



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

September 7, 2007

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Linn County Plan Amendment
DLCD File Number 002-07



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT OR DEADLINE TO APPEAL: September 19, 2007

This amendment was not submitted to DLCD for review prior to adoption. Pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

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

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Doug White, DLCD Community Services Specialist
Deborah Pinkerton, Linn County

<paa>

PROF 2

DLCD

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: **Linn County**

Local file number: **BC07-0001**

Date of Adoption: **8/29/2007**

Date Mailed: **8/29/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one**Date:

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

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

Linn County approved a Comprehensive Plan map amendment and a zoning map amendment to expand the Brownsville Urban Growth Boundary by 1.4 acres and to remove the Linn County Agricultural Resource designation on the 1.4 acres. Brownsville would then annex the 1.4 acres and apply zoning and Comprehensive Plan map designations to the 1.4 acres.

Does the Adoption differ from proposal? Please select one

Brownsville sent notice of the proposal. Linn County adopted the same proposal as was noticed.

Plan Map Changed from: **Agricultural Resource** to: **City of Brownsville**

Zone Map Changed from: **Exclusive Farm Use (EFU)** to: **City of Brownsville**

Location: **T14S, R2W, S6, TL1700**

Acres Involved: **1**

Specify Density: Previous:

New:

Applicable statewide planning goals:

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

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD # 002-07 (NO A)

DLCD file No. _____

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

Local Contact: **Deborah Pinkerton**

Phone: **(541) 967-3816** Extension: **2367**

Address: **P O Box 100**

Fax Number: **541-926-2060**

City: **Albany OR**

Zip: **97321-**

E-mail Address: **dpinkerton@co.linn.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 Complete Copies** (documents and maps) 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. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: webserver.lcd.state.or.us. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing mara.ulloa@state.or.us.
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 now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also 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.



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

Steve Michaels, Director

Room 114, Linn County Courthouse
PO Box 100, Albany, Oregon 97321
Phone 541-967-3816, 1-800-319-3816
Fax 541-926-2060 www.co.linn.or.us

NOTICE OF ADOPTION

CASE BC07-0001

APPLICANT Brownsville Rural Fire District

ORDINANCE No. 2007-650

RESOLUTION AND ORDER No. 2007-649

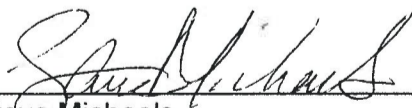
REQUEST The applicant requested a *Comprehensive Plan* map amendment, a zoning map amendment, and a partition for property described as Tax Lot 1700 on map T14S, R2W, Section 6. The proposal involves a 96.04-acre property that is located both inside and outside the city limits of Brownsville. The land outside the city limits (83.44 acres) is zoned Exclusive Farm Use (EFU) and has a current *Comprehensive Plan* map designation of Agricultural Resource. The applicant proposed to expand the City of Brownsville's Urban Growth Boundary by 1.4 acres, annex the 1.4 acres into the city for a fire station, and partition 2.4 acres from the remainder of the property (93.64 acres). Once annexed, city zoning and *Comprehensive Plan* map designations will be applied to the 1.4 acres.

BOARD OF COMMISSIONERS ACTION The Board approved the request.

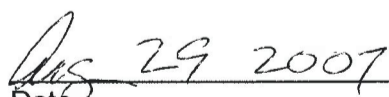
If you wish to appeal this decision, an appeal must be filed with the Land Use Board of Appeals (LUBA) within 21 days from the date this notice is mailed.

Appeals to LUBA must be filed in accordance with ORS 197.830. If you have any questions about this process, you should contact LUBA in Salem.

Ordinance No. 2007-650 and Resolution and Order No. 2007-659 may be reviewed at the office of the Linn County Clerk, Room 205, Linn County Courthouse; that office is open from 8:30 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Copies of the ordinance and resolution and order are available in the office of the Linn County Clerk. A fee to cover copying costs will be charged.



Steve Michaels
Director



Date

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR LINN COUNTY

IN THE MATTER OF AN ORDINANCE)
AMENDING THE LINN COUNTY ZONING MAP)
AND THE LINN COUNTY COMPREHENSIVE)
PLAN MAP)

ORDINANCE NO. 2007-650
(Amending Code)
(Planning and Building
Department; BC07-0001)

WHEREAS, The Linn County Board of Commissioners (Board) advertised notice that it would consider a proposed amendment to the Linn zoning map and the Linn County *Comprehensive Plan* map on June 12, 2007;

WHEREAS, At 10:30 a.m., on June 12, 2007, the Board conducted a regularly scheduled and duly advertised public hearing, considered the proposed amendment for the zoning map and *Comprehensive Plan* map;

WHEREAS, The Board having read the proposed ordinance and having received and considered the oral and written public testimony presented prior to and at the hearing; and

WHEREAS, The findings in support of this ordinance are attached to Resolution and Order No. 2007-649 and entitled Exhibit 1, (BC07-0001 Decision Criteria, Findings and Conclusions); and, now, therefore, be it

Ordained by the Linn County Board of Commissioners, That:

Section 1. Map Amendment. Appendix 1, Zoning map, following LCC Chapter 920 [see LCC 920.010(B)] be amended to designate a 1.30-acre portion of a 96.04-acre property identified as Tax Lot 1700 on Assessor map T14S, R2W, Section 6, Linn County, Oregon, as being within the urban growth boundary of Brownsville and removing a Linn County *Comprehensive Plan* map designation from the 1.30 acres.

Section 2. Savings clause. Repeal of a code section or ordinance shall not revive a code section or ordinance in force before or at the time the repealed code section or ordinance took effect. The repeal shall not affect a punishment or penalty incurred before the repeal took effect, nor a suit, prosecution, or proceeding pending at the time of the repeal for an offense committed under the repealed code section or ordinance.

Section 3. Severability. Invalidity of a section or part of a section of this ordinance shall not affect the validity of the remaining sections or parts of sections.

Section 4. Effective date. To protect the health, safety, and welfare of the citizens of Linn County, this ordinance shall take effect following adoption.

Section 5. Codification. Following adoption, this ordinance shall be codified pursuant to LCC Chapter 120.



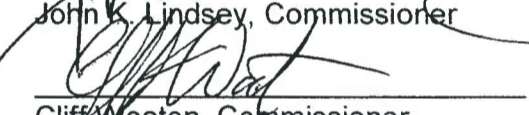
Public reading held June 12, 2007.

Adopted and passed August 29, 2007.


The effective date of this Ordinance shall be August 29, 2007.

BOARD OF COUNTY COMMISSIONERS FOR LINN COUNTY

Signed August 29, 2007

		Voting	
		For	Against
	 Roger Nyquist, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Recording Secretary	 John K. Lindsey, Commissioner	<input checked="" type="checkbox"/>	<input type="checkbox"/>
By _____	 Cliff Wooten, Commissioner	<input checked="" type="checkbox"/>	<input type="checkbox"/>

APPROVED AS TO CONTENT:


Steve Michaels
Linn County Planning and Building Director

APPROVED AS TO FORM:


Thomas N. Corr
Linn County Legal Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR LINN COUNTY OREGON

IN THE MATTER OF AMENDING THE)
LINN COUNTY ZONING MAP AND THE)
LINN COUNTY COMPREHENSIVE PLAN)
MAP AND APPROVING A PARTITION)

RESOLUTION &
ORDER NO. 2007-649
Planning and Building Department;
(BC07-0001)
(Findings and Conclusions)

WHEREAS, The Board of County Commissioners for Linn County (Board) conducted a duly advertised public meeting on June 12, 2007, for the purpose of considering the matter of a proposed zoning map amendment and *Comprehensive Plan* map amendment that would amend the zoning map designation and the *Comprehensive Plan* map designation on a 1.30-acre portion of a property identified as Tax Lot 1700 on Assessor map T14S, R2W, Section 6, and for the purpose of considering a partitioning of the property;

WHEREAS, The proposed zoning map amendment and *Comprehensive Plan* Map amendment had been previously considered by the Linn County Planning Commission at a duly advertised meeting on May 8, 2007 and who unanimously voted to recommend approval to the Board;

WHEREAS, The Board, after considering all testimony and evidence submitted, reached a consensus to recommend that the proposed zoning map amendment and *Comprehensive Plan* map amendment be adopted; and

WHEREAS, The findings in support of the proposed zoning map amendment and *Comprehensive Plan* map amendment are attached hereto as Exhibit 1 (BC07-0001 Decision Criteria, Findings and Conclusions); and now, therefore, be it

RESOLVED, That the Board of County Commissioners for Linn County approve the Findings and Conclusions as set forth in Exhibit 1 (BC07-0001 Decision Criteria, Findings and Conclusions); and

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ORDERED, That the Linn County Zoning map and the Linn County *Comprehensive Plan* map be prepared by county staff for amendment to designate thereon the 1.30 acres

identified as a portion of Tax Lot 1700 on Assessor map T14S, R2W, Section 6, Linn County, Oregon, as being inside the Brownsville Urban Growth Boundary;

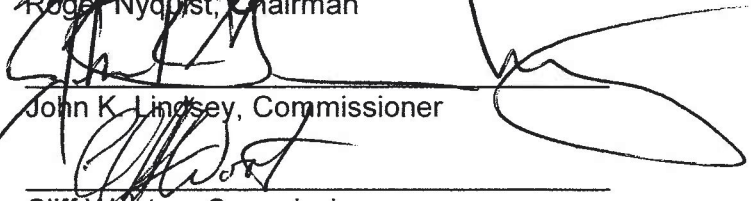
ORDERED, That the 96.04-acre property be partitioned into a 2.40-acre parcel and a 93.64-acre parcel and that the partition approval is subject to the following conditions and requirements of the Linn County Land Development Code:

1. Pursuant to ORS 92.050-92.080, parcels being created that are 10 acres or smaller are required to be surveyed and to have a partition plat map prepared. Those parcels being created that are larger than 10 acres require only the preparation of a partition plat map. The plat map must receive final approval from the Planning and Building Department within **180 days**. An extension is available upon written request if one becomes necessary. Once Planning and Building Department approval has been given, the plat map must be recorded with the Linn County Clerk. Please consult a registered professional land surveyor or the Linn County Surveyor for additional information regarding this requirement.
2. All taxes need to be paid in full per ORS 92.095 before the partition plat will be recorded. A partition must be approved, platted and recorded before ownership interests in the authorized parcels are changed.
3. The applicant will work with the Oregon Department of Transportation (ODOT) to close Blakely Avenue east of the applicant's property.
4. The applicant will work with the city of Brownsville to address drainage concerns in the area of Blakely Avenue.

