



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

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www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

07/02/2012

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 003-12

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: Tuesday, July 17, 2012

This amendment was submitted to DLCD for review prior to adoption with less than the required 35-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  
Gordon Howard, DLCD Urban Planning Specialist  
Ed Moore, DLCD Regional Representative  
Amanda Punton, DLCD Natural Resources Specialist

<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

DATE STAMP	<input type="checkbox"/> In person <input type="checkbox"/> electronic <input type="checkbox"/> mailed
	<b>DEPT OF</b>
	<b>JUN 27 2012</b>
	<b>LAND CONSERVATION AND DEVELOPMENT</b>
For Office Use Only	

Jurisdiction: **City of Cottage Grove**

Local file number: **CPA 1-12**

Date of Adoption: **6/25/2012**

Date Mailed: **6/26/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 4/12/2012

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".

Replaced in whole the current Air & Water Resources and Fish & Wildlife Resources elements of the Cottage Grove Comprehensive Plan with a new Natural Resources Element.

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:

- |                          |                          |                          |                          |                                     |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <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 type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <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"/> |

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

35-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. 003-12 (19289) [17093]

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 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 December 30, 2011

Ordinance No. 3020

AN ORDINANCE AMENDING  
COTTAGE GROVE COMPREHENSIVE PLAN  
ADOPTING NATURAL RESOURCES ELEMENT

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:


Section 1. Purpose. The purpose of this ordinance is to amend the Comprehensive Plan for Cottage Grove deleting the existing Air & Water Resources and Fish & Wildlife Resources Elements and adopt a Natural Resources Element as shown in Exhibit "A".

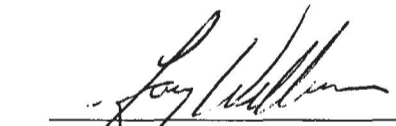
Section 2. Procedural Compliance. This amendment is in compliance with Title 14 Development Code of the Municipal code of the City of Cottage Grove and is based upon the City Council determination, after a Planning Commission public hearing and recommendation, that the adoption of this plan is a proper implementation of portions of Statewide Planning Goals 5 & 6. The amendment is in the public interest and serves the health, safety, and welfare of the citizens of the City of Cottage Grove.

Section 3. Amendment. The Cottage Grove Comprehensive Plan is hereby amended as follows:

1. Repeal of the Air & Water Resources and Fish & Wildlife Resources Elements of the Comprehensive Plan, and
2. Adopt the Natural Resources Element in Exhibit A attached hereto and by reference made a part thereof.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 25 DAY OF JUNE, 2012.

  
Richard Meyers, City Manager  
Dated: June 25, 2012

  
Gary Williams, Mayor  
Dated: JUNE 25, 2012

## EXHIBIT A

### Ordinance No. 3020 Cottage Grove Comprehensive Plan Natural Resources Element

#### Background information

This element of the Plan addresses the City's water quality, air quality, climate, and both riparian and terrestrial habitat resources. The protection of these resources is essential to maintaining the health and vitality of our living environment.

This element of the Plan addresses portions of Statewide Planning Goal 5 -- Natural Resources, Scenic and Historic Areas, and Open Spaces, and Goal 6 -- Air, Water and Land Resources Quality. It is also intended to address the requirements of the Clean Water Act, Environmental Species Act, and other applicable state and federal regulations.

#### **Objectives and Policies**

##### 1. Water Quality

###### Objectives

- 1a. Strongly encourage development practices that minimize runoff, contribute to groundwater recharge, and reduce the likelihood of contamination.
- 1b. Regulate practices that could negatively impact the water quality of surface or ground waters within the City.
- 1c. Support and coordinate with state and federal agencies to contain and subsequently remediate contamination of surface or ground waters.
- 1d. Support efforts of the U.S. Forest Service, US Army Corps of Engineers, Coast Fork Willamette Watershed Council and other agencies to manage watersheds to protect downstream water quality.
- 1e. Continue to manage and maintain state-of-the-art municipal wastewater systems and other public infrastructure in a way that protects water quality and meets state and federal standards.

