



Oregon

Theodore R. Kubongoski, 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

7/6/2010

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 001-10

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: Monday, July 19, 2010

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
Gloria Gardiner, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DATE STAMP

DEPT OF
JUL 02 2010
LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

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

Jurisdiction: **City of Scio**

Local file number: **2010-02**

Date of Adoption: **June 14, 2010**

Date Mailed: **June 21, 2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **3-5-2010**

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".

A. Comprehensive Plan & Zoning Map Amendments

1. Redesignate and rezone publicly owned properties to the Public (P) designation and zone in the City of Scio.
2. Redesignate and rezone several parcels in the R-1, R-2 and C-1 zone to address anomalies for several multi-family parcels, churches and commercial uses found during the preparation of the updated buildable lands inventory.

B. Scio Zoning Code Text Amendments:

1. Modify uses in R-1, R-2 and C-1 zones to remove public uses as appropriate and modify outright permitted and conditional uses.
2. Add Section 3.410 to 3.460 – Public Zone
3. Add Section 12.010 to 12.060 - Site Plan Review Process

Does the Adoption differ from proposal? See explanation below:

Yes, two small parcels which are used for the local museum were not rezoned from C-1 to Public as originally proposed.

Plan Map Changed from: **Varies – see map**

to: **Primary Public (P) - see map**

Zone Map Changed from: **Varies – see map**

to: **Primarily Public (P) – see map**

Location:

Acres Involved:

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 type="checkbox"/>	<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 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



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DATE
JUN 29 2010
STAMP
DEPT OF
LAND CONSERVATION
AND DEVELOPMENT
For Office Use Only

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

Jurisdiction: **City of Scio**

Local file number: **2010-01**

Date of Adoption: **June 14, 2010**

Date Mailed: **June 21, 2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **3-5-2010**

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".

A. Comprehensive Plan & Zoning Map Amendments

1. Redesignate and rezone publicly owned properties to the Public (P) designation and zone in the City of Scio.
2. Redesignate and rezone several parcels in the R-1, R-2 and C-1 zone to address anomalies for several multi-family parcels, churches and commercial uses found during the preparation of the updated buildable lands inventory.

B. Scio Zoning Code Text Amendments:

1. Modify uses in R-1, R-2 and C-1 zones to remove public uses as appropriate and modify outright permitted and conditional uses.
2. Add Section 3.410 to 3.460 – Public Zone
3. Add Section 12.010 to 12.060 - Site Plan Review Process

Does the Adoption differ from proposal? See explanation below:

Yes, two small parcels which are used for the local museum were not rezoned from C-1 to Public as originally proposed.

Plan Map Changed from: **R (several parcels)** to: **Public (P)**

Zone Map Changed from: **R-1, R-2, C-1** to: **Public, R-2, C-1**

Location: **38880 NW Garden Drive, Scio, Oregon**

Acres Involved: **0.80**

Specify Density: Previous: **4**

New: **6-8**

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

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:

Scio School District, Scio Rural Fire District

Local Contact: **Cathy Martin, City Clerk**

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 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, please print this **Form 2** on light green paper if available.
3. **Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:**
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD 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**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.



City Of Scio, Oregon



ORDINANCE NO. 578

AN ORDINANCE AMENDING THE SCIO COMPREHENSIVE PLAN MAP, THE SCIO ZONING MAP AND THE SCIO ZONING CODE RELATED TO THE CREATION OF A PUBLIC ZONE, SITE PLAN REVIEWS AND RELATED ADMINISTRATIVE PROVISIONS.

WHEREAS, the Scio Planning Commission is updating the City's buildable lands inventory in order to determine whether the City has designated and zoned sufficient acres of land for future public, industrial, commercial and residential development; and

WHEREAS, the Planning Commission has reviewed the land use needs of various public entities in the City of Scio; and

WHEREAS, the Planning Commission periodically reviews land use regulations of the City Planning Commission to ensure the City complies with Statewide Land Use Planning Goals and requirements; and

WHEREAS, the Planning Commission recommends the City approve amendments to the Scio Comprehensive Plan and the Scio Zoning Code to address the following issues:

A. Comprehensive Plan & Zoning Map Amendments

1. Redesignate and rezone publicly owned properties to the Public (P) designation and zone.
2. Redesignate and rezone several parcels in the R-1, R-2 and C-1 zone to address anomalies for several multi-family parcels, churches and commercial uses found during the preparation of the updated buildable lands inventory.

B. Scio Zoning Code Text Amendments:

1. Modify uses in R-1, R-2 and C-1 zones to remove public uses as appropriate and modify outright permitted and conditional uses.
2. Add Section 3.410 to 3.460 – Public Zone
3. Add Section 12.010 to 12.060 - Site Plan Review Process

and

WHEREAS, the Planning Commission held an open house on March 17, 2010 to discuss the proposed amendments with affected property owners and held a public hearings on April 21, 2010 and on May 19, 2010 recommended the City Council adopt the proposed amendments; and

WHEREAS, the City Council held a public hearing on June 14, 2010 and at the close of the hearing the City Council concurred with the Planning Commission recommendation;

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 certain properties within the Scio Urban Growth Boundary. Attached hereto is Exhibit "A", which is a map which accurately portrays the properties to be redesignated and Exhibit "B" which lists the properties to be redesignated.

