



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

06/11/2013

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Irrigon Plan Amendment  
DLCD File Number 001-13

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: Friday, June 28, 2013

This amendment was not submitted to DLCD for review prior to adoption pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

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 Acknowledgment or 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 above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Gerald Breazeale, City of Irrigon  
Gordon Howard, DLCD Urban Planning Specialist  
Grant Young, DLCD Regional Representative

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FORM 2

DLCD

# Notice of Adoption

☐ in person ☐ electronic ☐ mailed

DEPT OF

JUN 7 2013

LAND CONSERVATION  
AND DEVELOPMENT

For Office Use Only

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Irrigon**

Local file number: **209-11 & 214-12**

Date of Adoption: **10/18/2011**

Date Mailed: **6/6/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☐ Yes ☒ No 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".  
Specifies where medical marijuana can be grown and or dispensed.

Does the Adoption differ from proposal? Please select one  
No

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                       |
| <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"/> | <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"/> |

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-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. 001-13 (19774) [17478]

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

N/A

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Local Contact: **Gerald Breazeale**

Phone: (541) 922-3047      Extension:

Address: **PO Box 428**

Fax Number: **541-922-9322**

City: **Irrigon**

Zip: **97844**

E-mail Address: **irrigon@oregontrail.net**

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## **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18**

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615 ).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845 ).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615 ).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8 1/2 x 11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

<http://www.oregon.gov/LCD/forms.shtml>

Updated December 6, 2012

## **ORDINANCE 209-11**

### **AN ORDINANCE PRESCRIBING THE PERMITTED LEGAL GROWING OF MEDICAL MARIJUANA IN IRRIGON**

**WHEREAS:** The City of Irrigon recognizes the legal right granted to growers and users of marijuana for medical purposes by the State of Oregon, and

**WHEREAS:** the unregulated use and growing of medical marijuana could pose a health and safety issue for neighbors and residents, and

**WHEREAS:** the Irrigon Planning Commission has considered the implications of the growing and use of marijuana within the city limits of Irrigon, and

**WHEREAS:** the Irrigon Planning Commission has over the course of several months developed policies to allow the legal growing and use of medical marijuana that will preserve the legal right to grow and use marijuana for medicinal purposes while protecting the health and safety of Irrigon residents.

**NOW THEREFORE,** The City Council of the City of Irrigon ordains as follows:

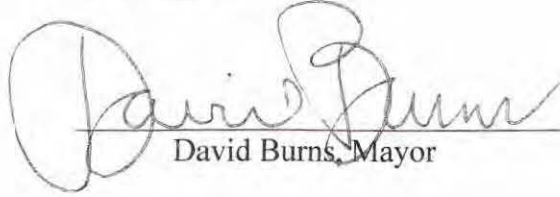
A. Marijuana may be grown and used pursuant to the provisions of the Oregon Medical Marijuana Act, ORS 475.300 et. seq., within the corporate limits of the City of Irrigon according to the following regulations:

1. Marijuana may be grown only after obtaining a zoning permit from the City of Irrigon for the growing of marijuana.
2. The site must be registered with the State of Oregon and the registration card for the person for whom the marijuana is being grown be prominently displayed at the grow site.
3. Marijuana may only be grown indoors or in a greenhouse.
4. The grow site must conform to current electrical codes and must be inspected for conformance to the code prior to the issuance of a permit.
5. Growing and/or distributing of marijuana for more than one registered card holder may only be done from a commercial zone.
6. Growing of marijuana within 1,000 feet of a school is prohibited.
7. The zoning permit must be renewed on an annual basis.
8. Conviction of a violation of any provision of this ordinance may be cause for revocation of the zoning permit.

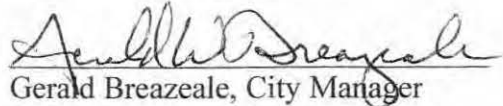
B. Every person violating any provision of the ordinance shall be assessed a civil infraction in an amount not to exceed \$450.00. For each violation of this ordinance which is of a continuing nature, a separate infraction will be deemed to occur on each calendar day the infraction continues to exist.

Passed by the Council this 18<sup>th</sup> day of October, 2011

Approved by:

  
David Burns, Mayor

Attested to:

  
Gerald Breazeale, City Manager

C:\Documents and Settings\Pat Reay\My Documents\ORDINANCE 209-11, Medical MJ.doc

## ORDINANCE 214-12

### AN ORDINANCE AMENDING ORDINANCE 209-11, AN ORDINANCE PRESCRIBING THE PERMITTED LEGAL GROWING OF MEDICAL MARIJUANA IN IRRIGON, BY CHANGING SECTION A.(5)

**WHEREAS:** Ordinance 209-11 was adopted with unintended language under Section A(5) which prohibited the growing of medical marijuana for more than one card holder except within a commercial zone, and

**WHEREAS:** Ordinance 213-12 corrects the wording to read as follows:

**NOW THEREFORE,** The City Council of the City of Irrigon ordains as follows:

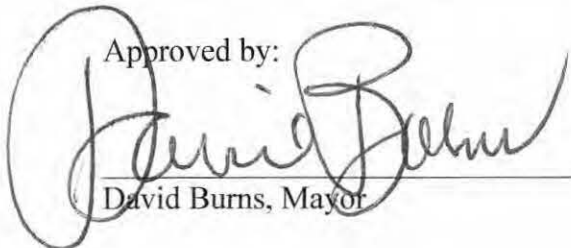
A. Marijuana may be grown and used pursuant to the provisions of the Oregon Medical Marijuana Act, ORS 475.300 et. seq., within the corporate limits of the City of Irrigon according to the following regulations:

1. Marijuana may be grown only after obtaining a zoning permit from the City of Irrigon for the growing of marijuana.
2. The site must be registered with the State of Oregon and the registration card for the person for whom the marijuana is being grown be prominently displayed at the grow site.
3. Marijuana may only be grown indoors or in a greenhouse.
4. The grow site must conform to current electrical codes and must be inspected for conformance to the code prior to the issuance of a permit.
5. Growing and/or distributing of marijuana for more than one registered card holder not legally residing at that location, may only be done from a commercial zone.
6. Growing of marijuana within 1,000 feet of a school is prohibited.
7. The zoning permit must be renewed on an annual basis.
8. The permit site is subject to have two (2) inspections a year, such inspections can be done without notice.
9. Conviction of a violation of any provision of this ordinance may be cause for revocation of the zoning permit.

B. Every person violating any provision of the ordinance shall be assessed a civil infraction in an amount not to exceed \$450.00. For each violation of this ordinance which is of a continuing nature, a separate infraction will be deemed to occur on each calendar day the infraction continues to exist.

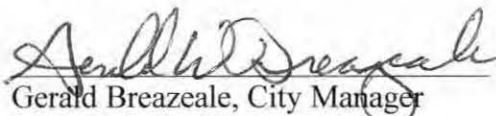
Passed by the Council this 20th day of March, 2012

Approved by:



David Burns, Mayor

Attested to:



Gerald Breazeale, City Manager