



Re-submitted Application: 4.10.18

LAND USE APPLICATION FORM

2017 JUN - 1 PM 12:59
RECEIVED
CITY OF OREGON CITY

Type I (OCMC 17.50.030.A)

- ☐ Compatibility Review
- ☐ Lot Line Adjustment
- ☐ Non-Conforming Use Review
- ☐ Natural Resource (NROD) Verification
- ☐ Site Plan and Design Review

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): AN-18-0001

Proposed Land Use or Activity: Annexation

Project Name: _____ Number of Lots Proposed (If Applicable): 1

Physical Address of Site: 19409 South End Rd

Clackamas County Map and Tax Lot Number(s): 3-1E-12B 01301

Applicant(s):

Applicant(s) Signature: Diane M. Douglass Trustee

Applicant(s) Name Printed: Diane M. Douglass Date: 6/1/2017

Mailing Address: 19405 South End Rd Oregon City, Or 97045

Phone: 503 2014365 Fax: _____ Email: red wagon partner@gmail.com

Property Owner(s):

Property Owner(s) Signature: _____

Property Owner(s) Name Printed: David G. Douglass Date: 6/20/2018

Mailing Address: 19405 South End Rd Oregon City, Or 97045

Phone: 503 7074142 Fax: _____ Email: ussimpulse@gmail.com

Representative(s):

Representative(s) Signature: _____

Representative (s) Name Printed: _____ Date: _____

Mailing Address: _____

Phone: _____ Fax: _____ Email: _____

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.

ANNEXATION PETITION

NOTE: This petition may be signed by qualified persons even though they may not know their property description or precinct number.

[illegible]

Page 7

CERTIFICATION OF REGISTERED VOTERS

I hereby certify that the attached petition for annexation of territory described herein to the City of Oregon City contains the names of at least a majority of the electors registered in the territory to be annexed.

NAME Rebekah Stern Doll
TITLE Deputy Clerk
DEPARTMENT Elections
COUNTY OF Clackamas
DATE 4/25/18



yes

CERTIFICATION OF PROPERTY OWNERSHIP OF

100% OF LAND AREA

(City 100% Ownership Method)

I hereby certify that the attached petition for a proposed boundary change involving the territory described in the petition contains the names of the owners* of 100% of the land area within the annexation area described in the petition, as shown on the last available complete assessment roll.



NAME Mary Neigel
TITLE GIS Cartographer II
DEPARTMENT Assessment & Tax
COUNTY OF Clackamas
DATE 09/25/18

- * "Owner" means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.

yes

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 31E12B) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.



NAME Mary Neigel
TITLE GIS Cartographer II
DEPARTMENT Assessment & Tax
COUNTY OF Clackamas
DATE 04/25/18

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as follows:

31E 12B 01301

PART OF THE SAMUEL POMEROY DONATION LAND CLAIM NO. 39, IN SECTION 12, TOWNSHIP 3 SOUTH, RANGE, 1 EAST, OF THE WILLAMETTE MERIDIAN, DESCRIBED AS:

BEGINNING AT THE NORTHEAST CORNER OF THAT TRACT OF LAND CONVEYED BY CONTRACT TO DANIEL WEIGEL, ET UX AND RECORDED AT FEE NO. 69-23546, SAID POINT BEING SOUTH 74° EAST 345.18 FEET AND SOUTH 52° 07' EAST 305.6 FEET FROM THE NORTHEAST CORNER OF THE MILTON BROWN DONATION LAND CLAIM NO 38; THENCE NORTH 52° 07' WEST 305.6 FEET; THENCE NORTH 74° WEST 207.15 FEET; THENCE SOUTH 26° 09' WEST 160.86 FEET; THENCE SOUTH 61° 22' EAST TO THE CENTER OF THE COUNTY ROAD; THENCE NORTHEASTERLY ALONG THE CENTER LINE OF SAID ROAD TO THE POINT OF BEGINNING. 1301

EXCEPTING THEREFROM: PART OF THE SAMUEL POMEROY DONATION LAND CLAIM NO. 39, IN SECTION 12, TOWNSHIP 3 SOUTH, RANGE, 1 EAST, OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS, AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED BY CONTRACT TO DANIEL WEIGEL, ET UX, RECORDED NOVEMBER 10, 1969 AS RECORDERS FEE NO 69-23546, FILM RECORDS, SAID POINT BEING SOUTH 74° EAST 345.18 FEET AND SOUTH 52° 07' EAST 305.6 FEET FROM THE NORTHEAST CORNER OF THE MILTON BROWN DONATION LAND CLAIM NO. 38; THENCE NORTH 52° 07' WEST 175 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 52° 07' WEST 130.6 FEET; THENCE NORTH 74° WEST A DISTANCE OF 10 FEET; THENCE SOUTH 44° 18' WEST PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID WEIGEL TRACT 160 FEET; THENCE SOUTH 52° 07' EAST PARALLEL WITH THE NORTHEASTERLY LINE OF SAID WEIGEL TRACT TO A POINT IN THE SOUTHEASTERLY LINE THEREOF; THENCE NORTH 44° 18' EAST ALONG SAID SOUTHEASTERLY LINE 20 FEET TO THE SOUTHEASTERLY CORNER OF A TRACT OF LAND CONVEYED TO MARVIN L. EFFINGER BY DEED RECORDED MAY 28, 1971 AS RECORDERS FEE NO. 71-11932, FILM RECORDS; THENCE NORTH 52° 07' WEST 175 FEET ALONG THE SOUTHWESTERLY LINE OF SAID EFFINGER TRACT TO THE SOUTHWESTERLY CORNER THEREOF; THENCE 44° 18' EAST 140 FEET ALONG THE NORTHWESTERLY LINE OF SAID EFFINGER TRACT TO THE TRUE POINT OF BEGINNING. 1309

