



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2524

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

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

NOTICE OF ADOPTED AMENDMENT

October 11, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Lake Oswego Plan Amendment
DLCD File Number 004-06



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: October 26, 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
Meg Fernekees, DLCD Regional Representative
Sidaro Sin, City of Lake Oswego

<paa> ya/



NOTICE OF ADOPTION
Must be filed within 5 Working Days
See OAR 660-18-040

OCT 06 2006

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction City of Lake Oswego Local File No. LU 06-0037
Date Mailed 10/05/06 Date of Approval 10/03/06
Date Proposal was Provided to DLCD 06/15/06

Type of Adopted Action (Check all that apply)

- Comprehensive Land Use New Land Use
Plan Amendment Regulation Amendment Regulation
[checked] [] []

Please complete (A) for text amendments and (B) for map amendments

A. Summary of Adopted Action (A brief description is adequate. Please avoid highly technical terms and zone code abbreviations. Please do not write "see attached"):

The Council approved an amendment to the City's Urban Services Boundary (USB) to INCLUDE:

- a. Four City parcels (tax lots 400, 500, 2800 & 2900 - 12.1 acres) and apply an R-15 zone/designation and the Sensitive Lands Overlay in applicable areas.
b. Two private parcels (tax lots 2600 & 2700 - 1.8 acres) and apply an R-15 (Low Density Residential) zone/designation and the Sensitive Lands Overlay in applicable areas.

And to REMOVE:

- a. One City parcel (tax lot 1100 - 9.7 acres) located in the northwest corner of Stafford Road and Rosemont Road from the USB.

Describe how the Adopted Amendment Differs from the Proposal (If it is the same, write "Same". If it was not proposed, write "N/A".):

Same

B. If the Action Amends the Plan or Zone Map, Provide the Following Information for Each Area Which was Changed (Provide a separate sheet for each area. Multiple sheets can be submitted as a single adoption action. Please include street address whenever possible. Do not use tax lot number alone.):

Previous Plan Designation: County Rural New Plan Designation: City R-15
Previous Zone: County RR/FF-5 New Zone: R-15

Location: East of Stafford Rd. & eastern terminus of Overload Dr. and the northwest corner of Stafford Rd. and Rosemont Road

Acreage involved: 23.6

Does this change include a Goal exception? Yes [checked] No

DLCD # 004-06 (15320)

For Residential Changes, Please Indicate the Change in Allowed Density in Units Per Net Acre

Previous Density

1 DU/5 AC

New Density

R-15, 15,000 square ft./DU

If Notice of Proposal was not sent to DLCD 45 Days Prior to the Final Hearing Please Indicate Why:

- Statewide Planning Goals are Inapplicable**
 Emergency Circumstances Required Expedited Review

List Statewide Goals Which May Apply:

Goal 14

List any State or Federal Agencies, Local Government or Local Special Service Districts Which May be Interested in or Impacted by the Adoption:

N/A

Direct Questions and Comments to:

Sidaro Sin, Associate Planner
City of Lake Oswego
P. O. Box 369
Lake Oswego, OR 97034
(Phone) (503) 503-697-7421

Send To: Department of Land Conservation and Development
635 Capitol St. NE, Suite 150
Salem, OR 97301-2540

Attach one (1) copy of the Adopted Action to this form and/or three (3) copies of Bound Materials and Maps larger than 8-1/2 by 11 inches.

Note: If more copies of this form are needed, please contact the DLCD office at 503-373-0050, or this form may be duplicated on green paper. Failure to provide notice of an adopted plan or land use regulation amendment results in an extension of the appeal period. Appeals may be filed within 21 days of the date the proposal is mailed to DLCD. Statutes require mailing within 5 days of the action becoming final (See OAR 660-18-040).

*****FOR DLCD OFFICE USE*****

DLCD File Number _____

ORDINANCE NO. 2465

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE OSWEGO AMENDING THE LAKE OSWEGO COMPREHENSIVE PLAN MAP TO INCLUDE APPROXIMATELY 13.9 ACRES OF LAND WITHIN THE URBAN SERVICES BOUNDARY, TO REMOVE 9.7 ACRES OF LAND FROM THE URBAN SERVICES BOUNDARY, TO APPLY COMPREHENSIVE PLAN DESIGNATIONS, AND TO ADD LAND TO THE NATURAL RESOURCES INVENTORY, AND ADOPTING FINDINGS (LU 06-0037-1621).

