



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

November 16, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Monmouth Plan Amendment
DLCD File Number 003-07

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 29, 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
Jason Locke, DLCD Regional Representative
Mark Fancey, City of Monmouth

<paa> ya/

NOTICE OF ADOPTION

Must be filed within 5 working days
See OAR 660-18-040

Jurisdiction: City of Monmouth

Local File Number: CPMA-ZC 07-01

Date of Adoption: November 6, 2007

Date Mailed: November 8, 2007

Date Proposal was Provided to DLCD: June 27, 2007

Type of Adopted Action: (Check all that apply)

Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment

Land Use Regulation Amendment Zoning Map Amendment

New Land Use Regulation Other: _____
(Please Specify Type of Action)

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

This request would amend the Comprehensive Plan Map designation from Low Density Residential to Mixed Density Residential and would rezone the property to Mixed Density Residential (MX). The property was annexed into the city in 2006 and is currently not zoned.

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: Low Density Residential to Mixed Density Residential

Zone Map Changed from: Low Density Residential (RS) to Mixed Density Residential (MX)

Location: T8R4WS30 Tax Lot 800 Acres Involved: 5.97

Acres Involved: 5.97 acres

Specify Density: Previous: 5 units/acre New: 9 units/acre

Applicable Statewide Planning Goals: 1,2,10

Was an Exception Adopted? Yes: No:

DLCD File Number: 003-07 (16207)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did the Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: None

Local Contact: Mark Fancey Area Code + Phone Number: (503) 838-0722

Address: 151 W. Main Street

City: Monmouth Zip Code + 4: 97361

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** of the adopted material, if copies are bound 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 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 onto 8 ½ x11 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 Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

CITY OF MONMOUTH, COUNTY OF POLK

STATE OF OREGON

An Ordinance Amending the)
Comprehensive Plan Map Designation and)
Zoning for a Property Owned by Nancy)
Benedict - Comprehensive Plan Map)
Amendment / Zone Change 07-01)

ORDINANCE NO 1257

WHEREAS, Nancy Benedict is the owner (hereinafter "Owner") of the real property identified as Assessor Map 8430, Tax Lot 800 as depicted on Exhibit A hereto (hereinafter the "Property"); and

WHEREAS, BDRP, (hereinafter "Applicant") submitted the Comprehensive Plan Map amendment and zone change request on behalf of the Owners; and

WHEREAS, the Property was annexed into the city of Monmouth in 2006 and is presently not zoned; and

WHEREAS, the Applicant submitted an application to change the Comprehensive Plan Map designation for the Property from Low-Density Residential to Mixed-Density Residential and that the property be zoned Mixed-Density Residential (MX); and

WHEREAS, after due notice and public hearing on August 15, 2007, the Planning Commission recommended to the Council that said application be approved; and

WHEREAS, after due notice and public hearing on September 18, 2007, the Council approved the application, based upon the following Findings and Conclusions:

FINDINGS

1. The property is approximately 5.97 acres in size and is currently vacant.
2. The Applicant proposes to develop the property as a 45-lot subdivision at a density of approximately 7.5 units per acre.
3. The Mixed-Density Residential (MX) Zone allows for a maximum density of nine (9) units per acre.

4. Fifteen of the proposed 45 residential dwelling units would be attached single-family housing. In the MX Zone, a minimum of one third of the units are required to be multi-family or attached single-family dwellings.
5. One of the stated goals of the Mixed-Density Residential (MX) Zone is to promote "a greater diversity than found in other Monmouth neighborhoods of types of housing" by providing "a mixing of residential housing types including detached single-family dwellings, apartments, residential flats and townhouses". These statements indicate that there is a need for land to provide additional housing options in the community.

CONCLUSIONS

1. The proposed Comprehensive Plan Map designation and zoning would provide additional housing options and would result in a more efficient use of the subject property.
2. There is public need for the property to be developed with a higher density residential use that includes attached single-family housing.

NOW, THEREFORE,

THE CITY OF MONMOUTH DOES ORDAIN AS FOLLOWS:

Section 1. The Comprehensive Plan Map designation of the Property described on Exhibit A hereto is hereby changed to Mixed-Density Residential.

Section 2. The Property is hereby zoned Mixed-Density Residential (MX).

