



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

06/10/2013

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 005-13

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, June 21, 2013

This amendment was submitted to DLCD for review prior to adoption with less than the required 35-day notice. 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: Leslie Hamilton, City of Lake Oswego
Gordon Howard, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative

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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

☐ In person ☐ electronic ☐ mailed

DATE
STAMP

DEPT OF
JUN 03 2013
LAND CONSERVATION
AND DEVELOPMENT
For Office Use Only

Jurisdiction: **City of Lake Oswego**

Local file number: **LU 12-0057**

Date of Adoption: **5/7/2013**

Date Mailed: **5/31/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☐ Yes ☒ No Date:

☐ 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".

A request for quasi-judicial amendments to the Comprehensive Plan Map and Zoning Map from Public (P) and Public Function (PF), respectively, to R-10 Low Density Residential for one property located at 1915 South Shore Boulevard, Lake Oswego.

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

Plan Map Changed from: **Public (P)**

to: **R-10 Residential**

Zone Map Changed from: **Public Function (PF)**

to: **R-10 Residential**

Location: **1915 South Shore Boulevard, Lake Oswego**

Acres Involved: **5**

Specify Density: Previous: **NA**

New: **4 lots/acre**

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19
☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

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:

City of Lake Oswego

State of Oregon - Military Department

Local Contact: **Leslie Hamilton**

Phone: (503) 675-3731 Extension:

Address: **PO Box 369**

Fax Number: **503-635-0269**

City: **City of Lake Oswego**

Zip: **97034-**

E-mail Address: **lhamilton@ci.oswego.or.us**

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.

ORDINANCE NO. 2620

AN ORDINANCE OF THE CITY OF LAKE OSWEGO CITY COUNCIL AMENDING THE COMPREHENSIVE PLAN MAP AND ZONING MAP TO CHANGE THE DESIGNATIONS FROM PUBLIC (P) AND PUBLIC FUNCTIONS (PF), RESPECTIVELY, TO LOW DENSITY RESIDENTIAL (R-10) FOR REAL PROPERTY LOCATED AT 1915 SOUTH SHORE BOULEVARD (Tax Lot 00100 of Tax Map 21E09 DD) [LU 12-0057].

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

WHEREAS, public hearings were held before the Planning Commission on March 25, 2013, and the Lake Oswego City Council on April 16, 2013, to review the proposed Comprehensive Plan Map and Zoning Map amendments;

The City of Lake Oswego ordains as follows:

Section 1. The City Council hereby adopts the Findings and Conclusions (LU12-0057) in Attachment A.

Section 2. The Comprehensive Plan Map and Zoning Map are hereby amended to change the designation for the property located at 1915 South Shore Boulevard (Tax Lot 00100, Map 21E09 DD) from Public (P) and Public Functions (PF), respectively, to Low Density Residential (R-10), as shown in Attachment B.

Section 3. Effective Date of this Ordinance: Pursuant to the Lake Oswego City Charter, Section 34, this ordinance shall be effective on the 30th day after its enactment.

Read by title only and enacted at the regular meeting of the City Council of the City of Lake Oswego held on the 7th day of May, 2013.

AYES: Mayor Studebaker, Bowerman, Gudman, Gustafson, Jordan, Kehoe, O'Neill

NOES: None

ABSTAIN: None

EXCUSED: None



Kent Studebaker, Mayor

5/7/2013

Dated: _____

ATTEST:



Catherine Schneider,
City Recorder

APPROVED AS TO FORM:



David Powell, City Attorney

**BEFORE THE CITY COUNCIL
OF THE CITY OF LAKE OSWEGO**

APPROVAL OF COMPREHENSIVE PLAN MAP)
AND ZONING MAP AMENDMENTS FROM) LU 12-0057-1811
PUBLIC (P) AND PUBLIC FUNCTIONS (PF),) (CITY OF LAKE OSWEGO)
RESPECTIVELY, TO R-10 (LOW DENSITY)
RESIDENTIAL) [1915 South Shore Boulevard])
) FINDINGS & CONCLUSIONS
)
[ORDINANCE No. 2620])

NATURE OF PROCEEDING

This matter came before the City Council pursuant to a recommendation by the Lake Oswego Planning Commission to approve amendments of the Comprehensive Plan Map and Zoning Map designations from Public (P) and Public Functions (PF), respectively, to R-10 (Low Density Residential). The site is located at 1915 South Shore Boulevard (Tax Lot 100 of Tax Map 21E09DD).

