



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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

Date: March 14, 2016
Jurisdiction: City of Huntington
Local file no.: 01.01
DLCD file no.: 001-16

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 03/11/2016. 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 42 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.:	001-16 {24243}
Received:	3/11/2016

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: Huntington

Local file no.: **01.01**

Date of adoption: 03/09/2016

Date sent: 3/11/2016

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): 01/27/2016

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:

No

Local contact (name and title): Tracy McCue, City Recorder

Phone: 541-869-2202

E-mail: hun1891@netscape.com

Street address: 50 Adams St E, PO Box 369

City: Huntington

Zip: 97907-

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:

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:

153.055 Prohibited Uses

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.

Amends Commercial-Residential (CR) zone to prohibit marijuana-related businesses (processing sites, dispensaries, producers, processors, wholesalers, retailers)

ORDINANCE NO. 2016-03

**AN ORDINANCE ADDING SECTION 153.055
TO CHAPTER 153 OF TITLE XV OF THE
CODE OF ORDINANCES TO
PROHIBIT MARIJUANA-RELATED
BUSINESSES IN THE COMMERCIAL-RESIDENTIAL (CR) ZONE**

WHEREAS, Section 89 of Chapter 614 of Oregon Laws (2015) authorizes cities to adopt reasonable regulations on the locations of various marijuana-related businesses; and

WHEREAS, The City of Huntington's Commercial-Residential (CR) zone currently allows a mix of residential and commercial uses as permitted uses; and

WHEREAS, a public hearing was held on March 9, 2016, before the City Council to discuss a proposed land use amendment to prohibit marijuana-related businesses in the CR zone; and

WHEREAS, the City Council finds that notices of the hearing were duly given as required by the City Zoning Ordinance and Oregon law; and

WHEREAS, City Council having considered the information provided at the public hearing, the City Council finds that marijuana-related businesses are inappropriate in the CR zone because of the close proximity of residential dwellings.

NOW THEREFORE, THE CITY OF HUNTINGTON ORDAINS AS FOLLOWS:

SECTION 1. Section 153.055 is hereby added to Title XV of Chapter 153 ("the Zoning Ordinance") as follows:

§ 153.055 PROHIBITED USES.

The following uses are prohibited in the CR zone:

(1) Marijuana processing sites required to be registered under section 85 of Chapter 614 of Oregon Laws (2015);

(2) Medical marijuana dispensaries required to be registered under ORS 475.314;

(3) Marijuana producers required to be licensed under section 19, chapter 1, Oregon Laws 2015;

(4) Marijuana processors required to be licensed under section 20, chapter 1, Oregon Laws 2015;

(5) Marijuana wholesalers required to be licensed under section 21, chapter 1, Oregon Laws 2015;

(6) Marijuana retailers required to be licensed under section 22, chapter 1, Oregon Laws 2015; and

(7) Any combination of the entities described in this Section.

FIRST READING:

This ordinance was presented to the City Council at its special meeting on the 9th day of March, 2016, was read first in full, and then by title only, and a motion was made by Council member Guerri and seconded by Council member Bronson for passage of said ordinance, and the following vote having been taken:

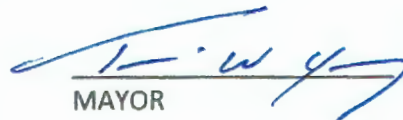
Voting for the Ordinance:

Council Members: Bronson, Guerri, Allender, Deck, and Gerould

Voting against the Ordinance:

Council Members: none

The Mayor having declared that the measure having received a unanimous vote for passage, was adopted and will become effective in 30 days.


MAYOR

ATTEST:


CITY RECORDER