



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2524

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

NOTICE OF ADOPTED AMENDMENT

March 1, 2006



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Talent Plan Amendment
DLCD File Number 006-04R

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.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: March 15, 2006

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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
Steve Oulman, DLCD Transportation Planner
John Renz, DLCD Regional Representative
John Adams, City of Talent

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D L C D NOTICE OF ADOPTION

DEPT OF

This form must be mailed to DLCD within 5 working days after the final decision per ORS 197.610, OAR Chapter 660 - Division 18

FEB 24 2006

(See reverse side for submittal requirements)

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: City of Talent Local File No.: CPA 04-01-MA (if no number, use none)

Date of Adoption: 2/15/2006 (Must be filled in) Date Mailed: 2/22/2006 (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 12/22/2006

- 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."

City adopted a resolution that added findings to its adoption of the Access Mgmt. Plan for the Hwy. 99 Improvement Proj., as per LUBA remand.

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: N/A to

Zone Map Changed from: N/A to

Location: Hwy 99 in Talent Acres Involved:

Specify Density: Previous: N/A New:

Applicable Statewide Planning Goals: 1, 5, 7, 12

Was an Exception Adopted? Yes: No: [checked]

DLCD File No.: 006-042(13992)

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: 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: John Adam Area Code + Phone Number: (541) 535-7401

Address: PO Box 445

City: Talent, OR Zip Code+4: 97540

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 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 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 Larry.French@state.or.us - **ATTENTION: PLAN AMENDMENT SPECIALIST.**

RESOLUTION NO. 06-735-R

A RESOLUTION TO ADOPT SUPPLEMENTAL FINDINGS AND AFFIRM ORIGINAL FINDINGS IN SUPPORT OF THE CITY'S ADOPTION OF ORDINANCE NO. 779, AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S TRANSPORTATION SYSTEM PLAN BY ADOPTING THE ACCESS MANAGEMENT PLAN FOR THE HIGHWAY 99 MODERNIZATION PROJECT

THE CITY OF TALENT RESOLVES:

SECTION 1. SUPPLEMENT: That the findings contained in the City Planner's staff report (file no. CPA 04-01-MA), cover-dated 9 February 2006, supplement the original findings made in support of Ordinance No. 779.

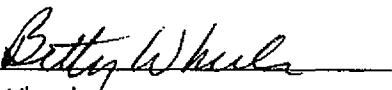
SECTION 2. SUPPLEMENT: That the findings contained in the Planning Commission's Recommendation, labeled "Exhibit A" and attached hereto, supplement the original findings made in support of Ordinance No. 779.

SECTION 3. ORIGINAL FINDINGS: That the Council affirms the original findings contained in the City Planner's staff report to the Council (file no. CPA 04-01) cover-dated 5 January 2005, and the additional findings included in the Council's motion to adopt Ordinance No. 779, as augmented and otherwise modified by the supplemental findings described in Sections 1 and 2 above.

SECTION 4. EFFECTIVE DATE: The provisions of this resolution shall take effect immediately.

Duly enacted by the City Council in open session on 15 February 2006 by the following vote:

AYES: 6— NAYS: 0 — ABSTAIN: 0 — ABSENT: 0—


Betty Wheeler,
City Recorder and Custodian of City records



**BEFORE THE TALENT CITY COUNCIL
STATE OF OREGON, CITY OF TALENT**

IN THE MATTER OF PLANNING COMMISSION FILE NO. CPA 04-02-MA,)	
A RECOMMENDATION TO THE CITY OF TALENT CITY COUNCIL TO)	
ADOPT SUPPLEMENTAL FINDINGS PURSUANT TO ORDINANCE NO.)	
779, AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN BY)	RECOMMENDATION
ADOPTING THE ACCESS MANAGEMENT PLAN FOR THE HIGHWAY 99)	
MODERNIZATION PROJECT INTO THE TRANSPORTATION SYSTEM PLAN)	

WHEREAS:

1. The Planning Commission held a properly noticed public hearing on this matter on 9 February 2006;
2. At said hearing evidence was presented, the public was given an opportunity to comment, and recommendations were made by the City Planner;
3. The purpose of the hearing is to review supplemental findings pursuant to Ordinance No. 779, adopted on 19 January 2005;
4. The Commission found that the historic preservation and architectural design codes of the City are not implicated by the modernization project;
5. The Commission found that the project—in particular the Wagner Creek bridge widening—complies with the City’s flood hazard protection ordinance;
6. The Commission found that the Transportation System Plan describes the modernization project and identifies it for short-range (2000–2005) implementation;
7. The Commission found that the Transportation System Plan describes the signalization of the Rapp Road intersection and identifies it for medium-range (2006–2010) implementation;
8. The Commission found that the designed project is significantly similar to the project as described in the Transportation System Plan and that the identified dimensional deviations are appropriate and justified by existing constraints;
9. The Commission found that the CPA 04-01-MA staff report, cover-dated 9 February 2006, contains accurate findings;

10. The Commission found that the findings in said staff report are sufficient responses to the remand by the Land Use Board of Appeals (case no. 2005-031);
11. At the conclusion of said public hearing, after consideration and discussion, the Talent Planning Commission, upon a motion duly seconded, voted 6-0 to recommend approval of the amendment to the City Council, and directed staff to prepare a recommendation for approval.

THEREFORE, the Planning Commission recommends that the City Council approve the supplemental findings in support of Ordinance No. 779.

ACCEPTED AND APPROVED THIS 10TH DAY OF FEBRUARY 2006
BY THE CITY OF TALENT PLANNING COMMISSION



Joi Riley, Chairperson

ATTEST:



John Adam, City Planner