



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

01/21/2011

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 002-10

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, February 03, 2011

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

In person electronic mailed

DEPT OF

JAN 14 2011

**LAND CONSERVATION
AND DEVELOPMENT**

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: **MCPA 2-10**

Date of Adoption: **01-11-11**

Date Mailed: **1-13-11**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 07-27-10

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 land use district classification for Map 20-03-28-14 TL 902 from R-1 Low Density Single Family Residential to R-2 Medium density Multiple Family Residential

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from:

to:

Zone Map Changed from: **R-1 Single Family Res.**

to: **R-2 Multiple Family Res.**

Location: **N. 16th St. south of Ostrander intersection**

Acres Involved: **2.98**

Specify Density: Previous: **17 (possible)**

New: **35 (possible)**

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. 002-10 (18429) [16482]

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

DLCD, ODOT

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 the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and **one complete paper copy** (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

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

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail **plan.amendments@state.or.us**.

ORDINANCE NO. 3000

AN ORDINANCE AMENDING TITLE 14 OF THE COTTAGE GROVE
MUNICIPAL CODE, THE CITY WIDE LAND USE DISTRICT MAP FOR SHELTER
RESOURCES/OUR LADY OF PERPETUAL HELP CATHOLIC CHURCH (MCPA 2-10)
Map 20-03-28-14 PORTION OF TAX LOTS 902 & 1000

Section 1. Purpose. The purpose of this ordinance is to amend the adopted citywide 'land use district map' to identify the rezoning of property described as Map 20-03-28-14, portion of Tax Lots 902 and 1000, adjacent to North 16th Street, as shown and described in Exhibit A, attached hereto and forming a part of this ordinance; and,


Section 2. Procedural Compliance. This amendment is in compliance with Title 14 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, the zone change (MCPA-2-10) is a proper implementation of the City Comprehensive Lane Use Plan, and therefore, is in the public interest and serves the health, safety, and welfare of the citizens of the City of Cottage Grove.

Section 3. Findings. The City Council finds the amended plan to adequately address the land use needs of the community and adopted findings attached as Exhibit 'B'.


Section 4. Amendment. The citywide 'land use district map' which is a part of Title 14 is hereby amended as follows with respect to the property described in Exhibit A:

Change the land use district classification from R-1 Single Family Residential to R-2 Medium Density Residential .

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS
11th DAY OF JANUARY, 2011.


Richard Meyers, City Manager

Dated: January 11, 2011


Gary Williams, Mayor

Dated: January 11, 2011

EXHIBIT B
ORDINANCE NO. 3000

1. Shelter Resources/Our Lady of Perpetual Help Catholic Church has made an application to rezone 2.98 acres described as Map 20-03-28-14 portion of Tax Lots 902 & 1000 from R-1 Single Family Residential to R-2 Medium Density Residential.
2. The City of Cottage Grove Comprehensive Plan, was amended by Ordinance No. 2999 which designated the subject land as M Medium Density Residential.
3. The M Medium Density Residential designation is implemented by three zoning districts. The R-2 Medium Density Residential is proposed to implement the land use designation and is the best suited for the land given the surrounding land uses.
4. The land to be rezoned comprises a vacant parcel on N. 16th Street, which is proposed for development with needed affordable housing, and formally was the play field of a church addressed off of 1025 N. 19th Street. Rezoning of these properties as R-2 Medium Density Residential will provide additional medium density residential lands in the City, and meet an identified need of the 2005 Buildable Lands Inventory.
5. Adequate public facilities, including water, sewer, storm water, and streets are or can be provided to the site. The vacant property is accessed via N. 16th Street, a City of Cottage Grove street. ODOT has been apprised of this rezoning and has submitted comments confirming that the proposed rezoning does not constitute a significant impact upon adjacent transportations facilities.
6. The following Statewide Planning Goals are not applicable to the proposed redesignation: Goal 3 – Agricultural Lands; Goal 4 – Forest Lands; Goal 8 – Recreational Needs; Goal 9 – Economic Development; Goal 17 – Coastal Shorelands; Goal 18 – Beaches & Dunes; and Goal 19 – Ocean Resources.
7. The following Statewide Planning Goals are applicable and the amendment complies with them as noted below:
 - a. Goal 1 – Citizen Involvement. Adequate public notice of the proposed changes will be provided through the Type IV public notice process as specified in Section 14.4.1.500 of the Development Code. Public hearings were held at both the Planning Commission and City Council to consider this redesignation. The process involves various forms of notification to the public in the immediate area, notification in local newspapers, and notification of impacted governmental agencies and recognized neighborhood groups. Also, a neighborhood meeting was held by the applicant.
 - b. Goal 2 – Land Use Planning. The City of Cottage Grove has established a land use planning process and policy framework as a basis for all decision and actions related to use of 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 to be compatible with the City's Comprehensive Plan.
 - c. Goal 3 – Agricultural Lands. Not applicable as the subject property contains no known agricultural lands.
 - d. Goal 4 – Forest Lands. Not applicable as the subject property contains no known forest lands.
 - e. Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces. – The subject property contains no known wetland and riparian resources, nor rivers, trails, natural resources or historic resources.

