

NOTICE OF DECISION

This notice concerns a Planning Director Decision on the land use case(s) cited and described below.

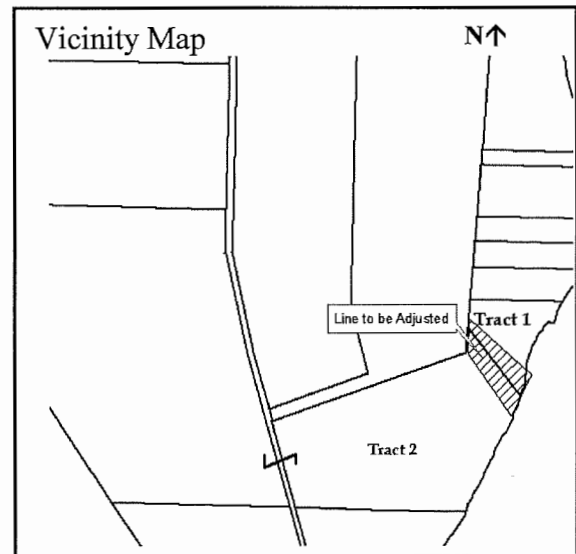
Case File: T2-2014-3499

Permit: Property Line Adjustment

Location:

Tract #1 18100 NW Gillihan Road
Tax Lot 400 , Section 14D
Township 2 North, Range 1 West, W.M.
Tax Account #R971140100

Tract #2 Bailey Nurseries Inc.
South of 18630 NW Gillihan Road
Tax Lot 100, Section 10,
Township 2 North, Range 1 West, W.M.
Tax Account #R971100020



Tax Lot 1100 & 1500, Township 2 North, Range 1 West, W.M.
Tax Account #R971100010 & R971140060

Tax Lot 300 & 400, Section 14,
Township 2 North, Range 1 West, W.M.
Tax Account # R971140050 & R971140030

Tax Lot 100, Section 23B,
Township 2 North, Range 1 West, W.M.
Tax Account # R971230020

Applicants: Tom and Sheila Trapold

Tract #1 Property Owners: Tom and Sheila Trapold

Tract #2 Property Owners: Bailey Nurseries Inc.

Tract #1 Zoning: Multiple Use Agriculture – 20 (MUA-20) / Willamette River Greenway (WRG)

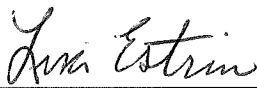
Tract #2 Zoning: Exclusive Farm Use (EFU) and Multiple Use Agriculture -20 (MUA-20) /
Willamette River Greenway (WRG)

Summary: The applicant has requested an equal area property line adjustment between Tract #1 and Tract #2 listed above.

Decision: Approved with Conditions

Unless appealed, this decision is effective Friday, October 3, 2014, at 4:00 PM.

Issued by:

By: 
Lisa Estrin, Planner

For: Karen Schilling- Planning Director

Date: Friday, September 19, 2014

Opportunity to Review the Record: A copy of the Planning Director Decision, and all evidence submitted associated with this application, is available for inspection, at no cost, at the Land Use Planning office during normal business hours. Copies of all documents may be purchased at the rate of 30-cents per page. The Planning Director Decision contains the findings and conclusions upon which the decision is based, along with any conditions of approval. For further information on this case, contact Lisa Estrin, Staff Planner at 503-988-3043, ext. 22597.

Opportunity to Appeal: This decision may be appealed within 14 days of the date it was rendered, pursuant to the provisions of MCC 37.0640. An appeal requires a \$250.00 fee and must state the specific legal grounds on which it is based. To obtain appeal forms or information on the procedure, contact the Land Use Planning offices at 1600 SE 190th Avenue (Phone: 503-988-3043). This decision cannot be appealed to the Land Use Board of Appeals until all local appeals are exhausted.

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Monday, September 29, 2014 at 4:00 pm.

Applicable Approval Criteria: Multnomah County Code (MCC): MCC 34.2855 Dimensional Requirements, MCC 34.2860(B) Property Line Adjustments, MCC 34.2870 MUA-20 – Lot of Record, MCC 34.2675 EFU – Lot of Record, and MCC 34.7790 Property Line Adjustment.

