



**Oregon**

Theodore R. Kulongoski, Governor

**Department of Land Conservation and Development**

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

[www.lcd.state.or.us](http://www.lcd.state.or.us)



**NOTICE OF ADOPTED AMENDMENT**

11/24/2008

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

**FROM:** Mara Ulloa, Plan Amendment Program Specialist

**SUBJECT:** City of Junction City Plan Amendment  
DLCD File Number 002-08

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Monday, December 08, 2008

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

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

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

**Cc:** Kay Bork, City of Junction City  
Gloria Gardiner, DLCD Urban Planning Specialist  
Ed Moore, DLCD Regional Representative  
Amanda Punton, DLCD Regional Representative  
Thomas Hogue, DLCD Regional Representative  
Bill Holmstrom, DLCD Transportation Planner

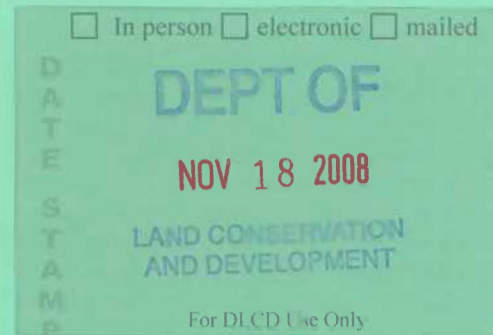
<paa> YA/

NR01 **2**

# DLCD

## Notice of Adoption

**THIS FORM MUST BE MAILED TO DLCD  
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION  
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18**



Jurisdiction: **City of Junction City**

Local file number: **A-08-01**

Date of Adoption: **11/10/2008**

Date Mailed: **11/17/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **No** Date: **6/17/2008**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

Annexation and zoning of 80 acres of property designated Professional Technical and Open Space Overlay in the City's Comp Plan and zoned EFU (county zone). As part of Annexation, the City requires the property to be zoned consistent with the City's Comprehensive Plan. The proposed zone change to Professional Technical and Stream Corridor Wetland Overlay District is consistent with the adopted Comprehensive Plan Map which designates the subject area as Professional Technical and Open Space.

Does the Adoption differ from proposal? **No**, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from:

to: **PT and SCWD**

Location: **West of Oaklea Drive, between 10th and 6th Ave**

Acres Involved: **80**

Specify Density: Previous:

New:

Applicable statewide planning goals:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

*DLCD # 002-08 (16948)*

If no, did Emergency Circumstances require immediate adoption?

Yes  No

DLCD file No. \_\_\_\_\_

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

Lane County

Local Contact: **Kay Bork**

Phone: (541) 998-2153 Extension:

Address: **680 Greenwood Ave**

Fax Number: **541-998-3140**

City: **Junction City**

Zip: **97448**

E-mail Address: **kbork@ci.junction-city.or.us**

### ADOPTION SUBMITTAL REQUIREMENTS

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

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

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

# JUNCTION CITY COUNCIL AGENDA ITEM SUMMARY



---

## SECOND READING OAKLEA ENTERPRISES INC ANNEXATION & ZONE CHANGE (A-08-01)

---

Meeting Date: November 10, 2008  
Department: Planning  
[www.ci.junction-city.or.us](http://www.ci.junction-city.or.us)

Agenda Item Number: 5  
Staff Contact: Kay Bork  
Contact Telephone Number: 998-4763

---

### ISSUE STATEMENT

This summary is prepared to provide information on the second reading of an ordinance to annex 82 acres into the City of Junction City and zone the property Professional Technical District (PT) and Stream Corridor and Wetland District Overlay (SCWD). The requested zoning is consistent with the Junction City Comprehensive Plan designations for the subject property.

### BACKGROUND

On August 19, 2008 the Junction City Planning Commission held a public hearing in accordance with Section 112 of the Zoning Regulations. The Planning Commission made a motion to recommend conditional approval of the annexation and zone change request to the City of Junction City, City Council.

The City Council held a public hearing September 9<sup>th</sup> and continued the public hearing to October 14<sup>th</sup> in order to further discuss water and sewer capacity issues. The Council discussed the uses allowed in the Professional Technical zone and impacts the electronic and computer manufacturing and other industrial uses would have on sewer capacity and water quality as well as compatibility with residential uses and thought some of the uses should be eliminated from the zoning district.

The City Council made a motion to remove the restrictions in the Professional Technical Zone which were included in the draft Annexation Agreement. The Agreement, as part of annexation approval, has been amended to remove this language and is attached as an exhibit to the Annexation and Rezone Ordinance. No other changes have been made to the Agreement.

### RELATED CITY POLICIES

An Annexation Agreement between the City and the owner will be executed addressing the commitments and obligations of the parties for providing utilities to the site. The provision of sewer, water, storm water, and transportation improvements by the property owner have been addressed in the Annexation Agreement. The agreement also includes language limiting electronic, computer manufacturing, and light industrial uses on the subject property. The draft agreement is attached for your review.

**COUNCIL OPTIONS**

- a. Approve the Annexation and Zone Change with the recommended conditions based on Findings of Fact attached to the adopting ordinance.
- b. Approve the Annexation and Zone Change with changes to the conditions of approval and/or changes to the findings in the Findings of Fact attached to the adopting ordinance.
- c. Deny the Annexation and Zone Change with findings supporting the denial.
- d. Continue public hearing to a date to be determined.

**CITY ADMINISTRATOR'S RECOMMENDATION**

None.

**SUGGESTED MOTION**

Council moves to approve Ordinance No. 1

Council moves to deny Ordinance No. 1

**ATTACHMENTS**

A. None

**FOR MORE INFORMATION**

Staff Contact: Kay Bork  
Telephone: 998-4763  
Staff E-Mail: kbork@ci.junction-city.or.us

ORDINANCE NO. 1187

AN ORDINANCE APPROVING THE ANNEXATION OF A PORTION OF TAX LOT 2400 AND TAX LOT 2500 OF T15S R04W S31 AND PORTIONS OF OAKLEA DRIVE AND W 6<sup>TH</sup> AVENUE RIGHT OF WAY AND AMENDING THE CITY OF JUNCTION CITY OFFICIAL ZONING MAP, TO REZONE A PORTION OF TAX LOT 2400 AND TAX LOT 2500 OF T15S R04W S31 FROM LANE COUNTY EXCLUSIVE FARM USE (EFU) TO JUNCTION CITY ZONING PROFESSIONAL TECHNICAL (PT) AND STREAM CORRIDOR WETLAND DISTRICT (SCWD).

