

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

An ordinance amending the Marion County)	LA 09-2
Comprehensive Plan Background and)	
Inventory Report by amending the text)	
of the Population History and Projections)	
chapter, including new population forecasts)	
for incorporated and unincorporated portions)	
of Marion County; and declaring an emergency)	

ORDINANCE NO. 1291

THE MARION COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS AS FOLLOWS:

SECTION I. Purpose

This Ordinance is enacted pursuant to the authority granted to general law counties in the State of Oregon by ORS Chapters 197, 203, and 215 to implement the Marion County Comprehensive Land Use Plan. This ordinance amends the Marion County Comprehensive Plan Background and Inventory Report by amending the text of the Population History and Projections chapter and includes new population forecasts for incorporated and unincorporated portions of Marion County.

SECTION II. Authorization

Oregon Revised Statutes 195.025 and 195.036 and Oregon Administrative Rule 660-024-0030 require the county to adopt and maintain a coordinated 20-year population forecast for the county and for each urban area within the county. On April 29, 2009, the Marion County Board of Commissioners adopting a resolution initiating consideration of amendments to the Marion County Comprehensive Plan Background and Inventory Report by amending the text of the Population History and Projections chapter and including new population forecasts for incorporated and unincorporated portions of Marion County and directed the Marion County Planning Commission to hold a hearing on the matter.

Pursuant to ORS Chapter 197, the Marion County Planning Commission held a public hearing on June 16, 2009, for which proper public notice and advertisement was given. The purpose of the hearing was to consider the proposed amendments. All persons present during the public hearing were given the opportunity to speak or present written statements. At a regularly scheduled meeting on August 18, 2009, the Planning Commission voted unanimously to recommend adoption of the proposed amendments to the Marion County Board of Commissioners.

Pursuant to ORS Chapter 197, the Marion County Board of Commissioners held a public hearing on September 30, 2009, for which proper public notice and advertisement was given. The purpose of the hearing was to consider the proposed amendments. All persons present during the public hearing were given the opportunity to speak or present written statements.

SECTION III. Evidence and Findings

The Board has reviewed the evidence and testimony in the record. The amendments to the Marion County Comprehensive Plan Background and Inventory Report made hereunder are based on consideration and analysis of the provisions of ORS Chapter 195 and 197.

Based on the facts and evidence in the record, discussed in the findings in Exhibit A, which is incorporated herein by this reference, the Board determines that the Marion County Comprehensive Plan amendments are in compliance with ORS Chapters 195 and 197.

SECTION IV. Amendments to Marion County Rural Zoning Ordinance

The Marion County Rural Zoning Ordinance is amended as follows described in Exhibit B, which is incorporated herein by this reference.

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 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.

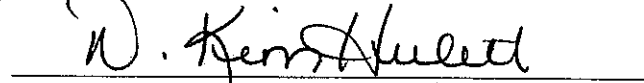
SECTION VII. Effective Date

This Ordinance amending the Marion County Comprehensive Plan Background and Inventory Report being necessary to protect the public health, safety, and welfare, an emergency is declared to exist and this Ordinance shall take effect immediately upon adoption.

SIGNED and FINALIZED this 7th day of October, 2009 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.