

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

AMENDED NOTICE OF ADOPTED AMENDMENT

January 24, 2008

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 003-07

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: February 4, 2008

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 Grant Young, DLCD Regional Representative Joe Garlitz, City of Elgin

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FORM 1

DLCD NOTICE OF PROPOSED AMENDMENT

This form must be received by DLCD at least 45 days prior to the first evidentiary hearing per ORS 197.610, OAR Chapter 660 - Division 18 and Senate Bill 543 and effective on lune 30, 1000

and Senate Bill 543 and effective on June 30, 1999. (See reverse side for submittal requirements)

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Date of First Evidentiary Hearing: Nov 15 (Must be filled in) Date of First Evidentiary Hearing: Nov 15 (Must be filled in) Date of First Evidentiary Hearing: Nov 15 (Must be filled in) Date of Final Hearing: Dec 11 (Must be filled in) Date this proposal was sent or mailed: 9-14-07 (Date resilided or sent to DLCD) Has this proposal previously been submitted to DLCD? Yes: No: X Date: Comprehensive Plan Text Amendment		JAN 10 2000
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City: Zip Code + 4: 97827		
	Address: Pe. Box 128	elgin1@ coni. com
DICD NO. 003-07 (16296)	City: Ecgin UR	Zip Code + 4: 97 827
	DLCD No. 003-07 (16296)	

CITY OF ELGIN ORDINANCE NO. 167 (2008) AN ORDINANCE AMENDING THE ZONING MAP

WHEREAS: Michael and Connie Short have petitioned the City to amend the zoning map by changing the zoning classification from Industrial-1 to Residential-1 for a portion of tax lot 1N 39E Section 15 #DB9800, and;

WHEREAS: The Elgin Planning Commission, on November 15, 2007, and the Elgin City Council, on December 211, 2007, have each held a public hearing regarding the petition to change the zoning map as noted 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 .67 (more or less) acres within Tax lot Twp 1N, Rng 39 15DB #9800, identified as lots 5 through 13, inclusive, of Block 77 of Hindman's Addition to the City of Elgin 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 anticipated Industrial uses;
- 4. The access to this parcel is adequate for residential use but only marginal for light industrial use.

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.

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- May	PASSED AND ADOPTED THIS & DAY OF JANUARY 2008, with fun (S) COUNCIL MEMBERS VOTING THEREFORE.							
Garden Company	Carmen Gentry, Mayor Willie Williams, Councilor John Stover, Councilor	Xyes ∧ ~ ↓ yes Xyes	no no no	Pat McMullen, Councilor Lisa Garcia, Councilor	¥ yes ☐ yes	no no		
Jan 10-	Sue Moore, Councilor	yes	no	Suzanne Hanson, Councilor	yes	no		
	Attest: Joe Garlitz, City Re		e Jan 8	, 2008				
	Filed with the Union Count	y Clerk Date	e	, 2008				

AFFIDAVIT OF PUBLICATION

STATE OF OREGON: COUNTY OF UNION:

Ron Horton, being first duly sworn, depose and say that I am the Publisher of The Observer, a newspaper of general circulation as defined by ORS 193.010 and ORS 193.020; printed and published at LaGrande, in the aforesaid county and state; that the Public Notice: **Elgin City Council Meeting to Consider City Zoning Changes**printed copy of which is hereto annexed was published in the entire issue of said newspaper for......1....successive and consecutive weeks/days in the following issue...... December 7, 2007 Subscribed and sworn to before me this..... 7thday of December, 2007.

Notary Public Of Oregon



Reference No. 3034

Public Notice

Elgin City Council will consider two separate changes in the zoning map on December 11, 2007 Elgin City Hall. 180 N. 8th, at 7:15 p.m.

The City Council will consider, in hearing, the application of Mike and Connie Short for the re-zoning of tax lot Twp 1N, Rng 39 15DB #9800 (0.77 acres) from Industrial-1 to Residential-1. The parcel is located just west of 990 Cedar St. between Cedar Street to the north and Dogwood Street to the South.

In a separate action the City Council will consider, in hearing, re-zoning approximately 35 acres from Industrial-1 (I-1) to Industrial Craftsman Zone (I-C). The area considered for re-zoning is located along the south side of Hemlock Street (Pumpkin Ridge Road) from the intersection of Hemlock and the Boise Cascade Private road, westward to the Elgin Solid Waste Transfer site.

Contact the Elgin City Office 437-2253, 180 N. 8th Ave. for more information.

Publish: December 7, 2007 Legal no. 3034

DEPT OF

JAN 1 6 2008

AND CONSERVATION

CITY OF ELGIN

P.O. Box 128 Elgin, Oregon 97827

DLCD ATTIV Plan Amondment 635 Capitel St NE Suite 150 SPALEM, OR 97301-2540 LAND CONSERVATION LAND DEVELOPMENT

DEPT OF JAN 16 2008

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AND DEVELOPMENT

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