



# 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](http://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 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: March 13, 2008**

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  
Grant Young, DLCD Regional Representative  
Jeff Wise, City Of Union

<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  
FEB 25 2008  
LAND CONSERVATION  
AND DEVELOPMENT

Jurisdiction: City of Union Local File No.: ORD 513  
(If no number, use none)

Date of Adoption: Feb 11, 2008 Date Mailed: \_\_\_\_\_  
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 8-30-2007

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."

Re-zone approx. 4.59 acres from C-2  
(heavy commercial) to R-1 (Residential)  
as part of residential subdevelopment  
(12.19 acres total size)

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: C-2 (heavy commercial) to R-1 (residential)

Location: City of Union, near golf course Acres Involved: 4.59

Specify Density: Previous: \_\_\_\_\_ New: \_\_\_\_\_

Applicable Statewide Planning Goals: goals 10, 11, 12

Was an Exception Adopted? Yes:  No:

DLCD File No.: 002-07 (16368)

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: Jeff Wise Area Code + Phone Number: 541.562.5619  
 Address: P.O. Box 542 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.

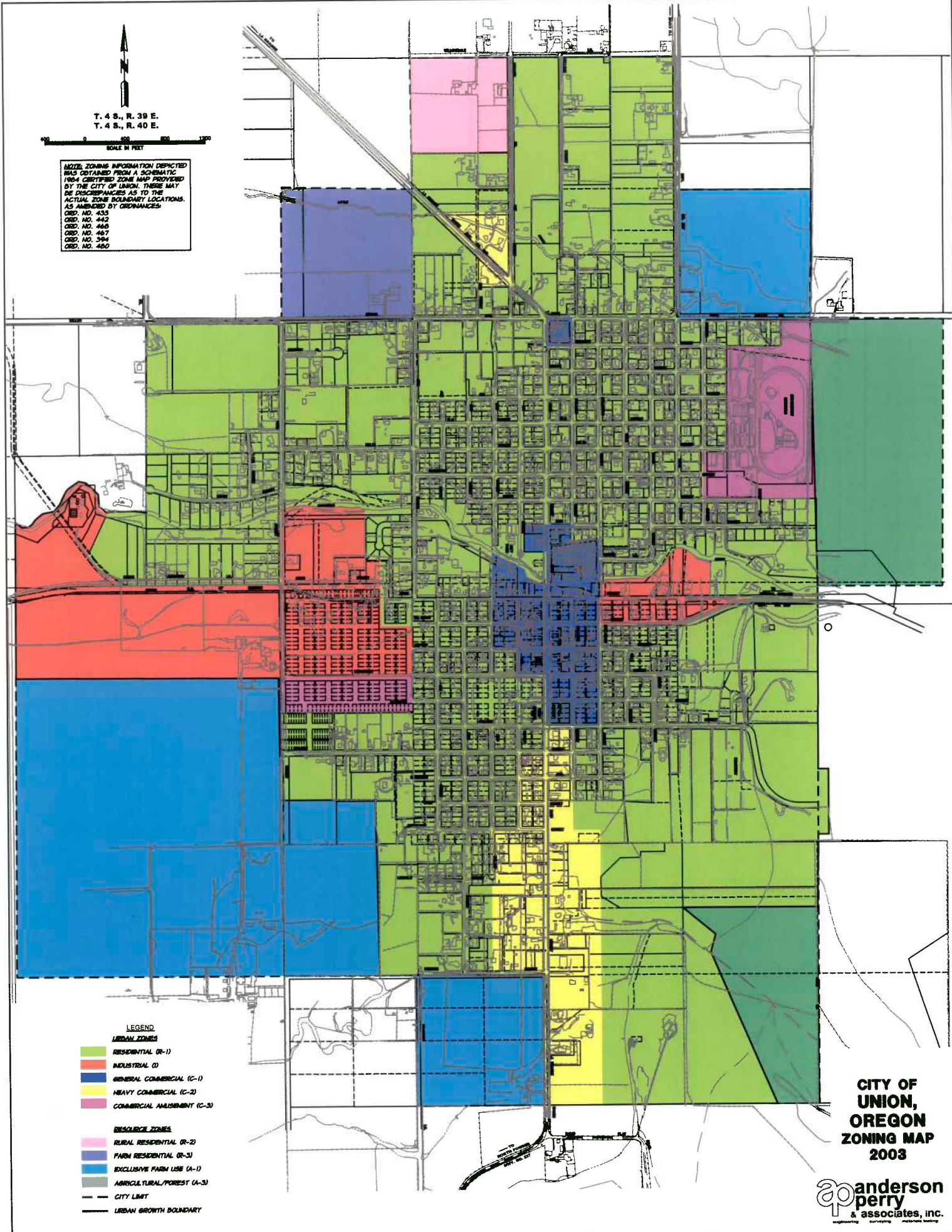
1. Send this Form and TWO (2) Copies of the Adopted Amendment to:  

**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](mailto:Mara.Ulloa@state.or.us) - ATTENTION. PLAN AMENDMENT SPECIALIST.

