



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

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

### NOTICE OF ADOPTED AMENDMENT

October 17, 2006



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Union County Plan Amendment  
DLCD File Number 002-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures\*

#### **DLCD ACKNOWLEDGMENT OR DEADLINE TO APPEAL: October 31, 2006**

This amendment was not submitted to DLCD for review prior to adoption because the jurisdiction determined that emergency circumstances required expedited review. Pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

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 DATE SPECIFIED ABOVE.**

Cc: Doug White, DLCD Community Services Specialist  
Jon Jinings, DLCD Regional Representative  
Hanley Jenkins II, Union County

<paa>



FORM 2

D L C D 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

OCT 12 2006

(See reverse side for submittal requirements)

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: City of La Grande/Union County Local File No.: none (If no number, use none)

Date of Adoption: 10-4-06 (Must be filled in) Date Mailed: 10-10-06 (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 2-23-06 by City of La Grande

- 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."

The City of La Grande's UGB was expanded to include 27.15 acres. The property was re-designated from the County's R-2 Rural Residential Zone to the City of La Grande's GC General Commercial Zone (18.84 acres) and R-2 Medium Density Residential Zone (8.31 acres).

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."

Legal description of the subject property was incorrect for the proposed amendment.

Plan Map Changed from: County Rural Residential to City General Commerical, Residential

Zone Map Changed from: R-2 Rural Residential to General Commerical & Medium Density Residential

Location: Twp. 2S, Range 38 EWM, Sec. 33 Acres Involved: 27.15

part of TL 5200 and Twp. 3S, Range 38, Sec. 4AB, part of TL 100

Specify Density: Previous: 2 acre min. New: 5,000 square ft. 2,500 square ft.

Applicable Statewide Planning Goals: 1, 2, 5, 9, 10, 11, 12 & 14

Was an Exception Adopted? Yes: No: X

DLCD File No.: 002-06 (NOA)

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:  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: ODOT, UPR

Local Contact: Hanley Jenkins, II Area Code + Phone Number: (541) ~~963-1014~~  
Address: 1001 4th Street, Suite C  
City: La Grande Zip Code+4: 97850

## 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** the adopted material, if copies are bounded 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 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 on to 8-1/2x11 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](mailto:Larry.French@state.or.us) - ATTENTION: PLAN AMENDMENT SPECIALIST.

BE IT REMEMBERED, that at a regular term of the Union County Board of Commissioners, for the County of Union, sitting for the transaction of County business, begun and held at the Joseph Building Annex in the City of La Grande, in said County and State, on Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable	STEVE MCCLURE	Chairman
	COLLEEN MACLEOD	Commissioner
	JOHN LAMOREAU	Commissioner

WHEN, on Wednesday, the 4<sup>th</sup> day of October, 2006 among others the following proceedings were had to-wit:

IN THE MATTER OF AMENDING	}	
THE CITY OF LA GRANDE URBAN	}	
GROWTH BOUNDARY, AMENDING	}	ORDINANCE NO.
THE LAND USE PLAN & ZONE	}	2006-05
DESIGNATIONS & DECLARING	}	
AN EMERGENCY	}	

WHEREAS, The City of La Grande held public hearings and made a final decision on July 12, 2006 through City of La Grande Ordinance No. 3046, Series 2006, to include the subject 27.15 acres owned by Mike Becker within the La Grande Urban Growth Boundary and designate the property in a GC General Commercial Zone (18.84 acres) and R-2 Medium Density Residential Zone (8.31 acres);

WHEREAS, Union County received an application from the City of La Grande to include the subject 27.15 acres in the City of La Grande's Urban Growth Boundary and re-designate the land from the County's R-2 Rural Residential Zone to the City of La Grande's GC General Commercial Zone (18.84 acres) and R-2 Medium Density Residential Zone (8.31 acres);

