

Section 3. Record. The City Recorder shall submit to the Oregon Secretary of State a copy of this Ordinance. The City Recorder is further ordered to send a description by metes and bounds, or legal subdivision, and a map (Exhibit "A") depicting the new boundaries of the City of Lebanon within ten (10) days of the effective date of this annexation ordinance to the Linn County Assessor, Linn County Clerk and the Oregon State Department of Revenue.

Passed by the Lebanon City Council by a vote of 6 for and 0 against and approved by the Mayor this 9th day of March 2022.

CITY OF LEBANON, OREGON



Paul R. Aziz, Mayor



Jason Bolen, Council President



Attested:



Kim Scheafer, MMC City Recorder

EXHIBIT "A"
ANNEXATION LEGAL DESCRIPTION & MAP

AN AREA OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21 AND THE SOUTHWEST AND NORTHWEST QUARTERS OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 3/4 INCH IRON PIPE AT THE NORTHWEST CORNER OF PARCEL 1 OF PARTITION PLAT 1998-04; THENCE NORTH 0°53'32" EAST 1319.29 FEET; THENCE WEST 557.70 FEET; THENCE NORTH 232.32 FEET; THENCE SOUTH 88°15' WEST 200.10 FEET TO A POINT ON THE EAST LINE OF PARCEL 1 OF PARTITION PLAT 2018-02; THENCE ALONG SAID EAST LINE SOUTH 2°15'24" EAST 702.52 FEET TO THE SOUTHEAST CORNER OF PARCEL 2 OF PARTITION PLAT 2017-33; THENCE NORTH 89°46'14" WEST 1039.99 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STOLTZ HILL ROAD; THENCE SOUTHWESTERLY ALONG THE ARC OF A 5701.77 FOOT RADIUS CURVE TO THE RIGHT OF SAID RIGHT-OF-WAY, THE LONG CHORD OF WHICH BEARS SOUTH 21°00'55" WEST 173.76 FEET, A DISTANCE OF 173.76 FEET; THENCE SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY SOUTH 21°50'09" WEST 1556.64 FEET; THENCE SOUTH 80°54'40" EAST 881.97 FEET TO A 5/8 INCH IRON ROD; THENCE NORTH 73°04'56" EAST 994.26 FEET TO A 5/8 INCH IRON ROD; THENCE NORTH 23°24'55" 381.60 FEET TO A 5/8 INCH IRON ROD; THENCE SOUTH 89°06'26" EAST 412.92 FEET TO A 5/8 INCH IRON ROD ON THE WEST LINE OF PARCEL 1 OF PARTITION PLAT 1998-04; THENCE ALONG SAID WEST LINE NORTH 0°53'32" EAST 265.90

EXHIBIT B LEBANON CITY COUNCIL FINDINGS

I. NATURE OF THE APPLICATION

This matter comes before the Lebanon Planning Commission on the application of G&F McAdams Farms, LLC to Annex property generally located on the southeast corner of Stoltz Hill Road and Vaughan Lane (12S 02W 22C, tax lot 200) and establish the applicable Residential Mixed Density (Z-RM) zone.

II. GENERAL INFORMATION

A. Site Location

The subject property is generally located on the southeast corner of Stoltz Hill Road and Vaughan Lane. The County Assessor Map places the parcel within Township 12 South; Range 2 West; Section 22C; Tax Lot 200.

B. Site Development and Zoning

The subject property is 79.98 acres in size, with approximately 1,362 feet of street frontage along Stoltz Hill Road and 804 feet of street frontage along Vaughan Lane. Contiguous property to the east is located within city limits; therefore, the site is eligible for annexation. The subject property is currently improved with a single-family home and several accessory structures. City sewer, water service and storm drainage are available in Stoltz Hill Road and Vaughan Lane. Upon annexation, the Applicant will be able to extend city utility services to the site.

C. Adjacent Zoning and Land Uses

The property is generally in an underdeveloped neighborhood. To the northwest is a partially developed large-lot (one-acre minimum) subdivision in the County and zoned UGA-UGM-10, with a Lebanon Comprehensive Plan designation of Residential Mixed Density (C-RM). To the north, east, south, and west is land within the County and City designated or zoned Residential Mixed Density (C/Z-RM) and includes largely undeveloped land used for agriculture purposes with limited residential development. To the southeast is the East Linn Christian Academy. To the northeast of the site is an urbanized residential neighborhood off of Vaughan Lane.

D. Proposal

The applicant is requesting approval to Annex the subject property, establishing the Residential Mixed Density (Z-RM) zone.

III. PUBLIC HEARING

A. Planning Commission Action

On February 16, 2022, the Lebanon Planning Commission held a public hearing on this application. At the hearing, Planning File A-22-01 was made a part of the record. The City

noticed the hearing pursuant to Chapter 16.20 of the Lebanon Development Code. A letter in objection to the annexation was provided and incorporated into the record. At the end of the hearing, the Planning Commission deliberated on the issue and voted to recommend the City Council approve the proposed Annexation and corresponding zoning designation. The Commission found the proposal consistent with the applicable decision criteria.

B. City Council Action

On March 9, 2022, the Lebanon City Council held a public hearing on this application. At the hearing, Planning File A-22-01 was made a part of the record. The City noticed the hearing pursuant to Chapter 16.20 of the Lebanon Development Code. At the end of the hearing, the City Council deliberated on the issue and voted to approve the proposed Annexation and corresponding zoning designation. The City Council found the proposal consistent with the applicable decision criteria.

IV. FINDINGS OF FACT-GENERAL

The Lebanon City Council, after careful consideration of the testimony and evidence in the record, adopts the following General Findings of Fact:

- A. The applicant is G&F McAdams Farms, LLC.
- B. The subject property is generally located on the southeast corner of Stoltz Hill Road and Vaughan Lane. The County Assessor Map places the parcel within Township 12 South; Range 2 West; Section 22C; Tax Lot 200.
- C. The total area contains 79.98 acres.
- D. The subject parcel is accessed from Stoltz Hill Road or Vaughan Lane. improved with a single-family home and several accessory structures. City sewer, water service and storm drainage are available in Walker Road along the frontage of the subject property. City sewer, water service and storm drainage are available in Stoltz Hill Road and Vaughan Lane. Upon annexation, the Applicant will be able to extend city utility services to the site.
- E. The land is currently located within the Lebanon UGB and designated Residential Mixed Density (C-RM).
- F. The property is generally in an underdeveloped neighborhood. To the northwest is a partially developed large-lot (one-acre minimum) subdivision in the County and zoned UGA-UGM-10, with a Lebanon Comprehensive Plan designation of Residential Mixed Density (C-RM). To the north, east, south, and west is land within the County and City designated or zoned Residential Mixed Density (C/Z-RM) and includes largely undeveloped land used for agriculture purposes with limited residential development. To the southeast is the East Linn Christian Academy. To the northeast of the site is an urbanized residential neighborhood off of Vaughan Lane.
- G. The applicant is requesting approval to Annex the subject property and establish the Residential Mixed Density (Z-RM) zone.
- H. The decision to approve or deny shall be based on criteria contained in the Lebanon

V. APPLICATION SUMMARY

- A. The request annexes a 79.98-acre property generally located on the southeast corner of Stoltz Hill Road and Vaughan Lane. The subject property is located within the urban growth boundary of the City, and contiguous with City limits along a portion of the east property line. The property is currently designated C-RM (Residential Mixed Density) on the Lebanon Comprehensive Plan Map. Upon annexation, the land will be zoned Residential Mixed Density (Z-RM). There is no concurrent development proposal.
- B. The Department contacted the Department of Land Conservation and Development, affected agencies and area property owners regarding the application. No comments were submitted.

VI. CRITERIA AND FINDINGS

The subject property is located within the City's Urban Growth Boundary (UGB) and is eligible for annexation into the City limits. Annexation application and review requirements are contained in Chapter 16.26 of the Lebanon Development Code. Annexations require a hearing before the Planning Commission and City Council. The purpose of the Commission hearing is to review the request and recommend whether the Council should approve or deny the Annexation.

Section 16.26.060 contains the decision criteria for an annexation with specific requirements in Section 16.26.060.A. This Section requires compliance with provisions in the City Annexation Ordinance and Lebanon Comprehensive Plan, Chapter 3 – Urbanization. Essentially, the Annexation Ordinance and Comprehensive Plan decision criteria are the same. The findings are combined to avoid duplication:

1. Annexation Ordinance Section 2. - All Annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance (i.e., Development Code), City of Lebanon/Linn County Urban Growth Management Agreement and shall be consistent with applicable State law.

Comprehensive Plan Annexation Policy #P-19: [The City shall] recognize and act on the basis that all annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement (UGMA) and shall be consistent with applicable State law.

FINDING: The application site is located within the City of Lebanon Urban Growth Boundary and is contiguous with city limits, therefore eligible for annexation per the Annexation Ordinance, and the Municipal and Development Codes. The annexation is not inclusive of a Comprehensive Plan Map Amendment and is accepting of the initial zoning designation of Residential Mixed Density, consistent with the Comprehensive Plan Designation and the pre-designation identified in the Lebanon Development Code. With the assignment accepted as identified in the Comprehensive Map, it is determined that the annexation has already been accounted for in the City's Facilities Plan, including the Transportation System Plan. The site complies with the Annexation

requirements.

2. Annexation Ordinance Section 3. - All Annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

Comprehensive Plan Annexation Policy #P-20: [The City shall] recognize and act on the basis that all annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

FINDING: The Annexation Ordinance policies are consistent with, and often mirror, the Comprehensive Plan Annexation Policies. The State acknowledges that the City's Comprehensive Plan complies with all applicable Statewide Planning Goals and statutes, recognizing the consistency of the Plan goals and policies. Therefore, compliance with the applicable Comprehensive Plan policies ensures compliance with the Annexation Ordinance. Findings in the following Sections detail this proposal's compliance with all applicable policies.

More Specifically, this annexation supports the goals and policies under Chapter 4: Land Use, and Chapter 6: Housing. In Section 2.3 of Chapter 4 of the Comprehensive Plan, all areas annexed into the City are automatically placed in a zoning classification in accordance with the Adopted Comprehensive Plan and Map. The adopted comprehensive plan map identifies the subject property as Residential Mixed-Density, with the zoning designation of Residential Mixed-Density. As the annexation does not include a proposal to modify the zoning designation, the annexation is consistent with the land use goals established by the Comprehensive Plan. In addition, Table 6-5 in Chapter 6 of the Comprehensive Plan identifies the total number of estimated housing needs by type through 2025. The subject property is currently largely undeveloped with only a single-family home and accessory buildings on the nearly 80-acre site; but being zoned Residential Mixed Density and over 9,000 square feet in size, the site can accommodate all different housing types from single-family detached to multi-family development. Based on the 2019 Housing Needs Assessment completed by the City, there is a need for 291 acres of low-density development acreage, 92 acres of medium density, and 39 acres of high density. In the City and the Urban Growth Boundary, there is an identified surplus of 735 acres of residential land in the City, and 298 acres of residential land in the UGB to accommodate the residential development anticipated to accommodate the population growth. The annexation of this property, and the classification for residential mixed density would accommodate the identified need for any of the residential classifications, and upon development, could be built to provide affordable units, as such, would be consistent with the goals and policies of the Comprehensive Plan.

