



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

March 6, 2008

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Malin Plan Amendment
DLCD File Number 001-08



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: March 19, 2008

This amendment was not submitted to DLCD for review prior to adoption. Pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

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
Jon Jinings, DLCD Regional Representative
Kay Neumeyer, City of Malin

<paa>

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

FEB 29 2008

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: City of Macon Local File No.: (If no number, use none)

Date of Adoption: 11-13-07 (Must be filled in) Date Mailed: 1-30-08 (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 8-13-07

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."

amended land use ordinance to add a sentence under 152.020 4(d) lot area, 9000 sq ft minimum parcel size shall apply to lots platted after June 30, 2003 and simplify 152.021 language. adopt new zoning: comprehensive map.

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: to

Zone Map Changed from: to

Location: Acres Involved:

Specify Density: Previous: New:

Applicable Statewide Planning Goals:

Was an Exception Adopted? Yes: No:

DLCD File No.: 001-08 (NOA)

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: _____

Local Contact: Kay Neumeier Area Code + Phone Number: 541-723-2021

Address: PO Box 61

City: Salem Zip Code+4: 9732-0061

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** the adopted material, if copies are bounded 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 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 copy this form on to 8-1/2x11 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.

COMMON COUNCIL OF THE CITY OF MALIN, OREGON
An Oregon Municipal Corporation

(AN ORDINANCE AMENDING SECTIONS 152.020 AND 152.021 OF CHAPTER 151 LAND USE AND DEVELOPMENT ORDINANCE; AND UPDATE THE COMPREHENSIVE PLAN AND ZONING MAP)

ORDINANCE NO. 311

WHEREAS, the Common Council of the City of Malin, Oregon would like to amend portions of the Land Use and Development Ordinance, and update the Comprehensive Plan and Zoning Map.

WHEREAS, The Malin Planning Commission recommended adding a sentence in Section 152.020 of the Residential Zone under the section-area lot to allow building on lots smaller than the minimum 9,000 square feet.

WHEREAS, The Malin Planning Commission recommended simplifying the language in Section 152.021 (e).

WHEREAS, The Comprehensive Plan and Zoning Map adopted June 10, 2003 needs corrected and updated. **NOW THEREFORE;**

THE CITY OF MALIN ORDAINS AS FOLLOWS:

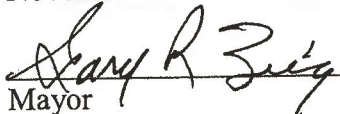
Section 1. 152.020 4 (d) Lot Area. The minimum parcel size shall be 9000 square feet for single-family dwellings and additional 3000 square feet for each additional dwelling unit. This 9,000 square foot minimum parcel size shall apply to lots platted after June 10, 2003.

Section 2. 152.021 (e) Residential Uses on second floor of structure above commercial uses on ground floor.

Section 3. The Comprehensive Plan and Zoning Map adopted June 10, 2003, is hereby amended and updated by attachment known as "Exhibit A".

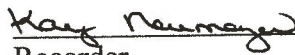
Passed by the Common Council of the City of Malin, Oregon, on this 13th day of November 2007.

Presented to the Mayor and by him approved and signed this 13th day of November 2007.



Mayor

ATTEST:



Recorder