



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

March 24, 2006



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Hubbard Plan Amendment
DLCD File Number 004-05

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. This amendment was submitted without text.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: April 4, 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: Doug White, DLCD Community Services Specialist
Gary Fish, DLCD Regional Representative
Mark Fancey, City of Hubbard

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NOTICE OF ADOPTION

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

DEPT OF

MAR 22 2006

Jurisdiction: City of Hubbard Local File Number: ZC 05-03 AND CONSERVATION
Date of Adoption: March 14, 2006 Date Mailed: March 21, 2006 AND DEVELOPMENT
Date Proposal was Provided to DLCD: November 15, 2005

Type of Adopted Action: (Check all that apply)

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."

To rezone approximately 1.39 acres of a 3.02-acre parcel from Low-Density Residential (R-1) to Commercial General (CG).

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: Low-Density Residential (R-1) to Commercial General (CG)

Location: Assessor Map 4134BC Tax Lot 2100 - 3884 Pacific Highway

Acres Involved: 1.39

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: 2,9,10,11,12

Was an Exception Adopted? Yes: _____ No:

DLCD File Number: 004-05
(14813)

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: ODOT

Local Contact: Mark Fancey Area Code + Phone Number: (503) 588-6177

Address: 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 x11 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 291-2006

AN ORDINANCE AMENDING THE HUBBARD ZONING MAP, AND DECLARING AN EMERGENCY

WHEREAS, the City of Hubbard received a request to rezone approximately 1.39 acres of a 3.02 acre parcel, identified as Township 4 1W 34BC Tax Lot 2100; and

WHEREAS, the subject property is located within the Hubbard Urban Growth Boundary, is designated as Commercial on the Hubbard Comprehensive Plan Map, and the portion subject to the rezoning request is zoned Low-Density Residential (R-1); and

WHEREAS, the Planning Commission conducted a public hearing to consider the request on January 17, 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 February 14, 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 Hubbard hereby adopts the findings of fact set forth in the staff report dated January 11, 2006; now therefore,

NOW THEREFORE THE CITY OF HUBBARD ORDAINS AS FOLLOWS:

Section 1. The zoning designation for the subject property is hereby changed from Low Density Residential (R-1) to Commercial (C).

Section 2. As a condition of the zone change, the applicant or future property owner shall enter into a Development Agreement with the City of Hubbard for future construction of a sidewalk across the property frontage. The Agreement shall specify that the applicant or future property owner shall be responsible for design and construction of the sidewalk. The design and construction of the sidewalk shall conform to the Oregon Department of Transportation standards. The sidewalk shall be constructed within two (2) years of the date of adoption of this ordinance.

Section 3. This ordinance shall be effective 30 days after it's passage and approval, or upon the execution by the applicant or future property owner of the Development Agreement described in Section 2 herein, which ever last occurs.

PASSED and adopted by the City Council of the City of Hubbard on this 14th day of March, 2006, by the following votes:

AYES: 5
NAYS: 0

LEGEND

LINE TYPES

TAX LOT BOUNDARY	OLD PROPERTY LINE
ROAD RIGHT-OF-WAY	VACATED RIGHT-OF-WAY
RAILROAD	RAILROAD RIGHT-OF-WAY
STREAM, LAKE, ETC.	STREAM, LAKE, ETC. NON-BOUNDARY
SUBDIVISION BOUNDARY	PARTITION PLAT BDY.
TAX CODE BOUNDARY	EASEMENT

