



# 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

02/04/2009

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Gaston Plan Amendment  
DLCD File Number 004-08

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, February 19, 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: Carole Connell, City of Gaston  
Doug White, DLCD Community Services Specialist  
Gary Fish, DLCD Regional Representative  
Matt Crall, DLCD Transportation Planner

<pa> YA

PROP 2

# 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 Gaston*  
Date of Adoption: *1/28/09*

Local file number: *Utility Master Plans 08*  
Date Mailed: *1-29-2009*

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: *8-25-08*

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

*Preparation + adoption of a city Water Master Plan, Transportation Master Plan, Storm Water Master Plan and a Parks + Open Space Master Plan. Adoption of Comprehensive Plan amendments referencing these utility plans*

Does the Adoption differ from proposal? Please select one *No*

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

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

Location: \_\_\_\_\_ Acres Involved: *NA -*

Specify Density: Previous: *NA* New: *citywide*

Applicable statewide planning goals:

- |                                     |                                     |                          |                          |                                     |                                     |                                     |                          |                          |                                     |                                     |                          |                          |                          |                          |                          |                          |                          |
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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. *004-08 (17103)*



BEFORE THE CITY COUNCIL OF THE CITY OF GASTON

Ordinance No. 2009 - 001

An Ordinance approving Amendments and clarification to the Gaston Comprehensive Plan and Map, an update of the Gaston Development Code and the adoption of a City Transportation Master Plan, a Water Master Plan, a Storm Water Master Plan and a Parks Master Plan as follows:

1. Exhibit A: Amending the Gaston Comprehensive Plan Map creating a Institutional/Public Zone designation for public uses; re-naming the Flood Plain Zone to a Flood Plain Overlay Zone and applying appropriate underlying zones to lands designated flood plain;
2. Exhibit B: Gaston Development Code Final Draft of update, dated January 2009;
3. Exhibit C: Gaston Transportation Master Plan, dated December 2008
4. Exhibit D: Gaston Water Master Plan, dated December 2008
5. Exhibit E: Gaston Storm Water Master Plan, dated December 2008
6. Exhibit F: Gaston Parks Master Plan, dated December 2008
7. Exhibit G: City Staff Report prepared by Carole Connell, dated October 10, 2008; and supplemental report dated December 4, 2008
8. Exhibit H: City Staff Report prepared by Walter Wendolowski, dated October 15, 2008
9. Exhibit I: Gaston Dark Skies Lighting Standards incorporated in Public Works Design Standards.

WHEREAS, The City Council of Gaston, Oregon is authorized by Chapter 1 of the Gaston Comprehensive Plan and Section 6.050 of the Land Development Code to amend the Comprehensive Plan and Zoning Maps; and

WHEREAS, The city initiated an update of the Development Code and development of Master Plans for Transportation, Water, Storm Water and Park facilities, in accordance with the Development Code Amendment procedures of Code Section 2.081, 2.082 and 6.050; and

WHEREAS, The Gaston Comprehensive Plan public facility policies direct the City to prepare utility master plans and the establishment of utility Systems Development Charges; and;

WHEREAS, The city currently does not have a separate Planning Commission and therefore the City Council is the only official review body to consider and act on land use requests, including Plan Amendments and Zone Changes; and

WHEREAS, The city's two planning consultants reviewed the proposals and each prepared a staff report and findings that address the criteria for approval of Plan and Code Amendments, Zone Changes and Master Plan approvals, reports dated October 10,

ordinance, attached hereto, and incorporated by reference, together with public testimony, which was considered by the City Council and entered into the public record at a public hearing duly scheduled and advertised for October 22, 2008, followed by additional public hearings on November 12, December 10, 2008; and January 15, 2009; and

WHEREAS, Notice was provided to properties with zone changes or map clarifications, to the Oregon Department of Land Conservation and Development, and was published in the local newspaper, all in accordance with the procedures of Section 2.100 of the Gaston Development Code; and

WHEREAS; the City Council passed a motion to adopt the ordinance approving the Comprehensive Plan and Map Amendments, Zone Changes, Code Amendments and proposed Master Plans and now, therefore,

THE CITY OF GASTON ORDAINS AS FOLLOWS:

The City Council, after conducting a public hearing, adopting the findings in the city staff reports, and following procedures for adoption of ordinances set forth in the Plan and Land Development Code, hereby approves Comprehensive Plan and Map Amendments and Zone Changes associated with the Flood Plain Overlay and Institutional/Public Zone, the amendments to update the Gaston Development Code and the adoption of four utility Master Plans in accordance with the attached exhibits.

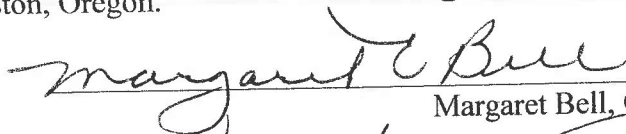
Presented and Passed first reading on the 14<sup>th</sup> day of January, 2009

Presented and Passed the second and final reading on the 28 day of January, 2009

Votes in favor 6

Votes against 0

Enacted this 28 day of January, 2009 by the City Council of the City of Gaston, Oregon.



Margaret Bell, City Recorder

Approved this 28 day of Jan, 2009 by the Mayor.

  
Mayor

CITY OF GASTON  
116 FRONT ST.  
P.O. BOX 129  
GASTON, OR. 97119

D L C D  
Attn: Maria Ulloa NE  
635 Capital St.  
Suite 150  
Salem, OR 97301-2540

USA FIRST-CLASS PERMIT NO. 1000



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