



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

04/02/2009

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

FROM: Larry French, Plan Amendment Program Specialist

SUBJECT: City of Cottage Grove Plan Amendment
DLCD File Number 009-08

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: Thursday, April 16, 2009

This amendment was submitted to DLCD for review 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Amanda Ferguson, City of Cottage Grove
Gloria Gardiner, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative
Bill Holmstrom, DLCD Transportation Planner

<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

In person electronic mailed

DEPT OF

MAR 27 2009

LAND CONSERVATION AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: **City of Cottage Grove**

Local file number: **CPA 2-08**

Date of Adoption: **3/23/2009**

Date Mailed: **3/25/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date:

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 the Land Use Designation of 7 parcels (the Middlefield Golf Course and adjacent properties) from CT Commercial Tourist to P Parks & Open Space, one parcel (the North Regional Park) from C Community Commercial to P Parks & Open Space, and two parcels attached to the Middlefield Subdivision from CT Commercial Tourist to M Medium Density Residential.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **CT, C**

to: **P, M**

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous: **1**

New: **1**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 009-08(17258) [15456]

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Lane County, State Aviation, ODOT

Local Contact: **Amanda Ferguson**

Phone: (541) 942-3340 Extension: 124

Address: **400 Main Street**

Fax Number: **541-942-1267**

City: **Cottage Grove**

Zip: **97424-**

E-mail Address: **planner@cottagegrove.org**

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 Complete Copies** (documents and maps) 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. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
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 now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also 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.

RESOLUTION NO. 1701

A RESOLUTION AMENDING THE COTTAGE GROVE
COMPREHENSIVE PLAN LAND USE DIAGRAM MAP (CPA 2-08)
Map 20-03-22-40 TL 102, 200, 300, 400
Map 20-03-27-20 TL 200, 3202, 3203, 3204
Map 20-03-27-21 TL 100, 200

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

WHEREAS, the City of Cottage Grove has made an application to amend the said Development Plan; and,

Whereas, the City of Cottage Grove proposes to change the Land Use Designation of 10 parcels described below and shown in Exhibit "A" attached hereto and by reference made a part of this resolution from:

T Tourist Commercial to P Parks & Open Space:

Middlefield Golf Course (Map 20-03-22-40 TL 102 & 200)
City of Cottage Grove property associated with the golf course (Map 20-03-27-20 TL 3203),
Two parcels in the Golf Course used for outdoor advertising (Map 20-03-22-40 TL 300 & 400)

T Tourist Commercial to M Medium Density Residential:

Middlefield Association Recreation Center at 98 Village Drive (Map 20-03-27-21 TL 200)
Single family home at 101 Village Drive (Map 20-03-27-21 TL 100)
Vacant lot owned by Kristen Woodard LLC (Map 20-03-27-20 TL 3202)
RV storage facility owned by Kristen Woodard LLC (Map 20-03-27-20 TL 3204)

C Community Commercial to P Parks & Open Space:

North Regional Park (Map 20-03-27-20 TL 200)

WHEREAS, the Department of Land Conservation and Development was given forty-five day notice prior to the first hearing on November 28, 2008 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 January 21, 2009; and,

WHEREAS, the City Council held a public hearing on the said amendment to the Plan on March 23, 2009; and

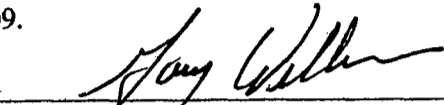
WHEREAS, the City Council finds the amended plan to adequately address the land use needs of the community and adopted findings attached as Exhibit "B";

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 Map 20-03-22-40 TL 102, 200, 300, & 400 and Map 20-03-27-20 TL 3203 from T Tourist Commercial to P Parks & Open Space; land described as Map 20-03-27-21 TL 100 & 200 and Map 20-03-27-20 TL 3202 & 3204 from T Tourist Commercial to M Medium Density Residential; and land described as Map 20-03-27-20 TL 200 from C

Community Commercial to P Parks & Open Space on the Land Use Diagram Map of the Comprehensive Plan, as shown on Exhibit "A" attached hereto and by reference made a part hereof.
This resolution shall take effect immediately.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS
23RD DAY OF MARCH, 2009.


