



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2524

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

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

NOTICE OF ADOPTED AMENDMENT

December 7, 2007

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

FROM: Mara Ulloa, Plan Amendment Program Specialist *MU 12-7-07*

SUBJECT: City of Coburg Plan Amendment
DLCD File Number 002-07



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: December 24, 2007

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: Doug White, DLCD Community Services Specialist
Ed Moore, DLCD Regional Representative
Marguerite Nabeta, DLCD Regional Representative
Petra Schuetz, City of Coburg/LCOG

<paa> ya



FORM 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

(See reverse side for submittal requirements)

DEPT OF

DEC 03 2007

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: CITY OF COBURG Local File No.: AN-01-07 (If no number, use none)

Date of Adoption: NOV. 13th 2007 Date Mailed: 11/29/07 (Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 07.21.07

- 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."

To apply existing Coburg Comprehensive Plan Designations to recently annexed property onto the city zoning map.

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 N/A

Zone Map Changed from: see supplement to

Location: [A] Property North Pearl West of I-5 previously outside city limits inside UGB Acres Involved: Area A is 56 Acres B is 35 acres

Specify Density: Previous: N/A New: N/A

Applicable Statewide Planning Goals: 2

Was an Exception Adopted? Yes: No: X

DLCD File No.: 002-07(16330)

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: _____

Local Contact: Petra Schuetz Area Code + Phone Number: (541) 682-7858
Address: 91069 N Willamette St
City: Coburg Zip Code+4: 97408

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.**

ORDINANCE NO. A-213

**AN ORDINANCE APPLYING CITY OF COBURG ZONING CLASSIFICATIONS TO
PROPERTY ANNEXED TO THE CITY OF COBURG AND DECLARING AN
EMERGENCY TO EXIST**

WHEREAS, annexation to the city of the described territory in Exhibit A and Exhibit B constituted a "minor boundary change" under the boundary commission law, ORS 199.410 to 199.510; and,

WHEREAS, by authority of the Lane County Boundary Commission, annexation was granted, effective November 3, 2004 to the territory described in Exhibit A and July 30, 2007 to the territory described in Exhibit B, respectively; and

WHEREAS, Coburg Zoning Ordinance A-200A, ARTICLE V. APPLICATION OF DISTRICT REGULATIONS, section E., states, "All territory which may hereafter be annexed to the city shall be considered to remain in its Lane County zoning classification until otherwise classified by the City of Coburg; and

WHEREAS, for the reasons set forth in the attached findings of fact, which are incorporated herein, the Coburg City Council finds that it is appropriate to change the zoning of the recently annexed properties, and that such modification is consistent with the Coburg Comprehensive Plan and the Statewide Goals.

THE CITY OF COBURG ORDAINS AS FOLLOWS:

Section 1. The City Council, pursuant to Coburg Zoning Ordinance A-200A, ARTICLE V. APPLICATION OF DISTRICT REGULATIONS, Section E., hereby classifies city annexed territory from the Lane County zoning classification to the Coburg zoning designation prescribed by the current Coburg Comprehensive Plan (Ord.199) described as follows:

Tax lots 200, 201, 202, 203, 204, 206, 207, 208, 209, 210, and 211, Township 16 S, Range 03 W, Section 33, Map 00, and Tax lots 100 and 200, Township 16 S, Range 03 W, Section 33, Map 40 are classified as Highway Commercial.

The portion of Tax lot 00100, Township 16 S, Range 03 W, Section 33, Map 00 situated west of Industrial Way is classified as Traditional Residential.

The portion of Tax lot 00100 east of Industrial Way and Tax lots, 00102, 00103, Township 16 S, Range 03 W, Section 33, Map 00 are classified as Highway Commercial.

Section 2. The Findings of Fact showing compliance with the Coburg Comprehensive Plan and the Statewide Goals of the zoning classifications made by this ordinance are hereby adopted.

Section 3. A map is attached hereto marked Exhibit C showing the appropriate zoning classifications for the City of Coburg, including the above described changes.

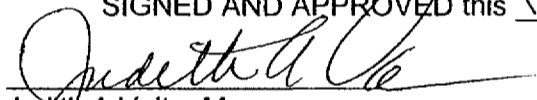
Section 4. EMERGENCY DECLARED

Whereas it is necessary for the general welfare of the citizens of the City of Coburg that the zoning classifications take effect immediately, an emergency is hereby declared to exist, and this ordinance shall take effect immediately upon its passage by the City Council and approval by the Mayor.