WHEREAS, a notice of public hearing for consideration of this ordinance was duly given in the manner required by law; including notice to affected property owners pursuant to Measure 56; and

WHEREAS, the City has followed the requirements of LOC 50.16.020 and Statewide Planning Goal 5 in completing an ESEE Analysis to determine whether a Resource Conservation and Resource Protection Overlay District should be imposed; and

WHEREAS, a public hearing was held before the Lake Oswego Planning Commission on July 31, 2006 at which the staff report, public testimony and other evidence were received and considered; and

WHEREAS, a public hearing on the Planning Commission recommendation was held by the City Council on September 5, 2006 at which the staff report, public testimony and the record of the proceedings before the Planning Commission were received and considered;

The City of Lake Oswego ordains as follows:

Section 1. The City Council hereby adopts the Findings and Conclusions (LU 06-0037-1621) as shown in Exhibit "A".

Section 2. The Lake Oswego Comprehensive Plan Map is hereby amended to include the following properties within the Urban Services Boundary and to assign City Plan Designations and Zoning as shown in Exhibit "B".

Property ID	Property Owner	Acres	Comp. Plan Designation/Zoning
21E16AD 2600	JNS Living Trust	1.08	R-15 / R-15
21E16AD 2700	JNS Living Trust	0.73	R-15 / R-15
21E16AD 2800	City of Lake Oswego	1.9	Park / R-15*
21E16AD 2900	City of Lake Oswego	2.7	Park / R-15*
21E16D 400	City of Lake Oswego	4.47	Park / R-15*
21E16D 500	City of Lake Oswego	3.02	Park / R-15*

* R-15 zoning will be applied upon annexation. Currently the City does not have a park zone.

Section 3. The Lake Oswego Comprehensive Plan Map is hereby amended to remove the following property from the Urban Services Boundary and to retain City Comprehensive Plan Designations as shown in Exhibit "B".

Property ID	Property Owner	Acres	Comp. Plan Designation/Zoning
21E16D 1100	18011 Stafford Rd	9.72	Park-Open Space / R-15

Note: Although the property is being removed from the City's Urban Services Boundary, the property will still retain the City's Comprehensive Plan Designation and zoning.

Section 4. The Natural Resources Inventory of the Lake Oswego Comprehensive Plan, the Sensitive Lands Atlas, and the Sensitive Lands District Overlay Map are hereby amended to include the following properties as shown in Exhibit "C".

Property ID	Property Owner	RP Designation in acres	RC Designation in acres
21E16AD 2600	JNS Living Trust	0.03	0.4
21E16AD 2800	City of Lake Oswego	0.8	N/A
21E16AD 2900	City of Lake Oswego	1.12	N/A

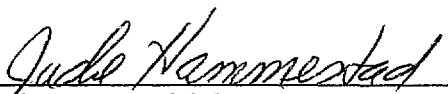
Read by title only and enacted at the regular meeting of the City Council of the City of Lake Oswego held on the 3rd day of October, 2006.

AYES: Mayor Hammerstad, Hoffman, Graham, Groznik, McPeak, Turchi

NOES: none

ABSTAIN: none

EXCUSED: Peterson

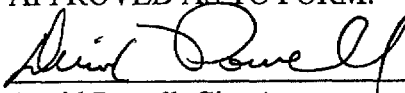

 Judie Hammerstad, Mayor

Dated: 10-4-06


 Robyn Christie, City Recorder

ATTEST:

APPROVED AS TO FORM:


 David Powell, City Attorney

BEFORE THE CITY COUNCIL
OF THE CITY OF LAKE OSWEGO

A REQUEST TO AMEND THE LAKE)	
OSWEGO COMPREHENSIVE PLAN MAP,)	LU 06-0037-1621
SENSITIVE LANDS ATLAS)	(City of Lake Oswego)
AND THE CITY'S URBAN SERVICES)	
BOUNDARY RELATING TO CERTAIN)	FINDINGS AND CONCLUSIONS
PARCELS LOCATED AT STAFFORD ROAD/)	
OVERLOOK DRIVE AND ROSEMEONT RD)	
(ORDINANCE NO. 2465))	