Copies of the referenced Multnomah County Code (MCC) and Multnomah County Road Rules (MCRR) sections can be obtained by contacting our office at 503-988-3043 or by visiting our website at <http://www.co.multnomah.or.us/landuse> or <http://web.multco.us/transportation-planning>.

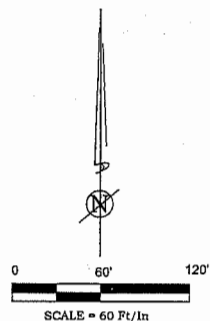
Scope of Approval

1. Approval of this land use permit is based on the submitted written narrative(s) and plan(s) as provided by the listed exhibits. No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of approval described herein.
2. **This land use permit expires two years from the date the decision is final pursuant to MCC 37.0690(A) as applicable. The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 37.0695, as applicable. The request for a permit extension must be submitted prior to the expiration of the approval period.**

Conditions of Approval

The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in parenthesis.

Exhibit A



**PARCEL 2
PARTITION PLAT 2000-15**

REFERENCES:

- 1 = SN 17635
- 2 = SN 43008
- 3 = SN 58107
- 4 = SN 62156
- 5 = PARTITION PLAT 2000-15

LEGEND

- MONUMENT FOUND AS NOTED
- SET 5/8"x30" IRON ROD WITH A Y.P.C. MARKED "K.L.S. SURVEYING INC."
- (M) MONUMENT POINT NO
- (.) RECORD SURVEY DATA
- SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS
- Y.P.C. YELLOW PLASTIC CAP

BAILEY NURSERIES INC.
DOCUMENT NO. 2002-145519

T & S FARM EQUIPMENT LEASING LLC.
DOCUMENT NO. 2010-038955

Tract 1
0.60 ACRES

0.60 ACRES

Tract 2

WILLAMETTE RIVER

NARRATIVE:

- THIS SURVEY WAS DONE AT THE REQUEST OF SHEILA TRAPHOLD TO MONUMENT A PROPERTY LINE ADJUSTMENT AS SHOWN.
- THE BASIS OF BEARINGS IS FROM SN 58107.
- THE NEW LINE WAS ESTABLISHED AT THE LOCATION SHOWN PER THE REQUEST OF THE CLIENT.
- FOR CONTROL I HELD THE MONUMENTS AS NOTED IN THE MONUMENT NOTES.

MONUMENT NOTES:

- [3] FOUND A 3/4" IRON PIPE AS NOTED ON SN 17635. (HELD)
- [4] FOUND A 5/8" IRON ROD WITH A Y.P.C. MARKED "SUMMERS FLS 1042", PER 43008 (HELD)
- [5] SOUTHEAST CORNER PARCEL 2 PARTITION PLAT 2000-15 FOUND A 5/8" IRON ROD WITH UNREADABLE CAP PER SN 43008. (HELD)
- [7] FOUND A 5/8" IRON ROD WITH A SMASHED Y.P.C. DOWN 18", PER SN 43008 (HELD)
- [404] FOUND A 3/4" IRON PIPE PER SN 17635 (HELD)

<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p><i>Donald D. Wallace, Jr.</i></p> <p>OREGON JANUARY 19, 1993 DONALD D. WALLACE, JR. 2601 RENEWAL DATE 6/30/14</p>	<p>K.L.S. SURVEYING INC. 1224 ALDER STREET VERNONIA, OR 97064 (503) 429-6115</p>	<p>PROPOSED PROPERTY LINE ADJUSTMENT FOR</p> <p>TOM & SHEILA TRAPHOLD</p> <p>IN THE SE 1/4 OF SECTION 14, T2N, R1W, W.M.</p> <p>MULTNOMAH COUNTY, OREGON</p> <p>APRIL 11, 2014</p>	
<p>DRAWN BY: DDW FIELD: SWM/MDM EQUIPMENT: GTP301/RECON JOB No. 12-040 DRAWING NAME: 12-040 PLANNING REVISED: 5-16-2014</p>			

