



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

September 4, 2007

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Talent Plan Amendment
DLCD File Number 003-07



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: September 14, 2007

This amendment was not submitted to DLCD for review prior to adoption. Pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

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: Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative
John Adam, City of Talent

<paa>

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

AUG 27 2007

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: City of Talent Local File No.: ANX 07-01
(If no number, use none)

Date of Adoption: 8/16/2007 Date Mailed: 8/24/2007
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 8/24/2007

- 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."

Annexation and change of zoning from County
RR-5 to City RS-5

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: No change to _____

Zone Map Changed from: RR-5 to RS-5

Location: 38-1W-36/900 Acres Involved: 12.5

Specify Density: Previous: 0.2 units/acre New: 5 units/acre

Applicable Statewide Planning Goals: 2, 14

Was an Exception Adopted? Yes: _____ No:

DLCD File No.: 003-07 (NOA)

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: _____

Talent Irrigation County

Local Contact: John Adam Area Code + Phone Number: (541) 535-7401

Address: PO Box 445

City: Talent, OR Zip Code+4: 97540

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.

FORM 1

DLCD NOTICE OF PROPOSED AMENDMENT

This form must be received by DLCD at least 45 days prior to the first evidentiary hearing
per ORS 197.610, OAR Chapter 660 - Division 18
and Senate Bill 543 and effective on June 30, 1999.
(See reverse side for submittal requirements)

DEPT OF

8/15 27 2007

Jurisdiction: City of Talent Local File No.: ANN 07-01
(If no number, use none)

Date of First Evidentiary Hearing: 5/24/2007 Date of Final Hearing: 8/15/2007
(Must be filled in) (Must be filled in)

Date this proposal was sent or mailed: 8/24/2007
(Date mailed or sent to DLCD)

Has this proposal previously been submitted to DLCD? Yes: No: Date: _____

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)

Briefly summarize the proposal. Do not use technical terms. Do not write "See Attached."

Annexation of 12.5 acres and change of zoning
from County Rural Residential (RR-5) to City's
Residential - Single-Family - Low-Density (RS-5)

Plan Map Changed from: No change to _____

Zone Map Changed from: County to RS-5

Location: SW end of City near Belmont Rd. ^{38-1W-36/900} Acres Involved: 12.5

Specified Change in Density: Current: 0.2 units/acre Proposed: 5 units/acre

Applicable Statewide Planning Goals: 2, 14

Is an Exception Proposed? Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: Talent Irrigation
District, County

Local Contact: John Adam Area Code + Phone Number: (541) 535-7401

Address: PO Box 445

City: Talent, OR Zip Code + 4: 97540

DLCD No.: _____

ORDINANCE NO. 07-834-O

AN ORDINANCE DECLARING THE ANNEXATION OF 12.5 ACRES OF REAL PROPERTY NEAR BELMONT ROAD TO THE CITY OF TALENT AND CONCURRENTLY REZONING SAID PROPERTY

THE CITY OF TALENT ORDAINS AS FOLLOWS:

SECTION 1. DECLARATION OF ANNEXATION

That the property described in Exhibit A and depicted on map Exhibit B, attached hereto and by this reference made a part hereof, which said real property is situated in Jackson County, Oregon, and is contiguous to the City of Talent, be annexed.

SECTION 2. SUBMITTAL TO SECRETARY OF STATE

That the City Recorder be authorized and is directed to make and submit to the Secretary of State a copy of this ordinance, and a copy of the statements of consent of all land owners of said real property heretofore filed with the City.

SECTION 3. REZONING

Concurrent with the annexation, the property described in Exhibit A and depicted on map Exhibit B, attached hereto, is hereby rezoned from the County designation Rural Residential (RR-5) to the City of Talent zoning designation Residential—Single-Family—Low-Density (RS-5).

SECTION 4. REVISING THE ZONING MAP

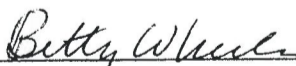
The City Recorder shall cause the City of Talent Zoning Map to be revised by transcribing thereon the most recent city limit boundary lines and the most recent zoning designation within the revised boundary lines.

SECTION 5. EFFECTIVE DATE

Under the provisions of the Talent Charter of July 1998, Chapter VIII, Section 36, the provisions of this bill shall be effective upon final approval of the planned unit development application known as "Pacific Stage Heights" (file no. PUD 07-01) and upon provision of two legal access points accessible to the public.

Duly enacted by the City Council in open session on 15 August 2007 by the following vote:

AYES: 3 NAYS: 2 ABSTAIN: 0 ABSENT: 1



Betty Wheeler
City Recorder and Custodian of Records

Ordinance No. 07-834-O

Exhibit A

Legal Description of Annexation Property

Beginning at the Northwest corner of that tract described in Volume 67, Page 53, Deed Records, Jackson County, Oregon; said corner being a point on the Southerly line of the County Road in Section 25, Township 38 South, Range 1 West, of the Willamette Meridian in Jackson County, Oregon, which is North 64° West 1386.0 feet (21 chains) from the Southeast corner of Donation Land Claim No. 72 in said Township and Range; and also being South 56° East 44.88 feet (68 links) from a point where the Southerly line of the Central Oregon & Pacific Railroad (formerly Californian and Oregon Railroad) right-of-way intersects the Southerly line of the County Road; thence North 56° West 44.88 feet to said Southerly line; thence North 86° 45' West, along said Southerly line, 471.90 feet (7.15 chains) to the most Northwest corner of the tract described in Volume 185, Page 23, said Deed Records; thence continue along said Southerly line 38.50 feet, more or less, to a point which is South 14° 00' West from the Southeasterly corner of HYDE PARK, in Jackson County, Oregon, according to the official plat thereof, now of record; thence South 14° 00' West 213.50 feet, more or less, to the Northwest corner of the tract described in Volume 36, Page 239, said Deed Records; thence South 13° 45' West 321.42 feet (4.87 chains); thence South 13° 15' West 948.42 feet (14.37 chains); thence East 164.34 feet (2.49 chains); thence North 27° East 314.82 feet (4.77 chains); thence South 75° 15' East 19.80 feet (30 links) to the Southwest corner of that tract described in Volume 67, Page 63, Deed Records; thence North 28° East, along the Westerly line thereof, 1264.08 feet (18.88 chains) to the Point of Beginning.

Ordinance No. 07-834-O

Exhibit B

Map of Annexation Property

