



# Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

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[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



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

Date: December 16, 2015

Jurisdiction: City of Lexington

Local file no.: CP-002

DLCD file no.: 002-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 12/14/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 37 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



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

FOR DLCD USE

File No.: 002-15 {24074}

Received: 12/14/2015

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: Town of Lexington

Local file no.: **CP-002**

Date of adoption: 12/8/2015

Date sent: 12/14/2015

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): 10/7/2015

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:

No

Local contact (name and title): Kevin McCabe

Phone: 541-989-8515

E-mail: town055@centurytel.net

Street address: 425 F St.

City: Lexington

Zip: 97839-

### 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 Residential to Industrial 0.39 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): tax lots 400 Assessors Map 1S 25 27 CA

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:

**For a change to a zoning map:**

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

Change from Farm Residential	to Light Industrial	Acres: 0.39
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):

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List affected state or federal agencies, local governments and special districts: ODOT, Morrow County Public Works,

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.

ORDINANCE NO. 2015-3

AN ORDINANCE AMENDING THE TOWN OF LEXINGTON COMPREHENSIVE PLAN MAP DESIGNATION FROM RESIDENTIAL TO INDUSTRIAL AND APPLY THE LIGHT INDUSTRIAL ZONING DESIGNATION TO LAND WITHIN THE TOWN LIMITS.

WHEREAS, ORS 203.035 authorizes Town of Lexington to exercise authority within the Town over matters of Town concern; and

WHEREAS, Town of Lexington adopted a Comprehensive Land Use Plan which was acknowledged by the Land Conservation and Development Commission on October 1979; and

WHEREAS, application was made to Town of Lexington to rezone Tax Lot 100, Section 27 T1S R25E, by amending both the Comprehensive Plan designation and the Zoning designation; and

WHEREAS, staff worked cooperatively with the Department of Land Conservation and Development, the Department of Transportation, and

WHEREAS, the Town Council held a public hearing to review the proposal on November 10, 2015, at the Town Hall, Lexington Oregon; and

WHEREAS, the Town Council considered the request, heard no testimony for or against, and after deliberation adopted the Final Findings of Fact; and

NOW THEREFORE THE TOWN OF LEXINGTON COUNCIL ORDAINS AS FOLLOWS:

Section 1 Title of Ordinance:

This Ordinance shall be known, and may be cited, as the 2015-3 Cutsforth amendment.

Section 2 Affected Documents:

Town of Lexington Comprehensive Plan – Zoning Ordinance: Amended both the introduction and the portion relating to the Town of Lexington.

Town of Lexington Comprehensive Plan Map: Changed the designation from Residential to Light Industrial.

Town of Lexington Zoning Map: Changed the zoning from Farm Residential to Light Industrial

Section 3 Attached Documents:

Town of Lexington Comprehensive Plan Map (as amended)

Town of Lexington Zoning Map (as amended)

Town of Lexington Ordinance 79-1 Article 3.40 Light Industrial (as applied to the subject property)

Section 4 Effective Date

The Town Council declares the effective date for this Ordinance to be January 7, 2016 to facilitate timely development by the applicants.

Date of Reading: December 8, 2015

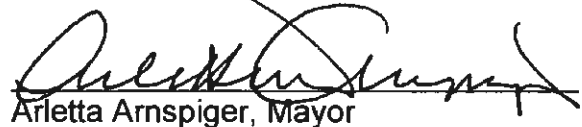
DONE AND ADOPTED BY THE TOWN COUNCIL OF TOWN OF LEXINGTON  
THIS 8<sup>th</sup> DAY OF DECEMBER, 2015

ATTEST:



Kevin McCabe  
Recorder

**Town Council;**

  
Arletta Arnsperger, Mayor  
Deona Siex, Councilor  
Bill Beard, Councilor  
Sheila Miller, Councilor

# Town of Lexington

P.O. Box 416 Lexington, OR 97839

Phone: 541-989-8515 Email:town055@centurytel.net

**Mayor:**

Arletta Arnspiger

**Recorder:**

Kevin McCabe



**Council Members:**

Bill Beard

Shelia Miller

Deona Siex

**NOTICE OF DECISION**

December 14, 2015

CP-002

Town of Lexington Comprehensive Plan Map, Zoning Map

This notice is to inform you that on December 8, 2015, the Town Council of Town of Lexington adopted Ordinance Number 2015-3 amending the Town of Lexington, Comprehensive Plan Map and Zoning Map. Specifically the amendment changes the Comprehensive Plan Map designation from Residential to Industrial and changes the Zoning Map from Farm Residential to Light Industrial on property currently described as Tax Lot 100 on Assessor's Map 1S 25 27, including maps.

