



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

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

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

NOTICE OF ADOPTED AMENDMENT

July 21, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of North Plains Plan Amendment
DLCD File Number 003-06



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: August 8, 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: Doug White, DLCD Community Services Specialist
Meg Fernekees, DLCD Regional Representative
Don Otterman, City of North Plains

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FORM 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

DEPT OF

(See reverse side for submittal requirements)

JUL 19 2006

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: NORTH PLAINS Local File No.: AN-06-0005
(If no number, use none)

Date of Adoption: JULY 17, 2006 Date Mailed: JULY 18, 2006
(Must be filed in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 5-3-06

- 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."

ANNEXATION OF 23.93 ACRES INTO THE CITY
OF NORTH PLAINS ON THE NORTH SIDE OF
THE CITY

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: _____ to _____

Location: NORTH OF NORTH AVE
WEST OF 309TH Acres Involved: 23.93

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: _____

Was an Exception Adopted? Yes: _____ No:

DLCD File No.: 003-06(15204)

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: CITY OF NORTH PLAINS, WASHINGTON COUNTY

Local Contact: DON OTTERMAN Area Code + Phone Number: 503-647-5555

Address: 31360 NW COMMERCIAL ST City: NORTH PLAINS

Zip Code+4: 97133 Email Address: don@northplains.org

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 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 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 Mara.Ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

RESOLUTION NO. 1334

A RESOLUTION APPROVING ANNEXATION PROPOSAL AN-06-0005 AND CALLING AN ELECTION FOR CITY VOTERS TO APPROVE THIS ANNEXATION

WHEREAS, Washington County has a policy that unincorporated areas of the County should be annexed to cities so that urban services for those areas can be provided by cities; and

WHEREAS, the City Council agrees with County annexation policy and believes that areas outside the current City boundaries and within the City Urban Growth Boundary should be annexed to the City; and

WHEREAS, the City has received a petition Paine Tract LLC as the property owners meeting the requirements for initiation of annexation to the City under ORS 222.170(1); and

WHEREAS, after legal notices, a public hearing was held on the proposal for annexation by the City Council on July 17, 2006, where comments and testimony were received and considered; and

WHEREAS, the Council reviewed and considered the application for annexation, the staff report and the recommendation of the Planning Commission after its public hearing on June 21, 2006, and the proposed findings and reasons; and

WHEREAS, the property proposed for annexation contains 23.93 gross acres and all the owners of the land proposed for annexation consent in writing to this annexation; and

WHEREAS, Section 3.1 of the City Charter requires City voter approval for annexations.

NOW, THEREFORE, THE CITY OF NORTH PLAINS RESOLVES AS FOLLOWS:

Section 1. The City Council adopts Annexation Application No. 06-0005 and the staff report dated June 28, 2006, and attached to this Resolution as Exhibit A.

Section 2. The City Council approves Annexation Application No. 06-0005, and the annexation to the City of North Plains of the territory legally described in Exhibit B to this Resolution.

Section 3. A City election on this annexation is called for September 19, 2006.

Section 4. The Washington County Elections Department will conduct the election.

Section 5. The precincts for the election are all those that include territory included within the corporate limits of the City.

Section 6. The ballot title will read as follows:

CAPTION: PROPOSAL TO ANNEX 23.93 ACRES TO CITY

QUESTION: Should the City of North Plains annex 23.93 acres on its north boundary?

SUMMARY: Approval of this ballot measure will annex 23.93 acres to the City of North Plains. The land is all within the City Urban Growth Boundary. The land is north of the City located north of NW North Avenue and west of NW 309th. Most of the land is vacant or used for agricultural purposes. A legal description and maps of the annexation land are on

file at the North Plains City Hall.

Section 7. The City Recorder is authorized to submit an impartial explanatory statement for the Washington County voters pamphlet on behalf of the City.

Section 8. The City Recorder will publish the ballot title as provided by state law.

Section 9. This resolution is effective upon its adoption by the City Council.

