

ORDINANCE NO. 21-1008

AN ORDINANCE OF THE CITY OF OREGON CITY APPROVING EMERGENCY ANNEXATION PROPOSAL NO. GLUA-20-00030: AN-20-00002 AND APPROVING THE ANNEXATION OF CERTAIN PROPERTY LOCATED AT 11330 FOREST RIDGE ROAD, INTO THE CITY OF OREGON CITY

WHEREAS, the owner of certain real property adjacent to the City of Oregon City, David Hay, proposed in Emergency Annexation Proposal No. GLUA 20-00030: AN 20-00002 that their 0.46-acre property and abutting Right of Way located at 11330 Forest Ridge Road, Oregon City OR 97045 identified as Clackamas County Map 3-1E-12BA, Tax Lot 03000, more fully identified in Exhibit 'A' to this Ordinance, be annexed to the City; and

WHEREAS, the annexation of this property is required due to a failed septic system, which necessitated a requirement to hook up to City sewer. City water and sewer services were available close to the property, and the owner desired to make the needed connections; and

WHEREAS, the City finds that the proposal complies with all applicable legal requirements, as detailed in the findings attached hereto and made a part of this Ordinance as Exhibit 'B'; and

WHEREAS, Senate Bill 1573, adopted in 2016, requires annexation of territory without a vote by the people, notwithstanding City Charter and regulations to the contrary, and the City finds that the annexed area is within the urban growth boundary, will be subject to an acknowledged comprehensive plan, is contiguous to the City limits and conforms with all other City requirements; and

WHEREAS, the City finds that applicant's proposal does not include rezoning the property at this time and that any such proposal shall be reviewed through a separate application consistent with OCMC 17.06.030 Zoning of Annexed Areas, the Oregon City Transportation System Plan, and the Statewide Transportation Planning Rule to support such rezoning; and

WHEREAS, the identified property is currently in Clackamas Fire District # 1 (CFD#1), and CFD#1 will continue to provide fire protection service to the identified property when annexed; and

WHEREAS, the identified property is currently within the Clackamas County Service District for Enhanced Law Enforcement, and the Oregon City Police Department will be responsible for police services to the identified property when annexed; and

WHEREAS, City water is not immediately available along S Forest Ridge Rd, and an atypical water service connection to the City water main in Merchant Place would be required for a City water connection. The City has agreed that the property can remain in the Clackamas River Water District until such time as the service providers agree that the property should be served by City water; and

WHEREAS, the identified property is not currently within the Tri-City Service District and must petition for annexation into said District with the concurrence of the City; and

WHEREAS, the City Commission concurs that the Tri-City Service District can annex the identified properties into their sewer district.

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. That the area further identified in the legal description attached hereto as Exhibit "A", is hereby annexed to and made a part of the City of Oregon City.

Section 2. That the territory identified in Exhibit "A" shall hereby remain within Clackamas County Fire District # 1.

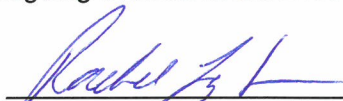
Section 3. That the territory identified in Exhibit "A" is hereby withdrawn from Clackamas County Service District for Enhanced Law Enforcement, and henceforth, the Oregon City Police Department will be responsible for police services to the identified property.

Section 4. That the territory identified in Exhibit "A" shall hereby remain within Clackamas River Water District.

Section 5. The City hereby concurs with and approves the annexing of the territory identified in Exhibit "A" into the Tri-City Service District by the Clackamas County Board of Commissioners, to the extent allowed by law.

Section 7. That the effective date for this annexation is the date, this Ordinance is submitted to the Secretary of State, as provided in ORS 222.180.

Read for the first time at a regular meeting of the City Commission held on the 7th day of April, and the City Commission finally enacted the foregoing Ordinance this 21st day of April 2021.




RACHEL LYLES SMITH, Mayor

Attested to this 21st day of April 2021:



Kattie Riggs, City Recorder

Approved as to legal sufficiency:



City Attorney

Attachments:

Exhibit A – Map and Legal Description of Proposed Annexation

Exhibit B – Proposed Findings, Reasons for Decision and Conclusions



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 | www.aks-eng.com

AKS Job #3062

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

Description

Lot 4 of the plat "Sunnyridge Acres No. 2", Plat No. 1653, Clackamas County Plat Records, and a portion of right-of-way, located in the Northwest One-Quarter of Section 12, Township 3 South, Range 1 East, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Beginning at the south corner of said Lot 4; thence along the southwesterly line of said Lot 4 and the northwesterly extension thereof, North 59°45'00" West 170.00 feet to the centerline of Sunnyridge Court; thence along said centerline, North 30°15'00" East 158.10 feet to the centerline of Forest Ridge Lane; thence along said centerline, South 59°45'00" East 109.32 feet to the City of Oregon City city limits line; thence continuing along said centerline and said city limits line, South 59°45'00" East 60.68 feet to the northeasterly extension of the southeasterly line of said Lot 4; thence leaving said city limits line along said northeasterly extension and the southeasterly line of said Lot 4, South 30°15'00" West 158.10 feet to the Point of Beginning.

The above described tract of land contains 26,877 square feet, more or less.

The Basis of Bearings for this description is per said plat of "Sunnyridge Acres No. 2".

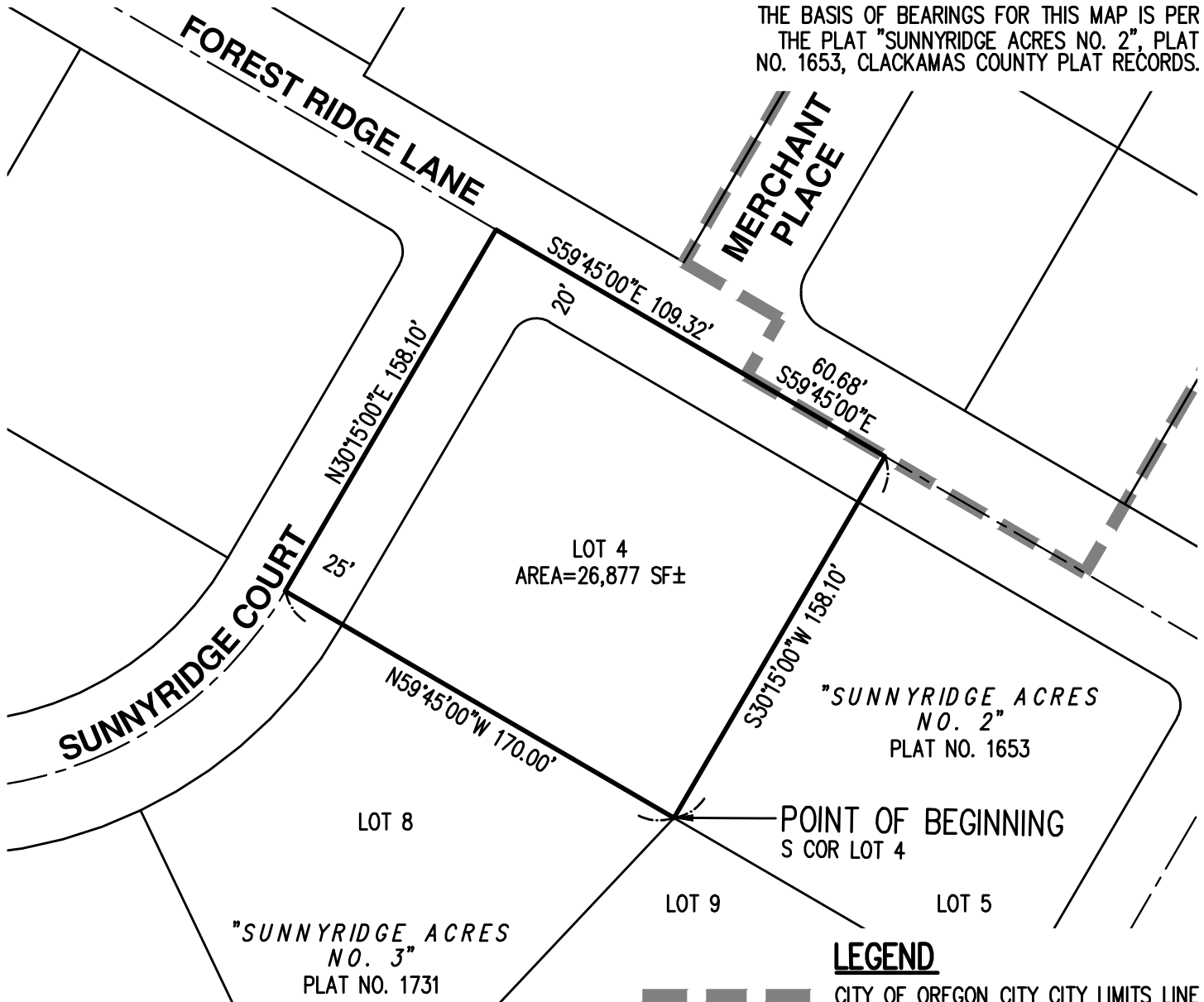
3/16/2021



EXHIBIT B

LOT 4 OF THE PLAT "SUNNYRIDGE ACRES NO. 2" AND
A PORTION OF RIGHT-OF-WAY,
LOCATED IN THE NORTHWEST 1/4 OF SECTION 12,
TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN,
CLACKAMAS COUNTY, OREGON

THE BASIS OF BEARINGS FOR THIS MAP IS PER
THE PLAT "SUNNYRIDGE ACRES NO. 2", PLAT
NO. 1653, CLACKAMAS COUNTY PLAT RECORDS.



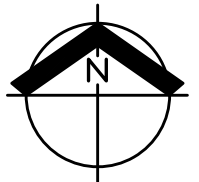
3/16/2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