The foregoing ordinance was, by City Council consent, after public notice, public hearing and Council deliberations, read twice by title only in accordance with the City Charter, whereupon it was put to a vote, the 13th day of November 2007 results of which were:

YES: 6
NO: 0
ABSTAIN: 0
PASSED: X
REJECTED: —

SIGNED AND APPROVED this 13 day of November 2007


Judith A. Volta, Mayor


ATTEST:

Donald Schuessler, City Recorder

EXHIBIT A

BAP on the W r/w li of Daray St (60.00 ft r/w at this pt) as platted and recorded in Stevenson Park Plat in bk 56 pg 18 LCOPR wi its inter wi the NW leg of the Coburg interchange, also being the Nly r/w of Co Rd No 254, S33 T16S R03W WM;

th E 50.00 ft m/l alg sd Coburg interchange and sd Nly r/w of Co Rd 254;

th N 30.00 ft m/l alg sd Coburg interchange and sd Nly r/w of Co Rd 254;

th S89°41'E 242.00 ft m/l alg sd Coburg interchange and sd Nly r/w of Co Rd 254 to the W r/w li of Pacific Highway Interstate 5 (I-5);

th leaving sd W r/w li and contg S89°41'E 1,278.00 ft m/l to the E r/w li sd I-5, also being sd Coburg interchange and sd Co Rd 254;

th S81°00'30"E 162.00 ft m/l alg sd Coburg interchange and sd Co Rd 254;

th Sly 25.00 ft m/l alg sd Coburg interchange and sd Co Rd 254;

th Ely 100.00 ft m/l alg sd Coburg interchange and sd Co Rd 254 to a pt 60.00 ft N of the initial pt of the Vira Plat as platted and recorded in bk 57 pg 22 LCOPR;

th S 60.00 ft m/l to sd initial pt of Vira Plat, also being on the S r/w li of sd Coburg interchange and sd Co Rd 254;

th leaving sd Coburg interchange and sd Co Rd 254 S01°48'12"W 322.90 ft m/l to the SE cor sd Vira Plat;

th leaving sd Vira Plat Sly 2,330.00 ft m/l to the SE cor of the J. Thomas DLC No. 60;

th contg Sly 407.00 ft m/l (scales 470.00 ft m/l) to a pt;

th N89°55'45"W 263.03 ft m/l to the E r/w li of sd I-5 (300 ft r/w at this pt);

th contg N89°55'45"W 305.00 ft m/l to the W r/w of sd I-5, also being on the Coburg city limits;

th NWly 2,945.2 ft m/l alg sd Wly r/w and sd city limits li to the NE cor of Land Partition Plat No 99-P1226, County Surveyor's File No. 35742, filed February 25, 1999;

th contg alg sd Wly r/w and sd city limits N30°25'09"W 101.18 ft;

th contg alg sd Wly r/w and sd city limits N56°42'W 139.00 ft;

th leaving sd Wly r/w and contg alg sd city limits S15°00'00"W 70.44 ft;

~~th contg alg sd city limits N89°39'02"W 233.34 ft;~~

~~th alg sd city limits alg a curve to the left, long ch wh bears N48°46'58"W 40.06 ft, 53.43 ft to a pt;~~

~~th N06°23'58"E 170.00 ft m/l alg sd city limits contg alg sd Wly r/w N59°57'22"W 191.02 ft m/l;~~

~~th alg the arc of a curve to the left, long ch of wh bears N72°27'W 522.96 ft, 104.79 ft m/l;~~

~~th N80°30'29"W 46.32 ft m/l to a pt on the E r/w li of Roberts Rd and its intersection wi sd Coburg interchange and S r/w li of sd Co Rd 254;~~

th NWly alg sd city limits 90.00 ft m/l to the W r/w li of sd Daray St, being the POB, all in Lane County, Oregon.