3. Annexation Ordinance Section 4. - All lands included within the Urban Growth Boundary are eligible for annexation and urban development. Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.

Comprehensive Plan Annexation Policy #P-21: [The City shall] recognize and act on the basis that all lands included within the Urban Growth Boundary are eligible for annexation and urban development. (Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.)

FINDING: The subject site is located within the Urban Growth Boundary and contiguous to city limits, therefore is eligible for annexation. The subject site is generally flat, with a small ridge that may be classified as steep slope. However, the majority of the property falls outside of a steep slope designation. On the northern end of the property Oak Creek crosses through the property which creates a floodplain which would restrict development in approximately 3.5 acres of the site. The site is currently largely undeveloped with only a single-family residence and accessory structures. As the site contains minimal constrained lands, and the lands that are constrained may be used as open space, the property is eligible for annexation.

4. Annexation Ordinance Section 5. - The City shall only annex land that is contiguous to the existing City limits and is within the City's UGB.

Comprehensive Plan Annexation Policy #P-22: [The City shall] only annex land that is contiguous to the existing City limits and is within the City's UGB.

FINDING: The subject site is contiguous with the city boundary on the east side of the property and is therefore contiguous with existing City limits and eligible for annexation.

5. Annexation Ordinance Section 6. - An annexation shall be deemed orderly if the annexation territory is contiguous to the existing City limits. An annexation is efficient if the annexation territory can be developed or redeveloped to an urban use. Urban uses may include wetlands, parks, open space, and related uses.

Comprehensive Plan Annexation Policy #P-23: [The City shall] deem an annexation orderly if the annexation territory is contiguous to the existing City Limits and deem an annexation efficient if the annexation territory can be developed or redeveloped to an urban use (urban uses may include functional wetlands, parks, open space, and related uses).

FINDINGS: The proposed annexation complies with the above noted criteria as follows:

- (a) The site is contiguous with city limits along the eastern property line.
- (b) The property is generally in an underdeveloped neighborhood. To the northwest is a partially developed large-lot (one-acre minimum) subdivision in the County and zoned UGA-UGM-10, with a Lebanon Comprehensive Plan designation of Residential Mixed Density (C-RM). To the north, east, south, and west is land within the County and City designated or zoned Residential Mixed Density (C/Z-RM) and includes largely undeveloped land used for agriculture purposes with limited residential development. To the southeast is the East Linn Christian Academy. However, to the northeast of the site is a fully urbanized residential neighborhood on Vaughan Lane. The site can be serviced by city water, sewer, and storm drainage with extension of city facilities to the site. As the property can be serviced by city facilities and transportation system, the property would be eligible for annexation.

6. Annexation Ordinance Section 7. - Development proposals are not required for annexation requests.

Comprehensive Plan Annexation Policy #P-24: [The City shall] recognize and act on the basis that development proposals are not required for annexation requests.

FINDING: The application does not include a concurrent development proposal. Any future development proposal would be required to comply with the provisions for the development code for the Z-RM zone, as applicable.

7. Annexation Ordinance Section 8. - As part of the annexation process of developed property or properties, the City shall consider the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

Comprehensive Plan Annexation Policy #P-25: [The City shall] consider as part of the annexation process of developed property or properties, the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

FINDING: Section 16.26.040 of the Lebanon Development Code states “anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGA are already accounted for in the City’s Facilities Plans, including the Transportation System Plan.” No revisions to the plans are necessitated, when following annexation, an area is assigned the zoning classification that is in accordance with the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM in accordance with the Comprehensive Map designation and therefore, the anticipated demands to access key City-provided urban utilities have already been considered. For City utility service, a new 12” water line is being extended along Stoltz Hill Road to within approximately 1,100 feet to the property. On Vaughan Lane, the closest water line is approximately 1,500 feet from the eastern property line. The City is also completing a large sewer construction project, the Westside Interceptor, which would bring a 24” sewer main down Stoltz Hill Road, crossing over private property through an easement to Vaughan Lane, then continuing to the east in Vaughan Lane. This would bring sewer to the direct vicinity of the property frontage on Vaughan Lane. Upon annexation and future development, the developer would need to pull water and sewer utilities to and through the property frontage, which would include crossing the creek for both utilities.

8. Annexation Ordinance Section 9. - As part of the annexation process of developed property or properties, the City shall consider the impacts on key City-provided urban utility services needed to serve these properties, which are water, storm drainage, sanitary sewer, and streets.

Comprehensive Plan Annexation Policy # P-26: [The City shall] Consider as part of the annexation process of developed property or properties, the impacts on the capacities of key City-provided urban utility services needed to satisfy the anticipated demands of the properties discussed in P-25 above.

FINDING: Section 16.26.040 of the Lebanon Development Code states “anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGA are already accounted for in the City’s Facilities Plans, including the Transportation System Plan.” No revisions to the plans are necessitated, when following annexation, an area is assigned the zoning classification that is in accordance with the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM in accordance with the Comprehensive Map

designation and therefore, the anticipated impacts to access key City-provided urban utilities have already been considered.

9. Annexation Ordinance Section 10. - Needed Public rights-of-way, as identified in adopted transportation plans as necessary for the safe and efficient movement of traffic, bicycles and pedestrians, shall be dedicated to the City either with annexation or when the property develops and/or redevelops and creates an increased demand for the benefits provided by additional rights-of-way dedication.

FINDING: The site maintains frontage of Stoltz Hill Road and Vaughan Lane. Both streets are designated as Minor Arterials in the 2018 Transportation System Plan requiring up to a 75-foot right-of-way width. Vaughan Lane currently maintains a 50-foot right-of-way and Stoltz Hill Road maintains a 60-foot right-of-way along the property frontage. The annexation of the property would not automatically trigger the dedication of additional right-of-way but may be required upon any future development proposal.

10. Annexation Ordinance Section 11. - Upon annexation, the annexation territory shall be assigned zoning classifications in accordance with the adopted Comprehensive Plan Map, as shown in the City's Annexation Zoning Matrix. Such zoning assignments in and of themselves are not a zoning map change and shall not require approval of a zoning map amendment, or a separate proceeding.

FINDING: This subject property is designated Residential Mixed Density by the Comprehensive Plan. Consistent with the adopted Zoning Matrix, the only possible applicable zone is Residential Mixed Density (Z-RM). The Applicant accepts the applicable zoning designation and is not proposing a Comprehensive Plan Map Amendment.

11. Annexation Ordinance Section 12. - If a zoning designation other than one in accordance with the Comprehensive Plan Map (shown in the Annexation Zoning Matrix) is requested by an applicant, the zoning requested shall not be granted until the Comprehensive Plan Map is appropriately amended to reflect concurrence. Such an amendment shall require a separate application, hearing and decision, which may be held concurrently with an annexation hearing and will not become effective until the annexation is complete.

FINDING: This application does not include a change in the Plan designation or corresponding zone. Therefore, this Section does not apply.

12. Annexation Ordinance Section 13. - The areas within the Urban Growth Boundary with designated environmental constraints may be annexed and developed as functional wetlands, parks, open space and related uses.

FINDING: The subject site is generally flat, with a small ridge that may be classified as steep slope. However, the majority of the property falls outside of a steep slope designation. On the northern end of the property Oak Creek crosses through the property which creates a floodplain which would restrict development in approximately 3.5 acres of the site. The site is currently largely undeveloped with only a single-family residence and accessory structures. As the site contains minimal constrained lands, and the lands that are constrained may be used as open space, the

property is eligible for annexation.

13. Annexation Ordinance Section 14. - An “urban use” is hereby defined as any land use that is authorized under the terms and provisions of the land use regulations, Zoning Ordinance (i.e., Development Code), Subdivision Ordinance, Comprehensive Plan, and other related documents of the City of Lebanon.

FINDING: This Section does not apply as the provisions in this Section provide a definition and not a decision criterion.

14. Annexation Ordinance Section 15. - At the applicant’s discretion and with the City’s concurrence, a development or redevelopment proposal for an annexation territory may be acted upon by the Planning Commission immediately following the Commission’s hearing on the annexation proposal and a decision of recommendation of approval to the City Council. However, any approval of the Planning Commission of such a development or redevelopment proposal must be contingent upon subsequent approval of the annexation by City Council.

FINDING: The request does not contain a concurrent development request.

15. Comprehensive Plan Annexation Policy # P-27: Expand the City Limits as necessary to accommodate development, including housing, commercial, industrial, and services (that will in turn accommodate population growth).

FINDING: This Policy does not directly apply as the proposal simply incorporates an existing parcel into the City limits. However, the site is a developable parcel which could accommodate development of housing within the city.

VII. CONCLUSION

The City Council concludes the proposed Annexation, including establishment of the corresponding Residential Mixed Density zone, complies with the applicable decision criteria.

EXHIBIT C

Planning Commission Record



925 S. Main Street
Lebanon, Oregon 97355

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cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Lebanon Planning Commission
From: Kelly Hart, Community Development Director
Subject: Planning File No. A-22-01

Date: February 8, 2022

I. BACKGROUND

Under consideration is the proposed annexation of the property on the east side of Stoltz Hill Road, and south side of Vaughan Lane (12S 02W 22C, tax lot 200). The subject property is 79.98 acres in size, with approximately 1,362 feet of street frontage along Stoltz Hill Road and 804 feet of street frontage along Vaughan Lane. Contiguous property to the east is located within city limits; therefore, the site is eligible for annexation.

The property is generally in an underdeveloped neighborhood. To the northwest is a partially developed large-lot (one-acre minimum) subdivision in the County and zoned UGA-UGM-10, with a Lebanon Comprehensive Plan designation of Residential Mixed Density (C-RM). To the north, east, south, and west is land within the County and City designated or zoned Residential Mixed Density (C/Z-RM) and includes largely undeveloped land used for agriculture purposes with limited residential development. To the southeast is the East Linn Christian Academy. To the northeast of the site is an urbanized residential neighborhood off of Vaughan Lane. The subject property is currently improved with a single-family home and several accessory structures.

There has been no development proposal or discussions with staff regarding any development of the site.

II. CURRENT REPORT

The Comprehensive Plan Designation for the site is Residential Mixed Density (C-RM). Per Table 16.26-1 in Section 16.24.040 of the Lebanon Development Code (LDC), the designated zoning classification for the site would be Residential Mixed Density (Z-RM). The Applicant has indicated acceptance of the zoning designation of Z-RM and is not proposing a Comprehensive Plan Map Amendment.

