



# Oregon

John A. Kitzhaber, M.D., Governor

**Department of Land Conservation and Development**

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[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



## **NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION**

Date: 11/21/2014

Jurisdiction: City of Aumsville

Local file no.: None

DLCD file no.: 002-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 11/18/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD less than 35 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



# NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

**FOR DLCD USE**  
File No.: 002-14 {22559}  
Received: 11/18/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OAR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: City of Aumsville, OR

Local file no.: n/a

Date of adoption: Nov. 10, 2014

Date sent: Nov. 18, 2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): NO

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Maryann Hills, City Administrator

Phone: 503 749-2030

E-mail: maryann@aumsville.us

Street address: 595 Main St

City: Aumsville

Zip: 97325-

### PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

#### For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

#### For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from MDR to RS .99 acres. A goal exception was required for this change.
- Change from change to acres. A goal exception was required for this change.
- Change from change to acres. A goal exception was required for this change.
- Change from to acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): 82W25A00800

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**If the comprehensive plan map change is an urban reserve** amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from MDR	to RS	Acres: .99
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 82W25A00800

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List affected state or federal agencies, local governments and special districts: Aumsville Rural Fire Department; Cascade School District

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Aumsville has annexed .99 acres that was in their UGB. The annexation hearings were held at the Planning Commission level on Oct. 16, 2014; and before City Council on Nov. 10, 2014. The Marion County zoning on the .99 acre parcel was Medium Density Residential (MDR). The city has two residential designations: RS (Single Family) and RM (Multi-family). This property was zoned Residential Single Family (RS). Comprehensive Plan Maps 2.1 & 2.2 have been updated.

RESOLUTION NO. 15-14

**A RESOLUTION DISPENSING WITH A CITY ELECTION ON THE QUESTION OF ANNEXING 11<sup>TH</sup> STREET TERRITORY CONTIGUOUS TO THE CITY LIMITS OF AUMSVILLE.**

**WHEREAS**, the Lyons Property, LLC has acquired territory contiguous to the city limits and signed as owner of the territory a written request to be annexed; and

**WHEREAS**, the city charter does not expressly prohibit the city from dispensing with submitting the question of annexation to the registered voters of the city;

**NOW, THEREFORE**, the city of Aumsville resolves as follows:

**Section 1. Annexation Area.** The city council proclaims that it appears that it is in the best interest of the city of Aumsville that the following contiguous territory be annexed:

Real property in the County of Marion, State of Oregon, described as follows:

**Beginning at a point where the center of the County Road leading from Aumsville to Salem, Oregon, intersects with the South boundary line of the Donation Land Claim of Henry Smith and wife, in Township 8 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; and running thence South 89° 29' East 5.57 chains; thence South 4.56 chains; thence North 89° 29' West 4.11 chains to the center of the County Road leading from Aumsville to Salem, Oregon; thence North 14° 45' West to the place of beginning.**

**Save and except the North one-half (N1/2) of the above described premises which was conveyed to Herman C. Lewis et us, by deed recorded December 17, 1949 in Volume 411, Page 435, Marion County, Oregon Deed Records.**

**Note: This Legal Description was created prior to January 01, 2008.**


**Section 2. Annexation Without Election.** The city council elects to dispense with submitting the question of annexation to an election by the registered voters of the city as authorized by ORS 222.120.

**Section 3. Public Hearings.** A public hearing on the question of this annexation was held at the Chester Bridges Memorial Community Center on October 16, 2014, before the Aumsville Planning Commission at which time they recommended approval of the annexation to the Aumsville City Council. The Aumsville City Council hearing is scheduled to proceed on November 10, 2014, at which time all interested persons have the opportunity to appear and to be heard.

**Section 4. Notice of Hearings.** Certifications of posting notice of the public hearings and mailing notices to adjacent property owners are filed with this annexation record. The administrative assistant has given notice of the Aumsville City Council Public hearing by publication in the Stayton Mail newspaper for two consecutive weeks before the hearing.

