



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

### NOTICE OF ADOPTED AMENDMENT

January 30, 2006



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Roseburg Plan Amendment  
DLCD File Number 016-05

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without text.

Appeal Procedures\*

#### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: February 13, 2006**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.625 (1), 197.830 (2), and 197.830 (9) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

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

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS ADOPTED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
John Renz, DLCD Regional Representative  
Leslie C. Wilson, City of Roseburg

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FORM 2

D L C D NOTICE OF ADOPTION

DEPT OF

This form must be mailed to DLCD within 5 working days after the final decision per ORS 197.610, OAR Chapter 660 - Division 18

JAN 26 2006

(See reverse side for submittal requirements)

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: City of Roseburg Local File No.: ZC-05-15/AN-05-14

Date of Adoption: January 23, 2006 Date Mailed: January 25, 2006

Date the Notice of Proposed Amendment was mailed to DLCD: October 17, 2005

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

Summarize the adopted amendment. Do not use technical terms. Do not write See Attached. Annexation of island lands into city- change zone from Jurisdictional Transfer (city zone) of M-2 (Medium Industrial) to MU (Mixed Use)

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write Same. If you did not give notice for the proposed amendment, write N/A.

Plan Map Changed from : to

Zone Map Changed from: M-2 to MU

Location: Aviation and Sweetbrier (353 & 354 Sweetbrier) Acres Involved: 1.08± acres

Specify Density: Previous: 1 per lot New: CUP/18 per ac

Applicable Statewide Planning Goals: 1, 2, 9, 12, and 14

Was an Exception Adopted? Yes: No: X

DLCD File No.: 016-05 (14741)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: X No:     

If no, do the Statewide Planning Goals apply. Yes: X No:     

If no, did The Emergency Circumstances Require immediate adoption. Yes:      No:     

Affected State or Federal Agencies, Local Governments or Special Districts: Douglas Fire Dist #2,

RUSA, ODOT, City of Roseburg

Local Contact: Leslie C. Wilson, Community Planner

Area Code + Phone Number: (541) 440-1177

Address: 900 SE Douglas Ave.

City: Roseburg

Zip Code+4: 97404

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## ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:  

**ATTENTION: PLAN AMENDMENT SPECIALIST**  
**DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**  
**635 CAPITOL STREET NE, SUITE 150**  
**SALEM, OREGON 97301-2540**
2. Submit **TWO (2) copies** of the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to [Larry.French@state.or.us](mailto:Larry.French@state.or.us) - **ATTENTION: PLAN AMENDMENT SPECIALIST.**

**ORDINANCE NO. 3221**

AN ORDINANCE DECLARING THE ANNEXATION OF 1.10+ ACRES OF LAND KNOWN AS SWEETBRIER 353 & 354 PROPERTY; WITHDRAWING PROPERTY FROM DOUGLAS COUNTY FIRE DISTRICT 2; AND A LEGISLATIVE AMENDMENT TO THE ROSEBURG ZONING MAPS; AND DIRECTING THE FILING OF A TRANSCRIPT WITH THE SECRETARY OF STATE.

**THE CITY COUNCIL OF THE CITY OF ROSEBURG, OREGON, finds:**

1. The proposed annexation meets the requirements of ORS 197.175 and adopted Statewide Planning Goals.
2. This matter came before the Roseburg Planning Commission as a Legislative Annexation and Zone Change.
3. The legislative annexation complies with provisions of ORS Chapter 222.120.
4. The subject properties are surrounded by City limit boundary and therefore a logical inclusion of that boundary.
5. The territory to be annexed is a part less than the entire area of a rural fire protection district - Douglas County Fire District No. 2.
6. The annexation and withdrawal of the property from the Douglas County Fire District No. 2 is consistent with the fundamental principles and applicable policies of the Roseburg Urban Area Comprehensive Plan Goals, Objectives and Policy Statements, and other adopted City policies, and it is in the best interest of the City that the area be annexed and withdrawn.
7. The City is willing to assume the responsibilities and indebtedness previously contracted by the District proportionate to the part of the District that have been annexed to the City upon the effective date of the withdrawal.
8. That the Roseburg Urban Area Comprehensive Plan was adopted by the City Council in Ordinance No. 2345, effective on July 1, 1982, and re-adopted in Ordinance No. 2980 on December 9, 1996.
9. That the Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 2981 on December 9, 1996, establishes procedures for hearing Comprehensive Plan Amendment applications.

