



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

July 24, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Myrtle Point Plan Amendment
DLCD File Number 001-07

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: August 8, 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: Doug White, DLCD Community Services Specialist
Dave Perry, DLCD Regional Representative
Larry Ksionzyk, Community Development Planning Specialist
Vicki Strader, City of Myrtle Point

<paa> ya/

FORM 2

DLCD 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

JUL 19 2007

(See second page for submittal requirements)

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: *City of Myrtle Point*

Local File No.: *None*
(If no number, use none)

Date of Adoption: *7/16/07*
(Must be filled in)

Date Mailed: *7/18/07*
(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: *5/7/07*

- | | |
|--|---|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment | <input checked="" type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input type="checkbox"/> Other: |

(Please Specify Type of Action)

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

An Ordinance amending the zoning map of the City of Myrtle Point

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:

to:

Zone Map Changed from: *R-1 (Residential)*

to: *LI (Light Industrial)*

Location: *29 12 16 DB Tax Lots 5200 + 5201*
(1601 + 1609 Stover Lane Myrtle Point, OR.)

Acres Involved: *.33*

Specify Density: Previous:

New:

Applicable Statewide Planning Goals: *Goal 9*

Was an Exception Adopted? Yes: No:

Does Adopted Amendment affect the areas in unincorporated Washington County where the

Zoning Code applies? Yes No

DLCD File No.: *001-07 (16086)*

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 Myrtle Point*

Local Contact: *Vicki Strader*

Area Code + Phone Number: *541-572-2626*

Address: *424 5th St.*

City: *Myrtle Point*

Zip Code+4: *97458*

Email Address: *city of Myrtle point@yahoo.com*

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 this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not 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 Mara.Ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE 1248

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MYRTLE POINT.

THE CITY OF MYRTLE POINT ORDAINS AS FOLLOWS:

SECTION 1. CRITERIA

Ordinance 1096, Article 4, Residential Zones

Purpose: The purpose of a single-family residential zone is to provide for a variety of dwelling types including duplexes and modular homes.

Ordinance 1096, Article 6, Light Industrial Zone

Purpose: The purpose of the Light Industrial Zone is to provide a suitable area for Light Industrial Purposes.

Section 6.010, Uses Permitted Outright

- a. manufacturing, processing and fabrication which is conducted solely in enclosed buildings....

Section 6.020, Conditional Uses Permitted

- a. single-family dwelling and their accessory structures.

Ordinance 1096, Article 14, Section 14.000

Authorizes the City Council, upon recommendation by the Planning Commission, to amend the zoning map of the City of Myrtle Point.

Comprehensive Plan

Goal 9 – Economic Development

- 2. The City of Myrtle Point shall encourage development of industrial sites in appropriate areas within city limits and the urban growth boundary.
- 5. The City of Myrtle Point shall encourage the location of food processing and light manufacturing establishments in the Myrtle Point area.
- 7. The City of Myrtle Point shall encourage the location of industry in a manner which will not detract from the small town environment of the City.

SECTION 2. FINDINGS

The City Council hereby finds the Planning Commission, at their June 26, 2007 meeting, reviewed the requested rezone application submitted by Jim & Fay Roman.

The City Council hereby further finds that the Planning Commission has recommended approval of the rezone from R-1 (Residential) to LI (Light Industrial).

The City Council hereby further finds the proposed zone change is consistent with the existing use on the property.

The City Council hereby further finds the properties adjacent to the subject property on Highway 42 are zoned light industrial with a number of single-family dwellings and accessory structures.

The City Council hereby further finds this rezone encourages the development of industrial sites at an appropriate location and does not detract from the small town environment of the City.

The City Council hereby further finds the proposed zone change will not substantially impact available R-1 (Residential) property.

SECTION 3. AMENDMENT

The Myrtle Point Zoning Map is hereby amended by changing the zoning classification of the following described property from R-1 (Residential) to LI (Light Industrial):

T29 R12W Section 16DB, Tax Lots 5200 & 5201 (commonly known as 1601 & 1609 Stover Lane).

SECTION 4. EFFECTIVE DATE

This ordinance shall take effect immediately upon its final passage upon a unanimous vote of the Council members present and voting.

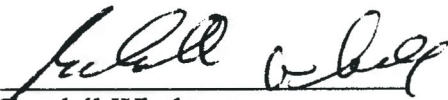
First read to the Council this 16th day of July 2007.