NATURE OF PROCEEDING

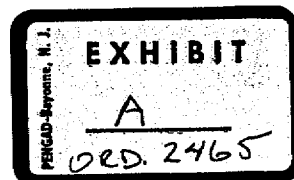
This proceeding is before the City Council pursuant to a recommendation by the Lake Oswego Planning Commission to amend the Comprehensive Plan Map (including amendment to the Urban Services Boundary and plan designations) and the Sensitive Lands Atlas as follows:

a. Including four city parcels consisting of 12.1 acres (Tax Map 21E 16D, Tax Lots 400 and 500, Tax Mp 21E 16AD, Tax Lots 2800 & 2900) within the Urban Services Boundary, applying Comprehensive Plan "Park" designations and designating a Resource Protection Overlay District; and

b. Including two private parcels: 1.8 acres (Tax Map 21E AD, Tax lots 2600 & 2700) within the Urban Services Boundary, applying R-15 (Low Density Residential) Comprehensive Plan designations and designating Resource Protection and Resource Conservation Overlay Districts; and

c. Removing one City-owned parcel consisting of 9.7 acres (Tax Map 21E16D, Tax 1100) from the Urban Services Boundary.

1 - FINDINGS AND CONCLUSIONS (LU 06-0037-1621)
[LU-06-0037-1616]



The six parcels listed in paragraphs a. and b. above, are located on the east side of Stafford Road at the eastern terminus of Overlook Drive. The parcel described in paragraph c. is located to the northwest of the intersection of Stafford Road and Rosemont Road.

The properties are identified as:

21E16AD 2600	No situs address
21E16AD 2700	17660 Stafford Rd
21E16AD 2800	No situs address
21E16AD 2900	No situs address
21E16D 400	17942 Stafford Rd
21E16D 500	No situs address
21E16D 1100	18011 Stafford Rd

HEARINGS

The Planning Commission held a public hearing and considered this application at its meeting on July 31, 2006. The City Council held a public hearing and considered the Planning Commission's recommendation at its meeting on September 5, 2006.

CRITERIA AND STANDARDS

A. CITY OF LAKE OSWEGO COMPREHENSIVE PLAN POLICIES

.Goal 1: Citizen Involvement	Policies 5, 10
Goal 2: Land Use Planning (Section 1 Land Use Policies and Regulations)	Policies 1, 2, 3, 5a, 5b(i), 5b(ii) (A,B,C,D,E,F,H), 8, 11, 14 (a,b,c,d,e,f,g); 24, 25, 26
Goal 5: Open Spaces, Historic & Natural Areas (Section 1, Fish and Wildlife Habitat)	Policies 1 (a), 3 (a,b), 5
Goal 5: Open Spaces Historic & Natural Areas (Section 2, Vegetation)	Policy 1
Goal 5: Open Spaces Historic & Natural Areas (Section 3, Wetlands)	Policies 1, 2
Goal 5: Open Spaces Historic & Natural Areas (Section 4, Stream Corridors)	Policies 1, 2, 7 (a,b), 8

Goal 5: Open Spaces Historic & Natural Areas (Section 5, Sensitive Lands)	Policies 1 (a,b,c,d,e), 2, 6, 9 (a,b,c,d)
Goal 5: Open Spaces Historic & Natural Areas (Section 6, Open Space)	Policies 1 (e,f,g), 3 (b,c,d), 8, 9(a,e,g)
Goal 6: Air, Water and Land Resource Quality (Section 1, Air Resources Quality)	Policies 3, 5
Goal 6: Air, Water and Land Resource Quality (Section 2, Water Resource Quality)	Policy 2
Goal 6: Air, Water and Land Resource Quality (Section 4, Sound Quality)	Policies 4, 5
Goal 7: Natural Disasters and Hazards (Section 3, Landslides, Erosion and Unstable Soils)	Policies 2, 6, 7
Goal 8: Parks and Recreation	Policies 1 (a,d), 2, 3, 7, 8 (a,b,c), 11, 18
Goal 10: Housing	Policies 1a (i,ii,iii,iv), 3, 6, 10, 13
Goal 11: Public Facilities and Services (Section 1, Public Safety Policy and Fire Protection)	Policies 4, 8, 9
Goal 11: Public Facilities and Services (Section 2, Storm Water Management)	Policies 1, 5
Goal 11: Public Facilities and Services (Section 3, Water Treatment and Delivery)	Policies 7 (a,b,c,d), 11
Goal 11: Public Facilities and Services (Section 4, Wastewater Treatment)	Policies 1 (a,b), 2, 3
Goal 11: Public Facilities and Services (Section 5, Administrative and Government Services, Energy, Communication and Schools)	Policies 1, 2, 5
Goal 12: Transportation	Subgoal 3, Policies 1; 5(a,b) Subgoal 4, Policy 4
Goal 14: Urbanization	Policies 1; 2; 5 (a,b,c,d,e); 13 (a, b)

