



# 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](http://www.lcd.state.or.us)

## AMENDED NOTICE OF ADOPTED AMENDMENT

January 30, 2008



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Carlton Plan Amendment  
DLCD File Number 002-07

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: February 19, 2008**

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  
Gary Fish, DLCD Regional Representative  
Suzanne Dufner, City of Carlton

<paa> ya/

DEPT OF

JAN 29 2008

LAND CONSERVATION  
AND DEVELOPMENT

# NOTICE OF ADOPTION

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

Jurisdiction: City of Carlton Local File Number: LA07-03  
Date of Adoption: December 10, 2008 Date Mailed: January 28, 2008  
Date Proposal was Provided to DLCD: May 31, 2007

Type of Adopted Action: (Check all that apply)

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."  
The proposed amendment would added text and a map to Carlton Development Code Section 2.203 – Offstreet Parking and Loading, which exempts properties within the downtown core, as shown on the attached map, from meeting offstreet parking requirements.

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."  
The boundary for the parking exempt district was amended, as shown on the attached map.

Plan Map Changed from: NA to NA

Zone Map Changed from: NA to NA

Location: NA

Acres Involved: NA

Specify Density: Previous: NA New: NA

Applicable Statewide Planning Goals: 1, 2

Was an Exception Adopted? Yes:  No:

DLCD File Number: 002-07 (16137)



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: X 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: None

Local Contact: Suzanne Dufner Area Code + Phone Number: (503) 588-6177  
Address: MWVCOG 105 High Street SE  
City: Salem Zip Code+4: 97301-3667

## 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** of the adopted material, if copies are bound 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 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 onto 8 ½ x11 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.

ORDINANCE # 670

AN ORDINANCE AMENDING THE CITY OF CARLTON DEVELOPMENT CODE TO CREATE A PARKING DISTRICT AND DECLARING AN EMERGENCY

WHEREAS, the City of Carlton deemed it necessary to amend the Carlton Development Code to create a parking district where new or expanding uses are exempt from off-street parking and loading requirements; and

WHEREAS, the Carlton Planning Commission held a public hearing on the proposed amendments to the City of Carlton Development Code on September 4, 2007, at which time the public was given full opportunity to be present and heard on the matter;

WHEREAS, the Carlton City Council held a public hearing on the proposed amendments to the City of Carlton Development Code on November 13, 2007, at which time the public was given full opportunity to be present and heard on the matter;

WHEREAS, proper notice of the said public hearings was given to the public pursuant to applicable state statutes; and

NOW THEREFORE; The people of the City of Carlton ordain as follows;

SECTION 1. Adoption. The amendment to the City of Carlton Development Code attached hereto and marked Exhibit A is hereby adopted.

SECTION 2. Emergency Clause. The Council desires and deems it necessary for the preservation of the health, peace, and safety of the City of Carlton that this ordinance take effect at once, and therefore, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

Passed by this Council this 10th day of December, 2007, by the following vote:

AYES: Scott Carl, David VanDeWalle, Kathie Oriet, Gwen Jernstedt, Jesse Berry and Ginger Williams

NAYS: -0-

ABSTAIN: -0-

ABSENT: Carey Rhoads

Approved by the Mayor this 10th day of December, 2007.

  
Kathie Oriet, Mayor

ATTEST   
Loreli Wright, City Recorder



**EXHIBIT A**  
**Amendments to the Carlton Development Code**

**2.203 OFF-STREET PARKING AND LOADING**

**2.203.01 Purpose**

The purpose of this Section is to provide adequate areas for the parking, maneuvering, loading and unloading of vehicles for all land uses in the City.

**2.203.02 Scope**

Development of off-street parking and loading areas for commercial, industrial, or multi-family development shall be subject to the Site Design Review procedures of **Section 3.104**.

