



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

01/18/2012

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Estacada Plan Amendment  
DLCD File Number 003-11

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: Tuesday, January 31, 2012

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.

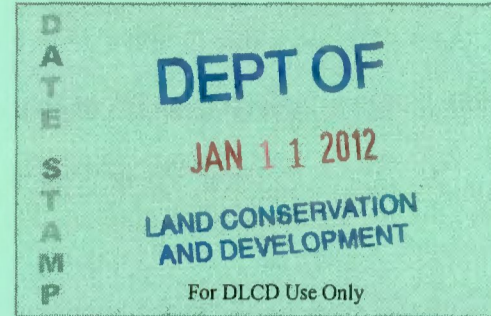
Cc: Scott Hoelscher, City of Estacada  
Angela Lazarean, DLCD Urban Planner  
Jennifer Donnelly, DLCD Regional Representative

Thomas Hogue, DLCD Economic Development Policy Analyst

<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



Jurisdiction: City of Estacada Local file number: Annex 2011-1

Date of Adoption: 12/12/2011 Date Mailed: 1/10/2012

Date original Notice of Proposed Amendment was mailed to DLCD: 5/17/2011

- 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".

**Annexation to the city limits of Estacada the 130 acre property described as 34E, 18, tax lot 100 & 34E, 17, tax lots 1202 & 1203. A corresponding zone change from EFU:Exclusive Farm Use (Clackamas County designation) to M-1 (light industrial) consistent with the City's Comprehensive Plan is also proposed.**

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: n/a

Zone Map Changed from: EFU: Exclusive Farm Use to: M-1 (light industrial)

Location: 34E, 18, tl 100 & 34E, 17 tl 1202 & 1203 Acres Involved: 130.4

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

Applicable Statewide Planning Goals: 3, 9, 11, 12 & 14

Was an Exception Adopted?  YES  NO

DLCD File No.: 003-11 (18833) [16890]



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: **Scott Hoelscher** Phone: **(503) 742-4524** Extension: \_\_\_\_\_

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

Zip Code + 4: **97015-** Email Address: **scotth@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 2011 – 018**

**A RESOLUTION OF THE ESTACADA CITY COUNCIL PROCLAIMING ANNEXATION OF 130.4 ACRES INTO THE CITY LIMITS.**

WHEREAS, Michael Park submitted a petition to the City requesting that certain properties of which he has ownership of 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 July 21, 2011 after the proper publications and notices and forwarded a recommendation of approval; and

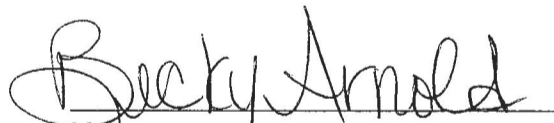
WHEREAS, after proper notices and publications the Estacada City Council conducted a public hearing on August 8, 2011 voted to approve the annexation request with conditions and submit it to a vote of the City electors at the next available election; and

WHEREAS, the Estacada City Council adopted Resolution 2011 - 012 at their August 22, 2011 meeting calling for a measure election to submit to the electors of the City the question of annexation of 130.4 acres into the City limits; and

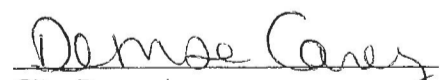
WHEREAS, on November 8, 2011 there was an election held and the question of this annexation was asked of all electors inside the City of Estacada and the outcome was 393 yes votes to 178 no votes, therefore a majority of the electors approving the annexation.

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

PASSED and effective this 12<sup>th</sup> day of December, 2011.

  
Mayor

ATTEST:

  
City Recorder



ENGINEERING PLANNING  
FORESTRY  
13910 S.W. Galbreath Dr., Suite 100  
Sherwood, Oregon 97140  
Phone: (503) 925-8799  
Fax: (503) 925-8969



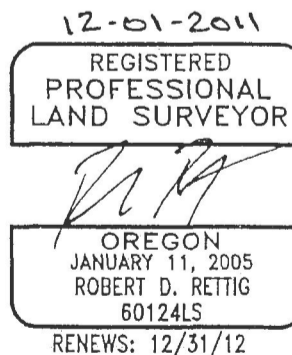
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## EXHIBIT A

A tract of land being a portion of the Hugh Currin Donation Land Claim Number 40 and a portion of the George Currin Donation Land Claim Number 41, located in the Southwest One Quarter and North west One Quarter of Section 17 and the Northeast One Quarter and Southeast One Quarter of Section 18, Township 3 South, Range 4 East, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the southwest corner of the Hugh Currin Donation Land Claim No. 40; thence along the westerly line of the said Donation Land Claim (also being the City of Estacada City Limits), North 20°00'03" West 2004.45 feet to the northwest corner of that tract of land conveyed to Diana R. Halvorson in Document Number 96-080845, Clackamas County Deed Records, being an angle point in the City of Estacada City Limits and the Point of Beginning; thence leaving said City of Estacada City Limits and following said westerly Donation Land Claim line, North 20°00'03" West 1716.48 feet to the northwest corner thereof and being the southwest corner of that tract of land conveyed to David W. Julien and Cynthia A. Julien in Document Number 2007-094401, Clackamas County Deed Records; thence along the northwesterly line of the Hugh Currin Donation Land Claim, North 70°33'53" East 1137.87 feet to a stone at the southeasterly corner of that tract of land conveyed to Frank L. White and Joyce L. White in Document Number 93-94151, Clackamas County Deed Records; thence along the easterly line of the White tract, North 19°35'01" West 508.69 feet to a 5/8 inch iron rod at the southwesterly corner of that tract of land conveyed to Richard H. Hoover and Rosemary Hoover in Document Number 96-010140, Clackamas County Deed Records; thence along the southeasterly line of the Hoover tract, North 70°29'43" East 1947.11 feet to a point on the westerly line of that tract of land conveyed to the State of Oregon Parks and Recreation Department in Document Number 97-062568, Clackamas County Deed Records, said point being on the west line of the City of Estacada City Limits; thence along the west line of the City of Estacada City Limits and said Parks and Recreation tract, South 07°14'13" East 2235.59 feet to the northeasterly corner of the plat "Estacada Industrial Campus" (Plat No. 3523), said point also being an angle point in said City of Estacada City Limits; thence along the northwesterly line of said plat of "Estacada Industrial Campus" and said Halvorson tract (also being the City of Estacada City Limits), South 69°37'48" West 2594.70 feet to the Point of Beginning.

The above described tract of land contains 130.4 acres, more or less.