T. 4 S., R. 39 E.  
T. 4 S., R. 40 E.



MIZZE ZONING INFORMATION DEPICTED  
WAS OBTAINED FROM A SCHEMATIC  
1984 CERTIFIED ZONE MAP PROVIDED  
BY THE CITY OF UNION. THERE MAY  
BE DISCREPANCIES AS TO THE  
ACTUAL ZONE BOUNDARY LOCATIONS,  
AS AMENDED BY ORDINANCES:  
ORD. NO. 433  
ORD. NO. 442  
ORD. NO. 460  
ORD. NO. 467  
ORD. NO. 394  
ORD. NO. 460



**LEGEND**

**URBAN ZONES**

- RESIDENTIAL (R-1)
- INDUSTRIAL (I)
- GENERAL COMMERCIAL (C-1)
- HEAVY COMMERCIAL (C-2)
- COMMERCIAL AMUSEMENT (C-3)

**DISBURGE ZONES**

- RURAL RESIDENTIAL (R-2)
- FARM RESIDENTIAL (R-3)
- EXCLUSIVE FARM USE (A-1)
- AGRICULTURAL FOREST (A-3)

- CITY LIMIT
- URBAN GROWTH BOUNDARY

**CITY OF  
UNION,  
OREGON  
ZONING MAP  
2003**

**apanderson  
perry**  
& associates, inc.  
engineering surveying natural history

CITY OF UNION ORDINANCES  
ORDINANCE NO. 513

AN ORDINANCE AMENDING THE LAND USE PLAN  
MAP AND ZONING MAP TO RE-ZONE CERTAIN PROPERTY  
IN THE CITY OF UNION FROM HEAVY COMMERCIAL (C-2)  
TO RESIDENTIAL (R-1)

THE CITY OF UNION DOES ORDAIN AS FOLLOWS:

*SECTIONS*

- 1 *Land Use Plan Map and Zoning Map Amended*
- 2 *Findings and Conclusions Adopted*
- 3 *Implementation*
- 4 *Effective date*

**Section 1. LAND USE PLAN MAP AND ZONING MAP AMENDED:** Pursuant to the City of Union Zoning Ordinance (Ordinance 337, as amended), the Land Use Plan Map and Zoning Map are hereby amended to change a part of tax lot 100 of map 04S 40E 19.

**Section 2. FINDINGS AND CONCLUSIONS ADOPTED:** Pursuant to the City of Union Zoning Ordinance (Ordinance 337, as amended), the following findings and conclusions are hereby made and adopted in support of the above changes:

FINDINGS:

- 1) The criteria relating to a decision to amend the City of Union Zoning Ordinance (Ordinance 337, as amended), the Land Use Plan Map and Zoning were presented and discussed at a public meeting before the Planning Commission, which made a recommendation in favor of approval to the City Council based upon appropriate findings and conclusions to support the recommendation;
- 2) Conditions in the City of Union, and specifically in the area around the site, have changed since the original zoning designation was applied as the site has remained idle, the projected use of the Heavy Commercial zone in the City's Land Use Plan has not materialized, an 18-hole golf course has been constructed near the site, the City has tentatively approved a residential subdivision for the land herein, as well as a substantial amount of surrounding land in the Residential (R-1) zone, and that the City has increased water and sewer facilities to accommodate growth such as that proposed with the subdivision.
- 3) The City of Union Zoning Ordinance (Ordinance 337, as amended) allows for the re-zoning of land.

CONCLUSIONS:

ORDINANCE 513-- AN ORDINANCE AMENDING THE LAND USE PLAN MAP AND ZONING MAP TO RE-ZONE CERTAIN PROPERTY IN THE CITY OF UNION FROM HEAVY COMMERCIAL (C-2) TO RESIDENTIAL (R-1)

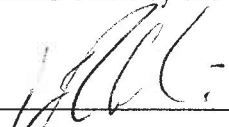
- 1) The proposed change is compatible with the Land Use Plan policies and applicable LCDC Goals and Guidelines.
- 2) Changed conditions exist which justify the re-zoning of the Heavy Commercial (C-2) parcel of land at issue into Residential (R-1) so as to be included within a larger scale subdivision upon immediately adjoining and similarly zoned residential (R-1) land.
- 3) The re-zoning of the land at issue does not create a burden on the available lands within the current zoning of the land.

**Section 3. IMPLEMENTATION:** The City Administrator/Recorder, or is designee, are hereby directed to implement the map amendments, and to notify the state Department of Land Conservation and Development of the changes.

**Section 4. EFFECTIVE DATE:** This Ordinance shall be in effect thirty (30) days following its adoption by the 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

**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  
Attn: Plan Amendment Specialist  
635 Capitol Street NE, Suite 150  
Salem, Oregon 97301-2540