



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

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 007-09

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  
Amanda Punton, 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

In person  electronic  mailed

**DATE STAMP**

**DEPT OF**

**MAR 15 2010**

**LAND CONSERVATION AND DEVELOPMENT**  
For Office Use Only

Jurisdiction: **City of Cottage Grove**

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

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: 12-02-09

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".

Adopted Development Code Text Amendment to amend Chapter 2.6.300 Historic Preservation Overlay District of Title 14 Cottage Grove Development Code to clarify standards related to "non-conforming" structures and exempt activities.

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:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
<input checked="" 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"/>	<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. 007-09 (17982) [16048]

**DLCD file No.** \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

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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**

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## **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. 2992

AN ORDINANCE AMENDING TITLE 14 CHAPTER 2.6.300 HISTORIC  
PRESERVATION OVERLAY DISTRICT  
OF TITLE 14 OF THE COTTAGE GROVE MUNICIPAL CODE.

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to amend Chapter 2.6.300 - 390 Historic Preservation Overlay District of Title 14 Cottage Grove Development Code to clarify standards relating to “non-contributing” structures and exempt activities.

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 shown in the attached Exhibit A.

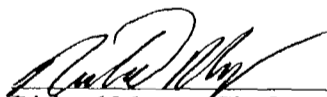
Section 4. Findings. The findings attached as Exhibit B and forming a part of this Ordinance are adopted.

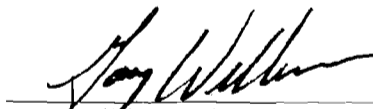
Section 5. Effectiveness. This ordinance shall be effective 30 days of adoption pursuant to the City Charter and prior to acknowledgement pursuant to ORS 197.625(3)(a).

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

**ORDINANCE NO. 2992**  
**EXHIBIT A**

Chapter 2.6.300 -- Historic Preservation (HP) Overlay District

2.6.300 Historic Preservation Overlay District – Purpose

The Historic Preservation Overlay District is intended to protect and encourage the continued use of historic resources. This overlay district implements the Historic Sites and Structures element of the Comprehensive Plan. It includes criteria and procedures for Historic Landmark designation, development standards for new construction within historic districts or next to historic landmarks, restrictions on demolition of historic buildings, and standards for alterations or additions to historic landmarks.

2.6.310 Historic Preservation Overlay District – Applicability

- A. Applicability. This chapter is applicable to all historic landmarks and properties directly adjacent to historic landmarks.
1. “Historic landmarks” are defined as a “historic resource that has been designated under the procedures described in this chapter and is therefore subject to its rules and regulations.” (See Chapter 1.3 for definitions relating to historic landmarks.) Historic Landmarks may include neighborhoods, buildings, a portion of a building, sites, trees, statues, signs, or other objects or spaces that the City or the Keeper of the National Register of Historic Places has designated or listed for their special historic, cultural, archaeological, or architectural merit. Any property listed on the National Register of Historic Places individually or in a district is immediately designated as a historic landmark under this chapter. All properties designated as historic landmarks shall be shown as being part of the HP Historic Preservation Overlay District on the Cottage Grove Zoning Map.
  2. Properties directly adjacent to an individually listed historic landmark or listed as “non-contributing” within a designated National Register Historic District are subject to the design review criteria of Sections 2.6.340 Development Standards, 2.6.360 New Construction & Relocation on properties adjacent to historic landmarks, and 2.6.380 Signs only.
- B. Standards Supersede. The standards and regulations in this chapter are in addition to all base zone district standards and regulations and, in case of any conflicts or for other preservation-related reasons, shall supersede base zone district standards and regulations.