Resolved this 29, day of August, 2007.

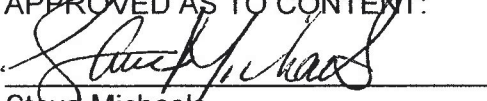
BOARD OF COUNTY COMMISSIONERS
FOR LINN COUNTY


Roger Nyquist, Chairman


John K. Lindsey, Commissioner


Cliff Wooten, Commissioner

APPROVED AS TO CONTENT:


Steve Michaels
Linn County Planning and Building Director

APPROVED AS TO FORM:

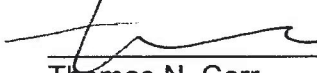
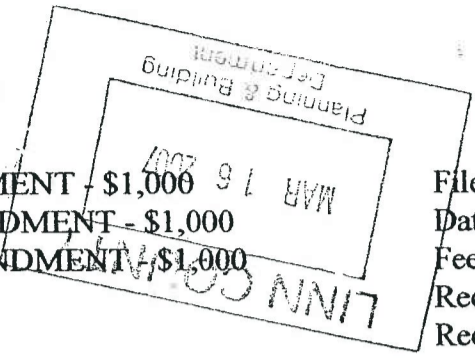

Thomas N. Corr
Linn County Legal Counsel

EXHIBIT 1

BC07-0001 DECISION CRITERIA, FINDINGS AND CONCLUSIONS

ZONE CHANGE/ZONE MAP AMENDMENT - \$1,000
 COMPREHENSIVE PLAN MAP AMENDMENT - \$1,000
 COMPREHENSIVE PLAN TEXT AMENDMENT - \$1,000
 ANNEXATION - \$800



File No. BC 07-0001
 Date Submitted 3-16-07
 Fee \$300 - NH# 2734
 Receipt No. _____
 Received By [Signature]

COMPREHENSIVE PLAN AMENDMENT / ZONE CHANGE / ANNEXATION

COMPREHENSIVE PLAN AMENDMENT

- Map Change
- Text Change

Proposed Plan Designation Public
 Present Zone Low Density Res & EFU
 Present Plan Des. Low Density Res & Farm Forest

ZONE CHANGE

- Map Change
- Text Change

Proposed Zone Public
 Present Zone Low Density Res
 Present Plan Des Low Density Res

ANNEXATION

1. Name of Applicant Brownsville Rural Fire District Phone 541-466-5227
 Mailing Address 255 N. Main Street, Brownsville, OR 97327
 Applicant is: Legal Owner Contract Purchaser Agent
 Legal Owner Mike Kirk & Susan Crowson Phone 541-369-2395
 Mailing Address 33214 Seefeld Drive, Halsey, OR 97348

2. DESCRIPTION OF SUBJECT PROPERTY:
 Section 14S Township 2W Range 6 Tax Lot 1700 Lot Size 96.04 Acres
 (Note: the subject site is only 2.4 acres of the 96.04 acre parcel)
 Property Address _____ Or General Location:
 Fronting the South side of Blakely Avenue, across from Hume Street (name of street)

3. Description of Request: Requesting approval of an urban growth boundary expansion, annexation, comprehensive plan map amendment, zoning map change, and minor land partition.

4. Intended Use of the Property (all uses): New fire station

5. Summarize Reasons for Request: This property is the only available undeveloped property for a new fire station on the south side of the Calapooia River, outside the 100-year flood plain, with direct access to Highway 228.

FOR AN ANNEXATION REQUEST ONLY, PROCEED TO ITEMS 8, 9 AND 12 THROUGH 14.

6. What effect would the proposed use have on surrounding land usage? Will adjacent land uses impose any restrictions on the proposed use? (Explain how the proposed use is or is not compatible with surrounding land use) The proposed fire station is anticipated to have little effect on surrounding uses. The 2.4 acre site is surrounded by residential uses to the north, east, and west. South of the subject property is vacant and in agricultural production. The sirens on the fire apparatus are likely to cause more noise than currently exists in the surrounding neighborhood, however the existing residential uses are already affected by noise from vehicles and trucks along Highway 228. Therefore, the proposed fire station is anticipated to have negligible impact to the existing surrounding uses.

7. Is there other land in the City presently recognized to allow the type of development you have requested? If so, why can't the proposed development occur on that land, or is there a particular reason why your property is more suited for the development Fire protection for Brownsville is provided by the Brownsville Rural Fire District. The rural fire district serves a 68 square mile area and provides fire protection services and quick response for medical and motor vehicle accidents. The District's only fire station is in downtown Brownsville at 255 N. Main Street. This centralized location has served them well for many years, with the exception of when the Calapooia River floods. When the river floods it sometimes crosses Main Street, making it difficult to respond to emergencies in South Brownsville and east and west along Highway 228. Therefore the Fire District is interested in developing a second station in South Brownsville to improve their responsiveness to the area they serve.

The City owns a 12 acre parcel off Hume Street, just north of Highway 228, however the entire property is within the 100-year flood plain, making it unsuitable for a new fire station. The only vacant land in South Brownsville outside the 100-year flood plain is south of Highway 228. There are currently only two properties designated for public use on the south side of Highway 228; the Central Linn School District offices at 331 East Blakely Avenue and Blakely Park at the northeast corner of Blakely and Washburn. Both of these properties are developed and are therefore not suitable for a new fire station. Because of the Districts need to maintain quick response times, a new fire station needs to have convenient access onto Highway 228. The only vacant land of at least two acres near the highway and outside the 100-year flood plain is the subject property that is currently under consideration with this application. Additional properties were also considered in the Alternatives Analysis section of the Urban Growth Boundary expansion application.

8. Describe the existing or proposed services and facilities, as provided (or to be provided) within the proposed area.

A. Sewer An existing 8-inch sewer line extends along Blakely Avenue and terminates at Moyer Street. This line will need to be extended along Blakely to Hume Street in order to serve the new fire station. The City's sewer system is divided into two separate treatment systems. Generally, the northwest portion of the community uses the north lagoon, while the south side of town uses the south lagoon. The sewage system has been designed to

serve a population of 2,010. The current population is around 1,600, allowing the City to adequately serve the existing population. The existing system does have its limitations however. The DEQ is concerned that the surface irrigation disposal at the north lagoon does not meet environmental standards during the winter months. To alleviate this concern, the City is planning to instal a new line between the two systems to improve operational efficiency during the winter months. The limitations to the northern sewage lagoon will not affect this request, as all sewage from this site will be processed at the south lagoon. The new fire station is anticipated to generate a minimal amount of wastewater, all of which can be accommodated with the existing system.

B. Water The City's water distribution system is designed to serve a population of 2,027. The current population is around 1,600, allowing the City to adequately serve the existing population. An existing 12-inch water line extends along Faust Street to Blakely Avenue. This line will need to be extended along Blakely to Hume Street in order to serve the new fire station. Eventually this line will need to extend north along Hume Street to tie into the existing line in Washington Avenue. The new fire station is anticipated to use only a small amount of water which can be provided by the existing system.

C. Storm Drainage Surface drainage on the subject property currently runs to the northwest corner of the parcel where it is intercepted by a swale that discharges the water southwest of the site. When the new fire station is constructed, the applicant will be required to provide stormwater detention in compliance with the City's stormwater provisions.

9. Does the application involve any property in an area of natural hazard (slope, high water table, soil erosion or flood hazard)? If so, explain The 2.4 acre site is generally flat and is not within an area of significant slopes. The water table in this area of town is fairly high in the winter months, however it will not negatively impact future development on the site. Soil erosion potential on this site is limited as the site is generally flat. The entire site is outside the 100-year floodplain as shown on the City's Flood Hazard Map. In conclusion, the site is void of any natural hazards that prohibit or restrict future development of the property.

10. FOR A ZONE CHANGE REQUEST (MAP OR TEXT), the Applicant must attach to this application a separate sheet with an explanation of whether the proposal is:

A. Consistent with the applicable provisions and policies of the Comprehensive Plan;

The applicant is requesting a change to the City's zoning map, and is not proposing any changes to existing policies within the City's Comprehensive Plan. The proposed zone change would be contingent upon approval of the urban growth boundary expansion and annexation request, and would consist of designating the 2.4 acre parcel as Public. Therefore, the zone change is consistent with the applicable policies from the Comprehensive Plan.

B. Consistent with the applicable provisions of the Zoning Ordinance (text and map).

The proposed zone change request is consistent with Section 9.010 of the City's Zoning Ordinance which allows a property owner to initiate an amendment to the zoning map for their property. The applicant is not proposing any changes to the text of the City's Zoning Ordinance.

11. FOR A COMPREHENSIVE PLAN AMENDMENT (MAP OR TEXT), the Applicant must attach to this application a separate sheet(s) with an explanation of how the proposal conforms with the following:

A. The proposed amendment assists the City to comply with the State-mandated Planning Goals and Guidelines and other applicable legislative acts and judicial determinations;

The applicant is requesting to change 1.1 acres designated Low Density Residential in the City to 1.1 acres of Public, and to change 1.3 acres designated Farm Forest in Linn County to 1.3 acres of Public in the City limits. See the Urban Growth Boundary expansion application for additional discussion related to Statewide Planning Goals and Guidelines.

