



NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.:
Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing.** (See [OAR 660-018-0020](#) for a post-acknowledgment plan amendment and [OAR 660-025-0080](#) for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **The City of West Linn, Oregon**

Local file no.: **ANX-18-01**

Please check the type of change that best describes the proposal:

- Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB
- UGB amendment** over 100 acres by a metropolitan service district
- Urban reserve designation**, or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
- Periodic review task** – Task no.:
- Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): Jennifer Arnold, Associate Planner

Phone: 503-742-6057 E-mail: jarnold@westlinnoregon.gov

Street address: 22500 Salamo Road City: West Linn Zip: 97068-

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

ANX-18-01 is a proposal to annex property (2.35 acres) that is well within the City's Urban Growth Boundary into the City of West Linn. Neighboring property has already been annexed

Date of first evidentiary hearing: 06/11/2018

Date of final hearing: 06/11/2018

This is a revision to a previously submitted notice. Date of previous submittal: 3/26/2018

Check all that apply:

- Comprehensive Plan text amendment(s)
- Comprehensive Plan map amendment(s) – Change from _____ to _____
Change from _____ to _____
- New or amended land use regulation
- Zoning map amendment(s) – Change from FU-10 to R-7
Change from _____ to _____
- An exception to a statewide planning goal is proposed – goal(s) subject to exception:
- Acres affected by map amendment: 2.35

Location of property, if applicable (site address and T, R, Sec., TL): 22864 Weatherhill Road 21E-35AB-8500, 21E-35B-0403 & 21E-35B-0401

List affected state or federal agencies, local governments and special districts: Metro, Oregon Department of Revenue, Clackamas County, and Tri-City Service District

NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCD receives the proposal in its Salem office. **DLCD will not confirm receipt of a Notice of a Proposed Change unless requested.**

2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here:

<http://www.oregon.gov/LCD/forms.shtml>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@state.or.us with the subject line "Notice of Proposed Amendment."

Submittals may also be uploaded to DLCD's FTP site at http://www.oregon.gov/LCD/Pages/papa_submittal.aspx.

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½" x 11" paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

¹ 660-018-0022 provides:

(1) When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and

(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

<http://www.oregon.gov/LCD/Pages/forms.aspx>

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail plan.amendments@state.or.us.

Notice checklist. Include all that apply:

- Completed Form 1
- The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
- Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
- A map of the affected area showing existing and proposed plan and zone designations
- A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
- Any other information necessary to advise DLCD of the effect of the proposal




SECTION 1: LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED

A TRACT OF LAND IN THE NORTH 1/2 OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, BEING SITUATED IN LOTS 22 AND 23, "BLAND ACRES", A PLAT OF RECORD IN CLACKAMAS COUNTY, OREGON AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN STATUTORY WARRANTY DEED TO HSIAO CHUN CHIANG RECORDED AS DOCUMENT NUMBER 2017-082194, CLACKAMAS COUNTY DEED RECORDS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

