



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

08/26/2011

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Scio Plan Amendment
DLCD File Number 002-11

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: Thursday, September 08, 2011

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: Cathy Martin, City of Scio
Angela Lazarean, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative

<paa> YA

**FORM 2****DLCD**

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

☐ In person ☐ electronic ☐ mailed

DATE STAMP

DEPT OF**AUG 22 2011****LAND CONSERVATION
AND DEVELOPMENT**

For Office Use Only

Jurisdiction: **City of Scio**Local file number: **PL-2011-02**Date of Adoption: **7/11/2011**

Date Mailed:

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date:☐ 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".

Redesignate 5.75 acres from Residential to Commercial on the Scio Comprehensive Plan Map. Re-zone 0.12 acres from Multi-Family (R-2) and 5.63 acres from Single-Family (R-1) to Commercial (C) within the Scio city limits.

The City has completed a 2010 Scio Buildable Lands Analysis Update Draft. The report shows the City did not have sufficient vacant buildable land zoned for commercial development in order to meet the estimated 20-year needs for the commercially zoned land inside the Urban Growth Boundary. A copy of the 2010 Scio Buildable Lands Analysis Update Draft is available at the Scio City Hall.

Does the Adoption differ from proposal? Yes, Please explain below:

Two properties were added to and two properties were removed from the original proposal. The total acreage rezoned to commercial increased from 5.22 acres to 5.75 acres.

Plan Map Changed from: **Residential**to: **Commercial**Zone Map Changed from: **R-1 & R-2 Residential**to: **C Commercial**Location: **10S1W18AD (34 parcels totaling 5.75 acres)**Acres Involved: **5**

Specify Density: Previous:

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 checked="" 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"/>

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

45-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

Local Contact: **Cathy Martin**

Phone: **(503) 394-3342** Extension:

Address: **PO Box 37**

Fax Number: **503-394-2340**

City: **Scio**

Zip: **97374**

E-mail Address: **sciocityclerk@smt-net.com**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.



City Of Scio, Oregon



ORDINANCE NO. 581

AN ORDINANCE REDESIGNATING AND REZONING 5.45 ACRES FROM RESIDENTIAL TO COMMERCIAL IN THE CITY OF SCIO

WHEREAS, the City of Scio has prepared the 2010 Scio Buildable Lands Analysis Update to comply with LCDC Goal 2 "Land Use"; and

WHEREAS, the preliminary findings in the 2010 Scio Buildable Lands Analysis Update show that the City of Scio has an adequate supply of vacant buildable land (60+ acres) zoned for single-family residential development in order to meet the estimated 20-year needs (15+ acres) for R-1 zoned land inside the Urban Growth Boundary; and

WHEREAS, the preliminary findings in the 2010 Scio Buildable Lands Analysis Update also show that the City of Scio does not have a sufficient number of vacant buildable land zoned for commercial development in order to meet the estimated 20-year needs for commercially zoned land inside the Urban Growth Boundary; and

WHEREAS, the Scio Planning Commission has proposed that the City redesignate and rezone approximately five (5) acres of redevelopable and vacant lands along Hwy 226 and inside the Scio city limits from Residential (R-1) to Commercial (C) to ensure the city has an adequate supply of land zoned for all types of commercial development inside the Scio UGB;

WHEREAS, the Planning Commission held an informational meeting with property owners on February 16, 2011 to discuss the prospect of redesignating and rezoning certain parcels from R-1 to C; and

WHEREAS, several property owners concurred with the City's proposal to rezone their properties from R-1 to C; and therefore, the Planning Commission agreed it should proceed with public hearings to consider the proposed map amendments to the Scio Zoning Map; and

WHEREAS, the Planning Commission held a public hearing on April 20, 2011 to consider the application and held the public record open until May 11, 2011 to receive additional written testimony;

WHEREAS, on May 18, 2011 the Planning Commission deliberated on the issue, approved modified findings of fact to remove several properties from the proposal and recommended the City Council approve the application as modified; and

WHEREAS, the City Council held a public hearing on June 13, 2011 and at the close of the hearing the City Council concurred with the Planning Commission recommendation; and

WHEREAS, the City Council adopted findings of fact approving the land use application;

NOW, THEREFORE, the City Council of the City of Scio hereby ordains as follows:

SECTION 1: COMPREHENSIVE PLAN MAP AMENDMENTS. The Scio Comprehensive Plan Map shall be amended to redesignate the following properties from Residential to Commercial. Attached hereto is Exhibit "A", which accurately portrays the properties to be redesignated to Commercial.