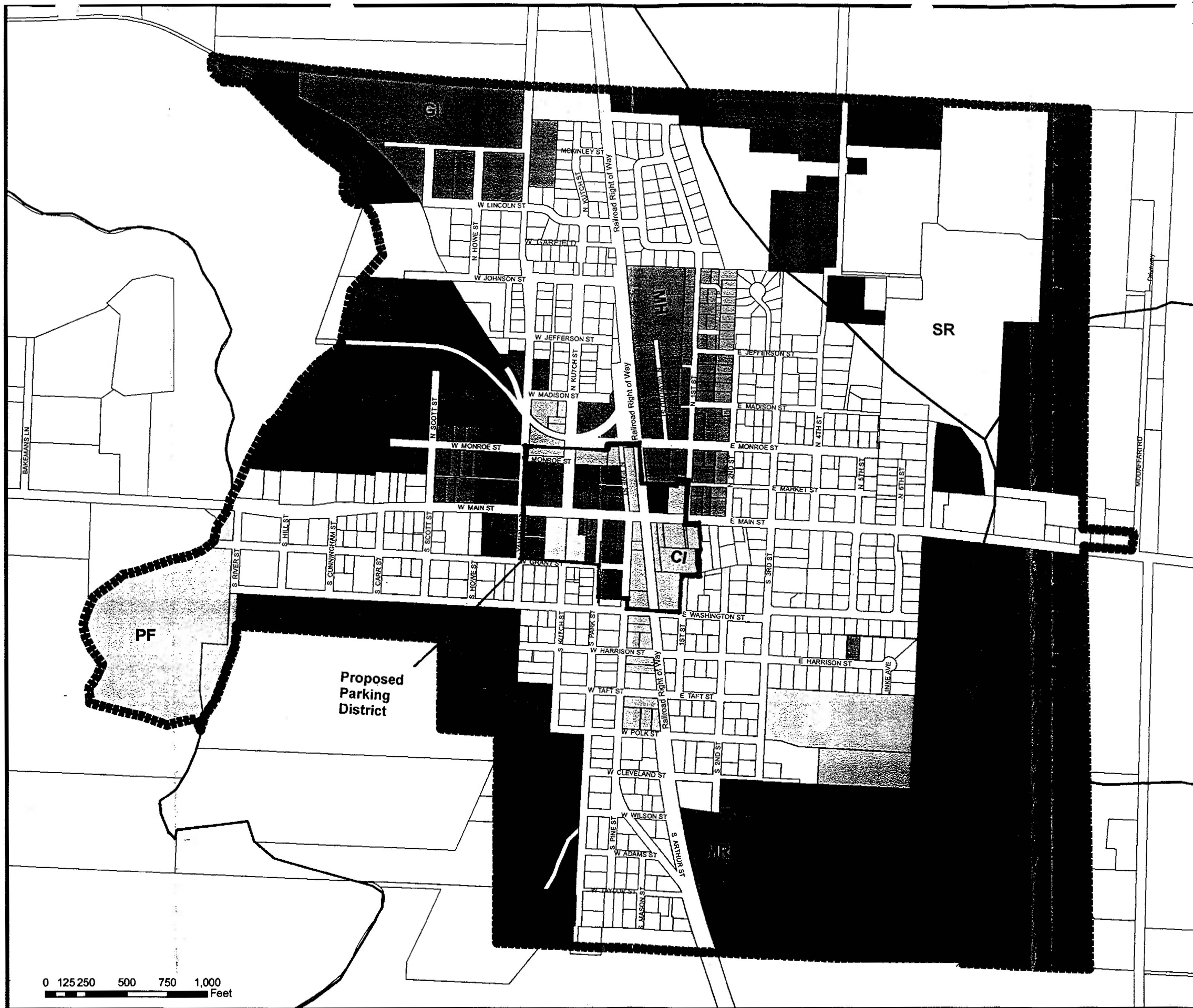
The provisions of this Section shall apply to the following types of development:

- A. Any new building or structure erected after the effective date of this Ordinance, except as provided in E below.
- B. The construction or provision of additional floor area, seating capacity, or other expansion of an existing building or structure.
- C. A change in the use of a building or structure that would require additional parking spaces or off-street loading areas under the provisions of this Section.
- D. As a condition of approval in a land use decision.
- E. Off-street parking and off-street loading area requirements for a particular use as enumerated in this chapter are not required for a new or expanding use when located within the Parking District delineated in Exhibit "A" of Chapter 2.203.

### Zoning Designations

- Streams
- UGB
- Agricultural Holding (AH)
- Commercial (C)
- Commercial Industrial (CI)
- General Industrial (GI)
- Multi-Family Residential (MR)
- Public Facility (PF)
- Suburban Residential (SR)
- Manufactured Home (MH)
- Mixed Density Residential (MX)

# City of Carlton Zoning



# Memorandum

## MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS

105 HIGH STREET S. E. SALEM, OREGON 97301-3667

TELEPHONE: (503)588-6177

FAX: (503)588-6094

TO: Carlton City Council

FROM: Suzanne Dufner, City Planner

RE: Legislative Amendment 07-03 - Proposed parking district

DATE: November 6, 2007

Legislative Amendment 07-03 includes proposed amendments to the Carlton Development Code to create a Downtown Parking District.

Specifically, the proposed amendments exempt new or expanding uses located in the proposed Parking District from off-street parking and loading area requirements. The Parking District generally includes the downtown Commercial Business District. A copy of the proposed amendments and a map depicting the proposed Parking District are attached to this memo.

Staff worked with the Planning Commission to develop the proposed amendments in response to current off-street parking and loading requirements that limit the ability of property owners to develop second story offices and apartments in the downtown area.

The proposed downtown parking exemption would encourage a more efficient use of existing buildings within the central business district without requiring property owners to go through the time and expense of receiving variance approval to off-street parking and loading requirements. The proposed amendments are also consistent with the City's Comprehensive Plan goals and policies to utilize land more efficiently and promote economic activity that is compatible with and maintains Carlton's small town character, quality of life and identity.

The Planning Commission conducted a public hearing to review the proposed amendments on September 4, 2007. At the conclusion of the hearing, the Planning Commission voted to recommend that the City Council adopt Legislative Amendment 07-03.

### CITY COUNCIL ACTION

The City Council's options include the following:

- A. Adopt Legislative Amendment 07-03:
  - 1. As recommended by the Planning Commission; or
  - 2. As amended by the City Council (state revisions).
- B. Take no action on Legislative Amendment 07-03.

C. Continue the public hearing:

1. To a time certain, or
2. Indefinitely.

Attachments: Legislative Amendment 07-03, Map of Proposed Parking District



340069  
MID - WILLAMETTE VALLEY  
**COUNCIL OF GOVERNMENTS**  
105 High Street S.E.  
Salem, OR 97301-3667



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**FIRST CLASS**

Attn: Plan Amendment Specialist  
DLCD  
635-Capitol St NE, Suite 150  
Salem OR 97301-2540