B. METRO URBAN GROWTH FUNCTIONAL PLAN

Title 1 – Accommodation of Growth

Title 3 – Water Quality and Flood Management Conservation

Title 6 – Regional Accessibility

Title 11 – Planning for New Urban Areas
Title 12 – Protection of Residential Neighborhoods

C. STATEWIDE PLANNING GOALS

- Goal 1 – Citizen Involvement
- Goal 2 – Land Use Planning
- Goal 5 – Open Spaces, Scenic and Historic, and Natural Resources
- Goal 6 – Air, Water and Land Resources
- Goal 7 – Natural Hazards
- Goal 8 – Recreation
- Goal 10 – Housing
- Goal 11 – Public Facilities and Services
- Goal 12 – Transportation
- Goal 14 – Urbanization

FINDINGS AND REASONS

As support for its decision, the City Council incorporates the staff Council Report dated August 15, 2006 for LU 06-0037 (with all exhibits), the Staff Report of July 11, 2006, the supplemental Staff Report of July 27, 2006 (with all exhibits), together with the findings and conclusions of the Planning Commission, the minutes of the Planning Commission meeting of July 31, 2006, and the record of the proceedings before the City Council. To the extent they are consistent with the approval granted herein, the City Council adopts by reference its oral deliberations in this matter.

The City Council concurs with the Planning Commission findings that the subject parcels are served or could be served by public facilities and services, and that the application is consistent with all applicable Comprehensive Plan Policies and Statewide Planning Goals as well as relevant provisions of the Metro Functional Plan.

The Planning Commission recommended that the application be approved contingent upon approval of LU 06-0039, amending the Comprehensive Plan text to allow expansion of the

Urban Services Boundary in this area under certain limited circumstances. The Council notes that LU 06-0039 will be approved simultaneously with this application.

CONCLUSION

The City Council concludes that LU 06-0037-1621 complies with all applicable criteria, and should be approved.

EXHIBIT "B"

