



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

08/12/2014

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Marion County Plan Amendment
DLCD File Number 007-14

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: Wednesday, August 27, 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: Brandon Reich, Marion County
Jon Jinings, DLCD Community Services Specialist
Angela Lazarean, DLCD Regional Representative
Christine Shirley, FEMA Specialist

<paa>



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

FOR DLCD USE 007-14
File No.: (20407)
[17959]
Received: 8/6/2014

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: Marion County

Local file no.: LA 14-2

Date of adoption: 8/6/14

Date sent: 8/6/2014

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): 6/11/2014

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:

Instead of only amending county language, adopted federal definitions exactly. Also adopted exemptions in the urban code to the requirement of obtaining an elevation certificate to be consistent with exemptions already existing in the rural code.

Local contact (name and title): Brandon Reich, Senior Planner

Phone: 503-566-4175

E-mail: breich@co.marion.or.us

Street address: 5155 Silverton Rd NE

City: Salem

Zip: 97305-

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:

MCC 16.19 and MCC 17.178

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: FEMA

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.

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

In the Matter of an Ordinance Amending Marion)
County Code, Title 16.19 (Urban Zone Code) and)
Title 17.178 (Rural Zone Code) by Amending)
Provisions of the Floodplain Overlay Zones)
and Declaring an Emergency.)

AN ADMINISTRATIVE ORDINANCE

ORDINANCE NO. 1346

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 Code provisions related to urban and rural zoning.

SECTION II. Authorization

The Marion County Board of Commissioners initiated legislative amendments to the Marion County Urban and Rural Zone Codes by Resolution 14R-16, dated June 11, 2014. The Marion County Board of Commissioners held a public hearing on July 23, 2014, 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. After receiving testimony on the matter, the Board closed the hearing.

SECTION III. Evidence and Conclusion

The amendments of the Marion County Urban and Rural Zone Codes made hereunder are based on consideration and analysis of the operation of present zoning regulations and provisions of the National Flood Insurance Program and its policies. Due consideration was given to testimony in the hearing. As set forth in Exhibit A, attached hereto and incorporated herein, the Board finds that the revisions to the Urban and Rural Zone Codes are in compliance with the National Flood Insurance Program, its policies and requirements.

SECTION IV. Amendments

Title 16.19 MCC (Marion County Urban Zone Code) and 17.178 MCC (Marion County Rural Zone Code) are amended as set forth in Exhibit B, attached hereto and incorporated herein.

SECTION V. Severability and Savings 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 the amendments adopted hereunder, be declared invalid for any reason, that declaration shall not affect the validity of any provision of this ordinance or of any other Marion County Code provisions amended herein.

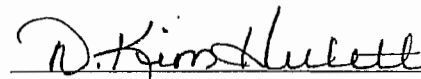
SECTION VI. Effective Date

This ordinance 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 16th day of August, 2014, 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.

**Floodplain Overlay Zone Amendments
Legislative Amendment 14-2**

Facts and Findings

BACKGROUND

Federal law related to the National Flood Insurance Program (NFIP) requires Marion County to define “substantial improvement” and “substantial damage” in its floodplain overlay zones. While the county may be more restrictive than federal law, it may not be less restrictive. Therefore, the county may examine its definition of “substantial improvement” and “substantial damage” consistent with the federal requirements.

Also, the county may exempt certain structures from the requirement of obtaining a floodplain permit. While the county has already exempted certain structures, it may be beneficial to consider exempting additional structures.

Previously the county had amended the Rural Floodplain Overlay Zone to exempt certain types of structures from the requirement to obtain an elevation certificate. This is based on guidance from FEMA. The Board adopts the same change into the Urban Floodplain Overlay Zone to be consistent with the rural chapter and to ensure requirements are the same for property owners whether they are developing in the urban or the rural area of the county.

On June 11, 2014, the Marion County Board of Commissioners approved Resolution 14R-16 initiating the county’s consideration of amendments to the Marion County Code Floodplain Overlay Zones. The Board held a public hearing on July 23, 2014 to consider the county’s definition of “substantial improvement” and “substantial damage,” structures exempted from the requirement of obtaining a floodplain development permit, and structures exempted from the requirement of obtaining an elevation certificate.

