



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

04/11/2012

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Harrisburg Plan Amendment
DLCD File Number 001-12

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, April 24, 2012

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.

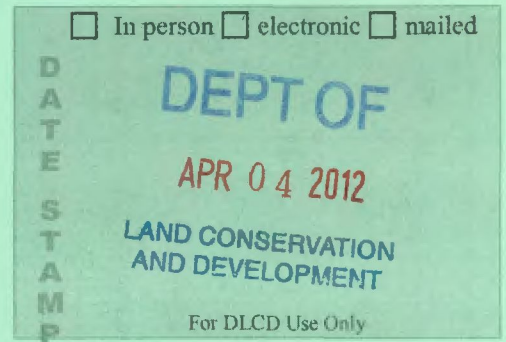
***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Michele Eldridge, City of Harrisburg
Angela Lazarean, DLCD Urban Planner
Ed Moore, DLCD Regional Representative

<paa> YA

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: **The City of Harrisburg**

Local file number: **301-2012**

Date of Adoption: **March 28, 2012**

Date Mailed: **April 4, 2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: 1-23-12

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 has added a Public Use Zone to the Zoning Ordinance for the City. When we are able to proceed with our Urban Growth Boundary expansion, we will amend the zoning map, and will apply this new zoning to all publicly held lands in the City. This will better reflect the true amounts of land available for development.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from: **N/A**

to:

Zone Map Changed from: **N/A**

to:

Location: **N/A**

Acres Involved: **0**

Specify Density: Previous: **N/A**

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 checked="" 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 checked="" 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. _____

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

Linn County, Harrisburg School District, and the Harrisburg Fire/Rescue District

Local Contact: **Michele Eldridge**

Phone: **(541) 995-6655** Extension:

Address: **PO Box 378**

Fax Number: **541-995-9244**

City: **Harrisburg**

Zip: **97446**

E-mail Address: **meldridge@ci.harrisburg.or.us**

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.

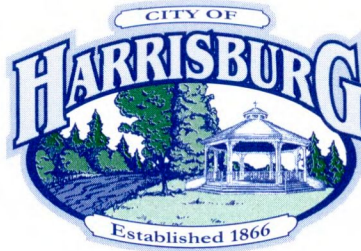
1. **Send this Form and TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

**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**.
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** - **Attention: Plan Amendment Specialist**.

120 Smith Street
PO Box 378
Harrisburg, OR 97446

"2002 Award of Excellence"



www.ci.harrisburg.or.us

(541) 995-6655
FAX: (541) 995-9244
TDD: (800) 753-2900

"2006 All-America City Finalist"

Larry French
Plan Amendment Specialist
Department of Land Conservation and Development
635 Capitol St NE, Suite 150
Salem, OR 97301-2540

April 4, 2012

Dear Mr. French;

The City of Harrisburg is hereby submitting Form 2, DLCD Notice of Adoption for the addition of a Public Use Zone (PUZ) to our zoning ordinance. No actual zone map amendments will take place until we are able to proceed with our Urban Growth Boundary expansion process. At that time, we will file another notice for applying the new PUZ to actual properties. This will apply to all City, special district, County, and state owned properties in the future.

I have the submitted an electronic copy of this proposal as of the same date that I have mailed this letter.

Best Regards;

A handwritten signature in blue ink that reads "Michele Eldridge". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Michele Eldridge, CMC
City Recorder

DEPT OF

APR 04 2012

LAND CONSERVATION
AND DEVELOPMENT

ORDINANCE NO. 903

AN ORDINANCE AMENDING SECTIONS 18.10.050 AND 18.70.040 OF HARRISBURG MUNICIPAL CODE (HMC) TITLE 18, AND ADDING CHAPTER 18.47 TO THE HMC

WHEREAS, the Planning Commission has recommended that our Zoning Ordinance be amended to include the creation of a Public Use Zone (abbreviated "PUZ"); and,

WHEREAS, the Planning Commission's recommendation is based upon a favorable recommendation by a consulting firm hired to assist our city in expanding our Urban Growth Boundary, as well as the City Planner; and,

WHEREAS, creating a Public Use Zone will make calculations regarding how much land is needed for commercial, industrial and residential purposes more accurate and meaningful for land use planning purposes,

NOW, THEREFORE, the City Council of the City of Harrisburg does hereby:

- (1) Amend section 18.10.050 to add Public Use Zone (abbreviated "PUZ") to the list of zones in Harrisburg;
- (2) Add the proposed Chapter 18.47 to Title 18 of the Harrisburg Municipal Code as shown on Exhibit A, attached; and,
- (3) Amend section 18.70.040 to add the following:

"8. PUZ. Signs in a Public Use Zone will be subject to the same conditions as on the property adjoining where the sign will be located, unless otherwise specified by the Planning Commission. For example, if a sign is being erected in a Public Use Zone and the adjoining property is zoned R-1, then the sign shall meet the requirements of the R-1 zone."

