



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

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Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT



January 6, 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 010-05

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: January 10, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.625 (1), 197.830 (2), and 197.830 (9) 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 ADOPTED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Marguerite Nabeta, DLCD Regional Representative
Amanda Ferguson, City of Cottage Grove

<paa> ya/

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

DEC 30 2005

LAND CONSERVATION
AND DEVELOPMENTJurisdiction: City of Cottage Grove Local File No.: 2C-4-05
(If no number, use none)Date of Adoption: 12/19/05 Date Mailed: 12/29/05
(Must be filled in) (Date mailed or sent to DLCD)Date the Notice of Proposed Amendment was mailed to DLCD: 2/22/05

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

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Repealed 1.47 acres from R-1 Single Family Residential
to R-2 Multiple Family Residential

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: ~~R-1~~ to ~~R-2~~Zone Map Changed from: R-1 to R-2Location: Map 20-03-29-44 TL 202,1100 2-1200 Acres Involved: 1.47Specify Density: Previous: Low New: MediumApplicable Statewide Planning Goals: 1, 2, 10, 11Was an Exception Adopted? Yes: ☐ No: ☒DLCD File No.: 010-05(14534)

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: ☒ 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: _____

South Lane County Fire & Rescue District

Local Contact: AMANDA FERGUSON Area Code + Phone Number: 541-942-3340

Address: 400 E Main St,

City: Lottage Grove, Or Zip Code+4: 97424

DEPT OF

DEC 30 2005

ADOPTION SUBMITTAL REQUIREMENTS

LAND CONSERVATION
AND DEVELOPMENT

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 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 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 Larry.French@state.or.us - **ATTENTION: PLAN AMENDMENT SPECIALIST.**

ORDINANCE NO. 2925

AN ORDINANCE AMENDING TITLE 18 OF THE
MUNICIPAL CODE OF COTTAGE GROVE,
THE CITY WIDE ZONING MAP FOR 1.47 ACRES
BETWEEN NELLIS PLACE AND WILLAMETTE COURT. (Don Horton)

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to amend the adopted city-wide "zoning map" to identify the rezoning of the property described as Map 20-03-29-44, Tax lots 702, 1100 & 1200, and shown on the map attached as Exhibit 'A'.

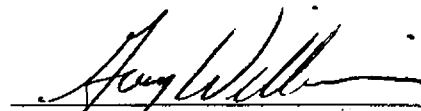
Section 2. Procedural Compliance. This amendment is in compliance with Title 18, Chapter 18.58 of the Municipal Code of the City of Cottage Grove and is based upon the City Council determination, after a City Planning Commission public hearing and recommendation, that the zone change (ZC 4-05) is a proper 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. The findings for this zone change are attached as Exhibit B to this ordinance.

Section 4. Amendment. The city-wide "zoning map" which is a part of Title 18 is hereby amended as follows with respect to the property described in Exhibit 'A' change of zoning district classification from R-1 Single Family Residential District to R-2 Multiple Family Medium Density Residential District.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 19TH
DAY OF DECEMBER, 2005.