**ADOPTED** by the Aumsville City Council on the 27<sup>th</sup> day of October, 2014.

  
Harold L. White, Mayor

ATTEST:   
Maryann N. Hills, City Administrator

ORDINANCE NO. 633

**AN ORDINANCE ANNEXING 11<sup>TH</sup> STREET PROPERTY THAT IS CONTIGUOUS TO THE CURRENT CITY LIMITS WITHOUT AN ELECTION. FURTHER, AN ORDINANCE AMENDING ORDINANCE NO. 465, TO UPDATE THE AUMSVILLE COMPREHENSIVE PLAN MAPS; AND AMENDING ORDINANCE NO. 323, TO CHANGE THE OFFICIAL ZONING MAP.**

**WHEREAS**, Lyons Real Property (Jerry Flowers) has acquired land contiguous to the city limits and signed as owner of the territory a written request to be annexed; and

**WHEREAS**, after notice being duly provided, this matter of annexation came before the Aumsville Planning Commission pursuant to ORS 197.763 and the Aumsville Development Ordinance on October 16, 2014, for a public hearing; and

**WHEREAS**, the Aumsville Planning Commission forwarded a recommendation to approve the annexation to the Aumsville City Council, which was then considered and approved at a second public hearing before the council on November 10, 2014 after proper notice of the hearing was duly posted and given; now therefore,

**The City of Aumsville ordains as follows:**

**Section 1. Annexation Area.** The following approximate .99 acres of contiguous territory is hereby proclaimed to be annexed to the city of Aumsville:

Real property in the County of Marion, State of Oregon, described as follows:

**Beginning at a point where the center of the County Road leading from Aumsville to Salem, Oregon, intersects with the South boundary line of the Donation Land Claim of Henry Smith and wife, in Township 8 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; and running thence South 89° 29' East 5.57 chains; thence South 4.56 chains; thence North 89° 29' West 4.11 chains to the center of the County Road leading from Aumsville to Salem, Oregon; thence North 14° 45' West to the place of beginning.**

**Save and except the North one-half (N1/2) of the above described premises which was conveyed to Herman C. Lewis et us, by deed recorded December 17, 1949 in Volume 411, Page 435, Marion County, Oregon Deed Records.**

**Note: This Legal Description was created prior to January 01, 2008.**

**Section 2. Establishment of Zone.** The residential single-family (RS) zone is established on the annexed property.

**Section 3. Record.** The administrative assistant shall submit to the Oregon Secretary of State: (1) a certified true copy of this ordinance; (2) a copy of the statement of consent of the landowners in the territory annexed; and (3) a copy of Resolution No. 15-14 dispensing with an election in the city on the question of annexation. The administrative assistant shall also send a

description by metes and bounds and a map depicting the new boundaries of the city within 10 days of the effective date of the annexation to the Marion County Assessor, Marion County Clerk, city franchise holders and the Oregon Department of Revenue.

**Section 4: Comprehensive Plan Maps.** Aumsville Comprehensive Plan Map 2.1 and Map 2.2 are amended to include hereby annexed Parcel 800 on Map 82W25A; as shown on attached Exhibit "A" and Exhibit "B".

**Section 5: Development Ordinance Zoning Map Change.** The official Zoning Map, as described in Section 2.00 of Ordinance No. 323, is amended as shown on the attached Exhibit "B"; by adding Parcel 800 on Map 82W25A (Residential Single-Family) to the city limits.

**Section 6: Effective Date.** This ordinance shall take effect on the thirtieth day after its enactment.

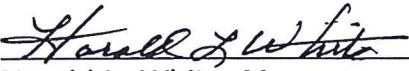
PRESENTED AND PASSED the first reading on the 10<sup>th</sup> day of November, 2014.

PASSED its second reading on the 10<sup>th</sup> day of November, 2014.












ADOPTED by the Aumsville City Council on the 10<sup>th</sup> day of November, 2014.

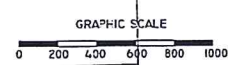
  
\_\_\_\_\_  
Maryann N. Hills, City Administrator

SIGNED by the mayor this 12<sup>th</sup> day of November, 2014.

