



Oregon

Theodore R. Kubongski, 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

3/5/2010

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 006-09

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, March 18, 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
Angela Lazarean, DLCD Urban Planner

<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

In person electronic mailed

DATE STAMP

DEPT OF

FEB 26 2010

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of Cottage Grove**

Local file number: **CPA 1-10**

Date of Adoption: **02-22-10**

Date Mailed: **02-25-10**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 11/30/2009

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 Comprehensive Plan Designation on two parcels from L Low Density Residential to P Parks and Open Space: 1414 E Washington Avenue (20-03-28-44-4500) and 59 S 15th Street (20-03-28-44-4600).

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from: **L Low Density Residential** to: **P Parks & Open Space**

Zone Map Changed from: _____ to: _____

Location: **1414 E Washington Avenue and 59 S 15th Street**

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
<input type="checkbox"/>	<input 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 No. 006-09 (17978) [16012]

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

RESOLUTION NO. 1731

A RESOLUTION AMENDING THE COTTAGE GROVE
COMPREHENSIVE PLAN LAND USE DIAGRAM MAP (CPA 1-10)
Map 20-03-28 44 TL 4500 & 4600

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 2 parcels described below and shown in Exhibit "A" attached hereto and by reference made a part of this resolution from L Low Density Residential to P Parks & Open Space:

1414 E. Washington (Map 20-03-28-44 TL 4500)
59 S. 15th Street (Map 20-03-28-44 TL 4600), and

WHEREAS, the Department of Land Conservation and Development was given forty-five day notice prior to the first hearing on November 30, 2009 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 20, 2010; and,

WHEREAS, the City Council held a public hearing on the said amendment to the Plan on February 22, 2010; and

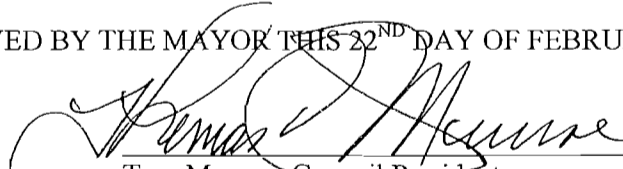
WHEREAS, the City Council finds the amended plan to adequately address the land use needs of the community and adopted findings attached as Exhibit "B";

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 20-03-28-44 TL 4500 and 4600 from L Low Density Residential 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 22ND DAY OF FEBRUARY, 2010.


Richard Meyers, City Manager


Tom Munroe, Council President

Dated: Feb 22, 2010

Dated: February 22, 2010

EXHIBIT A

20032844
COTTAGE GROVE

FOR ASSESSMENT AND
TAXATION ONLY

S.E. 1/4 S.E. 1/4 SEC. 28 T.20S. R.3W. W.M.
Lane County
1" = 100'