FACTS AND ANALYSIS

Substantial Improvement/Substantial Damage

Federal law related to the National Flood Insurance Program requires Marion County to define “substantial improvement” and “substantial damage” in its floodplain overlay zones. When the threshold of substantial improvement or substantial damage is met, the existing structure must be brought up to current flood resistant standards (generally, elevating the first floor, installing openings in the foundation and using flood resistant materials) before the dwelling can be occupied.

“Substantial improvement” is currently defined by Marion County Code as:

“Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 20 percent of the assessed value of the structure:

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored; before the damage occurred. For purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences whether or not that alteration affects the external dimensions of the structures. The term does not include:
 - a. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions;
 - b. Any alteration of a structure listed on the National Register of Historic Places or State Inventory of Historic Places."

This means that when a structure is improved, aside from a project to comply with certain health and safety standards, and the improvement value exceeds 20% of its market value, the dwelling must be brought up to current flood resistance standards before it can be lived in after the improvement is completed.

"Substantial damage" is currently defined by Marion County Code as "flood related damage when the cost of restoring the structure would equal or exceed 20 percent of the market value of the structure before the damage occurred." This means that when flood damage that occurs to a structure exceeds 20% of its market value, the dwelling must be brought up to current flood resistance standards before it can be reoccupied.

Recent changes to federal law caused the definition of "substantial improvement" and "substantial damage" to change from 50% to 30% and back to 50% again. While the county may be more restrictive than federal law, it may not be less restrictive. Therefore, the county may choose a definition of "substantial improvement" and "substantial damage" where the percentage is 50% or less. In considering how to define "substantial improvement" and "substantial damage," the Board finds that adopting the federal definition of 50% is consistent with the requirements of federal law while, at the same time, providing the correct balance between requiring homeowners to make existing structures safer from flooding and acknowledging the expense to homeowners of making a dwelling compliant with current floodplain development standards.

In addition, since the county's definition was adopted, the federal definition of "substantial damage" has changed to mean damage of any origin. In order to comply with federal law related to the NFIP, the Board adopts the federal definition of "substantial damage" in full:

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Similarly, the federal definition of "substantial improvement" has undergone changes since the county's adopting of the definition. In order to comply with federal law related to the NFIP, the Board adopts the federal definition of "substantial improvement" in full:

“Substantial improvement” means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or
- (2) Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.”

These definitions are also consistent with the definitions used for the flood insurance purposes of the National Flood Insurance Program.

According to the FEMA P-758 *Substantial Improvement/Substantial Damage Desk Reference* (May 2010) and *A Summary of NFIP Policy for Local Officials* (July 2001), certain lateral additions are not considered substantial improvements to the original structure if no structural modifications are made to the common wall or roof of the original building. The county would continue to apply this policy and certain lateral additions would not require the existing building be considered substantially improved and modified to meet current floodplain development standards.

Development not Requiring a Floodplain Development Permit

According to *A Summary of NFIP Policy for Local Officials* (July 2001), Federal Insurance Act Policy Notice 77-23, dated August 10, 1977 and in effect, allows local jurisdictions to exempt certain activities, uses and structures from the requirement to obtain a floodplain permit. According to *A Summary of NFIP Policy for Local Officials*, in determining what to exempt, “FEMA does not attempt to provide standard thresholds, but does encourage communities to establish their own “triggers” for requiring permits.”

Currently, Marion County Code exempts the following activities, uses and structures:

1. Signs, markers, aids, etc., placed by a public agency to serve the public.
2. Streets, driveways, parking lots and other open space use areas where no alteration of topography will occur.
3. Minor repairs or alterations to existing structures provided the alterations do not increase the size or intensify the use of the structure, and do not constitute "substantial improvement" as defined in MCC 17.178.020(FF).
4. Customary dredging associated with channel maintenance consistent with applicable State or Federal law. This exemption does not apply to the dredged materials placed within a floodplain.
5. Placement of utility facilities necessary to serve established and permitted uses within floodplain areas, such as telephone poles. This exemption does not apply to buildings, substations, or other types of utility facilities development in the floodplain.

The Board exempts flagpoles because telephone poles, as similar structures, are already exempted. Flagpoles are not likely to cause water to dam behind them by catching a significant amount of debris

during a flood. Therefore, flagpoles are less likely than other structures to be damaged during a flood and also unlikely to cause damage to other structures during a flood.

