



# 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](http://www.lcd.state.or.us)



## NOTICE OF ADOPTED AMENDMENT

08/13/2013

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Lake Oswego Plan Amendment  
DLCD File Number 003-09

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: Tuesday, August 27, 2013

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: Dennis Egner, City of Lake Oswego  
Gordon Howard, DLCD Urban Planning Specialist  
Jennifer Donnelly, DLCD Regional Representative

<paa> YA



FORM

2

DLCD

# Notice of Adoption

This Form 2 must be mailed to DLCD within **20-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

DATE STAMP	<input type="checkbox"/> In person <input type="checkbox"/> electronic <input type="checkbox"/> mailed
	DEPT OF
	AUG 07 2013
	LAND CONSERVATION AND DEVELOPMENT
For Office Use Only	

Jurisdiction: **City of Lake Oswego**Local file number: **LU 09-0010**Date of Adoption: **7/16/2009**Date Mailed: **8/6/2013**Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 6/26/2008☒ 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".

Amendment to the adopted Palisades Neighborhood Plan, a special district plan of the Lake Oswego Comprehensive Plan, to add a descriptive character map. This map was included in the land use notice sent to DLCD on 6/26/08 for LU 08-0045. It was accidentally omitted from the City Council adopted plan; the adoption of Ordinance 2540 rectifies that omission.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **N/A**to: **N/A**Zone Map Changed from: **N/A**to: **N/A**Location: **Palisades Neighborhood**Acres Involved: **0**Specify Density: Previous: **N/A**New: **N/A**

Applicable statewide planning goals:

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

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

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

Metropolitan Services District (Metro)

---

Local Contact: <b>Barb Dillinger, Administrative Asst</b>	Phone: (503) 635-0296	Extension:
Address: <b>PO Box 369</b>	Fax Number: <b>503-635-269</b>	
City: <b>Lake Oswego</b>	Zip: <b>97034-</b>	E-mail Address: <b>bdillinger@ci.oswego.or.us</b>

---

## **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 20 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.

Thirty Days: July 16, 2009

**ORDINANCE NO 2540**

**AN ORDINANCE OF THE CITY OF LAKE OSWEGO AMENDING THE SPECIAL DISTRICT CHAPTER OF THE CITY OF LAKE OSWEGO COMPREHENSIVE PLAN TO ADD A MAP TO THE PALISADES NEIGHBORHOOD PLAN (LU 09-0010-1705).**

WHEREAS, a notice of the public hearing for consideration of this Ordinance was duly given in the manner required by law; and,

WHEREAS, on November 18, 2008, the City Council enacted Ordinance 2520, amending the Special District Plans Goals and Policies Chapter of the Comprehensive Plan to include the Palisades Neighborhood Plan;

WHEREAS, the Palisades Neighborhood Character Map that was a part of the version of the Palisades Neighborhood Plan that was recommended by the Planning Commission was inadvertently omitted from the version of the Plan that was presented to City Council for adoption; and

WHEREAS, on June 2, 2009, the City Council held a public hearing and considered the version of the Palisades Neighborhood Map that was originally recommended by the Planning Commission, together with proposed amendments to that map that were recommended by staff;

The City of Lake Oswego ordains as follows:

**Section 1.** The City Council hereby adopts the Findings and Conclusions (LU 09-0010-1705) attached as Exhibit 1.

**Section 2.** The Special District Plans chapter of the Lake Oswego Comprehensive Plan is hereby amended to include the Palisades Neighborhood Character Map as shown in attached Exhibit 2.

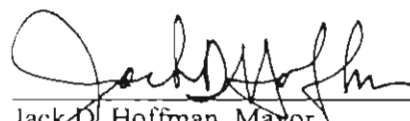
Enacted at the meeting of the City Council of the City of Lake Oswego held on 16 day of June, 2009.

AYES: Mayor Hoffman, Hennagin, Johnson, Jordan, Moncrieff, Olson, Tierney

NOES: None

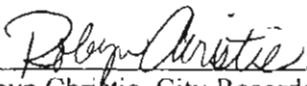
ABSTAIN: None

EXCUSED: None

  
\_\_\_\_\_  
Jack D. Hoffman, Mayor  
Dated: 6.23.09

---

ATTEST:

  
Robyn Christie, City Recorder

APPROVED AS TO FORM:

  
David Powell, City Attorney

BEFORE THE CITY COUNCIL  
OF THE CITY OF LAKE OSWEGO

A REQUEST FOR AN AMENDMENT ) LU 09-0010-1705  
TO THE SPECIAL DISTRICT PLANS ) (City of Lake Oswego)  
CHAPTER OF THE COMPREHENSIVE )  
PLAN TO ADD A NEIGHBORHOOD ) FINDINGS AND CONCLUSIONS  
CHARACTER MAP TO THE PALISADES )  
NEIGHBORHOOD PLAN )  
(ORDINANCE NO. 2540) )

**NATURE OF APPLICATION**

This is a proposal for a legislative amendment to the Lake Oswego Comprehensive Plan to amend the Special District Plans Goals and Policies Chapter to add a descriptive Character Map to the Palisades Neighborhood Plan that was inadvertently omitted from the version of the Plan that was adopted by the City Council on November 18, 2008 (Ordinance No. 2520).