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MN

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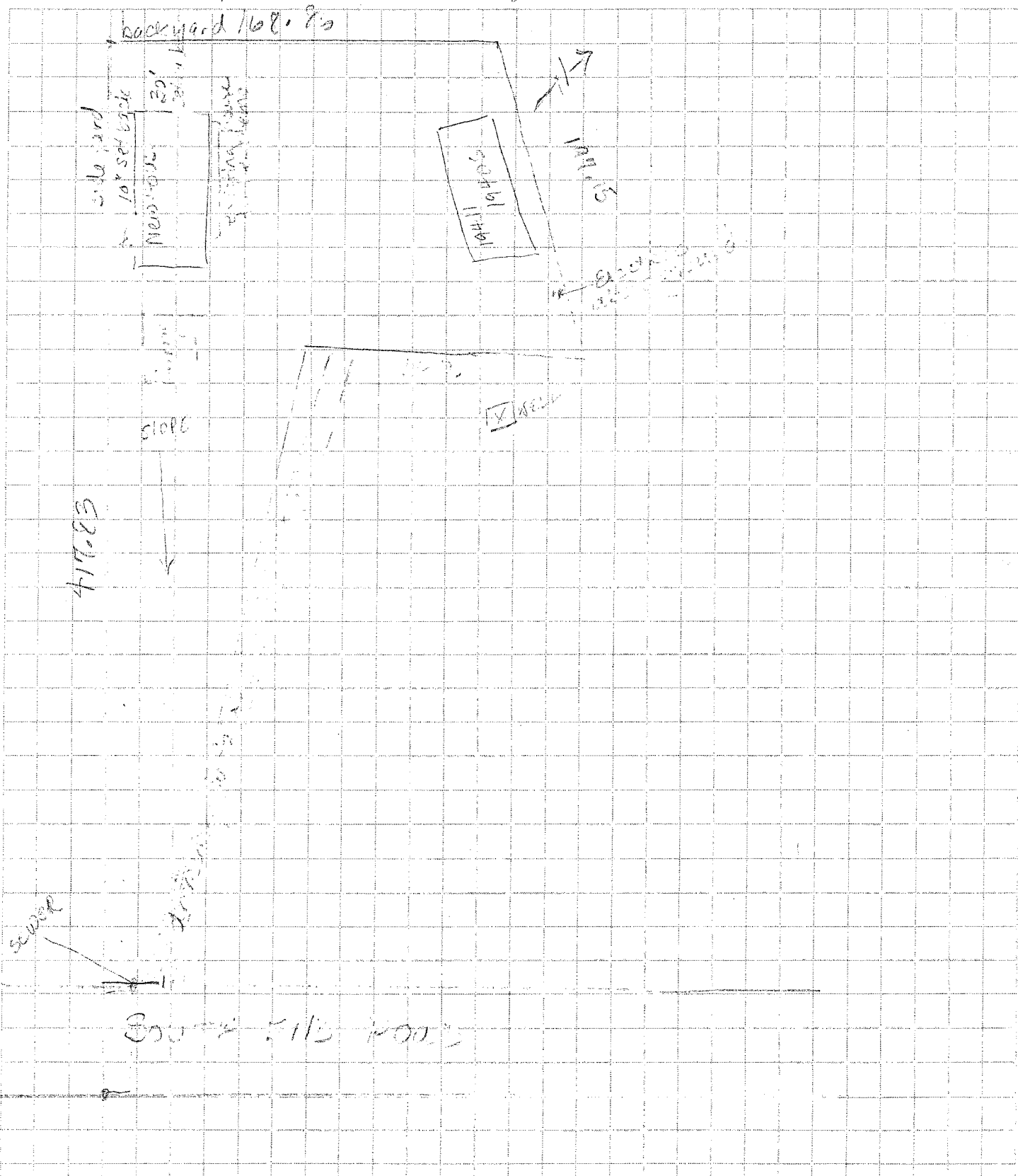
NOTE: This legal description was created prior to January 1, 2008.

MW

LONG 74-10

DEC 12 3 12 PM '11

Address: 19409 John A. ...

$$150 = 150$$


This map was prepared for
assessment purpose only.

NW1/4 SEC. 12 T.3S. R.1E. W.M.
CLACKAMAS COUNTY

D.L.C.
SAMUEL D. POMEROY NO. 39
M.M. McCARVER NO. 41
MILTON BROWN NO. 38

3 IE 12B
& INDEX

1"=200'

CANCELLED NO.S

700 thru 1100	600
2000 = 234	100
3000 = 4200	
2200	2900
1302	1308
2700	300
2300	400
2400	500
2500	2800
2600	2801
2700	2802
2702	

19000

SEE MAP 3 IE 11A

SEE MAP 3 IE 11

SEE MAP 3 IE 12C

SEE MAP
3 IE 12CA

3 IE 12B
& INDEX
800+ 27



NOTICE LIST

(This form is NOT the petition)

ALL OWNERS OF PROPERTY AND/OR REGISTERED VOTERS INCLUDED IN BOUNDARY CHANGE PROPOSAL AREA. ALL OWNERS OF PROPERTY WITHIN 300 FEET OF THE OUTSIDE BOUNDARY OF THE AREA TO BE ANNEXED.

