



# 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

June 25, 2007

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 005-06



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. This amendment was adopted by resolution and submitted without a signed ordinance.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: July 9, 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 Metro-Portland Regional Representative  
Mike McCallister, City of Estacada

<paa> ya

# 2 Notice of Adoption

DEPT OF

JUN 20 2007

LAND CONSERVATION  
AND DEVELOPMENT

For DLCD Use Only

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

Jurisdiction: City of Estacada Local file number: Annex 2006-3

Date of Adoption: 6/11/2007 Date Mailed: 6/19/2007

Date original Notice of Proposed Amendment was mailed to DLCD: 7/7/2006

- |  |  |
|--|--|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment    |
| <input type="checkbox"/> Land Use Regulation Amendment     | <input checked="" type="checkbox"/> Zoning Map Amendment     |
| <input type="checkbox"/> New Land Use Regulation           | <input checked="" type="checkbox"/> Other: <u>Annexation</u> |

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

**Annex to the City of Estacada property described as 34E, 21D, tax lot 1501. Zone change map amendmet from RRFF-5 (County designation) to R-1 (low-density residential) consistent with 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: \_\_\_\_\_ to: \_\_\_\_\_

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

Location: 34E, 21D, tax lot 1501 Acres Involved: 10

Specify Density: Previous: 5 acres New: 7,500 sq ft

Applicable Statewide Planning Goals: 9, 10, 11, 12 & 14

Was and Exception Adopted?  YES  NO

DLCD File No.: 005-06 (15365)

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. Clackamas County**

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.

**RESOLUTION 2007 – NO. 012**

**A RESOLUTION OF THE ESTACADA CITY COUNCIL PROCLAIMING ANNEXATION OF 10 ACRES OWNED BY KENT SEIDA.**

WHEREAS, Kent Seida submitted a petition to the City requesting that certain properties of which he has 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 August 24, 2006 after the proper publications and notices and forwarded a recommendation of approval with conditions; and

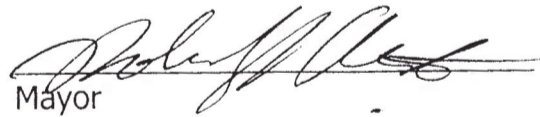
WHEREAS, after proper notices and publications the Estacada City Council conducted a public hearing on September 25, 2006 and voted to approve the annexation request with conditions and submit it to a vote of the City electors at the next available election; and

WHEREAS, the Estacada City Council adopted Resolution 2007 – No. 006 at their February 12, 2007 meeting calling for a measure election to submit to the electors of the City the question of annexation of 10 acres into the City limits; and

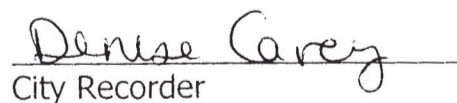
WHEREAS, on May 15, 2007 there was an election held and the question of this annexation was asked of all electors inside the City of Estacada and the outcome was 202 yes to 116 no votes, therefore a majority of the electors approving the annexation.

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 11<sup>th</sup> day of June, 2007.

  
Mayor

ATTEST:

  
City Recorder

LEGAL DESCRIPTION  
TAX LOT 1501 (3-4E-21D)  
KENT SEIDA

JOB #6173  
6/5/06 MAR

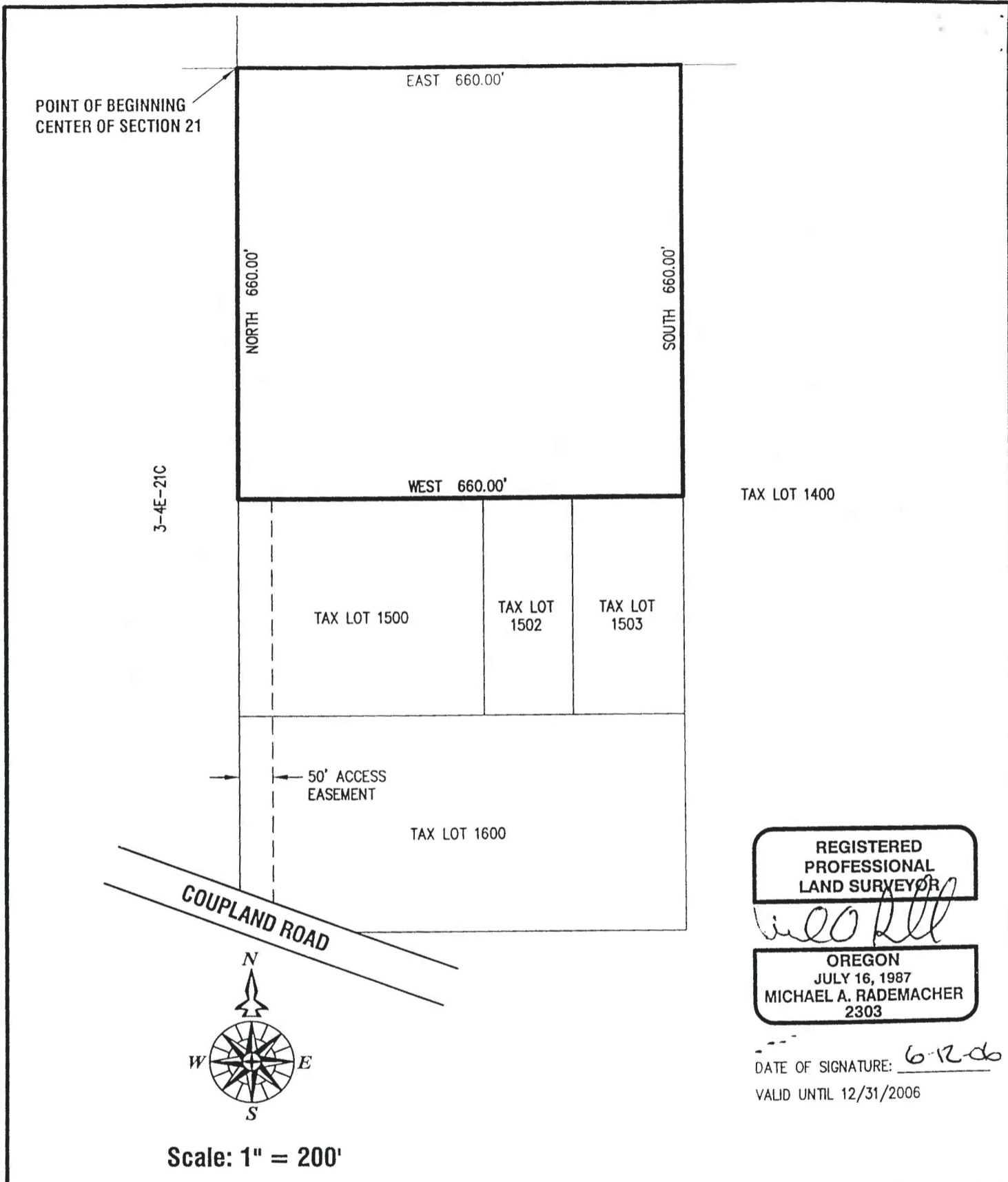
EXHIBIT "A"

A TRACT OF LAND LOCATED IN THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SECTION 21; THENCE EAST ALONG THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER 660.00 FEET TO THE NORTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO FRANK DUNSMUIR AND WIFE, BY DEED IN BOOK 621, PAGE 823, DEED RECORDS; THENCE SOUTH ALONG THE EAST LINE OF SAID DUNSMUIR TRACT 660.00 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF THE DUNSMUIR TRACT, 660.00 FEET TO THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER 660.00 FEET TO THE POINT OF BEGINNING.



DATE OF SIGNATURE: 6-5-06  
VALID UNTIL 12/31/2006



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Michael A. Rademacher*

OREGON  
JULY 16, 1987  
MICHAEL A. RADEMACHER  
2303

DATE OF SIGNATURE: 6-12-06  
VALID UNTIL 12/31/2006

**COMPASS ENGINEERING**

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

IN THE NW 1/4 OF THE SE 1/4 OF SECTION 21  
T.3S., R.4E., W.M.  
CLACKAMAS COUNTY, OREGON

EXHIBIT B

NAME: Kent Seida  
FILE NO.: 2006-03-A  
PUBLIC HEARING DATE: September 25, 2006

CITY COUNCIL FINDINGS AND DECISION

GENERAL INFORMATION

Applicant: Kent Seida; 17501 SE Forest Hills Drive; Clackamas, OR 97015

Owner(s): Same

Proposal: Annexation of a 10 acre parcel of land within the Estacada Urban Growth Boundary into the City Limits. This application includes a corresponding zone change from Rural Residential Farm Forest – 5 Acre District (RRFF-5) to R-1 consistent with the Estacada Comprehensive Plan land use plan map.

Location: The property is located approximately 600' off the north side of Coupland Road and approximately ¼ mile east of the Coupland Road / Cemetery Road intersection.

Legal Description: T3S, R4E, Section 21D, Tax Lot 1501.

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

Comprehensive Plan Designation: County Designation: Rural; City Designation: Low Density Residential.

Planning Commission Recommendation: Approval of the Annexation and Zone Change.

=====  
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, the subject property is located within the Estacada Urban Growth Boundary.

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

The adjacent property to the west and northwest (Cascadia Ridge Subdivision property) is located within the City limits. The subject property is contiguous to property within the existing City Limits.

**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.*

The subject property is designated Low Density Residential on the Estacada Comprehensive Plan map. The R-1 zoning district implements the Low Density Residential Plan designation. The applicant has not proposed to change the existing Comprehensive Plan designations. The applicant has proposed to change the current County RRFF-5 zoning designation to R-1 consistent with the existing Low Density Residential designation. The applicant has indicated the property will ultimately be developed with a subdivision consistent with uses allowed under Low Density Residential Comprehensive Plan designation and R-1 zoning designation.

