



Oregon

Theodore R. Kubangoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

02/27/2009

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Monmouth Plan Amendment
DLCD File Number 003-08

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, March 12, 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: Mark Fancey, City of Monmouth
Gloria Gardiner, DLCD Urban Planning Specialist
Steve Oulman, DLCD Regional Representative

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FEB 20 2009

LAND CONSERVATION AND DEVELOPMENT

NOTICE OF ADOPTION

Must be filed within 5 working days See OAR 660-18-040

Jurisdiction: City of Monmouth

Local File Number: CPMA-ZC 08-01

Date of Adoption: February 17, 2009

Date Mailed: February 19, 2009

Date Proposal was Provided to DLCD: September 4, 2008

Type of Adopted Action: (Check all that apply)

Comprehensive Plan Text Amendment X Comprehensive Plan Map Amendment

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 "See Attached." This request would amend the Comprehensive Plan Map designation from Medium Density Residential to Commercial and would change the zoning from Medium Density Residential (RM) to Commercial Office (CO) for the southernmost 0.68 acres of a 3.04 acre property

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: Medium Density Residential to Commercial

Zone Map Changed from: Medium Density Residential (RM) to Commercial Office (CO)

Location: T8R4WS30A Tax Lot 4300 475 Boyd Lane

Acres Involved: 0.68 acres

Specify Density: Previous: 12 units/acre New: N/A

Applicable Statewide Planning Goals: 1,2,9,10

Was an Exception Adopted? Yes: No: X

DLCD File Number: 003-08 (17121)

CITY OF MONMOUTH, COUNTY OF POLK

STATE OF OREGON

An Ordinance Amending the)
Comprehensive Plan Map Designation and)
Zoning for a Property Owned by Gary)
Knowles - Comprehensive Plan Map)
Amendment / Zone Change 08-01)

ORDINANCE NO 1269

WHEREAS, Gary Knowles is the owner (hereinafter "Owner") of the real property located at 475 Boyd Lane and identified as Assessor Map 8430A, Tax Lot 4300 as depicted on Exhibit A hereto (hereinafter the "Property"); and

WHEREAS, the Owner submitted a Comprehensive Plan Map Amendment/Zone Change application; and

WHEREAS, the Property is designated as Medium Density Residential on the Comprehensive Plan Map and is zoned Medium Density Residential (RM); and

WHEREAS, the Comprehensive Plan Map Amendment/Zone Change request would change the Comprehensive Plan Map designation to Commercial and would change the zoning to Commercial Office (CO) for the southernmost approximately 0.68 acres of the Property; and

WHEREAS, after due notice and public hearing on December 17, 2008, the Planning Commission recommended to the Council that said application be approved; and

WHEREAS, after due notice and public hearing on January 6, 2009, the City Council approved the application, based upon the following Findings and Conclusions:

FINDINGS

1. The property is approximately 3.04 acres in size and is developed with a single-family residence.
2. The proposed Comprehensive Plan Map Amendment/Zone Change application would apply to the southernmost 0.68 acres of the Property.

3. The subject property is located in an area with a mixture of commercial, public, and residential uses.
4. The Applicant would relocate the Central Vision Clinic office building located at 1430 Monmouth-Independence Highway to the portion of the property subject to the Comprehensive Plan Map Amendment/Zone Change application.
5. The commercial lands inventory in the Economics Element of the Comprehensive Plan shows that only 0.2 acres zoned Commercial Office (CO) is currently available for development within Monmouth.
6. Services are available to serve the subject property. The applicant will need to record a sewer line easement and extend sewer services to the subject property.
7. The applicant submitted a Traffic Impact Analysis report that estimates vehicular traffic generated on the site under three (3) full development scenarios for the subject property. The estimated number of PM peak hour trips generated by the subject property under full development scenarios ranged from 26 to 33 trips.

CONCLUSIONS

1. The proposed Comprehensive Plan Map designation and zoning would provide additional commercial land for development.
2. Based on the commercial lands inventory and the stated intent in the Comprehensive Plan to provide additional land for commercial development, there is public need for additional commercial land.
3. Vehicular traffic resulting from the proposed Comprehensive Plan Map Amendment and rezoning will not have a significant effect, within the meaning of the Transportation Planning Rule (OAR 660-012-0060), on Monmouth-Independence Highway.

NOW, THEREFORE,

THE CITY OF MONMOUTH DOES ORDAIN AS FOLLOWS:

Section 1. The Comprehensive Plan Map designation for the 0.68 acres of the Property described on Exhibit A hereto is hereby changed from Medium Density Residential to Commercial.

OF MONMOUTH
WEST MAIN STREET
MONMOUTH, OR 97361



PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND
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