



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

2/26/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Monmouth Plan Amendment
DLCD File Number 002-09

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 11, 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: Mark Fancey, City of Monmouth
Gloria Gardiner, DLCD Urban Planning Specialist
Steve Oulman, DLCD Regional Representative

<paa> YA

NOTICE OF ADOPTION

Must be filed within 5 working days
See OAR 660-18-040

DEPT OF

FEB 19 2010

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: City of Monmouth

Local File Number: AMR 09-01

Date of Adoption: February 16, 2010

Date Mailed: February 18, 2010

Date Proposal was Provided to DLCD: September 4, 2008

Type of Adopted Action: (Check all that apply)

Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment

Land Use Regulation Amendment Zoning Map Amendment

New Land Use Regulation Other: _____
(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

This request would amend the Comprehensive Plan Map designation from High Density Residential to Commercial and would change the zoning from High Density Residential (RH) to Main Street District (MSD) Zone on a 0.18-acre property.

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: High Density Residential to Commercial

Zone Map Changed from: High Density Residential (RH) to Main Street District (MSD)

Location: T8R4WS30AB Tax Lot 8303 212 Knox Street N.

Acres Involved: 0.18 acres

Specify Density: Previous: 20 units/acre New: N/A

Applicable Statewide Planning Goals: 1,2,9,10

Was an Exception Adopted? Yes: No:

DLCD File Number: 002-09 (17951) [16000]

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: X 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: None

Local Contact: Mark Fancey Area Code + Phone Number: (503) 838-0722

Address: 151 W. Main Street

City: Monmouth Zip Code + 4: 97361

MFancey@ci.monmouth.or.us

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** of the adopted material, if copies are bound 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 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 onto 8 ½ x11 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 Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

CITY OF MONMOUTH, COUNTY OF POLK

STATE OF OREGON

An Ordinance Amending the)
Comprehensive Plan Map Designation and)
Zoning for a Property Owned by Terri)
Gregory - Comprehensive Plan Map)
Amendment / Zone Change 09-01)

ORDINANCE NO 1277

WHEREAS, Terri Gregory is the owner (hereinafter "Owner") of the real property located at 212 Knox Street N. and identified as Assessor Map 8430BB, Tax Lot 8303 as depicted on Exhibit A hereto (hereinafter the "Property"); and

WHEREAS, the Owner submitted a Comprehensive Plan Map Amendment/Zone Change application; and

WHEREAS, the Property is designated as High Density Residential on the Comprehensive Plan Map and is zoned High Density Residential (RH); and

WHEREAS, the Comprehensive Plan Map Amendment/Zone Change request would change the Property's Comprehensive Plan Map designation to Commercial and would change the zoning to Main Street District (MSD); and

WHEREAS, after due notice and public hearing on January 6, 2010, the Planning Commission recommended to the Council that said application be approved; and

WHEREAS, after due notice and public hearing on January 19, 2010, the City Council approved the application, based upon the following Findings and Conclusions:

FINDINGS

1. The property is approximately 7,814 square feet in size and is developed with a single-family residence and a carriage house.
2. The applicant has established a Bed and Breakfast facility within the residence;
3. The subject property is located in an area with a mixture of residential, commercial, and public uses.
4. The Applicant's stated intent is to establish a gift shop in the carriage house on the Property.
5. The commercial lands inventory in the Economics Element of the Comprehensive Plan

shows that only 0.34 acres zoned Main Street District (MSD) are currently available for development within Monmouth.

6. The property is connected to City services.

CONCLUSIONS

1. The proposed Comprehensive Plan Map designation and zoning would provide additional commercial land.
2. Based on the commercial lands inventory and the stated intent in the Comprehensive Plan to provide additional land for commercial development, there is public need for additional commercial land.

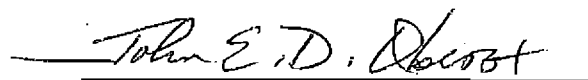
NOW, THEREFORE,

THE CITY OF MONMOUTH DOES ORDAIN AS FOLLOWS:

Section 1. The Comprehensive Plan Map designation for Property described on Exhibit A hereto is hereby changed from High Density Residential to Commercial.


Section 2. The zoning for the Property described on Exhibit A hereto is hereby changed from High Density Residential (RH) to Main Street District (MSD).