###### Policies

- 1.1. The City shall continue to take all necessary steps to ensure that its wastewater infrastructure and treatment facilities meet or exceed applicable state and federal standards on an ongoing basis.
- 1.2. The City shall maintain separate stormwater and wastewater systems.
- 1.3. The City shall employ site design review, development code standards, zoning, and other regulatory means as appropriate in order to maintain or improve overall water quality.
- 1.4. The City shall require all new or intensifying development to comply with local regulations intended to address state and federal water quality standards.
- 1.5. The City shall adopt and implement a stormwater management plan which addresses the following management goals:
  - a. Citizen education about the causes of stormwater pollution, its effects, and the need for stormwater management;
  - b. Citizen participation in stormwater management program development and implementation;
  - c. Identification and control of illicit and non-stormwater discharges into the stormwater system;

- d. Prevention and mitigation of water quality impacts associated with active construction sites;
  - e. Water quality controls on stormwater runoff from new development and redevelopment; and,
  - f. Prevention and reduction of pollutant runoff from municipal operations.
  - g. Effective program management, coordination, and reporting.
- 1.6. The City will cooperate with local, state, and federal agencies that have primary responsibility for efforts to minimize pollutant levels from point or non-point sources entering surface streams and groundwater.
  - 1.7. The City will support efforts to monitor water quality in local streams and aquifers, to publicize related findings of potential hazards, and to provide baseline water quality information to the public.
  - 1.8. The City should explore opportunities to acquire lands to preserve stormwater functions, improve stormwater quality, and/or expand detention capacity through outright purchase, conservation easements, partnerships, or other feasible means.
  - 1.9. The City may consider the use of density management methods such as density transfer as a means to protect water quality.

## 2. Air Quality

### Objectives

- 2a. Support measures by the Lane Regional Air Pollution Authority or the Department of Environmental Quality to manage regional air quality.
- 2b. Regulate practices and development that could significantly degrade air quality within the City.
- 2c. Encourage development practices that minimize negative impacts to air quality.

### Policies

- 2.1. All development within the City shall comply with applicable regional and state air quality standards.
- 2.2. The City should cooperate with public agencies charged with the maintenance and improvement of air quality standards, including but not limited to the Department of Environmental Quality, Lane Regional Air Pollution Authority, and neighboring jurisdictions.
- 2.3. For proposed developments within the Urban Growth Boundary that threaten air quality, the City shall coordinate review with the Department of Environmental Quality, Lane County and the Lane Regional Air Pollution Authority.
- 2.4. The City shall coordinate review of proposed developments that may threaten air quality with neighboring jurisdictions, the Department of Environmental Quality and the Lane Regional Air Pollution Authority.
- 2.5. The City should encourage best management in burning practices to reduce impacts to the environment and prevent public nuisance.
- 2.6. The City should support federal, state, and regional programs to attain overall state and federal air quality standards.
- 2.7. The City should employ site design review, development code standards, zoning, and other regulatory means as appropriate in order to minimize and mitigate impacts to air quality resulting from development.

## 3. Climate

### Objectives

- 3a. Encourage practices that minimize environmental impacts contributing to climate change.

- 3b. Comply with state and federal policies related to greenhouse gas emission reduction and climate action planning.
- 3c. Manage City resources in a way that balances community aspirations and potential environmental impacts.

#### Policies

- 3.1. The City shall comply with state and federal law as related to greenhouse gas emissions, climate action planning, and related issues.
- 3.2. The City should complete a greenhouse gas inventory that estimates emissions from municipal and private sources within the City.
- 3.3. The City should adopt and implement a climate action plan addressing climate-related policies and practices within the City.
- 3.4. The City should support efforts to reduce emissions of greenhouse gases and ozone-depleting compounds into the atmosphere.
- 3.5. The City should support efforts by public and private entities to attain greenhouse gas emission reductions targets adopted by the State of Oregon.
- 3.6. The City shall support the use of climate-friendly materials and construction methods in public and private construction.
- 3.7. The City shall support or sponsor programs that encourage the proper disposal of hazardous materials.
- 3.8. The City may wish to employ site design review, development code standards, zoning, and other regulatory means as appropriate in order to minimize climate-related impacts of development.
- 3.9. The City will encourage the use of clean energy sources and new construction that meets Leadership in Energy and Environmental Design (LEED) standards.

#### 4. Wetlands and Riparian Habitat

##### Objectives

- 4a. Encourage development practices that ensure compatibility between wetlands and riparian habitat areas and surrounding uses.
- 4b. Regulate practices that could negatively impact the quality and function of wetlands and riparian habitat.
- 4c. Comply with state and federal requirements related to the management and maintenance of wetlands and riparian habitat.
- 4d. Support and coordinate with state and federal agencies to identify, monitor, and improve the quality and function of wetlands and riparian habitat within the City.
- 4e. Manage municipal resources in a way that positively contributes to the overall health and function of wetlands and riparian habitat within the City.

