



# Oregon

John A. Kitzhaber, M.D., Governor

**Department of Land Conservation and Development**

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



## **NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION**

Date: April 27, 2015  
Jurisdiction: City of Cottage Grove  
Local file no.: ZC 1-15  
DLCD file no.: 001-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 04/22/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 37 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)

DLCD FORM 2



## NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.:

APR 22 2015

Received:

LAND CONSERVATION  
AND DEVELOPMENT

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Cottage Grove

Local file no.: **ZC 1-15**

Date of adoption: 04-13-15

Date sent: 4/17/2005

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 02-05-15

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Amanda Ferguson

Phone: 541-942-3340

E-mail: [planner@cottagegrove.org](mailto:planner@cottagegrove.org)

Street address: 400 Main Street

City: Cottage Grove

Zip: 97424-

### PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

#### **For a change to comprehensive plan text:**

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

#### **For a change to a comprehensive plan map:**

Identify the former and new map designations and the area affected:

Change from change.	to	acres.	A goal exception was required for this
Change from change.	to	acres.	A goal exception was required for this
Change from change.	to	acres.	A goal exception was required for this
Change from	to	acres.	A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): 20-03-29-42/500

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**If the comprehensive plan map change is an urban reserve** amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from R-1 Rural Residential	to R-2 Multiple Family	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

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List affected state or federal agencies, local governments and special districts: N/A

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

ORDINANCE NO. 3054

AN ORDINANCE AMENDING THE CITY WIDE ZONING MAP IN TITLE 14  
OF THE COTTAGE GROVE MUNICIPAL CODE,  
(Map 20-03-29-42 TL 00500)

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

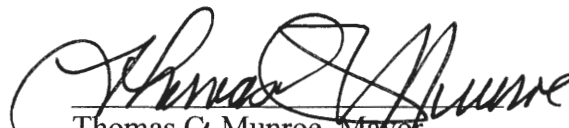
Section 1. Purpose. The purpose of this ordinance is to amend the adopted citywide “zoning map” in Title 14 of the Cottage Grove Municipal Code to rezone the property on the South side of Birch Avenue approximately 120 feet west of ‘Q’ Street identified as Map 20-03-29-42 TL 00500 shown on the map attached to and forming a part of this Ordinance as Exhibit “A”.

Section 2. Procedural Compliance. This amendment is in compliance with Title, 14, Chapter 4.7 of the Municipal Code of the City of Cottage Grove and is based upon the City Council determination, after a Planning Commission public hearing and recommendation, that the zone change (ZC 1-15) is a proper implementation of the City Comprehensive Land Use Plan and, therefore, is in the public interest and serves the health, safety and welfare of the citizens of the City of Cottage Grove.


Section 3. Findings. The City Council determined that the Zone Change properly implements the Comprehensive Land Use Plan and the Statewide Goals; is in the public interest; and serves the health, safety and welfare of the citizens of the City of Cottage Grove. As support for this ordinance, the City Council adopts the findings set forth in Exhibit “B” attached hereto and forming a part of this ordinance.

Section 3. Amendment. The citywide “zoning map” in Title 14 is hereby amended by zoning the property described as Map 20-03-29-42 TL 00500 and illustrated in Exhibit “A” attached and forming a part of this ordinance R-2 Medium Density Multiple Family Residential District.

