



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 Fax: (503) 378-5518

Third Floor/Measure 37 Fax: (503) 378-5318

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

NOTICE OF ADOPTED AMENDMENT

November 16, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Toledo 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: November 30, 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
Laren Woolley, DLCD Regional Representative
Pete Wall, City of Toledo

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FORM 2

DEPT OF

DLCD NOTICE OF ADOPTION

NOV 13 2006

This form **must be mailed** to DLCD **within 5 working days after the final decision** AND CONSERVATION AND DEVELOPMENT
per ORS 197.610, OAR Chapter 660 - Division 18
(See reverse side for submittal requirements)

Jurisdiction City of Toledo Local File No.: AX-1-06/RZ-1-06
(If no number, use none)

Date of Adoption November 1, 2006 Date Mailed: November 8, 2006
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: August 18, 2006

- Comprehensive Plan Text Amendment Comprehensive Plan Map
 Land Use Regulation Amendment Zoning Map Amendment
 New Land Use Regulation Other: _____
(Please Specify Type or Action)

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

Annex approximately 2.0 acres into the City limits. Upon annexation, rezone the site to designate the property Single-Family Residential.

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 Change from: UGB Low Density Residential to City Single-Family Residential

Zone Map Change from: County R-1 to City Single-Family Residential

Location: NE Skyline Drive Acres Involved: 2.0 acres

Specific Change in Density: Current: N/A Proposed: N/A

Applicable Statewide Planning Goals: #2, #10, #11 and #14

Was an Exception Adopted? Yes: No:

DLCD No.: 001-06
(15471)

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: City of Toledo,

Port of Toledo, Lincoln County, Toledo Rural Fire Protection District, and Library District

Local Contact: Pete Wall Area Code + Phone Number: (541)336-2247 x 211

Address: P.O. Box 220 FAX 541/336-3512

City: Toledo, Oregon Zip Code + 4: 97391-0220

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** by DLCD **within 5 working days after the final decision** per ORS 197.610, OAR Chapter 660 - Division 18 and Senate Bill 543 and effective on June 30, 1999.

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 bound please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD no 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 plans 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.

ORDINANCE NO. 1313

AN ORDINANCE PROCLAIMING THE ANNEXATION AND REZONE OF REAL PROPERTY AND THE WITHDRAWAL FROM THE TOLEDO RURAL FIRE PROTECTION DISTRICT AND THE LINCOLN COUNTY LIBRARY DISTRICT CERTAIN REAL PROPERTY BEING ANNEXED TO THE CITY OF TOLEDO, OREGON.

WHEREAS, on August 17, 2006, Robert and Gayle Snook filed a written request for annexation of property located on NE Skyline Drive (Assessor's Office Map # 11-10-08-BB Tax Lots 500 and 600 -- approximately 2.0 acres) that is outside the city limits but is contiguous to the city limits of the City of Toledo,

WHEREAS, on August 17, 2006, in addition to the annexation request, the property owner of Assessor's Office Map #11-10-08-BB Tax Lots 500 and 600 also filed a request to rezone the 2.0 acre parcels of property from County R-1 (Residential) to City Single-Family Residential consistent with the 2002 Toledo Comprehensive Land Use Plan map,

WHEREAS, the Planning Commission held a public hearing on October 11, 2006, on the proposed annexation and rezone (local file # AX-1-06/RZ-1-06) to consider and make a recommendation on the proposed annexation and rezone to the City Council,

WHEREAS, the City Council held a public hearing on November 1, 2006, to consider and take action on the annexation and rezone request, and the City Council adopted facts and findings on the request as set forth in the staff report,

WHEREAS, before annexation, the property was located within the boundaries of the Toledo Rural Fire Protection District and the Lincoln County Library District, and

WHEREAS, the City Council held a public hearing on November 1, 2006, for the purpose of hearing any objections to the withdrawal of the property from the Toledo Rural Fire Protection District and the Lincoln County Library District,

NOW THEREFORE, THE CITY OF TOLEDO ORDAINS AS FOLLOWS:

Section 1. The following described property located in Toledo, Oregon, which is identified as the parcel designated as Lincoln County Assessor's Map # 11-10-08-BB Tax Lot 500 and 600, and as described below is annexed to the City of Toledo, Oregon:

PARCEL I:

That portion of the Northwest quarter of Section 8, Township 11 South, Range 10 West, Willamette Meridian, in Lincoln County, Oregon, described as follows:

Beginning at an iron pipe that is 877.77 feet South and 626.00 feet East of the Northwest corner

of Section 8, Township 11 South, Range 10 West, Willamette Meridian; thence South 39° 5' East, 107.50 feet; thence North 57° 43' East, 197.24 feet to the West line of County Road No. 565; thence North 16° 01' West along said line, 114.05 feet; thence along the arc of a 13.31 foot radius curve left (the long chord of which bears North 68° 41' West 21.16 feet) a distance of 24.42 feet; thence South 58° 39' West, 104.60 feet; thence along the arc of a 328.10 foot radius curve left (the long chord of which bears South 51° 09' West, 85.65 feet) a distance of 85.90 feet; thence South 43° 39' West, 43.06 feet to the point of beginning.

