



OREGON CITY

Community Development - Planning

221 Molalla Ave. Suite 200 | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A)

- Compatibility Review
- Lot Line Adjustment
- Non-Conforming Use Review
- Natural Resource (NROD) Verification

Type II (OCMC 17.50.030.B)

- Extension
- Detailed Development Review
- Geotechnical Hazards
- Minor Partition (<4 lots)
- Minor Site Plan & Design Review
- Non-Conforming Use Review
- Site Plan and Design Review
- Subdivision (4+ lots)
- Minor Variance
- Natural Resource (NROD) Review

Type III / IV (OCMC 17.50.030.C)

- Annexation
- Code Interpretation / Similar Use
- Concept Development Plan
- Conditional Use
- Comprehensive Plan Amendment (Text/Map)
- Detailed Development Plan
- Historic Review
- Municipal Code Amendment
- Variance
- Zone Change

File Number(s): ZC-16-0001 (u/ AN-16-0004)

Proposed Land Use or Activity: Annexation of approximately 35.65 acres of land on the north side of Holcomb Blvd. to the City of Oregon City. Zone change from County FU-10 to R-10.

Project Name: Not applicable. Number of Lots Proposed (If Applicable): N/A

Physical Address of Site: No site address.

Clackamas County Map and Tax Lot Number(s): 2-2E-28A 00500, 00580, & 00590 2-2E-21D 02100, 02190 & 02200

Applicant(s):

Applicant(s) Signature: 

Applicant(s) Name Printed: Mark Handris for Icon Construction & Development LLC Date: 11/30/2016

Mailing Address: 1980 Willamette Falls Drive, Suite 200, West Linn, OR 97068

Phone: (503) 657-0406 Fax: (503) 655-5991 Email: handris@aol.com

Property Owner(s):

Property Owner(s) Signature: William Serres, Duane S. Serres, Edward J. Serres

Property Owner(s) Name Printed: Serres Family H, LLC Date: _____

Mailing Address: 15207 Forsythe Rd., Oregon City, OR 97045

Phone: 503 320 4196 Fax: 503 659 0340 Email: dsserres@aol.com

Representative(s):

Representative(s) Signature: _____

Representative (s) Name Printed: Rick Givens, Planning Consultant Date: _____

Mailing Address: 18680 Sunblaze Dr., Oregon City, OR 97045

Phone: 503-479-0097 Fax: 503-479-0097 Email: rickgivens@gmail.com

All signatures represented must have the full legal capacity and hereby authorize the filing of this application and certify that the information and exhibits herewith are correct and indicate the parties willingness to comply with all code requirements.

November 30, 2016

Mr. Pete Walter
221 Molalla Avenue, Ste. 200
Oregon City, Oregon 97045

Rick Givens
Planning Consultant
18680 Sunblaze Dr.
Oregon City, Oregon 97045

RE: Serres Property Zone Change/Annexation

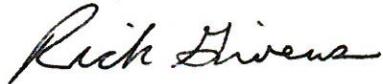
Dear Pete:

As discussed at the pre-application conference yesterday regarding the zone change for the Serres property, we are submitting the zone change application today. We have revised the narrative (attached) so that it now discusses the zone change as well as the annexation approval criteria. Please note that the materials currently contained in the prior annexation submittal include the site plan and other supporting information required for the zone change application.

We request that, pursuant to ORS 227.178(2)c, you deem the application complete immediately upon receipt so that the notice for the application can be sent in time to maintain the scheduled hearing date of January 9, 2017. We do not waive the applicant's right to submit additional information and argument in support of this application.

Please let me know if you have any questions or require additional information.

Sincerely yours,



Rick Givens

cc: Mark Handris
Mike Robinson

Annexation & Zone Change Narrative

35.65 Acres, Holcomb Blvd.

Introduction:

This application requests approval of an application to annex approximately 35.65 acres of land to the City of Oregon City. Also requested is a concurrent zone change from Clackamas County Future Urbanizable-10 (FU-10) to City of Oregon City R-10 Single-Family Dwelling District, which is required by OCMC 17.68.025A.

The subject property is located on the north side of Holcomb Blvd., west of Winston Drive, east of Holcomb Elementary School, and south of the Urban Growth Boundary.

