



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

04/17/2012

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Glendale Plan Amendment
DLCD File Number 001-12

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: Thursday, May 03, 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: Betty Stanfill, City of Glendale
Angela Lazarean, DLCD Urban Planner
Ed Moore, DLCD Regional Representative

<paa> YA



FORM **2**

DLCD

Notice of Adoption

In person electronic mailed

DATE STAMP

DEPT OF

APR 13 2012

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 Glendale**

Local file number: **03-2012**

Date of Adoption: **4/9/2012**

Date Mailed: **4/11/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 2/17/2012

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".

The City of Glendale amends its Zoning and Land Development Ordinance to comply with changes in Oregon law, to correct a text error in the existing Ordinance, and to remove multi-family housing from the permitted uses in the Commercial "C" Zone.

Does the Adoption differ from proposal? Please select one

No

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...

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. _____

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

City of Glendale

Local Contact: **Betty Stanfill, City Recorder**

Address: **PO Box 361**

City: **Glendale, OR**

Phone: **(541) 832-2106** Extension:

Fax Number: **541-832-3221**

E-mail Address: **glendale@tymewyse.com**

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

**CITY OF GLENDALE
ORDINANCE 03-2012**

**AMENDING ORDINANCE 01-2005 TO COMPLY WITH CHANGES IN
OREGON LAW, TO CORRECT AN EXISTING TEXT ERROR, AND TO
REMOVE MULTI-FAMILY HOUSING FROM THE PERMITTED USES IN
COMMERCIAL "C" ZONE.**

The City of Glendale ordains as follows:

Ordinance 01-2005

Section 8.0.100 Notice Procedures for Legislative Hearings

- A. Notice of the proposed amendment shall be provided to the Department of Land Conservation and Development on forms that they provide at least 35 days before the initial hearing, and also to other affected local, state and federal agencies. If the City of Glendale determines that there are emergency circumstances requiring expedited review, the City may submit the amendment or new regulation with less than the required notice, but as soon as practicable. The proposal forwarded shall contain a summary of the proposed changes including text changes, maps, and the staff report or information as to when the staff report will be provided, and any supplemental information that the City believes is necessary to inform the Department of Land Conservation and Development as to the effect of the proposal (ORS 197).

Section 8.0.70 Notice Procedures for Quasi-Judicial Hearings.

For quasi-judicial land use actions, including but not limited to map amendments which are not determined to apply broadly, Conditional Use Permits and Variances, the following shall apply as set forth in ORS 197.

Commercial – C Zone

Section 2.3.20 Permitted Uses.

- I. Residential care facility
- J. Clinic
- K. Public or private school
- L. Church
- M. Community meeting facility
- N. Hospital
- O. Fire station
- P. Library
- Q. Park, golf course, publicly owned recreation area
- R. Museum
- S. Residential care home in a preexisting dwelling
- T. Radio or television broadcasting studio
- U. Bed and breakfast establishment in conjunction with a preexisting residential use
- V. Child day care facility for 12 or fewer children in a preexisting dwelling

Effective Date:

This Ordinance shall take effect thirty (30) days from the date of adoption by the Glendale City Council.

READ IN FULL and ADOPTED BY THE COUNCIL this 9th day of April, 2012.



Fred Jensen, Mayor

Attest:



Betty Stanfill, City Recorder

DRAFT

Misty Morningstar agreed that it is possible for new businesses to move to Glendale and prosper, citing her own as an example. She is also planning to open an adult foster care facility soon.

Mayor Jensen stated that the proposed amendment will not affect the current status of any business. Councilor Boal added that this action is not personal, but that all residents must follow the City's ordinances. He pointed out that several statements by Mr. Cassidy were untrue, and that Conditional Uses would not be affected by the proposed action. He noted that Mr. Cassidy had never been denied a Conditional Use Permit, because he had never applied for one.

Mayor Jensen asked if there was any further comment by the public, and hearing none, he closed the Public Hearing.

NEW BUSINESS:

Councilors reviewed a list of Liquor License Renewals from OLCC, including Glendale Hardware, Glenway Superstore, Nano's Mexican Restaurant and The Village Inn. Councilor Standard moved to approve the list for renewal and was seconded by Councilor Mehl. The favorable vote was unanimous.

Councilor Mehl moved to appoint the three applicants, J.C. VanDeusen, Sarah Shelton and Shirley Miller, to the 2012-13 Budget Committee. Councilor Boal seconded and the motion passed by unanimous vote.

The Title of Ordinance 03-2012, amending Ordinance 01-2005 to comply with changes in Oregon law, to correct an existing text error, and to remove multi-family housing from the permitted uses in Commercial "C" Zone was read aloud by Mayor Fred Jensen. Recorder Stanfill stated that the Ordinance had been available for public inspection for more than a month, had been the subject of a two-part Public Hearing, and had been in the possession of Council members since March 12th, and that adoption by reading of title only was permitted in this case by the City Charter. Councilor Standard moved to adopt the Ordinance based upon the findings presented in the staff report by Shoji Planning, LLC and was seconded by Councilor Jephson. The vote was unanimously in favor.

A renewal of the Sheriff's Contract for 2012-13 was considered by the Council and Councilor Jephson moved to approve the contract in the amount of \$45,737.25. Councilor Mehl seconded and the motion passed by unanimous vote.

PUBLIC WORKS REPORT:

Plans for Sether Lift Station have been received, and several errors have been identified, which the engineers have agreed to correct, prior to seeking bids for the work.

Sewer lateral repairs on Winnie Walker Lane have been delayed by heavy rains, and will be completed by JTM Grading & Excavating as soon as weather permits.

Mr. Dausel presented a contract renewal with Swanson Group for water testing at their mills in the amount of \$960 annually. Councilor Boal moved to approve the contract and

CITY OF GLENDALE
124 THIRD ST
P. O. BOX 361
GLENDALE, OR 97442



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