



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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

NOTICE OF ADOPTED AMENDMENT

September 1, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

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



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office. This amendment was submitted without text.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: September 14, 2006

This amendment was submitted to DLCD for review with less than the required 45-day notice because the jurisdiction determined that emergency circumstances required expedited review. 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 DATE SPECIFIED ABOVE.**

cc: Gloria Gardiner, DLCD Urban Planning Specialist
Darren Nichols, DLCD Regional Representative
Bill Ewing, City of Nyssa

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NOTICE OF ADOPTION

DEPT OF

This form must be mailed to DLCD not later than 5 working days after adoption
ORS 197.610, and OAR Chapter 660 - Division 18

AUG 28 2006

See reverse side for submittal requirements

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: City of Nyssa Local File No.: _____

Date of Adoption: 8-22-06 Date Mailed: 8-24-06

Date the Notice of Proposed Amendment was mailed to DLCD: 6-8-06

Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment
 Land Use Regulation Amendment Zoning Map Amendment
 New Land Use Regulation

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

Allowing single family Dwellings as outright permitted uses in multi-family
mobile home zone (R-4)

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice the proposed amendment, write "N/A."
N/A

Plan Map Change From: N/A to _____

Zone Map Change From: N/A to _____

Location: _____ Acres Involved: 40

Specify Density: Previous: None New: _____

Applicable Goals: 10-11-12 Was an Exception Adopted? Yes: _____ No: N/A

DLCD File No.: 001-06 (15302)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment **FORTY-FIVE (45)** days prior to the final hearing.

Yes: x No: ==> The Statewide Planning Goals do not apply.

 NO The Emergency Circumstances Required Expedited Review.

Affected State or Federal Agencies, Local Governments or Special Districts: OR Dept. of Transportation, Malheur Co, Arcadia Drainage, OR Water Resources

Local Contact: Bill Ewing, City Manager Phone: (541) 372-2264 ext. 6

Address: 14 S 3rd St.

City: Nyssa, OR Zip Code+4: 97913

SUBMITTAL REQUIREMENTS

ORS 197.610, and OAR Chapter 660 - Division 18

1. Send this Form and TWO-(2) Copy 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 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 Notice of Adoption is sent to DLCD.
6. In addition to sending 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
ATTN: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 613-06

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF NYSSA, OREGON; ALLOWING SINGLE FAMILY DWELLINGS AS OUTRIGHT PERMITTED USES IN MULTI-FAMILY MOBILE HOME ZONE (R-4); AND DECLARING AN EMERGENCY.

WHEREAS, the City Council has determined that it is in the best interest of the City to allow single family dwellings in multi-family mobile home zones as outright permitted uses; and

WHEREAS, amending the Zoning Ordinance complies with the City's Comprehensive Plan.

NOW THEREFORE, THE CITY OF NYSSA ORDAINS AS FOLLOWS:

SECTION 1. Section 11.06.020 of Chapter 11.06 of the City of Nyssa Municipal Code is hereby amended to include the following additional language at the end of the Section:

“(F) Single Family Dwellings.”

SECTION 2. Declaration of an Emergency.

The Common Council of the City of Nyssa hereby adjudges that it is necessary for the immediate preservation of the peace, health and safety of the said City that this ordinance shall take effect immediately upon its passage and approval, and an emergency is hereby declared to exist and this ordinance will be in full force and effect immediately upon its passage by the Council and its approval by the Mayor.

SECTION 3: Declaring of an Emergency

EMERGENCY CLAUSE: The Common Council of the City of Nyssa hereby adjudges that it is necessary for the immediate preservation of the peace, health and safety of the said City that this ordinance shall take effect immediately upon its passage and approval, and an emergency is hereby declared to exist and this ordinance will be in full force and effect immediately upon its passage by the Council and its approval by the Mayor.

Passed by the Common Council of the City of Nyssa, Oregon, by the following votes this 8th day of August 2006. (1st Reading)

Ayes: Susan Walker, Kathy Flanders, Brent Huffman, Alicia Shell
Pat Brewer, Harry Flock, and Diego Castellanoz

Nays: None

Absent: None

Passed by the Common Council of the City of Nyssa, Oregon, by the following votes this 22nd day of August 2006. (2nd Reading)

Ayes: Susan Walker, Kathy Flanders, Alicia Shell
Pat Brewer, Harry Flock, and Diego Castellanoz
Nays: None
Absent: Brent Huffman

Approved this 22nd day of August 2006.

ATTEST:

Beth Ann Christensen, CPA
Beth Ann Christensen, City Recorder

Susan K. Walker
Susan K. Walker, Mayor