The State of Oregon Companion Flood Damage Prevention Ordinance exempts certain types of fencing from the requirement of obtaining a floodplain permit because of their low damage potential and the low likelihood, if built according to the standards in the State of Oregon Companion Flood Damage Prevention Ordinance, the fence would dam debris behind it and worsen the effects of flooding. The Board exempts the following to be consistent with the State of Oregon Companion Flood Damage Prevention Ordinance:

Except in a floodway, open wire fencing (no more than one horizontal strand per foot of height) and open rail fencing (rails occupy less than 10% of the fence area and posts are spaced no closer than 8 feet apart).

The Board exempts accessory structures smaller than 50 square feet in size from the requirement of obtaining a floodplain permit due to their relative low market value, the relative ease of repairing them, and the low likelihood of them damaging other structures during a flood. This would save home owners the cost of a floodplain permit when constructing a small structure, such as a well house, on a property, while not appreciably causing more property damage during a flood.

Development Not Requiring an Elevation Certificate

Previously the county had amended the Rural Floodplain Overlay Zone to exempt certain types of structures from the requirement to obtain an elevation certificate. This is based on guidance from FEMA of structures for which federal law does not require an elevation permit. The Board adopts the same change into the Urban Floodplain Overlay Zone to be consistent with the rural chapter and to ensure requirements are the same for property owners whether they are developing in the urban or the rural area of the county.

Unless requested by FEMA, elevation certificates would not be required for the following uses:

1. Water dependent uses, such as boat ramps, docks, wells and well covers.
2. Improvements resulting from cut or fill operations, such as berms, bank improvements, ponds and dams.
3. Small scale facilities necessary to serve other uses, such as kiosks and open picnic shelters.
4. Grading, such as for roadways, even where alteration of topography occurs.

DECISION

The Board adopts changes to the definitions "substantial improvement" and "substantial damage," adopts additional exemptions for structures to the requirement of obtaining a floodplain permit, and amends the urban chapter of the floodplain overlay zone to exempt certain structures from the requirement to obtain an elevation certificate as described in the attached amendments.

Amendments to the Marion County Code Chapters 16.19 and 17.178

16.19.010 DEFINITIONS. For purposes of this overlay zone the following terms shall mean:

EE. ~~“Substantial damage” means flood related damage when the cost of restoring the structure would equal or exceed 20 percent of the market value of the structure before the damage occurred.~~

“Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

FF. ~~“Substantial improvement” means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 20 percent of the assessed value of the structure:~~

1. ~~Before the improvement or repair is started; or~~

2. ~~If the structure has been damaged and is being restored, before the damage occurred. For purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences whether or not that alteration affects the external dimensions of the structures. The term does not include:~~

a. ~~Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions;~~

b. ~~Any alteration of a structure listed on the National Register of Historic Places or State Inventory of Historic Places.~~

“Substantial improvement” means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

(1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or

- (2) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

16.19.110 USES. Within a FP (Floodplain) overlay zone no uses, structures, recreational vehicles and premises shall be used or established except as provided in the applicable underlying zone and the provisions of this overlay zone. Except as provided herein all uses and floodplain development shall be subject to issuance of a conditional use permit (floodplain development permit) as provided in MCC 16.19.130.

A. The following uses are exempt from the regulations of this overlay zone:

1. Signs, markers, aids, etc., placed by a public agency to serve the public.
2. Streets, driveways, parking lots and other open space use areas where no alteration of topography will occur.
3. Minor repairs or alterations to existing structures provided the alterations do not increase the size or intensify the use of the structure, and do not constitute "substantial improvement" as defined in Section MCC 16.19.010(CC).
4. Customary dredging associated with channel maintenance consistent with applicable State or Federal law. This exemption does not apply to the dredged materials placed within a floodplain.
5. Placement of utility facilities necessary to serve established and permitted uses within floodplain areas, such as telephone poles. This exemption does not apply to buildings, substations, or other types of utility facilities development in the floodplain.
6. Flagpoles.
7. Except in a floodway, open wire fencing (no more than one horizontal strand per foot of height) and open rail fencing (rails occupy less than 10% of the fence area and posts are spaced no closer than 8 feet apart).
8. Accessory structures smaller than 50 square feet in size that do not require a building permit.

