



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

04/17/2009

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

FROM: Larry French, Plan Amendment Program Specialist

SUBJECT: City of Myrtle Point Plan Amendment
DLCD File Number 001-08

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 30, 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: Vicki Strader, City of Myrtle Point
Gloria Gardiner, DLCD Urban Planning Specialist
Dave Perry, DLCD Regional Representative

<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

(See second page for submittal requirements)

APR 10 2009

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: *City of Myrtle Point*

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

Date of Adoption: *4/6/09*
(Must be filled in)

Date Mailed: *4/8/09*
(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: *original copy mailed 12/11/08*
revised copy mailed 2/23/09

- | | |
|--|---|
| <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."

Amended the zoning map to reflect rezoning the subject property from commercial to residential.

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: *Commercial (CR)*

to: *Residential (R-1)*

Location: *1312 Maryland Ave.*
Myrtle Point, OR. 97458 (29 12 168D TL. 8102)

Acres Involved: *.18*

Specify Density: Previous:

New:

Applicable Statewide Planning Goals: *Goal 10*

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.: 001-08(17276)[15469]

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: Vicki Strader

Area Code + Phone Number: 541-572-2626

Address: 424 5th St.

City: Myrtle Point

Zip Code+4: Oregon 97458

Email Address: vickis@mycomspan.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 1254

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 5, Commercial Zone

Purpose: The purpose of the Commercial Zone is designed to provide areas suitable for a wide variety of commercial uses and allow limited residential uses.

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 10 – Housing – The City shall continue to develop and refine land use designations and zoning that will provide opportunities for the development of housing of all types and cost, including high density housing and mobile homes and housing units suitable for low-income households.

SECTION 2. FINDINGS

The City Council hereby finds the Planning Commission, at their March 24, 2009 meeting, reviewed the requested rezone application submitted by David Chidester.

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

The City Council hereby further finds the properties adjacent to the subject property are mostly residential dwellings even though some properties are within a Commercial Zone.

The City Council hereby further finds the proposed zone change will not substantially impact available CR (Commercial) property.

SECTION 3. AMENDMENT

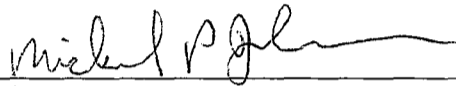
The Myrtle Point Zoning Map is hereby amended by changing the zoning classification of the following described property from CR (Commercial) to R-1 (Residential):
T29 R12W Section 16BD Tax Lot 8102 (commonly known as 1312 Maryland Ave.)

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 6th day of April 2009.

Signed by the Mayor this 6th day of April 2009.




Michael P. Johnson, Mayor
City of Myrtle Point

ATTEST:



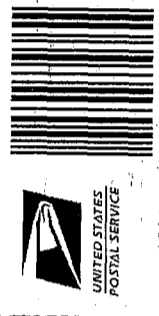
Randall Whobrey
Interim City Manager
City of Myrtle Point

 CITY OF MYRTLE POINT
424 5th Street
Myrtle Point, OR 97458

PLACE STICKER ON TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS FOLD AT DOTTED LINE
CERTIFIED MAIL



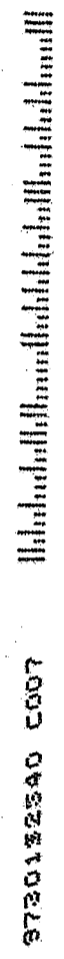
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U.S. POSTAGE
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MYRTLE POINT, OR
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Attention: Plan Amendment Specialist
Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR. 97301-2540



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