SECTION 2: ZONING MAP AMENDMENTS. The Scio Comprehensive Plan Map shall be amended to rezone certain properties within the Scio Urban Growth Boundary. Attached hereto is Exhibit "A", which is a map which accurately portrays the properties to be rezoned and Exhibit "B" which lists the properties to be rezoned.

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

SECTION 4. Article 3, Sections 3.010 to 3.070 of the Scio Zoning Ordinance No. 561 is hereby amended to read as follows:

ARTICLE 3. USE ZONES

SINGLE-FAMILY RESIDENTIAL ZONE (R-1)

Section 3.010. Uses Permitted Outright. In a R-1 Zone, the following uses and their accessory uses are permitted outright:

- A. Single - family dwelling unit. Only one dwelling unit shall be placed on a lot.
- B. Manufactured home, subject to the provisions of Section 6.100. Only one dwelling unit shall be placed on a lot, except under the provisions for Hardship Mobile Homes as provided for in Sections 6.400-6.450 of this ordinance.
- C. Home occupation subject to the provisions of Section 5.400 of this ordinance.
- D. Residential home.
- E. Family day care provider.

Section 3.020. Conditional Uses. In an R-1 Zone, the following uses and their accessory uses are allowed conditionally when authorized in accordance with the requirements of Section 8.000 to 8.999:

- A. Church or religious institution.
- B. A public park, playground or recreation building.

- C. Utility facilities for the treatment, storage or transmission of water, sewage disposal, storm sewers, electricity, telephone, cable, or similar use.
- D. Pre-school, nursery school, day nursery, kindergarten, day care facility, or similar facility.
- E. Hospital, health care facility, nursing home, convalescent home, or residential facility.

Section 3.030. Lot Size. In an R-1 Zone, the minimum lot size shall be as follows:

- A. The minimum lot area shall be 8,000 square feet, except if the use is located in a Base Flood Area as defined on the Flood Insurance Rate Map (FIRM) for the City of Scio and in the Flood Hazard Ordinance of the City of Scio, the minimum lot area shall be 10,000 square feet.
- B. The minimum lot width at the front building line shall be 60 feet, except if the use is located in a Base Flood Area as defined on the Flood Insurance Rate Map (FIRM) for the City of Scio and in the Flood Hazard Ordinance of the City of Scio, the minimum lot width at the front building line shall be 80 feet.

Section 3.040. Setback Requirements. Except as provided in Sections 5.300, 5.330, and 5.340, in an R-1 Zone, the yards shall be as follows:

- A. The front yard shall be a minimum of 20 feet.
- B. The side yard shall be a minimum of five (5) feet and both side yards together shall total a minimum of 13 feet, except that in the case of a corner lot, the side yard abutting a street shall be a minimum of 15 feet.
- C. The rear yard shall be a minimum of 20 feet.

Section 3.050. Height of Buildings. In an R-1 Zone, no building shall exceed a height of 35 feet measured from grade. No accessory building to a mobile home shall exceed the height of the mobile home or 12 feet, whichever is less.

Section 3.060. Lot Coverage. In an R-1 Zone, buildings shall not occupy more than 45 percent of the lot area, except if the buildings are located in a Base Flood Area as defined on the Flood Insurance Rate Map (FIRM) for the City of Scio and in the Flood Hazard Ordinance of the City of Scio, they shall not occupy more than 35 percent of the lot area.

Section 3.070. Basis for Determining Standards in a Base Flood Area.

- A. When a lot is partially within a Base Flood Area and partially outside of that Base Flood Area, and when the lot has an area of less than 20,000 square feet, the entire lot shall be considered to be within the Base Flood Area if 50 per cent or more of the lot is within the Base Flood Area.
- B. If less than 50 per cent of the lot with less than 20,000 square feet of area is within the Base Flood Area, the entire lot shall be considered to be outside of the Base Flood Area.

- C. Standards for lots with more than 20,000 square feet of area shall be based on a determination of the actual location of the building site(s) within the Base Flood Area.
- D. The Base Flood Area determinations specified in this section shall apply to lot area, lot width, and lot coverage standards.