PREPARED FOR

CITY OF OREGON CITY
221 MOLALLA AVENUE, SUITE 200
OREGON CITY, OR 97045

SCALE: 1"=60 FEET



Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/22

DESCRIPTION MAP

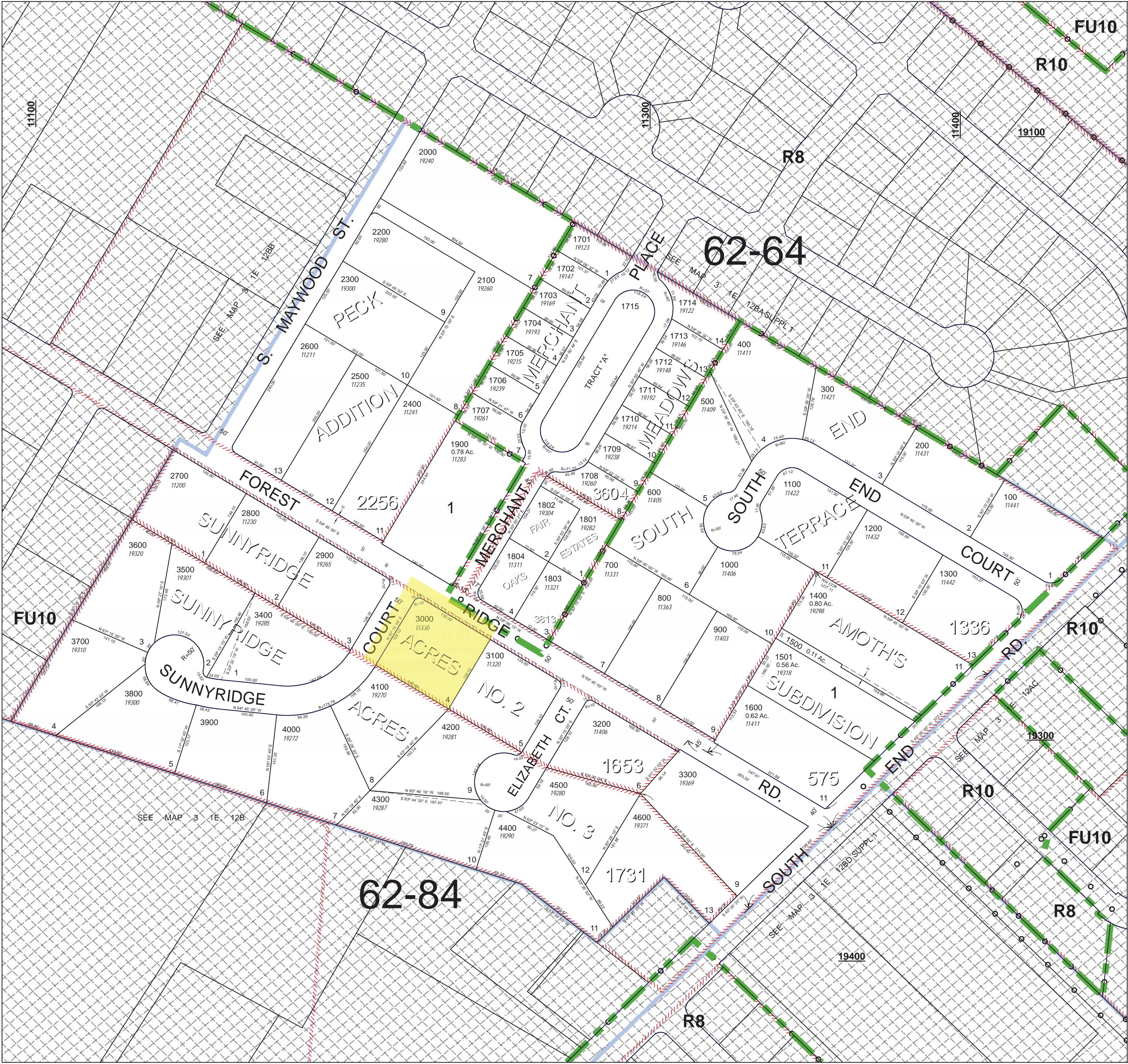
AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM

AKS

EXHIBIT
B

DRWN: WCB
CHKD: NSW

AKS JOB:
3062

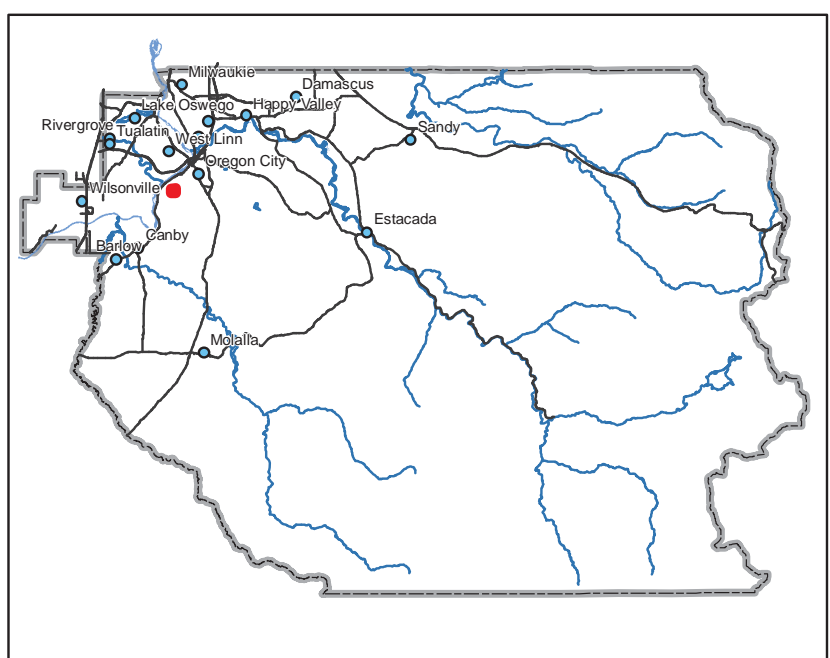


3 1 E 12BA
OREGON CITY
N.E.1/4 N.W.1/4 SEC.12 T.3S. R.1E. W.M.
CLACKAMAS COUNTY
1" = 100'

D. L. C.
ABSALOM F. HEDGES NO. 40

Cancelled Taxlots
1700
1800

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TaxCodeLines
- Map Index
- WaterLines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

10/29/2018

3 1 E 12BA
OREGON CITY



FILE NO: GLUA 20-00030: AN 20-00002

APPLICATION TYPE: Annexation (Sewer Connection)

APPLICATION TYPE: Emergency Annexation (Sewer Connection)

APPLICANT: David and Melody Hay

REQUEST: The applicant is requesting approval of an emergency annexation of one 0.299 acre / 13,054 sf property due to a failing septic system. The property will retain its existing FU-10 zoning.

LOCATION: 1330 S Forest Ridge Road, Oregon City OR 97045
Tax Assessor Map: 3-1E-12BA-03000
Total Acres / SF: 0.46 acre (20,000 s.f.)

REVIEWER: Christina Robertson-Gardiner AICP, Senior Planner
Aaron Parker, Engineering Technician II

RECOMMENDATION: Evaluate Annexation against Factors, and Adopt the Staff Report and Proposed Findings, Reasons for Decision, and Recommendations.

PROCESS: Pursuant to OCMC Chapter 14.04. *City Boundary Changes and Extension of Services*, the procedure for review of annexations is governed by State Law and Oregon City Code Chapter 14.04. The procedure for a zone change is outlined in Oregon City Code Chapter 17.50.

The public hearing process is governed by OCMC 14.04 and 17.50. The applicant and all documents submitted by or on behalf of the applicant are available for inspection at no cost at the Oregon City Planning Division, 221 Molalla Avenue, Oregon City, Oregon 97045, from 8:30 am to 3:30 pm Monday thru Friday. The staff report, with all the applicable approval criteria, will also be available for inspection seven days before the hearing. Copies of these materials may be obtained for a reasonable cost in advance. The Annexation was initiated as a result of a public health hazard, and as a result, City policy is to forward these annexations directly to the City Commission without a Planning Commission recommendation. Therefore, the City Commission will open the record and consider testimony to determine whether the application has or has not complied with the factors outlined in section 14.04.060 and 17.68.020 of the Oregon City Municipal Code. The City Commission decision is appealable to LUBA within 21 days of issuance of the Notice of Decision.

PROPOSAL NO. AN-20-0001 - CITY OF OREGON CITY - Annexation

Property Owners / Voters: 2

Applicant(s): David and Melody Hay

The proposal is a single tax lot annexation initiated by a consent petition of 100% of the property owners and registered voters. Due to the nature of the emergency septic failure, this annexation proposal bypassed the Planning Commission as in the past emergency sewer connection requests. The petition meets the requirement for initiation set forth in ORS 222.170 and Metro Code 3.09.040(a).

The City's policy is to expedite the processing of such annexations by forwarding a recommendation directly to the City Commission without a Planning Commission recommendation. This is consistent with Comprehensive Plan Policy 14.4.4:

14.4.4

Expedite the Annexation of property as provided by state law in order to provide sewer service to adjacent unincorporated properties when a public health hazard is created by a failing septic tank sewage system.

REASON FOR ANNEXATION

In order to address the emergency, the property has prepared to connect to the City sewer system on the condition that the owner concurrently petitions for Annexation to the City.

The Annexation of this property is required due to a failed septic system, which necessitated a requirement to hook up to the City sewer. City sewer services are available close to the property.

The territory to be annexed is located at the southwestern edge of City at S Forest Ridge Road, as shown in Exhibit 1. The territory contains approximately 0.45 acres, has one single-family residence with a population of 2, and an assessed value of \$ 242,523.

The property has an Oregon City Comprehensive Plan designation of LR – Low-Density Residential. The property is part of the 1979 Urban Growth Boundary and is within the South End Concept Plan area. The applicant wishes to retain the current FU-10 zoning, requiring 10-acre minimum lots, which will serve to preclude any further development or land divisions on the subject property in advance of seeking a zone change. Any request for rezoning in the future must comply with the applicable provisions of OCMC Chapter 17.68 - Zoning Changes and Amendments. Though the Oregon City Municipal Code requires application of a City zoning designation upon Annexation, a zone change may only be initiated with a zone change application which is accompanied by a transportation analysis to demonstrate compliance with applicable regulations, such as the Transportation Planning Rule (TPR). As the applicant is required to initiate Annexation due to a failed septic system, staff finds it appropriate in this case to retain the existing Clackamas County zoning designation if the development onsite is limited.

The owner would be able to receive city services, specifically, sanitary sewer service as well as the full range of administrative and municipal services provided upon Annexation to the City. The property is within 300

feet of a city sanitary sewer system, and by Oregon Revised Statute, it has been connected to the city sewer service and must be annexed.

If in the event, the Annexation is denied by the City Commission, the Commission would need to direct city staff to allow an extraterritorial connection to city services by providing additional findings or mitigating factors for the record that show compliance with the Comprehensive Plan and specifically Policy 11.1.3- *Confine urban public facilities and services to the city limits except where allowed for safety and health reasons in accordance with state land use planning goals and regulations. Facilities that serve the general public will be centrally located and accessible, preferably by multiple modes of transportation.*

SB 1573

If the City Commission determines that the proposed Annexation should be approved, the City Commission is required by the Charter to submit the Annexation to the electors of the City. However, the passage of SB 1573 requires that the City annex the territory without submitting the proposal to the electors of the City if:

(a) The territory is included within an urban growth boundary adopted by the City or Metro, as defined in ORS 197.015;

(b) The territory is, or upon Annexation of the territory into the City will be, subject to the acknowledged comprehensive plan of the City;

(c) At least one lot or parcel within the territory is contiguous to the city limits or is separated from the city limits only by a public right of way or a body of water; and

(d) The proposal conforms to all other requirements of the City's ordinances.

The territory is included within the City's UGB adopted by the City and Metro. The territory has a Comprehensive Plan Designation of Low-Density Residential pursuant to the acknowledged Oregon City Comprehensive Plan. The territory is contiguous to the City Limits. As demonstrated in this report, the proposal can meet the City's applicable ordinances.

Thus, the proposal meets items (a) through (d), with the conditions of approval, and the City may annex the territory without submitting the proposal to the electors of the City.

Measure 3-51- May 18, 1999 Voter-Approved Annexation Charter Amendment

The City Commission sent a measure to voters in 1999 to adopt a charter amendment that required all annexations be sent to the voters and indicated that *"this measure would not apply to certain annexations that the city is required to undertake, such as annexations to abate public health hazards pursuant to ORS 222.900."*

This is an emergency annexation to allow a single property to connect to the City's sanitary sewer system because of a failing septic system on site. OAR 340-071-0160 mandates that a property with a failing septic system must connect to a sanitary sewer if it is physically and legally available. A sewerage system is deemed legally available if the system is not under a DEQ connection permit moratorium and the sewerage system owner is willing or obligated to provide sewer service. The subject site has access to sanitary sewer in front of the house, and the line is not under a DEQ connection permit moratorium. Oregon City Comprehensive Plan Policy 11.1.3- *Confine urban public facilities and services to the city limits except where*

allowed for safety and health reasons in accordance with state land use planning goals and regulations directs the City to process this Annexation.