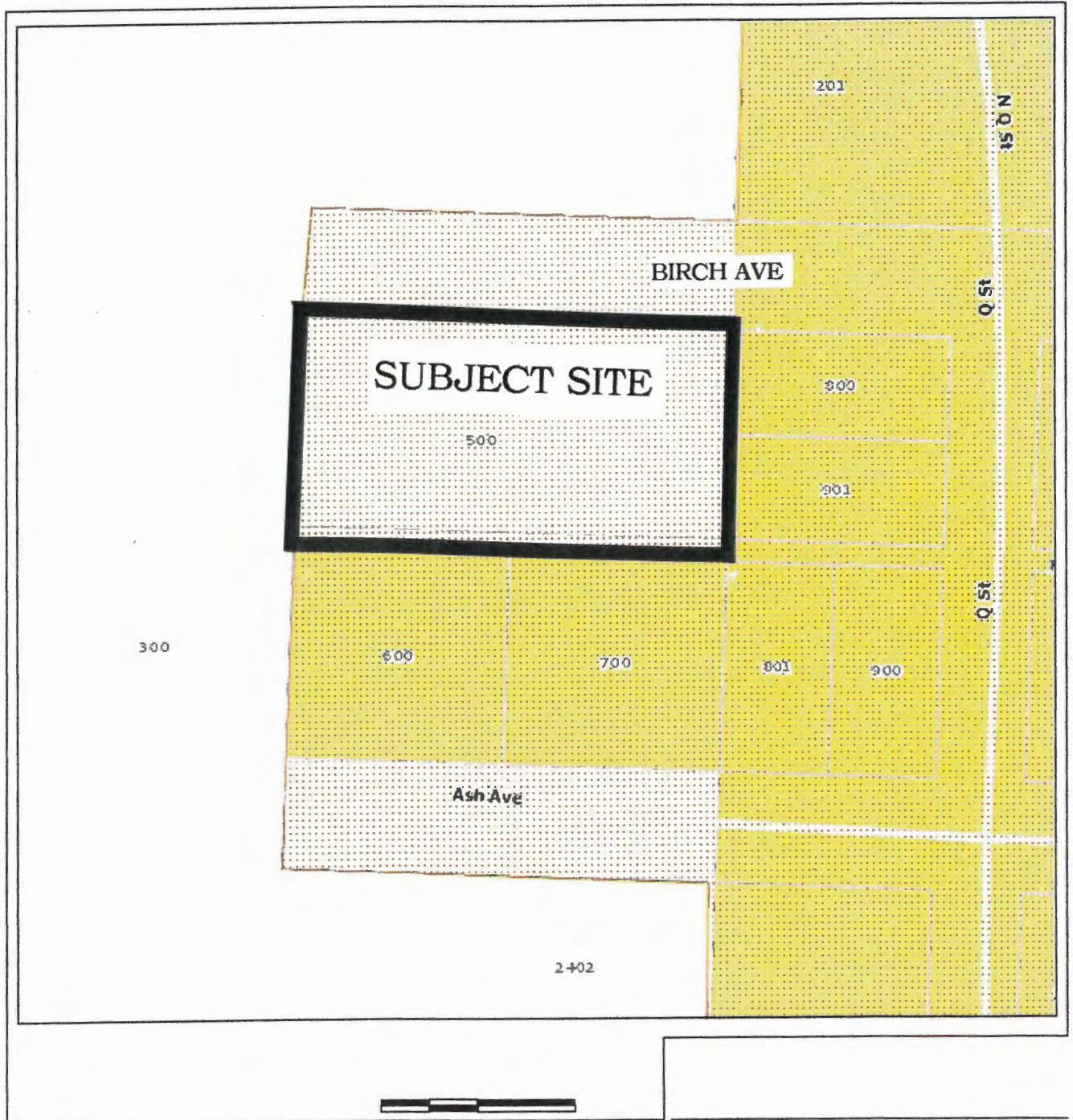
PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 13th DAY  
OF April, 2015.

  
Thomas C. Munroe, Mayor  
Dated: April 13, 2015

ATTEST:

  
Richard Meyers, City Manager  
Dated: April 13, 2015

**EXHIBIT A**  
**Map 20-03-29-42 TL 00500**  
**R-2 Medium Family Multiple Family Residential District**



**EXHIBIT B**  
**FINDINGS**  
ORDINANCE NO. 3054

1. City of Cottage Grove has made an application to rezone 0.63 acres of land described as Map 20-03-29-42 TL 00500 and comprising one vacant lot owned by Kenneth & Jean Harris from Lane County R-1 Rural Residential to City of Cottage Grove R-2 Medium Density Multiple Family Residential District.
2. The land is within the Urban Growth Boundary of Cottage Grove, and was annexed in 2005. It is designated as M Medium Density Residential on the Cottage Grove Comprehensive Plan map. The Comprehensive Plan Land Use Diagram identifies R-2 Medium Density Multiple Family Residential as the implementing zone for this comprehensive plan map designation. Hence the appropriate zoning district for this property is R-2 under its current Comprehensive Plan map designation.
3. The City of Cottage Grove Comprehensive Plan, under “The Plan in General,” states that it contains broad generalized patterns of land use for those areas in which a given land use is best suited, where a land use is compatible to surrounding land uses and where the need for a given land use exists. The R-2 Medium Density Multiple Family Residential District zone is compatible to surrounding land uses to the subject property. Surrounding properties within the Cottage Grove Urban Growth Boundary and/or City limits are zoned either R-2 Medium Density Multiple Family Residential or R-1 Single Family Residential Districts.
4. Adequate public facilities, including water, sewer, streets, etc. are available to the site.
5. The following Statewide Planning Goals are not applicable to the proposed rezoning: Goal 3 – Agricultural Lands; Goal 4 – Forest Lands; Goal 8 – Recreational Needs; Goal 9 – Economic Development; Goal 15 – Willamette River Greenway; Goal 17 – Coastal Shorelands; Goal 18 – Beaches & Dunes; and Goal 19 – Ocean Resources.
6. The following Statewide Planning Goals are applicable and the amendment complies with them as noted below:
  - a. Goal 1 – Citizen Involvement. This request is consistent with Goal 1. Adequate public notice of the proposed changes has been provided through the Type IV public notice process as specified in Section 14.4.1.500 of the Development Code. The Department of Land Conservation and Development was notified of the intended modification on February 5, 2015, and did not express any concerns in writing about the changes. A Public hearing has been held at the Planning Commission and City Council levels to consider this land use change. Our process involves various forms of notification of the public in the immediate area, notification in local media, and notification of impacted governmental agencies and recognized neighborhood groups.
  - b. Goal 2 – Land Use Planning. The City has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The proposed change followed the process established in Title 14 of the City of Cottage Grove Municipal Code and has been found compatible with the City’s Comprehensive Plan.
  - c. Goal 5 – Open Spaces, Scenic & Historic Areas and Natural Resources. The subject property contains no known wetland and riparian resources, nor historic structures.
  - d. Goal 6 – Air, Water & Land Resources Quality. Development of this property will comply with city, state and federal standards to protect air and water quality. No identified natural resources are being degraded by this rezoning, as the lot was originally developed for single family residential use.

- e. Goal 7 – Areas Subject to Natural Disasters and Hazards. The subject property is not subject to flooding and contains no known wetlands. Steps will be taken to protect life and property from natural disasters and hazards during any future development.
  - f. Goal 10 – Housing. This rezoning applies a City of Cottage Grove zoning to a property annexed into the City of Cottage Grove in 2005. The Medium Density Multiple Family Residential zoning will allow single-family development as originally allowed under the County zoning at an urban density. The lot could be subdivided to provide multiple house sites in the future.
  - g. Goal 11 – Public Facilities and Services. Adequate public services (water, sewer, & storm) are available and can be provided. Streets will be provided to an adequate level for access including emergency vehicles, and remonstrance agreements will be used until full improvements are provided. Semi public facilities such as cable, phone, and power are adequate and available for uses allowed by this zoning district.
  - h. Goal 13 – Energy Conservation. The parcel can be served by City streets and services. Preservation of existing development patterns maximizes energy conservation.
  - i. Goal 14 – Urbanization. The lot is already in Cottage Grove’s urban growth boundary. No changes will be made to the city’s boundary.
7. The proposed change is in the public’s interest; is in keeping with the development pattern in this area of the city; is in keeping with the intent of the City Comprehensive Plan; and serves the public’s health, safety and welfare.

DEPT OF

APR 29 2015

LAND CONSERVATION  
AND DEVELOPMENT



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04/17/2015  
Mailed From 97424  
US POSTAGE



400 E. Main St.  
Cottage Grove, OR 97424-2033

TO:



Attn: Plan Amendment Specialist  
DLC D  
635 Capitol Street NE, Suite 150  
Salem, OR 97301-2540