1. The applicant and their surveyor shall complete the procedures as described in the County's Handout "Processing and Finishing of Property Line Adjustments, Section (a). [MCC 34.7790]
2. After receiving approval from Land Use Planning staff of the written language for the new legal descriptions and County Surveyor's approval of the new survey, new deeds shall be filed with County Records describing the new metes-and-bounds description of each reconfigured parcel. The transferred property areas shall not exist as separate tax lots or parcels. [MCC 34.7790(A)]
3. No additional lot or parcel shall be created from any parcel by the completion of the property line adjustment. [MCC 34.7790(A)]

Note: When ready to have the new legal descriptions and survey reviewed by Land Use Planning, the applicant shall call the Staff Planner, Lisa Estrin, at (503) 988-3043 ext. 22597 for an appointment for review and approval of the materials. Please note, Multnomah County must review and approve the new legal descriptions before they are presented to the County Recorder for recordation. For review of these materials, Land Use Planning will collect a fee of \$90. In addition, County Survey and the Recorder's office will collect separate fees for their services.

Notice to Mortgagee, Lien Holder, Vendor, or Seller:

ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.

Findings of Fact

FINDINGS: Written findings are contained herein. The Multnomah County Code (MCC) criteria and Comprehensive Plan Policies are in **bold** font. Staff analysis and comments are identified as ‘**Staff:**’ and address the applicable criteria. Staff comments may include a conclusionary statement in *italic*.

1.00 Project Description:

Staff: The applicant is proposing an equal area adjustment between Tracts # 1 and # 2. The transfer of land will occur within the Multiple Use Agriculture – 20 zoned area of the two tracts.

2.00 Property Description & History:

Staff: Tract 1 is a 7.41 acre property that contains an existing single family dwelling and exempt farm structure. In 2012, a Willamette River Greenway (WRG) decision was issued for a new single family dwelling to replace the existing home on the property. The tentative map (Exhibit A.4) for the property line adjustment shows the existing dwelling to be removed and the foundation location for the new dwelling. The property is zoned Multiple Use Agriculture – 20 (MUA-20) with an overlay for Willamette River Greenway (WRG).

Tract 2 is a 803.8 acre parcel that has a few farm buildings. The property is currently split zoned Exclusive Farm Use (EFU) and Multiple Use Agriculture – 20 with an overlay for Willamette River Greenway (WRG).

3.00 Multiple Use Agriculture - 20 Criteria:

3.01 § 34.2855 DIMENSIONAL REQUIREMENTS

(C) Minimum Yard Dimensions - Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet

Minimum Front Lot Line Length – 50 feet.

(D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county “Design and Construction Manual” and the Planning Director shall determine any additional yard requirements in consultation with the Road Official.

Staff: Tract #1 currently is occupied by an existing single family dwelling (Exhibit A.4 & A.5). Tract #1 is not adjacent to a public right-of-way. The existing dwelling meets all of the above yard distances. The new house foundation is also shown on Tract #1 and will meet the yard requirements listed above. Technically, the property does not have a front lot line as it is not adjacent to a street or accessway.

Tract #2 is occupied by a number of farm buildings. Two agricultural buildings exist on tax lot 300, 2N1W14. These buildings are approximately 650+ feet from the nearest property line for the parcel. In addition, on tax lot 100, 2N1W23B, the area contains five grain silos, and three and half to four agricultural storage buildings. One agricultural building appears to exist on tax lot 100, 2N1WB and the adjacent tax lot 200, 2N1W23B. Tax lot 200, 2N1W23B is also owned by Bailey Nurseries, LLC. The age of this agricultural building appears to be nonconforming to present setback requirements. The 803.8 acre parcel fronts onto Gillihan Road which is a substandard right-of-way of 40 feet in width adjacent to tax lot 100, 2N1W23B. The 30-foot front yard is increased to 35 feet to allow for its possible widening of the roadway in the future. All of the other agricultural buildings on tax lot 100, 2N1W23B meet

the minimum yard requirements listed in (C) & (D) (Exhibit B.7). The parcel fronts onto Gillihan Road which is a substandard right-of-way of 40 feet in width adjacent to tax lot 100, 2N1W23B. The 30-foot front yard is increased to 35 feet to allow for its possible widening of the roadway in the future. All yard setbacks will continue to be met after the completion of the property line adjustment. *Criterion met.*