Therefore, staff believes that the sewer connection and Annexation is mandated by law. It is reasonable for the City Commission to also find that this would fall under the *"this measure would not apply to certain annexations that the city is required to undertake"* exemption above.

LAND USE PLANNING

SITE CHARACTERISTICS

The property is generally level. The applicant will connect to the City sewer main system running in Merchant Place that abuts the property with a service line. The site is a residential parcel with a few scattered trees around the existing house and outbuilding. The property is in the South End Drainage Basin.

Frontage to City Limits

The abutting ½ street right-of-way of S Forest Ridge Road is not already within the City and will need to be annexed as part of this approval, and if approved, will make the property contiguous to the City Limit for approximately 141 feet along the full frontage of the property. The property includes a large home setback approximately 29 feet from S Forest Ridge Road, with one accessory structure. No land division is proposed at this time.



FIGURE 1. LOCATION MAP

South End Concept Plan

The site is within the adopted South End Concept Plan (SECP), which is a long-range land-use plan for the urbanization of the area within the Urban Growth Boundary for property not yet annexed. To review the South End Concept Plan, go to the following link:

- <https://www.orcity.org/planning/south-end-concept-plan>
- The graphic below is an excerpt from the SECP indicating possible future development of the area.

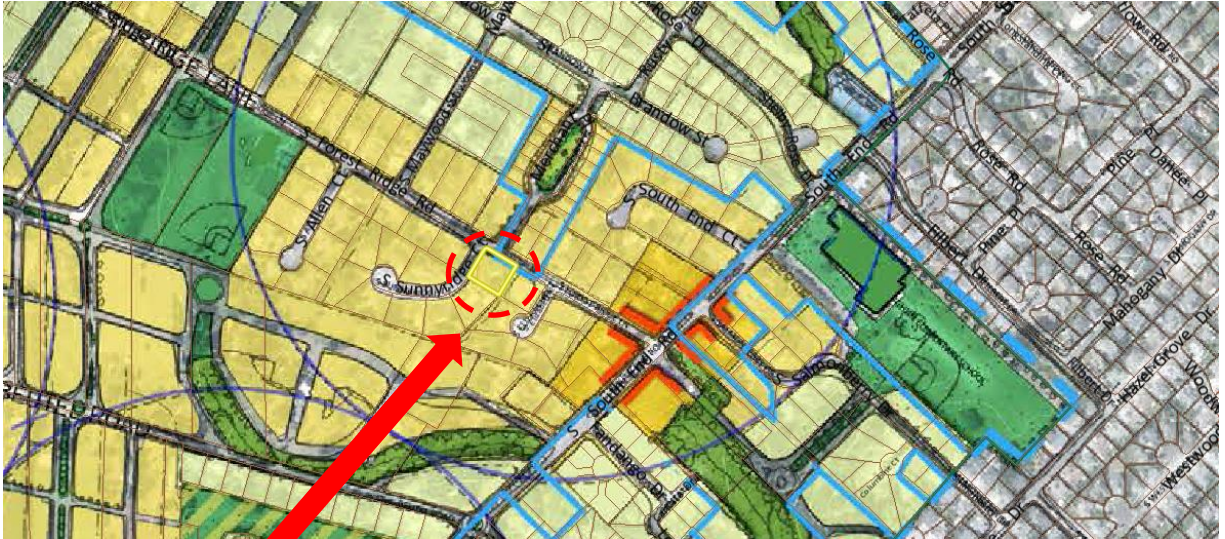


FIGURE 2. SOUTH END CONCEPT PLAN



FIGURE 3. STREET VIEW (2012)

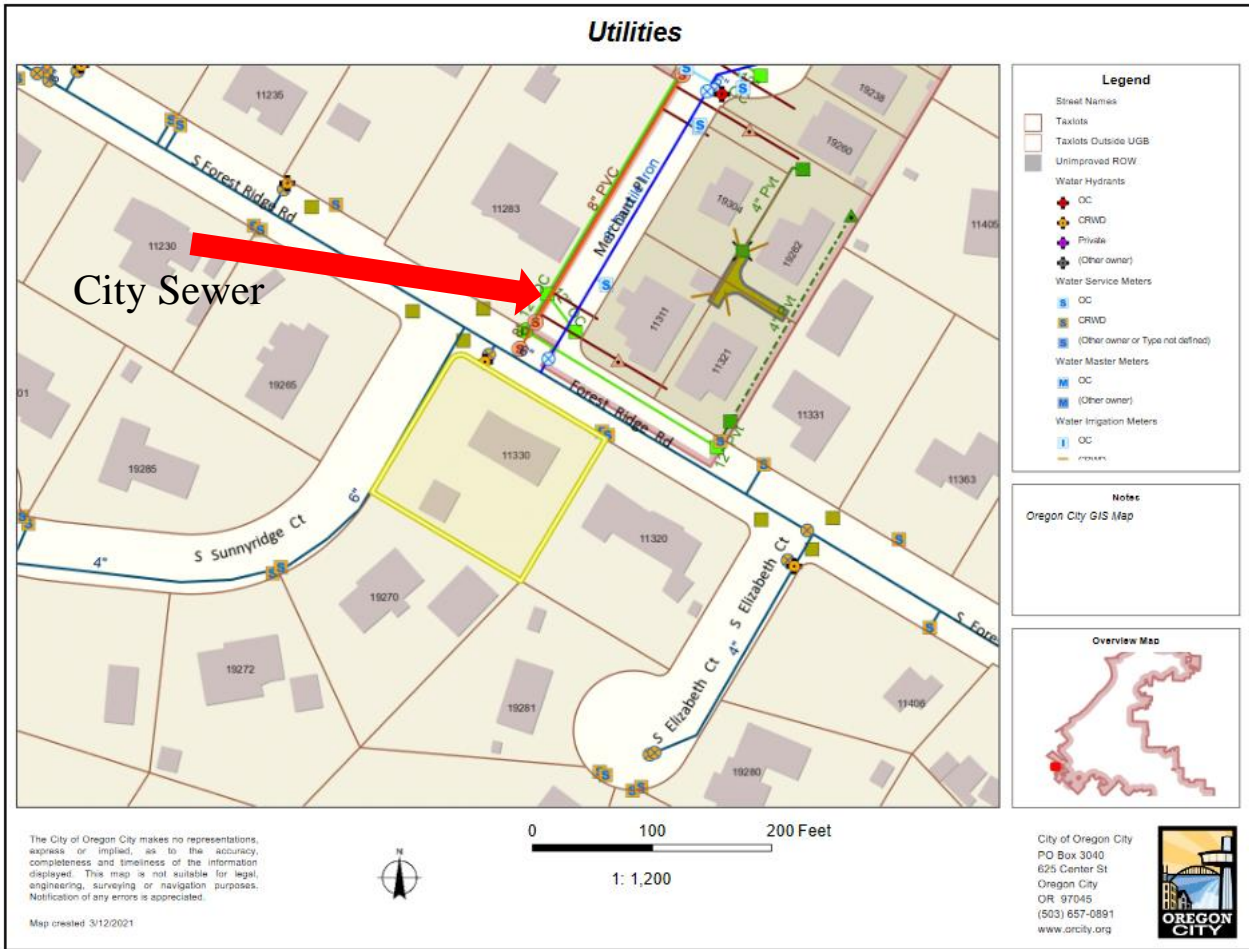


FIGURE 4. UTILITIES

The figure above indicates the location of Oregon City sewer, water, and stormwater utilities adjacent to the property.

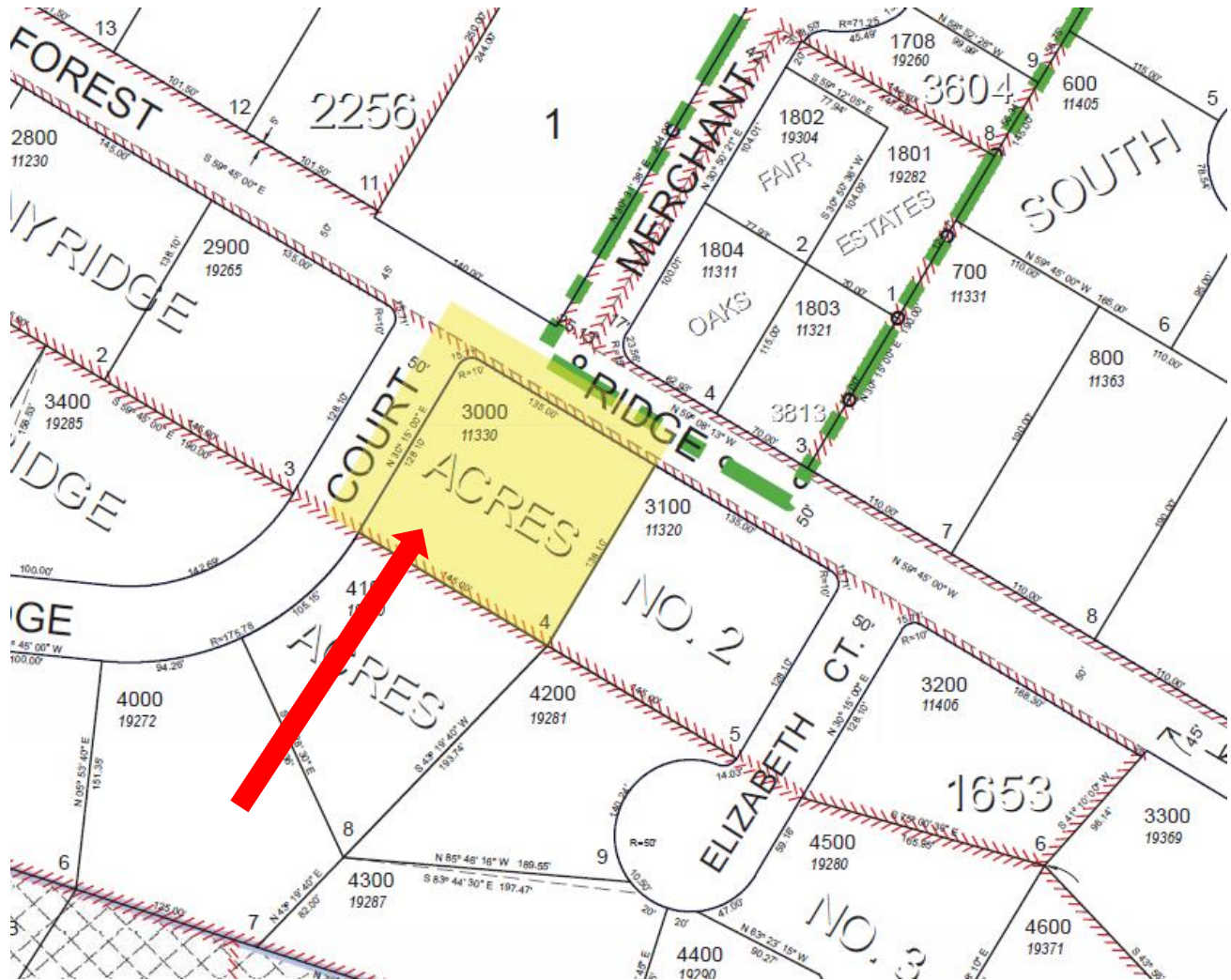


FIGURE 5. CLACKAMAS COUNTY TAX ASSESSOR MAP

REGIONAL PLANNING CONSIDERATIONS

General Information

This territory is inside Metro's jurisdictional boundary and inside the regional Urban Growth Boundary (UGB).

