



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

April 16, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of North Bend Plan Amendment
DLCD File Number 006-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: May 3, 2007

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-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.

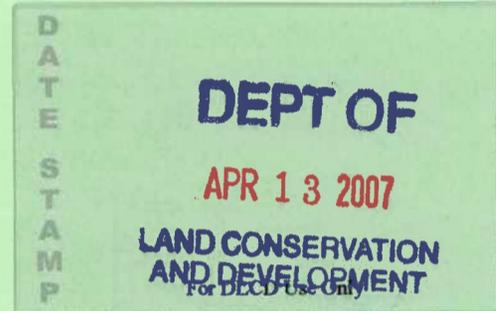
***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Dave Perry, DLCD Regional Representative
David Voss, City Of North Bend

<paa> ya

2 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 North Bend Local file number: NA
Date of Adoption: 4/10/2007 Date Mailed: 4/12/2007
Date original Notice of Proposed Amendment was mailed to DLCD: 12/12/2006

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: _____

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".
Zoning Code amendments to allow residential uses outright in all commercial zones on upper floors and in the rear 75% of single-story buildings.

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: _____ to: _____

Zone Map Changed from: _____ to: _____

Location: All commercial zones Acres Involved: +/-190

Specify Density: Previous: @80 units in 22.6 acres New: will be variable

Applicable Statewide Planning Goals: _____

Was and Exception Adopted? YES NO

DLCD File No.: 006-06 (15747)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (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

Affected State or Federal Agencies, Local Governments or Special Districts:

None particularly identified

Local Contact: **David Voss, City Planner** Phone: **(541) 756-8535** Extension: _____

Address: **PO Box "B"** City: **North Bend**

Zip Code + 4: **97459-14** Email Address: **planner@uci.net**

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** the adopted material, if copies are bounded 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 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 copy this form on to **8-1/2x11 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 **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 1962

AN ORDINANCE AMENDING THE NORTH BEND CITY CODE, TITLE 18, CONCERNING ZONING.

THE CITY OF NORTH BEND ORDAINS AS FOLLOWS:

Section 1. The Council of the City of North Bend finds:

- 1.1 The North Bend City Planning Commission held a public hearing November 20, 2006, concerning a series of text amendments to Title 18, Zoning, North Bend City Code (NBCC), and they recommended approval of making certain amendments contained in this ordinance. Notice for said public hearing was published as required by law.
- 1.2 The North Bend City Council held a public hearing on March 27, 2007, concerning the same series of text amendments to Title 18, Zoning, North Bend City Code (NBCC). Notice for said public hearing was published as required by law.
- 1.3 The North Bend City Council found that the proposed amendments were necessary to enhance opportunities for providing a wide range of housing opportunities in the City, in accordance with the Goal of the Housing Element of Article 4 of the City Comprehensive Plan.

Section 2. The Council of the City of North Bend amends the following sections of Title 18 as follows:

- 2.1 NBCC 18.28.010 **Uses permitted outright** shall be amended to read as follows:

Uses permitted outright in the C-L zone are:
 - (1) Business and professional offices and retail sales and services and their accessory uses;
 - (2) Residential uses, except in the front 25 percent of the ground floor facing the street. (Ord. 1788 § 1, 1992; Ord. 1613 § 1, 1980; Ord. 1192 § 37, 1962)
- 2.2 NBCC 18.32.010 **Uses permitted outright** shall be amended to read as follows:

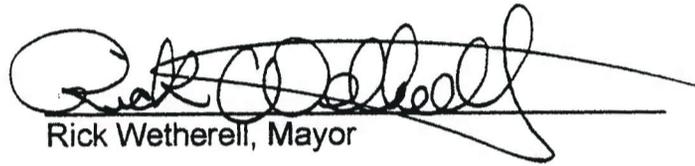
Uses permitted outright in the C-G general commercial zone are business and professional offices, retail sales, service or repair, and places of public or private assembly or amusement, their accessory uses, and residential uses except in the front 25 percent of the ground floor facing the street. (Ord. 1861 § 1, 1997; Ord. 1613 § 1, 1980; Ord. 1226 § 3, 1963; Ord. 1192 § 43, 1962)

2.3 NBCC 18.36.020 **Conditional uses permitted** shall be amended to read as follows:

In the C-C zone, the following uses and their accessory uses are permitted when authorized in accordance with Chapter 18.60 NBCC:

- (1) A use permitted as a conditional use in the C-G zone.
(Ord. 1268 § 2, 1964; Ord. 1192 § 50, 1962)

Passed and enacted by the Council of the City of North Bend on March 27, 2007.


Rick Wetherell, Mayor

ATTEST:


Angie Kellar, City Recorder