B. The proposed amendment is of substantial public need to warrant action prior to the timetable established for revision of the existing Comprehensive Plan;

Fire protection for Brownsville is provided by the Brownsville Rural Fire District. The rural fire district serves a 68 square mile area and provides fire protection services and quick response for medical and motor vehicle accidents. The District's only fire station is in downtown Brownsville at 255 N. Main Street. This centralized location has served them well for many years, with the exception of when the Calapooia River floods. When the river floods it sometimes crosses Main Street, making it difficult to respond to emergencies in South Brownsville and east and west along Highway 228. Therefore the Fire District is interested in developing a second station in South Brownsville to improve their responsiveness to the area they serve. A bond measure was recently approved by the voters to construct a new fire station, showing the level of public support for the services the rural fire district provides.

C. Approval of the proposed Comprehensive Plan amendment will not have a significant negative impact on the existing level of public facilities and transportation services, and on the overall land use pattern of the area;

Extending public water and sewer lines have been discussed in the previous section. The existing water and sewer lines will need to be extended along Blakely Avenue in order to adequately serve the new fire station. Existing public streets will be upgraded as required by the City at the time the fire station is constructed. The existing transportation network has sufficient capacity to adequately handle the anticipated traffic generated by the new fire station.

- D. The development limitations, such as soil and foundation suitability, geology, water quality, etc., of the parcel and area are capable of supporting the use for which the Plan is proposed to be amended.

There are no known development limitations at this time and to the best of our knowledge the site is capable of supporting a new fire station.

12. FOR AN ANNEXATION REQUEST, the Applicant must attach to this application a separate sheet with an explanation of how the proposal conforms with the following:

- A. The proposed annexation is consistent with all elements of the Comprehensive Plan;

The applicant is requesting a change to the City's Comprehensive Plan map, and is not proposing any changes to existing policies within the City's Comprehensive Plan. The proposed map amendment would be contingent upon approval of the urban growth boundary expansion and annexation request, and would consist of designating the 2.4 acre parcel as Public. Therefore, the Comprehensive Plan Map change is consistent with the applicable policies from the Comprehensive Plan.

- B. The proposal will contribute to the City's local economy; and/or the proposed property to be annexed will contribute to the housing needs of the community;

The proposed annexation will contribute to the City's local economy by ensuring an adequate level of fire protection for the community, resulting in reduced fire insurance premiums for everyone within the Brownsville Rural Fire District. The District prides itself on having an Insurance Service Office (ISO) rating of Class 4 within the City limits of Brownsville, on a scale of 1 to 10, with 1 being exceptional. The new fire station will also provide housing for the firefighters, with three sleeping rooms.

- C. The proposal will contribute toward an efficient and orderly transition from rural to urban land uses.

The 2.4 acre site is situated at the eastern edge of the Brownsville City limits. The parcel is surrounded on the north, east, and west by existing residential uses, while the land to the south will remain in agricultural production in the County.

13. OTHER ATTACHMENTS:

- A. A site plan, drawn to scale, showing the affected property, proposed and existing uses, surrounding land use, proposed and existing streets, parking, and other circulation features, distance from existing water and sewer lines, and natural features (floodplain, drainage, steep slopes, etc.)
B. Legal description (FOR ANNEXATION REQUESTS)
C. Filing Fee

14. I (WE) hereby certify that the foregoing statements and answers and any other information (such as maps and drawings) attached hereto are true and accurate to the best of my (our) knowledge and belief.

APPLICANT	<u>Kevin Rogers</u> (Name printed)	<u><i>Kevin Rogers</i></u> (Signature)	<u>3-7-07</u> (Date)
APPLICANT	_____	_____	_____
OWNER	<u>Michael W Kirk</u> (Name printed)	<u><i>Michael W Kirk</i></u> (Signature)	<u>3-7-07</u> (Date)
OWNER	_____	_____	_____

An Application for an Urban Growth Boundary Expansion in Brownsville

Prepared for:

**The City of Brownsville
255 N. Main Street
Brownsville, OR 97327
541-466-5880**

Prepared by:

**Willamette Valley Planning
350 NW Polk Avenue
Corvallis, OR 97330
541-753-1987**

Submitted by:

**Brownsville Rural Fire District
255 N. Main Street
Brownsville, OR 97327
541-466-5227**

March 2007

THE REQUEST

The applicant is requesting approval of a 1.67 acre urban growth boundary expansion in Brownsville and an exception to Statewide Planning Goals 3 and 14. The request would amend the City's Comprehensive Plan Map by changing 1.3 acres from Farm Forest (currently in Linn County) to Public (within the City limits), and would transfer 0.37 acres of public right-of-way in Linn County to the City of Brownsville, (Attachments A - F).

SITE AND VICINITY

The 96.04 acre parcel abuts the south side of Blakely Avenue, across from Hume Street. The applicant has submitted a minor land partition application which would create a 2.4 acre parcel in order to construct a new fire station, (Attachment G). Roughly 1.1 acres of the new parcel is within the City limits, however 1.3 acres of the new parcel is outside the City limits and the City's Urban Growth Boundary (UGB), (Attachment F).

The 1.3 acre site plus the 0.37 acre public right-of-way is east of the existing City limits. The 1.3 acre site is currently farmed for grass seed, and is generally flat. The land to the south includes the parent parcel, which is also farmed for grass seed in the County. Directly east of the site are two existing residents on urban sized parcels within the County. North of the site is Highway 228 and across the highway are additional residential and industrial uses in the City limits. West of the site is a farmhouse and urban residential uses within the City limits.

ATTACHMENTS

- A - Vicinity Map
- B - Existing Comprehensive Plan Designations
- C - Proposed Comprehensive Plan Designations
- D - Existing Zoning Designations
- E - Proposed Zoning Designations
- F - Proposed UGB Expansion
- G - Conceptual Site Plan and Proposed Partition
- H - Legal Description for the UGB Expansion and Annexation

CRITERIA RELATIVE TO EXPANSION OF THE UGB

Urban Growth Boundary expansions are reviewed against the applicable criteria found in Oregon Revised Statutes (ORS), the Statewide Planning Goals, Oregon Administrative Rules (OAR), the Tangent Comprehensive Plan, and the Tangent Land Use Development Code. A decision to expand the urban growth boundary must be based on approval criteria found in state law and local regulations. In general, an expansion of a UGB must comply with all applicable statewide planning goals and with state specified directives for enlarging the boundary.

An exception is a decision to exclude certain land from the requirements of one or more applicable statewide goals in accordance with the process specified in Statewide Planning Goal 2. When a local government changes an established urban growth boundary it must follow the same procedures. The exceptions process is generally applicable to all or part of the statewide goals which prescribe or restrict certain uses on resource lands. Therefore, in order to amend the Comprehensive Plan Map designation from Farm Forest to Public, it will require an exception to Goal 3. In order to expand Brownsville's urban growth boundary, it will also require an exception to Goal 14. The reasons by which an exception may be granted is noted in the Oregon Administrative Rule below:

OAR 660-004-0022

Reasons Necessary to Justify an Exception Under Goal 2, Part II(c)

An exception Under Goal 2, Part II(c) can be taken for any use not allowed by the applicable goal(s). The types of reasons that may or may not be used to justify certain types of uses not allowed on resource lands are set forth in the following sections of this rule:

- (1) For uses not specifically provided for in subsequent sections of this rule or OAR 660, Division 014, the reasons shall justify why the state policy embodied in the applicable goals should not apply. Such reasons include but are not limited to the following:**
 - (a) There is a demonstrated need for the proposed use or activity, based on one or more of the requirements of Statewide Goals 3 to 19; and either**
 - (b) A resource upon which the proposed use or activity is dependent can be reasonably obtained only at the proposed exception site and the use or activity requires a location near the resource. An exception based on this subsection must include an analysis of the market area to be served by the proposed use or activity. That analysis must demonstrate that the proposed exception site is the only one within that market area at which the resource depended upon can reasonably be obtained; or**

(c) The proposed use or activity has special features or qualities that necessitate its location on or near the proposed exception site.

The following Statewide Planning Goal addresses urbanization:

STATEWIDE PLANNING GOAL 14 – URBANIZATION

Statewide Planning Goal 14 – Urbanization was amended in April of 2005. The amended goal includes the following language:

Land Need - Establishment and change of urban growth boundaries shall be based on the following:

- (1) Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments.**

Exhibit B from the Brownsville Comprehensive Plan (p.141) contains an agreement between the City of Brownsville and Linn County. Item #5 in the agreements states, “Annexation proposals to the City for areas outside the Urban Growth Boundary shall be considered as a request for an amendment to the Urban Growth Boundary and shall be subject to the approval of the City and County as an amendment to the Brownsville Comprehensive Plan”. This application, along with the applicant’s proposed Annexation and Comprehensive Plan Map Amendment requests address the relevant criteria by which the City of Brownsville and Linn County shall evaluate the proposal.

The City of Brownsville has a current population of 1,600 residents. Linn County has adopted a certified population projection which assumes continued growth within the community. In order for Brownsville to grow, adequate public facilities and fire protection are necessary. The proposed change will ensure that future population growth in South Brownsville will receive adequate fire protection services.

The Brownsville Comprehensive Plan contains a 1989 Land Use Inventory supplement (Table 9) showing 47.5 acres, or 5% of the land within the City being designated for public uses. This is slightly more than the 35.19 acres of publicly designated land when the City conducted its land use inventory in 1976.