NAME OF OWNER/VOTER

ADDRESS

PROPERTY DESIGNATION

(Indicate tax lot, section number, Township and Range)

(1)

See attached

(2)

(3)

(4)

(5)

(6)

(7) _____

(8) _____

(9) _____

(10) _____

(11) _____

(12) _____

(13) _____

(14) _____

(15) _____

(16) _____

(17) _____

(18) _____

TAXPAYER	Taxlot Number	Parcel Number	Site Address	SITUS_CITY	SITUS_ZIP
REITENBAUGH VERNON & CHERYL A	31E12B 01306	760983	11243 S BEUTEL RD	OREGON CITY	97045
DOUGLASS DAVID G TRUSTEE	31E12B 01301	760947	19405 S SOUTH END RD	OREGON CITY	97045
CHAPMAN FRANKLIN E & CAROL A	31E12B 01101	760929	19381 S SOUTH END RD	OREGON CITY	97045
SANFORD KATHRYN L	31E12B 01304	760965	19407 S SOUTH END RD	OREGON CITY	97045
SANFORD KATHRYN L	31E12B 01307	760992	NO SITUS ADDRESS		
HOWARD GERALD C & LOIS E	31E12B 01303	760956	19397 S SOUTH END RD	OREGON CITY	97045
BULLOCK DELBERT F SR TRUSTEE	31E12B 01300	760938	19437 S SOUTH END RD	OREGON CITY	97045
BATDORF RONALD T & SHARON E	31E12BA04000	761571	19272 S SUNNYRIDGE CT	OREGON CITY	97045
MCLIN LOYD I	31E12BA03300	761508	19369 S SOUTH END RD	OREGON CITY	97045
SCHLOSSER RONALD E & NANCY J	31E12BA04500	761624	19280 S ELIZABETH CT	OREGON CITY	97045
STEWART AARON C & AMANDA K	31E12BA04300	761606	19287 S ELIZABETH CT	OREGON CITY	97045
HUDGINS JEANNIE	31E12BA04600	761633	19371 S SOUTH END RD	OREGON CITY	97045
HEIMBIGNER JAKE & BRITTNEY	31E12BA04400	761615	19290 S ELIZABETH CT	OREGON CITY	97045
SUPPRESSED NAME	31E12BD05900	5005893	19257 MINUET CT	OREGON CITY	97045
SPELLMAN KIERON	31E12BD05800	5005892	19267 MINUET CT	OREGON CITY	97045
KIAR JUDITH M TRUSTEE	31E12BD05700	5005891	19277 MINUET CT	OREGON CITY	97045

Vernon and Cheryl Reitenbaugh
11243 S Beutel
Oregon City, Oregon 97045

Franklin and Carol Chapman
19381 South End Rd
Oregon City, Oregon 97045

Kathryn Sanford
19407 South End Rd
Oregon City, Oregon 97045

Gerald and Lois Howard
19397 South End Rd
Oregon City, Oregon 97045

Delbert Bullock Trustee
19437 S South End Rd
Oregon City, Oregon 97045

Ronald and Sharon Batdorf
19272 S Sunnybridge Ct
Oregon City, Oregon 97045

Lloyd Mclin
19369 S South End Rd
Oregon City, Oregon 97045

Ronald and Nancy Schlosser
19280 s Elizabeth Ct
Oregon City, Oregon 97045

Aaron and Amanda Steward
19287 S Elizabeth Ct
Oregon City, Oregon 97045

Jeannie Hudgins
19371 S South End Rd
Oregon City, Oregon 97045

Jake and Brittney Heimbigner
19290 S Elizabeth Ct
Oregon City, Oregon 97045

Occupant
19257 Minuet Ct
Oregon City, Oregon 97045

Kieron Spellman
19267 Minuet Ct
Oregon City, Oregon 97045

Judith Kiar Trustee
19277 Minuet Ct
Oregon City, Oregon 97045

BOUNDARY CHANGE INFORMATION SHEET

I. EXISTING CONDITIONS IN AREA TO BE ANNEXED

- A. General location 1940 E S-End Rd Or City
- B. Land Area: Acres .96 or Square Miles _____
- C. General description of territory. (Include topographic features such as slopes, vegetation, drainage basins, floodplain areas, which are pertinent to this proposal).
Flat lot

- D. Describe land uses on surrounding parcels. Use tax lots as reference points.
- North: Residential

- East: Residential

- South: Residential

- West: Residential

- E. Existing Land Use:
- Number of single-family units 3 Number of multi-family units _____
- Number commercial structures 0 Number industrial structures _____
- Public facilities or other uses House 19409 has public sewer
- What is the current use of the land proposed to be annexed: _____

- F. Total current year Assessed Valuation \$ _____
- G. Total existing population 13

II. REASON FOR BOUNDARY CHANGE

- A. The City Code (Section 6) and the Metro Code (3.09.050 (d) & (e)) spell out criteria for consideration (see copies attached). Please provide a narrative which addresses these criteria. With regard to the City criteria, please provide a narrative statement explaining the conditions surrounding the proposal and addressing the factors in Section 6, as relevant, including:
1. Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities;
 2. Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time;
 3. Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand;
 4. Statement outlining method and source of financing required to provide additional facilities, if any;
 5. Statement of overall development concept and methods by which physical and related social environment of the site, surrounding area and community will be enhanced;
 6. 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;
 7. 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.
- B. Please submit 25 copies of a site plan, drawn to scale (not greater than 1" = 50') indicating:
1. The location of existing structures (if any);
 2. The location of streets, sewer, water, electric and other utilities, on or adjacent to the property to be annexed.
 3. The location and direction of all water features on and abutting the subject property. Approximate location of areas subject to inundation, stormwater overflow or standing water. Base flooding data showing elevations of all property subject to inundation in the event of one-hundred year flood shall be shown;
 4. Natural features, such as rock outcroppings, marshes or wetlands (as delineated by the Division of State Lands) wooded areas, isolated preservable trees (trees with trunks over 6" in diameter- -as measured 4 feet above the ground) and significant areas of vegetation.
 5. General land use plan indicating the types and intensities of the proposed or potential development;