WHEREAS, the Union County Planning Commission advertised and held a public hearing on September 25, 2006 to accept testimony and review the application and voted to recommend approval of the application to the Union County Board of Commissioners;

WHEREAS, the Union County Board of Commissioners advertised and held a public hearing on October 4, 2006 to review the Planning Commission's recommendation, accept public testimony, deliberate and potentially make a decision.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, COUNTY OF UNION, STATE OF OREGON:

#### SECTION 1: CITY OF LA GRANDE URBAN GROWTH BOUNDARY

The City of La Grande Urban Growth Boundary is expanded to include property described as Twp. 2S, Range 38 EWM, Section 33, part of Tax Lot 5200 and Twp. 3S, Range 38 EWM, Section 4AB, part of Tax Lot 100 and shown on the attached maps (Exhibit "A").

#### SECTION 2: LAND USE PLAN & ZONING DESIGNATIONS

The property described in Section 1 is removed from a Union County Rural Residential Plan and R-2 Rural Residential Zone and designated in a City of La Grande General Commercial Zone (18.84 acres) and R-2 Medium Density Residential Zone (8.31 acres).

SECTION 3: SUPPORTING FINDINGS

This Ordinance is passed and adopted with the supporting findings included in Exhibit "B".


SECTION 4: EMERGENCY

An emergency is hereby declared to make this ordinance immediately effective within the City of La Grande Urban Growth Area and thereby coordinating implementation of the La Grande Development Codes.

PASSED AND ADOPTED this 4<sup>th</sup> day of October, 2006, by a vote of the following members of the Union County Board of Commissioners voting therefore.

