



# 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)

## NOTICE OF ADOPTED AMENDMENT

October 7, 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 002-08

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 21, 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.

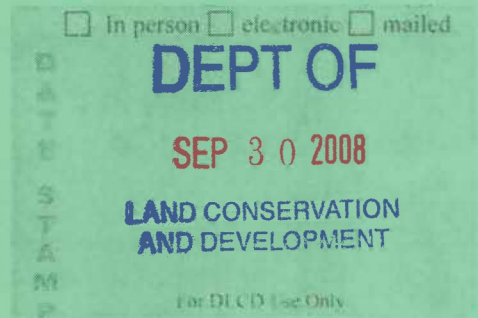
**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Doug White, DLCD Community Services Specialist  
Gary Fish, DLCD Regional Representative  
John Morgan, City of Cascade Locks

<paa> ya/

# 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: 9/8/08

Date Mailed: 9/15/08

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 MORE THOROUGH PROVISIONS FOR PROCESSING APPLICATIONS.

Does the Adoption differ from proposal? Please select one

Plan Map Changed from: \_\_\_\_\_ to: \_\_\_\_\_

Zone Map Changed from: \_\_\_\_\_ to: \_\_\_\_\_

Location: \_\_\_\_\_ Acres Involved: \_\_\_\_\_

Specify Density: Previous: \_\_\_\_\_ New: \_\_\_\_\_

Applicable statewide planning goals:

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19

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. 002-08 (16798)

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

None

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Local Contact: Jouli Morgan Phone: (503) 374 - 8484 Extension:  
Address: PO 308 Fax Number: 503 - 304 - 9423  
City: CASCO, LUCAS Zip: 97014 E-mail Address: Jouli.Morgan@lcs.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, 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](http://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](mailto: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](mailto:mara.ulloa@state.or.us) - ATTENTION: PLAN AMENDMENT SPECIALIST.

**ORDINANCE NO. 396**

revised 9/2/08

**AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODES AS ADOPTED BY ORDINANCE NO. 350, BY AMENDING CHAPTER 8-6.24-PROCESSING DEVELOPMENT ACTIONS.**

**WHEREAS**, the City has prepared language to add and clarify the language in the Community Development Code so as to make the Code conform to Oregon State Law in reference to the 120 day rule for processing planning applications; and

**WHEREAS**, the City's Planning Commission held a Public Hearing on the issue of adopting the amendments to the Processing Development Actions 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. The proposal helps frame how citizen involvement takes place as part of planning applications.

Goal 2 – Land Use Planning – the proposal was considered in accordance with the applicable procedures of the Community Development Code. The proposal clarifies procedural requirements and brings the process into alignment with applicable state law.

Goal 3 – Agriculture – the goal is not applicable because the change deals with procedure, not with specific land uses.

Goal 4 – Forestry – the goal is not applicable because the change deals with procedure, not with specific land uses.

Goal 5 - Natural Resources, Scenic and Historic Areas, and Open Spaces – the goal is not applicable as the change deals with procedure, not with specific land uses.

Goal 6 - Air, Water and Land Resources Quality – the goal is not applicable as the change deals with procedure, not with specific land uses.

Goal 7 - Areas Subject to Natural Hazards - the goal is not applicable as the change deals with procedure, not with specific land uses.

Goal 8 – Recreational Needs - the goal is not applicable as the change deals with procedure, not with specific land uses.

Goal 9 – Economic Development – the goal is not applicable as the change deals with procedure, not with specific land uses.

Goal 10 – Housing – the goal is not applicable as the change deals with procedure, not with specific land uses.

Goal 11 - Public Facilities and Services – the goal is not applicable as the change deals with procedure, not with specific land uses.

Goal 12 – Transportation - the goal is not applicable as the change deals with procedure, not with specific land uses.

Goal 13 – Energy Conservation - the goal is not applicable as the change deals with procedure, not with specific land uses.

Goal 14 – Urbanization – the goal is not applicable as the change deals with procedure, not with specific land uses.

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 change deals with procedure, not with specific land uses.

2 – Infrastructure and Public Services

FINDING: These policies are not applicable as the change deals with procedure, not with specific land uses.

3 – Economy –this goal is not applicable as the change deals with procedure, not with specific land uses.

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 language specific to the 120 day requirement, plus corrections to minor scrivener’s errors. 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 policy is not applicable as the change deals with procedure, not with specific land uses.

**NOW THEREFORE:**

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

**SECTION 1. Section 8-6.24.010.** Initiation and Withdrawal of Action, of the Community Development Code is amended as presented in the attached Exhibit A.

**SECTION 2. Section 8-6.24.040.** Application Submittal and Acceptance, of the Community Development Code is amended as presented in the attached Exhibit A.

**SECTION 3. Section 8-6.24.050.** Notice of Development Actions, of the Community Development Code is amended as presented in the attached Exhibit A.


**SECTION 4. Section 8-6.24-060.** Presentations, of the Community Development Code is amended as presented in the attached Exhibit A.

**SECTION 5. 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.

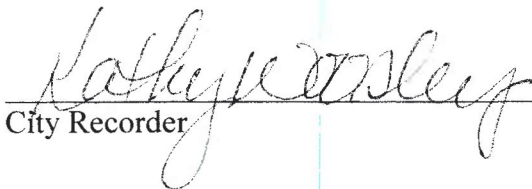
**SECTION 13. Effective Date.** This ordinance shall become effective thirty (30) days after adoption by the City Council and approval by the Mayor.

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

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

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

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

Second Reading Approved: 9/8/08; Ayes 7; Nays 0