Fire protection for Brownsville is provided by the Brownsville Rural Fire District. The rural fire district serves a 68 square mile area and provides fire protection services and quick response for medical and motor vehicle accidents. The District’s only fire station is in downtown Brownsville at 255 N. Main Street. This centralized location has served them well for many years, with the exception of when the Calapooia River floods. When the river floods it sometimes crosses Main Street, making it difficult to respond to emergencies in South Brownsville and east and west on Highway 228. Therefore the Fire

District is interested in developing a second station in South Brownsville to improve their responsiveness to the area they serve. The City owns a 12 acre parcel off Hume Street, just north of Highway 228, however the entire property is within the 100-year flood plain, making it unsuitable for a new fire station. The only vacant land in South Brownsville outside the 100-year flood plain is south of Highway 228. There are currently only two properties designated for public use on the south side of Highway 228; the Central Linn School District offices at 331 East Blakely Avenue and Blakely Park at the northeast corner of Blakely and Washburn. Both of these properties are developed and are therefore not suitable for a new fire station. Because of the Districts need to maintain quick response times and maintain their Insurance Service Office (ISO) Class 4 rating, a new fire station needs to have convenient access onto Highway 228. The only vacant land over two acres near the highway and outside the 100-year flood plain is the subject property that is currently under consideration with this application.

Conclusion

Based on Statewide Planning Goal 14 requirements, the applicant requests an exception based on the following findings:

1. There is a demonstrated need for additional public land for emergency service facilities in South Brownsville that is outside the 100-year flood plain with convenient access to Highway 228.
2. The subject property contains unique qualities that make it the best location to meet the identified need.

Statewide Planning Goal 14 requires the following criteria be considered when establishing or changing an urban growth boundary:

Urban Growth Boundaries

Urban growth boundaries shall be established and maintained by cities, counties and regional governments to provide land for urban development needs and to identify and separate urban and urbanizable land from rural land. Establishment and change of urban growth boundaries shall be a cooperative process among cities, counties and, where applicable, regional governments. An urban growth boundary and amendments to the boundary shall be adopted by all cities within the boundary and by the county or counties within which the boundary is located, consistent with intergovernmental agreements, except for the Metro regional urban growth boundary established pursuant to ORS chapter 268, which shall be adopted or amended by the Metropolitan Service District.

Land Need

Establishment and change of urban growth boundaries shall be based on the following:

- (1) Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments; and**
- (2) Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of the need categories in this subsection (2).**

In determining need, local government may specify characteristics, such as parcel size, topography or proximity, necessary for land to be suitable for an identified need.

Prior to expanding an urban growth boundary, local governments shall demonstrate that needs cannot reasonably be accommodated on land already inside the urban growth boundary.

Criteria (1) and the demonstrated need were previously addressed in this section of this narrative. The following discussion addresses the additional needs outlined in criteria (2) as well as other relevant Statewide Planning Goals and Policies from the Brownsville Comprehensive Plan.

Public Facilities in General

P-R4 The City of Brownsville shall comply with Oregon law for the enactment of quasi-judicial action when amendments to the comprehensive plan or urban growth boundary are proposed which are quasi-judicial in nature.

P-P30 The City of Brownsville considers fire protection to be a primary essential service and shall make improvements to the city water system based on present and projected needs to provide optimum fire protection.

P-U1 The City of Brownsville and Linn County shall establish an urban growth boundary and management agreement that provides for future land needs, and the logical and economic extension of services, and the identification and separation of urbanizable lands from rural lands.

P-U5 When establishing or amending the urban growth boundary the City of Brownsville and Linn County shall consider the following:

- A. **Demonstrated need to accommodate long-range urban population growth requirements.**
- B. **Need for housing, employment opportunities and livability.**
- C. **Orderly and economic provision for public facilities and services.**
- D. **Maximum efficiency of land uses within and on the fringe of the existing developed area.**
- E. **Environmental, energy, economic and social consequences.**
- F. **Retention of agricultural lands as defined with Class I being the highest priority for retention and Class IV for the lowest priority.**
- G. **Compatibility of the proposed uses with nearby agricultural activities.**
- H. **The necessity of making exceptions to the State Land Use Goal #2.**

Sewer

An existing 8-inch sewer line extends along Blakely Avenue and terminates at Moyer Street. This line will need to be extended along Blakely to Hume Street in order to serve the new fire station. The City's sewer system is divided into two separate treatment systems. Generally, the northwest portion of the community uses the north lagoon, while the south side of town uses the south lagoon. The sewage system has been designed to serve a population of 2,010. The current population is around 1,600, allowing the City to adequately serve the existing population. The existing system does have its limitations however. The DEQ is concerned that the surface irrigation disposal at the north lagoon does not meet environmental standards during the winter months. To alleviate this concern, the City is planning to install a new line between the two systems to improve operational efficiency during the winter months. The limitations to the northern sewage lagoon will not affect this request, as all sewage from this site will be processed at the south lagoon. The new fire station is anticipated to generate a minimal amount of wastewater, all of which can be accommodated with the existing system.

Water

The City's water distribution system is designed to serve a population of 2,027. The current population is around 1,600, allowing the City to adequately serve the existing population. An existing 12-inch water line extends along Faust Street to Blakely Avenue. This line will need to be extended along Blakely to Hume Street in order to serve the new fire station. Eventually this line will need to extend north along Hume Street to tie into the existing line in Washington Avenue. The new fire station is anticipated to use only a small amount of water which can easily be provided by the existing system.

Storm Drainage

Surface drainage on the subject property currently runs to the northwest corner of the parcel where it is intercepted by a swale that discharges the water southwest of the site. When the new fire station is constructed, the applicant will be required to provide stormwater detention in compliance with the City's stormwater provisions.

Streets and Roads

Access to the subject site will be from Blakely Avenue, which is adjacent to the property. The proposed UGB expansion includes the abutting portion of Blakely Avenue right-of-way so that when the new fire station is constructed, they will provide the necessary upgrades to Blakely Avenue. The increase in traffic generated by the proposed fire station is not anticipated to result in any unacceptable levels of service on the existing street network or on State Highway 228.

Schools

The applicant is proposing to construct a new fire station on the subject site. The new station will not impact the local school district as it will not house school age children. In addition, the school district is responsible for meeting the educational needs of the community, regardless of the growth or decline in student enrollment.

Conclusion

The City of Brownsville requires that all new public facilities and services and any improvements to existing facilities and services be provided prior to or concurrent with new development. The City also requires that the cost of these improvements be borne by the developer. The information presented here demonstrates that it is physically feasible to make the system improvements necessary for development prior to or concurrent with the development of the proposed fire station.

ALTERNATIVES ANALYSIS

Goal 2, Part II(c), Exception Requirements

- (1) If a jurisdiction determines there are reasons consistent with OAR 660-004-0022 to use resource lands for uses not allowed by the applicable Goal or to allow public facilities or services not allowed by the applicable Goal, the justification shall be set forth in the comprehensive plan as an exception.**
- (2) The four factors in Goal 2 Part II(c) required to be addressed when taking an exception to a Goal are:
 - (a) "Reasons justify why the state policy embodied in the applicable goals should not apply": The exception shall set forth the facts and assumptions used as the basis for determining that a state policy embodied in a goal should not apply to specific properties or situations including the amount of land for the use being planned and why the use requires a location on resource land;****

(b) "Areas which do not require a new exception cannot reasonably accommodate the use":

(A) The exception shall indicate on a map or otherwise describe the location of possible alternative areas considered for the use, which do not require a new exception. The area for which the exception is taken shall be identified;

(B) To show why the particular site is justified, it is necessary to discuss why other areas which do not require a new exception cannot reasonably accommodate the proposed use. Economic factors can be considered along with other relevant factors in determining that the use cannot reasonably be accommodated in other areas. Under the alternative factor the following questions shall be addressed:

(i) Can the proposed use be reasonably accommodated on nonresource land that would not require an exception, including increasing the density of uses on nonresource land? If not, why not?

(ii) Can the proposed use be reasonably accommodated on resource land that is already irrevocably committed to nonresource uses, not allowed by the applicable Goal, including resource land in existing rural centers, or by increasing the density of uses on committed lands? If not, why not?

(iii) Can the proposed use be reasonably accommodated inside an urban growth boundary? If not, why not?

(iv) Can the proposed use be reasonably accommodated without the provision of a proposed public facility or service? If not, why not?

(C) This alternative areas standard can be met by a broad review of similar types of areas rather than a review of specific alternative sites. Initially, a local government adopting an exception need assess only whether those similar types of areas in the vicinity could not reasonably accommodate the proposed use. Site specific comparisons are not required of a local government taking an exception, unless another party to the local proceeding can describe why there are specific sites that can more reasonably accommodate the proposed use. A detailed evaluation of specific alternative sites is thus not required unless such sites are specifically described with facts to support the assertion that the sites are more reasonable by another party during the local exceptions proceeding.

(c) The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with

measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in other areas requiring a Goal exception. The exception shall describe the characteristics of each alternative areas considered by the jurisdiction for which an exception might be taken, the typical advantages and disadvantages of using the area for a use not allowed by the Goal, and the typical positive and negative consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts. A detailed evaluation of specific alternative sites is not required unless such sites are specifically described with facts to support the assertion that the sites have significantly fewer adverse impacts during the local exceptions proceeding. The exception shall include the reasons why the consequences of the use at the chosen site are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site. Such reasons shall include but are not limited to, the facts used to determine which resource land is least productive; the ability to sustain resource uses near the proposed use; and the long-term economic impact on the general area caused by irreversible removal of the land from the resource base. Other possible impacts include the effects of the proposed use on the water table, on the costs of improving roads and on the costs to special service districts;

The premise of the following analysis is based on the need to site a new fire station in South Brownsville. Fire protection for Brownsville is provided by the Brownsville Rural Fire District. The rural fire district serves a 68 square mile area and provides fire protection services and quick response for medical and motor vehicle accidents. The District's only fire station is in downtown Brownsville at 255 N. Main Street. This centralized location has served them well for many years, with the exception of when the Calapooia River floods. When the river floods it sometimes crosses Main Street, making it difficult to respond to emergencies in South Brownsville and east and west on Highway 228. Therefore the Fire District is interested in developing a second station in South Brownsville to improve their responsiveness to the area they serve. Construction of a new fire station must meet the following criteria:

- The site is south of the Calapooia River
- The site must be at least 2 acres
- The site is outside the 100-year flood plain
- The site has good vehicle access to Highway 228
- The site is available for purchase

Developed Areas That Were Considered

The only areas that would not require an exception to Goal 3 are those that are already within the urban growth boundary. There are parcels within the city limits along the south side of Highway 228 that are part of the City's commercial land base. Most are also developed. They are appropriately located for commercial uses along the highway. This commercial area is not available for a new fire station. There are several sites west of the commercial area previously discussed that are part of the City's industrial land base. Most of these parcels are also developed. They are appropriately located for industrial use with access to the highway. This industrial area is not available for a new fire station.

