



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

02/07/2011

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 004-10

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 17, 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  
Amanda Punton, DLCD Regional Representative  
Chris Shirley, DLCD Regional Representative

<paa> YA



FORM **2**

**DLCD**

# Notice of Adoption

DEPT OF

JAN 31 2011

LAND CONSERVATION AND DEVELOPMENT

In person  electronic  mailed

DATE  
STAMP

DEPT OF

JAN 31 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 4-10**

Date of Adoption: **01-24-11**

Date Mailed: **1-27-11**

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

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 Cottage Grove Comprehensive Plan Land Use Map to re-designate 2.63 acres (1 parcel) from M Medium Density to L Low Density, and rezone the said property from R-2 Multiple Family Residential to R-1 Single Family Residential (N. River Road, Map No. 20-03-28-24 TL 1903). Property is partially located in the Willamette River Greenway and in the 100-year floodplain of the Coast Fork of the Willamette River.

Does the Adoption differ from proposal? Please select one

No.

Plan Map Changed from: **M Medium Density**

to: **L Low Density**

Zone Map Changed from: **R-2m Multiple Fam. Med**

to: **R-1 Low Density Single Family**

Location: **North River Road**

Acres Involved: **2.63**

Specify Density: Previous: **0**

New: **1**

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.** \_\_\_\_\_

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

State Parks

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Local Contact: **Amanda Ferguson**

Phone: **(541) 942-3340** Extension:

Address: **400 E 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 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](mailto:plan.amendments@state.or.us).

ORDINANCE NO. 3001

AN ORDINANCE AMENDING THE COTTAGE GROVE  
COMPREHENSIVE PLAN LAND USE DIAGRAM MAP FOR  
RYAN SISSON/MARCIA SHOREY (MCPA 4-10)  
Map 20-03-28-24, TAX LOT 1903

Section 1. Purpose. The purpose of this ordinance is to amend the adopted Comprehensive Plan land use diagram map for property described as Map 20-03-28-24, Tax Lot 1903, adjacent to North River Road as shown and described in Exhibit "A" attached hereto and forming a part of this ordinance. The City Comprehensive Plan for Cottage Grove that has been developed in accordance with Statewide Planning Goals and acknowledged by the Oregon Land Conservation and Development Commission.

Section 2. Procedural Compliance. The Department of Land Conservation and Development was given forty-five day notice prior to the first hearing on September 24, 2010 pursuant to Oregon Revised Statutes. This amendment is in compliance with the procedures of Title 14 of the Municipal Code of the City of Cottage Grove with required local notification of the public hearings, after the Planning Commission held a public hearing and made a recommendation to Council, and after City Council held a Public Hearing on the Comprehensive Plan Map Amendment.

Section 3. Findings. The City Council determined that the Comprehensive Plan Map Amendment is the proper implementation of the Statewide Goals; that the amended plan adequately addresses the land needs of the community; is in the public interest; and serves the health, safety, and welfare of the citizens of the City of Cottage Grove. City Council adopts the findings attached as Exhibit "B" attached hereto and forming a part of this ordinance.

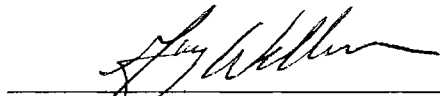
Section 4. Amendment. The City Comprehensive Plan for Cottage Grove is hereby amended to change the land use designation of Map 20-03-28-24, Tax Lots 1903 from M Medium Density Residential to L Low Density Residential on the land use diagram map of the Comprehensive Plan, as shown on Exhibit "A" attached hereto and by reference made a part hereof.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS

24th DAY OF January, 2011.

  
Richard Meyers, City Manager

Dated: January 24, 2011

  
Gary Williams, Mayor

Dated: January 24, 2011

Exhibit A

The following real property situated in the County of Lane and State of Oregon bounded and described as follows (Map 20-03-28-24 Tax Lot 1903), to-wit:

Parcel 3, of Partition Plat No. 2004-P1748, as recorded January 12, 2004,  
Reception No. 2004-001673, Lane County Official Records, in Lane County,  
Oregon.