III. LAND USE AND PLANNING

A. What is the applicable County Planning Designation? FU-10
What City Planning Designation is being sought? FU10

B. What is the zoning on the territory to be served?

FU10

What zoning designation is being sought? _____

C. Is the subject territory to be developed at this time? No

D. Generally describe the anticipated development (building types, facilities, number of units).

no development

E. Can the proposed development be accomplished under current county zoning?

N/A

☐ Yes ☐ No

If No,---has a zone change been sought from the county either formally or informally.

☐ Yes ☐ No

Please describe outcome of zone change request if answer to previous questions was Yes. N/A

F. Is the proposed development compatible with the city's comprehensive land use plan for the area?

☒ Yes ☐ No ☐ City has no Plan for the area.

Has the proposed development been discussed either formally or informally with any of the following? (Please indicate)

☐ City Planning Commission ☒ City Planning Staff
☐ City Council ☐ City Manager

Please describe the reaction to the proposed development from the persons or agencies indicated above.

G. Please indicate all permits and/or approvals from a City, County, or Regional Government which will be needed for the proposed development. If already granted, please indicate date of approval and identifying number:

APPROVAL	PROJECT FILE #	DATE OF APPROVAL	FUTURE REQUIREMENT
Metro UGB Amendment			
City or County Plan Amendment			
Pre-Application Hearing (City or County)		8/17	
Preliminary Subdivision Approval			
Final Plat Approval			
Land Partition			
Conditional Use			
Variance			
Sub-Surface Sewage Disposal ^{Permit #} PW-16-0045	019514	11/21/2016	
Building Permit	PW16-0045	11/21/2016	

Please submit copies of proceedings relating to any of the above permits or approvals which are pertinent to the annexation.

- H. Does the proposed development comply with applicable regional, county or city comprehensive plans? Please describe.

no development at this time
Emergency Sewer Connect

- I. If a city and/or county-sanctioned citizens' group exists in the area of the annexation, please list its name and address of a contact person.

IV. SERVICES AND UTILITIES

- A. Please indicate the following:

1. Location and size of nearest water line which can serve the subject area.

12" DI water South End Rd

2. Location and size of nearest sewer line which can serve the subject area.

8" PVC South End Rd

3. Proximity of other facilities (storm drains, fire engine companies, etc.) which can serve the subject area _____

CFD #1 Storm drainage ditch
CRW - Well Water

4. The time at which services can be reasonably provided by the city or district.

Now

5. The estimated cost of extending such facilities and/or services and what is to be the method of financing. (Attach any supporting documents.)

\$45,000

6. Availability of the desired service from any other unit of local government. (Please indicate the government.)

- B. If the territory described in the proposal is presently included within the boundaries of or being served extraterritorially or contractually by, any of the following types of governmental units, please so indicate by stating the name or names of the governmental units involved.

City _____

Rural Fire Dist. CCFD

County Service Dist. _____

Sanitary District In City

Hwy. Lighting Dist. _____

Water District CRW

Grade School Dist. DBSD

Drainage District _____

High School Dist. OCSD

Diking District _____

Library Dist. Or City

Park & Rec. Dist. Clark Co.

Special Road Dist. _____

Other Dist. Supplying Water Service _____

- C. If the territory is proposed to be served by any of the above units or any other units of government please note. CCFD OCSD In City WES CRW

- D. If any of the above units are presently servicing the territory (for instance, are

residents in the territory hooked up to a public sewer or water system), please so describe.

19409 hooked to sewer as of 2017

APPLICANT'S NAME

Diane Douglass

MAILING ADDRESS

19405 South End Rd

Oregon City, Or 97045

TELEPHONE NUMBER

503 201 4365

(Work)

(Res.)

REPRESENTING

DATE:

4/17/18

DOUBLE MAJORITY WORK SHEET

Please list all properties/registered voters included in the proposal. (If needed, use separate sheet for additional listings).

PROPERTY OWNERS

Property Designation (Tax Lot #s)	Name of Owner	Acres	Assessed Value	Signed Petition (Y/N)
TOTALS				

Worksheet (continued)

REGISTERED VOTERS

Name of Registered Voter	Address of Registered Voter	Signed Petition (Y/N)
David G Douglass	19405 S. End Rd OC	Y
Diane M Douglass	"	Y
Elizabeth M Bailey	19409 S End Rd	Y
Raymond Bailey	"	Y
Matthew Lawer	19411 S. End Rd	Y
Victoria Lawer	"	Y

SUMMARY

TOTAL NUMBER REGISTERED VOTERS IN THE PROPOSAL 6

NUMBER OF REGISTERED VOTERS WHO SIGNED 6

PERCENTAGE OF REGISTERED VOTERS WHO SIGNED 100%

TOTAL ACREAGE IN PROPOSAL 96

ACREAGE SIGNED FOR _____

PERCENTAGE OF ACREAGE SIGNED FOR _____

yes

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 31E12B) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.



