



Oregon  
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, OR 97301-2540

(503) 373-0050

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[www.lcd.state.or.us](http://www.lcd.state.or.us)



## NOTICE OF ADOPTED AMENDMENT

03/11/2014

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Monmouth Plan Amendment  
DLCD File Number 003-13

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: Thursday, March 27, 2014

This amendment was submitted to DLCD for review prior to adoption with less than the required 35-day notice. 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 Acknowledgment or 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. **NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.**

Cc: Mark Fancey, City of Monmouth  
Gordon Howard, DLCD Urban Planning Specialist  
Angela Lazarean, DLCD Regional Representative

<paa> YA



# NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

**FOR DLCD USE**  
003-13 (20148\_  
File No.: [17797]  
MAR 7 2014  
Received: 3/7/2014  
LAND CONSERVATION  
AND DEVELOPMENT

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Monmouth

Local file no.: **LA 13-02**

Date of adoption: March 4, 2014

Date sent: 3/6/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): Yes 12/9/13

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

No

Local contact (name and title): Mark Fancey

Phone: 503-751-0147

E-mail: [mfancey@ci.monmouth.or.us](mailto:mfancey@ci.monmouth.or.us)

Street address: 151 Main Street W.

City: Monmouth

Zip: 97361

## PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

### For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

### For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from Commercial	to Public	1.83 acres.	A goal exception was required for this change.
Change from	to	acres.	A goal exception was required for this change.
Change from	to	acres.	A goal exception was required for this change.
Change from	to	acres.	A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): 450 Pacific Hwy N - T8W R4S S30BB Tax Lot 14000

☒ The subject property is entirely within an urban growth boundary

☐ The subject property is partially within an urban growth boundary



**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**If the comprehensive plan map change is an urban reserve amendment** including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from Commercial Office	to Public Service	Acres: 1.83
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 450 Pacific Hwy N - T8W R4S S30BB Tax Lot 14000

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List affected state or federal agencies, local governments and special districts: ODOT

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

CITY OF MONMOUTH, COUNTY OF POLK

STATE OF OREGON

An Ordinance Amending the Monmouth       )  
Comprehensive Plan Map and Zoning       )  
Map       )

ORDINANCE NO. 1341

WHEREAS, the City of Monmouth has deemed it necessary to develop amendments to the Monmouth Comprehensive Plan Map and Zoning Map; and

WHEREAS, the City duly notified the Oregon Department of Land Conservation and Development of the proposed Comprehensive Plan amendments not less than 35 days prior to the first evidentiary hearing and the Department did not object to the proposed changes; and

WHEREAS, the Planning Commission held a public hearing on said amendments on January 15, 2014, at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, the City Council held a public hearing on said amendments on February 4, 2014, at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, the City Council found and hereby finds that the proposed amendments to the Monmouth Comprehensive Plan conform to applicable Statewide Planning Goals, and it is in the public interest to adopt them;

NOW, THEREFORE, THE CITY OF MONMOUTH DOES ORDAIN AS  
FOLLOWS:

Section 1. The City Council of the City of Monmouth does hereby adopt findings amending the Monmouth Comprehensive Plan Map and Zoning Map as set forth in Exhibit A.



Read for the first time: February 18, 2014

Read for the second time: March 4, 2014

Adopted by the City Council: March, 4, 2014

Approved by the Mayor: March 4, 2014

ATTEST:

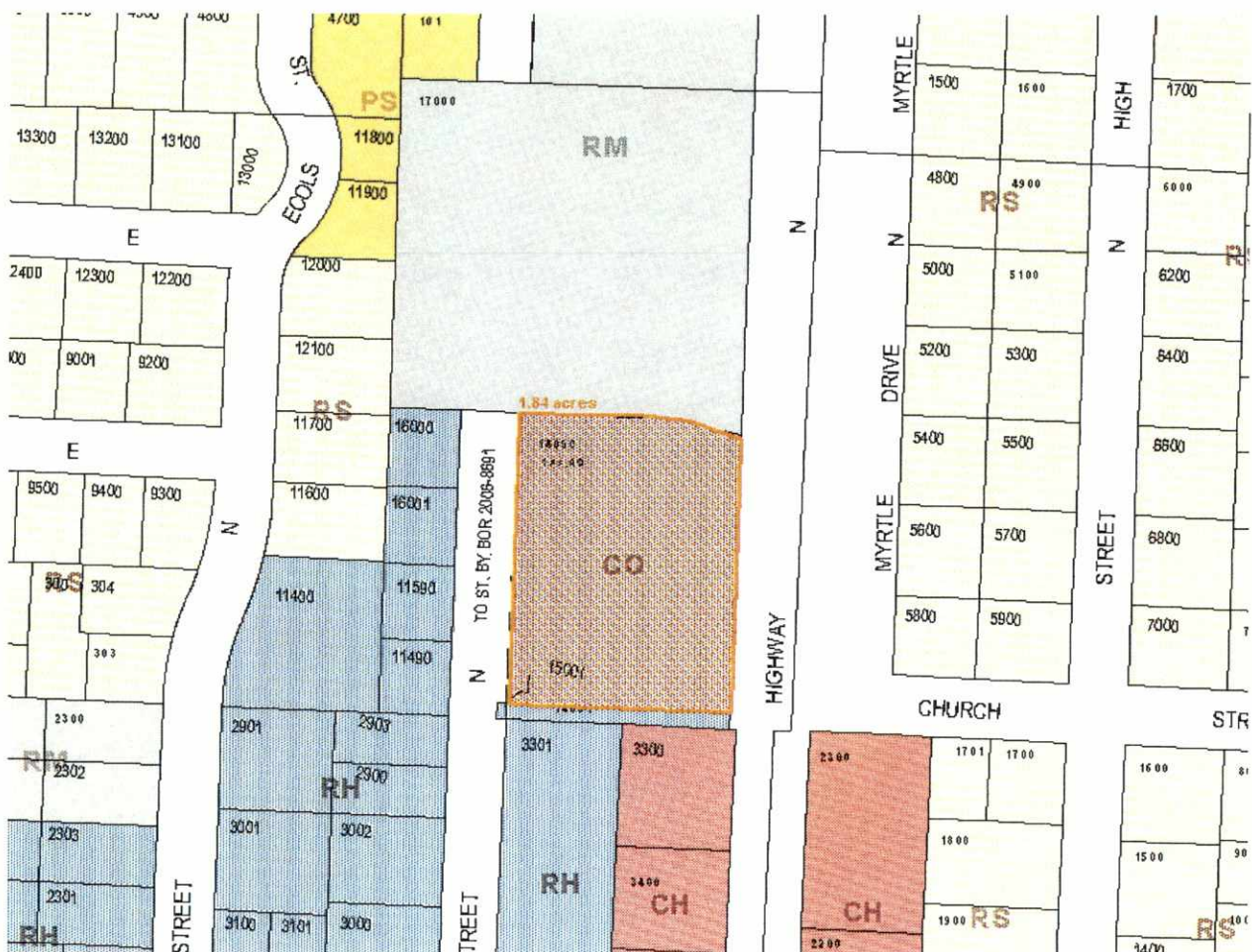
  
\_\_\_\_\_  
John E.D. Oberst, Mayor  
\_\_\_\_\_  
Phyllis L Bolman, City Recorder



## EXHIBIT A FINDINGS

Legislative Amendment 13-02 amends the Comprehensive Plan Map designation and Zoning Map designation for the site of the Monmouth Police Station at 450 Pacific Highway N. The property is designated as Commercial on the Comprehensive Plan Map and is zoned Commercial Office (CO). Legislative Amendment 13-02 changes the Comprehensive Plan Map Designation for the property to Public and changes the zoning designation to the Public Services (PS) Zone.

The property is approximately 1.83 acres in size and is identified as Assessor Map 8430 BB, Tax Lot 18000.



The applicable standards for Plan Map amendments and zone changes are found in Sections 90.325 and 90.330 of the Monmouth Zoning and Development Ordinance.

**90.325 Standards for Zone Changes.** No zone change shall be approved by the Planning Commission or enacted by the City Council unless it conforms to the Comprehensive Plan and meets the following standards:

A. The proposed zone change meets at least one of the following standards:

1. The zoning on the land for which the zone change is initiated is erroneous and the zone change would correct the error;
2. Conditions in the neighborhood surrounding the land for which the zone change is initiated have changed to such a degree that the zoning is no longer appropriate, and the zone change would conform to the new conditions of the neighborhood;
3. There is a public need for land use of the kind for which the zone change is initiated and that public need can best be met by the zone change.

B. The proposed change is consistent with applicable goals and policies of the Comprehensive Plan.

C. Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property. A Traffic Impact Analysis, pursuant to Section 96.415, may be required by the Public Works Director to determine the adequacy of existing or planned transportation facilities and demonstrate compliance with OAR 660-012-0060.

