



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

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

<paa> ya

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 June 30, 1999.
(See reverse side for submittal requirements)

DEPT OF

JAN 16 2008

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: City of Elgin

Local File No.: _____
(If no number, use none)

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 mailed or sent to DLCD)

Has this proposal previously been submitted to DLCD? Yes: _____ No: X Date: _____

____ Comprehensive Plan Text Amendment

____ Comprehensive Plan Map Amendment

____ Land Use Regulation Amendment

X Zoning Map Amendment

____ New Land Use Regulation

____ Other: _____

(Please Specify Type of Action)

Briefly summarize the proposal. Do not use technical terms. Do not write "See Attached."

Rezone a portion of a small I-1 parcel
to R-1; said portion is contiguous to R-1 zone

Plan Map Changed from: _____ to _____

Zone Map Changed from: I-1 to R-1

Location: Cedar St at 9th Ave Acres Involved: 0.67

Specified Change in Density: Current: _____ Proposed: _____

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

Is an Exception Proposed? Yes: _____ No: X

Affected State or Federal Agencies, Local Governments or Special Districts: Park & Recreation
District, Elgin School district, Elgin Rural Fire District

Local Contact: Joe GARLITZ Area Code + Phone Number: 541 437 2253

Address: P.O. Box 128 elgin1@com.com

City: Elgin OR Zip Code + 4: 97827

DLCD No.: 003-07 (16396)

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 21, 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.

PASSED AND ADOPTED THIS 8th DAY OF JANUARY, 2008,
with five (5) COUNCIL MEMBERS VOTING THEREFORE.

*There's copy of original
Joe Garlitz
1-10-08*

Carmen Gentry, Mayor	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
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
Suzanne Hanson, Councilor	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

Attest: Joe Garlitz
Joe Garlitz, City Recorder

Date Jan 8, 2008

Filed with the Union County Clerk Date _____, 2008

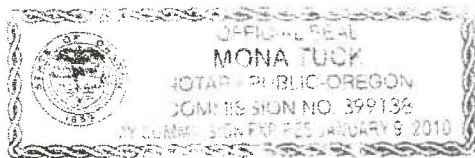
AFFIDAVIT OF PUBLICATION

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,**
2007Subscribed and sworn to
before me this.....**7th**.....day 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 con-
sidered 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, west-
ward to the Elgin Solid Waste
Transfer site.

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

Publish: December 7, 2007
Legal no. 3034

DEPT OF

JAN 16 2008

**LAND CONSERVATION
AND DEVELOPMENT**

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

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AND DEVELOPMENT

D L C D
ATTN Plan Amendment
635 Capitol St NE Suite 150
SALEM, OR 97301-2540



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9730122340 C007