INTRODUCED AND ADOPTED this 17th day of July, 2006

CITY OF NORTH PLAINS, OREGON

By: Cheri Olson
Cheri Olson, Mayor

ATTEST:

By: Debbie Owens
Debbie Owens, City Recorder

SEL 802
REV 8/05

NOTICE OF CITY MEASURE ELECTION

ORS 250.035
ORS 250.041
ORS 250.275
ORS 250.285
ORS 254.095
ORS 254.465

NORTH PLAINS, OREGON

(Name of City)

Notice is hereby given that on Tuesday, September 19, 2006
(Date of Election)

A measure election will be held in North Plains, Washington County, Oregon.
(Name of County or Counties)

The following is the true and complete ballot title of the measure to be submitted to the city's voters on this date:

CAPTION (10 Words)

PROPOSAL TO ANNEX 23.93 ACRES TO CITY.

QUESTION (20 Words)

Should the City of North Plains annex 23.93 acres on its north boundary?

SUMMARY (175 Words)

Approval of this ballot measure will annex 23.93 acres to the City of North Plains. This land is all within the City Urban Growth Boundary. The land is north of the City located north of NW North Avenue and west of NW 309th. Most of the land is vacant or used for agricultural purposes. A legal description and maps of the annexation land are on file at the North Plains City Hall.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Donald H. Otterman
Signature of authorized city official (not required to be notarized)

7/18/06
Date signed

DONALD H. OTTERMAN
Printed name of authorized city official

CITY MANAGER
Title

EXPLANATORY STATEMENT FOR COUNTY VOTERS' PAMPHLET

Election Date: Tuesday, September 19, 2006
 Ballot Title Caption: PROPOSAL TO ANNEX 23.93 ACRES TO CITY
 Measure Number: _____

Person responsible for the content of explanatory statement Donald H. Otterman	Telephone (home) 503-690-4989 Telephone (work) 503-647-5555 503-647-2031 Fax number
---	--

Title of above person City Manager	Name of the Governing Body represented City of North Plains
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By signing this document, I hereby state that I am the person responsible for the content of this statement.

Donald Otterman
Signature

7/18/06
Date

Instructions

- Total word count must not exceed 500 words.
- The explanatory statement is an impartial, simple and understandable statement explaining the measure and its effect (ORS 251.285).
- The explanatory statement must be typed.
- The explanatory statement must be filed with the County Elections Office in which the administrative office of the electoral district is located.
- The explanatory statement should be filed when measure filing is submitted, or no later than 5:00pm on the measure filing deadline.