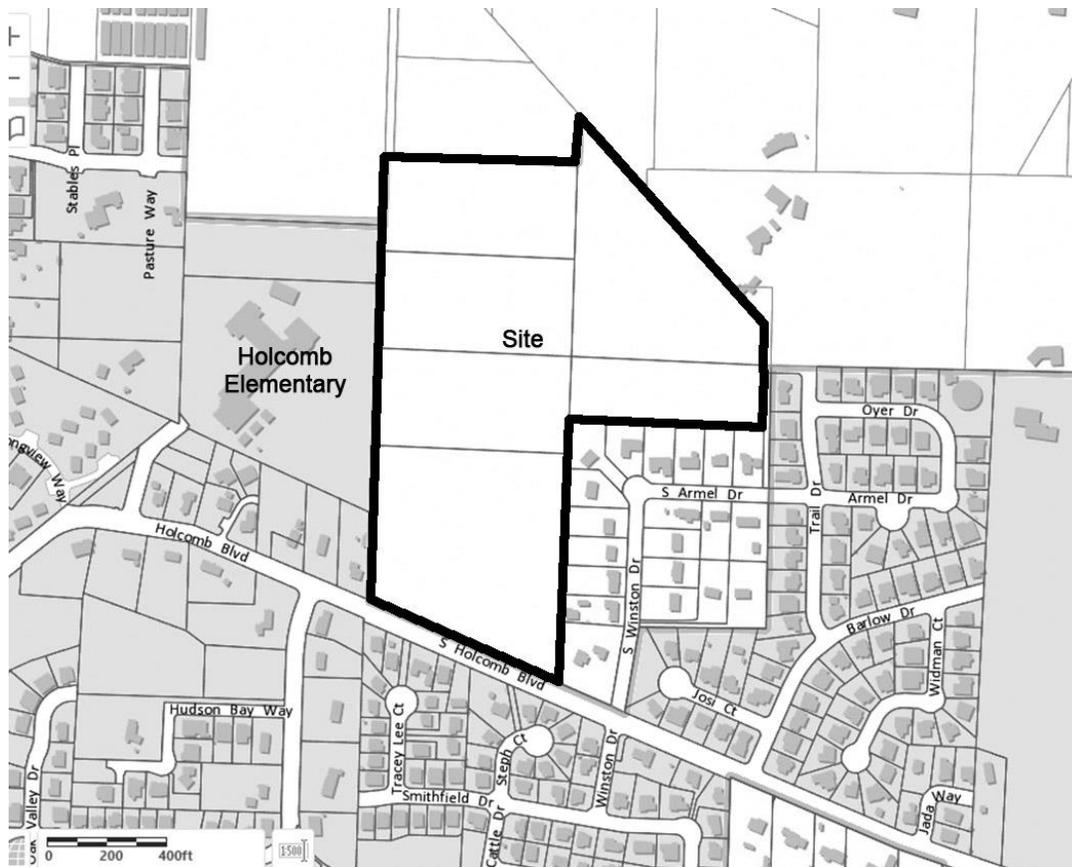


Figure 1: Vicinity Map

The subject property is described as Tax Lots 2100, 2190 and 2200 of Clackamas County Assessor's Map 22E21D, and Tax Lots 500, 580 and 590 on Map 22E 28A. The property is vacant and parts of it have been in use for production of row crops.

There is no proposal to develop this site at the present time. When issues regarding transportation planning impacting the Hwy. 213 corridor are resolved, the City will be able to approve

development that would allow for increased traffic in this area. When a development application is submitted, the application must demonstrate compliance with OCMC Title 12, “Streets, Sidewalks, and Public Places”, and provide a Traffic Impact Analysis at the time of land division. (OCMC 12.04.003.A)

Compliance with Approval Criteria:

1. Concurrent Zoning Map Amendment from (FU-10) to (R-10).

The Site has an acknowledged Oregon City Comprehensive Plan map designation of Low Density Residential, (see Appendix A, “Oregon City’s Comprehensive Plan Land Use Map” in the Oregon City Comprehensive Plan). Oregon City Municipal Code ("OCMC") 17.68.025.A provides that "notwithstanding any other section of this code", a concurrent zoning map application under OCMC Chapter 17.50 is required. Further, this section requires that the zoning map designation correlate to the corresponding Comprehensive Plan map designation for the site as shown in OCMC 17.68.025.A. The section is mandatory; it provides that "the property *shall* be rezoned upon annexation to the corresponding zoning designation as follows..."(emphasis added). In other words, there is no discretion to be applied to the zoning map amendment and not only is a concurrent zoning map amendment required, the outcome is automatic based on the acknowledged OCMC.