2.6.320 Historic Preservation Overlay District – Historic Landmark Designation

- A. Methods of Designation. There are four ways for a historic resource to become designated by the HP Overlay District as a local historic landmark:
1. When any historic resource within the jurisdiction of the City is officially entered into the National Register of Historic Places, the resource shall automatically become designated by HP overlay zoning as a local historic landmark; or

2. A group or person may nominate the historic resource for local historic landmark designation through a Type III Historic Preservation application to be processed through the Historic Landmark Commission; or
  3. The Historic Landmark Commission may recommend historic resources for local historic landmark designation following the procedures set forth in the Historic Landmark Ordinance; or
  4. The Planning Commission may recommend historic resources for local historic landmark designation following the procedures set forth in the Historic Landmark Ordinance.
- B. Requirements for Designation. To be designated as a local historic landmark under subsection 2 above, the applicant will have to show compliance with the following:
1. Owner Support. Any group or person may nominate a resource for local historic landmark designation; however, all nominations must include written proof that the owner or a majority of the owners of the historic resource support such designation.
  2. Review criteria. The applicant must show how the nominated historic resource merits honor and recognition as a historic landmark that has significance to the City under one or more of the following criteria:
    - a. Its association with historic or famous events that have made a significant contribution to the broad patterns of local, state, or national history; or
    - b. Its association with the lives of persons, or groups of people, significant in local, state, or national history; or
    - c. Its architectural design or method of construction, which portrays and/or embodies one or more of the following:
      - 1) Distinctive architectural type, style or character from a period in the past.
      - 2) Architectural merit by reason of its use of materials, design, details, or craftsmanship.
      - 3) The work of a builder or architect whose work has influenced the development of the community.
    - d. Its relationship to the cultural, social, political and/or economic history of the community.
    - e. Its identification as a resource that represents an aesthetic or educational feature of the community.
    - f. It is likely to yield important information about pre-history or the historic past of the community.
- C. Duration of Designation. Once adopted, the HP Historic Preservation Overlay District designation remains for the life of the resource. Demolitions, exterior alterations, additions

or new construction on a HP designated site(s) shall be subject to the standards of this chapter.

#### 2.6.330 Historic Preservation Overlay District – Allowed Uses

- A. Allowed Uses from Base Zoning District. Allowed uses within the Historic Preservation Overlay District are based on those permitted by the “base zoning district” (see Chapters 2.2, 2.3, 2.4, and 2.5).
- B. Special HP Conditional Uses. In cases where the base zoning district does not list a use as permitted for a historic landmark property, the owners or their assigns may apply for a special HP conditional use permit to allow such use under the following standards:
  - 1. The use is such that it will otherwise enable the continued preservation of the landmark by allowing for a more economical return for the property.
  - 2. The use will not interfere with the ability of the landmark to meet the criteria for alterations listed in this Chapter under Section 2.6.350.
  - 3. The use will not adversely affect the character of the neighborhood and functions of other properties in the area.
- C. Nonconforming uses of historic landmarks. Nonconforming status shall not be a factor for consideration in the nomination or designation of a historic landmark or its subsequent treatment. Any historic landmark that is not in conformance with base zoning district standards and/or regulation shall be exempt from Chapter 5.2 Nonconforming Uses and Developments.

#### 2.6.340 Historic Preservation Overlay District – Development Standards

- A. Base Zone standards. The development standards of the base zone (such as setbacks, lot coverage, building height, off-street parking requirements, etc.) apply to all new construction, additions or alterations within the Historic Preservation Overlay District. They shall not apply to any repair, replacement, reconstruction or restoration of historically significant or accurate features.
- B. Altered standards. Dimensional development standards may be altered for new construction, additions or alterations upon or adjacent to a historic landmark through a Type III Historic Alteration application process if the approval body finds that the alteration would enable such development to more successfully address the review criteria of this chapter.
- C. Design Guidelines. At the request of the Historic Landmarks Commission, affected property owners, the Community Development Director or City Council, the Community Development Department may work with property owners within designated historic districts to draft and adopt design guidelines. Design guidelines will provide guidance for compliance with the standards in 2.6.350-2.6.390. Design Guidelines shall be adopted through a Type IV process as an appendix to Chapter 14 Development Code.

