



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

06/26/2012

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Donald Plan Amendment
DLCD File Number 001-12

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: Wednesday, July 11, 2012

This amendment was submitted to DLCD for review prior to adoption with less than the required 35-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 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: Renata Wakeley, City of Donald
Gordon Howard, DLCD Urban Planning Specialist
Angela Lazarean, DLCD Regional Representative

<paa>



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

DEPT OF

JUN 22 2012

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of Donald**

Local file number: **AX-12-01/ZC-12-01**

Date of Adoption: **6/12/2012**

Date Mailed: **6/20/2012**

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: **Annexation**

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

The applicant was for Annexation approval of approximately 4.84 acres, currently within the Donald Urban Growth Boundary. The applicant also requested a Zone Change from Urban Transition Farm (Marion County designation) to Employment Industrial (City of Donald designation).

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from: **Urban Trans. Farm (Marion Co.)** to: **Employment Industrial (Donald)**

Location: **Lot 7300 of Map 41W17CB**

Acres Involved: **5**

Specify Density: Previous:

New: **N/a**

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...

35-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. 001-12 (19201) [17090]

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Marion County, Aurora Fire District, Donald Public Works

Local Contact: **Renata Wakeley**

Phone: **(503) 588-6177** Extension:

Address: **105 High Street SE**

Fax Number: **503-588-6094**

City: **Salem**

Zip: **97301-**

E-mail Address: **renatac@mwvcog.org**

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.

<http://www.oregon.gov/LCD/forms.shtml>

Updated December 30, 2011

**ANNEXATION ORDINANCE
No. 150-2012**

AN ORDINANCE ANNEXING APPROXIMATELY 5.21 ACRES INTO THE CITY OF DONALD, MARION COUNTY, AND APPLYING ZONING TO THE PROPERTY, CITY FILE AX/ZC-2012-01

The city of Donald ordains as follows:

WHEREAS, ORS 222.125 grants the City of Donald authority to initiate an expedited annexation process with the consent of all land owners and at least 50 percent of the electors of the territory to be annexed; and

WHEREAS, No electors occupy the subject parcel and the sole property owner of the subject parcel has signed and submitted a petition and consent to annex the territory into the City; and

WHEREAS, the territory is approximately 5.21 acres, is contiguous to the City, and includes a portion of Donald Road (which is maintained by Marion County).

WHEREAS, on March 22, 2012, the Planning Commission conducted a duly noticed public hearing regarding the application at which time the public was given a full opportunity to be present and heard on the matter. At the hearing, the Planning Commission considered the information provided by City staff and the public, and, upon deliberation voted unanimously to recommend that the City Council approve the annexation and zone change; and

WHEREAS, on April 10, 2012 the City Council conducted a duly noticed public hearing on the matter; and

**NOW, THEREFORE, THE CITY OF DONALD ORDAINS AND PROCLAIMS AS
FOLLOWS:**

Section 1. The property shown in Exhibit "A", and more particularly described in Exhibit "B", are hereby annexed into the City of Donald.

Section 2. The City Council of the City of Donald does hereby approve the rezoning of the subject property to the City's Employment Industrial zone.


Section 3. The property annexed into the City of Donald by this ordinance is not withdrawn from any public service district.

Section 4. The City Recorder shall place a certified copy of this Ordinance in the City's permanent records.

Section 5. The City Recorder shall transmit copies of this Ordinance and all other required materials to (1) the Marion County Clerk and Marion County Assessor's office in accordance with ORS 222.010(1), and (2) all public utilities, electric cooperatives and telecommunications utilities affected by this Ordinance in accordance with ORS 222.005.


PASSED and adopted by the City Council of the City of Donald on this 12th day of June 2012 by the vote of 7 ayes and 0 nays.

Approved by the Mayor on this 12th day of June 2012.