Richard Meyers, City Manager


Gary Williams, Mayor

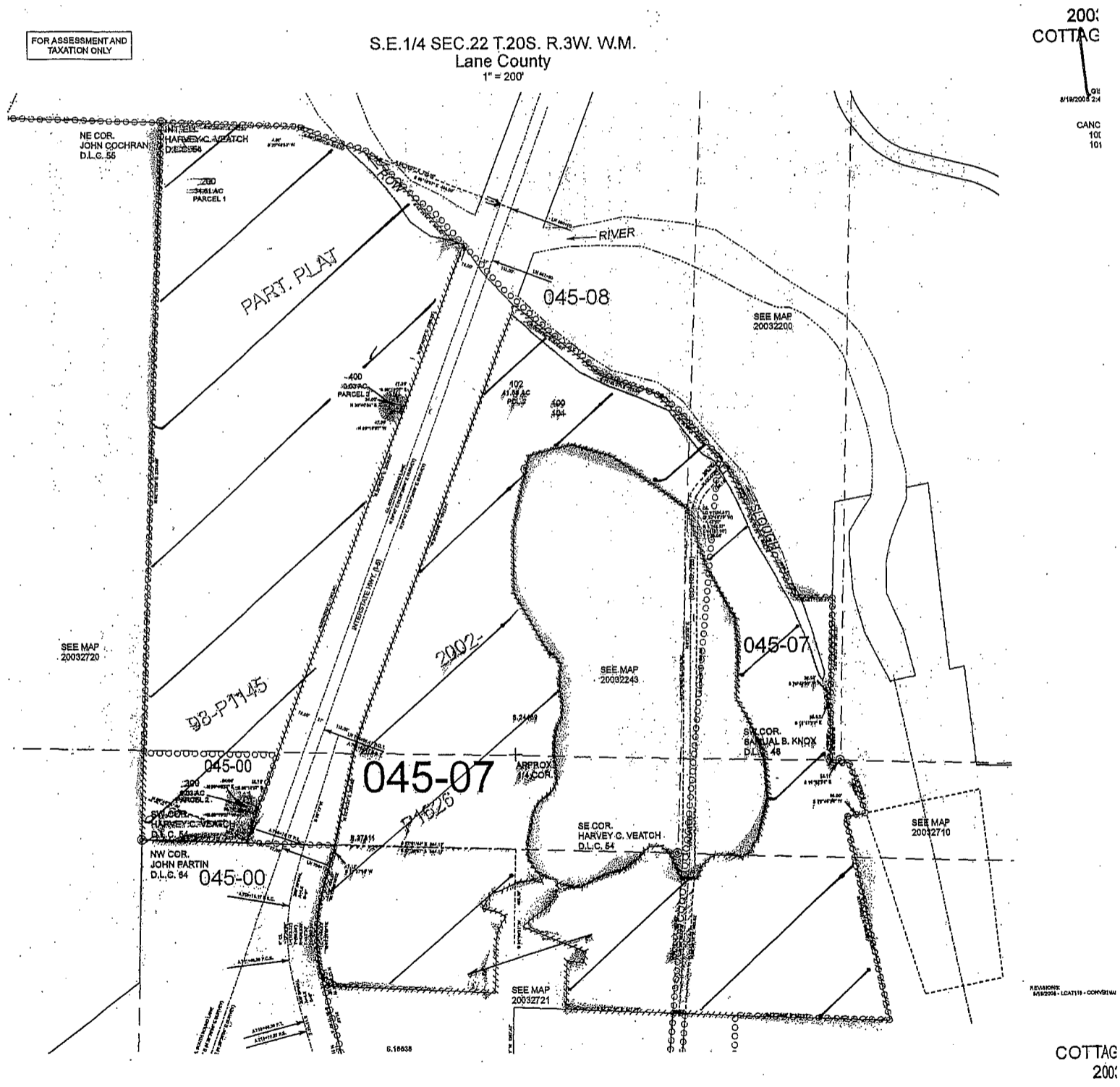
Dated: March 23, 2009

Dated: March 23, 2009

EXHIBIT 'A'
RESOLUTION NO. 1701

Map 20-03-22-40 TL 102, 200, 300, 400

T to P



200:
COTTAG

8/19/2008 24
CANC
10C
101

REVISIONS
#00004 - LCAT119 - CONYRE/W

COTTAG
200:

EXHIBIT 'A'
RESOLUTION NO. 1701

Map 20-03-27-21 TL 100, 200

T to M

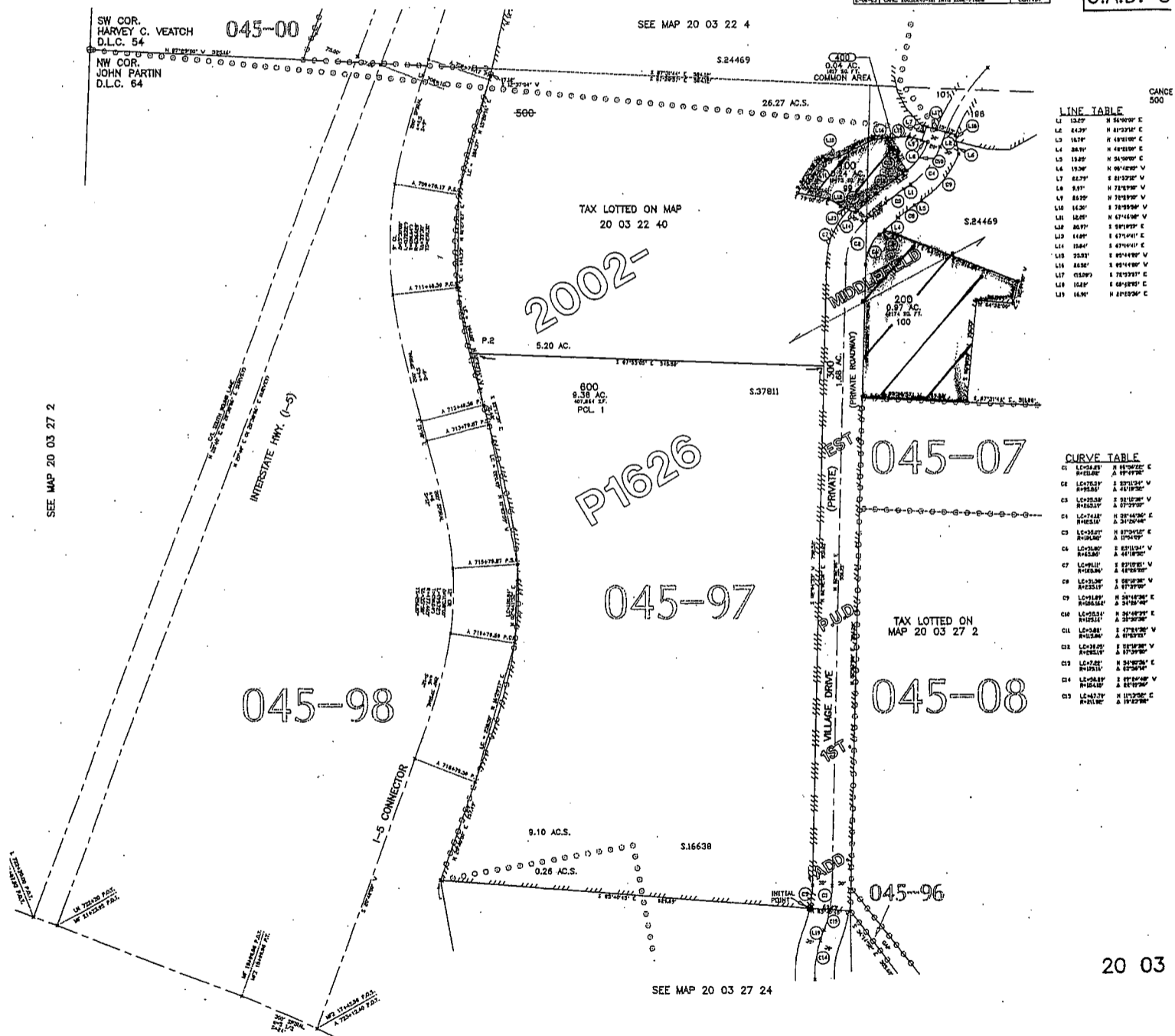
FOR ASSESSMENT
AND TAXATION
ONLY

NE1/4 NW1/4 SEC.20 T.20S. R.3W. W.M.
LANE COUNTY
SCALE 1" = 100'

20 03 | 2

C.A.D. S

DATE	REVISION	EMPLOYEE
02/25/24	REPLACE BY THE PREVIOUS ETC. THIS WITH PROPOSED FOR THIS IS THE ONLY COPY	LEATYR
07/27/21	FOR ADDITION OF THE PROPOSED L	LEATYR
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CANCE 500