Signed by the Mayor this 17th day of July 2007.

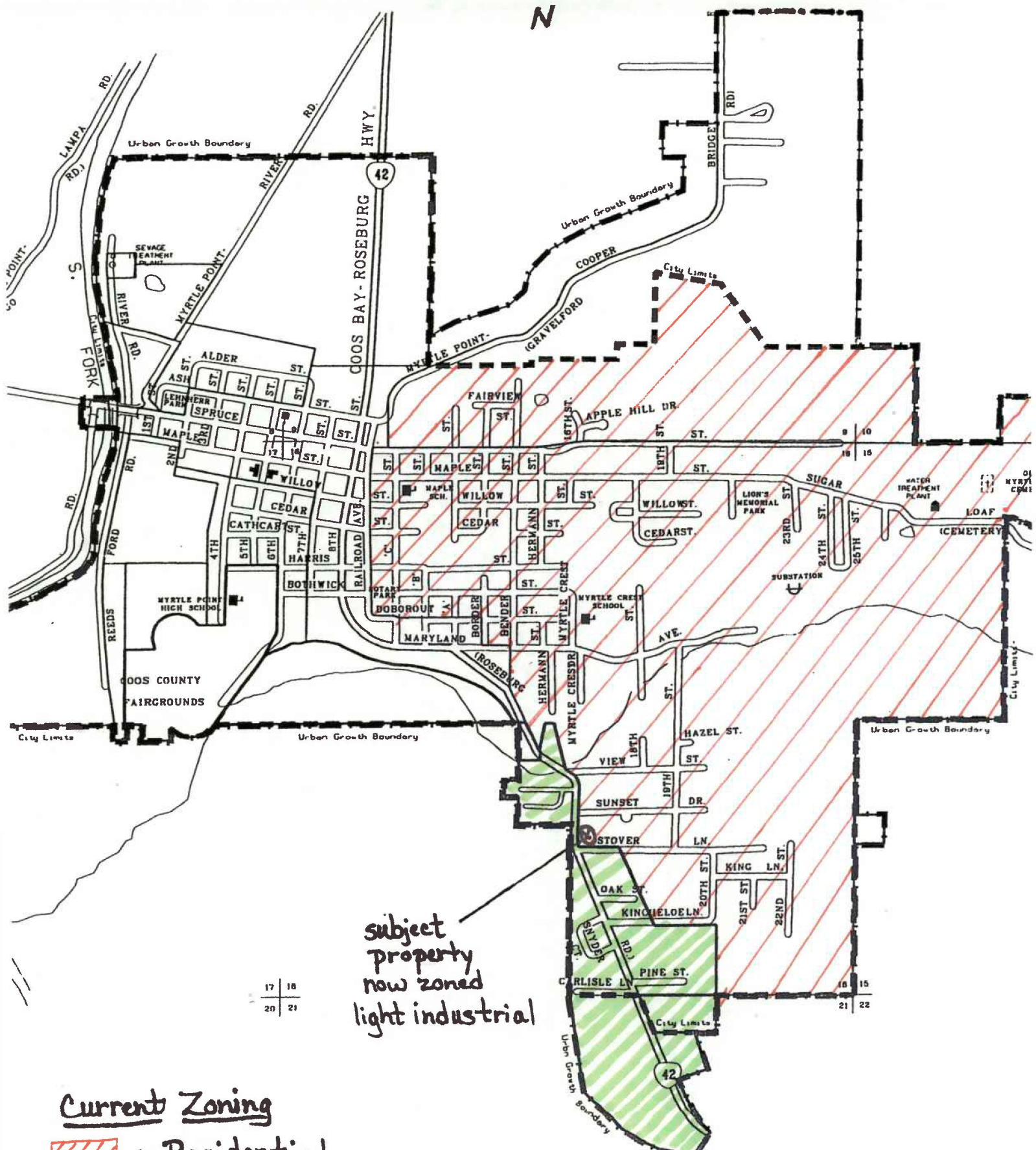


Ed Cook, Mayor
City of Myrtle Point

ATTEST:




Randall Whobrey
Interim City Manager
City of Myrtle Point



subject property now zoned light industrial

Current Zoning

 - Residential

 - Light Industrial