  
\_\_\_\_\_  
Steve McClure, Chairman

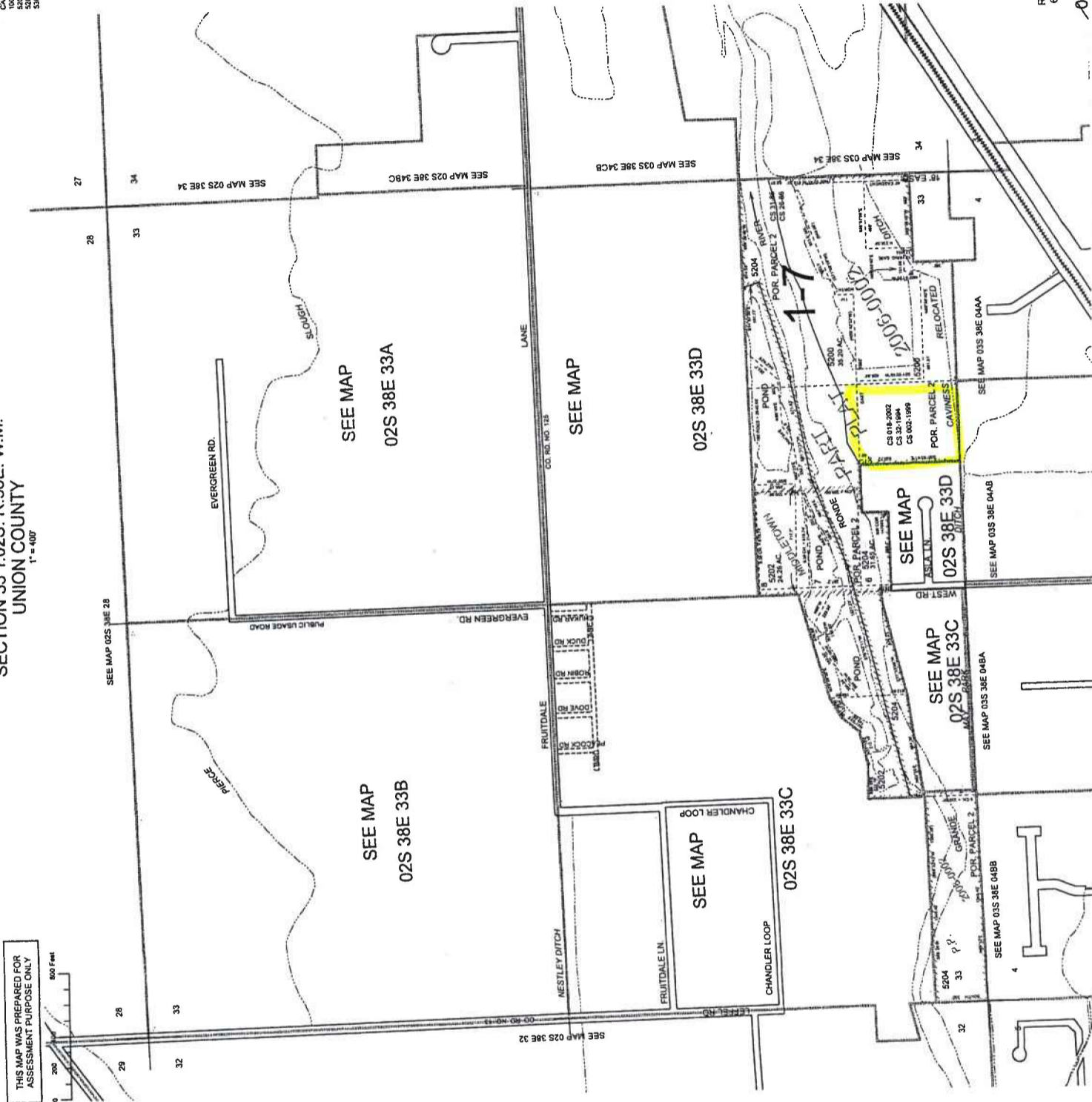
  
\_\_\_\_\_  
Colleen MacLeod, Commissioner

  
\_\_\_\_\_  
John Lamoreau, Commissioner

02S 38E 33  
 CANCELLED NO.  
 100 THRU 5102  
 5003  
 5300 THRU 5504

SECTION 33 T.02S. R.38E. W.M.  
 UNION COUNTY  
 1" = 400'

Exhibit "A"



Revised 9C  
 6/13/2006  
 02S 38E 33

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

NW1/4 NE1/4 SECTION 04 T.03S. R.38E. W.M.  
UNION COUNTY  
1" = 100'

03S 38E 04AB  
CANCELLED NO  
300



Revised: 00

Comprehensive Plan Designation Change and Zone Designation Change  
City Council Findings of Fact  
File Numbers 01-CPA-06 and 01-ZON-06  
Page (30)