Metro Boundary Change Criteria

The Legislature has directed Metro to establish criteria that must be used by all cities within the Metro boundary. The Metro Code states that a final decision shall be based on substantial evidence in the record of the hearing and that the written decision must include findings of fact and conclusions from those findings. The Code requires these findings and conclusions to address the following minimum criteria:

1. Consistency with directly applicable provisions in ORS 195 agreements or ORS 195 annexation plans.

2. Consistency with directly applicable provisions of urban planning area agreements between the annexing entity and a necessary party.
3. Consistency with directly applicable standards for boundary changes contained in Comprehensive land use plans and public facility plans.
4. Consistency with directly applicable standards for boundary changes contained in the Regional framework or any functional plans.
5. Whether the proposed boundary change will promote or not interfere with the timely, orderly and economic provision of public facilities and services.
6. Consistency with other applicable criteria for the boundary change in question under state and local law.

Consistency with the County and urban service provider planning agreements along with the timely, orderly, and economic provision of public services as required by the Metro Code are discussed in greater detail below.

The Metro Code also contains a second set of 10 factors that are to be considered where: 1) no ORS 195 agreements have been adopted, and 2) a necessary party is contesting the boundary change. Those 10 factors are not applicable at this time to this Annexation because no necessary party has contested the proposed Annexation.

Metro Regional Framework Plan

The law that requires Metro to adopt criteria for boundary changes and specifically states that those criteria shall include "... compliance with adopted regional urban growth goals and objectives, functional plans . . . and the regional framework plan of the District [Metro]." Metro's Growth Management Functional Plan was reviewed and found not to contain any criteria directly applicable to boundary changes. The Regional Framework Plan was reviewed and found not to contain specific criteria applicable to boundary changes.

CLACKAMAS COUNTY PLANNING

The Metro Code states that the Commission's decision on this boundary change should be "... consistent with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans, public facility plans, . . ."

The Clackamas County Comprehensive Plan is the currently applicable plan for this area. The plan designation for this site is Low-Density Residential (LR) on the County's Oregon City Area Land Use Plan (Map 4-05). The County's zoning for the property is FU-10, Future Urban, with a 10-acre minimum lot size. This is a holding zone to prevent the creation of small parcels in areas within the Urban Growth Boundary to preserve the capacity of the land to fully develop once a full range of urban services is available. Lands located outside areas having sanitary sewer service available were designated Future Urbanizable.

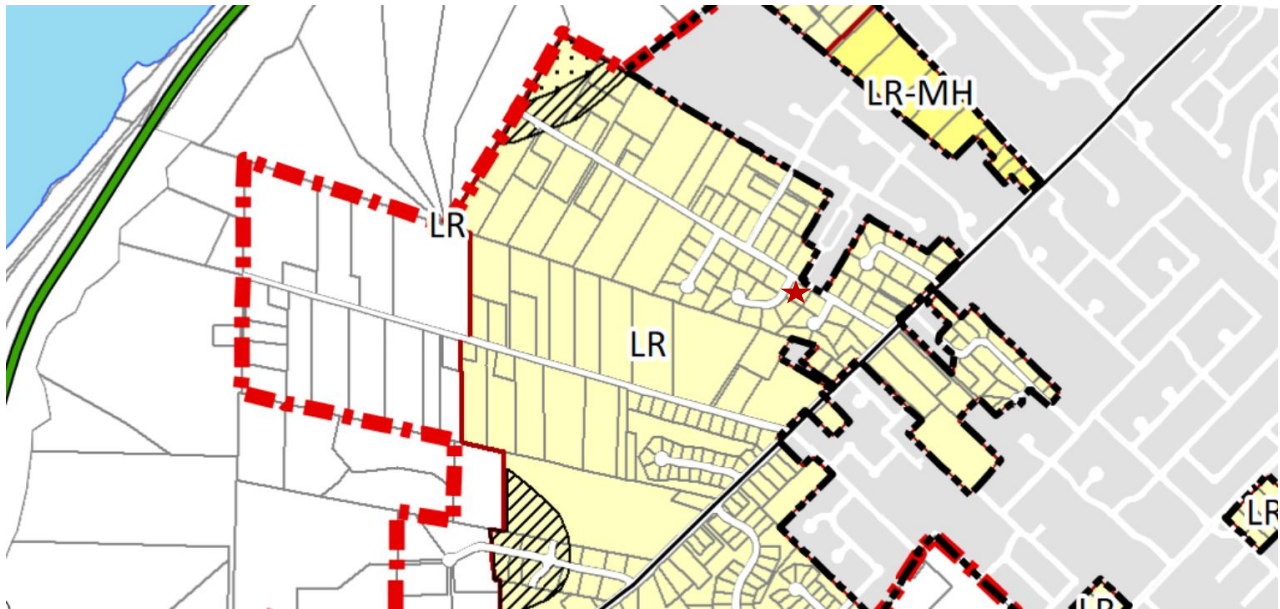


FIGURE 6. COUNTY COMPREHENSIVE PLAN DESIGNATION LR

Clackamas County Zoning and Development Ordinance (ZDO) section 316 provides that the Future Urban 10-Acre District is applied to those areas designated as Future Urban by Chapter 4 of the Clackamas County Comprehensive Plan.

The *Land Use* section of the Plan, Chapter 4, identifies the territory proposed for Annexation as *future urban*, which are defined as:

"Future urban areas are lands within urban growth boundaries but outside immediate urban areas. Future urban areas are planned to be provided with public facilities but currently lack providers of those facilities. Future urban areas are substantially underdeveloped and will be retained in their current use to ensure future availability for urban needs. Future urban areas are planned for urban uses but zoned for large-lot, limited development."

Urban Growth Management Agreement

The City and the County have an Urban Growth Management Agreement (UGMA), which is a part of their Comprehensive Plans. The territory to be annexed falls within the Urban Growth Management Boundary (UGMB) identified for Oregon City and is subject to the Agreement. The County agreed to adopt the City's Comprehensive Plan designations for this area that is Low-Density Residential. Consequently, when a property is annexed to Oregon City, it may receive a City planning designation by default, which is R-10 single-family dwelling district, provided adequate public facilities can be demonstrated.

Regarding transportation impacts, rezoning must demonstrate compliance with, or be exempted from, the mobility standards of [OCMC 12.04.205 – Mobility Standards](#). The applicant has not applied to rezone the property and does not intend to redevelop the site at a higher density. A transportation analysis is not required until such redevelopment is proposed. Staff recommends that the property maintain its existing County FU-10 zoning, which will serve to preclude any further development or land divisions on the subject property in advance of a zone change.

The UGMA presumes that all the urban lands within the Urban Growth Boundary will ultimately annex to the City. It specifies that the City is responsible for the public facilities plan required by Oregon Administrative Rule Chapter 660, division 11. The Agreement goes on to say:

4. City and County Notice and Coordination

* * *

D. *The CITY shall provide notification to the COUNTY, and an opportunity to participate, review and comment, at least 20 days prior to the first public hearing on all proposed annexations . . .*

* * *

5. City Annexations

A. *CITY may undertake annexations in the manner provided for by law within the UGMB. CITY annexation proposals shall include adjacent road right-of-way to properties proposed for Annexation. COUNTY shall not oppose such annexations.*

B. *Upon Annexation, CITY shall assume jurisdiction of COUNTY roads and local access roads that are within the area annexed. As a condition of jurisdiction transfer for roads not built to CITY street standards on the date of the final decision on the Annexation, COUNTY agrees to pay to CITY a sum of money equal to the cost of a two-inch asphaltic concrete overlay over the width of the then-existing pavement; however, if the width of pavement is less than 20 feet, the sum shall be calculated for an overlay 20 feet wide. The cost of asphaltic concrete overlay to be used in the calculation shall be the average of the most current asphaltic concrete overlay projects performed by each of CITY and COUNTY. Arterial roads will be considered for transfer on a case- by-case basis. Terms of transfer for arterial roads will be negotiated and agreed to by both jurisdictions.*

C. *Public sewer and water shall be provided to lands within the UGMB in the manner provided in the public facility plan . . .*

* * *

The required notice was provided to the County at least 20 days before the City Commission hearing. The Agreement requires that adjacent road rights-of-way be included within annexations. The abutting rights-of-way of Forest Ridge will be included in the Ordinance adopting the Annexation

OREGON CITY COMPREHENSIVE PLAN

This territory is designated by the Oregon City acknowledged Comprehensive Plan as LR – Low-Density Residential. Portions of the City's Comprehensive Plan have some applicability, and these are covered here.

Section 2 of the Oregon City Comprehensive Plan is entitled *Land Use*. Several Goals and Policies in this section are pertinent to the proposed annexations.

The *Public Facilities* Section of the Comprehensive Plan contains the following pertinent Goals and Policies.

Goal 11.1: Provision of Public Facilities

Serve the health, safety, education, welfare, and recreational needs of all Oregon City residents through the planning and provision of adequate public facilities.

Policies

Policy 11.1.1 *Ensure adequate public funding for the following urban facilities and services, if feasible:*

- a. Streets and other roads and paths*
- b. Wastewater collection*
- c. Stormwater management services*
- d. Police protection*
- e. Fire protection*
- f. Parks and recreation*
- g. Water distribution*
- h. Planning, zoning, and subdivision regulation*

Streets and other roads and paths

Forest Ridge Road is county-owned and maintained. There are currently no plans to alter or improve the roads abutting the property. The policies that govern City streets and roads are the adopted 2014 Transportation System Plan and Municipal Code Chapter 12.04 - Streets, Sidewalks, and Public Places. The City charges a pavement maintenance utility fee (PMUF) for the upkeep of road surfaces, which will be applied to the property upon Annexation.

Wastewater collection

Upon Annexation, this one home will start paying the current stormwater utility fee. Therefore, no additional public funds will need to be spent.

Police and Fire Protection

This Annexation will immediately add one home to the City's police and fire protection coverage and withdraw the property from Clackamas County Sheriff's Enhanced Law Enforcement District. The Oregon City Police Department indicated the address is serviced by Clackamas County Sheriff's Office. Currently, any calls to Clackamas County 9-1-1 (CCOM) are dispatched to a Clackamas County Sheriff's Deputy. However, if it is a priority call and Oregon City officers are available, they would respond as they would be able to arrive much quicker than a Clackamas County Sheriff's Deputy. Once annexed, the property will be serviced by Oregon City Police Department (OCPD). OCPD has not indicted any conflicts with this Annexation.

The property is already within the Clackamas Fire District #1 and will remain in CFD#1 upon Annexation.

Water

The property is currently within the Clackamas River Water District (CRW). CRW has stipulated that the property is required to remain in the CRW service district. City water is not immediately available along S Forest Ridge Rd. An atypical water service connection to the City water main in Merchant Place would be required for a City water connection. The City has agreed that the property can remain in the CRW district until such time as the service providers agree that the property should be served by City water.

