



Oregon

Theodore R. Kubongoski, 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

11/15/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Columbia City Plan Amendment
DLCD File Number 001-08A

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: Monday, November 29, 2010

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Lisa Smith John Rankin, City of Columbia City
Gloria Gardiner, DLCD Urban Planning Specialist
Anne Debbaut, DLCD Regional Representative
Amanda Punton, DLCD Regional Representative

<paa> YA/



FORM **2**

DLCD

Notice of Adoption

In person electronic mailed

DATE STAMP

DEPT OF

NOV 9 2010

LAND CONSERVATION AND DEVELOPMENT
For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Columbia City**

Local file number:

Date of Adoption: **11/4/10**

Date Mailed: **11/9/10**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 1/21/10

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

Rezone newly annexed parcels.

Does the Adoption differ from proposal? Please select one

Original proposal also included UGB expansion and Comprehensive Plan designations for affected parcels. Notice of approval of UGB expansion by City of Columbia City and Columbia County were submitted previously.

Plan Map Changed from: **NA**

to: **NA**

Zone Map Changed from: **County Zoning**

to: **City of Columbia City Public Land and R-1 low density residential.**

Location: **Columbia City, Oregon**

Acres Involved: **1.8 acres residential
4.2 acres public land**

Specify Density: Previous: **N/A**

New: **.75 du/a for R-1 property**

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

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

DLCD file No. 001-08

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Columbia County, Oregon Department of Fish and Wildlife, Division of State Lands

Local Contact: **Lisa Smith, John A. Rankin, LLC**

Phone: **(503) 543-2010** Extension:

Address: **26715 SW Baker Road**

Fax Number: - -

City: **Sherwood**

Zip: **97140**

E-mail Address: **lisasmith@colcenter.org**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS [197.615](#) and [OAR Chapter 660, Division 18](#)

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light **green paper if available**.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD 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**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see [ORS 197.615](#)).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see [ORS 197.830 to 197.845](#)).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see [ORS 197.615](#)).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

ORDINANCE NO. 10-663-O

AN ORDINANCE ANNEXING PROPERTY TO THE CITY OF COLUMBIA CITY AND RE-ZONING ANNEXED PROPERTY

THE CITY OF COLUMBIA CITY HEREBY ORDAINS AS FOLLOWS:

Section 1. Pursuant to ORS 222.120(4)(b), the real property owned by Wayne and Judith Weigandt described in Exhibit A and real property owned by Wayne Weigandt described in Exhibit B, attached hereto and incorporated herein, is hereby declared annexed to the City of Columbia City.

Section 2. Pursuant to Columbia City Development Code 7.145.070, the portion of the property identified on the attached map as "Proposed R-10 Parcel" and described in the attached legal description dated October 11, 2010 is re-zoned from Columbia County R-10 to City of Columbia City Residential Low Density (R-1).

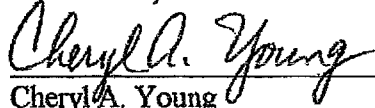
Section 3. Pursuant to Columbia City Development Code 7.145.070, the portion of the property outside the area identified as "Proposed R-10 Parcel" is hereby re-zoned from Columbia County to Community Service Recreational to City of Columbia City Public Land (PL).


Section 4. In support of the above annexation and rezoning, the City Council hereby adopts the findings, conclusions and recommendations in the staff report dated April 15, 2010, regarding annexation and re-zoning of the property.

Section 5. The effective date of this annexation and re-zoning shall be 30 days after the date of adoption of this ordinance.

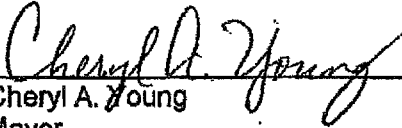
First reading: May 20, 2010
Second reading: November 4, 2010

Adopted by the City Council this 4th day of November, 2010 by the following vote:
AYES: 5 NAYS: 0 ABSENT: 0 ABSTAIN: 0
Approved by the Mayor the 4th day of November, 2010.