SECTION 5. Article 3, Sections 3.110 to 3.160 of the Scio Zoning Ordinance No. 561 are hereby amended to read as follows:

MULTIPLE-FAMILY RESIDENTIAL ZONE (R-2)

Section 3.110. Uses Permitted Outright. In an R-2 Zone, the following uses and their accessory uses are permitted outright:

- A. Multi-family dwelling unit, subject to the provisions of Section 6.200 to 6.230
- B. Residential Dwelling Complex, subject to the provisions of Sections 6.200 to 6.230.
- C. Two-family dwelling unit.
- D. Single-family dwelling unit.
- E. Manufactured home, subject to the provisions of Section 6.100.
- F. Home occupation, subject to the provisions of Section 5.400 of this ordinance.
- G. Boarding, lodging or rooming house.
- H. Family day care provider.
- I. Residential facility for 6-15 individuals.

Section 3.120. Conditional Uses. In an R-2 Zone the following uses and their accessory uses are allowed conditionally when authorized in accordance with the requirements of Section 8.000 to 8.999:

- A. Church or religious institution.
- B. A public park, playground or recreation building.
- C. Utility facilities for the treatment, storage, or transmission of water, sewage disposal, storm sewers, electricity, telephone, cable, or similar use.
- D. Hospital, health care facility, nursing home, convalescent home, assisted living facilities, or residential care facility for 16 or more persons.
- E. Pre-school, nursery school, day nursery, kindergarten, day care facility, or similar facility.
- F. Manufactured home park, subject to the provisions of Section 6.300 to 6.363. Manufactured home parks are exempt from the conditional use criteria listed under Section 8.060 of this ordinance.
- G. Recreational vehicle park or campground.

Section 3.130. Lot Size. In an R-2 zone the minimum lot size shall be as follows:

- A. The minimum lot area shall be 8,000 square feet, except if the use is located in a Base Flood Area as defined on the Flood Insurance Rate Map (FIRM) for the City of Scio and in the Flood Hazard Ordinance of the City of Scio, the minimum lot area shall be 10,000 square feet.
- B. The minimum lot width at the front building line shall be 80 feet.
- C. The minimum lot area for a single-family dwelling or a two-family dwelling shall be 8,000 square feet, except if the use is located in a Base Flood Area as defined on the Flood Insurance Rate Map (FIRM) for the City of Scio and in the Flood Hazard Ordinance of the City of Scio, the minimum lot area shall be 10,000 square feet.
- D. The minimum lot area for a multiple-family dwelling with three or more dwelling units shall be 3,000 square feet per dwelling unit, except if the use is located in a Base Flood Area as defined on the Flood Insurance Rate Map (FIRM) for the City of Scio and in the Flood Hazard Ordinance of the City of Scio, the minimum lot area shall be 5,000 square feet per dwelling unit.
- E. The provisions of Section 3.070, Basis for Determining Standards in a Base Flood Area, shall also apply to the minimum lot area and density standards for the R-2 zone, in Section 3.150.

Section 3.140. Setback Requirements. Except as provided in Sections 5.010 and 5.060, in an R-2 zone the yards shall be as follows:

- A. The front yard shall be a minimum of twenty (20) feet.
- B. The side yard shall be a minimum of five (5) feet and both side yards together shall total a minimum of thirteen (13) feet, except that in the case of a corner lot, the side yard abutting a street shall be a minimum of fifteen (15) feet.
- C. The rear yard shall be a minimum of twenty (20) feet.
- D. When more than one building containing dwelling units is located on one lot, the distance between buildings shall be a minimum of sixteen (16) feet.

Section 3.150. Height of Buildings. In an R-2 zone no building shall exceed a height of 35 feet measured from the grade.

Section 3.160. Lot Coverage. In an R-2 zone all buildings shall not cover more than 35% of the lot area.

SECTION 6. Article 3, Sections 3.210 to 3.250 of the Scio Zoning Ordinance No. 561 are hereby amended to read as follows:

COMMERCIAL ZONE (C-1)

Section 3.210. Uses Permitted Outright. In a C-1 Zone, the following uses and their accessory uses are permitted outright.

- A. A commercial enterprise, with a total building square footage of less than 25,000 square feet, which may be classified as belonging to one of the following use groups:
1. Retail store or shop, such as food store, drug store, variety store, apparel store, hardware store, or furniture store.
 2. Automobile, boat, truck or trailer sales, service, storage, rental, or repair establishment provided all repair activity shall be conducted entirely within an enclosed building.
 3. Personal or business service establishment, such as commercial amusement enterprise, barber shop, beauty shop, clothes cleaning establishment, laundromat, art or music studio, tailor shop or locksmith.
 4. Repair shop for the type of goods offered for sale in a retail trade establishment permitted in a C-1 zone such as shoe repair shop, small appliance shop, television or electronic equipment repair shop, or watch repair shop.
 5. Business, professional, medical or similar office building.
 6. Financial institution such as bank.
 7. Newspaper office or print shop.
 8. Parking lot or garage.
- B. The following residential uses:
1. Multi-family dwelling unit, subject to the provisions of Section 6.200 to 6.230
 2. Residential Dwelling Complex, subject to the provisions of Sections 6.200 to 6.230.
 3. Two-family dwelling unit.
 4. Single-family dwelling unit.
 5. Manufactured home, subject to the provisions of Section 6.100.
 6. Home occupation, subject to the provisions of Section 5.400 of this ordinance.
 7. Family day care provider.
 8. Residential facility for 6-15 individuals.
 9. Manufactured home park, subject to the provisions of Section 6.300 to 6.363.
- C. Residential uses shall be subject to the density, setback, and other development standards of the R-2 Zone.
- D. The Zoning/Building Official shall determine whether a specific use is appropriate to the particular use group permitted in the C-1 zone. The Zoning/Building Official shall

either approve or disapprove the use, or refer the proposed use to the Planning Commission for a decision. A decision of either the Zoning/Building Official or the Planning Commission may be appealed using the procedure specified in Section 11.020 of this Ordinance.

