



Oregon

Theodore R. Kubongoski, 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

11/12/2009

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Myrtle Point Plan Amendment
DLCD File Number 003-09

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: Tuesday, November 24, 2009

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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: John Walsh, City of Myrtle Point
Gloria Gardiner, DLCD Urban Planning Specialist
Dave Perry, DLCD Regional Representative

<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 second page for submittal requirements)

DEPT OF

NOV 04 2009

LAND CONSERVATION
AND DEVELOPMENT
(If no number, use none)

Jurisdiction: City of Myrtle Point

Local File No.:

Date of Adoption: 11/2/2009
(Must be filled in)

Date Mailed: 11/3/09
(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 9/14/09

- | | |
|--|---|
| <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 city's zoning map to properly reflect existing public facilities.

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: Various classifications to: PF (Public Facilities)
+ OS (Open Space)

Location: Within the city limits of Myrtle Point Acres Involved: 56 = +/-

Specify Density: Previous: N/A

New: N/A

Applicable Statewide Planning Goals: Goal 9 and the administrative rule

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.: 003-09 (17831) [15808]

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: John Walsh
City manager

Address: 424 5th St.

Zip Code+4: 97458

Area Code + Phone Number: 541-572-2626

City: Myrtle Point

Email Address: cityofmyrtlepoint@yahoo.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 NO. 1257

AN ORDINANCE OF THE CITY MYRTLE POINT CITY COUNCIL AMENDING THE CITY'S ZONING MAP TO ACCURATELY REFLECT EXISTING PUBLIC FACILITIES

WHEREAS, many existing public facilities within the City of Myrtle Point are zoned for uses other than Public Facilities; and

WHEREAS, in order to secure federal grants, loans and funding for infrastructure projects the city is required to certify the zoning is compatible with the land use; and

WHEREAS, the proposed changes are consistent with the city's comprehensive plan policies relating to economic development and are consistent with the requirements of statewide Goal 9 and the administrative rule, and

WHEREAS, Ordinance 1096 sets forth the process for amending the zoning map including public notification process, Public Hearings, and recommendation of the Planning Commission; and

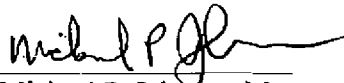
WHEREAS, the Planning Commission, upon consideration of the staff report and public testimony recommends that the City Council approve the proposed zoning map amendments.

NOW THEREFORE, THE CITY OF MYRTLE POINT ORDAINS AS FOLLOWS:

Section 1. The zoning map is amended to Public Facility (PF) for the Myrtle Point Wastewater Facility, Myrtle Point Cemetery, Coos County Fairgrounds, Myrtle Point Water Treatment Plant, and the View Street lift station.

Section 2. The zoning map be amended to Open Space (OS) for the following city parks: Rotary Park, Sunset Park, Lehnher Park, and Lion's Park.

Adopted by the City Council of the City of Myrtle Point this 2nd day of November 2009.



Michael P. Johnson, Mayor
City of Myrtle Point, Oregon

ATTEST:



John Walsh, City Manager
City of Myrtle Point, Oregon

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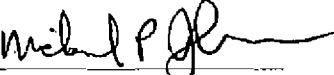
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Michael P. Johnson, Mayor
City of Myrtle Point, Oregon

ATTEST:


John Walsh, City Manager
City of Myrtle Point, Oregon



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

CERTIFIED MAIL™



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Attention: Plan Amendment Specialist
 Department of Land Conservation and Development
 635 Capitol Street NE, Suite 150
 Salem, Oregon 97301-2540

**Receipt Required
 Showing Address
 Where Delivered**