3.02 § 34.2870 LOT OF RECORD

(A) In addition to the Lot of Record definition standards in MCC 34.0005, for the purposes of this district the significant dates and ordinances for verifying zoning compliance may include, but are not limited to, the following:

- (1) July 10, 1958, SR zone applied;**
- (2) July 10, 1958, F-2 zone applied;**
- (3) December 9, 1975, F-2 minimum lot size increased, Ord. 115 & 116;**
- (4) October 6, 1977, MUA-20 zone applied, Ord. 148 & 149;**
- (5) October 13, 1983, zone change from EFU to MUA-20 for some properties, Ord. 395;**
- (6) May 16, 2002, Lot of Record section amended, Ord. 982, reenacted by Ord. 997.**

(B) A Lot of Record which has less than the minimum lot size for new parcels or lots, less than the front lot line minimums required, or which does not meet the access requirement of MCC 34.2885, may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.

(C) Except as otherwise provided by MCC 34.2860, 34.2875, and 34.4300 through 34.4360, no sale or conveyance of any portion of a lot other than for a public purpose shall leave a structure on the remainder of the lot with less than minimum lot or yard requirements or result in a lot with less than the area or width requirements of this district.

(D) The following shall not be deemed to be a Lot of Record:

- (1) An area of land described as a tax lot solely for assessment and taxation purposes;**
- (2) An area of land created by the foreclosure of a security interest.**
- (3) An area of land created by court decree.**

§ 34.0005 DEFINITIONS

As used in this Chapter, unless the context requires otherwise, the following words and their derivations shall have the meanings provided below.

Lot of Record – Subject to additional provisions within each Zoning District, a Lot of Record is a parcel, lot, or a group thereof that, when created or reconfigured, (a) satisfied all applicable zoning laws and (b) satisfied all applicable land division laws, or (c) complies with the criteria for the creation of new lots or parcels described in MCC 34.7785. Those laws shall include all required zoning and land division review procedures, decisions, and conditions of approval.

- (a) “Satisfied all applicable zoning laws” shall mean: the parcel, lot, or group thereof was created and, if applicable, reconfigured in full compliance with all zoning minimum lot size, dimensional standards, and access requirements.**

(b) “Satisfied all applicable land division laws” shall mean the parcel or lot was created:

- 1. By a subdivision plat under the applicable subdivision requirements in effect at the time; or**
- 2. By a deed, or a sales contract dated and signed by the parties to the transaction, that was recorded with the Recording Section of the public office responsible for public records prior to October 19, 1978; or**
- 3. By a deed, or a sales contract dated and signed by the parties to the transaction, that was in recordable form prior to October 19, 1978; or**
- 4. By partitioning land under the applicable land partitioning requirements in effect on or after October 19, 1978; and**
- 5. “Satisfied all applicable land division laws” shall also mean that any subsequent boundary reconfiguration completed on or after December 28, 1993 was approved under the property line adjustment provisions of the land division code. (See Date of Creation and Existence for the effect of property line adjustments on qualifying a Lot of Record for the siting of a dwelling in the EFU district.)**

Staff: In land use application T2-2012-2450, the County found that Tract #1 was a Lot of Record.

4.00 Exclusive Farm Use Lot of Record Criteria

§ 34.2675 LOT OF RECORD

(A) In addition to the Lot of Record definition standards in MCC 34.0005, for the purposes of this district a Lot of Record is either:

(1) A parcel or lot which was not contiguous to any other parcel or lot under the same ownership on February 20, 1990, or

(2) A group of contiguous parcels or lots:

(a) Which were held under the same ownership on February 20, 1990; and

(b) Which, individually or when considered in combination, shall be aggregated to comply with a minimum lot size of 19 acres, without creating any new lot line.

