



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

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Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT



April 19, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of St. Helens Plan Amendment
DLCD File Number 011-05

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. This adoption was adopted by the City on March 1, 2006, and passed the 21-day appeal period from the date of the adoption.

Appeal Procedures*

DLCD DEADLINE TO APPEAL: Acknowledged under ORS 197.625 and ORS 197.830 (9)

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.625 if no notice of intent to appeal is filed within the 21-day period set out in ORS 197.830 (9), the amendment to the acknowledged comprehensive plan or land use regulation or the new land use regulation shall be considered acknowledged upon the expiration of the 21-day period.

Under ORS 197.830 (9) a notice of intent to appeal a land use decision or limited land use decision shall be filed not later than 21 days after the date the decision sought to be reviewed becomes final.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS ADOPTED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Gary Fish, DLCD Regional Representative
Skip Baker, City of St. Helens

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DEPT OF

APR 14 2006

NOTICE OF ADOPTION

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: City of St. Helens

Local File No. TotterA7.05& 8.05

Date of Adoption: Mar. 1, 2006

Date Mailed: April 13, 2006

Date of Notice of Proposed Amendment was mailed to DLCD: Dec. 20, 2005

Comp Plan Text Amendment yes ___ Comp Plan Map Amendment
Land Use Regulation Amendment yes ___ Zoning Map Amendment
New Land Use Regulation Other

Summary of the adopted amendment: Annexation and Zone Map Amendment

Describe how the adopted amendment differs from the proposed amendment.(If same, write same; if not applicable write, N/A). same

Plan Map Changed from: _Unincorporated Industrial _ to Incorporated Industrial.

Zone Map Changed from: _County Industrial to _City Industrial.

Location: 58523 Old Portland Road Acres involved _28,000 sq ft.
Columbia County Tax Assessor Lot 410902202201 & 01600

Specify density: Previous _1 DU per acre ___ New: 5 DU per acre

Applicable Goals: _1,2,9,10,11,12,&14 ___ Was an Exception Adopted? ___ no ___

Did the DLCD receive notice of Proposed Amendment 45 days prior to final hearing?

Yes ___X___ NO ___ The Statewide Planning Goals do not apply.

___ The Emer. Circumstances Req'd Expedited

Review.

Affected State or Federal Agencies, Governments or Special Districts: Columbia County,
St. Helens Rural Fire District, and St. Helens Rural School District.

Local contact: Skip Baker

Phone No. 503-397-6272

Address: P.O.Box 278

City: St. Helens, OR

Zip code: 97051

Mail to: Plan Amendment Specialist, DLCD, 635 Capitol St. NE., Ste. 150, Salem, OR. 97301

DLCD #

011-05
(14894)

ORDINANCE NO. 2987

AN ORDINANCE TO ANNEX AND DESIGNATE THE ZONE OF CERTAIN PROPERTY AT APPROXIMATELY 58523 OLD PORTLAND ROAD

WHEREAS, applicant Frank Trotter has requested to annex to the City of St. Helens that certain property described in **Exhibit A**. This property is generally located at 58523 Old Portland Road, also described as Columbia County Tax Lot 410902201400; and

WHEREAS, the applicant has consented in writing to the proposed annexation; and

WHEREAS, the applicant constitutes (1) all the owners of the property to be annexed, and (2) more than half of the owners of the property to be annexed own more than half of such property representing more than half of the assessed value pursuant to ORS 222.170(1); and

WHEREAS, the City Council must recommend the property for annexation to the voters; and

WHEREAS, the City Council must designate the incorporated Comprehensive Plan Map designation and the zone map designation; and

WHEREAS, appropriate notice has been given and a public hearing was held Feb. 15, 2006 on the annexation proposal; and

WHEREAS, the Council has considered findings of compliance with criteria and law applicable to the proposal.

NOW THEREFORE, THE CITY OF ST. HELENS DOES ORDAIN AS FOLLOWS:

1. The above recitations are true and correct and are incorporated herein by this reference.
2. The property described above is hereby accepted for annexation to the City of St. Helens.
3. The St. Helens Zoning Ordinance Map is hereby amended to reflect that the property described herein shall be zoned LI, Light Industrial.
4. The St. Helens Comprehensive Plan Map is hereby amended to reflect that the property described herein shall be designated as LI, Light Industrial.

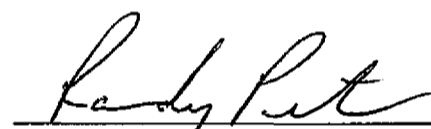
6. In support of the above annexation and zoning, the Council hereby adopts the Columbia County Annexation and Zone Map Amendment Findings of Fact and Conclusions of Law dated March 1, 2006.
7. The City Council does hereby refer the final decision to annex this property to the voters of the City of St. Helens.
8. The effective date of this Ordinance shall be the date of the successful approval by the voters of the City of St. Helens, in accordance with the City Charter and other applicable laws.

