



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

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### NOTICE OF ADOPTED AMENDMENT

February 24, 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 004-05

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.

Appeal Procedures\*

#### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: March 6, 2006**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.625 (1), 197.830 (2), and 197.830 (9) 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 ADOPTED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD.**

Cc: Doug White, DLCD Community Services Specialist  
Stacy Hopkins, 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

FEB 17 2006

LAND CONSERVATION  
AND DEVELOPMENT  
For DLCD Use Only

Jurisdiction: City of Estacada Local file number: CPA & ZC 2005-2  
Date of Adoption: 2/13/2006 Date Mailed: 2/16/2006  
Date original Notice of Proposed Amendment was mailed to DLCD: 11/1/2005

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

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

**Comp plan and zone change amendment from Commercial (C-1) to multi-family residential (R-3)**

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".

**Same.**

Plan Map Changed from: \_\_\_\_\_ to: \_\_\_\_\_

Zone Map Changed from: **C-1** to: **R-3**

Location: **34E, 20AB, tax lot 1200 - NW Wade** Acres Involved: **1.00**

Specify Density: Previous: **n/a** New: **3,000 - 5,000 sq ft**

Applicable Statewide Planning Goals: **1, 2, 5, 9, 10, 11, 12, 14**

Was an Exception Adopted?  YES  NO

DLCD File No.: 004-05 (14789)

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:

**Estacada Fire Dept**

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 **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

NAME: Kenneth Corbett  
FILE NO.: 2004-02-CP / 2004-02-Z  
HEARING DATE: February 13, 2006

CITY COUNCIL FINDINGS AND DECISION

FACTS

GENERAL INFORMATION

Applicant: Kenneth Corbett; 26847 S. Eagle Point Drive; Estacada, OR 97023

Owner(s): Same

Proposal: Comprehensive Plan map amendment from Commercial to Multi-Family Residential. Corresponding zone change from C-1 to R-3.

Location: West side of Eagle Creek Road, approximately 1/8 the mile north of 10<sup>th</sup> Street.

Legal Description: T3S, R4E, Section 20AB, Tax Lot 1200

Acres: 1.0 acres

Zone: C-1

Comprehensive Plan Designation: General Commercial

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FINDINGS

The applicant has addressed the Oregon Statewide Planning Goals, Estacada Comprehensive Plan Goals and Policies, and zone change criteria in Section 16.101 of the City Code. The Planning Commission finds the Statewide Planning Goals, Estacada Comprehensive Plan, Estacada City Code, Transportation Planning Rule (TPR) and Oregon Administrative Rules to be applicable to this request.

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**PART 1: STATEWIDE PLANNING GOALS**

Goal 1: Citizen Involvement: *To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

The Estacada Comprehensive Plan and City Code contain adopted and acknowledged procedures for citizen involvement. This application has been processed consistent with those procedures including notice to individual adjacent and surrounding property owners within 300 feet of the subject property, notice to affected agencies, and notice in the local newspaper. One or more advertised public hearings will be conducted before the Estacada Planning Commission and Estacada City Council which will provide an opportunity for citizen involvement and input.

**This proposal is consistent with Goal 1.**

Goal 2; Land Use Planning: *To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Goal 2 requires that all land use actions be consistent with the acknowledged Comprehensive Plan. Goal 2 also requires coordination with affected governments and agencies, evaluation of alternatives, and an adequate factual base. There are no other local governments affected by this proposal. Notice of this proposal has been provided to affected agencies in the City. The information provided throughout this document provides a substantial and adequate factual base for the decision making process and will ensure the decision is consistent with the Comprehensive Plan.

**This proposal is consistent with Goal 2.**

Goal 3; Agricultural Land: *To preserve and maintain agricultural lands.*

Pursuant to the definitions under Statewide Planning Goal 3, agricultural land does not include land within acknowledged urban growth boundaries. The subject property is located within the Estacada City limits and Urban Growth Boundary, and therefore is not considered agricultural land.

**Statewide Goal 3 is not applicable.**

Goal 4; Forest Land: *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

Forest lands are those lands acknowledged as forest lands as of the date of adoption of this goal amendment. This proposal does not include any land planned or zoned for Forest uses.

**Statewide Goal 4 is not applicable.**

Goal 5; Open Spaces, Scenic and Historic Areas, and Natural Resources: *To conserve open space and protect natural and scenic resources.*

Goals 5 and 8 of the Estacada Comprehensive Plan identify significant Goal 5 resources within the Estacada Urban Growth Boundary. There are no significant Goal 5 resources located on the subject property.