PASSED BY THE COUNCIL: March 28, 2012

APPROVED BY THE MAYOR: March 28, 2012

ORDINANCE EFFECTIVE DATE: April 28, 2012


MAYOR

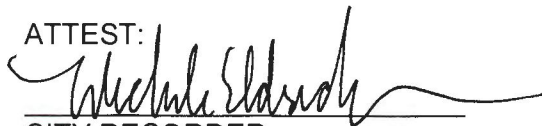
ATTEST:

CITY RECORDER

Exhibit A

Chapter 18.47 PUBLIC USE ZONE (PUZ)

Sections:

- 18.47.010 Purpose.
- 18.47.020 Uses permitted.
- 18.47.030 Site plan review.
- 18.47.040 Property development standards.

18.47.010 Purpose.

The public use zone is intended to be applied to lands that are owned, leased or planned for a public use in order to guide the public development of these lands in an appropriate manner that is compatible with adjacent uses. The public use of the land can be a present use or a use planned for the future.

18.47.020 Uses permitted.

The publicly owned or operated land uses listed below are examples of uses allowed in the public use zone, subject to the site plan review standards and procedures of Chapter 18.95 HMC, and the conditional use standards and procedures of Chapter 18.110 HMC:

1. City Hall,
2. Court office or court room,
3. Community center,
4. Fire station,
5. Library,
6. Museum,
7. Governmental offices,
8. Jail or correction facility,
9. Park, including recreational facilities,
10. Performing arts center,
11. Police station,
12. Post office,
13. School (public),
14. Shops, motor pool, or vehicular maintenance,
15. Water and wastewater treatment and collection facility.

18.47.030 Property development standards.

1. Minimum lot size and dimensions: No minimum is required.
2. Minimum setbacks: The minimum setback shall conform to that of the abutting property zone requirements, except that no minimum setback shall apply when the abutting property is also zoned PUZ. Where two or more different zones are applicable, the most restrictive shall apply.

3. Lot coverage: Buildings may occupy 100 percent of the lot area, subject to other requirements within the HMC such as setbacks, vision clearance, landscaping and off-street parking.
4. Building height: Unless a Conditional Use Permit is granted, the maximum height shall conform to that of the abutting property zone requirements. Where two or more different zones are applicable the most restrictive shall apply.
5. Access: No street frontage shall be required except as part of the site plan review process.
6. Exterior lighting: Exterior lighting shall be designed and positioned so that it does not shine or glare onto adjacent property.

18.47.040 Public uses in other zones.

The formation of this district is not intended to prevent a public use from being located in another zone so long as it conforms to the requirements of that zone.

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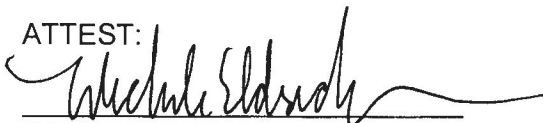
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City of Harrisburg
PLANNING COMMISSION & CITY COUNCIL

LEGISLATIVE LAND USE DECISION

HEARING PURPOSE: Zone Amendment for adding a Public Use Zone (PUZ) to the City

LOCATION: N/A

HEARING DATES: Tuesday, March 20 2012
Wednesday, March 28, 2012

ZONING: N/A

APPLICANT: The City of Harrisburg

PROPERTY OWNER: This zone is not being applied to any properties at this time.

APPEAL DEADLINE: April 25, 2012

APPEAL AUTHORITY: Land Use Board of Appeals

LAND USE DECISION

After reviewing this matter, listening to testimony, applying criteria and having made findings of fact, the Planning Commission and City Council have approved the addition of a Public Use Zone or PUZ to the City's Zoning Ordinance.

CRITERIA AND FINDINGS OF FACT

1. **Harrisburg Comprehensive Plan Goal #2:** To ensure adequate provision of land for residential, commercial, open space, industrial and public facilities within the City.
Finding: The addition of the Public Use Zone will enable us to provide better information to the public and City staff and officials, by accurately identifying how property will be used in the future.

2. **Harrisburg Comprehensive Plan Goal #14:** To provide enough land in appropriate types and locations for the anticipated growth needs of the City of Harrisburg as set forth in the 1998 Buildable Lands and Land Needs Analysis (Augmented by the 2007 Urbanization Study.)
Finding: The addition of the Public Use Zone will enable us to provide better information to the public and City staff and officials, by accurately identifying how property will be used in the future.

NOTICE OF APPEAL

Appeals to LUBA may be filed within twenty-one (21) days of the date that the Notice of Adoption is sent to the DLCD. The appeal date is listed above. Specific information on the requirements for an appeal may be obtained from the Department of Land Conservation and Development, at 635 Capitol St. NE, Suite 150, Salem, OR 97301-2540. A copy of the complete file of this Land Use Action may be obtained at Harrisburg City Hall. A fee to cover copying costs may be charged.

City of Harrisburg
PLANNING COMMISSION & CITY COUNCIL

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Larry French
Plan Amendment Specialist
Department of Land Conservation and Development
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