

A RESOLUTION AUTHORIZING THE MAYOR AND)
RECORDER TO ENTER INTO AN AGREEMENT FOR)
THE ESTABLISHMENT OF A PRELIMINARY)
URBAN GROWTH BOUNDARY BETWEEN THE CITY)
OF LEBANON, OREGON AND LINN COUNTY, OREGON.)


RESOLUTION NO. 35
for 1978

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF LEBANON AS
FOLLOWS:

Section 1. That the Mayor and Recorder are hereby authorized
and directed to enter into an agreement with Linn County, Oregon
for the establishment of a preliminary Urban Growth Boundary.

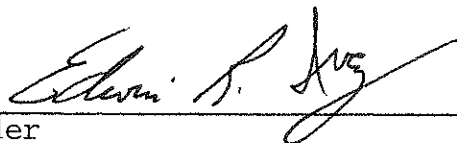
Section 2. That a copy of said agreement is set forth in
attached Exhibit "A".

Passed by the Council by a vote of 5 for and 0 against
and approved by the Mayor this 28th day of June, 1978.



Mayor

ATTEST:



Recorder

A G R E E M E N T

THIS AGREEMENT, made and entered into this 12 day of July, 1978,
by and between the City of Lebanon, Oregon and Linn County, Oregon,

WITNESSETH:

WHEREAS, the City of Lebanon and Linn County, Oregon hereby agree to establish a preliminary urban growth boundary which is intended to identify and separate urbanizable land from rural land and to provide for an orderly and efficient transition from rural to urban land use in accordance with Statewide Land Use Planning Goal Number 14 as enacted by the Oregon Land Conservation and Development Commission. The Lebanon Area Urban Growth Boundary is attached to this agreement as Exhibit "A",

NOW, THEREFORE, it is hereby agreed by and between the parties hereto as follows:

The City and County further agree to utilize the provisions of this agreement as the basis for review and action on development proposals, comprehensive plans, and implementing regulations and programs which pertain to the area situated inside the Urban Growth Boundary and outside the City limits.

The City and County further agree to establish a formal process for review and action on development proposals, comprehensive plans and implementing regulations and programs which pertain to the area situated inside the Urban Growth Boundary and outside the City limits.

- a) The Comprehensive Plan presently being prepared by the City of Lebanon which is intended to meet the Statewide Land Use Planning Goals, shall be the Comprehensive Plan for the area situated within the Urban Growth Boundary. The Plan shall be prepared by the City of Lebanon Planning

Department and Planning Commission and shall be approved by the Lebanon City Council. However, the Plan shall be developed with the advice and assistance of the Linn County Planning Department and Planning Commission and shall be approved by the Board of Linn County Commissioners. Citizen Involvement Programs as adopted by Lebanon and Linn County shall be used as guides in assuring adequate citizen and agency participation.

- b) The City shall make recommendations to the County on development proposals, comprehensive plan amendments, and implementing regulations and programs which pertain to the area situated inside the Urban Growth Boundary and outside the City limits including, but not limited to, the following:
1. Amendments to the existing Linn County Comprehensive Plan.
 2. Rezones.
 3. Conditional use permits, except for non-agricultural dwellings in the EFU District.
 4. Planned Unit Developments.
 5. Subdivisions.
 6. Public improvement projects.
 7. Recommendations for the designation of health hazard areas.
- c) The County shall make recommendations to the City on development proposals, comprehensive plan amendments, and implementing regulations and programs which pertain to the area situated within the Urban Growth Boundary and outside the City limits, but which are a responsibility of the City including, but not limited to, the following:
1. Amendments to the existing City of Lebanon Comprehensive Plan.
 2. Transportation facility improvements or extensions.
 3. Public water supply, sanitary sewer, or drainage system improvements or extensions.
 4. Other public facility or utility improvements or extensions.
 5. Requests for annexations.
- d) Whichever jurisdiction, City or County, has authority for making a decision with regard to a development proposal, comprehensive plan amendment, or implementing ordinance or program shall formally request the other jurisdiction to review and recommend action. If the City or County disagree as to the

proper action which should be taken, or if there is a need for clarification of issues, a meeting between the City Council and County Board of Commissioners shall be held to resolve the issue.

- e) Nothing contained within the section is intended to remove the legal authority for decision making from either the City or County.

No annexation to the City shall be permitted for areas outside the Urban Growth Boundary. The City shall not provide sanitary sewers or domestic water supply outside the Urban Growth Boundary except under unusual circumstances, and only after approval by the County. A finding that unusual circumstances exist shall be related to a public health need where it has been determined that the provision of sanitary sewers or domestic water supply is vital to the continued operation of a particular facility or use.

Contracted agreements for a delayed annexation of property may be permitted for lands within the Urban Growth Boundary under the following conditions:

- a) That the agreement for delayed annexation be approved and signed by the City, the County, and the owners of record of the property in question.
- b) That the County shall have no responsibility for the provision and maintenance of any public improvements including, but not limited to the following:
 - 1. Streets, curbs, gutters, and sidewalks.
 - 2. Storm drainage systems.
 - 3. Sewage disposal systems.
 - 4. Water supply systems.
 - 5. Street lighting, street signs, and other street improvements, related to vehicular or pedestrian safety.
 - 6. Parks and recreation areas.
- c) That the above listed improvements shall be provided and maintained in perpetuity, to City of Lebanon standards and under the supervision of the City, based upon the specific agreement for delayed annexation as approved by the City, County and owners of the property.

Linn County shall give the City of Lebanon the opportunity to review and comment on building permit applications within the Urban Growth Boundary and outside the City limits. Review shall be limited to permits for new construction or additions for buildings in excess of 4,000 square feet of floor area. The City shall be given a maximum of five (5) working days after the permit application has been made to complete its review and submit recommendations to the County. City review shall be related to adequacy of construction for fire protection purposes.

The City and County agree to prepare and implement a program for the development of the Urban Growth Boundary and related policies. These shall be adopted no later than July 1, 1979. The work program shall include a process for development of the Urban Growth Boundary and for policies including, but not limited to, the following:

- a) development and phasing of urban growth and public urban services.
- b) utility extensions.
- c) joint review of development proposals.
- d) use of special districts.
- e) intergovernmental coordination processes.
- f) coordinated development and maintenance standards related to zoning, land subdivision and partitioning, official maps reserving future street right-of-way, public facility and road improvement standards and delayed annexation agreements.

This agreement as well as the Urban Growth Boundary and policies related thereto, may be amended at any time by mutual consent of both parties, after public hearing and referral to the City and County Planning Commissions for a recommendation.

Issues that are not specifically identified by this agreement shall be informally resolved at the direction of the Lebanon City Council and the Board of Linn County Commissioners.

IN WITNESS WHEREOF, the parties have executed this agreement as of the day and year first above written.

LINN COUNTY COMMISSIONERS

Vernon Schrock
Ian L. Tamm
Mary Keenan

CITY OF LEBANON

by W. F. Spires, Mayor

ATTEST:

Elmer R. Day
City Recorder

LEBANON URBAN GROWTH BOUNDARY

