



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-18-02**

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-18-02 is a proposal to annex property (2.56 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:

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 _____ to _____
Change from _____ to _____
- An exception to a statewide planning goal is proposed – goal(s) subject to exception:
- Acres affected by map amendment:

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

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.shtm>

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.

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

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.

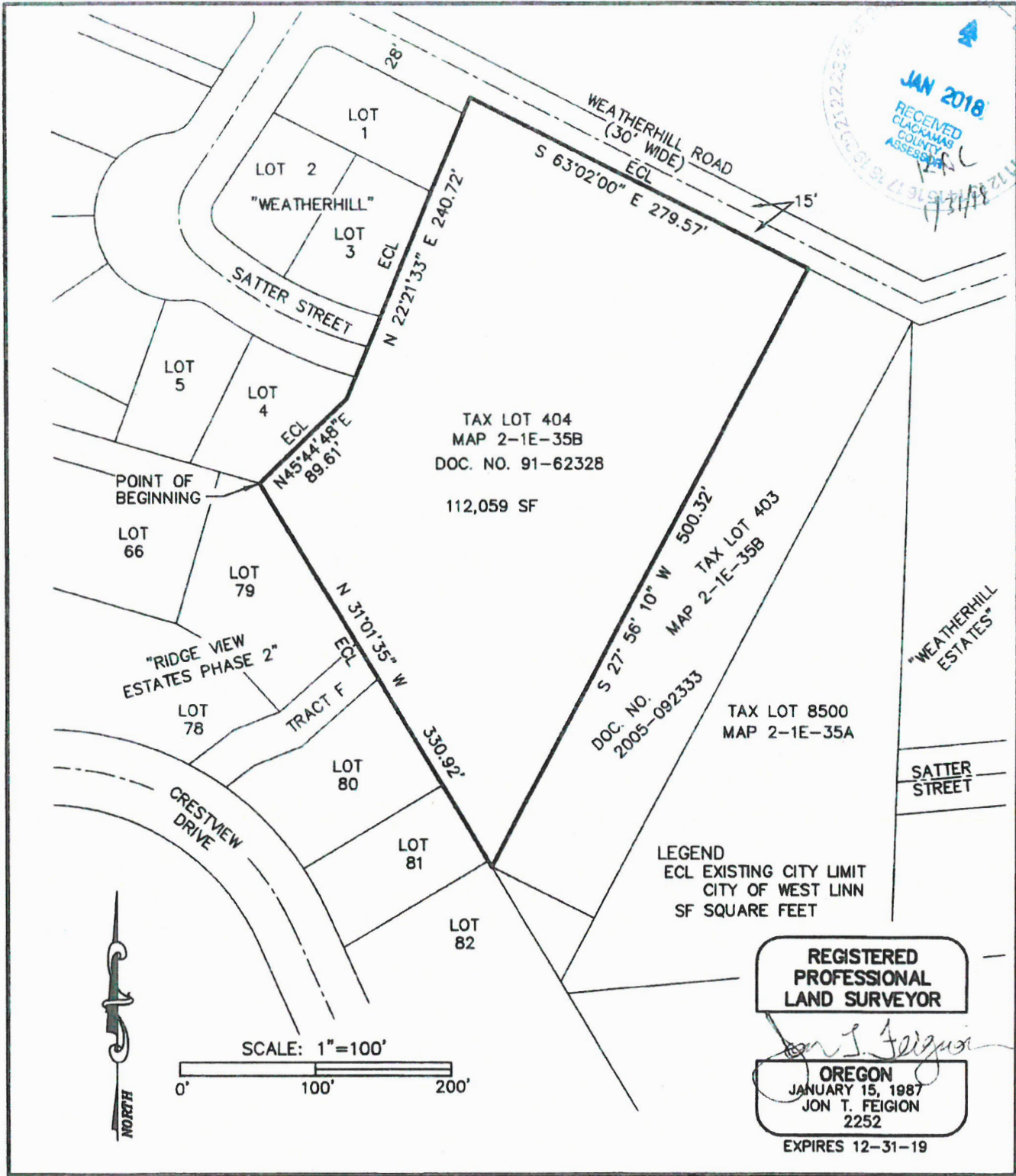
CONTAINING 112,059 SQUARE FEET, MORE OR LESS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jon T. Feigion
OREGON
JANUARY 15, 1987
JON T. FEIGION
2252

EXPIRES 12-31-19





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

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
1/31/18

NAME Kevin Clarke
TITLE GIS Cartographer II
DEPARTMENT Assessment & Taxation
CLACKAMAS COUNTY ASSESSOR'S OFFICE
DATE 1/31/2018

* "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 Doll
TITLE Deputy Clerk
DEPARTMENT Elections
CLACKAMAS COUNTY ASSESSOR'S OFFICE
DATE 1/31/18

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 21E35B) 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 II