Further, compliance with OCMC Chapter 17.50 requires a zoning map amendment application but does not require compliance with the discretionary zoning map amendment application in OCMC 17.68.020.

The Planning Commission can find that the Application satisfies the approval criteria in OCMC 17.68.025.A. and B. and the zoning map amendment shall be approved.

2. Transportation a Planning Rule ("TPR") Compliance.

OAR 660-012-0060(1) and (2) require land use regulation amendments, including amendments to zoning maps, to determine if the amendment will have a "significant affect" on transportation facilities and, if so, can it be mitigated. However, OAR 660-012-0060(9) provides that a zoning map amendment does not need to include this analysis, and the City can make a finding of no "significant affect", if:

- a. A zoning map amendment is consistent with the existing comprehensive plan designation and does not change the map designation;
- b. The City has an acknowledged Transportation System Plan ("TSP"); and
- c. The area of the zoning map amendment was not exempted from the TPR at the time of the UGB amendment. OAR 660-012-0060(9)(a)-(c).

The subject property complies with these criteria as follows:

- a. Oregon City's Comprehensive Plan Land Use Map within the acknowledged Oregon City Comprehensive Plan designates the subject property Low Density Residential. The proposed zoning amendment would not change the map designation and the R-10 zoning is an implementing zone for that designation.
- b. An updated Transportation System Plan (TSP) and associated amendments to the Oregon City Municipal Code (OCMC) was approved by the City Commission and became effective August 16, 2013. Information provided by City staff at the pre-application conference on November 29, 2016 indicate that this TSP is based upon the application of the default zoning consistent with the adopted Comprehensive Plan designations for this area.
- c. The subject property has been in the City's UGB since the time of the adoption of the Comprehensive Plan and was not exempted from the Transportation Planning Rule.

The City can find that all three (3) of these requirements are met. Therefore, the City can find that the zoning map amendment does not "significantly affect" a transportation facility.

Finally, OCMC Title 12 does not apply to the concurrent annexation and zoning map amendments as they do not constitute "development" as that term is defined in the OCMC and ORS 227.160(2). The City will apply OCMC Title 12 when "development" is proposed for this site.

3. Compliance with Title 14 – Annexations:

OCMC 14.04.050 Annexation Procedures

This section lists the submittal requirements and procedures to be followed in annexing property to the City of Oregon City.

- A. Application Filing Deadlines. Annexation elections shall be scheduled for March, May, September and November of each year. Each application shall first be approved by the city commission, which shall provide a valid ballot title in sufficient time for the matter to be submitted to the voters as provided by the election laws of the state of Oregon.*

Comment: Senate Bill 1573, which went into effect March 15, 2017, eliminates the requirement for elections for annexations when specified criteria are met. Specifically, the petition for annexation must:

- Be submitted by all owners of land in the annexation territory;
- The annexation territory must be included within the urban growth boundary of the city or Metro and is, or will be, subject to acknowledged comprehensive plan of city;
- At least one parcel in the annexation territory must be contiguous to the existing city limits; and
- The proposal must conform to all other requirements of the city's ordinances.

The subject property meets all of these criteria. The petition for annexation is signed by all owners of record. The property is within the urban growth boundary and is subject to the acknowledged City of Oregon City Comprehensive Plan. The property is contiguous to the existing city limits along its western and southern borders. The proposal complies with all other requirements of the city's ordinances, as demonstrated in this narrative.

- B. Preapplication Review. Prior to submitting an annexation application, the applicant shall confer in the manner provided by Section 17.50.050(A) with the representative of the planning division appointed by the city manager.*

Comment: A pre-application conference was initially held on September 3, 2014 to discuss the annexation of the subject property to the City of Oregon City. Because the application was not filed within six months of that date, a second pre-application conference (PA 16-20) regarding the annexation was held on May 10, 2016. A pre-application conference regarding the zone change proposal was held on November 29, 2016.

- C. Neighborhood Contact. Prior to filing an annexation application, the applicant is encouraged to meet with the city-recognized neighborhood association or associations within which the property proposed to be annexed is located. If the city manager deems that more than one such association is affected, the applicant is encouraged to meet with each such association, as identified by the city manager. Unwillingness or unreasonable unavailability of a neighborhood association to meet shall not be deemed a negative factor in the evaluation of the annexation application.*

Comment: The subject property is within the Park Place Neighborhood Association boundaries. The applicant contacted the Park Place Neighborhood Association, as required by city standards, and a meeting was held on June 7, 2016 at Alliance Charter Academy. A second Neighborhood Meeting on December 6, 2016 was conducted in order to address the need to include a concurrent zone change application.