**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 has submitted comments addressing the adequacy of the public water and sewer system. See Exhibit 2. The City waste water treatment and water treatment facilities currently have capacity for approximately 800 new connections. Approximately 750 new residential subdivision lots have recently been approved and / or received preliminary plat approval. If all these lots are developed additional sewer and water connections would not be available unless capacity upgrades are completed on the City's sewer and water systems. Another large tract of land over 100 acres was recently annexed on the north end of town, which is also available for future development. Other additional connections will also likely be requested for various commercial, industrial and residential infill projects within the City.

In a recent annexation application (File No. 2006-05-A / Schlichter) the Planning Commission and City Council determined that the capacity of the sewer and water systems is adequate because of the amount of connections currently available (approximately 800) to support buildout of the recently approved and tentatively approved subdivisions in the City. In addition, the historical growth rate of the City is not expected to exceed the ability of the City to construct future capacity upgrades to sewer and water facilities before all the available connections are utilized. Additional improvements to City sewer treatment and water treatment facilities are technically feasible to accommodate future growth needs subject to normal facility planning, design and funding.

**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.*

The subject property does not have frontage on a public road. Access to the property is via a private road off of Coupland Road. The property will ultimately have access to planned roads in the Cascadia Ridge Subdivision. 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 parcel. The TSP indicates the nearby Coupland Road / Cemetery Road intersection will 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.

Because the subject property does not have access to a dedicated public road, this criterion requires the City to advise the applicant of minimum road standards. The City Code requires all new subdivisions exceeding 6 lots to be developed with a public road meeting minimum right-of-way and improvement standards. Roads serving this area will generally require a minimum 40' – 60' right-of-way and 28' – 36' road surface including curbs and sidewalks. The applicant is advised that a road or roads meeting these minimum standards will be required for future development. The applicant will likely be required to obtain right-of-way from adjoining land owners in the absence of access to planned and improved streets in the Cascadia Ridge Subdivision. 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 for 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 only one parcel. The submitted application includes a signature of the current property owner authorizing annexation of the property.

**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 16.36.010 (M-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.*”

The applicant has not submitted any specific development plan, but has indicated the property would be developed consistent with the underlying 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 City Council 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 to the property.

Generally, the applicant has proposed to establish land uses on the property consistent with the existing Comprehensive Plan designations. This is consistent with the purpose statement of the proposed R-1 zoning districts in the City Code. The application does not propose any changes to the existing Low Density Residential Plan designation.

**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.**

Approval of this application will not create any islands of unincorporated land.

**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 map designation, therefore R-1 zoning will be applied to the annexed area if the application is approved.

**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 parcel will be zoned R-1 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. The subject property is vacant. No nonconforming uses exist on the property.

**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.**

As mentioned in the findings in the previous criteria, the subject property is vacant. No nonconforming uses exist on the subject property.

**This criterion is not applicable.**

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## 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 on the Estaçada Comprehensive Plan map. The proposed R-1 zoning district implements the Low Density Residential plan designation. 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 Plan designation. 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.*

Based on the findings in the evaluation of the annexation application under Section 16.124.030B the City sewer treatment, water treatment facilities and storm drainage facilities are adequate to accommodate anticipated residential development on the property. Those findings are adopted to address this approval criteria by reference therein.

**This criterion is met.**

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#### EXHIBITS

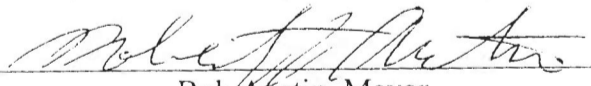
1. Tax assessors/location map
  2. Comments, Chris Randall, Public Works Director
- 

Decision: Based on the above findings, it is the decision of the Estacada City Council to approve the Annexation and Zone Change application and refer the matter to a vote of the city electors at the next available election. Final approval of the application is subject to the following conditions:

1. The applicant / property owners shall sign a waiver of remonstrance for the dedication of road right-of-way and other road improvements required to serve the property with necessary transportation improvements consistent with City Roadway and Improvement Standards required in any future development applications.
2. The City's official zoning map shall be changed to reflect this action upon final approval.

Approved on September 25, 2006

Signed this 25 day of September, 2006

  
Bob Austin, Mayor

NUMBERED KEY CANVASS  
UN DATE:05/29/07 10:22 AM

Clackamas County Oregon  
Special District Election  
May 15, 2007

Final Official Results  
REPORT-EL52 PAGE 0228

0260 CITY OF ESTACADA  
ANNEXATION OF 10 ACRES INTO THE ESTACADA CITY LIMITS

	VOTES	PERCENT		VOTES	PERCENT
Vote For 1			03 = OVER VOTES	0	
01 = Yes	202	63.52	04 = UNDER VOTES	19	
02 = No	116	36.48			

01	02	03	04
202	116	0	19

1106 106

**RECEIVED**

**City of Estacada**

CERTIFIED COPY OF THE ORIGINAL  
SHERRY HALL COUNTY CLERK  
BY: *Sherry Hall*  
MAY 30 2007





Addresses Affected:

There are no structures on the annexed tax lot. The tax lot description is 34E 21D 01501