



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

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 004-09

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

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FORM **2**

DLCD

Notice of Adoption

In person electronic mailed

DEPT OF

MAR 15 2010

LAND CONSERVATION AND DEVELOPMENT

DATE
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P

For Office Use Only

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**

Local file number: **DCTA 3-09**

Date of Adoption: **03-08-10**

Date Mailed: **03-09-10**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 10-20-09

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".
 Amended the standards related to Seasonal and Special Event Temporary Use Permits in Title 14 Cottage Grove 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:

1 **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. 004-09 (17908) [16046]

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.

Ordinance No. 2994

AN ORDINANCE AMENDING TITLE 14 OF THE COTTAGE GROVE
MUNICIPAL CODE REGARDING SEASONAL AND SPECIAL EVENT
TEMPORARY USE PERMITS

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to amend standards related to Seasonal and Special Event Temporary Use Permits in Title 14 Cottage Grove Development Code.

Section 2. Seasonal and Special Event Temporary Use Permits. Seasonal and Special Event temporary use permits are issued for uses lasting less than 30 days, and cover the following types of uses: firework displays, Christmas tree sales, and special events such as carnivals, concerts, and fairs. This ordinance changes the processing of Seasonal and Special Event Temporary Use Permits from a Type II Administrative Procedure to a Type I Ministerial procedure to allow these types of temporary use permits to be processed in a timely and efficient manner; to remove an unnecessary burden placed upon the applicant in terms of application processing time, fees, and delay; reduce the burden upon staff time.

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 is hereby amended as follows:

A. Pg. 4-4

Remove ~~strike through~~ text and replace with **bold** text:

Table 4.1.100 Summary of Approvals by Type of Application Type

Temporary Use Permit	Type II/III	Chapter 4.9
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B. Pg. 4-5

Remove ~~strike through~~ text and insert the following **bold** text:

Table 4.1.110: Summary of Approvals by Type of Review Procedure

Type I	Seasonal or Special Event Temporary Use Permit	Chapter 4.9
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C. Pg. 4-6

Remove ~~strike through~~ text and replace with **bold** text in 4.1.200 Type I Procedure (Ministerial):

A. Types of Approvals. The following types of approvals are reviewed under a Type I procedure:

- **Season or Special Event Temporary Use Permits**

D. Pg. 4-83

Remove ~~strike through~~ text and replace with **bold** text in Section 4.9.100 Temporary Use Permits:

A. Seasonal and Special Events. These types of uses occur only once in a calendar year and for no longer a period than 30 days. Using the ~~Type II~~ **Type I** procedure under Section ~~4.1.300~~ **4.1.200**, the City shall approve, ~~approve with conditions or deny a temporary use permit based on findings that~~ **provided** all of the following criteria are satisfied:

E. Pg. 4-85

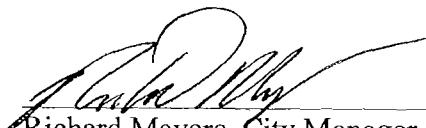
Remove ~~strike through~~ text and replace with **bold** text in Section 4.9.100 Temporary Use Permits:

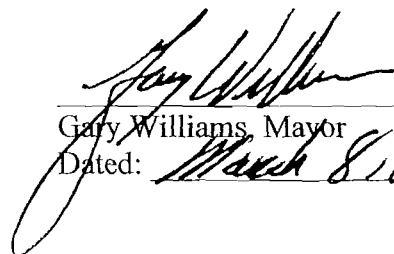
D. Temporary Medical Hardships. Temporary trailers may be placed on residential lots for the purposes of providing living space for a relative or caregiver in the event of a medical hardship. Placement of such a trailer, which may include recreational vehicles, fifth-wheels, camp trailers, etc. within the City shall require a development permit. Using a Type II procedure, as governed by Section ~~4.1.400~~ **4.1.300**, the City may approve, approve with conditions or deny an application for a placement of a temporary trailer for a medical hardship, based on following criteria:

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



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03/11/2010

Mailed From 97424
US POSTAGE

Community Development



CITY OF
COTTAGE GROVE

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

TO:

Attn: Plan Amendment Specialist
DLCD
635 Capitol St NE Suite 150
Salem OR 97301-2540