



# 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](http://www.lcd.state.or.us)

### NOTICE OF ADOPTED AMENDMENT

July 18, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Elgin Plan Amendment  
DLCD File Number 001-07 R

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: August 1, 2007**

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: Doug White, DLCD Community Services Specialist  
Jon Jinings, DLCD Regional Representative  
Joe Garlitz, City of Elgin

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AM 2

Previously submitted  
on 5/18/07

## DLCD NOTICE OF ADOPTION

DEPT OF

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

(See reverse side for submittal requirements)

JUL 13 2007

LAND CONSERVATION  
AND DEVELOPMENT

Jurisdiction: City of Elgin

Local File No.: Zone 4-07  
(If no number, use none)

Date of Adoption: ~~5-8-07~~ 7/10/2007  
(Must be filled in)

Date Mailed: ~~5-16-07~~ 7/11/2007  
(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 4-20-07

☐ 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."

Re zone 1.05 Ac from I-1 to R-1

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: I-1 to R-1

Location: 492 S 17th Ave Acres Involved: 1.05

Specify Density: Previous: \_\_\_\_\_ New: \_\_\_\_\_

Applicable Statewide Planning Goals: 1, 9, 10, 12

Was an Exception Adopted? Yes: \_\_\_\_\_ No: ☒

DLCD FILE #

001-07 (14290)

JUL 13 2007

CITY OF ELGIN  
ORDINANCE NO. 164 (2007)  
AN ORDINANCE AMENDING THE ZONING MAP

**LAND CONSERVATION  
AND DEVELOPMENT**

WHEREAS: The Elgin Planning Commission, on April 19, 2007, and the Elgin City Council, on May 8, 2007, have each held a public hearing regarding a petition to change the zoning map and;

WHEREAS: Both the Planning Commission and the City Council have recommended making a change to the zoning map as petitioned:

NOW THEREFORE, THE CITY OF ELGIN ORDAINS AS FOLLOWS,

### Section 1 ZONING CHANGED

The zoning map is hereby amended as follows: A parcel of 1.05 Acres known as Tax lot Twp 1N, Rng 39 15CB #2604 [Being a portion of lots 3 and 4 of Block 7 of Sommer's Addition] is here by re-zoned from Industrial-1 to Residential-1

### Section 2. FINDINGS

The following findings are hereby adopted:

1. Residential use is compatible with existing surrounding uses;
2. The requested zone map change is consistent with the current R-1 boundaries;
3. There is adequate lands in this area to support Industrial uses,
4. The current and previous use as residential has had no detrimental effect on the uses of surrounding properties, either residential or industrial;
5. The access to this parcel is adequate for residential use but only marginal for light industrial use.
- 6.


### Section 3. SEVERABILITY

The sections and subsections of this ordinance are severable. The invalidity of a section or subsection shall not affect the validity of the remaining sections and subsections herein.

### Section 4. EFFECTIVE DATE.


This ordinance becomes effective and in full force 30 days after its adoption by the City Council.

PASSED AND ADOPTED THIS 10<sup>th</sup> DAY OF JULY 2007,  
with Seven (7) COUNCIL MEMBERS VOTING THEREFORE.

  
Carmen Gentry, Mayor

Willie Williams, Councilor	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
John Stover, Councilor	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Sue Moore, Councilor	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

Pat McMullen, Councilor	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Lisa Garcia, Councilor	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Julia Denis, Councilor	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

  
Attest: Joe Garlitz, City Recorder

Date 7-10, 2007

Filed with the Union County Clerk Date \_\_\_\_\_, 2007

CITY OF ELGIN  
P.O. Box 128  
Elgin, Oregon 97827



DLCD  
ATTN Plan Amendment  
635 Capitol ST NE  
Suite 150  
SALEM, OR 97301-2540

DEPT OF  
JUL 13 2007  
LAND CONSERVATION  
AND DEVELOPMENT

9730132340 0007