PARCEL II:

That portion of the Northwest quarter of the Northwest quarter of Section 8, Township 11 South, Range 10 West, Willamette Meridian, in Lincoln County, Oregon, described as follows:

Beginning at a point on the Southerly right of way of the County Road No. 565, said point being South 877.77 feet and East 626.00 feet from the Northwest corner of said Section 8; thence South 39° 55' East, 107.50 feet to an iron pipe; thence North 57° 43' East, 201.38 feet to an iron pipe on the Westerly right of way of said County Road No. 565; thence South 32° 14' East, 86.17 feet to an iron rod, said iron rod being South 925.55 feet and East, 911.20 feet from the Northwest corner of said Section 8; thence South 13° 37' West, 312.10 feet, more or less, to the 1/16th line; thence Westerly along the 1/16th line, 211.79 feet, more or less, to a point that is South of the point of beginning and South of an iron rod of close proximity to the 1/16th line; thence North 365.40 feet, more or less, to the point of beginning.

EXCEPTING therefrom any part lying in County Road No. 565.

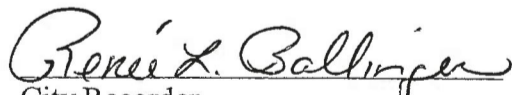
Section 2. The properties identified as Lincoln County Assessor's Map # 11-10-08-BB Tax Lots 500 and 600 (approximately 2.0 acres) are rezoned from the County R-1 (Residential) designation to the Toledo Comprehensive Land Use Plan and Zoning Map designation of Single-Family Residential.

Section 3. The described property in Section 1 is withdrawn from the Toledo Rural Fire Protection District and the Lincoln County Library District.

PASSED AND ADOPTED by the City Council of the City of Toledo, Lincoln County, Oregon, on the 1st day of November, 2006.

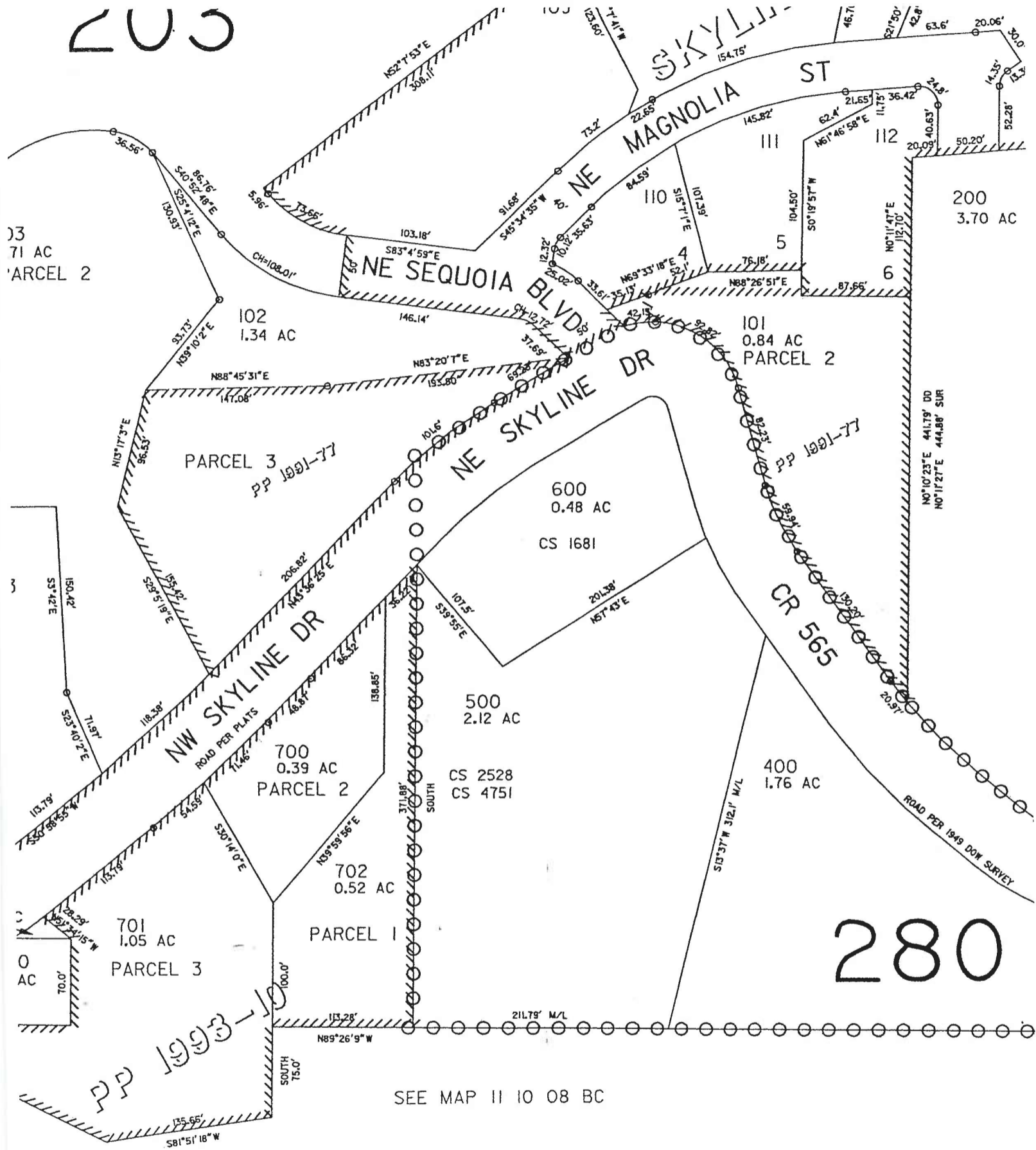
ATTEST:

APPROVED:


City Recorder


Mayor

200



103
71 AC
PARCEL 2

PARCEL 3
PP 1991-77

700
0.39 AC
PARCEL 2

701
1.05 AC
PARCEL 3

PARCEL 1

702
0.52 AC

600
0.48 AC
CS 1681

500
2.12 AC

CS 2528
CS 4751

400
1.76 AC

200
3.70 AC

280

SEE MAP II 10 08 BC