



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2524

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Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

## NOTICE OF ADOPTED AMENDMENT

September 21, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Harrisburg Plan Amendment  
DLCD File Number 001-06



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: October 6, 2006**

This amendment was submitted to DLCD for review 45 days 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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Marguerite Nabeta, DLCD Regional Representative  
Michele Eldridge, City of Harrisburg

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D L C D 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

(See reverse side for submittal requirements)

DEPT OF

SEP 18 2006

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: THE CITY OF HARRISBURG Local File No.: LU-271 (If no number, use none)

Date of Adoption: SEPT 13, 2006 (Must be filled in) Date Mailed: SEPT 15, 2006 (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: JUNE 23, 2006

Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment

Land Use Regulation Amendment Zoning Map Amendment

New Land Use Regulation Other: ANNEXATION (Please Specify Type of Action)

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

ANNEXED AND AMENDED A ZONE FOR CITY OWNED PROPERTY. PROPERTY IS APPROX. 1/2 ACRE, LOCATED IN U6B FOR ONLY THIS PORTION OF TAX LOT. PROPERTY WILL BE ZONED M-2, WHICH IS THE SAME AS ADJUTING PROPERTY

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

SAME

Plan Map Changed from : to

Zone Map Changed from: EFU to M-2

Location: 1554W-9 #700, ONLY THE PORTION ON E SIDE OF PEORIA Acres Involved: APPROX. .5 ACRES

Specify Density: Previous: New:

Applicable Statewide Planning Goals: #2, #11

Was an Exception Adopted? Yes: No: [checked]

DLCD File No.: 001-06 (15340)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing**. Yes:  No:

If no, do the Statewide Planning Goals apply. Yes:  No:

If no, did The Emergency Circumstances Require immediate adoption. Yes:  No:

Affected State or Federal Agencies, Local Governments or Special Districts: LINN COUNTY

Local Contact: MICHELE ELDRIDGE Area Code + Phone Number: 541-995-6655

Address: P.O. Box 378

City: HARRISBURG Zip Code+4: 97446-0378

## 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 (2) Copies 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. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
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 of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will 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 copy this form on to 8-1/2x11 green paper only ; or 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 NO. 843

### AN ORDINANCE ANNEXING AND CREATING A ZONE AMENDMENT FOR CERTAIN PROPERTY LOCATED WITHIN THE URBAN GROWTH BOUNDARY OF THE CITY OF HARRISBURG, COUNTY OF LINN, STATE OF OREGON, INTO THE CITY LIMITS OF THE CITY OF HARRISBURG; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, Resolution 878 set a schedule for annexation and a zone amendment into the City of Harrisburg, for property owned by the following petitioner:

The City of Harrisburg, for approximately one-half acre on the northeastern corner of Tax Lot 700, T. 15, S. 4W, Section 9. This portion of property, located on the east side of Peoria Rd, is within the UGB boundaries of the City of Harrisburg, and

WHEREAS, the City Council proposes to annex this property and amend the zoning in accordance with the provisions of ORS 197.754, 222.120, and 227.170(2), and

WHEREAS, state law waives requirements for an election or a public hearing when annexation of the subject property is initiated by 100% of the property owners and no electors reside on the property, and,

WHEREAS, the Harrisburg Comprehensive Plan, Volume II, provides for the application of specific zoning districts upon annexation of territory, and

WHEREAS, the Harrisburg City Council feels that annexation and zone amendment of the referenced property is to the best interest of the City and of the contiguous territory,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HARRISBURG DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The following described territory to-wit:

"Beginning at the Northwest corner of the Perry Hyde Donation Land Claim No. 51; thence S 89° 04' 15" W, 104.98 feet more or less to the East right-of-way line of CR 2 (Peoria Road); thence S 12° 57' 00" E along said East line to the West line of the Perry Hyde Donation Land Claim No. 51; Thence N 0° 32' 51" W, 477.41 feet along said West line to the point of beginning; all of said land being in Linn County, Oregon".

Said property is hereby proclaimed to be annexed into the City Limits of the City of Harrisburg, and the zoning is hereby amended from EFU to M-2, (General Industrial).

Section 2. The City Recorder shall, within ten (10) days of the effective date of this ordinance, file notices with the following agencies:

1. The County Assessor of Linn County,
2. The County Clerk of Linn County,
3. The Linn County Planning Department,

4. The Secretary of State of the State of Oregon, and
5. The Department of Revenue of the State of Oregon.

Section 3. The following copies shall be submitted to the agencies listed above:

1. A signed copy of this ordinance.
2. A copy of the statement of consent of the landowners in the territory annexed, and
3. A copy of the minutes adopting this Ordinance.