**Statewide Goal 5 is not applicable.**

Goal 6; Air, Water and Land Resources Quality: *To maintain and improve the quality of the air, water and land resources of the state.*

The City of Estacada has adopted sewer, water and storm drainage master plans intended to protect the water and land resources in the City. Any development on this property will require connection to the appropriate urban services consistent with the City Code. This will ensure the maintenance and quality of the water and land resources. The City of Estacada is not located in an air quality maintenance area.

**This proposal is consistent with Goal 6.**

Goal 7; Areas Subject to Natural Disasters and Hazards: *To protect life and property from natural disasters.*

According to the Department of Geology and Mineral Industries (DOGAMI) geologic hazards maps, there are no geologic hazards (i.e. landslide topography, slump, earthflow, mudflow or debris areas) on or near the subject property. There are no significant slopes or steep hillsides on the subject property or in the area. The subject property is not located within any designated floodplains. The subject property is not located in an area subject to natural disasters or other hazards.

**This proposal is consistent with Goal 7.**

Goal 8; Recreational Needs: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate to provide for the siting of necessary recreational facilities including destination resorts.*

This proposal does not involve any designated recreational or open space lands, or affect access to any significant recreational uses in the area. This proposal will have no impact on the recreational needs of the City, County or State.

**This proposal is consistent with Goal 8.**

Goal 9; Economic Development: *"To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of*

*Oregon's citizens."*

This goal requires Comprehensive Plans in urban areas to provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies.

Oregon Administrative Rule (OAR) 660, Division 9 is used to satisfy the requirements of Statewide Goal 9. OAR 660-009-010(4) requires a detailed economic opportunities analysis (EOA) to be completed for any plan map change to or from a commercial or industrial plan designation involving more than 2 acres. The subject site is approximately 1.00 acre. Therefore, OAR 660-009-010(4) is not applicable to this proposal.

**This proposal is consistent with Goal 9.**

Goal 10; Housing: *"To provide for the housing needs of citizens of the state."*

This goal requires local jurisdictions to prepare inventories of buildable residential lands within urban growth boundaries. OAR 660-008 defines the standards for determining compliance with Goal 10. This rule requires a mix and density of lands zoned for needed housing based on housing needs projections.

The subject site is currently planned for commercial uses. Approval of this application will increase the inventory of residential land and provided for a variety of multifamily residential uses.

**This proposal is consistent with Goal 10.**

Goal 11; Public Facilities and Services: *"To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development."*

This Goal provides guidelines for cities and counties in planning for the timely, orderly and efficient arrangement of public facilities and services. The applicable part of this Goal as it relates to a property specific quasi-judicial application is Guideline A(3). This Guideline requires adequate public facilities and services such as sewer, water, solid waste, storm drainage etc. to be provided at levels necessary and suitable for urban uses.

The City has adopted water, sewer and storm drainage facility plans to serve the land within the urban growth boundary. The subject properties are also located in the Estacada School District and Estacada Fire District. The Clackamas County Sheriff provides police protection.

**This proposal is consistent with Goal 11.**

Goal 12; Transportation: *"To provide and encourage a safe, convenient and economic transportation system."*

This Goal provides guidance to cities and counties for the planning and implementation of transportation plans and changes to major transportation facilities. The proposed Multi-Family Residential plan designation allows multifamily residential uses. The City of Estacada Transportation System Plan (TSP) demonstrates all the nearby intersections will operate at an acceptable level of service in the near future and in the year 2019. In addition, the proposed plan designation will generate significantly less traffic than the existing General Commercial plan designation. Therefore, this proposal will not significantly affect the transportation system and is in compliance with the requirements of the Transportation Planning Rule.

**This proposal is consistent with Goal 12.**

Goal 13; Energy Conservation: *To conserve energy.*

This proposal will have no impact on any identified energy sites or resources.

**Goal 13 is not applicable.**

Goal 14; Urbanization: *To provide for an orderly and efficient transition from rural to urban land uses.*

The subject property is located inside the City limits of Estacada. This proposal does not include any new annexation of land into the City limits or expansion of the urban growth boundary.

**Statewide Goal 14 is not applicable.**

Goal 15: Willamette River Greenway: *To protect, conserve, enhance and maintain the natural scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The subject property is not located within the Willamette River Greenway.

**Goal 15 is not applicable.**

Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), Goal 18 (Beaches and Dunes) and Goal 19 (Ocean Resources) are not applicable to the City of Estacada or Clackamas County.