Section 3.215. Uses Permitted Subject to Site Plan Review. In a C-1 Zone, the following uses and their accessory uses are subject to a Site Plan Review in accordance with the requirements of Sections 12.000 to 12.999.

- A. A commercial enterprise, which may be classified as belonging to one of the following use groups:
 - 1. Any outright permitted use in the C-1 where the total building square footage is 25,000 square feet or larger.
 - 2. Boarding, lodging, or room house, motel or hotel.
 - 3. Eating or drinking establishment such as restaurant, tavern or cocktail lounge.
 - 4. Veterinary clinic or animal hospital.
 - 5. Transportation and communication facilities.
- B. Community building, place of public assembly, club, lodge or fraternal organization.
- C. Church.
- D. Governmental structure or land use including but not limited to a public park, playground, recreation building.
- E. Hospital, nursing home, convalescent home, assisted living facilities, or residential care facility for 16 or more persons.
- F. Pre-school, nursery school, day nursery, kindergarten, day care facility, or similar facility.

Section 3.220. Conditional Uses Permitted. In a C-1 zone the following uses are allowed conditionally when authorized in accordance with the requirements of Sections 8.000 to 8.999.

- A. A public utility facility such as a sewage treatment plant, a water reservoir or treatment plant, an electrical substation, or a pumping station.
- B. Wireless telecommunications facilities.
- C. Recreational vehicle park or campground.

Section 3.230. Setback Requirements. Except as provided in Sections 5.300, 5.330, and 5.340 in a C-1 zone the yards shall be as follows:

- A. The side yard shall be a minimum of ten (10) feet where abutting a residential zone.

B. The rear yard shall be a minimum of twenty (20) feet where abutting a residential zone.

Section 3.240. Lot Coverage. In a C-1 zone buildings shall not occupy more than eighty per cent (80%) of the lot area.

Section 3.250. Drainage Plan. In a C-1 zone, all non-residential uses will supply a drainage plan at the time the building permit application is submitted, either for the initial permit for new construction on the property, or for subsequent expansion or alteration of a new or existing use. The drainage plan shall be approved by the City Engineer prior to final approval of the building permit.

SECTION 7. Article 3, Chapter 3.4, Sections 3.410 to 3.460, is hereby added to the Scio Zoning Ordinance No. 561 to read as follows:

Chapter 3.4

PUBLIC ZONE (P)

Sections:

- 3.410 Applicability.
- 3.420 Use regulations.
- 3.430 Conditional uses permitted.
- 3.440 Lot size and width.
- 3.450 Height requirements.
- 3.460 Yard requirements.

3.410 Applicability. In a Public (P) zone, the following regulations shall apply.

3.420 Use regulations. In a Public (P) Zone, the following uses and their accessory uses are permitted outright subject to a Site Plan Review in accordance with the requirements of Sections 12.000 to 12.999.

- A. Governmental structure or land use including but not limited to a library, museum, general government office, civic organization or community building.
- B. School: child care facility, primary, elementary, junior high or senior high school or similar facility.
- C. Fire station or police station;
- D. Parks and recreational buildings and facilities.
- E. Public parking lot;
- F. Other publicly operated use similar to the above listed areas;
- G. A collocated wireless communication facilities (WCF) shall be considered a permitted use on all existing, legally established, transmission towers subject to the standards listed in Section 8.080. No additional conditional permit is required.

No building, structure or land shall be used, and no buildings shall be hereafter erected, enlarged or structurally altered except for uses which are operated by a public agency or not-for-profit organization.

3.430 Conditional uses permitted. In a P zone, the following uses may be permitted subject to provisions of Section 8.000 to 8.999:

- A. Public utility buildings and structures for water, sewer or other city operated utility;
- B. Private utility buildings and structures for electric, natural gas, cable TV, telecommunications or similar users, including a tower or ancillary wireless communication facilities.
- C. Hospital or medical facility.

3.440 Lot size and width. There shall be no minimum lot size or width in a P zone.

3.450 Height requirements. In a P zone, no building or structure shall exceed sixty (60) feet in height, except as provided for in Article 8 of this Ordinance.