10. That the Planning Commission received an application (File Nos. AN-05-14 & ZC-05-15) and held a Legislative public hearing after due and timely notice.
11. The proposal includes annexation of lands and change in Zone designation for said lands.
12. The subject lands are currently designated in the Roseburg Urban Area Comprehensive Plan as Industrial and upon annexation will remain Industrial.
13. The subject lands are currently zoned County - Medium Industrial (M-2) and upon annexation will cause a change to City - Mixed Use (MU).
14. All public facilities and services are within distance of serving the subject property.
15. That the following criteria exist:
  - a. The rezoning will conform with the Roseburg Urban Area Comprehensive Plan, including the land use map and written policies.
  - b. The site is suitable to the proposed zone with respect to the public health, safety, and welfare of the surrounding area.

**NOW, THEREFORE, THE CITY OF ROSEBURG ORDAINS AS FOLLOWS:**

SECTION I. The foregoing findings are hereby approved and incorporated herein.

SECTION II. The subject real property known as Sweetbrier 353 & 354 Property is legally described in Exhibit "A", attached hereto and incorporated herein, is annexed to the City of Roseburg as a part thereof.

SECTION III. This annexation and zone change has been processed pursuant to Roseburg Land Use and Development Ordinance No. 2363.

SECTION IV. The City Council hereby adopts as its own the Findings of Fact and Decision Document of the Planning Commission dated December 21, 2005 and incorporates that document herein as shown in Exhibits "B" & "C".

SECTION V. This annexation is made pursuant to the provisions of ORS 222.120, and pursuant to a legislative annexation without election by city electors; and, with public hearing.

SECTION VI. The subject property is hereby withdrawn from Douglas County Fire District No. 2 on the effective date of the annexation. The City shall assume the obligations referred to in ORS 222.520(2) and shall commence the procedure for division of assets provided in ORS 222.530. The particulars of said assumption of liabilities and division of assets shall be accomplished hereafter as provided in an Intergovernmental Agreement between the City and Douglas County Fire District No. 2 dated June 10, 1991.

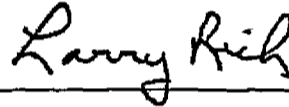
SECTION VII. The Recorder of the City of Roseburg shall make and submit to the Douglas County Assessor and the Oregon Department of Revenue the required legal description of the territory annexed and an accurate map showing the annexed territory as required by ORS 308.225.

SECTION VIII. The City Council hereby amends the Roseburg Zoning Map by applying the City Mixed Use (MU) zoning to the subject Parcel, as shown in Exhibit "A" attached hereto and made part of this ordinance.

SECTION IX. The Recorder of the City of Roseburg shall make and submit to the Secretary of State of Oregon for filing, copies of all ordinance and all other instruments required so to be filed with the Secretary of State to evidence the annexation and to advise the effective date thereof; the effective date shall be the date upon which papers are filed with the Secretary of State.

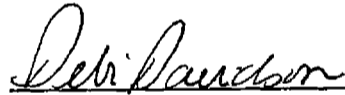
PASSED BY THE CITY COUNCIL THIS 23<sup>RD</sup> DAY OF JANUARY 2006.

APPROVED BY THE MAYOR THIS 23<sup>RD</sup> DAY OF JANUARY 2006.