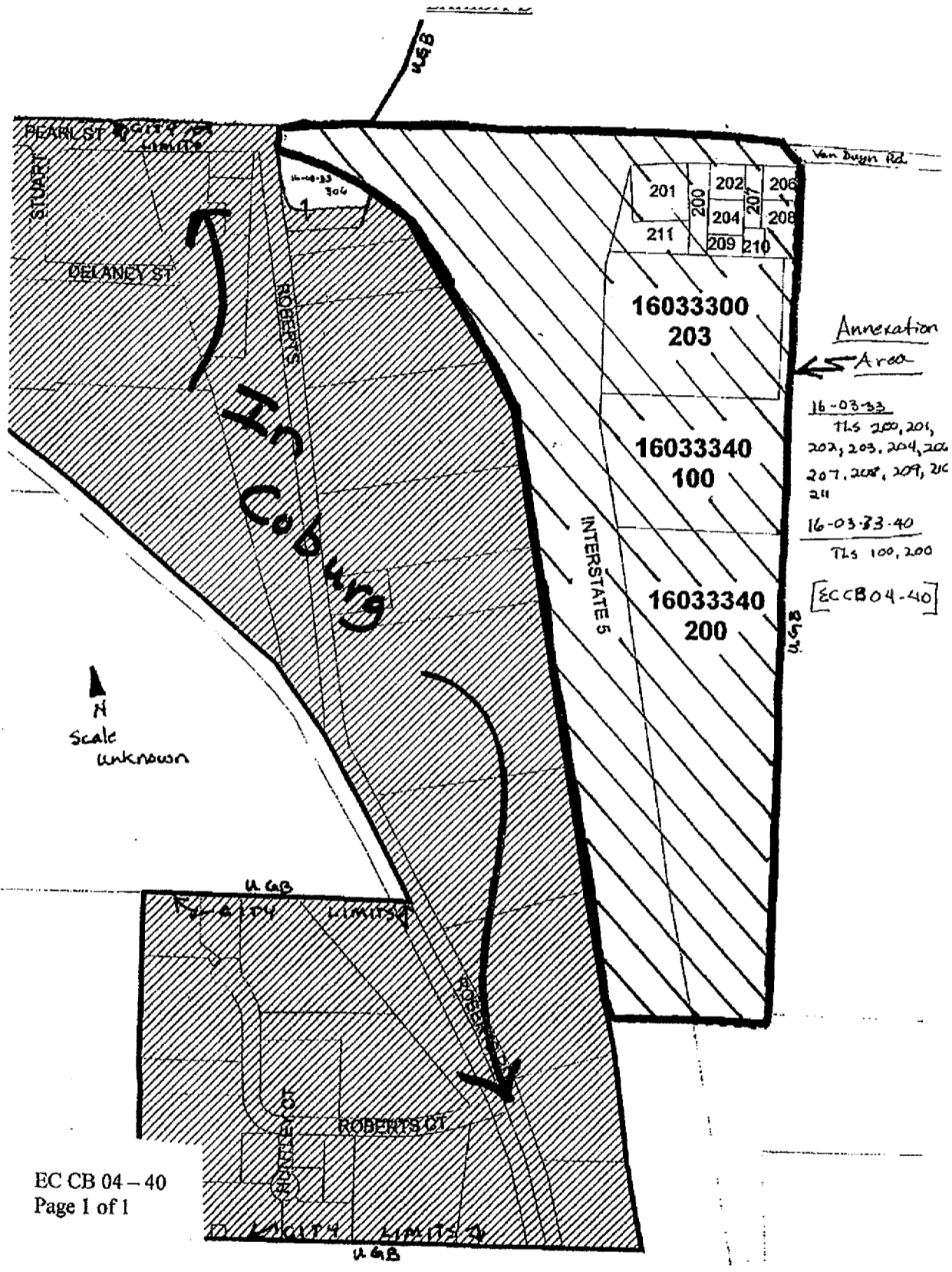


EXHIBIT B

Beg at the SE cor of Lot 3, Block 4, Colemans Add as platted and recorded in Book 2, Page 47, LCOPR, S33 T16S R03W WM, sd pt being on the N r/w li of Co Rd 254 (30 ft r/w at this pt), also being on the Coburg city limits as established by LCLGBC Final Order 599 (file C CB 79 – 19, April 15, 1979);

th N alg sd city limits 1,322.83 ft to a pt on the S li of Subdivision Plat for Coburg Commons, as platted and recorded on Book 75, Pages 476 and 477, LCOPR and the N li of the J. Diamond DLC No. 44;

th contg alg sd city limits and DLC li S89°50'27"E 1,889.00 ft m/l to the W r/w of Interstate 5 (150.00 ft r/w W of c/li at this pt);

th leaving sd city limits and DLC li and alg sd W r/w S08°42'E 581.41 ft;

th S10°35'25"W 211.90 ft;

th S18°37'25"W 337.68 ft;

th S32°29'10"W 213.60 ft to a pt on the N r/w of sd Co Rd 254, sd pt being on the Coburg city limits as established by LCLGBC file EC CB 04 – 40 (November 3, 2004);