3.460 Yard requirements. Where a lot in a P zone abuts a lot in a residential zone, there shall be side and rear yards of not less than ten (10) or twenty (20) feet. In other cases, a yard for a public building in the P zone shall not be required.

SECTION 8. Article 12, Sections 12.010 to 12.060, is hereby added to the Scio Zoning Ordinance No. 561 to read as follows:

ARTICLE 12 - SITE PLAN REVIEW

Sections

12.010	Application
12.020	Hearing and Action on a Site Plan Review Application
12.030	Conditions
12.040	Time Limit on Approved Site Plan
12.050	Notice of Decision
12.060	Appeals

12.010 Application.

- A. An application for a site plan review and a filing fee shall be submitted to the City in accordance with the provisions of Section 11.020 of this ordinance. The application shall be accompanied by six copies of a site plan.
- B. The site plan shall show the general layout of the property where the development is to be sited and shall meet the requirements of Section 11.020. In addition, the applicant shall submit the following information, if applicable to the proposed use:
 - 1. The number of dwelling units to be placed on the property, including information pertaining to the size of the dwelling unit and the number of bedrooms by type of unit (i.e. studio apartment).
 - 2. The location and dimensions of each existing or proposed building, the distance from all property lines for all buildings to be located on the property and the distances between the buildings.
 - 3. The location, pavement width, and type of surfacing for all streets abutting the proposed development and for those streets which are intended to serve as primary access to the proposed development.

4. The location, width, and intended ownership and maintenance responsibility of the access driveways and any interior access roads serving the property, and of walkways serving the property.
5. The location, width, and surfacing for all sidewalks and pathways to be located on the property.
6. The design, location and dimensions of the parking lot, the number of parking spaces to be accommodated, and the locations and dimensions of each parking space.
7. The location and dimensions of recreation and play areas and a detailed site plan for the recreation and play area.
8. Detailed site plans showing existing and proposed water, sewer, storm sewers, drainage ditches, water courses, fire hydrants, and other fire protection facilities.
9. Detailed plan for storm drainage, including cuts and fills, and flood plain certification and flood proofing measures, if necessary.
10. A plan for the location of refuse containers on the site including how the containers will be screened from view.
11. A plan for the location and dimensions of any identification signs to be placed on the site.
12. A plan for buffering, screening, fencing, and landscaping. The plan shall show natural preservable features on the property such as trees.
13. When the proposed development shall contain six (6) or more dwelling units, commercial, industrial or public structures, an architectural rendering of the project, showing typical views of the property which would be seen from the street or abutting properties.
14. Proposed ownership pattern and means of maintaining the property.

12.020 Hearing and Action on a Site Plan Review Application.

Before the planning commission may act on an application for a site plan review it shall hold a public hearing thereon in accordance with the provisions of Sections 11.030 of this ordinance. After the public hearing is closed, the planning commission shall either: approve, deny, or approve with conditions or modifications, the site plan review application based on the following criteria:

- A. The existence of or ability to provide adequate utilities including water, sewer, surface water drainage, power and communications, including easements, to properly serve development on the subject property in accordance with city public works standards.
- B. Provision of safe and efficient internal traffic circulation, including pedestrian and motor vehicle traffic, and provision for safe access to and from the property to adjacent public streets.
- C. Provision of necessary improvements to local streets, including the dedication of additional right-of-way to the city and/or the improvement of traffic facilities to

accommodate access for emergency vehicles and the additional traffic load generated by the proposed development of the site.

- D. Provision of on-site parking areas and adequate loading/unloading areas for the proposed uses and in compliance with Sections 5.200 to 5.230 of this ordinance. The parking area shall be designed to facilitate the safe movement of traffic and pedestrians and minimize traffic congestion.
- E. The design and placement on the site of buildings and other structural improvements shall provide compatibility in size, scale, and intensity of use between the proposed development and similar development on neighboring properties. The location, appearance and size of the proposed buildings shall be designed to properly serve anticipated users of the proposed improvements.
- F. Provision of landscaping of the site including the planting of trees, street trees, shrubs and groundcovers so that the landscaping presents an attractive interface with adjacent land use and development and does not create any potential flood hazard.
- G. Provision of visual or physical barriers around the property including the provision of site obscuring fencing or vegetative screening between a commercial and/or public use and adjacent residential properties.
- H. Lighting sufficient to satisfy the intended use of the property but designed in such a manner as to not present an adverse impact (as measured by excessive brightness or glare) upon adjacent land uses or traffic movements.
- I. The use is in compliance with the other development standards which are specified by Scio Zoning Code or public works design and construction specifications.

12.030 Conditions.

The planning commission, in granting approval, reserves the right to place additional conditions that are consistent with the intent and purpose of this title. These may include, but are not limited to buffers or screening, landscaping, location and design of parking areas, number of access points, security gates and fencing.

12.040 Time Limit on Approved Site Plan.

Approval of a site plan shall be void one year after the date of the Notice of Decision unless a building permit has been issued and substantial construction pursuant thereto has taken place. However, upon written request, the planning commission has the authority to grant an additional period, not to exceed one year, to complete the project.

