

**ORDINANCE NO. 2010-02**

**AN ORDINANCE ADOPTING THE COMPREHENSIVE PLAN TEXT AND MAP OF THE CITY OF LA PINE AND ADOPTING AN URBAN GROWTH BOUNDARY TO INCLUDE LAND FOR HOUSING, EMPLOYMENT, AND RELATED USES; AND DECLARING AN EMERGENCY.**

WHEREAS, the City of La Pine (the "City") was incorporated in 2006 by a vote of the people;

WHEREAS, the La Pine City Council (the "City Council") initiated a legislative process for the development of the City's first, independent Comprehensive Plan, which Comprehensive Plan includes the establishment of the City's Urban Growth Boundary;

WHEREAS, the City is required under ORS Chapter 197, and certain administrative rules promulgated thereunder, to prepare and adopt a comprehensive plan consistent with statewide planning goals;

WHEREAS, the City Council and City Planning Commission, through widely advertised citizen and coordinative agency involvement programs, and after numerous public meetings, workshops, and at least two public hearings, developed an adequate factual base pursuant to Statewide Planning Goal 2, and refined and improved the factual base through an extensive public involvement process pursuant to Statewide Planning Goal 1;

WHEREAS, the Comprehensive Plan consists of three documents, namely (a) a written text (including appendix data), (b) a Comprehensive Plan map, and (c) a legal description of the City's Urban Growth Boundary, all of which are filed in the office of the City Recorder. Each aforementioned document bears the number of this Ordinance 2010-02 (this "Ordinance") and will be authenticated and endorsed by the signatures of the Mayor and City Recorder at the time this Ordinance is passed and approved. For purposes of this Ordinance, the term "Comprehensive Plan" means the aforementioned written text (including appendix data), the map, the legal description, and certain findings of fact and a statement of policies (described below), all of which are attached hereto as Exhibit A and incorporated herein by reference;

WHEREAS, the Comprehensive Plan (including, without limitation, the Urban Growth Boundary) are supported by certain findings of fact and a statement of policies adopted in aid of the Statewide Planning Goals. Each statement of policy is supported by explanatory text and specific programs needed to implement the proposed local goals and policies. The text includes a statement of policies and procedures to be followed for proposed amendments to the Comprehensive Plan (and policies, provisions, and a map depicting the Urban Growth Boundary);

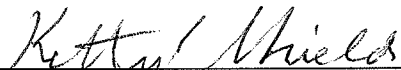
WHEREAS, after receiving the proposed Comprehensive Plan, the City Council and City Planning Commission conducted two public hearings on the Comprehensive Plan. These meetings were noticed in newspapers and media of general circulation within the City and in accordance with applicable Oregon law. In particular, notices were placed in The Bend Bulletin, Wise Buy's, The Eagle, Frontier Advertising, and on the City webpage. A City-wide Measure 56 mailer was placed around the City. There was also a coordinative agency involvement program, including continuing dialogue and discussion with the Deschutes County Board of County Commissioners;

WHEREAS, the City Council has received and considered all matters and information necessary to consider the proposed Comprehensive Plan and determined it conforms to statewide planning goals and hereby takes public notice of all matters produced, and all information necessary to consider the same.

NOW, THEREFORE, THE CITY OF LA PINE ORDAINS AS FOLLOWS:

1. The City Council adopts the above-stated findings.
2. The Comprehensive Plan is hereby approved and adopted.
3. Each provision contained in this Ordinance will be treated as a separate and independent provision. The unenforceability of any one provision will in no way impair the enforceability of any other provision contained herein. Any reading of a provision causing unenforceability will yield to a construction permitting enforcement to the maximum extent permitted by applicable law.
4. The City Council finds that the passage of this Ordinance is necessary for the immediate preservation of the peace, health, and safety of the City's citizens. The City Council further finds that a delay of thirty (30) days prior to the effective date of the Comprehensive Plan may result in acts, omissions, or conditions detrimental to the public welfare. Therefore, an emergency is declared to exist and this Ordinance will be in full force and effect upon its passage by the City Council and approval of the Mayor.

This Ordinance was PASSED by the City Council by a vote of 5 for and 0 against and APPROVED by the Mayor this 10th day of March, 2010.

  
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Kitty Shields, Mayor

ATTEST:

  
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Luana K. Damerval, City Recorder

EXHIBIT A  
Comprehensive Plan

(attached)