DEPARTMENT Assessment + Taxation

CLACKAMAS COUNTY ASSESSOR'S OFFICE



DATE 1/31/2018



KAC
1/31/18

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	RV	OV		Township/ Section	Map	Tax Lot	Precinct	
	David Dean	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	22870 S. Weatherhill Rd. West Linn, OR 97068	2s1e	35B	405	320	1/30/18
	Deanna Dean	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	22870 S. Weatherhill Rd. West Linn, OR 97068	2s1e	35B	405	320	1/30/18

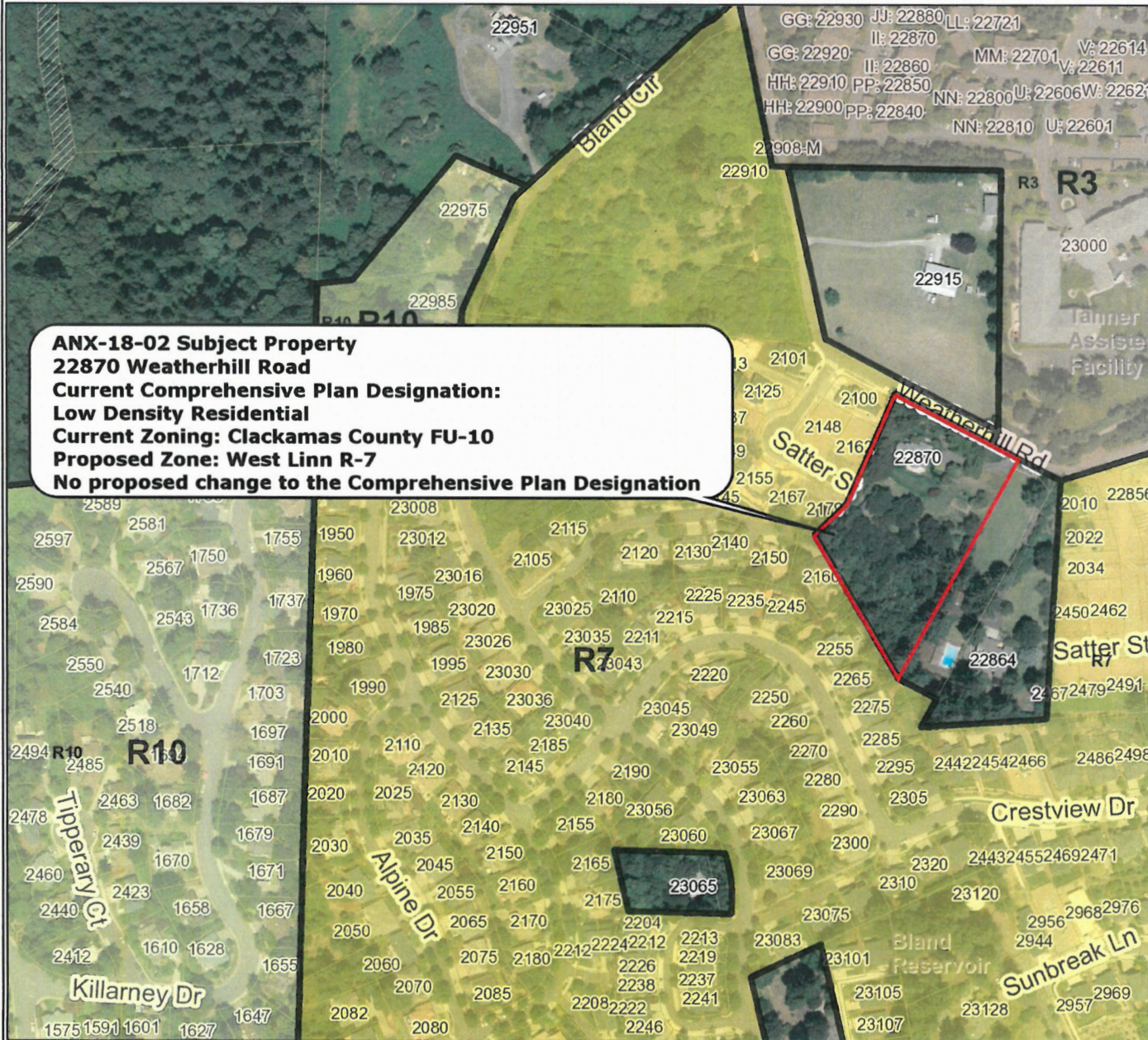


Property Owner
 Registered Voter
 Property Owner & Registered Voter

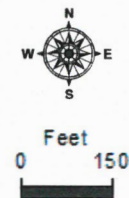
LAE 1/31/2018

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

Initial DD



ANX-18-02 Subject Property
22870 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 1:3,600 - 1 in = 300 ft
 Scale is based on 8-1/2 x 11 paper size



Map created by: JARNOLD
 Date Created: 21-Mar-18 11:02 AM

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 2.57 ACRES AT 22870 Weatherhill Road**

FILE NO. ANX-18-02

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 2.57 acre parcel at 22870 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 35B tax lot 0405. 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/22870-weatherhill-road-annexation-257-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 appellant body with jurisdiction based on that issue.