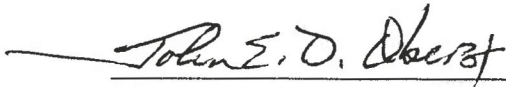
Read for the first time: October 16, 2007

Read for the second time: November 6, 2007

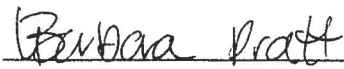
Adopted by the City Council: November 6, 2007

Approved by the Mayor: November 6, 2007

ATTEST:



JOHN E.D. OBERST, MAYOR



BARBARA L. PRATT
CITY RECORDER PRO TEM

City of Monmouth

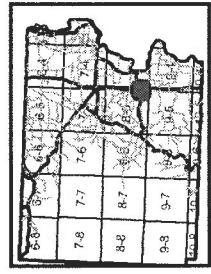
Public Works

Taxlot07

Taxlot Arrowst07

Taxlot Boundary-4

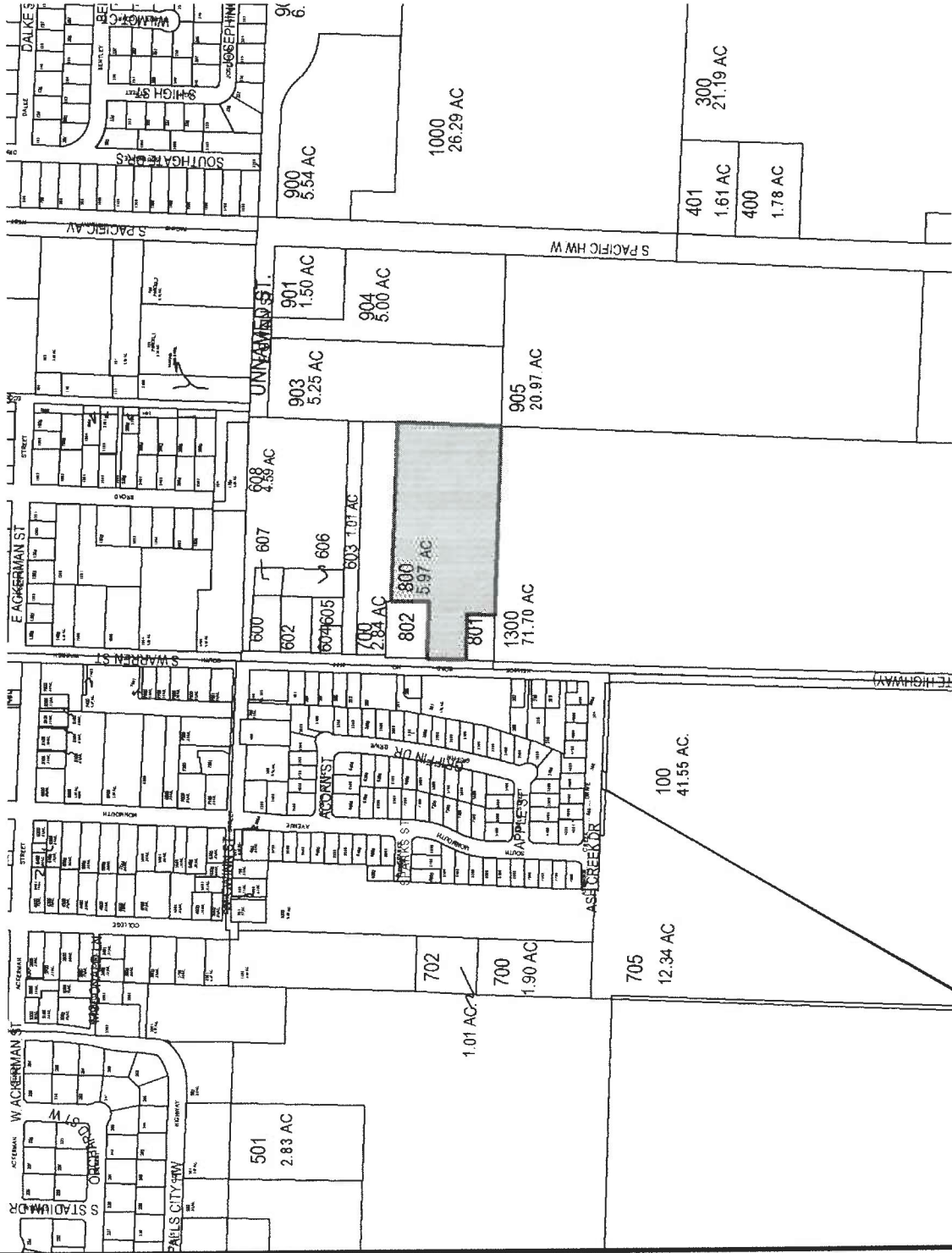
Taxlot07



11/8/2007



1 in. = 518 ft



This map was produced using the Polk County GIS data. The GIS data is maintained by the county to support its governmental activities. The county is not responsible for map errors, omissions, misuse or misinterpretation.