**PROCEEDINGS**

The City Council held a public hearing and considered this proposal at its meeting on June 2, 2009.

**CRITERIA AND STANDARDS**

- A. City of Lake Oswego Comprehensive Plan  
Goal 2: Land Use Planning  
Goal 5: Open Spaces, Scenic and Historic Resources and Natural Resources  
Goal 6: Air, Water and Land Resources  
Goal 8: Parks and Recreation  
Goal 12: Transportation
- B. Metro Urban Growth Management Functional Plan  
Title 1: Accommodation of Growth  
Title 3: Water Quality, Flood Management and Fish and Wildlife Conservation  
Title 6: Regional Accessibility  
Title 7: Affordable Housing  
Title 12 Protection of Residential Neighborhoods  
Title 13 Nature in Neighborhoods

Page

I - FINDINGS AND CONCLUSIONS (LU 09-0010-1705)

C. Transportation Planning Rule (Chapter 660, Division 12) Oregon Statewide Planning Goals

Goal 1: Citizen Involvement

Goal 2: Land Use Planning

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

Goal 6: Air, Water and Land Resources Quality

Goal 8: Recreational Needs

Goal 10: Housing

Goal 12: Transportation

Goal 13: Energy Conservation

D. Lake Oswego Development Code Procedural Requirements

LOC 50.01.010 Purpose

LOC 50.75 Legislative Decisions

LOC 50.75.005 Legislative Decisions Defined

LOC 50.75.1505 Criteria for a Legislative Decision

LOC 50.75.015 Required Notice to DLCD

LOC 50.75.020 Planning Commission Recommendation Required

LOC 50.75.025 City Council Review and Decision

LOC 50.75.030 Effective Date of Legislative Decision

**FINDINGS AND REASONS**

The City Council incorporates the staff report, dated August 26, 2008, for LU 08-0045 (with all exhibits attached thereto), together with the Council Staff Reports dated October 6, 2008 and May 26, 2009, as support for its decision, supplemented by the further findings and conclusions set forth herein. In the event of any inconsistency between the supplementary matter herein and incorporated reports, the matter herein controls. To the extent they are consistent with the approval granted herein, the City Council adopts by reference its oral deliberations on this matter.

Following are the supplementary findings and conclusions of the City Council:

On November 18, 2008, the City Council adopted Ordinance 2520 (LU 08-0045) amending the Special District Plans Goals and Policies Chapter of the Lake Oswego

1 Comprehensive Plan to include the Palisades Neighborhood Plan. The Palisades Neighborhood  
2 Character Map was inadvertently omitted from the version of the Plan that was presented to  
3 Council for adoption.

4 The Neighborhood Character Map illustrates the various eras of neighborhood  
5 development types as well as open space and key landmarks. The Map accompanies the  
6 Neighborhood Character Assessment, an appendix to the Palisades Neighborhood Plan that  
7 describes characteristics of the development types that exist in the neighborhood corresponding  
8 primary with the era of each type. The map demonstrates the location of these development  
9 types and other features, and is referenced in the introduction to the Character Assessment. In  
10 addition, Land Use Action Step 3 of the Plan directs the City to refer to the Character  
11 Assessment when reviewing land use applications through the Residential Infill Design process,  
12 conditional use review or the major development process.  
13  
14

15 Staff has recommended the following adjustments to the version of the Palisades  
16 Neighborhood Character Map that was approved by the Planning Commission:

- 17     ▪ Replace 2006 tax lot data with 2009 tax lot data.
  - 18         ○ This results in additional lots and dedicated open space tracts being marked on
  - 19         the map to reflect current conditions.
- 20     ▪ More accurately label school properties.
  - 21         ○ On the Planning Commission version of the map, Lakeridge High School and
  - 22         Palisades Elementary School parcels were split in half, with one half labeled
  - 23         according the era of development, and the other half labeled as Private Open
  - 24         Space to describe school play fields.
  - 25         ○ The building footprint for each school should be marked with the era of
  - 26         development, and the rest should be marked as Park and Open Space.
- Correct City limits and urban growth boundary lines.
  - The previous version of the map had places where the boundary lines
  - disappeared.