WHEREAS, a request to annex Tax Lots 2400, 2500 of T15S R04W S31 and Oaklea Drive right-of-way, as described in the legal description attached as Exhibit A was submitted on April 4, 2008; and

WHEREAS, a request to rezone Tax Lots 2400, 2500 of T15S R04W S31 was submitted concurrently with the annexation request consistent with Section 2(8) of Annexation Ordinance 1182; and

WHEREAS, the property owner initiated the Annexation request as authorized by Section 2 of Annexation Ordinance 1182; and

WHEREAS, the City provided notice of and held public hearings before the Planning Commission and City Council as required by Section 112 of Zoning Ordinance 950 and Section 2(6) of Annexation Ordinance 1182; and

WHEREAS, the Junction City Planning Commission held a public hearing August 19, 2008 following the required procedures for approving an annexation and zone change per Sections 106,108 and Section 111(A)(4) of the Zoning Ordinance 950 and made a recommendation to the City Council; and

WHEREAS, the City Council held a public hearing September 9, 2008 and took testimony on this matter, taking said testimony into consideration in making its decision; and

WHEREAS, the City Council determined that annexation of said territory into the City of Junction City is consistent with the requirements for Annexations in Section 2 of Annexation Ordinance 1182 as explained in the Findings of Fact attached as Exhibit B; and

WHEREAS, the subject property is currently designated as Professional Technical (PT) and Open Space (OS) by the Junction City Comprehensive Plan; and

WHEREAS, the City Council determined that said rezone from Lane County Exclusive Farm Use (EFU) to Junction City Zoning Professional Technical (PT) and Stream Corridor Wetland District (SCWD) is consistent with the plan designation of Professional Technical and Open Space as set forth in the Junction City Comprehensive Plan; and

WHEREAS, the Annexation Agreement required by Section 2 of Annexation Ordinance 1182 is attached and incorporated herein as Exhibit C; and

WHEREAS, after annexation the territory will remain in the Junction City Rural Fire Protection District and the Junction City Water Control District; now, therefore

THE CITY OF JUNCTION CITY ORDAINS AS FOLLOWS:

Section 1. The Common Council of the City of Junction City hereby approves the annexation of territory to the City of Junction City as described in the attached Exhibit "A" and is made a part hereto of this ordinance.

Section 2. The Common Council of the City of Junction City adopts the above findings and the attached Findings of Fact, incorporated herein as Exhibit "B", as the basis of this decision to Annex said property and change the Junction City Official Zoning Map.

Section 3. The City of Junction City Official Zoning Map is hereby amended to reflect the new zoning of PT, Professional Technical, and SCWD, Stream Corridor Wetland District, for tax lots 2400 and 2500 as annexed into the City Limits, T15S R04W S31; more particularly described in the attached Exhibit "D" and is made a part hereto of this ordinance.

Section 4. Effectiveness of the Ordinance is contingent upon execution of the Annexation Agreement.

Read in full for its first reading on the 14<sup>th</sup> day of October 2008.

Read by title only, for its second reading this 10<sup>th</sup> of November 2008.

Passed by the Council this 10th day of November 2008.

Approved by the Mayor this 10th day of November 2008.

APPROVED:

  
Dwight Coon, Mayor

ATTEST:

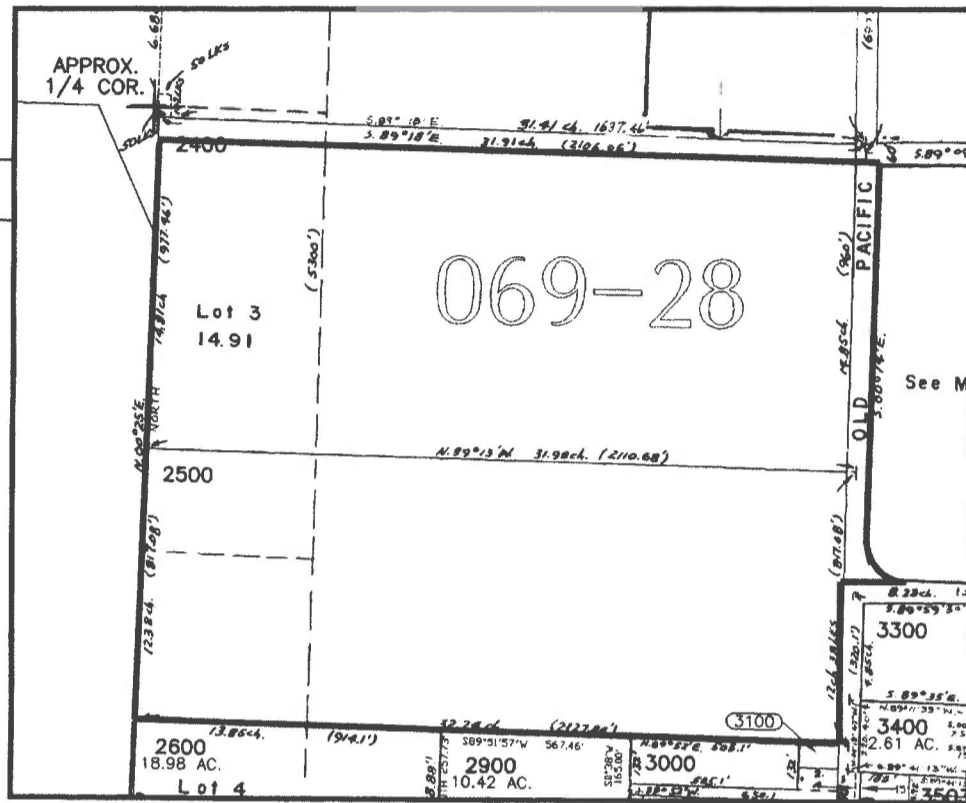
  
Kitty Vodrup, City Recorder

**EXHIBIT A**

**Legal Description of Property to be Annexed**

Beginning at a point in the West line of Section 31, Township 15 South, Range 4 West of the Willamette Meridian, 93.00 feet m/l South of the quarter Section corner on said line, also being on the Junction City municipal limits; thence South 89° 18' East along said municipal limits 2,136.06 feet m/l to a point on the Easterly right of way boundary of County Road No. 98, known as Oaklea Drive, said point being 30.00 feet m/l from, when measured at a right angle to, the centerline of County Road No. 98 (Oaklea Drive); thence leaving said municipal limits, South 00° 17' East along the Easterly right-of-way boundary of said County Road 1,175.17 feet m/l, to a point 30.00 feet m/l East from, when measured at a right angle to, Station 430+00 located on the centerline of County Road 98 (Oaklea Drive); thence Southeasterly along a radius curve 102.3 feet m/l 119.00 feet m/l to a point 30 feet m/l North from, when measured at a right angle to, Station 431+64.3 located on the centerline of County Road No. 870 (6<sup>th</sup> Avenue), also being on the Junction City municipal limits; thence North 88° 01' West along said municipal limits 132.00 feet m/l to a point on the Westerly right-of-way of County Road 98 (Oaklea Drive), said point being 30.00 feet m/l West from, when measured at a right angle to, the centerline of County Road 98 (Oaklea Drive); thence South 00° 17' East along the Westerly-right-of way of said County road and said municipal limits 452.00 feet m/l to a point on the Westerly boundary of County Road 98 (Oaklea Drive); thence leaving said municipal limits, South 89° 52' West 2,067.84 feet m/l to a point in the West line of Section 31, Township 15 South Range 4 West of the Willamette Meridian, also being on the Junction City municipal limits; thence along said municipal limits, North 00° 25' East 1,734.54 feet m/l along said West Section line to the point of beginning in Section 31 of said Township and Range, in Lane County, Oregon .