#	Owner(s)	Linn County Assessor's Map	Tax Lot	Size In Acres	Existing Use	Prior Scio Comp Plan	New Scio Comp Plan
1	Merritt	T10S, R1W, Section 18AD	1100	0.16	SFR	Residential	Commercial (C)
2	Lassetter	T10S, R1W, Section 18AD	1200	0.09	SFR	Residential	Commercial (C)
3	Lassetter	T10S, R1W, Section 18AD	1300	0.03	Vacant	Residential	Commercial (C)
4	Carner	T10S, R1W, Section 18AD	1400	0.21	SFR	Residential	Commercial (C)
5	Ellis	T10S, R1W, Section 18AD	1500	0.24	SFR	Residential	Commercial (C)
6	Nightingale	T10S, R1W, Section 18AD	1600	0.24	MH	Residential	Commercial (C)
7	Ellis	T10S, R1W, Section 18AD	1800	0.37	SFR	Residential	Commercial (C)
8	Nightingale	T10S, R1W, Section 18AD	1900	0.22	MH	Residential	Commercial (C)
9	Church of God Mennonite	T10S, R1W, Section 18AD	2000	0.11	MH	Residential	Commercial (C)
10	Childress	T10S, R1W, Section 18AD	2200	0.20	SFR	Residential	Commercial (C)
11	Fleming	T10S, R1W, Section 18AD	2600	0.23	SFR	Residential	Commercial (C)
12	Zimmerman	T10S, R1W, Section 18AD	3900	0.12	SFR	Residential	Commercial (C)
13	Rydholm	T10S, R1W, Section 18AD	4000	0.12	SFR	Residential	Commercial (C)
14	Longanecker	T10S, R1W, Section 18AD	4100	0.23	SFR	Residential	Commercial (C)
15	Lee	T10S, R1W, Section 18AD	4200	0.23	MH	Residential	Commercial (C)
16	South	T10S, R1W, Section 18AD	4300	0.12	SFR	Residential	Commercial (C)
17	Fixsen	T10S, R1W, Section 18AD	4400	0.12	SFR	Residential	Commercial (C)
18	Rosecrans	T10S, R1W, Section 18AD	4500	0.23	MH	Residential	Commercial (C)
19	McCulloch	T10S, R1W, Section 18AD	4601	0.24	SFR	Residential	Commercial (C)
20	Johnson	T10S, R1W, Section 18AD	4700	0.18	SFR	Residential	Commercial (C)
21	Barker	T10S, R1W, Section 18AD	4800	0.23	SFR	Residential	Commercial (C)
22	Vogel	T10S, R1W, Section 18AD	4903	0.23	SFR	Residential	Commercial (C)
23	Heidenrich	T10S, R1W, Section 18AD	5401	0.02	Vacant	Residential	Commercial (C)
24	Heidenrich	T10S, R1W, Section 18AD	6500	0.23	SFR	Residential	Commercial (C)
25	Gorden	T10S, R1W, Section 18AD	6501	0.19	SFR	Residential	Commercial (C)

26	Burger	T10S, R1W, Section 18AD	6502	0.15	SFR	Residential	Commercial (C)
27	Stutzman	T10S, R1W, Section 18AD	6600	0.14	SFR	Residential	Commercial (C)
28	Clevenger	T10S, R1W, Section 18AD	6700	0.12	SFR	Residential	Commercial (C)
29	Freeman	T10S, R1W, Section 18AD	6701	0.12	SFR	Residential	Commercial (C)
30	Freeman	T10S, R1W, Section 18AD	6703	0.02	Vacant	Residential	Commercial (C)
31	Tuttle	T10S, R1W, Section 18AD	6705	0.12	SFR	Residential	Commercial (C)
32	Linn County	T10S, R1W, Section 18AD	7400	0.05	Vacant	Residential	Commercial (C)
33	Androes	T10S, R1W, Section 18AA	00400	0.31	SFR	Residential	Commercial (C)
34	Forrest	T10S, R1W, Section 18AA	00300	0.13	SFR	Residential	Commercial (C)
			Total	5.75			