12.050 Notice of Decision.

Notice of the planning commission decision to approve or deny an application shall be mailed to the applicant within seven (7) days of the decision.

12.060 Appeals.

The decision of the Planning Commission may be appealed to the city council as outlined in Section 11.010 of this ordinance.

SECTION 9. 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 14th day of June 2010.

This Ordinance read by title only for the second time on this 14th day of June 2010.

This Ordinance passed on the 14th day of June 2010 by the city council and executed by the mayor this 14th day of June 2010.

Date: 6-14-10

By: 
SANDRA BAGGETT, Mayor

Date: 6-14-10

Attest: 
VIRGINIA GRIFFITH, City Manager

APPROVED AS TO FORM

Date: 6/21/10

By: 
THOMAS A. McHILL, City Attorney

Exhibits:

“A” - Map of Properties to be Rezoned and Redesignated.

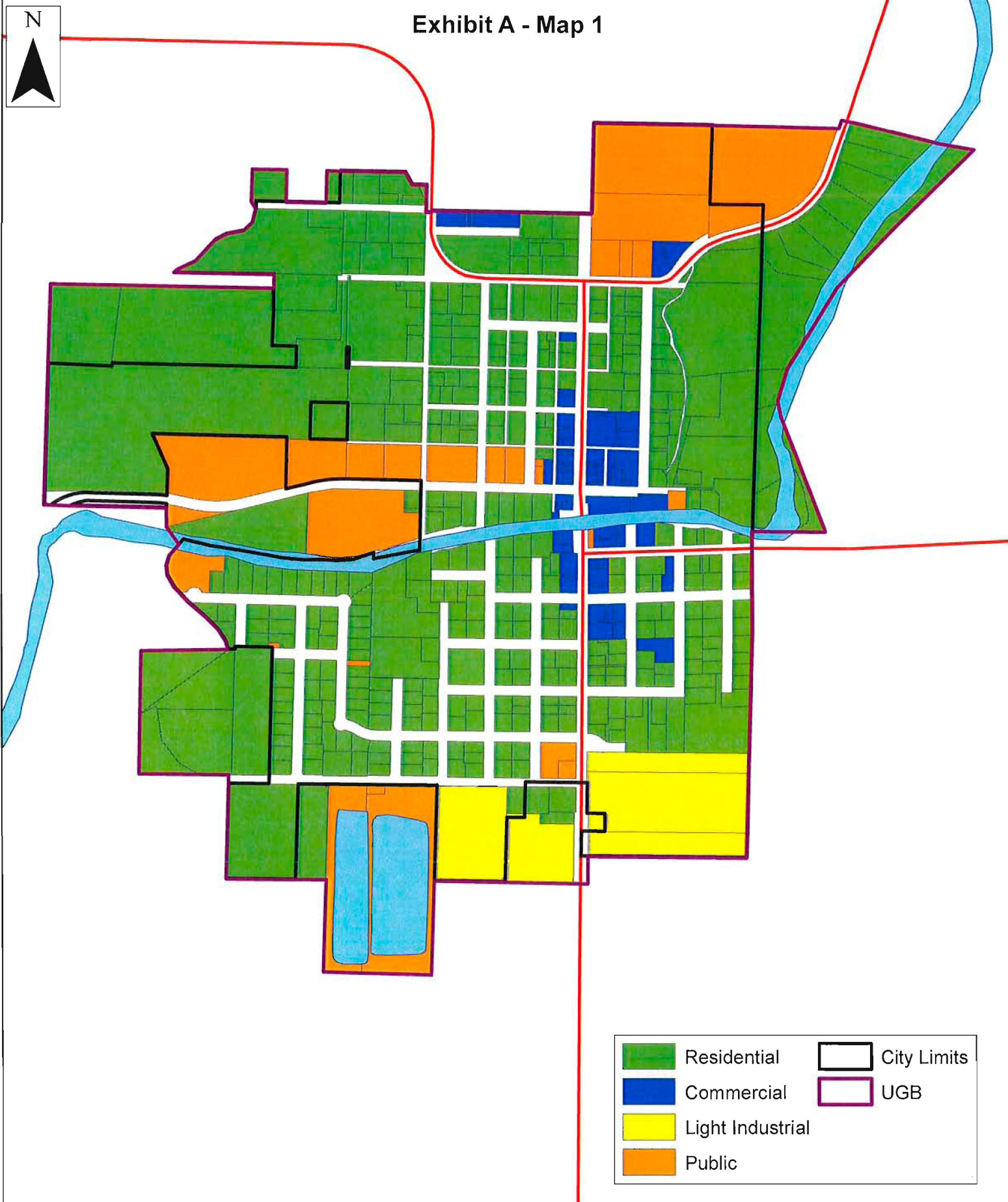
“B” – List of Properties to be Rezoned and Redesignated.