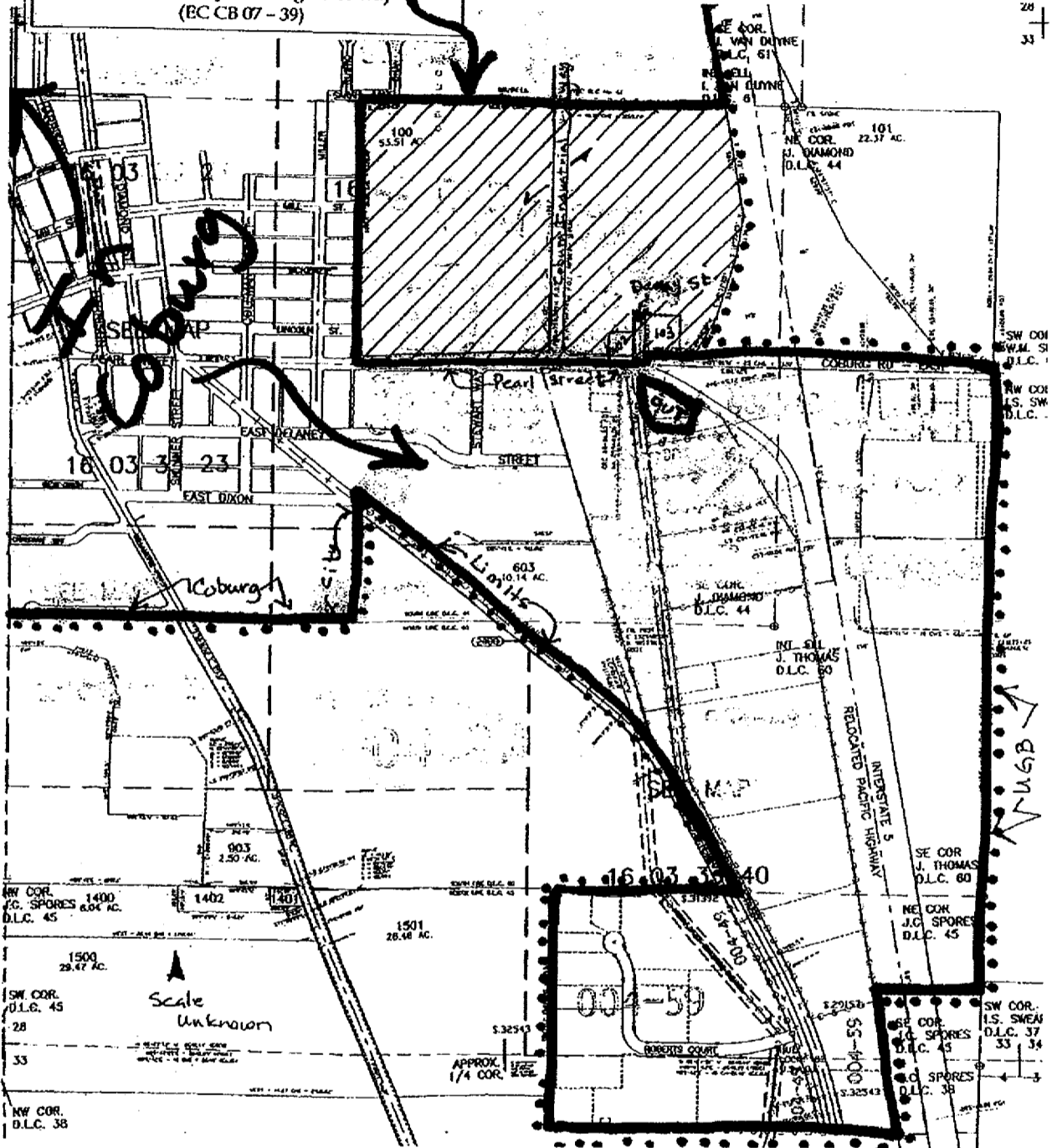
th leaving sd W r/w and alg sd city limits N89°41'W 241.00 ft m/l;

th S 30.00 ft;

th Wly 1,472.00 ft m/l to the POB, all in Lane County, Oregon.