- D. Signatures on Consent Form and Application. The applicant shall sign the consent form and the application for annexation. If the applicant is not the owner of the property proposed for annexation, the owner shall sign the consent form and application in writing before the city manager may accept the same for review.*

Comment: The consent form and the application for annexation are signed by the owners of record for the subject property.

- E. Contents of Application. An applicant seeking to annex land to the city shall file with the city the appropriate application form approved by the city manager. The application shall include the following:*

1. *Written consent form to the annexation signed by the requisite number of affected property owners, electors or both, provided by ORS 222, if applicable;*
2. *A legal description of the territory to be annexed, meeting the relevant requirements of the Metro Code and ORS Ch. 308. If such a description is not submitted, a boundary survey may be required. A lot and block description may be substituted for the metes and bounds description if the area is platted. If the legal description contains any deed or book and page references, legible copies of these shall be submitted with the legal description;*
3. *A list of property owners within three hundred feet of the subject property and, if applicable, those property owners that will be "islanded" by the annexation proposal, on mailing labels acceptable to the city manager;*
4. *Two full quarter-section county tax assessor's maps, with the subject property(ies) outlined;*
5. *A site plan, drawn to scale (not greater than one inch = fifty feet), indicating;*
6. *If applicable, a double-majority worksheet, certification of ownership and voters. Certification of legal description and map, and boundary change data sheet on forms provided by the city.*

Comment: The materials required in items 1 through 6 are included in our application submittal.

7. *A narrative statement explaining the conditions surrounding the proposal and addressing the factors contained in the ordinance codified in this chapter, as relevant, including:*
 - a. *Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities;*
 - b. *Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time;*
 - c. *Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand;*

Comment: Although the subject property will not be developed at this time and will remain undeveloped for the immediate future, services are available to allow for the future development of this site. The following information describes the existing availability, estimate of increased demand, and notes improvements that may be required to provide these services:

Water: There are existing City of Oregon City water lines in Holcomb Blvd., along the subject property's frontage on that street, and Ames Street. Water service in this area is also provided by Clackamas River Water District. According to the pre-application conference notes:

1. *The City of Oregon City and Clackamas River Water have an active agreement in place for water service within the proposed annexation area, titled the Holcomb-Overlook-Park Place (HOPP) Agreement. The HOPP Agreement will guide how the proposed annexation area is served domestic water.*

- 2. The proposed annexation area is within two water system pressure zones: Park Place Intermediate and Park Place Upper.*

The exact details of water service for the subject property will be worked out at the time of future development, but there is an adequate water supply available in the area to service this site.

Sanitary Sewer: Sanitary sewer to service the future development of this site will come from two existing sewer lines: the line in Holcomb Blvd. and the line in Ames Street. Based on the existing topography of the area, the southern portion of the proposed annexation area can discharge sanitary sewer flows to the existing sanitary sewer system within Holcomb Boulevard. The northern portion of the proposed annexation area will discharge to the existing sanitary sewer system located within Ames Street. The applicants also own the intervening property separating this site from the sewer in Ames Street and will grant the required easement needed for the future extension to service the subject property.

Storm Drainage: Based upon natural topography, storm water run-off generated from future development will generally flow in a northwesterly direction and will need to be conveyed to a natural drainage channel located north of Forsythe Road and east of Highland Road. The existing storm sewer system within Ames Street has experienced capacity issues and will not be suitable to service the subject property. The downstream (offsite) system will need to be upgraded to accommodate flows from the subject property and these improvements would be made at the developer's expense concurrent with site development. Two existing storm water lines outfall onto the subject property from the Winston Acres development. The storm drainage system developed on the property will provide for the conveyance of the flows from these lines. The City has recently adopted updated Stormwater and Grading Design Standards. Any future development will comply with the requirements of these updated Stormwater and Grading Design Standards, including provisions for treatment and detention of storm water.

Transportation: No development of this property is being proposed at this time. No development may occur until such time as the requirements of OCMC Title 12 can be met. This will not be feasible until Alternative Mobility standards are adopted by the City and approved by the ODOT. It is understood by the applicant that there are on-going regional transportation discussions between the City, Metro and ODOT affecting the larger Park Place Neighborhood area that will need to be resolved before development may be approved. Because no development will occur as a direct result of this annexation, the transportation analysis will be deferred until the time of a future development application.

