



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

06/02/2014

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Hillsboro Plan Amendment
DLCD File Number 004-14

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: Thursday, June 19, 2014

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

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

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: John Boren, City of Hillsboro
Gordon Howard, DLCD Urban Planning Specialist
Anne Debbaut, DLCD Regional Representative

<paa> YA



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE 004-14
(20292)
File No.: [17886]
Received: 5/29/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: Hillsboro

Local file no.: **ZC-002-14**

Date of adoption: 5/20/2014 Date sent: 5/29/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

- Yes: Date (use the date of last revision if a revised Form 1 was submitted): 4/01/2014
 No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No
If yes, describe how the adoption differs from the proposal:

Local contact (name and title): John Boren, Urban Planner II

Phone: 503-681-5292 E-mail: john.boren@hillsboro-oregon.gov

Street address: 150 E Main Street City: Hillsboro Zip: 97123-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from to . acres. A goal exception was required for this change.
Change from to . acres. A goal exception was required for this change.
Change from to . acres. A goal exception was required for this change.
Change from to . acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): .

- The subject property is entirely within an urban growth boundary
 The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from County IND to M-P Industrial Park. Acres: 4.82

Change from to . Acres:

Change from to . Acres:

Change from to . Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: . Acres added: . Acres removed:

Location of affected property (T, R, Sec., TL and address): 1N2280001550

List affected state or federal agencies, local governments and special districts: Washington County, Washington County Rural Fire Protection District No. 2, Clean Water Services, METRO, Enhanced Washington County Sheriff Patrol and Urban Road Maintenance.

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

NOTICE OF ADOPTED CHANGE – SUBMITTAL INSTRUCTIONS

1. A Notice of Adopted Change must be received by DLCD no later than 20 days after the ordinance(s) implementing the change has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) as provided in [ORS 197.615](#) and [OAR 660-018-0040](#).

2. A Notice of Adopted Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of Adopted Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of Adopted Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 2 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here:

<http://www.oregon.gov/LCD/forms.shtml>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@state.or.us with the subject line “Notice of Adopted Amendment.”

Submittals may also be uploaded to DLCD’s FTP site at http://www.oregon.gov/LCD/Pages/papa_submittal.aspx.

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 2 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of Adopted Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

6. **Content:** An administrative rule lists required content of a submittal of an adopted change ([OAR 660-018-0040\(3\)](#)). By completing this form and including the materials listed in the checklist below, the notice will include the required contents.

Where the amendments or new land use regulations, including supplementary materials, exceed 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

7. Remember to notify persons who participated in the local proceedings and requested notice of the final decision. ([ORS 197.615](#))

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail plan.amendments@state.or.us.

Notice checklist. Include all that apply:

- Completed Form 2
- A copy of the final decision (including the signed ordinance(s)). This must include city *and* county decisions for UGB and urban reserve adoptions
- The findings and the text of the change to the comprehensive plan or land use regulation
- If a comprehensive plan map or zoning map is created or altered by the proposed change:
 - A map showing the area changed and applicable designations, and
 - Electronic files containing geospatial data showing the area changed, as specified in [OAR 660-018-0040\(5\)](#), if applicable
- Any supplemental information that may be useful to inform DLCD or members of the public of the effect of the actual change

ORDINANCE NO. 6082

ZONE CHANGE 002-14: PORT OF PORTLAND

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, A PORTION OF HILLSBORO ZONING ORDINANCE NO. 1945, AS AMENDED, BY CHANGING THE ZONING OF A TRACT OF LAND FROM COUNTY IND INDUSTRIAL TO CITY M-P INDUSTRIAL PARK.

WHEREAS, a certain tract of land described herein has been annexed to the City of Hillsboro; and

WHEREAS, rezoning of an annexed tract of land from a County zone to a City zone prevents code enforcement problems associated with the City attempting to administer the land use laws of Washington County; and

WHEREAS, the City of Hillsboro Planning Commission approved Order No. 8112 on April 9, 2014, initiating the zone change on the annexed property described below; and

WHEREAS, the City Council hereby adopts the staff report, including the recommended conditions of approval, attached hereto as Exhibit A, as findings in regard to this matter; and

WHEREAS, based on those findings, the City Council hereby determines that the zone change conforms with the Hillsboro Comprehensive Plan and Zoning Ordinance, and the particular zone recommended is the best suited for the subject site.

NOW, THEREFORE, THE CITY OF HILLSBORO ORDAINS AS FOLLOWS:

Section 1. The following described tract of land, also shown on Exhibit B, is hereby rezoned from Washington County IND Industrial to M-P Industrial Park as defined in the City of Hillsboro Zoning Ordinance No. 1945:

Lot 26 of James H. Sewell's Acreage, a duly recorded subdivision in Section 28, Township 1 North, Range 2 West, Willamette Meridian

Section 2. The City Planning Director is hereby instructed to cause the official zoning map, a part of Ordinance No. 1945, to be amended to include the zone change set forth in Section 1 hereof, upon the effective date of associated Case File No. Annexation 002-14.