D. The proposed change is appropriate considering the surrounding land uses and the density and pattern of development in the area.

**90.330 Standards for Plan Map Amendment.** No Comprehensive Plan Map amendment shall be approved by the Planning Commission or enacted by the City Council unless the amendment meets the following standards:

A. The proposed Comprehensive Plan Map amendment meets at least one of the following standards:

1. The Comprehensive Plan designation for the land for which the Plan amendment is initiated is erroneous and the Plan amendment would correct the error;
2. Conditions in the neighborhood surrounding the land for which the Plan amendment is initiated have changed to such a degree that the Comprehensive Plan designation is no longer appropriate, and the Plan amendment would conform to the new conditions in the neighborhood;
3. There is a public need for land use of the kind for which the Plan amendment is initiated and that public need can best be met by the Plan amendment.

B. The proposed change is consistent with applicable goals and policies of the Comprehensive Plan.

C. Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property. A Traffic Impact Analysis, pursuant to Section 96.415, may be required by the Public Works Director to determine the



adequacy of existing or planned transportation facilities and demonstrate compliance with OAR 660-012-0060.

D. The proposed change is appropriate considering the surrounding land uses and the density and pattern of development in the area.

**Findings:** The subject property is 0.94 acres in size. The Comprehensive Plan Map designation for the property is Commercial and the property is zoned Commercial Office (CO). The proposed Comprehensive Plan Map designation is Public and the proposed zoning is Public Service (PS).

Regarding criterion A of Zoning Ordinance sections 90.325 and 90.330, with the recent purchase of the property by the City of Monmouth for use as a police station, the Zoning Map and Comprehensive Plan Map are in error. The Public Comprehensive Plan designation and Public Services Zone are typically applied to properties owned by the City and dedicated to public facilities. The ownership and use of the property by the City of Monmouth is consistent with the Public Comprehensive Plan Map Designation and the purpose of the Public Services Zone - Section 94.005 of the Zoning and Development Ordinance:

#### **Comprehensive Plan Map Designation - Public**

These areas include lands in public or semi-public ownership such as the City-owned property and uses, Western Oregon University Campus, and Central School District sites. The Public Services (PS) and Public Service College (PSC) zones implement the Public Plan Map Designation.

**94.005 Purpose.** The purpose of the Public Services (PS) Zone is to define and protect areas suitable for structures and uses owned or operated by governmental agencies or for public uses and facilities serving the general community.

The Public Comprehensive Plan map designation and Public Services (PS) Zone are appropriate given the ownership and proposed use of the property. The proposed Comprehensive Plan Map designation meets Section 90.330 A.1. The proposed zone change meets Section 90.325 A.1.

Regarding criterion B of Zoning Ordinance Sections 90.325 and 90.330, the following policy from the Public Facilities and Services Element of the Comprehensive Plan is applicable to the map amendments:

#### Police, Fire Protection and Ambulance Service

Police, fire protection and ambulance services are crucial factors for the safety and wellbeing of the citizens of Monmouth. Therefore, it is the policy of Monmouth that:

1. Public Safety services shall be maintained at a satisfactory level to protect the citizens of Monmouth;



The establishment of the new Police Station will provide an expanded facility in a more central location within Monmouth. The intent of the project is to provide satisfactory services for the community. The amendment is consistent with the applicable Comprehensive Plan policy and meets Sections 90.325 B and 90.330 B.