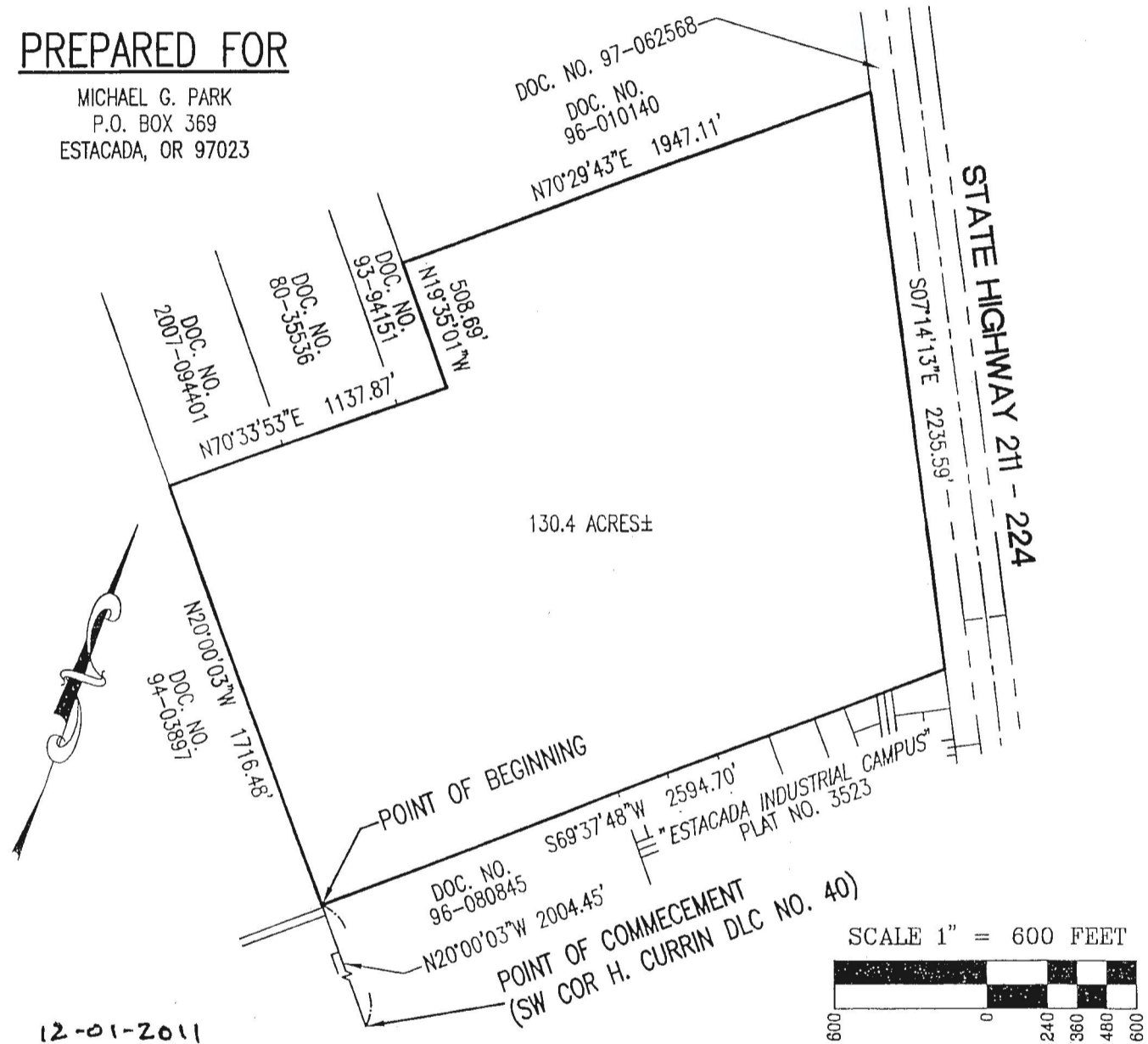


# EXHIBIT B

A TRACT OF LAND BEING A PORTION OF THE HUGH CURRIN DONATION LAND CLAIM NUMBER 40 AND A PORTION OF THE GEORGE CURRIN DONATION LAND CLAIM NUMBER 41, LOCATED IN THE SOUTHWEST 1/4 AND THE NORTHWEST 1/4 OF SECTION 17 AND THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON

## PREPARED FOR

MICHAEL G. PARK  
P.O. BOX 369  
ESTACADA, OR 97023



12-01-2011

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*[Signature]*

OREGON  
JANUARY 11, 2005  
ROBERT D. REIIG  
60124LS  
RENEWS: 12/31/12

ESTACADA  
JOB NAME: INDUSTRIAL PARK

JOB NUMBER: 2332

DRAWN BY: WCB

CHECKED BY: RDR

DWG NO.: 120211\_2332EXB

ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE  
FORESTRY • SURVEYING

LICENSED IN OR & WA

**AKS**  
ENGINEERING & FORESTRY

13910 SW GALBREATH  
DRIVE, SUITE 100  
SHERWOOD, OR 97140  
PHONE: (503) 925-8799  
FAX: (503) 925-8969

OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA



# Exhibit "C"

NAME: Michael Park  
FILE NO.: 2011-01  
PUBLIC HEARING DATE: August 8, 2011

## CITY COUNCIL FINDINGS AND DECISION

### GENERAL INFORMATION

Applicant: Michael G. Park; P.O. Box 369, Estacada, OR 97023

Owner(s): Michael G. Park; P.O. Box 369, Estacada, OR 97023

Proposal: Annexation of 130.4 acres of land within the Estacada Urban Growth Boundary (UGB) into the city limits. This application includes a corresponding zone change from Exclusive Farm Use (EFU) to M-1 (Light Industrial) consistent with the Estacada Comprehensive Plan map designation.

Location: West side of Hwy. 224, north of its intersection with Rivermill Road.

Legal Description: T3S, R4E, Section 18, Tax Lot 00100 and T3S, R4E, Section 17, Tax Lot 1202 and 1203.

Zone: EFU – Exclusive Farm Use; 80 acre minimum lot size (Clackamas County Zoning District).

Comprehensive Plan Designation: City Designation: Light Industrial.

City Council Decision: 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 Planning 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).*

The 130 acre subject property was recently brought into the Estacada Urban Growth Boundary (UGB). The Department of Land Conservation and Development approved the UGB amendment on April 25, 2011. This criterion is met.

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

The proposal involves the annexation of three tax lots totaling 130 acres into the Estacada city limits. The area directly to the south of the subject site is the existing Estacada Industrial Campus which is within the city limits. Therefore, the subject site is contiguous to the existing city limits. This criterion is met.

**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 Light Industrial on the Estacada Comprehensive Plan map. The M-1: Light Industrial zoning district implements the Light Industrial Plan designation. The proposed M-1 zoning designation following annexation is consistent with the current Light Industrial Plan Designation. The conceptual land use plan submitted by the applicant indicates that the site will be developed for light industrial use and will be consistent with uses allowed under the M-1: Light Industrial zoning district.

**This criterion is met.**



2. *Section 16.124.030(B): Adequate capacity of urban services must exist or be made available within three years of annexation approval. An “adequate capacity of urban services” means:*

a. *Municipal sanitary sewer and water service meeting the requirements enumerated in the city’s water and sewer master plans for the provision of these services.*

The subject property was only recently brought into the City’s UGB. Therefore, the City’s water and sewer master plans do not cover the 130 acres as they were outside of the UGB and the City’s service area during master plan development. Sanitary sewer and water services would need to be extended into the subject site when the property is developed.

To demonstrate compliance with this criterion, the applicant has submitted documentation from Curran-McLeod Consulting addressing utility demand for the proposed annexation and impact on the existing systems. In terms of sanitary sewer, the existing collection system in the adjacent Estacada Industrial Campus is accessible and capable of accommodating additional flow from the annexation property. Likewise, the existing 12” water distribution line available in the adjacent Industrial Park is adequate to service future development on the 130 acres. No land division or development could occur until services are extended to the annexed land. According to the Curran-McLeod analysis dated May 6, 2011, the municipal sanitary sewer and water system has the capacity to accommodate growth from the proposed annexation.

**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.*

Following approval of the UGB expansion, the City of Estacada amended its Transportation System Plan (TSP) by adopting Scenario A. Scenario A includes transportation network extensions and transportation projects to support development on the 130 acre annexation site. During the UGB expansion process, ODOT commented that City adoption of Scenario A into the City’s TSP satisfies the requirements of the state Transportation Planning Rule (OAR 660-12-060). Therefore, through the adoption of Scenario A, the City’s TSP provides a transportation system that supports the proposed annexation for industrial development. Through the adoption of the Scenario A recommended amendments into the City TSP, the effect of the proposed annexation on the transportation system are addressed consistent with ORS 660-012-0060.

**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 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. These services have the capacity to accommodate future development on the site. The City of Estacada Park Plan provides for the location and establishment of park facilities.

The Estacada School District provides school facilities. The applicant has provided a letter from the Estacada School District dated May 5, 2011 indicating that the District has the ability to absorb additional students into their facilities. The District 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. The submitted application includes the signature of the current property owner authorizing annexation of the three tax lots.