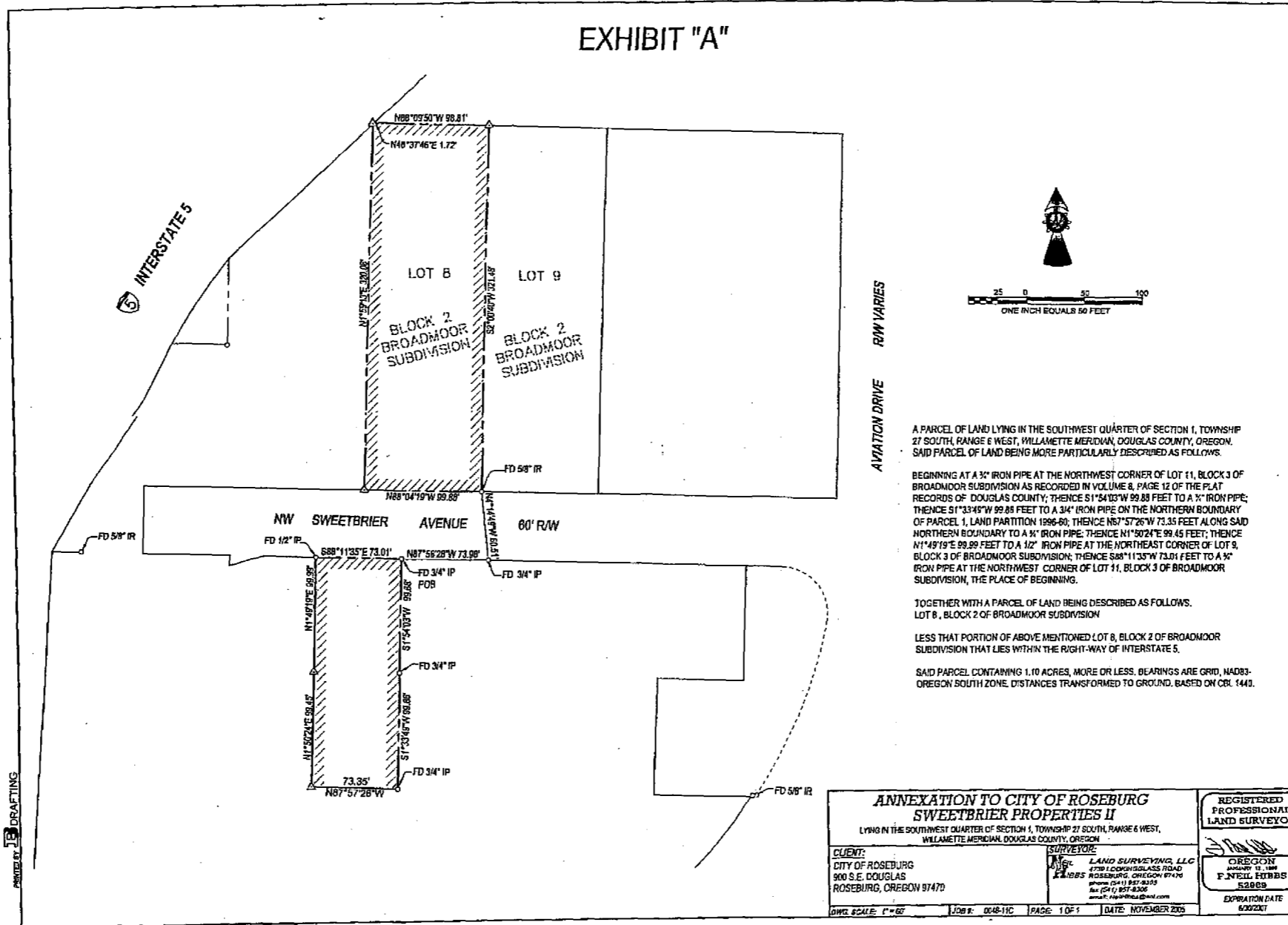
\_\_\_\_\_  
Mayor

ATTEST:



\_\_\_\_\_  
Acting Recorder

EXHIBIT "A"



A PARCEL OF LAND LYING IN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 27 SOUTH, RANGE 6 WEST, WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 3/4" IRON PIPE AT THE NORTHWEST CORNER OF LOT 11, BLOCK 3 OF BROADMOOR SUBDIVISION AS RECORDED IN VOLUME 8, PAGE 12 OF THE PLAT RECORDS OF DOUGLAS COUNTY; THENCE S1°54'03"W 99.88 FEET TO A 1/2" IRON PIPE; THENCE S1°33'49"W 99.88 FEET TO A 3/4" IRON PIPE ON THE NORTHERN BOUNDARY OF PARCEL 1, LAND PARTITION 1996-80; THENCE N87°57'26"W 73.35 FEET ALONG SAID NORTHERN BOUNDARY TO A 1/2" IRON PIPE; THENCE N1°50'24"E 99.45 FEET; THENCE N1°49'19"E 99.99 FEET TO A 1/2" IRON PIPE AT THE NORTHEAST CORNER OF LOT 9, BLOCK 3 OF BROADMOOR SUBDIVISION; THENCE S88°11'35"W 73.01 FEET TO A 3/4" IRON PIPE AT THE NORTHWEST CORNER OF LOT 11, BLOCK 3 OF BROADMOOR SUBDIVISION, THE PLACE OF BEGINNING.