ASSESSMENT AND  
AXATION ONLY

S.E. 1/4 N.W. 1/4 SEC. 28 T.20S. R.3W. W.M.  
Lane County

1" = 100'

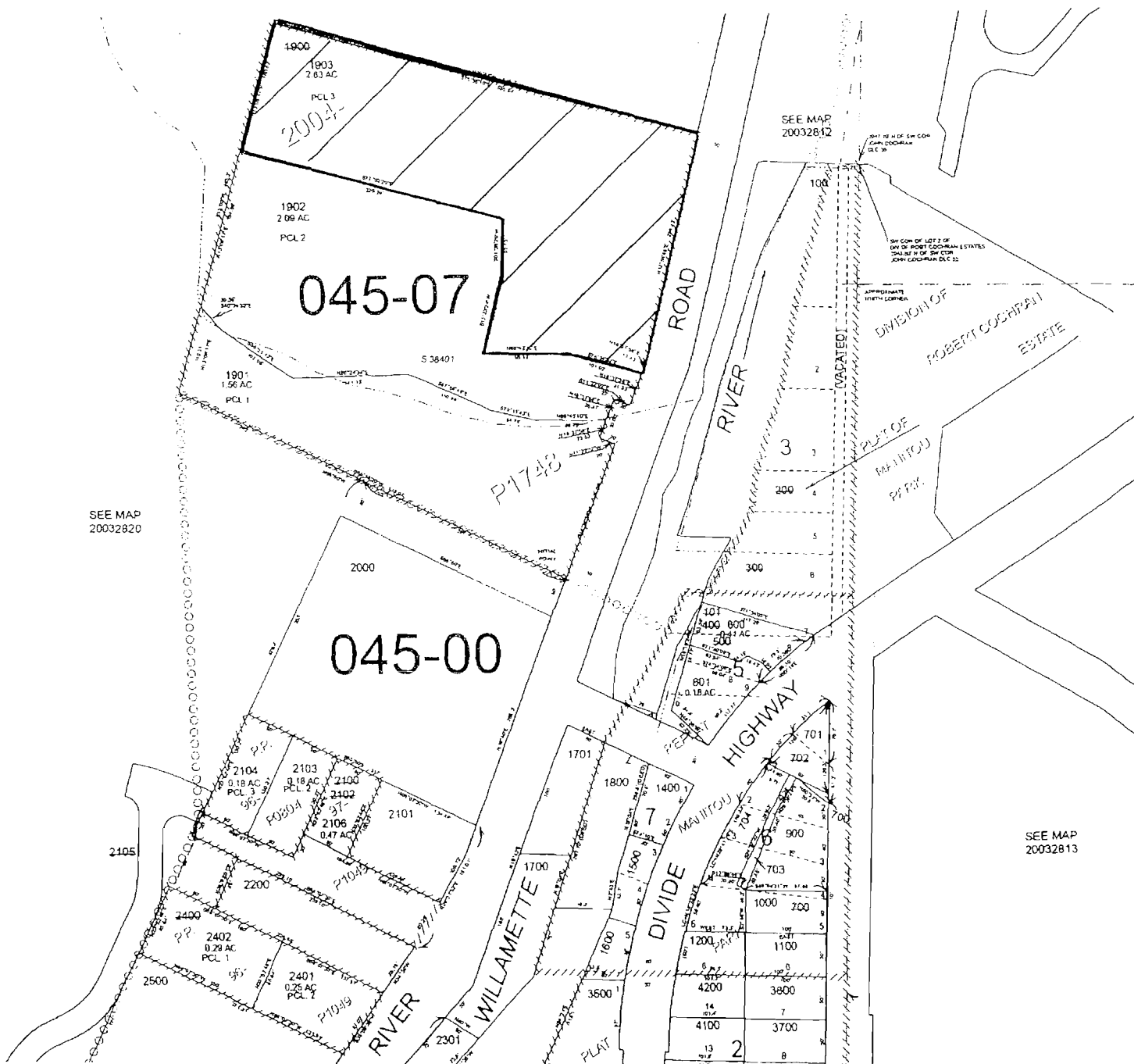


EXHIBIT B  
ORDINANCE NO. 3001

1. Ryan Sisson/Marcia Shorey has made an application to redesignate 2.63 acres described as Map 20-03-28-24 , Tax Lot 1903 from M Medium Density Residential to L Low Density Residential.
2. 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.
3. 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.
4. The land to be redesignated comprises a vacant parcel on North River Road, which is currently designated for Medium Density Residential Development. Redesignation of these properties as L Low Density Residential will provide for needed housing in the City of Cottage Grove, while reducing proposed density on sensitive lands that are unsuitable for medium density housing due to their location within the Willamette River Greenway and partial inclusion in the designated 100 year flood plain of the Coast Fork of the Willamette River.
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 North River Road, a City of Cottage Grove minor arterial. ODOT has been apprised of this redesignation and has submitted comments confirming that the proposed redesignation is unlikely to change traffic generation; therefore is not anticipated to impact Lane County Transportation System.
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 is near to but does not include any known wetland resources nor hydric soils. The parcel is not identified as an open space or scenic or historic area in the Cottage Grove comprehensive Plan. The subject property is located across a public street from the Coast fork of the Willamette River. Although the property is not within the riparian zone of the coast Fork, a portion of the property is within the designated Willamette River Greenway. The same area is within the 100 year floodplain of the river. Reduction in proposed residential development density as proposed by this redesignation will reduce potential impacts to these sensitive resources, and is in compliance with Goal 5.
- 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. The proposed redesignation is consistent with adjacent and surrounding land uses.
- g. Goal 7 – Areas Subject to Natural Hazards. The subject property includes 1.77 acres of lands located within the 100 year floodplain as shown on FIRM 41039C2091 F (effective June 2, 1999). Reducing the zone from the more densely developed Medium Density to Low Density will lessen the potential impacts of a 100 year flood on future on-site and downstream development. 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 10 – Housing. The proposed redesignation removes 2.63 acres previously designated as (M) Medium Density Residential to (L) Low Density Residential . The proposed redesignation will continue to meet the City’s housing needs, while reducing the possible impacts to citizens from flooding. The redesignation to R-1 is consistent with adjacent and surrounding land use designations.
