



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

December 22, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Estacada Plan Amendment
DLCD File Number 003-06



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: January 4, 2007

This amendment was submitted to DLCD for review 45 days 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 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.**

Cc: Doug White, DLCD Community Services Specialist
Stacy Humphrey, DLCD Regional Representative
Mike McCallister, City of Estacada

<paa> ya/

FORM 2 Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

DEPT OF
DEC 15 2006
LAND CONSERVATION
AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: City of Estacada Local file number: Annex 2006-4
Date of Adoption: 12/11/2006 Date Mailed: 12/14/2006
Date original Notice of Proposed Amendment was mailed to DLCD: 4/25/2006

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: Annexation

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Annex to the City of Estacada property described as 34E, 20, tax lot 700. Zone change map amendment from RRFF-5 (County designation) to C-1 (Commercial) consistent with the City Comprehensive Plan.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

No substantial changes.

Plan Map Changed from: n/a to: _____

Zone Map Changed from: RRFF-5 to: C-1

Location: 34E, 20, tax lot 700 Acres Involved: 1

Specify Density: Previous: 5 acre New: n/a

Applicable Statewide Planning Goals: 9, 11, 12 & 14

Was and Exception Adopted? YES NO

DLCD File No.: 003-06 (15182) 1 of 2

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing? **Yes** **No**

If no, do the statewide planning goals apply? **Yes** **No**

If no, did Emergency Circumstances require immediate adoption? **Yes** **No**

Affected State or Federal Agencies, Local Governments or Special Districts:

Clackamas County, Estacada Fire Dept, ODOT.

Local Contact: **Mike McCallister** Phone: **(503) 353-4502** Extension: _____
Address: **9101 SE Sunnybrook** City: **Clackamas**
Zip Code + 4: **97015-** Email Address: _____
mikem@co.clackamas.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO (2) Copies** of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to **maru.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

2 Notice of Adoption

DEPT OF

DEC 15 2006

LAND CONSERVATION AND DEVELOPMENT

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For DLCD Use Only

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Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".
No substantial changes.

Plan Map Changed from: n/a to:
Zone Map Changed from: RRFF-5 to: R-1
Location: 34E, 20, tax lot 104 Acres Involved: 1
Specify Density: Previous: 5 accre New: 7500 sq ft
Applicable Statewide Planning Goals: 10, 11, 12 & 14
Was and Exception Adopted? YES NO

DLCD File No.: 003-06 (15182) 2 of 2

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply? Yes No

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Local Contact: **Mike McCallister** Phone: **(503) 353-4502** Extension:

Address: **9101 SE Sunnybrook** City: **Clackamas**

Zip Code + 4: **97015-** Email Address: **mikem@co.clackamas.or.us**

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RESOLUTION 2006 – NO. 25

A RESOLUTION OF THE ESTACADA CITY COUNCIL PROCLAIMING ANNEXATION OF 1 ACRE OWNED BY PARK ESTACADA LLC.

WHEREAS, Michael Park, representing Park Estacada LLC, submitted a petition to the City requesting that certain properties of which they have ownership be annexed to the City. The petition met the requirements for initiating a proposal set forth in Estacada Code Chapter 16.124; and

WHEREAS, the Estacada Planning Commission conducted a public hearing on the proposal on June 22, 2006 after the proper publications and notices and forwarded a recommendation of approval with conditions; and

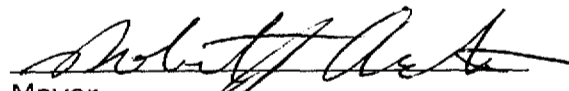
WHEREAS, after proper notices and publications the Estacada City Council conducted a public hearing on July 24, 2006 and voted to approve the annexation request with conditions and submit it to a vote of the City electors at the next available election; and

WHEREAS, the Estacada City Council adopted Resolution 2006 – No. 015 at their August 14, 2006 meeting calling for a measure election to submit to the electors of the City the question of annexation of 1 acre into the City limits; and

WHEREAS, on November 7, 2006 there was an election held and the question of this annexation was asked of all electors inside the City of Estacada and the outcome was 525 yes to 247 no votes, therefore a majority of the electors approving the annexation.

NOW, THEREFORE IT IS ORDERED THAT the territory described in Exhibit "A" is annexed to the City of Estacada according to the City Council findings and decision in Exhibit "B".

PASSED and effective this 11th day of December, 2006.


Mayor

ATTEST:

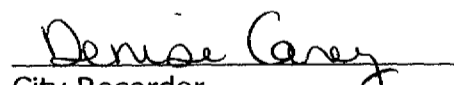

City Recorder

EXHIBIT A

LEGAL DESCRIPTION
LOT 3, "CONNIE ACRES" PLAT NO. 1497

JOB NO. 6042
3-28-06 JCM

EXHIBIT "A"

