



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



NOTICE OF ADOPTED AMENDMENT

11/05/2012

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Culver 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: Monday, November 19, 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: Donna MacCormack, City of Culver  
Gordon Howard, DLCD Urban Planning Specialist  
Karen Swirsky, DLCD Regional Representative

<paa> YA



**FORM 2**

**DLCD**

# Notice of Adoption

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

In person  electronic  mailed

**DATE STAMP**

**DEPT OF**

**OCT 30 2012**

**LAND CONSERVATION AND DEVELOPMENT**

Jurisdiction: **City of Culver**

Local file number: **001-12**

Date of Adoption: **10/15/2012**

Date Mailed: **10/29/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 9/6/2012

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".

City approved an application for a quasi-judicial amendment request to designate a number of small tax lots from C-1 and R-2 to Industrial M-1, to reflect the true existing use on the property.

In a second hearing, in a legislative process, the City will make a minor housekeeping amendment to the text of the Zoning Ordinance to recognize the City's wastewater treatment plant as an outright permitted use in the Industrial Zone.

Does the Adoption differ from proposal? Please select one  
NO

Plan Map Changed from: **C-1 & R-2**

to: **M-1**

Zone Map Changed from: **C-1 & R-2**

to: **M-1**

Location: **505 "C" Street**

Acres Involved:

Specify Density: Previous: **1/5000sq ft**

New: **N/A**

Applicable statewide planning goals:

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

001-12 (19489) [17229]

**DLCD file No.** \_\_\_\_\_

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

Local Contact: **Donna McCormack**

Phone: (541) 546-6494 Extension:

Address: **200 First Avenue**

Fax Number: - -

City: **Culver**

Zip: **97734-**

E-mail Address:

## 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.

## City of Culver

Ordinance # 2012-02

### AN ORDINANCE AMENDING THE CITY'S COMPREHENSIVE PLAN/ZONING MAP TO CHANGE THE PLANNING/ZONING DESIGNATION OF CERTAIN PROPERTIES IN THE CITY AND DECLARING AN EMERGENCY

#### Findings of Fact

1. The applicants, Round Butte Seed Growers, a long time agricultural processing operation in the City, has requested a Comprehensive Plan/Zoning Map amendment for certain properties that it currently operates on in the City.
2. The properties are describes as Tax Lots 700, 800, 5500, 5501, 5503, 5600, and 5700 on Jefferson County Assessor's Map 12S-13E-18DA. The properties are currently Planned and Zoned Commercial (C-1) and Residential (R-2).
3. The application was accepted by the City Recorder, and notice was submitted to the Department of Land Conservation and Development as required by statute, and notices were published in the newspaper advertising the Planning Commission hearing for October 11, 2012. The Planning Commission met on that date, there being a quorum present, and conducted a public hearing. The Staff report was noted and entered into the record of the hearing. At the close of the public hearing the Planning Commission moved unanimously to recommend that proposed amendment to the City Council.
4. The City Recorder caused notices to be published in the local newspaper advertising the City Council hearing for October 15, 2012. The City Council conducted a public hearing on that date, there being a quorum present. At the close of the public hearing the City Council moved unanimously to approve the proposed Comprehensive Plan/Zoning Map amendment incorporating the Planning Commission decision and Staff Report into the record.

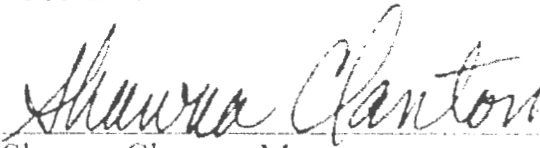
Now therefore the Common Council of the City of Culver does hereby ordain:

1. The City's Comprehensive Plan/Zoning Map is hereby amended to change those properties listed above from Commercial C-1 and Residential R-2 to Industrial M-1 to accommodate the existing development on those properties.

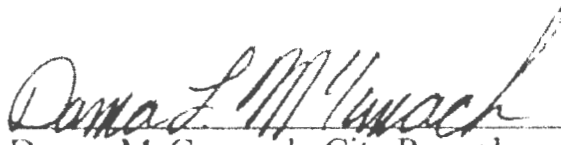
Emergency Clause: In as much as the health, safety and general welfare of the citizens of Culver is at stake, an emergency is deemed to exist and this Ordinance shall become effective and in full force and effect upon its passage by the Culver City Council.