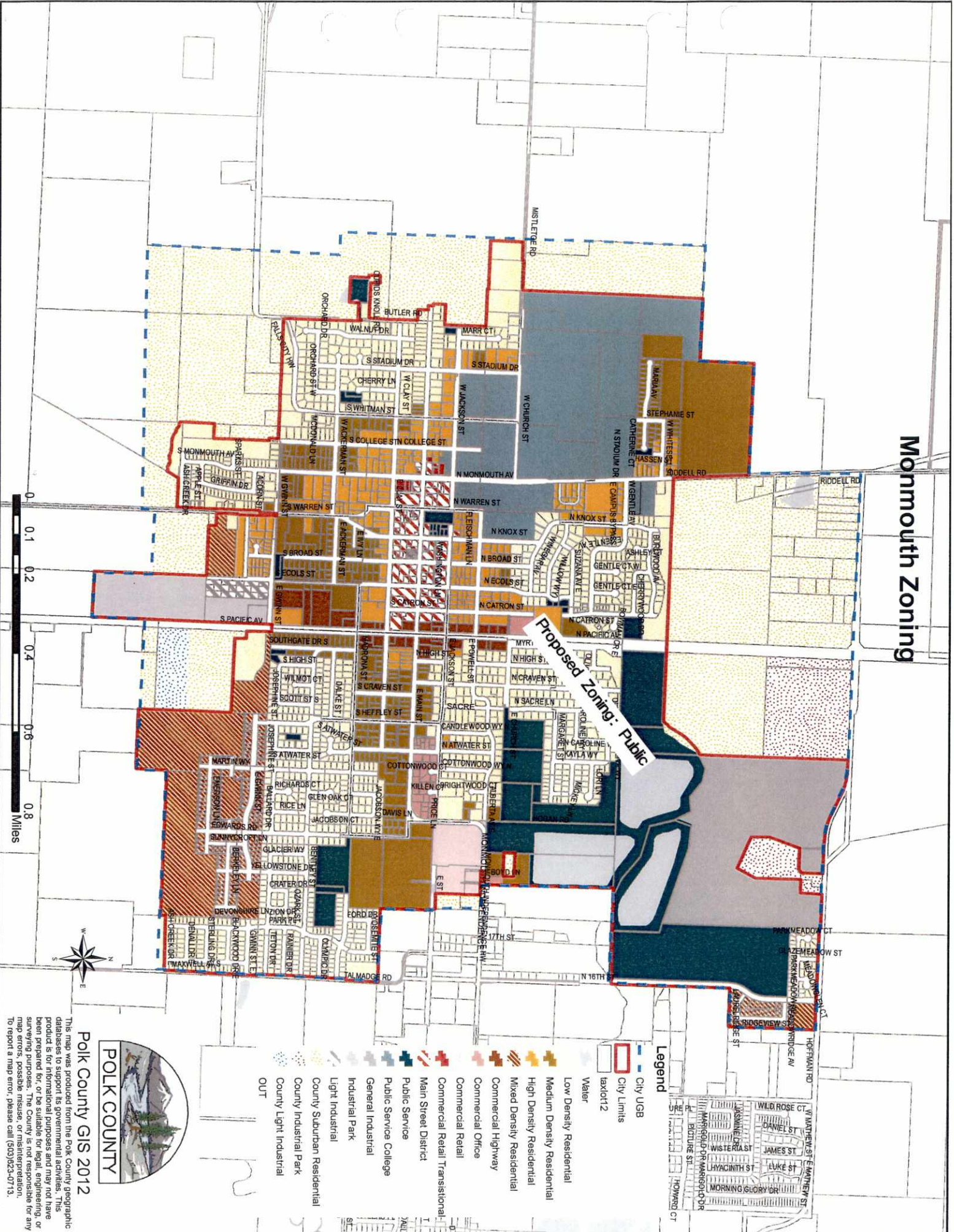
Regarding criterion C of Zoning Ordinance sections 90.325 and 90.330, the property has frontage and access on Highway 99W. The property is fully served with utilities. The Comprehensive Plan Map amendment meets Section 90.330 C. The proposed zone change meets Section 90.325 C.

Regarding criterion D of Zoning Ordinance sections 90.325 and 90.330, the subject property is developed with an office building that will be converted for use as the Police Station. Several accessory parking structures will be constructed on the property as part of the project. Surrounding properties include a mixture of multi-family residential uses to the north, west, and southwest. The property is adjacent to commercial uses to the southeast and Highway 99W to the east. The use is typical of office uses situated along Highway 99W and the proposed change is appropriate considering the surrounding land uses and the density and pattern of development in the area.

The proposed Comprehensive Plan Map amendment meets Section 90.330 D. The proposed zone change meets Section 90.325 D.



# Monomouth Zoning



Proposed Zoning: Public

## Legend

- City UGB
- City Limits
- Taxlot12
- Water
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Mixed Density Residential
- Commercial Highway
- Commercial Office
- Commercial Retail
- Commercial Retail Transitional
- Main Street District
- Public Service
- Public Service College
- General Industrial
- Industrial Park
- Light Industrial
- County Suburban Residential
- County Industrial Park
- County Light Industrial
- OUT

