



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

10/15/2012

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 001-12

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: Tuesday, October 30, 2012

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
Gordon Howard, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative

<paa> YA



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

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**LAND CONSERVATION
AND DEVELOPMENT**

For Office Use Only

Jurisdiction: **City of Scio**

Local file number: **PL 2012-01**

Date of Adoption: **9/24/2012**

Date Mailed: **10/9/2012**

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 Scio School District Proposed to redesignate and rezone 2.84 acres from Residential to Public. The site included 3 parcels, totaling 2.69 acres and a 0.15 acre alley that are immediately north of Centennial Elementary School. Ordinance No. 586, annexed the 1.17 acre agricultural parcel, and redesignated and rezoned the 2.84 acres to Public. Ordinance No. 588, vacated the alley.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from: **Residential**

to: **Public**

Zone Map Changed from: **UGA-UGM 10 & Residential (R-1)**

to: **Public**

Location: **T10S, R1W, 18AB, TL 3900, 4100, 4104.**

Acres Involved: **2**

Specify Density: Previous: **3.5**

New: **0**

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 checked="" 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...

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. _____

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

Local Contact: **Cathy I. Martin**

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 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.



City Of Scio, Oregon



ORDINANCE NO. 586

AN ORDINANCE ANNEXING A 1.17 +/- ACRE PARCEL AND REDESIGNATING AND REZONING 2.84 ACRES AT 38766 and 38776 NW CHERRY STREET FROM RESIDENTIAL TO PUBLIC (P)

WHEREAS, the City of Scio has received a land use application File 2012-01 from the Scio School District to annex, redesignate and rezone various parcels from the Scio School District affecting approximately 2.84 acres at 38766 and 38776 NW Cherry Street in Scio; Linn County Assessor's Map T10S R1W 18AB, Tax Lots 3900, 4101 and 4104; and

1. Annex 1.17 +/- acres out of a 2.00 acre parcel located at 38766 NW Cherry Street to the City of Scio; and
2. Amend the Scio Comprehensive Plan Map to redesignate the parcels to Public (P).
3. Amend the Scio Zoning Map to rezone the parcels from Residential to a City of Scio Public (P) zone.
4. Vacate an alley north of the Centennial School property and adjacent to the affected parcels.

WHEREAS, the applicant proposes to use the properties for public school and related educational purposes;

WHEREAS, the Planning Commission held a public hearing on June 27, 2012 to consider the application and upon deliberation, after the close of the public hearing, recommended the city council approve the application; and

WHEREAS, the Planning Commission also recommended the City Council vacate the alley between the Centennial Elementary School and 38766 NW Cherry Street; and

WHEREAS, the City Council held a public hearing on August 14, 2012 and at the close of the hearing the City Council concurred with the Planning Commission recommendation; and

WHEREAS, the City Council adopted findings of fact approving the land use application;

NOW, THEREFORE, the City Council of the City of Scio hereby ordains as follows:

SECTION 1: SCIO COMPREHENSIVE PLAN MAP AMENDMENTS. The Scio Comprehensive Plan Map shall be amended to redesignate the following properties from

Certified to be a true and exact copy of original.

Signature Cathy J. Martin

Residential to Public. Attached hereto is Exhibit “A”, which accurately portray the property to be redesignated.

Table 1
**Scio School District
 Comprehensive Plan Map Amendments**

#	Owner	Linn County Assessor's Map	Tax Lot	Area to be Annexed (Acres)	Total Parcel Size (Acres)	Existing Use	Existing Scio Comp Plan Designation	Existing Linn County Zoning	Proposed City Comp Plan & Zoning
1	Scio School District	T10S, R1W, Section 18AB	4104	1.00	2.00	Shop	Residential	UGA UGM 10	Public (P)
2	Scio School District	T10S, R1W, Section 18AB	4101	NA	0.47	1 SFR & shop	Residential	NA	Public (P)
3	Scio School District	T10S, R1W, Section 18AB	3900	NA	0.22	1 SFR	Residential	NA	Public (P)
4	City of Scio	T10S, R1W, Section 18AB	Alley	NA	0.15+/-	Alley – Driveway	None	NA	Public (P)
			Total	1.00	2.84				

SECTION 2: ZONING MAP AMENDMENTS. The Scio Zoning Map shall be amended to rezone the following properties from Linn County Urban Growth Area (UGM-10) Residential and from City of Scio Single Family (R-1) Residential to City of Scio Public (P). Attached hereto is Exhibit “A”, which accurately portray the property to be rezoned.