##### Policies

- 4.1. The City shall not permit any loss of significant wetlands in terms of both acreage and function, consistent with state and federal policy, and should comply with at least the minimum protection requirements of applicable state and federal wetland laws as interpreted by the state and federal agencies charged with enforcing these laws.
- 4.2. The City shall inventory, investigate, and designate wetlands within its Urban Growth Boundary, consistent with state guidelines and Statewide Planning Goal 5 inventory requirements.
- 4.3. The City shall maintain the option to use either the Statewide Planning Goal "ESEE" methodology or the state's "safe harbor" methodology, or a combination of both, when identifying strategies and developing regulations to protect locally significant wetlands.

- 4.4. The City shall prepare and adopt plans for managing wetlands within City limits. Such plans should address:
  - a. Comprehensive management of wetlands, floodways, drainageways, and other urban streams as part of a complete hydrological system;
  - b. Management of significant wetlands as defined through the Statewide Planning Goal 5 process, consistent with state and federal wetland management provisions; and,
  - c. Identification of areas suitable for wetland restoration and possible use for off-site mitigation, potentially extending beyond City limits but within the same drainage basin.
- 4.5. The City should employ site design review, development code standards, zoning, and other regulatory means as appropriate in order to:
  - a. Preserve those natural features and vegetation which tend to mitigate temperature changes, absorb pollutants, retard runoff, and maintain or improve overall water quality;
  - b. Prevent negative impacts on habitat and migration corridors for riparian species and other aquatic life resulting from conflicting uses or other activities;
  - c. Prevent loss of significant wetland acreage and/or function resulting from upstream development; and,
  - d. Where necessary, implement site-specific buffering and setback requirements to achieve such protection.
- 4.6. The City shall require that designated riparian areas be maintained in a natural state to protect tree lines, maintain their natural function, and enhance native plant species wherever practicable.
- 4.7. Recreational development of City lands adjacent to riparian habitat or significant wetlands shall be for low-intensity uses consistent with the natural character of the area.
- 4.8. The City should encourage the State of Oregon and Lane County to preserve their respective land holdings adjacent to City limits in a natural condition to protect against the loss of wetland habitat and impacts resulting from conflicting uses.
- 4.9. The City should support the retention and protection of open space lands that provide protection of significant riparian habitat.
- 4.10. The City may consider the use of density management methods such as density transfer to protect significant wetlands or riparian habitat resources.

## 5. Terrestrial Habitat and Urban Forests

### Objectives

- 5a. Support an Urban Forestry Committee whose mission includes inventorying urban forests and significant habitat areas within the city and identifying programs and policies to encourage the preservation and restoration of the City's terrestrial habitat.
- 5b. Maintain and expand existing tree inventory, urban forest quality, and participation in the annual Tree City USA program.
- 5c. Recognize the importance of trees and vegetation for sustaining wildlife habitat, maintaining aesthetic quality, and as an important element of the City's historic and cultural heritage.
- 5d. Encourage development practices that ensure compatibility between terrestrial habitat areas and surrounding uses.
- 5e. Manage municipal resources in a way that positively contributes to the overall health and function of terrestrial habitats and urban forests within the City.

### Policies



- 5.1. The City shall employ site design review, development code standards, zoning, and other regulatory means as appropriate in order to:
  - a. Mitigate adverse impacts on significant trees by new development;
  - b. Examine impacts on wildlife habitat by development in floodplains and vegetated hillside areas; and,
  - c. Encourage landscaping management that minimizes impacts to terrestrial habitat on an ongoing basis.
- 5.2. Tree-covered hillsides within City limits shall retain a tree-covered appearance prior to development review. Clear-cuts and significant tree removal shall not be permitted prior to development.
- 5.3. The City should, on an annual basis, meet the requirements of the Arbor Day Foundation to attain Tree City USA designation.
- 5.4. The City should identify significant natural features on City-owned properties, including but not limited to:
  - a. Trees of significant size that represent a visual or aesthetic resource to the community;
  - b. Native vegetation as defined in the Oregon Natural Heritage Plan or other state inventories, which may include certain woodlands, grasslands, and plant species;
  - c. Ecologically and scientifically significant natural areas;
  - d. Significant natural plant communities and habitats for wildlife; and,
  - e. Areas that act as buffers between developed and natural areas.
- 5.5. The City should consider the impact to the overall ecological function of terrestrial habitat areas before approving a change in land use designation.
- 5.6. The City should encourage development in a manner that preserves as many trees as possible and ensure that tree removal proceeds in accordance with the approved development plan.
- 5.7. The City should encourage the retention of large, varied habitat areas on private and public lands.
- 5.8. The City may consider the use of density management methods such as density transfer to protect significant terrestrial habitat resources.

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DEPT OF  
JUN 27 2012  
LAND CONSERVATION  
AND DEVELOPMENT

TO:

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