E-mail Address: **planner@cottagegrove.org**

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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, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@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 **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

RESOLUTION NO. 1641

A RESOLUTION AMENDING THE COTTAGE GROVE  
COMPREHENSIVE LAND USE PLAN TEXT UNDER HOUSING & ECONOMIC  
DEVELOPMENT AND LAND USE DIAGRAM SECTIONS (PA-4-07)

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, the City of Cottage Grove has made an application to amend the said Comprehensive Land Use Plan as it relates to Residential Professional, Planned Unit Developments, and Combining Districts; and,

WHEREAS, the City of Cottage Grove proposes to amend the language to the Comprehensive Land Use Plan under Housing as it relates to Planned Unit Developments, to rename these as Master Planned Developments; and

WHEREAS, the City of Cottage Grove proposes to amend the language to the Comprehensive Land Use Plan under Economic Development as it relates to Residential Professional designation, to rename this designation as Residential Commercial; and

WHEREAS, the City of Cottage Grove proposes to amend the Land Use Diagram and Land Use Diagram Map of the Plan by renaming the Residential Professional District as Residential Commercial, moving Mobile Home Park from a Combining District to an implementing district of the Medium Density Land Use Designation, deleting the Neighborhood Commercial Combining District, and adding the Airport Overlay and Willamette River Greenway Overlay Districts; and

WHEREAS, the City of Cottage Grove proposes to amend the Land Use Diagram Map to redesignate all properties designated Neighborhood Commercial as Residential Commercial; and

WHEREAS, the Department of Land Conservation and Development was given forty-five day notice prior to the first hearing on March 21, 2007 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 May 16, 2007; and,

WHEREAS, the City Council held a public hearing on the said amendment to the Plan on October 8, 2007; and

WHEREAS, the City Council finds the amended plan to adequately address the land use needs of the community, as detailed in the Findings attached as Exhibit B;

NOW, THEREFORE, BE IT RESOLVED that the Comprehensive Land Use Plan for Cottage Grove is hereby amended:

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- a) By amending the recommendations under Housing Section on pages 12-13 of the said Plan to read as follows:
- (5) The City shall maintain regulations to provide for and encourage “~~Planned Unit Development Master Planned Developments~~” with related green strips and open spaces within subdivisions and multiple developments.
  - (12) The GENERAL RESIDENTIAL plan land use category will provide for the majority of future residential needs. For MEDIUM DENSITY RESIDENTIAL needs both plan amendments to MEDIUM DENSITY RESIDENTIAL or the ~~Planned Unit Master Planned Development~~ process 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.
- b) By amending the objectives under Economic Development Section on page 16 of the said Plan to read as follows:
- (4) Encourage residential ~~professional~~ **commercial** zoning as a buffer between commercial and residential areas and in transition zones.
- c) By amending the objectives under Economic Development Section on page 16 of the said Plan to read as follows:
- (3) Rezone existing commercial areas not designated in the Plan for long term commercial use to ~~neighborhood commercial or residential professional commercial~~ **commercial** when they meet the provisions of ~~these~~ that districts.
  - (5) Residential ~~Professional Commercial~~ zoning may be used anywhere in the City when it is consistent with the purpose of the District, however, it is required when changing the zone in an area designated Residential ~~Professional Commercial~~ on the Plan Diagram.
  - (8) Neighborhood shopping areas should be allowed in residential zones, provided the need for such development can be shown, and that such development will not detract from the character of the neighborhood. Permitted uses shall be as provided in the ~~Neighborhood Residential Commercial District Zone~~ **Commercial District Zone** of the City of Cottage Grove.
- d) By amending the Land Use Diagram on page 55 of the Plan by deleting the strikethrough text and adding the bold text under Land Use Category and Zoning District as follows:

<u>LAND USE CATEGORY</u>	<u>ZONING DISTRICT</u>
LOW DENSITY RESIDENTIAL	<del>SUBURBAN RESIDENTIAL (RS)</del> SINGLE FAMILY RESTRICTED (R) SINGLE FAMILY RESIDENTIAL (R-1)
MEDIUM DENSITY RESIDENTIAL	MULTIFAMILY RESIDENTIAL (R-2) <del>RESIDENTIAL PROFESSIONAL (RP-1)</del>