Read for the first time: February 2, 2010
Read for the second time: February 16, 2010
Adopted by the City Council: February 16, 2010
Approved by the Mayor: February 16, 2010



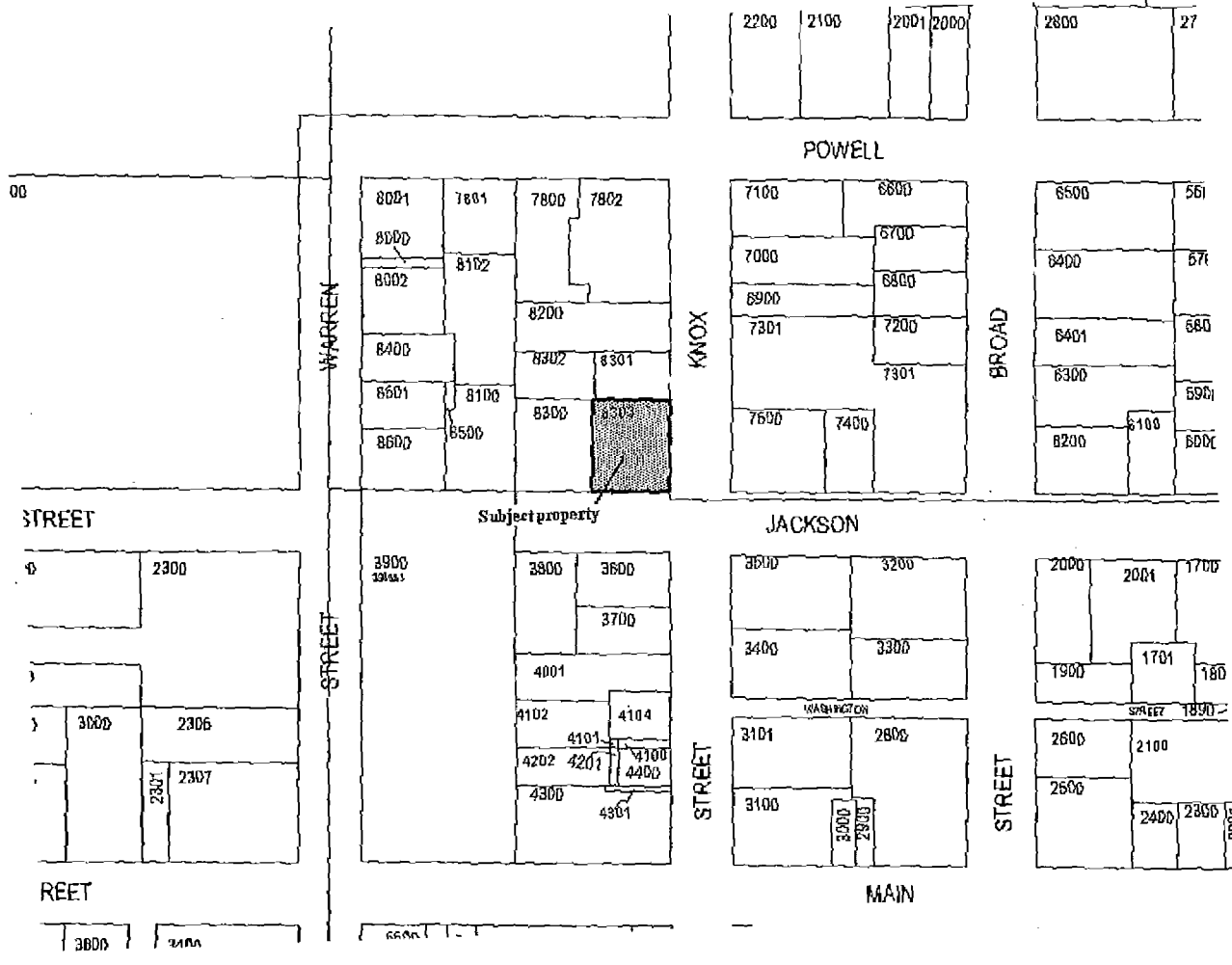
John E. D. Oberst, Mayor

ATTEST:



Phyllis L. Bolman, City Recorder

Exhibit A



CITY OF MONMOUTH
151 WEST MAIN STREET
MONMOUTH, OR 97361

PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND
CONSERVATION AND
DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540