NAME Mary Neigel
TITLE GIS Cartographer II
DEPARTMENT Assessment & Tax
COUNTY OF Clackamas
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BEGINNING AT THE NORTHEAST CORNER OF THAT TRACT OF LAND CONVEYED BY CONTRACT TO DANIEL WEIGEL, ET, UX, AND RECORDED AS RECORDER'S FEE NO 69-23546, FILM RECORDS; SAID POINT BEING SOUTH 74° EAST 345.18 FEET AND SOUTH 52° 07' EAST 305.6 FEET FROM THE NORTHEAST CORNER OF THE MILTON BROWN DONATION LAND CLAIM NO. 38; THENCE NORTH 52° 07' WEST 170 FEET TO A POINT WHICH IS SOUTH 52° 07' EAST 5 FEET FROM THE MOST NORTHERLY CORNER OF THAT TRACT DESCRIBED IN THE DEED TO MARVIN L. EFFINGER RECORDED MAY 28, 1971 AS RECORDERS FEE NO. 71-11932, FILM RECORDS AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 52° 07' WEST 5 FEET TO THE MOST NORTHERLY CORNER OF SAID EFFINGER TRACT; THENCE SOUTH 44° 18' WEST 140 FEET TO THE MOST WESTERLY CORNER OF SAID EFFINGER TRACT; THENCE SOUTH 52° 07' EAST 19 FEET; THENCE NORTHEASTERLY TO THE TRUE POINT OF BEGINNING. 1307

EXCEPTING THEREFROM: PART OF THE SAMUEL POMEROY DONATION LAND CLAIM NO. 39, IN SECTION 12, TOWNSHIP 3 SOUTH, RANGE, 1 EAST, OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS, AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THAT TRACT OF LAND CONVEYED BY CONTRACT TO DANIEL WEIGEL, ET, UX, AND RECORDED AS FEE NO. 69-23546, CLACKAMAS COUNTY FILM RECORDS, SAID POINT BEING SOUTH 74° EAST 345.18 FEET AND SOUTH 52° 07' EAST 305.6 FEET FROM THE NORTHEAST CORNER OF THE MILTON BROWN DONATION LAND CLAIM NO. 38; THENCE NORTH 52° 07' WEST 175 FEET; THENCE SOUTH 44° 18' WEST PARALLEL TO THE SOUTHEASTERLY LINE OF THE WEIGEL TRACT 140 FEET; THENCE SOUTH 52° 07' EAST 175 FEET TO THE SOUTHEASTERLY LINE OF SAID WEIGEL TRACT; THENCE NORTH 44° 18' EAST ALONG SAID SOUTHEASTERLY LINE 140 FEET TO THE POINT OF BEGINNING. 1303

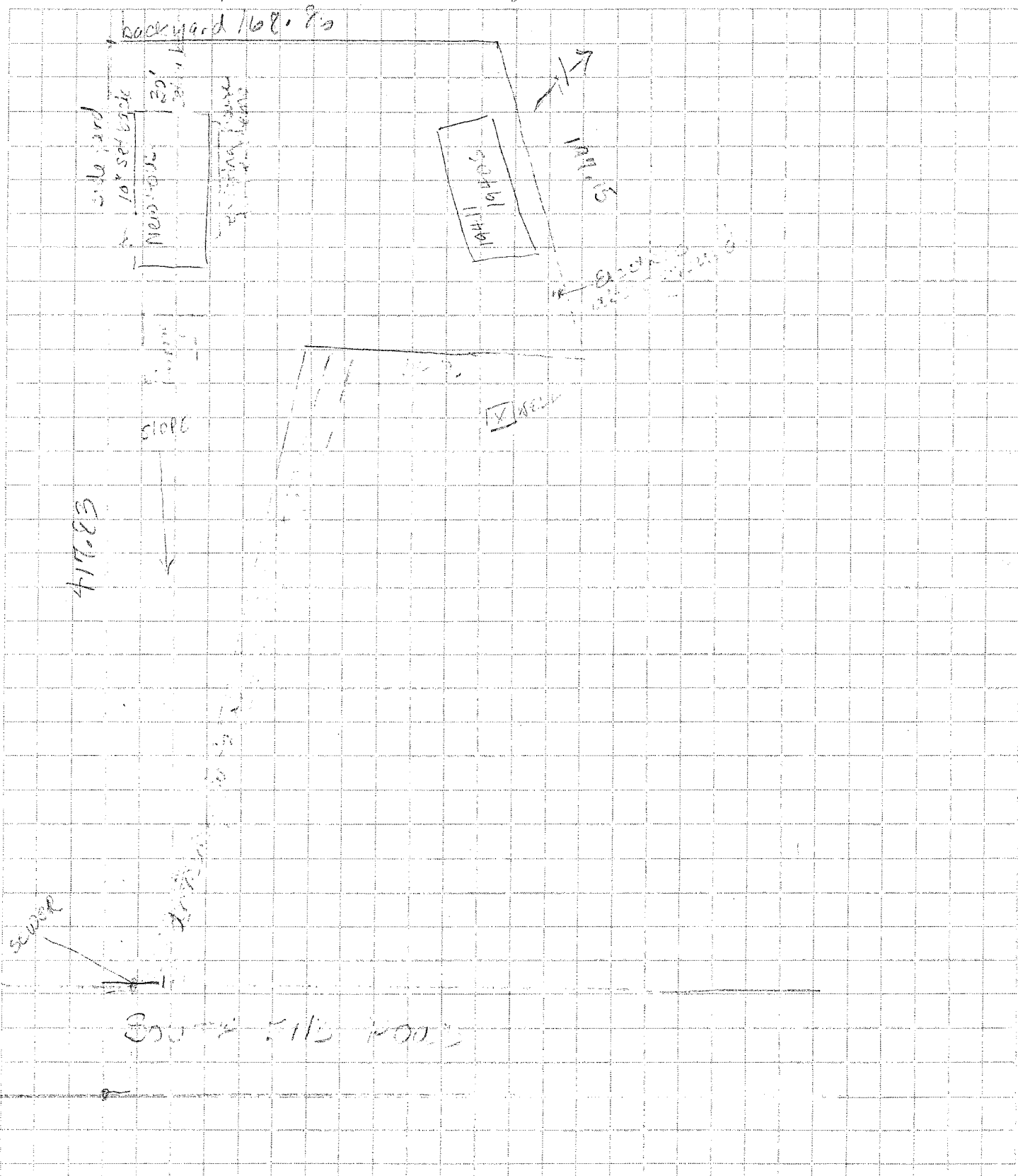
NOTE: This legal description was created prior to January 1, 2008.