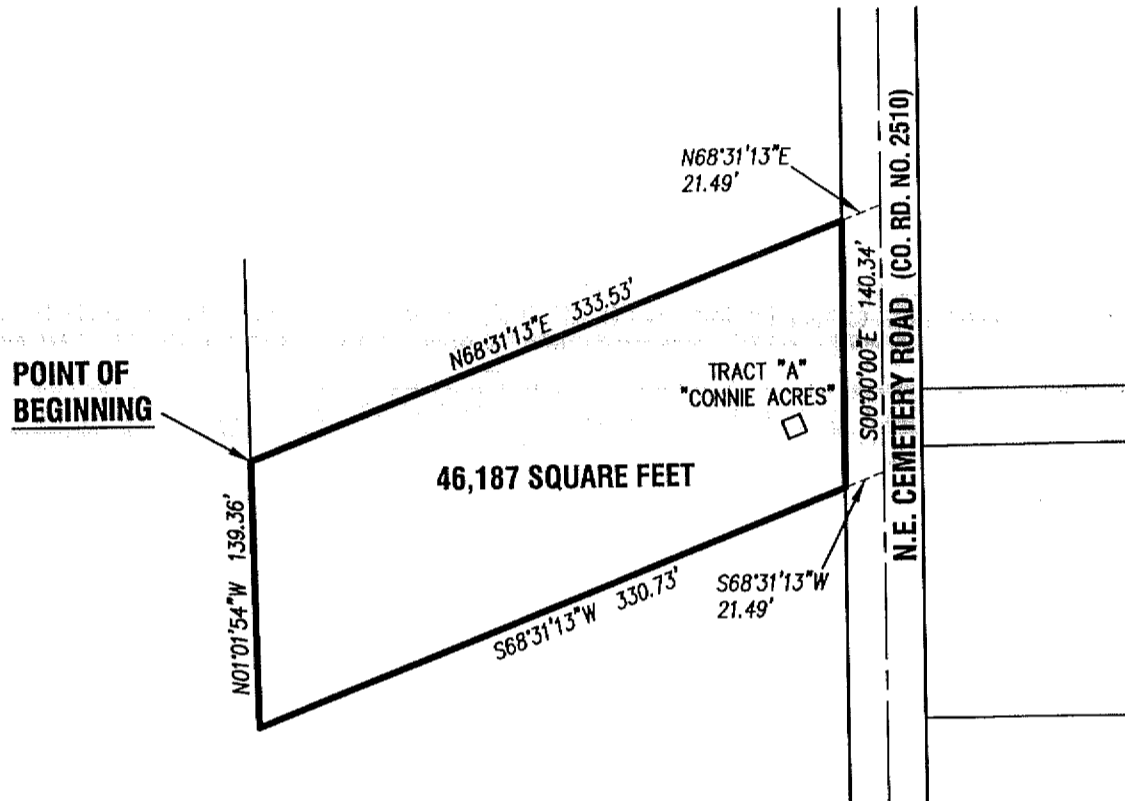
A TRACT OF LAND IN THE WILLIAM WADE DONATION LAND CLAIM NO. 39, LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, BEING LOT 3, "CONNIE ACRES", PLAT NO 1497, CLACKAMAS COUNTY PLAT RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH DIAMETER IRON ROD AT THE NORTHWEST CORNER OF SAID LOT 3; THENCE N.68°31'13"E., 333.53 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF NE CEMETERY ROAD (COUNTY ROAD NO. 2510)(20.00 FEET FROM CENTERLINE); THENCE CONTINUING N.68°31'13"E., 21.49 FEET TO THE CENTERLINE THEREOF; THENCE ALONG SAID CENTERLINE, S.00°00'00"E., 140.34 FEET; THENCE S.68°31'13"W., 21.49 FEET TO A 5/8-INCH DIAMETER IRON ROD AT THE SOUTHEAST CORNER OF SAID LOT 3 ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID NE CEMETERY ROAD; THENCE ALONG THE SOUTH LINE OF SAID LOT 3, S.68°31'13"W., 330.73 FEET TO A 5/8-INCH DIAMETER IRON ROD AT THE SOUTHWEST CORNER OF SAID LOT 3; THENCE ALONG THE WEST LINE OF SAID LOT 3, N.01°01'54"W., 139.36 FEET TO THE POINT-OF-BEGINNING, CONTAINING 46,187 SQUARE FEET, MORE OR LESS.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN PUBLIC ROADS.

EXCEPTING TRACT "A", "CONNIE ACRES", PLAT NO. 1497.

TOGETHER WITH AN UNDIVIDED ONE-THIRD INTEREST IN THE WELL SITE BEING A PORTION OF LOT 3 OF SAID PLAT DESCRIBED AS TRACT "A".



Scale: 1" = 100'

EXHIBIT "B"

COMPASS ENGINEERING
 ENGINEERING SURVEYING PLANNING
 6564 S.E. LAKE ROAD (503) 653-9093 PHONE
 MILWAUKIE, OREGON 97222 WWW.COMPASS-ENGINEERING.COM

LOT 3, "CONNIE ACRES", PLAT NO. 1497
 S.W. 1/4 SECTION 16, T.3S., R.4E., W.M.
 CLACKAMAS COUNTY, OREGON

EXHIBIT B

NAME: Park Estacada LLC
FILE NO.: 2006-04-A
PUBLIC HEARING DATE: July 24, 2006

CITY COUNCIL FINDINGS AND DECISION

GENERAL INFORMATION

Applicant: Park Estacada LLC; Michael Park; PO Box 369; Estacada, OR 97023

Owner(s): Same

Proposal: Annexation of two separate parcels of approximately 1.0 acres of land within the Estacada Urban Growth Boundary into the City Limits. The two parcels included in this application are not contiguous. This application includes a corresponding zone change for each parcel. The zone change for one parcel is from RRFF-5 to R-1. The zone change for the other parcel is from RRFF-5 to C-1. Both zone change requests are consistent with the Estacada Comprehensive Plan land use designation.

Location: One parcel is located on east side of Eagle Creek Road, approximately 400 feet north of its intersection with 10th Street. The other parcel is located on the west side of Cemetery Road, approximately 100 feet north of its intersection with NE Rockwell Drive.

Legal Description: T3S, R4E, Section 20, Tax Lots 104 and 700.

Zone: Rural Residential Farm Forest, 5 acre minimum lot size (County Zoning District).

Comprehensive Plan Designation: County Designation: Rural; City Designation: Low Density Residential (tax lot 104) and Commercial (tax lot 700).

Planning Staff Recommendation: Approval.

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PART 1: ANNEXATION APPLICATION

REVIEW PROCESS

Section 16.124 of the City Code outlines the review procedures for Annexation applications. The procedure is summarized as follows. Once a complete application is submitted and the City Planner completes a staff report, the Planning Commission is required to hold at least one open public meeting on the annexation request. Within 45

days following the Planning Commission meeting, unless a continuance is requested, the Commission shall adopt specific findings of fact addressing the review criteria and forward a recommendation to the City Council. The matter will then be set for a public hearing before the City Council. The City Council may adopt the Planning Commission findings for approval or denial of the annexation, supplement the record as appropriate, or reject the findings and adopt new findings. If the annexation application is approved by the City Council, it shall be referred to the voters in the following May or November election.

CONCLUSIONS AND FINDINGS

This application is subject to the standards and criteria in Section 16.124.020 – 16.124.130 of the Estacada City Code.

A. Section 16.124.020 outlines two conditions which must be met prior to or concurrent with the City processing an annexation request.

1. Section 16.124.020(A): *The subject site must be located within the Estacada urban growth boundary (UGB).*

According to the Estacada Comprehensive Plan map, both parcels are located within the Estacada Urban Growth Boundary.

2. Section 16.124.020(B): *The subject site must be contiguous to the existing city limits.*

Tax lot 104 is contiguous to property within the existing City Limits on two sides (south and west). Tax lot 700 is contiguous to property within the existing City Limits on 3 sides (north, south and east).

The requirements of Section 16.124.020 are met.

