



## NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.:

Received:

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of West Linn

Local file no.: **ANX-18-02**

Date of adoption: 7/16/2018

Date sent: 7/17/2018

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 03/26/2018

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes  No

If yes, describe how the adoption differs from the proposal:

The proposed change was for the property to be zoned R-7, per the applicant's request. The City Council and staff agreed an R-7 zoning is consistent with the neighboring properties. The property was approved with an R-7 zone.

Local contact (name and title): Jennifer Arnold

Phone: 503-742-6057

E-mail: [jarnold@westlinnoregon.gov](mailto:jarnold@westlinnoregon.gov)

Street address: 22500 Salamo Rosf

City: West Linn

Zip: 97068-

### PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

#### **For a change to comprehensive plan text:**

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

#### **For a change to a comprehensive plan map:**

Identify the former and new map designations and the area affected:

Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary



The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from FU-10	to R-7	Acres: 2.56
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
---------------------------	--------------	----------------

Location of affected property (T, R, Sec., TL and address): 22870 Weatherhill Road 21E-35B-0405

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

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

- 1: Final Decision and Order from City Council approving the zone change to R-7
- 2: Ordinance NO. 1681 establishing the zoning designation as R-7
- 3: Ordinance NO. 1682 approving the annexation of real property located at 22864 Weatherhill Road



**WEST LINN CITY COUNCIL  
FINAL DECISION AND ORDER  
ANX 18-02**

**IN THE MATTER OF A PROPOSAL TO ANNEX 2.56 ACRES  
OF REAL PROPERTY AT 22870 WEATHERHILL ROAD**

**I. Overview**

At its meeting of June 18, 2018, the West Linn City Council ("Council") held a public hearing to consider the request by Steve Miller of Emerio Design, LLC on behalf of the property owner, David and Diana Dean, to annex 2.56 acres of real property at 22870 Weatherhill Road. The approval criteria for annexation land use application are found in Chapter 81, Boundary Changes, of the Community Development Code ("CDC"). The hearing was conducted pursuant to the provisions of CDC Chapter 99.

The hearing commenced with a staff report presented by Jennifer Arnold. The applicant presented, and then public testimony was received at the hearing. The hearing was then closed and a motion was made and seconded to approve the application with a zoning designation of R-7. The motion passed.

**II. The Record**

The record was finalized at the June 18, 2018, hearing. The record includes the entire file from ANX 18-02.

**III. Findings of Fact**

- 1) The Overview set forth above is true and correct.
- 2) The applicant is Steve Miller (Emerio Designs) representing the owners, David and Diana Dean.
- 3) The Council finds that it has received all information necessary to make a decision based on the Staff Report and attached findings; public comment, if any; and the evidence in the whole record, including any exhibits received at the hearing.

**IV. Findings**

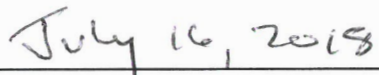
The Council adopts the Staff Report for June 18, 2018, with attachments, including specifically the Addendum, as its findings, which are incorporated by this reference. The Council concludes that all of the required approval criteria of Community Development Code, Chapter 81, which refers to the Metro Code, West Linn Municipal Code, and Oregon Revised Statutes are met.

In the Council's deliberation, there was discussion over the zoning map for this area in question. The Council determined the zoning of R-7 is most consistent with adjacent properties inside the city limits.

**V. Order**

The Council concludes that ANX 18-02 is approved based on the Record, Findings of Fact and Findings above.

  
\_\_\_\_\_  
RUSSELL B. AXELROD, MAYOR  
WEST LINN CITY COUNCIL

  
\_\_\_\_\_  
DATE

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.

Mailed this 17<sup>th</sup> day of July, 2018.