Ordinance No. 1187 – Exhibit A

## **EXHIBIT B**

### **FINDINGS OF FACT ANNEXATION OF TERRITORY TO THE CITY OF JUNCTION CITY AND ZONE CHANGE (A-08-01)**

The City Council of the City of Junction City finds the following:

1. The property owner; Oaklea Enterprises, Inc.; initiated the annexation and amendment to the Junction City Zoning Map on April 4, 2008, as authorized by Section 2 of Annexation Ordinance No. 1182 and Section 107 of Zoning Ordinance No. 950.
2. The applicant submitted the application and information required by Section 2(5) of Annexation Ordinance No. 1182 and Section 106 through 109 of Zoning Ordinance No. 950.
3. As submitted, the annexation included a portion of Tax Lot 2400 and all of Tax lot 2500 on Lane County Assessor's Map #15-04-31 and portions of Oaklea Drive and W 6<sup>th</sup> Avenue.
4. The tax lotted portion of the annexation was designated as Professional Technical (PT) and Open Space (OS) by the City of Junction City Comprehensive Plan.
5. The applicant requested that the Professional Technical (PT) and Stream Corridor and Wetlands District (SCWD) city zoning districts be applied consistent with the Plan designations.
6. The Junction City Planning Commission held a public hearing on August 19, 2008, after giving the required notice for legislative decisions per Section 111(A)(4)(c) and (d) of Zoning Ordinance No. 950.
7. The Junction City Planning Commission followed the required procedures by forwarding a written recommendation for approval of the annexation to the City Council consistent with Section (2)(5) of Annexation Ordinance No. 1182 and of the zone change consistent with Sections 106, 108, 111, and 114 of Zoning Ordinance No. 950.
8. The Junction City City Council held a public hearing on September 9, 2008, after giving the notice required in Section 2(6) of Annexation Ordinance No. 1182 and Oregon Revised Statute (ORS) 222.120(3).
9. The Junction City City Council approved the annexation and zone change based on the following findings of fact:

**Section 2. Annexations**

- (1) The purpose of this Chapter is to establish procedures relating to the annexation of territory into the City of Junction City and provide a process for the subsequent withdrawal of territory from special districts in accordance with applicable state statutes.**
- (2) These regulations apply to annexation applications as specified in this section. Other proposals permitted by ORS 222 shall be processed as provided in ORS 222.**

**STAFF FINDING:** Staff finds the City of Junction City Ordinance No. 1182 — Annexation, Withdrawals, and Extraterritorial Extensions was adopted on January 8, 2008, and conforms to the provisions of ORS Chapter 222 — City Boundary Changes; Mergers; Consolidations; Withdrawal as it pertains to annexations and thereby satisfies the above stated criteria.

- (3) Annexation applications are reviewed under Type IV procedures per Zoning Ordinance No. 950 Section 111. The Planning Commission shall forward a written recommendation on the application to the City Council based on the approval criteria specified in Section 2. The City Council shall approve proposed annexations and withdrawals by Ordinance.**

**STAFF FINDING:** The applicant submitted an annexation application on April 4, 2008. Staff reviewed the application in a manner consistent with the review procedures contained in Section 111 of the City of Junction City Zoning Ordinance No. 950 for a Type IV application. A public hearing before the City of Junction City Planning Commission was scheduled and held on August 19, 2008. The Planning Commission forwarded the required written recommendation for approval to the City Council by Final Order, based on the approval criteria in Section 2, Annexation Ordinance No. 1182.. The City Council shall use an Ordinance for its decision on the annexation request. Staff finds the procedures for Type IV applications have been followed and concludes that the above criteria was satisfied.

- (4) Annexation Initiation. An annexation application may be initiated by City Council resolution, or by written consents from electors and/or property owners as provided for in this Section.**

**STAFF FINDING:** The annexation request was initiated by consents from the property owner—Oaklea Enterprises, Inc. Staff finds the initiation of this annexation by the property owner is permitted and this criteria was satisfied.

- (5) Application Requirements. In addition to the provisions specified in other sections of this Code, an annexation application shall include the following:**

(a) **A list of all owners, including partial holders of owner interest, within the affected territory, indicating for each owner:**

1. **The affected tax lots, including the township, section and range numbers;**
2. **The street or site addresses within the affected territory as shown in the Lane County Regional Land Information Database system (RLID);**
3. **A list of all eligible electors registered at an address within the affected territory; and**
4. **Signed petitions as required.**

**APPLICANT'S RESPONSE:** *The property to be annexed is a single ownership composed of two tax lots totaling approximately 86 acres (see tax lot map). 83 acres of the ownership is currently unincorporated land. RLID gives the addresses as 94262 Oaklea Drive (TL 2400) and 94170 Oaklea Drive (TL 2500), Junction City, Oregon. Tax Lot 2400 is an agricultural parcel developed with a 1900 farm dwelling and agricultural buildings. Currently, three people reside on the property, one of whom is an elector. Tax Lot 2500 is currently vacant and therefore has no eligible electors associated with it. A signed petition from the property owner, Oaklea Enterprises, Inc., requesting annexation is included as part of this application for a triple-majority annexation and zone change.*

**STAFF FINDING:** The applicant submitted all of the required materials stated above. At the request of City staff, the Lane County Elections Division provided written confirmation on the two eligible electors registered at 94262 Oaklea Drive. Staff concludes this criteria was satisfied.

(b) **Written consents on City approved petition forms that are:**

1. **Completed and signed, in accordance with ORS 222.125, by;**
  - a. **All of the owners within the affected territory; and**
  - b. **Not less than 50 percent of the eligible electors, if any, registered within the affected territory; or**
2. **Completed and signed, in accordance with ORS 222.170, by:**
  - a. **More than half the owners of land in the territory, who also own more than half the land in the contiguous territory and of real property therein representing more than half the assessed value of all real property in the contiguous territory; or**

**b. A majority of the electors registered in the territory proposed to be annexed and a majority of the owners of more than half the land.**

**c. Publicly owned rights-of-way can be added to annexations initiated by these two methods without any consents.**

**(c) A City Council resolution to initiate a boundary change, including but not limited to rights-of way.**

**STAFF FINDING:** The owner of the real property included in the annexation request consented in writing on an approved petition. The requirements of 2.a. above for consent from more than half of the owners of land, who also own more than half of the land area and assessed value was received. Staff concludes that this criteria was satisfied.