LINE TABLE

L1	13.27'	N 86°00'00" E
L2	14.29'	N 81°00'00" E
L3	15.77'	N 48°10'00" E
L4	20.71'	N 48°10'00" E
L5	15.25'	N 54°00'00" E
L6	19.96'	N 60°10'00" W
L7	12.77'	E 20°00'00" W
L8	8.97'	N 71°00'00" W
L9	8.97'	N 71°00'00" W
L10	16.20'	N 71°00'00" W
L11	16.20'	N 67°10'00" W
L12	16.20'	N 67°10'00" W
L13	16.20'	N 67°10'00" W
L14	16.20'	N 67°10'00" W
L15	16.20'	N 67°10'00" W
L16	16.20'	N 67°10'00" W
L17	16.20'	N 67°10'00" W
L18	16.20'	N 67°10'00" W
L19	16.20'	N 67°10'00" W

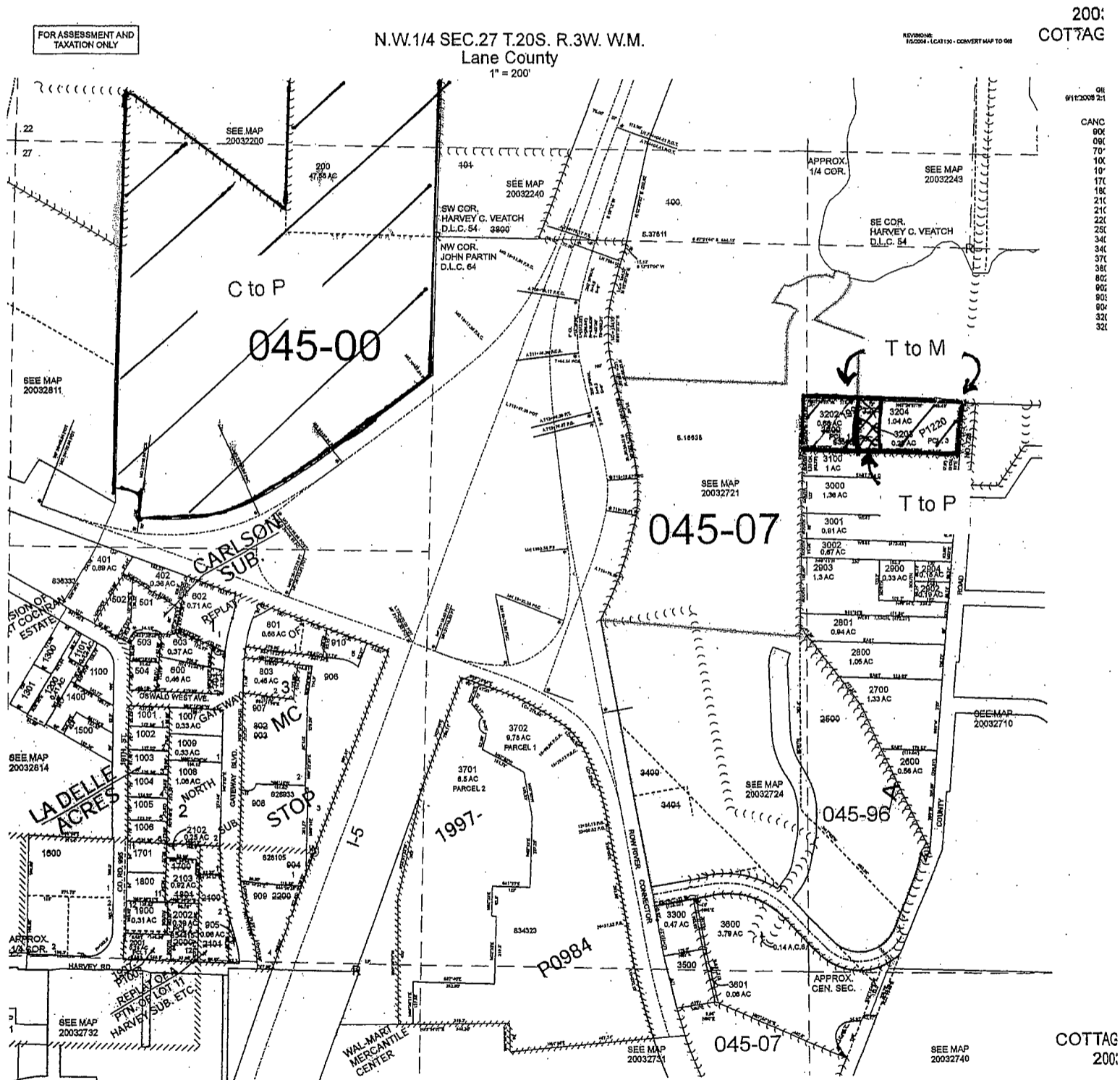
CURVE TABLE

C1	LC=10.24'	N 81°00'00" E
C2	LC=10.24'	N 81°00'00" E
C3	LC=10.24'	N 81°00'00" E
C4	LC=10.24'	N 81°00'00" E
C5	LC=10.24'	N 81°00'00" E
C6	LC=10.24'	N 81°00'00" E
C7	LC=10.24'	N 81°00'00" E
C8	LC=10.24'	N 81°00'00" E
C9	LC=10.24'	N 81°00'00" E
C10	LC=10.24'	N 81°00'00" E
C11	LC=10.24'	N 81°00'00" E
C12	LC=10.24'	N 81°00'00" E
C13	LC=10.24'	N 81°00'00" E
C14	LC=10.24'	N 81°00'00" E
C15	LC=10.24'	N 81°00'00" E

20 03 2

EXHIBIT 'A'
RESOLUTION NO. 1701

Map 20-03-27-20 TL 200, 3202, 3203, 3204



200:
COTTAG

- 011:2008 2:1
- CANC
- 006
- 086
- 70
- 10
- 10
- 170
- 180
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- 380
- 800
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- 900
- 320
- 320

COTTAG
200:

EXHIBIT B
RESOLUTION NO. 1701

1. City of Cottage Grove has made an application to redesignate 80.55 acres of land described as Map 20-03-22-40 TL 102, 200, 300, 400 and Map 20-03-27-20 TL 3203, and comprising the Middlefield Golf Course, and adjacent subsidiary property owned by the City of Cottage Grove from T Tourist Commercial and P Parks & Open Space; to redesignate 47.92 acres of property described as Map 20-03-27-20 TL 200 and comprising the North Regional Park from C Community Commercial to P Parks & Open Space; to redesignate 1.21 acres of land described as Map 20-03-27-21 TL 100 & 200 and comprising the Middlefield Recreation Center at 98 Village Drive and the original model home for Middlefield Estates at 101 Village Drive from T Tourist Commercial to M Medium Density Residential; and to redesignate two lots adjacent to the Middlefield Estates owned by Kristen Woodard LLC described as Map 20-03-27-20 TL 3202 and 3204 from T Tourist Commercial to M Medium Density Residential.
2. The lands to be redesignated as P Parks & Open Space comprise a golf course under City ownership (Middlefield Golf Course), the City's North Regional Park, and three small parcels adjacent to these larger uses (two tiny parcels used for outdoor advertising along I-5, and one parcel owned by the City that is accessory to the golf course). Redesignation as Parks & Open Space will clarify the City's long term intent to maintain these properties as open space and will allow for the rezoning of these properties to PR Parks & Recreation. Under the PR district, the existing uses will be allowed outright.