Policy 11.1.1 defines what is encompassed within the term "urban facilities and services" as it pertains to Annexation. The City's plan is more inclusive in its definition of what services are considered an "urban service" than is the Metro Code. The City's Plan adds fire protection and planning, zoning, and commercial development regulation to the list of urban services that are to be considered by the Metro Code. The adequacy of these facilities and services to serve the subject property, containing a single home, is discussed in greater detail below. The Metro Code also includes mass transit in addition to streets and roads.

Policy 11.1.3 Confine urban public facilities and services to the city limits except where allowed for safety and health reasons in accordance with state land use planning goals and regulations. Facilities that serve the general public will be centrally located and accessible, preferably by multiple modes of transportation.

Policy 11.1.4 Support development on underdeveloped or vacant buildable land within the City where urban facilities and services are available or can be provided and where land use compatibility can be found relative to the environment, zoning, and comprehensive plan goals.

Policy 11.1.5 Design the extension or improvement of any major urban facility and service to an area to complement other urban facilities and services at uniform levels.

Policies 11.1.3 and 11.1.4 encourage development on sites within the City where urban facilities and services are either already available or can be provided. This policy implies that lands that cannot be provided urban services should not be annexed. The City has the capacity to provide urban services to this existing home.

Policy 11.1.5 requires that the installation of a major urban facility or service should be coordinated with the provision of other urban facilities or services. No major urban facility or service is required here; rather, it requires a normal extension of sanitary sewer from the existing sewer main abutting the site on Forest Ridge Road.

The owner has not proposed to further divide the existing parcel at this time, and neither is re-zoning the property proposed at this time as explained elsewhere in this report.

Read together, these policies suggest that when annexing lands, the City should consider whether a full range of urban facilities or services are available or can be made available to serve the territory to be annexed. Oregon City has implemented these policies with its Code provisions on processing annexations, which requires the City to consider the adequacy of access and adequacy and availability of public facilities and services. Overall, it appears that the City can provide urban service capacity to this one home.

Goal 11.2: Wastewater

Seek the most efficient and economic means available for constructing, operating, and maintaining the City's wastewater collection system while protecting the environment and meeting state and federal standards for sanitary sewer systems.

Policies

Policy 11.2.2 Plan, operate and maintain the wastewater collection system for all current and anticipated city residents within the existing urban growth boundary. Strategically plan for future expansion areas.

Since all new development on annexed land is required to connect to the sanitary sewer system, this policy suggests that a measure of the adequacy of the sanitary system should be whether it could serve the potential level of development provided for by the Comprehensive Plan and Zoning designations. The City's sanitary sewer is available to this property.

Policy 11.2.3 Work with Tri-City Service District to provide enough capacity in its collection system to meet standards established by the Oregon Department of Environmental Quality (DEQ) to avoid discharging inadequately treated sewage to surface waters.

The Tri-City Service District was provided notice of this Annexation. The District responded that it has adequate capacity to serve the Annexation. The District provides sewer collection to the Cities of West Linn, Oregon City, and Gladstone. The property owner must initiate the Tri-City Service District annexation after Annexation to the City. The City Commission should concur with Tri-City Service District's Annexation of the subject property in the Ordinance annexing the property.

Goal 11.3: Water Distribution

Seek the most efficient and economic means available for constructing, operating, and maintaining the City's water distribution system while protecting the environment and meeting state and federal standards for potable water systems.

Policies

Policy 11.3.1 Plan, operate and maintain the water distribution system for all current and anticipated city residents within its existing urban growth boundary and strategically plan for future expansion areas.

Since new development on annexed lands may connect to the city water distribution system, this policy suggests that a measure of the adequacy of the water distribution system should be whether it could serve the potential level of development provided for by the Comprehensive Plan and Zoning designations. The subject lot is not already a user connected to the City water distribution system. The subject property is zoned FU-10, imposing a 10-acre minimum lot size, which will serve to preclude any further land divisions until the land is rezoned to a City zoning designation.

The property is currently being served by Clackamas River Water District (CRWD). After Annexation, the property will continue to be served by CRWD.

Goal 11.4: Stormwater Management

Seek the most efficient and economical means available for constructing, operating, and maintaining the City's stormwater management system while protecting the environment and meeting regional, state, and federal standards for protection and restoration of water resources and fish and wildlife habitat.

Policies

Policy 11.4.1 Plan, operate, and maintain the stormwater management system for all current and anticipated city residents within Oregon City's existing urban growth boundary and strategically plan for future expansion areas.

Policy 11.4.4 Maintain existing drainageways in a natural state for maximum water quality, water resource preservation, and aesthetic benefits.

Since new development on annexed lands may connect to the city stormwater management system, this policy suggests that a measure of the adequacy of the stormwater management system should be whether the City (or the county stormwater management system in the event that drainage goes to the County) could serve the potential level of development provided for by the Comprehensive Plan and Zoning designations. New development may also have opportunities to provide further protection to preserve water quality. This Annexation will not result in any changes to the stormwater drainage. No future development would be allowed under the existing FU-10 zoning designation. Improvement of the existing stormwater connections leading to the site would be in conformance with the City's stormwater design standards.

Goal 11.9: Fire Protection

Maintain a high level of fire suppression and emergency medical services capacity.

Policies

Policy 11.9.1 Ensure that all areas, including newly annexed areas, receive fire protection and emergency medical services.

The property is already within Clackamas County Fire District #1. Fire protection and emergency services will be unaffected by this proposal. The Annexation was transmitted to Clackamas County Sheriff's Department and Oregon City Police Department for comment. OCPD already responds to priority County emergency calls for the unincorporated area in this location. Clackamas County Sheriff's Department was contacted and had no conflicts with the Annexation. Upon Annexation, the area would be removed from the Clackamas County Sheriff's Enhanced Law Enforcement District. OCPD does not anticipate any police service problems due to the Annexation of this one home.

The final section of this staff report addresses each urban service to determine whether the services are currently available or can be made available at an adequate level to serve the potential development of the property under the current planning designation and zoning that implements it.

Section 14 of the Plan is entitled *Urbanization*. Several policies in this section are pertinent to the proposed annexations. The following excerpts expand on the City's annexation philosophy and requirements.

The City is required to refer all proposed annexations to the voters. Rather than having voter approval of individual property owners' requests to annex, the City should prepare and implement an annexation plan and program. The City could then annex large blocks of properties (with voter approval) at one time, rather than in a piecemeal fashion. Annexation would be tied more directly to the City's ability to provide services efficiently, maintain regular city boundaries, and help the City meet Metro targets for housing and employment. The zoning of the property should be decided at the time the Planning Commission and City Commission review and approve the annexation request.

Applications for Annexation, whether initiated by the City or by individuals, are based on specific criteria contained in the City's municipal code. Metro and state regulations promote the timely and orderly provision of urban services, with which inappropriate annexations can conflict. Therefore, an annexation plan that identifies where and when areas might be considered for Annexation can control the expansion of the city limits and services to help avoid those conflicts and provide predictability for residents and developers. Other considerations are consistent with the provisions of this comprehensive plan and the City's public facility plans, with any plans and agreements of urban service providers, and with regional annexation criteria.

The City has not completed an annexation plan and program for this area. The requirement to refer this Annexation to the voters has been superseded by the passage of Senate Bill 1573 as explained earlier in this report. This Annexation is still sufficiently tied directly to the City's ability to provide services efficiently with the logical extension of physical utility lines as it is adjacent to two city subdivisions that have utilities and street improvements. The proposal does not include a zone change, and as such, conditions will be placed on the Annexation limiting development until a zone change to a City designation occurs.

The following Plan annexation policies are approval criteria for annexations under Criteria 3 of the Metro Code.

Goal 14.4: Annexation of Lands to the City

Annex lands to the City through a process that considers the effects on public services and the benefits to the City as a whole and ensures that development within the annexed area is consistent with the Oregon City Comprehensive Plan, City ordinances, and the City Charter.

The city annexation process is set out in Chapter 14 of the Municipal Code. By requiring compliance with that code, the Metro code, and the statewide planning rules, the City is identifying the potential effects that build-out of the annexed property will have on public services and any benefits to the City as a whole.

Policy 14.4.1 *In order to promote compact urban form to support efficient delivery of public services, lands to be annexed must be within the City's Urban Growth Boundary and must be contiguous to the existing City limits. Long linear extensions, such as cherry stems and flag lots, shall not be considered contiguous to City limits.*

The proposed property will be contiguous to the city limits along the front property line, with the inclusion of the ½ street of Forest Ridge included in the Annexation Ordinance. No long linear extensions are proposed. The Annexation would not create any islands.

Policy 14.4.2 *Concept Plans and Sub-area Master Plans for unincorporated areas within the Urban Growth Boundary shall include an assessment of the fiscal impacts of providing public services to the area upon Annexation, including the costs and benefits to the City as a whole.*

This property is part of the 1979 Urban Growth Boundary and was previously part of the City's existing Comprehensive Plan with a Low-Density Residential land use designation. The property has been included in all of the City's adopted public facilities master plans for sewer, water, stormwater, and transportation. No zone change is proposed at this time.

Policy 14.4.3 *When an annexation is requested, the Commission may require that parcels adjacent to the proposed Annexation be included to:*

- a) avoid creating unincorporated islands within the City;*
- b) enable public services to be efficiently and cost-effectively extended to the entire area; or*
- c) implement a Concept Plan or Sub-area Master Plan that has been approved by the Commission.*

This proposed Annexation does not create an unincorporated island within the City. There is no development proposed at this time, and future development is limited as the property has proposed to retain the exiting Clackamas County zoning designation. No additional parcels are anticipated to be annexed to enable more efficient public services at this time.

Policy 14.4.4 *The City may, as provided by state law, provide sewer service to adjacent unincorporated properties when a public health hazard is created by a failing septic tank sewage system; the Commission may expedite the Annexation of the subject property into the City, subject to any voter approvals of annexations.*

A public health hazard existed by the nature of the failing septic system. The property owner has already connected the property to the City sewer system and obtained the proper city and county permits to complete the extension of the sewer line to the property.

LAND USE

Section 2 of the City's Comprehensive Plan identifies land-use types. This application has one residential land use type:

1. *Low-Density Residential [LR]: Areas in the LR category are primarily for single-family detached homes.*

The City/County urban growth management agreement specifies that the County's acknowledged Comprehensive Plan and implementing regulations shall apply until Annexation, and the City adopts subsequent plan amendments. The Oregon City Code requires the City Planning Department to review the final zoning designation within sixty days of Annexation, utilizing the chart below and some guidelines laid out in Section 17.06.030.

CITY LAND USE CLASSIFICATION

<u>Residential Type</u>	<u>City Zone</u>
Low-density residential	R-10, R-8, R-6
Medium-density residential	R-3.5, R-5
High-density residential	R-2

That section goes on to say:

"In cases where only a single city zoning designation corresponds to the comprehensive plan designation . . . Section 17.68.025 shall control."

Section 17.68.025, Zoning changes for land annexed into the City, says:

"Notwithstanding any other section of this chapter, when a property is annexed into the city from the city/county dual interest area with any of the following comprehensive plan designations, the property shall be zoned upon annexation to the corresponding city zoning designations as follows:"

<u>Plan Designation</u>	<u>Zone</u>
Low-density residential	R-10
Medium-density residential	R-3.5
High-density residential	R-2

Although the subject property is designated Low-density residential on the City's Comprehensive Plan, this proposal does not include a request to rezone the land to R-10. As noted above, no further development or land division may occur until the land is rezoned to a City zoning designation.