#### 2.6.350 Historic Preservation Overlay District – Alterations of historic landmarks

- A. Purpose. *The Secretary of the Interior's Standards for the Treatment of Historic Properties* establish minimum requirements for the alteration of historic landmarks. These standards are intended to preserve the distinguishing features of historic resources while allowing needed repairs, alterations and expansions. These requirements, as stated below, may be supplemented by adopted Design Guidelines.
- B. Applicability. Section 2.6.350 applies to all alterations to historic landmarks.
1. Minor Alterations. Minor alterations such as replacing siding or windows, re-roofing with different materials than existing, remodeling porches, minor additions or exterior alterations, murals, solar panels, etc. shall be processed through a Type II Historic Alteration review;
  2. Major Remodels, Additions and New Construction. Type III permits required. Major Remodels, additions or new construction shall be processed through a Type III Historic Alteration review. The Historic Landmark Commission shall process all Type III applications required under Section 2.6.350 following procedures established in Section 4.1.400.
  3. Exempt Activities. The following activities are not exclusive but are illustrative of activities exempt from this section: "in-kind" repair/minor replacement of existing features where the material, dimension and finish match (examples include repair of wood siding or wood windows, roof repair, gutter installation, dryrot repair, etc.), painting of previously painted exterior surfaces, interior residential remodels, landscaping, construction of fences under 6' in height, and construction of accessory buildings exempt from building permits under the current adopted Building Code. Note: Exemption from Section 2.6.350 does not exempt any activity from other Development Code or Building/Specialty Code requirements.
  4. The Community Development Director shall determine the application type.
- C. Standards. All projects that are subject to 2.6.310 shall meet all of the standards in subsections 1-9 below. Adopted *Design Guidelines* provide guidance for compliance to these standards for all types of alterations to historic landmarks within designated historic districts.
1. The distinguishing historic qualities or character shall not be destroyed. Removal or alteration of historic material, distinctive features and/or spatial relationships shall be avoided whenever possible.
  2. All landmarks shall be recognized as products of their own time. Alterations that have no historic basis and which create a false sense of historical development or add conjectural features or elements shall be avoided.
  3. Changes that have acquired historic significance in their own right may be retained and preserved.
  4. Distinctive materials, features, finishes and construction techniques or examples of craftsman shall be preserved. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and, where possible, materials. Replacement of missing features shall be substantiated by documentary and



physical evidence.

5. Cleaning and maintenance shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
  6. New additions, exterior alterations, and adjacent or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
  7. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the landmark and its environment would be unimpaired.
  8. Archeological resources shall be protected and preserved in place, or if necessarily disturbed, mitigation measures shall be undertaken.
  9. *The Secretary of the Interior's Standards for the Treatment of Historic Properties 1992* shall serve as supplemental guidelines for alteration projects, as appropriate.
- D. State Historic Preservation Office Review. Review and approval of alteration applications by the City does not substitute or remove requirements for review by the State Historic Preservation Office when the historic landmark is subject to any state or federal programs.

2.6.360 Historic Preservation Overlay District – New construction and relocations on properties adjacent to historic landmarks

- A. Purpose. The design and layout of new construction or relocations on properties adjacent to historic landmarks or on properties adjacent to those identified as conforming within a designated historic district can have a significant impact upon the integrity of the historic resource or district and hence shall be subject to review under this chapter.
- B. Applicability. All new construction and relocations on properties directly adjacent to historic landmarks or on properties identified as conforming within a designated historic district shall be subject to design review through a Type III Historic Alteration permit.
- C. Standards. In order to achieve the purpose of this Chapter and honor, respect and support the historic preservation effort of owners of historic landmarks, the following design criteria, in addition to any other applicable design review criteria in Section 2.2.140 or in adopted Design Guidelines, shall apply to proposed activities on such properties:
  1. New construction or relocations on properties adjacent to historic landmarks shall be compatible with the overall character of the landmark in:
    - a. Appearance of exterior materials, such as roofing and siding;
    - b. Exterior features, such as roof pitch, eaves, window shapes, types and arrangements, doorways, porches, etc.;

- c. Size, height, bulk, mass, scale, placement, arrangement of spaces and overall proportions.
2. New construction or relocations within designated historic districts should follow applicable adopted Design Guidelines.