1. Each Lot of Record proposed to be segregated from the contiguous group of parcels or lots shall be a minimum of 19 acres in area using existing legally created lot lines and shall not result in any remainder individual parcel or lot, or remainder of contiguous combination of parcels or lots, with less than 19 acres in area. See Examples 1 and 2 in this subsection.

2. There shall be an exception to the 19 acre minimum lot size requirement when the entire same ownership grouping of parcels or lots was less than 19 acres in area on February 20, 1990, and then the entire grouping shall be one Lot of Record. See Example 3 in this subsection.

3. Three examples of how parcels and lots shall be aggregated are shown below with the solid thick line outlining individual Lots of Record:

4. The requirement to aggregate contiguous parcels or lots shall not apply to lots or parcels within exception or urban zones (e.g. MUA-20, RR, RC, R-10), but shall apply to contiguous parcels and lots within all farm and forest

resource zones (i.e. EFU and CFU), or

(3) A parcel or lot lawfully created by a partition or a subdivision plat after February 20, 1990.

(4) Exception to the standards of (A)(2) above:

(a) Where approval for a "Lot of Exception" or a parcel smaller than 19 acres under the "Lot size for Conditional Uses" provisions has been given by the Hearing Authority and the parcel was subsequently lawfully created, then the parcel shall be a Lot of Record that remains separately transferable, even if the parcel was contiguous to another parcel held in the same ownership on February 20, 1990.

(B) In this district, significant dates and ordinances applicable for verifying zoning compliance may include, but are not limited to, the following:

(1) July 10, 1958, F-2 zone applied;

(2) December 9, 1975, RL-C zone applied, F-2 minimum lot size increased, Ord. 115 & 116;

(3) October 6, 1977, MUA-20 and EFU-38 zones applied, Ord. 148 & 149;

(4) August 14, 1980, zone change from MUA-20 to EFU-38 for some properties, zone change from EFU-38 to EFU-76 for some properties, Ord. 236 & 238;

(5) February 20, 1990, lot of record definition amended, Ord. 643;

(6) April 5, 1997, EFU zone repealed and replaced with language in compliance with 1993 Oregon Revised Statutes and 1994 Statewide Planning Goal 3 Oregon Administrative Rules for farmland, Ord. 876;

(7) May 16, 2002, Lot of Record section amended, Ord. 982, reenacted by Ord. 997.

(C) A Lot of Record which has less than the minimum lot size for new parcels, less than the front lot line minimums required, or which does not meet the access requirements of MCC 34.2690 may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.

(D) The following shall not be deemed a Lot of Record:

(1) An area of land described as a tax lot solely for assessment and taxation purposes;

(2) An area of land created by the foreclosure of a security interest;

(3) A Mortgage Lot.

(4) An area of land created by court decree.

§ 34.0005 DEFINITIONS

As used in this Chapter, unless the context requires otherwise, the following words and their derivations shall have the meanings provided below.

Lot of Record – Subject to additional provisions within each Zoning District, a Lot of Record is a parcel, lot, or a group thereof that, when created or reconfigured, (a) satisfied all applicable zoning laws and (b) satisfied all applicable land division laws, or (c) complies with the criteria for the creation of new lots or parcels described in MCC 34.7785. Those laws shall include all required zoning and land division review procedures, decisions, and conditions of approval.

(a) “Satisfied all applicable zoning laws” shall mean: the parcel, lot, or group thereof was created and, if applicable, reconfigured in full compliance with all zoning minimum lot size, dimensional standards, and access requirements.

(b) “Satisfied all applicable land division laws” shall mean the parcel or lot was created:

1. By a subdivision plat under the applicable subdivision requirements in effect at the time; or

2. By a deed, or a sales contract dated and signed by the parties to the transaction, that was recorded with the Recording Section of the public office responsible for public records prior to October 19, 1978; or

3. By a deed, or a sales contract dated and signed by the parties to the transaction, that was in recordable form prior to October 19, 1978; or

4. By partitioning land under the applicable land partitioning requirements in effect on or after October 19, 1978; and

5. “Satisfied all applicable land division laws” shall also mean that any subsequent boundary reconfiguration completed on or after December 28, 1993 was approved under the property line adjustment provisions of the land division code. (See Date of Creation and Existence for the effect of property line adjustments on qualifying a Lot of Record for the siting of a dwelling in the EFU district.)