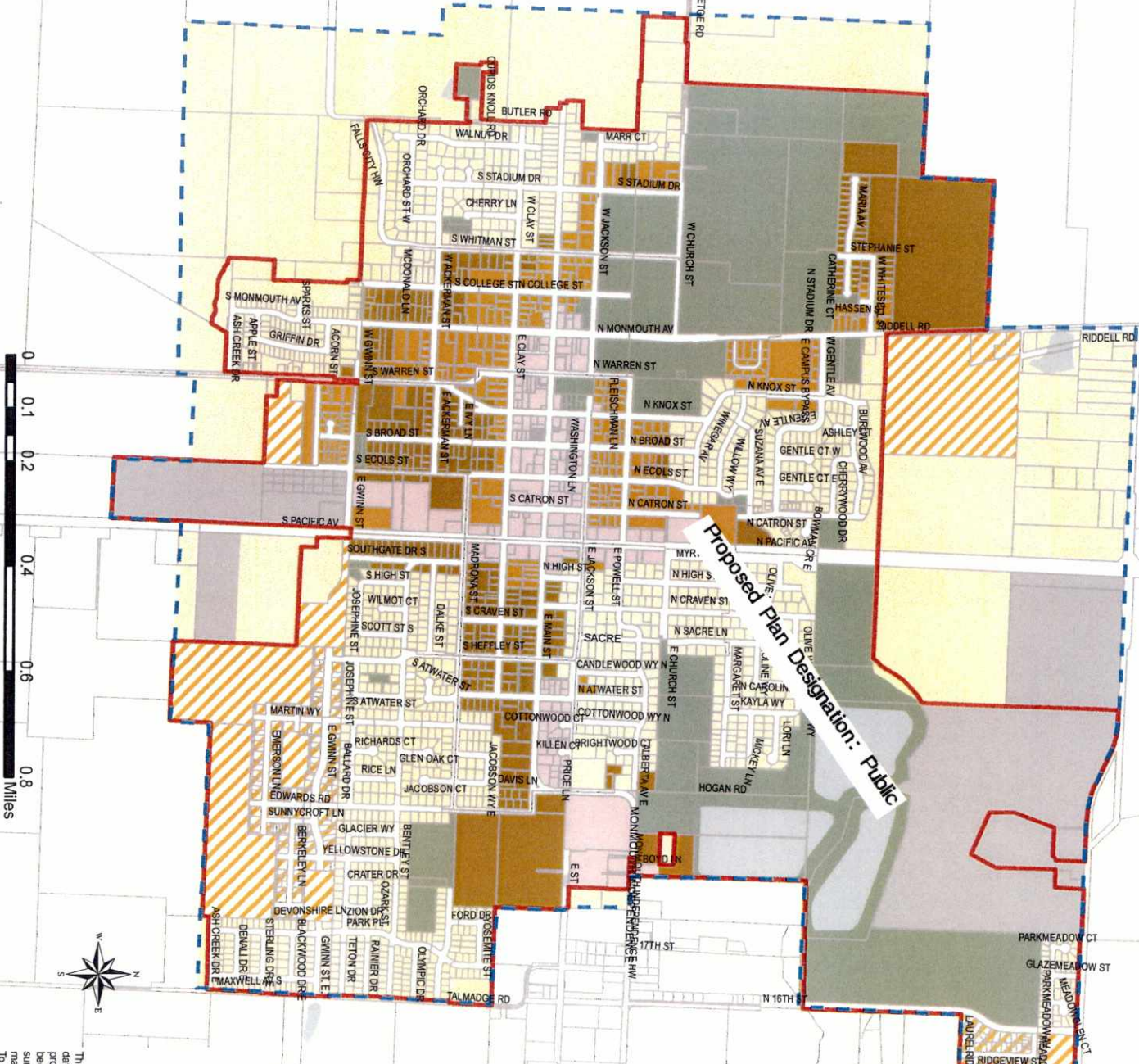


Polk County GIS 2012

This map was produced from the Polk County geographic databases to support its governmental activities. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. The County is not responsible for any map errors, possible misuse, or misinterpretation. To report a map error, please call (503)923-0713.



# Monomouth Comprehensive Plan



Polk County GIS 2011

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- Legend**
- City UGB
  - City Limits
  - Taxlot 2011
  - Water
  - Low Density Residential
  - Medium Density Residential
  - High Density Residential
  - Mixed Density Residential
  - Commercial
  - Industrial
  - Public
  - OUT



MONMOUTH  
MAIN STREET  
H, OR 97361

Attn: Plan Amendment Specialist  
DLCD  
635 Capitol Street NE, Suite 150  
Salem, Oregon 97301-2540

DEPT OF  
MAR 07 2014  
LAND CONSERVATION  
AND DEVELOPMENT



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