3. The lands to be redesignated as M Medium Density Residential include a manufactured home (at 101 Village Drive) that is part of Middlefield Estates, a recreation center for Middlefield Estates, a vacant lot adjacent to the recreation center, and an RV storage lot used by the owners of Middlefield Estates. These uses are not allowed under their current zoning either outright or conditionally. Redesignation to M Medium Density Residential will allow for rezoning to R-2 Medium Density Multiple Family Residential. Under the R-2 zone, all of the existing uses except for the RV storage will be allowed either outright or conditionally. As the current uses are integral to the function of Middlefield Estates, a medium density development, their redesignation to M Medium Density Residential is an appropriate application of the Comprehensive Plan's land use designations.
4. The City of Cottage Grove 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 given land use exists.
5. 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.
6. When the City purchased the North Regional Park property with federal funds, a restriction was placed on the use of the property (through the use of the funds), dedicating it for public use for 99 years. Its current designation as C Commercial is inappropriate in consideration of its proposed long-term use and existing development as a natural resource area.
7. When the Middlefield Golf Course properties were brought into the urban growth boundary, the developers intended on developing the properties for Commercial Tourist Limited purposes – an amusement park, golf course, or similar use. In 2008, the City purchased the Middlefield Golf Course with the express intent of using the property to discharge effluent from the waste water treatment facility. This use is proposed in the City's master wastewater plan and is part of the City's NPDES permit for the wastewater treatment plant. Hence the City has made a long-term commitment to maintain the golf course as permanent open space. As the properties are dedicated

for permanent open space and/or are accessory uses to permanent open space, their designation as Parks & Open Space more correctly represents the intent of the City Council and the citizens of Cottage Grove.