**(d) In lieu of a petition form described above, an owner's consent may be indicated on a previously executed Consent to Annex form that has not yet expired as specified in ORS 222.173.**

**(e) Verification of Property Owners form signed by the Lane County Department of Assessment and Taxation.**

**(f) A Certificate of Electors form signed by the Lane County Elections/Voter Registration Department including the name and address of each elector.**

**(g) An ORS 197.352 waiver form signed by each owner within the affected territory.**

**(h) A waiver form signed by each owner within the affected territory as allowed by ORS 222.173.**

**STAFF FINDING:** The above criteria as been met as follows: (d) no prior Consent to Annex was filed for the annexing properties; (e) the petition signed and submitted by the owner contained verification of property ownership from Lane County Department of Assessment and Taxation; (f) no elector consents were obtained or required for this annexation, however, information from the Lane County Elections/Voter Registration Department was provided for the two eligible registered voters; (g) the waiver required by this criteria was no longer required consistent with Oregon law; and (h) consent from the only owner within the annexation area was provided on an approved petition and did not exceed the statutorily required time limit for signature validity.

**(i) A legal description of the affected territory proposed for annexation consistent with ORS 308.225 that will include contiguous or adjacent right-of-way to ensure contiguity as required by ORS 222.111.**

(j) **A Lane County Assessor's Cadastral Map to scale highlighting the affected territory and its relationship to the city limits.**

(k) **A list of the special districts providing services to the affected territory.**

**STAFF FINDINGS:** Staff finds the applicant provided a legal description of the territory proposed to be annexed into the City of Junction City, a cadastral map with the subject properties highlighted, and a list of all the special districts serving the subject properties. Staff finds that the subject properties reside within the jurisdiction of the Junction City Water Control District and the Junction City Rural Fire Protection District. These districts are considered to be special service districts that, respectively, provide fire protection and control Flat/Crow Creek for the properties. Based on the materials submitted by the applicant, staff finds the criteria to be satisfied.

(l) **A public/private utility plan describing how the proposed affected territory can be served by key facilities and services.**

(m) **A written narrative addressing the proposal's consistency with the approval criteria specified in Section 2.**

**STAFF FINDINGS:** Staff finds the applicant submitted a utility plan with the annexation and zone change request application and provided a narrative addressing the approval criteria, specified in Section 2 of Annexation Ordinance No. 1182. Based on the material submitted by the applicant, the above criteria are satisfied.

(6) **Notice. In addition to the requirements of Ordinance No. 950 Section 112, the following are also required for annexations:**

(a) **Mailed Notice. Notice of the annexation application shall be mailed to:**

1. **The applicant, property owner and active electors in the affected territory;**
2. **Owners and occupants of properties located within 300 feet of the perimeter of the affected territory;**
3. **Affected special districts and all other public utility providers; and**
4. **Lane County Land Management Division, Lane County Elections, and the Lane County Board of Commissioners.**

(b) **Posted Notice. Notice of the public hearing at which an annexation application will be considered shall be posted in four public places in the City for two successive weeks prior to the hearing date.**

**STAFF FINDINGS:** Notice of the public hearings before the Planning Commission and City Council were mailed to the applicant/owner and electors in the affected territory on July 22, 2008. Mailed notice to property owners within 300 feet of the perimeter of the subject annexation area was provided on July 22, 2008. Notice of the Planning Commission public hearing was provided two weeks prior to the public hearing on July 30th, 2008. Notice of the City Council public hearing was provided consistent with Zoning Ordinance No. 950 for a Type IV application and ORS 222.115(3). Published notice of the public hearing appeared once each week for two successive weeks prior to the day of the hearing in the Register Guard on August 25, 2008, and September 1, 2008. Notice of the hearing was posted in four public places in the city (City of Junction City website, two bulletin boards in city hall, and library) two successive weeks prior to the day of hearing on September 9, 2008, Staff finds that this criterion was met.

**(7) Criteria. An annexation application may be approved only if the City Council finds that the proposal conforms to the following criteria:**

**(a) The affected territory proposed to be annexed is within the City's urban growth boundary, and is;**

**1. Contiguous to the City limits**

**STAFF FINDINGS:** Both the City of Junction City Comprehensive Plan Map and Zoning Map shows the annexation area to be contiguous to the City limits along its northern, western, and a portion of its easterly boundaries. Those maps also show the annexation area completely within the City of Junction City urban growth boundary. Staff finds the annexation area is within the City of Junction City urban growth boundary and contiguous to the City limits. Staff concludes that the above stated criterion was satisfied.

**(b) The proposed annexation is consistent with applicable policies in the City of Junction City Comprehensive Plan and in any applicable refinement plans;**

**STAFF FINDING:** The City recently amended the Comprehensive Plan to include four annexation policies (Ordinance No. 1181) pertaining to contiguous annexations. Each policy is quoted below in *bold italic*, followed by the staff's response demonstrating compliance with the applicable policy.

***Chapter 3. Land Use Element***

***V. Annexation Objectives and Policies***

***Contiguous Annexations***

*The city shall review annexation requests to ensure that they comply with all of the following:*

- 1. The proposed annexation is within the urban growth boundary (UGB); land that is inside the UGB of an acknowledged plan is consistent with statewide planning goals.*

**STAFF FINDING:** The annexation area was inside the City of Junction City urban growth boundary, as established in the acknowledged comprehensive plan and as amended through Periodic Review to comply with the Statewide Planning Goals (acknowledged in 1982 and amended through Periodic Review, DLCDC Order #00056, March, 1994). Staff finds the annexation was within the urban growth boundary and complies with the State of Oregon Statewide Planning Goals.

The annexation area was designated as Professional Technical (PT) and Open Space (OS) in the City of Junction City Comprehensive Plan and on the Plan map. Staff finds the zone change to City Professional Technical (PT) and Stream Corridor and Wetland District (SCWD) overlay district was consistent with the plan designations. Staff finds that the proposal was consistent with the City of Junction City Comprehensive Plan, thereby satisfying the above stated criteria.

- 2. The development of the property is compatible with the rational and logical extension of utilities and roads to the surrounding area.*

**STAFF FINDING:** The rational and logical extension of urban services can be provided to the annexation area as addressed under Annexation Criterion 7(c) of these findings and in responses to Comprehensive Plan policies related to public facilities. Future development of the properties was considered in the City's adopted Transportation System Plan (TSP) and updated sewer and water facility plans. Once annexed, the properties will be eligible for extension of City sewer, water, storm drainage, and waste collection services, thereby enabling future development. An Annexation Agreement between the City and the owner has been executed addressing the commitments and obligations of the parties for providing utilities to the site. Adjacent existing roadways were included in the annexation request ensuring that the extension of utilities and roadways was rational and logical. Staff finds that the requirement for the extension of utilities and roads servicing the subject property in a rational and logical manner was satisfied.

