



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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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 004-07

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
Larry Ksionzyk, Community Development Planning Specialist
Joe Garlitz, City of Elgin

<paa> ya

FORM 1

ORD # 168 (2008)
to adjust
DLCD # 004-07 (16397)
DEPT OF

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)

JAN 16 2008

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: City of Elgin

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

Date of First Evidentiary Hearing: NO 15 2007
(Must be filled in)

Date of Final Hearing: Dec 11
(Must be filled in)

Date this proposal was sent or mailed: 9-14-2007
(Date mailed or sent to DLCD)

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

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

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

Rezone approx 35 Acres from I-1 to new zone designation I-C (Industrial Craftsman)

Plan Map Changed from: _____ to _____

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

Location: SW Elgin Hemlock St Acres Involved: ~35

Specified Change in Density: Current: No min lot Proposed: 5 Acre lot

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: Parks & Rec Dist
Elgin School Dist, Rural Fire Dist

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

Address: PO Box 128 elgin1@eoni.com

City: Elgin OR Zip Code + 4: 97027

DLCD No.: 004-07 (16397)

CITY OF ELGIN
ORDINANCE NO. 168 (2008)
AN ORDINANCE AMENDING THE ZONING MAP

WHEREAS: After extensive hearings and discussion with the residents affected, both by the City of Elgin City Council and Planning Commission, the Planning Commission has initiated an amendment to the zoning map to change the zoning classification from Industrial-1 to Industrial Craftsman I-C for an area along the south side of Hemlock street within the SW 1/4 of the SW 1/4 of Section 15, 1N 39E.

WHEREAS: Based upon these discussion and in consultation with representative of DLCD, the City Council adopted the definition of the Industrial Craftsman Zone, and;

WHEREAS: The Elgin Planning Commission, on November 15, 2007, and the Elgin City Council, on December 11, 2007, have each held a public hearing regarding the proposed change to 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 proposed.

NOW THEREFORE, THE CITY OF ELGIN ORDAINS AS FOLLOWS;

Section 1. ZONING CHANGED

The zoning map is hereby amended as follows; all of those tax lots identified below shall be rezoned from the Industrial-1 zone to the Industrial Craftsman zone:

Tax lots Twp 1N, Rng 39E Section 15, numbered 1500, 1600, 1700, 1701, 1702, 1703, 1704, and 1800

Section 2. FINDINGS

The following findings are hereby adopted:

1. This area has developed into a multiple use area of residential uses, semi-agricultural uses and owner operated business uses;
2. Within the current zoning of this area, (Industrial-1), residential uses are not permitted, except as a supplemental use for a primary industrial use;
3. The area is not suitable for intensive residential use nor for prime industrial use;
4. There is adequate lands in this area to support anticipated future industrial uses;
5. The access to this area is not adequate for any high density development;
6. The Industrial Craftsman zone definition is well suited to this area;
7. The Industrial Craftsman zoning of this area will help preserve this area for the future development of industrial and small business uses;
8. This zone change does not reduce the value of the affected or adjacent properties.

Section 3. NO ADVERSE PROPERTY VALUE CHANGE.

The City Council hereby finds and declares, pursuant to the finding of this action, in Section 2 (8) above, that there is no adverse impact on property values of those properties rezoned by this action, nor to any of the properties located adjacent to these rezoned properties.

Section 4. 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 5. 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.

Carmen Gentry

Carmen Gentry, Mayor yes no
Willie Williams, Councilor yes no
John Stover, Councilor yes no
Sue Moore, Councilor yes no

Pat McMullen, Councilor yes no
Lisa Garcia, Councilor yes no
Suzanne Hanson, Councilor yes no

Joe Garlitz
Attest, Joe Garlitz, City Recorder

Date Jan 8, 2008

Filed with the Union County Clerk Date _____, 2008

*True Copy of
Original
Joe Garlitz
1-10-08*

AFFIDAVIT OF PUBLICATION

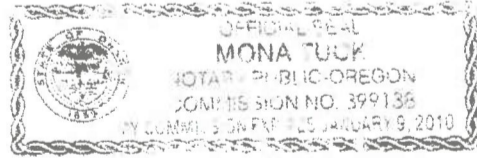
**STATE OF OREGON:
COUNTY OF UNION:**

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.....**7th**.....day of **December, 2007.**

[Signature]

[Signature]

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 16 2008

**LAND CONSERVATION
AND DEVELOPMENT**

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



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

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