	<b>RESIDENTIAL COMMERCIAL (RC)</b> <b>MOBILE HOME PARK (MHP)</b>
HIGH DENSITY RESIDENTIAL	MULTIFAMILY RESIDENTIAL (R-3) <del>RESIDENTIAL PROFESSIONAL (RP-2)</del> <b>RESIDENTIAL COMMERCIAL (RC)</b>
CENTRAL BUSINESS DISTRICT	CENTRAL BUSINESS DISTRICT (C-2)
COMMUNITY COMMERCIAL	COMMUNITY COMMERCIAL (C-2P) <b>RESIDENTIAL COMMERCIAL (RC)</b>
COMMERCIAL TOURIST	COMMERCIAL TOURIST (CT) LIMITED COMMERCIAL TOURIST (CT/L)
<b>RESIDENTIAL COMMERCIAL</b>	<b>RESIDENTIAL COMMERCIAL (RC)</b>
INDUSTRIAL	LIGHT INDUSTRIAL DISTRICT (M-1) HEAVY INDUSTRIAL DISTRICT (M-2)
PUBLIC/QUASI-PUBLIC	PARKS & RECREATION (PR)
PARKS & OPEN SPACE	<del>SINGLE FAMILY RESIDENTIAL (R-1)</del> <del>SUBURBAN RESIDENTIAL (RS)</del> PARKS & RECREATION (PR)
COMBINING DISTRICTS (SEE NOTES BELOW)	<del>MOBILE HOME PARK (MHP) [1]</del> <del>NEIGHBORHOOD COMMERCIAL (C-1) [2]</del> <del>PLANNED UNIT DEVELOPMENT (PUD) [3]</del> <b>MASTER PLANNED DEVELOPMENT (MPD)</b> <del>HISTORIC PRESERVATION (HP) [4] [1]</del> <del>MIXED USE MASTER PLAN (MUM) [5]</del> <b>AIRPORT OVERLAY (AO)</b> <b>WILLAMETTE RIVER GREENWAY (GR) [2]</b>

**NOTES:**

- [1] ~~MOBILE HOME PARK DISTRICT (MHP) MAY COMBINE WITH ALL RESIDENTIAL ZONES EXCEPT SINGLE FAMILY RESTRICTED (R)~~
- [2] ~~NEIGHBORHOOD COMMERCIAL (C-1) MAY COMBINE WITH ALL RESIDENTIAL ZONE DISTRICTS~~
- [3] ~~PLANNED UNIT DEVELOPMENT (PUD) MAY COMBINE WITH ALL ZONE DISTRICTS~~
- [1] HISTORIC PRESERVATION (HP) MAY COMBINE AND/OR OVERLAY ALL ZONE DISTRICTS.

**[2] WILLAMETTE RIVER GREENWAY (GR) MAY OVERLAY ALL ZONE DISTRICTS WITHIN DESIGNATED GREENWAY.**

~~[5] MIXED USE MASTER PLAN (MUM) MAY COMBINE WITH ALL ZONE DISTRICTS.~~

~~(Resolution No 1150, Appendix "A", §D, 1992, Amending Resolution No 1052, Appendix "B")  
(Resolution No. 1486, adopted December 8, 2003.)~~

- e) By amending the Land Use Diagram Map on page 59 to designate the following properties from Neighborhood Commercial to Residential Commercial:

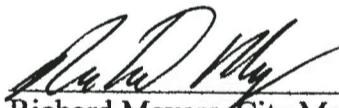
1238 S. 6<sup>th</sup> Street, Map 20-03-33-24 TL 3600;  
633 N. 9<sup>th</sup> Street, Map 20-03-28-24 TL 3100.

- f) The amendments to the Land Use Diagram Map on page 59 detailed in sections "e" above are shown on the map of Appendix A attached to and incorporated as a part of this resolution.

- e) This resolution shall take effect immediately.

PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR THIS  
8TH DAY OF OCTOBER, 2007.