2.6.370 Historic Preservation Overlay District – Demolition or Relocation of historic landmarks

- A. Purpose. The purpose of this section is to encourage the retention of historic landmarks on their original sites. Demolition or relocation of historic landmarks erodes the historic fabric of the City of Cottage Grove and shall be discouraged unless adverse circumstances require such actions. This standard gives the approval body the ability to delay the demolition or relocation of a building or structure to allow community members or the City time to find an alternative solution to the demolition or relocation of the structure.
- B. Applicability. Section 2.6.360 applies to all historic landmarks and all features of historic landmarks that contribute to the historic character of the landmark, including historic buildings, historic accessory buildings, and significant historic signage. No demolition permits shall be issued for the removal of any of these features from a contributing historic landmark without approval of a Type III Historic Alteration permit.
- C. Review Criteria. In order to approve an application for the demolition or relocation of a designated historic landmark or feature thereof, the approval body shall find that:
  1. No prudent and feasible alternative exists; or
  2. The designated property is deteriorated beyond repair; or
  3. The value to the community of the proposed use of the property outweighs the value of retaining the designated historic landmark.
- D. Review Procedure.
  1. The Historic Landmark Commission shall review and make a recommendation to the Planning Commission based on the review criteria above in accordance with the procedures established in the Historic Landmark Ordinance.
  2. The Planning Commission shall hold a public hearing on the application in accordance with the Type III application process. Upon the close of the hearing, the Commission may take any combination of the following actions:
    - a. Approve the issuance of a permit, when it is found that the application is in compliance with all other codes, ordinances and policies of the City.
    - b. Stay the issuance of a permit for a period of up to 90 days, when it is found that in the interest of preserving historic values, the landmark should not be demolished.
    - c. Require the photographic, video, or drawn recordation of the property to be demolished.

- d. Require the salvage and curation of significant elements.
3. At the end of the stay of issuance by the Planning Commission, the City Council may, at the request of the Commission, or on its own motion, continue the stay for an additional period not to exceed 210 days from the date of application, when it finds that:
    - a. There is a program or project underway that could result in public or private acquisition of the landmark for preservation; and
    - b. There are reasonable grounds to believe such program or project will meet with success.
  4. A demolition permit shall be issued at the end of a stay of issuance ordered by the City Council when it is found that:
    - a. The preservation project or program has not been successful;
    - b. The application for demolition has not been withdrawn; and
    - c. The application complies with any other relevant codes and ordinances of the City.
  5. During any such stay of issuance as listed above, no demolition permit shall be issued and no person shall demolish the designated landmark unless the stay of issuance has been successfully appealed and a directive to issue a demolition permit has been ordered.

2.6.380 Historic Preservation Overlay District – Signs

- A. Applicability. Sign permits for historic landmarks shall be required and shall be subject to Community Development Director approval. A Type II application process shall be used for sign permit review for all signs in the Downtown Historic District and/or on a historic landmark property. The Community Development Director may at his discretion process a sign permit for a significant building and/or sign as a Type III application. The Historic Landmark Commission shall comment on all sign permits.
- B. Sign Standards. All signs placed upon historic landmarks shall conform to the sign regulations of the base zoning district and Chapter 3.8 signs of this title, except that sign type, design and materials shall be compatible with the historical character of the landmark and/or comparable signs that previously existed on the landmark itself during its historic period of significance. All signs shall be applied to the landmark in a manner that minimizes harm to its historic material to the greatest extent possible. *The City of Cottage Grove Downtown Historic Design Guidelines* shall be used to guide the design of signs in the Downtown Historic District.
- C. Historically Significant Signs. Any sign designated as a historic landmark by virtue of its own merit under one or more of the criteria listed in this Chapter is exempt from any sign and/or nonconforming lot and use regulations of this Title, with the exception of the criteria for alterations listed in this Chapter under Section 2.6.350. The Community Development Department may process and approve, approve with conditions, or deny application for designation of historic signs at the request of the owner under a Type II application process. The Historic Landmark Commission shall comment on all applications for historic sign designation.