In accordance with Section 16.24.040 of the LDC, anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the Urban Growth Area are already accounted for in the City's Facilities Plans, including the Transportation System Plan. Annexation of the land in the Urban Growth Area is already factored into the City's Facility Plans, and no revisions of those plans are necessitated when, following annexation, an area is

assigned the zoning classification that is in accordance with the adopted Comprehensive Plan Map designation. As the Applicant is proposing to accept the automatic zoning designation of Residential Mixed Use, no further analysis of modification to the Facility or Transportation Plan is necessary.

If the property were to be developed, modifications to the transportation system and extensions of utilities could be needed in compliance with the Transportation System Plan and utility master plans. For transportation evaluation, the site maintains frontage of Stoltz Hill Road and Vaughan Lane. Both streets are designated as Minor Arterials requiring up to a 75-foot right-of-way width. Vaughan Lane currently maintains a 50-foot right-of-way and Stoltz Hill Road maintains a 60-foot right-of-way along the property frontage. The annexation of the property would not automatically trigger the dedication of additional right-of-way but may be required upon any future development proposal.

For City utility service, a new 12" water line is being extended along Stoltz Hill Road to within approximately 1,100 feet to the property. On Vaughan Lane, the closest water line is approximately 1,500 feet from the eastern property line. The City is also completing a large sewer construction project, the Westside Interceptor, which would bring a 24" sewer main down Stoltz Hill Road, crossing over private property through an easement to Vaughan Lane, then continuing to the east in Vaughan Lane. This would bring sewer to the direct vicinity of the property frontage on Vaughan Lane. Upon annexation and future development, the developer would need to pull water and sewer utilities to and through the property frontage, which would include crossing the creek for both utilities. For storm drainage, there are existing drainage ditches along both street frontages. Upon development, improvements to the drainage system may be required.

III. REVIEW CRITERIA AND RECOMMENDED FINDINGS

The subject property is located within the City's Urban Growth Boundary (UGB) and is eligible for annexation into the City limits. Annexation application and review requirements are contained in Chapter 16.26 of the Lebanon Development Code. Annexations require a hearing before the Planning Commission and City Council. The purpose of the Commission hearing is to review the request and recommend whether the Council should approve or deny the Annexation.

Section 16.26.060 contains the decision criteria for an annexation with specific requirements in Section 16.26.060.A. This Section requires compliance with provisions in the City Annexation Ordinance and Lebanon Comprehensive Plan, Chapter 3 – Urbanization. Essentially, the Annexation Ordinance and Comprehensive Plan decision criteria are the same. The findings are combined to avoid duplication:

1. Annexation Ordinance Section 2. - All Annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance (i.e., Development Code), City of Lebanon/Linn County Urban Growth Management Agreement and shall be consistent with applicable State law.

Comprehensive Plan Annexation Policy #P-19: [The City shall] recognize and act on the basis that all annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement (UGMA) and shall be consistent with applicable State law.

RECOMMENDED FINDING: The application site is located within the City of Lebanon Urban Growth Boundary and is contiguous with city limits, therefore eligible for annexation per the Annexation Ordinance, and the Municipal and Development Codes. The annexation is not inclusive of a Comprehensive Plan Map Amendment and is accepting of the initial zoning designation of Residential Mixed Density, consistent with the Comprehensive Plan Designation and the pre-designation identified in the Lebanon Development Code. With the assignment accepted as identified in the Comprehensive Map, it is determined that the annexation has already been accounted for in the City's Facilities Plan, including the Transportation System Plan. The site complies with the Annexation requirements.

2. Annexation Ordinance Section 3. - All Annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

Comprehensive Plan Annexation Policy #P-20: [The City shall] recognize and act on the basis that all annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

RECOMMENDED FINDING: The Annexation Ordinance policies are consistent with, and often mirror, the Comprehensive Plan Annexation Policies. The State acknowledges that the City's Comprehensive Plan complies with all applicable Statewide Planning Goals and statutes, recognizing the consistency of the Plan goals and policies. Therefore, compliance with the applicable Comprehensive Plan policies ensures compliance with the Annexation Ordinance. Findings in the following Sections detail this proposal's compliance with all applicable policies.

More Specifically, this annexation supports the goals and policies under Chapter 4: Land Use, and Chapter 6: Housing. In Section 2.3 of Chapter 4 of the Comprehensive Plan, all areas annexed into the City are automatically placed in a zoning classification in accordance with the Adopted Comprehensive Plan and Map. The adopted comprehensive plan map identifies the subject property as Residential Mixed-Density, with the zoning designation of Residential Mixed-Density. As the annexation does not include a proposal to modify the zoning designation, the annexation is consistent with the land use goals established by the Comprehensive Plan. In addition, Table 6-5 in Chapter 6 of the Comprehensive Plan identifies the total number of estimated housing needs by type through 2025. The subject property is currently largely undeveloped with only a single-family home and accessory buildings on the nearly 80 acre site; but being zoned Residential Mixed Density and over 9,000 square feet in size, the site can accommodate all different housing types from single-family detached to multi-family development. Based on the 2019 Housing Needs Assessment completed by the City, there is a need for

291 acres of low-density development acreage, 92 acres of medium density, and 39 acres of high density. In the City and the Urban Growth Boundary, there is an identified surplus of 735 acres of residential land in the City, and 298 acres of residential land in the UGB to accommodate the residential development anticipated to accommodate the population growth. The annexation of this property, and the classification for residential mixed density would accommodate the identified need for any of the residential classifications, and upon development, could be built to provide affordable units, as such, would be consistent with the goals and policies of the Comprehensive Plan.

3. Annexation Ordinance Section 4. - All lands included within the Urban Growth Boundary are eligible for annexation and urban development. Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.

Comprehensive Plan Annexation Policy #P-21: [The City shall] recognize and act on the basis that all lands included within the Urban Growth Boundary are eligible for annexation and urban development. (Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.)

RECOMMENDED FINDING: The subject site is located within the Urban Growth Boundary and contiguous to city limits, therefore is eligible for annexation. The subject site is generally flat, with a small ridge that may be classified as steep slope. However, the majority of the property falls outside of a steep slope designation. On the northern end of the property Oak Creek crosses through the property which creates a floodplain which would restrict development in approximately 3.5 acres of the site. The site is currently largely undeveloped with only a single-family residence and accessory structures. As the site contains minimal constrained lands, and the lands that are constrained may be used as open space, the property is eligible for annexation.

4. Annexation Ordinance Section 5. - The City shall only annex land that is contiguous to the existing City limits and is within the City's UGB.

Comprehensive Plan Annexation Policy #P-22: [The City shall] only annex land that is contiguous to the existing City limits and is within the City's UGB.

RECOMMENDED FINDING: The subject site is contiguous with the city boundary on the east side of the property and is therefore contiguous with existing City limits and eligible for annexation.

5. Annexation Ordinance Section 6. - An annexation shall be deemed orderly if the annexation territory is contiguous to the existing City limits. An annexation is efficient if the annexation territory can be developed or redeveloped to an urban use. Urban uses may include wetlands, parks, open space and related uses.

Comprehensive Plan Annexation Policy #P-23: [The City shall] deem an annexation orderly if the annexation territory is contiguous to the existing City Limits and deem an annexation efficient if the annexation territory can be developed or redeveloped to an urban use (urban uses may include functional wetlands, parks, open space and related uses).

RECOMMENDED FINDINGS: The proposed annexation complies with the above noted criteria as follows:

- (a) The site is contiguous with city limits along the eastern property line.
- (b) The property is generally in an underdeveloped neighborhood. To the northwest is a partially developed large-lot (one-acre minimum) subdivision in the County and zoned UGA-UGM-10, with a Lebanon Comprehensive Plan designation of Residential Mixed Density (C-RM). To the north, east, south, and west is land within the County and City designated or zoned Residential Mixed Density (C/Z-RM) and includes largely undeveloped land used for agriculture purposes with limited residential development. To the southeast is the East Linn Christian Academy. However, to the northeast of the site is a fully urbanized residential neighborhood on Vaughan Lane. The site can be serviced by city water, sewer, and storm drainage with extension of city facilities to the site. As the property can be serviced by city facilities and transportation system, the property would be eligible for annexation.

- 6. Annexation Ordinance Section 7. - Development proposals are not required for annexation requests.

Comprehensive Plan Annexation Policy #P-24: [The City shall] recognize and act on the basis that development proposals are not required for annexation requests.

RECOMMENDED FINDING: The application does not include a concurrent development proposal. Any future development proposal would be required to comply with the provisions for the development code for the Z-RM zone, as applicable.

- 7. Annexation Ordinance Section 8. - As part of the annexation process of developed property or properties, the City shall consider the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

Comprehensive Plan Annexation Policy #P-25: [The City shall] consider as part of the annexation process of developed property or properties, the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

RECOMMENDED FINDING: Section 16.26.040 of the Lebanon Development Code states “anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGA are already accounted for in the City’s Facilities Plans, including the Transportation System Plan.” No revisions to the plans are necessitated,

when following annexation, an area is assigned the zoning classification that is in accordance with the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM in accordance with the Comprehensive Map designation and therefore, the anticipated demands to access key City-provided urban utilities have already been considered. For City utility service, a new 12" water line is being extended along Stoltz Hill Road to within approximately 1,100 feet to the property. On Vaughan Lane, the closest water line is approximately 1,500 feet from the eastern property line. The City is also completing a large sewer construction project, the Westside Interceptor, which would bring a 24" sewer main down Stoltz Hill Road, crossing over private property through an easement to Vaughan Lane, then continuing to the east in Vaughan Lane. This would bring sewer to the direct vicinity of the property frontage on Vaughan Lane. Upon annexation and future development, the developer would need to pull water and sewer utilities to and through the property frontage, which would include crossing the creek for both utilities.

8. Annexation Ordinance Section 9. - As part of the annexation process of developed property or properties, the City shall consider the impacts on key City-provided urban utility services needed to serve these properties, which are water, storm drainage, sanitary sewer, and streets.

Comprehensive Plan Annexation Policy # P-26: [The City shall] Consider as part of the annexation process of developed property or properties, the impacts on the capacities of key City-provided urban utility services needed to satisfy the anticipated demands of the properties discussed in P-25 above.

RECOMMENDED FINDING: Section 16.26.040 of the Lebanon Development Code states "anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGA are already accounted for in the City's Facilities Plans, including the Transportation System Plan." No revisions to the plans are necessitated, when following annexation, an area is assigned the zoning classification that is in accordance with the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM in accordance with the Comprehensive Map designation and therefore, the anticipated impacts to access key City-provided urban utilities have already been considered.

9. Annexation Ordinance Section 10. - Needed Public rights-of-way, as identified in adopted transportation plans as necessary for the safe and efficient movement of traffic, bicycles and pedestrians, shall be dedicated to the City either with annexation or when the property develops and/or redevelops and creates an increased demand for the benefits provided by additional rights-of-way dedication.

RECOMMENDED FINDING: The site maintains frontage of Stoltz Hill Road and Vaughan Lane. Both streets are designated as Minor Arterials in the 2018 Transportation System Plan requiring up to a 75-foot right-of-way width. Vaughan Lane currently maintains a 50-foot right-of-way and Stoltz Hill Road maintains a 60-foot right-of-way along the property

frontage. The annexation of the property would not automatically trigger the dedication of additional right-of-way but may be required upon any future development proposal..

