



# Oregon

Theodore R. Kubongoski, 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

7/30/2009

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

**FROM:** Plan Amendment Program Specialist

**SUBJECT:** City of Enterprise Plan Amendment  
DLCD File Number 001-09

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:** Thursday, August 13, 2009

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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

**Cc:** Michele Young, City of Enterprise  
Gloria Gardiner, DLCD Urban Planning Specialist  
Grant Young, DLCD Regional Representative

<paa> YA

In person  electronic  mailed

**FORM 2**

**DLCD**

# Notice of Adoption

*7/23/09  
same as postmark.*

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

For DLCD Use Only

Jurisdiction: **City of Enterprise**

Local file number:

Date of Adoption: **07-21-09**

Date Mailed: **07-22-09**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: 5-29-09

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".

Ordinance No. 559 : An Ordinance amending Section 3.090 of the City of Enterprise Land Use Ordinance to authorize Additional Conditional uses in the H-1 Zone, provide criteria for such uses and to amend other provisions of the H-1 Zone regulations.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
<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"/>	<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"/>	<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 file No.** \_\_\_\_\_

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

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Local Contact: **Michele Young**

Phone: (541) 426-4196 Extension:

Address: **108 N.E. 1<sup>st</sup> St.**

Fax Number: **541-426-3395**

City: **Enterprise**

Zip: **97828**

E-mail Address: **cityent@eoni.com**

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## **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, or by emailing **[larry.french@state.or.us](mailto:larry.french@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 **[larry.french@state.or.us](mailto:larry.french@state.or.us)** - **Attention: Plan Amendment Specialist**.

ORDINANCE NO. 559

AN ORDINANCE AMENDING SECTION 3.090 OF THE CITY OF ENTERPRISE LAND USE ORDINANCE TO AUTHORIZE ADDITIONAL CONDITIONAL USES IN THE H-1 ZONE, PROVIDE CRITERIA FOR SUCH USES AND TO AMEND OTHER PROVISIONS OF THE H-1 ZONE REGULATIONS

DEPT OF

JUL 27 2009

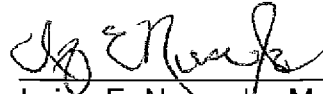
THE CITY OF ENTERPRISE ORDAINS AS FOLLOWS:

LAND CONSERVATION  
AND DEVELOPMENT

**Section 1.** Section 3.090 of the City of Enterprise Land Use Ordinance is hereby amended to provide as set forth in the attached Exhibit A, which is incorporated herein as if fully set forth.

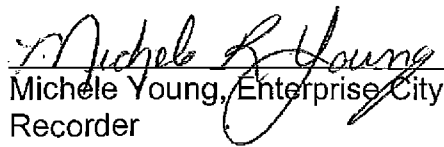
**Section 2.** This Ordinance will take affect 30 days after its passage by the City Council.

Passed and adopted this 21st day of July, 2009, by a vote of 5 ayes and 0 nays.



Irving E. Nuss, Jr., Mayor

ATTEST:



Michele Young, Enterprise City  
Recorder

EXHIBIT A  
TO  
ORDINANCE  
AMENDING H-1 ZONE REGULATIONS

**Section 3.090. HOSPITAL ZONE, H-1.**

1. USES PERMITTED OUTRIGHT. In an H-1 zone, the following uses and their accessory uses shall be permitted out-right:

- A. Hospitals.
- B. Nursing homes.
- C. Residential institutions and residential facilities.
- D. Public and private parks, ball fields and playing fields.

E. Streets, alleys and utility facilities necessary to provide utility distribution to the vicinity including, without limiting the foregoing, water, sewer, natural gas, electrical, telephone and cable television distribution facilities.

2. CONDITIONAL USES PERMITTED. In an H-1 zone the following uses or accessory uses may be permitted and authorized in accordance with ARTICLE 6 and the criteria contained herein:

A. Apartments or other residential facilities for the use of medical staff in a hospital, nursing home or other medical care facilities.

B. Apartments for the temporary use of visiting staff, associates or faculty of occupants of the Old Wallowa Memorial Hospital Building.

C. Churches.

D. Office Use, within the old Wallowa Memorial Hospital Building.

E. Schools and education uses, within the old Wallowa Memorial Hospital Building.

F. Service Use similar in impact to an Office Use, within the old Wallowa Memorial Hospital Building.

G. Utility facilities not permitted as an outright use, including, without limiting the foregoing, electrical transmission lines, substations, central telephone switching facilities, central cable television receiving and transmitting facilities, city water wells or water storage facilities, sewage treatment facilities, principal use irrigation, water pipelines or facilities or natural gas main transmission lines.

3. **CONDITIONAL USE CRITERIA.** A conditional use providing for an Office Use, a School or Education Use, and/or a Service Use, within the Old Wallowa Memorial Hospital Building may be permitted upon a finding by the Commission that:

(a) The proposed use will not be objectionable due to noise, dust, smoke, odors, increased traffic or other cause;

(b) The proposed use will be compatible with other uses in the old Wallowa Memorial Hospital Building;

(c) The proposed use, in conjunction with other existing or likely future uses in the old Wallowa Memorial Hospital Building, will have no greater adverse impact upon the neighborhood, due to traffic, noise or other cause, than the previous use as a hospital or as a nursing home;

(d) Except for approved signage, there shall be no commercial displays, including displays of merchandise, on the exterior of the old Wallowa Memorial Hospital Building;

(e) Signage shall be limited to that which is appropriate to direct clients and customers to the proposed use and be of a nature which minimizes impact upon adjacent residences. The Commission may require that signs be limited to a single consolidated building directory sign. The Commission shall include conditions specifying the nature of approved signage in any approval of a conditional use for a new use within the old Wallowa Memorial Hospital Building.

4. **CONSOLIDATED PERMIT APPLICATION.** The owner of the old Wallowa Memorial Hospital Building may file, and the Commission may review, a conditional use application for development of a complex, in all or a portion of said building, with uses authorized by subsections 3 C, 3 D and 3 E of this section, without identification of the proposed users which may occupy such complex in the future. In the event of approval of such application, the approval shall include restrictions on the nature of the users of the complex to assure that future users will comply with the criteria set forth in subparagraph 3.

5. **SITE PLAN REVIEW.** All uses permitted outright or conditionally in the H-1 zone, signs shall receive site plan review pursuant to ARTICLE 10, CHAPTER III of this ordinance prior to issuance of a permit, provided, however, that new uses or expansions of existing uses established in or incident to an existing structure, and involving no new structures and no change in vehicle and pedestrian access, shall not require site plan review.

6. **LOT SIZE.** Minimum lot size shall be the minimum size necessary to accommodate the proposed structure and off street parking, and any other requirements imposed pursuant to the provisions governing site plan review.

7. **LOT COVERAGE.** Buildings and structures may be permitted to cover one hundred (100%) percent of the lot or parcel.

8. OFF STREET PARKING. Off street parking should be provided in accordance with Section 4.080, unless the requirements are waived by the Commission.

9. REVERSION TO R-2 ZONING. In the event the old Wallowa Memorial Hospital building is destroyed or torn down, the zoning of the property now zoned as 1-1-1 shall be zoned and designated as R-2 and the uses authorized and the development standards shall be governed by the provisions of Section 3.020.

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08 N.E. 1st St  
nterprise, Or. 97828



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1910 U.S. POSTAGE PB3509815  
07425 01-220 JUL 23 2009  
2081 MAILED FROM ZIP CODE 97828

Attn: Plan Amendment Specialist  
Dept. of Land Conservation &  
Development  
635 Capitol St. NE Suite 150  
Salem, Oregon 97301-2540