**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.**

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 applicable provisions of the Annexation Chapter of the City Code are addressed throughout this report. The findings related to public facilities and service to the subject property are presented on pages 3 and 4 of this report. The relevant sections and corresponding policies of the Comprehensive Plan and Statewide Planning Goals found to be applicable to this proposal are discussed below:

1. GOAL 5: Open Spaces, Scenic and Historic Areas and Natural Resources

According to the National Wetlands Inventory and the Wetlands Delineation prepared by Ecological Land Services, Inc. (ELS) there are Goal 5 resources (wetlands) on the site. Pursuant to the City Council decision approving the UGB expansion, the City of Estacada has contracted with ELS to prepare a Local Wetland Inventory (LWI) consistent with Department of States Lands (DSL) standards and procedures (OAR 141-086-0180). Accordingly, the City will implement protection measures in compliance with Goal 5 following the completion of the LWI.

**Therefore, this proposal is consistent with Goal 5.**

2. GOAL 9: Economic Development

The purpose of the 130 acre UGB expansion and subsequent annexation is to meet a local, regional and statewide need for available, short-term, large-lot industrial sites. The property owner, City of Estacada and Clackamas County plan to seek designation of this area as a “shovel ready” site under the State of Oregon’s Certified Industrial Lands program. Certification identifies the parcels as a prime, serviceable large-lot industrial site and expedites the timeline for industrial development.

The proposed annexation would add approximately 130 acres to the City’s industrial base and apply an M-1: Light Industrial zone designation. Annexation of this land will add employment land opportunities for Estacada and the region as well as create a substantial number of jobs for the City. To ensure the site is preserved for large lot industrial use, the City Council decision approving the UGB expansion included a condition that the area include at least one 25 acre parcel and at least one 50 acre parcel and that commercial uses be prohibited except those that are accessory and incidental to industrial uses.

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

3. GOAL 11: Public Facilities

This Goal requires adequate public facilities and services such as sewer, water, solid waste and storm drainage to be provided at levels necessary and suitable for urban uses. The 130 acre annexation area is not currently served by public facilities and services because it is outside of the city limits. However, the 2008 Estacada Water System Master Plan and the 2000 Estacada Wastewater Facility Plan show 8" mainline pipes developed to the property line at the northern terminus of NW Campus Drive. This urban infrastructure is sufficient to serve industrial uses and ready for extension to the proposed annexation area.

The entire study area is located in the Estacada School District and Estacada Fire District. The Clackamas County Sheriff provides police protection. The existing public facilities and services are adequate to support urban level land uses on the subject property.

**Therefore, this proposal is consistent with Goal 9.**

4. GOAL 12: Transportation

Following approval of the UGB expansion, the City of Estacada amended its Transportation System Plan (TSP) by adopting Scenario A. Scenario A includes transportation network extensions and transportation projects to support development on the 130 acre annexation site. During the UGB expansion process, ODOT commented that City adoption of Scenario A into the City's TSP satisfies the requirements of the state Transportation Planning Rule (OAR 660-12-060). Therefore, through the adoption of Scenario A, the City's TSP provides a transportation system that supports the proposed annexation for industrial development. Through the adoption of the Scenario A recommended amendments into the City TSP, the effect of the proposed annexation on the transportation system are addressed consistent with ORS 660-012-0060.

5. GOAL 14: Urbanization

In conjunction with the UGB expansion process, the City considered alternative lands for industrial development consistent with ORS 197.298, which establishes priority lands to be included in urban growth boundary expansions. The 130 acres proposed for annexation was determined to be most suitable for industrial development for a number of reasons: the land is adjacent to the City limits and OR Highway 211/224; the land is suitable for industrial development in terms of slope and readily serviceable with urban infrastructure as described in Goal 11; the site is adjacent to similarly and compatibly zoned properties and will have minimal negative environmental, energy and social impacts. Furthermore, these

contiguous parcels are unique in that they are under single-ownership and total more than 130 acres.

Goal 14 requires that new urban development occur concurrent with the provision of urban services such as public streets, water and sewer services, drainage facilities (as necessary), fire and police protection. Annexation is required in order for urban services to be provided to the property. The applicant has proposed to establish land uses (light industrial) on the property consistent with the existing Comprehensive Plan designation and consistent with the June 14, 2010 City Council decision approving the UGB expansion. The City Council decision included a condition of approval requiring the applicant to develop a master plan for the site that allows at least one 25 acre and one 50 acre parcel. The applicant has submitted a preliminary plan for the subject property indicating that the property would be developed consistent with the June 14, 2010 City Council decision and the underlying zoning district. Furthermore, the City of Estacada plans to provide public facilities and services within the annexation area. The City requires annexation in order for urban services to be provided.

**Therefore, this proposal is consistent with Goal 14.**

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

The City Council is not aware of any 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.**

The proposed annexation involves the incorporation of the following three tax lots into the city limits of Estacada: T3S, R4E, Section 18, Tax Lot 00100 and T3S, R4E, Section 17, Tax Lot 01202 and 01203. The tax lots to be annexed are shown on the annexation boundary survey. Annexation of the three tax lots proposed in this application would not create an island 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 M-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, 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 property is currently used for agricultural purposes. Upon annexation, the property will be zoned to M-1: Light Industrial. Uses permitted outright in the M-1 zoning district include manufacturing, assembly of products, warehousing, various other light industrial uses and agricultural use of land. Agricultural activity on the site includes Christmas tree and wheat production. Therefore, no nonconforming uses exist on the site.

**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 does not contain a nonconforming use. The agricultural use on the subject site is a primary use in the current EFU zoning district and is a use permitted outright in the City of Estacada M-1 zoning.

**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 Light Industrial on the Estacada Comprehensive Plan map. The proposed M-1 zoning district implements the Light Industrial 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 Light Industrial Plan designation. Those findings are adopted to address this approval criterion by reference therein.

**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 of the property.**

Based on the findings in the evaluation of the annexation application under Section 16.124.030B the City sewer treatment and water treatment facilities are adequate to serve development on the subject property. Those findings are adopted to address this

approval criterion by reference therein.

**This criterion is met.**

---

Recommended Zone Change Conditions: The Planning Commission recommended to the City Council the following condition of approval:

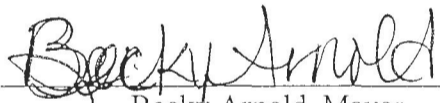
1. The City's official zoning map shall be changed to reflect this action upon final approval.

---

DECISION: Based on the above findings, it is the decision of the Estacada City Council to approve the annexation and zone change.

Approved on August 8, 2011

Signed this 15<sup>th</sup> day of August, 2011

  
Becky Arnold, Mayor



**RESOLUTION 2011 – 018**

**A RESOLUTION OF THE ESTACADA CITY COUNCIL PROCLAIMING ANNEXATION OF 130.4 ACRES INTO THE CITY LIMITS.**

WHEREAS, Michael Park submitted a petition to the City requesting that certain properties of which he has ownership of 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 July 21, 2011 after the proper publications and notices and forwarded a recommendation of approval; and

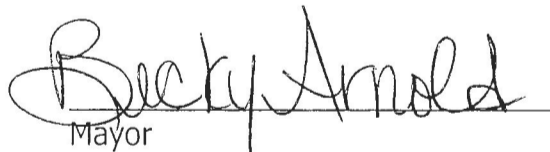
WHEREAS, after proper notices and publications the Estacada City Council conducted a public hearing on August 8, 2011 voted to approve the annexation request with conditions and submit it to a vote of the City electors at the next available election; and

WHEREAS, the Estacada City Council adopted Resolution 2011 - 012 at their August 22, 2011 meeting calling for a measure election to submit to the electors of the City the question of annexation of 130.4 acres into the City limits; and

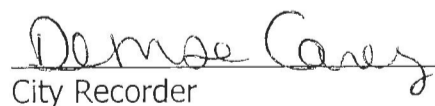
WHEREAS, on November 8, 2011 there was an election held and the question of this annexation was asked of all electors inside the City of Estacada and the outcome was 393 yes votes to 178 no votes, therefore a majority of the electors approving the annexation.

