



City of Oregon City

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Staff Report

File Number: 19-652

Agenda Date: 11/20/2019

Status: Agenda Ready

To: City Commission

Agenda #: 3a.

From: Community Development Director Laura Terway

File Type: Report

SUBJECT:

Voter Approval of Annexation, Senate Bill 1573, and Home Rule

RECOMMENDED ACTION (Motion):

The presentation is at a work session, no motion is needed.

BACKGROUND:

If the City Commission determines that a proposed annexation should be approved, the Charter of Oregon City requires the Commission to submit the annexation to the electors of the City. Section 3 of the Oregon City Charter provides in relevant part:

“Unless mandated by law, the city shall include all territory encompassed by its boundaries as they now exist or hereafter are modified by the voters.”

The process of implementing the Charter provision and processing annexations is described in Chapter 14.04 of the Oregon City Municipal Code.

However, in 2016, the Oregon Legislature adopted Senate Bill 1573 (SB 1573), which requires a city to annex lands without voter approval, notwithstanding any city charter limitation to the contrary, in cases where:

- The annexation includes unanimous consent from the owners seeking to annex;
- The land is already included within a city or Metro urban growth boundary;
- Upon annexation, the area will be subject to a city acknowledged comprehensive plan;
- At least one parcel is contiguous with the city limits; and
- The proposal complies with all other city requirements.

The effect of SB 1573 in Oregon City was discussed extensively in 2017 and, at that time, the Commission settled on a policy of following SB 1573, and not challenging that law. Since that time, the membership of the Commission has changed and the new Commission has expressed interest in reconsidering its options regarding annexations. The purpose of this work session is to update the City Commission on the status of the legal challenge to SB 1573 and review the options for the City Commission to address annexation applications in the future.