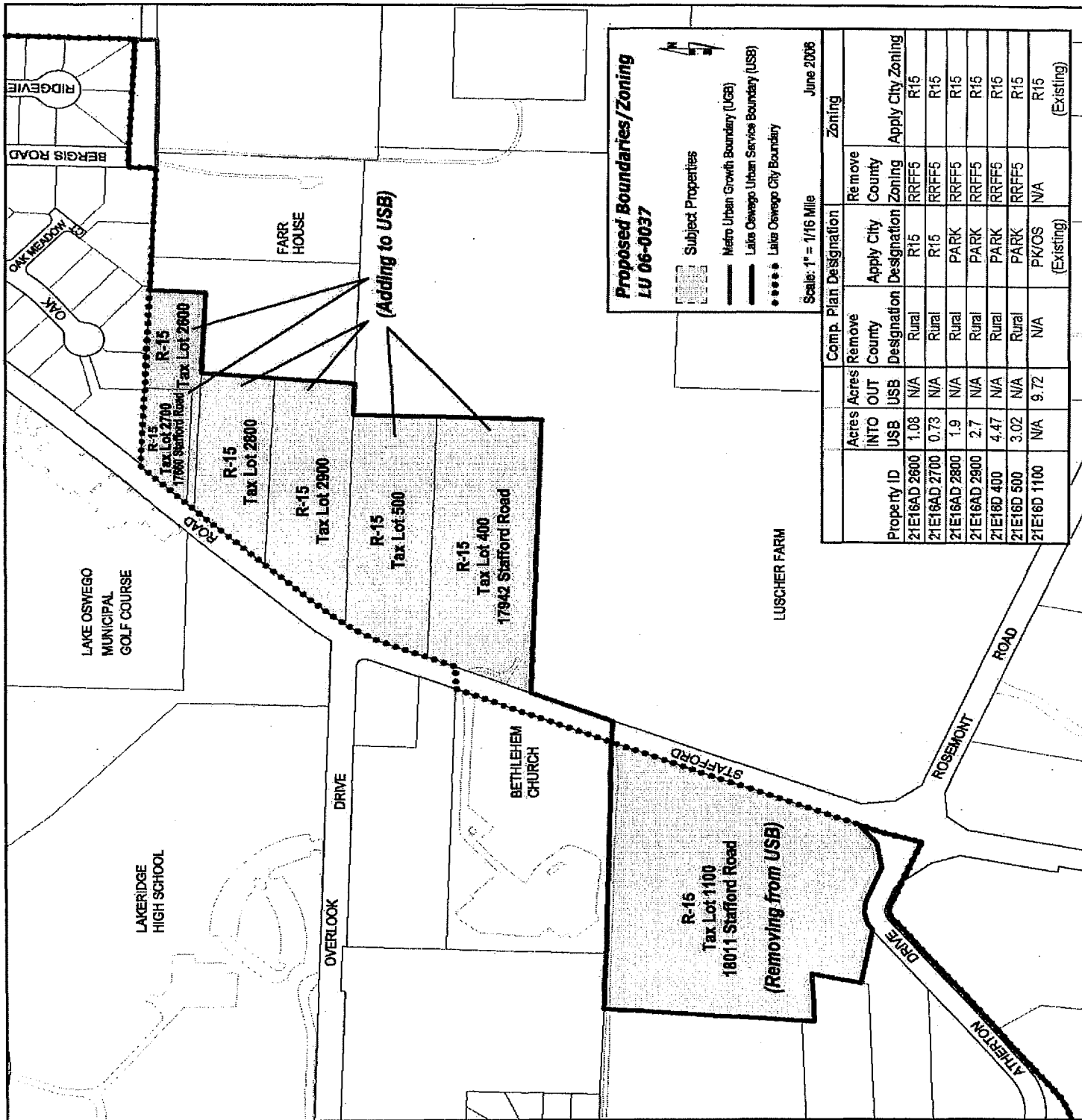
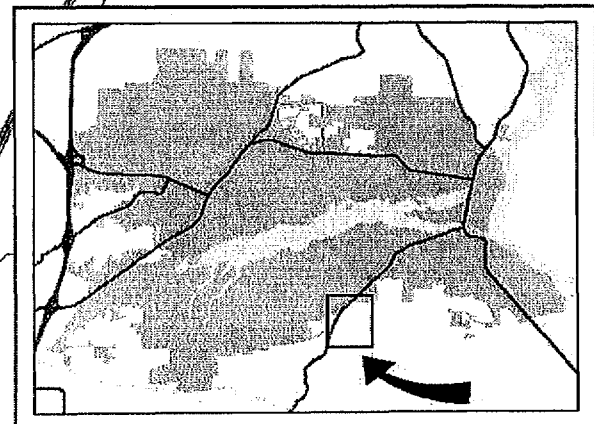
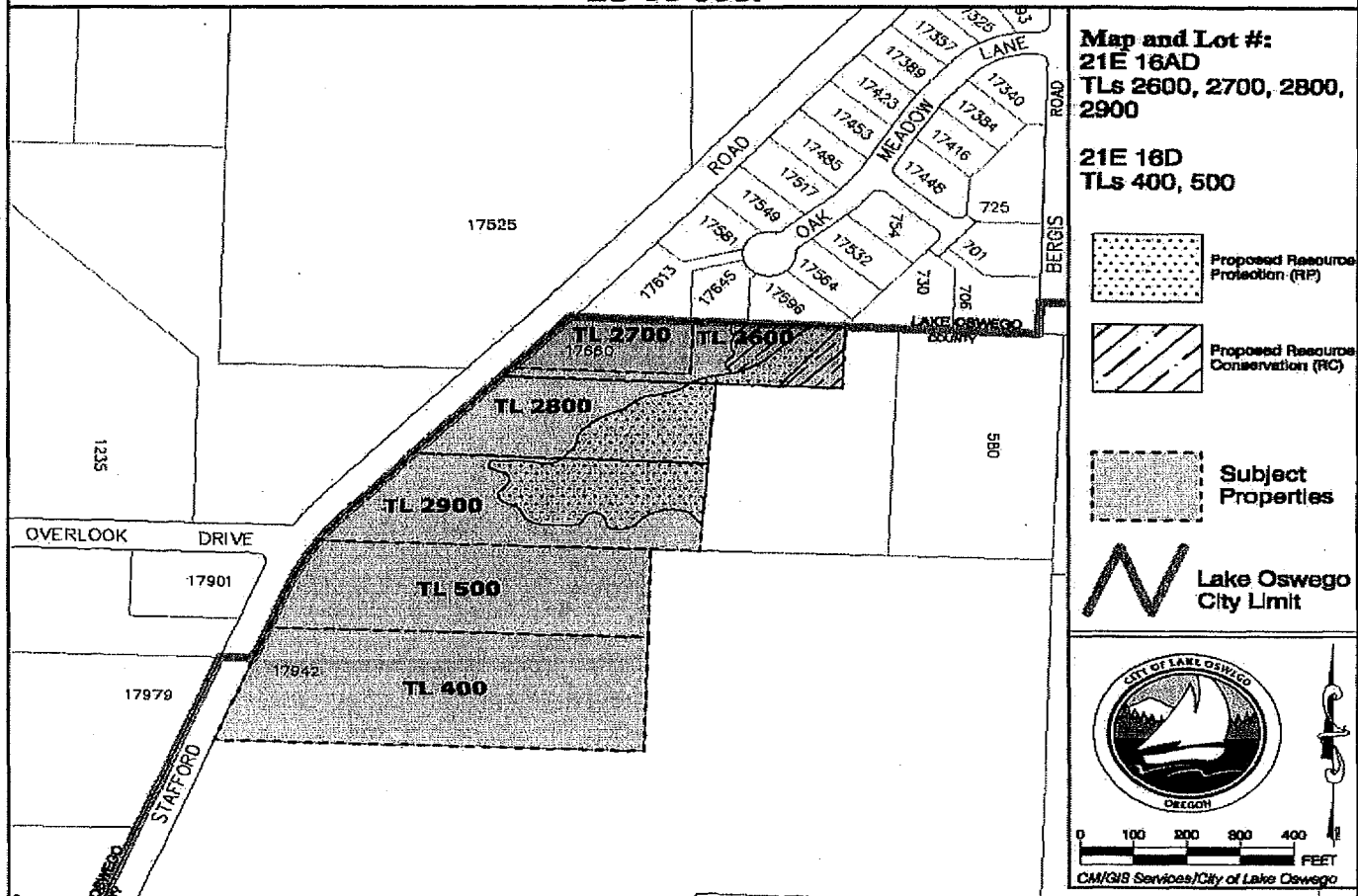


EXHIBIT "C"

Proposal for Comprehensive Plan Map and Zoning Map Amendment
 Apply Resource Protection (RP) and Resource Conservation (RC)
 LU 06-0037



Address Tax Lot	Lot Area	RP Area	RC Area	Total (RP & RC)
No Site Address 21E 16AD TL 2600	47,894.0 sq. ft.	12,102.7 sq. ft.	19,102.7 sq. ft.	31,205.4 sq. ft.
No Site Address 21E 16AD TL 2800	65,767.6 sq. ft.	94,554.2 sq. ft.	N/A	34,554.2 sq. ft.
No Site Address 21E 16AD TL 2900	120,908.2 sq. ft.	49,578.0 sq. ft.	N/A	49,578.0 sq. ft.
Total	234,569.8 sq. ft.	60,630.7 sq. ft.	27,684.6 sq. ft.	115,492.9 sq. ft.

