

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

In the matter of Amendments to the                    )  
Marion County Zoning Ordinances No 516    )  
(Rural) and No. 863 (Urban) as amended,    )  
by amending provisions related to Home       )  
Occupations and Sign Standards, and        )  
Adding provisions related to Mobile Food    )  
Vendors to the Urban Ordinance and related )  
Definitions, and declaring an emergency.    )

**ORDINANCE NO. 1204**

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 203, 197 and 215 to implement the County Comprehensive Plan by amending the Marion County Rural and Urban Zoning Ordinances, as amended. The amendments relate to the provisions and definitions for Home Occupations and Sign Standards in both the Urban and Rural Zoning Ordinances, and add new provisions and definitions relating to Mobile Food Vendors to the Urban Zoning Ordinance.

SECTION II. Authorization

The Marion County Board of Commissioners initiated legislative amendments to the Marion County Rural and Urban Zoning Ordinances by Resolutions 04-20R and 04-21R dated June 4, 2004. The Board of Commissioners by Resolution 04-34R, dated August 12, 2004, scheduled a public hearing to consider the amendments for September 15, 2004. The Board of Commissioners held public hearings on the proposed amendments on September 15, 2004 and September 29, 2004 for which proper notice and advertisement were given. All persons present during the public hearing were given the opportunity to speak or present written statements.

SECTION III. Evidence and Conclusion

The amendments of the Marion County Rural and Urban Zoning Ordinances made hereunder are based on consideration and analysis of the operation of present zoning regulations and the provisions of ORS Chapter 197 and 215 and the State Land Use Goals and related Oregon Administrative Rules. Due consideration was given to testimony in the hearings. The Board finds that the revisions to the Urban and Rural Zoning Ordinance are in compliance with the State Land Use Goals, the applicable policies in the Marion County Comprehensive Plan, and with ORS 197 and ORS 215.

SECTION IV. Amendments to the Marion County Rural and Urban Zoning Ordinance

1. Marion County Rural Zoning Ordinance is amended as set forth in Exhibit A, attached hereto and incorporated herein.
2. Marion County Urban Zoning Ordinance is amended as set forth in Exhibit B, attached hereto and incorporated herein.

SECTION V. Severability and Saving Clause


Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance or any policy, provision, finding, 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 to the Marion County Urban and Rural Zoning Ordinance as amended herein, and if this ordinance or any portion thereof should be held to be invalid on one ground is the one upon which this ordinance or any portion thereof was enacted.

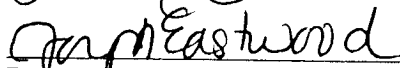
SECTION VI. Effective Date

This ordinance amending the Marion County Rural Zoning Ordinance No. 516 as amended and Marion County Urban Ordinance No. 863 as amended, being necessary to protect the public health, safety and welfare, an emergency is declared to exist and this ordinance shall be come effective upon its passage.

SIGNED and FINALIZED this 6 day of October,  
2004 at Salem, Oregon.

MARION COUNTY BOARD OF COMMISSIONERS

  
Chair

  
Recording Secretary

**JUDICIAL NOTICE**

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

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