MW

LONG 74-10

DEC 12 3 12 PM '11

Address: 19409 Jolly Road, Suite 100, Littleton, CO 80120

$$150 = 150$$


This map was prepared for
assessment purpose only.

NW 1/4 SEC. 12 T.3S. R.1E. W.M.
CLACKAMAS COUNTY

D.L.C.
SAMUEL D. POMEROY NO. 39
M.M. McCARVER NO. 41
MILTON BROWN NO. 38

3 IE 12B
& INDEX

1" = 200'

CANCELLED NO.s

700 thru	1100	600
2100 "	2134	100
3000 "	4200	
2200	2900	
1302	1308	
2700	300	
2300	400	
2400	500	
2500	2800	
2600	2801	
2701	2802	
2702		

19000

19300

19500

SEE MAP 3 IE 11A

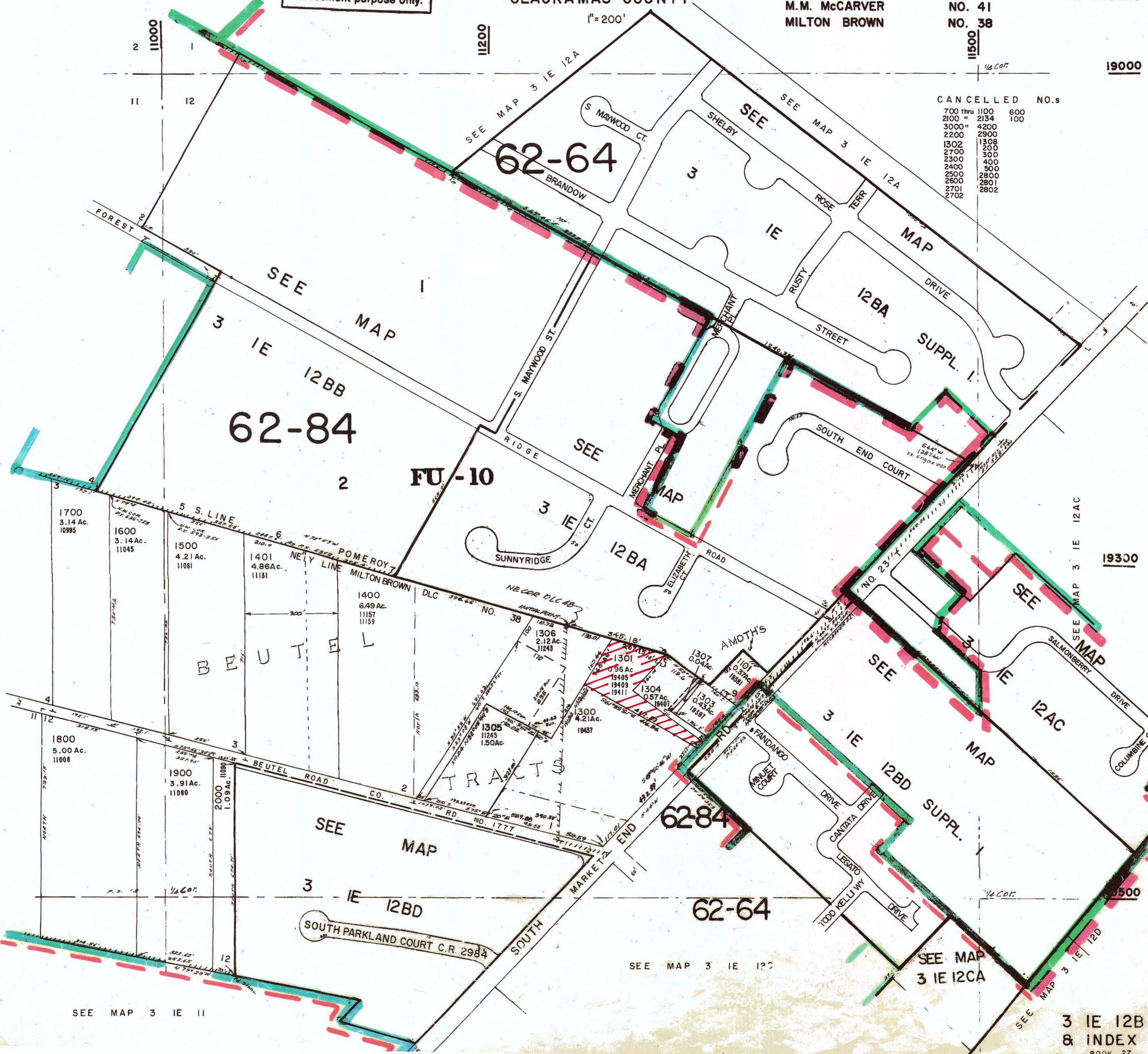
SEE MAP 3 IE 11

SEE MAP 3 IE 12C

SEE MAP
3 IE 12CA

SEE MAP 3 IE 12D

3 IE 12B
& INDEX
BOOK 27





Pre-Application Conference Notes

(PA 17-36, August 30, 2017)