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

PASSED and effective this 12<sup>th</sup> day of December, 2011.

  
Mayor

ATTEST:

  
City Recorder

ENGINEERING PLANNING  
FORESTRY  
13910 S.W. Galbreath Dr., Suite 100  
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Phone: (503) 925-8799  
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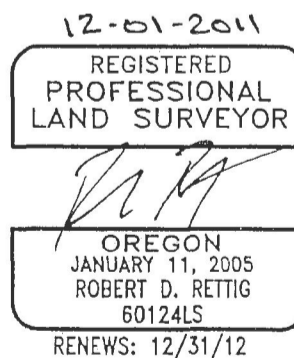
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## EXHIBIT A

A tract of land being a portion of the Hugh Currin Donation Land Claim Number 40 and a portion of the George Currin Donation Land Claim Number 41, located in the Southwest One Quarter and North west One Quarter of Section 17 and the Northeast One Quarter and Southeast One Quarter of Section 18, Township 3 South, Range 4 East, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the southwest corner of the Hugh Currin Donation Land Claim No. 40; thence along the westerly line of the said Donation Land Claim (also being the City of Estacada City Limits), North 20°00'03" West 2004.45 feet to the northwest corner of that tract of land conveyed to Diana R. Halvorson in Document Number 96-080845, Clackamas County Deed Records, being an angle point in the City of Estacada City Limits and the Point of Beginning; thence leaving said City of Estacada City Limits and following said westerly Donation Land Claim line, North 20°00'03" West 1716.48 feet to the northwest corner thereof and being the southwest corner of that tract of land conveyed to David W. Julien and Cynthia A. Julien in Document Number 2007-094401, Clackamas County Deed Records; thence along the northwesterly line of the Hugh Currin Donation Land Claim, North 70°33'53" East 1137.87 feet to a stone at the southeasterly corner of that tract of land conveyed to Frank L. White and Joyce L. White in Document Number 93-94151, Clackamas County Deed Records; thence along the easterly line of the White tract, North 19°35'01" West 508.69 feet to a 5/8 inch iron rod at the southwesterly corner of that tract of land conveyed to Richard H. Hoover and Rosemary Hoover in Document Number 96-010140, Clackamas County Deed Records; thence along the southeasterly line of the Hoover tract, North 70°29'43" East 1947.11 feet to a point on the westerly line of that tract of land conveyed to the State of Oregon Parks and Recreation Department in Document Number 97-062568, Clackamas County Deed Records, said point being on the west line of the City of Estacada City Limits; thence along the west line of the City of Estacada City Limits and said Parks and Recreation tract, South 07°14'13" East 2235.59 feet to the northeasterly corner of the plat "Estacada Industrial Campus" (Plat No. 3523), said point also being an angle point in said City of Estacada City Limits; thence along the northwesterly line of said plat of "Estacada Industrial Campus" and said Halvorson tract (also being the City of Estacada City Limits), South 69°37'48" West 2594.70 feet to the Point of Beginning.

The above described tract of land contains 130.4 acres, more or less.

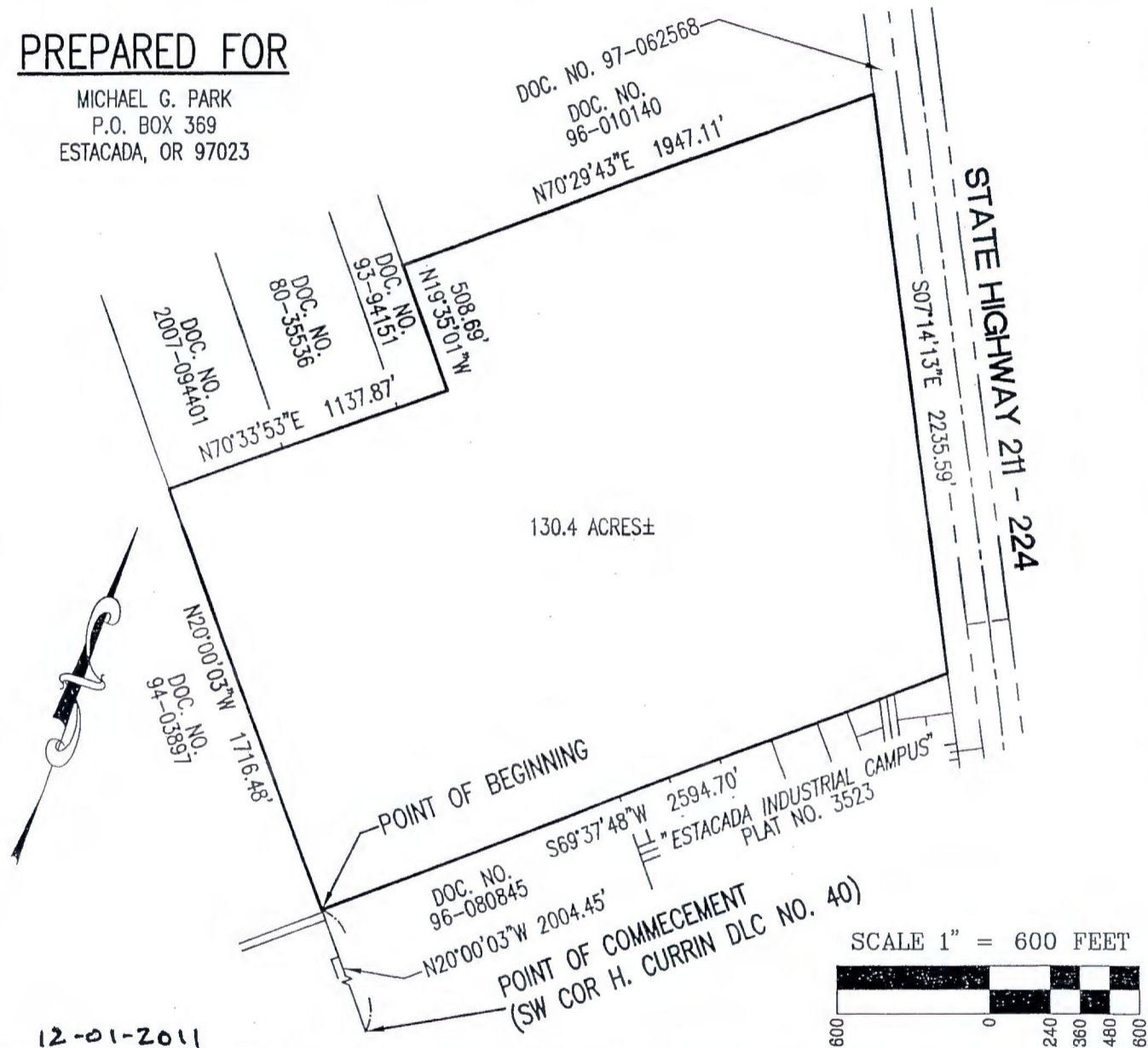


# EXHIBIT B

A TRACT OF LAND BEING A PORTION OF THE HUGH CURRIN DONATION LAND CLAIM NUMBER 40 AND A PORTION OF THE GEORGE CURRIN DONATION LAND CLAIM NUMBER 41, LOCATED IN THE SOUTHWEST 1/4 AND THE NORTHWEST 1/4 OF SECTION 17 AND THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON

## PREPARED FOR

MICHAEL G. PARK  
P.O. BOX 369  
ESTACADA, OR 97023



12-01-2011

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*[Signature]*  
OREGON  
JANUARY 11, 2005  
ROBERT D. RETTIG  
60124LS  
RENEWS: 12/31/12

ESTACADA  
JOB NAME: INDUSTRIAL PARK

JOB NUMBER: 2332

DRAWN BY: WCB

CHECKED BY: RDR

DWG NO.: 120211\_2332EXB

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SHERWOOD, OR 97140  
PHONE: (503) 925-8799  
FAX: (503) 925-8969

OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA



# Exhibit "C"

NAME: Michael Park  
FILE NO.: 2011-01  
PUBLIC HEARING DATE: August 8, 2011

## CITY COUNCIL FINDINGS AND DECISION

### GENERAL INFORMATION

Applicant: Michael G. Park; P.O. Box 369, Estacada, OR 97023

Owner(s): Michael G. Park; P.O. Box 369, Estacada, OR 97023

Proposal: Annexation of 130.4 acres of land within the Estacada Urban Growth Boundary (UGB) into the city limits. This application includes a corresponding zone change from Exclusive Farm Use (EFU) to M-1 (Light Industrial) consistent with the Estacada Comprehensive Plan map designation.