EXPLANATORY STATEMENT FOR COUNTY VOTERS' PAMPHLET

Ballot Title Caption: Proposal to annex 23.93 acres to city

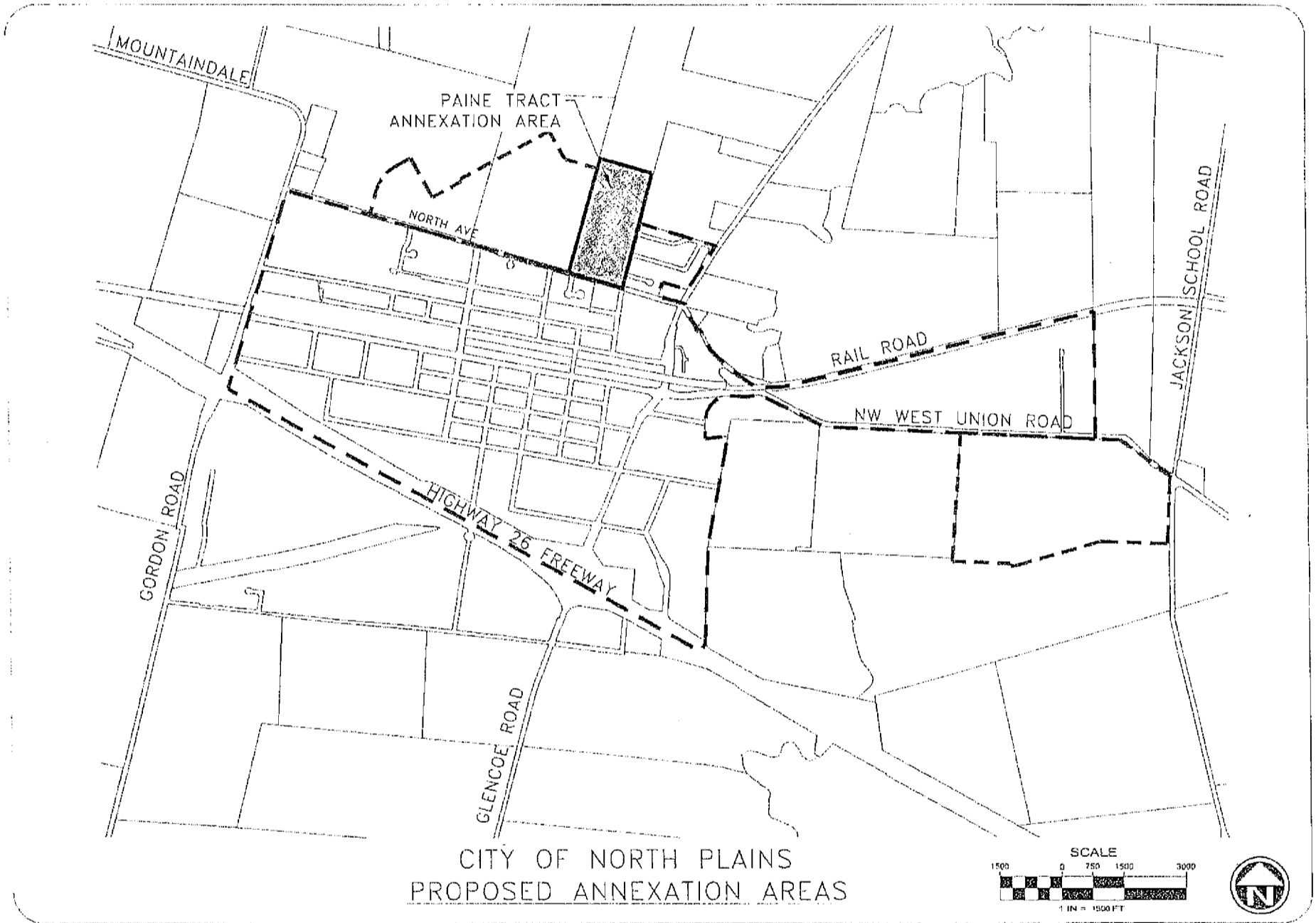
If approved by the voters, this measure will annex 23.93 acres of mostly vacant and agricultural land to the City of North Plains. The City Council found that this annexation proposal meets all applicable land use legal requirements. The City Charter requires voter approval of annexations.

All of the annexation land is within the City Urban Growth Boundary. The major impact of the annexation will be to shift urban planning and services responsibilities from Washington County to the City. The annexation land will be subject to the City's comprehensive plan and land use regulations. The land must develop under City requirements and in coordination with other land uses.

The annexation land will be subject to City property tax rates and will increase City revenue to help finance City services. The City will also gain revenue through development and building fees.

By approving this annexation of land into the City of North Plains, the City voters will require development to comply with City standards. Annexation will increase City revenues at no cost to current residents.

Approval of this ballot measure will annex land north of NW North Avenue and west of NW 309th Avenue. A map of the annexation land and legal description is on file at the North Plains City Hall. The area proposed to be annexed is 23.93 acres of the 74.13 acres of the north expansion area. There is a map of the proposed annexation area in the voter's pamphlet.



City of North Plains
31360 NW Commercial Street
North Plains, OR 97133
503-647-5555

ATTN: Plan Amendment Specialist
DLCD
635 Capitol Street NE, Ste 150
Salem, Oregon 97301-2540

UNITED STATES
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