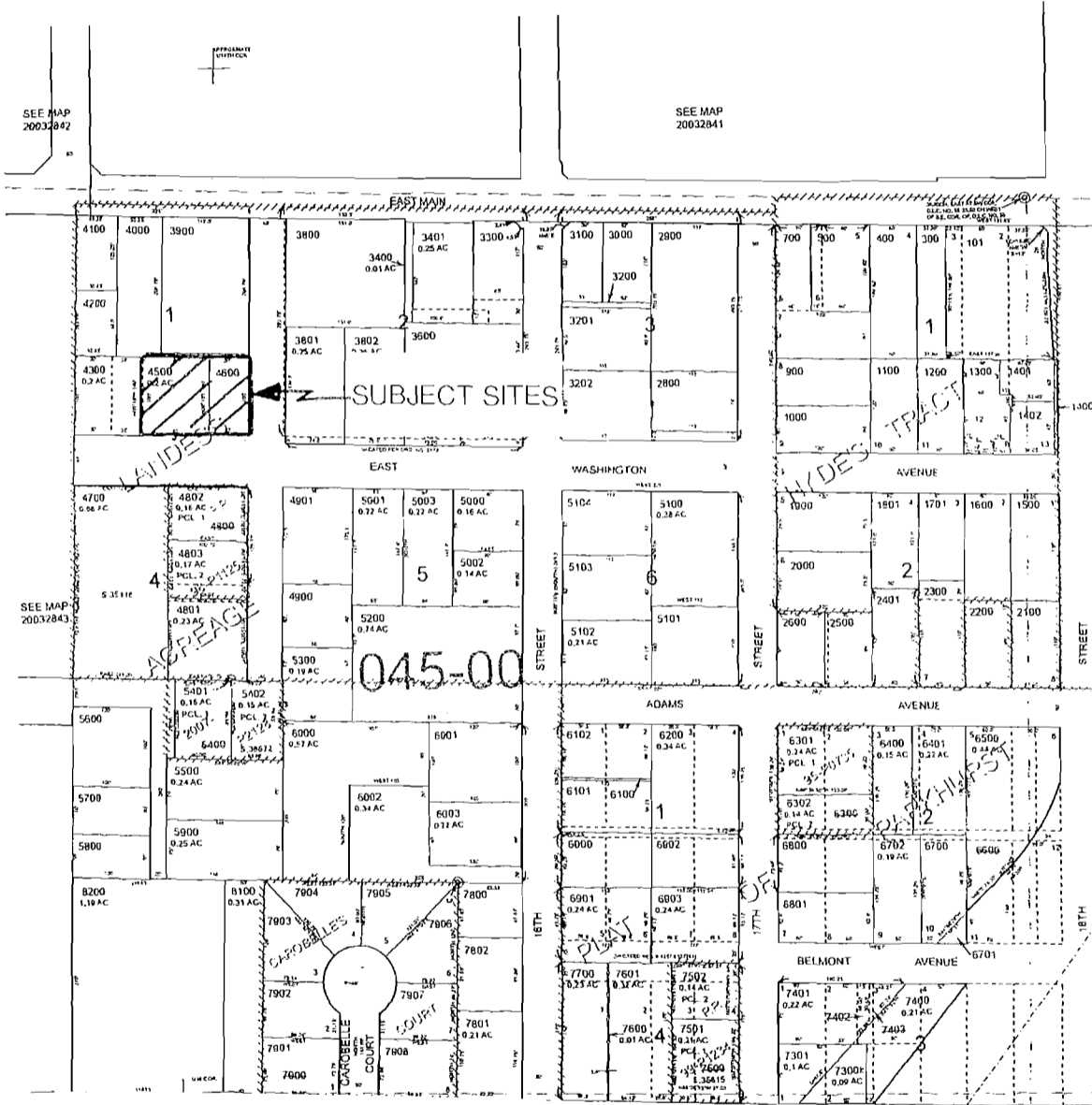


EXHIBIT B
RESOLUTION NO. 1731

1. City of Cottage Grove has made an application to redesignate .31 acres of land described as Map 20-03-28-44 TL 4500 (1414 E. Washington) and 4600 (59 S. 15th Street) and comprising two properties owned by the City of Cottage Grove from L Low Density Residential to P Parks & Open Space.
2. The lands to be redesignated as P Parks & Open Space comprise a vacant residential lot (TL 4500) and a single family home (TL 4600) under City ownership, which are immediately adjacent to Coiner Park, a Community Park owned and operated by the City of Cottage Grove. Redesignation as Parks & Open Space will allow for the rezoning of these properties to PR Parks & Recreation and the redevelopment of the lots for use as part of Coiner Park.
3. 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.
4. 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.
5. The City purchased the subject lots when the properties became available through sale and/or foreclosure with the intent of expanding Coiner Park as recommended in Water To Woods: 2003 Master Parks Plan.
6. Adequate public facilities, including water, sewer, streets, etc. are either already provided or available to the sites.
7. The following Statewide Planning Goals are not applicable to the proposed redesignation: Goal 3 – Agricultural Lands; Goal 4 – Forest Lands; Goal 9 – Economic Development; Goal 11 – Public Facilities and Services; Goal 15 – Willamette River Greenway; Goal 17 – Coastal Shorelands; Goal 18 – Beaches & Dunes; and Goal 19 – Ocean Resources.
8. 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 subject properties contain no known wetland and riparian resources, nor historic structures.
 - 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 the lots were originally developed for single family residential use.
 - e. Goal 7 – Areas Subject to Natural Disasters and Hazards. The subject properties are not subject to flooding and contain no 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 Coiner Park as the City’s primary community park and encouraged its expansion when properties became available.
 - g. Goal 10 – Housing. This redesignation removes two properties previously designated as L Low Density Residential from the City’s inventory of residential lands. As the 2005 Buildable Lands Analysis shows a surplus of L Low Density Residential properties within the City’s 20-year land supply, the City finds that the loss of .31 acres of low density residential land for use as a city park will not be detrimental to the City’s ability to comply with Goal 10 or meet housing needs.
 - h. Goal 13 – Energy Conservation. Both of these parcels are currently served by City streets and services. Preservation of existing development maximizes energy conservation.
 - i. Goal 14 – Urbanization. The areas are already in Cottage Grove’s urban growth boundary. No changes will be made to the city’s boundary.
9. 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.
 10. Required notification was given to DLCD and adjoining property owners as required.
 11. Planning Commission held a public hearing on January 20, 2010 and recommended the approval of the application to City Council.
 12. A Public Hearing was held by City Council on February 22, 2010 on the application.



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Mailed From 97424
02/25/2010

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