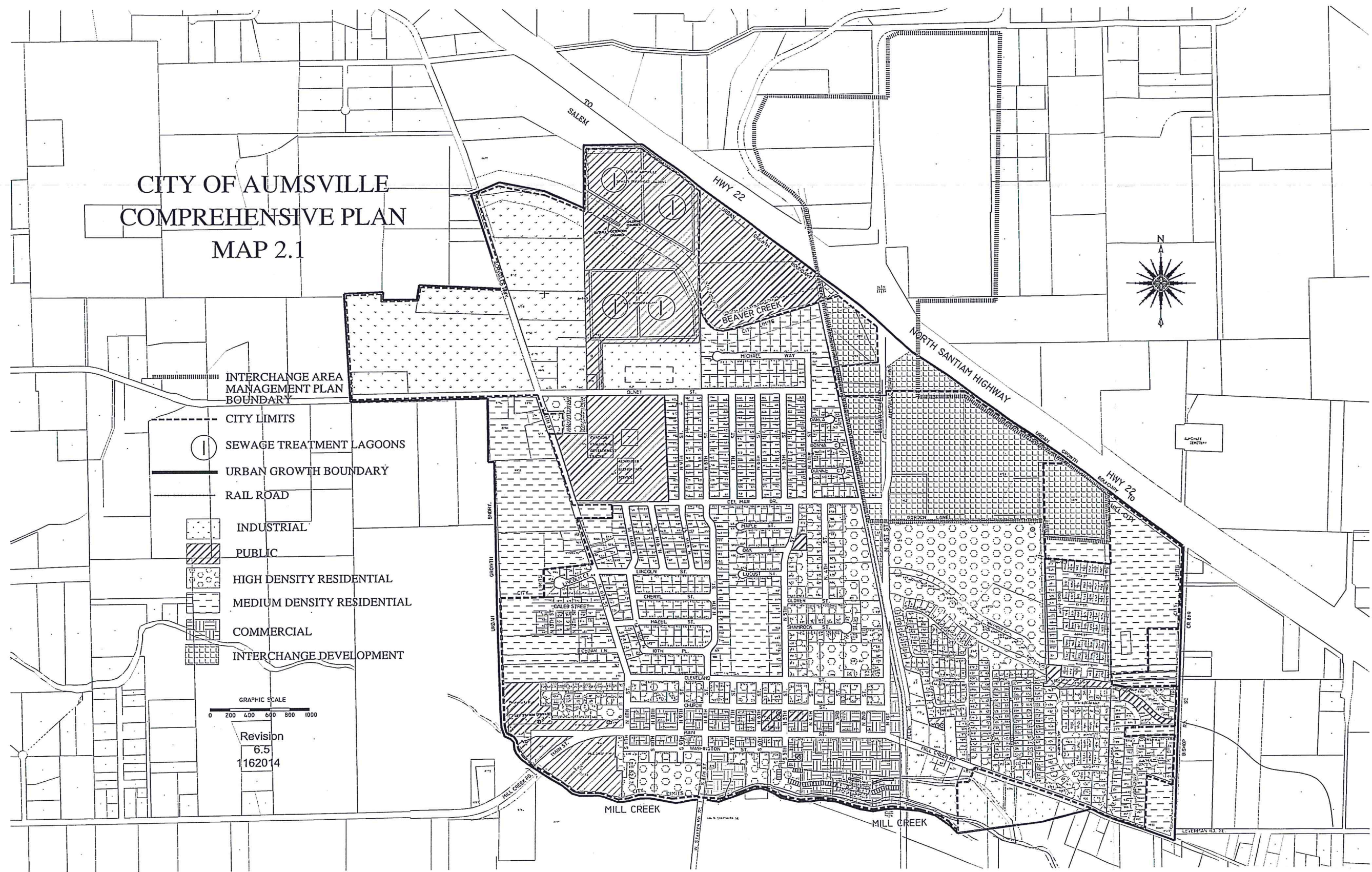
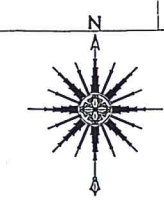
  
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Harold L. White, Mayor

# CITY OF AUMSVILLE COMPREHENSIVE PLAN MAP 2.1

-  INTERCHANGE AREA MANAGEMENT PLAN BOUNDARY
-  CITY LIMITS
-  SEWAGE TREATMENT LAGOONS
-  URBAN GROWTH BOUNDARY
-  RAIL ROAD
-  INDUSTRIAL
-  PUBLIC
-  HIGH DENSITY RESIDENTIAL
-  MEDIUM DENSITY RESIDENTIAL
-  COMMERCIAL
-  INTERCHANGE DEVELOPMENT





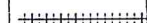









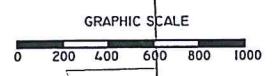
Revision  
6.5  
1162014



# CITY OF AUMSVILLE ZONING MAP 2.2

EXHIBIT B

-  INTERCHANGE AREA MANAGEMENT PLAN BOUNDARY
-  CITY LIMITS
-  SEWAGE TREATMENT LAGOONS
-  URBAN GROWTH BOUNDARY
-  RAIL ROAD
-  I - INDUSTRIAL
-  P - PUBLIC
-  RM - RESIDENTIAL MULTI-FAMILY
-  RS - RESIDENTIAL SINGLE-FAMILY
-  CL - COMMERCIAL
-  CL - COMMERCIAL/BUSINESS DISTRICT
-  ID - INTERCHANGE DEVELOPMENT



Revision  
6.5  
1162014