Staff: In land use application T2-04-082, the County found that the 803.8 acre parcel which includes Tax lots 2N1W10 – 00100, 2N1W23B – 00100, 2N1W14 – 00300, 2N1W – 001500, and 2N1W – 01100) was lawfully created in 2002 when a number of lawful parcels were consolidated into a single parcel. Three adjacent legal parcels known as 2N1W23B – 00200, 00300 and 00400 are each less than 19 acres in size. Tax lot 200 is 13.72 acres. Tax lot 300 is 6.2 acres. Tax lot 400 is 5.67. Tax lots 300 and 400 are adjacent to each other and the 803.8 acre parcel. They would aggregate to the Lot of Record if owned by the same ownership on February 20, 1990. Tax lot 200 is not adjacent to tax lots 300 & 400, but is adjacent to the 803.8 acre parcel. It, too, would aggregate if owned by the same ownership on the same day.

On February 20, 1990, the 803.8 acre parcel was owned by Hall Ranch Inc. The president of Hall Ranch Inc. was Konnie Wheeler. The secretary was Nancy Wheeler. On February 20, 1990, tax lots 2N1W23B – 00200, 00300 & 00400 were owned by Konnie & Nancy Wheeler. MCC 34.2610 Definitions define *Same Ownership* as “*Refers to greater than possessory interests held by the same person or persons, spouse, minor age child, same partnership, corporation, trust or other entity, separately, in tenancy in common or by other form of title. Ownership shall be deemed to exist when a person or entity owns or controls ten percent or more of a lot or parcel, whether directly or through ownership or control or an entity having such ownership or control. For the purposes of this subsection, the seller of a property by sales contract shall be considered to not have possessory interest.*” As Konnie & Nancy Wheeler owned the 803.8 acre parcel through a corporation at the same time as they owned 2N1W23B – 00200, 00300 & 00400. Based upon the above information and code criteria, the Lot of Record for the Bailey Nurseries Inc. land ownership is tax lots 2N1W10 – 00100, 2N1W23B – 00100, 2N1W14 – 00300, 2N1W – 001500, 2N1W – 01100, 2N1W23B – 00200, 2N1W23B – 00300, 2N1W23B - 00400 combined (Exhibits B.1 through B.6)

5.00 Property Line Adjustment Criteria

5.01 § 34.2860 LOTS OF EXCEPTION AND PROPERTY LINE ADJUSTMENTS

(B) Property Line Adjustment

Pursuant to the applicable provisions in MCC 34.7790, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

(1) The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 34.2885 are met after the relocation of the common property line; and

Staff: In sections 3.02 and 4.0 of this Notice of Decision, Tract #1 and #2 were found to each be a Lot of Record. Tract #1 currently has an existing dwelling that meets the minimum yard requirements of MCC 34.2855(C). The replacement dwelling will also meet the minimum yard requirements of MCC 34.2855(C). Tract #1, technically, does not have a front lot line. The setbacks for the structures Tract #2 will not be altered by this property line adjustment. The altered lot line does not affect Tract #2's front lot line length. Tract #1 will remain landlocked with access via an easement. Tract #2 will continue to front onto Gillihan Road. *Criterion met.*

5.02 (2) One of the following situations occurs:

(a) The lot or parcel proposed to be reduced in area is larger than 20 acres prior to the adjustment and remains 20 acres or larger in area after the adjustment, or

(b) The lot or parcel proposed to be enlarged in area is less than 40 acres in area prior to the adjustment and remains less than 40 acres in area after the adjustment.