Section 3. Except as herein amended, Zoning Ordinance No. 1945, as amended, shall remain in full force and effect.

Section 4. The zone change shall become effective upon filing of the associated annexation records of Case File No. Annexation 001-14 with the Secretary of State as provided by ORS 222.180.

Section 5. This ordinance shall be effective from and after 30 days following its passage and approval by the Mayor.

First approval of the Council on this 6th day of May 2014.

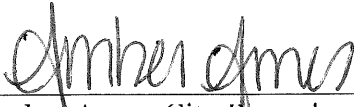
Second approval and adoption by the Council on this 20th day of May 2014.

Approved by the Mayor this 20th day of May 2014.



Jerry Willey, Mayor

ATTEST:



Amber Ames, City Recorder



STAFF REPORT

To: City Council
From: Planning Department
Date: April 30, 2014
Subject: Request for Approval of Zone Change
 Case File No. Zone Change 002-14: Port of Portland

Requested City Council Action:

Staff requests that the City Council hold a public hearing at its May 6, 2014 meeting to receive public testimony for a proposed zone change from County IND Industrial to City M-P Industrial Park on a property approximately 4.82 acres in area. After receipt of public testimony, staff requests that the City Council consider adoption of the attached ordinance.

Background:

The City of Hillsboro, acting as applicant, requests a zone change from County IND Industrial to City M-P Industrial Park on a property approximately 4.82 acres in area. The purpose of the zone change request is to implement the IN Industrial Comprehensive Plan designation on the property following annexation. The property owner is the Port of Portland.

The City received an associated annexation application (Case File No. Annexation 002-14), which will be reviewed by the City Council at their May 6, 2014 meeting. Pursuant to Zoning Ordinance Section 97, the Planning Commission approved Order No. 8112 on April 9, 2014, initiating this zone change request.

Site Description:

The property under consideration for annexation and rezoning is located generally south of NW Evergreen Road, west of NW 264th Avenue and east of NW 268th Avenue. The property can be specifically identified as a portion of Tax Lot 1550 on Washington County Assessor's Tax Map 1N2-28. The property is vacant and covered by grass due to its location north of the Hillsboro Airport. The total Taxable Assessed Value is \$0 and the Market Total Value is \$1,365,330. The property has a Washington County plan designation of IND Industrial. The property has had frontage along NW 264th Ave until that portion of the street was vacated in 2013.

Description of Surrounding Area:

Area	Plan	Zoning	Land Uses
North	IN Industrial	M-P Industrial Park	Vacant
East	IN Industrial	M-P Industrial Park	Vacant
South	IN Industrial, PF Public	M-P Industrial Park	Airport

Facility			
West	PF Public Facility	M-P Industrial Park	Airport

Public Utilities:

Service	Provider	Size	Location	Distance from site
Water	City	12"	NW 264 th Ave	400 ft north
Sanitary Sewer	City	10"	NW 264 th Ave	400 ft north

Transportation Facilities:

Streets	Existing	Improvement	Plan Designated	
	R-O-W		R-O-W	Improvement
None adjacent	N/A	N/A	N/A	
Sidewalk Improvements	Existing	Plan Designated		
None adjacent	N/A	N/A		
Bus/Light Rail Transit	Route	Distance to Site		
Not available	N/A	N/A		
Bicycle Lane	Existing	Plan Designated		
None adjacent	N/A	N/A		

Applicable Plan Policies and Implementation Measures:

Section 2. Urbanization Implementation Measure (IV)(A)(5) The infill of vacant, bypassed lands, between areas of development, at an urban level, shall be encouraged. Appropriate measures shall be taken to insure that new development in infill areas is compatible with existing developed areas. The City will support a proposed annexation of infill areas and allow subsequent development to occur under the clear and objective standards in its implementing ordinances, including the Zoning and Subdivision ordinances.

Section 2.IV Urbanization Implementation Measure (J). Land uses identified by the Comprehensive Plan Land Use Map have been determined to be the most suitable needed by the City. To meet the burden of proof for a proposed zone change, it is both necessary and sufficient to show that the proposed zone change is consistent with and represents the highest land use allowed by the Comprehensive Plan Land Use Map, and in the case of zone changes in the residential areas, the proposed zone shall allow development of housing at a density within the range designated by the Land Use Map. In addition, the City may attach clear and objective conditions to the zone change provided such conditions are consistent with the Comprehensive Plan, the Zoning Ordinance and other rules and policies regulating development in the City.