ANNEXATION AREA
 Includes Tls 100, 102, 103, 16-03-33;
 Owned by the Mary Jean Stevenson Family Trust;
 and including Pearl Street, Coburg Industrial
 Way, and Daray Street rights-of-way
 (BC CB 07 - 39)

EXHIBIT B



ORDINANCE A-200A

AN ORDINANCE AMENDING THE COBURG ZONING CODE ORDINANCE A-200, ARTICLE X: ADMINISTRATION AND ENFORCEMENT; ADOPTING AN INTEGRATED ZONING CODE; PROVIDING FOR AN ADMINISTRATIVE CIVIL PENALTY PROCEDURE AND DECLARING AN EMERGENCY

WHEREAS, Coburg has engaged in and administrative review of the zoning code and established a need for extension and clarification of administrative and enforcement procedures and, therefore needs to make changes to the Zoning Code, Article X, to further consistency with the updated Comprehensive Plan policies and local land use procedures;

WHEREAS, the proposed amendments to the Coburg Zoning Ordinance comply with all applicable Statewide Planning Goals as changes that address administrative procedures and enforcement issues only;

The City of Coburg does ordain as follows:

Section 1. Article X of Ordinance A-200 is amended by striking the existing text and substituting the following sections:

ARTICLE X. ADMINISTRATION AND ENFORCEMENT

- X.I. Types of Review Procedures
- X.II. Land Use Review and Site Design Review
- X.III. Land Divisions and Property Line Adjustments
- X.IV. Conditional Use Permits
- X.V. Master Planned Developments
- X.VI. Modifications to Approved Plans and Conditions of Approval
- X.VII. Land Use District Map and Text Amendments
- X.VIII. Code Interpretations
- X.IX. Miscellaneous Permits – Temporary Uses, Home Occupations
- X.X. Violations and Civil Penalty Enforcement Procedures

which are set forth in full in the attached Exhibit A, which is incorporated herein by this reference.

Section 2. Ordinance A-200 is otherwise amended by the addition of the necessary cross references to the enforcement provisions of Article X throughout Ordinance A-200. The fully amended ordinance is attached as Exhibit A.

Section 3. Any existing ordinances, or parts, thereof, that are in conflict with the provisions of this ordinance are hereby repealed, but only to the extent of such conflicts.

Section 4. Staff is directed to review the attached Exhibit A, with the purpose of correcting formatting errors and ensuring that all internal references are clear and precise, and removing typographical or other scrivener's errors to produce a single zoning ordinance document which includes the amendments and existing regulations. In these actions, staff may make changes to section headings and paginations to create a single document consistent with the adopted ordinance.

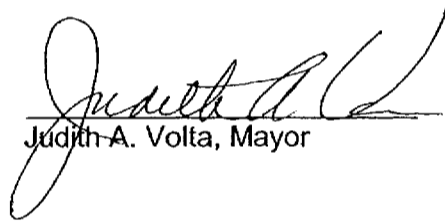
Section 5. EMERGENCY DECLARED

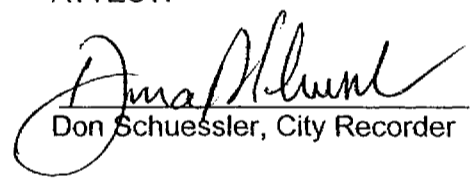
Whereas it is necessary for the general welfare of the citizens of the City of Coburg that the administrative processes of the Zoning Ordinance be clarified and implemented as soon as practical, an emergency is hereby declared to exist, and this ordinance shall take effect immediately upon its passage by the City Council and approval by the Mayor.

This ordinance, after public notices, hearings, and council deliberations, was, upon motion and second, put to a final vote. The vote of the council was:

Yes: 6
No: 0
Abstentions: 0
Passed: X
Rejected: _____

SIGNED AND APPROVED this 13th day of November, 2007


Judith A. Volta, Mayor

ATTEST:

Don Schuessler, City Recorder

Coburg Zoning Map

November 5, 2007

