

**BEFORE THE BOARD OF COMMISSIONERS
FOR MARION COUNTY, OREGON**

In the matter of an Ordinance amending the)	LA 16-004
Marion County Comprehensive Plan by adopting)	
amendments to the Salem-Keizer Urban Growth)	
Boundary by including approximately 35.7 acres)	
of land in Polk County into the Salem-Keizer)	
Urban Growth Boundary and declaring an emergency.)	

ORDINANCE NO. 1371

THE MARION COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS AS FOLLOWS:

SECTION I. Purpose

This ordinance is enacted pursuant to the authority granted general law counties in the State of Oregon by Oregon Revised Statutes (ORS) Chapter 203, and the comprehensive land use planning and coordination with local government provisions under Chapters 195 and 197, by amending the Marion County Comprehensive Plan by adopting amendments to the Salem-Keizer Urban Growth Boundary by including approximately 35.7 acres of land in Polk County into the Salem-Keizer Urban Growth Boundary.

SECTION II. Authorization

The Marion County Board of Commissioners initiated a legislative amendment to the Marion County Comprehensive Plan by Resolution No. 16R-24 dated August 10, 2016. The legislative amendment came before the Board at the request of the City of Salem for concurrence in and adoption of urban growth boundary amendments being considered by the City, pursuant to the planning coordination and concurrence provisions under ORS Chapters 195 and 197, and the provisions of the Salem Comprehensive Plan that establish procedures for addressing land use matters of regional concern to the cities of Salem and Keizer and the counties of Polk and Marion, including amendments to the Salem-Keizer Urban Growth Boundary. The Board participated in a joint public hearing on October 12, 2016 for which proper public notice and advertisement was given. The Board closed the hearing on October 12, 2016 and left the record open for all testimony until October 19, 2016. All persons present during the public hearing and those provided notice of the hearing, were given the opportunity to speak or present written statements on the proposed amendments.

SECTION III. Evidence and Findings

The Board has reviewed the evidence and testimony in the record. Based on the facts and findings in the record, as contained in Exhibits A, B and C, which are incorporated herein by this reference, the Board determines that the amended Salem/Keizer Urban Growth Boundary conforms with the requirements under ORS Chapter 197 and the Statewide Land Use Planning Goals and Administrative Rules for the development and revision of comprehensive plans and urban growth

boundaries, with ORS Chapter 195 for county coordination with local comprehensive plan activities, and the applicable policies in the Salem Comprehensive Plan.

SECTION IV. Amendments to Marion County Comprehensive Plan

The Marion County Comprehensive Plan is amended to adopt amendments to the Salem-Keizer Urban Growth Boundary by including approximately 35.7 acres of land in Polk County into the Salem-Keizer Urban Growth Boundary, as shown on the map attached as Exhibit D to this ordinance, which is incorporated herein by this reference.

SECTION V. Amendment Of Portions Of Existing Ordinances

To the extent they are inconsistent with this ordinance, those portions of Marion County Ordinance No. 588 adopting a Salem/Keizer Urban Growth Boundary and a Comprehensive Plan for the area outside the city but within the growth boundary or amendments pertaining to the City of Salem Comprehensive Plan, are hereby amended as set forth in this ordinance through the adoption of the amended Salem/Keizer Urban Growth Boundary and City of Salem Comprehensive Plan amendments, which by reference are incorporated into this ordinance.

SECTION VI. Severability

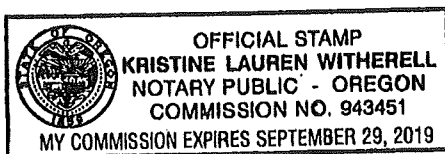
Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or any policy, provision, findings, statement, conclusion, or designation to a particular land use or area of land, or any other portion, segment or element of this ordinance or of any amendments thereto and adopted hereunder, be declared invalid for any reason, such declaration shall not affect the validity and continued application of any other portion or element of this ordinance or amendments to the Urban Growth Boundary or Comprehensive Plan, as amended herein; and if this ordinance or any portion thereof should be held to be invalid on one ground, but valid on another, it shall be construed that the valid ground is the one upon which this ordinance of any portion thereof was enacted.

SECTION VII. Effective Date

This ordinance amending the Marion County Comprehensive Plan by adopting amendments to the Salem-Keizer Urban Growth Boundary by including approximately 35.7 acres of land in Polk County into the Salem-Keizer Urban Growth Boundary, being necessary to protect the public health, safety, and welfare, an emergency is declared to exist and this ordinance shall become effective upon its passage.

SIGNED and FINALIZED this 30th day of November, 2016 at Salem, Oregon.

MARION COUNTY BOARD OF COMMISSIONERS



Chair:

Recording Secretary

JUDICIAL NOTICE

Oregon Revised Statutes (ORS) Chapter 197.830 provides that land use decisions may be reviewed by the Land Use Board of Appeals (LUBA) by filing a notice of intent to appeal within 21 days from the date this ordinance becomes final.