



City of Oregon City

625 Center Street
Oregon City, OR 97045
503-657-0891

Staff Report

File Number: 20-307

Agenda Date: 6/17/2020

Status: Agenda Ready

To: City Commission

Agenda #: 7c.

From: Public Works Director John Lewis

File Type: Ordinance

SUBJECT:

Second Reading of Ordinance No. 20-1007, Vacating a Section of Right-of-Way Adjacent to 13735 Lazy Creek Lane

RECOMMENDED ACTION (Motion):

Approve the second reading of Ordinance No. 20-1007, which will vacate a section of right-of-way adjacent to 13735 Lazy Creek Lane (TAX LOT 3-2E-08A-1606).

EXECUTIVE SUMMARY:

The owner of 13735 Lazy Creek Lane has received a Notice of Decision with Conditions of Approval for a proposed 20-lot subdivision. Condition of Approval #8 requires the dedication of right-of-way to align the proposed street section with the existing Lazy Creek Lane right-of-way to the east of the proposed development. The existing section of Lazy Creek Lane right-of-way, which is proposed to be vacated, is a remnant that is not needed as right of way.

Oregon City Public Works staff has determined there is no present or future public need for this existing section of right-of-way. The owner of 13735 Lazy Creek Lane has received written consent of adjacent property owners. On May 6th, 2020 5th, Resolution No. 20-11 was adopted and executed for the initiation of the vacation of the above described section of right-of-way. On June 3, 2020, the first reading of Ordinance No. 20-1007 was approved by the City Commission.

BACKGROUND:

The owner of 13735 Lazy Creek Lane (TAX LOT 3-2E-08A-1606) has received a Notice of Decision with Conditions of Approval (GLUA-19-00030 / SUB 19-00003) for a proposed 20-lot subdivision. Condition of Approval #8 requires the dedication of right-of-way to align the proposed street section with the existing Lazy Creek Lane right-of-way to the east of the proposed development. The existing section of Lazy Creek Lane right-of-way, which is proposed to be vacated, does not align with the existing Lazy Creek Lane street section within the right-of-way to the east of the proposed development.

The applicant has proposed to create a publicly owned tract for stormwater management for the proposed subdivision within the northern section of existing right-of-way that is proposed to be vacated. In accordance with the City's Stormwater and Grading Design Standards, all publicly owned stormwater ponds shall be located in a separate tract dedicated to Oregon City for stormwater facilities. Open ponds shall not be located in dedicated public road right-of-way areas.

The southern section of the existing right-of-way will be vacated to the adjacent property owner at 19544 Falcon Drive. A 25-foot-wide public utility easement will be recorded over the existing sanitary sewer line within the right-of-way proposed to be vacated.

The applicant's proposal meets all four criteria necessary to be satisfied for the City to approve a vacation of existing public right-of-way. 1) Oregon City Public Works staff has determined there is no present or future public need for a street, alley, or easement in the location of this existing section of right-of-way. 2) Oregon City Public Works staff has determined the vacation is in the best public interest, as the vacation will allow for the creation of a publicly owned tract for stormwater management. 3) Oregon City Public Works staff has determined that there would be no impacts to adjacent properties. 4) the owner of 13735 Lazy Creek Lane (TAX LOT 3-2E-08A-1606) has received written consent of adjacent property owners. On May 6, 2020, Resolution No. 20-11 was adopted and executed for the initiation of the vacation of the above described section of right-of-way. On June 3, 2020, the first reading of Ordinance No. 20-1007 was approved by the City Commission.

OPTIONS:

1. Approve Ordinance 20-1007, which will vacate a section of right-of-way adjacent to 13735 Lazy Creek Lane (TAX LOT 3-2E-08A-1606).
2. Deny Ordinance 20-1007, which will prohibit the vacation of a section of right-of-way adjacent to 13735 Lazy Creek Lane.