Cheryl A. Young
Mayor

ATTEST: 
Leahnette Rivers
City Administrator/Recorder

Effective date: December 4, 2010


Cheryl A. Young
Mayor

ATTEST:

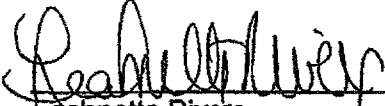
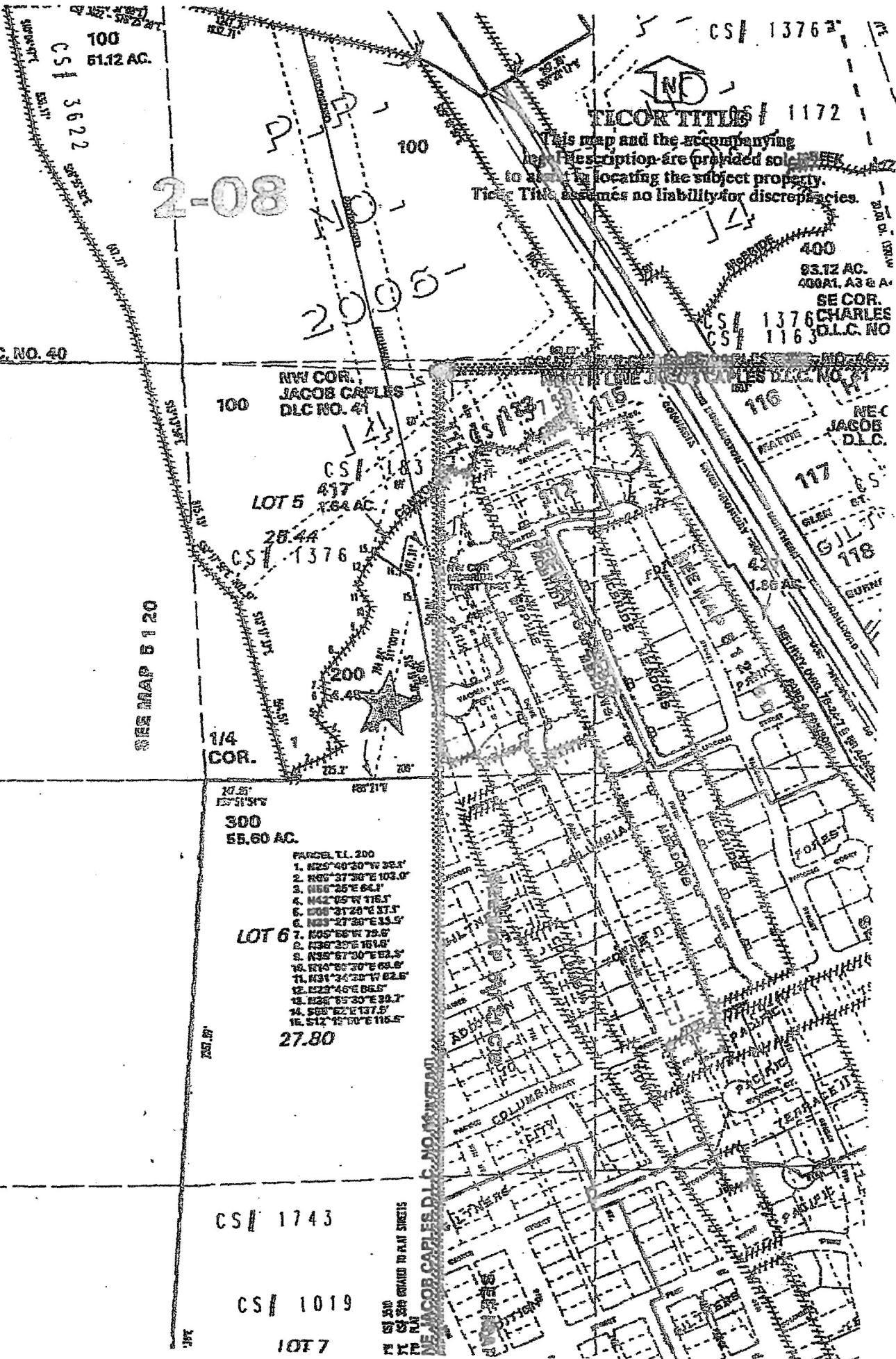

Leahnette Rivers
City Administrator/Recorder

EXHIBIT A
TL 5121-00-00200

LEGAL DESCRIPTION

Parcel 1: That portion of the following described tract lying within Government Lot 5 in Section 21, Township 5 North, Range 1 West of the Willamette Meridian, Columbia County, Oregon: Beginning at a point which is South 0°18'48" East a distance of 594.3 feet from the Northwest corner of Jacob Caples Donation Land Claim No. 41 (Giltner's Addition to Columbia City), Section 21, Township 5 North, Range 1 West of the Willamette Meridian, Columbia County, Oregon; thence West a distance of 50.0 feet; thence South 11°00' West a distance of 764.87 feet; thence East a distance of 200.0 feet to a point on the West line of said Giltner's Addition to Columbia City; thence North 0°18'42" West a distance of 750.00 feet to the point of beginning. EXCEPT that portion conveyed to Crown Zellerbach Corporation (shown as Parcel 1) in deed recorded February 2, 1960 in Book 141, page 586, Deed Records of Columbia County, Oregon.