TOGETHER WITH A PARCEL OF LAND BEING DESCRIBED AS FOLLOWS:  
LOT 8, BLOCK 2 OF BROADMOOR SUBDIVISION

LESS THAT PORTION OF ABOVE MENTIONED LOT 8, BLOCK 2 OF BROADMOOR SUBDIVISION THAT LIES WITHIN THE RIGHT-WAY OF INTERSTATE 5.

SAID PARCEL CONTAINING 1.10 ACRES, MORE OR LESS. BEARINGS ARE GRID, NAD83-OREGON SOUTH ZONE. DISTANCES TRANSFORMED TO GROUND, BASED ON CBL 1443.

<b>ANNEXATION TO CITY OF ROSEBURG</b> <b>SWEETBRIER PROPERTIES II</b> LYING IN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 27 SOUTH, RANGE 6 WEST, WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON		REGISTERED PROFESSIONAL LAND SURVEYOR
CLIENT: CITY OF ROSEBURG 900 S.E. DOUGLAS ROSEBURG, OREGON 97470	SURVEYOR: LAND SURVEYING, LLC 4730 I. COOKS GILCLASS ROAD ROSEBURG, OREGON 97470 PHONE (541) 857-8355 FAX (541) 857-8306 www.landsurveyingllc.com	 OREGON JANUARY 13, 1988 F. NEIL HIBBS 52809 EXPIRATION DATE 6/30/21
DATE SCALE: 1"=60' JOB #: 0048-11C PAGE: 10 OF 11 DATE: NOVEMBER 2005		

PREPARED BY: B DRAFTING

BEFORE THE PLANNING COMMISSION  
OF THE CITY OF ROSEBURG

In the matter of the )  
application of City of )  
Roseburg for Annexation of )  
Territory into City of )  
Roseburg for approximately )  
1.08± acres, for that area )  
surrounded by the current )  
City Limits; and, the )  
Roseburg Urban Growth )  
Boundary; commonly known )  
as, 354 & 353 NE )  
Sweetbrier Ave further )  
described as Tax Lots )  
02000 & 03100 in Section )  
01CD, Township 27 South, )  
Range 06 West Willamette )  
Meridian, Tax Accounts )  
R61645 and R61715. )  
)

FINDINGS OF FACT  
AND DECISION

FILE NO. AN-05-14

Finding No. 1

*This matter came before the Planning Commission for public hearing on December 5, 2005 in the Council Chambers of Roseburg City Hall, 900 SE Douglas Avenue, Roseburg, Oregon.*

Finding No. 2

*The applicant made said request in due format as provided by the City of Roseburg, applicable to annexation of territory.*

Finding No. 3

*The subject properties are adequately described and applicable to annexation of territory*

The subject parcel is described as:

1. Tax Lot 02000 is identified as a 0.74 acre± parcel located in Section 01CD in Township 27 South, Range 06 West Willamette Meridian and further identified as Tax Account R61645.
2. Tax Lot 03100 is identified as a 0.34 acre± parcel located in Section 01CD in Township 27 South, Range 06 West Willamette Meridian and further identified as Tax Account R61715.

ORDINANCE NO. 3221 - Page 5 - Exhibit "B"



Finding No. 4

*Notice of the Legislative public hearing was mailed to affected property owners a minimum of 20 days before the public hearing and notice was given by publication in the News Review, a newspaper of general circulation, at least 10 days prior to the date of the hearing.*

The Commission identifies the following, Oregon Revised Statute Chapter 222, as that relevant section of State Law, which allows annexation of property into a municipal boundary:

**ORS 222.120**

Procedure without election by city electors; hearing; ordinance subject to referendum.

