



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

June 12, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Maupin 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: June 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: Doug White, DLCD Community Services Specialist
Jon Jinings, DLCD Regional Representative
DeOra Patton, City of Maupin

<paa> ya/

FORM 2

DLCD

Notice of Adoption

**THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18**

In person electronic mailed

DATE STAMP

DEPT OF

JUN 08 2007

LAND CONSERVATION AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: **City of Maupin**

Local file number: **001-07**

Date of Adoption: **5/23/2007**

Date Mailed: **6/6/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **1/15/2007**

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".

Redesignated an approximate 5.53 acres Industrial land to Medium Density Residential (MD-R), an approximate 34.5 acres Industrial land to Low Density Residential (LD-R), and an approximate 0.86 acres Industrial land to Open Space (OS).

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

Plan Map Changed from: **Industrial**

to: **MD-R & LD-R & OS**

Zone Map Changed from: **Industrial**

to: **MD-R & LD-R & OS**

Location: **Property is on the heights above the City's core**

Acres Involved: **66**

Specify Density: Previous: **N/A**

New: **4 - 6.5 DU/AC**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-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 # 001-07 (15803)

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **DeOra M Patton, Recorder**

Phone: **(541) 395-2698** Extension:

Address: **PO Box 308**

Fax Number: **541-395-2499**

City: **Maupin**

Zip: **97037-**

E-mail Address: **maupincity@centurytel.net**

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 Complete Copies** (documents and maps) 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. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
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 not 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 now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 277

**AN ORDINANCE AMENDING CITY OF MAUPIN ZONING
ORDINANCE NO. 249 AND MAUPIN COMPREHENSIVE LAND USE
PLAN NO. 270 BY CHANGING THE ZONE OF PARCELS OF LAND FROM
"INDUSTRIAL (I)" TO "MEDIUM DENSITY RESIDENTIAL (MD-R)",
"LOW DENSITY RESIDENTIAL (LD-R)" AND "OPEN SPACE (OS)"**

WHEREAS, Neary Investment Properties, Inc. has submitted a request for a Comprehensive Plan and Zoning Map Amendment to redesignate the zoning to portions of property they own in Maupin; and

WHEREAS, On March 6, 2007, a public hearing was held before the Maupin Planning Commission. At the close of the hearing the Planning Commission moved on a 5 to 0 vote to recommend to the City Council approval with condition; and

WHEREAS, On March 28, 2007, the Maupin City Council accepted the Maupin Planning Commission recommendation and approved the map changes; and

WHEREAS, The applicant has satisfied the condition of approval.

NOW, THEREFORE, THE CITY OF MAUPIN ORDAINS AS FOLLOWS:

Section 1. The Comprehensive Plan/Zoning Map of the City of Maupin is amended by changing the designation of property as follows:


- A. Rezone an approximate 5.53 acres of Tax Lot 200 of Section 5B of T5S, R14E, W.M. and Tax Lot 400 of Section 32C of T4S, R14E, W. M. located along the bluff from "Industrial" (I) to "Medium Density-Residential" (MD-R).
- B. Rezone an approximate 34.5 acres of Tax Lot 100 of Section 5B of T5S, R14E, W.M. located below the bluff from "Industrial" (I) to "Low Density-Residential" (LD-R)
- C. Rezone an approximate 0.86 acres of Tax Lot 400 of Section 32C of T4S, R14E, W. M. located on the east side from "Industrial" (I) to "Open Space" (OS)

Map attached as Exhibit A


DATED AND PASSED this 23rd day of May 2007.

Ayes: 4
Nays: 0
Absent: 2

Approved by the Mayor the 23rd day
of May 2007.