The City's Code contains provisions on annexation processing. Section 6 of Chapter 14 requires the City Commission "to consider the following factors, as relevant":

1. *Adequacy of access to the site;*

Finding: The site access is discussed below in the Facilities and Services section. The site has direct access onto Forest Ridge Road and the existing access is adequate.

2. *Conformity of the proposal with the City's Comprehensive Plan;*

Finding: As demonstrated in this section of the staff report, the City's Comprehensive Plan is satisfied.

3. *Adequacy and availability of public facilities and services to service potential development;*

Finding: The Facilities and Services discussion of this report demonstrates that public facilities and services are available and are adequate to serve any potential development that could occur under the existing low-density plan designation, though none is proposed.

4. *Compliance with applicable sections of Oregon Revised Statutes Chapter 222, and Metro Code 3.09;*

Finding: The only applicable criterion in ORS 222 is that annexed lands be contiguous to the City. The site is contiguous at its border with city property for about 104 feet along the property boundary. The Metro Code criteria are set out on page 2 of this report. This report considers each factor, and the Conclusions and Reasons in the Findings and Reasons demonstrate that these criteria are satisfied.

5. *Natural hazards identified by the City, such as wetlands, floodplains, and steep slopes;*

Finding: No natural hazards are identified on the property.

6. *Any significant adverse effects on specially designated open space, scenic historic or natural resource areas by urbanization of the subject property at the time of Annexation;*

Finding: No adverse effects on the identified resources are apparent. There are no overlay districts that affect the property. The property is in the Central Point drainage basin according to the Drainage Master Plan.

7. *Lack of any significant adverse effects on the economic, social and physical environment of the community by the overall impact of Annexation."*

Finding: No significant adverse effects have been identified by any necessary party.

The Commission interprets the "community" as including the City of Oregon City and the lands within its urban service area. The City will obtain a small increase in property tax revenues from adding additional assessed value to its tax roll as a result of annexing the territory. The City will also obtain land use jurisdiction over the territory. Finally, it will have service responsibilities, including fire, police, and general administration. The City already occasionally delivers police service to the unincorporated area in the course of patrolling to deliver service to the incorporated area. The increases in service responsibilities to the area that result from the Annexation are insignificant.

If annexed, the property owner could apply to the City for land use permits, including a zone change. Any impacts on the community that result from approval of development permits are a direct consequence of the future permit approval, not of the Annexation. Before any urban development can occur, the territory must also be annexed to the Tri-City Service District. The City Commission must concur with Tri-City Service District's Annexation of the subject property in the enacting Ordinance upon voter approval of the city annexation.

Section 8 of the Ordinance states:

"The City Commission shall only set for an election annexations consistent with a positive balance of the factors set forth in Section 6 of this Ordinance. The City Commission shall make findings in support of its decision to schedule an annexation for an election."

As analyzed earlier in this report, the requirement to refer this Annexation to the voters has been superseded by the passage of Senate Bill 1573, which exempts certain annexations from a voter approval requirement provided specific criteria have been met.

FACILITIES AND SERVICES

ORS 195 Agreements. ORS 195 requires agreements among providers of urban services. Urban services are defined as sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads, and mass transit.

Sanitary Sewers. The City of Oregon City provides sanitary sewer service via the 8" PVC sewer main line in Merchant Place which is not connected to the house via a sewer lateral at the time of writing of this report. The existing sewer main is approximately eight (3) feet deep. The to-be-constructed 4-inch lateral is to be deep enough to allow the subject property to flow by gravity to the sanitary sewer system. See the plans of the issued permit package PI-20-00071 for design conditions.

The Tri-City Service District provides sewage transmission and treatment services to the cities of Oregon City, West Linn, and Gladstone. Each City owns and maintains its own local sewage collection system. The District owns and maintains the sewage treatment plant and interceptor system. The three cities are in the District, and as provided in the intergovernmental Agreement between the District and the City, the District does not serve territories outside Oregon City, with one exception.

Before January 1, 1999, state statute (ORS 199) provided that when the territory was annexed to a city that was wholly within a district, the territory was automatically annexed to the District as well. That statute no longer applies in this area. Therefore, each Annexation to Oregon City needs to be followed by a separate annexation of the territory to the Tri-City Service District. The City Commission must concur with Tri-City Service District's Annexation of the subject property in the enacting Ordinance upon voter approval of the city annexation.

The Tri-City Service Water Pollution Control Plant is along Interstate 205 in Oregon City just east of the junction of the Willamette and the Clackamas Rivers. The plant had an average flow capacity of 4.4 million gallons per day (MGD) and a design peak flow capacity of 50.0 MGD and served a population of 66,500 in the year 2001. However, the facility was expanded in 2012 to increase the available average dry weather capacity to 11.9 MGD and a peak flow of 68.7 MGD. The plant is currently serving a population of 98,000 residents and has expanded solids handling capacity by 2020.

Due to the public health concern caused by a failing septic system, the City has approved access to the City sewer system. The City issued permits for the connection in August 2020.

The City has agreed that a main extension both directions from Merchant Place and along the property's S Forest Ridge Rd frontage ('to-and-through' main extension) per Sanitary Sewer Design Standards and the Sanitary Sewer Master Plan does not meet Standards. The sewer service connection for 11330 S Forest Ridge Rd is permitted to be to the manhole at Merchant Place and S Forest Ridge Rd. The applicant has been required to sign a non-remonstrance agreement in part to require connection to a future main in S Forest Ridge Rd as identified in the Sanitary Sewer Master Plan.

Water. The property is currently being served by Clackamas River Water (CRW). Betty Johson, Engineering Associate, indicates that CRW will continue to provide water service to 11330 S Forest Ridge Rd, until such time as the property can withdraw and the City provide water services.

Stormwater. No additional development has been proposed. Onsite stormwater drainage or discharge to a city or county facility will be required upon future development. Any future development would have to convey site stormwater runoff to the appropriate stormwater system in the area.

Fire Protection. This territory is currently within Clackamas Fire District #1, which serves portions of Clackamas County as well as Oregon City. Oregon Revised Statute 222.120 (5) allows the City to specify that the territory is automatically withdrawn from the District upon approval of the Annexation. Staff recommends that the territory **not** be withdrawn from CFD#1.

Police Protection. The Clackamas County Sheriff's Department currently serves the territory. The proposed Annexation was forwarded for comment to the Sheriff's Department as well as the Oregon City Police Department. Neither entity indicated that there is inadequate capacity to serve the property.

The area to be annexed lies within the Clackamas County Service District for Enhanced Law Enforcement, which provides additional police protection to the area. Due to the location being surrounded by Oregon City, Oregon City Police Department already occasionally responds to County emergency calls for the unincorporated area. The impact on police services upon Annexation will be negligible. Clackamas County Sheriff's Department was contacted and did not indicate any conflicts with the Annexation.

According to ORS 222.120 (5), the City may provide in its approval ordinance for the automatic withdrawal of the territory from the District upon Annexation to the City. If the territory were withdrawn from the District, the District's levy would no longer apply to the property.

Upon Annexation, the Oregon City Police Department will officially serve the property.

Parks, Open Space, and Recreation. The nearest City park is Filbert Run Park, about .57 mile from the property. Any further homes constructed on the property, following annexed, re-zoning, and land division, would contribute to the Parks System Development Charge, which is currently \$4,881.00 per Single Family Home.

Transportation. Access is provided from Forest Ridge Road, a local street that is under county jurisdiction. Though the Oregon City Municipal Code requires the application of a City zoning designation upon Annexation, a zone change may only be initiated with a zone change application, which is accompanied by a required transportation analysis to demonstrate compliance with applicable regulations, such as the Transportation Planning Rule (TPR). As the applicant is required to initiate Annexation due to a failed septic system, it is appropriate to retain the existing Clackamas County zoning designation if the development onsite is limited. Staff recommends that the property maintain its existing County FU-10 zoning, which will serve to preclude any further development or land divisions on the subject property in advance of a zone change.

Other Services. Planning, building inspection, permits, and other municipal services will be available to the territory from the City upon Annexation.

STAFF RECOMMENDATION

Based on the study and the Proposed Findings and Reasons for Decision for this Annexation, staff recommends that the City Commission approve Planning File GLUA 20-00030: AN 20-0002 and adopt as its own this Staff Report and Exhibits and;

- Find that this Annexation is consistent with a positive balance of the factors set forth in OCMC Section 14.04.060.
- Recommends withdrawing the territory from the County Service District for Enhanced Law Enforcement as allowed by statute.
- Recommends that the property can remain in the Clackamas River Water district until such time as the service providers agree that the property should be served by City water.
- Recommend that the City Commission concur with Tri-City Service District's Annexation of the subject property in the enacting Ordinance.
- Recommend that the applicant record a covenant acknowledging that development is reviewed for compliance with the Oregon City Municipal Code and Clackamas County Zoning and Development Ordinance and until a zone change is approved, the site use shall not change or intensify or receive approval of a land division or development of the site.

ANNEXATION PETITION: GLUA 20-00030: AN 20-0002 PROPOSED FINDINGS, CONDITIONS AND REASONS FOR DECISION

Based on the staff report and findings, the Commission determines:

1. The Metro Code calls for consistency of the Annexation with the Regional Framework Plan or any functional plan. The Commission concludes the Annexation is not inconsistent with this criterion because there were no directly applicable criteria for boundary changes found in the Regional Framework Plan, the Urban Growth Management Function Plan, or the Regional Transportation Plan.
2. Metro Code 3.09.050(d)(1) requires the Commission's findings to address consistency with applicable provisions of urban service agreements or annexation plans adopted according to ORS 195. As noted in the Findings, there are no such plans or agreements in place. Therefore the Commission finds that there are no inconsistencies between these plans/agreements and this Annexation.
3. The Metro Code, at 3.09.050(d)(3), requires the City's decision to be consistent with any "directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facilities plans." The County Plan also identifies the property as *Immediate Urban* lands, which should ensure the "orderly, economic provision of public facilities and services." The property owner has demonstrated that the City can provide all necessary urban services. Nothing in the County Plan speaks directly to criteria for Annexation. Therefore, the Commission finds this proposal is consistent with the applicable plan as required Metro Code 3.09.050 (d)(3).
4. The Commission concludes that the Annexation is consistent with the City Comprehensive Plan that calls for a full range of urban services to be available to accommodate new development, as noted in the Findings above. The City operates and provides a full range of urban services. Specifically,

with regard to water and sewer service, the City has both of these services available to serve the area from existing improvements abutting the property.