**Aerial Photo with Site Boundaries**  
*Prepared By Planning Division Staff*

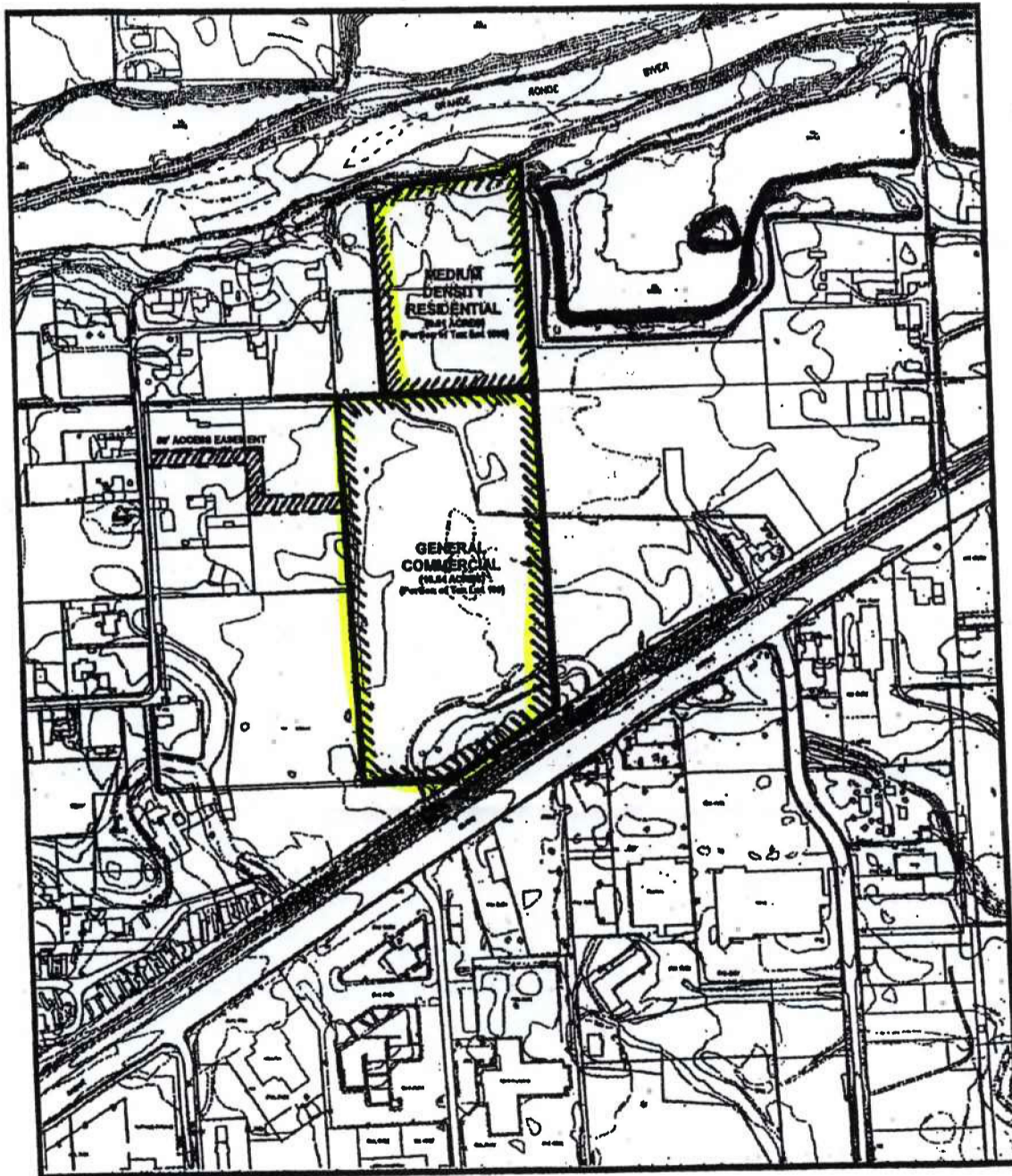




Exhibit "B"

Supporting Findings

1. Union County Zoning, Partition & Subdivision Ordinance (UCZPSO) Section 23.05(3) identifies criteria which must be satisfied in order to gain County Land Use Plan/Zone amendment approval.
2. Portions of the subject property were used in the past for aggregate extraction and hay production.
3. The subject property is accessed by Walton Road which has a 60 foot right-of-way width and asphalt surface.
4. The subject property is in the La Grande School District and La Grande Rural Fire Protection District.
5. The City of La Grande adopted Ordinance 3046, Series 2006 which expanded the City of La Grande's Urban Growth Boundary to include the subject property.
6. The applicants submitted Exhibit "C" information that addressed the Urban Growth Boundary expansion, the Statewide Planning Goals, the Comprehensive Plan requirements, traffic study, and proposed plan and zone designations.
7. Adjacent parcels to the west are in small lot residential use, to the north is the Grande Ronde River, to the south is Oregon Highway 82 right-of-way and Idaho Northern Railroad right-of-way, and to the east is Island City UGB with mixed commercial and industrial uses.
8. The applicants have satisfied UCZPSO Section 23.05 (3) as shown in the Application for Land Use Plan Map Amendment Justification - Section 23.05(3) provided by the applicant.