Q&A About Proposed Immigration Facility

Note: The USCIS has determined to site the facility elsewhere. Please see www.westlinntidings.com for full news coverage of this change.

Last week, the City of West Linn, Oregon was made aware that the United States Citizenship and Immigration Services (USCIS) agency is considering West Linn as a possible relocation site for the Portland-area immigration office.

Currently, the immigration office is located in downtown Portland. USCIS has been in discussions with Blackhawk Development regarding a potential relocation to 1850 Blankenship Road in West Linn. This building is not yet under construction. The project was approved for development in early 2007. The approved project includes three buildings totaling approximately 300,000 sq. ft. of office space and more than 800 parking spaces.

The location for this development is zoned Office Business Center. Permitted zone uses include:
• Business equipment sales and services
• Business support services
• Communications services
• Financial, insurance and real estate services
• Professional and administrative services

Conditional Uses in this zone subject to certain approval criteria include:
• Public support facilities

The definition of a public support facility is:
• “Public services that deal directly with citizens, to include meeting and hearing rooms, together with incidental storage and maintenance of necessary vehicles, and excludes commercial use type, "professional and administrative services." Typical use types are associated with governmental offices.”
• The commercial use type “professional and administrative services” as referenced in the definition of permitted uses is further defined as “offices of private firms or organizations…” Thus the definition specifically excludes public support facilities.

The USCIS office clearly falls under the definition of a public support facility. Therefore, the potential relocation of a USCIS office is a conditional use requiring an application from the property owner/developer and the approval of the City of West Linn Planning Commission following a public hearing.

To date, the City has not received an application for this use. If a conditional use permit application is received, the criteria that the Planning Commission will use to evaluate this application include:

1. The site size and dimensions provide:
a. Adequate area for the needs of the proposed use; and,
b. Adequate area for aesthetic design treatment to mitigate any possible adverse effect from the use on surrounding properties and uses. (ORD. 1291)
2. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and natural features.
3. The granting of the proposal will provide for a facility that is consistent with the overall needs of the community.
4. Adequate public facilities will be available to provide service to the property at the time of occupancy. (ORD. 1544)
5. The applicable requirements of the zone are met, except as modified by this chapter.
6. The supplementary requirements set forth in Chapters 52?55, if applicable, are met.
7. The use will comply with the applicable policies of the Comprehensive Plan.

Any decision made by the Planning Commission is subject to appeal to the City Council. It is anticipated that this entire process would take a minimum of four to six months from the time the City receives an application. Any

decision made by the City Council would be subject to possible appeal to the Oregon Land Use Board of Appeals.

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