## ORDINANCE NO. 1681

### AN ORDINANCE ESTABLISHING THE ZONING DESIGNATION AS R-7 UPON ANNEXATION OF THE PROPERTY LOCATED AT 22870 WEATHERHILL ROAD

**WHEREAS**, the 2.56 acres of real property at 22870 Weatherhill Road, West Linn, Oregon ("Property"), and further described in Exhibit A, which is attached and incorporated by this reference, are located within the Metro Urban Growth Boundary and are eligible for annexation into the City of West Linn; and

**WHEREAS**, the Applicant sought annexation of the Property into West Linn, Oregon, with a designation of R-7; and

**WHEREAS**, the West Linn Comprehensive Plan contemplates the annexation of the Property and designates it as low density residential; and

**WHEREAS**, the West Linn City Council approved Step 1, the land use decision to annex the real property; and

**WHEREAS**, the addition of property to the City requires modifying the Zoning Map, which must be done by ordinance; and

**WHEREAS**, the City Council may choose not to annex the Property during Step 2, the policy decision regarding the proposed annexation, negating the need for this Ordinance to become effective.

NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

**SECTION 1. Zoning designation and map amendment.** The Property shall be zoned R-7, single-family residential detached. The Zoning Map shall be amended to include the Property within the City limits and depict the Property with an R-7 zoning designation, as shown on Exhibit B, which is attached and incorporated by this reference.

**SECTION 2. Effective Date.** This ordinance shall only take effect on the 30th day after the passage of Ordinance (step 1) 1681 approving the annexation of the Property.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the 18th day of June, 2018, and duly PASSED and ADOPTED this 18 day of June, 2018.

  
RUSSELL B. AXELROD, MAYOR

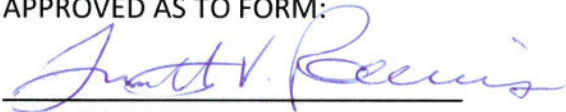
ATTEST:

A handwritten signature in blue ink, appearing to read "Kathy Mollusky", written over a horizontal line.

KATHY MOLLUSKY, CITY RECORDER

A handwritten signature in blue ink, appearing to read "Deputy City Recorder", written below the printed name.

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Justin V. Reemis", written over a horizontal line.

CITY ATTORNEY

**Ordinance No. 1681**

**Exhibit A**

# EMERIO *Design*

Civil Engineering  
Land Survey  
Land Use Planning  
Construction Management

JOB NO. 463-003  
WEATHERHILL ROAD

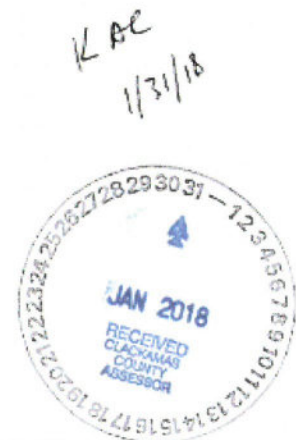
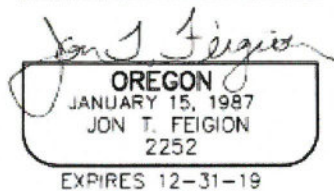
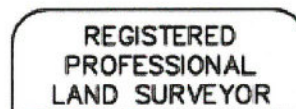
JANUARY 31, 2018