There are a few residentially designated areas along either side of Highway 228 that are already built-out. Acquiring a 2.4 acre assemblage of these properties would be cost prohibitive and would diminish the City's ability to comply with the Statewide Planning Goal of providing needed housing.

The most promising assemblage would include a 1.86 acre parcel in the City limits on the south side of Highway 228 that currently contains an existing farmhouse and barns at 410 E. Blakely Avenue. This piece could be combined with the larger 96.04 acre parcel to the south to achieve the 2.4 acres needed for a new fire station. Preliminary discussions with this property owner indicate they are not interested in making their property available for a fire station at this time. This parcel will be referred to in subsequent discussions as Parcel A.

Undeveloped Areas That Were Considered

There are three specific undeveloped areas in South Brownsville that have been evaluated. The first is the 43.84 acre Bohemia Mill site, south of Highway 228 and at the west edge of the City limits. The mill was removed from the property years ago and the remaining property was annexed into the City four years ago. This property is zoned light industrial and recently received approved for a new log peeler yard proposed by McFarland Cascade. The company has now acquired the property and plans to construct the new peeler yard sometime this summer, therefore this property is not available.

The second site that was evaluated is a 0.57 acre parcel between Highway 228 and East Washington Avenue. This property is zoned Public and has been informally used as a park for a number of years. The owner of the property (Central Linn School District) may be willing to dispose of the property, however it does not meet the minimum 2 acre size requirement for the new fire station. Therefore, this parcel is too small for consideration.

The third site is a 96.04 acre parcel that is partially in the City and partially in the County. The owner has expressed a willingness to make a portion of the property available for the new fire station. The portion of the site that abuts Blakely Avenue is generally flat, however the western portion near the road contains some significant trees and a small

drainage swale. Goal 5 encourages the preservation of significant natural features (such as trees and drainageways), therefore the western portion is not suitable for development.

That leaves the remaining street frontage viable for consideration, however a portion is outside the City's UGB. The applicant has concluded that the 2.4 acre boundary shown on Attachment G is the most suitable location for the new fire station. This parcel will be referred to in subsequent sections as Parcel B.

Soil Types

Soils within South Brownsville are predominantly Class I and II, with two small areas at the southern limits containing Class III and IV soils. The predominant agricultural use within the area is grass seed production. Seed crops generally grow well on all of the soils present within the area.

Soils within Parcel A consist primarily of Malabon Silty Clay Loam (Class I) with a smaller amount of Coburg Silty Clay Loam (Class II). Soils within Parcel B consist primarily of Coburg Silty Clay Loam (Class II) and only a small portion of Malabon Silty Clay Loam (Class I). The applicants conceptual site plan (Attachment G) shows that construction of the new fire station will occur on Class II soils only and should not affect the areas containing Class I soils.

Advantages and Disadvantages of Each Area

Property A has the following advantages:

- It is within the City limits and the UGB
- It is south of the Calapooia River
- It is outside the 100-year flood plain
- It has good vehicle access to Highway 228

Property A has the following disadvantages:

- It is less than the minimum 2 acres required for a new fire station
- Predominant soil type is Class I
- Property owner is unwilling to sell at this time

Property B has the following advantages:

- It is south of the Calapooia River
- It is outside the 100-year flood plain
- It has good vehicle access to Highway 228
- It meets the 2 acre minimum required for a new fire station
- Predominant soil type is Class II
- Property owner is willing to sell at this time

Property B has the following disadvantages:

- A portion of the property is outside the City limits and the UGB

Conclusion

The advantages of Property B outweigh the advantages of Property A. In addition, there are more disadvantages with Property A. Therefore Property B has been found to be the most suitable for construction of a new fire station.

The following Statewide Planning Goal addresses agricultural lands:

STATEWIDE PLANING GOAL 3 - AGRICULTURAL LANDS

Goal: To preserve and maintain agricultural lands.

DEFINITIONS

Agricultural Land - in western Oregon is land of predominantly Class I, II, III, and IV soils and in eastern Oregon is land of predominantly Class I, II, III, IV, V, and VI soils as identified in the Soil Capability Classification System of the United States Soil Conservation Service, and other lands which are suitable for farm use taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land-use patterns, technological and energy inputs required, or accepted farming practices. Lands in other classes which are necessary to permit farm practices to be undertaken on adjacent or nearby lands, shall be included as agricultural land in any event. Agricultural land does not include land within acknowledged urban growth boundaries or land within acknowledged exceptions to Goals 3 or 4.

GUIDELINES

A. PLANNING

- 1. Urban growth should be separated from agricultural lands by buffer or transitional areas of open space.**

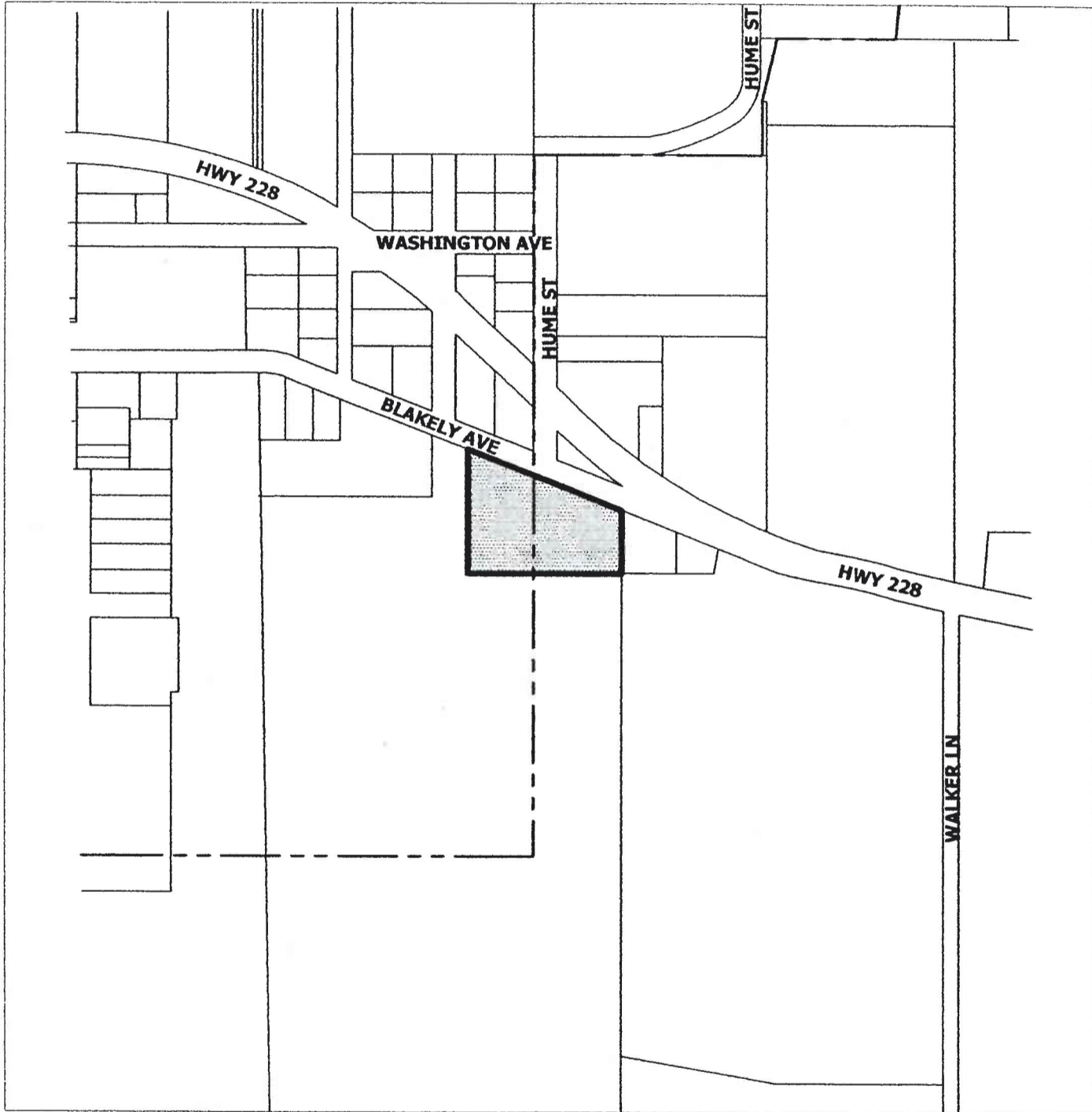
The 2.4 acre subject property contains the following soils and their associated classifications:

- 0.28 acres of Malabon Silty Clay Loam – High Value Farm Land (Class I)
- 2.12 acres of Coburg Silty Clay Loam – High Value Farm Land (Class II)

The subject property contains 12% Class I soils and 88% Class II soils. The predominant soil type found in South Brownsville is Coburg Silty Clay Loam (Class II). The property is currently in grass seed production. The proposed fire station is considered to be compatible with the abutting residential uses to the north, west, and east, as well as the agricultural activities to the south. The impact of redesignating the property for Public use should not impact the ability of adjacent farm uses to maintain viable operations.