Parcel 2: Beginning at a point on the South line of Government Lot 5, Section 21, Township 5 North, Range 1 West, Willamette Meridian, Columbia County, Oregon, which is South 1°20' West 1,317.4 feet and North 88°21' West 200.0 feet from the Northwest corner of Giltner's Addition to Columbia City, Columbia County, Oregon; thence continuing along the South line of Government Lot 5 North 88°21' West a distance of 225.2 feet to the center of a creek; thence down the center of said creek as follows: North 29°40 ½' West 39.1 feet; North 65°37 ½' East 103.0 feet; North 56°35' East 64.1 feet; North 42°09' West 115.1 feet; North 8°31 ½' East 37.1 feet; North 33°27 ½' East 33.9 feet; North 9°55' West 79.6 feet; North 36°38' East 151.0 feet; North 39°57 ½' East 52.3 feet; North 14°50 ½' East 65.6 feet; North 31°34 ½' West 82.5 feet; North 23°46' East 86.9 feet; thence leaving the creek North 38°55 ½' East a distance of 30.7 feet; thence South 55°52' East a distance of 137.9 feet; thence South 12°19'50" East a distance of 115.5 feet to a point on the West line of tract conveyed to Russell Boulby and Mildred Boulby by deed recorded in Book 88, page 224, Deed Records of Columbia County, Oregon; thence South 12°39' West along the West line of said Boulby tract, a distance of 689.2 feet to the point of beginning.



100
CS 51.12 AC.

CS 3622

2-08

2095-

TICOR TITLES 1172

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

400
83.12 AC.
400A1, A3 & A
SE COR.
CHARLES
D.L.C. NO

S LINE D.L.C. NO. 40

NW COR.
JACOB CAPLES
D.L.C. NO. 41

CS 183
LOT 5
76.2 AC.

CS 1376

SEE MAP 5120

114
COR.

300
55.60 AC.

LOT 6

- PARCEL T.L. 200
1. N22°40'20" W 32.1'
 2. S85°27'30" E 103.0'
 3. N65°25' E 64.1'
 4. N42°09' W 116.1'
 5. S05°21'20" E 37.1'
 6. N03°27'30" E 33.5'
 7. S05°56' W 79.6'
 8. N30°30' E 191.6'
 9. N35°57'30" E 82.2'
 10. N14°55'20" E 63.6'
 11. N31°34'20" W 82.5'
 12. S22°46' E 85.5'
 13. S25°55'30" E 39.7'
 14. S55°52' E 137.5'
 15. S12°15' E 116.5'

27.80

CS 1743

CS 1019

LOT 7

CS 300
CS 300 GRANTED TO RAN STREETS
BY ME JACOB CAPLES D.L.C. NO 40

EXHIBIT B
TL 5121-00-00417

Legal Description

Beginning at the Northeast corner of Lot 11, Block 5, Columbia Towne II, as set plat on file and of record in the clerk's office of Columbia County, Oregon; thence North 22° 11' West a distance of 15.00 feet to the Northeast corner of the Gale H. Steady tract, as described in Columbia Clerk's Instrument N.O. 83-9642 and the true point of beginning of the parcel herein described; thence South 67° 49' West a distance of 140.00 feet to the Northwest corner of said Steady tract; thence South 22° 11' East a distance of 15.00 feet to the Northwest corner of said Lot 11; thence South 22° 11' East along the West line of said Lot 11 a distance of 25.00 feet to the North line of Lincoln Street; thence South 67° 49' West a distance of 50.00 feet to the Southeast corner of Lot 1, Block 6 of Columbia Towne II; thence North 22° 11' West a distance of 50.00 feet to the Northwest corner of said Lot 1; thence South 67° 49' West a distance of 147.75 feet to the Northwest corner of Lot 1 and the East line of the Mark W. Miller tract, as described in County Clerk's Instrument No. 58-2063; thence North 22° 11' West a distance of 40.25 feet to the Northwest corner of said Miller tract; thence South 67° 49' West a distance of 68.25 feet to the Northwest corner of said Miller tract and the Westerly line of the Wayne Weigandt tract, as described in Deed Book 245 at page 518; thence along said Westerly line along the arc of a spiral curve to the right (the long chord bears North 12° 22' 15" West, 48.75 feet) a distance of 48.75 feet; thence North 12° 15' 50" West a distance of 634.07 feet; thence South 45° 01' 30" West a distance of 160.25 feet; thence North 9° 26' East a distance of 48.27 feet to the center line of Canyon Creek; thence following down said creek center line North 89° 17' East a distance of 41.10 feet; thence South 89° 13' East a distance of 70.00 feet; thence North 18° 32' East a distance of 57.75 feet; thence North 69° 17' East a distance of 103.54 feet; thence North 30° 17' East a distance of 60.75 feet; thence North 78° 02' East a distance of 67.50 feet; thence North 28° 32' East a distance of 33.50 feet to the Westerly right-of-way line of 5th Street of Gilmer's Addition to Columbia City (now vacated); thence continuing down said creek center line to the center line of said vacated 5th Street; thence South 22° 11' East along the center line of said vacated 5th Street a distance of 78.05 feet to the center line of vacated Harrison Street; thence South 67° 49' West along the center line of said vacated Harrison Street a distance of 60.21 feet to the Northern extension of the Westerly line of G.N. McBride Trustee's tract, as shown in said Gilmer's Addition; thence South 22° 11' East along said Westerly line a distance of 604.44 feet to the point of beginning. EXCEPTING THEREFROM that portion lying in the Plat of Sophie Park recorded January 27, 2008 as Fee Number 2008-001184 and in Plat Book 6, page 80 and 81, Records of Columbia County, Oregon.

