



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

December 22, 2006



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of McMinnville Plan Amendment
DLCD File Number 004-06

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 4, 2007

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: Gloria Gardiner, DLCD Urban Planning Specialist
Jason Locke, DLCD Regional Representative
Ron Pomeroy, City of McMinnville

<paa> ya/

FORM 2

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)

LAND CONSERVATION AND DEVELOPMENT
NOTICE

DEC 15 2006

Jurisdiction: City of McMinnville Local File No.: CPA 6-06/ZC 16-06
(If no number, use none)

DEPT OF

Date of Adoption: December 12, 2006 Date Mailed: December 14, 2006
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: August 25, 2006

- 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."

On December 12, 2006, the City of McMinnville amended the comprehensive plan and zoning designations on two parcels of land 0.88 and 0.49 acres in size from Industrial to Commercial, and from an M-1 (Light Industrial) to a C-3 (General Commercial) zone, respectively. This redesignation was previously requested as part of the October, 2003, McMinnville Growth and Management Urbanization Plan (MGMUP) previously submitted to DLCD on October 17, 2003.

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: Industrial to Commercial

Zone Map Changed from: M-1 (Light Industrial) to C-3 (General Commercial)

Location: Tax Lots R4416BD01100 & R4416BD01700 Acres Involved: 1.37

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: _____

Was an Exception Adopted? Yes: _____ No: X

DLCD File No.: 004-06 (15534)

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: X

If no, did The Emergency Circumstances Require immediate adoption. Yes: _____ No: X

Affected State or Federal Agencies, Local Governments or Special Districts: _____

Local Contact: Ron Pomeroy Area Code + Phone Number: 503-434-7311

Address: 230 NE 2nd Street City: McMinnville

Zip Code+4: 97128 Email Address: pomeror@ci.mcminnville.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 Mara.Ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 4865

An Ordinance amending the comprehensive plan map designation on two parcels of land from Industrial to Commercial and rezoning said property from an M-2 (General Industrial) zone to a C-3 (General Commercial) zone.

RECITALS

The Planning Commission received an application (CPA 6-06/ZC 16-06) from the City of McMinnville, dated August 25, 2006, to amend the comprehensive plan map designation on two parcels of land from Industrial to Commercial and rezoning said property from an M-2 (General Industrial) zone to a C-3 (General Commercial) zone. The properties are more specifically described as Tax Lots 1100 and 1700, Section 19BD T. 4 S., R. 4 W., W.M.

A public hearing was held on November 14, 2006, at 6:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on November 7, 2006, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application materials and a staff report were presented; and

The Planning Commission, being fully informed about said request, found that said change conformed to the comprehensive plan and zone change review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based on the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that the plan amendment and zone change are consistent with the Comprehensive Plan; and

The Planning Commission approved said plan amendment and zone change and has recommended said changes to the Council; and now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by the City of McMinnville.

Section 2. That the comprehensive plan map designation for the property described in Exhibit "A", is hereby amended from Industrial to Commercial.


Section 3. That the property described in Exhibit "A", is hereby rezoned from an M-2 (General Industrial) zone to a C-3 (General Commercial) zone.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 12th day of December 2006, by the following votes:

Ayes: Hill, Menke, Olson, Springer, Yoder

Nays: _____

Approved this 12th day of December 2006.


MAYOR

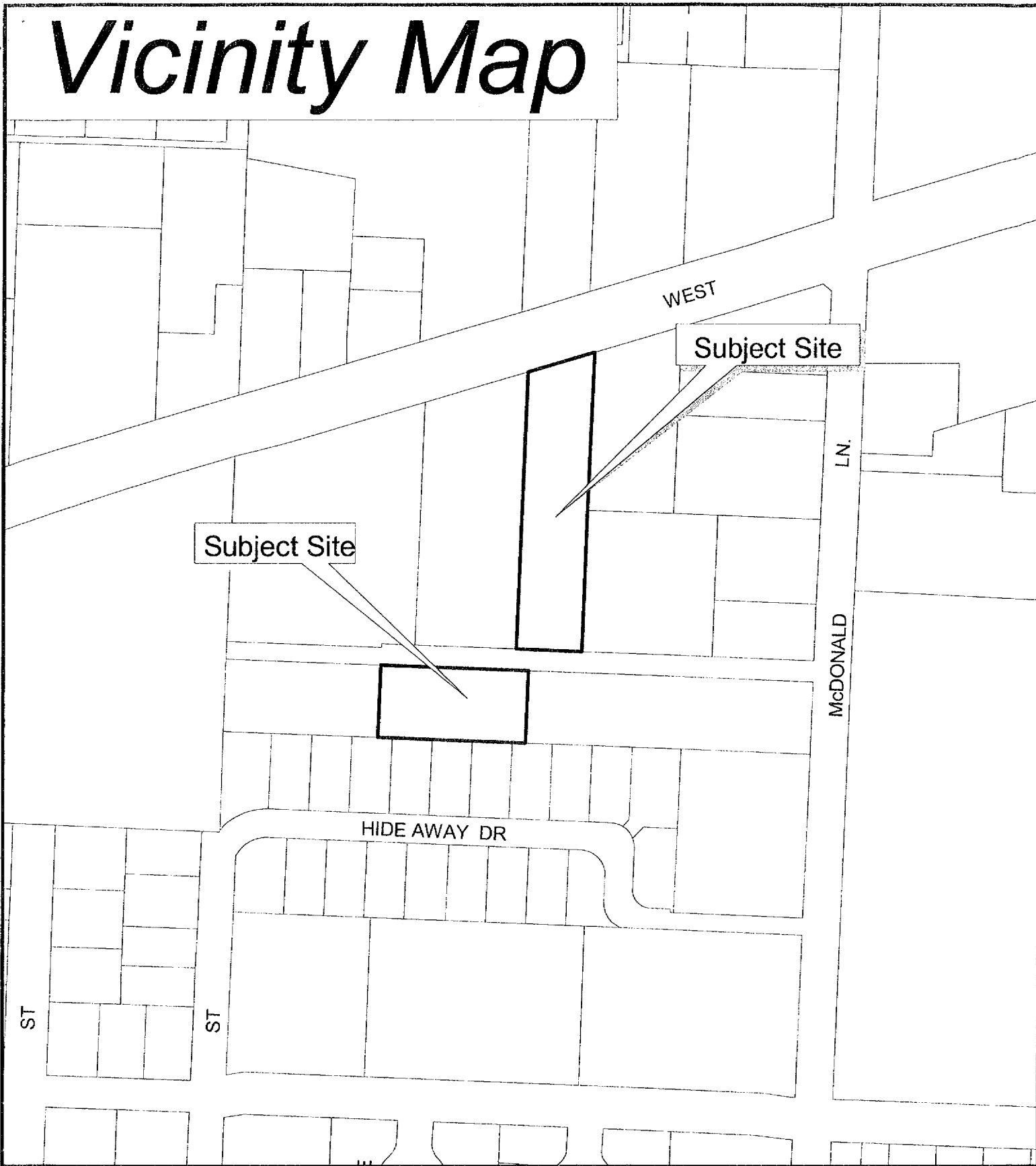
Attest:


RECORDER

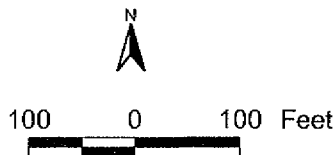
Approved as to form:


CITY ATTORNEY

Vicinity Map



Geographic Information System



City of McMinnville
Planning Department
230 NE Second St
McMinnville, OR 97128
(503) 434-7312