5. With regard to storm drainage to the Central Point Basin, the City has the service available in the form of regulations to protect and control stormwater management.
6. The Commission notes that the Metro Code also calls for consistency of the Annexation with urban planning area agreements. As stated in the Findings, the Oregon City-Clackamas County Urban Growth Management Agreement specifically provides for annexations by the City.
7. Metro Code 3.09.050(d)(5) states that another criterion to be addressed is "Whether the proposed change will promote or not interfere with the timely, orderly, and economic provision of public facilities and services." Based on the evidence in the Findings, the Commission concludes that the Annexation will not interfere with the timely, orderly, and economic provision of services.
8. The Oregon City Code contains provisions on annexation processing. Section 6 of the Ordinance requires that the City Commission consider seven factors if they are relevant. These factors are covered in the Findings, and on balance the Commission believes they are adequately addressed to justify approval of this Annexation.
9. The City Commission concurs with Tri-City Service District's Annexation of the subject property in the enacting City ordinance.
10. The Commission determines that the property should be withdrawn from the Clackamas County Service District for Enhanced Law Enforcement as allowed by statute since the City will provide police services upon Annexation.
11. The Commission determines that the property should not be withdrawn from the Clackamas Fire District #1.
12. The Commission determines that the property should not be withdrawn from the Clackamas River Water District.
13. The Commission acknowledges that the site will not be rezoned by this Annexation and will retain its existing of FU-10 County Zone, which directs development to be reviewed for compliance with the Oregon City Municipal Code and Clackamas County Zoning and Development Ordinance. Further, until a zone change is approved, the site use shall not change or intensify or receive approval of a land division or development of the site including, but not limited to: no new structures or additions to existing structures. Also, the property shall be subject to the City's overlay districts, fence regulations in OCMC 17.54.100, as well as the City's nuisance, business licensing, and animal regulations.

RECOMMENDED CONDITIONS OF APPROVAL
PLANNING FILES GLUA 20-00030: AN 20-0002

(P) = Verify that condition of approval has been met with the Planning Division.

(DS) = Verify that condition of approval has been met with the Development Services Division.

(B) = Verify that condition of approval has been met with the Building Division.

(F) = Verify that condition of approval has been met with Clackamas Fire Department.

1. Prior to final Annexation, the property owner or assigns will record a covenant to be approved by the City Attorney, which limits the development of the site until such time that a zone change to a City zoning designation has been approved. The covenant shall acknowledge that development is reviewed for compliance with the Oregon City Municipal Code and Clackamas County Zoning and Development Ordinance. Further, until a zone change is approved, the site use shall not change or intensify or receive approval of a land division or development of the site including, but not limited to: no new structures or additions to existing structures. In addition, the property shall be subject to the City's overlay districts, fence regulations in OCMC 17.54.100, as well as the City's nuisance, business licensing, and animal regulations.

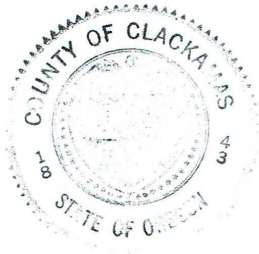
Exhibits:

1. Proposed Ordinance 21-1008
2. Exhibit A to Ordinance 21—1008 Map and Legal Description of Annexation Property
3. Annexation Application
4. Public Comment
 - a. Erik Carr- Clackamas Water Environment Services (WES)
 - b. Betty Johnson, Clackamas River Water (CRW)
 - c. Wes Rogers, Oregon City School District
 - d. Chris Long, Oregon City Building Department
5. Measure 3-51- May 18, 1999 voter-approved charter amendment (on file)
6. Public Notices/ Vicinity Map (on file)

CERTIFICATION OF REGISTERED VOTERS

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

NAME Rebekah Stern Doll
TITLE Deputy Clerk
DEPARTMENT Elections
COUNTY OF Clackamas
DATE 2/17/21



Worksheet (continued)

REGISTERED VOTERS

Name of Registered Voter	Address of Registered Voter	Signed Petition (Y/N)

SUMMARY

TOTAL NUMBER REGISTERED VOTERS IN THE PROPOSAL 4

NUMBER OF REGISTERED VOTERS WHO SIGNED 4

PERCENTAGE OF REGISTERED VOTERS WHO SIGNED 100%

TOTAL ACREAGE IN PROPOSAL 1.494

ACREAGE SIGNED FOR _____

PERCENTAGE OF ACREAGE SIGNED FOR 100%

DOUBLE MAJORITY WORK SHEET

Please list all properties/registered voters included in the proposal. (If needed, use separate sheet for additional listings).

PROPERTY OWNERS

Property Designation (Tax Lot #s)	Name of Owner	Acres	Assessed Value	Signed Petition (Y/N)
31E12BA03000	DAVID HAY	.494	249,792	Y
31E12BA03000	MELODY HAY	.494	249,792	Y
TOTALS				

residents in the territory hooked up to a public sewer or water system), please so describe.

we are residents hooked up to Chekamas River
water

APPLICANT'S NAME

David + Melody Hay

MAILING ADDRESS

11330 S. Forest Ridge Rd
Oregon, OR 97045

TELEPHONE NUMBER

503 784-4809

(Work)

(Res.)

REPRESENTING

DATE:

2/17/21

3. Proximity of other facilities (storm drains, fire engine companies, etc.) which can serve the subject area CLACKAMAS FIRE

4. The time at which services can be reasonably provided by the city or district. N/A

5. The estimated cost of extending such facilities and/or services and what is to be the method of financing. (Attach any supporting documents.)

OWNERS PAYING EST. \$30,000/A

6. Availability of the desired service from any other unit of local government. (Please indicate the government.)

N/A

- B. If the territory described in the proposal is presently included within the boundaries of or being served extraterritorially or contractually by, any of the following types of governmental units, please so indicate by stating the name or names of the governmental units involved.

City _____

Rural Fire Dist. CLACKAMAS

County Service Dist. _____

Sanitary District ALSO ANNEX TO TRI-CITY

Hwy. Lighting Dist. N/A

Water District CLACKAMAS RIVER WATER

Grade School Dist. OCSD

Drainage District NONE

High School Dist. OCSD

Diking District NONE

Library Dist. OCSD

Park & Rec. Dist. NONE

Special Road Dist. NONE

Other Dist. Supplying Water Service _____

- C. If the territory is proposed to be served by any of the above units or any other units of government please note.

- D. If any of the above units are presently servicing the territory (for instance, are

**PETITION OF OWNERS OF 100 % OF LAND
AND PETITION OF A MAJORITY OF REGISTERED VOTERS**

PETITION FOR ANNEXATION TO THE CITY OF OREGON CITY, OREGON

TO: The City Commission of the City of Oregon City, Oregon:

We, the undersigned property owners of and/or registered voters in the area described below, hereby petition for, and give our consent to, annexation of the area to the City of Oregon City.

The property to be annexed is described as follows:

(Insert Legal Description here OR attach it as Exhibit "A")

11330 S. Forest Ridge Rd Oregon City, OR 97041
TAX LOT. 31E12BA03000
PARCEL # 00761474

**PETITION OF OWNERS OF MAJORITY OF LAND
AND PETITION OF A MAJORITY OF REGISTERED VOTERS**

LEGAL d
from county

PETITION FOR ANNEXATION TO THE CITY OF OREGON CITY, OREGON

TO: The City Commission of the City of Oregon City, Oregon:

We, the undersigned property owners of and/or registered voters in the area described below, hereby petition for, and give our consent to, annexation of the area to the City of Oregon City.

The property to be annexed is described as follows:

(Insert Legal Description here OR attach it as Exhibit "A")

11330 S. Forest Ridge Rd Oregon City - OR 97045
TAX LOT 31E12BA03000
PARCEL # 00761474

APPROVAL	PROJECT FILE #	DATE OF APPROVAL	FUTURE REQUIREMENT
Metro UGB Amendment			
City or County Plan Amendment			
Pre-Application Hearing (City or County)			
Preliminary Subdivision Approval			
Final Plat Approval			
Land Partition			
Conditional Use			
Variance			
Sub-Surface Sewage Disposal			
Building Permit			

Please submit copies of proceedings relating to any of the above permits or approvals which are pertinent to the annexation.

- H. Does the proposed development comply with applicable regional, county or city comprehensive plans? Please describe.

YES - to remain single fam Residential

- I. If a city and/or county-sanctioned citizens' group exists in the area of the annexation, please list its name and address of a contact person.

Sand SE

IV. SERVICES AND UTILITIES

- A. Please indicate the following:

1. Location and size of nearest water line which can serve the subject area.

6" in street in front of home on
Forest Ridge Rd

2. Location and size of nearest sewer line which can serve the subject area.

MAN HOLE 8" MAIN
MERCHANT PL - SERVES A

III. LAND USE AND PLANNING

- A. What is the applicable County Planning Designation? FV 10
What City Planning Designation is being sought? REMAIN FV 10
- B. What is the zoning on the territory to be served? FV 10
What zoning designation is being sought? FV 10
- C. Is the subject territory to be developed at this time? NO - existing farm land
- D. Generally describe the anticipated development (building types, facilities, number of units).
N/A
- E. Can the proposed development be accomplished under current county zoning?
☒ Yes ☐ No
If No,---has a zone change been sought from the county either formally or informally.
☐ Yes ☐ No
Please describe outcome of zone change request if answer to previous questions was Yes. N/A
- F. Is the proposed development compatible with the city's comprehensive land use plan for the area?
☒ Yes ☐ No ☐ City has no Plan for the area.
Has the proposed development been discussed either formally or informally with any of the following? (Please indicate)
☐ City Planning Commission ☒ City Planning Staff
☐ City Council ☐ City Manager
Please describe the reaction to the proposed development from the persons or agencies indicated above.
NO change Proposed
- G. Please indicate all permits and/or approvals from a City, County, or Regional Government which will be needed for the proposed development. If already granted, please indicate date of approval and identifying number:

BOUNDARY CHANGE INFORMATION SHEET

I. EXISTING CONDITIONS IN AREA TO BE ANNEXED

- A. General location 11330 S. Forest Ridge Rd Oregon City
- B. Land Area: Acres .494 or Square Miles _____
- C. General description of territory. (Include topographic features such as slopes, vegetation, drainage basins, floodplain areas, which are pertinent to this proposal).
Fairly Level Land - 135' x 128' lot - 4 Lg
Trees - 2 fir - 3 cedar - 1 house + 1 shop
entrance on Forest Ridge
- D. Describe land uses on surrounding parcels. Use tax lots as reference points.
- North: Single Family Residence # 31E12BA01804
- East: Single Family Residence # 31E12BA03100
- South: Single Family Residence # 31E12BA02900
- West: Single Family Residence # 31E12BA02900
- E. Existing Land Use:
- Number of single-family units 1 Number of multi-family units _____
- Number commercial structures _____ Number industrial structures _____
- Public facilities or other uses _____
- What is the current use of the land proposed to be annexed: Single Family
Residential
- F. Total current year Assessed Valuation \$ 249,798
- G. Total existing population 2

CERTIFICATION OF PROPERTY OWNERSHIP OF
100% OF LAND AREA
(City 100% Ownership Method)

I hereby certify that the attached petition for a proposed boundary change involving the territory described in the petition contains the names of the owners* of 100% of the land area within the annexation area described in the petition, as shown on the last available complete assessment roll.