- i. Goal 11 – Public Facilities and Services. The redesignation will not require public facilities and services beyond what is currently provided by the City of Cottage Grove. The City has developed plans to provide sufficient public facilities and services to serve the subject property under the redesignation.
- j. Goal 12 – Transportation. The redesignation is consistent with Goal 12 as redesignating the property will reduce the amount of traffic generated at development and hence reduce proposed impacts upon adjacent transportation systems. The reduction in traffic impacts will not constitute a significant impact upon the adjacent transportation system in compliance with the Transportation Planning Rule. The redesignation is consistent with the City’s Transportation System Plan through 2025, as existing transportation facilities that serve the site are adequate for planned improvements. If further development proposals trigger traffic impact analysis per the Cottage Grove Development Code or TPR, Lane County and the Oregon Department of Transportation will be given the opportunity to review findings for specific impacts to their facilities.

- k. Goal 13 – Energy Conservation. The subject property is currently served by City streets and services. Future development under the redesignation will be encouraged to utilize green building strategies to limit energy consumption.
  - l. 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.
  - m. Goal 15 – Willamette River Greenway. The lower portion of the property is with the Willamette River Greenway. The lower portion of the subject property is within the Willamette River greenway. Reducing the zone from Medium to Low Density Residential on the property will reduce the parcel’s density requirements a time of development. Therefore, the related impacts on the Willamette River Greenway from development are minimized as a result of the change. Future development will regulated by the Willamette River greenway standards found in the Cottage Grove Comprehensive Plan and Title 14 CG Development Code.
8. The property owner of the lands involved in the Plan Amendment is in favor of the redesignation.
  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.



ORDINANCE NO. 3002

AN ORDINANCE AMENDING TITLE 14 OF THE COTTAGE GROVE  
MUNICIPAL CODE, THE CITY WIDE LAND USE DISTRICT MAP FOR  
RYAN SISSON/MARCIA SHOREY (MCPA 4-10)  
Map 20-03-28-24, TAX LOT 1903

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 20-03-28-24, Tax Lot 1903, adjacent to North River Road as shown and described in Exhibit "A" attached hereto and forming a part of this ordinance.

Section 2. Procedural Compliance. This amendment is in compliance with Title 14 of the Development Code of the City of Cottage Grove and is based upon the city council determination, after a Planning Commission public hearing and recommendation, and a public hearing before Council, the zone change (MCPA-4-10) is a proper implementation of the City Comprehensive Land Use Plan, and therefore, is in the public interest and serves as 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' attached to and forming a part of this ordinance.