As noted previously, an exception is being taken to Statewide Planning Goal 3. This application provides justification for why the state policy embodied in this Goal should not apply based on a demonstrated need for additional Public land to meet the requirements of Statewide Planning Goal 11. It further justifies why the subject property is the best location to provide the additional land necessary to fulfill the need for a new fire station in South Brownsville.

VICINITY MAP



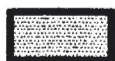

-  Subject Property
-  City Limits

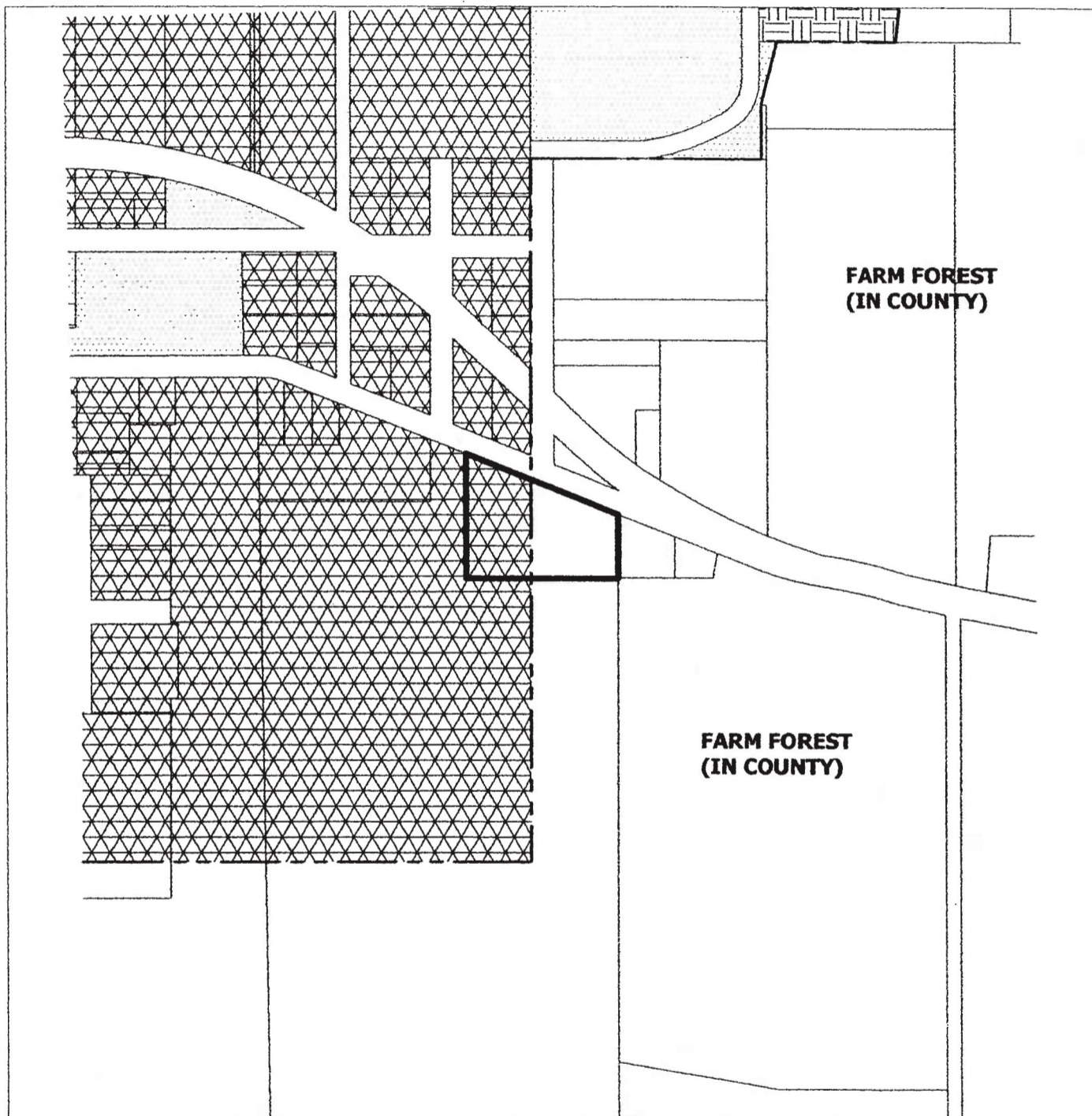
Exhibit 1
Page 22 of 31



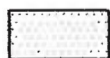
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ATTACHMENT A

EXISTING COMPREHENSIVE PLAN DESIGNATIONS



Residential



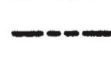
Public



Industrial



Subject Site



City Limits

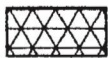
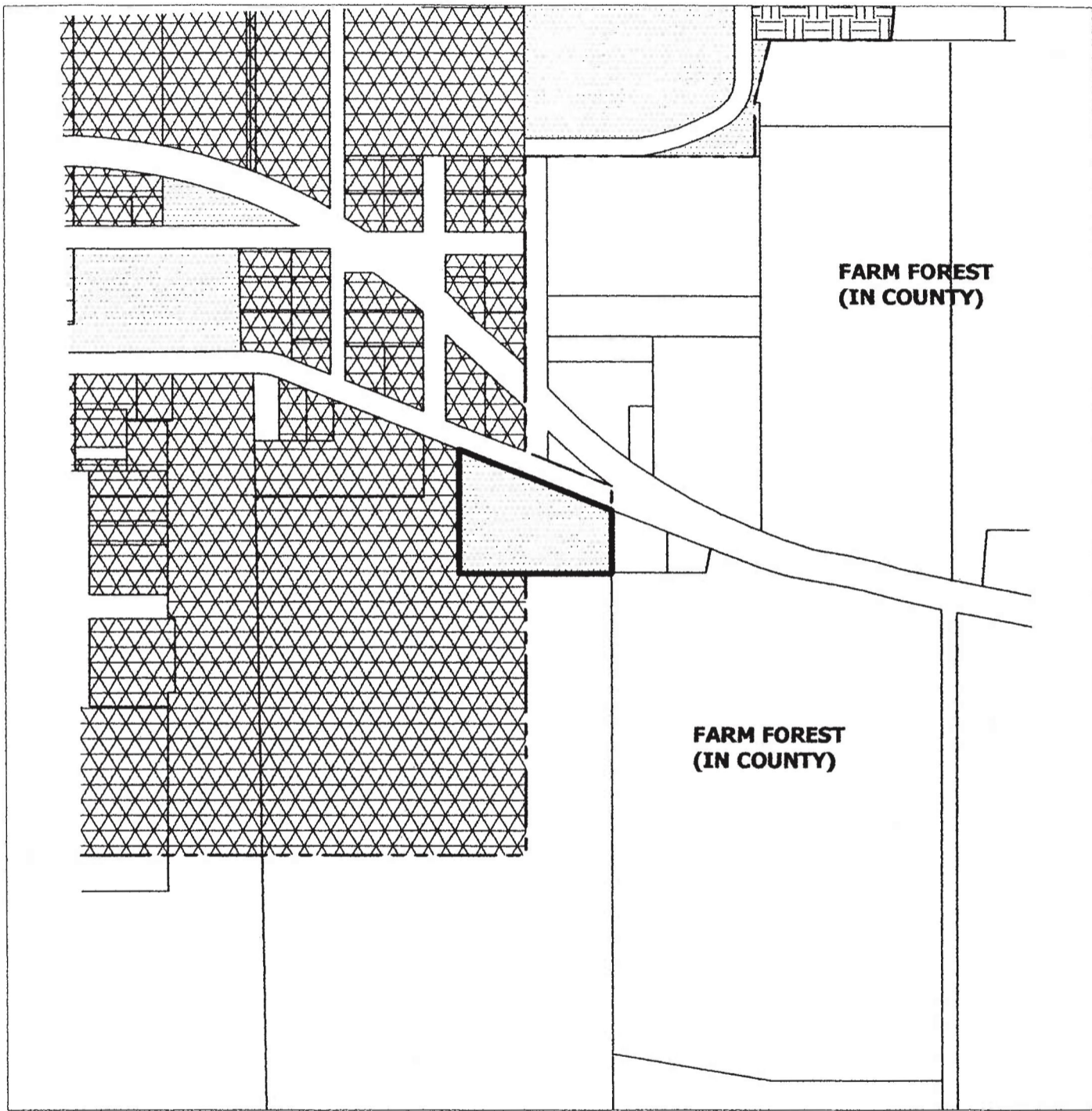
Exhibit 1
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Scale: 1" = 400'