10. Annexation Ordinance Section 11. - Upon annexation, the annexation territory shall be assigned zoning classifications in accordance with the adopted Comprehensive Plan Map, as shown in the City's Annexation Zoning Matrix. Such zoning assignments in and of themselves are not a zoning map change and shall not require approval of a zoning map amendment, or a separate proceeding.

RECOMMENDED FINDING: This subject property is designated Residential Mixed Density by the Comprehensive Plan. Consistent with the adopted Zoning Matrix, the only possible applicable zone is Residential Mixed Density (Z-RM). The Applicant accepts the applicable zoning designation and is not proposing a Comprehensive Plan Map Amendment.

11. Annexation Ordinance Section 12. - If a zoning designation other than one in accordance with the Comprehensive Plan Map (shown in the Annexation Zoning Matrix) is requested by an applicant, the zoning requested shall not be granted until the Comprehensive Plan Map is appropriately amended to reflect concurrence. Such an amendment shall require a separate application, hearing and decision, which may be held concurrently with an annexation hearing and will not become effective until the annexation is complete.

RECOMMENDED FINDING: This application does not include a change in the Plan designation or corresponding zone. Therefore, this Section does not apply.

12. Annexation Ordinance Section 13. - The areas within the Urban Growth Boundary with designated environmental constraints may be annexed and developed as functional wetlands, parks, open space and related uses.

RECOMMENDED FINDING: The subject site is generally flat, with a small ridge that may be classified as steep slope. However, the majority of the property falls outside of a steep slope designation. On the northern end of the property Oak Creek crosses through the property which creates a floodplain which would restrict development in approximately 3.5 acres of the site. The site is currently largely undeveloped with only a single-family residence and accessory structures. As the site contains minimal constrained lands, and the lands that are constrained may be used as open space, the property is eligible for annexation.

13. Annexation Ordinance Section 14. - An "urban use" is hereby defined as any land use that is authorized under the terms and provisions of the land use regulations, Zoning Ordinance (i.e., Development Code), Subdivision Ordinance, Comprehensive Plan, and other related documents of the City of Lebanon.

RECOMMENDED FINDING: This Section does not apply as the provisions in this Section provide a definition and not a decision criterion.

14. Annexation Ordinance Section 15. - At the applicant's discretion and with the City's concurrence, a development or redevelopment proposal for an annexation territory may be acted upon by the Planning Commission immediately following the Commission's hearing on the annexation proposal and a decision of recommendation of approval to the City Council. However, any approval of the Planning Commission of such a development or redevelopment proposal must be contingent upon subsequent approval of the annexation by City Council.

RECOMMENDED FINDING: The request does not contain a concurrent development request.

15. Comprehensive Plan Annexation Policy # P-27: Expand the City Limits as necessary to accommodate development, including housing, commercial, industrial, and services (that will in turn accommodate population growth).

RECOMMENDED FINDING: This Policy does not directly apply as the proposal simply incorporates an existing parcel into the City limits. However, the site is a developable parcel which could accommodate development of housing within the city.

IV. CONCLUSION AND RECOMMENDATION

Staff finds the proposal complies with the decision criteria for an Annexation and the establishment of the applicable zone. Therefore, staff recommends the Planning Commission recommend the City Council approve the Annexation of the subject area and establishment of the respective Residential Mixed Density (Z-RM) zone on the newly annexed property.

V. PLANNING COMMISSION ACTION - ANNEXATION

- A. The Planning Commission may either:
 1. Recommend City Council approval of the proposed property annexation and establishment of the applicable Residential Mixed Density zone, adopting the written findings for the decision criteria contained in the staff report; or
 2. Recommend City Council approval of the proposed property annexation and establishment of the applicable Residential Mixed Density zone, adopting modified findings for the decision criteria; or
 3. Recommend City Council denial of the proposed property annexation and establishment of the applicable Residential Mixed Density zone, specifying reasons why the proposal fails to comply with the decision criteria; and
 4. Direct staff to prepare an Order of Recommendation for the Chair or Vice Chair's signature incorporating the adopted findings as approved by the Planning Commission.

Tammy Dickey

From: Dan Kloss <kloss145@hotmail.com>
Sent: Sunday, January 30, 2022 6:22 PM
To: Kelly Hart
Subject: Planning Case No.:A-22-01

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Greetings,

This email is in response to the Annexation request made by the G & F McAdams Farms, LLC. I am **NOT** in favor of this request as it stands. Our family will be directly impacted by this annexation as a bordering property owner. If this Annexation is approved it will definitely impact the rural setting of this neighborhood. If it must go through I would vigorously suggest it be zoned as Z-RL (Residential Low Density).

I feel the services the City Of Lebanon that it would be required to provide, would be sub-par at the current staffing levels; and projected levels for the next five years, (Police, Fire, and Public Works). There is also other considerations to take into effect, the traffic infrastructure. As it stands, with the increased housing in the area of Stoltz Hill and Airport Road, there is a need for better traffic flow and traffic control lights. This annexation will only add to the traffic issues occurring now. There are no bike lanes or walking paths in this area, pedestrian safety would be greatly compromised.

I will not be able to attend your scheduled meeting due to other out of town business conflict. Please receive this as my written testimony.

Sincerely,
Daniel and Deborah Kloss



NOTICE OF PUBLIC HEARING

LEBANON PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on **February 16, 2022 at 6:00 p.m.** in the Santiam Travel Station located at 750 S 3rd Street, to afford interested persons and the general public an opportunity to be heard and give testimony concerning the following matter:

Planning Case No.:	A-22-01
Applicant:	G & F McAdams Farms, LLC
Location:	31721 Stoltz Hill Road
Map & Tax Lot No.:	12S02W22C 00200
Request:	Annexation
Decision Criteria:	Lebanon Development Code Chapters: 16.20 & 16.26

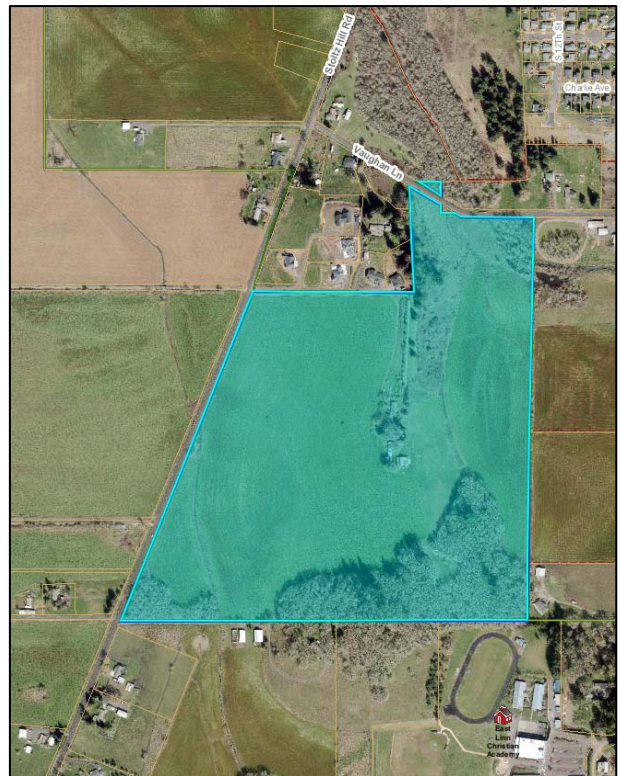
Request: The applicant is requesting Annexation of approximately 79.98-acres comprised of one tax lot. The property is designated Residential Mixed Density (C-RM) on the Comprehensive Plan Map and will be assigned a Residential Mixed Density (Z-RM) zoning designation upon Annexation.

Providing Comments: The City will be accepting public comment on this item in a number of ways to afford interested persons and the general public an opportunity to give testimony on the subject matter. Written testimony will be accepted upon issuance of this notice, **until 5:00pm on Tuesday, February 15, 2022.** Written testimony may be emailed to khart@ci.lebanon.or.us or may be mailed to the City at 925 S. Main Street, Lebanon, OR 97355, or delivered to the City and dropped in the white mailbox in front of City Hall. Members of the public may also provide comments on the agenda item in person at the Santiam Travel Station during the meeting.

If you are unable to attend the meeting and wish to address the Commission under Public Comments or for a Public Hearing, click:

https://ci-lebanon-or-us.zoomgov.com/webinar/register/WN_KXNTxg-3RcmIS6Frr1j7Ew to register in advance for the meeting. You will receive a confirmation email containing information about joining the meeting. Attendees will need to register to receive the link to the meeting to watch the meeting virtually or participate with public comment.

Meeting Information: The public is invited to either participate in person at the Santiam Travel Station or watch the meeting virtually on February 16, 2022 through the Zoom Webinar: https://ci-lebanon-or-us.zoomgov.com/webinar/register/WN_KXNTxg-3RcmIS6Frr1j7Ew The Agenda and application materials will be available for review on the City's website at <https://www.ci.lebanon.or.us/meetings> seven days prior to the hearing.



CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the close of the hearing, request that the record remain open for at least seven days so such material may be reviewed.

Action of the Planning Commission and Appeals: The role of the Commission is to review the proposal and make a recommendation to the Lebanon City Council. A public hearing before the Council will be subsequently scheduled and notice provided. The Council decision is the final decision unless appealed to the Land Use Board of Appeals (LUBA). Failure to raise an issue in the hearing, orally or in writing, or failure to provide sufficient specificity to afford the decision makers an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

Obtain Information: A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact City of Lebanon Community Development Department, 925 Main Street; phone 541-258-4906; email cdc@ci.lebanon.or.us.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 541-258-4906.



LAND USE APPLICATION

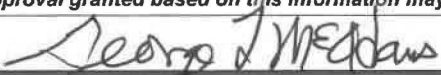
PROPERTY INFORMATION

Site Address(es): 31721 Stoltz Hill Road
 Assessor's Map & Tax Lot No.(s): 12S-02W-22C Tax Lot 200
 Comprehensive Plan Designation / Zoning Designation: C-RM / UGA-UGM-10
 Current Property Use: Single Family Residential
 Project Description: The applicant requests annexation of a ±79.98-acre parcel and with a concurrent Zone Map Amendment to assign the Residential Mixed Density (Z-RM) zoning designation upon annexation.

APPLICANT / PRIMARY CONTACT INFORMATION

Applicant: G & F McAdams Farms, LLC c/o George McAdams Phone: (541) 207-8530
 Address: 3480 SW 53rd Street Email: georgelmcadams@gmail.com
 City/State/Zip: Corvallis, OR 97333

I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true; that the proposed land use activity does not violate State and/or Federal Law, or any covenants, conditions and restrictions associated with the subject property; and, any approval granted based on this information may be revoked if it is found that such statements are false.

