



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

NOTICE OF ADOPTED AMENDMENT

November 3, 2008



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Rivergrove Plan Amendment
DLCD File Number 001-08 A

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 14, 2008

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: Doug White, DLCD Community Services Specialist
Christine Shirley, FEMA Specialist
Jennifer Donnelly, DLCD Regional Representative
Sheri Richards, City of Rivergrove

<paa> ya/phone

NOTICE OF ADOPTION**DEPT OF**This form must be mailed to DLCD not later than 5 working days after adoption
ORS 197.615 and OAR Chapter 660, Division 18**OCT 27 2008****LAND CONSERVATION
AND DEVELOPMENT**

See reverse side for submittal requirements

Jurisdiction City of Rivergrove Local File # _____
 Date of Adoption 6/9/08 Date Mailed 10/23/08
 Date the Notice of Proposed Amendment was mailed to DLCD 6/18/08

☐ Comprehensive Plan Text Amendment ☐ Comprehensive Plan Map Amendment
☒ Land Use Regulation Amendment ☐ Zoning Map Amendment
☐ New Land Use Regulation

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

Ordinance 76-2008 amends the Rivergrove land development ordinance and ord. 52 and ord 70-2001 and declaring an emergency to adopt the new FEMA flood maps and Flood Insurance Study.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice of the proposed amendment, write "N/A."

Same

Plan Map Change From _____ to _____

Zone Map Change From _____ to _____

Location: _____ Acres Involved: _____

Specify Density: Previous Density _____ New Density _____

Applicable Goals: _____ Was an Exception adopted? ☐ Yes ☐ NoDLCD File # 001-08[A] (16950) DLCD Appeal Deadline _____

Did DLCD receive a Notice of Proposed Amendment 45 days prior to the final hearing?

☒ Yes ☐ No: ☐ The Statewide Planning Goals do not apply
☐ Emergency Circumstances Required Expedited Review

Affected State or Federal Agencies, Local Governments or Special Districts: City of Rivergrove

Local Contact: Sheri Richards, City Recorder Phone: 503.970.5858
Address: PO Box 1104 Lake Oswego, OR 97035

SUBMITTAL REQUIREMENTS

ORS 197.615 and OAR Chapter 660, Division 18

1. Send this Form and **One (1)** Copy of the Adopted Amendment to:

**Department of Land Conservation and Development
1175 Court Street, N.E.
Salem, Oregon 97310-0590**

2. Submit **one (1)** copy of adopted material, if copies are bounded please submit two (2) complete copies of documents and maps.
3. 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 do not submit this Notice of Adoption within five working days of the final decision. Appeals to LUBA may be filed within 21 days of the date Notice of Adoption is sent to DLCD.
6. In addition to sending Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.

If you need more copies of this form, please call the DLCD at 503-373-0050 or this form may be duplicated on green paper.

ORDINANCE NO. 76-2008


**AN ORDINANCE AMENDING THE RIVERGROVE LAND DEVELOPMENT
ORDINANCE, AND ORDINANCE NO. 52 AND ORDINANCE NO. 70-2001
AND DECLARING AN EMERGENCY**

Submitted to the Rivergrove City Council on 6-9-08

Adopted by the Rivergrove City Council on 6-9-08


Hafez Darach, Mayor

6-9-08
Date


Sheri Richards, City Recorder

6-9-08
Date

ORDINANCE NO. 76-2008

**AN ORDINANCE AMENDING THE RIVERGROVE LAND DEVELOPMENT
ORDINANCE, AND ORDINANCE NO. 52 AND ORDINANCE NO. 70-2001
AND DECLARING AN EMERGENCY**

WHEREAS, The legislature of the state of Oregon has delegated the responsibility to local government units to adopt regulations designed to promote public health, safety and general welfare, and

WHEREAS, The risk of flooding, including the risk to human life and property, and the maintenance of the functions and values and flood plains by allowing for the storage and conveyance of stream flows through their natural systems are vitally important to the public health, safety and general welfare, and

WHEREAS, The City has adopted a Flood Damage Prevention Ordinance, Ordinance No. 52, with amendments as set in Ordinance No. 62-98, and

WHEREAS, The City has adopted Ordinance No. 70-2001 to comply with the requirements of Title 3 of Metro's Urban Growth Management Functional Plan, and

WHEREAS, the Federal Emergency Management Agency ("FEMA") has recently updated the Flood Insurance Study (FIS) and Flood Insurance Rate Map ("FIRM") for the areas including the City that changes the floodplain and floodway to more accurately depict those areas and to account for changes, and

WHEREAS, It is in the best interest of the City to adopt the new FEMA Flood Insurance Study and Flood Insurance Rate Map to protect the public health, safety and general welfare, and

WHEREAS, an emergency exists that requires the immediate effectiveness of this ordinance is required to protect citizens of Rivergrove,

NOW THEREFORE; The City of Rivergrove ordains as follows:

Section 1: Section 3.2 of Ordinance No. 52 is amended to read as follows:

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The area of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "Flood Insurance Study Clackamas County, Oregon and Incorporated Areas Volume 1 of 3 effective June 17, 2008 FIS Number 41005CV001A," with accompanying Flood Insurance Maps is hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file at the City Recorder's office.

Section 2: Attachment C to Ordinance No. 54-89 (the Rivergrove Land Development Ordinance) is amended to read as follows:

Section 5.020 Flood Hazard District.

All land development within the 100 year flood boundary as identified in the Flood Insurance Rate Map (FIRM) Panel 0013D Map Number 41005C0013D effective date June 17, 2008 shall be within the Flood Hazard District (FHD) and shall be subject to special requirements in addition to the criteria and standards of this ordinance. Land subject to flood hazard is generally indicated on the floodplain map found in the Flood Insurance Study and consists of those areas of the City where hydrological studies have been prepared by the Federal Emergency Management Agency. The FIRM shall be available to public inspection by contacting the City Recorder at 503 624-8498 during regular business hours. All development within the 100 year flood boundary shall follow the provisions of the Flood Damage Prevention Ordinance of the City of Rivergrove (Ord. # 52 and Ord. #70-2001) in addition to the provisions of this ordinance.

Section 3: Section XIV of Ordinance No. 70-2001 is amended as follows:

Section XIV Definitions

* * * * *

Flood Management Areas. All lands contained within the 100 year floodplain and floodway as shown on the Federal Emergency Management Agency Flood Insurance Rate Map Panel 0013D effective date June 17, 2008

* * * * *

Section 4: Emergency Declared.

Because the immediate effectiveness of this ordinance is needed to protect the public health, safety and welfare, an emergency is declared and, in accordance with Section 36 of the Rivergrove City Charter, this ordinance shall be effective immediately upon passage by the Rivergrove City Council.

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06/6/08 10:38 AM



City of Rivergrove
P.O. Box 1104
Lake Oswego, OR



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24 OCT 2008 PM 8 L

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Salem, OR 97310-0590

97310+0590