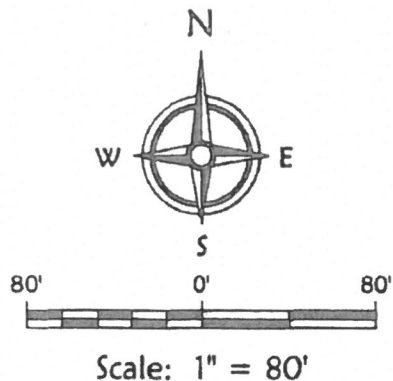
BEGINNING AT THE NORTHWEST CORNER OF LOT 1, "WEATHERHILL ESTATES", A PLAT RECORDED IN BOOK 147, PAGE 009, CLACKAMAS COUNTY PLAT RECORDS; THENCE ALONG THE WEST LINE OF SAID "WEATHERHILL ESTATES" SOUTH 01°47'40" WEST 476.53 FEET TO THE SOUTHWEST CORNER OF LOT 6, "WEATHERHILL ESTATES"; THENCE ALONG THE NORTH LINE OF LOT 12, "FLORENDO'S HIDEAWAY", A PLAT RECORDED IN BOOK 124, PAGE 022, CLACKAMAS COUNTY PLAT RECORDS, SOUTH 84°55'10" WEST 35.46 FEET TO THE MOST WESTERLY CORNER OF SAID LOT 12; THENCE ALONG THE NORTH LINE OF "SUNBREAK", A PLAT RECORDED IN BOOK 144, PAGE 019, CLACKAMAS COUNTY PLAT RECORDS, SOUTH 84°58'45" WEST 214.55 FEET TO THE SOUTHWEST CORNER OF LOT 22, "BLAND ACRES"; THENCE ALONG THE WESTERLY LINE OF SAID LOT 22, NORTH 27°54'54" EAST 63.86 FEET TO THE MOST EASTERLY CORNER OF LOT 83, "RIDGE VIEW ESTATES PHASE 2", A PLAT RECORDED IN BOOK 114, PAGE 21, CLACKAMAS COUNTY PLAT RECORDS; THENCE ALONG THE EASTERLY LINE OF LOT 83 AND LOT 82, "RIDGE VIEW ESTATES PHASE 2" NORTH 63°03'41" WEST 85.00 FEET TO AN ANGLE POINT IN THE EASTERLY LINE OF SAID LOT 82; THENCE ALONG THE NORTHWESTERLY LINE OF THAT TRACT OF LAND DESCRIBED IN PARCEL II OF THE AFOREMENTIONED TRACT OF LAND DESCRIBED IN STATUTORY WARRANTY DEED TO HSIAO CHUN CHIANG RECORDED AS DOCUMENT NUMBER 2017-082194, CLACKAMAS COUNTY DEED RECORDS, NORTH 27°54'54" EAST 500.00 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF WEATHERHILL ROAD (BLAND CIRCLE); THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 63°02'00" EAST 85.00 FEET TO THE POINT OF BEGINNING.

BASIS OF BEARINGS: SN 2015-064.

REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
JULY 14, 1978
DON DEVLAEINCK
1634

DATE OF SIGNATURE: 11/14/18
EXPIRES 12/31/2019



TAX LOT 401 & 403
2 1E 35B
(DOC. NO. 2017-082194)

TAX LOT 405
2 1E 35B

ANGLE POINT IN
EASTERLY LINE OF
LOT 82, "RIDGE VIEW
ESTATES PHASE 2"

TAX LOT 8500
2 1E 35AB
(DOC. 2017-082194)

THIS PORTION OF TAX
LOT 403 WAS PREVIOUSLY
ANNEXED INTO THE CITY
OF WEST LINN

SATTER STREET

SOUTHWEST CORNER OF
LOT 6, "WEATHERHILL
ESTATES"

SOUTHWEST CORNER OF
LOT 22, "BLAND ACRES"

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

[Signature]
**OREGON
JULY 14, 1878
DON DEVLAMINCK
1834**

DATE OF SIGNATURE: *1/14/18*
EXPIRES 12/31/2019

ANNEXATION EXHIBIT MAP

8005 Exh.dwg

COMPASS Land Surveyors
4107 SE International Way, Suite 705
Milwaukie, Oregon 97222 503-653-8093

**NORTH 1/2 OF SECTION 35, T. 2 S., R. 1 E., W.M.
CLACKAMAS COUNTY, OREGON**

CITY OF WEST LINN

CERTIFICATION OF PROPERTY OWNERSHIP

I hereby certify that the attached petition for annexation of the territory described herein to the City of West Linn contains the names of the owners* of a majority of the land area of the territory to be annexed, as shown on the last available complete assessment roll.

KAC 1/22/18



NAME Kevin Clarice
TITLE GIS Cartographer 2
DEPARTMENT A+T
CLACKAMAS COUNTY ASSESSOR'S OFFICE
DATE 1/22/18

* "Owner" means the owner of the title to real property or the contract purchaser of real property.

* * * * *

CERTIFICATION OF REGISTERED VOTERS

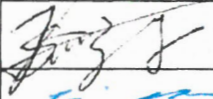
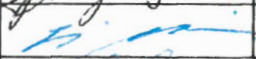

I hereby certify that the attached petition for annexation of territory described herein to the City of West Linn contains the names of at least a majority of the electors registered in the territory to be annexed.



NAME Rebekah St. Joll
TITLE Deputy Clerk
DEPARTMENT _____
CLACKAMAS COUNTY ASSESSOR'S OFFICE - Clerk
DATE 1/29/2018

To the Council of the City of West Linn, Oregon

We, the undersigned owner(s) of the property described below and/or elector(s) residing at the referenced location and give consent to, annexation of said property to the City of West Linn. We understand that the City will review this request in accordance with ORS Chapter 222, and applicable regional and local policies prior to approving or denying the request for annexation.