Staff: The proposed property line adjustment will be an equal area adjustment. No alteration in the lot size of Tract #1 or #2 is proposed (Exhibit A.4 and A.7). *Criterion met.*

5.03 § 34.7790 PROPERTY LINE ADJUSTMENT

A property line adjustment is the relocation of a common property line between two abutting properties. The Planning Director may approve a property line adjustment based upon findings that the following standards are met:

(A) No additional lot or parcel shall be created from any parcel by the property line adjustment; and

Staff: The property line adjustment begins with two parcels and will end with two parcels. No additional parcels will be created (Exhibit A.4). In addition, a condition of approval has been included to ensure that the property line adjustment is completed properly. *As conditioned and as proposed, the criterion will be met.*

5.04 (B) Owners of both properties involved in the property line adjustment shall consent in writing to the proposed adjustment and record a conveyance or conveyances conforming to the approved property line adjustment; and

Staff: Tract #1 is owned by T&S Farm Equipment Leasing, LLC. Thomas & Sheila Trappold

have signed for the Limited Liability Corporation. Tract #2 is owned by Bailey Nurseries, Inc. President McEnaney has signed for the Nursery. *Criterion met.*

5.05 (C) The adjusted properties shall meet the approval criteria for a property line adjustment as given in the underlying zoning district; and

Staff: The proposed adjustment has demonstrated compliance with MCC 34.2860(B)(1) and (2). See sections 5.01 & 5.02 for additional information regarding compliance with the MUA-20 requirements.

5.06 (D) The procedure and forms shall be submitted for obtaining approval of a property line adjustment as provided for by the Planning Director.

Staff: The applicant has submitted the required information and used the appropriate forms for the proposed adjustment. *Criterion met.*

6.00 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for the Property Line Adjustment in the MUA-20 zone. This approval is subject to the conditions of approval established in this report.

7.00 Exhibits

- 'A' Applicant's Exhibits
- 'B' Staff Exhibits
- 'C' Procedural Exhibits

Exhibits with a "*"after the exhibit # have been included as part of the mailed decision. All other exhibits are available for review in Case File T2-2014-3499 at the Land Use Planning office.

Exhibit #	# of Pages	Description of Exhibit	Date Received/ Submitted
A.1	1	Property Line Adjustment Application	5.21.2014
A.2	3	Corporation Division Business Entity Data for Bailey Nursery	5.21.2014
A.3	3	Corporation Division Business Entity Data for T&S Farm Equipment Leasing, LLC	5.21.2014
A.4*	1	Exhibit A – Lot Line Adjustment Mapping	5.21.2014
A.5	1	Exhibit B – Air Photo of Lot Line Adjustment	5.21.2014
A.6	5	Attachment A – Lot of Record Documentation for Trapold & Bailey	5.21.2014
A.7	7	Attachment B – Preliminary Title Reports for Trapold & Bailey	5.21.2014
A.8	6	Attachment C – Legal Descriptions for Trapold / Bailey Lot Line Adjustment	5.21.2014
A.9	5	Attachment D – Trapold Septic Approval and Erin Mich Memo on Bailey	5.21.2014
A.10	7	Narrative addressing Approval Criteria	5.21.2014
A.11	1	Bailey Nurseries Access Exhibit	5.21.2013
'B'	#	Staff Exhibits	Date

B.1	2	A&T Property Information for 2N1W14D – 00400	5.21.2014
B.2	1	A&T Property Information for 2N1W14 – 00400	5.21.2014
B.3	1	A&T Property Information for 2N1W10 - 00100	9.11.2014
B.4	3	A&T Property Information for 2N1W – 01100	9.11.2014
B.5	3	A&T Property Information for 2N1W14 – 00300	9.11.2014
B.6	3	A&T Property Information for 2N1W23B – 00100	9.11.2014
B.7	3	A&T Property Information for 2N1W – 01500	9.11.2014
B.8	3	A&T Property Information for 2N1W23B –00200	9.11.2014
B.9	2	A&T Property Information for 2N1W23B – 00300	9.11.2014
B.10	3	A&T Property Information for 2N1W23B – 00400	9.11.2014
B.11	2	Air Photo showing Agricultural Buildings on Tax Lot 100 & 200, 2N1W23B	9.11.2014
‘C’	#	Administration & Procedures	Date
C.1	1	Complete Letter (Day 1)	6.18.2014
C.2	3	Opportunity to Comment	7.07.2014
C.3	11	Administrative Decision	9.19.2014