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## **PART 2. ESTACADA COMPREHENSIVE PLAN POLICIES**

The Estacada Comprehensive Plan does not have any specific policies or locational criteria for evaluating the appropriate locations for Residential, Commercial, Industrial or other Comprehensive Plan designations in the City. There is however, general policies and language in the Comprehensive Plan which are applicable in evaluating this proposal. The Planning staff has reviewed each Chapter/Goal of the CP and identified and addressed each policy or objective found to be applicable to this request.

a. Goal 1. Citizen Involvement Element: *The purpose of this goal is to ensure an opportunity for citizens residing in Estacada and the planning area to be involved in all phases of the planning process.*

Policy 4 in this Chapter provides for both the city and private property owners to request changes in either the policy texts, the plan map or both. The property owner, Kenneth Corbett has initiated this application.

Policy 5 requires all proposed amendments to the plan to be subject to public hearings by the Planning Commission and City Council. In the case of a proposed change in the plan map, all property owners within 300 feet of the requested change shall be notified of the hearing date.

Notice of the Planning Commission and City Council public hearings has been provided to all property owners within 300 feet of the subject property consistent with this plan policy, State law and Section 16.132 of the City Code. In addition, notice of the public hearings has been published in the local newspaper consistent with Section 16.132.020 of the City Code. These public notices will ensure an opportunity for all citizens to be involved in the review process.

**This application is, and will continue to be processed consistent with Goal 1 of the CP.**

b. Goal 2. Agency Coordination Element: *This Goal requires a draft copy of the CP to be sent to specific local agencies and organizations for review and comment before the Plan is submitted to LCDC for acknowledgement.*

No amendment to the text of the Comprehensive Plan is proposed in this application.

**There are no policies under this Goal applicable to this proposal.**

c. Goal 3. Agricultural Lands Element: *The purpose of this Goal is to preserve and maintain agricultural lands.*

The objective and goals in this Chapter are intended to address the conversion of agricultural land outside the City limits, within and adjacent to the urban growth

boundary.

**There are no policies under this Goal applicable to this proposal.**

d. Goal 4. Forest Lands Element: *The purpose of this Goal is to preserve and maintain forest lands.*

The objective of this Goal is to encourage the conservation of forest lands necessary for watershed protection and maintenance of wildlife and fisheries habitat, and to encourage replanting and development siting to retain as much forested land as possible.

**There are no policies under this Goal applicable to this proposal.**

e. Goals 5 and 8. Open Spaces, Natural Resources, Cultural and Recreation Resources Element: *The purpose of this Goal is to 1) conserve open space and protect natural and cultural resources and 2) satisfy the recreational needs of citizens of Estacada and [the] state, and visitors.*

The subject property is not identified as open space on the Comprehensive Plan. There are no known or identified mineral or aggregate resources or energy sources on site. The property does not contain any known or identified scenic or historic sites or buildings, historic or cultural resources or recreation trails.

**There are no policies in Goal 5 or Goal 8 applicable to this application.**

f. Goals 6 and 7. Environmental Quality Element; Air, Water and Land Resources and Natural Disasters and Hazards. *The purpose of this Goal is to 1) maintain and improve the quality of the area's air, water, and land resources and 2) protect life and property from natural disasters and hazards.*

The Comprehensive Plan indicates the Estacada area has virtually no air quality problems. There are no known or identified floodplains on the property. There are no significant topographical constraints which would limit the property from being developed under either the existing General Commercial or proposed Multi-Family Residential plan designation.

According to the Dept. of Geology and Mineral Industry (DOGAMI) maps, there are no geologic hazards on or near the subject property. The DOGAMI maps do indicate the property contains high shrink-swell soils. However, these soil characteristics as they relate to development on the property can be addressed through proper engineering in the building permit review and connection to the City storm water system.

The subject property is located outside of the clear zone of the Valley View Airport as identified in Figure 9 of this Chapter.

**There are no policies under this Goal applicable to this proposal.**

g. Goal 9, Economics Element: *The purpose of this Goal is to diversify and improve the economy of Estacada.*

The 6 "Objectives" of this Goal are identified on page 46 of the CP. Objective 6 states "Preserve the existing commercial area and encourage the location of new commercial and retail activities in it." The subject property is located in a commercial area. However, in a previous application (Volunteers of America) the City Council interpreted this policy to mean it applies to the downtown core commercial area. Therefore, this objective does not apply to this application.