## EXHIBIT A: LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED

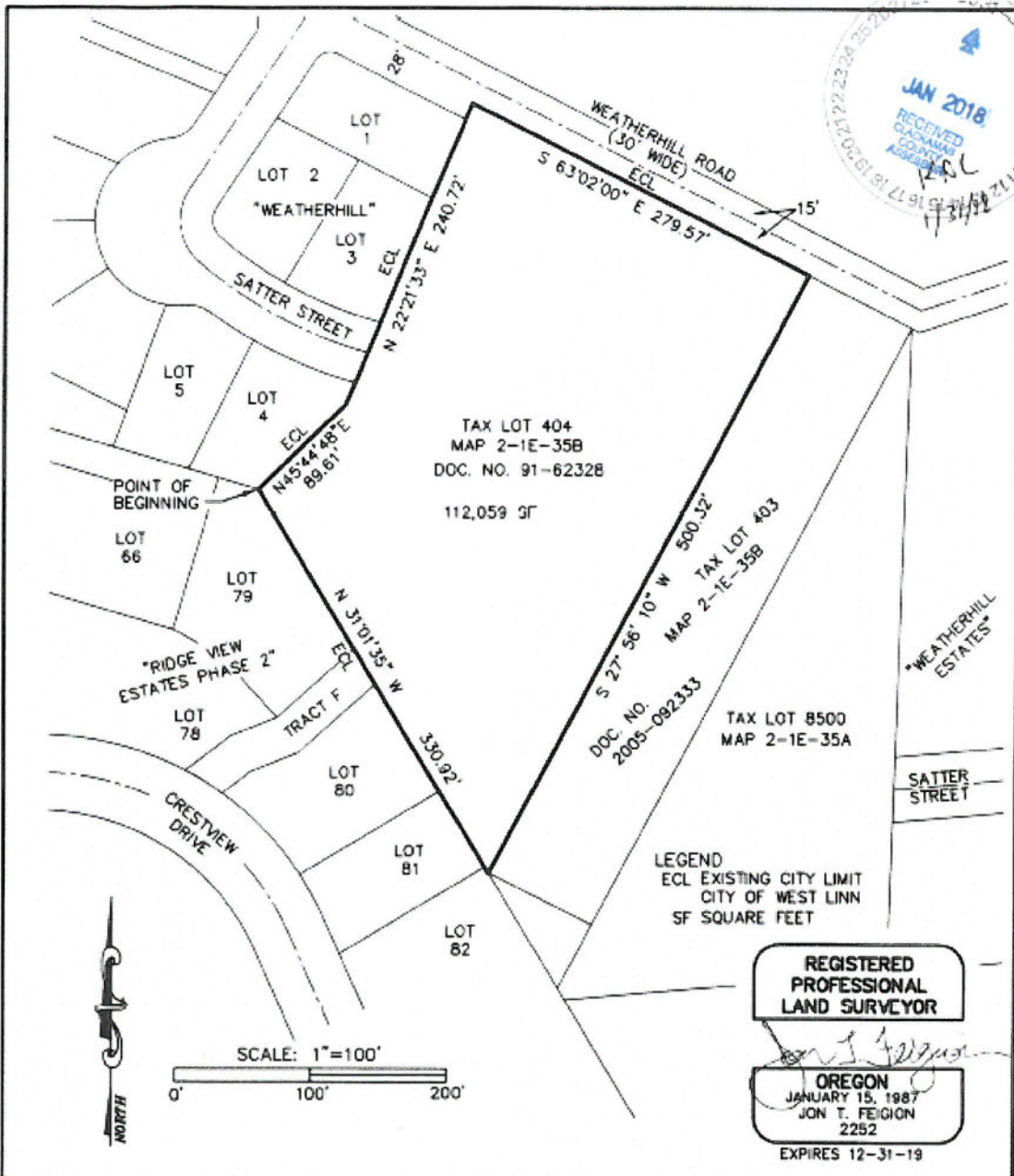
A TRACT OF LAND SITUATED IN THE N.E. 1/4 OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, AND BEING A PORTION OF LOT 23, "BLAND ACRES", A PLAT OF RECORD IN CLACKAMAS COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 4, "WEATHERHILL", A PLAT OF RECORD IN CLACKAMAS COUNTY, OREGON, BEING ON THE EXISTING CITY LIMIT OF THE CITY OF WEST LINN; THENCE ALONG SAID CITY LIMIT AND THE EASTERLY LINE OF SAID PLAT OF "WEATHERHILL", NORTH 45°44'48" EAST, 89.61 FEET TO AN ANGLE POINT ON SAID EASTERLY PLAT LINE, THENCE CONTINUING ALONG SAID EASTERLY PLAT LINE AND SAID EXISTING CITY LIMIT, NORTH 22° 21'33" EAST, 240.72 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF WEATHERHILL ROAD (COUNTY ROAD 1637, 15.0' FROM CENTERLINE); THENCE CONTINUING ON SAID EXISTING CITY LIMIT AND SAID SOUTHERLY RIGHT OF WAY LINE, SOUTH 63°02'00" EAST, 279.57 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO LI WEI AND LI LI WEI BY DEED RECORDED AS DOCUMENT NO. 2005-092333, CLACKAMAS COUNTY DEED RECORDS; THENCE LEAVING SAID CITY LIMIT, ALONG THE WESTERLY LINE OF SAID WEI TRACT, SOUTH 27°56'10" WEST, 500.32 FEET TO SAID EXISTING CITY LIMIT ON THE NORTHEASTERLY LINE OF THE PLAT OF "RIDGE VIEW ESTATES PHASE 2", A PLAT OF RECORD IN CLACKAMAS COUNTY, OREGON, THENCE ALONG SAID EXISTING CITY LIMIT ON SAID NORTHEASTERLY PLAT LINE, NORTH 31°01'35" WEST, 330.92 FEET TO THE POINT OF BEGINNING.