Parks: The closest developed City park to the subject property is Park Place Park, which is a bit more than one-half mile from the site. The playground for Holcomb Elementary School is located immediately to the west of the site and would provide for recreational amenities. Additionally, the Park Place Neighborhood Plan calls for a new community park to the south of Holcomb Blvd. when development takes place in the future. No parks are called for by City planning on the subject property.

Schools: The subject property is served by Oregon City Public Schools. The schools serving this site are Holcomb Elementary School, Ogden Middle School, and Holcomb Elementary School. Although there will be no immediate development of this site that would impact the school system, discussions with School District staff indicate that there are no capacity problems with these schools.

- d. Statement outlining method and source of financing required to provide additional facilities, if any;*

Comment: The required improvements to public services will be made by the developer concurrently with the future development of this property.

- e. Statement of overall development concept and methods by which the physical and related social environment of the site, surrounding area and community will be enhanced;*

Comment: The adopted City of Oregon City Comprehensive Plan calls for the subject property to be developed with Low Density single-family homes. The implementing zones for this plan designation are R-6, R-8 and R-10. The appropriate zoning will be determined at the time of the future zone change application and the property will be developed at the corresponding density. The development of this site in a manner consistent with the adopted Comprehensive Plan will serve to provide needed housing to accommodate the projected population growth of the City of Oregon City. The site is well suited from a physical standpoint to be developed in this manner as it is free of any significant development constraints, other than a very small area of moderately steep slopes. Providing for future development of needed housing within walking distance of Holcomb Elementary School for school and recreational services will assist in providing for a beneficial social environment in this neighborhood.

- f. Statement of potential physical, aesthetic, and related social effects of the proposed, or potential development on the community as a whole and on the small subcommunity or neighborhood of which it will become a part; and proposed actions to mitigate such negative effects, if any;*

Comment: There will be no immediate physical, aesthetic, or related social effects from the annexation of this property because there will be no development at this time. Future development of the property will result in typical Low Density Residential impacts on traffic, schools, and public infrastructure, but these impacts have been anticipated by the City's Comprehensive Plan. No mitigation measures are anticipated to be needed.

- g. Statement indicating the type and nature of any comprehensive plan text or map amendments, or zoning text or map amendments that may be required to complete the proposed development;*

Comment: No change to the comprehensive plan text or map designation is proposed for this site. A zone change from Clackamas County FU-10 to Oregon City R-10 is required per the provisions of OCMC 17.68.025.A. This zone change is in conformance with the acknowledged Low Density Residential land use designation for the property. Please refer to the discussion of the zone change proposal on page 2 of this report.

8. *The application fee for annexations established by resolution of the city commission and any fees required by metro. In addition to the application fees, the city manager shall require a deposit, which is adequate to cover any and all costs related to the election;*
9. *Paper and electronic copies of the complete application as required by the community development director.*

Comment: The required application fee and paper and digital copies of the application are included in the application submittal.

OCMC 14.04.060 - Annexation factors.

- A. *When reviewing a proposed annexation, the commission shall consider the following factors, as relevant:*
 1. *Adequacy of access to the site;*

Comment: The site has direct access onto Holcomb Blvd., an arterial street. This street would serve as the primary access for the future development of the property. A secondary access to the site is available via S. Umber View Lane, but would possibly be restricted to emergency vehicle access as it is only a one-half street connection. Future extension of Ames St. would be provided for with the provision of a street stub, but would be dependent upon future expansion of the Urban Growth Boundary for completion.

2. *Conformity of the proposal with the city's comprehensive plan;*

Comment: The proposed annexation is consistent with the comprehensive plan in that the property is within the UGB, is designated Low Density Residential, and is intended to be served by the City of Oregon City. Compliance with specific plan policies is discussed below in this report.

3. *Adequacy and availability of public facilities and services to service potential development;*

Comment: The adequacy and availability of public facilities and services is discussed in the preceding section of this report. Please refer to our comments there.

4. *Compliance with applicable sections of ORS Ch. 222, and Metro Code Section 3.09;*

ORS Ch. 222 was amended in 2016 with the adoption of Senate Bill 1573 as follows:

SECTION 1. Section 2 of this 2016 Act is added to and made a part of ORS 222.111 to 222.180.