8. The subject parcels at 101 Village Drive, 98 Village Drive, and the RV storage lot owned by Kristen Woodard were developed as accessory uses to Middlefield Estates, a medium density residential designated subdivision at the end of Village Drive (and surrounded by the golf course). These properties are immediately adjacent to Middlefield Estates to the north and remain substantially as part of Middlefield Estates.
9. Adequate public facilities, including water, sewer, streets, etc. are either already provided or available to the sites.
10. The following Statewide Planning Goals are not applicable to the proposed redesignation: Goal 3 - Agricultural Lands; Goal 4 - Forest Lands; Goal 11 - Public Facilities and Services; Goal 17 - Coastal Shorelands; Goal 18 - Beaches & Dunes; and Goal 19 - Ocean Resources.
11. The following Statewide Planning Goals are applicable and the amendment complies with them as noted below:
 - a. Goal 1 - Citizen Involvement. Public hearings have been held at the Planning Commission and City Council levels to consider this redesignation. Our process involves various forms of notification of the public in the immediate area, notification in local media, and notification of impacted governmental agencies and recognized neighborhood groups.
 - b. 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 followed the process established in Title 14 of the City of Cottage Grove Municipal Code and has been found compatible with the City's Comprehensive Plan.
 - c. Goal 5 - Open Spaces, Scenic & Historic Areas and Natural Resources. The North Regional Park and the Middlefield Golf Course properties contain known wetland and riparian areas associated with the Row River and Coast Fork of the Willamette River. These resources will be better protected through their designation as parks & open space, as this change protects these properties from redevelopment for intensive commercial use.
 - d. Goal 6 - Air, Water & Land Resources Quality. Development of these properties will comply with city, state and federal standards to protect air and water quality. No identified natural resources are being degraded by this redesignation, as this change protects these valuable resources from future development for intensive commercial use.
 - e. Goal 7 - Areas Subject to Natural Disasters and Hazards. The North Regional Park and Middlefield Golf Course are subject to flooding and contain known wetlands. Steps will be taken to protect life and property from natural disasters and hazards during any future development, which will be limited by uses proposed for park and open space uses.
 - f. Goal 8 - Recreational Needs. This redesignation formalizes past and current City planning efforts which have designated the North Regional Park and the Middlefield Golf course as open space.
 - g. Goal 9 - Economic Development. This redesignation removes almost 130 acres of lands designated in the long-term through other planning mechanisms for open space use from the City's economic lands inventory. This allows the City to properly evaluate our 20-year land supply for commercial development without having the outcomes of such a survey confused by the presence of open space on commercially designated lands.
 - h. Goal 10 - Housing. This redesignation removes four properties inappropriately designated as Tourist Commercial but used for residential purposes from the City's inventory of economic lands.

- i. Goal 13 – Energy Conservation. Preservation of existing development maximizes energy conservation.
 - j. Goal 14 – Urbanization. The areas are already in Cottage Grove’s urban growth boundary. No changes will be made to the city’s boundary.
 - k. Goal 15 – Willamette River Greenway. Only the upper edge of the North Regional Park property is within the Willamette River Greenway. The property’s redesignation from C Community Commercial to P Parks & Open Space is an important step to preserving this resource.
12. The property owners of the lands involved in the Plan Amendment are in favor of the redesignation.
13. The proposed changes are in the public’s interest; are in keeping with the development pattern in this area of the city; are in keeping with the intent of the City Comprehensive Plan; and serve the public’s health, safety and welfare.

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03/26/2009

Mailed From 97424

US POSTAGE

usps.com



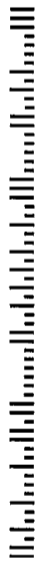
COMMUNITY DEVELOPMENT

CITY OF

COTTAGE GROVE

400 E. Main St.
Cottage Grove, OR 97424-2033

TO:



Attn: Plan Amendment Specialist

DLCD

635 Capitol Street NE Suite 150

Salem OR 97301-2540