Under "Existing Conditions, Existing Commercial Land" on page 54, the CP states "There is 56 acres of commercially designated lands within the city. Of that only 4.36 acres remain undeveloped. More commercial land is desirable for the city."

Policy 8 on page 55 states "Designate additional commercial lands within the urban growth boundary to satisfy the needs of Estacada Citizens' for Medical, Commercial and Retail Services and to facilitate Policy 7, above."

This proposal is not consistent with this policy, because it will reduce the inventory and variety of land available for commercial uses.

**This proposal is not consistent with Goal 9.**

h. Goal 10, Housing Element: *The purpose of this Goal is to provide for Estacada's year 2000 housing needs within its urban growth boundary.*

Page 57, Objective 1 which states "Ensure the provision of a variety of housing types and at price or rent levels reflecting the projected housing needs." Also Objective 3 which states "Ensure a future development pattern which protects residential areas from incompatible land uses."

In regards to Objective 1, there is a need for additional land to accommodate multi-family housing. This is demonstrated by the limited amount of land currently zoned multi-family at this time and in Table 12-Buildable Lands of the Comprehensive Plan which indicates only 2.33 acres of vacant lands zoned multi-family.

In regards to Objective 3, the issue is whether changing this property to multi-family residential is compatible in the area. Typically, multi-family zoning districts are most appropriate and considered compatible with nearby areas zoned commercial. This proposal will result in a small island of multi-family zoned lands within a designated commercial area. Therefore, the Planning Staff finds the proposed plan designation is generally compatible with the adjacent commercial zoning. However, this is not ideal land use pattern because it will result in a small spot zone of multifamily land within a

larger block of commercial land. In addition, the adjacent property to the west is part of the large sawmill operation which is used for log storage and may result in significant noise impacts on multifamily residential uses.

Policy 2 on page 66 states "Encourage future multi-family housing development in the flatland area north of the high school athletic field to Hinman Road, and north of the Crown Zellerbach property to River Mill Road. The subject property is located between the Crown Zellerbach property and River Mill Road.

**This proposal is consistent with Goal 10.**

i. Goal 11. Public Facilities and Services Element. *The purpose of this Goal is to provide orderly and efficient public facilities and services to adequately meet the needs of Estacada residents.*

The 4 "Objectives" of this Goal are identified on page 67. This proposal is consistent with these objectives for the following reasons:

1. The subject property is located within the Estacada Fire District and receives police protection through a service contract with Clackamas County Sheriff Department.
2. The City has adopted master plans to accommodate sewer, water and storm drainage within the City limits and UGB.
3. School facilities and services are adequate to accommodate additional residential housing in the City.
4. This proposal will have no impact on any capital improvement plans for streets, sidewalks, and street signs.

**This proposal is consistent with Goal 11.**

j. Goal 12. Transportation Element. *The purpose of this Goal is to provide and encourage a safe, convenient, aesthetic and economical transportation system.*

The 6 "Objectives" of this Goal are identified on page 75. Objective 1 states: "Provide good local access and circulation." Objective 2 states: "Move traffic quickly and safely." This proposal is consistent with Objectives 1 and 2 for the following reasons:

The Estacada TSP generally demonstrates that the transportation system is adequate to accommodate future growth in the year 2019 within the UGB. The proposed Multi-Family Residential plan designation will generate less traffic than the existing General Commercial plan designation.

The affected transportation system will continue to provide for good circulation and safe

movement of vehicles for land uses allowed under the proposed Multi-Family plan designation.

**This proposal is consistent with Goal 12.**

k. Goal 13, Energy Element. *The purpose of this Goal is to conserve energy resources and encourage use of reusable energy resources.*

**There are no policies under this Goal applicable to this proposal.**

l. Goal 14, Urbanization Element. *The purpose of this Goal is to provide sufficient land to accommodate growth to the year 2000 and provide for the orderly development of this land.*

This Goal primarily addresses the need to establish an UGB to meet land needs for the period 1980 to 2000 and the policies for converting rural land to urban land. This specific proposal does not involve a conversion of rural land to urban land.

**There are no policies under this Goal applicable to this proposal.**

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**PART 3. SUMMARY AND CONCLUSIONS OF COMPREHENSIVE PLAN  
POLICIES AND STATEWIDE PLANNING GOALS**

As with all Comprehensive Plan amendments, the purpose, policies, inventory information and objectives in each Chapter of the Comprehensive Plan must be reviewed and evaluated to determine the most appropriate land use plan designation. It is not uncommon to find that the applicable policies and objectives will often support both the existing and proposed Comprehensive Plan designation. As a result, the objectives and policies in the CP must be weighed and balanced to determine whether the existing General Commercial plan designation or proposed Multi-Family designation is more appropriate on the subject property. This report identifies all the provisions of the Comprehensive Plan the Planning Staff found to be relevant to the application.

