



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

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 018-07



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.**

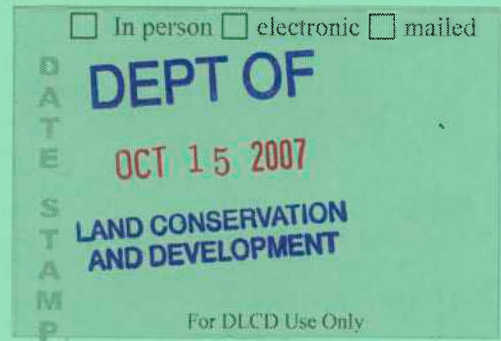
Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Amanda Punton, DLCD Natural Resource Specialist
Amanda Ferguson, City of Cottage Grove

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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 6-07**

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

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

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 7/10/2007

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".

Amended Comprehensive Plan air and Water Resources section to comply with Goal 5 and adopt riparian and wetland inventory.

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

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location: **City wide**

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
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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 # 018-07 (16234)

DLCD file No. _____

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

USACE, DSL, ODFW, USFS, Lane County

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**

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. 1642

A RESOLUTION AMENDING
THE COTTAGE GROVE COMPREHENSIVE PLAN

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, Section 660, Division 23, Oregon Administrative Rules (OAR), Statewide Planning Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces, as amended in 2005, requires that comprehensive plans and polices inventory and evaluate specific types of resources and develop land use ordinances with clear and objective standards to conserve and protect each resource type identified as significant; and

WHEREAS, the adopted Cottage Grove Comprehensive Plan was last updated in 1991, and does not specifically address riparian resources as required by Goal 5; and,

WHEREAS, the City of Cottage Grove has significant riparian resources within the Silk Creek, Coast Fork of the Willamette River, and Row River corridors;

WHEREAS, the City of Cottage Grove desires to update its Comprehensive Plan to provide goals, findings and policies for Riparian Resources;

WHEREAS, the Department of Land Conservation and Development was given forty-five day notice prior to the first hearing on July 10, 2007 pursuant to Oregon Revised Statutes; and

WHEREAS, the draft Riparian Resources element of the Comprehensive Plan was presented to the Cottage Grove Planning Commission for a public hearing on September 19, 2007 (PA 6-07); 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 September 19, 2007; and,

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


NOW, THEREFORE, BE IT RESOLVED that the *Riparian Resources* element of the Comprehensive Plan, as set forth in Exhibit "A" is hereby adopted. And further that the Comprehensive Plan for Cottage Grove is hereby amended by the addition of the Riparian Resources element as set forth in Exhibit "A".

This resolution will take effect immediately.

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

ATTEST:

APPROVED:


Richard Meyers, City Manager
Date: Oct 8, 2007



Gary Williams, Mayor
Date: 10-8-07

EXHIBIT A

Riparian Resources

Goal

To protect riparian habitat and conserve scenic and water quality resources within riparian corridors.

Findings

Natural drainageways are an important natural resource. They provide protection from flooding, treat stormwater, and help maintain stream morphology.

Fish and other wildlife, some of which are endangered or threatened, depend on excellent water quality and functional, available habitat for their survival.

The National Wetlands Inventory describes the most significant of the wetlands within Cottage Grove's riparian corridors.

Natural riparian habitats mitigate potential flood damage within designated floodways.

Historic alteration of streams and rivers, including channelization, hardening or straightening of river banks, and removal of riparian cover, has allowed human settlement to occur within the natural floodway, which has increased flow velocity, decreased habitat, and raised water temperatures.

Riparian corridors provide valuable scenic and recreational amenities to the people of Cottage Grove.

Native plant communities are integral to the ecological and hydrologic function of riparian corridors. Non-native invasive plants and significant alteration of native plant communities impedes the function of riparian corridors.

Policies

Significant riparian features within the City of Cottage Grove shall be identified and inventoried by the City of Cottage Grove. These shall include:

- Seasonal and perennial streams and other natural drainageways, flood plains, and associated wetlands;
- Lands abutting significant rivers or streams, including Silk Creek, Coast Fork Willamette River, and Row River;
- Lands identified as containing wetlands adjacent to streams or rivers on the National Wetlands Inventory; and
- Lands within designated 100-year floodplain or floodway as identified on National Flood Insurance Program Flood Insurance Rate Maps #41039C2092, 41039C2091, and 41039C2087, effective June 2, 1999.

Rivers and streams shall be preserved and buffered as needed to protect their function and structure.

Significant natural drainage features and identified wetlands shall be preserved or have their losses mitigated.

Site-specific buffering, setback requirements and best management practices may be required, as necessary, to enhance and protect identified resources.

To minimize the negative impacts of development, stormwater should be infiltrated on site to the greatest extent possible. Runoff that cannot be infiltrated shall be managed so that the hydrograph of the receiving stream is not significantly impacted and treated so water quality is maintained.

Wetlands mapped in the National Wetland Inventory or through site-specific local wetlands surveys as recognized by the Department of State Lands shall be protected to preserve habitat and protect and enhance water quality.

The City of Cottage Grove will identify highly sensitive habitat areas within riparian corridors that are important for the protection of water quality for public purchase and ownership or for purchase and protection through existing conservancy programs.

Non-native invasive plants will be monitored and managed using best management practices.



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

