



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

First Floor/Coastal Fax: (503) 378-6033

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

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

NOTICE OF ADOPTED AMENDMENT

February 24, 2006



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Estacada Plan Amendment
DLCD File Number 004-03

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: March 9, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. 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 ABOVE DATE SPECIFIED.**

Cc: Doug White, DLCD Community Services Specialist
Stacy Hopkins, DLCD Regional Representative
Steve Oulman, DLCD Transportation Planner
Gary Fish, DLCD Regional Representative
Mike McCallister, City of Estacada

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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

DEPT OF

FEB 17 2006

LAND CONSERVATION
AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: City of Estacada

Local file number: Ord #2003-8

Date of Adoption: 1/12/2004

Date Mailed: 2/16/2006

Date original Notice of Proposed Amendment was mailed to DLCD: 10/16/2003

☐ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☒ Land Use Regulation Amendment

☐ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other: _____

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

1. Adds definition for apartment, hotel, motel & private road. 2. Amending
roadway guidelines and street widths. 3. Adding exemption to off street parking
requirements. 4. Repealing non-conforming use section for annexations.

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: _____ Acres Involved: _____

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: 12

Was an Exception Adopted? ☐ YES ☒ NO

DLCD File No.: 004-03
(13206)

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:

Estacada Fire Dept., Clackamas County

Local Contact: **Mike McCallister**

Phone: **(503) 353-4522**

Extension:

Address: **9101 SE Sunnybrook**

City: **Clackamas**

Zip Code + 4: **97015-**

Email Address:

mikem@co.clackamas.or.us

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 **maru.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE SERIES OF 2003, NO. 8

AN ORDINANCE AMENDING DEFINITIONS IN SECTION 16.08.010 OF THE ESTACADA MUNICIPAL CODE.

The City of Estacada ordains as follows:

Section 1. The following definitions in Section 16.08.010 are hereby amended to read as follows:

"Apartment" means any building, or portion thereof, which is designated, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of four or more families living independently of each other and doing their own cooking in the building.

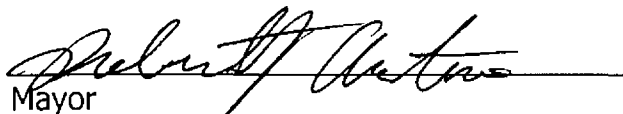
"Hotel" means a building that is designed or used to offer short-term lodging for compensation, with or without meals, for five (5) or more people. A facility that is operated for the purpose of providing care beyond that of room and board is not a "hotel."

"Motel" means a building or series of buildings in which lodging only is offered for compensation and which may have more than five (5) sleeping rooms or units for this purpose and which is distinguished from a hotel primarily by reason of providing direct independent access to and adjoining parking for each rental unit designed primarily for automobile tourists and transient persons. The term includes auto courts, tourist courts, tourist homes, and motor lodges.

"Private Road" is a privately owned road where public access and use is by permission of the property owner.

"Wholly Enclosed " means everything is completely within a building.

This ordinance was read once in full before the City Council of the City of Estacada on January 12, 2004 and once ^{by title only} at the meeting of January 12, 2004, and passed by a vote of 7 ayes and 0 nays this 12th day of January, 2004.


Mayor

ATTEST:


City Recorder