Location: West side of Hwy. 224, north of its intersection with Rivermill Road.

Legal Description: T3S, R4E, Section 18, Tax Lot 00100 and T3S, R4E, Section 17, Tax Lot 1202 and 1203.

Zone: EFU – Exclusive Farm Use; 80 acre minimum lot size (Clackamas County Zoning District).

Comprehensive Plan Designation: City Designation: Light Industrial.

City Council Decision: 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 Planning 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).*

The 130 acre subject property was recently brought into the Estacada Urban Growth Boundary (UGB). The Department of Land Conservation and Development approved the UGB amendment on April 25, 2011. This criterion is met.

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

The proposal involves the annexation of three tax lots totaling 130 acres into the Estacada city limits. The area directly to the south of the subject site is the existing Estacada Industrial Campus which is within the city limits. Therefore, the subject site is contiguous to the existing city limits. This criterion is met.

**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 Light Industrial on the Estacada Comprehensive Plan map. The M-1: Light Industrial zoning district implements the Light Industrial Plan designation. The proposed M-1 zoning designation following annexation is consistent with the current Light Industrial Plan Designation. The conceptual land use plan submitted by the applicant indicates that the site will be developed for light industrial use and will be consistent with uses allowed under the M-1: Light Industrial zoning district.

**This criterion is met.**

2. *Section 16.124.030(B): Adequate capacity of urban services must exist or be made available within three years of annexation approval. An “adequate capacity of urban services” means:*

a. *Municipal sanitary sewer and water service meeting the requirements enumerated in the city’s water and sewer master plans for the provision of these services.*

The subject property was only recently brought into the City’s UGB. Therefore, the City’s water and sewer master plans do not cover the 130 acres as they were outside of the UGB and the City’s service area during master plan development. Sanitary sewer and water services would need to be extended into the subject site when the property is developed.

To demonstrate compliance with this criterion, the applicant has submitted documentation from Curran-McLeod Consulting addressing utility demand for the proposed annexation and impact on the existing systems. In terms of sanitary sewer, the existing collection system in the adjacent Estacada Industrial Campus is accessible and capable of accommodating additional flow from the annexation property. Likewise, the existing 12” water distribution line available in the adjacent Industrial Park is adequate to service future development on the 130 acres. No land division or development could occur until services are extended to the annexed land. According to the Curran-McLeod analysis dated May 6, 2011, the municipal sanitary sewer and water system has the capacity to accommodate growth from the proposed annexation.

**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.*

Following approval of the UGB expansion, the City of Estacada amended its Transportation System Plan (TSP) by adopting Scenario A. Scenario A includes transportation network extensions and transportation projects to support development on the 130 acre annexation site. During the UGB expansion process, ODOT commented that City adoption of Scenario A into the City’s TSP satisfies the requirements of the state Transportation Planning Rule (OAR 660-12-060). Therefore, through the adoption of Scenario A, the City’s TSP provides a transportation system that supports the proposed annexation for industrial development. Through the adoption of the Scenario A recommended amendments into the City TSP, the effect of the proposed annexation on the transportation system are addressed consistent with ORS 660-012-0060.



**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 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. These services have the capacity to accommodate future development on the site. The City of Estacada Park Plan provides for the location and establishment of park facilities.

The Estacada School District provides school facilities. The applicant has provided a letter from the Estacada School District dated May 5, 2011 indicating that the District has the ability to absorb additional students into their facilities. The District 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. The submitted application includes the signature of the current property owner authorizing annexation of the three tax lots.

**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.**

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 applicable provisions of the Annexation Chapter of the City Code are addressed throughout this report. The findings related to public facilities and service to the subject property are presented on pages 3 and 4 of this report. The relevant sections and corresponding policies of the Comprehensive Plan and Statewide Planning Goals found to be applicable to this proposal are discussed below:

1. GOAL 5: Open Spaces, Scenic and Historic Areas and Natural Resources

According to the National Wetlands Inventory and the Wetlands Delineation prepared by Ecological Land Services, Inc. (ELS) there are Goal 5 resources (wetlands) on the site. Pursuant to the City Council decision approving the UGB expansion, the City of Estacada has contracted with ELS to prepare a Local Wetland Inventory (LWI) consistent with Department of States Lands (DSL) standards and procedures (OAR 141-086-0180). Accordingly, the City will implement protection measures in compliance with Goal 5 following the completion of the LWI.

**Therefore, this proposal is consistent with Goal 5.**

2. GOAL 9: Economic Development

The purpose of the 130 acre UGB expansion and subsequent annexation is to meet a local, regional and statewide need for available, short-term, large-lot industrial sites. The property owner, City of Estacada and Clackamas County plan to seek designation of this area as a “shovel ready” site under the State of Oregon’s Certified Industrial Lands program. Certification identifies the parcels as a prime, serviceable large-lot industrial site and expedites the timeline for industrial development.

The proposed annexation would add approximately 130 acres to the City’s industrial base and apply an M-1: Light Industrial zone designation. Annexation of this land will add employment land opportunities for Estacada and the region as well as create a substantial number of jobs for the City. To ensure the site is preserved for large lot industrial use, the City Council decision approving the UGB expansion included a condition that the area include at least one 25 acre parcel and at least one 50 acre parcel and that commercial uses be prohibited except those that are accessory and incidental to industrial uses.

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

3. GOAL 11: Public Facilities

This Goal requires adequate public facilities and services such as sewer, water, solid waste and storm drainage to be provided at levels necessary and suitable for urban uses. The 130 acre annexation area is not currently served by public facilities and services because it is outside of the city limits. However, the 2008 Estacada Water System Master Plan and the 2000 Estacada Wastewater Facility Plan show 8" mainline pipes developed to the property line at the northern terminus of NW Campus Drive. This urban infrastructure is sufficient to serve industrial uses and ready for extension to the proposed annexation area.

The entire study area is located in the Estacada School District and Estacada Fire District. The Clackamas County Sheriff provides police protection. The existing public facilities and services are adequate to support urban level land uses on the subject property.

**Therefore, this proposal is consistent with Goal 9.**

4. GOAL 12: Transportation

Following approval of the UGB expansion, the City of Estacada amended its Transportation System Plan (TSP) by adopting Scenario A. Scenario A includes transportation network extensions and transportation projects to support development on the 130 acre annexation site. During the UGB expansion process, ODOT commented that City adoption of Scenario A into the City's TSP satisfies the requirements of the state Transportation Planning Rule (OAR 660-12-060). Therefore, through the adoption of Scenario A, the City's TSP provides a transportation system that supports the proposed annexation for industrial development. Through the adoption of the Scenario A recommended amendments into the City TSP, the effect of the proposed annexation on the transportation system are addressed consistent with ORS 660-012-0060.