CONTAINING 112,059 SQUARE FEET, MORE OR LESS.







DRAWN BY: JTF
SCALE: 1" = 100'
DATE: 1-31-18
463-003 ANNEX.DWG

ANNEXATION EXHIBIT MAP

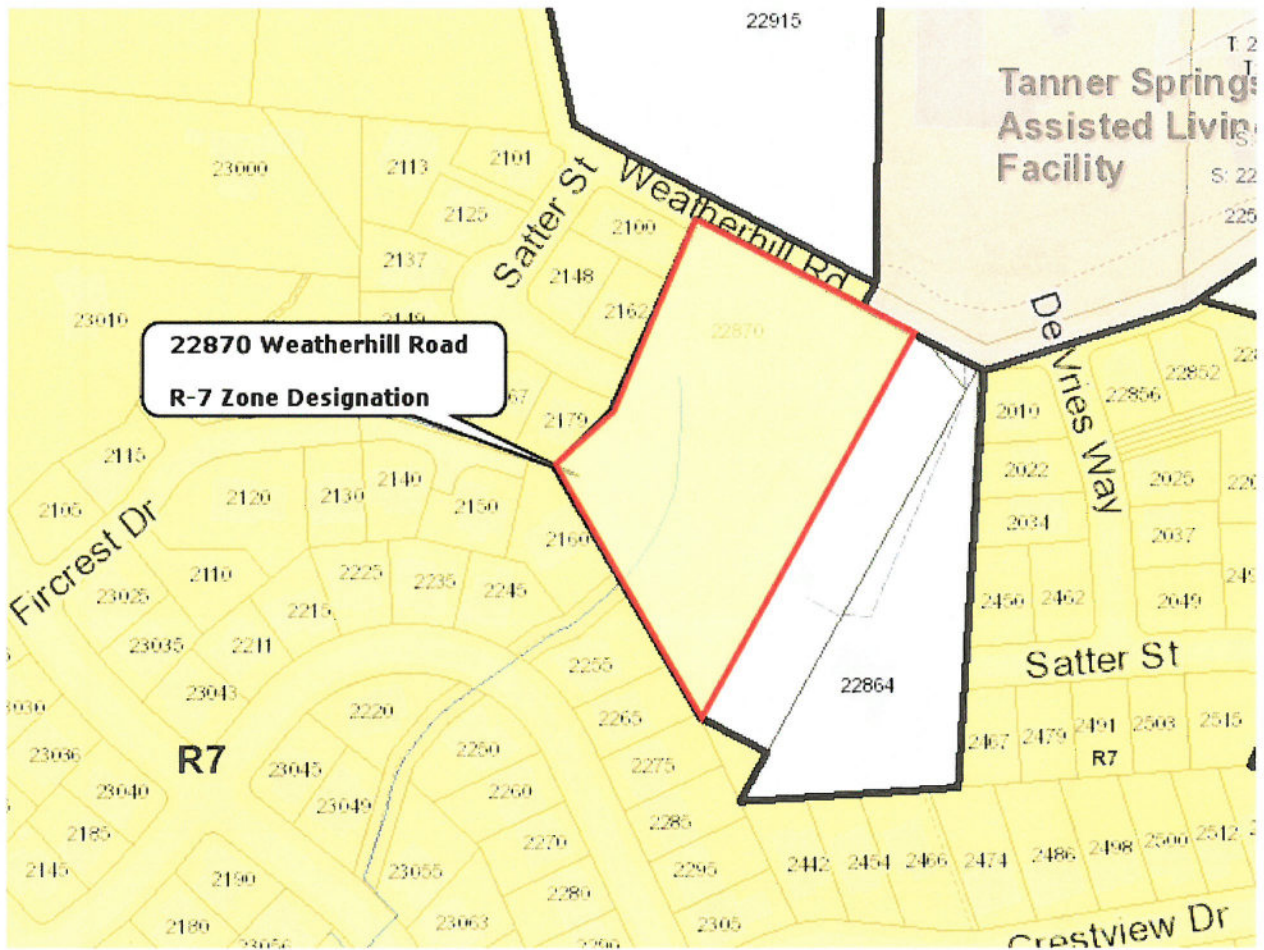
N.E.1/4 SECTION 35, T.2S., R.1E., W.M.  
 CLACKAMAS COUNTY, OREGON