- 3. Public facilities and services can be provided in an orderly and economic manner.*

**STAFF FINDING:** Sewer, water, storm water, and transportation have been addressed in the Annexation Agreement between the City and owner. The



Annexation Agreement between the City and the owner has been executed addressing the commitments and obligations of the parties for providing public facilities to the site. Staff finds that the above stated criterion was satisfied.

**4. The annexation is in conformance with Oregon state law and this plan.**

**STAFF FINDING:** The proposed annexation is within the urban growth boundary and contiguous to the municipal limits on two sides, which is consistent with guidance provided by the City's Comprehensive Plan annexation policies, City Annexation Ordinance No. 1182, and ORS Chapter 222. Staff finds that the above stated criterion was satisfied.

*(Continued from 7 above)*

**(c) The proposed annexation will result in a boundary in which key services can be provided;**

**STAFF FINDING:** properties. In addition to the services discussed above, the Junction City Police Department did not raise any concerns about the annexation request. The Junction City Rural Fire Protection District requested the opportunity to comment on any future land division or development review proposal. Staff finds that key urban services can be provided to the subject properties consistent with this criteria.

**(d) A signed Annexation Agreement to resolve fiscal impacts upon the City caused by the proposed annexation shall be provided. The Annexation Agreement shall address, at a minimum, connection to and extension of public facilities and services. Connection to public facilities and services shall be at the discretion of the City, unless otherwise required by ORS. Where public facilities and services are available and can be extended, the applicant shall be required to do so.**

**STAFF FINDING:** Staff finds that a signed Annexation Agreement was in place prior to September 8, 2008, public hearing before the City of Junction City City Council meeting. Staff finds the above stated criterion was satisfied.

**(8) Application of Zoning Districts. An application to apply a zoning district consistent with the Comprehensive Plan designation may be applied for concurrently with the annexation application. Ordinance No. 950 Sections 106 – 109, Amendments to Zoning Ordinance, also apply.**

**STAFF FINDING:** An application to apply city zoning districts consistent with the plan designations was submitted and was processed concurrently with the annexation request. The subject properties were designated as Professional Technical (PT) and Open Space (OS) on the City of Junction City Comprehensive Plan Map. The request to zone the properties Professional Technical (PT) and Stream Corridor and Wetland District Overlay District (SCWD) was consistent with the Plan designations. Staff finds the requested zoning is consistent with the Comprehensive Plan designations for the subject properties

and thereby allowed the annexation and zone change requests to be reviewed concurrently satisfying this criterion.

**ORDINANCE 950—ZONING REGULATIONS**

**Section 106. Authorization to Initiate Amendments.** An amendment to the text or the zoning map of this ordinance may be initiated by the City Council, by the Planning Commission or by application of a property owner or his authorized agent. The Planning Commission shall, within 40 days after a hearing, recommend to the City Council approval, denial, or modification of the proposed amendment. An amendment to the text or the zoning map may be consolidated with a related amendment to the comprehensive plan text or map.

**STAFF FINDING:** The applicant, Oaklea Enterprises Inc., is also the property owner. The applicant has submitted an annexation application for approval to the City of Junction City. Staff finds the applicant/land owner is authorized to initiate an amendment to the City of Junction City Zoning Map. Consequently, the applicant has requested to amend the City of Junction City Zoning Map to zone the property Professional Technical (PT) and Stream Corridor Wetland District (SCWD) overlay. Staff consolidated the land use review of the annexation and zone change applications, which were reviewed concurrently before the City of Junction Planning Commission and City Council. As such, staff finds the above stated criterion to be satisfied.

Ordinance No. 1187 - Exhibit C

After Recording, Return to:

City of Junction City  
P.O. Box 250  
Junction City, OR 97448

Unless requested otherwise, send all tax  
statements to:

Oaklea Enterprises Inc.  
1210 Rose Street  
Junction City, OR 97448

OAKLEA ENTERPRISES INC. ANNEXATION AGREEMENT

This Annexation Agreement ("Agreement") is made between the City of Junction City, an Oregon municipal corporation ("City") and Oaklea Enterprises Inc., ("Oaklea").

RECITALS

RECITALS

- A. OAKLEA owns the parcel of land legally described in Exhibit A and shown on the map attached as Exhibit B. The property is contiguous to the jurisdictional limits of the City on the north and west of the Property's boundary, and is subject to annexation by the City of Junction City following annexation procedures.
- B. OAKLEA has submitted to the City an Annexation Application (A-08-01), deemed complete on May 20, 2008, to annex approximately 86 acres on Assessor's Map No. 15-04-31, tax lots 2400 & 2500 ("Property").
- C. OAKLEA wishes to annex the Property to the City and seeks support from the City for the annexation before the City Council.
- D. The Property is currently designated in the Junction City Comprehensive Plan as Professional Technical (PT) and Open Space (OS) and is zoned by Lane County as Exclusive Farm Use (EFU). Concurrent with annexation, OAKLEA plans to rezone the property to a zone consistent with its Professional Technical (PT) and Open Space (OS) Designations.
- E. Annexation of the Property requires the City to ensure that the following criteria are met per Chapter 3, Section V, Contiguous Annexation Policies of the Junction City Comprehensive Plan.

Contiguous Annexations

The city shall review annexation requests to ensure that they comply with all of the following:

Ordinance No. 1187 - Exhibit C

1. The proposed annexation is within the urban growth boundary (UGB); land that is inside the UGB of an acknowledged plan is consistent with statewide planning goals.
  2. The development of the property is compatible with the rational and logical extension of utilities and roads to the surrounding area.
  3. Public facilities and services can be provided in an orderly and economic manner.
  4. The annexation is in conformance with Oregon state law and this plan.
- F. Annexation policies on the costs of annexation listed in Section 2 of Appendix D to the Zoning Ordinance No. 950 require the following:
- a) Applicants for annexations, withdrawals from special districts, after annexation and extraterritorial extensions shall pay the costs of processing the annexation, including any costs associated with recording, as established by the city council.
  - b) Property owners within the territory requesting annexation must agree to pay all costs of extending city services. The city will require the property owners to sign a non-remonstrance agreement. The city may agree to commit its resources to extend services to an area or contribute to the costs of extending services.
  - c) The city will reach agreement with the property owner(s) requesting annexation on how payment of costs for extending city services will be made during the city's review of an annexation request.
  - d) The city may consider formation of an assessment district in accordance with Junction City ordinances during its review of the annexation request.
- G. The purpose of this Agreement is to memorialize OAKLEA and City's commitment and agreement as to the allocation of financial responsibilities for public facilities and services for the Property and other users of the facilities, sufficient to meet the City's requirements for the provision of key urban services necessary for City approval of the annexation request.
- H. SANITARY SEWER: Currently there is no gravity sewer line near the Property that can provide sewer service to the Property. To serve the Property, OAKLEA shall extend a sewer line from the City of Junction City's sewer pump station located in "Tract F" of the Reserve at Junction City Subdivision to the Property. The pump station was built to accommodate future use of the subject property. The City sewer system does not currently have capacity to serve the property (treatment and effluent). The OAKLEA Sewer line shall be designed and constructed as a public

Ordinance No. 1187 - Exhibit C

gravity sewer line. OAKLEA is further responsible for extending the sewer main line to support any new development on Property, including any required upgrades to existing sewer mains and improvements to provide treatment and disposal capacity necessary to provide such sanitary sewer service. All sanitary sewer service must be provided consistent with the Junction City Public Works Design Standards. Even without connection, OAKLEA shall begin paying the base sewer service rate for the dwelling unit on the Property upon annexation.

