



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

March 3, 2008



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Union 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: March 13, 2008

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
Jon Jinings, DLCD Regional Representative
Jeff Wise, City of Union

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D L C D 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

FEB 25 2008

(See reverse side for submittal requirements)

**LAND CONSERVATION
AND DEVELOPMENT**

Jurisdiction: City of Union Local File No.: ORD 509
(If no number, use none)

Date of Adoption: Feb ^{11th} 2008 Date Mailed: Feb 20, 2008
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 7-9-07

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: _____
(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."
Zoning Ordinance text amendment to amend
procedures on Application to allow for
Staff review of Completeness and request
additional info.

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 - except for underline and bold in Section
7.060(1).

Plan Map Changed from : _____ to _____
Zone Map Changed from: _____ to _____
Location: _____ Acres Involved: _____
Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: _____
Was an Exception Adopted? Yes: ~~___~~ No: X

DLCD File No.: 001-07 (16240)

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: N/A

Local Contact: Jeff Wise Area Code + Phone Number: 541.562.5197
Address: P.O. Box 529 City: Union
Zip Code+4: 97883 Email Address: admin@cityofunion.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.

CITY OF UNION ORDINANCES
ORDINANCE NO. 509

AN ORDINANCE AMENDING THE TEXT OF THE
UNION ZONING ORDINANCE
TO AMEND APPLICATION PROCEDURES
TO BE CONSISTENT WITH STATE LAW

SECTIONS

- | | |
|---|---|
| 1 | <i>Amending Procedural Requirements of Sections 5, 7, and 9</i> |
| 2 | <i>Effective Date</i> |

Section 1. The following sections of Ordinance No. 337 are hereby amended for processing of applications relating to time periods and other procedural requirements consistent with state law:

SECTION 5: CONDITIONAL USE

5.030 NOTICE OF HEARING ON CONDITIONAL USES: Before a conditional use or modification of an existing conditional use is allowed, it shall be considered at a public hearing conducted by the Planning Commission. The public hearing shall be held ~~within 40 days after the application is filed and notice provided in accordance with requirements of Notice of the public hearing shall be given pursuant to~~ Section 7 of this Ordinance.

SECTION 7. NOTICES AND APPLICATION PROCEDURES

7.010.NOTICES: The City Administrator or his or her designee shall give notice of a public hearing on a conditional use, variance, or quasi-judicial change to the Zoning Map or any other public hearing required by this ordinance to all property owners within the applicable "Radius for notices" as specified in this Section, and to such other parties as are deemed affected by the proposed change. Notice shall be by first-class mail, or personal service with proof of delivery. Notice shall be mailed or delivered not less than 20 days but not more than 40 days prior to the date set for the ~~Planning Commission's first public~~ hearing on the application or not less than 10 days for applications requiring more than one evidentiary hearing. Names and addresses of property owners shall be those shown on the records of the Union County Assessor.

[new language]

7.060 REVIEW OF APPLICATIONS: An application shall be submitted to the City Administrator on forms provided by the City and with narrative explanation and plans sufficient to determine compliance

9.020. APPEALS: Any interested citizen party that participated by submitting testimony or administrative officer of the City may appeal to the City Council from any ruling of the Planning Commission pertaining to the granting or denial of any decision or permits applied for hereunder, when such ruling is adverse to his interests, by filing with the City Recorder Administrator within 10 12 days from such ruling the date of the notice of decision, a written notice stating with reasonable accuracy the particular ruling from which appeal is made, and stating the grounds therefore. Thereupon the City Recorder Administrator shall forthwith obtain all papers constituting the record upon which the action appealed from is based, and refer the same to the Planning Commission, which shall within 30 days submit its written recommendation thereon together with the record to the City Council, along with a report on the proceedings and issues. Said Commission or the The City Council may receive any additional evidence as either deems relevant to the issues involved. Upon receiving such recommendation and record, and within 30 days after a public hearing thereon, the The City Council shall have the power to affirm, overrule, or alter such ruling. The decision of the City Council on the appeal shall be issued as provided in Section 7.060.2. The decision of the City Council is the final local decision, which may be appealed to the Land Use Board of Appeals or State Courts as otherwise provided by state law.


Section 2. EFFECTIVE DATE: This ordinance shall take effect 30 days following its passage by the City Council and approval by the Mayor.

PASSED AND ADOPTED this 11 day of February, 2008 by the following vote

AYES: 6 NAYS 0 ABSTENTIONS: 0

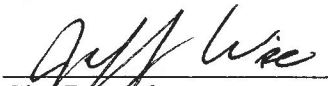
and the Mayor having declared the ordinance enacted by a 6-0 vote, became effective on [date] March 11, 2008.

APPROVED by the Mayor this 11 day of February, 2008.



Mayor

ATTEST:



City Recorder

CITY OF UNION
P.O. BOX 529
342 S. MAIN STREET
UNION, OR 97883-529



FIRST CLASS

DEPT OF

FEB 25 2008

**LAND CONSERVATION
AND DEVELOPMENT**

Department of Land Conservation & Develop
Attr: Plan Amendment Specialist
635 Capital Street NE, Suite 150
Salem, Oregon 97301-2540