Dennis D. Ross, Mayor

Attest:


DeOra M Patton, Recorder

REQUEST FOR ZONE CHANGE

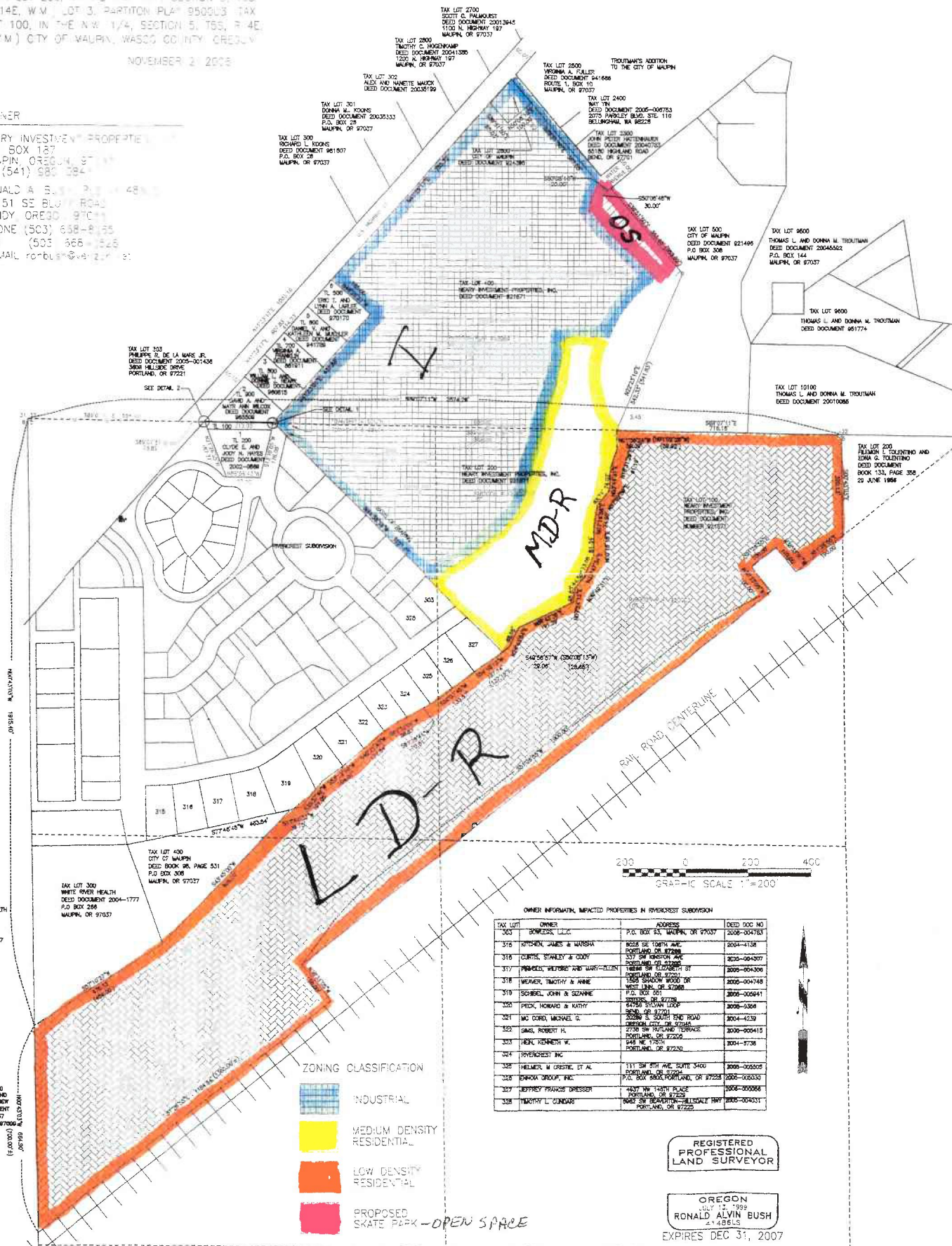
LOT 1, PARTITION PLAN 950003 (TAX LOT 403 IN THE S.W. 1/4 SECTION 32, T4S, R 4E, W.M. AND TAX LOT 200, IN THE N.W. 1/4 SECTION 3, T5S, R14E, W.M.) LOT 3, PARTITION PLAN 950003 (TAX LOT 100, IN THE N.W. 1/4 SECTION 5, T5S, R 4E, W.M.) CITY OF MAUPIN, WASCO COUNTY, OREGON

