



**Oregon**  
Theodore R. Kubagowski, 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

8/13/2009

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

**FROM:** Plan Amendment Program Specialist

**SUBJECT:** City of Gates Plan Amendment  
DLCD File Number 001-09

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:** Tuesday, August 25, 2009

This amendment was submitted to DLCD for review 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

**Cc:** Marjorie R. Mattson, City of Gates  
Gloria Gardiner, DLCD Urban Planning Specialist  
Steve Oulman, DLCD Regional Representative  
Bill Holmstrom, DLCD Transportation Planner  
Gloria Gardiner, DLCD Urban Planning Specialist  
Chris Shirley, DLCD Regional Representative  
Amanda Puntton, DLCD Regional Representative

<paa> YA

**PROF 2**

**DLCD**

**DEPT OF**

**AUG 05 2009**

**LAND CONSERVATION  
AND DEVELOPMENT**

For DLCD Use Only

# 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 Gates**

Local file number: **Comp Plan Amend 2009-01**

Date of Adoption: **June 18, 2009**

Date Mailed: **August 4, 2009**

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".

The City of Gates amended portion of its comprehensive plan sections of which had not be updated since 1978. Updated sections included: History, Goals and Policies, Urban Growth Program, Land Use and Housing, selected topics in Natural Resources, and Public Facilities. Maps were amended to include land marks, sloped areas, and flood plain. Other maps were amended to allow incorporation of GIS data.

Does the Adoption differ from proposal? Please select one

More details were provided in several categories.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	10	11	12	13	14	15	16	17	18	19
<b>X</b>	<b>X</b>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	<b>X</b>	<b>X</b>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 001-09 (17479) [15659]*

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**DLCD file No.** \_\_\_\_\_

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

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Local Contact: **Marjorie Mattson, MWVCOG**  
**Judy Gates, City Recorder City of Gates**  
Address: **MWVCOG – 105 High Street SE**  
**City – P. O. Box 577**

City: **MWVCOG – Salem, OR**      Zip: **97301**  
**City of Gates – Gates, OR**      **97346**

Phone: (503) 588-6177      Extension:  
**503-897-2669**

Fax Number: **503-588-6094**  
**503-897-5046**

E-mail Address: **COG-mmattson@mwvcog.org**  
**City – ctygtes@wbcable.net**

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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, or by emailing **[larry.french@state.or.us](mailto:larry.french@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 **[larry.french@state.or.us](mailto:larry.french@state.or.us)** - **Attention: Plan Amendment Specialist**.

ORDINANCE 188 - 2009

AN ORDINANCE AMENDING THE CITY OF GATES COMPREHENSIVE PLAN, REVISING THE CITY'S ZONING ORDINANCE, UPDATING THE CITY'S COMPREHENSIVE PLAN MAP AND ZONING MAP; AND ADOPTING A SLOPE AND FLOOD AREA MAP FOR THE CITY OF GATES AND DECLARING AN EMERGENCY

WHEREAS, the City of Gates determined the need to update its Comprehensive Plan; revise its Comprehensive Plan Map and Zoning Map, and provide a slope and flood area map; and

WHEREAS, the Planning Commission conducted a public hearing to consider the requests on May 19, 2009, at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, at the close of the public hearing, the Planning Commission unanimously voted to recommend that the City Council approval of the revised and new documents at the public hearing; and

WHEREAS, the City Council conducted a public hearing to consider the requests on May 21, 2009, at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, at the close of the public hearing, the City Council voted to approve the documents at the public hearing with changes as noted by staff; and

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

WHEREAS, the City Council of the City of Gates hereby adopts the findings of fact set forth in the staff report dated May 20, 2009, for the May 21, 2000, Council meeting;

NOW THEREFORE THE CITY OF GATES ORDAINS AS FOLLOWS:

Section 1. The adoption and implementation of the amended City of Gates Comprehensive Plan, revised zoning ordinance, updated Comprehensive Plan and Zoning map; and the Slope and Flood Area map; as provided in Exhibit A (attached) and

Section 2. The City Council for the City of Gates deems and desires it necessary for the preservation of the health, peace and safety of the City of Gates that this Ordinance takes effect at once, and therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect July 1, 2009 .

First Reading: June 18, 2009

Second Reading: June 18, 2009

PASSED and adopted by the City Council of the City of Gates on this 18<sup>th</sup> day of June, 2009, by the following votes and providing an effective date of July 1, 2009.

AYES: 6 NAYS: 0

Approved by the Mayor on this 16 day of June, 2009.

Mike Higgs
Mike Higgs

Attest:

Judy Downer
Judy Downer, City Recorder



Gateway to the Cascades

# CITY OF GATES

P.O. Box 577 Gates, OR 97346  
(503) 897-2669 TTY 1-800-735-2900 FAX (503) 897-5046


DLCD  
Larry French  
735 Captial ST NE Suite 150  
Salem, OR 97301

RE: Ordinance 188 Gates Comprehensive plan and zoning changes

Dear Mr. French:

Here is the copy of the ordinance you requested. Do you need a copy of the comprehensive plan?

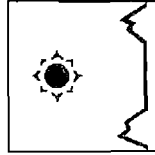
Thanks,

  
Judy Downer  
City Administrator  
Gates, OR

**DEPT OF**

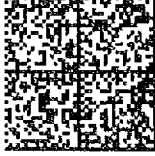
AUG 10 2009

**LAND CONSERVATION  
AND DEVELOPMENT**



MID-WILLAMETTE VALLEY  
 COUNCIL OF GOVERNMENTS  
 105 High St SE  
 Salem OR 97301-3667

*Getting things done together!*



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 MAILED FROM ZIP CODE 97301

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

97301 2540