Scio - Comprehensive Plan Map

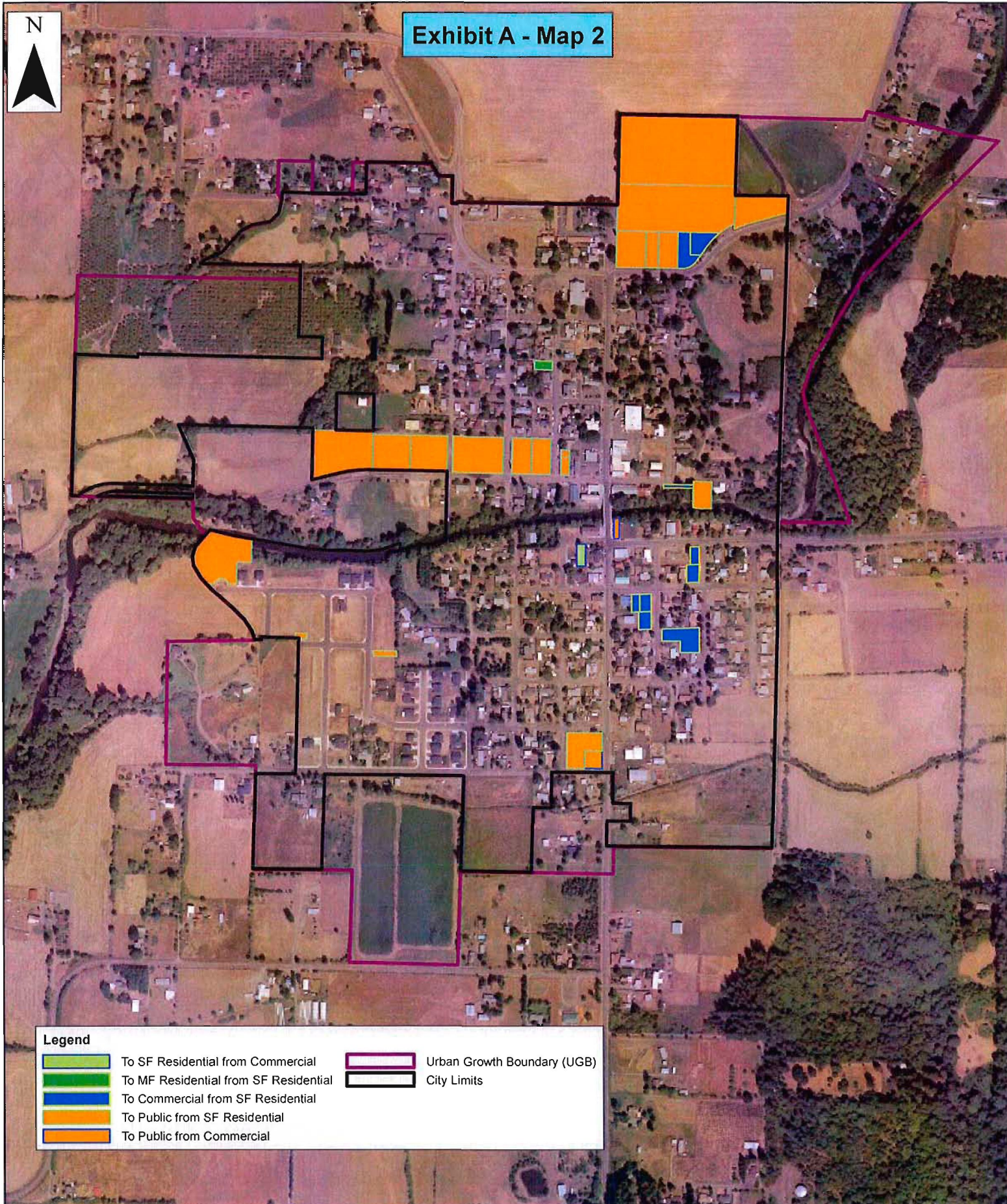
RARE
Resource Assistance
for Rural
Environments

Exhibit A - Map 1





Scio - Zoning Changes in City Limits



City of Scio
Ordinance No. 578

EXHIBIT B -- PROPERTIES TO BE REZONED

Residential Plan Designation/R-1 Zoning to Commercial Plan Designation/Commercial Zoning					
Tax Lot	Owner	Current Plan Designation	Current Zoning	Proposed Plan Designation	Proposed Zone
10S01W07DD01000	SPURGEON EDWARD E	Residential	R-1	Commercial	Commercial
10S01W07DD01100	SPURGEON EDWARD E	Residential	R-1	Commercial	Commercial
10S01W18AA01004	SCIO HISTORICAL SOCIETY	Residential	R-1	Commercial	Commercial
10S01W18AD01700	SCIO RURAL FIRE PROTECTION DIS	Residential	R-1	Commercial	Commercial
10S01W18AD02100	SCIO RURAL FIRE PROTECTION DIS	Residential	R-1	Commercial	Commercial
10S01W18AD05200	SCIO MUTUAL TELEPHONE ASSOC	Residential	R-1	Commercial	Commercial
10S01W18AD05300	SCIO MUTUAL TELEPHONE ASSOC	Residential	R-1	Commercial	Commercial
10S01W18AD06300	SCIO MUTUAL TELEPHONE ASSOC	Residential	R-1	Commercial	Commercial