ATTACHMENT B

PROPOSED COMPREHENSIVE PLAN DESIGNATIONS



Residential



Public



Industrial



Subject Site



City Limits

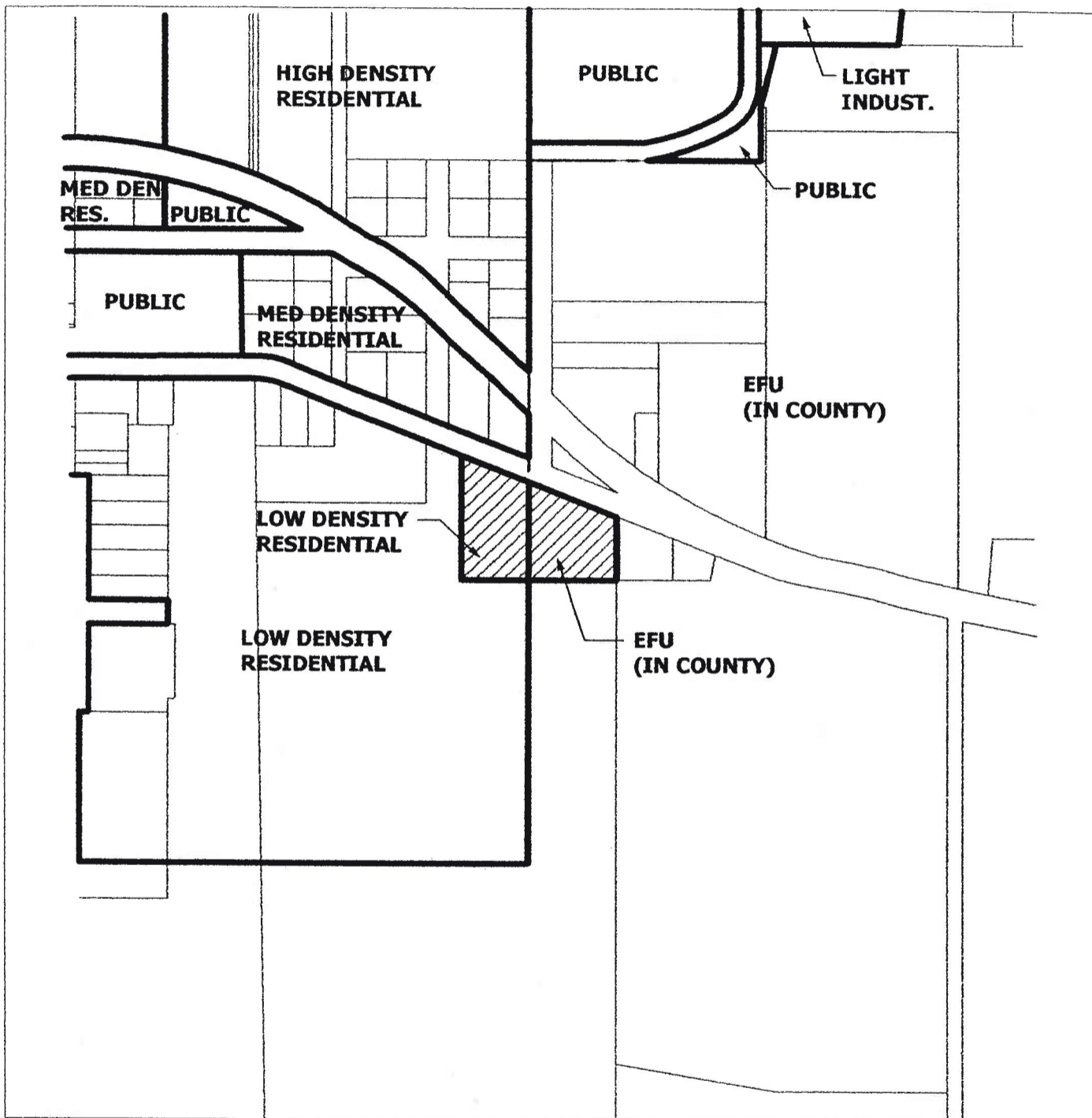
Exhibit \
Page 24 of 31



Scale: 1" = 400'

ATTACHMENT C

EXISTING ZONING DESIGNATIONS

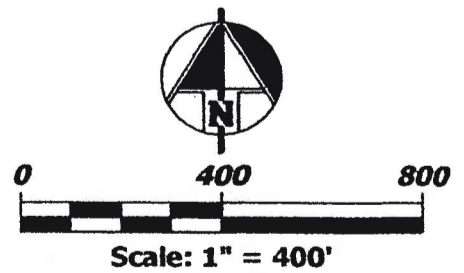


 Subject Property

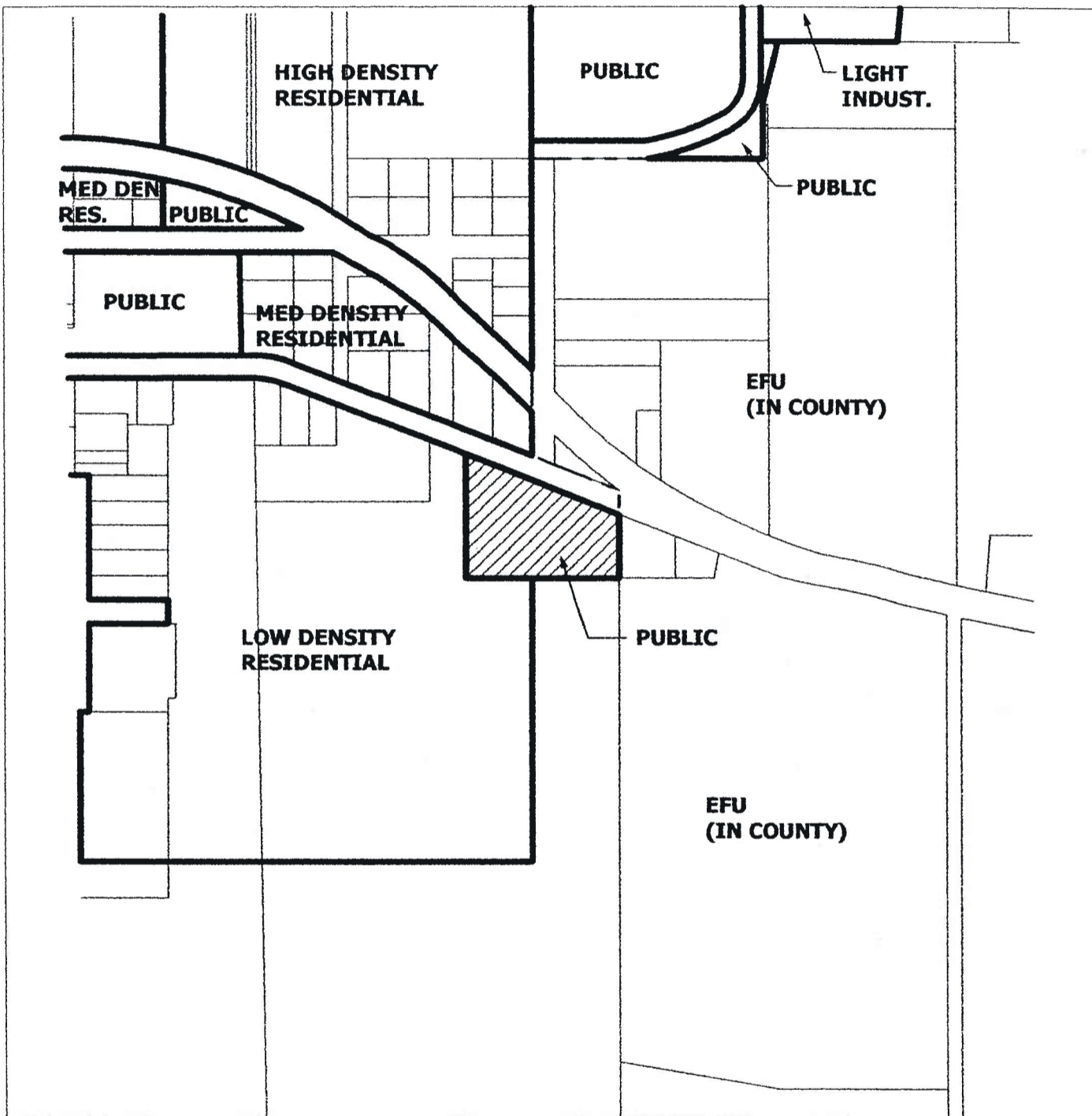
----- City Limits

Exhibit 1
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ATTACHMENT D



PROPOSED ZONING DESIGNATIONS



 Subject Property

 City Limits

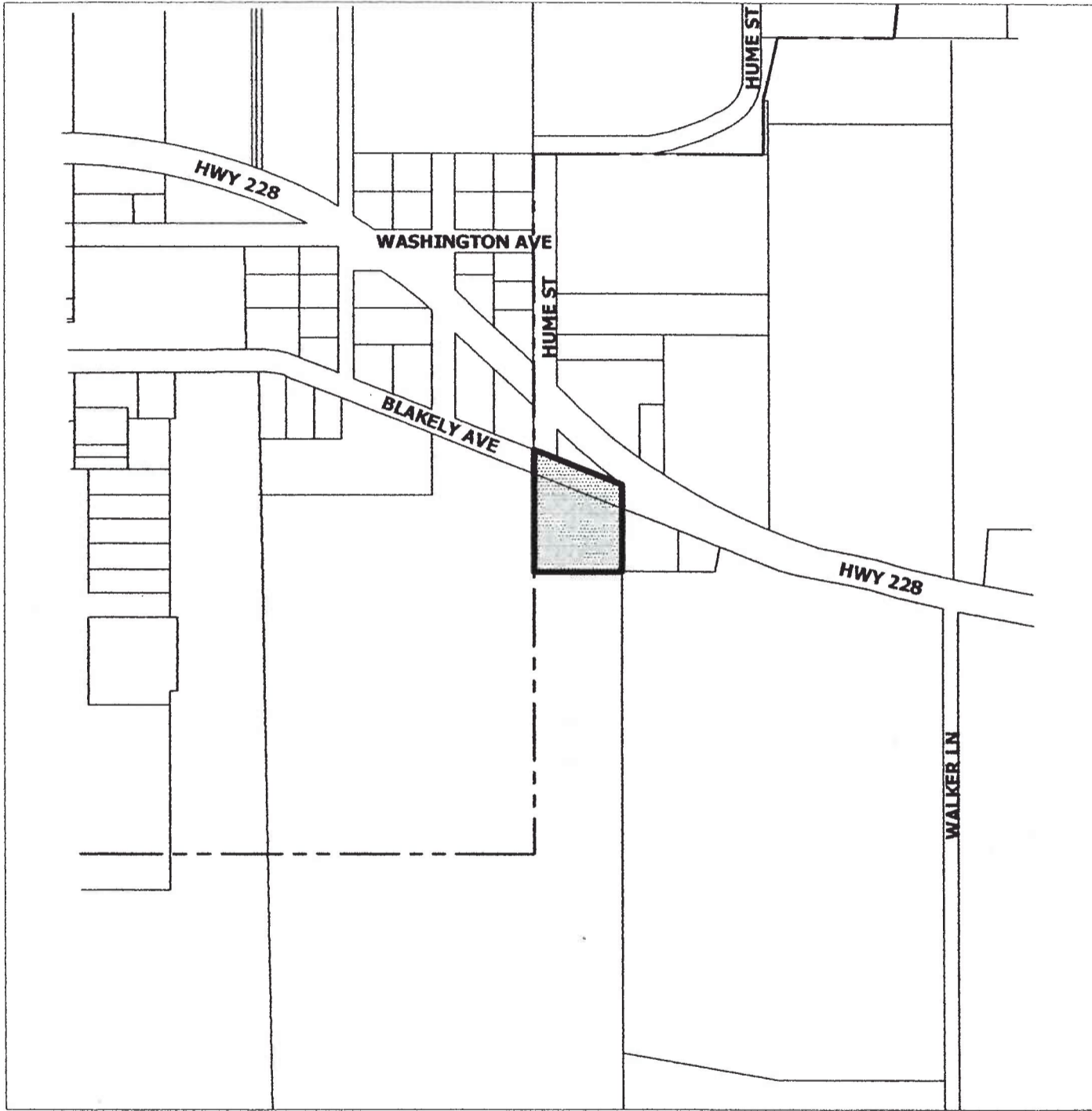
Exhibit 1
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ATTACHMENT E