Section 4. This Ordinance shall take effect and be in full force and effect when signed by the mayor, with the effective date of the annexation dating to be 30 days from the date of the Council meeting in which the annexation was approved.

PASSED BY THE COUNCIL: 9-13-06  
APPROVED BY THE MAYOR: Robert C. Quinn  
EFFECTIVE DATE: 10-13-06  
9-13-06 ←  
MAYOR

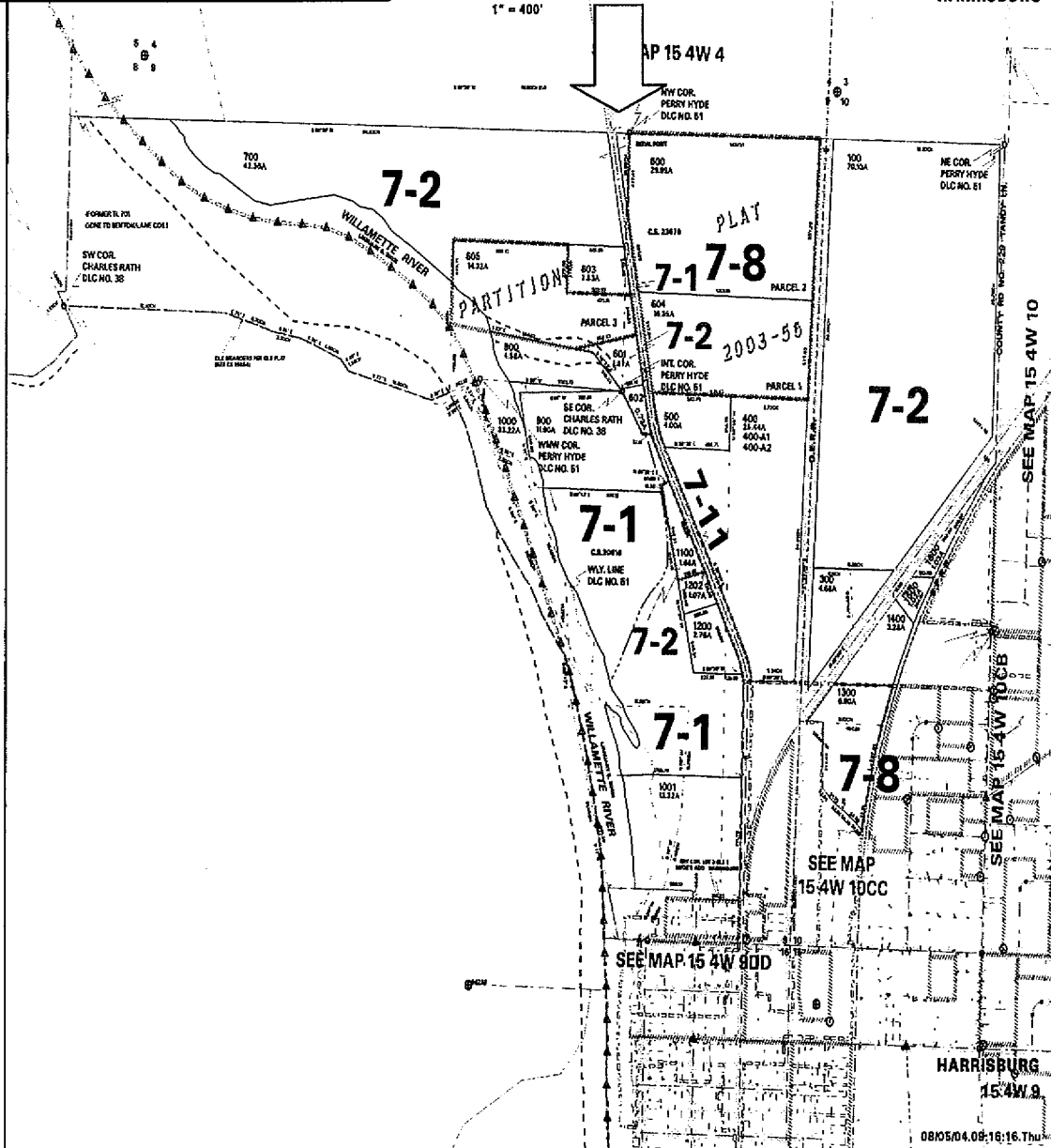
ATTEST:  
Michelle G. Gandy  
CITY RECORDER

**Exhibit A**  
15S-4W-9 Tax Lot 700

SEC.09 T.16S. R.04W. W.M.  
LINN COUNTY, OREGON

15 4W 9  
HARRISBURG

1" = 400'



08/05/04.09:16:16.Thu