



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

April 5, 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 015-05

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: April 17, 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
Jana Fox, City of Cottage Grove

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DLCD NOTICE OF ADOPTION

DEPT OF

This form must be mailed to DLCD within 5 working days after the final decision per ORS 197.610, OAR Chapter 660 - Division 18

APR 03 2006

(See reverse side for submittal requirements)

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: Cottage Grove Local File No.: ZC 2-06 (If no number, use none)

Date of Adoption: 03-27-06 Date Mailed: 03-31-06 (Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 12-15-05

- 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."

Rezoned two properties which are currently used for residential houses from C-2P Community Commercial to RP-2 (Residential Professional-2).

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: C-2P to RP-2
20-03-28-24-900

Location: 20-03-28-13-7700 Acres Involved: 1.02

Specify Density: Previous: New:

Applicable Statewide Planning Goals: 1,2

Was an Exception Adopted? Yes: No: x

DLCD File No.: 015-05 (14819)

Ordinance No. 2931

AN ORDINANCE AMENDING TITLE 18 OF THE COTTAGE GROVE
MUNICIPAL CODE, THE CITY WIDE ZONING MAP. (David & Catherine
Zunno/Raandi Andersen)

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 20-03-28-13; Tax Lot 7700, known as 808 N 10th Street and Map 20-03-28-24; Tax Lot 900, known as 757 N 10th St, shown in 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-02-06) 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 with the adoption of this Ordinance hereby adopts the findings as detailed in "Exhibit B".

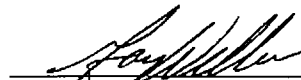
Section 4. Amendment. The citywide "zoning map" which is a part of the Title 18 is hereby amended as follows with respect to the property described as Map 20-03-28-13, Tax Lot 7700 and Map 20-03-28-24; Tax Lot 900:

Change of zoning district classification from C-2P Community Commercial to
RP-2 Residential Professional District.

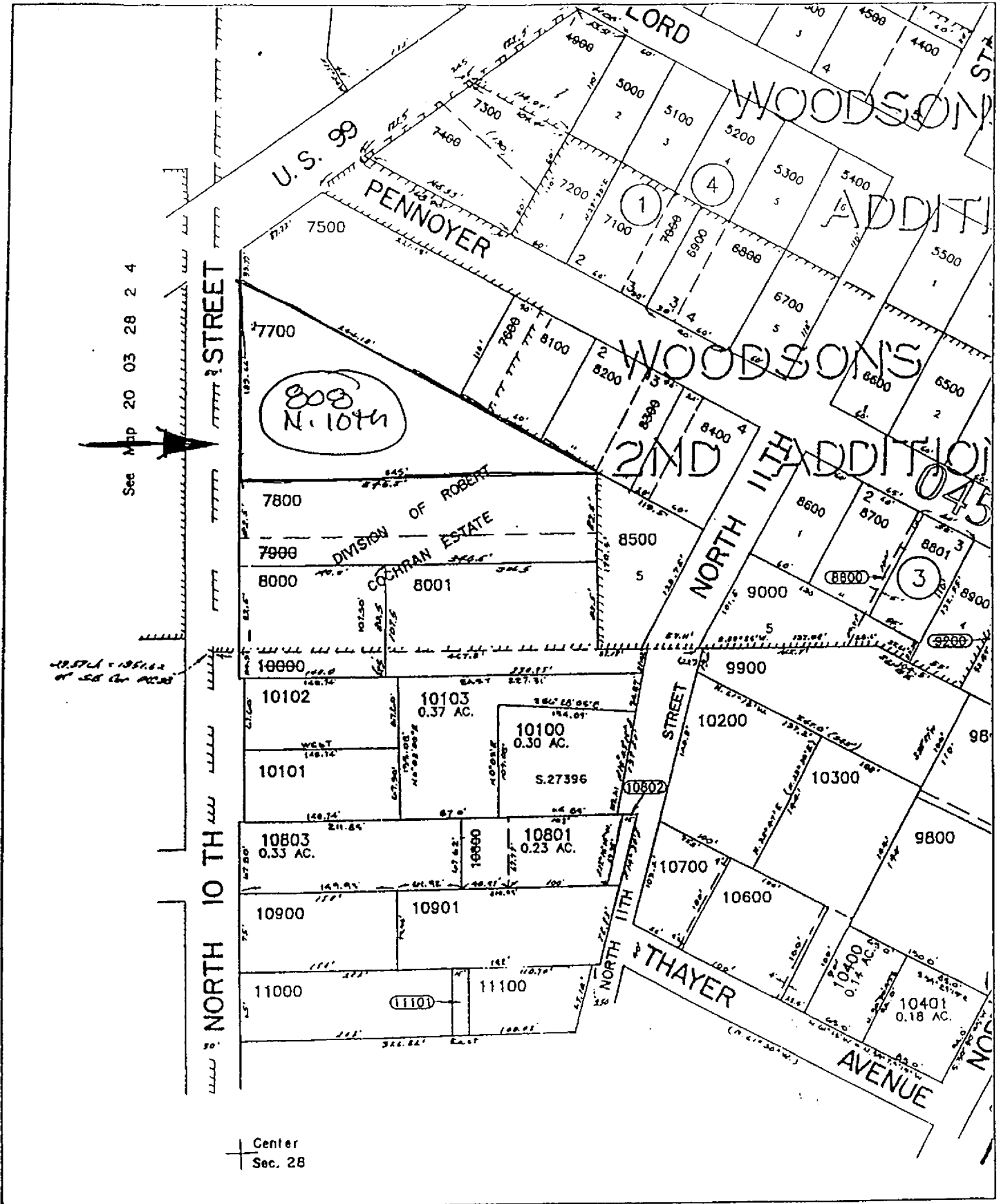
PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS
27TH DAY OF MARCH, 2006.