Proposed Project: Emergency Sewer Annexation: 19405 South End Road Oregon City, OR 97045

General Information:

- Location: 19405 South End Road Oregon City, OR 97045
- Tax Map and Lot#: 3-1E-12B -01301
- Acres: 1
- Current Zoning: FU-10
- Comprehensive Plan Designation: Medium Density Residential
- Default Zone Under the Comprehensive Plan Designation: “R-5” Dwelling District

Planning Review and Application Fees:

The [fee schedule](#) is available on-line. The 2017 Planning applications and fees include-

- Annexation: \$4,342 (paid)
- Annexation Metro Mapping: \$1-5 acres = \$250
- Mailing Labels: \$16 – or provided by applicant

If Including a Zone Change:

- Zone Change: \$2,798
- Transportation Impact Analysis for Zone Change / Comp Plan Amendment: \$2,046.00

Review Process:

This application will be processed as a Type IV process. Type IV decisions include only quasi-judicial plan amendments and zone changes. These applications involve the greatest amount of discretion and evaluation of subjective approval standards and must be heard at a series of public hearings before both the Planning Commission as well as the City Commission, whom will make a final decision. At the evidentiary hearing held before the planning commission, all issues are addressed. Review by the City Commission is on the record and only issues raised before the Planning Commission may be raised before the City Commission.

Note that applications for annexations which are unaccompanied by a zone change are not subject to Planning Commission review and are reviewed only by the City Commission.

The City is allotted up to 30 days to review the application once it is submitted for completeness purposes. If determined to be incomplete, the applicant has **180 days** to complete the application. Once determined to be complete, the applicant is entitled to a decision from the city for a decision of approval, approval with conditions or denial within **120 days** of deeming the application complete, by state law. Decisions are appealable to the Land Use Board of Appeals (LUBA).

Annexation Election

It appears that this annexation may be exempt from the voter approval requirements of OCMC 14.04, pursuant to SB 1573, which was passed by the State Legislature in 2016. In order to be exempt from voter approval the following requirements apply.

(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.

Criteria for Annexation:

Oregon City Municipal Code Chapter 14

- OCMC 14.04.050.(E).(1-9). The required narrative statement in response to items 7(a) through (g) must be included:
 - 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;
 - d. Statement outlining method and source of financing required to provide additional facilities, if any;
 - 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;
 - 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;
 - 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;
- OCMC 14.04.060 – Annexation Factors. Narrative shall address each of the required Annexation Factors (1) through (7). When reviewing a proposed annexation, the commission shall consider the following factors, as relevant:
 - 1. Adequacy of access to the site;
Comment: Address how current and future access to the site is adequate.
 - 2. Conformity of the proposal with the city's comprehensive plan;
Comment: The applicant's narrative should show the applicable goals and policies. Staff will include the applicable goals and policies with the Code Response Template.
 - 3. Adequacy and availability of public facilities and services to service potential development;
Comment: The applicant's narrative should show the current Oregon City public facilities plans for Water, Sewer, Stormwater and Transportation and the respective demand placed on these services by the potential development of the site.

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

Comment: The applicant's narrative should show these criteria.

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

Comment: The applicant's narrative should show address any natural hazards present on site.

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 applicant's narrative should address any specially designated open space, scenic, historic or natural resource areas on the site. Staff is not aware of any, although there are constraints on building in a powerline easement. We recommend contacting the County Historic Preservation staff for any cultural or historic records for the site.

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: The applicant's narrative should address any significant adverse effects on the economic, social and physical environment of the community by the overall impact of the annexation.

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

- Whether the proposed boundary change will promote the timely, orderly and economic provision of public facilities and services.
- Whether the proposed boundary change will affect the quality and quantity of urban services
- Whether the proposed boundary change would eliminate or avoid unnecessary duplication of facilities or services.

Oregon City Comprehensive Plan – Applicable Goals and Policies

- Goal 14.1.2 – Concept Plans (Address [Southend Concept Plan](#) as applicable)
- Goal 14.3 - Orderly Provision of Services to Growth Areas
- Goal 14.4 – Annexation of Lands to the city

Concept Plan Goals and Policies

- This area is within the [Southend Concept Plan](#) study area boundary regulated under Metro Title 11.

Zone Change

A Zone Change request to R-5 or R3.5 may be submitted concurrently with the annexation request or submitted separately and is a discretionary zone change processed pursuant to the criteria in OCMC 17.68. If you wish to pursue a zone change, we are available to forward you the criteria and a template. The information was not included in these notes, as it appears you will not be pursuing a zone change.