NOVEMBER 2, 2008

OWNER

NEARY INVESTMENT PROPERTIES
 P.O. BOX 187
 MAUPIN, OREGON 97137
 PH (541) 980-2841

RONALD A. BUSH, JR. 48%
 16151 SE BLOOMING ROAD
 SANDY OREGON 97055
 PHONE (503) 658-8133
 FAX (503) 366-1826
 E-MAIL ronbush@neary.com



OWNER INFORMATION, IMPACTED PROPERTIES IN REVERSEST SUBDIVISION

TAX LOT	OWNER	ADDRESS	DEED DOC NO
303	BOWERS, LLC	P.O. BOX 83, MAUPIN, OR 97037	2006-004783
316	RITCHEN, JAMES & MARSH	8028 SE 108TH AVE PORTLAND, OR 97288	2004-4158
317	CURTIS, STANLEY & COOT	337 SW KINGSON AVE PORTLAND, OR 97201	2003-004307
317	FRANKEL, WELBERT AND GARY-ELLEN	11888 SW ELIZABETH ST PORTLAND, OR 97224	2005-004306
318	WEAVER, TIMOTHY & ANNE	1509 SHADOW WOOD DR WEST LANE, OR 97146	2005-004748
319	SCHUBEL, JOHN & SEANNE	P.O. BOX 501 WHEATON, OR 97149	2005-006441
320	PECK, HOWARD & KATHY	24555 SLYNN LOOP SEASIDE, OR 97138	2008-00608
321	MC CORD, MICHAEL G.	3200 E. 254TH ST OREGON CITY, OR 97059	2004-4239
322	GAIL, ROBERT H.	2708 SW POLKLAND TERRACE PORTLAND, OR 97202	2009-005415
323	REIF, ROBERT W.	648 NE 770TH PORTLAND, OR 97220	2004-5738
324	EVEREST INC	111 SW 9TH AVE, SUITE 5400 PORTLAND, OR 97204	2009-006057
325	HELMER, M GREGG, ET AL	P.O. BOX 806, PORTLAND, OR 97208	2005-006030
327	JEFFREY FRANCIS DRESSER	4037 W. TOWN PLACE PORTLAND, OR 97223	2008-006066
328	TIMOTHY L. GUNDAK	6042 SW BEAVERTON - HILLSDALE HWY PORTLAND, OR 97225	2005-004031

- ZONING CLASSIFICATION**
- INDUSTRIAL
 - MEDIUM DENSITY RESIDENTIAL
 - LOW DENSITY RESIDENTIAL
 - PROPOSED SKATE PARK - OPEN SPACE

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
 JULY 17, 1999
 RONALD ALVIN BUSH
 21486LS
 EXPIRES DEC 31, 2007

MAUPIN CITY COUNCIL

IN THE MATTER OF THE PROPOSED)
COMPREHENSIVE PLAN/ZONING MAP)
AMENDMENT TO TAX LOT 400 OF 4S-14-32C) CITY COUNCIL ORDER
AND TAX LOTS 100 AND 200 OF 5S-14-5B ON)
BEHALF OF NEARY INVESTMENT PROPERTIES)