Section 2.IV Urbanization Implementation Measure (M). The land use map shall designate property in the Hillsboro Planning Area as Low, Medium, High or Mid-Rise Residential, Mixed-Use, Mixed-Use Urban Residential, Mixed-Use Urban Commercial, Mixed-Use Urban Employment, Mixed-Use Institutional, Commercial, Industrial, Open Space, Floodplain, Public Facility or Station Community Planning Area. The land use map may also designate the

boundaries of Hillsboro “community plan” areas. As used in this subsection, “Mixed-Use” means a mix of residential and commercial uses either vertically or horizontally. Appropriate Mixed Use zoning districts shall be applied to implement the Mixed-Use (MU) Plan designation on all properties designated Mixed-Use on the Comprehensive Plan Land Use Map, or on any properties identified for Mixed-Use on a Community Plan Area Map.

Approval Criteria:

Zoning Ordinance No. 1945, Section 114 (2) specifies the approval criteria for a proposed zone change as follows:

- a) The request must conform with the Hillsboro Comprehensive Plan and this Ordinance; (and)
- b) Where more than one designation is available to implement the Comprehensive Plan designation (e.g. R-7 vs. R-10), the applicant must justify the particular zoning being sought and show that it is best suited for the specific site, based upon specific policies of the Hillsboro Comprehensive Plan.

Section 114(1) of the Zoning Ordinance lists conditions, stipulations or limitations that may be attached to a zone change approval:

- a. Street improvements abutting/within the development area;
- b. Street dedication abutting/within the development area;
- c. Joint use/access agreement;
- d. Improvement agreements for the installation of necessary on-site public facilities;
- e. Utility easements;
- f. Landscaping;
- g. Off-street parking;
- h. Storm drainage easements;
- i. Off-site public improvements when the rezoning and subsequent development will contribute significantly to the need for such off-site improvements;
- j. Development Review approval by the Planning Commission; for projects in zones or locations for which development requirements and design standards are specified in the Zoning Ordinance;
- k. Screening, fencing;
- l. Limiting access;
- m. Surety/performance bond;
- n. Non-remonstrance clause.

Testimony Received:

No written comments or testimony have been received to date from adjacent property owners, affected departments or agencies.

Discussion:

The City Comprehensive Plan designation for the property is IN Industrial there are two zones available in this area to implement the IN Plan designation: M-2 Industrial, M-P Industrial Park. This property is owned by the Port of Portland and is anticipated to become part of the airport facility. The airport facility itself is split zoned M-2 and M-P; however the M-2 zone was eliminated from consideration for the subject site as all of the surrounding property to the

subject parcel is zoned M-P Industrial Park, thus leaving the M-P Industrial Park zone the most appropriate for this specific site. During the zone change initiation process the Planning Commission agreed with this assessment and adopted Order No. 8112 which recommended the M-P zone as the most appropriate zone for the site.

Cost:

The only associated cost with this proposal is staff time.

Recommendation:

Should the City Council choose to approve the requested zone change, Planning staff recommends that no conditions be placed on the property.

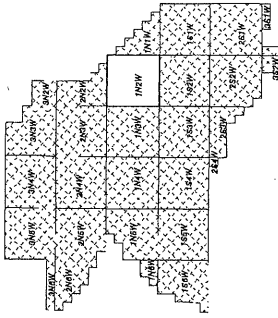
Respectfully submitted,

CITY OF HILLSBORO PLANNING DEPARTMENT



John Boren
Urban Planner II

- Attachment: Draft Ordinance
Exhibit B – Tax Map
Comprehensive Plan and Zoning Vicinity Maps
Clean Water Services Sensitive Areas Pre-Screen Map
Planning Commission Order No. 8112



WASHINGTON COUNTY OREGON
SECTION 28 T1N R2W W1M.
SCALE 1" = 400'

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us

BB	BA	AB	AA	A	AD	DD
BC	BD	AC	AD	D	DA	DD
CB	CA	DB	DA	D	DA	DD
CC	CD	CD	DC	D	DC	DD

Cancelled Taxlots For: 1N228
 1500-A2, 1500-A6, 1503, 1500-A3, 1500-A4, 202, 1602, 1603, 1604, 1501, 1500-A10, 1501, 1501-A1, 1500-A11, 1500-A12, 1500-A13, 1512-A2, 1512-A3, 1505, 2004, 151, 203, 1500, 1606, 1606, 1700, 1701, 1500, 1500, 2001, 1601, 1504, 2100, 2101, 2102, 1503, 1503, 1503, 2001, 2002, 2003, 1505, 203, 201, 2007, 208, 200, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

0 200 400 600 800 1000
 SCALE 1" = 400'

Assessment
CARTOGRAPHY
INC.

PLOT DATE: July 15, 2013
FOR ASSESSMENT PURPOSES
ONLY - DO NOT RELY ON
FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only, and may not indicate the most current property information. For the most current information,