B. Section 16.124.030 outlines the criteria which applies to all annexation requests.

1. Section 16.124.030(A): *The proposed use for the site complies with the Estacada Comprehensive Plan and with the designation on the Estacada Comprehensive Plan map. If a redesignation of the plan map is requested concurrent with the annexation, the uses allowed under the proposed designation must comply with the Estacada Comprehensive Plan.*

Tax lot 104 is designated Low Density Residential on the Estacada Comprehensive Plan map. The R-1 zoning district implements the Low Density Residential Plan designation. Tax lot 700 is designated Commercial on the Estacada Comprehensive Plan. The C-1 zoning district implements the Community Plan designation. The applicant has not proposed to change the Comprehensive Plan designation. The applicant has proposed to change the current County RRFF-5 zoning designation on both parcels to R-1 and C-1,

respectively, consistent with the existing Low Density Residential and Commercial Plan designation. The applicant has proposed to develop these parcels with a Planned Development consisting of a mix of residential, condominium and commercial uses. A Planned Development is a use which may be allowed in the R-1 and C-1 zoning district. The proposed use of the site is generally consistent with the Estacada Comprehensive Plan.

This criterion is met.

2. Section 16.124.030(B): Adequate capacity of urban services must exist or be made available with three years of annexation approval. An adequate capacity of urban services shall mean:

a. Municipal sanitary sewer and water service meeting the requirements enumerated in the City of Estacada's Water and Sewer Master Plans for the provision of these services.

Public sanitary sewer and water service does not currently exist to the site. The Public Works Director, Chris Randall has submitted comments addressing the adequacy of the public water and sewer system. See Exhibit 2. The City sewer and water systems are nearing capacity due to the approval of over 500 new subdivision lots, however, up to 300 additional sewer and water connections are available at this time. Additional connections will only be available if currently unfunded upgrades are completed for the sewer and water treatment facilities. The existing capacity of the sewer and water systems will provide an adequate capacity of sewer and water services to support development on the subject property. This memorandum is adopted as part of this staff report by reference therein.

This criterion is met.

b. Roads with an adequate design capacity for the proposed use and projected future uses. Where construction of the road is not deemed necessary within the three-year time period, the City shall note requirements including but not limited to dedication of right-of-way, waiver of remonstrance against assessment for road improvement costs, or participation in other traffic improvement costs, for application at the appropriate level of the planning process. The City shall also consider public costs for improvement and the ability of the City to provide for those costs.

Tax lot 104 has frontage on Cemetery Road, which is designated as a minor collector street. Tax lot 700 has frontage on SE Eagle Creek Road, which is designated as a major collector street. The City of Estacada Transportation System Plan (TSP) does address the adequacy of the transportation system to accommodate traffic based on existing plan and zoning designations through the year 2019. The TSP also provides a Level of Service (LOS) analysis for specific intersections within the City limits and the urban growth boundary. The TSP indicates there are no significant LOS deficiencies at any affected intersections near the subject parcels. The TSP indicates the River Mill Road / Eagle

Creek Road intersection, Eagle Creek Road / 6th Avenue intersection and 6th Avenue / Cemetery Road intersection will all operate at a LOS B in the year 2019 with build out in the area. The TSP demonstrates the area traffic system is adequate to accommodate future traffic (Year 2019) based on the existing zoning and potential development in the area.

The existing right-of-way along the frontage of the subject parcel on Eagle Creek Road is approximately 60'. The minimum road right-of-way width for a major collector street is 60-80 feet. Additional right-of-way may be required along the entire frontage of Eagle Creek Road to meet minimum right-of-way widths. The existing right-of-way along the subject parcel on Cemetery Road is approximately 40'. The minimum road right-of-way width for a minor collector street is 60 feet. An additional 10 feet of right-of-way may be required along the entire frontage of Cemetery Road to meet minimum right-of-way widths. A condition of approval is warranted requiring the applicant to sign a waiver of remonstrance against assessment for road right-of-way dedication and improvement costs along the property frontage of Eagle Creek Road and Cemetery Road required in any future land use/development applications on the property.

This criterion is met.

c. Section 10.813(C): Findings documenting the availability of police, fire, parks and school facilities and services shall be made to allow for conclusionary findings either for or against the proposed annexation. The adequacy of these services shall be considered in relation to annexation proposals.

The applicant has addressed the availability and adequacy of police, fire, parks and school facilities. Police services are provided in the City and UGB through a contract with the Clackamas County Sheriff Department. The Estacada Fire District provides fire protection. Although there are currently no standards for service, staff notes that the eventual buildout of the proposed annexation area will likely necessitate additional police and fire services. The City of Estacada Park Plan provides for the location and establishment of park facilities.

The Estacada School District provides school facilities. The applicant's submittal references the January, 2003 *Population Trends, Findings, and Recommendations* of the Estacada School District Advisory Task Force which predicted an enrollment decline through 2006, and indicated that schools were under capacity. The school district also has recently made substantial improvements to the local school facilities in the city. Area schools have adequate capacity to accommodate future development in the proposed annexation area.

This criterion is met.

d. Section 16.124.030(D): The applicant has the burden for satisfying the requirements of this section and the information required for the application process set forth in Section 16.124.060.

This criterion does not require any findings or conclusionary statements.

C. Section 16.124.040 outlines ten submittal requirements necessary for a complete annexation application.

The applicant has addressed or otherwise provided all the information identified in Section 16.124.040(A-J) necessary for a complete application. This annexation proposal includes two separate parcels. The submitted application includes a signature of the current property owner authorizing annexation of both parcels.

The minimum submittal requirements are satisfied.

D. Section 16.124.050 requires the City Planner to review Annexation applications to assure consistency with the purposes of the Annexation Chapter of the City Code, with the policies and standards of the City Charter, Code and Comprehensive Plans and any requirements of State law. The recommendation of the city planner shall contain, at a minimum, a finding that the city is capable of providing services to the subject property(ies) commensurate with the needs of existing and proposed development at maximum allowable densities.

The applicable provisions of the Annexation Chapter of the City Code are addressed throughout this report.

Section 16.16.010 (R-1 Zoning District) and Section 16.28.010 (C-1 Zoning District) of the City Code is also applicable to this application. Section 16.16.010 of the City Code outlines the purpose and general locational characteristics of the R-1 zoning district. This Section states "*Devoted to single-family dwellings from which are excluded business and multiple-dwelling structures but does allow certain public nonprofit uses as conditional uses, as well as home occupations, and bed and breakfast facilities with standards.*"

Section 16.28.010 (C-1 District) of the City Code outlines the purpose and general locational characteristics of the C-1 zoning district. This Section states "*Intended for certain commercial uses as well as governmental uses such as city halls, fire stations, police stations and offices. Commercial uses intended for office, service, and retail uses primarily conducted inside the building. This zone is determined to be economically and socially desirable.*"

As mentioned previously the applicant has submitted a separate application for a Planned Development for mixed uses on the parcels in conjunction with a larger adjacent property (Campanella property). A Planned Development for mixed uses may be allowed in the R-1 and C-1 zoning districts.

This application is being processed in compliance with all policies and standards of the City Charter and requirements of State law including notice to affected agencies and

property owners and notice in the local newspaper.

