

**AN ORDINANCE MAKING CERTAIN )  
 DETERMINATIONS AND FINDINGS RELATING TO )  
 AND ADOPTING THE THIRD AMENDMENT TO THE )  
 NORTHWEST LEBANON URBAN RENEWAL PLAN )**      **ORDINANCE BILL NO. 11  
 For 2008  
 )      **ORDINANCE NO. 2760****

**WHEREAS**, the Urban Renewal Agency of the City of Lebanon (“Agency”), as the duly authorized and acting urban renewal agency of the City of Lebanon, Oregon, is charged to undertake certain redevelopment activities in the Northwest Lebanon Urban Renewal Area pursuant to ORS Chapter 457 and the Northwest Lebanon Urban Renewal Plan, adopted August 17, 1989, (the “Plan”), which Plan has been amended from time to time; and

**WHEREAS**, the Agency has prepared the Third Amendment to the Plan which Third Amendment is attached to this Ordinance as Exhibit A, and incorporated herein by this reference (“Third Amendment”). The Third Amendment changes the boundary of the Northwest Lebanon Urban Renewal Area as described therein; and

**WHEREAS**, the Agency has caused the preparation of a report accompanying the Third Amendment as required by ORS 457.085(3) (“Report”), which Report dated June 2008 is attached to this Ordinance as Exhibit B; and


**WHEREAS**, the substance of the Third Amendment and the Report were forwarded to the City of Lebanon Planning Commission for recommendation and the Planning Commission considered the Third Amendment and Report on July 16, 2008, and recommended that the Council adopt the Third Amendment; and

**WHEREAS**, the Third Amendment and the Report were forwarded on September 2, 2008 to the governing body of each taxing district affected by the Third Amendment, and the Agency has thereafter consulted and conferred with said districts; and

**WHEREAS**, neither the City Council nor the Agency has received any written recommendations from the governing bodies of the affected taxing districts; and

**After Recording Please Return To:**  
 City of Lebanon  
 City Recorder  
 925 Main Street  
 Lebanon, OR 97355


LINN COUNTY, OREGON      **2008-17929**  
 ORD-ORD      **09/15/2008 03:38:21 PM**  
 Cnt=1 Stn=1 COUNTER      **\$61.00**  
 \$40.00 \$11.00 \$10.00



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I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk



**WHEREAS**, on August 28, 2008 the City caused notice of the hearing to be held before the City Council on the Third Amendment for the Northwest Lebanon Urban Renewal Plan, including the required statements of ORS 457.120(3), to be mailed to postal patrons within the City of Lebanon; and

**WHEREAS**, on September 10, 2008, the City Council held a public hearing to review and consider the Third Amendment, the Report, the recommendation of the Planning Commission, and the public testimony received on that date, and does by this Ordinance desire to approve the Third Amendment; and

**WHEREAS**, the City Council hereby determines and finds that the Third Amendment complies with all requirements of ORS Chapter 457 and the specific criteria of 457.095(1) through (7), in that, based on the information provided in the Report and the public testimony before the City Council:

1. The Plan Area remaining after the Third Amendment continues to meet the statutory definition of “blight”, as defined by ORS 457.010(1) and is eligible for inclusion within the Plan, all as described in the Report on the Plan;
2. The redevelopment to be undertaken by the Agency described in the Plan as amended by the Third Amendment is necessary to protect the public health, safety and welfare of the City because absent the completion of the urban renewal projects, the Area will fail to contribute its fair share of property tax revenues to support City services and will fail to fulfill its land use functions under the City’s Comprehensive Plan;
3. The Plan, as amended by Third Amendment, conforms to the Lebanon Comprehensive Plan and provides an outline for accomplishing the projects in the Plan as amended by the Third Amendment, as more fully described in the Third Amendment and the Report on the Third Amendment;
4. No residential displacement will occur as a result of the acquisition and disposition of land and redevelopment activities because no acquisition or disposition of land is proposed in the Third Amendment;
5. The acquisition of real property provided for in the Plan as amended by the Third Amendment is necessary for the development of public facilities and related private development in the Area;
6. Adoption and carrying out the Plan as amended by the Third Amendment is economically sound and feasible in that eligible projects and activities will be funded by urban renewal tax revenues derived from a division of taxes pursuant to, section 1c, Article IX of the Oregon Constitution and ORS 457.440 and other available funding as more fully described in Section IX of the Report; and
7. The City shall assume and complete any activities prescribed to it by the Third Amendment.

**NOW THEREFORE, THE COUNCIL OF THE CITY OF LEBANON HEREBY ORDAINS THAT:**

Section 1: The Third Amendment to the Northwest Lebanon Urban Renewal Plan is hereby approved and adopted, based upon review and consideration by the City Council of the Report, the recommendations of the Planning Commission, each of which is hereby accepted, and the public testimony in the record.


Section 2: The City Recorder shall forward forthwith to the Agency a copy of this Ordinance.

Section 3: The Agency shall thereafter cause a copy of the Third Amendment to be recorded in the Records of Linn County, Oregon.

Section 4: The City Recorder, in accordance with ORS 457.115, shall publish notice of the adoption of the Ordinance approving the Third Amendment, including the provisions of ORS 457.135, in the ~~Lebanon Express~~ *Democrat Herald* no later than four days following adoption of this Ordinance.

Passed by the Lebanon City Council by a vote of 6 for and 0 against and approved by the Mayor on this 10<sup>th</sup> day of September, 2008.

CITY COUNCIL OF LEBANON, OREGON

  
Kenneth I. Toombs, Mayor   
Bob Elliott, Council President

ATTEST:

  
Linda Kaser, City Clerk/Recorder

## **EXHIBIT A**

### THIRD AMENDMENT TO THE NORTHWEST LEBANON URBAN RENEWAL AREA PLAN

The Third Amendment to the Northwest Lebanon Urban Renewal Area Plan (“Plan”) makes the following changes and additions to the Plan.

1. *Exhibit 1, “Site Location”* is deleted and replaced by *Exhibit 1, “Site Location”* attached to this Amendment.
2. *Exhibit 2, “Existing Land Use”* is deleted and replaced by *Exhibit 2, “Existing Land Use”* attached to this Amendment.
3. *Exhibit 3, “Renewal Boundary”* is deleted and replaced by *Exhibit 3, “Urban Renewal Area Boundary”* attached to this Amendment.
4. *Exhibit 4, “Comprehensive Plan Designations”* is deleted and replaced by *Exhibit 4, “Comprehensive Plan Designations”* attached to this Amendment.