APPLICANT SIGNATURE  Date: 1/14/2022

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN ABOVE)

Owner: G & F McAdams Farms, LLC c/o George McAdams Phone: (541) 207-8530
 Address: 3480 SW 53rd Street Email: georgelmcadams@gmail.com
 City/State/Zip: Corvallis, OR 97333

OWNER SIGNATURE  Date: 1/14/2022

ADDITIONAL CONTACT INFORMATION

Engineer / Surveyor: Kyle Latimer, Udell Engineering Phone: (541) 451-5125
 Address: 63 E. Ash Street Email: kyle@udelleng.com
 City/State/Zip: Lebanon, OR 97355

Architect: Phone:
 Address: Email:
 City/State/Zip:

Other: Laura LaRoque, Udell Engineering and Land Surveying, LLC Phone: (541) 990-8661
 Address: 63 E. Ash Street Email: laura@udelleng.com
 City/State/Zip Lebanon, OR 97355

THE CITY THAT FRIENDLINESS BUILT

REQUIRED SUBMITTALS

- Application and Filing Fee
- Narrative Describing the Proposed Development and addressing the Decision Criteria
 - LDC Article Two Land Uses and Land Use Zones
 - LDC Article Three Development Standards
 - LDC Article Four Review & Decision Requirements
 - LDC Article Five Exceptions to Standards (eg Variance, Non-Conforming Uses)
- Site Plan(s) drawn to scale with dimensions, Include other drawings if applicable
- Copy of current Property Deed showing Ownership, Easements, Property Restrictions

FOR OFFICE USE

***If more than one review process is required, applicant pays highest priced fee, then subsequent applications charged at half-price.**

Land Use Review Process	Fee	Land Use Review Process	Fee
Administrative Review	\$750	Planned Development – Preliminary	\$2,500
Administrative Review (Planning Commission)	\$1,500	Planned Development – Final (Ministerial)	\$500
<input checked="" type="checkbox"/> Annexation	\$2,500	Planned Development – Final (Administrative)	\$750
Code Interpretation	\$250	Planned Development – Final (Quasi-Judicial)	\$1,500
Comprehensive Plan Map/Text Amendment	\$2,500	Subdivision Tentative	\$1,500
Conditional Use	\$1,500	Subdivision Final	\$750
Fire District Plan Review	\$100	Tree Felling Permit (Steep Slopes only)	\$150 + \$5/tree
Historic Preservation Review or Register	Varies	UGB Amendment	Actual Cost
Land Partition	\$750	Variance (Class 1 – Minor Adjustment)	\$250
Ministerial Review	\$250	Variance (Class 2 – Adjustment)	\$750
Non-Conforming Use/Development	\$750	Variance (Class 3)	\$1,500
Property (Lot) Line Adjustment	\$250	Zoning Map Amendment	\$2,500

APPLICATION RECEIPT & PAYMENT

Date Received:	Date Complete:	Receipt No.:
Received By:	Total Fee:	File No.:

THE CITY THAT FRIENDLINESS BUILT

ANNEXATION APPLICATION

Submitted to: City of Lebanon
Planning Department
925 S. Main Street
Lebanon, Oregon 97355

Applicants/Property Owners: G & F McAdams Farms, LLC
C/O George McAdams
3480 SW 53rd Street
Corvallis, Oregon 97333
(541) 207-8530
georgelmcadams@gmail.com

Applicant's Representative: Udell Engineering and Land Surveying, LLC
63 E. Ash Street
Lebanon, OR 97355

Contact: Laura LaRoque
Email: laura@udelleng.com
Phone: (541) 990-8661

Site Location: 31721 Stoltz Hill Road, Lebanon, OR 97355
Parcel 3, Partition Plat 2022-04

Linn County Assessor's Map No.: 12S-02W-22C Tax Lot 200

Site Size: ±79.98-acres

Existing Land Use: Single-Family Residential

Zone Designation: UGA-UGM-10

Comprehensive Plan Designation: Residential Mixed Density (C-RM)

Surrounding Zoning: North: UGA-UGM-10
South: UGA-UGM-10
East: UGA-UGM-10/RM
West: EFU (across Stoltz Hill Road)

Surrounding Uses: North: Single-Family Residential
South: Single-Family Residential
East: unimproved
West: Single-Family Residential /Farm



21-139 McAdams Stoltz Hill Rd.
31721 Stoltz Hill Road
Annexation Application

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APPLICATION SUMMARY

The applicant requests annexation of a ±79.98-acre parcel known as, Linn County Tax Assessor's Map No. 12S-02W-22C Tax Lot 200 with a concurrent Zone Map Amendment to assign the Residential Mixed Density (Z-RM) zoning designation upon annexation.

The subject property is located east of Stoltz Hill Road and south of Bourbon Ridge Lane and Vaughn Lane. A portion of the site's east property boundary is contiguous with the Lebanon city limits.

To the north and east of the site are parcels developed with a mixed of rural residential and agricultural land uses. These parcels are within the Lebanon Urban Growth Boundary with a portion within the Lebanon City Limits. To the south of the site are parcels developed with a mixed of rural residential and agricultural land uses outside of the Lebanon Urban Growth Boundary (UGB) and city limits. To the west of the site is Stoltz Hill Road. To the west of Stoltz Hill Road are parcels developed with a mixed of rural residential and agricultural land uses outside of the Lebanon Urban Growth Boundary (UGB) and city limits.

All abutting properties in unincorporated Linn County are zoned Linn County UGA-UGM-10 with a Lebanon Comprehensive Plan designation of Residential Mixed Density (C-RM). All adjacent properties within the Lebanon city limits are zoned Residential Mixed Density with the Residential Mixed Density Comprehensive Plan designation.

The Comprehensive Plan designation for the site is Residential Mixed Density (C-RM). In accordance with the Annexation Zoning Matrix of Table 16.26-1 in LDC 16.24.040 of the Lebanon Development Code (LDC), the proposed zoning classification for the site upon annexation is Residential Mixed Density (Z-RM).

The subject property is unimproved. City water, sewer, and storm drainage are available to the northeast of the property within the Vaughn Lane and South 10th Street rights-of-way. However, no development is proposed with this application.

LEGISLATIVE REVIEW OF ANNEXATION

- A. The subject property is located within Lebanon's Urban Growth Boundary (UGB) and is eligible for annexation into the City limits. Annexation application and review requirements are contained in LDC Chapter 16.26 of the Lebanon Development Code. Annexations require a hearing before the Planning Commission and City Council. The purpose of the Commission hearing is to review the request and recommend whether the Council should approve or deny the Annexation.
- B. LDC Chapter 16.26 establishes the Annexation review criteria. LDC 16.26.010 and LDC 16.26.020 establish the purpose of an annexation and the first assignment of zoning. The annexation transfers jurisdiction from Linn County to the City and establishes the appropriate zoning on the property consistent with the Plan Map designation. In this case, the applicable zone is Residential Mixed Density.



21-139 McAdams Stoltz Hill Rd.
31721 Stoltz Hill Road
Annexation Application

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- C. LDC 16.26.030 notes an annexation is necessary to establish the appropriate zone, consistent with the Annexation Zoning Matrix (Table 16.26-1). Plan map amendments are only required if there is a corresponding change in the Plan map. Further, proposed amendments to the Plan map (and corresponding zone map) must conform to provisions in Chapter 16.27. For the record, the application does not include a request to change the Plan designation and corresponding zone.
- D. LDC 16.26.040 identifies the relationship between annexation and City facility plans. It notes anticipated densities and levels of development are factored into the City's facility plans, including the Transportation System Plan. Therefore, additional inquiries into the sufficiency of these services are not required.
- E. LDC 16.26.050 stipulates all annexations be processed as legislative actions requiring hearings before both the Planning and City Council. This Section also lists application requirements. For the record, the application and process are consistent with the provisions in this Section.
- F. LDC 16.26.060 contains the decision criteria for an annexation with specific requirements in LDC 16.26.060(A). This Section requires compliance with provisions in the City Annexation Ordinance and Lebanon Comprehensive Plan, Chapter 3 – Urbanization. The Annexation Ordinance and Comprehensive Plan decision criteria are essentially the same. To avoid duplication, and where applicable, the findings are combined. The decision criteria are written in **bold** followed by findings and conclusions.

1. Annexation Ordinance Section 1. This ordinance shall be known as the Annexation Ordinance for the City of Lebanon.

FINDING: This Section identifies the document as the Annexation Ordinance for the City of Lebanon and does not contain decision criteria.

2. Annexation Ordinance Section 2. All Annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance (i.e., Development Code), City of Lebanon/Linn County Urban Growth Management Agreement and shall be consistent with applicable State law.

Comprehensive Plan Annexation Policy #P-19: [The City shall] recognize and act on the basis that all annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement (UGMA) and shall be consistent with applicable State law.

FINDING: In accordance with Oregon Revised Statutes (ORS) 222.111, the applicant proposes annexation of a property known as Parcel 3 of Partition Plat 2022-14 and Linn County Tax Assessor's Map No. 12S-02W-22C Tax Lot 200 into the Lebanon City Limits by petition to the legislative body.



The subject property is contiguous to the city limits along a portion of the east property boundary. It is, therefore, eligible for annexation per ORS 222.111(1) and the Lebanon Annexation Ordinance. Findings in response to LDC 16.26.060(A) of the Lebanon Development Code, Lebanon Annexation Ordinance, and applicable Comprehensive Plan policies are provided below and incorporated here by reference.

3. Annexation Ordinance Section 3. All Annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

Comprehensive Plan Annexation Policy #P-20: [The City shall] recognize and act on the basis that all annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

FINDING: The Annexation Ordinance policies are consistent with, and often reflect the Comprehensive Plan Annexation Policies. The Oregon Department of Land Conservation Development acknowledges that the City's Comprehensive Plan complies with all applicable Statewide Planning Goals and statutes, recognizing the consistency of the Plan goals and policies. Therefore, compliance with the applicable Comprehensive Plan policies ensures compliance with the Annexation Ordinance. Findings in the following Sections detail this proposal's compliance with all applicable policies.

4. Annexation Ordinance Section 4. All lands included within the Urban Growth Boundary are eligible for annexation and urban development. Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.

Comprehensive Plan Annexation Policy #P-21: [The City shall] recognize and act on the basis that all lands included within the Urban Growth Boundary are eligible for annexation and urban development. (Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.)

FINDING: The subject site is located within the Urban Growth Boundary and contiguous to city limits along a portion of the east property boundary and, is therefore, eligible for annexation.

5. Annexation Ordinance Section 5. The City shall only annex land that is contiguous to the existing City limits and is within the City's UGB.

Comprehensive Plan Annexation Policy #P-22: [The City shall] only annex land that is contiguous to the existing City limits and is within the City's UGB.

FINDING: The subject site is located within the Urban Growth Boundary and contiguous to city limits along a portion of the east property boundary and, is therefore, eligible for annexation.