Richard Meyers, City Manager


Gary Williams, Mayor

Dated: Dec. 19, 2005

Dated: Dec. 20, 2005

ZONE CHANGE

OWNER: GLENDA KOYAMA
212 S. RIVER ROAD
COTTAGE GROVE, OR 97478

CURRENT ZONING: R1

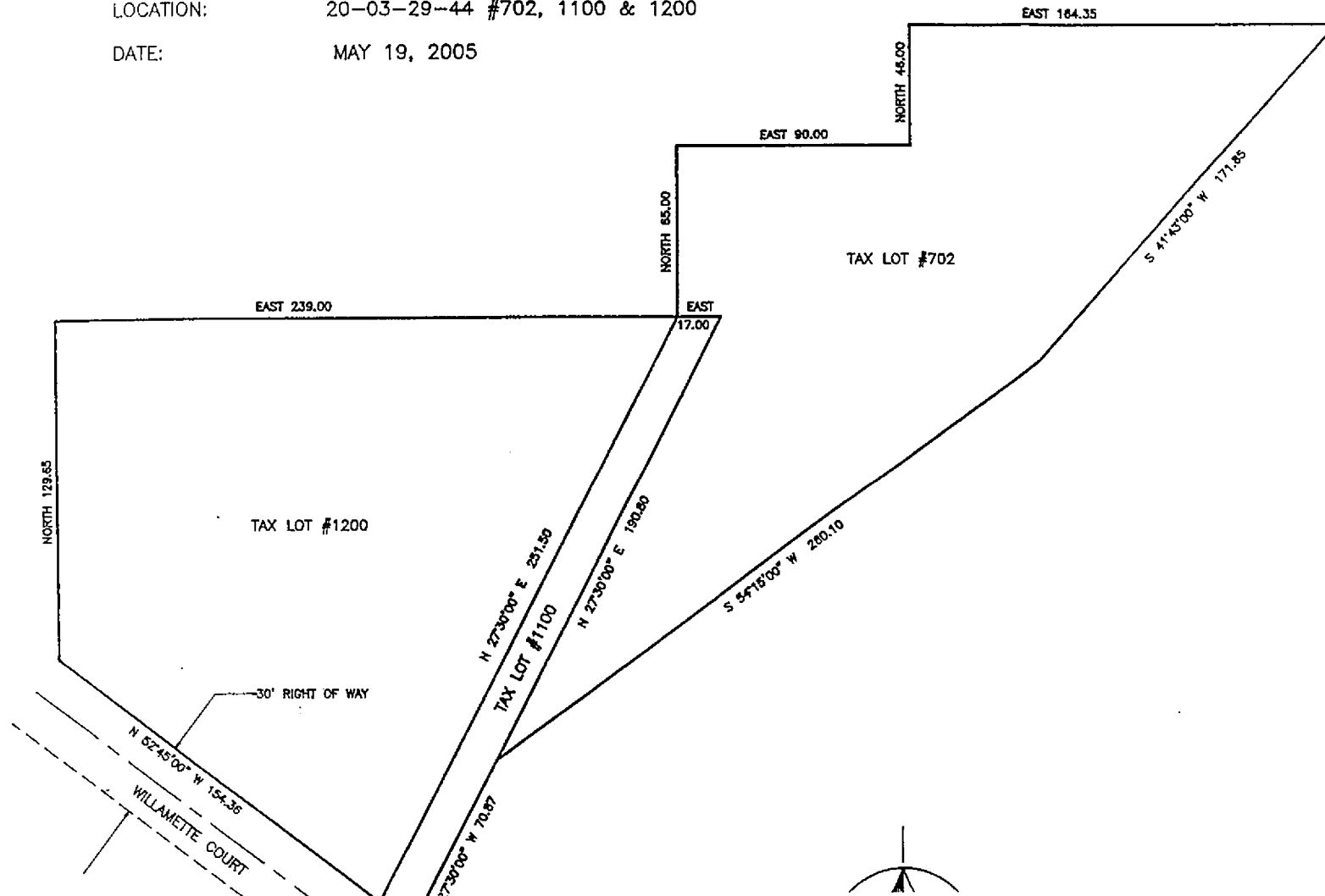
PROPOSED ZONING: R2

LOCATION: 20-03-29-44 #702, 1100 & 1200

DATE: MAY 19, 2005

NOTES:

1. THEF
NON
2. BEAF
THE



LEGAL DESCRIPTION:

TAX LOT #720:

BEGINNING AT A POINT
HAZELTON'S SECOND
"N", PAGE 333, LANE
187.90 FEET; THENCE
00" EAST 190.80 FEET
BLOCK 1, OF HAZELTON
FEET; THENCE NORTH
TO THE SOUTH LINE
185.00 FEET ALONG S

EXCEPTING THEREFROM

TAX LOT #1100:

BEGINNING AT THE SE
TO COTTAGE GROVE, A
OREGON DEED RECORD
FEET; THENCE NORTH
FEET TO THE PLACE

TAX LOT # 1200:

COMMENCE AT THE SE
ADDITION TO COTTAGE
EASTERLY ALONG SA
THENCE WEST TO TH

ALSO: BEGINNING AT
ADDITION TO COTTAGE
333, LANE COUNTY
BLOCK 1, OF HAZELTON

Exhibit A

LANE COUNTY

1"=100'

See Map 20 03 28 4 1

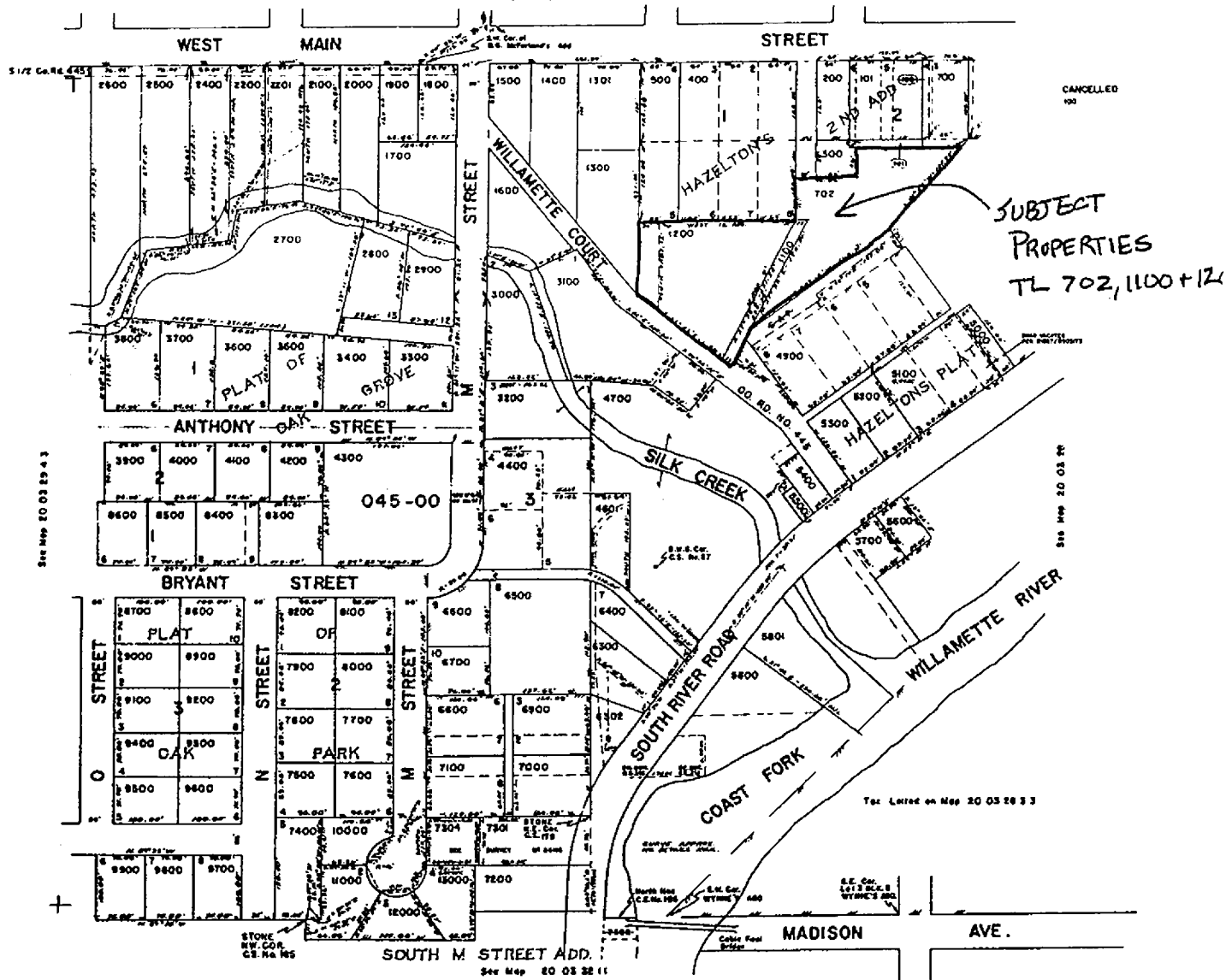


EXHIBIT 'B'
FINDINGS of FACT – ZONE CHANGE (ZC-4-05)

