



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: June 09, 2015
Jurisdiction: City of Gearhart
Local file no.: 14-005ZTA
DLCD file no.: 001-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 06/04/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD less than 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 001-14 {22513}
Received: 6/4/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Gearhart

Local file no.: #14-005ZTA RV's & Fences

Date of adoption: June 3, 2015

Date sent: 6/4/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 10-10-14

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Minor changes only.

Local contact (name and title): Carole Connell, AIPC

Phone: 503-297-6660

E-mail: connellpc@comcast.net

Street address: PO Box 2510

City: Gearhart

Zip: 97138-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

None

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

Gearhart Zoning Ordinance Sections 6.010 Fences and 6.170 RV's

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: None

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

None

ORDINANCE NO. 886

AN ORDINANCE REGULATING RECREATIONAL VEHICLES AMENDING THE CITY OF GEARHART ZONE ORDINANCE AS FOLLOWS:

The City of Gearhart ordains that the Gearhart Zoning Ordinance shall be modified as stricken and underlined as follows:

Section 1. AMEND GZO SECTION 6.170 RECREATIONAL VEHICLES

An occupant(s) of a residence within the city limits may park or store outside, but not live in, not more than two (2) ~~camp trailers or campers or~~ Recreational Vehicles (RV) on the residential premise. Additional RV's may be parked ~~temporarily on an occasional~~ on a temporary basis for a period not to exceed seven (7) days per calendar month.

Section 2. AMEND SECTION 1.030 DEFINITIONS

139. Recreation Vehicle. A registered and licensed trailer or other unit with or without motor power which is designed for human occupancy and to be used temporarily for recreation or emergency purposes ~~and has a floor area of 400 square feet or less~~. Recreational vehicles include camping trailers, motor homes, park trailers, bus conversions, van conversions, tent trailers, truck campers, boats with living quarters and any vehicle converted for use or partial use as a recreational vehicle. Except for a boat, the unit shall be identified as a recreational vehicle by the manufacturer.

Passed by the City Council of the City of Gearhart this 3rd day of June 2015

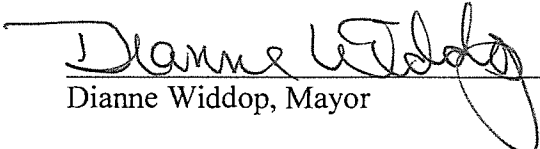
YEAS: 5

NAYS: 0

ABSENT: 0

ABSTAIN: 0

Signed and approved by the Mayor of the City of Gearhart this 3rd day of June 2015.



Dianne Widdop, Mayor

ATTEST: 

ORDINANCE NO. 890

AN ORDINANCE AMENDING THE CITY OF GEARHART ZONE ORDINANCE AS FOLLOWS:

The City of Gearhart ordains that the Gearhart Zoning Ordinance shall be modified as follows:

Section 1 ADOPT NEW SECTION 6.010 1. FENCES

This ordinance hereby adopts the following provisions for Fences:

- A. Fences which may be located within yards shall not exceed 6.0 feet in height.
- B. Fences which may be located within "clear-vision" areas shall not exceed 2 1/2 feet in height.
- C. The height of a fence shall be measured from the ground level where located.
- D. Fences shall not consist of barbed wire or other sharp or otherwise dangerous construction material.

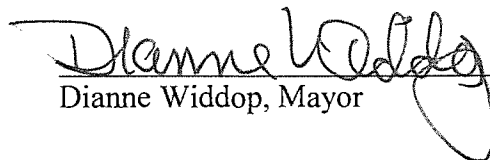
Section 2. Status of Existing Nonconforming Fences

All existing fences that do not comply with the fence provisions herein are considered nonconforming and subject to Section 9 of the Gearhart Zoning Code.

Passed by the City Council of the City of Gearhart this 3rd day of June 2015

YEAS: 3 NAYS: 1 ABSENT: 0 ABSTAIN: 1

Signed and approved by the Mayor of the City of Gearhart this 3rd day of June 2015.



Dianne Widdop, Mayor

ATTEST:



Chad Sweet, City Administrator