Signature	Printed Name	I am a			Address	Property Description				Date
		PO	R V	OV		Township/ Section	Map	Tax Lot	Precinct	
	Hsiao Chun Chiang			X	22864 S Weatherhill Road, West Linn, OR 97068	21E	35A, 35B	401,403, 8500	320	01/17/2018
	Li Wei		X		22864 S Weatherhill Road West Linn, OR 97068	21E	35A, 35B	401,403 8500	320	01/29/2018
	Lily Li Wei		X		22864 S Weatherhill Rd. West Linn, OR 97068	21E	35A, 35B	401,403 8500	320	01/29/2018

- PO Property Owner
- RV Registered Voter
- OV Property Owner & Registered Voter

A legal description of the property must be submitted with this petition

Initial H C J / L L W / L L W

CITY OF WEST LINN

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 2S1E35AB + 2S1E35B) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.



NAME Kevin Clarke

TITLE GIS Cartographer 2

DEPARTMENT A&T

CLACKAMAS COUNTY ASSESSOR'S OFFICE

DATE 1/22/18

Exhibit A

PARCEL I: 21E35AB08500 00405127 & 21E35B 00401 00405403

A portion of Lots 22 and 23, BLAND ACRES, in the County of Clackamas and State of Oregon, described as follows:

BEGINNING at the intersection of the Southeasterly line of said Lot 23 and the South right of way line of County Road No. 1637; thence Northwesterly along said right of way line, 70 feet; thence Southeasterly to a point on the Southeasterly line of said Lot 23 that bears Southwesterly 30 feet from the point of beginning; thence Southwesterly along said Southeasterly line to the most Southerly corner of said Lot 23; thence Easterly along the Southerly line of Lot 22, BLAND ACRES, a distance of 250 feet; thence North to the point of beginning.

PARCEL II:

Part of Lot 23, BLAND ACRES, in Section 35, Township 2 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

21E35B 00403 00405421

BEGINNING at the intersection of the Southeasterly line of said Lot 23 and the Southerly right of way line of County Road No. 1637; thence Northwesterly along said Southerly right of way line, 85 feet; thence South 27°57' West 500 feet; thence Southeasterly parallel with the Southerly right of way line of County Road No. 1637, a distance of 85 feet to the Southeasterly line of said Lot 23; thence North 27°57' East, 500 feet to the point of beginning.

EXCEPT THEREFROM that portion of said Lot 23, conveyed to H. Desmond Johnson and wife by deed recorded July 9, 1979 as Recorder's Fee No. 79-29075. **-401 but described as pt. of Parcel I above**

PARCEL III:

A portion of Lot 82, RIDGE VIEW ESTATES PHASE 2, in the Northwest one-quarter of Section 35, Township 2 South, Range 1 East of the Willamette Meridian, in the City of West Linn, County of Clackamas and State of Oregon, being more particularly described as follows:

21E35B 00493 05002551

COMMENCING at a 5/8 inch iron rod with a plastic yellow cap inscribed "TRILAND INC." at the most Northerly corner of said Lot 82, thence South 31°06'44" East along the Northeasterly line of said Lot 82, a distance of 5.49 feet to a 5/8 inch iron rod with a plastic yellow cap inscribed "W.B. WELLS & ASSOC, INC." and the true point of beginning; thence South 63°11'33" East 74.55 feet along the Easterly line of said Lot 82, also being the Southwesterly line of that tract conveyed to Ronald L. Inberg, et ux, in deed recorded January 9, 1992, as Fee No. 92-01376, Clackamas County Deed Records, to the most Easterly corner of said Lot 82; thence leaving said line, South 63°49'29" West 45.14 feet along the Southeasterly line of said Lot 82 to a 5/8 inch iron rod with a plastic yellow cap inscribed "WRG DESIGN, INC."; thence North 25°55'59" West 59.53 feet to the true point of beginning.

pt. 493

PARCEL IV:

A portion of Lot 83, RIDGE VIEW ESTATES PHASE 2, in the Northwest one-quarter of Section 35, Township 2 South, Range 1 East of the Willamette Meridian, in the City of West Linn, County of Clackamas and State of Oregon, being more particularly described as follows:

+remainder 493

COMMENCING at a 5/8 inch iron rod with a plastic yellow cap inscribed "TRILAND INC." at the most Southerly East corner of said Lot 83; thence North 26°10'47" West along the Northeasterly line of said Lot 83, a distance of 19.15 feet to a 3/4 inch iron at an angle point on the Easterly line of said Lot 83 and the true point of beginning; thence North 27°50'34" East 53.86 feet along the Easterly line of said Lot 83, also being the most Southerly West line of that tract conveyed to Ronald L. Inberg, et ux, in deed recorded January 9, 1992 as Fee No. 92-01376, Clackamas County Deed Records, to a 5/8 inch iron rod with a plastic yellow cap inscribed "CENTERLINE CONCEPTS, INC." at the most Easterly corner of said Lot 83; thence North 63°11'33" West 10.54 feet along the common line of said Inberg tract and North line of said Lot 83 to a point; thence leaving said line South 63°49'29" West 45.14 feet along the Northwesterly line of said Lot 83 to a 5/8 inch iron rod with a plastic yellow cap inscribed "WRG DESIGN, INC."; thence South 25°55'59" East 45.93 feet to the true point of beginning.

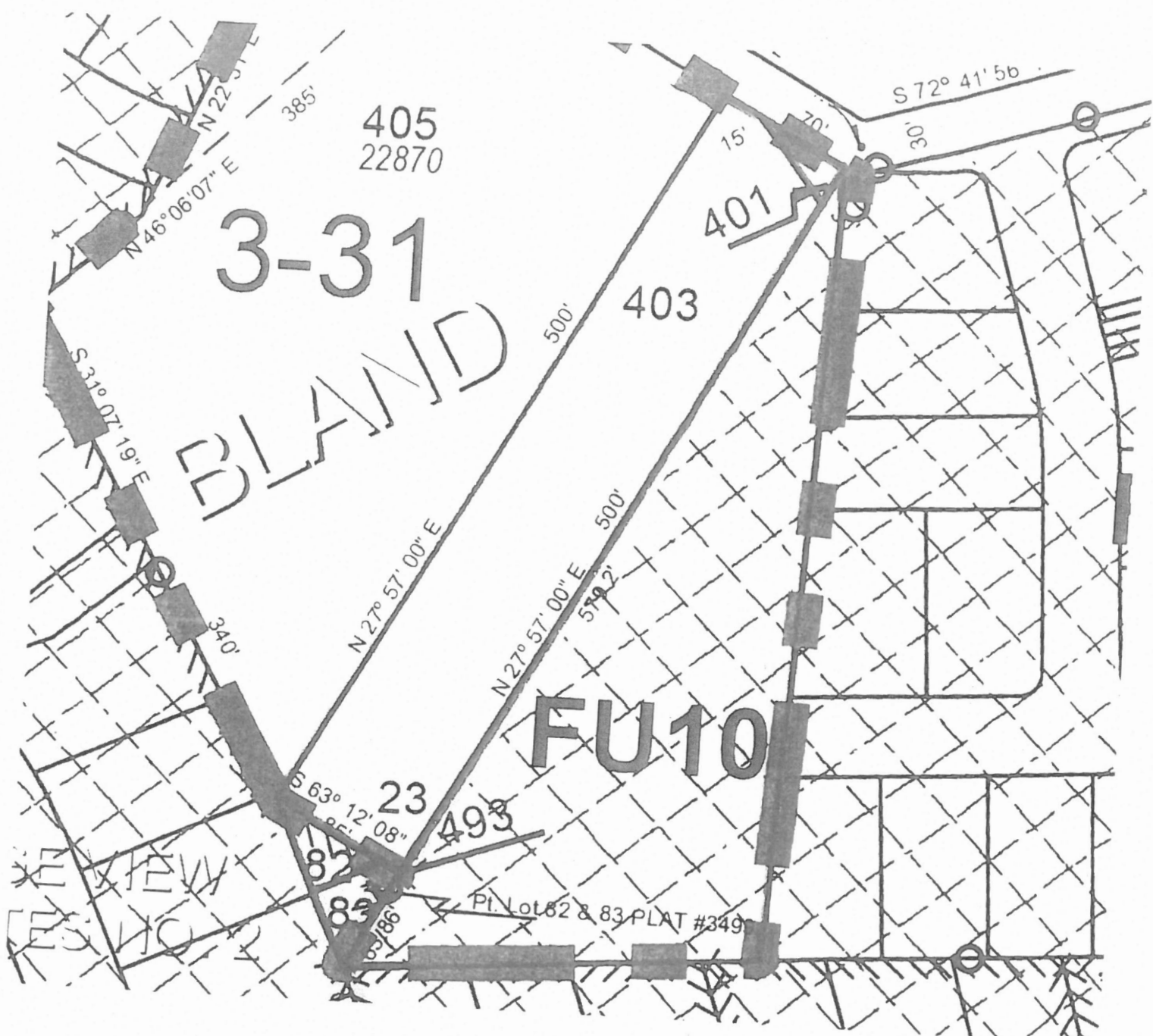
~~SEE NEXT DEED~~



KAC
1/22/18

(2)

