



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/Costal Fax: (503) 378-6033

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

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

NOTICE OF ADOPTED AMENDMENT

July 26, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Monmouth Plan Amendment
DLCD File Number 001-06



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: August 11, 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: Gloria Gardiner, DLCD Urban Planning Specialist
Stacy Hopkins, DLCD Regional Representative
Gary Fish, DLCD Regional Representative
Mark Fancey, City of Monmouth

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DEPT OF

JUL 24 2006

LAND CONSERVATION
AND DEVELOPMENT

NOTICE OF ADOPTION

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

Jurisdiction: City of Monmouth Local File Number: CPMA-ZC 06-01
Date of Adoption: July 11, 2006 Date Mailed: July 21, 2006
Date Proposal was Provided to DLCD: February 23, 2006

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."
This request would amend the Comprehensive Plan Map designation and zoning designation from Medium Density Residential (RM) to High Density Residential (RH) for a 27,207 square foot property.

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."

Plan Map Changed from: NA to NA

Zone Map Changed from: Medium Density Residential (RM) to High Density Residential (RH)

Location: 577 Monmouth Avenue S - Assessor Map 8525DA Tax Lot 6800 Acres Involved: 0.51

Specified Change in Density: Current: 12 du/acre Proposed: 20 du/acre

Applicable Statewide Planning Goals: 1, 2, 8

Is an Exception Proposed? Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: None

DLCD File Number: 001-06(15035)

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: None

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

CITY OF MONMOUTH, COUNTY OF POLK

STATE OF OREGON

An Ordinance Changing the Zoning)
Designation of a Parcel of Real Property)
Owned by Grant and Gayle Cornelius,)
Zone Change 06-01.)

ORDINANCE NO 1234

WHEREAS, Grant and Gayle Cornelius are the owners (hereinafter "Owners") of the real Property described on Exhibit A, which is attached hereto and by this reference incorporated herein (hereinafter the "Property"); and

WHEREAS, Owners caused to be submitted an application to change the zoning designation of the Property from Medium-Density Residential (RM) to High-Density Residential (RH); and

WHEREAS, after due notice and public hearing on April 19, 2006, the Planning Commission recommended to the Council that said application be approved; and

WHEREAS, after due notice and public hearing on May 2, 2006, the Council approved the application, based upon the following Findings and Conclusions:

FINDINGS

1. The Property is approximately 27,181 square feet in size and contains five (5) townhouse units.
2. The applicant proposes to construct seven (7) additional one bedroom townhouses on the western portion of the Property adjacent to S. Monmouth Street. This portion of the Property formerly contained a single-family residence, which has been removed.
3. The High-Density Residential Zone allows for a maximum density of 20 units per acre and constructing seven (7) additional units on the Property would result in a density of approximately 19.23 units per acre, which would not exceed the maximum density allowed in the RH Zone of 20 units per acre.
4. The Housing Element of the Comprehensive Plan includes a housing needs analysis which found that 700 additional multi-family residential units will be needed through 2020.

CONCLUSIONS

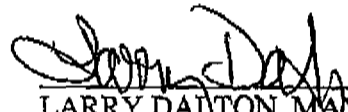
1. The proposed zoning would provide a portion of the needed multi-family residential units identified in the Housing Element of the Comprehensive Plan.
2. There is a public need for land use of the kind for which the zone change is initiated, viz., multi-family housing, and that public need can best be met by granting the proposed zoning change. NOW, THEREFORE,

THE CITY OF MONMOUTH DOES ORDAIN AS FOLLOWS:

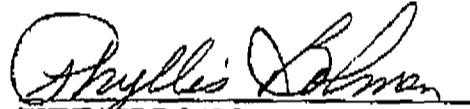
Section 1. The zoning designation of the Property described on Exhibit A hereto, is hereby changed to High-Density Residential.

Section 2. This Ordinance shall not become effective until Owners sign and record, at Owners' expense, a waiver of all potential Measure 37 claims for the Property, and delivers the waiver to the City Recorder.

