



Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development
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NOTICE OF ADOPTED AMENDMENT

03/24/2014

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 001-14

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, April 07, 2014

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



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

FOR DLCD USE

File No.: 001-14 (20183)
[17808]
Received: 3/17/2014

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: Scio

Local file no.: **2014-01**

Date of adoption: 02/24/2014

Date sent:

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): 01/13/2014

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:

Section 2.010 (A) was changed to eliminate the reverence to controlled substances to make it all encompassing.

Local contact (name and title): Cathy Martin

Phone: (503)394-3342

E-mail: sciocityclerk@smt-net.com

Street address: 38957 NW 1st Ave

City: Scio

Zip: 97374-

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	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this
change.			
Change from	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):

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:

Amended Scio Zoning Ordinance No. 561, Article 2. Basic Provisions, Section 2.010. Compliance with Plan and Laws, adding new provisions, A. and B.

For a change to a zoning map:

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

Change from	to	Acres:
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):

List affected state or federal agencies, local governments and special districts:

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.

Any supplemental information that may be useful to inform DLCD or members of the public of the effect of the actual change



City Of Scio, Oregon



ORDINANCE NO. 595

AN ORDINANCE AMENDING SECTION 2.010 OF THE SCIO ZONING CODE, ORDINANCE NO. 561 AND DECLARING AN EMERGENCY

WHEREAS, the City desires to protect the health, safety and well-being of the citizens of Scio by ensuring that all zoning, land use and development within the City of Scio complies with all state and federal laws.

WHEREFORE, THE CITY OF SCIO DOES ORDAIN AS FOLLOWS:

Section 2.010 of Scio Ordinance No. 561 is amended to read as follows:

Section 2.010. Compliance with Plan and Laws.

- A. Actions initiated under this Ordinance shall be consistent with the adopted Comprehensive Plan of the City of Scio and with applicable state and federal laws as these plans, laws and regulations may now or hereafter provide. No parcel of land or structure may be used for, or in conjunction with, an activity that violates any state or federal law.
- B. Since the City of Scio has a Comprehensive Plan and implementing ordinances that have been acknowledged by the State of Oregon as being in compliance with statewide planning goals, any action taken in conformance with this Ordinance shall be deemed also in compliance with statewide planning goals and the Scio Comprehensive Plan. Unless stated otherwise in this Ordinance, specific findings demonstrating compliance with the Comprehensive Plan are not required for land use application approval. However this provision shall not relieve the proponent of the burden of responding to allegations that the development action requested is inconsistent with one or more Comprehensive Plan policies.
- C. No building shall be erected, enlarged or structurally altered, nor shall any land or building be used for any purpose other than is permitted in the zone in which said building or land is located.
- D. No lot shall be so reduced or diminished so that the yards or other open spaces shall be smaller than prescribed by this ordinance nor shall the density of population be increased in a manner except in conformity with the area regulations herein established.
- E. No yard or other open space provided around any building in compliance with these regulations shall be considered as any part of a yard or open space for any other building. Nor shall any yard or open space of adjacent property be considered as providing a yard or open space required for a building.

Effective Date. An emergency is declared to exist and this Ordinance shall become effective upon passage.

This Ordinance was read for the first time in full on this 24th day of February 2014.

This Ordinance was read by title only for the second time on this 24th day of February 2014.

This Ordinance was passed on the 24th day of February 2014 by the City Council and executed by the council president this 24th day of February 2014.

Date: February 24, 2014 By: Earl D. Wilson
EARL D. WILSON, Mayor

Date: February 24, 2014 Attest: Virginia A. Griffith
VIRGINIA GRIFFITH, City Manager

APPROVED AS TO FORM

Date: 2-24-14 By: John E. Kennedy
JOHN E. KENNEDY, City Attorney