5. GOAL 14: Urbanization

In conjunction with the UGB expansion process, the City considered alternative lands for industrial development consistent with ORS 197.298, which establishes priority lands to be included in urban growth boundary expansions. The 130 acres proposed for annexation was determined to be most suitable for industrial development for a number of reasons: the land is adjacent to the City limits and OR Highway 211/224; the land is suitable for industrial development in terms of slope and readily serviceable with urban infrastructure as described in Goal 11; the site is adjacent to similarly and compatibly zoned properties and will have minimal negative environmental, energy and social impacts. Furthermore, these



contiguous parcels are unique in that they are under single-ownership and total more than 130 acres.

Goal 14 requires that new urban development occur concurrent with the provision of urban services such as public streets, water and sewer services, drainage facilities (as necessary), fire and police protection. Annexation is required in order for urban services to be provided to the property. The applicant has proposed to establish land uses (light industrial) on the property consistent with the existing Comprehensive Plan designation and consistent with the June 14, 2010 City Council decision approving the UGB expansion. The City Council decision included a condition of approval requiring the applicant to develop a master plan for the site that allows at least one 25 acre and one 50 acre parcel. The applicant has submitted a preliminary plan for the subject property indicating that the property would be developed consistent with the June 14, 2010 City Council decision and the underlying zoning district. Furthermore, the City of Estacada plans to provide public facilities and services within the annexation area. The City requires annexation in order for urban services to be provided.

**Therefore, this proposal is consistent with Goal 14.**

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

The City Council is not aware of any 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.**

The proposed annexation involves the incorporation of the following three tax lots into the city limits of Estacada: T3S, R4E, Section 18, Tax Lot 00100 and T3S, R4E, Section 17, Tax Lot 01202 and 01203. The tax lots to be annexed are shown on the annexation boundary survey. Annexation of the three tax lots proposed in this application would not create an island 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 M-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, 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 property is currently used for agricultural purposes. Upon annexation, the property will be zoned to M-1: Light Industrial. Uses permitted outright in the M-1 zoning district include manufacturing, assembly of products, warehousing, various other light industrial uses and agricultural use of land. Agricultural activity on the site includes Christmas tree and wheat production. Therefore, no nonconforming uses exist on the site.

**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 does not contain a nonconforming use. The agricultural use on the subject site is a primary use in the current EFU zoning district and is a use permitted outright in the City of Estacada M-1 zoning.

**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 Light Industrial on the Estacada Comprehensive Plan map. The proposed M-1 zoning district implements the Light Industrial 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 Light Industrial Plan designation. Those findings are adopted to address this approval criterion by reference therein.

**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 of the property.**

Based on the findings in the evaluation of the annexation application under Section 16.124.030B the City sewer treatment and water treatment facilities are adequate to serve development on the subject property. Those findings are adopted to address this



approval criterion by reference therein.

**This criterion is met.**

---

Recommended Zone Change Conditions: The Planning Commission recommended to the City Council the following condition of approval:

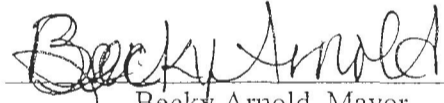
1. The City's official zoning map shall be changed to reflect this action upon final approval.

---

DECISION: Based on the above findings, it is the decision of the Estacada City Council to approve the annexation and zone change.

Approved on August 8, 2011

Signed this 15<sup>th</sup> day of August, 2011

  
Becky Arnold, Mayor

**RESOLUTION 2011 – 018**

**A RESOLUTION OF THE ESTACADA CITY COUNCIL PROCLAIMING ANNEXATION OF 130.4 ACRES INTO THE CITY LIMITS.**

WHEREAS, Michael Park submitted a petition to the City requesting that certain properties of which he has ownership of 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 July 21, 2011 after the proper publications and notices and forwarded a recommendation of approval; and

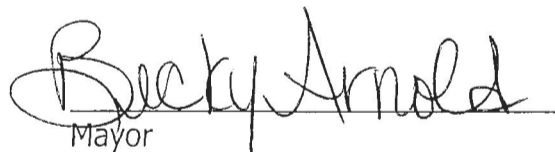
WHEREAS, after proper notices and publications the Estacada City Council conducted a public hearing on August 8, 2011 voted to approve the annexation request with conditions and submit it to a vote of the City electors at the next available election; and

WHEREAS, the Estacada City Council adopted Resolution 2011 - 012 at their August 22, 2011 meeting calling for a measure election to submit to the electors of the City the question of annexation of 130.4 acres into the City limits; and

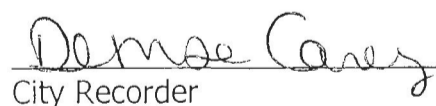
WHEREAS, on November 8, 2011 there was an election held and the question of this annexation was asked of all electors inside the City of Estacada and the outcome was 393 yes votes to 178 no votes, therefore a majority of the electors approving the annexation.

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

PASSED and effective this 12<sup>th</sup> day of December, 2011.

  
Mayor

ATTEST:

  
City Recorder

ENGINEERING PLANNING  
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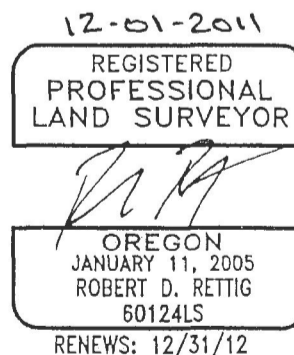
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## EXHIBIT A

A tract of land being a portion of the Hugh Currin Donation Land Claim Number 40 and a portion of the George Currin Donation Land Claim Number 41, located in the Southwest One Quarter and North west One Quarter of Section 17 and the Northeast One Quarter and Southeast One Quarter of Section 18, Township 3 South, Range 4 East, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the southwest corner of the Hugh Currin Donation Land Claim No. 40; thence along the westerly line of the said Donation Land Claim (also being the City of Estacada City Limits), North 20°00'03" West 2004.45 feet to the northwest corner of that tract of land conveyed to Diana R. Halvorson in Document Number 96-080845, Clackamas County Deed Records, being an angle point in the City of Estacada City Limits and the Point of Beginning; thence leaving said City of Estacada City Limits and following said westerly Donation Land Claim line, North 20°00'03" West 1716.48 feet to the northwest corner thereof and being the southwest corner of that tract of land conveyed to David W. Julien and Cynthia A. Julien in Document Number 2007-094401, Clackamas County Deed Records; thence along the northwesterly line of the Hugh Currin Donation Land Claim, North 70°33'53" East 1137.87 feet to a stone at the southeasterly corner of that tract of land conveyed to Frank L. White and Joyce L. White in Document Number 93-94151, Clackamas County Deed Records; thence along the easterly line of the White tract, North 19°35'01" West 508.69 feet to a 5/8 inch iron rod at the southwesterly corner of that tract of land conveyed to Richard H. Hoover and Rosemary Hoover in Document Number 96-010140, Clackamas County Deed Records; thence along the southeasterly line of the Hoover tract, North 70°29'43" East 1947.11 feet to a point on the westerly line of that tract of land conveyed to the State of Oregon Parks and Recreation Department in Document Number 97-062568, Clackamas County Deed Records, said point being on the west line of the City of Estacada City Limits; thence along the west line of the City of Estacada City Limits and said Parks and Recreation tract, South 07°14'13" East 2235.59 feet to the northeasterly corner of the plat "Estacada Industrial Campus" (Plat No. 3523), said point also being an angle point in said City of Estacada City Limits; thence along the northwesterly line of said plat of "Estacada Industrial Campus" and said Halvorson tract (also being the City of Estacada City Limits), South 69°37'48" West 2594.70 feet to the Point of Beginning.

The above described tract of land contains 130.4 acres, more or less.