- I. WATER: There is currently a 16-inch waterline stub in the Oaklea Drive right-of-way that can serve the Property. To serve the Property OAKLEA shall be responsible for extending and connecting the 16-inch waterline in Oaklea Drive from 10<sup>th</sup> Street down to 6<sup>th</sup> Street in the Oaklea Drive right-of-way. To serve the Property, OAKLEA shall provide, at minimum, 500 gallons per minute (gpm) of City of Junction City water to the Property through designing and constructing City of Junction City water system capacity improvements. All water system capacity improvements by OAKLEA shall be commensurate with the use of the Property. The use of the Property shall be identified by OAKLEA upon submittal of Development Review application to the City Junction City. All water system improvements shall be constructed prior to Final Occupancy approval by the City of Junction City. All water service must be provided in a manner that is consistent with the Junction City Public Works Design Standards, and meet fire flow and internal looping requirements. Even before the Oaklea Drive water line is extended to the Property, OAKLEA shall begin paying the base rate for the dwelling unit(s) on the Property upon annexation.
- J. STORM WATER: The Property is currently not serviced by a storm water drainage system. Future development of Property will be subject to City standards for storm water drainage and detention. OAKLEA is, therefore, responsible for designing and constructing a storm water system in a manner where flows do not exceed pre-development flows. Storm water systems must be provided consistent with the stormwater quality measures and storm drainage requirements, as set forth in the Junction City Public Works Design Standards.
- K. STREETS: The property abuts Oaklea Drive to the east which is designated as a Rural Major Collector in the Lane County Transportation System Plan and is under the jurisdiction of Lane County Public Works. Upon submittal for land division or development, OAKLEA shall submit a Transportation Impact Analysis (TIA) that is consistent with the requirements contained in the Declaration of Conditions, Restrictions and Covenants Relating to Transportation Improvements, Lane County Recorder's Reception # 2002-098039.

OAKLEA shall be responsible for designing and constructing transportation improvements in a manner that is consistent with the requirements contained in the Declaration of Conditions, Restrictions and Covenants Relating to Transportation Improvements, Lane County Recorder's Reception # 2002-098039. For future development, OAKLEA is required to comply with the City's access management

Ordinance No. 1187 - Exhibit C

requirements as stated in Ordinance 950, Appendix H and Development Requirements as stated in Ordinance 944, Section 5(d). OAKLEA is required to design and construct urban street improvements for Oaklea Drive and for any street required or impacted as a result of any proposed land division and or Development Review request with the City. Such improvements will meet or exceed standards of Subdivision Ordinance 804, Development Review Ordinance 944, and Junction City Public Works Design Standards.

- L. PARKS: OAKLEA will be required to pay Park systems development charges for the existing dwelling upon annexation. Any additional development will also be required to pay appropriate system development charges. OAKLEA will dedicate park land consistent with Section 5(H) in City Ordinance 809, as determined necessary in any future development or land division review process.
- M. GARBAGE: The property is not currently serviced by city garbage service. OAKLEA will be required to negotiate, contract and pay for City garbage service upon annexation.
- N. City has determined that the minimum level of public services and City facilities are currently available to Property with regard to police, fire, and emergency services.
- O. In order to: (1) facilitate connection to city services and the orderly development of Property; (2) ensure the full provision of key urban services that are satisfactory to the City; and (3) meet the City's conditions for an affirmative recommendation for annexation to the City Council, and in exchange for the obligations of City set forth below, OAKLEA shall comply with all requirements imposed on it in this Agreement.
- P. City does not wish to approve OAKLEA annexation request or any subsequent land use and development applications if the result could arguably give rise to a later claim by OAKLEA or OAKLEA'S successors and assigns for compensation or a right to require the City to waive City land use regulations in effect upon the effective date of the annexation, which will be newly imposed upon Property by reason and result of this Annexation request.

Now, therefore, based on the foregoing Recitals, which are specifically made a part of this Agreement, the parties agree as follows:

AGREEMENT

- 1. Obligations of OAKLEA. Consistent with the above recitals and subject to the issuance of subdivision, development review, and public improvement plan approvals, OAKLEA agrees to perform the obligations set forth in this section.
  - 1.1 Develop on-site and off-site public sanitary sewer conveyance, treatment and disposal systems as may be necessary to adequately serve new

Ordinance No. 1187 - Exhibit C

construction. Sanitary sewer systems must comply with Junction City Public Works Design Standards. The existing home can continue to use the existing on-site septic system until Subdivision, Partition or Development Review approval is issued by the City of Junction City for the property (Exhibit A). OAKLEA recognizes that no building permit for any new development shall be issued for Property until all improvements as described in Recitals H, I, and K and this Agreement are completed and accepted by City. OAKLEA further agrees that no land use approval that will affect or impact the City's sanitary sewer system will be granted by City, unless sufficient capacity for the proposed development exists within the City's sanitary sewer system, as determined in the City's reasonable discretion.

- 1.2 Develop on-site and off-site water systems as may be necessary to adequately serve any proposed Property development, including paying for and constructing any required extensions and upgrades. Such extensions and upgrades must comply with Junction City Public Works Design Standards, including meeting fire flow requirements and looping waterlines internally throughout Property. The existing home can continue to use the existing on-site water service until Subdivision, Partition or Development Review approval is issued by the City of Junction City for the Property (Exhibit A). Should the City Council pass law or interpret existing law to require connection sooner, the property owner is obligated to comply with any new water connection policy or interpretation thereof. OAKLEA further agrees that no Subdivision, Partition, or Development Review approval will be granted by the City, unless sufficient water capacity for the proposed development exists within the City's water system, as determined in the City's reasonable discretion.
- 1.3 Develop on-site and off-site stormwater management facilities and dedicate drainage easements as may be necessary to adequately manage and treat stormwater runoff from any proposed development at which time the site will be developed in accordance with stormwater quality measures and storm drainage requirements as described in Recital J, and as set forth in the Junction City Public Works Design Standards and as the City may otherwise require as a condition of development approval. Stormwater management facilities must be designed so that post-development flows do not exceed pre-development flows.
- 1.4 The property abuts Oaklea Drive to the east which is designated as a Rural Major Collector in the Lane County Transportation System Plan and is under the jurisdiction of Lane County Public Works. OAKLEA shall be responsible for designing and constructing transportation improvements in a manner that is consistent with the requirements contained in the Declaration of Conditions, Restrictions and Covenants Relating to Transportation Improvements, Lane County Recorder's Reception # 2002-098039. For future development OAKLEA is required to comply with the City's access