ATTEST:

  
Richard Meyers, City Manager  
Date: Oct. 8, 2007

APPROVED:

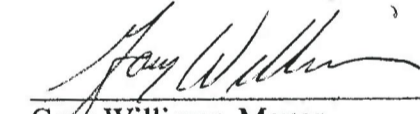
  
Gary Williams, Mayor  
Date: 10.8.07

EXHIBIT 'A'  
RESOLUTION NO. 1641  
Neighborhood Commercial to Residential Commercial  
1238 S. 6<sup>th</sup> Street, Map 20-03-33-24 TL 3600  
633 N. 9<sup>th</sup> Street, Map 20-03-28-24 TL 3100



EXHIBIT "B"  
TO RESOLUTION NO 1641  
FINDINGS

Goal 1: Citizen Involvement: Extensive public comment has been incorporated into the development of the draft Development Code, which triggers these amendments. A 15-member Development Code Advisory Committee provided input and direction from conception to completion of the project through 16 open public meetings, and included representatives from the City's Engineering Department, Cottage Grove Planning Commission, Economic & Business Improvement District, ODOT Region 5, Lane County, Cottage Grove Historic Society, Cottage Grove City Council, and the Department of Land Conservation and Development, Realtor Board, local contractors, developers and business owners, and citizens-at-large. Three public open houses were also held, for which notices were mailed to project stakeholders. City-wide mailings were sent at the beginning and end of the project (including a Measure 56 notice). Additionally, the draft document was made available on the City's website throughout the 18-month project development phase.

The two parcels subject to redesignation as Residential Commercial received personal letters evaluating the project's impacts on their property. All properties within 300' of these properties also received written notice of the public hearing before the Planning Commission.

Public hearings before the Planning Commission will also ensure that this plan amendment meet the intent of the goal, as the Planning Commission is the body designated in the plan to consider plan amendments in the City of Cottage Grove's adopted Citizen Involvement Plan. Our public notification process for Planning Commission meetings also includes various forms of notification of the public at City Hall and the Community Center and through the media and other governmental agencies through mailed notification. Similar notification will be used for a final public hearing before the City Council prior to adoption.

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 3: Agricultural Lands: Not applicable.

Goal 4: Forest Lands: Not applicable.

Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources: These amendments do not impact any policies regarding open spaces, scenic or historic areas or natural resources.

Goal 6: Air, Water and Land Resources Quality: These amendments do not impact any policies regarding air, water or land resource quality.

Goal 7: Areas Subject to Natural Disasters and Hazards: These amendments do not impact any policies regarding areas subject to natural disasters.

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Goal 8: Recreational Needs: These amendments do not impact any policies regarding recreational needs.

Goal 9: Economic Development: “Residential Professional” district is proposed to be changed to “Residential Commercial”. The “Neighborhood Commercial” district is deleted and all properties with this designation are redesignated as “Residential Commercial.” These changes will consolidate the Residential Professional and Neighborhood Commercial planning tools into one, which will eliminate confusion which could have a negative impact upon economic development.

Goal 10: Housing: “Planned Unit Development” district is proposed to be changed to “Master Planned Development”, and the combining districts PUD and MUM will be consolidated into one combining district, MPD Master Planned Development. This change does not impact housing policies, although the consolidation of the two planning tools will eliminate confusion for developers of mixed-use developments. The “Suburban Residential” zoning district is to be deleted from the Land Use Diagram. The deletion of this district, which was intended as a rural transition zone in the Low Density land use category and allowed for the keeping of domestic animals, is in keeping with Goal 10, which encourages the urban use of lands within city limits.

Goal 11: Public Facilities and Services: Not applicable.

Goal 12: Transportation: Not applicable.

Goal 13: Energy Conservation: Not applicable.

Goal 14: Urbanization: Not applicable.

Goal 15: Willamette River Greenway: This amendment identifies the Willamette River Greenway as a Combining District which may be overlaid on any district within the state-designated Greenway. This change brings the City of Cottage Grove into compliance with Goal 15 by strengthening recognition and enforcement of the Greenway.

Goal 16: Estuarine Resources: Not applicable.

Goal 17: Coastal Shorelands: Not applicable.

Goal 18: Beaches and Dunes: Not applicable.

Goal 19: Ocean Resources: Not applicable.

The proposed amendments are in compliance with the Statewide Planning Goals.

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CITY OF  
COTTAGE GROVE

COMMUNITY DEVELOPMENT

400 E. Main St.  
Cottage Grove, OR 97424-2033

TO:

Attn: Plan Amendment Specialist  
Dept. of Land Conservation & Development  
635 Capitol St. NE, Suite 150  
Salem, OR 97301-2540