~~MIN~~



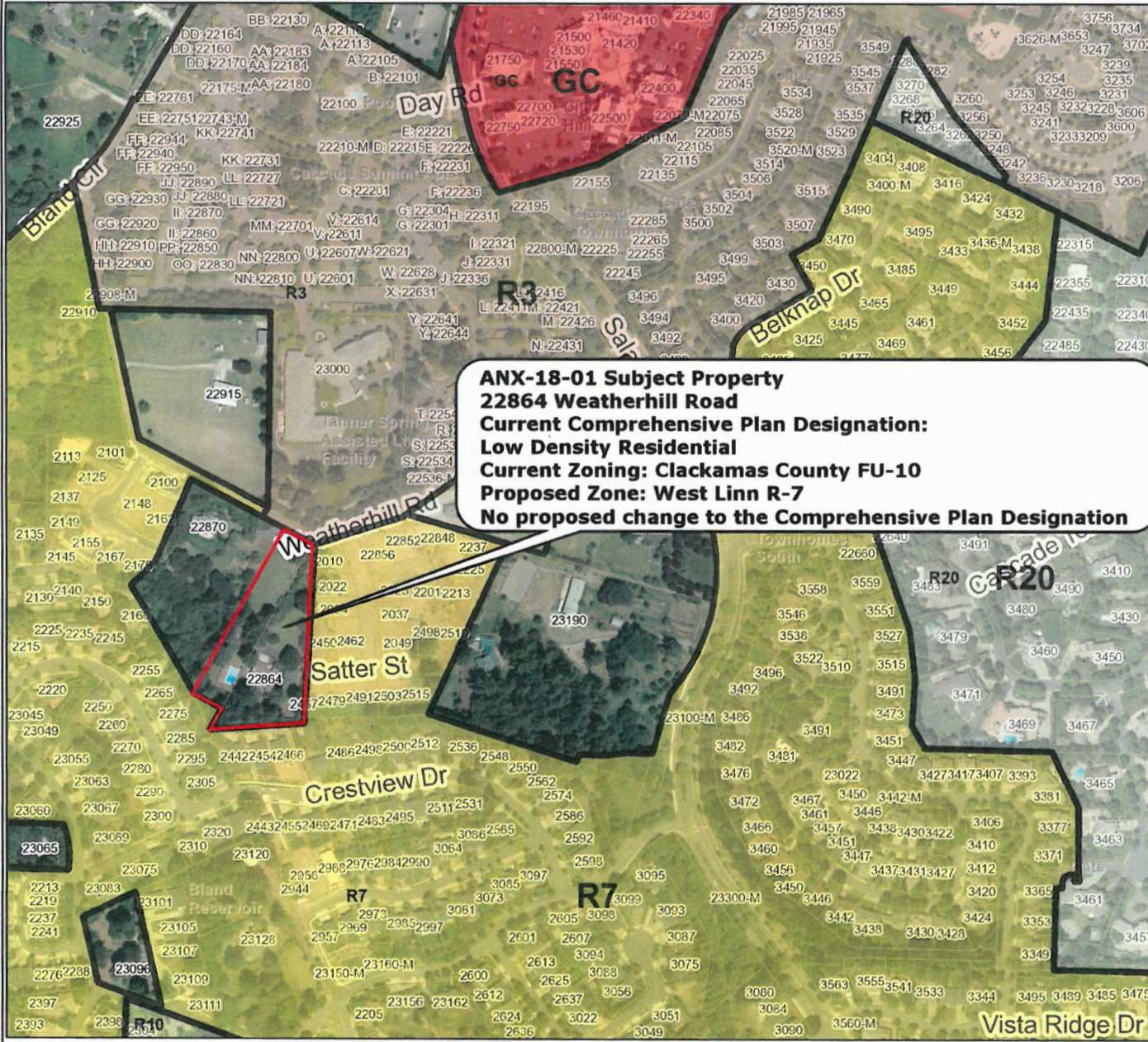
3-31
BLAND

FU10

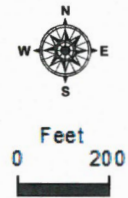
401 Pt. PCL I
 403 PCL II TL 403, except TL 401
 493 - PCL III → PCL IV

KAC 1/2/18





ANX-18-01 Subject Property
22864 Weatherhill Road
Current Comprehensive Plan Designation:
Low Density Residential
Current Zoning: Clackamas County FU-10
Proposed Zone: West Linn R-7
No proposed change to the Comprehensive Plan Designation



Scale 1:4,800 - 1 in = 400 ft
 Scale is based on 8-1/2 x 11 paper size



Map created by: JARNOLD
 Date Created: 21-Mar-18 10:50 AM

WEST LINN GIS

DISCLAIMER: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. Map scale is approximate. Source: West Linn GIS (Geographic Information System) MapOptix.

**CITY OF WEST LINN
CITY COUNCIL
PUBLIC HEARING NOTICE
ANNEXATION OF 2.35 ACRES AT 22864 Weatherhill Road**

FILE NO. ANX-18-01

The West Linn City Council is meeting on **Monday, June 11, 2018**, starting at 6:30 p.m. in the Council Chambers of City Hall (located at 22500 Salamo Road, West Linn, OR), to consider an annexation request for a 2.35 acre parcel at 22864 Weatherhill Road. The applicant is requesting an R-7 zone designation, single family residential with a 7,000 square foot minimum lot size. The area is identified by Clackamas County as assessor's map 2S 1E 35AB tax lot 8500; 2S 1E 35B tax lot 0403 & 2S 1E 35B tax lot 0401. The decision will be based on the criteria of Community Development Code (CDC), Chapter 81, West Linn Municipal Code 2.920-2.930 and Metro Code 3.09.045 and 3.09.050(D). The approval criteria from the CDC and Municipal Code are available for review at City Hall, at the City Library, and at <http://www.codepublishing.com/OR/WestLinn/CDC.html>. Metro Code "LOCAL GOVERNMENT BOUNDARY CHANGES" may be found at https://www.oregonmetro.gov/sites/default/files/2014/06/05/309_eff_071112_final.pdf. This