Table 2
**Scio School District
 Zoning Map Amendments**

#	Owner	Linn County Assessor's Map	Tax Lot	Area to be Annexed (Acres)	Total Parcel Size (Acres)	Existing Use	Existing Scio Comp Plan Designation	Existing Linn County Zoning	Proposed City Comp Plan & Zoning
1	Scio School District	T10S, R1W, Section 18AB	4104	1.00	2.00	Shop	Residential	UGA UGM 10	Public (P)
2	Scio School District	T10S, R1W, Section 18AB	4101	NA	0.47	1 SFR & shop	Residential	NA	Public (P)
3	Scio School District	T10S, R1W, Section 18AB	3900	NA	0.22	1 SFR	Residential	NA	Public (P)

4	City of Scio	T10S, R1W, Section 18AB	Alley	NA	0.15+/-	Alley – Driveway	None	NA	Public (P)
			Total	1.00	2.84				

SECTION 3: ANNEXATION AREA. The following property, shown on the map attached hereto as “Exhibit B”, and described in the legal description, attached hereto as “Exhibit C”, is hereby proclaimed to be annexed into the City of Scio.

Table 3
Scio School District Annexation

Parcel #	Owner	Linn County Assessor’s Map and Tax Lot	Area to be Annexed (Acres)	Total Parcel Size (Acres)	Existing Use
1	Scio School District	T10S, R1W, Section 18AB Part of Tax Lot 4104	1.17+/-	2.00	Shop

SECTION 4: RECORD OF DECISION.

1. The City Administrator shall submit to the Oregon Secretary of State a certified true copy of this ordinance.
2. The City Administrator shall send a description, by metes and bounds, and a map depicting the new boundaries of the city to the Linn County Assessor, the Linn County Clerk, the Marion County Clerk, the Marion County Assessor and the Oregon State Department of Revenue within ten (10) days of the effective date of the annexation.
3. The City Administrator shall notify all affected utilities of the annexation.
4. The City Administrator shall notify the Linn County Geographic Information System (GIS) office.

SECTION 5: RECORD. The City Recorder shall submit to the Linn County GIS office and Linn County Clerk a certified true copy of this ordinance.

SECTION 6. 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 13th day of August 2012.

This Ordinance read by title only for the second time on this 24th day of September 2012.

This Ordinance passed on the 24th day of September 2012 by the city council and executed by the mayor this 26th day of September 2012.

Date: 9-26-12 By: Earl Wilson
EARL WILSON, Acting Mayor

Date: 9-26-12 Attest: Virginia A Griffith
VIRGINIA GRIFFITH, City Manager

APPROVED AS TO FORM

Date: 10-3-12 By: [Signature]
City Attorney

Exhibits:

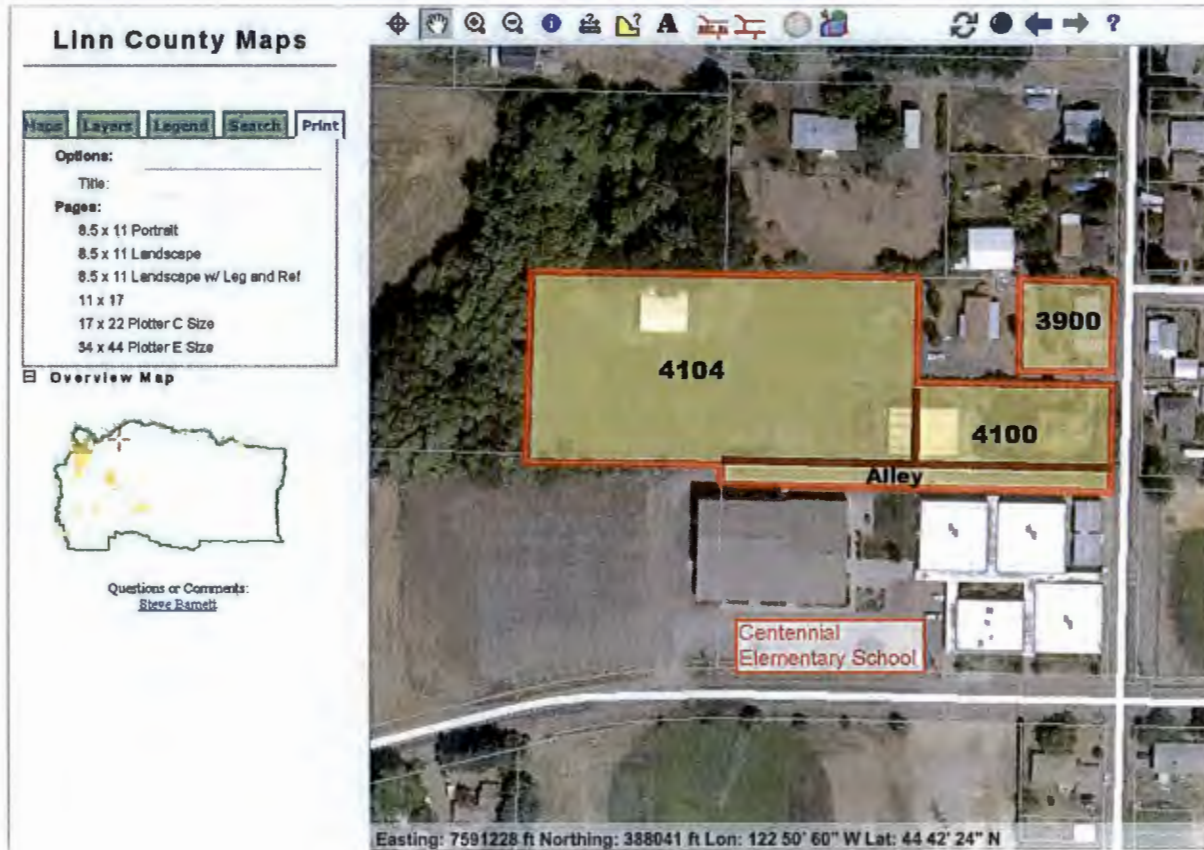
- “A” - Map of Affected Property
- “B” - Map of Annexation Area
- “C” - Legal Description of Annexation Area