SECTION 2. (1) This section applies to a city whose laws require a petition proposing annexation of territory to be submitted to the electors of the city.

(2) Notwithstanding a contrary provision of the city charter or a city ordinance, upon receipt of a petition proposing annexation of territory submitted by all owners of land in the territory, the legislative body of the city shall annex the territory without submitting the proposal to the electors of the city if:

(a) The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015;

(b) The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city;

(c) At least one lot or parcel within the territory is contiguous to the city limits or is separated from the city limits only by a public right of way or a body of water; and

(d) The proposal conforms to all other requirements of the city's ordinances.

Comment: The Oregon City Municipal Code requires annexations to be approved through an election. However, in this instance, the proposed annexation meets the requirements of the new State law in that it includes a petition that is signed by all owners of land in the territory, the area is within the adopted urban growth boundary, is within an area subject to the adopted and acknowledged Oregon City Comprehensive Plan, and the property is contiguous to the existing city limits. As demonstrated in this narrative, this proposal conforms to all other requirements of the city's ordinances.

(3) The territory to be annexed under this section includes any additional territory described in ORS 222.111 (1) that must be annexed in order to locate infrastructure and right of way access for services necessary for development of the territory described in subsection (2) of this section at a density equal to the average residential density within the annexing city.

Comment: No such additional territory is required for this property.

(4) When the legislative body of the city determines that the criteria described in subsection (2) of this section apply to territory proposed for annexation, the legislative body may declare that the territory described in subsections (2) and (3) of this section is annexed to the city by an ordinance that contains a description of the territory annexed.

Comment: The required ordinance will be adopted by the City upon approval of this annexation proposal.

5. *Natural hazards identified by the city, such as wetlands, floodplains and steep slopes;*

Comment: The only natural hazards mapped on the City's GIS system for the subject property is an NROD buffer along the north boundary of the site and a minor area of slopes exceeding 25% grade. These areas are shown on the site map submitted with this annexation. The future development plan for this property will include the required information to address these constraints. The constraints are, however, minor in nature and can be accommodated through typical development practices.

6. *Any significant adverse effects on specially designated open space, scenic, historic or natural resource areas by urbanization of the subject property at time of annexation;*

Comment: The only specially designated open space, scenic, historic or natural resource applicable to the subject area is the alignment of the Oregon Trail-Barlow Road Historic Corridor across a portion of the property. This will require compliance with OCMC 17.40.060-H by the future development plan.

7. *Lack of any significant adverse effects on the economic, social and physical environment of the community by the overall impact of the annexation.*

Comment: Because there will be no development on this site until such time as the criteria of Title 12 can be met and a future development application is submitted for approval, there will be no immediate impact upon the economic, social and physical environment of the community by the overall impact of the annexation. At such time as the site is developed, it will be in a manner consistent with the planned Low Density Residential designation for the property. This land use is consistent with the surrounding land use pattern. Required public utilities and services are available or will be made available concurrently with the development of the site. The site has no significant development constraints and is not designated for protection as open space. As such, the future development of the property will not have any significant impact upon the economic, social and physical environment of the community.

Metro Code 3.09.045.A-D (Boundary Change Criteria)

The applicable approval criteria under the Metro Code are:

- *Whether the proposed boundary change will promote the timely, orderly and economic provision of public facilities and services.*

Comment: As discussed above, all required public facilities and services will be available at the time of development. No development will occur until such time as Alternative Mobility standards are adopted, thereby allowing compliance with the provisions of Title 12. A future development application will need to be filed and approved by the City of

Oregon City prior to any development occurring. Upon approval of a development plan, the developer will provide for the installation of needed public facilities and services.

- *Whether the proposed boundary change will affect the quality and quantity of urban services*

Comment: The annexation of this property will have no immediate impact upon the quality or quantity of urban services since no development is proposed. At such time as the site is developed in the future, it will be in a manner consistent with the Low Density Residential designation of the property. The City has planned for the provision of necessary public facilities and services in this area in its Public Facilities Plan and Transportation Systems Plan. Since the future development will conform to the anticipated level of development, it will not have a negative impact upon the quality or quantity of urban services.

- *Whether the proposed boundary change would eliminate or avoid unnecessary duplication of facilities or services.*

Comment: With the exception of water, all services in this area will be provided by the City of Oregon City so there will be no unnecessary duplication of facilities and services. Water services in this area are provided by the City and Clackamas River Water District. These agencies have a plan and agreement that governs the provision of water services so as to avoid unnecessary duplication of facilities and services.

