

**WEST LINN CITY COUNCIL
FINAL DECISION AND ORDER
ANX 19-01**

**IN THE MATTER OF A PROPOSAL TO ANNEX 0.93 ACRES
OF REAL PROPERTY AT 1480 ROSEMONT ROAD**

I. Overview

At its meeting on September 9, 2019, the West Linn City Council (Council) held a public hearing to consider the request by Shirley and Ralph Hanson, and Ashley and Jerry Rhea to annex 0.93 acres of real property at 1480 Rosemont Road (Taxlots 1300 and 1400, Clackamas County Assessor Map 2S 1E 25CA). The approval criteria for an 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 Darren Wyss. Shirley Hanson presented on behalf of the applicants. No public testimony was received at the hearing. The Fair Housing Council of Oregon and the Housing Land Advocates submitted written comments prior to the public hearing and the comments were submitted into the record. The hearing was closed and a motion was made and seconded to approve first reading of Ordinance 1700, applying a zoning designation of R-10 to the properties. The motion passed unanimously. A motion was made to approve second reading of Ordinance 1700. The motion passed unanimously. A motion was made and seconded to approve first reading of Ordinance 1701, approving the annexation of real property at 1480 Rosemont Road (Taxlots 1300 and 1400) with a zoning designation of R-10 into the City of West Linn and the Tri-City Service District, and withdrawal from the Clackamas County Enhanced Law Enforcement District. The motion passed unanimously. A motion was made to approve second reading of Ordinance 1701. The motion passed unanimously.

II. The Record

The record was finalized at the September 9, 2019, hearing. The record includes the entire file from ANX 19-01.

III. Findings of Fact

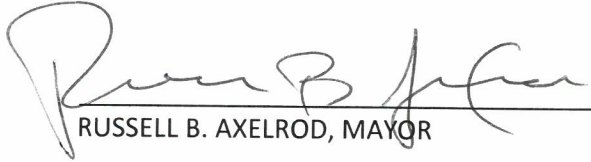
- 1) The Overview set forth above is true and correct.
- 2) The applicants are the property owners, Shirley and Ralph Hanson and Ashley and Jerry Rhea.
- 3) The Council finds that it has received all information necessary to make a decision based on the Staff Report and attached findings, public comment, and the evidence in the whole record, including any exhibits received at the hearing.

IV. Findings

The Council adopts the Staff Report for September 9, 2019, 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.

V. Order

The Council concludes that ANX 19-01 is approved based on the Record, Findings of Fact and Findings above.



RUSSELL B. AXELROD, MAYOR

9/11/19

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 11th day of September, 2019.