- f. Goal 6 – Air, Water and Land Resources Quality. Development of this property will comply with city, state and federal standards to protect air and water quality. All waste and process discharges from future development will not violate applicable state or federal environmental quality statutes, rules and standards. Existing public sanitary and storm sewer infrastructure adjacent to the property will provide adequate service to any future development under the rezoning. The rezoning is consistent with adjacent and surrounding land uses.
 - g. Goal 7 – Areas Subject to Natural Hazards. The subject property is not subject to flooding and contains no known wetlands. Steps will be taken to protect life and property from natural disasters and hazards during any future development by following all applicable building codes and regulations.
 - h. Goal 8 – Recreational Needs. Future development under the proposed rezoning will include non-motorized recreational opportunities such as open grass play area and children’s play structures. The proposed recreational opportunities will meet the needs of the population living at the property.
 - i. Goal 9 – Economic Development. The rezoning will allow for the development of 32 apartment homes providing housing to tenants earning 30% - 60% of Lane County average median income. Housing for the low wage earners of the City of Cottage Grove is vital to the overall economic development of the community.
 - j. Goal 10 – Housing. The rezoning is consistent with recommendations included in the Buildable Lands Analysis. Plans for the future development of the property include the partnership of public and private entities for the development of affordable housing. The rezoning to R-2 is consistent with adjacent and surrounding land use designations.
 - k. Goal 11 – Public Facilities and Services. The rezoning will not require public facilities and services beyond what is currently provided by the City of Cottage Grove. The existing public facilities and services are sufficient to serve the subject property.
 - l. Goal 12 – Transportation. The rezoning is consistent with Goal 12 as based on the Transportation Planning Rule Analysis completed by Branch Engineering, Inc. on July 8, 2010, and ODOT approval.
 - m. Goal 13 – Energy Conservation. The subject property is currently served by City streets and services. Future development under the rezoning will utilize green building strategies to limit energy consumption.
 - n. Goal 14 – Urbanization. The subject property is already in Cottage Grove’s urban growth boundary. No changes will be made to the city’s boundary.
 - o. Goal 15 – Willamette River Greenway. The subject property will not affect nor is it located in the Willamette River Greenway.
8. The property owner of the lands involved in the Zone Change is in favor of the rezoning.
 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.



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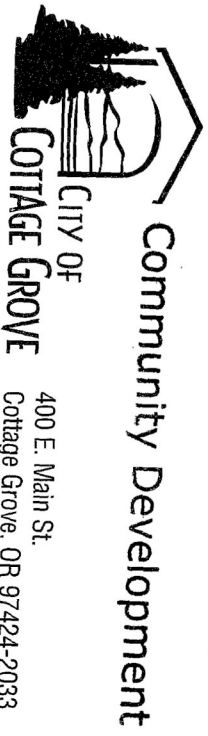
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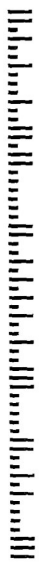
Community Development

CITY OF

COTTAGE GROVE

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

TO:



Attn: Plan Amendment Specialist

DLCD

635 Capitol Street NE, Suite 150

Salem, OR 97301-2540