



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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## NOTICE OF ADOPTED AMENDMENT

March 23, 2007

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Burns 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: April 10, 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  
Mark Radabaugh, DLCD Regional Representative  
Dawn Crafts, City of Burns

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PROP **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**

In person  electronic  mailed

DATE  
STAMP

**DEPT OF**

**MAR 22 2007**

**LAND CONSERVATION  
AND DEVELOPMENT**

For DLCD Use Only

Jurisdiction: **City of Burns**

Local file number: **2006-1B**

Date of Adoption: **3/14/2007**

Date Mailed: **3/20/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **10/30/2006**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".  
To make minor administrative changes to the City of Burns Zoning Ordinance and the City of Burns  
Subdivision/Partition Ordinance, and to clean up typing errors and incorrect section numbers.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

**1**  **2**  **3**  **4**  **5**  **6**  **7**  **8**  **9**  **10**  **11**  **12**  **13**  **14**  **15**  **16**  **17**  **18**  **19**

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

DLCD # 001-06 (15667)

**CITY OF BURNS ORDINANCE No. 07-788**

**An Ordinance Amending the Zoning and Subdivision Ordinances of the City of Burns; revising and adding certain provisions to Burns Ordinance No. 721, Sections 2, 3, and 5, Ordinance No. 722, Articles 2 and 5, and Chapter 17.10 of the Burns Municipal Code.**

Be it Ordained by the City of Burns:

Burns Municipal Code, Ordinance numbers 721, 722, and chapter 17.10 of the Burns Municipal Code are hereby amended as follows:

The following identified and numbered provisions shall be inserted within the sections of the Zoning Ordinance identified hereinafter, and become part of the ordinance.

1. Section 2.0, Definitions, page 10, add the following to the definition of "Fence": All fences must be placed on or inside the property line. No fence shall be built or allowed within the City Right-of-Way.

2. Section 2.0, Definitions, page 11, add: "Junk Yard, defined as an area used for storing junk, such as scrap metal that can be resold."

3. Section 2.0, Definitions, page 20, add "Youth Club," defined as follows: "An actual neighborhood-based building designed for youth programs and activities."

4. Section 3, the listing of sections is amended as follows:

- 3.01 CLASSIFICATION OF LAND USE ZONES
- 3.02 DESCRIPTION OF ZONE BOUNDARIES
- 3.03 ZONE BOUNDARY ADJUSTMENTS
- 3.04 ZONING OF ANNEXED LAND
- 3.05 SINGLE-FAMILY RESIDENTIAL (RS) ZONE
- 3.06 SINGLE-FAMILY RESIDENTIAL/MOBILE HOME (RS/MH) ZONE
- 3.07 MULTI-FAMILY RESIDENTIAL (RM) ZONE
- 3.08 GENERAL COMMERCIAL (CG) ZONE
- 3.09 LIGHT INDUSTRIAL (IL) ZONE
- 3.10 HEAVY INDUSTRIAL (IH) ZONE
- 3.11 OPEN SPACE (OS) ZONE
- 3.12 PUBLIC FACILITY (PF) OVERLAY ZONE
- 3.13 FLOOD HAZARD REGULATIONS
- 3.14 STEEP SLOPE REGULATIONS
- 3.15 HISTORIC LANDMARK REGULATIONS
- 3.16 SILVIES RIVER NATURAL AREA
- 3.17 LIVESTOCK ACTIVITIES

5. Section 3.05.2.A. Single Family Residential (RS) Zone is amended to read: "One

single family dwelling per tax lot, including manufactured homes meeting the requirements of this ordinance.

6. Section 3.05.3. Add subsection: "I. Youth Clubs."

7. Section 3.05. Add subsection: "6. Site Plan Requirements for all uses except single family dwellings."

8. Section 3.06. Add subsection: "6. Site Plan Requirements for all uses except single family dwellings."

9. Section 3.07.2. Delete subsection: "E." In §3.07.3, add subsection: "F. Day care nursery/kindergarten/youth clubs"

10. Section 3.07. Add subsection: "6.: Site Plan Requirements for all uses except single family dwellings."

11. Section 3.084.A.: At the end of this paragraph add: ". . . that are displayed by a state licensed mobile equipment dealer."

12. Section 3.08.3: add subsections K, L, M, and N:

- K. Dwelling units, including mobile homes, and associated improvements, provided that a dwelling unit was an existing use at the time of the adoption of the Reformatted and Revised Zoning Ordinance for the City of Burns, Oregon, on August 27, 1997.
- L. Schools, including private schools and associated improvements.
- M. Owner operated cabinet, carpenter, or wood working shop including furniture and similar products with the manufacture and assembly done within an enclosed building, upon the condition that such use shall not create, permit, or continue any loud, disturbing or unreasonable noise.
- N. Recreational vehicle or trailer park, excluding mobile home parks.

13. Section 3.09.2: add subsection S:

- S. Dwelling Units, including mobile homes, and associated improvements, provided that a dwelling unit was an existing use at the time of the adoption of the Reformatted and Revised Zoning Ordinance for the City of Burns, Oregon, on August 27, 1997.

14. Section 3.10.3: add subsection C:

- C. Dwelling units, including mobile homes, and associated improvements, provided that a dwelling unit was an existing use at the time of the adoption of the Reformatted and Revised Zoning Ordinance for the City of Burns, Oregon, on August 27, 1997.

15. Section 3.08.5.D., amend §6 to read: "Section 6.5."

16. Section 3.12.F: Delete "(105)" after the word and number: "Section 2.0."

17. Section 3.12.2: The first sentence is amended to read as follows: "In a PF zone, public facilities and services, as defined in section 2(16) are permitted outright."

18. Section 3.12.3: The first sentence is amended to read as follows: "All public facility and service uses in a PF zone shall be subject to the site plan review requirements of Section 3.08(5)."

19. Section 3.12.4: The first sentence is amended to read as follows: "In a PF zone, the dimensional standards of a CG zone Section 3.08(6) shall apply for public facility and service uses."

20. Section 3.12.5: The first sentence is amended to read as follows: "In a PF zone, the off-street parking and unloading requirements of section 4.4 shall apply to public facilities and services."

21. Section 5.3.4D #8 is amended to read: "8. Record of Amendments"

22. Section 5.3.4D #9 is amended to read: "9. Limitation on Reapplication"

23. Section 5.3.4D #10 is amended to read: 10. Certification of Decision." "


The following identified and numbered provisions shall be inserted within the sections of the SUBDIVISION/PARTITION Ordinance identified hereinafter, and become part of said ordinance:

24. Sections 2.4. and 2.4.A: The word "major" is stricken.

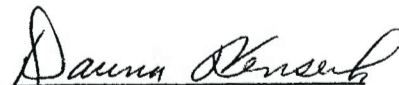
25. Section 5.1: The word "major" is stricken.

Read, considered and passed by a vote of 5 Councilors for and 0 Councilors against, this 14<sup>th</sup> day of March, 2007.

City of Burns

By:   
Mayor

Attest:

  
City Clerk