Richard Meyers, City Manager

Dated: March 28, 2006


Gary Williams, Mayor

Dated: March 28, 2006

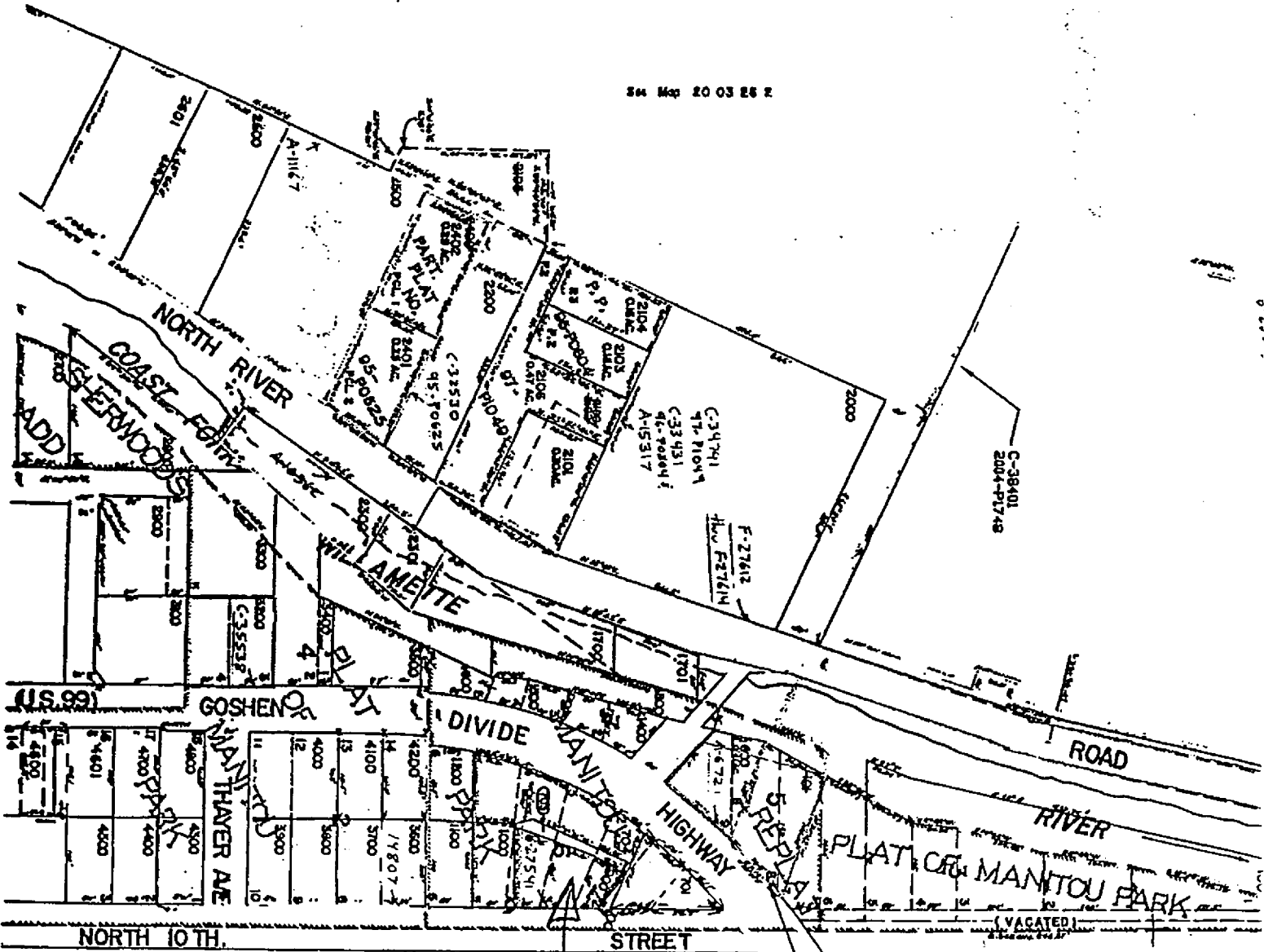


THIS MAP IS PROVIDED AS A COURTESY OF WESTERN PIONEER TITLE COMPANY

THIS COPY OF ASSESSOR'S MAP IS PROVIDED SOLELY TO ASSIST IN LOCATING SUBJECT PROPERTY. NO LIABILITY IS ASSUMED FOR DISCREPANCIES IN THIS MAP AS OUTLINED AND THE ACCOMPANYING LEGAL DESCRIPTION.

2004-03-26

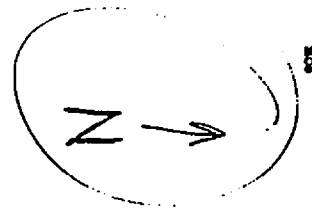
2003 26 28



See Map 20 03 26 1 3

Prop. 2
757 N 10th

C-38543



CANCELLED
100 000
2004-03-26

EXHIBIT 'B'
TO ORDINANCE NO. 2931

FINDINGS

1. Daniel & Catherine Zunno of 808 N 10th and Raandi Andersen of 757 N 10th made an application to rezone their properties from C-2P Community Commercial from RP-2 Residential Professional
2. Forty-five day notice was given to DLCDD on December 15, 2005 of the proposed Zone Change pursuant to ORS 197.610, OAR Chapter 660, Division 18.
3. Notice was given pursuant to Chapter 18.58 of the Cottage Grove Municipal Code for the public hearings held on February 15, 2006. One of the applicants spoke.
4. Planning Commission deliberated on the application at their meeting on February 15, 2006, and recommended to City Council unanimously that the zone change be approved.
5. City Council held a public hearing on March 13, 2006 on the zone change. The Mayor following public testimony closed the hearing.
6. The proposed zone change is in conformance with the comprehensive plan, as Residential Professional is an implementing zone under the Community Commercial designation of the plan.
7. The public need for the zone change is established through its conformance with the acknowledged Comprehensive Plan. The two properties are developed with single family dwellings and the RP-2 District will allow the existing residential structures to remain.
8. There is no mistake in the Comprehensive Plan that has been identified. The subject parcels are consistent with the criteria identified in the Residential Professional District.
