



CIRCUIT COURT OF OREGON

FIFTH JUDICIAL DISTRICT
CLACKAMAS COUNTY COURTHOUSE
OREGON CITY, OREGON 97045

ROBERT D. HERNDON
PRESIDING CIRCUIT COURT JUDGE

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July 29, 2014

Mark Fitz
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Sent by Fax and US Mail

RE: *Mark Fitz vs. City of Damascus*
Petition for Ballot Title Review for Case # CV14070071

Gentlemen,

I have completed my review of the pleadings you have submitted regarding the ballot title and agree with some portions of petitioner's argument the current ballot title may result in elector confusion regarding the measure. Therefore, the ballot title shall be modified as follows:

CAPTION

The respondent's proposed caption is appropriate and shall continue to read: Adopt Comprehensive Plan, Ordinance, and Land Use Regulations for Damascus.

QUESTION

This provision shall read as follows: Shall the City adopt a Comprehensive Land Use Plan previously not adopted by the City Council.

SUMMARY

A vote of "yes" approves the Initiative Comprehensive Plan and associated Documents including the Comprehensive Plan, Comprehensive Plan Map, Findings of Fact, Development



Code, Zoning Map, Integrated Water Capital Plan, Transportation System Plan and Associated Documents.

The Comprehensive Plan and documents were prepared by the City after public hearings for the Planning Commission and the City Council. Both the Planning Commission and City Council heard public testimony at public meetings. The City Council did not adopt the plan. If approved, the Comprehensive Plan will be submitted to the Oregon Land Conservation and Development Commission ("LCDC") to begin the acknowledgment process.

A vote of "no" would reject adoption of this Comprehensive Plan and other Documents.

Very truly yours,



ROBERT D. HERNDON
Presiding Judge
Clackamas County Circuit Court

RDH/bb