Residential Plan Designation/R-1 Zoning to Residential Plan Designation/R-2 Zoning					
Tax Lot	Owner	Current Plan Designation	Current Zoning	Proposed Plan Designation	Proposed Zone
10S01W18AB00201	FERGUSON MYCHAL C	Residential	R-1	Residential	R-2

Commercial Plan Designation/Commercial Zoning to Residential Plan Designation/R-1 Zoning					
Tax Lot	Owner	Current Plan Designation	Current Zoning	Proposed Plan Designation	Proposed Zone
10S01W18AD03100	LITKE JOSEPH S & TERI L	Residential/Commercial	R-1/C	Residential	R-1

Commercial Plan Designation/R-1 Zoning to Commercial Plan Designation/Commercial Zoning					
Tax Lot	Owner	Current Plan Designation	Current Zoning	Proposed Plan Designation	Proposed Zone
10S01W18AD05201	SCIO MUTUAL TELEPHONE ASSOC	Commercial	R-1	Commercial	Commercial

City of Scio
Ordinance No. 578

EXHIBIT B -- PROPERTIES TO BE REZONED

Public Plan Designation/R-1 Zoning to Public Plan Designation/Public Zoning					
Tax Lot	Owner	Current Plan Designation	Current Zoning	Proposed Plan Designation	Proposed Zone
10S01W07DD00100	SCIO SCHOOL DISTRICT #95C	Public	R-1	Public	Public
10S01W07DD00200	SCIO SCHOOL DISTRICT #95C	Public	R-1	Public	Public
10S01W08 00608	SCIO SCHOOL DISTRICT #95C	Public	R-1	Public	Public
10S01W18AA00900	SCIO CITY OF	Public	R-1	Public	Public
10S01W18AA07400	SCIO CITY OF	Public	R-1	Public	Public
10S01W18AA07600	SCIO CITY OF	Public	R-1	Public	Public
10S01W18AB00500	SCIO SCHOOL DISTRICT #95C	Public	R-1	Public	Public
10S01W18AB00600	SCIO SCHOOL DISTRICT #95C	Public	R-1	Public	Public
10S01W18AB02400	SCIO SCHOOL DISTRICT #95C	Public	R-1	Public	Public
10S01W18AB04000	SCIO SCHOOL DISTRICT #95C	Public	R-1	Public	Public
10S01W18AB04001	SCIO SCHOOL DISTRICT #95C	Public	R-1	Public	Public
10S01W18AC00300	SCIO SCHOOL DISTRICT #95C	Public	R-1	Public	Public
10S01W18B 00300	SCIO SCHOOL DISTRICT #95C	Public	R-1	Public	Public
10S01W18D 01500	SCIO CITY OF	Public	R-1	Public	Public
10S01W18D 01501	SCIO CITY OF	Public	R-1	Public	Public
10S01W18D 01600	SCIO CITY OF	Public	R-1	Public	Public

Residential Plan Designation/R-1 Zoning to Public Plan Designation/Public Zoning					
Tax Lot	Owner	Current Plan Designation	Current Zoning	Proposed Plan Designation	Proposed Zone
10S01W07DD00700	SCIO SCHOOL DISTRICT #95C	Residential	R-1	Public	Public
10S01W07DD00800	SCIO SCHOOL DISTRICT 95C	Residential	R-1	Public	Public
10S01W07DD00900	SCIO SCHOOL DISTRICT #95C	Residential	R-1	Public	Public
10S01W18AC03600	SCIO CITY OF	Residential	R-1	Public	Public
10S01W18BD00800	SCIO CITY OF	Residential	R-1	Public	Public
10S01W18BD02100	SCIO CITY OF	Residential	R-1	Public	Public
10S01W18D 01000	SCIO RURAL FIRE PROTECTION DIS	Residential	R-1	Public	Public

Commercial Plan Designation/Commercial Zoning to Public Plan Designation/Public Zoning					
Tax Lot	Owner	Current Plan Designation	Current Zoning	Proposed Plan Designation	Proposed Zone
10S01W18D 01001	SCIO RURAL FIRE PROTECTION DIS	Commercial	Commercial	Public	Public

ORDINANCE NO. 578

Amending the Scio Comprehensive Plan Map, the Scio Zoning Map, and the Scio Zoning Ordinance 561
In re: Creation of a Public (P) Zone, Site Plan Review and Administrative Provisions



City of Scio
38957 NW 1st Ave
PO Box 37
Scio, OR 97374

FIRST CLASS

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