9. The zone change will not change the character of the neighborhood.
10. The proposed amendments are in compliance with Statewide Goals, as noted below:

Goal 1: Citizen Involvement: The public hearings meet this goal, as the Planning Commission is the body designated in the plan to consider zoning ordinance amendments. Our process also includes public hearings 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. Our public process followed our citizen involvement program. 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.
- Goal 5: Natural Resources, Scenic and Historic Areas and Open Spaces: Not applicable.
- Goal 6: Air, Water and Land Resources Quality: No impacts identified as the use, single family dwellings will be the same as with the C-2P District.
- Goal 7: Areas Subject to Natural Disasters and Hazards: No area on the properties is subject to Natural Disasters and Hazards.
- Goal 8: Recreational Needs: Not applicable.
- Goal 9: Economic Development: Based on the 2005 Buildable Lands Inventory the City has more acreage for commercial development available than our 20 year projection requires. The zone change will not impact economic development in the City
- Goal 10: Housing: This proposal is in keeping with Goal 10 as two existing single family dwellings will be retained.
- Goal 11: Public Facilities and Services: The district does not change the requirement for public facilities as uses develop. This goal is in compliance.
- Goal 12: Transportation: No change and future development would be less intense from a traffic standpoint.
- Goal 13: Energy Conservation: No change as a result of the zone change.
- Goal 14: Urbanization: As the use is not changing and will remain an urban use with urban standard of services this goal is not impacted.
- 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.

11. City Council found the zone change to RP-2 Residential Professional is in the public interest and for the health, safety, and welfare of the residents of the City of Cottage Grove.