6. **Annexation Ordinance Section 6. An annexation shall be deemed orderly if the annexation territory is contiguous to the existing City limits. An annexation is efficient if the annexation territory can be developed or redeveloped to an urban use. Urban uses may include wetlands, parks, open space and related uses.**

Comprehensive Plan Annexation Policy #P-23: [The City shall] deem an annexation orderly if the annexation territory is contiguous to the existing City Limits and deem an annexation efficient if the annexation territory can be developed or redeveloped to an urban use (urban uses may include functional wetlands, parks, open space, and related uses).

FINDINGS: The subject site is located within the Urban Growth Boundary and contiguous to city limits along a portion of the east property boundary and, is therefore, eligible for annexation.

The ±79.98-acre site is currently improved with a single-family dwelling and associated accessory buildings. At urban densities, the site is large enough to be further developed or redeveloped. City water, sewer, and storm drainage are available to the northeast of the site within the Vaughn Lane and South 10th Street rights-of-way and are adequate for future residential development. Therefore, the proposed annexation is also efficient.

Based on information contained in the Comprehensive Plan, there are no designated environmental constraints associated with the subject area.

7. **Annexation Ordinance Section 7. Development proposals are not required for annexation requests.**

Comprehensive Plan Annexation Policy #P-24: [The City shall] recognize and act on the basis that development proposals are not required for annexation requests.

FINDING: The application does not include a concurrent development proposal, nor is one required per this Section or Policy.

8. **Annexation Ordinance Section 8. As part of the annexation process of developed property or properties, the City shall consider the anticipated demands to access key City provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.**

Comprehensive Plan Annexation Policy #P-25: [The City shall] consider as part of the annexation process of developed property or properties, the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

FINDING: The subject property is improved a single-family dwelling and associated accessory buildings that is served by a private well and septic system. City water, sewer, and storm drainage are available to the northeast of the site within the Vaughn Lane and S. 10th Street



rights-of-way and are adequate for future residential development. Therefore, the proposed annexation is also efficient.

- 9. Annexation Ordinance Section 9. As part of the annexation process of developed property or properties, the City shall consider the impacts on key City-provided urban utility services needed to serve these properties, which are water, storm drainage, sanitary sewer, and streets.**

Comprehensive Plan Annexation Policy # P-26: [The City shall] Consider as part of the annexation process of developed property or properties, the impacts on the capacities of key City-provided urban utility services needed to satisfy the anticipated demands of the properties discussed in P-25 above.

FINDING: The subject property is improved a single-family dwelling and associated accessory buildings that is served by a private well and septic system. City water, sewer, and storm drainage are available to the northeast of the site within the Vaughn Lane and South 10th Street rights-of-way and are adequate for future residential development. The site also has adequate frontage on and access to Stoltz Hill Road, Bourbon Ridge Lane, and Vaughn Lane. The impacts from future residential development on the subject site will be minimal on City-provided services.

- 10. Annexation Ordinance Section 10. Needed Public rights-of-way, as identified in adopted transportation plans as necessary for the safe and efficient movement of traffic, bicycles and pedestrians, shall be dedicated to the City either with annexation or when the property develops and/or redevelops and creates an increased demand for the benefits provided by additional rights-of-way dedication.**

FINDING: Stoltz Hill Road and Vaughn Lane maintain a 60-foot and 50-foot right-of-way respectively. Bourbon Ridge Lane maintains a 50-foot right-of-way. The adopted 2018 Transportation System Plan classifies Stoltz Hill Road and Vaughn Lane as Minor Arterial Streets, which requires a 75-foot right-of-way. Bourbon Ridge Lane is not classified in TSP but is likely classified as a Local Street, which requires a 50- to 60-foot right-of-way. Therefore, future right-of-way dedications along Stoltz Hill Road and Vaughn Lane are anticipated and will occur in association of a future development proposal.

- 11. Annexation Ordinance Section 11. Upon annexation, the annexation territory shall be assigned zoning classifications in accordance with the adopted Comprehensive Plan Map, as shown in the City's Annexation Zoning Matrix. Such zoning assignments in and of themselves are not a zoning map change and shall not require approval of a zoning map amendment, or a separate proceeding.**

FINDING: This subject property is designated Residential Mixed Density (C-RM) by the Comprehensive Plan. The applicant proposes the establishment of the Residential Mixed



Density (Z-RM) zoning designation upon annexation in accordance with the Annexation Zoning Matrix, Table 16.26-1 of the LDC.

- 12. Annexation Ordinance Section 12. If a zoning designation other than one in accordance with the Comprehensive Plan Map (shown in the Annexation Zoning Matrix) is requested by an applicant, the zoning requested shall not be granted until the Comprehensive Plan Map is appropriately amended to reflect concurrence. Such an amendment shall require a separate application, hearing and decision, which may be held concurrently with an annexation hearing and will not become effective until the annexation is complete.**

FINDING: This application is limited to the proposed annexation and establishment of the Residential Mixed Density zoning designation and does not include a Comprehensive Plan amendment or corresponding zone amendment.

- 13. Annexation Ordinance Section 13. The areas within the Urban Growth Boundary with designated environmental constraints may be annexed and developed as functional wetlands, parks, open space and related uses.**

FINDING: This Section does not apply, as the subject property does not include environmentally constrained property.

- 14. Annexation Ordinance Section 14. An “urban use” is hereby defined as any land use that is authorized under the terms and provisions of the land use regulations, Zoning Ordinance (i.e., Development Code), Subdivision Ordinance, Comprehensive Plan, and other related documents of the City of Lebanon.**

FINDING: This Section is not applicable, as it provides a definition and not a decision criterion.

- 15. Annexation Ordinance Section 15. At the applicant’s discretion and with the City’s concurrence, a development or redevelopment proposal for an annexation territory may be acted upon by the Planning Commission immediately following the Commission’s hearing on the annexation proposal and a decision of recommendation of approval to the City Council. However, any approval of the Planning Commission of such a development or redevelopment proposal must be contingent upon subsequent approval of the annexation by City Council.**

FINDING: The request is limited to the proposed annexation and does not contain a development or redevelopment proposal.

- 16. Comprehensive Plan Annexation Policy # P-27: Expand the City Limits as necessary to accommodate development, including housing, commercial, industrial, and services (that will in turn accommodate population growth).**

FINDING: This Policy does not directly apply as the proposal simply incorporates an existing urbanized parcel into the City limits.



- 17. Section 16.26.060 allows the City to require the abatement of non-conforming uses and/or structures prior to hearing an annexation request. Other provisions of this Code and the Lebanon Municipal Code may require abatement of certain kinds of situations before an annexation request can be approved.**

FINDING: The applicant is not aware of any abatement issues related to the site.

- 18. Section 16.26.060(C) allows the City to identify additional site-specific evaluation criteria based on the Lebanon Comprehensive Plan, the provisions of this Code, and the Lebanon Municipal Code. Site-specific criteria could include, but not be limited to, the following: steep slopes, natural hazards, riparian zones, wetlands water bodies, overlay zones, infrastructure development, existing conditions and failing on-site services. Such site-specific criteria do not affect the eligibility of properties for annexation but serve as an advisory to applicants of factors that may affect future development.**

FINDING: There are no site-specific evaluation criteria that apply to the subject property.

- 19. Upon annexation, Section 16.26.020 requires the subject property to be placed in the appropriate zone. Upon annexation, the territory will automatically be assigned a City zone in accordance with the adopted Comprehensive Plan Map, and Annexation Zoning Matrix (Development Code Table 16.26-1). The only decision criterion in this process is that the Zone Classification shall be consistent with the adopted Comprehensive Plan Map (Section 16.26.020(D)).**

FINDINGS: This subject property is designated Residential Mixed Density (C-RM) by the Comprehensive Plan. The applicant proposes to have the Residential Mixed Density (Z-RM) zoning designation assigned to the subject property upon annexation in accordance with the Annexation Zoning Matrix, Table 16.26-1 of the LDC.

Overall Conclusion

As proposed, the application for Annexation with concurrent zone map amendment to assign the Residential Mixed Density zoning designation complies with the applicable review criteria as outlined above. Therefore, the applicant requests that the Planning Commission recommend the City Council approve the subject application.

Exhibits

- A. Annexation Map
- B. Legal Description
- C. Partition Plat No. 2022-04 (Linn County Survey No. 27159)

Acronyms

C-RM	Residential Mixed-Density Comprehensive Plan Designation
LDC	Lebanon Development Code
Z-RM	Residential Mixed-Density Zoning District



21-139 McAdams Stoltz Hill Rd.
31721 Stoltz Hill Road
Annexation Application

January 14, 2022

Page 8 of 8

ANNEXATION TO THE CITY OF LEBANON

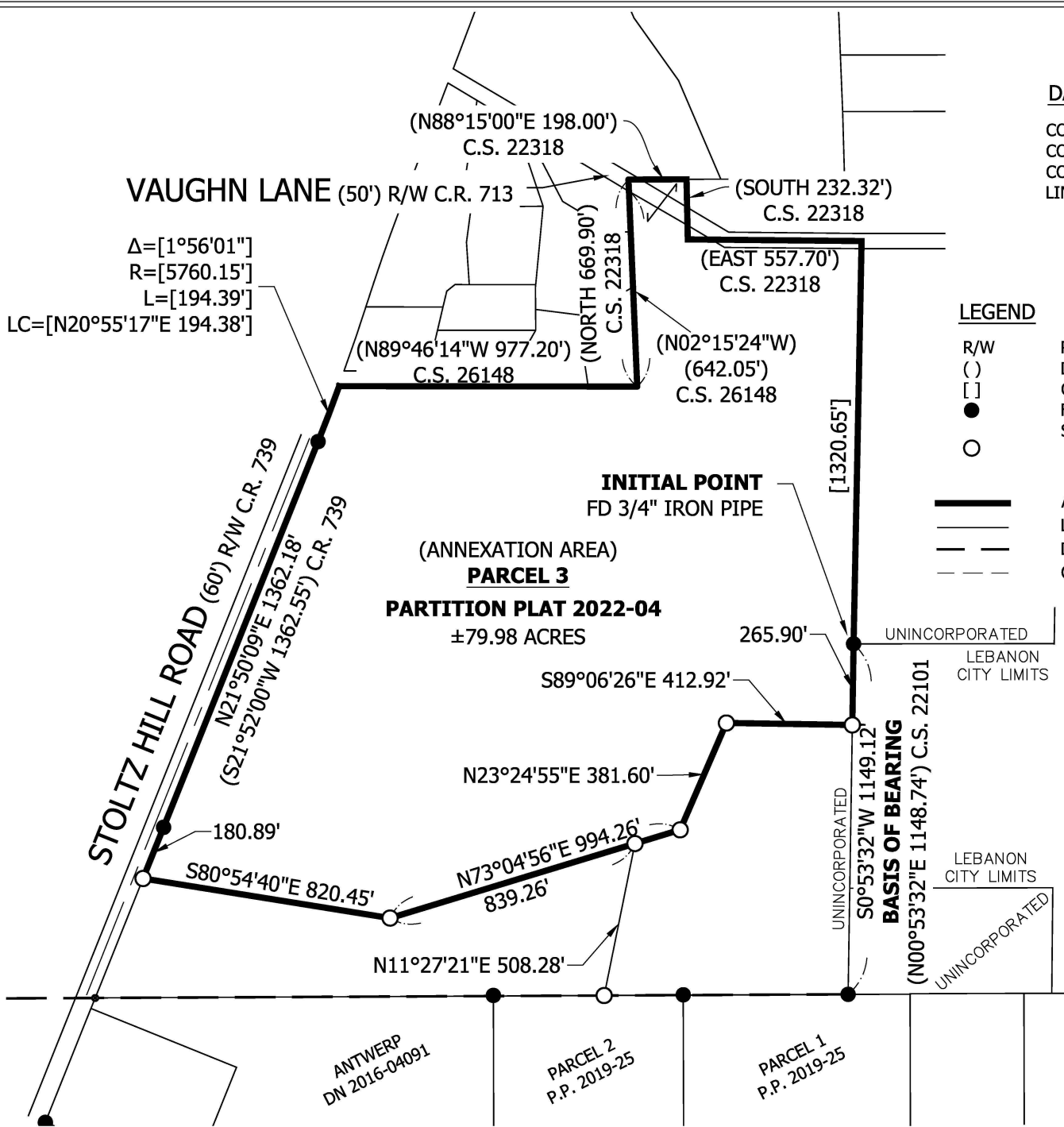
AN AREA OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21 AND THE SOUTHWEST AND NORTHWEST QUARTERS OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