Read the first time:	February 15, 2006
Read the second time:	February 15, 2006
Read the third time:	March 1, 2006
Approved by the Mayor:	March 1, 2006

Attested by:



Brian D. Little, City Recorder



Randy Peterson, Mayor



4109-022-01400



1 in. = 300.0 feet



EXHIBIT 'A'

Legal Description:

PARCEL 1: All of Lots 3 and 10 and part of Lots 4 and 9, Block 2, South St. Helens Addition to St. Helens, Columbia County, Oregon, described as follows:

Beginning at the most Westerly corner of said Lot 3; thence North 25° 10' East along the Northwestern line of Lot 3 and Lot 4, 80 feet; thence Southeasterly parallel with the Northeasterly line of Lots 4 and 9, 200 feet to the Southeasterly line of said Lot 9; thence South 25° 10' West along the Southeasterly line of said Lots 9 and 10, 80 feet to the most Southerly corner of said Lot 10; thence Northwesterly along the Southwesterly line of said Lots 10 and 3, 200 feet to the point of beginning.

PARCEL 2 : Beginning at the most Westerly corner of Lot 6, Block 2, SOUTH ST. HELENS Addition to St. Helens, Columbia County, Oregon; thence Northeasterly along the Northwestern line of said Lot 6, 10 feet; thence Southeasterly parallel to the Southwesterly line of Lots 6 and 7, 200 feet to the Southeasterly line of Lot 7; thence Southwesterly along the Southeasterly lines of Lots 7 and 8 and 9, 85 feet; thence Northwesterly parallel to the Southwesterly line of Lots 4 and 9, 200 feet to the Northwestern line of Lot 4; thence Northeasterly along the Northwestern line of Lots 4, 5 and 6, 75 feet to the point of beginning.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT; A tract of land in Block 2, South St. Helens as per plat on file and of record in the Clerk's Office, Columbia County, Oregon in the West half of Section 9, Township 4 North, Range 1 West, Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

Beginning at the most Westerly corner of Lot 3, Block 2 of said South St. Helens; thence North 25°10'00" East, along the Westerly line of said Block 2, a distance of 80.00 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC." and the true point of beginning of the following described tract; thence South 64°50'00" East a distance of 120.80 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 70°10'00" East a distance of 15.84 feet to a mag nail with brass washer stamped "REYNOLDS LS 2157"; thence South 64°50'00" East a distance of 68.00 feet to a mag nail with brass washer stamped "REYNOLDS LS 2157" on the Easterly line of said Block 2; thence North 25°10'00" East, along the Easterly line of said Block 2, a distance of 73.80 feet to the most Easterly corner of the Lane W. Brown, et ux tract as described in Book 194, page 590, Dead Records of Columbia County, Oregon; thence North 64°50'00" West, along the Northerly line of said Lane W. Brown, et ux tract, a distance of 200.00 feet to the most Northerly corner thereof; thence South 25°10'00" West, along the Westerly line of said Block 2, a distance of 85.00 feet to the true point of beginning.

PARCEL 3: TOGETHER WITH a 5.00 foot wide easement for ingress and egress being 5.00 feet Northerly of and adjacent to the following described line:

Beginning at the most Westerly corner of Lot 3, Block 2 of said South St. Helens; thence North 25°10'00" East, along the Westerly line of said Block 2, a distance of 80.00 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence South 64°50'00" East a distance of 100.80 feet to the true point of beginning of the following described easement; thence South 64°50'00" East a distance of 20.00 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 70°10'00" East a distance of 15.84 feet to a mag nail with brass washer stamped "REYNOLDS LS 2157"; thence South 64°50'00" East a distance of 68.00 feet to a mag nail with brass washer stamped "REYNOLDS LS 2157" on the Easterly line of said Block 2 and the end of the easement.

Subject to:

The rights of the public in and to that portion of the premises herein described lying within the limits of public roads, streets and highways.

FINDINGS OF FACT AND CONCLUSIONS OF LAW
Trotter Old Portland Road

REQUEST:

Frank Trotter has requested to annex a property into the City of St. Helens, Oregon.

PUBLIC HEARING:

A Public Hearing was held on February 14, 2006 in front of the Planning Commission and February 15, 2006 in front of the City Council.

NOTICE OF PUBLIC HEARING:

A notice of this Public Hearing on this annexation request and zoning amendment was sent to property owners within 300 feet of the properties proposed for annexation on January 9, 2006 by first class mail. Notice was published in the local newspaper Jan. 25 & Feb. 1, 2006. Notice was sent to Oregon Department of Land Conservation and Development December 20, 2005.

LOCATION:

The property is located at 58523 Old Portland Road. This site is also known as Columbia County Tax Assessor tax lot 1400 on map 4109022. It is Lots 3 & 10 and the south 75 feet of Lots 4 & 9 of Block 2 of the St. Helens Subdivision South Plat.

SITE INFORMATION:

The site is about 16,000 square feet in size.

REFERRALS: Sent to the following:

1. St Helens Police, Public Works, Parks, Building Official, Waste Water Treatment Plan Superintendent and Public Works Manager.
2. Columbia County Land Development Services, Surveyor, Planning Commission, Board of Commissioners and Roadmaster.
3. St. Helens Rural Fire District
4. St. Helens School District #502
5. Columbia County 911, Emergency Communications District.
6. Columbia River PUD
7. Portland General Electric
8. Community Public Health Department
9. NW Natural Gas

No adverse comments to date other than the standard statement from the School District about adding additional students to the school system.