HEARINGS

The Planning Commission held a public hearing and considered this application at its meeting of March 25, 2013. The City Council held a public hearing to consider the Planning Commission's recommendation on April 16, 2013.

CRITERIA AND STANDARDS

A. City of Lake Oswego Community Development Code

LOC 50.07.003.16.a	Quasi-Judicial Decisions Defined
LOC 50.07.003.15.c	Public Notice and Opportunity for Public Comment
LOC 50.07.003.15.d.i	Decision Making Authority
LOC 50.07.003.15.d.ii	Review Criteria for Major Development

1 B. City of Lake Oswego Comprehensive Plan

2 Goal 1: Citizen Involvement, Policies 1 and 5

3 Goal 2: Land Use Planning, Section 1 Land Use Policies and Regulations, Policies 1 and 14
Land Use Planning, Section 2 Community Design and Aesthetics, Policy 4

4 Goal 5: Open Spaces, Historic and Natural Areas, Section 5 Sensitive Lands, Policy 1
Open Spaces, Historic and Natural Areas, Section 6 Open Space, Policy 1

5 Goal 6: Air, Water & Land Resources Quality, Section 1 Air Resources Quality, Policies 3 and 5
6 Air, Water & Land Resources Quality, Section 2 Water Resources Quality, Policies 1
and 5

7 Air, Water & Land Resources Quality, Section 4 Sound Quality, Policy 1

8 Goal 7: Areas Subject to Natural Disasters and Hazards, Section 3 Landslides, Erosion and
Unstable Soils, Policies 1 and 2

9 Goal 10: Housing, Policies 3 and 6

10 Goal 12: Transportation, Policies 1 and 4

11 C. Transportation Planning Rule

12 OAR 660, Division 12

13 D. Metro Urban Growth Management Functional Plan

14 Title 1 Housing Capacity

15 Title 2 Parking

16 Title 3 Water Quality, Flood Management and Fish and Wildlife Conservation

17 Title 13 Nature in the Neighborhoods

18 **FINDINGS AND REASONS**

19 The Council incorporates the March 15, 2013 Staff Report (with all exhibits), and the
20 Findings and Conclusions of the Planning Commission in this matter as support for its decision,
21 supplemented by the further findings and conclusion set forth herein. In the event of any
22 inconsistency between the supplementary matter herein and the staff report, the matter herein
23 controls. To the extent they are consistent with the approval granted herein, the Council
24 adopts by reference its oral deliberations on this matter.
25
26

1 As set forth in detail in the incorporated materials, the City Council finds that the
2 proposal meets all applicable approval standards, including, without limitation, applicable
3 provisions of the Lake Oswego Comprehensive Plan, the Lake Oswego Community Development
4 Code, the Oregon Transportation Planning Rule and the Metro Urban Growth Management
5 Functional Plan.
6


7 **CONCLUSION**

8 The City Council concludes that LU 12-0057 complies with all applicable criteria and
9 should be approved. The Council also concludes that proposed Ordinance 2620, which
10 implements LU 12-0057, should be enacted.
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Comprehensive Plan Map and Zone Change City of Lake Oswego
LU 12-0057



Zoning and Comprehensive Plan Map
Map and Lot # 21E09DD TL 100

 Subject Property

Attachment B

0 100 200 300 Feet

04/19/2013

neopost[®]
05/31/2013
US POSTAGE

FIRST CLASS MAIL

\$01.32⁰



ZIP 97034
041L11209172

DEPT OF
JUN 03 2013
LAND CONSERVATION
AND DEVELOPMENT

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