The Planning Commission finds the following Sections and policies of the Comprehensive Plan to be applicable to this proposal:

1. GOAL 14 includes the following policies and Findings of Fact:

- New urban development may only occur concurrent with or following provision of the development site with public streets, water and sewer services, drainage facilities (as necessary), fire and police protection. And other public services as provided for in the policies governing public facilities and services.
- The City of Estacada plans to provide public facilities and services within the UGB area.
- The UGMA requires annexation to effectuate the City's Comprehensive Plan for the area.
- The City requires annexation in order for urban services to be provided.
- The Plan and UGMA provides the process by which rural lands within the established urban growth boundary may be committed to urban uses as the need occurs.

Overall these policies and Findings of Fact require a property to be annexed into the City Limits in order for the Comprehensive Plan and implementing zoning district to be applied to a property. Also annexation is required in order for urban services to be provided. Previous findings in this report demonstrate the City has adequate public facilities, including water, sewer and transportation facilities to support annexation of the subject property.

Generally, the proposed land uses on the subject property consist of a mixed use development including low density residential and commercial uses consistent with the purpose statement of the underlying R-1 and C-1 zoning districts in the City Code. The application does not propose any changes to the existing Low Density and Commercial Plan designations.

Goal 10 of the Comprehensive Plan also encourages a variety of housing types and moderate lot sizes for single-family housing. Generally, the submitted conceptual land use plan meets the objectives of Goal 10.

Based on these Objectives and Policies and findings in the zone change application the proposed annexation is consistent with the Comprehensive Plan.

This criterion is met.

E. Section 16.124.090 outlines the requirements for a Health Hazard Annexation.

The applicant has not addressed this criteria. There are no known health hazards in the area or on the subject site.

This criterion is not applicable.

F. Section 16.124.100 sets forth the City's policy regarding Island Annexation. The policy is to prevent the creation of islands of unincorporated territory within the City limits.

Annexation of tax lot 104 will not create any islands of unincorporated land. The annexation of tax lot 700 will result in a small island of unincorporated land know as tax lot 100 on map no. 3-4E-20AC (Owner – Robert and Delores Brown). The City Council does not believe this proposal is inconsistent with this policy because the Brown property is essentially already an island which is bordered on 3 sides by land within the City Limits and separated from the subject parcel (tax lot 700) by Eagle Creek Road.

This criterion is met.

G. Section 16.124.110 outlines the requirements for applying the Comprehensive Plan and Zoning Designations to annexed properties.

This Section requires the area to be annexed to automatically be planned and zoned to correspond to the Estacada Comprehensive Plan map, unless an application for a zone change is requested concurrent with the annexation application. The applicant has not requested to change the Comprehensive Plan, therefore R-1 and C-1 zoning will be applied to the annexed area, respectively.

This criterion is met.

H. Section 16.124.120 requires Annexation requests to be coordinated with affected public and private agencies, including but not limited to, Clackamas County, Estacada School District, Estacada Fire District, local utilities, the Oregon Department of Transportation, and Portland General Electric.

The City has completed the necessary coordination by providing notice of this application to affected agencies, including Clackamas County, Estacada School District, Estacada Fire District, Estacada Public Works Department, Cascade Utilities, Portland General Electric, ODOT and the Department of Land Conservation and Development.

This criterion is met.

I. Section 16.124.130: Annexation of Non-conforming Uses.

A. Section 16.124.0130(A): When property proposed to be annexed into the city contains a land use not permitted in the zone as an outright permitted use or conditional use specified by the comprehensive plan and/or city code, all nonconforming uses in the annexed area must be abated within ten (10) years of annexation. The council may impose conditions of approval on any conditional use proposed in the annexed area. If a property owner in the area to be annexed initiates annexation, that applicant shall provide a schedule for the removal of all non-conforming uses as part of the annexation application. If initiated by the city, no schedule shall be required. For all annexation proposals, the city council may add conditions to ensure the removal of the nonconforming use within a reasonable time period, not to exceed ten (10) years after annexation.

The subject parcels will be zoned R-1 and C-1, respectively, upon annexation. Uses Permitted Outright in the R-1 zoning district include single family dwellings built on site, factory-built dwellings, manufactured homes, agricultural uses (except the raising of livestock for commercial purposes), family day care provider, public parks, residential homes and home occupations. Use permitted outright in the C-1 zoning district includes service, retail and service commercial uses and governmental uses. Tax lot 104 is currently developed with a single family dwelling. Tax lot 700 was also developed with a single family dwelling. The dwelling has recently been demolished and the property is now vacant. The single family dwelling on tax lot 104 is an outright permitted use under the proposed R-1 zoning district. Therefore this parcel does not contain any nonconforming uses. Tax lot 700 is vacant and therefore does not contain any nonconforming uses.

This criterion is not applicable.

B. Section 16.124.130(B): This section shall not apply to a non-conforming use consisting of the continued use of a property as a single family dwelling which, by virtue of annexation, is no longer an outright permitted or conditional use in the zone. Use of an annexed property as a single-family dwelling may continue as a non-conforming use until:

1. The property is no longer used as a single family residence.
2. Application is made for development of the property other than as a single family dwelling.
3. The property is conveyed or all occupants over the age of eighteen (18) of the property at the time of annexation dies or no longer reside(s) on the property.

The subject property does not contain any dwellings which are considered nonconforming uses.

This criterion is not applicable.

PART 2: ZONE CHANGE APPLICATION

The zone change application is subject to the criteria in Section 16.101 of the City Code. Section 16.101.010 states the City Council may allow a zone change after a hearing conducted pursuant to Chapter 16.132 provided that the applicant provides evidence substantiating the following, unless otherwise provided for in this title:

1. Section 16.101.010A: *Approval of the request is consistent with the comprehensive plan.*

The subject property is designated Low Density Residential and Commercial on the Estacada Comprehensive Plan map. The proposed R-1 and C-1 zoning district implements the Low Density Residential and Commercial plan designation, respectively. The findings in the evaluation of the annexation application under Section 16.124.030A and 16.124.050 demonstrate the proposed zone change is consistent with the Comprehensive Plan and Low Density Residential and Commercial Plan designations. Those findings are adopted to address this approval criteria by reference therein.

This criterion is met.

2. Section 16.101.010B: *The property and affected area is presently provide with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*

The findings in the evaluation of the annexation application under Section 16.124.030B demonstrate there are adequate public facilities and services and transportation system to serve the proposed development of the property. Those findings are adopted to address this approval criteria by reference therein.

This criterion is met.