Ordinance No. 1187 - Exhibit C

management requirements as stated in Ordinance 950, Appendix H and Development Requirements as stated in Ordinance 944, Section 5(d). OAKLEA is required to design and construct urban street improvements for Oaklea Drive or for any other street required or impacted, as a result of any proposed land division and or Development Review request to the City on the Property. All necessary street improvements shall be determined during Subdivision, Partition, or Development Review. Such improvements will meet or exceed standards of Subdivision Ordinance 804, Development Review Ordinance 944, and Junction City Public Works Design Standards.

- 1.5 Pay park system development charges for existing dwelling upon annexation. Pay all applicable park system development charges prior to the issuance of building permits for any new development on the Property. OAKLEA will dedicate park land consistent with Section 5(H) of Ordinance 809, as determined necessary in any future development or land division review process.
- 1.6 Provide any reasonable additional improvements to roadways, including signage, street width and additional hydrants related to fire protection and emergency services that may be requested by the City during the land use or development review process. Provide any emergency turnarounds as required by the City and the Junction City Rural Fire Protection District in land use review and approval.
- 1.7 Provide and be financially responsible for the provision of the following key urban services:
  - 1.7.1 Sanitary sewer. (In the City's discretion, City cost participation, Zone of Benefit, or Local Improvement District shall be available for sanitary sewer over sizing or providing service to land not owned by OAKLEA if required by the City to provide capacity beyond that needed to serve any future development).
  - 1.7.2 Water, including watermain extensions. (In the City's discretion, City cost participation, Zone of Benefit, or Local Improvement District formation shall be available for water system over sizing or providing services to land not owned by OAKLEA if required by the City to provide capacity beyond that needed to serve the existing dwelling or any future development).
  - 1.7.3 Drainage, including storm drainage detention or infiltration facilities. (In the City's discretion, City cost participation, Zone of Benefit, or Local Improvement District formation shall be available for drainage system oversizing or providing service to land not owned by OAKLEA if required by the City to provide capacity beyond that needed to serve any future development).



Ordinance No. 1187 - Exhibit C

- 1.7.4 **Roads and transportation facilities.** (In the City's discretion, City cost participation, Zone of Benefit, or Local Improvement District formation shall be available for providing excess capacity on these City transportation system improvements if required by the City to provide capacity beyond that needed to serve any future development).
- 1.8 The property is not currently serviced by city garbage service. OAKLEA will be required to negotiate, contract and pay for City garbage service upon annexation.
- 1.9 OAKLEA is required to pay system development charges for streets for the existing dwelling at the time of annexation. OAKLEA is required to pay water and sewer system development charges for the existing dwelling at the time of connection to those respective systems, and will begin paying the base rate for those services upon annexation for the existing dwelling.
2. **Obligations of City.** Consistent with the above Recitals and contingent upon no contrary evidence being entered into the record City agrees to:
- 2.1 Approve annexation of the Property to the City of Junction City in exchange for this signed agreement.
- 2.2 Use good faith in the timely review and decision making of the Land Division or development applications for the Property.
3. **Covenants Running With the Land.** It is the intention of the parties that the covenants herein are necessary for the Annexation, Subdivision, Partition, and or Development Review on Property and as such shall run with the Property and shall be binding upon the heirs, executors, assigns, administrators, and successors of the parties hereto, and shall be construed to be a benefit and burden upon the Property. This Agreement shall be recorded upon its execution in the Land County Deeds and Records. This Agreement may be assigned by OAKLEA and shall bind any assigns or successors in interest to OAKLEA. Execution of this Agreement is a precondition to the City Council's approval of annexation of the Property to the City of Junction City. Accordingly, the City retains all rights for enforcement of this Agreement.
4. **Limitations on Development.** No part of Property shall be further developed prior to obtaining appropriate City development approval. In the event OAKLEA fails to seek any development approval, or such approvals are delayed or withheld for a period of longer than three (3) years from the date of this Agreement, the public improvement obligations of OAKLEA under this Agreement as set forth in Section 1, specifically excluding the DOLAN waiver and other agreement obligations, shall be void and a new analysis and construction of off-site improvements related to any subdivision of the Property shall be a requirement of any subsequent land use

Ordinance No. 1187 - Exhibit C

approval. No building permits for a new development shall be issued except for replacement of the existing residence until all improvements have been completed, except for replacement of existing residences, until all improvements have been completed, as set forth in Section 1 of this Agreement or as those obligations are modified pursuant to this Section.

5. Mutual Cooperation. City and OAKLEA shall endeavor to mutually cooperate with each other in implementing the various matters contained herein.
6. Waiver of Right of Remonstrance. OAKLEA agrees to sign any and all waivers, petitions, consents and all other documents necessary to obtain the public facilities and services described herein as benefiting the Property, under any Local Improvement Act or proceeding of the State of Oregon, Lane County or the City of Junction City (see Ordinance 950, Appendix D., Section 2) and hereby waives all rights to remonstrate against these improvements. OAKLEA does not waive the right to protest the amount or manner of spreading the assessment thereof, if the assessment appears to OAKLEA to be inequitable or operate unfairly upon the Property. OAKLEA waives any right to file a written remonstrance against these improvements. OAKLEA does not waive its right to comment upon any proposed local improvement district or any related matters orally or in writing.
7. OAKLEA knows and understands its rights under Dolan v. City of Tigard, 512 U.S. 374 (1994), and by entering into this Annexation Agreement hereby waives any requirement that the City demonstrate that the dedications of right-of-way, public utility easements, and other public improvements required herein are roughly proportional to the impacts of the subdivision. OAKLEA further waives any cause of action it may have pursuant to Dolan v. City of Tigard, *supra*, and its progeny arising out of the actions described herein.
8. Waiver of Measure 49 Rights and Remedies. As inducement to the City to proceed with annexation and a subsequent rezone, which may include designation of the property as subject to additional applicable overlay zones and districts, OAKLEA, on behalf of OAKLEA, OAKLEAS' heirs, devisees, executors, administrators, successors and assigns, agrees and covenants to the City of Junction City, its officers, agents, employees and assigns that the undersigned hereby remises, waives, releases, and forever discharges, and agrees that OAKLEA shall be stopped from asserting any rights and remedies, actions, causes of action, suits, claims, liabilities, demands, and rights to waivers arising under or granted by any statutory or constitutional regulatory compensation or waiver provisions, including but not limited to Ballot Measure 49 (2007), or otherwise enacted after the date of this proceeding which would create a right of claim for compensation or waiver of City land use regulations that exist upon the effective date of the annexation or rezone and which, upon City approval, are applicable to the Property.
9. Modification of Agreement. This Agreement may only be modified by a writing signed by both parties.