Subject to:

The following matters are excluded from the coverage of the policy based on the proximity of the property to CANYON CREEK.

- a. Rights of the public and governmental bodies (including claims of ownership) to that portion of the premises lying below the high water mark of CANYON CREEK.
- b. Any adverse claim based on the hereinafter that:
 1. Some portion of said land has been created by official means, or has succeeded to such portion so created.
 2. Some portion of said land has been brought within the boundaries thereof by an earlier movement of CANYON CREEK or has been formed by accretion to such portion.
- c. Any adverse claim based upon the assertion that the boundary of CANYON CREEK has changed in location.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

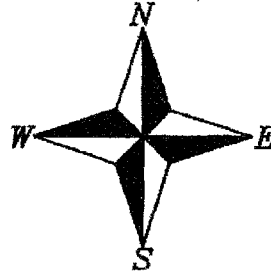
OREGON
JULY 26, 1985
DAVID E. REYNOLDS
2157

RENEWAL DATE: 12-31-2010

Reynolds
Land Surveying, Inc.
32990 Stone Road
Warren, Oregon 97053
(503) 397-5516

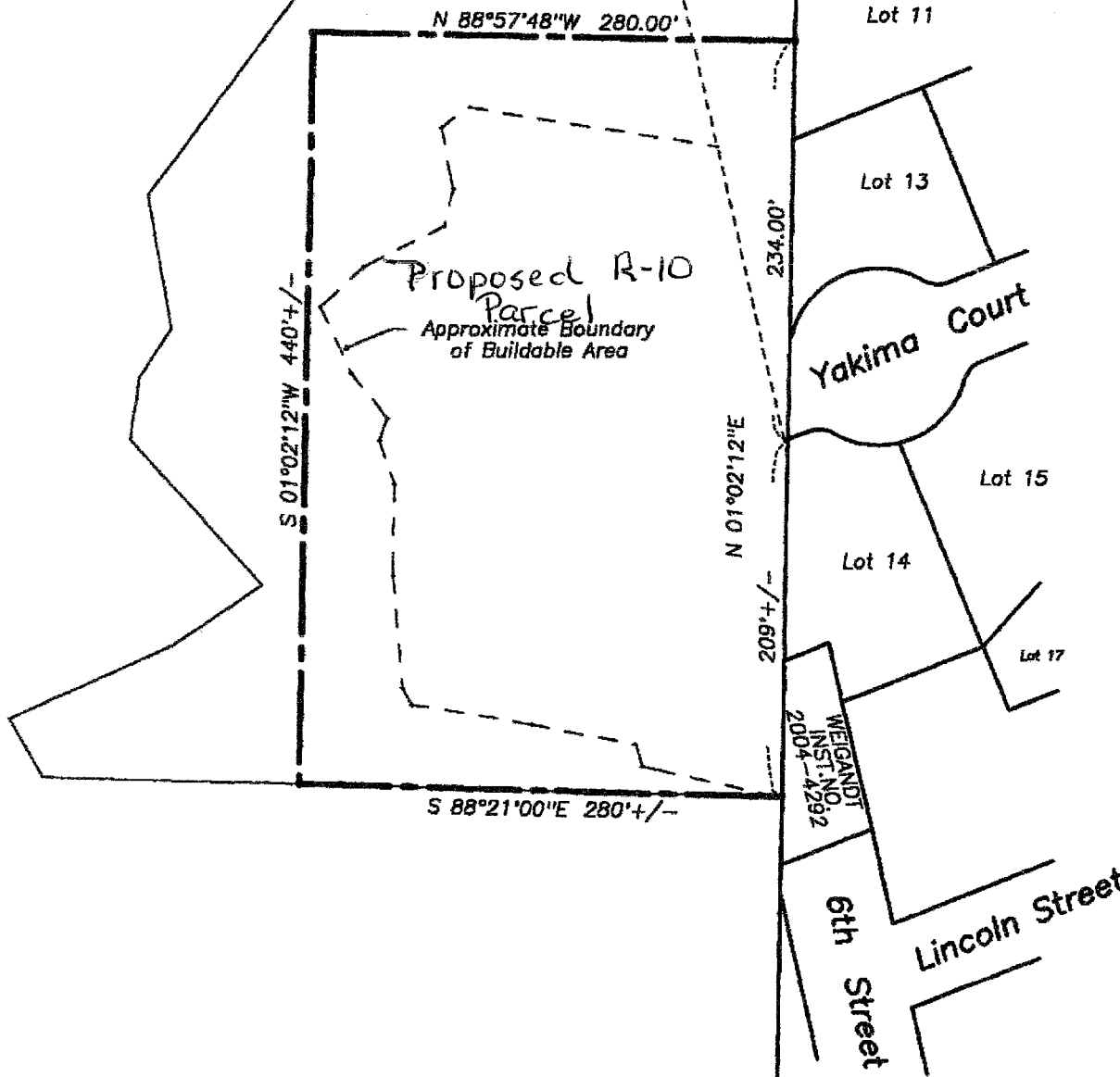
Wayne Weigandt
Proposed Zone Change

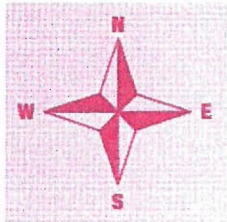
Tax Map No.
5121-000-00200 & 00417
October 11, 2010



Scale: 1"=100'

CF:08016W
SF:08016W3
FB:99





**REYNOLDS
LAND
SURVEYING,
INC.**

32990 Stone Road
Warren, OR 97053
(503) 397-5516
Fax (503) 397-5518

October 11, 2010

Legal Description
Preliminary Description of Proposed R-10 Parcel

A portion Parcels 1 and 2 of the Wayne W. Weigandt and Judith Ann Weigandt tracts as described in Deed Book 269, Page 795 recorded on June 29, 1987 in the Clerks Records of Columbia County, Oregon and being situated in the West half of Section 21, Township 5 North, Range 1 West, Willamette Meridian, Columbia County, Oregon and being more particularly described as follows:

Beginning at the point of intersection of the West line of the Jacob Caples Donation Land Claim No. 41 with the Southerly right of way line of "Yakima Court" as depicted on the plat of "Sophie Park" recorded on January 27, 2006 in Plat Book 6, Page 80, Clerks Records of Columbia County, Oregon; thence North $01^{\circ}02'12''$ East, along the West line of said Jacob Caples Donation Land Claim No. 41, a distance of 234.00 feet; thence North $88^{\circ}57'48''$ West a distance of 280.00 feet; thence South $01^{\circ}02'12''$ West, parallel with said West line of the Jacob Caples Donation Land Claim, a distance of 440 feet more or less, to the South line of Parcel 2 of said Wayne W. Weigandt and Judith Ann Weigandt tract; thence South $88^{\circ}21'00''$ East, along the South lines of Parcel 2 and Parcel 1 of said Weigandt tract, a distance of 280 feet more or less to the West line of said Jacob Caples Donation Land Claim; thence North $01^{\circ}02'12''$ East, along the said West line of the Jacob Caples Donation Land Claim, a distance of 209 feet more or less to the point of beginning.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

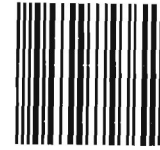
David E. Reynolds
OREGON
JULY 26, 1985
DAVID E. REYNOLDS
2157

RENEWAL DATE: 12-31-2010

City of Columbia City
P.O. Box 189
Columbia City, Oregon 97018



1000



97301

U.S. POSTAGE
PAID
SCAPPOOSE, OR
97056
NOV 08, '10
AMOUNT

\$1.56
00096949-05

FIRST CLASS

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540