Scale: 1" = 400'

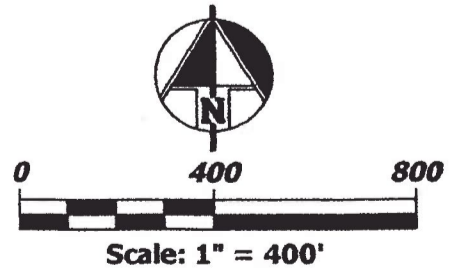
PROPOSED UGB EXPANSION

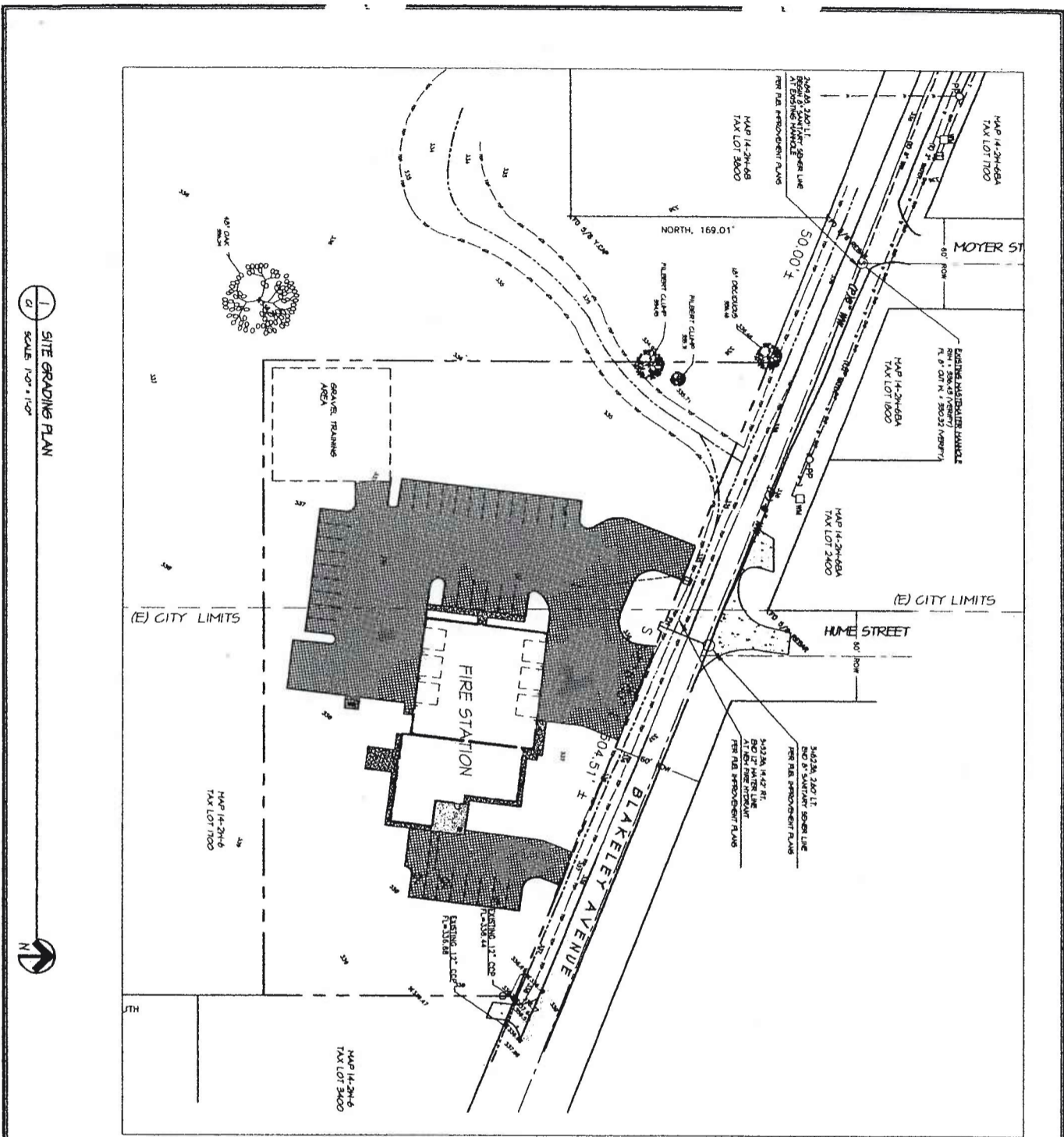


-  UGB Expansion
-  City Limits

Exhibit 1
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ATTACHMENT F





1 SITE GRADING PLAN
 G SCALE 1/8" = 1'-0"



ATTACHMENT G

Exhibit 1
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	SS&W Inc.-Engineers SURVEYORS & PLANNERS <small>2380 Oakwood Way, Suite 105 • Eugene, Oregon 97401 • (541) 485-8383</small>		REVISIONS <table border="1"> <thead> <tr> <th>No.</th> <th>Date</th> <th>By</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>		No.	Date	By													New Fire Station for Brownsville Fire Department Brownsville, OR Chief Kevin Rogers (541) 466-5227	
	No.	Date	By																		
06-6510 ECF	Date 7/20/01	Checked 	Plotted 																		

Legal Description for the UGB Expansion and Annexation

(FORTHCOMING)

ATTACHMENT H

Exhibit 1
Page 29 of 31

FEE \$800

File No. _____
Date Submitted _____
Fee _____
Receipt No. _____
Received By _____

**CITY OF BROWNSVILLE
MINOR LAND PARTITION APPLICATION**

1. Name of Applicant Mike Kirk & Susan Crowson Phone 541-369-2395
Mailing Address 33214 Seefeld Drive, Halsey, OR 97348

Applicant is: Legal Owner Contract Purchaser Agent

2. Name and address of all other persons having an interest in the land to be partitioned:

<u>Mike Kirk</u> (Name)	<u>Same as above</u> (Address)	<u>Owner</u> (Interest)
<u>Susan Crowson</u> (Name)	<u>Same as above</u> (Address)	<u>Owner</u> (Interest)

3. Property:

Section 14S Township 2W Range 6 Tax Lot 1700
Lot Size 96.04 Acres (Note: the subject site is only 2.4 acres of the 96.04 acre parcel)

Property Address _____ Or General Location:
Fronting the South side of Blakely Avenue, across from Hume Street (name of street)

Zone Low Density Residential and EFU

Comprehensive Plan Designation Low Density Residential and Farm Forest

Describe contemplated provision for utilities Public water and sewer lines will be extended along Blakely Avenue to serve the newly created parcel where a new fire station is proposed.

Exhibit 1
Page 30 of 31

Minor Partitioning Procedure

1. Any division of land that is within the definition of minor partition shall be submitted to the City for review and approval. The application for a minor partition shall include the following:
 - A. A map of the land area from which the parcels are to be partitioned. This shall include the date, north point and scale of drawing, and sufficient description to define the location, boundaries and dimensions of the tract to be partitioned.
 - B. Name and address of the owner or owners of record, and the person who prepared the partition.
 - C. The parcel layout, showing dimensions and size of parcels.
 - D. Location of existing buildings to remain in place, drainage ways, and other features of the land which are important to its development.
 - E. Two copies of the tentative map for a minor partition shall be submitted. The City Planner will sign and date them and conditions of approval will be noted. One map will be returned to the Applicant and one will be retained by the City.
2. The final plan shall be the survey map that is submitted for recording in the office of the Linn County Surveyor, consisting of two mylar copies. The final plan shall include the following:
 - A. The survey map of the parcels being created, prepared by a licensed land surveyor. The survey map shall indicate the location of all monuments.
 - B. A legal description of the parcels being created.
 - C. A signed and notarized deed for any area being dedicated to the City or any easement rights being granted to the City related to the new parcels.
 - D. A notarized signature of the owner or owners, declaring the ownership and consenting to the recording of the map.
 - E. A designated space for approval signatures of the Chairman of the Planning Commission, the City Engineer and the County Surveyor.

Applicant's Signature: Michael W. Kirk Michael W. Kirk.

DATE OF TENTATIVE PLAN APPROVAL: _____

DATE OF FINAL APPROVAL: _____