- (1) Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection.
- (2) When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation.
- (3) The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period.
- (4) After the hearing, the city legislative body **may**, by an ordinance containing a legal description of the territory in question:
  - (a) Declare that the territory is annexed to the city upon the condition that the majority of the votes cast in the territory is in favor of annexation;
  - (b) Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS 222.125 or 222.170, prior to the public hearing held under subsection (2) of this section; **or**
  - (c) Declare that the territory is annexed to the city where the Department of Human Services, prior to the public hearing held under subsection (1) of this section, has issued a finding that a

danger to public health exists because of conditions within the territory as provided by ORS 222.840 to 222.915.

- (5) If the territory described in the ordinance issued under subsection (4) of this section is a part less than the entire area of a district named in ORS 222.510, the ordinance may also declare that the territory is withdrawn from the district on the effective date of the annexation or on any subsequent date specified in the ordinance. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465.
- (6) The ordinance referred to in subsection (4) of this section is subject to referendum.
- (7) For the purpose of this section, ORS 222.125 and 222.170, "owner" or "landowner" means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land. [Amended by 1953 c.220 §2; 1955 c.51 §1; 1961 c.511 §1; 1967 c.624 §14; 1971 c.673 §2; 1985 c.702 §8; 1987 c.818 §11; 1993 c.18 §39]

**ORS 222.750**

Annexation of unincorporated territory surrounded by city. When territory not within a city is surrounded by the corporate boundaries of the city, or by the corporate boundaries of the city and the ocean shore or a stream, bay, lake or other body of water, it is within the power and authority of that city to annex such territory. However, this section does not apply when the territory not within a city is surrounded entirely by water. Unless otherwise required by its charter, annexation by a city under this section shall be by ordinance or resolution subject to referendum, with or without the consent of any owner of property within the territory or resident in the territory. [Amended by 1963 c.444 §1; 1985 c.702 §16]

Simply stated, a Legislative Annexation may take place with or without owner(s) consent if lands are surrounded by the city; either, by boundary or by water body. Additionally, no electors live on the subject properties and all structures are vacant.

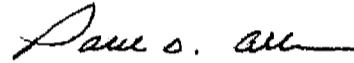
Proposed Finding No. 5

*No electors reside on the subject property and lands are surrounded by city corporate boundary.*

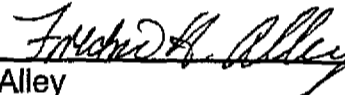
**DECISION**

In consideration of the foregoing findings of fact and conclusions, the Planning Commission supports a recommendation to the City Council, **APPROVAL** of Planning File AN-05-14, Annexation for subject lands described herein.

DATED THIS 21<sup>ST</sup> DAY OF DECEMBER, 2005



Paul Allen, Chairman



Fred Alley  
Community Development Director

Planning Commission Members:

Paul Allen - Chairman  
Chris Clark  
Jim Gamble  
Ron Hughes  
Don Metzger

Absent

Samuel Sweet  
Ingrid Weisenbach

BEFORE THE PLANNING COMMISSION  
OF THE CITY OF ROSEBURG

In the matter of the application of )  
City of Roseburg for a Zone )  
Change from County - Medium )  
Industrial (M-2) to City - Mixed )  
Use (MU) on two parcels totaling )  
approximately 1.08± acres, for )  
that area surrounded current City )  
Limits; and, the Roseburg Urban )  
Growth Boundary; commonly )  
known as, 354 & 353 NE )  
Sweetbrier Ave further described )  
as Tax Lots 02000 & 03100 in )  
Section 01CD, Township 27 )  
South, Range 06 West Willamette )  
Meridian, Tax Accounts R61645 )  
and R61715. )

FINDINGS  
OF FACT  
AND DECISION

FILE NO.s ZC-05-15

The Roseburg Planning Commission makes the following findings to support a decision:

**Finding No. 1**

*The applicant made said request in due format as provided by the City of Roseburg, applicable to a Zone change.*

**Finding No. 2**

*The subject property are adequately described as required for a Zone change request.*

**Finding No. 3**

*This matter came before the Planning Commission for public hearing on December 5, 2005 in the Council Chambers of Roseburg City Hall, 900 SE Douglas Avenue, Roseburg, Oregon.*

**Finding No. 4**

*Notice of the Quasi-Judicial public hearing was mailed to affected property owners a minimum of 20 days before the public hearing and notice was given by publication in the News Review, a newspaper of general circulation, at least 10 days prior to the date of the hearing.*