DON HORTON

1. Don Horton made an application for a Zone Change (ZC-4-05) to rezone land between Willamette Court and Nellis Place from R-1 Single Family Residential District to R-2 Multiple Family Residential District.
2. Forty-five day notice was given to DLCD on July 22, 2005 for the Zone Change application.
3. Notice was given pursuant to Chapter 18.58 of the Cottage Grove Municipal Code for the public hearing held on September 21, 2005.
5. A Public Hearing was held on September 21, 2005 before the Planning Commission.
4. Planning Commission opened up the hearing and staff presented the staff report. A presentation was made by the applicant and several members of the public testified on the application. The Planning Commission closed the public hearing and recommended to City Council that the Zone Change be approved.
5. City Council held a public hearing on November 21, 2005 on the proposed Zone Change.
6. The zone change is in compliance with the Comprehensive Plan and Zoning Code.
7. There is a public need for the proposal as established through its conformance with the City Comprehensive Plan, which includes the parcel in the City UGB and designates it for future medium density residential use. The lands designated for residential uses in the Comprehensive Plan are intended to provide for established residential land needs.
8. With the rezoning of subject properties and joined with the existing R-2 zoned land to the southeast owned by the applicant a development site of over 150,000 square feet can be developed as medium density residential as contemplated in the Comprehensive Plan.
9. No mistake was made in the original Comprehensive Plan designation nor was one identified through the periodic review in the late 1980's and early 1990's.
10. The surrounding area is zoned and developed in accordance with the R-2 and R-1 Districts. The proposed R-2 District will allow for a single family, two family, or multiple family development.
11. The proposed amendments are in compliance with Statewide Goals, as noted below:

Goal 1: Citizen Involvement: Public hearing has been held before the Planning Commission and City Council in consideration of this Zone Change. This public hearings meet this goal, as the Planning Commission

is the body designated in the code to consider Zone Change applications and make a recommendation to City Council. The process also includes a public hearing at the City Council level, various forms of notification of the public in the immediate area, notification of the general public through the media, and other governmental agencies through mailed notification. This goal is in compliance.

- 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 3: Agricultural Lands: Not applicable.
- Goal 4: Forest Lands: Not applicable as the property is located in an urban area and the urban growth boundary of the City of Cottage Grove.
- Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources: Depending on the type of development the various regulations will require open space through site development criteria which will be considered during application review for development. There are no known historic resources and a wetland review will be required at time of application review.
- Goal 6: Air, Water and Land Resources Quality: Impacts to air, water and land resource quality shall be considered during application review for development.
- Goal 7: Areas Subject to Natural Disasters and Hazards: The major concerns on this parcel relate to the floodplain which will be addressed at the time of development review pursuant to the existing city ordinances.
- Goal 8: Recreational Needs: Depending on the type of development the existing codes address this differently.
- Goal 9: Economic Development: Not applicable.
- Goal 10: Housing: The zone change will meet the main goal of providing housing opportunities for the citizens.
- Goal 11: Public Facilities and Services: There are public facilities and services to serve this development based on the R-2 District. There will be upgrades required by any developer of some of the infrastructure. The existing upgrades approved for the water production and wastewater treatment will accommodate development as a result of this zone change.
- Goal 12: Transportation: Any proposed development of this parcel will require a traffic analysis which may identify impacts that will be required to be addressed at the development stage.
- Goal 13: Energy Conservation: Not applicable.
- Goal 14: Urbanization: Not applicable.
- Goal 15: Willamette River Greenway: Not applicable.
- Goal 16: Estuarine Resources: Not applicable.
- Goal 17: Coastal Shorelands: Not applicable.

Goal 18: Beaches and Dunes: Not applicable.

Goal 19: Ocean Resources: Not applicable.

13. City Council found the zone change to be the proper implementation of the comprehensive land use plan and, therefore is in the public interest and for the health, safety and welfare of the residents of the City of Cottage Grove.