Based on the findings in parts 1 and 2 of this report, the General Commercial plan designation is not warranted and Multi-Family plan designation is the most appropriate land use designation for the following reasons.

1. This proposal is not consistent with Goal 9 because it will reduce the inventory of land available for commercial uses. Goal 9 is intended to diversify and improve the economy of Estacada by providing a variety of, and adequate land for commercial and industrial development. However, the need for commercial land must also be weighed and balanced against the intent of Goal 10. Goal 10 requires the City to provide an adequate supply of land for a variety of housing types.

2. There is currently a limited supply of both commercial and multifamily land. The downtown commercial core area is essentially built out. The remaining commercial lands currently in the City are limited to this commercial strip along Eagle Creek Road and approximately 25 acres further north on Hwy. 224 (Taylor Property). There is also very little vacant multifamily land available within the City. On balance, there is a larger need for the additional land under Goal 10 for multifamily uses.

3. The subject property is more suitable for multifamily land uses because the area is predominantly residential. The site is appropriately located within walking distance of the new library site and mill.

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#### **PART 4. ZONE CHANGE**

Zone Change Criteria: Section 16.101 identifies two criteria that must be satisfied in order to approve a zone change.

1. Section 16.101.010A: *Approval of the request is consistent with the Comprehensive Plan.*

The proposed zone change is from C-1 to R-3. The R-3 zoning district implements the Multifamily Residential Plan designation. The policies of the Comprehensive Plan have been addressed in Part 1 and 2 of this report and summarized in part 3. Based on those findings, the proposed Multi-Family Residential plan designation is consistent with the Comprehensive Plan. Therefore, the proposed R-3 zoning district is not consistent with the Comprehensive Plan designation.

**This criterion is met.**

2. Section 16.101.010B: *The property and affected area is presently provided 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.*

a. Sewer, Water and Storm Drainage Facilities: The Public Works Director has indicated the sewer, water and storm drainage systems have adequate capacity to serve the proposed uses allowed under the proposed R-3 zoning district. See Exhibit 2.

b. Transportation System: The findings in Part 1 of this report under the discussion of Statewide Planning Goal 12 demonstrates the transportation system is adequate to support the proposed zone change to R-3. Those findings are adopted to address this criteria by reference therein.

**This criterion is met.**

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## ZONING ORDINANCE CONSIDERATIONS

Sections 16.24, 16.28, 16.101, 16.128, 16.132

## PLAN CONSIDERATIONS

The Comprehensive Plan provisions found to be applicable to this application are discussed in detail in Part 2 of this report.

## SITE DESCRIPTION

The subject property is approximately 1.0 acre. The property is vacant and relatively flat. The property has approximately 80' of frontage on Eagle Creek Road. Most of the property is now covered with coniferous and deciduous trees and underbrush.

## VICINITY DATA

Surrounding Conditions: All the adjacent properties are planned and/or zoned C-1. The adjacent properties to the north are developed with single family dwellings. The adjacent properties to the south are developed with a single family dwelling and commercial business (auto repair / equipment rental). The adjacent property to the west is part of the log storage yard for the mill. The adjacent property to the east, across Eagle Creek Road is developed with a single family dwelling.

Service Considerations: Water, sewer, storm drainage and transportation systems are provided through the City of Estacada. The Estacada Rural Fire Protection District provides fire protection.

## RESPONSES REQUESTED

1. DLCD
2. Estacada Fire Department
3. Portland General Electric
4. Cascade Utilities
5. Estacada School District
6. Estacada Public Works Department
7. Estacada Parks and Recreation Department
8. Clackamas County Planning Department

## EXHIBITS

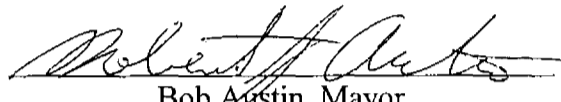
1. Tax Assessor location/zoning map
2. Comments, Chris Randall, Public Works Director

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Decision: Based on the above findings, it is the decision of the Estacada City Council to approve this application.

Approved on February 13, 2006

Signed this 13 day of February, 2006

  
Bob Austin, Mayor