

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
July 6, 2017

SUBJECT: Application for annexation including zone assignment for a 6.47 acre property owned by David and Drucilla Sloop at 23190 Bland Circle (accessed off Salamo Road)

FILE: PA-17-27

ATTENDEES: Applicants: David and Dru Sloop. Other Attendees: Andrew Tull, Jim McKune, Marah Danielson, Avi Tayar, Roberta Schwarz, Gail Holmes. Staff: Peter Spir, Jennifer Arnold (Planning)

The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any "follow-up" items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.

SITE INFORMATION:

Site Address: 23190 Bland Circle (21E35AB tax lot 9100)*
Site Area: 281,866 square feet/6.47 acres
Neighborhood: Savanna Oaks
Comp. Plan: Low density residential (West Linn)
Zoning: Current zoning in Clackamas County: Future Urban 10 acre minimum
Applicable code: Community Development Code (CDC) Chapter 81: Boundary Changes
CDC Chapter 105: Amendments to the Code and Map
Municipal Code Chapter 2.915: Annexations
Metro Code Chapter 3.09 Local Boundary Changes (Expedited Decision)
See also Tri-City Service District
http://www.clackamas.us/wes/documents/tri_city_annexation_packet.pdf

PROJECT DETAILS: The property is an unincorporated "island" located one quarter mile inside the city limits and UGB. The applicant proposes to annex the property to the City with either an R-5 or R-7 zoning designation. An R-7 designation would be compatible with the existing "Low Density Residential" comprehensive plan designation and surrounding properties. (An R-5 designation would require a comprehensive plan amendment to "Medium Density Residential" and would not be compatible with surrounding zoning.) The property is serviceable by city utilities. No development is proposed at this time. (*Note: Jim McKune, the owner of the adjacent property at 22929 Salamo Road was in attendance and discussed consolidation of the properties into one annexation application.)

Completed annexation applications go through a two-step process with City Council ("Council"). In Step 1, ("Land Use Decision") staff schedules a Council hearing to review the land use aspect of the petition based on the approval criteria of CDC Chapter 81 and 105. The Council may, in its discretion, decide to set a public hearing (Step 2) for the annexation request, delay a public hearing on the requested annexation or pass a resolution placing the annexation request on a ballot for an advisory vote, at any election. If the application receives Council approval through the Step 1 process, and an advisory vote is not required, the Council shall proceed to Step 2 ("Policy Decision"). (Petitions to annex that do not receive Step 1 approval by the Council will not proceed to Step 2.)

Step 2 involves a second public hearing where the Council considers policy issues. Step 2 requires consideration of a report from the Planning Director which addresses West Linn Municipal Code section 2.930(2) (a-d). The Council may deny an annexation acting in its legislative capacity even after it has approved the annexation application through the Step 1 process. A decision to deny an annexation in Step 2 shall be specifically stated in the record and noted as a legislative act separate and apart from the land use decision in Step 1. There are concurrent requirements to annex to the Tri-City Service District and to withdraw from the Clackamas County Enhanced Law Enforcement District.

Engineering/TVFR Comments: Contact Erich Lais at elais@westlinnoregon.gov for Engineering comments and Ty Darby at tdarby@tvfr.com for TVFR comments.

Neighborhood Concerns: 1. Density of housing in potential future development after annexation. 2. Traffic that could be generated through future development after annexation and whether or not a traffic signal will be added because of the additional traffic. 3. Trees that could be removed in future development after annexation. 4. The Water Resource Area on the land proposed for annexation.

PROCESS: Submit completed application form and provide responses to approval criteria of CDC 81.040 and 81.050; and 81.055; West Linn Municipal Code 2.915 to 2.930; and Metro Code 3.09.040 and 3.09.045 (Expedited Decisions). (Regarding Municipal Code approval criteria 2.930(2) (b) please contact Tim Woodley, Director, Department of Operations, WLWV School District at Woodleyt@wlwv.k12.or.us) The application will also include completed “Annexation Petition” form, “Certification of Property Ownership” form and “Certification of Legal Description and Map” per Oregon Department of Revenue (DOR) specifications. <http://www.oregon.gov/DOR/programs/property/Pages/boundary-change.aspx>. See also http://www.oregon.gov/DOR/forms/FormsPubs/boundary-change_504-405.pdf. These forms and maps shall be signed and stamped by Clackamas County Tax and Assessment Department. Annexation to the Tri-City Service District requires responding to the submittal requirements as explained in the WES publication. Approval by the Clackamas County Board of Commissioners is required. Contact Erik Carr, Development Review Specialist, Clackamas County - Water Environment Services (503-742-4571) ECarr@co.clackamas.or.us. The application should also declare the intent to withdraw from the Clackamas County Enhanced Law Enforcement District. The City of West Linn’s fee for an annexation is \$15,000 plus \$1,000 for every acre up to \$20,000 (excluding any applicable election costs, County/Tri-City (\$895 per WES handout), Metro (\$300 per Metro website), DOR, etc. fees which are the responsibility of the applicant).

For the zone assignment, respond to CDC 105.050 requirements. Because this a zone assignment and not a change of city zones, the requirements of Oregon Administrative Rule (OAR) 660-012-0060 including a Traffic Impact Analysis per 105.050(D) (3) do not apply. At such time that a land development application is made, a TIA would be required. A neighborhood meeting, per CDC 99.038, is only required if a Comprehensive Plan change (Medium Density Residential/R-5) is proposed. Once the submittal is deemed complete, staff will provide notice per CDC Chapter 99 and schedule a public hearing with the City Council. (The 120-day rule does not apply to legislative action.)

Typical land use applications can take 6-12 months from beginning to end.

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application *or provide any assurance of potential outcomes*. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. *A new pre-application conference would have to be scheduled after 18 months and these notes would no longer be valid. Any changes to the CDC standards may require a different design or submittal.*