EXHIBITS

1. Tax assessors/location map
 2. Comments, Chris Randall, Public Works Director
-


Decision: Based on the above findings, it is the decision of the Estacada City Council to approve the annexation and zone change application subject to the following conditions:

1. The City's official zoning map shall be changed to reflect this action upon final approval.

2. The applicant / property owners shall sign a waiver of remonstrance for the dedication of road right-of-way and other road improvements along the frontage of the subject property consistent with City Roadway and Improvement Standards required in any future development applications.

Approved on July 24, 2006

Signed this 24 day of ^{July}~~August~~, 2006


Bob Austin, Mayor

NUMBERED KEY CANVASS

UN DATE:11/22/06 12:33 PM

General Election
Clackamas County, Oregon
November 7, 2006

REPORT-EL52 PAGE 0176

3-249 CITY OF ESTACADA: ANNEXATION OF 1 ACRE

Vote For 1

01 = Yes

02 = No

VOTES PERCENT

525 68.01
247 31.99

03 = OVER VOTES
04 = UNDER VOTES

VOTES PERCENT

0
46

01 02 03 04

0106 106

525 247 0 46

Cemetery Rd.

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK

BY:

Sherry Hall

Addresses within annexation:

30333 SE Cemetery Road
Estacada, OR 97023

RESOLUTION 2006 – NO. 26

A RESOLUTION OF THE ESTACADA CITY COUNCIL PROCLAIMING ANNEXATION OF 1 ACRE OWNED BY PARK ESTACADA LLC.

WHEREAS, Michael Park, representing Park Estacada LLC, submitted a petition to the City requesting that certain properties of which they have ownership be annexed to the City. The petition met the requirements for initiating a proposal set forth in Estacada Code Chapter 16.124; and

WHEREAS, the Estacada Planning Commission conducted a public hearing on the proposal on June 22, 2006 after the proper publications and notices and forwarded a recommendation of approval with conditions; and

WHEREAS, after proper notices and publications the Estacada City Council conducted a public hearing on July 24, 2006 and voted to approve the annexation request with conditions and submit it to a vote of the City electors at the next available election; and

WHEREAS, the Estacada City Council adopted Resolution 2006 – No. 015 at their August 14, 2006 meeting calling for a measure election to submit to the electors of the City the question of annexation of 1 acre into the City limits; and

WHEREAS, on November 7, 2006 there was an election held and the question of this annexation was asked of all electors inside the City of Estacada and the outcome was 516 yes to 248 no votes, therefore a majority of the electors approving the annexation.

NOW, THEREFORE IT IS ORDERED THAT the territory described in Exhibit "A" is annexed to the City of Estacada according to the City Council findings and decision in Exhibit "B".

PASSED and effective this 11th day of December, 2006.


Mayor

ATTEST:

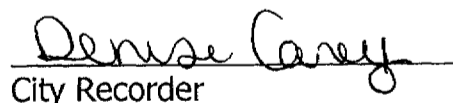

City Recorder

EXHIBIT A

LEGAL DESCRIPTION
SW CORNER PARCEL

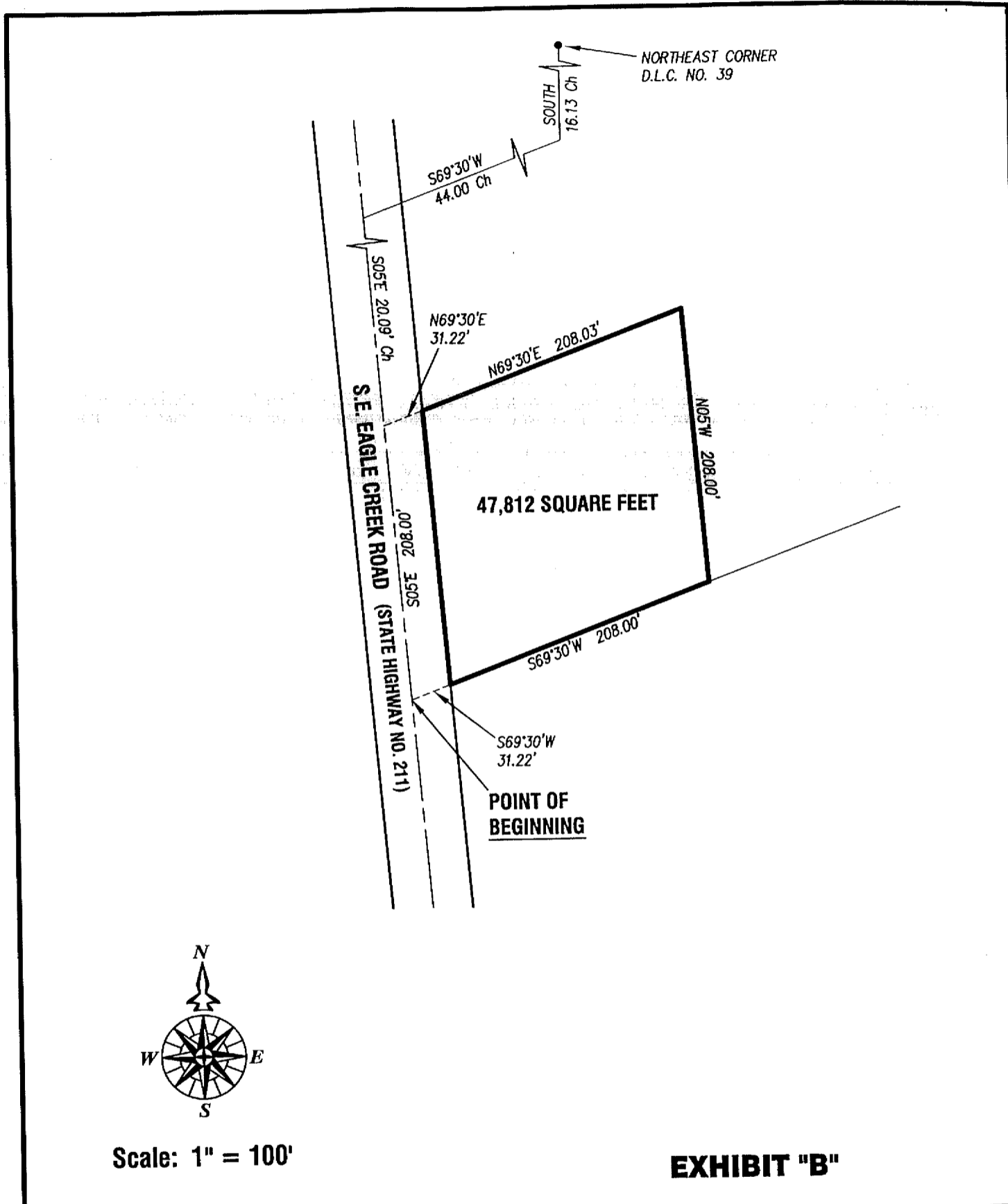
JOB NO. 6042
3-28-06 JCM

EXHIBIT "A"