Oregon City Comprehensive Plan – Applicable Goals and Policies

Goal 14.3 Orderly Provision of Services to Growth Areas

Plan for public services to lands within the Urban Growth Boundary through adoption of a concept plan and related Capital Improvement Program, as amendments to the Comprehensive Plan.

Policy 14.3.1

Maximize new public facilities and services by encouraging new development within the Urban Growth Boundary at maximum densities allowed by the Comprehensive Plan.

Comment: The subject property is designated Low Density Residential by the Oregon City Comprehensive Plan. The proposed R-10 zoning implements the Low Density Residential designation applicable to this property. The R-8 and R-6 zones also implement the Low Density Residential plan designation, but the table in OCMC 17.68.025.A. requires the application of R-10 in LDR areas upon annexation. A zone change to a higher density may be included in a future application for development of the property. The future development will be reviewed for compliance with maximum and minimum density standards at the time of application for subdivision approval.

Policy 14.3.2

Ensure that the extension of new services does not diminish the delivery of those same services to existing areas and residents in the city.

Comment: As discussed above in this report, all required urban services will be available to serve this property concurrently with its future development. The City's Public Facilities Plan and Transportation Systems Plan will ensure that there are adequate supplies of services so that services to existing areas and residents in the city are not diminished.

Policy 14.3.3

Oppose the formation of new urban services districts and oppose the formation of new utility districts that may conflict with efficient delivery of city utilities within the Urban Growth Boundary.

Comment: Not applicable. No new urban services or utility districts are proposed. Services will be provided by the City of Oregon City, with the exception of any water services that may be appropriate to be provided by Clackamas River Water District pursuant to an agreement between the City and Water District.

Policy 14.3.4

Ensure the cost of providing new public services and improvements to existing public services resulting from new development are borne by the entity responsible for the new development to the maximum extent allowed under state law for Systems Development Charges.

Comment: All utilities that will be provided to serve the future development of this site will be the responsibility of the developer. The future homes to be built on this property will pay required Systems Development Charges at the time of application for building permits.

Goal 14.4 – Annexation of Lands to the city

Annex lands to the city through a process that considers the effects on public services and the benefits to the city as a whole and ensures that development within the annexed area is consistent with the Oregon City Comprehensive Plan, City ordinances, and the City Charter.

Policy 14.4.1

Promote compact urban form and support efficient delivery of public services by ensuring that lands to be annexed are within the City's Urban Growth Boundary, and contiguous with the city limits. Do not consider long linear extensions, such as cherry stems and flag lots, to be contiguous with the city limits.

Comment: The subject property is entirely within the City's Urban Growth Boundary and is contiguous with the existing city limits along its entire western border and its frontage on Holcomb Blvd.

Policy 14.4.2

Include an assessment of the fiscal impacts of providing public services to unincorporated areas upon annexation, including the costs and benefits to the city as a whole as a requirement for concept plans.

