



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

February 8, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Carlton Plan Amendment
DLCD File Number 003-06

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: February 21, 2007

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: Doug White, DLCD Community Services Specialist
Gary Fish, DLCD Regional Representative
Mark Fancey, City of Carlton

<paa> ya/

NOTICE OF ADOPTION

Must be filed within 5 working days
See OAR 660-18-040

Jurisdiction: City of Carlton Local File Number: CPMA/ZC 06-02
Date of Adoption: January 8, 2007 Date Mailed: January 31, 2007
Date Proposal was Provided to DLCD: August 17, 2006

Type of Adopted Action: (Check all that apply)

- Comprehensive Plan Text Amendment
- 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."

The request would amend the Comprehensive Plan Map designation from Residential to Commercial and change the zoning from Suburban Residential (SR) to Commercial (C) for a 1.36-acre property.

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."

Same

Plan Map Changed from: Residential to Commercial

Zone Map Changed from: Suburban Residential (SR) to Commercial (C)

Location: 714 E. Main Street - Assessor Map 3422 Tax Lot 1600

Acres Involved: 1.36

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

Applicable Statewide Planning Goals: 1,2,9, 10

Was an Exception Adopted? Yes: No:

DLCD File Number: 003-06 (15467)

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: None

Local Contact: Mark Fancey Area Code + Phone Number: (503) 588-6177

Address: MWVCOG 105 High Street SE

City: Salem Zip Code+4: 97301-3667

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** of the adopted material, if copies are bound 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 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 onto 8 1/2 x11 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.

ORDINANCE #660**AN ORDINANCE AMENDING THE CITY OF CARLTON COMPREHENSIVE PLAN MAP AND ZONING MAP AND DECLARING AN EMERGENCY**

WHEREAS, the City of Carlton received a request to amend the Comprehensive Plan designation and rezone an approximately 1.36-acre property, identified as Township 3S, Range 4W, Section 22, Tax Lot 1600; and

WHEREAS, the subject property is located within the Carlton city limits, is designated as Agricultural Holding on the Carlton Comprehensive Plan Map, and is zoned Agricultural Holding; and

WHEREAS, a request was made to change the Comprehensive Plan Map designation to Commercial and to change the zoning on the property to Commercial Business;

WHEREAS, the Planning Commission conducted a public hearing to consider the request on November 6, 2006 at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, at the close of the public hearing, the Planning Commission voted to recommend that the City Council approve the request; and

WHEREAS, the City Council conducted a public hearing to consider the request on December 11, 2006 at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, at the close of the public hearing, the City Council voted to approve the request; and

WHEREAS, proper notice of the said public hearings was given to the public pursuant to applicable state statutes; and

WHEREAS, the City Council of the City of Carlton hereby adopts the findings of fact set forth in the staff report dated December 4, 2006;

NOW THEREFORE; The people of the City of Carlton ordain as follows;

SECTION 1. The Comprehensive Plan Map designation for the subject property is hereby changed from Agricultural Holding to Commercial.

SECTION 2. The zoning designation for the subject property is hereby changed from Agricultural Holding to Commercial Business.

SECTION 3. Emergency Clause. The Council desires and deems it necessary for the preservation of the health, peace, and safety of the City of Carlton that this ordinance take