CRITERIA:

The principle criteria for annexation are:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and
2. The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.
3. Complies with State laws.

The property will need to be zoned to conform to the City's adopted Comprehensive Plan and Zoning Map. The criteria for amending the Zoning Map are:

1. The applicable Comprehensive Plan policies and map designation; and that the change will not adversely affect the health, safety, and welfare of the community;
2. Statewide planning goals adopted under Oregon Revised Statutes Chapter 197, until acknowledgment of the Comprehensive Plan and ordinances;
3. The standards applicable of any provision of this Code or other applicable implementing ordinance; and
4. Evidence of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or zoning map as it relates to the property which is the subject of the development application.

EVALUATION:

The principle criteria for annexation are:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and

Finding: Service agencies have been notified of this request. Their comments are listed above in the Referrals Section.

Finding: The current water system has excess capacity of about 100% or about twice the consumption rate as the sewer has excess capacity at the plant of over twice the use rate

domestically.

Finding: Old Portland Road is on the east side of this site. Old Portland Road meet City Standards. Old Portland Road is designated as a minor arterial.

Finding: There is a pressure sewer line in Old Portland Road in front of this site.

Finding: There is a water line in Old Portland Road.

2. The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.

Finding: There do not appear to be any applicable comprehensive plan policies that directly relate to this request except for the zone map amendment.

Finding: The only implementing ordinance that applies is the Code and this process, including the below required criteria for a zone map amendment, applies to this annexation.

3. Complies with State laws.

Finding: State law in ORS 222 requires the proposed property for annexation to be contiguous to a City Limit as defined by law.

Finding: This site is contiguous to the City Limits on the east side.

Finding: State law in ORS 222 requires that all property owners of the proposed property to be annexed and at least half of the electors residing on the property shall be required to consent in writing.

Finding: There are no residents currently.

The criteria for amending the Zoning Map are:

1. The applicable Comprehensive Plan policies and map designation; and that the change will not adversely affect the health, safety, and welfare of the community;

Finding: This property is located in an Unincorporated Light Industrial designated area according to the Comprehensive Plan Map.

Finding: The policy of the Comprehensive Plan for Light Industrial lands is that the City of St. Helens should zone it as LI, Light Industrial and designate it Light Industrial.

2. Statewide planning goals adopted under Oregon Revised Statutes Chapter 197,

until acknowledgment of the Comprehensive Plan and ordinances;

Finding: The St. Helens' Comprehensive Plan has been acknowledged by the State.

3. The standards applicable of any provision of this Code or other applicable implementing ordinance; and

Finding: The Community Development Code specifies a process as per Chapter 1.075, to wit this process is being carried out.

Finding: The Code requires that any changes to the Comprehensive Plan Map and/or Zone Map be in compliance with the current designation shown on the Comprehensive Plan Map and in the policies applicable thereof.

Finding: The Comprehensive Plan Map indicates that this site is located in a Unincorporated Light Industrial area.

Finding: The Code requires that each property annexed into the City must be identified as Established or Developing.

Finding: The definition for an "established area" is an area where the land is not classified as buildable under Oregon Administrative Rule 660-08.0005 which states that buildable shall be land that is residentially designated vacant. Lands which are underdeveloped for the zone can be classified as buildable. This property is industrial and thus the rule does not apply.

4. Evidence of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or zoning map as it relates to the property which is the subject of the development application.

Finding: This application is not for development.

Finding: This area of land abuts the City Limits on one side but is inside a large area that is fully surrounded by the City.

Finding: The lots to the north and south are already developed.

The Planning Commission held a public hearing, received evidence into the record and deliberated to a decision based upon the record to recommend to the City Council that this application be approved with the amendments to the Comprehensive Plan Map and Zone Map to change the zone to LI, Light Industrial.


CONCLUSIONS:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and
2. The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.
3. Complies with State laws.
4. Complies with the applicable Comprehensive Plan policies and map designation: and the zone change will not adversely affect the health, safety, and welfare of the community;
5. The City's Comprehensive Plan and ordinances have been acknowledged by the State.
6. Meets the standards applicable of any provision of this Code or other applicable implementing ordinance.
7. The property mostly abuts developed lands on the north and south sides.
8. The zone should be LI, Light Industrial in keeping with the Comprehensive Plan Map and policies of the Plan.
9. The new designation should be LI, Light Industrial on the Comprehensive Plan Map after annexation is completed.

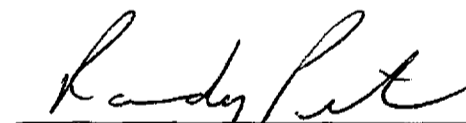
The City Council held a public hearing and based upon the evidence in the record and the recommendation from the Planning Commission approved the application for annexation of the Trotter property located at 58523 Old Portland Road with amendments to the Comprehensive Plan and Zone Maps to LI, Light Industrial.

