



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

November 16, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Mt. Angel Plan Amendment
DLCD File Number 001-06



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: November 30, 2006

This amendment was submitted to DLCD for review 45 days 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 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.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Jason Locke, DLCD Regional Representative
Mark Fancey, City of Mt. Angel

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LAND CONSERVATION AND DEVELOPMENT

NOTICE OF ADOPTION

Must be filed within 5 working days
See OAR 660-18-040

Jurisdiction: City of Mt. Angel Local File Number: ZC06-01
Date of Adoption: November 7, 2006 Date Mailed: November 9, 2006
Date Proposal was Provided to DLCD: June 28, 2006

Type of Adopted Action: (Check all that apply)

- Comprehensive Plan Text Amendment
- Comprehensive Plan Map Amendment
- Land Use Regulation Amendment
- Zoning Map Amendment
- New Land Use Regulation
- Other: _____
(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."
This request would change the zoning from Residential-Commercial (RC) to Commercial General (CG) for the northernmost 40 feet of a 2.18-acre parcel. The remainder of the parcel is currently zoned Commercial General.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."
Same

Plan Map Changed from: _____ to _____

Zone Map Changed from: Residential Commercial (RC) to Commercial General (CG)

Location: see attached

Acres Involved: 0.47 acres

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: 1, 2, 9, 11, 12

Was an Exception Adopted? Yes: _____ No: X

DLCD File Number: 001-06
(15348)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: X No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did the Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: None

Local Contact: Mark Fancey Area Code + Phone Number: (503) 588-6177

Address: MWVCOG 105 High Street SE

City: Salem Zip Code+4: 97301-3667

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision** per ORS 197.610, OAR Chapter 660 – Division 18.

1. Send this form and TWO (2) Copies of the Adopted Amendment to:
**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**
2. Submit **TWO (2) copies** of the adopted material, if copies are bound please submit **TWO (2) complete copies** of documents and maps.
3. Please note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date the “Notice of Adoption” is sent to DLCD.
6. In addition to sending the “Notice of Adoption” to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need more copies?** You can copy this form onto 8 ½ x11 green paper only; or call the DLCD office at (503) 373-0050; or fax your request to: (503) 378-5518; or Email your request to Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

**CITY OF MT. ANGEL
ORDINANCE NO. 709**

AN ORDINANCE AMENDING THE MT. ANGEL ZONING MAP.

WHEREAS, the City of Mt. Angel considered a request to amend the Zoning Map for the northernmost 40 feet of a property identified as Township 6S, Range 1W, Section 3CD, Tax Lot 400; and

WHEREAS, the area subject to this request is approximately 20,203 square feet in size and is designated as Commercial in the Mt. Angel Comprehensive Plan and zoned Residential-Commercial (RC) on the Mt. Angel Zoning Map; and

WHEREAS, the City of Mt. Angel considered the request to amend the zoning designation from the Residential-Commercial (RC) to General Commercial (CG); and

WHEREAS, the Planning Commission conducted a public hearing to consider the proposed zone change on August 17, 2006 at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, at the close of the public hearing, the Planning Commission voted to recommend that the City Council approve the proposed zone change; and

WHEREAS, the City Council conducted a public hearing to consider the zone change on September 5, 2006 at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, proper notice of the said public hearings was given to the public pursuant to applicable state statutes; and

WHEREAS, at the close of the public hearing on September 5, 2006 the City Council voted to approve the proposed zone change; and

NOW, THEREFORE, THE CITY OF MT. ANGEL ORDAINS AS FOLLOWS:

SECTION 1. The City Council adopts the findings as presented in the staff report, dated August 9, 2006, and accepts the recommendation from the Planning Commission to approve the zone change request subject to the conditions described in Section 2.

SECTION 2. The City Council of the City of Mt. Angel does hereby amend the Zoning Map designation for the northernmost 40 feet of the property identified as Township 6S, Range 1W, Section 3CD, Tax Lot 400 from Residential-Commercial (RC) to General Commercial (CG) subject to the following conditions of approval:

- A. The proposed use of the property shall be limited to a mini-storage warehouse facility. Prior to establishment of the proposed use, the applicant shall obtain conditional use permit approval.
- B. If the proposed use is not established on the property or if the use is established and then abandoned for a period of 12 consecutive months, the City shall initiate the zone change process and comply with all zone change procedures as specified by Section 3 of the Mt. Angel Development Regulations.

SECTION 3: This ordinance shall take effect thirty (30) days from the final reading and passage of this ordinance.

Passed by the City Council this 2nd day of October, 2006, by the following vote:

First Reading **Ayes: 5 Nays: 0**

Passed by the City Council this 6th day of November, 2006, by the following vote:

Second Reading **Ayes: 3 Nays: 0**

APPROVED BY THE MAYOR, this 7th day of November, 2006.

Thomas C. Bauman
Thomas C. Bauman, Mayor

ATTESTED BY:

Gene Miles
Gene Miles, City Administrator

Filed in the office of City Recorder this 7-11 day of November, 2006.

STREAM, LAKE, ETC. TAX LOT BOUNDARY
 SUBDIVISION BOUNDARY
 TAX CODE BOUNDARY
 STREAM, LAKE, ETC. NON-BOUNDARY
 PARTITION PLAT Bdy.
 EASEMENT

SYMBOL TYPES

D.L.C.
 CONTROL POINTS
 SURVEY MONUMENTS
 C.L.O. CORNERS
 SECTION 1/4 SEC 1/16 SEC

NUMBERS

TAX CODE NO.
 000 00 00 0

ACREAGE - ALL ACREAGES EXCLUDE ANY PORTION THAT MAY LIE WITHIN THE INDICATED PUBLIC RIGHT OF WAYS.

TICK MARKS - WHEN A TICK MARK IS INDICATED ON THE EXTENSION OF A LINE, THEN THE DIMENSION GOES TO THE TICK MARK. GENERALLY THIS IS USED WHEN DIMENSIONS GO INTO PUBLIC RIGHT OF WAYS.

ARROWS ARE USED WITH DIMENSIONS IN AREAS OF GREATER COMPLEXITY.

NOTICE: This map was created for Assessor's Office use ONLY.



SCALE 1" = 100'
 or 1:1200

Plot file created: June 08, 2005



SEE MAP 06 1W 03D

6 1W 03CD