- All annexations require the applicant to also submit a zone change, except if:
 - The property does not have a zoning designation which may be applied; or
 - The property is an emergency sewer annexation
- If you do not wish to pursue a zone change with the annexation, conditions will be placed on the annexation limiting the use of the property because it would remain in a Clackamas County zoning designation. Prior to annexation, the property owner or assigns will record a covenant, to be approved by the City Attorney, which limits development of the site until such time that a zone change to a City zoning designation has been approved. The covenant shall acknowledge that development is reviewed for compliance with the Oregon City Municipal Code and Clackamas County Zoning and Development Ordinance. Further, until a zone change is approved the site use

shall not change or intensify, or receive approval of a land division or development of the site including. The restrictions would include the following:

- o No change in use, or intensification of an existing use (including home occupations)
- o No additions to the structures onsite (repair ok)
- o No new accessory structures onsite (repair ok)
- o The property is subject to the City's fence regulations
- o The property is subject to the City's nuisance and animal regulations
- o No development or land division of the site

Applications for annexations which are unaccompanied by a zone change are not subject to Planning Commission review and are reviewed only by the City Commission.

Transportation

Your application was reviewed by John Replinger of Replinger and Associates, a city consultant for transportation engineering. Traffic Impact Analysis is not required if the applicant is not pursuing a zone change. If a concurrent Zone Change is perused, Fees for review of the traffic analysis letter will be required pursuant to the TIA fee structure. The City's transportation consultant John Replinger has reviewed the pre-application and has the following comments;

Based on the information provided by the applicant, it appears the trip generation meets the level at which the project's transportation analysis requirements can be satisfied by submittal of a Transportation Analysis Letter (TAL).

Because the proposal includes a zone change, the applicant will also need to address the requirements of Oregon's Transportation Planning Rule. Specifically, the applicant shall address the provisions of 660-12-0060 Plan and Land Use Regulation Amendments. When a zone change is proposed, a future year analysis is required assessing the impact associated with the planning horizon specified in the city's adopted Transportation System Plan.

Your traffic engineer is welcomed to contact John Replinger at Replinger-Associates@comcast.net or at 503.719.3383.

Neighborhood Association Meeting Required

Per OCMC 17.50.055 - [Neighborhood association meeting](#). Documentation of the meeting with the applicable Neighborhood Association is required for a complete application. Staff will confirm which N.A. the annexation would be included within upon annexation. The annexation property is within the Hazelgrove Wrestling Farms Neighborhood Association boundary. See Web page <http://www.orcity.org/community/neighborhood-associations> for contact and meeting information.

Currently Hazelgrove Westling Farms is inactive and is currently supported by the South End NA. Contact them to set up a meeting.

South End Neighborhood Association

Chair: Bill McConnel, sena97045@gmail.com

Vice Chair: Gary Fergus, Interim Vice Chair fergusfamily@gmail.com

Secretary: Vacant

CIC Representative: Bill McConnel, sena97045@gmail.com

CIC Representative: Gary Fergus, fergusfamily@gmail.com

Meeting Information: August 17, 2017 and October 19, 2017

Located: Oregon City United Methodist Church, 18955 South End Road, Oregon City, 7:00PM

Other notes:

- With these notes, staff has provided a template for your responses to the applicable criteria similar to a Staff Report and electronic versions of the applicable plans, policies and approval criteria above to assist in the preparation of your application. In addition,
- We have provided notice of your proposed development to the State Historic Preservation Office (SHPO) and all affected tribes per OCMC chapter 17.62.040.H.
- All applicable System Development Charges (SDC) shall be due and payable upon building permit issuance.

Oregon City Municipal Code Criteria:

The following chapters of the Oregon City Municipal Code (OCMC) may be applicable to this proposal:

OCMC – Title 14 Annexations

OCMC 17.50 – Administrative Processes

Staff will email you a Code Response Template in MS-Word version. The sections may also be downloaded from the municipal code website.

Tri-City Service District

Your application was forwarded to Clackamas County Water Environment Services (WES). No comments were received. Questions regarding the sewer plant capacity or WES requirements should be directed to Rob Hungerford RobHun@co.clackamas.or.us or Erik Carr ECarr@co.clackamas.or.us at Tri-City Service District.

Oregon City School District

Your application was forwarded to Wes Rogers, Director of Operations for the Oregon City School District. No comments were received. Questions regarding school capacity should be directed to the school district.

Planning Division

Christina Robertson-Gardiner, Senior Planner with the Oregon City Planning Division reviewed your pre-application. Email crobertson@orc.org / Phone (503) 496-1564.

Development Services Division

See separate notes from Public Works Development Services Division.

Building Division:

Your application was transmitted to our Building Official. You may contact Mike Roberts, Building Official, at 503.496.1517 or mroberts@orc.org if you have any building related questions.

Clackamas County Fire:

Your application was transmitted to Mike Boumann, Lieutenant Deputy Fire Marshal of Clackamas County Fire District #1. No comments were returned regarding your application. You may contact Mr. Boumann at 503.742.2660 or at mike.boumann@ClackamasFire.com.

Pre-application conferences are required by Section 17.50.050 of the City Code, as follows:

A. Preapplication Conference. Prior to submitting an application for any form of permit, the applicant shall schedule and attend a preapplication conference with City staff to discuss the proposal. To schedule a preapplication conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans. The purpose of the preapplication conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the preapplication conference. Notwithstanding any

representations by City staff at a preapplication conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

B. A preapplication conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant must schedule and attend another conference before the City will accept a permit application. The community development director may waive the preapplication requirement if, in the Director's opinion, the development does not warrant this step. In no case shall a preapplication conference be valid for more than one year.

NOTICE TO APPLICANT: A property owner may apply for any permit they wish for their property. HOWEVER, THERE ARE NO GUARANTEES THAT ANY APPLICATION WILL BE APPROVED. No decisions are made until all reports and testimony have been submitted. This form will be kept by the Community Development Department. A copy will be given to the applicant. IF the applicant does not submit an application within six (6) months from the Pre-application Conference meeting date, a NEW Pre-Application Conference will be required.