

# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

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### NOTICE OF ADOPTED AMENDMENT

October 24, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Cottage Grove Plan Amendment  
DLCD File Number 003-06



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: November 6, 2006**

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  
Marguerite Nabeta, DLCD Regional Representative  
Steven Santos, DLCD Economic Development Planning Specialist  
Amanda Ferguson, City of Cottage Grove

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# DLCD 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

(See reverse side for submittal requirements)

DEPT OF

OCT 17 2006

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: City of Cottage Grove Local File No.: ZC 3-06  
(If no number, use none)

Date of Adoption: 09-11-06 Date Mailed: 10-16-06  
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 06-02-06

- 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."

Rezoned from Light Industrial to PR Parks and Recreation.

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: M-1 Light Industrial to PR Parks and Recreation

Location: 415 South 10th Street Acres Involved: 0.12

Specify Density: Previous: N/A New: N/A

Applicable Statewide Planning Goals: 1, 2, 8, 11, 14

Was an Exception Adopted? Yes: \_\_\_\_\_ No: X

DLCD File No.: 003-06  
(15281)

Ordinance No. 2936

AN ORDINANCE AMENDING TITLE 18 OF THE COTTAGE GROVE  
MUNICIPAL CODE, THE CITY WIDE ZONING MAP. (ZC-3-06)  
Map 20-03-33-21 Tax Lot 100

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to amend the adopted citywide "zoning map" to identify the rezoning of property described as Map 20-03-33-21 Tax Lot 100, 415 S. 10<sup>th</sup> Street, shown and described on the map attached as Exhibit "A".

Section 2. Procedural Compliance. This amendment is in compliance with Title 18, Chapter 18.58 of the Municipal code of the City of Cottage Grove and is based upon the City Council determination, after a Planning Commission public hearing and recommendation, that the zone change (ZC-3-06) is a proper implementation of the City Comprehensive Land Use Plan and, therefore, is in the public interest and serves the health, safety, and welfare of the citizens of the City of Cottage Grove.

Section 3. Findings. City Council found the findings in Exhibit "B" to this Ordinance.

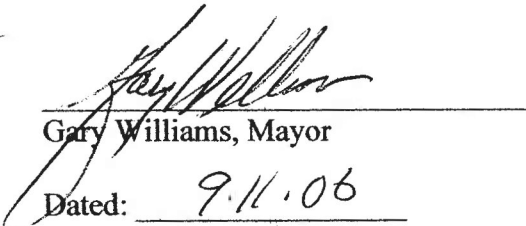
Section 4. Amendment. The citywide "zoning map" which is a part of the Title 18 is hereby amended as follows with respect to the property described as Map 20-03-33-21 Tax Lot 100:

Change of zoning district classification from M-1 Light Industrial to PR Parks & Recreation District.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS  
11TH DAY OF SEPTEMBER, 2006.

  
Richard Meyers, City Manager

Dated: Sept 19, 2006

  
Gary Williams, Mayor

Dated: 9.11.06





EXHIBIT 'B'  
TO ORDINANCE NO. 2936

1. The City of Cottage Grove, together with the property owners have made an application to rezone 0.12 acres of land on the west side of South 10<sup>th</sup> Street at 415 S 10th from M-1 Industrial to PR Parks and Recreation.
2. The land is proposed to be used as a part of the Bohemia Foundation Interpretative Center.
3. The City Comprehensive Plan designates this property as P Parks and Open Space.
4. The PR Parks and Recreation District is the appropriate implementing zone of the P Parks and Open Space designation of the Comprehensive Plan. The proposed interpretative center is allowed in this zoning district.
5. The land surrounding this property is zoned PR Parks and Recreation and is owned by the Bohemia Foundation.
6. Adequate public facilities, such as water, sewer, streets, etc. are available to the site, the dwelling density is not to great, and location is convenient to community services and the activity is not disruptive to the normal functions of a residential neighborhood.
7. The following Statewide Planning Goals are not applicable to the proposed redesignation: Goal 3-Agricultural Lands; Goal 4-Forest Lands; Goal 9-Economic Development; Goal 10-Housing, Goal-Willamette River Greenway; Goal 17-Coastal Shorelands; Goal 18-Beaches and Dunes; and Goal 19-Ocean Resources.
8. The following Statewide Planning Goals are applicable and the amendment complies with them as noted:
  - Goal 1-Citizen Involvement: Public hearing have been held at the Planning Commission and City Council level to consider this zone change. Our process involves various forms of notification of the public in the immediate area, through media and other governmental agencies.
  - Goal 2-Land Use Planning: The city has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The proposed change is compatible.
  - Goal 5-Open Spaces, Scenic and Historic Areas and Natural Resources: The proposed designation is in support of any of these resources that are found on the property. This plan amendment will not impact these factors.
  - Goal 6-Air, Water and Land Resources Quality: Development of these properties over time will have to comply with city, state and federal standards to protect air and water quality. No identified natural resources are being degraded by this zone change and the land has the capacity to accommodate the future development.
  - Goal 7-Areas Subject to Natural Disasters and Hazards: Steps will be taken to protect life and property from natural disasters and hazards during development. DEQ has issued a letter of no further action in cleaning up the property from its past railroad use.
  - Goal 8-Recreational Needs: Recreational opportunities are looked at during development and planning for the area. This application will enhance these needs.

Goal 11-Public Facilities & Services: The zone change of the property from Industrial to Parks and Recreation require less public facilities and services. The site will be developed with the timely, orderly and efficient arrangement of public facilities and services for urban development.

Goal 12 –Transportation: The zone change will not impact the transportation pattern or needs. Improvements and alternatives to transportation will be reviewed at the time of development of the center. Required improvements as development occurs will provide and encourage a safe, convenient and economic transportation system and be in compliance with our Transportation System Plan.

Goal 13- Energy Conservation: The recreation uses will have less of a demand on energy than an industrial use. This zone change will allow the opportunity to maximize the conservation of energy at development.

Goal 14 – Urbanization: The area is already in Cottage Grove’s urban growth boundary and is designated for residential use. This amendment will still provide an urban development.

9. The property owners of the land involved in the Plan Amendment are all in favor of the zone change.
10. The proposed change from M-1 Industrial to PR Parks and Recreation is in the public’s interest; is in keeping with the development pattern in this area of the city; is in keeping with the intent of the City Comprehensive Plan; and serves the public’s health, safety and welfare.