



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

April 14, 2006



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Scappoose Plan Amendment
DLCD File Number 005-06

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: May 3, 2006

This amendment was not submitted to DLCD for review prior to adoption. Pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

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.

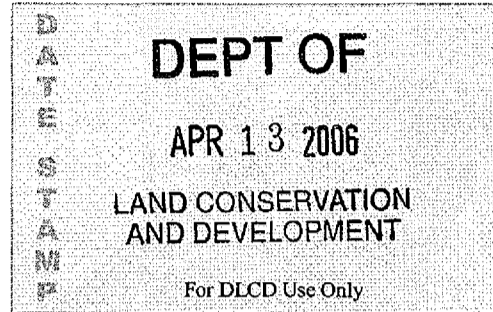
***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Gary Fish, DLCD Regional Representative
Brian Varricchione, City of Scappoose

<paa>

FORM 2 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



Jurisdiction: City of Scappoose Local file number: _____

Date of Adoption: 4/3/2006 Date Mailed: 4/12/2006

Date original Notice of Proposed Amendment was mailed to DLCD: N/A

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: Withdrawal of territory

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

The Scappoose City Council approved withdrawing one parcel from the City Limits. The property has now reverted to unincorporated Columbia County land. The City's Light Industrial (LI) zone no longer applies.

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".

N/A

Plan Map Changed from: Industrial to: Industrial (no change)

Zone Map Changed from: Light Industrial to: unknown (Columbia County)

Location: West Lane Road Acres Involved: 6

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: _____

Was and Exception Adopted? YES NO

DLCD File No.: 005-06
(NOA)

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:

Scappoose Rural Fire District, Columbia County

Local Contact: **Brian Varricchione** Phone: **(503) 543-7184** Extension: _____

Address: **33568 E. Columbia Ave.** City: **Scappoose**

Zip Code + 4: **97056-** Email Address: **brianvarricchione@ci.scappoose.or.us**

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. 774

AN ORDINANCE WITHDRAWING TERRITORY FROM THE CITY OF SCAPPOOSE

The City of Scappoose ordains as follows:

Section 1. Pursuant to ORS 222.460, the property described on Exhibit A and illustrated on Exhibit B, attached hereto and incorporated herein, situated in the City of Scappoose, Columbia County, Oregon and identified as tax lot 3201-010-02002 (the "Property"), is hereby withdrawn from the City of Scappoose.

Section 2. In support of the above withdrawal of the Property from the City, the Scappoose City Council finds that:

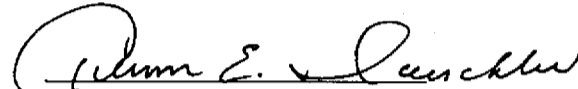
- (a) Such withdrawal would straighten the City's boundaries and contribute to a clear identification of the City, and the public interest will be furthered by such withdrawal for the reason that the Property cannot presently be served by public sewer facilities of the City.
- (b) The subject Property is not served by public water or public sewer and has no permanent structures.
- (c) City Council has initiated proceedings authorized by ORS 222.460 to withdraw the Property from the City, and such proceedings require adoption of a resolution and two public hearings.
- (d) The City Council adopted Resolution 06-02 on February 6, 2006 to set the date of the initial public hearing for February 21, 2006.
- (e) Notice of the initial public hearing was published in the *South County Spotlight* on February 8 and 15, 2006, as required by ORS 222.460(4) and ORS 222.120(3).
- (f) Notice of the initial public hearing was posted by City staff in four public locations on January 20, 2006 as required by ORS 222.460(4) and ORS 222.120(3).
- (g) A public hearing was held on February 21, 2006, at which time the City Council adopted Resolution 06-03 fixing the date of the final public hearing for March 20, 2006.
- (h) Notice of the final public hearing was published in the *South County Spotlight* on March 8 and 15, 2006, as required by ORS 222.460(4) and ORS 222.120(3).
- (i) Notice of the final public hearing was posted by City staff in four public locations on February 23 and 24, 2006 as required by ORS 222.460(4) and ORS 222.120(3).
- (j) A final public hearing was held on March 20, 2006.

(k) There have been no written requests for an election as provided by ORS 222.460(6).

Adopted this 3rd day of April, 2006.

First Reading: March 20, 2006

Second Reading: April 3, 2006


Glenn Dorschler, Mayor

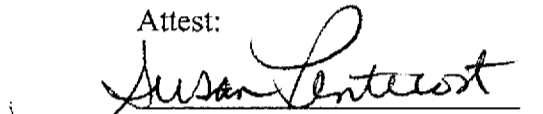
Attest:

Susan Pentecost, City Recorder

Exhibit A

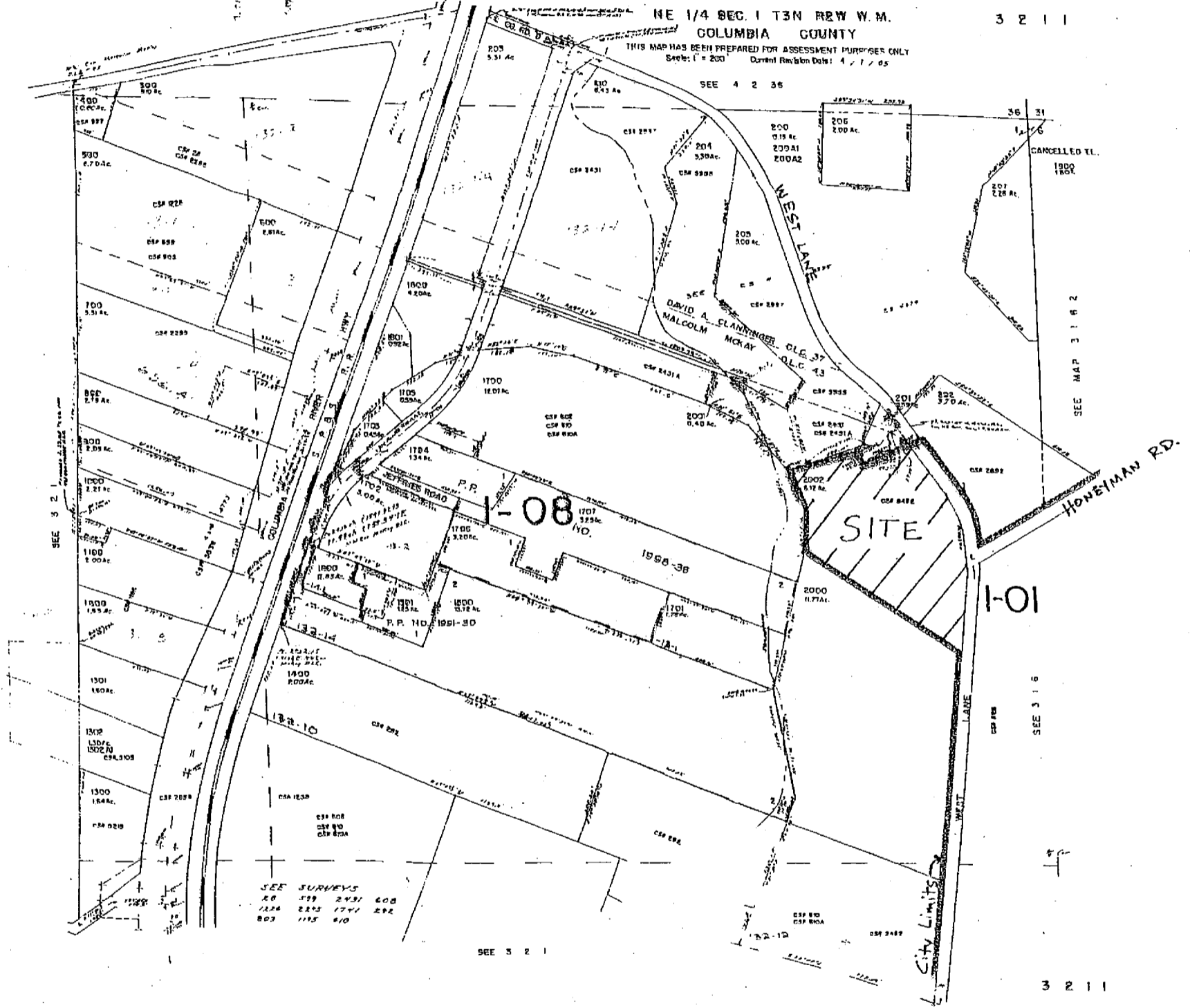
Legal Description of Property Proposed for Withdrawal from City of Scappoose

Beginning at the point of intersection of the West right of way line of West Lane County Road with the North line of the Timothy Lamberson Donation Land Claim said point being 879.19 feet North and 6232.33 feet East of the Southwest corner of said Lamberson Donation Land Claim, said point also being in Section 1, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon; thence North 59° 48' 30" West along said Donation Land Claim Line, a distance of 831.99 feet to the center of Scappoose Creek; thence down the center of said creek North 4 degrees 44' 30" East, a distance of 45.76 feet; thence North 5° 36' East, a distance of 157.63 feet to the North line of the D. B. Marshall tract, as described in Deed Book 30 at page 638; thence South 69° 09' 30" East along said North line a distance of 127.50 feet to the Northeast corner thereof and the West line of Parcel 1 of the Hudson Rowell and Company tract, as described in deed book 121 at page 262; thence along said West line North 21° 26' 30" East, a distance of 420.01 feet; thence North 10° 17' West, a distance of 385.06 feet; thence North 13° 58' East, a distance of 499.99 feet to and the true point of beginning of the following described tract; thence North 0° 11" East, a distance of 151.82 feet; thence North 23° 09' West, a distance of 136.70 feet to the most Southerly corner of the James D. Fischer tract, as described in amended default judgment entered February 19, 1970 in State Circuit Court Case #17616; thence along the Southeasterly line of said Fischer tract North 74° 10' 40" East, a distance of 256.65 feet; thence South 47° 35' 40" East, a distance of 48.31 feet; thence North 55° 08' 30" East, a distance of 142.17 feet to the Southwesterly right of way line of said West Lane County Road; thence along said right of way line South 41° 21' 40" East, a distance of 221.38 feet; thence South 21° 31' East, a distance of 160.62 feet; thence South 2° 29' East, a distance of 164.49 feet; thence South 5° 58' 05" West, a distance of 260 feet to a point; thence Northwesterly on a straight line to the true point of beginning.

NE 1/4 SEC. 1 T3N R2W W.M.
COLUMBIA COUNTY

THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY
Scale: 1" = 200' Current Revision Date: 4/1/05

3 2 1 1



SEE SURVEYS
28 529 2431 608
1224 2223 1771 292
803 1195 810

SEE 3 2 1

3 2 1 1

EXHIBIT B