A TRACT OF LAND IN THE WILLIAM WADE DONATION LAND CLAIM NO. 39, LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT BEARS SOUTH 16.13 CHAINS OF THE NORTHEAST CORNER OF SAID DONATION LAND CLAIM, S.69°30'W., 44.00 CHAINS TO THE CENTERLINE OF SE EAGLE CREEK ROAD (STATE HIGHWAY NO. 211) AND ALONG SAID CENTERLINE, S.05°E., 20.09 CHAINS; THENCE N.69°30'E., 31.22 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID SE EAGLE CREEK ROAD; THENCE CONTINUING N.69°30'E., 208.03 FEET TO A 5/8-INCH DIAMETER IRON ROD; THENCE ALONG A LINE PARALLEL TO THE SAID EASTERLY RIGHT-OF-WAY LINE, N.05°W., 208.00 FEET TO A 5/8-INCH DIAMETER IRON ROD; THENCE S.69°30'W., 208.00 FEET TO A 5/8-INCH DIAMETER IRON ROD ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID EAGLE CREEK ROAD; THENCE CONTINUING S.69°30'W., 31.22 FEET TO THE CENTERLINE OF SAID ROAD; THENCE ALONG SAID CENTERLINE, S.05°E., 208.00 FEET TO THE POINT-OF-BEGINNING, CONTAINING 47,812 SQUARE FEET, MORE OR LESS.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN PUBLIC ROADS.



COMPASS ENGINEERING

ENGINEERING SURVEYING PLANNING

6564 S.E. LAKE ROAD (503) 653-9093 PHONE
MILWAUKIE, OREGON 97222 WWW.COMPASS-ENGINEERING.COM

SW CORNER PARCEL
N.E. 1/4 SECTION 20, T.3S., R.4E., W.M.
CLACKAMAS COUNTY, OREGON

EXHIBIT B

NAME: Park Estacada LLC
FILE NO.: 2006-04-A
PUBLIC HEARING DATE: July 24, 2006

CITY COUNCIL FINDINGS AND DECISION

GENERAL INFORMATION

Applicant: Park Estacada LLC; Michael Park; PO Box 369; Estacada, OR 97023

Owner(s): Same

Proposal: Annexation of two separate parcels of approximately 1.0 acres of land within the Estacada Urban Growth Boundary into the City Limits. The two parcels included in this application are not contiguous. This application includes a corresponding zone change for each parcel. The zone change for one parcel is from RRFF-5 to R-1. The zone change for the other parcel is from RRFF-5 to C-1. Both zone change requests are consistent with the Estacada Comprehensive Plan land use designation.

Location: One parcel is located on east side of Eagle Creek Road, approximately 400 feet north of its intersection with 10th Street. The other parcel is located on the west side of Cemetery Road, approximately 100 feet north of its intersection with NE Rockwell Drive.

Legal Description: T3S, R4E, Section 20, Tax Lots 104 and 700.

Zone: Rural Residential Farm Forest, 5 acre minimum lot size (County Zoning District).

Comprehensive Plan Designation: County Designation: Rural; City Designation: Low Density Residential (tax lot 104) and Commercial (tax lot 700).

Planning Staff Recommendation: Approval.

=====

PART 1: ANNEXATION APPLICATION

REVIEW PROCESS

Section 16.124 of the City Code outlines the review procedures for Annexation applications. The procedure is summarized as follows. Once a complete application is submitted and the City Planner completes a staff report, the Planning Commission is required to hold at least one open public meeting on the annexation request. Within 45

days following the Planning Commission meeting, unless a continuance is requested, the Commission shall adopt specific findings of fact addressing the review criteria and forward a recommendation to the City Council. The matter will then be set for a public hearing before the City Council. The City Council may adopt the Planning Commission findings for approval or denial of the annexation, supplement the record as appropriate, or reject the findings and adopt new findings. If the annexation application is approved by the City Council, it shall be referred to the voters in the following May or November election.

CONCLUSIONS AND FINDINGS

This application is subject to the standards and criteria in Section 16.124.020 – 16.124.130 of the Estacada City Code.

A. Section 16.124.020 outlines two conditions which must be met prior to or concurrent with the City processing an annexation request.

1. Section 16.124.020(A): *The subject site must be located within the Estacada urban growth boundary (UGB).*

According to the Estacada Comprehensive Plan map, both parcels are located within the Estacada Urban Growth Boundary.

2. Section 16.124.020(B): *The subject site must be contiguous to the existing city limits.*

Tax lot 104 is contiguous to property within the existing City Limits on two sides (south and west). Tax lot 700 is contiguous to property within the existing City Limits on 3 sides (north, south and east).

The requirements of Section 16.124.020 are met.

B. Section 16.124.030 outlines the criteria which applies to all annexation requests.

1. Section 16.124.030(A): *The proposed use for the site complies with the Estacada Comprehensive Plan and with the designation on the Estacada Comprehensive Plan map. If a redesignation of the plan map is requested concurrent with the annexation, the uses allowed under the proposed designation must comply with the Estacada Comprehensive Plan.*

Tax lot 104 is designated Low Density Residential on the Estacada Comprehensive Plan map. The R-1 zoning district implements the Low Density Residential Plan designation. Tax lot 700 is designated Commercial on the Estacada Comprehensive Plan. The C-1 zoning district implements the Community Plan designation. The applicant has not proposed to change the Comprehensive Plan designation. The applicant has proposed to change the current County RRFF-5 zoning designation on both parcels to R-1 and C-1,

respectively, consistent with the existing Low Density Residential and Commercial Plan designation. The applicant has proposed to develop these parcels with a Planned Development consisting of a mix of residential, condominium and commercial uses. A Planned Development is a use which may be allowed in the R-1 and C-1 zoning district. The proposed use of the site is generally consistent with the Estacada Comprehensive Plan.

This criterion is met.

2. Section 16.124.030(B): Adequate capacity of urban services must exist or be made available with three years of annexation approval. An adequate capacity of urban services shall mean:

a. Municipal sanitary sewer and water service meeting the requirements enumerated in the City of Estacada's Water and Sewer Master Plans for the provision of these services.

Public sanitary sewer and water service does not currently exist to the site. The Public Works Director, Chris Randall has submitted comments addressing the adequacy of the public water and sewer system. See Exhibit 2. The City sewer and water systems are nearing capacity due to the approval of over 500 new subdivision lots, however, up to 300 additional sewer and water connections are available at this time. Additional connections will only be available if currently unfunded upgrades are completed for the sewer and water treatment facilities. The existing capacity of the sewer and water systems will provide an adequate capacity of sewer and water services to support development on the subject property. This memorandum is adopted as part of this staff report by reference therein.

