



Legislation Details (With Text)

File #:	20-263	Version:	1	Name:	1st Reading of Ordinance No. 20-1007, for the Vacation of a Section of Right-of-Way Adjacent to 13735 Lazy Creek Lane
Type:	Ordinance	Status:			Second Reading
File created:	5/21/2020	In control:			City Commission
On agenda:	6/3/2020	Final action:			
Title:	First Reading of Ordinance No. 20-1007, Vacating a Section of Right-of-Way Adjacent to 13735 Lazy Creek Lane				
Sponsors:	John Lewis				
Indexes:					
Code sections:					
Attachments:	1. Staff Report, 2. Ordinance No. 20-1007, 3. Right-of-Way Vacation Application, 4. Right-of-Way Vacation Exhibits - Map, 5. Site Map, 6. Vacation Notice, 7. Proof of Advertisement, 8. Sign Notice, 9. Affidavit of Posting				

Date	Ver.	Action By	Action	Result
6/3/2020	1	City Commission	approve on first reading	Pass

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

RECOMMENDED ACTION (Motion):

Approve the first 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.

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.

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.