**Finding No. 5**

*Criterion contained in City of Roseburg Land Use and Development Ordinance Article 38 is applicable for evaluation of this application.*

ORDINANCE NO. 3221 - Page 9 - Exhibit "C"

**Finding No. 6**

*The subject properties, 1.08 ± total acres, are situated on Sweetbrier Ave West of Aviation Drive. The subject parcel is further described as Tax Lots 02000 & 03100 in Section 01CD, Township 27 South, Range 06 West Willamette Meridian, Tax Accounts R61645 and R61715; and, commonly known as, 354 & 353 NE Sweetbrier Ave.*

**Finding No. 7**

*No letters of remonstrance were received by the Roseburg Community Development Department.*

The following policy statements contained within the Roseburg Urban Area Comprehensive Plan have been found to be relevant to the proposed Zone change:

**Economic Policy No. 1**

*The City of Roseburg shall encourage economic growth by demonstrating a positive interest in existing and new industries, especially those providing above-average wage and salary levels, and increased variety of job opportunities, a rise in the standard of living, and utilization of the resident labor force.*

**Finding No. 8**

Criterion contained in City of Roseburg Land Use and Development Ordinance and Comprehensive Plan clearly define economic policies for the evaluation of this application. This Legislative Action brings forward, the possibility of stimulating new industrial and commercial growth and definitively quantifies as providing for future growth in the Roseburg area.

**Transportation Policy No. 1**

*The City shall develop a transportation master plan which will serve as the basis for guiding surface transportation improvements in the Roseburg Urban Area. The master plan shall be coordinated with the transportation planning activities of Douglas County.*

**Finding No. 9**

Criterion contained in City of Roseburg Land Use and Development Ordinance and Comprehensive Plan clearly define transportation policies for the evaluation of this application. This Legislative Action as submitted does not warrant a Traffic Impact Study because a change from Medium Industrial to Mixed Use will not increase traffic trips beyond that already considered in the Roseburg Area Comprehensive Plan, due to the parcel size.

**Urbanization Policy No. 3**

*The conversion of urbanizable land within the urban growth boundary to urban uses shall be guided by a growth management program which provides for the orderly and economically efficient extension of public facilities and services, while taking into consideration the need for an adequate supply of land to meet future housing requirements. The growth management program shall encourage the development of vacant lands that have urban services before the extension of services beyond presently served areas.*

**Finding No. 10**

Criterion contained in City of Roseburg Land Use and Development Ordinance and Comprehensive Plan clearly define urbanization policies for the evaluation of this application. This Legislative Action as presented does not conflict with present urbanization policies as presented.

**Finding No. 11**

*The site appears suitable to the proposed zone with respect to the public health, safety and welfare of the surrounding area. The application as presented does not conflict with present community as presented.*

**Conclusion**

Based on the above Staff Report and Proposed Findings of Fact it appears that the proposed Zoning Change request complies with criteria set forth in Article 38, Section 3.30.100 (Zone Change) of the City of Roseburg Land Use and Development Ordinance. Issues concerning permitted use site development will be reviewed by departments at time of application. If the applicant/owner or other chooses to a development process such as a variance, land division, conditional use then additional review will be required and a public hearing scheduled per Roseburg LUDO. The change in Zoning appears to comply with criteria set forth in LUDO Article 38, Section 3.30.100 of the City of Roseburg Land Use and Development Ordinance and Section 197.175 of the Oregon Revised Statutes.

**DECISION**

In consideration of the foregoing Findings of Fact and Conclusions, the Planning Commission supports a recommendation to the City Council, **APPROVAL** of Planning File ZC-05-15 allowing a Zone change from County - Medium Industrial (M-2) to City - Mixed Use (MU) for the subject lands.

DATED THIS 21<sup>ST</sup> DAY OF DECEMBER, 2005

*Paul D. Allen*

Paul Allen, Chairman

*Fred Alley*

Fred Alley

Community Development Director

Planning Commission Members:

Paul Allen - Chairman  
Chris Clark  
Jim Gamble  
Ron Hughes  
Don Metzger

Absent

Samuel Sweet  
Ingrid Weisenbach