This criterion is met.

b. Roads with an adequate design capacity for the proposed use and projected future uses. Where construction of the road is not deemed necessary within the three-year time period, the City shall note requirements including but not limited to dedication of right-of-way, waiver of remonstrance against assessment for road improvement costs, or participation in other traffic improvement costs, for application at the appropriate level of the planning process. The City shall also consider public costs for improvement and the ability of the City to provide for those costs.

Tax lot 104 has frontage on Cemetery Road, which is designated as a minor collector street. Tax lot 700 has frontage on SE Eagle Creek Road, which is designated as a major collector street. The City of Estacada Transportation System Plan (TSP) does address the adequacy of the transportation system to accommodate traffic based on existing plan and zoning designations through the year 2019. The TSP also provides a Level of Service (LOS) analysis for specific intersections within the City limits and the urban growth boundary. The TSP indicates there are no significant LOS deficiencies at any affected intersections near the subject parcels. The TSP indicates the River Mill Road / Eagle

Creek Road intersection, Eagle Creek Road / 6th Avenue intersection and 6th Avenue / Cemetery Road intersection will all operate at a LOS B in the year 2019 with build out in the area. The TSP demonstrates the area traffic system is adequate to accommodate future traffic (Year 2019) based on the existing zoning and potential development in the area.

The existing right-of-way along the frontage of the subject parcel on Eagle Creek Road is approximately 60'. The minimum road right-of-way width for a major collector street is 60-80 feet. Additional right-of-way may be required along the entire frontage of Eagle Creek Road to meet minimum right-of-way widths. The existing right-of-way along the subject parcel on Cemetery Road is approximately 40'. The minimum road right-of-way width for a minor collector street is 60 feet. An additional 10 feet of right-of-way may be required along the entire frontage of Cemetery Road to meet minimum right-of-way widths. A condition of approval is warranted requiring the applicant to sign a waiver of remonstrance against assessment for road right-of-way dedication and improvement costs along the property frontage of Eagle Creek Road and Cemetery Road required in any future land use/development applications on the property.

This criterion is met.

c. Section 10.813(C): Findings documenting the availability of police, fire, parks and school facilities and services shall be made to allow for conclusionary findings either for or against the proposed annexation. The adequacy of these services shall be considered in relation to annexation proposals.

The applicant has addressed the availability and adequacy of police, fire, parks and school facilities. Police services are provided in the City and UGB through a contract with the Clackamas County Sheriff Department. The Estacada Fire District provides fire protection. Although there are currently no standards for service, staff notes that the eventual buildout of the proposed annexation area will likely necessitate additional police and fire services. The City of Estacada Park Plan provides for the location and establishment of park facilities.

The Estacada School District provides school facilities. The applicant's submittal references the January, 2003 *Population Trends, Findings, and Recommendations* of the Estacada School District Advisory Task Force which predicted an enrollment decline through 2006, and indicated that schools were under capacity. The school district also has recently made substantial improvements to the local school facilities in the city. Area schools have adequate capacity to accommodate future development in the proposed annexation area.

This criterion is met.

d. Section 16.124.030(D): The applicant has the burden for satisfying the requirements of this section and the information required for the application process set forth in Section 16.124.060.

This criterion does not require any findings or conclusionary statements.

C. Section 16.124.040 outlines ten submittal requirements necessary for a complete annexation application.

The applicant has addressed or otherwise provided all the information identified in Section 16.124.040(A-J) necessary for a complete application. This annexation proposal includes two separate parcels. The submitted application includes a signature of the current property owner authorizing annexation of both parcels.

The minimum submittal requirements are satisfied.

D. Section 16.124.050 requires the City Planner to review Annexation applications to assure consistency with the purposes of the Annexation Chapter of the City Code, with the policies and standards of the City Charter, Code and Comprehensive Plans and any requirements of State law. The recommendation of the city planner shall contain, at a minimum, a finding that the city is capable of providing services to the subject property(ies) commensurate with the needs of existing and proposed development at maximum allowable densities.

The applicable provisions of the Annexation Chapter of the City Code are addressed throughout this report.

Section 16.16.010 (R-1 Zoning District) and Section 16.28.010 (C-1 Zoning District) of the City Code is also applicable to this application. Section 16.16.010 of the City Code outlines the purpose and general locational characteristics of the R-1 zoning district. This Section states "*Devoted to single-family dwellings from which are excluded business and multiple-dwelling structures but does allow certain public nonprofit uses as conditional uses, as well as home occupations, and bed and breakfast facilities with standards.*"

Section 16.28.010 (C-1 District) of the City Code outlines the purpose and general locational characteristics of the C-1 zoning district. This Section states "*Intended for certain commercial uses as well as governmental uses such as city halls, fire stations, police stations and offices. Commercial uses intended for office, service, and retail uses primarily conducted inside the building. This zone is determined to be economically and socially desirable.*"

As mentioned previously the applicant has submitted a separate application for a Planned Development for mixed uses on the parcels in conjunction with a larger adjacent property (Campanella property). A Planned Development for mixed uses may be allowed in the R-1 and C-1 zoning districts.

This application is being processed in compliance with all policies and standards of the City Charter and requirements of State law including notice to affected agencies and

property owners and notice in the local newspaper.

The Planning Commission finds the following Sections and policies of the Comprehensive Plan to be applicable to this proposal:

1. GOAL 14 includes the following policies and Findings of Fact:

- New urban development may only occur concurrent with or following provision of the development site with public streets, water and sewer services, drainage facilities (as necessary), fire and police protection. And other public services as provided for in the policies governing public facilities and services.
- The City of Estacada plans to provide public facilities and services within the UGB area.
- The UGMA requires annexation to effectuate the City's Comprehensive Plan for the area.
- The City requires annexation in order for urban services to be provided.
- The Plan and UGMA provides the process by which rural lands within the established urban growth boundary may be committed to urban uses as the need occurs.

Overall these policies and Findings of Fact require a property to be annexed into the City Limits in order for the Comprehensive Plan and implementing zoning district to be applied to a property. Also annexation is required in order for urban services to be provided. Previous findings in this report demonstrate the City has adequate public facilities, including water, sewer and transportation facilities to support annexation of the subject property.

Generally, the proposed land uses on the subject property consist of a mixed use development including low density residential and commercial uses consistent with the purpose statement of the underlying R-1 and C-1 zoning districts in the City Code. The application does not propose any changes to the existing Low Density and Commercial Plan designations.