The requirements for filing an appeal of the decision to the Land Use Board of Appeals (LUBA) are set forth in ORS 197.830 to 197.845. State law and associated administrative rules promulgated by LUBA describe the period within which any appeal must be filed and the manner in which such an appeal must be commenced. Presently, ORS 197.830(9) requires that a notice of intent to appeal plan or land use regulation amendments adopted pursuant to ORS 197.610 to 197.625 "shall be filed not later than 21 days after notice of the decision sought to be reviewed is mailed or otherwise submitted to parties entitled to notice under ORS 197.615." Notice of this decision was mailed, and in some instances emailed, on December 14, 2015. The deadline to appeal is January 8, 2016.

Cordially,

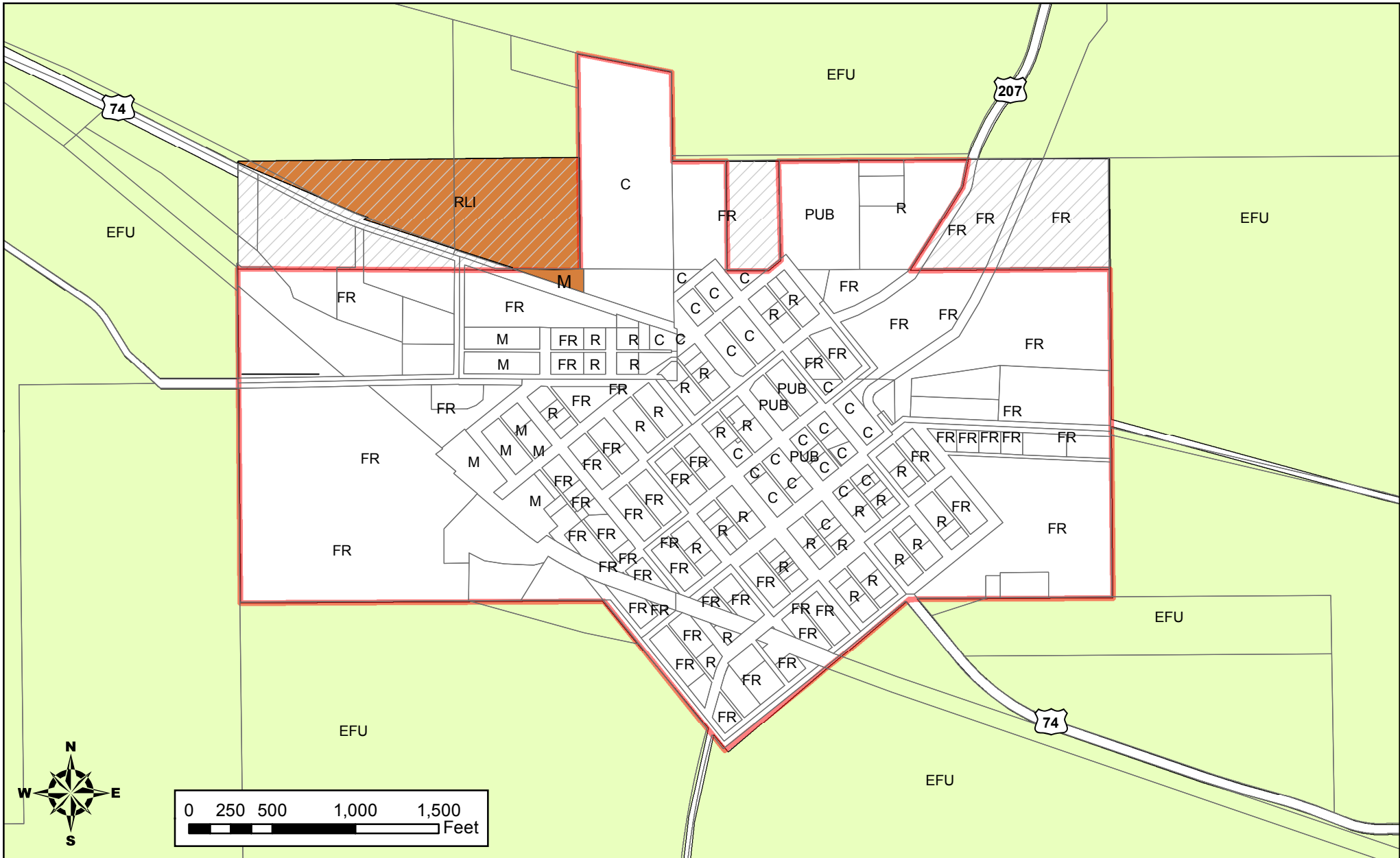
Kevin McCabe  
Recorder, Town of Lexington

I certify that on December 14, 2015, I mailed or emailed a copy of this Notice of Decision to all persons entitled to notice of this decision.

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Signature                      Date

# Lexington Zone Change Vicinity Map



- Town Limit
- Urban Growth Boundary
- Parcels with Zone Change

The Zone Change within Town Limits, is changing from Residential (R) to Light Industrial (M).

The Zone Change just outside of Town Limits, is changing from Farm Residential (FR) to Rural Light Industrial (RLI).

Morrow County Planning Department  
October 2015  
For Reference Purposes Only