- Group privately owned, undeveloped lots together with the era of development of adjacent lots.
  - According to the City's draft buildable lands inventory, there are numerous privately-owned, undeveloped parcels scattered throughout the neighborhood.
  - These parcels are often seen as an extension of an adjacent property's yard, and do not change the character of the area enough to require a different "development era" designation from the surrounding area. The purpose of the map is to describe the general character of the neighborhood.
- Change the Palisades Reservoir classification.
  - The City-owned reservoir had been incorrectly marked as Private Open Space. This parcel should be designated as Park and Open Space.
- Legend corrections.
  - "Residential Development Typologies" should be changed to "Development Typologies" since non-residential buildings are included.
  - "1990's to 2007" category should be changed to "1990's to present," since it includes lots developed in 2008.
- Add the words "Natural Area" to the legend reference for Parks and Open Space.
- Show the Palisades Swimming Pool as Private Open Space.

The City Council finds that the proposed Palisades Neighborhood Character Map, with the adjustments recommended by staff, should be incorporated into the Palisades Neighborhood Plan.

## **CONCLUSION**

The City Council concludes that LU 09-0010-1705, as modified to be consistent with these findings, complies with the Community Development Code, the City's Comprehensive Plan, the Statewide Planning Goals and all other applicable criteria.

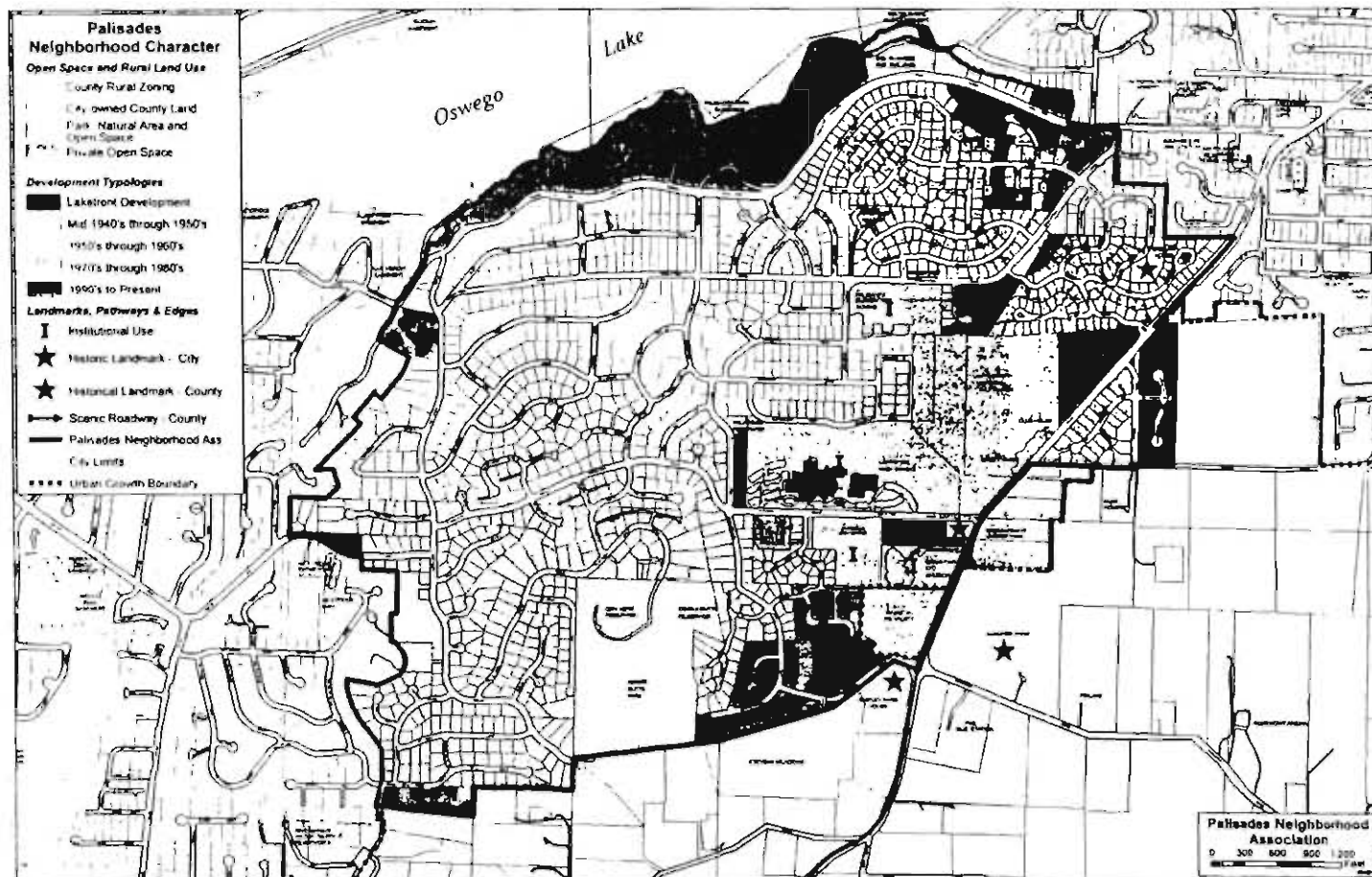


EXHIBIT  
2  
ORD. 2540

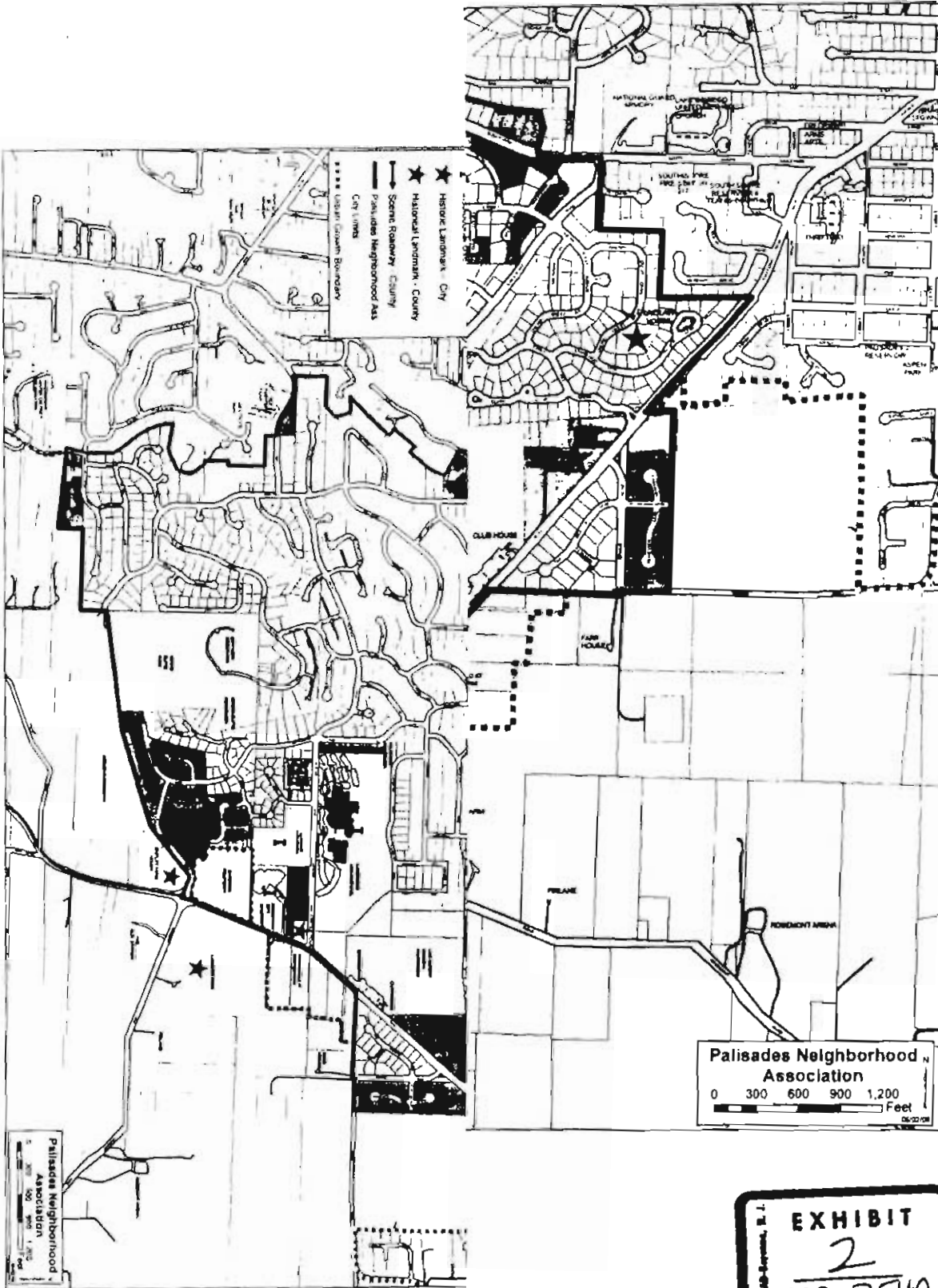


EXHIBIT  
2  
ORD. 2540

EXHIBIT  
2  
ORD. 2540



034

neopost

08/06/2013

US POSTAGE

FIRST-CLASS MAIL

\$01.32



ZIP 97034  
041L1120917

DEPT OF

AUG 07 2013

LAND CONSERVATION  
AND DEVELOPMENT

Attn: Plan Amendment Specialist  
Dept Of Land Conservation & Development  
635 Capitol Street NE, Suite 150  
Salem, OR 97301-2540