Certified to be a true and exact copy of original.

Signature Cathy Martin

City of Scio
Ordinance No. 586

EXHIBIT A



City of Scio
Ordinance No. 586

EXHIBIT B



City of Scio
Ordinance No. 586

EXHIBIT C

Legal Description:

Annexation area

An area of land in the Northeast 1/4 of Section 18, Township 10 South, Range 1 West, Willamette Meridian, Linn County Oregon being more particularly described as follows:

Beginning at the Northwest corner of Block 129 of the Town of Scio in the Northeast 1/4 of Section 18, Township 10 South, Range 1 West, Willamette Meridian, Linn County Oregon; thence South 89°51'53" West 217.80 feet along the City Limits line per Ordinance No. 566 to a 5/8" iron rod; thence North 00°21'58" West 26.34 feet to a 1/4" bar marking the City limits per Ordinance No. 569; thence North 00°21'58" West 207.9 feet along said city limits; thence North 89°51'53" East 217.8 feet to the west line of the Town of Scio; thence South 00°21'58" East 234.24 feet to the point of beginning.

Containing 1.17 ± Acres



Certified to be a true and exact copy of original.

Signature Cathy Martin



City Of Scio, Oregon



ORDINANCE NO. 588

AN ORDINANCE VACATING THE ALLEY BETWEEN LOTS 120 AND 121 AND BETWEEN LOTS 128 AND 129, IN THE PLAN OF SCIO, LINN COUNTY, OREGON

WHEREAS, the City Council of the City of Scio did hold a public hearing on the 13th day of August, 2012, at 7 o'clock p.m. for the purpose of hearing a proposal of the Scio School District to re-zone parcels from R-1 Single Family Housing to (P) Public, Annexation of a parcel and Vacation of an Alley, between lots 120 and 121 and between lots 128 and 129 in the town of Scio, Linn County, Oregon and said hearing was held pursuant to a duly published notice and posting as required by law, and

WHEREAS, at the hearing on the said vacation, all parties were given an opportunity to be heard and the council was fully informed,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SCIO AS FOLLOWS:

Section 1: ALLEY VACATION ORDER. The Council for the City of Scio orders the following described alley section vacated:

The portion of the alley described as follows:

A 16.5 foot alley lying between Lots 120 and 121 and between Lots 128 and 129, in the Plan of Scio as recorded on December 30, 1865 in Book 1, Page 6 in the Linn County Book of Town Plats (C.S. 2629-B), Linn County, Oregon.

This Ordinance was read for the first time in full on this 24th day of September, 2012.

This Ordinance was read by title only for the second time on this 24th day of September, 2012.

This Ordinance was passed on the 24th day of September, 2012 by the City Council and executed by the council president this 26th day of September, 2012.

Date: 9-26-12

By: Earl D. Wilson
EARL D. WILSON, Council President

Date: 9-26-12

Attest: Virginia A. Griffith
VIRGINIA GRIFFITH, City Manager

APPROVED AS TO FORM

Date: 10-4-12

By: John E. Kennedy
JOHN E. KENNEDY, City Attorney

Certified to be a true and exact copy of original.

Signature Cathy J. Martin



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



Attn: Plan Amendment Specialist
Dept of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

DEPT OF

OCT 10 2012

LAND CONSERVATION
AND DEVELOPMENT

