



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

April 20, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Rainier Plan Amendment
DLCD File Number 001-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: May 9, 2007

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 DATE SPECIFIED ABOVE.**

Cc: Doug White, DLCD Community Services Specialist
Gary Fish, DLCD Regional Representative
Carole Connell, City Of Rainier

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D L C D 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

(See reverse side for submittal requirements)

DEPT OF

APR 19 2007

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: Rainier Local File No.: PA07-01

(If no number, use none)

Date of Adoption: 4-16-2007 Date Mailed: 4-18-2007

(Must be filled in)

(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 1-16-2007

X Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment

X Land Use Regulation Amendment X 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 ASee Attached.

An amendment reversing the industrial symbols M1 and M2 for consistency with Columbia County Zoning. An amendment to zoning code 6.6 that extends the discontinuance of a non-conforming use from 6 months to 18 months.

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

ASame.

Plan Map Changed from : to

Zone Map Changed from: M1 M2 to M2 & M1

Location: All land zoned M1 and M2 Acres Involved:

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

Applicable Statewide Planning Goals:

Was an Exception Adopted? Yes: No: X

DLCD File No.: 001-07 (15807)

CITY OF RAINIER
ORDINANCE NO. 1039

**AN ORDINANCE TO AMEND THE RAINIER ZONING CODE EXTENDING THE
MAXIMUM VACANCY PERIOD FOR A NON-CONFORMING USE FROM SIX (6)
MONTHS TO EIGHTEEN (18) MONTHS**

WHEREAS, the Planning Commission initiated the amendment because they found that requiring a non-conforming use to comply with current permitted uses within six months of vacancy is too restrictive; and

WHEREAS, the City of Rainier received a Planning Assistance grant from DLCD to improve code administration making minor miscellaneous amendments; and

WHEREAS, the City of Rainier Planning Commission held a work session and a duly noticed public hearing on February 28, 2007 and concluded to recommend approval of said amendments to the Rainier City Council; and

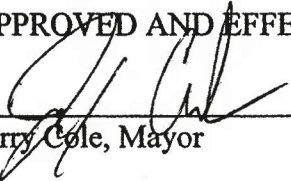
WHEREAS, the Rainier City Council held a duly noticed public hearing on April 2, 2007 and found that after due consideration of the amendments compared to the criteria that the proposed code provisions comply with the Rainier Comprehensive Plan as stated in the City Staff Report dated February 21, 2007; and

WHEREAS, the City Council has considered findings of compliance with criteria and law applicable to the proposal;

NOW, THEREFORE, THE CITY OF RAINIER DOES ORDAIN AS FOLLOWS:


1. The above recitations are true and correct and are incorporated herein by this reference.
2. The City of Rainier Zoning Code Section 6.6 Non-Conforming Uses to allow such uses to be discontinued for a maximum of eighteen (18) months before they must convert to a use permitted by the underlying zone.
3. In support of the above amendment to the Rainier Zoning Code, the City Council hereby adopts the Findings of Fact and Conclusions of Law in the City Staff Report dated February 21, 2007 for the Amendment.
4. The effective date of this Ordinance shall be 30 days after approval, in accordance with the City Charter and other applicable laws.

APPROVED AND EFFECTIVE this ^{16th}~~19th~~ day of April 2007
_{MA}



Jerry Cole, Mayor

Attested by:



Michelle Archibald, City Recorder

CITY OF RAINIER
ORDINANCE NO. 1040

AN ORDINANCE TO AMEND THE CITY OF RAINIER COMPREHENSIVE PLAN AND ZONING CODE TO REVERSE THE DESIGNATIONS FOR INDUSTRIAL LAND M1 AND M2 MAP SYMBOLS IN ORDER TO BE CONSISTENT WITH THE COLUMBIA COUNTY INDUSTRIAL M1 AND M2 MAP SYMBOLS

WHEREAS, the City Council directed staff and the Planning Commission to correct the confusion between City and County industrial land zone symbols; and

WHEREAS, the City of Rainier received a Planning Assistance grant from DLCD to improve code administration making minor miscellaneous amendments; and

WHEREAS, the City of Rainier Planning Commission held a work session and a duly noticed public hearing on February 28, 2007 and concluded to recommend approval of said amendments to the Rainier City Council; and

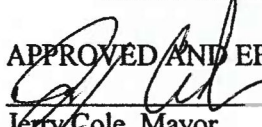
WHEREAS, the Rainier City Council held a duly noticed public hearing on April 2, 2007 and found that after due consideration of the amendments compared to the criteria that the proposed code provisions comply with the Rainier Comprehensive Plan as stated in the City Staff Report dated February 21, 2007; and

WHEREAS, the City Council has considered findings of compliance with criteria and law applicable to the proposal;

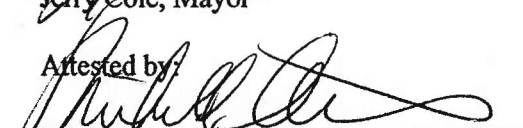
NOW, THEREFORE, THE CITY OF RAINIER DOES ORDAIN AS FOLLOWS:

1. The above recitations are true and correct and are incorporated herein by this reference.
2. The City of Rainier Comprehensive Plan and Zone Code and Map are amended as follows:
 - a. Amend the Comprehensive Plan Goal 2 policy 7, to indicate LI-Light Industrial District M-2, instead of M-1, and HI-Heavy Industrial District M-1 instead of M-2.
 - b. Amend the Rainier Zoning Map so that Light Industrial land is M-2, instead of M-1 and the Heavy Industrial land is M-1, instead of M-2.
 - c. Amend Zoning Ordinance Section 3.10 to Light Industrial M-2, instead of M-1.
 - d. Amend Zoning Ordinance Section 3.11 to Heavy Industrial M-1, instead of M-2.
3. In support of the above amendments to the Comprehensive Plan, Zoning Code and Zoning Map, the City Council hereby adopts the Findings of Fact and Conclusions of Law in the City Staff Report dated February 21, 2007 for the Amendments.
4. The effective date of this Ordinance shall be 30 days after approval, in accordance with the City Charter and other applicable laws.

APPROVED AND EFFECTIVE this ^{16th}~~19th~~ day of April 2007
WA


Jerry Cole, Mayor

Attested by:


Michelle Archibald, City Recorder