16.19.130 CONDITIONAL USE PROCEDURES AND REQUIREMENTS.

- E. The applicant shall provide an elevation certificate signed by a licensed surveyor or civil engineer certifying that the actual elevations of all new or substantially improved manufactured homes, dwellings and structures meets the requirements of MCC 16.19.140(A), (B) and (C) where applicable, as follows:
1. Prior to construction (based on construction drawings), and
 2. Once the floor elevation can be determined (based on the building under construction), and
 3. Prior to occupancy (based on finished construction).

Unless requested by FEMA, elevation certificates shall not be required for the following uses:

1. Water dependent uses, such as boat ramps, docks, wells and well covers.
2. Improvements resulting from cut or fill operations, such as berms, bank improvements, ponds and dams.
3. Small scale facilities necessary to serve other uses, such as kiosks and open picnic shelters.
4. Grading, such as for roadways, even where alteration of topography occurs.

17.178.020 **DEFINITIONS.** For purposes of this overlay zone the following terms shall mean:

FF. ~~“Substantial damage” means flood related damage when the cost of restoring the structure would equal or exceed 20 percent of the market value of the structure before the damage occurred.~~

“Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

GG. ~~“Substantial improvement” means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 20 percent of the assessed value of the structure:~~

1. ~~Before the improvement or repair is started; or~~
2. ~~If the structure has been damaged and is being restored, before the damage occurred. For purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences whether or not that alteration affects the external dimensions of the structures. The term does not include:~~
 - a. ~~Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions;~~
 - b. ~~Any alteration of a structure listed on the National Register of Historic Places or State Inventory of Historic Places.~~

“Substantial improvement” means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or
- (2) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

17.178.040 USES. Within a FP (floodplain) overlay zone no uses, structures, recreational vehicles and premises shall be used or established except as provided in the applicable underlying zone and the provisions of this overlay zone. Except as provided herein all uses and floodplain development shall be subject to issuance of a conditional use permit (floodplain development permit) as provided in MCC 17.178.050.

A. The following uses are exempt from the regulations of this overlay zone:

1. Signs, markers, aids, etc., placed by a public agency to serve the public.
2. Streets, driveways, parking lots and other open space use areas where no alteration of topography will occur.
3. Minor repairs or alterations to existing structures provided the alterations do not increase the size or intensify the use of the structure, and do not constitute "substantial improvement" as defined in MCC 17.178.020(FF).
4. Customary dredging associated with channel maintenance consistent with applicable State or Federal law. This exemption does not apply to the dredged materials placed within a floodplain.
5. Placement of utility facilities necessary to serve established and permitted uses within floodplain areas, such as telephone poles. This exemption does not apply to buildings, substations, or other types of utility facilities development in the floodplain.
6. Flagpoles.
7. Except in a floodway, open wire fencing (no more than one horizontal strand per foot of height) and open rail fencing (rails occupy less than 10% of the fence area and posts are spaced no closer than 8 feet apart).
8. Accessory structures smaller than 50 square feet in size that do not require a building permit.



Marion County **OREGON**

PUBLIC WORKS

BOARD OF COMMISSIONERS

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Janet Carlson
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MARION COUNTY NOTICE OF ADOPTION

Legislative Amendment (LA) 14-2

On August 6, 2014, the Marion County Board of Commissioners adopted and signed Ordinance No. 1346 which adopted amendments to Marion County Code Chapters 16.19 and 17.178, the floodplain overlay zones, to change the definition of Substantial Damage and Substantial Improvement, adopt exemptions to the regulations of the overlay zones, and exempt certain structures from the requirement of obtaining an elevation certificate.

A copy of the adopted ordinance is being provided to interested persons, persons who participated in the public hearing process by either providing oral or written testimony and to the cities and public agencies under intergovernmental coordination agreements. The exhibits to the ordinance which provide the findings and background information upon which the plan amendments were based can be obtained from the Marion County Public Works/Planning Division, 5155 Silverton Road NE, Salem, Oregon 97305.

If you have any questions regarding this notice of adoption or the items adopted under the Ordinance, please contact Brandon Reich, Senior Planner at 503-566-45175 or by electronic mail at: breich@co.marion.or.us.

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