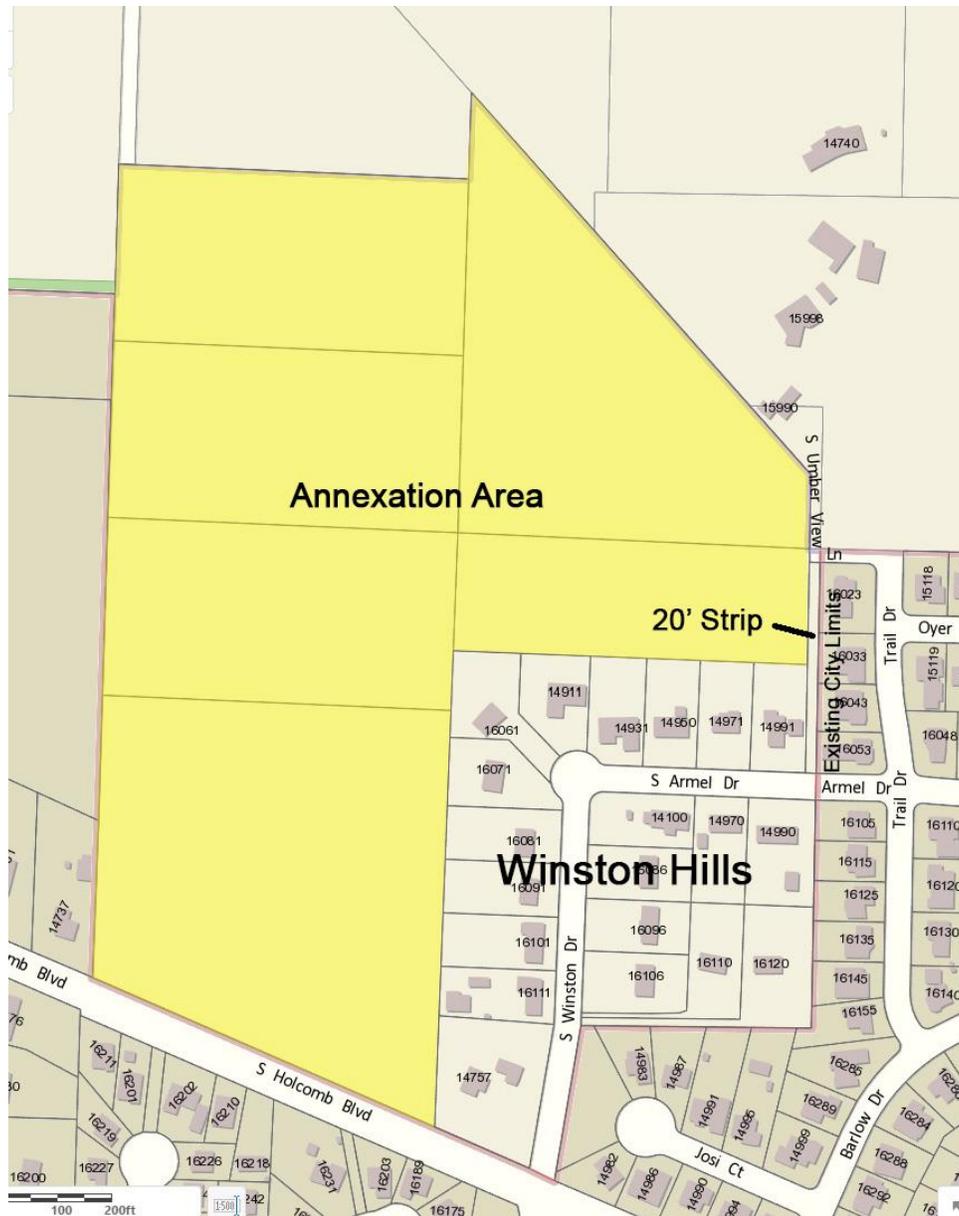
Comment: The proposed annexation will have no fiscal impacts upon the cost of providing public services because no development will be allowed until such time as Title 12 requirements can be met and a development application is approved. The City's Public Facilities Plan and Transportation System Plan anticipate the future development of the subject property at Low Density Residential densities and provide an analysis of the costs of providing adequate levels of services in the Holcomb Blvd. area. The future development of this property will contribute to these costs by providing on-site infrastructure, as well as off-site storm drainage improvements, at the cost of the developer. Each home will be assessed appropriate System Development Charges to cover the proportionate impact of the future development of this site.

Policy 14.4.3

Evaluate and in some instances require that parcels adjacent to proposed annexations be included to:

- *avoid creating unincorporated islands within the city;*
- *enable public services to be efficiently and cost-effectively extended to the entire area; or*
- *implement a concept plan or sub-area master plan that has been approved by the Planning and City Commissions.*

Comment: The proposed annexation will not create an unincorporated island within the city so this policy recommendation is met. That said, the Winston Hills subdivision in unincorporated Clackamas County that abuts the subject property along its eastern border will only remain connected to the unincorporated area by a 20-foot wide strip of land, as shown on the map below:



The fact that Winston Hills will only be connected to the unincorporated area by a strip of land will have no impact upon the efficiency of provision of public facilities and services. Sewer, water and storm drainage all are provided from either Holcomb Blvd. or to the northwest. At such time as the Winston Hills neighborhood wishes to annex to the City, the future development of the subject property will aid in providing needed services. The annexation of the Winston Hills neighborhood at this time is not needed in order to implement a sub-area master plan.

Policy 14.4.4

Expedite the annexation of property as provided by state law in order to provide sewer service to adjacent unincorporated properties when a public health hazard is created by a failing septic tank sewage system.

Comment: Not applicable. The subject property is not subject to a public health hazard associated with a failing septic system.