Attested by:

Signed by:



Brian D. Little, City Administrator



Randy Peterson, Mayor

FILE COPY

ORDINANCE NO. 2988

**AN ORDINANCE TO ANNEX AND DESIGNATE THE
ZONE OF CERTAIN PROPERTY AT APPROXIMATELY
36124 CONSTRUCTION WAY**

WHEREAS, applicant Frank Trotter has requested to annex to the City of St. Helens that certain property described in **Exhibit A**. This property is generally located at 36124 Construction Way (aka Kelly Drive), also described as Columbia County Tax Lot 410902201400; and

WHEREAS, the applicant has consented in writing to the proposed annexation; and

WHEREAS, the applicant constitutes (1) all the owners of the property to be annexed, and (2) more than half of the owners of the property to be annexed own more than half of such property representing more than half of the assessed value pursuant to ORS 222.170(1); and

WHEREAS, the City Council must recommend the property for annexation to the voters; and

WHEREAS, the City Council must designate the incorporated Comprehensive Plan Map designation and the zone map designation; and

WHEREAS, appropriate notice has been given and a public hearing was held Feb. 15, 2006 on the annexation proposal; and

WHEREAS, the Council has considered findings of compliance with criteria and law applicable to the proposal.

NOW THEREFORE, THE CITY OF ST. HELENS DOES ORDAIN AS FOLLOWS:

1. The above recitations are true and correct and are incorporated herein by this reference.
2. The property described above is hereby accepted for annexation to the City of St. Helens.
3. The St. Helens Zoning Ordinance Map is hereby amended to reflect that the property described herein shall be zoned LI, Light Industrial.

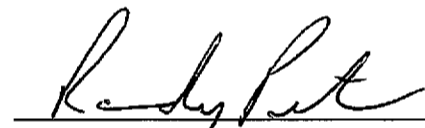
4. The St. Helens Comprehensive Plan Map is hereby amended to reflect that the property described herein shall be designated as LI, Light Industrial.
6. In support of the above annexation and zoning, the Council hereby adopts the Columbia County Annexation and Zone Map Amendment Findings of Fact and Conclusions of Law dated March 1, 2006.
7. The City Council does hereby refer the final decision to annex this property to the voters of the City of St. Helens.
8. The effective date of this Ordinance shall be the date of the successful approval by the voters of the City of St. Helens, in accordance with the City Charter and other applicable laws.

Read the first time:	February 15, 2006
Read the second time:	February 15, 2006
Read the third time:	March 1, 2006
Approved by the Mayor:	March 1, 2006

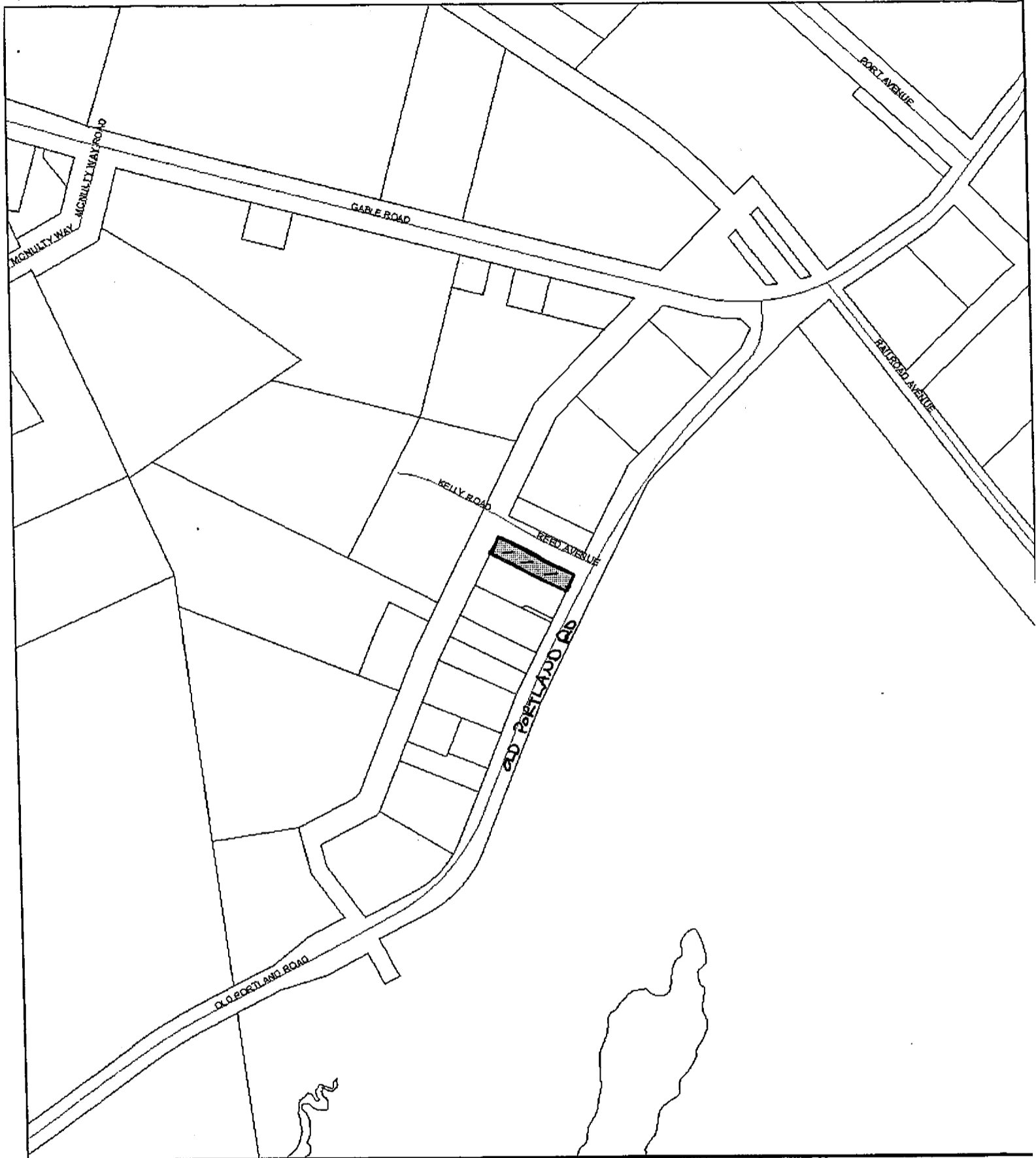
Attested by:



Brian D. Little, City Recorder



Randy Peterson, Mayor



4109-022-01600



1 in. = 300.0 feet



EXHIBIT A

LEGAL DESCRIPTION

That portion of Lots 6 and 7, Block 2, SOUTH ST. HELENS ADDITION TO ST. HELENS, Columbia County, Oregon, described as follows:
BEGINNING at the most Northerly corner of said Lot 6;
Thence Southeasterly along the Northeasterly line of said Lots 6 and 7, 200 feet to the most Easterly corner of Lot 7;
Thence Southwesterly along the Southeasterly line of Lot 7, a distance of 40 feet;
Thence Northwesterly 200 feet to a point on the Northwesterly line of Lot 6 that is Southwesterly 40 feet from the point of beginning;
Thence Northeasterly 40 feet to the POINT OF BEGINNING.

FINDINGS OF FACT AND CONCLUSIONS OF LAW
Trotter Construction Way

REQUEST:

Frank Trotter has requested to annex a property into the City of St. Helens, Oregon.

PUBLIC HEARING:

A Public Hearing was held on February 14, 2006 in front of the Planning Commission and February 15, 2006 in front of the City Council.

NOTICE OF PUBLIC HEARING:

A notice of this Public Hearing on this annexation request and zoning amendment was sent to property owners within 300 feet of the properties proposed for annexation on January 9, 2006 by first class mail. Notice was published in the local newspaper Jan. 25 & Feb. 1, 2006. Notice was sent to Oregon Department of Land Conservation and Development December 20, 2005.

LOCATION:

The property is located at 36124 Construction Way (aka Kelly Drive). This site is also known as Columbia County Tax Assessor tax lot 1600 on map 4109022. It is the north 40 feet of Lots 6 & 7 of Block 2 of the St. Helens Subdivision South Plat.

SITE INFORMATION:

The site is about 12,000 square feet in size.

REFERRALS: Sent to the following:

1. St Helens Police, Public Works, Parks, Building Official, Waste Water Treatment Plan Superintendent and Public Works Manager.
2. Columbia County Land Development Services, Surveyor, Planning Commission, Board of Commissioners and Roadmaster.
3. St. Helens Rural Fire District
4. St. Helens School District #502
5. Columbia County 911, Emergency Communications District.
6. Columbia River PUD
7. Portland General Electric
8. Community Public Health Department
9. NW Natural Gas

No adverse comments to date other than the standard statement from the School District about adding additional students to the school system.

CRITERIA:

The principle criteria for annexation are:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and
2. The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.
3. Complies with State laws.

The property will need to be zoned to conform to the City's adopted Comprehensive Plan and Zoning Map. The criteria for amending the Zoning Map are:

1. The applicable Comprehensive Plan policies and map designation; and that the change will not adversely affect the health, safety, and welfare of the community;
2. Statewide planning goals adopted under Oregon Revised Statutes Chapter 197, until acknowledgment of the Comprehensive Plan and ordinances;
3. The standards applicable of any provision of this Code or other applicable implementing ordinance; and
4. Evidence of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or zoning map as it relates to the property which is the subject of the development application.

EVALUATION:

The principle criteria for annexation are:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and

Finding: Service agencies have been notified of this request. Their comments are listed above in the Referrals Section.

Finding: The current water system has excess capacity of about 100% or about twice the consumption rate as the sewer has excess capacity at the plant of over twice the use rate

domestically.

Finding: Old Portland Road is on the east side of this site and Construction Way is on the north side. Neither Construction Way nor Old Portland Road meet City Standards. Old Portland Road is designated as a minor arterial and Construction Way is a local street.

Finding: There is a pressure sewer line in Old Portland Road in front of this site.

Finding: There is a water line in Old Portland Road and Construction Way.

2. The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.

Finding: There do not appear to be any applicable comprehensive plan policies that directly relate to this request except for the zone map amendment.

Finding: The only implementing ordinance that applies is the Code and this process, including the below required criteria for a zone map amendment, applies to this annexation.

3. Complies with State laws.

Finding: State law in ORS 222 requires the proposed property for annexation to be contiguous to a City Limit as defined by law.

