



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

September 18, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Cascade Locks Plan Amendment
DLCD File Number 001-06



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: October 2, 2006

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
Gary Fish, DLCD Regional Representative
John Morgan, City of Cascade Locks

<paa>



NOTICE OF ADOPTION SEP. 12 2006

Must Be Filed Within 5 Working Days
See OAR 660-18-040

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction CASCADE LOCKS Local File Number _____

Date Mailed 9/11/06 Date of Adoption 8/28/06

Date Proposal was Provided to DLCD _____

Type of Adopted Action (Check all that apply)

| | | |
|---|---|--|
| <input type="checkbox"/> Comprehensive Plan Amendment | <input checked="" type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> New Land Use Regulation |
|---|---|--|

Please complete (A) for text amendments and (B) for map amendments

A. Summary of Adopted Action (A brief description is adequate. Please avoid highly technical terms and zone code abbreviations. Please do not write "see attached."):

AMENDING INDUSTRIAL ZONES TO CLARIFY
PARKING REQUIREMENTS

Describe How the Adopted Amendment Differs from the Proposal (If it is the same, write "Same." If it was not proposed, write "N/A."):

SAME

B. If the Action Amends the Plan or Zone Map, Provide the Following Information for Each Area Which was Changed (Provide a separate sheet for each area. Multiple sheets can be submitted as a single adoption action. Please include street address whenever possible. Do not use tax lot number alone.):

Previous Plan Designation: _____ New Plan Designation: _____

Previous Zone: _____ New Zone: _____

Location: _____

Acreage Involved: _____

Does this Change Include a Goal Exception? _____ Yes _____ No

For Residential Changes Please Indicate the Change in Allowed Density in Units Per Net Acre

Previous Density: _____ New Density: _____

001-06
(NOA)

If Notice of Proposal was Not Sent to DLCD 45 Days Prior to the Final Hearing, Please Indicate Why:

_____ Statewide Planning Goals are inapplicable

_____ Emergency Circumstances Required Expedited Review

List Statewide Goals Which May Apply:

1, 2, 9

List any State or Federal Agencies, Local Government or Local Special Service Districts Which may be Interested in or Impacted by the Adoption:

PORT OF CASCADE LOCKS

Direct Questions and Comments To:

JOHN MORGAN
CITY PLANNER
(Phone) 503 304 9401

Send To: Department of Land Conservation and Development
1175 Court Street, N.E
Salem, Oregon 97310-0590

Attach One (1) Copy of the Adopted Action to this Form and/or three (3) Copies of Bound Materials and Maps Larger than 8 1/2 by 11 Inches.

NOTE: If more copies of this form are needed, please contact the DLCD office at 373-0050, or this form may be duplicated on green paper. Failure to provide notice of an adopted plan or land use regulation amendment results in an extension of the appeal period. Appeals may be filed within 21 days of the date the proposal is mailed to DLCD. Statutes require mailing within 5 days of the action becoming final (See OAR 660-18-040).

* * * FOR DLCD OFFICE USE * * *

DLCD File Number _____

<pa>adoptform

ORDINANCE NO. 388

AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE AS ADOPTED BY ORDINANCE NO. 350, BY AMENDING SECTION 8-6.84.020 LIGHT INDUSTRIAL PERMITTED USES AND SECTION 8-6.88.020 HEAVY INDUSTRIAL PERMITTED USES.

WHEREAS, the City's Planning Commission held a Public Hearing on the issue of amending the permitted uses in the industrial zones to allow parking lots as a permitted use on July 6, 2006; and

WHEREAS, the City's Planning Commission approved the draft language to amend the Community Development Code as shown on the attached Exhibit A, and recommended adoption to the City Council; and

WHEREAS, the City Council held a Public Hearing on the proposed amendment August 14, 2006; and

WHEREAS, the Findings of Fact attached as Exhibit B were the result of that Public Hearing; now therefore

THE CITY OF CASCADE LOCKS, HOOD RIVER COUNTY, OREGON, ORDAINS AS FOLLOWS:

SECTION 1. Section 8-6.84.020-Light Industrial and Section 8-6.88.020 Heavy Industrial are hereby amended by adding parking as a permitted use as noted on the attached Exhibit A;

SECTION 2. Separability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance be declared invalid, such declaration shall not affect the validity of any other section, subsection, paragraph, sentence, clause, or phrase; and if this ordinance, or any portion thereof, should be held to be invalid on one ground but valid on another, it shall be construed that the valid ground is the one upon which said ordinance, or such portion thereof, was enacted.

SECTION 3. Effective Date. This Ordinance shall become effective thirty (30) days after adoption by the City Council and approval by the Mayor.

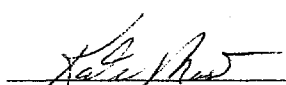
ADOPTED by the City Council this 28th day of August, 2006.

APPROVED by the Mayor this 28th day of August, 2006.



