

**BEFORE THE WEST LINN CITY COUNCIL
FINAL ORDER**

ANX-09-01

Regarding the Step One Annexation of an approximate 7.5 acre site located at 3332 and 3151 Parker Rd.

At the hearing date of December 14, 2009, the West Linn City Council held a meeting pursuant to the provisions of Community Development Code, Chapter 81 to consider a Step One Annexation approval of approximately 7.5 acres located at 3332 and 3151 Parker Road; including the adjacent right-of-way. They concluded that:

FINDINGS OF FACT

1. The City Council conducted a public hearing on December 14, 2009 and heard and accepted the staff report and findings included therein.
2. The City Council found that the Step One Annexation request met the approval criteria of Community Development Code, Section 81.050, which includes meeting Municipal Code, Section 2.920(1.) Specifically, the Council found that the following conditions necessary to process an annexation were met:
 - (a) The subject site is located within the Portland Metropolitan Urban Growth Boundary.
 - (b) The site is designated as Medium High Density Residential on the West Linn Comprehensive Plan Map.
 - (c) The site is contiguous to the existing city limits on all sides.
 - (d) Written consent from the property owner has been provided in accordance with ORS Section 222.111.
 - (e) The property has been included in all applicable capital facility improvements plans and, accordingly, has been planned for all needed City infrastructure.
3. The City Council found that the proposal complies with the criteria of Metro Code, Section 3.09.050(d,) and that Section 3.09.050(e) was not applicable. The City has not adopted an annexation plan under ORS 195.065, and there are no urban service agreements in place for the area.
4. The City Council found that the proposal complies with the Comprehensive Plan, the Sanitary Sewer Master Plan, Water System Master Plan, and Storm Drainage Master Plan.

5. The City Council found that the site proposed for annexation is adjacent and contiguous to recent development, and is timely, and will not interfere with economic provision of the public facilities or services. The County Enhanced Law Enforcement District is the only unit of government that would lose territory as a result of annexation to the City. The Tri-City Sewer Service District annexation will be required subsequent to the City's annexation of the property.
6. In accordance with the Comprehensive Plan Designation of Medium High Density Residential, which provides for compatible zoning districts of either R-2.1 or R-3, the City Council determined that the site should be zoned R-3 (one dwelling per 3,000 square feet) if annexed into the city, because the site is principally located adjacent to land zoned R-3 and GC; therefore, the R-3 zoning is consistent with the prevailing zoning in the area.
7. A motion was made and seconded to approve the Step One Annexation, including removal from the County Enhanced Law Enforcement District. The Step One Annexation was approved, with no additional conditions of approval.

This decision is final upon the date of the signature on this notice. Those parties with standing may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) according to the rules adopted by LUBA.

Patti Galle Mayor
PATTI GALLE, MAYOR

12/15/2009
DATE

MAILED THIS *16* DAY OF *December*, 2009.

APPROVED AS TO FORM:

[Signature]