SYMBOL TYPES

CONTROL POINTS	
SURVEY MONUMENTS	
C.I.D. CORNERS	
SECTION	1/4 SEC
	1/2 SEC
	1/4 COR
	1/4 COR

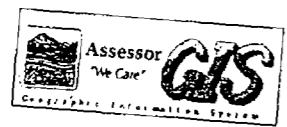
NUMBERS
TAX CODE NO
000 00 00 0

ACREAGE - ALL ACREAGES EXCLUDE ANY PORTION THAT MAY LIE WITHIN THE DESIGNATED PUBLIC RIGHT OF WAYS

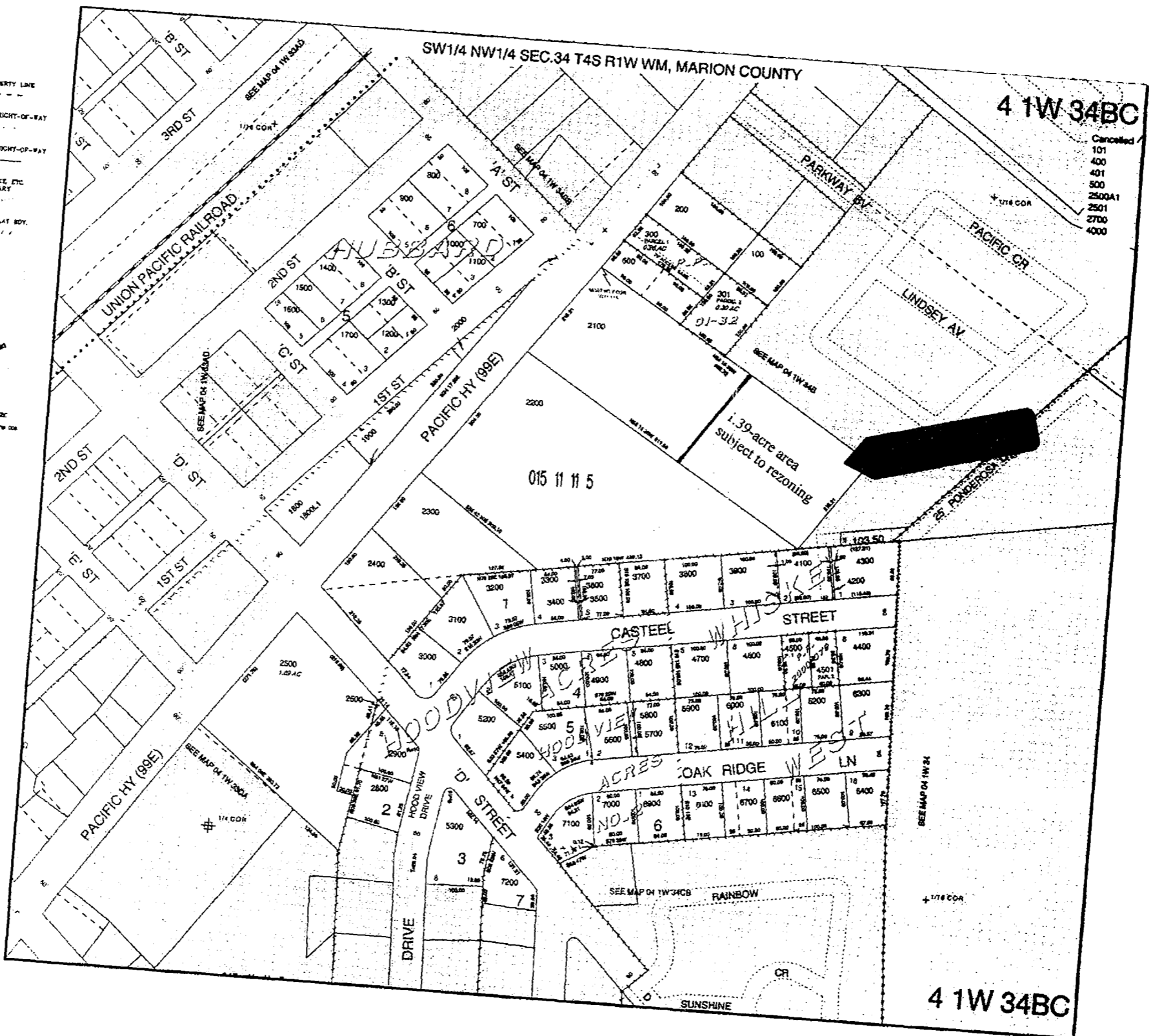
TICK MARKS - WHEN A TICK MARK IS INDICATED ON THE EXTENSION OF A LINE THEN THE DIMENSION GOES TO THE TICK MARK. GENERALLY THIS IS USED WHEN DIMENSIONS GO INTO PUBLIC RIGHT OF WAYS

ARROWS ARE USED WITH DIMENSIONS IN AREAS OF GREATER COMPLEXITY.

NOTICE: This map was created for Assessor's Office use ONLY.



SCALE 1" = 100'
or 1:1250
Plot file created: July 27, 2004



4 1W 34BC

Cancelled
101
400
401
500
2500A1
2501
2700
4000

4 1W 34BC