



# Oregon

Theodore R. Kulongoski, Governor

**Department of Land Conservation and Development**

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## AMENDED NOTICE OF ADOPTED AMENDMENT

September 18, 2007

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 001-07



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 28, 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: Gloria Gardiner, DLCD Urban Planning Specialist  
Amanda Punton, DLCD Natural Resource Specialist  
Jonna Papaefthimiou, City of Lake Oswego

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DEPT OF

SEP 10 2007

LAND CONSERVATION AND DEVELOPMENT

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

Jurisdiction City of Lake Oswego Local File No. LU 07-0022 (Ord. 2491)
Date Mailed 09/07/07 Date of Approval 09/04/07
Date Proposal was Provided to DLCD 07/31/06

Type of Adopted Action (Check all that apply)

Comprehensive Land Use New Land Use
Plan Amendment Regulation Amendment Regulation

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"):

Enacted an ordinance amending the Lake Oswego Comprehensive Plan Map and the Sensitive Lands Atlas to designate approximately 1.1 acres of Resource Protection (RP) Overlay for a Class I stream corridor and 0.7 acres of Resource Conservation (RC) Overlay for a tree grove on a parcel located south of 1790 Skyland Drive (21E14CB tax lot 800).

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: None New Plan Designation: Resource Preservation Designation (RC)
Previous Zone: No Designation New Zone: Resource Preservation Designation (RC)
Location: south of 1790 Skyland Drive (21E14CB tax lot 800)
Acreage involved: 2.5

Does this change include a Goal exception? Yes No

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

Previous Density N/A New Density N/A

DLCD # 001-07 (16087)

30 days, October 4, 2007

**ORDINANCE NO. 2491**

AN ORDINANCE AMENDING THE LAKE OSWEGO COMPREHENSIVE PLAN MAP AND THE SENSITIVE LANDS ATLAS TO DESIGNATE APPROXIMATELY 1.1 ACRES OF RESOURCE PROTECTION (RP) OVERLAY DISTRICT FOR A CLASS I STREAM CORRIDOR AND 0.7 ACRES OF RESOURCE CONSERVATION (RC) OVERLAY DISTRICT FOR A TREE GROVE ON A PARCEL LOCATED SOUTH OF 1790 SKYLAND DRIVE (21E14CB TAX LOT 800). (LU07-0022)

WHEREAS, an application for annexation to the City of Lake Oswego of the territory described below was received; and

WHEREAS, the City initiated amendments to the Lake Oswego Comprehensive Plan Map and the Sensitive Lands Atlas to designate approximately 1.1 acres of Resource Preservation (RP) Overlay District for a Class I stream and 0.7 acres of Resource Conservation (RC) Overlay District for a tree grove on said property, to be applied upon annexation into the City, as shown on the map in Attachment "A"; 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 RC and RP-I Overlay Districts should be imposed; and

WHEREAS, notice of the Planning Commission public hearing for consideration of this Ordinance was duly conducted in the manner required by law, including notice to affected property owners pursuant to Measure 56; and

WHEREAS, a public hearing was held before the Lake Oswego Planning Commission on the 25th of June, 2007 at which the staff report, testimony and evidence was duly received and considered, and at which public hearing it was announced that a public hearing before the City Council of the City of Lake Oswego would be held; and

WHEREAS, the Planning Commission did deliberate, adopt findings of fact and conclusions, and recommend that LU 07-0022 be approved by the City Council; and

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

WHEREAS, a public hearing was held before the Lake Oswego City Council on the 4th of September, 2007 at which the Planning Commission's recommendation was considered, together with the reports, evidence and testimony in the record;

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The City of Lake Oswego ordains as follows:

**Section 1.** For its Findings and Conclusions in this matter, the City Council hereby incorporates the Planning Commission's Findings, Conclusions and Order and all Staff Reports in LU 07-0022.

**Section 2.** The Lake Oswego Comprehensive Plan Map and the Sensitive Lands Atlas are hereby amended to designate approximately 1.1 acres of Resource Preservation (RP) Overlay District for a Class I stream corridor and 0.7 acres of Resource Conservation (RC) Overlay District for a tree grove on the property with no situs address located south of 1790 Skyland Dr (21E14CB00800) as shown in the map in Attachment "A"; said Sensitive Lands Overlays and Atlas amendments to be applied upon annexation into the City.

<u>Description of Property</u>	<u>Location</u>	<u>Resource Number</u>	<u>Overlay Zone</u>
21E14CB tax lot 800	No situs address;	Not Applicable	RP-I
	south of 1790 Skyland Dr.	Not Applicable	RC

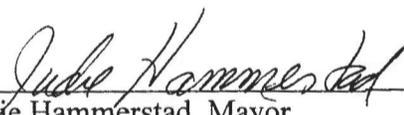
Enacted at the regular meeting of the City Council of the City of Lake Oswego held on the 4th day of September 2007.

AYES: Mayor Hammerstad, McPeak, Turchi, Groznik, Hennagin, Jordan, Johnson

NOES: none

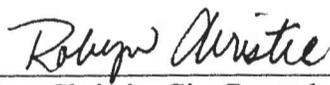
ABSTAIN: none

EXCUSED: none

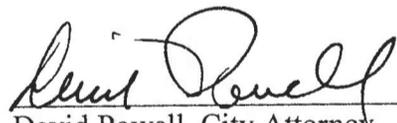
  
\_\_\_\_\_  
Judie Hammerstad, Mayor

Dated: 9-5-07

ATTEST:

  
\_\_\_\_\_  
Robyn Christie, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
David Powell, City Attorney

**Proposed Resource Protection and Conservation Overlays  
LU07-0022**



ATTACHMENT A