



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

May 7, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Cottage Grove Plan Amendments
DLCD File Number 008-07

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: May 18, 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
Marguerite Nabeta, DLCD Regional Representative
Amanda Ferguson, Cottage Grove Planner

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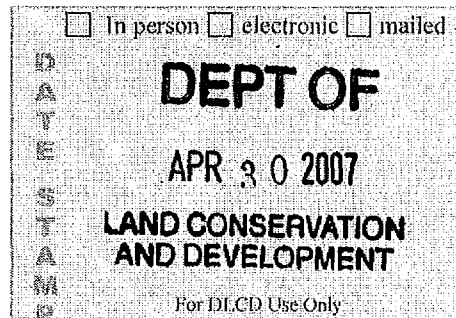


FORM 2

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



Jurisdiction: City of Cottage Grove

Local file number: PA 3-07

Date of Adoption: 04-23-07

Date Mailed: 04-27-07

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: 02-01-07

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".

Changed Plan Designation on 0.30 acres from T Tourist Commercial to
O Residential Professional.

Does the Adoption differ from proposal? Please select one

No.

Plan Map Changed from: T Tourist Commercial to: O Residential Professional

Zone Map Changed from: to:

Location: 840 North 19th Street

Acres Involved: 0.30

Specify Density: Previous: 1 DU

New: same

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
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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 file No. 008-07(15839)

RESOLUTION NO. 1615

A RESOLUTION AMENDING THE COTTAGE GROVE
COMPREHENSIVE PLAN LAND USE DIAGRAM MAP (PA-03-07)

WHEREAS, a Comprehensive Plan for Cottage Grove has been developed in accordance with State-wide Planning Goals and acknowledged by the Oregon Land Conservation and Development Commission; and,

WHEREAS, Madelyn Carlson & Ron O'Keefe have made an application to amend the said Development Plan; and,

WHEREAS, the City of Cottage Grove proposes to change the Land Use Designation of the land described as 840 N 19th Street, Map 20-03-27-20, Tax Lots 1900 shown in Exhibit "A" attached hereto and by reference made a part of this resolution from L Low Density Residential to O Residential Professional on the Land Use Diagram Map of the Comprehensive Plan; and

WHEREAS, the Department of Land Conservation and Development was given forty-five day notice prior to the first hearing on March 21, 2007 pursuant to Oregon Revised Statutes; and

WHEREAS, the Planning Commission has forwarded said amendment to the Plan to the City Council with a favorable recommendation after holding a public hearing on March 21, 2007; and,


WHEREAS, the City Council held a public hearing on the said amendment to the Plan on April 23, 2007;

NOW, THEREFORE, BE IT RESOLVED that the Comprehensive Plan for Cottage Grove is hereby amended to change the land use designation of the land described as Map 20-03-27-20, Tax Lots 1900 shown on Exhibit "A" attached hereto and by reference made a part hereof from T Tourist Commercial to O Residential Professional on the Land use Diagram Map of the Comprehensive Plan.

This resolution shall take effect immediately.

PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR THIS
23RD DAY OF APRIL, 2007

ATTEST:


Richard Meyers, City Manager
Date: April 23, 2007

APPROVED:

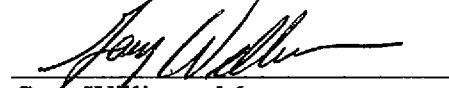
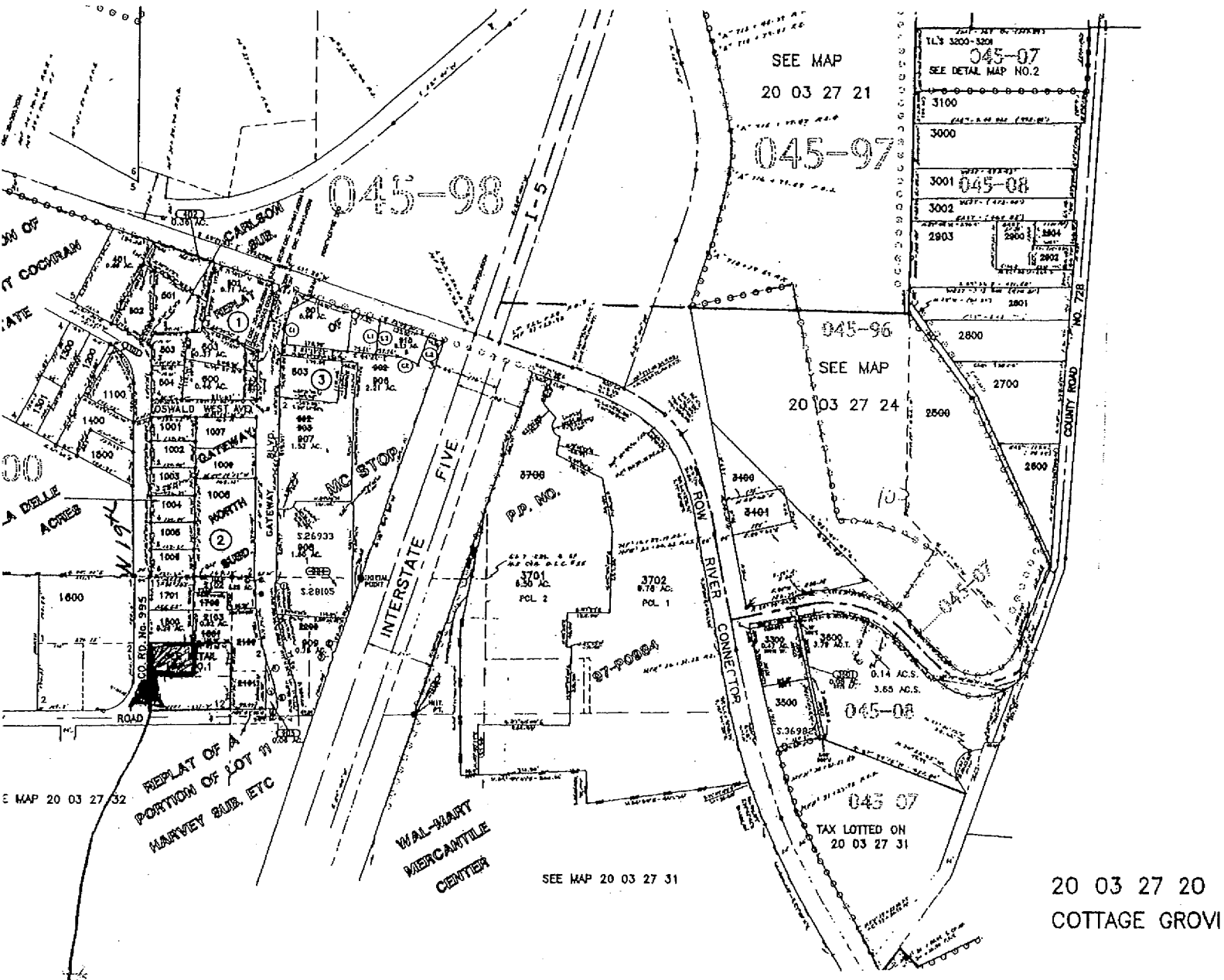