annexation petition is subject to the expedited process unless a "necessary party" gives written notice of its objection to the boundary change. A "necessary party" is defined as any county, city, district, or unit of local government that includes any part of the affected territory: 1) in its jurisdictional boundary or adopted urban service area; or 2) in any agreement providing an urban service. All "Necessary parties" have been noticed.

Annexations go through a two-step hearing process. Step one is a land use decision. The Council determines whether the proposed annexation is consistent with the intent of the West Linn Comprehensive Plan and CDC Chapter 81. The Council will assign a zone for the property. At the conclusion of step one, the Council may, in its discretion: 1) decide to set a public hearing for the annexation request (step two), 2) delay a public hearing on the requested annexation or 3) pass a resolution placing the annexation request on a ballot for an advisory vote.

Step two review for annexation proposals is a legislative or policy decision that applies the standards of WLMC 2.930. Both Step 1 and Step 2 can occur on the same night.

The annexation application is available for inspection at City Hall or via the web site at <https://westlinnoregon.gov/planning/22864-weatherhill-road-annexation-235-acres>. Copies of the annexation application can be obtained for a minimal charge per page. At least 10 days prior to the City Council meeting, a copy of the staff report will be available for inspection at no cost. For further information, please contact Jennifer Arnold at 503-742-6057 or at jarnold@westlinnoregon.gov

Failure to raise an issue in person or by letter at some point prior to the close of the meeting, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the appellent body with jurisdiction based on that issue.