**APPROVED** by the Common Council this 15<sup>th</sup> day of October, 2012.

SIGNED:

  
Shawna Clanton, Mayor

ATTEST:

  
Donna McCormack, City Recorder

City of Culver

Ordinance # 2012-03

AN ORDINANCE AMENDING THE CITY'S  
ZONING ORDINANCE TO CHANGE CERTAIN  
REQUIREMENTS IN THE CITY'S INDUSTRIAL ZONE  
AND DECLARING AN EMERGENCY

**Findings of Fact**

1. The City determined during a recent upgrade of the City's wastewater treatment system, that a minor amendment to the City's zoning ordinance was necessary to ease the processing of improvements to the City's wastewater treatment site. Therefore notices were provided to the Department of Land Conservation and Development, notices were published in the local newspaper, advertising the hearing for October 11, 2012.
2. The Planning Commission conducted a public hearing on October 11, 2012. There being a quorum present. At the close of the public hearing, Planning Commission moved unanimously to recommend the approval of the proposed amendment to the City Council. The text of the proposed amendment is contained in the Staff Report which has been entered into the record.
3. The City Council hearing was advertised for October 15, 2012. The City Council conducted a public hearing on that date, there being a quorum present. At the close of the public hearing the City Council moved unanimously to approve the proposed amendment.

Now therefore the Common Council of the City of Culver hereby ordains:

The City Zoning Ordinance at Section 3.5 is hereby amended to provide a new heading:

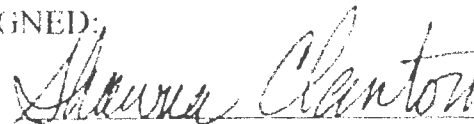
**OUTRIGHT PERMITTED USES**

- A. Improvements, maintenance and repairs to the City's Wastewater Treatment Plant

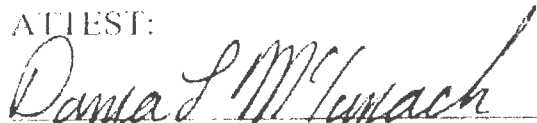
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**APPROVED** by the Common Council this 15<sup>th</sup> day of October, 2012.

SIGNED:

  
Shawna Clanton, Mayor

ATTEST:

  
Donna McCormack, City Recorder



**TENNESON**  
**ENGINEERING CORPORATION**  
 CONSULTING ENGINEERS • SURVEYORS • PLANNERS

DEPT OF

OCT 30 2012

3313 WEST SECOND STREET, SUITE 100  
 THE DALLES, OR 97058

LAND CONSERVATION  
 AND DEVELOPMENT

PHONE (541) 296-9177  
 FAX (541) 296-6657

**LETTER OF TRANSMITTAL**

**TO:** Department of Land Conservation and Development  
 635 Capitol Street Northeast, Suite 150  
 Salem, Oregon 97301-2540

Date	10/29/12	Work Order #	11400
Attention	<b>Plan Amendment Specialist</b>		
RE:			

ENCLOSED ARE THE FOLLOWING:

QUANTITY	DESCRIPTION
1 set	DLCD NOTICE OF ADOPTION FORM W/ ATTACHMENTS

THESE ARE TRANSMITTED (as checked below)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> For approval            | <input type="checkbox"/> As requested      | <input type="checkbox"/> Filing/Recording          |
| <input checked="" type="checkbox"/> For your use | <input type="checkbox"/> Approved as noted | <input type="checkbox"/> For your review & comment |

**CHARGES**

<b>Remarks:</b>	SF Blueline	
	SF Mylar	
	Xerox	
	Tube, Mailer, Etc.	
	P & H	
	<b>TOTAL</b>	

PICKED UP BY:  
 DELIVERED BY:  
 COPY TO: City of Culver w/ enclosures

BY: Dan Meader, City Planner

If enclosures are not as noted, please notify us at once.



TENNESON

ENGINEERING CORPORATION

3313 WEST SECOND STREET, SUITE 100  
THE DALLES, OR 97058

PORTLAND  
OR 970

29 OCT 2012  
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Mailed From 97058  
U.S. POSTAGE

DEPT OF

OCT 30 2012

LAND CONSERVATION  
AND DEVELOPMENT

ATTN PLAN AMENDMENT SPECIALIST  
DEPT OF LAND CONSERVATION  
& DEVELOPMENT  
635 CAPITOL ST NE STE 150  
SALEM OR 97301-2540

97301254099