Mayor

ATTEST:



City Recorder

First Reading Approved: 8/14/06 ; Ayes 6 ; Nays 0
Second Reading Approved: 8/28/06 ; Ayes 7 ; Nays 0

Chapter 8-6.84

LIGHT INDUSTRIAL ZONE (LI)

8-6.84.020 Permitted Uses

A permitted use is a use which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 8-6.48, Unlisted Use. Permitted uses in the LI district are as follows:

- A. Dwelling, one unit per lot for a caretaker;
- B. Manufacturing and production;
- E. Wholesale sales;
- F. Industrial services, light;
- G. Accessory buildings;
- H. Community services;
- I. Retail sales and service (conducted indoors or outdoors):
 - 1. Personal service-oriented, excluding drive-through facilities;
 - 2. Entertainment oriented, excluding drive-through facilities;
 - 3. Repair-oriented;
 - 4. Vehicle sales/rental and repair;
- J. Office;
- K. Community services;
- L. Religious assembly;
- M. Day care group home (Family Care);
- N. Adult day care (Family Care);
- O. Accessory buildings; and
- P. Parking lots.

Chapter 8-6.88

HEAVY INDUSTRIAL ZONE (HI)

8-6.88.020 Permitted Uses

A permitted use is a use which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 8-6.48, Unlisted Use. Permitted uses in the HI district are as follows:

- A. Dwelling, one unit per lot for a caretaker;
- B. Manufacturing and production;
- C. Wholesale sales;
- D. Industrial services, light;
- E. Accessory buildings;
- F. Community services; and
- G: Parking lots.

**Parking in Industrial Zones
City of Cascade Locks
Community Development Code Amendment**

Exhibit B

Findings of Fact

8-6.176.050 Approval Criteria - Comprehensive Plan and Development Code Text Amendments

An application to amend the text of the Comprehensive Plan and/or the Development Code text shall be found to:

A. Comply with the Statewide Planning Goals and related administrative rules.

GOAL 1: CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

FINDING: The proposed amendment was developed at a Planning Commission meeting and included the required hearings before the Planning Commission and City Council.

GOAL 2: LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

FINDING: The proposed amendment was prepared within the legal and policy framework of the City's adopted and acknowledged Comprehensive Plan and Community Development Code.

GOAL 3: AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

FINDING: This Goal is not applicable.

GOAL 4: FOREST LANDS

To conserve forest land by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

FINDING: This Goal is not applicable.

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GOAL 5: OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES

To conserve open space and protect natural and scenic resources.

FINDING: This Goal is no applicable.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water, and land resources of the state.

FINDING: This Goal is no applicable.

GOAL 7: AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

To protect life and property from natural disasters and hazards.

FINDING: This Goal is no applicable.

GOAL 8: RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

FINDING: This goal is not applicable.

GOAL 9: ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

FINDING: The Code amendment creates more flexibility and opportunity within the City's industrial areas thereby encouraging more economic investment and activity.

GOAL 10: HOUSING

To provide for the housing needs of citizens of the state.

FINDING: This Goal is not applicable.

GOAL 11: PUBLIC FACILITIES AND SERVICES

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To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as framework for urban and rural development.

FINDING: This Goal is not applicable.

GOAL 12: TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

FINDING: Parking is an adjunct part of the transportation system. Creating more flexibility in providing parking can help make the system more convenient and efficient.

GOAL 13: ENERGY CONSERVATION

To conserve energy.

FINDING: This goal is not applicable.

GOAL 14: URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use.

FINDING: Allowing parking lots to serve industrial uses to be developed on separate lots helps to make more creative and efficient use of industrial land which can make for a more orderly and efficient urban area.

B. Comply with the Comprehensive Plan goals, policies, and implementation strategies.

(NOTE: Only applicable goals and policies are listed)

B. Land (Statewide Planning Goals 3, 4, 5, 6, 7 and 14)

Goals

1. To promote efficient use of land within the Urban Growth Boundary while being compatible with existing development and physical development limitations.

FINDING: Allowing parking lots to serve industrial uses to be developed on separate lots helps to make more creative and efficient use of industrial land which can make for a more orderly and efficient urban area.

Policies

The city shall:

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3. Encourage development on land which is the most suitable.

FINDING: Allowing parking to be located in the most suitable location within industrial districts means that it can be located where it is most suitable, even if that is not on the same lot as a primary use.

- B. *Housing Opportunities (Statewide Planning Goal 10)*

Goal

To provide adequate housing opportunities.

FINDING: This goal is not applicable.

Policies

The city shall:

1. Encourage a variety of housing types and prices.

FINDING: This goal is not applicable.

- C. Be internally consistent with related Comprehensive Plan or Development Code provisions.

FINDING: The proposed Code amendment is consistent with the Comprehensive Plan as is demonstrated in the prior findings. It is consistent with the Community Development Code by being drafted so that it integrated directly into the Code.

- D. Promote provision of adequate public facilities and services for the community.

FINDING: The propose Code amendment has no impact on the provision of public facilities or services.