**EMERIO**  
*Design*

6445 SW FALLBROOK PLACE, STE. 100  
 BEAVERTON, OREGON 97008  
 TEL: (503) 746-8812  
 FAX: (503) 639-9592  
 www.emeriodesign.com

**Ordinance No. 1681**

**Exhibit B**





**ORDINANCE NO. 1682**

**AN ORDINANCE APPROVING THE ANNEXATION OF REAL PROPERTY LOCATED AT 22870 WEATHERHILL ROAD; REMOVING THE PROPERTY FROM SPECIAL DISTRICTS; AND ADDING THE PROPERTY TO SPECIAL DISTRICTS**

**WHEREAS**, the 2.56 acres of real property at 22870 Weatherhill Road are located within the Metro Urban Growth Boundary and are eligible for annexation into the City of West Linn; and

**WHEREAS**, the Applicant sought annexation of the property into West Linn, Oregon, with a designation of R-7; and

**WHEREAS**, Ordinance 1681 zones the property R-7, single-family residential detached and amends the Zoning Map upon passage of this Ordinance; and

**WHEREAS**, the City of West Linn public facility plans anticipate annexation of this area and can accommodate serving this property;

**WHEREAS**, the West Linn City Council approved Step 1, the land use decision to annex the real property; and

**WHEREAS**, the West Linn City Council approved Step 2, the policy decision; and

**WHEREAS**, annexation of the property into the City will allow it to be served by the Tri-City Service District, which provides sewer service to all properties connected to the public sewer system in the City; and

**WHEREAS**, annexation of the property into the City will result in the West Linn Police Department providing law enforcement services, eliminating the need for Clackamas County Enhanced Law Enforcement District to serve the annexed property.

**NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:**

**SECTION 1. Annexation.** The City approves the annexation of the property located at 22870 Weatherhill Road ("Property") and further described in Exhibit A, which is attached and incorporated by this reference.

**SECTION 2. Annexation to Tri-City Service District.** The City requests and approves of the annexation of the Property into the Tri-City Service District.

**SECTION 3. Removal from Law Enforcement District.** The City requests and approves of the removal of the Property from the Clackamas County Enhanced Law Enforcement District.