Section 4. Amendment. The City Wide '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-2 Medium Density Residential to R-1 Single Family Residential.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS  
24th DAY OF January, 2011.

  
Richard Meyers, City Manager

Dated: January 24, 2011

  
Gary Williams, Mayor

Dated: January 24, 2011

Exhibit A

The following real property situated in the County of Lane and State of Oregon bounded and described as follows (Map 20-03-28-24 Tax Lot 1903), to-wit:

Parcel 3, of Partition Plat No. 2004-P1748, as recorded January 12, 2004,  
Reception No. 2004-001673, Lane County Official Records, in Lane County,  
Oregon.

ASSESSMENT AND  
TAXATION ONLY

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

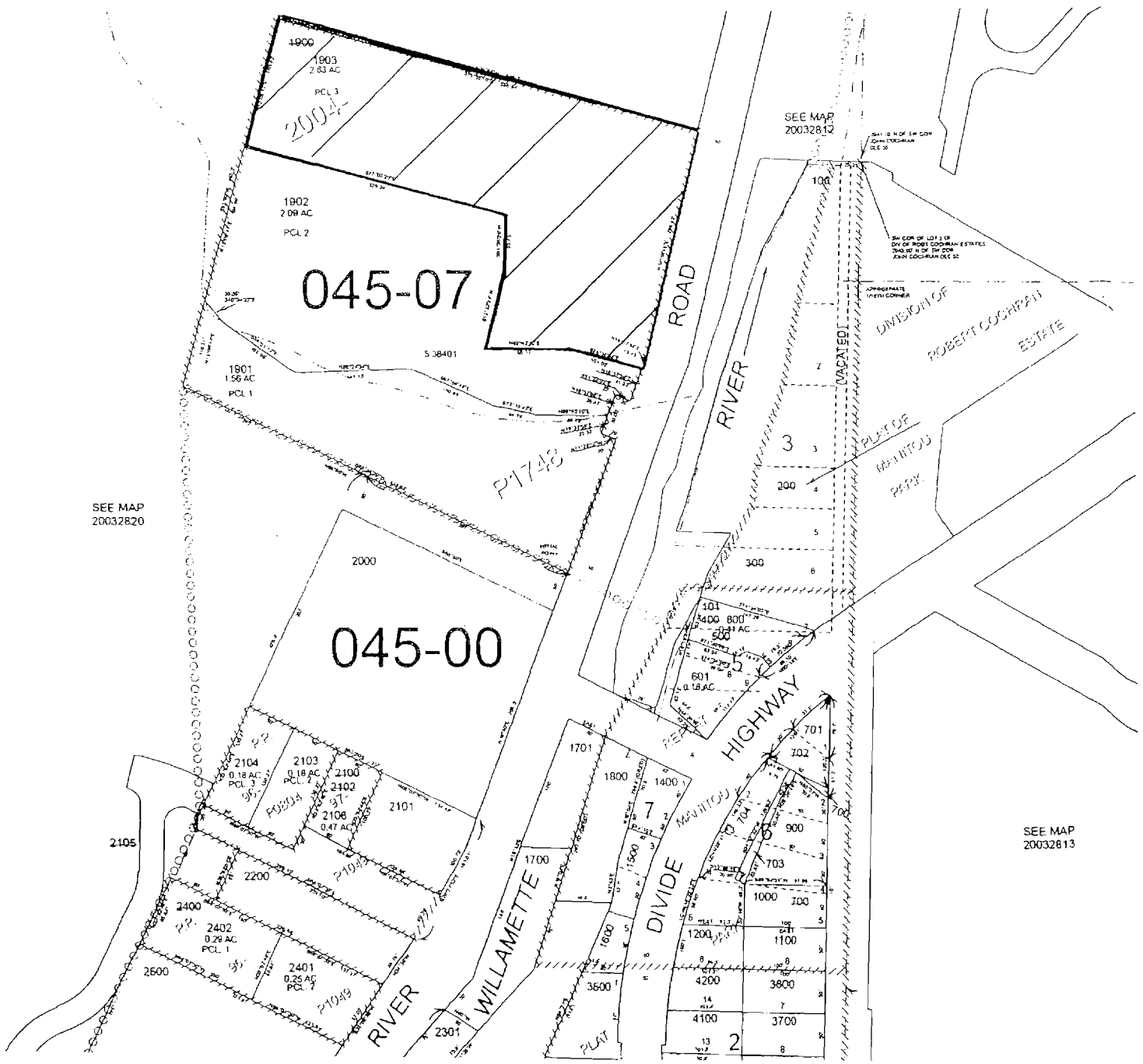


EXHIBIT B  
ORDINANCE NO. 3002

1. Ryan Sisson/Marcia Shorey has made an application to rezone 2.63 acres described as Map 20-03-28-24 , Tax Lot 1903 from R-2 Medium Density Residential to R-1 Single Family Residential.
2. The City of Cottage Grove Comprehensive Plan, was amended by ordinance No. \_\_\_\_\_ which designated the subject land as L Low Density Residential. The L low Density Residential designation is implemented by two zoning districts, the R-1 Single Family Residential District and the R Restricted residential District. The R-1 Single Family Residential District is proposed to implement the land use designation and is the best suited for the land given the surrounding land uses.
3. Adequate public facilities, including water, sewer, storm water, and streets are or can be provided to the site. The vacant property is accessed via North River Road, a City of Cottage Grove minor arterial. ODOT has been apprised of this rezoning and has submitted comments confirming that the proposed rezoning is unlikely to change traffic generation; therefore is not anticipated to impact Lane County Transportation System.
4. The following Statewide Planning Goals are not applicable to the proposed rezoning: 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.
5. 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 rezoning. 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 is near to but does not include any known wetland resources nor hydric soils. The parcel is not identified as an open space or scenic or historic area in the Cottage Grove comprehensive Plan. The subject property is located across a public street from the Coast fork of the Willamette River. Although the property is not within the riparian zone of the coast Fork, a portion of the property is within the designated Willamette River Greenway. The same area is within the

100 year floodplain of the river. Reduction in proposed residential development density as proposed by this rezoning will reduce potential impacts to these sensitive resources, and is in compliance with Goal 5.

- 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. The proposed rezoning is consistent with adjacent and surrounding land uses.
