



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

12/28/2012

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Wallowa Plan Amendment
DLCD File Number 001-12

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. This amendment was submitted without a signed ordinance.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, January 09, 2013

This amendment was submitted to DLCD for review 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 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: Carol Long, City of Wallowa
Gordon Howard, DLCD Urban Planning Specialist
Grant Young, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

☐ In person ☐ electronic ☐ mailed

DEPT OF

DEC 21 2012

LAND CONSERVATION AND DEVELOPMENT

DATE
STAMP

For Office Use Only

Jurisdiction: **Wallowa**

Local file number: **None**

Date of Adoption: **11/20/2012**

Date Mailed: **12/19/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date:

☐ 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".

Provided omitted density and parking standards for the R-C zone.

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

Plan Map Changed from: **N/A**

to: **N/A**

Zone Map Changed from: **N/A**

to: **N/A**

Location: **N/A**

Acres Involved: **0**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
☐	☒	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-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 file No. 001-12 (19511) [17293]

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

None.

Local Contact: **Carol Long**

Phone: (541) 886-2422 Extension:

Address: **PO Box 487**

Fax Number: **541-886-4215**

City: **Wallowa**

Zip: **97885-**

E-mail Address: **wallowa@eoni.com**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS 197.615 and OAR Chapter 660, Division 18.

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

ORDINANCE NO. 344-12

AN ORDINANCE AMENDING THE CITY OF WALLOWA ZONING ORDINANCE TO CLARIFY THE DIMENSIONAL STANDARDS IN THE R ZONE, TO PROVIDE BUILDING HEIGHT, LOT AREA, PARKING AND SANITATION STANDARDS FOR THE RC ZONE AND TO AMEND ARTICLE 6 TO PROVIDE STANDARDS FOR A VARIANCE FOR GRANDFATHERED SUBSTANDARD LOTS

The City of Wallowa Ordains as follows:

Section 1. **Amendments to R Zone Regulations.** Section 3.1 (4)(D) is amended as set forth below and a Subsection (E) is added to Section 3.1 (4) as set forth below:

- (D) Lot Area. The minimum lot size is 5,000 square feet. The following minimum lot size is provided for the uses listed below.

Duplexes	10,000 square feet
Triplexes	12,000 square feet
Fourplexes	14,000 square feet
Sixplexes	16,000 square feet
10 units	25,000 square feet
20 units	45,000 square feet

For uses authorized as a conditional use, if a specific minimum lot size is not provided in this subsection, the City Council, at the time of approval of the conditional use, may specify a minimum lot size larger than 5,000 square feet.

- (E) Lot Width. The minimum lot width is an average width of 50 feet.

Section 2. **Amendments to RC Zone Regulations.** Subsection (4) of Section 3.3 is repealed and there is added new subsections (4), (5), (6) and (7) to Section 3.3, as set forth below:

- (4) HEIGHT. Buildings, structures or portions thereof shall not be erected to exceed a height of 2-1/2 stories or 35 feet, excluding the basement.

- (5) AREA.

- (A) Front Yard. The shall be a front yard of not less than 20 feet in depth.

- (B) Side Yard. On interior lots, there shall be a side yard on each side of the main building and a each side yard shall have a width of not less than 10 feet. On corner lots the interior side yards shall have a width of not less than 10 feet but the side yard on the street side of such corner lot shall not be less than 10 feet in width.
- (C) Rear Yard. There shall be a rear yard of not less than 10 feet in depth.
- (D) Lot Area. The minimum lot size is 5,000 square feet. The following minimum lot size is provided for the uses listed below.

Duplexes	10,000 square feet
Triplexes	12,000 square feet
Fourplexes	14,000 square feet
Sixplexes	16,000 square feet
10 units	25,000 square feet
20 units	45,000 square feet

For uses authorized as a conditional use, if a specific minimum lot size is not provided in this subsection, the City Council, at the time of approval of the conditional use, may specify a minimum lot size larger than 5,000 square feet.

- (E) Lot Width. The minimum lot width is an average width of 50 feet.

(6) PARKING REGULATIONS.

- (A) Dwellings. One parking space shall be provided on the lot for each dwelling unit.
- (B) Uses Other Than Dwellings. Churches, lodges for civic and fraternal organizations; one parking space shall be provided for each 4 seats in the main assembly room, or one parking space for each 30 square feet of floor space within the main assembly room. Off street parking for all other uses shall be in accordance with the standards for the C zone, as provided in section 3.4 (5).
- (C) Bicycle Parking. Bicycle parking shall be provided as per Section 4.12 of this ordinance.

(7) SANITATION REGULATIONS. Before any dwelling, or other use requiring disposal of sewage, it must be connected to the city sewer

system at such time as the city sewer system becomes available to the property on which the dwelling is located.

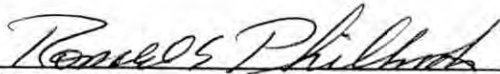
Section 3. **Addition of Section to Article 6.** There is added to Article 6 of the City of Wallowa Zoning Ordinance, a Section 6.2A to provide as follows:

SECTION 6.2A VARIANCE FOR GRANDFATHERED LOTS. The City Council may grant a variance to the minimum lot size and/or lot width standards provided by this ordinance in conjunction with an application for a single family dwelling, or other permitted use, if the lot was lawfully created prior to the City's adoption of minimum lot size standards and if the following are met:

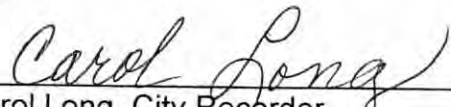
- (1) The applicant owns no adjacent property to utilize to bring the lot size up to the minimum provided by this ordinance;
- (2) The applicant did not create the need for the variance by his sale, conveyance or development of contiguous property; and,
- (3) The applicant complies with all of the applicable standards relative to setbacks and provision of minimum front, side and rear yards.

Section 4. **Effective Date.** This ordinance shall take effect 30 days from and after its passage.

Passed by the Wallowa City Council this day of Nov. 20, 2012 by a vote of 5 ayes and 0 nays.


Ron Philbrook, Mayor

ATTEST:


Carol Long, City Recorder

City of Wallowa
PO Box 487
104 N Pine
Wallowa, OR 97885

DEPT OF
DEC 21 2012
LAND CONSERVATION
AND DEVELOPMENT



ATTENTION: Plan Amendment Specialist
Department of Land Conservation & Dev.
635 Capitol Street NE, Suite 150
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973012540 C007

