NOTICE OF ADOPTED AMENDMENT

3/22/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Cottage Grove 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: Thursday, April 01, 2010

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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

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

<paa> YA
FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within 5-Working Days after the Final Ordinance is signed by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: City of Cottage Grove
Date of Adoption: 03-08-10
Local file number: DCTA 2-09
Date Mailed: 03-09-10

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 10-06-09

☐ Comprehensive Plan Text Amendment
☒ Land Use Regulation Amendment
☐ New Land Use Regulation
☐ Comprehensive Plan Map Amendment
☐ Zoning Map Amendment
☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write “See Attached”.
Corrected scrivener’s errors in Title 14, Development Code.

Does the Adoption differ from proposal? Please select one

☐ No

Plan Map Changed from: to:
Zone Map Changed from: to:
Location:
Acres Involved:
Specify Density: Previous: New:
Applicable statewide planning goals:

☒ ☐ 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

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 No. 003-09 (17878) [16045]
Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: Amanda Ferguson  Phone: (541) 942-3340  Extension: 
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 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this Form 2 on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp. (for submittal instructions, also see # 5] MAIL the PAPER COPY and CD 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

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615).
8. Deadline to appeals to LUBA is calculated twenty-one (21) days from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615).
10. Need More Copies? You can now access these forms online at http://www.lcd.state.or.us/. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

Updated December 22, 2009
THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to amend scrivener errors in Section C of Ordinance No. 2959 that adopted the city-wide Title 14 Cottage Grove Development Code.

Section 2. Scrivener Error. Ordinance No. 2959 repealed Title 18 Zoning Code and adopted Title 14 Development Code. The staff report, public hearing notices, minutes at the Planning Commission and City Council all show that the intent being the adoption of this Title. This ordinance amends scrivener errors found in the document since adoption.

Section 2. Procedural Compliance. This amendment is in compliance with 14.4.7.500-600 of the Municipal code of the City of Cottage Grove and is based upon the City Council determination, after a Planning Commission public hearing and recommendation, that this amendment is a proper implementation of the comprehensive land use plan and, therefore, is in the public interest and for the health, safety and welfare of the residents of the City of Cottage Grove.

Section 3. Amendment. Title 14 of the Cottage Grove Municipal Code and Section “C” of Ordinance No. 2959 is hereby amended as follows:

A. Pg. 2-48
   Remove strike through text and replace with bold text:

   2.2.200 Residential Districts – Special Use Standards
   I. Manufactured/Mobile Home Parks.
   7. **Overnight spaces. No more than 5% of the total mobile home area may be used to accommodate persons wishing to park their mobile homes or camping vehicles overnight.**

B. Pg. 2-70
   Remove strike through text and insert the following bold text:

   2.3.180 Commercial Districts – Special Use Standards

   A. **Drive-up/Drive-In/Drive-Through Uses and Facilities. When drive-up or drive-through uses and facilities are allowed, no driveways or queuing areas shall be located between the building and a street. See Figure 2.3.190.A(1) 2.3.180.A(1).**

   Figure 2.3.190.A(1) 2.3.180.A(1) – Drive up and Drive-Through Facilities
C. Pg. 2-77
Remove strike through text and replace with bold text in Table 2.4.110 Land Use in Industrial Districts:

<table>
<thead>
<tr>
<th>Use Categories</th>
<th>M-1</th>
<th>M-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wholesale Sales</td>
<td>S</td>
<td>S-CU</td>
</tr>
</tbody>
</table>

D. Pg 3-40
Remove strike through text in Table 3.4.100.F Street Standards:

E. Pg. 3-50
Remove strike through text:

Table 3.4.100.F Street Standards

<table>
<thead>
<tr>
<th>Street Type</th>
<th>Avg. Daily Trips (ADT)</th>
<th>Right-of-Way Width</th>
<th>Curb-to-Curb Paved Width</th>
<th>Motor Vehicle Travel Lanes</th>
<th>Median/Center Turn Lanes</th>
<th>Bike Lanes</th>
<th>On-Street Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angled Parking Both Sides</td>
<td>81'-100'</td>
<td>54'</td>
<td>10'</td>
<td></td>
<td>5'-6'</td>
<td>Varies</td>
<td></td>
</tr>
<tr>
<td><strong>Local Streets</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking One Side</td>
<td>50'-60'</td>
<td>28'</td>
<td>20'</td>
<td></td>
<td>2-at 5'-6'</td>
<td>7' lane</td>
<td></td>
</tr>
<tr>
<td>Parking Both Sides</td>
<td>56'-60'</td>
<td>32'</td>
<td>18'</td>
<td></td>
<td>2-at 5'-6'</td>
<td>7.5' lanes</td>
<td></td>
</tr>
<tr>
<td>No Parking</td>
<td>36'-56'</td>
<td>20'</td>
<td>20'</td>
<td></td>
<td>2-at 5'-6'</td>
<td>None</td>
<td></td>
</tr>
</tbody>
</table>

F. Pg. 3-60
Add the following bold text:

3.4.100
O. Grades and Curves. Grades shall not exceed 6% on arterials, 10% on collector streets, or 15% on any other street (except that local or residential access streets may have segments with grades which exceed 15% for distances of no greater than 100 feet), and:

G. Pg. 5-3
Remove strike through text and replace with bold text:
5.1.400 Class B Variances

A. Applicability. Class B variance requests apply to the types of requests meeting the approval criteria in Sections 5.1.400.B through 5.1.400.H and that conform to subsections 1-3 1-4, below:

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS
8th DAY OF March, 2010.

Attest:                    Approved:

Richard Meyers, City Manager
Dated:  March 8, 2010

Gary Williams, Mayor
Dated:  March 8, 2010