Goal 10 of the Comprehensive Plan also encourages a variety of housing types and moderate lot sizes for single-family housing. Generally, the submitted conceptual land use plan meets the objectives of Goal 10.

Based on these Objectives and Policies and findings in the zone change application the proposed annexation is consistent with the Comprehensive Plan.

This criterion is met.

E. Section 16.124.090 outlines the requirements for a Health Hazard Annexation.

The applicant has not addressed this criteria. There are no known health hazards in the area or on the subject site.

This criterion is not applicable.

F. Section 16.124.100 sets forth the City's policy regarding Island Annexation. The policy is to prevent the creation of islands of unincorporated territory within the City limits.

Annexation of tax lot 104 will not create any islands of unincorporated land. The annexation of tax lot 700 will result in a small island of unincorporated land know as tax lot 100 on map no. 3-4E-20AC (Owner – Robert and Delores Brown). The City Council does not believe this proposal is inconsistent with this policy because the Brown property is essentially already an island which is bordered on 3 sides by land within the City Limits and separated from the subject parcel (tax lot 700) by Eagle Creek Road.

This criterion is met.

G. Section 16.124.110 outlines the requirements for applying the Comprehensive Plan and Zoning Designations to annexed properties.

This Section requires the area to be annexed to automatically be planned and zoned to correspond to the Estacada Comprehensive Plan map, unless an application for a zone change is requested concurrent with the annexation application. The applicant has not requested to change the Comprehensive Plan, therefore R-1 and C-1 zoning will be applied to the annexed area, respectively.

This criterion is met.

H. Section 16.124.120 requires Annexation requests to be coordinated with affected public and private agencies, including but not limited to, Clackamas County, Estacada School District, Estacada Fire District, local utilities, the Oregon Department of Transportation, and Portland General Electric.

The City has completed the necessary coordination by providing notice of this application to affected agencies, including Clackamas County, Estacada School District, Estacada Fire District, Estacada Public Works Department, Cascade Utilities, Portland General Electric, ODOT and the Department of Land Conservation and Development.

This criterion is met.

I. Section 16.124.130: Annexation of Non-conforming Uses.

A. Section 16.124.0130(A): When property proposed to be annexed into the city contains a land use not permitted in the zone as an outright permitted use or conditional use specified by the comprehensive plan and/or city code, all nonconforming uses in the annexed area must be abated within ten (10) years of annexation. The council may impose conditions of approval on any conditional use proposed in the annexed area. If a property owner in the area to be annexed initiates annexation, that applicant shall provide a schedule for the removal of all non-conforming uses as part of the annexation application. If initiated by the city, no schedule shall be required. For all annexation proposals, the city council may add conditions to ensure the removal of the nonconforming use within a reasonable time period, not to exceed ten (10) years after annexation.

The subject parcels will be zoned R-1 and C-1, respectively, upon annexation. Uses Permitted Outright in the R-1 zoning district include single family dwellings built on site, factory-built dwellings, manufactured homes, agricultural uses (except the raising of livestock for commercial purposes), family day care provider, public parks, residential homes and home occupations. Use permitted outright in the C-1 zoning district includes service, retail and service commercial uses and governmental uses. Tax lot 104 is currently developed with a single family dwelling. Tax lot 700 was also developed with a single family dwelling. The dwelling has recently been demolished and the property is now vacant. The single family dwelling on tax lot 104 is an outright permitted use under the proposed R-1 zoning district. Therefore this parcel does not contain any nonconforming uses. Tax lot 700 is vacant and therefore does not contain any nonconforming uses.

This criterion is not applicable.

B. Section 16.124.130(B): This section shall not apply to a non-conforming use consisting of the continued use of a property as a single family dwelling which, by virtue of annexation, is no longer an outright permitted or conditional use in the zone. Use of an annexed property as a single-family dwelling may continue as a non-conforming use until:

1. The property is no longer used as a single family residence.
2. Application is made for development of the property other than as a single family dwelling.
3. The property is conveyed or all occupants over the age of eighteen (18) of the property at the time of annexation dies or no longer reside(s) on the property.

The subject property does not contain any dwellings which are considered nonconforming uses.

This criterion is not applicable.

PART 2: ZONE CHANGE APPLICATION

The zone change application is subject to the criteria in Section 16.101 of the City Code. Section 16.101.010 states the City Council may allow a zone change after a hearing conducted pursuant to Chapter 16.132 provided that the applicant provides evidence substantiating the following, unless otherwise provided for in this title:

1. Section 16.101.010A: *Approval of the request is consistent with the comprehensive plan.*

The subject property is designated Low Density Residential and Commercial on the Estacada Comprehensive Plan map. The proposed R-1 and C-1 zoning district implements the Low Density Residential and Commercial plan designation, respectively. The findings in the evaluation of the annexation application under Section 16.124.030A and 16.124.050 demonstrate the proposed zone change is consistent with the Comprehensive Plan and Low Density Residential and Commercial Plan designations. Those findings are adopted to address this approval criteria by reference therein.

This criterion is met.

2. Section 16.101.010B: *The property and affected area is presently provide with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*

The findings in the evaluation of the annexation application under Section 16.124.030B demonstrate there are adequate public facilities and services and transportation system to serve the proposed development of the property. Those findings are adopted to address this approval criteria by reference therein.

This criterion is met.

EXHIBITS

1. Tax assessors/location map
2. Comments, Chris Randall, Public Works Director

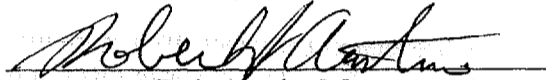
Decision: Based on the above findings, it is the decision of the Estacada City Council to approve the annexation and zone change application subject to the following conditions:

1. The City's official zoning map shall be changed to reflect this action upon final approval.

2. The applicant / property owners shall sign a waiver of remonstrance for the dedication of road right-of-way and other road improvements along the frontage of the subject property consistent with City Roadway and Improvement Standards required in any future development applications.

Approved on July 24, 2006

Signed this 24 day of ^{July}~~August~~, 2006


Bob Austin, Mayor

NUMBERED KEY CANVASS

RUN DATE:11/22/06 12:33 PM

General Election
Clackamas County, Oregon
November 7, 2006

REPORT-EL52 PAGE 0177

3-250 CITY OF ESTACADA: ANNEXATION OF 1 ACRE

Vote For 1

01 = Yes

02 = No

VOTES PERCENT

516 67.54

248 32.46

03 = OVER VOTES

04 = UNDER VOTES

VOTES PERCENT

0

54

01 02 03 04

0106 106

516 248 0 54

Eagle Creek Road

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK

BY: *Sherry Hall*

Addresses within annexation:

30900 SE Eagle Creek Road
Estacada, OR 97023