PARCEL 3 OF LINN COUNTY PARTITION PLAT NO. 2022-04 AND RECORDED IN LINN COUNTY DEED RECORDS AS DOCUMENT NO. 2022-00614

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
80442

RENEWS: 12-31-22

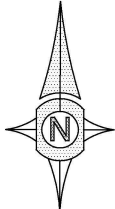


DATA OF RECORD

COUNTY SURVEY (C.S.) 22101
 COUNTY SURVEY (C.S.) 22318
 COUNTY SURVEY (C.S.) 26148
 LINN COUNTY DEED 2009-20773

LEGEND

- R/W
 - ()
 - []
 -
 -
 -
 -
 - - -
 - - -
- RIGHT OF WAY
 DATA OF RECORD
 CALCULATED DATA
 FD MONUMENT FLUSH OR AS NOTED
 SET 5/8"x30" IRON ROD WITH
 ORANGE PLASTIC CAP
 STAMPED "UDELL ENG"
 ANNEXATION BOUNDARY
 LOT LINES
 DLC LINE
 OLD PROPERTY LINE



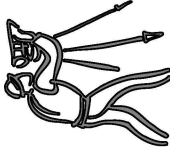
SCALE: 1" = 500'

0' 500'

UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OREGON, 97355
 541-451-5125

ANNEXATION EXHIBIT
G&F MCADAMS FARMS LLC
31721 STOLTZ HILL ROAD
LEBANON, OREGON

Date 01/04/21
 Project LEPMAN
 21-139
 Drawn by AWJ
 Checked by KWL



SHEET 1
 of 1
 SCALE: AS NOTED

C.S. 27159

PARTITION PLAT NO. 2022-04 FOR G & F MCADAMS FARMS, LLC A REPLAT OF PARCELS 1 AND 2, PARTITION PLAT NO. 1998-67 IN THE RICHMOND CHEADLE D.L.C. NO. 69 & THE PRESELY GEORGE D.L.C. NO. 65 LOCATED IN THE SE 1/4 SEC. 21 AND THE SW 1/4 SEC. 22, T. 12 S., R. 2 W., W.M., LINN COUNTY, OREGON

NOTICE OF DECISION FILE NO. PLN-2021-00285 DECEMBER 20, 2021

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO DIVIDE THE LAND DESCRIBED IN LINN COUNTY DEED RECORDS VOLUME 989, PAGE 12 INTO 3 PARCELS WITH AN ACCESS AND EMERGENCY VEHICLE TURN AROUND EASEMENT AS SHOWN HEREON.

THE SOUTH LINE WAS ESTABLISHED BY HOLDING THE FOUND STONE PER LINN COUNTY SURVEY NO. 520 AND THE SOUTHWEST CORNER OF DONATION LAND CLAIM NO. 65. A PORTION OF THE EAST LINE WAS ESTABLISHED BY HOLDING THE TWO NOTED FOUND MONUMENTS PER LINN COUNTY SURVEYS 520 AND 22101. THE RIGHT-OF-WAY OF STOLTZ HILL ROAD WAS ESTABLISHED BY HOLDING THE NOTED RIGHT-OF-WAY MONUMENTS. THE REMAINDER OF THE BOUNDARY IS SHOWN PER NOTED SURVEY RECORDS.

THE BASIS OF BEARING IS BETWEEN THE TWO FOUND MONUMENTS ON THE EASTERLY LINE PER LINN COUNTY SURVEY NO. 22101.

LEGEND:

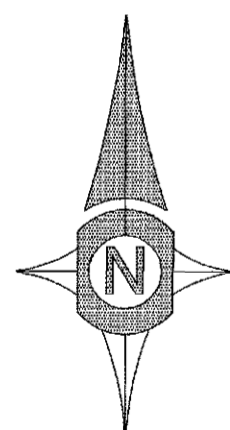
- MONUMENT FOUND FLUSH OR AS NOTED
SET 5/8"x30" IRON ROD WITH ORANGE PLASTIC CAP STAMPED "UDELL ENG"
SET 5/8"x30" IRON ROD WITH ALUMINUM CAP STAMPED "UDELL ENG"
DATA OF RECORD
CALCULATED DATA
1960 C.R. 739 ROAD SURVEY
COUNTY SURVEY
DONATION LAND CLAIM
FOUND
IRON PIPE
IRON ROD
WITH YELLOW PLASTIC CAP

REFERENCE SURVEYS: C.S. 520, C.S. 8222, C.S. 22101, C.S. 24710

EASEMENTS OF RECORD:

A TITLE REPORT PREPARED BY TICOR TITLE INSURANCE COMPANY ORDER NO. 471821106847 REVEALED THE FOLLOWING EASEMENTS OF RECORD:

- 1. ELECTRIC AND TELEPHONE TRANSMISSION AND DISTRIBUTION LINE EASEMENT IN FAVOR OF CONSUMERS POWER, INC. RECORDED MARCH 9, 1967. LINN COUNTY DEED RECORDS BOOK 322, PAGE 273. UNABLE TO PLOT BASED ON DESCRIPTION.
2. ELECTRIC AND TELEPHONE TRANSMISSION AND DISTRIBUTION LINE EASEMENT IN FAVOR OF CONSUMERS POWER, INC. RECORDED OCTOBER 19, 1979. LINN COUNTY DEED RECORDS VOLUME 247, PAGE 694. UNABLE TO PLOT BASED ON DESCRIPTION.



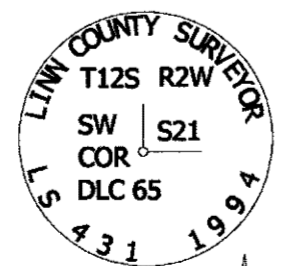
SCALE: 1" = 200'

0' 200' 400'



Udell ENGINEERING & LAND SURVEYING, LLC 63 EAST ASH ST. LEBANON, OREGON 97355 PH. (541) 451-5125 FAX (541) 451-1366

REGISTERED PROFESSIONAL LAND SURVEYOR KYLE W. LATIMER OREGON JUNE 12, 2013 #80442 EXPIRES 12-31-2022



REMON. BK. 13, PG. 298

REMON. BK. 18, PG. 8

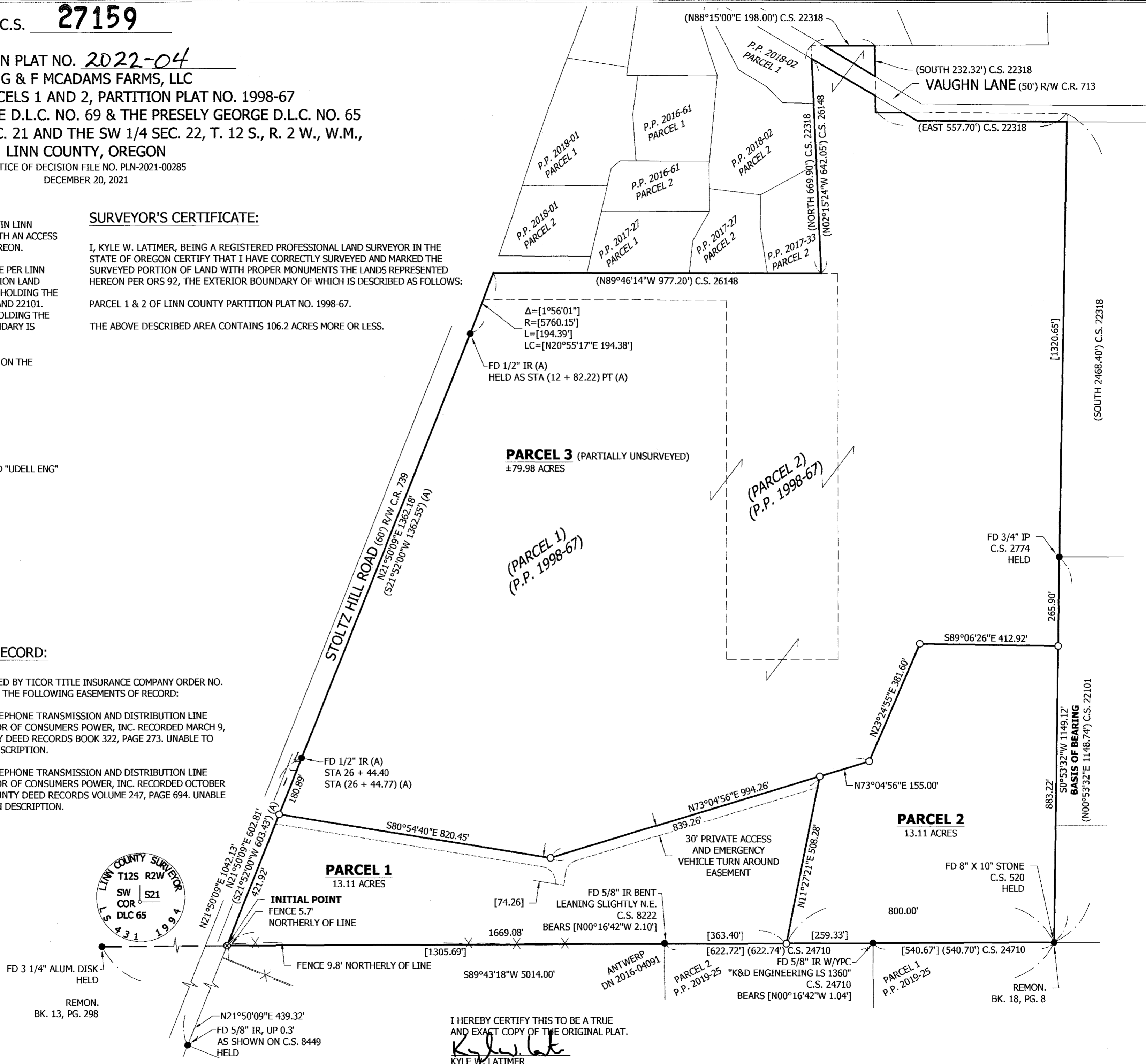
SURVEYOR'S CERTIFICATE:

I, KYLE W. LATIMER, BEING A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED THE SURVEYED PORTION OF LAND WITH PROPER MONUMENTS THE LANDS REPRESENTED HEREON PER ORS 92, THE EXTERIOR BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

PARCEL 1 & 2 OF LINN COUNTY PARTITION PLAT NO. 1998-67.