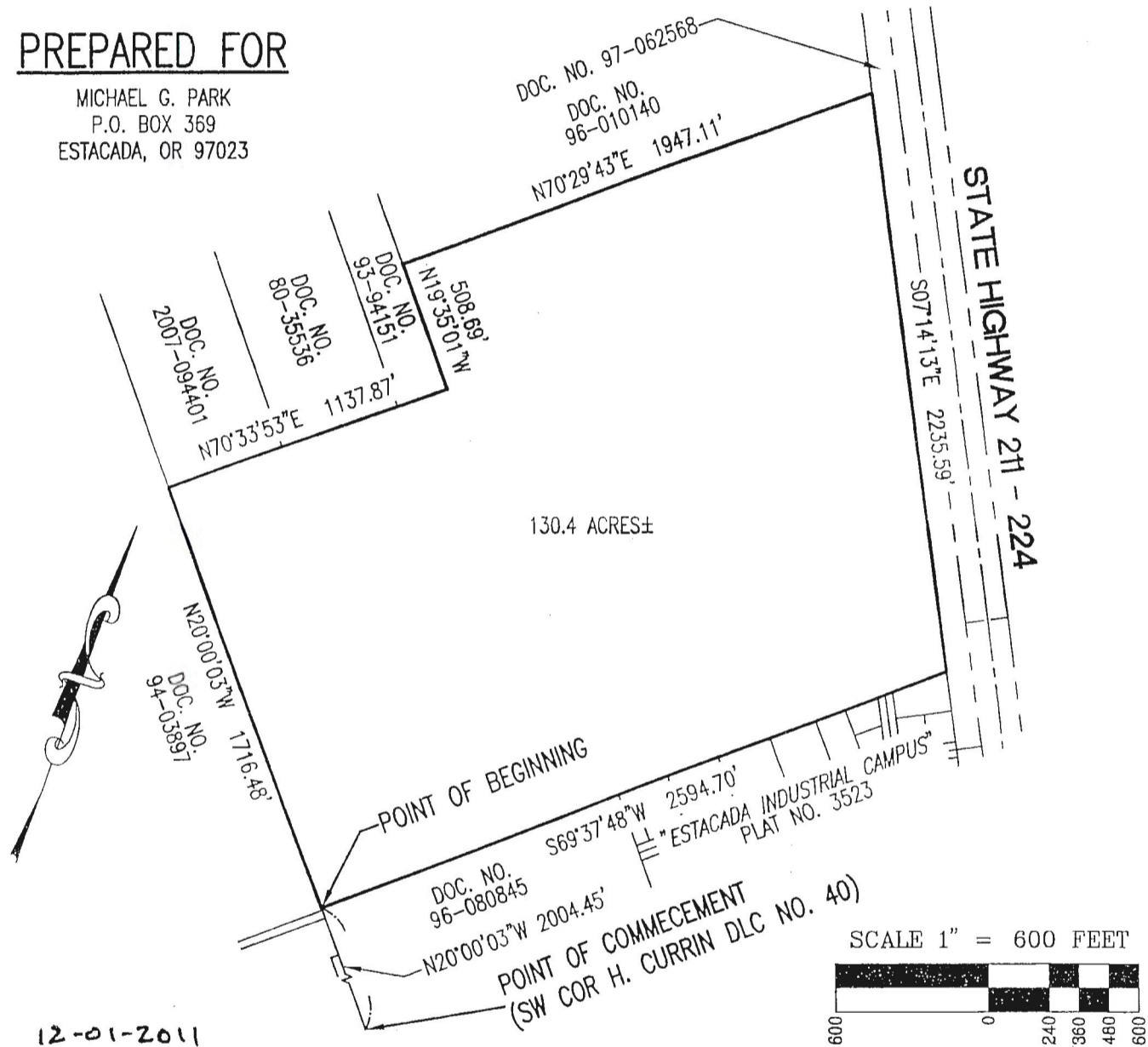


# EXHIBIT B

A TRACT OF LAND BEING A PORTION OF THE HUGH CURRIN DONATION LAND CLAIM NUMBER 40 AND A PORTION OF THE GEORGE CURRIN DONATION LAND CLAIM NUMBER 41, LOCATED IN THE SOUTHWEST 1/4 AND THE NORTHWEST 1/4 OF SECTION 17 AND THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON

## PREPARED FOR

MICHAEL G. PARK  
P.O. BOX 369  
ESTACADA, OR 97023



12-01-2011

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*[Signature]*

OREGON  
JANUARY 11, 2005  
ROBERT D. RETTIG  
60124LS

RENEWS: 12/31/12

ESTACADA  
JOB NAME: INDUSTRIAL PARK

JOB NUMBER: 2332

DRAWN BY: WCB

CHECKED BY: RDR

DWG NO.: 120211\_2332EXB

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13910 SW GALBREATH  
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OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA

# Exhibit "C"

NAME: Michael Park  
FILE NO.: 2011-01  
PUBLIC HEARING DATE: August 8, 2011

## CITY COUNCIL FINDINGS AND DECISION

### GENERAL INFORMATION

Applicant: Michael G. Park; P.O. Box 369, Estacada, OR 97023

Owner(s): Michael G. Park; P.O. Box 369, Estacada, OR 97023

Proposal: Annexation of 130.4 acres of land within the Estacada Urban Growth Boundary (UGB) into the city limits. This application includes a corresponding zone change from Exclusive Farm Use (EFU) to M-1 (Light Industrial) consistent with the Estacada Comprehensive Plan map designation.

Location: West side of Hwy. 224, north of its intersection with Rivermill Road.

Legal Description: T3S, R4E, Section 18, Tax Lot 00100 and T3S, R4E, Section 17, Tax Lot 1202 and 1203.

Zone: EFU – Exclusive Farm Use; 80 acre minimum lot size (Clackamas County Zoning District).

Comprehensive Plan Designation: City Designation: Light Industrial.

City Council Decision: 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 Planning 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).*

The 130 acre subject property was recently brought into the Estacada Urban Growth Boundary (UGB). The Department of Land Conservation and Development approved the UGB amendment on April 25, 2011. This criterion is met.

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

The proposal involves the annexation of three tax lots totaling 130 acres into the Estacada city limits. The area directly to the south of the subject site is the existing Estacada Industrial Campus which is within the city limits. Therefore, the subject site is contiguous to the existing city limits. This criterion is met.

**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 Light Industrial on the Estacada Comprehensive Plan map. The M-1: Light Industrial zoning district implements the Light Industrial Plan designation. The proposed M-1 zoning designation following annexation is consistent with the current Light Industrial Plan Designation. The conceptual land use plan submitted by the applicant indicates that the site will be developed for light industrial use and will be consistent with uses allowed under the M-1: Light Industrial zoning district.

**This criterion is met.**



2. *Section 16.124.030(B): Adequate capacity of urban services must exist or be made available within three years of annexation approval. An “adequate capacity of urban services” means:*

a. *Municipal sanitary sewer and water service meeting the requirements enumerated in the city’s water and sewer master plans for the provision of these services.*

The subject property was only recently brought into the City’s UGB. Therefore, the City’s water and sewer master plans do not cover the 130 acres as they were outside of the UGB and the City’s service area during master plan development. Sanitary sewer and water services would need to be extended into the subject site when the property is developed.

To demonstrate compliance with this criterion, the applicant has submitted documentation from Curran-McLeod Consulting addressing utility demand for the proposed annexation and impact on the existing systems. In terms of sanitary sewer, the existing collection system in the adjacent Estacada Industrial Campus is accessible and capable of accommodating additional flow from the annexation property. Likewise, the existing 12” water distribution line available in the adjacent Industrial Park is adequate to service future development on the 130 acres. No land division or development could occur until services are extended to the annexed land. According to the Curran-McLeod analysis dated May 6, 2011, the municipal sanitary sewer and water system has the capacity to accommodate growth from the proposed annexation.