Finding: This site is contiguous to the City Limits on the east side.

Finding: State law in ORS 222 requires that all property owners of the proposed property to be annexed and at least half of the electors residing on the property shall be required to consent in writing.

Finding: There are no residents currently.

The criteria for amending the Zoning Map are:

1. The applicable Comprehensive Plan policies and map designation: and that the change will not adversely affect the health, safety, and welfare of the community;

Finding: This property is located in an Unincorporated Light Industrial designated area according to the Comprehensive Plan Map.

Finding: The policy of the Comprehensive Plan for Light Industrial lands is that the City of St. Helens should zone it as LI, Light Industrial and designate it Light Industrial.

2. Statewide planning goals adopted under Oregon Revised Statutes Chapter 197, until acknowledgment of the Comprehensive Plan and ordinances;

Finding: The St. Helens' Comprehensive Plan has been acknowledged by the State.

3. The standards applicable of any provision of this Code or other applicable implementing ordinance; and

Finding: The Community Development Code specifies a process as per Chapter 1.075, to wit this process is being carried out.

Finding: The Code requires that any changes to the Comprehensive Plan Map and/or Zone Map be in compliance with the current designation shown on the Comprehensive Plan Map and in the policies applicable thereof.

Finding: The Comprehensive Plan Map indicates that this site is located in a Unincorporated Light Industrial area.

Finding: The Code requires that each property annexed into the City must be identified as Established or Developing.

Finding: The definition for an "established area" is an area where the land is not classified as buildable under Oregon Administrative Rule 660-08.0005 which states that buildable shall be land that is residentially designated vacant. Lands which are underdeveloped for the zone can be classified as buildable. This property is industrial and thus the rule does not apply.

4. Evidence of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or zoning map as it relates to the property which is the subject of the development application.

Finding: This application is not for development.

Finding: This area of land abuts the City Limits on one side but is inside a large area that is fully surrounded by the City.

Finding: The lots to the north and south are already developed.

The Planning Commission held a public hearing, received evidence into the record and deliberated to a decision based upon the record to recommend to the City Council that this application be approved with the amendments to the Comprehensive Plan Map and Zone Map to change the zone to LI, Light Industrial.

CONCLUSIONS:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and
2. The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.
3. Complies with State laws.
4. Complies with the applicable Comprehensive Plan policies and map designation: and the zone change will not adversely affect the health, safety, and welfare of the community;
5. The City's Comprehensive Plan and ordinances have been acknowledged by the State.
6. Meets the standards applicable of any provision of this Code or other applicable implementing ordinance.
7. The property mostly abuts developed lands on the north and south sides.
8. The zone should be LI, Light Industrial in keeping with the Comprehensive Plan Map and policies of the Plan.
9. The new designation should be LI, Light Industrial on the Comprehensive Plan Map after annexation is completed.


The City Council held a public hearing and based upon the evidence in the record and the recommendation from the Planning Commission approved the application for annexation of the Trotter property located at 36124 Construction Way with amendments to the Comprehensive Plan and Zone Maps to LI, Light Industrial.

Attested by:

Signed by:



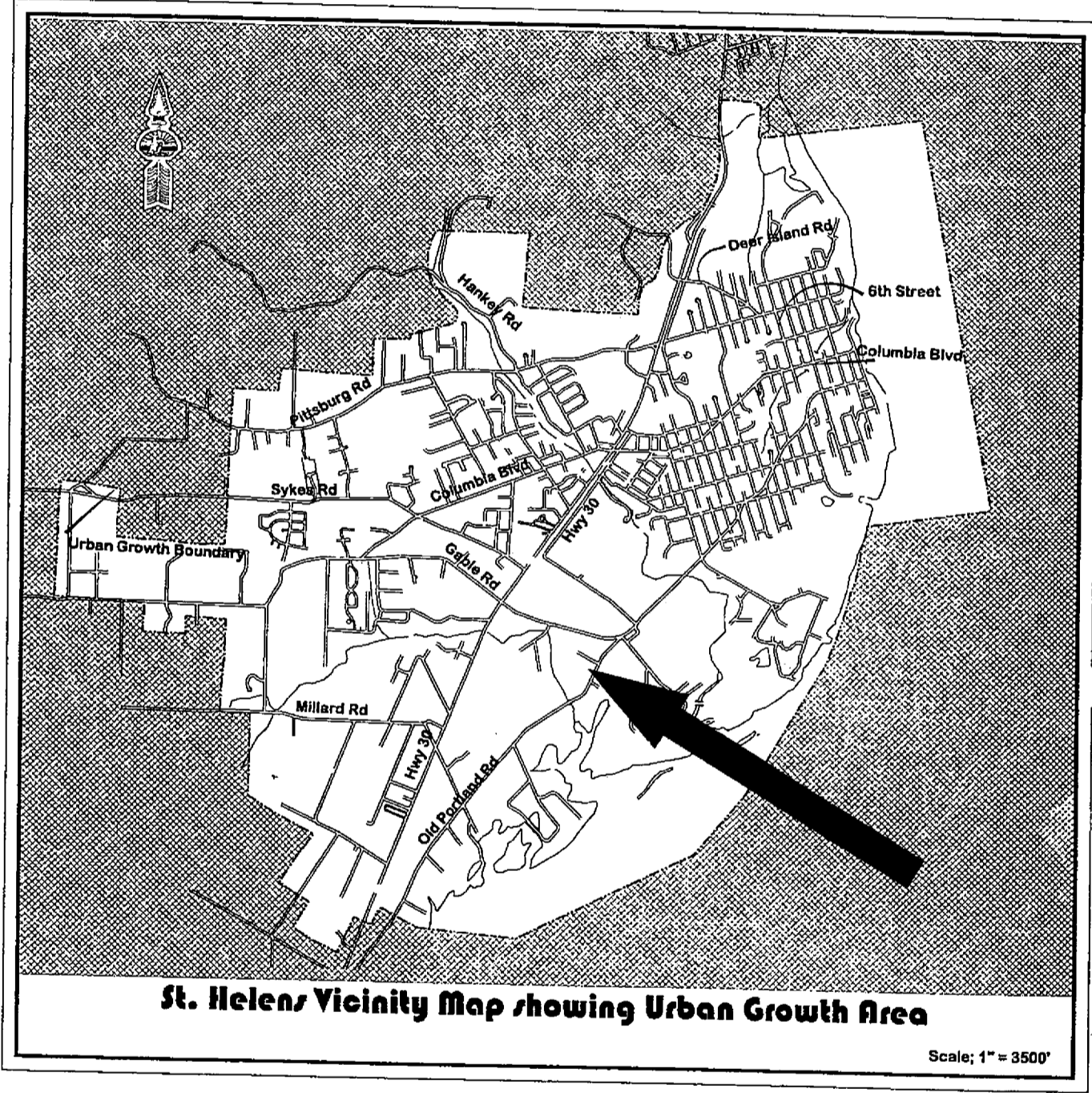
Brian D. Little, City Administrator

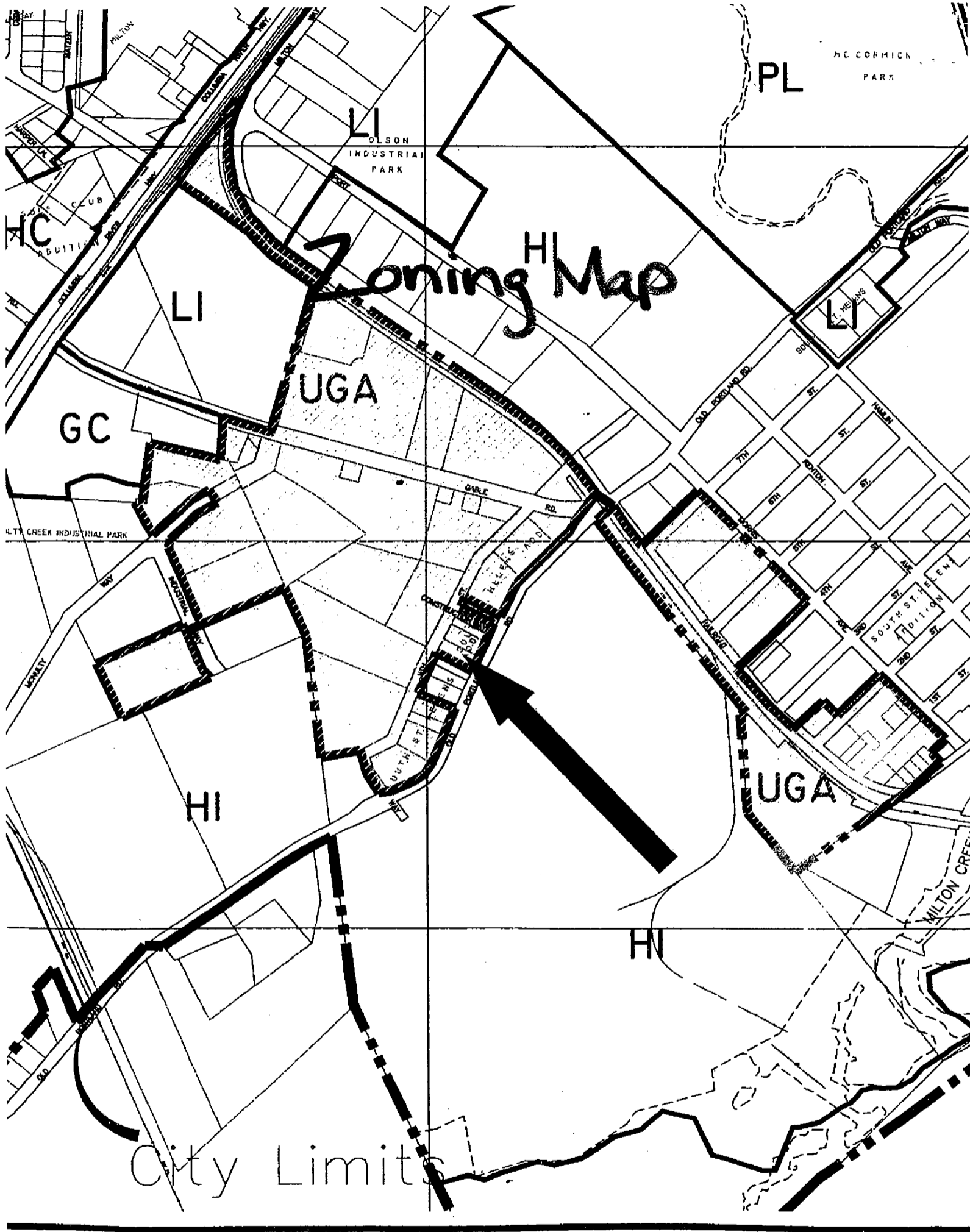


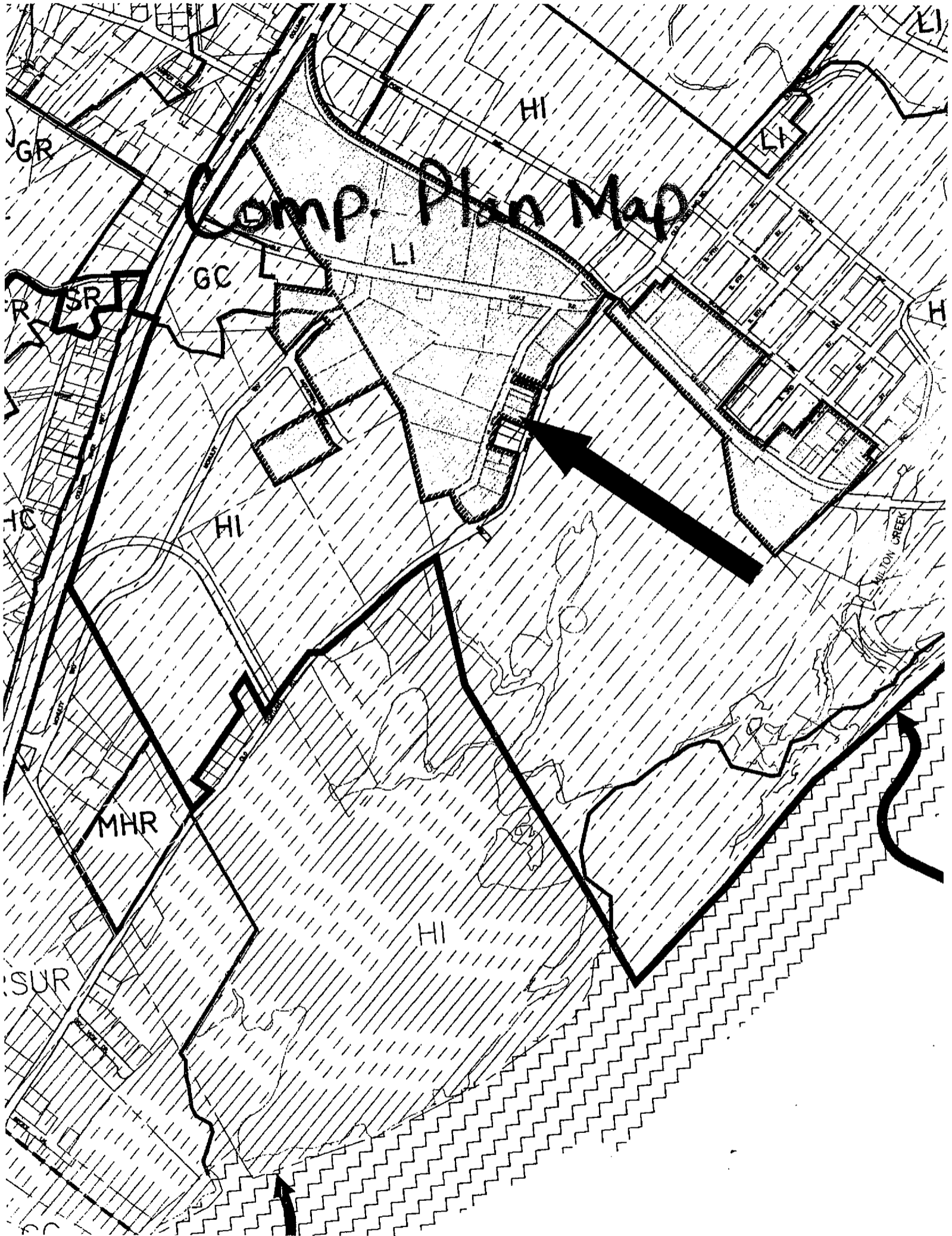
Randy Peterson, Mayor

Subject Property

~ Approximate Location ~







08

RD. NO. 40

500
0.14 AC.

600
0.18 AC.

700
0.36 AC.

800
2.12 AC.

900
2.12 AC.

1101
0.42 AC.

1200

1300

1400

1500

1600

1700

1800

1900

2000

11/2

10

21

8

9

22

7

24

6

25

4

26

3

27

2

28

29

1

12

2/11

3/10

5/8

6/7

ORD# 64-2002

STREET

CONSTRUCTION WAY

9TH

OLD PORTLAND ST. HELENS ROAD

TICOR FILE

This map and the accompanying legal description are provided solely to assist in locating the subject property. Ticor Title assumes no liability for discrepancies.

2-01

0033