THE ABOVE DESCRIBED AREA CONTAINS 106.2 ACRES MORE OR LESS.

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT. KYLE W. LATIMER



LEGEND:

- MONUMENT FOUND FLUSH OR AS NOTED
- SET 5/8"x30" IRON ROD WITH ORANGE PLASTIC CAP STAMPED "UDELL ENG"
- ⊗ SET 5/8"x30" IRON ROD WITH ALUMINUM CAP STAMPED "UDELL ENG"
- () DATA OF RECORD
- [] CALCULATED DATA
- (A) 1960 C.R. 739 ROAD SURVEY
- C.S. COUNTY SURVEY
- D.L.C. DONATION LAND CLAIM
- FD FOUND
- IP IRON PIPE
- IR IRON ROD
- W/YPC WITH YELLOW PLASTIC CAP

REFERENCE SURVEYS: C.S. 520, C.S. 8222, C.S. 22101, C.S. 24710

C.S. **27159**

PARTITION PLAT NO. 2022-04
 FOR G & F MCADAMS FARMS, LLC
 A REPLAT OF PARCELS 1 AND 2, PARTITION PLAT NO. 1998-67
 IN THE RICHMOND CHEADLE D.L.C. NO. 69 & THE PRESELY GEORGE D.L.C. NO. 65
 LOCATED IN THE SE 1/4 SEC. 21 AND THE SW 1/4 SEC. 22, T. 12 S., R. 2 W., W.M.,
 LINN COUNTY, OREGON
 NOTICE OF DECISION FILE NO. PLN-2021-00285
 DECEMBER 20, 2021

APPROVALS:

LINN COUNTY NOTICE OF DECISION PLN-2021-00285, WE THE UNDERSIGNED HAVE EXAMINED AND APPROVED THE PORTION OF THIS REPLAT AS REQUIRED BY THE DESIGNATED AUTHORITY OF OUR RESPECTIVE OFFICES.

Dana Bobb
 DIRECTOR, LINN COUNTY PLANNING
 AND BUILDING DEPARTMENT

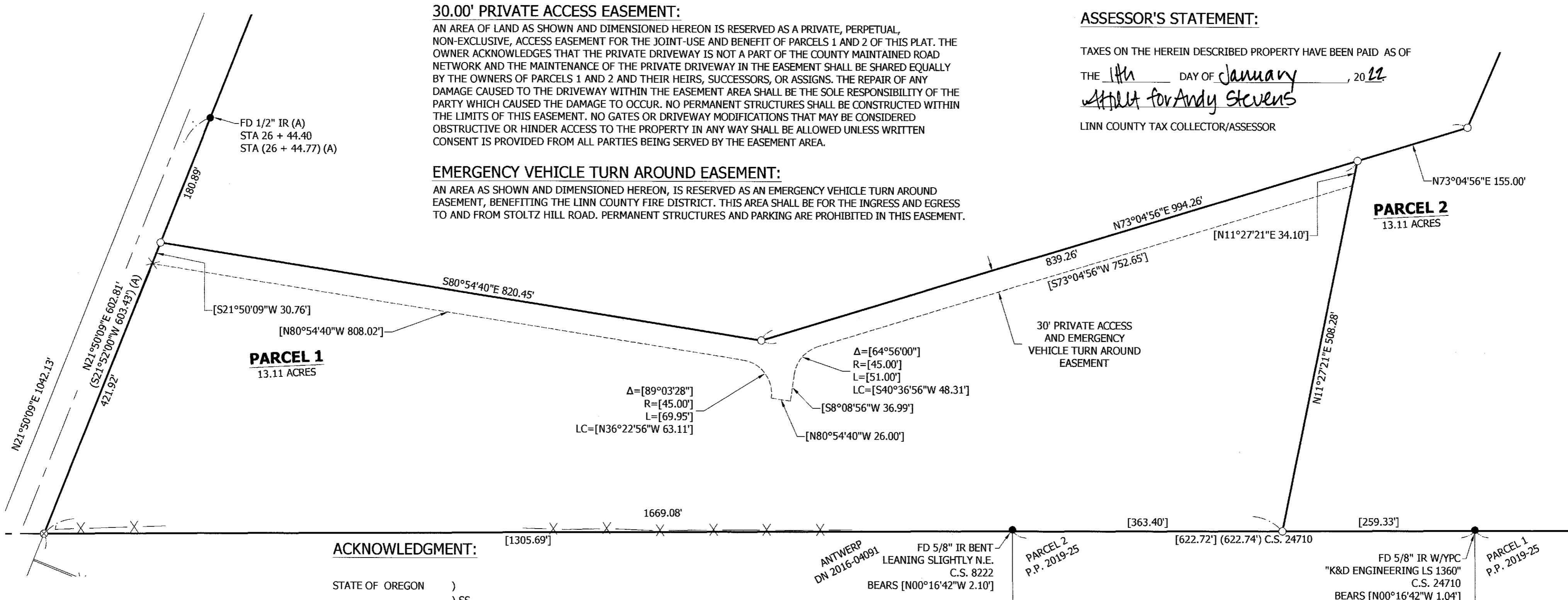
Kevin J. Emery
 LINN COUNTY SURVEYOR

1-11-22
DATE

1-11-22
DATE

ASSESSOR'S STATEMENT:

TAXES ON THE HEREIN DESCRIBED PROPERTY HAVE BEEN PAID AS OF
 THE 11th DAY OF January, 2022
Hubert for Andy Stevens
 LINN COUNTY TAX COLLECTOR/ASSESSOR



30.00' PRIVATE ACCESS EASEMENT:

AN AREA OF LAND AS SHOWN AND DIMENSIONED HEREON IS RESERVED AS A PRIVATE, PERPETUAL, NON-EXCLUSIVE, ACCESS EASEMENT FOR THE JOINT-USE AND BENEFIT OF PARCELS 1 AND 2 OF THIS PLAT. THE OWNER ACKNOWLEDGES THAT THE PRIVATE DRIVEWAY IS NOT A PART OF THE COUNTY MAINTAINED ROAD NETWORK AND THE MAINTENANCE OF THE PRIVATE DRIVEWAY IN THE EASEMENT SHALL BE SHARED EQUALLY BY THE OWNERS OF PARCELS 1 AND 2 AND THEIR HEIRS, SUCCESSORS, OR ASSIGNS. THE REPAIR OF ANY DAMAGE CAUSED TO THE DRIVEWAY WITHIN THE EASEMENT AREA SHALL BE THE SOLE RESPONSIBILITY OF THE PARTY WHICH CAUSED THE DAMAGE TO OCCUR. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED WITHIN THE LIMITS OF THIS EASEMENT. NO GATES OR DRIVEWAY MODIFICATIONS THAT MAY BE CONSIDERED OBSTRUCTIVE OR HINDER ACCESS TO THE PROPERTY IN ANY WAY SHALL BE ALLOWED UNLESS WRITTEN CONSENT IS PROVIDED FROM ALL PARTIES BEING SERVED BY THE EASEMENT AREA.

EMERGENCY VEHICLE TURN AROUND EASEMENT:

AN AREA AS SHOWN AND DIMENSIONED HEREON, IS RESERVED AS AN EMERGENCY VEHICLE TURN AROUND EASEMENT, BENEFITING THE LINN COUNTY FIRE DISTRICT. THIS AREA SHALL BE FOR THE INGRESS AND EGRESS TO AND FROM STOLTZ HILL ROAD. PERMANENT STRUCTURES AND PARKING ARE PROHIBITED IN THIS EASEMENT.

ACKNOWLEDGMENT:

STATE OF OREGON)
) SS
 COUNTY OF LINN)

THIS IS TO CERTIFY THAT ON THIS 4th DAY OF January, 2022, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED GEORGE MCADAMS, IN THE ABOVE CAPACITY, WHO IS KNOWN TO ME TO BE THE IDENTICAL PERSON NAMED IN AND WHO EXECUTED THE FOREGOING DECLARATION AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES HEREIN NAMED.

Amanda Albert
 NOTARY SIGNATURE

Amanda Albert
 NOTARY PUBLIC - OREGON
 (PRINT NAME)

COMMISSION NO. 1004109

MY COMMISSION EXPIRES: September 20th, 2024

OWNER'S DECLARATION:

KNOW ALL PERSONS THAT G&F MCADAMS FARMS, LLC IS THE OWNER OF THE LAND DESCRIBED HEREON AND HAS CAUSED THE SAME TO BE PARTITIONED INTO 3 PARCELS WITH A PRIVATE ACCESS AND EMERGENCY VEHICLE TURN AROUND EASEMENT AS SHOWN.

George McAdams
 GEORGE MCADAMS, MEMBER
 G&F MCADAMS FARMS, LLC

1/4/2022
DATE

RECORDER'S STATEMENT:

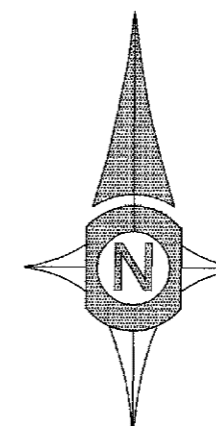
STATE OF OREGON)
) SS
 COUNTY OF LINN)

I HEREBY CERTIFY THAT THE PARTITION PLAT WAS RECEIVED AND DULY RECORDED BY ME IN THE LINN COUNTY RECORD OF PARTITION PLATS AS

PLAT NO. 2022-04, ON THIS 11th DAY OF January, 2022, AT 10:57 O'CLOCK AM, TARGET SHEET RECORDED IN DEED

RECORDS DOCUMENT NO. 2022-00614.

STEVE DRUCKENMILLER BY: Roberta Beaton - Deputy Clerk
 LINN COUNTY CLERK



SCALE: 1" = 100'
 0' 100' 200'

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.

Kyle W. Latimer
 KYLE W. LATIMER

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Kyle W. Latimer
 OREGON
 JUNE 12, 2013
 KYLE W. LATIMER
 #80442
 EXPIRES 12-31-2022



Udell
ENGINEERING &
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON
 97355
PH. (541) 451-5125
FAX (541) 451-1366