**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.*

Following approval of the UGB expansion, the City of Estacada amended its Transportation System Plan (TSP) by adopting Scenario A. Scenario A includes transportation network extensions and transportation projects to support development on the 130 acre annexation site. During the UGB expansion process, ODOT commented that City adoption of Scenario A into the City’s TSP satisfies the requirements of the state Transportation Planning Rule (OAR 660-12-060). Therefore, through the adoption of Scenario A, the City’s TSP provides a transportation system that supports the proposed annexation for industrial development. Through the adoption of the Scenario A recommended amendments into the City TSP, the effect of the proposed annexation on the transportation system are addressed consistent with ORS 660-012-0060.

**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 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. These services have the capacity to accommodate future development on the site. The City of Estacada Park Plan provides for the location and establishment of park facilities.

The Estacada School District provides school facilities. The applicant has provided a letter from the Estacada School District dated May 5, 2011 indicating that the District has the ability to absorb additional students into their facilities. The District 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. The submitted application includes the signature of the current property owner authorizing annexation of the three tax lots.

**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.**

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 applicable provisions of the Annexation Chapter of the City Code are addressed throughout this report. The findings related to public facilities and service to the subject property are presented on pages 3 and 4 of this report. The relevant sections and corresponding policies of the Comprehensive Plan and Statewide Planning Goals found to be applicable to this proposal are discussed below:

1. GOAL 5: Open Spaces, Scenic and Historic Areas and Natural Resources

According to the National Wetlands Inventory and the Wetlands Delineation prepared by Ecological Land Services, Inc. (ELS) there are Goal 5 resources (wetlands) on the site. Pursuant to the City Council decision approving the UGB expansion, the City of Estacada has contracted with ELS to prepare a Local Wetland Inventory (LWI) consistent with Department of States Lands (DSL) standards and procedures (OAR 141-086-0180). Accordingly, the City will implement protection measures in compliance with Goal 5 following the completion of the LWI.

**Therefore, this proposal is consistent with Goal 5.**

2. GOAL 9: Economic Development

The purpose of the 130 acre UGB expansion and subsequent annexation is to meet a local, regional and statewide need for available, short-term, large-lot industrial sites. The property owner, City of Estacada and Clackamas County plan to seek designation of this area as a “shovel ready” site under the State of Oregon’s Certified Industrial Lands program. Certification identifies the parcels as a prime, serviceable large-lot industrial site and expedites the timeline for industrial development.

The proposed annexation would add approximately 130 acres to the City’s industrial base and apply an M-1: Light Industrial zone designation. Annexation of this land will add employment land opportunities for Estacada and the region as well as create a substantial number of jobs for the City. To ensure the site is preserved for large lot industrial use, the City Council decision approving the UGB expansion included a condition that the area include at least one 25 acre parcel and at least one 50 acre parcel and that commercial uses be prohibited except those that are accessory and incidental to industrial uses.

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



3. GOAL 11: Public Facilities

This Goal requires adequate public facilities and services such as sewer, water, solid waste and storm drainage to be provided at levels necessary and suitable for urban uses. The 130 acre annexation area is not currently served by public facilities and services because it is outside of the city limits. However, the 2008 Estacada Water System Master Plan and the 2000 Estacada Wastewater Facility Plan show 8" mainline pipes developed to the property line at the northern terminus of NW Campus Drive. This urban infrastructure is sufficient to serve industrial uses and ready for extension to the proposed annexation area.

The entire study area is located in the Estacada School District and Estacada Fire District. The Clackamas County Sheriff provides police protection. The existing public facilities and services are adequate to support urban level land uses on the subject property.

**Therefore, this proposal is consistent with Goal 9.**

4. GOAL 12: Transportation

Following approval of the UGB expansion, the City of Estacada amended its Transportation System Plan (TSP) by adopting Scenario A. Scenario A includes transportation network extensions and transportation projects to support development on the 130 acre annexation site. During the UGB expansion process, ODOT commented that City adoption of Scenario A into the City's TSP satisfies the requirements of the state Transportation Planning Rule (OAR 660-12-060). Therefore, through the adoption of Scenario A, the City's TSP provides a transportation system that supports the proposed annexation for industrial development. Through the adoption of the Scenario A recommended amendments into the City TSP, the effect of the proposed annexation on the transportation system are addressed consistent with ORS 660-012-0060.

5. GOAL 14: Urbanization

In conjunction with the UGB expansion process, the City considered alternative lands for industrial development consistent with ORS 197.298, which establishes priority lands to be included in urban growth boundary expansions. The 130 acres proposed for annexation was determined to be most suitable for industrial development for a number of reasons: the land is adjacent to the City limits and OR Highway 211/224; the land is suitable for industrial development in terms of slope and readily serviceable with urban infrastructure as described in Goal 11; the site is adjacent to similarly and compatibly zoned properties and will have minimal negative environmental, energy and social impacts. Furthermore, these

contiguous parcels are unique in that they are under single-ownership and total more than 130 acres.

Goal 14 requires that new urban development occur concurrent with the provision of urban services such as public streets, water and sewer services, drainage facilities (as necessary), fire and police protection. Annexation is required in order for urban services to be provided to the property. The applicant has proposed to establish land uses (light industrial) on the property consistent with the existing Comprehensive Plan designation and consistent with the June 14, 2010 City Council decision approving the UGB expansion. The City Council decision included a condition of approval requiring the applicant to develop a master plan for the site that allows at least one 25 acre and one 50 acre parcel. The applicant has submitted a preliminary plan for the subject property indicating that the property would be developed consistent with the June 14, 2010 City Council decision and the underlying zoning district. Furthermore, the City of Estacada plans to provide public facilities and services within the annexation area. The City requires annexation in order for urban services to be provided.

**Therefore, this proposal is consistent with Goal 14.**

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

The City Council is not aware of any 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.**

The proposed annexation involves the incorporation of the following three tax lots into the city limits of Estacada: T3S, R4E, Section 18, Tax Lot 00100 and T3S, R4E, Section 17, Tax Lot 01202 and 01203. The tax lots to be annexed are shown on the annexation boundary survey. Annexation of the three tax lots proposed in this application would not create an island 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 M-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, 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 property is currently used for agricultural purposes. Upon annexation, the property will be zoned to M-1: Light Industrial. Uses permitted outright in the M-1 zoning district include manufacturing, assembly of products, warehousing, various other light industrial uses and agricultural use of land. Agricultural activity on the site includes Christmas tree and wheat production. Therefore, no nonconforming uses exist on the site.

**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 does not contain a nonconforming use. The agricultural use on the subject site is a primary use in the current EFU zoning district and is a use permitted outright in the City of Estacada M-1 zoning.

**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 Light Industrial on the Estacada Comprehensive Plan map. The proposed M-1 zoning district implements the Light Industrial 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 Light Industrial Plan designation. Those findings are adopted to address this approval criterion by reference therein.

**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 of the property.**

Based on the findings in the evaluation of the annexation application under Section 16.124.030B the City sewer treatment and water treatment facilities are adequate to serve development on the subject property. Those findings are adopted to address this

approval criterion by reference therein.

**This criterion is met.**

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Recommended Zone Change Conditions: The Planning Commission recommended to the City Council the following condition of approval:

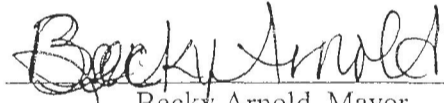
1. The City's official zoning map shall be changed to reflect this action upon final approval.

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DECISION: Based on the above findings, it is the decision of the Estacada City Council to approve the annexation and zone change.

Approved on August 8, 2011

Signed this 15<sup>th</sup> day of August, 2011

  
Becky Arnold, Mayor

stacada  
958  
a, OR 97023



Attn: Plan Amendment Specialist  
Dept. of Land Conservation & Dev.  
635 Capitol Street NE, Ste 150  
Salem, OR 97301

DEPT OF

JAN 11 2012

LAND CONSERVATION  
AND DEVELOPMENT