



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

12/22/2011

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 005-11

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: Friday, January 06, 2012

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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
Angela Lazarean, DLCD Urban Planner
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

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DEPT OF

DEC 19 2011

LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of Cottage Grove**

Local file number: **DCTA 3-11**

Date of Adoption: **12/12/2011**

Date Mailed: **12/16/2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 09-30-11

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 submission requirement for Public Facility Studies for Property Line Adjustment and Site Design Review applications, and clarify submission requirements for Property Line Adjustments (14.4.2.500.A, 14.3.130.A, 14.3.210).

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

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 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. 005-11 (18999) [16874]

DLCD file No. _____

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 working 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) by DLCD of the 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.

<http://www.oregon.gov/LCD/forms.shtml>

Updated April 22, 2011

Ordinance No. 3015

AN ORDINANCE AMENDING TITLE 14, SECTION 4 OF THE COTTAGE GROVE MUNICIPAL CODE RELATED TO LAND DIVISION APPLICATION SUBMITTAL REQUIREMENTS (DCTA-3-11)

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to amend scrivener errors in Section 4 of the Cottage Grove Development Code as it relates to land division application submittal requirements.

Section 2. Scrivener Error. Ordinance No. 2959 repealed Title 18 Zoning Code and adopted Title 14 Development Code. The staff report, public hearing notices, minutes at the Planning Commission and City Council all show that the intent being the adoption of this Title. This ordinance amends submission requirements for Public Facility Studies for Property Line Adjustment and Site Design Review applications, and clarifies submission requirements for Property Line Adjustments in Title 14, Section 4.

Section 3. 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 4. Amendment. Title 14, Section 4 of the Cottage Grove Municipal Code is hereby amended to read as follows:

A. "4.3.130.A Preliminary Plat Submission Requirements -- General Submission Requirements.

1. Public Facilities and Services Impact Study, if required by the City and/or service provider. The impact study shall quantify and assess the effect of the development on public facilities and services. The City shall advise as to the scope of the study during the required pre-application conference (Section 4.1.600.C). The study may address the transportation system, including pedestrian ways and bikeways, the drainage system, the parks system, the water system, and the sewer system. For each public facility system and type of impact, the study shall propose improvements necessary to meet City standards and to minimize the impact of the development on the public at large, public facilities systems, and affected private property users;

B. 4.2.500.A Site Design Review - Application Submission Requirements -- General Submission Requirements.

1. Public Facilities and Services Impact Study, if required by the City and/or service

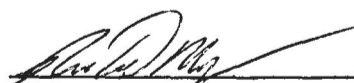
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- C. 4.3.210.A Property Line Adjustments -- Submission Requirements.
- A. Submission Requirements. All applications for Property Line Adjustment shall be made on forms provided by the City and shall be governed by Section 4.1.300.D-H. The application shall include a preliminary lot line map drawn to scale identifying all existing and proposed lot lines and dimensions; footprints and dimensions of existing structures (including accessory structures); location and dimensions of driveways and public and private streets within or abutting the subject lots; existing fences and walls; and any other information deemed necessary by the Community Development Director or designee for ensuring compliance with City codes.
- D. 4.3.210.B Property Line Adjustments – Approval Process.
- B. Approval Process.
1. Decision-making process. Property line adjustments shall be reviewed by means of a Type II procedure, as governed by Section 4.1.300.D-H, using approval criteria contained in Section 4.3.210.C below. The road authority(ies) shall be notified of lot line adjustments that may affect property access or traffic volumes or operations on their facilities.
- E. 4.3.210.C Property Line Adjustments – Approval Criteria
- C. Approval Criteria
3. Access and Road authority Standards. All lots and parcels can conform to the standards or requirements of Chapter 3.1.200 – Vehicle Access and Circulation, and all applicable road authority requirements are met. If a lot is non-conforming to any City or road authority standard, it shall not be made even less conforming by the property line adjustment.”

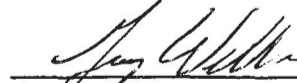
PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 12TH DAY OF DECEMBER, 2011

Attest:

Approved:


Richard Meyers, City Manager

Dated: Dec 12, 2011


Gary Williams, Mayor

Dated: Dec. 12 - 11

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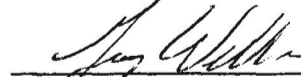
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DEPT OF

DEC 19 2011

**LAND CONSERVATION
AND DEVELOPMENT**



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