Todd Deaton
Mayor

ATTEST:



Heidi Blaine, MPA
City Recorder

EXHIBIT A
Map of Properties Annexed Into the City of Donald by Ordinance No. 150-2012

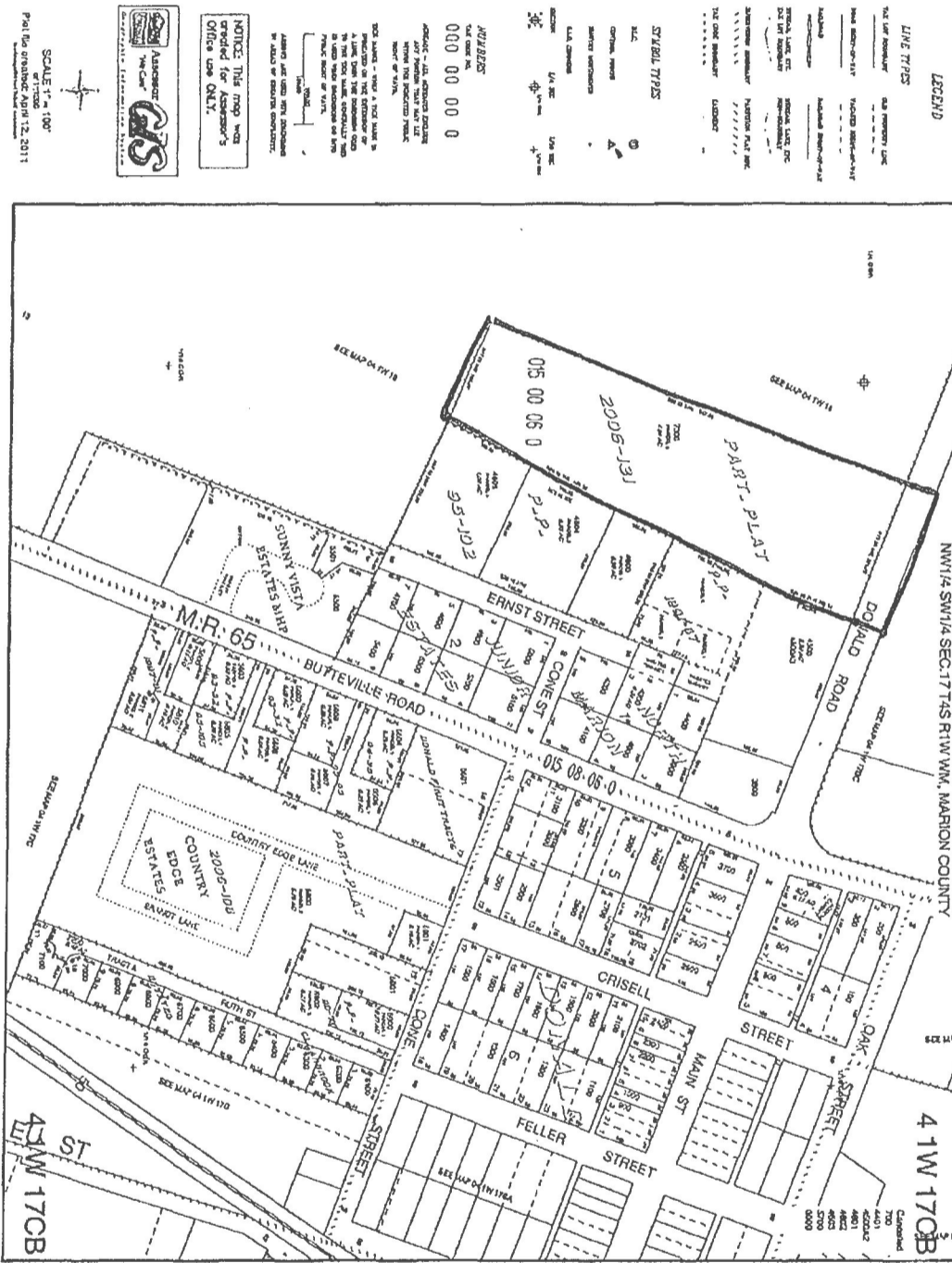


Exhibit B
Legal Description of Property Annexed into the City of Donald by Ordinance No. 150-2012

"Parcel 2 Partition Plat 2006-131 and all of Donald Road, to the northerly right of way line, lying north of
and adjacent to said Parcel 2."

The above described tracts contain 5.21 acres, more or less.



MID-WILLAMETTE VALLEY
 COUNCIL OF GOVERNMENTS
 105 High St SE
 Salem OR 97301-3667

Getting things done together!



Attn: Plan Amendment Specialist
 DLCD
 635 Capitol St NE, Ste 150
 Salem OR 97301-2540

DEPT OF

JUN 22 2012

LAND CONSERVATION
 AND DEVELOPMENT

9730132540