**SECTION 4. Severability.** The sections, subsections, paragraphs and clauses of this ordinance

are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

**SECTION 5. Effective Date.** This ordinance shall take effect on the 30<sup>th</sup> day after its passage.


The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the 18th day of June, 2018, and duly PASSED and ADOPTED this day 18 of June, 2018.

  
RUSSELL B. AXELROD, MAYOR

ATTEST:

  
KATHY MOLLUSKY, CITY RECORDER  
*Deputy City Recorder*

APPROVED AS TO FORM:

  
CITY ATTORNEY



**Ordinance No. 1682**

**Exhibit A**



# EMERIO *Design*

Civil Engineering  
Land Survey  
Land Use Planning  
Construction Management

JOB NO. 463-003  
WEATHERHILL ROAD

JANUARY 31, 2018

## EXHIBIT A: LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED

A TRACT OF LAND SITUATED IN THE N.E. 1/4 OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, AND BEING A PORTION OF LOT 23, "BLAND ACRES", A PLAT OF RECORD IN CLACKAMAS COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 4, "WEATHERHILL", A PLAT OF RECORD IN CLACKAMAS COUNTY, OREGON, BEING ON THE EXISTING CITY LIMIT OF THE CITY OF WEST LINN; THENCE ALONG SAID CITY LIMIT AND THE EASTERLY LINE OF SAID PLAT OF "WEATHERHILL", NORTH 45°44'48" EAST, 89.61 FEET TO AN ANGLE POINT ON SAID EASTERLY PLAT LINE, THENCE CONTINUING ALONG SAID EASTERLY PLAT LINE AND SAID EXISTING CITY LIMIT, NORTH 22° 21'33" EAST, 240.72 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF WEATHERHILL ROAD (COUNTY ROAD 1637, 15.0' FROM CENTERLINE); THENCE CONTINUING ON SAID EXISTING CITY LIMIT AND SAID SOUTHERLY RIGHT OF WAY LINE, SOUTH 63°02'00" EAST, 279.57 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO LI WEI AND LI LI WEI BY DEED RECORDED AS DOCUMENT NO. 2005-092333, CLACKAMAS COUNTY DEED RECORDS; THENCE LEAVING SAID CITY LIMIT, ALONG THE WESTERLY LINE OF SAID WEI TRACT, SOUTH 27°56'10" WEST, 500.32 FEET TO SAID EXISTING CITY LIMIT ON THE NORTHEASTERLY LINE OF THE PLAT OF "RIDGE VIEW ESTATES PHASE 2", A PLAT OF RECORD IN CLACKAMAS COUNTY, OREGON, THENCE ALONG SAID EXISTING CITY LIMIT ON SAID NORTHEASTERLY PLAT LINE, NORTH 31°01'35" WEST, 330.92 FEET TO THE POINT OF BEGINNING.