- g. Goal 7 – Areas Subject to Natural Hazards. The subject property includes 1.77 acres of lands located within the 100 year floodplain as shown on FIRM 41039C2091 F (effective June 2, 1999). Reducing the zone from the more densely developed Medium Density to Low Density will lessen the potential impacts of a 100 year flood on future on-site and downstream development. 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 10 – Housing. The proposed rezoning removes 2.63 acres previously designated as (M) Medium Density Residential to (L) Low Density Residential. The proposed rezoning will continue to meet the City’s housing needs, while reducing the possible impacts to citizens from flooding. The rezoning to R-1 is consistent with adjacent and surrounding land use designations.
- i. 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 City has developed plans to provide sufficient public facilities and services to serve the subject property under the rezoning.
- j. Goal 12 – Transportation. The rezoning is consistent with Goal 12 as redesignating the property will reduce the amount of traffic generated at development and hence reduce proposed impacts upon adjacent transportation systems. The reduction in traffic impacts will not constitute a significant impact upon the adjacent transportation system in compliance with the Transportation Planning Rule. The rezoning is consistent with the City’s Transportation System Plan through 2025, as existing transportation facilities that serve the site are adequate for planned improvements. If further development proposals trigger traffic impact analysis per the Cottage Grove Development Code or TPR, Lane County and the Oregon Department of Transportation will be given the opportunity to review findings for specific impacts to their facilities.
- k. Goal 13 – Energy Conservation. The subject property is currently served by City streets and services. Future development under the rezoning will be encouraged to utilize green building strategies to limit energy consumption.
- l. 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.
- m. Goal 15 – Willamette River Greenway. The lower portion of the property is within the Willamette River Greenway. The lower portion of the subject property is within the Willamette River greenway. Reducing the zone from Medium to Low Density Residential on the property will reduce the parcel’s density requirements a time of development. Therefore, the related impacts on the Willamette River Greenway from development are minimized as a result of the change. Future

development will regulated by the Willamette River greenway standards found in the Cottage Grove Comprehensive Plan and Title 14 CG Development Code.

6. The property owner of the lands involved in the Plan Amendment is in favor of the rezoning.
7. 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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\$00.78<sup>0</sup>

01/27/2011

Mailed From 97424  
US POSTAGE



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

TO:



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