2.6.390 Historic Preservation Overlay District – Building code considerations

Alterations that require a building permit shall conform to the requirements of the State Structural Specialty Code, except that, upon review and authorization of the City Building Official, alternative standards, such as those found in the Uniform Code for Building Conservation, may be applied when their application shall:

1. Promote the objectives and standards of the criteria for alterations of this chapter; and
2. Result in conditions that are no more hazardous to life, safety, fire safety and sanitation than those in existence prior to alteration.

## **Exhibit B: Findings**

1. City of Cottage Grove has made an application to amend Title 14 Chapter 2.6.300 Historic Preservation District.
2. The amendment proposes the following changes :
  - Clarification that “non-conforming” structures within a designated historic district are only required to comply with Sections 2.6.340, 2.6.360 and 2.6.380.
  - Clarification that Designation requirements in Section 2.6.320 are intended to establish requirements for “local” historic landmark designation (as compared to National Register nomination).
  - Development standards for the creation of Design Guidelines, when desired, for designated historic districts, as well as changes to all references to design guidelines so that is clear that there may be multiple sets of design guidelines within the City of Cottage Grove, with each set specific to a particular neighborhood.
  - Clarification of “minor alterations,” “major alterations” and “exempt activities” under the Applicability Section of Section 2.6.350 Alterations of historic landmarks. These changes clarify when permits are required for changes to historic buildings, and what type of process is used to review these changes.
  - Process changes that allow the Landmark Commission to process applications as established in Section 4.1.400, rather than making recommendations to the Planning Commission who would then process applications under Section 4.1.400.
  - Clarification that the standards for New construction and relocations on properties adjacent to historic landmarks are also applicable to properties that are adjacent to properties identified as conforming within a historic district.
  - Replacement of the term “use” for “appearance” under new construction standards – to allow for the use of exterior materials that replicate the appearance of original materials.
  - Limitation of Demolition and relocation standards to contributing historic landmarks and historic accessory buildings (rather than all historically designated properties and all accessory buildings).
3. The City Comprehensive Plan 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.
4. The following Statewide Planning Goals are not applicable to the proposed redesignation: Goal 3 – Agricultural Lands; Goal 4 – Forest Lands; Goal 6 – Air, Water & Land Resources Quality; Goal 7 – Areas Subject to Natural Disasters and Hazards; Goal 8 – Recreational Needs; Goal 9 – Economic Development; Goal 10 – Housing; Goal 11 – Public Facilities and Services; Goal 12 – Transportation; Goal 13 – Energy Conservation. Goal 14 – Urbanization; Goal 15 – Willamette River Greenway; Goal 17 – Coastal Shorelands; Goal 18 – Beaches & Dunes; and Goal 19 – Ocean Resources.
5. The following Statewide Planning Goals are applicable and the amendment complies with them as noted below:
  - a. Goal 1 – Citizen Involvement. This request is consistent with Goal 1. Adequate public notice of the proposed changes has been provided through the Type IV public notice process as specified in Section 14.4.1.500 of the Development Code. The Department of Land Conservation and Development was notified of the intended modification on December 2, 2009, and did not express any concerns in writing about

the changes. Public hearings have been held at the Planning Commission and City Council levels to consider this code amendment. 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. Goal 5 requires local jurisdictions to conserve historic and historic areas and open spaces. Jurisdictions are tasked with inventorying these resources and developing a program to meet this goal. The City of Cottage Grove has undergone a City-wide inventory of all historic resources, and has developed a program for preservation and conservation of designated resources. The Historic Preservation Overlay District is an integral part of this program. The original code was written before the city-wide inventory and when there was only one historic district within Cottage Grove – the Downtown Historic District. The city-wide inventory of 2009 identified several other areas that are potentially suitable for designation as historic districts. This proposed amendment is intended to clarify the intent of the code in regards to alterations or additions to buildings within historic districts, and to make it easier to identify, designate and administer historic districts. It is hoped that this will help property owners of historic homes understand what they can and cannot do, reduce permitting requirements on minor changes to focus on those which have more impact, and give the Landmarks Commission authority to work directly with property owners to review applications for major work.
6. 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.



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



neepost

049J82049250

**\$02.070**

03/11/2010

Mailed From 97424

US POSTAGE