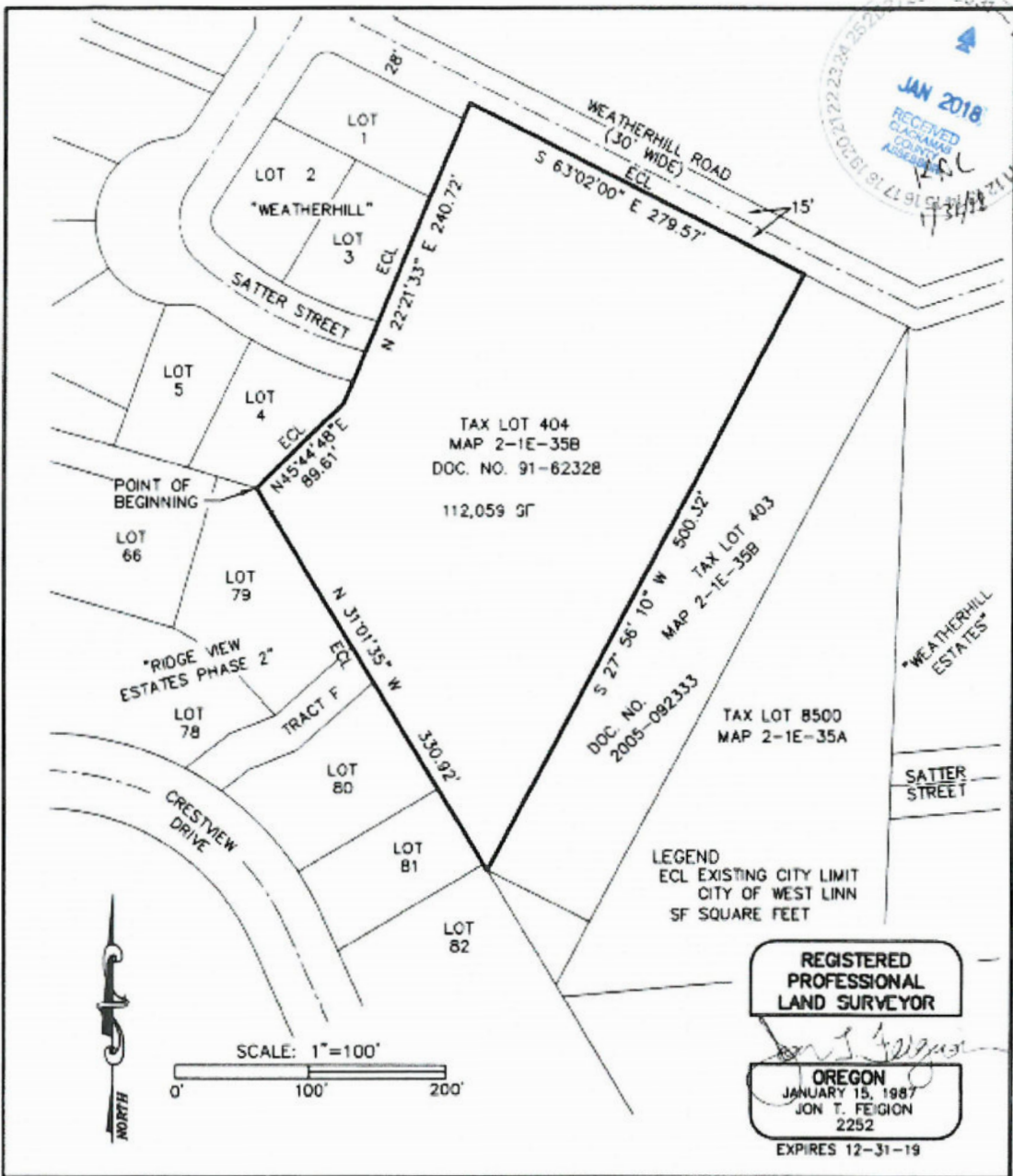
CONTAINING 112,059 SQUARE FEET, MORE OR LESS.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Jon T. Feigion*  
OREGON  
JANUARY 15, 1987  
JON T. FEIGION  
2252  
EXPIRES 12-31-19







RECEIVED  
CLACKAMAS  
COUNTY  
ASSESSOR  
JAN 2018  
17 31/18

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JANUARY 15, 1987  
JON T. FEIGON  
2252  
EXPIRES 12-31-19

DRAWN BY: JTF  
SCALE: 1" = 100'  
DATE: 1-31-18  
463-003 ANNEX.DWG

ANNEXATION EXHIBIT MAP  
N.E.1/4 SECTION 35, T.2S., R.1E., W.M.  
CLACKAMAS COUNTY, OREGON

**EMERIO**  
*Design*  
6445 SW FALLBROOK PLACE, STE. 100  
BEAVERTON, OREGON 97008  
TEL: (503) 746-8812  
FAX: (503) 639-9592  
www.emeriodesign.com