



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

September 30, 2008



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 001-08

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: October 15, 2008

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 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

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DLCD

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



Jurisdiction: CITY OF CASCADE LOCKS

Local file number:

Date of Adoption:

Date Mailed:

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

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".

INCORPORATE LODGING INTO DOWNTOWN ZONE.

Does the Adoption differ from proposal? Please select one

SAME

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
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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. 001-08 (16797)

SEP 25 2008

LAND CONSERVATION
AND DEVELOPMENT

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

LULU

Local Contact: JULIE MORETZ Phone: (503) 304-9401 Extension:
 Address: PO BOX 308 Fax Number: 503-304-9423
 City: CASCADE LOCKS Zip: 97014 E-mail Address: JULIE.MORETZ@CPS.COM

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, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: webserver.lcd.state.or.us. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing mara.ulloa@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 mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 397

revised 9/15/08

AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE AS ADOPTED BY ORDINANCE NO. 350, BY AMENDING CHAPTER 8-6.70-DOWNTOWN (D) ZONE.

WHEREAS, the City's existing Community Development Code Chapter needs to be amended to incorporate hotels, motels, and bed & breakfast establishments; and

WHEREAS, the Planning Commission held a Public Hearing on the issue of adopting the amendment to the Downtown Chapter of the Community Development Code; and

WHEREAS, the City's Planning Commission approved the draft language to amend the Community Development Code, and recommended adoption to the City council; and

WHEREAS, the City Council held a Public Hearing on the issue of adopting the Code amendment ordinance on August 11, 2008; and

WHEREAS, the City Council makes the following findings in accordance with the criteria of CDC 8-6.176.060:

- A. The proposal complies with the Statewide Planning Goals and administrative rules as they relate to the proposal:

FINDING: The proposed change complies with the relevant Goals and rules in the following ways:

Goal 1 – Citizen Involvement – the proposal was subject to a public hearing as required by the Community Development Code.

Goal 2 – Land Use Planning – the proposal was considered in accordance with the applicable procedures of the Community Development Code.

Goal 3 – Agriculture – the goal is not applicable because the land impacted by the Development Code is inside the City Limits.

Goal 4 – Forestry – the goal is not applicable because the land impacted by the Development Code is inside the City Limits.

Goal 5 - Natural Resources, Scenic and Historic Areas, and Open Spaces – the goal is not applicable as the proposed text amendment does not directly impact any of the resources of the community

Goal 6 - Air, Water and Land Resources Quality – the goal is not applicable as the proposed text amendment does not directly impact any of the resources of the community

Goal 7 - Areas Subject to Natural Hazards - the goal is not applicable as the proposed text amendment does not directly impact any areas subject to mapped or identified natural hazards

Goal 8 – Recreational Needs - the goal is supported by the provision of lodging for visitors which helps to support the recreational activities of the community

Goal 9 – Economic Development – the goal is supported by the provision of lodging for visitors which helps to support the recreational activities of the community which is an important element of the local economy

Goal 10 – Housing – the goal is not applicable as the proposed text amendment does not relate to housing

Goal 11 - Public Facilities and Services – the goal is not applicable as the proposed text amendment does not relate to the provision of public facilities and services

Goal 12 – Transportation - the goal is not applicable as the proposed text amendment does not relate to the provision of transportation facilities and services

Goal 13 – Energy Conservation - the goal is not applicable as the proposed text amendment does not relate to the conservation of energy

Goal 14 – Urbanization – the goal is not applicable as the proposed text amendment does not relate to the urbanization policies of the City

Goals 15-19 – these goals are not applicable as they deal exclusively with other regions of the State

B. The proposal complies with the Comprehensive Plan goals, policies, and implementation strategies:

1 – Policies on Natural Resources and Hazards

FINDING: These policies are not applicable as the proposed text amendment does not deal with, impact, nor is impacted by Natural Resources and Hazards

2 – Infrastructure and Public Services

FINDING: These policies are not applicable as the proposed text amendment does not deal with, impact, nor is impacted by Infrastructure and Public Services

3 – Economy (only relevant goals and policies are included. Others are found to be irrelevant because of the activities impacted by the text amendment.)

A. Commercial and Industrial Revitalization and Development

Goal - To promote a diversified city economy

FINDING – the proposed text amendment helps to provide land for facilities that will support a healthy economy

Policies

The city shall:

2. Provide sufficient quantities of appropriately located and zoned land for new businesses in the community.

FINDING – the proposed text amendment helps to assure there is adequate and appropriately sized land zoned for lodging businesses.

3. Provide facilities, services, and amenities to promote tourism.

FINDING – the proposed text amendment helps to assure there is adequate and appropriately sized land zoned for lodging businesses which are a key part of tourism.

4. Promote the downtown as the primary commercial and service center of the city.

FINDING – the proposed text amendment helps to assure there is adequate land zoned for lodging businesses in Downtown.

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

FINDING – The proposed amendment fits directly into the structure of the Development Code by adding a conditional use. It does not impact the balance of the Code or the Comprehensive Plan.

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

FINDING – The proposed text amendment promotes the provision of lodging in the Downtown district, thereby helping to implement this policy.

NOW THEREFORE:

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

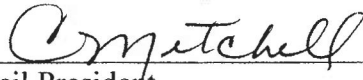
SECTION 1. Section 8-6.70. Downtown (D) Zone, of the Community Development Code is amended as presented in the attached Exhibit A.

SECTION 2. Severability. 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 13. Effective Date. This ordinance shall become effective thirty (30) days after adoption by the City Council and approval by the Mayor.

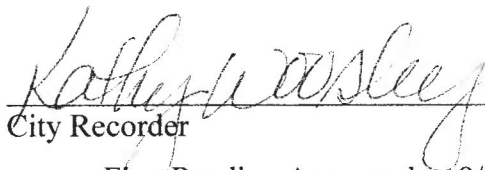
ADOPTED by the City Council this 8th day of September, 2008.

APPROVED by the Mayor this 8th day of September, 2008.



Council President

ATTEST:



City Recorder

First Reading Approved: 8/25/08; Ayes 7; Nays 0

Second Reading Approved: 9/8/08; Ayes 6; Nays 1

CITY OF CASCADE LOCKS

PO Box 308
Cascade Locks, Oregon 97014

PORTLAND
24 SEP 2008



Attention: Plan Amendment Specialist
 Department of Land Conservation & Development
 635 Capitol Street NE, Suite 150
 Salem, OR 97301-2540

