NOTICE OF ADOPTED AMENDMENT

November 30, 2006

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

FROM:   Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Carlton Plan Amendment
         DLCD File Number 002-06

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: December 13, 2006

This amendment was submitted to DLCD for review with less than the required 45-day notice because the jurisdiction determined that emergency circumstances required expedited review. 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 WASmailed 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: Doug White, DLCD Community Services Specialist
    Gary Fish, DLCD Regional Representative
    Mark Fancey, City of Carlton

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NOTICE OF ADOPTION

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

Jurisdiction: City of Carlton
Date of Adoption: November 14, 2006
Date Proposal was Provided to DLCD: July 26, 2006
Local File Number: CPA/ZC 06-01
Date Mailed: November 22, 2006

Type of Adopted Action: (Check all that apply)

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: (Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."
The request amends the Comprehensive Plan Map designation from Commercial to Residential and change
the zoning from Commercial (C) to Suburban Residential (SR) for a 5,000 square foot property.

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: Commercial to Residential
Zone Map Changed from: Commercial Business (CB) to Suburban Residential (SR)
Location: 427 W. Monroe Street – Assessor Map 3421AC Tax Lot 1500

Acres Involved: 0.12
Specify Density: Previous: N/A New: 5.8 units per acre

Applicable Statewide Planning Goals: 1.2.9.10
Was an Exception Adopted? Yes: No: X

DLCD File Number: 002-06 (15+13)
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: X 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) 588-6177
Address: MWVCOG 105 High Street SE
City: Salem Zip Code+4: 97301-3667

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 1/2 x 11 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.
ORDINANCE # 5033527761

AN ORDINANCE AMENDING THE CITY OF CARLTON COMPREHENSIVE PLAN MAP AND ZONING MAP AND DECLARING AN EMERGENCY

WHEREAS, the City of Carlton received a request to amend the Comprehensive Plan designation and rezone an approximately 5,000 square foot property, identified as Township 3S, Range 4W, Section 21 AC, Tax Lot 1500; and

WHEREAS, the subject property is located within the Carlton city limits, is designated as Commercial on the Carlton Comprehensive Plan Map, and is zoned Commercial Business; and

WHEREAS, a request was made to change the Comprehensive Plan Map designation to Residential and to change the zoning on the property to Suburban Residential;

WHEREAS, the Planning Commission conducted a public hearing to consider the request on September 7, 2006 at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, at the close of the public hearing, the Planning Commission voted to recommend that the City Council approve the request; and

WHEREAS, the City Council conducted a public hearing to consider the request on October 9, 2006 at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, at the close of the public hearing, the City Council voted to approve the request; and

WHEREAS, proper notice of the said public hearings was given to the public pursuant to applicable state statutes; and

WHEREAS, the City Council of the City of Carlton hereby adopts the findings of fact set forth in the staff report dated August 30, 2006;

NOW THEREFORE; The people of the City of Carlton ordain as follows;

SECTION 1. The Comprehensive Plan Map designation for the subject property is hereby changed from Commercial to Residential.

SECTION 2. The zoning designation for the subject property is hereby changed from Commercial Business to Suburban Residential.

SECTION 3. Emergency Clause. The Council desires and deems it necessary for the preservation of the health, peace, and safety of the City of Carlton that this ordinance take
effect at once, and therefore, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

Passed by this Council this 13th day of Nov., 2006, by the following vote:

AYES: Early, Berry, Brooks, Williams, Carl

NAYS: 

ABSENT: Vandewalle

ABSTAIN: Orcutt

Approved by the Mayor this 14th day of Nov., 2006.

Mayor

ATTEST: [Signature]
City Recorder
SW 1/4 NE 1/4 SEC 21 T3S R4W W.M. YAMHILL COUNTY

SEE MAP 3421AC CARLTON LAMINATED

Exhibit A