SECTION 2: ZONING MAP AMENDMENTS. The Scio Zoning Map shall be amended to rezone the following properties from Residential (R-1) and (R-2) to Commercial (C). Attached hereto is Exhibit "B", which accurately portray the properties to be redesignated to Commercial.

#	Owner(s)	Linn County Assessor's Map	Tax Lot	Size In Acres	Existing Use	Prior Scio Zoning Map	New Scio Zoning Map
1	Merritt	T10S, R1W, Section 18AD	1100	0.16	SFR	Residential (R-1)	Commercial (C)
2	Lassetter	T10S, R1W, Section 18AD	1200	0.09	SFR	Residential (R-1)	Commercial (C)
3	Lassetter	T10S, R1W, Section 18AD	1300	0.03	Vacant	Residential (R-1)	Commercial (C)
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7	Ellis	T10S, R1W, Section 18AD	1800	0.37	SFR	Residential (R-1)	Commercial (C)
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9	Church of God Mennonite	T10S, R1W, Section 18AD	2000	0.11	MH	Residential (R-1)	Commercial (C)
10	Childress	T10S, R1W, Section 18AD	2200	0.20	SFR	Residential (R-1)	Commercial (C)
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15	Lee	T10S, R1W, Section 18AD	4200	0.23	MH	Residential (R-1)	Commercial (C)
16	South	T10S, R1W, Section 18AD	4300	0.12	SFR	Residential (R-2)	Commercial (C)
17	Fixsen	T10S, R1W, Section 18AD	4400	0.12	SFR	Residential (R-1)	Commercial (C)
18	Rosecrans	T10S, R1W, Section 18AD	4500	0.23	MH	Residential (R-1)	Commercial (C)
19	McCulloch	T10S, R1W, Section 18AD	4601	0.24	SFR	Residential (R-1)	Commercial (C)
20	Johnson	T10S, R1W, Section 18AD	4700	0.18	SFR	Residential (R-1)	Commercial (C)
21	Barker	T10S, R1W, Section 18AD	4800	0.23	SFR	Residential	Commercial (C)
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34	Forrest	T10S, R1W, Section 18AA	00300	0.13	SFR	Residential	Commercial (C)
			Total	5.75			

SECTION 3: RECORD. The City Recorder shall submit a certified true copy of this Ordinance to the Linn County Clerk and the Linn County GIS office.

SECTION 4: SEVERABILITY. The provisions of this ordinance are severable. If a section, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this ordinance.

This Ordinance read for the first time in full on this 11th day of July 2011.

This Ordinance read by title only for the second time on this 11th day of July 2011.

This Ordinance passed on the 11th day of July 2011 by the city council and executed by the mayor this 11th day of July 2011.

Date: 7-11-11

By:

Dean Ferguson
DEAN FERGUSON, Mayor

Date: 7-11-11

Attest:

Virginia Griffith
VIRGINIA GRIFFITH, City Manager

APPROVED AS TO FORM

Date: 7-28-11

By:

John Kennedy
City Attorney 0529015

Exhibits:

- "A" - Area to be Re-designated on the Scio Comprehensive Plan Map
- "B" - Area to be Re-zoned on the Scio Zoning Map.

08/02/07.11:47:16.Thu

08/02/07.11:47:16.Thu



City of Scio
Post Office Box 37
Scio, Oregon 97374-0037

SALEM OR 973

19 AUG 2011 PM 2 T

DEPT C

AUG 22 2011

LAND CONSERVATION
AND DEVELOPMENT

Attn: Plan Amendment Specialist
Dept of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

973012540


