



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

November 9, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Scotts Mills Plan Amendment
DLCD File Number 002-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: November 26, 2007

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 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 DATE SPECIFIED ABOVE.**

Cc: Doug White, DLCD Community Services Specialist
Jason Locke, DLCD Regional Representative
Katie Martin, City Of Scotts Mills
Marjorie Mattson, Mid-Willamette Valley Council of Governments

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DLCD

Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

☐ In person ☐ electronic ☐ mailed

DATE
STAMP

DEPT OF
NOV 06 2007
LAND CONSERVATION
AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: Scotts Mills Local file number: DC-01-07
Date of Adoption: 10-25-07 Date Mailed: 11/5/2007
Date original Notice of Proposed Amendment was mailed to DLCD: 7-27-2007

- | | |
|---|---|
| ☐ 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".

REVISION to requirement regarding Equine Facilities - City
may regulate the construction of new agricultural buildings and
equine facilities within its boundaries.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME".
If you did not give Notice for the Proposed Amendment, write "N/A".

Same.

Plan Map Changed from: N/A to: N/A
Zone Map Changed from: N/A to: N/A
Location: _____ Acres Involved: _____
Specify Density: Previous: _____ New: _____
Applicable Statewide Planning Goals: 2, 14
Was and Exception Adopted? ☐ YES ☒ NO

DLCD File No.: 002-07(16270)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (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

Affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: Katie MARTIN Phone: (503) 873-5435 Extension: _____
Address: PO Box 20 City: Scotts Mills
Zip Code + 4: 97375- Email Address: smcity@open.org

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

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

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 85

BEFORE THE CITY COUNCIL OF THE CITY OF SCOTTS MILLS
COUNTY OF MARION, STATE OF OREGON

An Ordinance amending the Development Code in respect equine facilities.

WHEREAS, the City Council determined that the Development Code adopted by Ordinance #80, August 8, 2006, requires amending to address circumstances not previously encountered as it relates to the equine facilities, and

WHEREAS, In accordance with the provisions of ORS 455.315 (3), the City of Scotts Mills may regulate the construction of new agricultural buildings and equine facilities within its boundaries,

NOW THEREFORE, BE IT ORDAINED, by the City Council of Scotts Mills:

Section 1. The Scotts Mills Development Code, Chapter 3.6 is amended by the addition of:

3.6.5 Prohibited Uses.

A. Equine Facilities. Equine facilities as defined by ORS 455.315 are prohibited in all zones.

ADOPTED by the City Council of Scotts Mills this ____ day of ____, 2007.

Yeas: 6 Nays: ____ Absent: ____ Abstentions: ____
10/25/07
Date

Jerry Martin
Jerry Martin, Mayor
ATTEST by City Clerk this 25th day of Oct, 2007
Katherine Martin
Katherine Martin, City Clerk