



Oregon
Theodore R. Kubiegoski, 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



NOTICE OF ADOPTED AMENDMENT

08/09/2012

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Canby Plan Amendment
DLCD File Number 001-12

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: Friday, August 24, 2012

This amendment was submitted to DLCD for review 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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Bryan Brown, City of Canby
Gordon Howard, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative
Thomas Hogue, DLCD Economic Development Policy Analyst
Katherine Daniels, DLCD Farm/Forest Specialist
Angela Lazarean, DLCD Regional Representative

<paa> YA



FORM **2**

DLCD

Notice of Adoption

In person electronic mailed

DATE
STAMP

DEPT OF

AUG 06 2012

LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **CITY OF CANBY**

Local file number: **CPA 12-01**

Date of Adoption: **8/01/2012**

Date Mailed: **8/02/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 5/18/2012

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Comprehensive Plan Map Amendment to change the land use plan map from RC/Residential Commercial to HDR/High Density Residential to accommodate the desired residential density for a planned senior housing development in conjunction with an annexation request which assigns an appropriate zone in conformance with the Comprehensive Plan (R-2 High Density Residential).

Does the Adoption differ from proposal? Please select one

No - Amendment subject to approval of annexation by vote of citizens of Canby.

Plan Map Changed from: **RC**

to: **HDR**

Zone Map Changed from: **EFU**

to: **R-2**

Location: **W side of 1600 Block of S. Ivy Street**

Acres Involved: **0.79**

Specify Density: Previous: **Exclusive Farm Use**

New: **14 + units/acres**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 001-12 (19351) [17120]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Clackamas County, Canby Telcom, Wave Broadband, Canby Utility, NW Natural Gas, Canby School District, Canby Fire District, ODOT

Local Contact: **Bryan Brown**

Phone: (503) 266-7001 Extension: 202

Address: **111 NW 2nd Avenue**

Fax Number: 503-226-1574

City: **Canby**

Zip: **97013-**

E-mail Address: **brownb@ci.canby.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

ORDINANCE NO. 1362

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN LAND USE MAP FROM RESIDENTIAL-COMMERCIAL TO HIGH DENSITY RESIDENTIAL FOR TAX LOT 1100 AND 1101 OF TAX MAP 4S-1E-4D LOCATED ADJACENT TO AND ON THE WEST SIDE OF THE 1600 BLOCK OF S IVY STREET.

WHEREAS, an application was filed with the City by Hope Village, Inc. the owner of Tax Lot 1100 and 1101 of Tax Map 4S-1E-4D to amend the Comprehensive Plan Land Use Map from Residential-Commercial (RC) to High Density Residential (HDR); and,

WHEREAS, concurrent applications to annex and amend the zoning map of the City of Canby, Clackamas County, Oregon accompanied this request; and,

WHEREAS, a public hearing was conducted by the Canby Planning Commission on July 9, 2012 and Canby City Council on July 18, 2012, after public notices were mailed, posted and printed in the Canby *Herald*, as required by law; and,

WHEREAS, the Canby City Council considered the matter and recommendation of the Planning Commission and reviewed the record of the Planning Commission hearing and concluded that the findings of fact and the amendment itself are appropriate; and,

WHEREAS, the Canby City Council, after concluding its review and discussion on this matter and by motion duly made and seconded, voted to approve the Comprehensive Plan Land Use Map Amendment contingent upon approval of the concurrent annexation and zone map amendment by a subsequent required vote of the people; now therefore,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. The comprehensive plan designations for tax lots 1100 and 1101 of Tax Map 4S-1E-4D are changed from Residential-Commercial (RC) to High Density Residential (HDR) subject to the concurrent annexation and zone map amendment approval by a vote of the citizens of Canby.

Section 2. The Mayor, attested by the City Recorder, is hereby authorized and directed to make the appropriate change on the City's Comprehensive Plan Land Use Map in accordance with the dictates of Section 1 above.

SUBMITTED to the Canby City Council and read the first time at a regular meeting

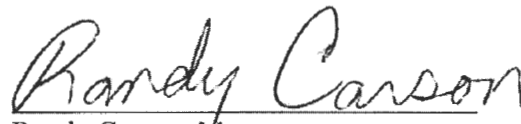
thereof on Wednesday, July 18, 2012 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, August 1, 2012, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers located at 155 NW 2nd Avenue Canby, Oregon.


Kimberly Scheafer, MMC
City Recorder

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 1st day of August, 2012, by the following vote:

YEAS 6

NAYS 0


Randy Carson, Mayor

ATTEST:

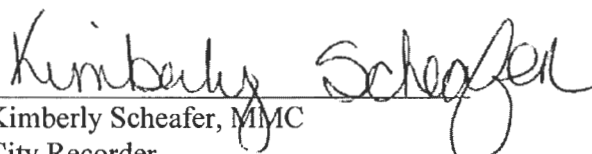

Kimberly Scheafer, MMC
City Recorder

EXHIBIT A

HOPE VILLAGE LOCATER MAP



CITY FILE #: Hope Village ANN 12-01; CPA 12-01; ZC 12-01

PROPERTY SIZE: The site is approximately 0.79 acres

TAX LOT: Map 4S-1E-4D Lot #'s 1100 & 1101

OWNER/APPLICANT: Hope Village, Inc.; Robert Price, Representative



Post Office Box 930
Canby, Oregon 97013

DEPT OF

AUG 07 2012

LAND CONSERVATION
AND DEVELOPMENT



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AUG 03 2012

MAILED FROM ZIP CODE 97013

Attn: Plan Amendment Specialist
Dept. of Land Conservation & Development
635 Capitol St. NE, Ste 150
Salem, OR 97301-2540

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