Ordinance No. 1187 - Exhibit C

10. Land Use. Nothing in this Agreement shall be construed as waiving any requirements of the Junction City Subdivision and Zoning Ordinances, Development Standards, or the Junction City Municipal Code, which may be applicable to the use, and development of this Property. Nothing herein shall be construed as City providing or agreeing to provide approval of any building, land use, or other development application submitted by the OAKLEA.
11. Invalidity. If any provision of this Agreement shall be deemed unenforceable or invalid, such enforceability or invalidity shall not affect the enforceability or validity of any other provision of this Agreement. The validity, meaning, enforceability, and effect of the Agreement and the rights and liabilities of the parties hereto shall be determined in accordance with the laws of the State of Oregon.

IN WITNESS WHEREOF, the Applicant and City have executed this Agreement as of the date first herein above written.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2007.

IN WITNESS WHEREOF, OAKLEA and City have executed this Agreement as of the date first herein above written.

CITY OF JUNCTION CITY

PROPERTY OWNERS

Robert M. Brink, President

By: \_\_\_\_\_  
Mayor, Dwight Coon

By: \_\_\_\_\_  
Robert M. Brink

STATE OF OREGON     )  
                                  : ss.  
County of Lane        )

Personally appeared the above named Dwight Coon, Mayor for the City of Junction City, who acknowledged the foregoing instrument to be his voluntary act. Before me this \_\_\_\_ day of \_\_\_\_\_, 2008.

Ordinance No. 1187 - Exhibit C

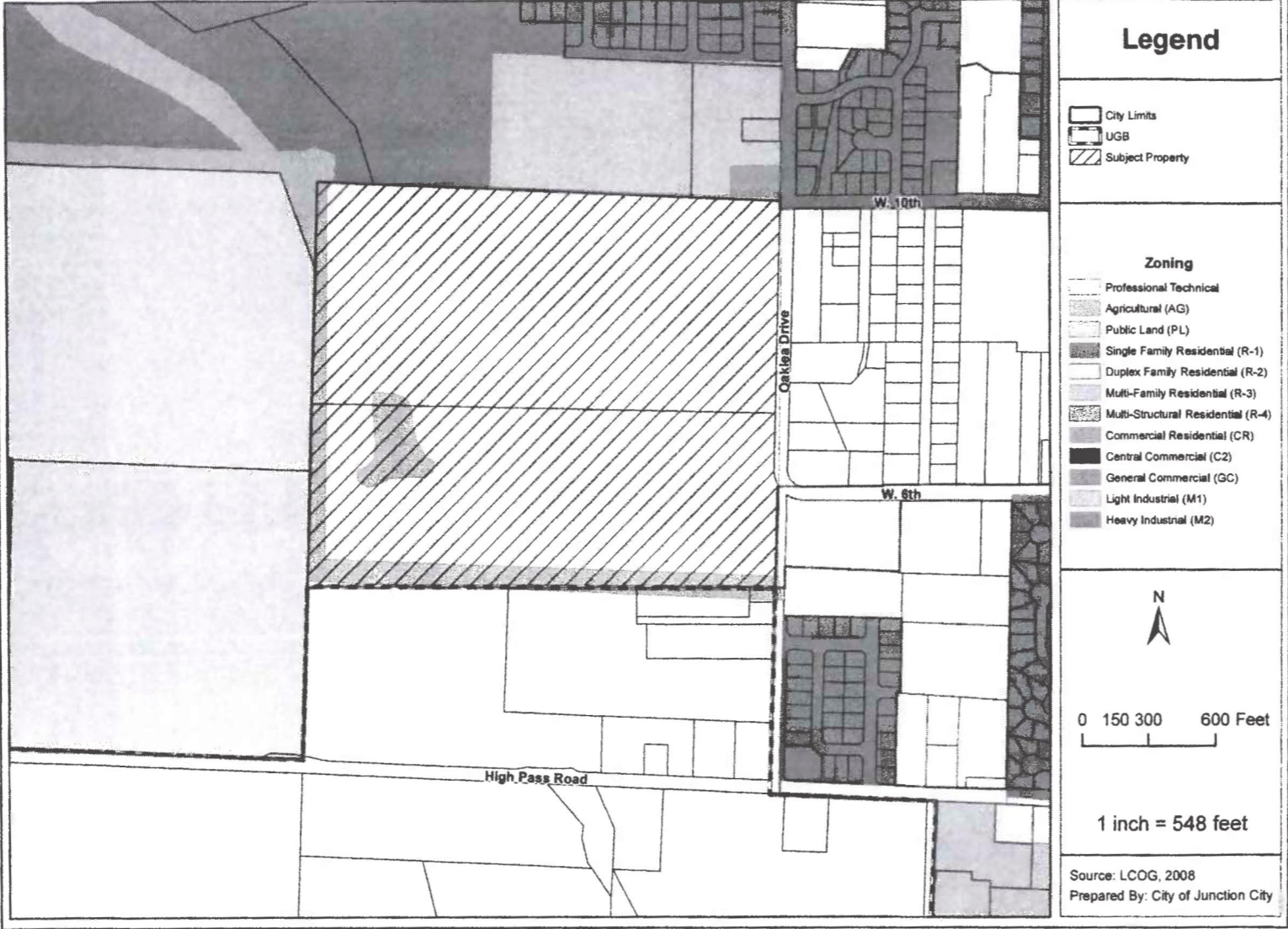
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires \_\_\_\_\_

STATE OF OREGON     )  
                                  : ss.  
County of Lane         )

Personally appeared the above named Robert M. Brink, who acknowledged the foregoing instrument to by their voluntary act. Before me on this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires \_\_\_\_\_

# Oaklea Zoning Map - Exhibit D



## Legend

- City Limits
- UGB
- Subject Property

## Zoning

- Professional Technical
- Agricultural (AG)
- Public Land (PL)
- Single Family Residential (R-1)
- Duplex Family Residential (R-2)
- Multi-Family Residential (R-3)
- Multi-Structural Residential (R-4)
- Commercial Residential (CR)
- Central Commercial (C2)
- General Commercial (GC)
- Light Industrial (M1)
- Heavy Industrial (M2)



0 150 300 600 Feet

1 inch = 548 feet

Source: LCOG, 2008  
Prepared By: City of Junction City

**City of Junction City**  
680 Greenwood St  
PO Box 250  
Junction City OR 97448



Plan Amendment Specialist  
Department of Land Conservation and  
Development  
635 Capitol Street NE, Suite 150  
Salem, OR 97301