Read for the first time: May 2, 2006
 Read for the second time: July 11, 2006
 Adopted by the City Council: July 11, 2006
 Approved by the Mayor: July 11, 2006


 LARRY DALTON, MAYOR

ATTEST:


 PHYLLIS BOLMAN
 CITY RECORDER

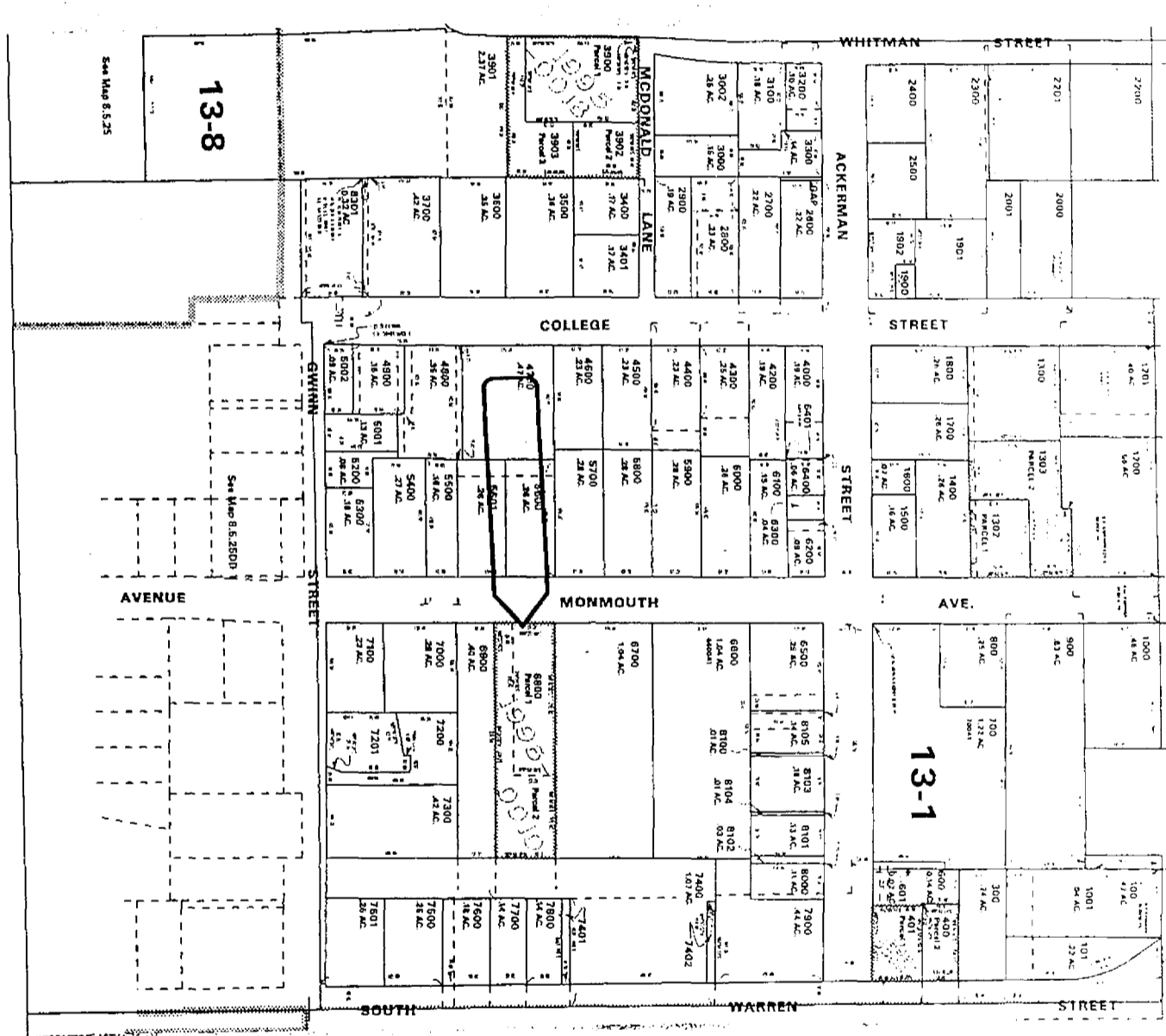


Exhibit A