Gary Williams, Mayor
Date: April 23, 2007

EXHIBIT 'A'
 RESOLUTION NO. 1615

Map 20-03-27-20 TL 1900



SUBJECT PROPERTY
 840 N. 19th STREET

20 03 27 20
 COTTAGE GROVI

EXHIBIT B
RESOLUTION NO 1615

1. Ron O'Keefe and Madelyn Carlson have made an application to redesignate 0.30 acres of land at 840 N. 19th Street from T Tourist Commercial to O Residential Professional.
2. If the land is redesigned to O Residential Professional the existing use of the land as a single-family dwelling can continue as a permitted use.
3. The City Comprehensive Plan, under "The Plan in General" states that it contains broad generalized patterns of land use for those areas in which a given land use is best suited, where a land use is compatible to surrounding land uses and where the need for a give land use exists.
4. The City Comprehensive Plan also states that the plan is not complete. It is subject to revision to meet the many possible economic, political and technological events that might occur in the future. The plan must also remain flexible and responsive to the citizens in reflecting their desire and needs to remain current and reflect the changing form of the community.
5. When the City Comprehensive Plan was originally established, all residential land on the east side of N. 19th Street was designed as part of the Commercial Tourist district that followed Gateway Boulevard. Since that time the City Council has redesignated 6 properties on N. 19th Street from Tourist Commercial to Residential Professional, to allow their existing single-family residential use to continue while encouraging transitional commercial development between the tourist commercial development on Gateway Boulevard and the residential neighborhood around the Catholic Church on N. 19th Street.
6. The subject parcel is owned by Madelyn & Eldon Carlson, who have requested the City's assistance in implementing this land use designation change.
7. The subject property is developed with a single family home, and is surrounded by single-family homes to the north and south, a catholic church to the west, and hotel/tourist commercial development to the east.
8. The redesignation of the land to O Residential Professional will protect the existing residential use. The density on the site will not increase.
9. Adequate public facilities, such as water, sewer, streets, etc. are available to the site, and allowed commercial activity is not disruptive to the normal functions of a residential neighborhood.
10. The following Statewide Planning Goals are not applicable to the proposed redesignation: Goal 3-Agricultural Lands; Goal 4-Forest Lands; Goal 5- Open Spaces, Scenic & Historic Areas and Natural Resources; Goal 8-Recreational Needs; Goal 11-Public Facilities and Services; Goal 15 - Willamette River Greenway; Goal 17-Coastal Shorelands; Goal 18-Beaches and Dunes; and Goal 19-Ocean Resources.
11. The following Statewide Planning Goals are applicable and the amendment complies with them as noted:
 - Goal 1-Citizen Involvement: Public hearing have been held at the Planning Commission and City Council level to consider this redesignation. Our process involves various forms of notification of the public in the immediate area, through media and other governmental agencies.
 - Goal 2-Land Use Planning: The city has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The proposed change is compatible.
 - Goal 6-Air, Water and Land Resources Quality: Development of these properties will to comply with city, state and federal standards to protect air and water quality. No identified natural resources are being degraded by this redesignation.

Goal 7--Areas Subject to Natural Disasters and Hazards: The area is not subject to any known natural hazards. Steps will be taken to protect life and property from natural disasters and hazards during any future development.

Goal 9-Economic Development: This redesignation maintains the economic value of the property for future commercial use while restricting that commercial use to those which would be appropriate for its surroundings.

Goal 10--Housing: This redesignation retains the owner's existing single-family use while allowing for professional/commercial use of the property as intended by the City's comprehensive plan.

Goal 12--Transportation: The property is located along a developed City road and no alterations to the road pattern are expected.

Goal 13- Energy Conservation: Preservation of existing development maximizes energy conservation.

Goal 14 - Urbanization: The area is already in Cottage Grove's urban growth boundary. This application will not increase density.

Goal 15-Willamette River Greenway: This property is not within the Willamette River Greenway.

12. The property owners of the land involved in the Plan Amendment are in favor of the redesignation.
13. The proposed change from Tourist Commercial to Residential Professional is in the public's interest; is in keeping with the development pattern in this area of the city; is in keeping with the intent of the City Comprehensive Plan; and serves the public's health, safety and welfare.