



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

September 1, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Dundee Plan Amendment
DLCD File Number 002-05 R



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: September 20, 2006

This amendment was submitted to DLCD for review 45 days 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 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.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Jason Locke, DLCD Regional Representative
Eric Jacobson, DLCD Transportation Planner
Melody Osborne, City of Dundee

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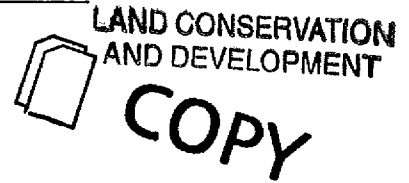


D L C D NOTICE OF ADOPTION

AUG 31 2006

This form must be mailed to DLCD within 5 working days after the final decision per ORS 197.610, OAR Chapter 660 - Division 18

(See reverse side for submittal requirements)



Jurisdiction: City of Dundee Local File No.: CPA 05-05/ORD. 437-2005 (If no number, use none)

Date of Adoption: Aug. 7, 2006 Date Mailed: Aug. 21, 2006 (Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: Mar. 3, 2005

- Comprehensive Plan Text Amendment (checked)
Comprehensive Plan Map Amendment
Land Use Regulation Amendment
Zoning Map Amendment
New Land Use Regulation
Other:

(Please Specify Type of Action)

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

To adopt a downtown refinement plan for the City of Dundee, including amendments to the Transportation System Plan - a part of the Dundee Comprehensive Plan.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

City Council made numerous refinements to the plan. An itemized listing of these changes can be found on the last page (Appendix H 90)

Plan Map Changed from: N/A to

Zone Map Changed from: N/A to

Location: Along Oregon Highway 99 W btwn mile markers 25 1/2 to 26 1/2 Acres Involved:

Specify Density: Previous: N/A New: N/A

Applicable Statewide Planning Goals: 9, 11, 12

Was an Exception Adopted? Yes: No: X

DLCD File No.: 002-05 R (14192)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: Dundee Fire

Dept., ODOT, Yamhill County

Local Contact: Melody Osborne Area Code + Phone Number: 503/538-3922

Address: PO Box 220

City: Dundee Zip Code+4: 97115-0220

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

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

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

CITY OF DUNDEE
ORDINANCE No. 437-2005

AN ORDINANCE AMENDING THE TEXT OF THE DUNDEE COMPREHENSIVE PLAN AND ADOPTING THE "OREGON HIGHWAY - DUNDEE MAIN STREET REFINEMENT PLAN."

WHEREAS, an application was initiated by the City for the purpose of amending the Transportation System Plan of the Dundee Comprehensive Plan by adopting the *Oregon Highway 99W - Dundee Main Street Refinement Plan*; the Planning case file hereby identified as Comprehensive Plan Amendment 05-05;

WHEREAS, the City Recorder referred the applications for review, investigation, comment to all citizens, counties, special districts, state or federal agencies, and other persons deemed to have an interest in or affected by the applications and allowed not less than ten days for a reply from the date of mailing;

WHEREAS, the City Recorder caused notice of the hearing on the applications to be published on the 19th day of April, in a newspaper of general circulation in the City prior to the joint City Council and Planning Commission hearing;

WHEREAS, the City Recorder thereafter provided the coordination, review and filing of all responses and submitted them to the City Council and Planning Commission prior to the hearing;

WHEREAS, the City Council and Planning Commission conducted a public hearing on the 2nd day of May 2005, pursuant to the Rules of Procedure for the conduct of hearings related to land use matters;

WHEREAS, the Planning Commission deliberated on the matter and forwarded their recommendation to the City Council for adoption of the *Oregon Highway 99W - Dundee Main Street Refinement Plan* subject to certain amendments;

WHEREAS, the City Council received the recommendation, discussed the matter and voted to continue their deliberations until May 16, 2005;

WHEREAS, the City Council reopened their deliberations on May 16, 2005, voted to receive additional testimony and comments;

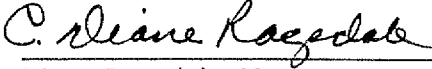
WHEREAS, after conducting the hearing and considering the approval criteria pursuant to the City of Dundee Comprehensive Plan and other applicable law, the City Council approved certain amendments to the Dundee Comprehensive Plan and directed staff to prepare the final Ordinance adopting the amendments.

NOW, THEREFORE, BASED ON THE FOREGOING, THE CITY OF DUNDEE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Dundee does hereby APPROVE the amendments to the Transportation System Plan of the Dundee Comprehensive Plan by adopting the "*Oregon Highway 99W - Dundee Main Street Refinement Plan*" as amended and attached hereto as EXHIBIT "A" and by this reference made a part hereof.

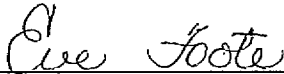
Section 2. The City Council of the City of Dundee does hereby adopt those certain findings of fact, conclusionary findings and conditions of approval attached hereto as EXHIBIT "B" and by this reference made a part hereof.

PASSED by the Council and SIGNED by the Mayor the 7 day of August, 2005.



Diane Ragsdale, Mayor

Attest:



Eve Foote,
City Administrator/City Recorder



DEPT OF
AUG 31 2006
LAND CONSERVATION
AND DEVELOPMENT

NOTICE OF DUNDEE CITY COUNCIL DECISION TO RE-ADOPT
COMPREHENSIVE PLAN TEXT AMENDMENT ORDINANCE NO. 437-2005

- A. APPLICANT: City of Dundee
- B. REQUEST: Amend the Transportation System Plan of the Dundee Comprehensive Plan by adopting the "Oregon Highway – Dundee Main Street Refinement Plan."
- C. DECISION CRITERIA: Dundee Comprehensive Plan and the Oregon Statewide Land Use Goals.

On August 18, 2006, the City of Dundee mailed notice of the adoption of Comprehensive Plan Text Amendment Case No. 05-05, Ordinance No. 437-2005. Due to a procedural error, that notice is invalid. The Ordinance will be re-adopted by the City Council and a new notice will be provided.

We apologize for any inconvenience. Please contact Eve Dolan at City Hall at 503/ 538-3922 if you have any questions.