INTRODUCTION AND FINDINGS

1. Neary Investment Properties, Inc. has submitted a request for a Comprehensive Plan/Zoning Map Amendment to property they own on the heights in Maupin. The property is the former mill site.
2. The property is described as Wasco County Tax Lot 400 of Section 32C of Township 4 South, Range 14 East, Willamette Meridian and Tax Lots 100 and 200 Section 5B of Township 5 South, Range 14 East, in the City of Maupin.
3. The property is currently planned and zoned Industrial. The applicant is requesting three map changes as follows:
 - A. To rezone an approximate 5.53 acres along the bluff to Medium Density-Residential. The intent here is to allow a continuation of the primary access road from Blue Rock Road and create additional home sites along the bluff and directly across the street from the bluff. Water and sewer are available.
 - B. To rezone an approximate 34.5 acres below the bluff and above the railroad properties to Low Density-Residential. Water, sewer, and access could be made available if the developer wants to spend the money.
 - C. To rezone an approximate 0.86 acres on the east side to Open Space. This land is proposed to be donated to the City as a contribution for a Skate Park. Access is available from Water Avenue. Water and sewer are available.

4. On March 6, 2007, a public hearing was held before the Maupin Planning Commission. At the close of the hearing the Planning Commission moved on a 5 to 0 vote to recommend to the City Council approval of this Comprehensive Plan/Zoning Map Amendment subject to Condition that the applicant shall obtain satisfactory approval by Oregon Department of Transportation to its requirement for traffic impact analysis.
5. On April 4, 2007, at a duly held public meeting, the Maupin City Council considered the Maupin Planning Commission recommendation and moved on a 5 to 0 vote to Accept the Planning Commission's recommendation and Approve the Comprehensive Plan/Zoning Map Amendment subject to the following condition:

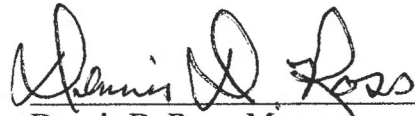
CONDITION OF APPROVAL:

1. The applicant shall obtain satisfactory approval by Oregon Department of Transportation to its requirement for traffic impact analysis.

Once the ODOT requirement is met, then the City will proceed with the adoption of an Ordinance to amend the Maupin Comprehensive Plan Ordinance and Maupin Zoning Ordinance to redesignate the zoning.

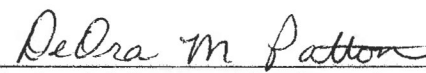
DATED AND APPROVED this 4th day of April, 2007.

SIGNED:



Dennis D. Ross, Mayor

ATTEST:



DeOra M. Patton, City Recorder

MAUPIN CITY PLANNING COMMISSION

IN THE MATTER OF THE PROPOSED)
COMPREHENSIVE PLAN/ZONING MAP) Planning Commission
AMENDMENT TO TAX LOT 400 OF 4S-14-32C) Recommendation to Council
AND TAX LOTS 100 AND 200 OF 5S-14-5B ON)
BEHALF OF NEARY INVESTMENT PROPERTIES)

INTRODUCTION AND FINDINGS

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 - C. To rezone an approximate 0.86 acres on the east side to Open Space. This land is proposed to be donated to the City as a contribution for a Skate Park. Access is available from Water Avenue. Water and sewer are available.
4. The City staff scheduled a public hearing, provided notice in the newspaper, and notices to property owners within 100 feet regarding this matter.


5. The declining industrial land base was considered and determined the 34.5 acres below the bluff is not suitable for industrial development, and that this area and the remaining approximate 6 acres on the bluff would better serve the community as residential development.
6. On March 6, 2007, a public hearing was held before the Maupin Planning Commission. At the close of the hearing the Planning Commission moved on a 5 to 0 vote to recommend to the City Council approval of this Comprehensive Plan/Zoning Map Amendment subject to the following condition:

CONDITION OF APPROVAL:

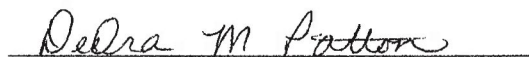
1. The applicant shall obtain satisfactory approval by Oregon Department of Transportation to its requirement for traffic impact analysis.

DATED AND APPROVED this 6th day of March, 2007.

SIGNED:


Ralph Wimmer, Vice-Chairman

ATTEST:


DeOra M. Patton, City Recorder