NAME Mary Neigel
TITLE GIS Cartographer 2
DEPARTMENT Assessment & Tax
COUNTY OF Clackamas
DATE 02.17.21

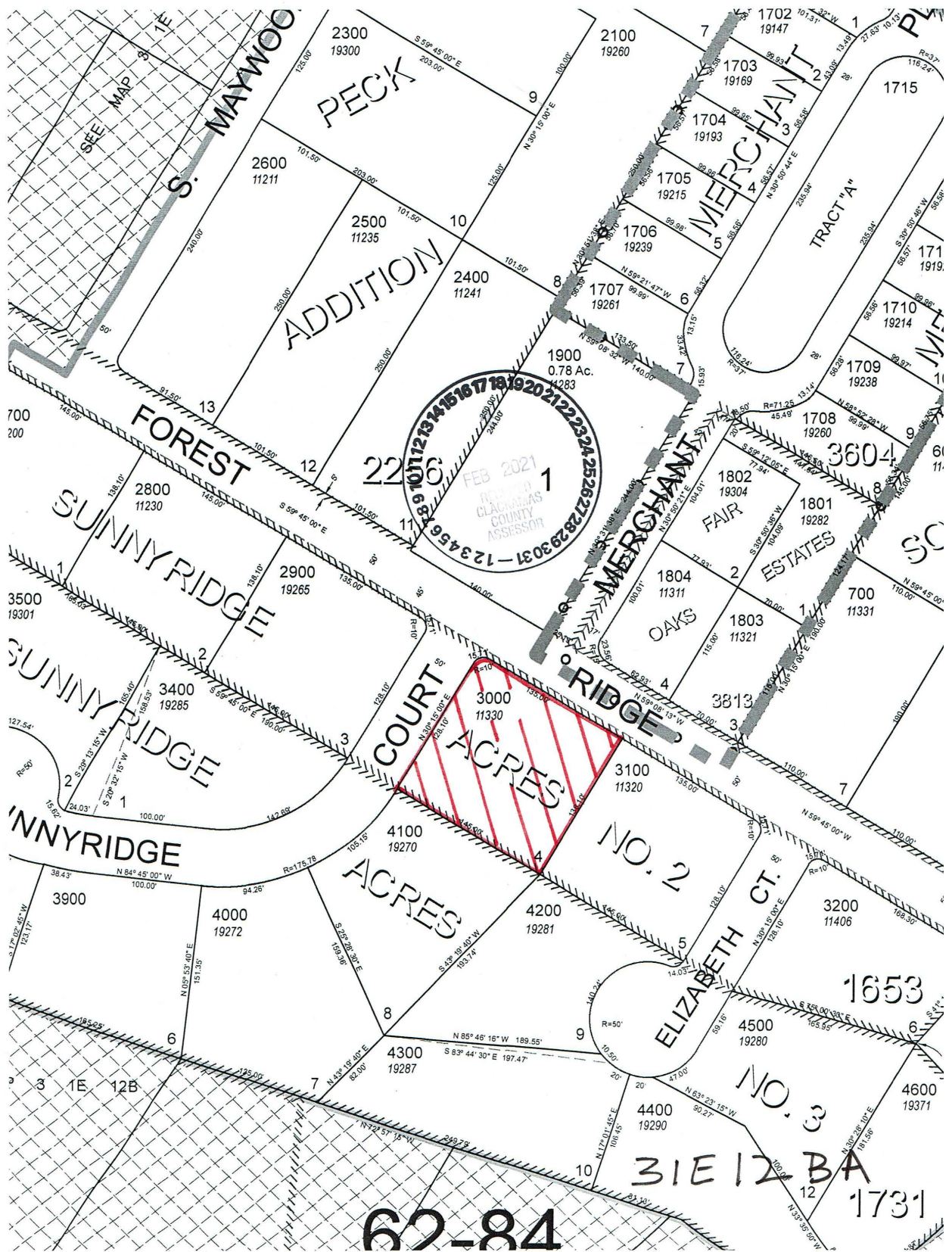
- * "Owner" means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.

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 31E 12BA) 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 Mary Neigel
TITLE GIS Cartographer 2
DEPARTMENT Assessment & Tax
COUNTY OF Clackamas
DATE 2/17/21



53/10

NO. 2

S SUBDIVISION

VEYOR'S CERTIFICATE

I do hereby depose and say that I have correctly surveyed and marked shown on the annexed map of Sunnyridge Acres No. 2, that at the 2 inch iron pipe marking the initial point of Sunnyridge Acres. Said sinning at a 1 inch iron pipe at the initial point of Amoth's Subdivision, 80 feet from the S.E. corner of the Samuel Pomeroy D.L.C., Sec. 12, along the southerly line of said Pomeroy D.L.C. 568.95 feet to the most moth's Subdivision. Thence N 30° 15' E along the westerly line of said lot 8, 15' W 5.0 feet from the Southwesterly edge of a 40.0 ft. road called al point and true point of beginning of Sunnyridge Acres No. 2. N 30° 15' E 5.0 feet to the Southwesterly Edge of Forest Ridge Lane, Forest Ridge Lane, 1004.25 feet, thence S 41° 10' W 101.23 feet, thence N 59° 45' W 825.03 feet, thence N 30° 15' E 138.1 feet to the point of exact duplicate



Donald J. McIntosh
Donald J. McIntosh, Pacific Surveys

Subscribed and sworn to before me
this 21 day of OCTOBER 1971

Delta J. McIntosh
My Commission expires 9/3/75

APPROVALS

APPROVED Nov 8, 1971 APPROVED Oct. 28, 1971

Charles E. Milne James C. Gray
County Surveyor Clerk Co. Planning Commission

APPROVED November 22, 1971 ATTEST Nov 22, 1971

Donald S. Hatten George D. Pappan
Assessor County Clerk
Pat Barrett Jemima Tomlin, deputy
Deputy

APPROVED 11-2-71
ALL TAXES 6-30-72 AND PRIOR
ARE PAID

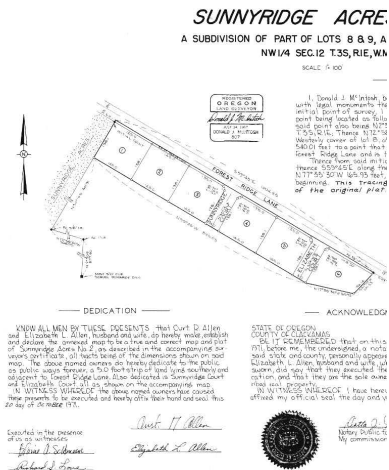
Joe L. Hobbs Donald J. McIntosh
Sheriff
Freda Taylor Fred Stefani
Deputy
Donald J. McIntosh Thomas D. Velford
BOARDMASTER (11-3-71) County Commissioners

f OCTOBER
in and for
Allen and
rest duly
lying dedi-
above desc-

ny hand and
written.

6
of Oregon
8/3/75

1653



On Feb 16, 2021, at 4:28 PM, Christina Robertson-Gardner <christina@rockcity.org> wrote:
Hi Dave,

The narrative, with the highlighted items, is just for me. Our servers are still down today. I hope to have access to them tomorrow afternoon and will get you the revised narrative as soon as I can!
CRG

From: David Hay <davidhay@rockcity.org>
Sent: Tuesday, February 16, 2021 4:23 PM
To: Christina Robertson-Gardner <christina@rockcity.org>
Subject: Re: Outstanding Annexation application items

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon!
Have all papers filled out and going to the county tomorrow —the form you are to send me that has highlighted areas—will that be needed for the county or just for you?
Thank!
Dave Hay

On Feb 12, 2021, at 11:17 AM, Christina Robertson-Gardner <christina@rockcity.org> wrote:
Hi Dave,

I am working on a revised template and will get it to you later today or Tuesday. However, enclosed are two versions of the applicant's submittals. I am attaching the City Commission agenda links with have all exhibits attached and can be downloaded.

[February 9, 2021 City Commission Agenda](#)
6a. First Reading of Ordinance No. 21-0005, An Emergency Annexation of 0.9 Acres at 15242 Beaver Creek Road, File No. GLUA-20-00017, AN-20-00001
[Annexation Application Packet](#)
6a. First Reading of Ordinance No. 19-0005, Emergency Annexation of 0.299 Acres at 19420 S Peace Road, File No. GLUA-19-00012, AN-19-00001

From: David Hay <davidhay@rockcity.org>
Sent: Friday, February 12, 2021 11:17 AM
To: Christina Robertson-Gardner <christina@rockcity.org>
Subject: Re: Outstanding Annexation application items

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Me again-LOL
You stated that you would also send a template/sample of other filled out apps for me to use as an example
Dave

On Feb 11, 2021, at 4:18 PM, Christina Robertson-Gardner <christina@rockcity.org> wrote:
Hi Dave,

Per our call, I have included the needed next steps for you.

- Neighborhood Meeting**
 - Christina to email CIC to get Dave Hay on March 1, 2021 agenda.
- Tri-City Service District (TCSD)**

The property will be required to annex into Tri-City Service District (TCSD) before sanitary sewer service can be provided. The property is not currently located in the TCSD service area. The map below shows the current TCSD service area (light blue) in relation to the property. The TCSD annexation application can be found on the Development Services page of the Water Environment Services website: <https://www.clackamas.gov/development-services>. Please have the applicant contact WES if they have any questions regarding annexation.
Erik Carr <Erik.Carr@clackamas.gov> Development Review Specialist
Clackamas County - Water Environment Services 150 Beaver Creek Road
Oregon City, OR 97045
(503) 503-742-4571
- Clackamas County Elections/Assessor**
 - Take [City](#) and [Tri-City](#) annexation packets to Clackamas County Contact Elections/Assessors office to finalize packet get signature verify legal description
 - Fill out the remaining application sections- email Christina if you have any questions.
- Updated Narrative**
 - Christina to send revised narrative next week. Only fill out yellow highlighted areas.

From: Christina Robertson-Gardner
Sent: Wednesday, February 10, 2021 8:47 AM
To: davidhay@rockcity.org
Cc: Aaron Parker <aaron@rockcity.org>
Subject: FW: Outstanding Annexation application items

Hi Dave,

Aaron Parker contacted me to get the status of the annexation application. Development Services cannot grant you a final hook-up until you have submitted a complete Annexation application. I indicated to him that I had not heard from you since the email sent in December and had not received any additional submittal information.

A complete annexation application is required before you can get your sewer permit finalized. Below is what you are missing:

- <image001.png>Land Use Application Form (682 KB) - Completed
 - Completed Annexation Packet: [Annexation Application Packet](#) (527 KB) - Not submitted
 - A completed narrative that responds to the applicable approval criteria. Not submitted
- Staff will provide you with a Code Response Template for all approval criteria. Please replace the areas highlighted in yellow with the information applicable to your site. [\[attached\]](#)

Please refer to your Pre-application notes for additional details.

You will also need to meet with your Neighborhood Association. The South End neighborhood Association is currently inactive. In these instances, the citywide [Citizen Involvement Committee](#) holds the land use requirement meeting. Contact Bob LaSalle, CIC Chair boblasalle@rockcity.org to get on their next available agenda. They hold meetings via Zoom, the 1st Monday of the Month at 7PM.

I'm a happy to schedule a call with you this week to discuss the submittal requirements. Let me know a good time for you.

[image007.png>What's your Vision for Oregon City?](#)
Christina Robertson-Gardner, AICP, Senior Planner (she/her)
605 Warner Parkway NE, Oregon City, OR 97045
christina@rockcity.org
503) 496-1564 Direct
(503) 722-3789 Main

[Interactive Map and Map](#)
[Keynote Information](#)
[COVID-19 Coronavirus Information](#)

The City of Oregon City is open for business and continues to offer services and programs online and virtually. Some City facilities are open to the public, find current openings [here](#), we encourage visitors to wear a mask, practice physical distancing, and reschedule in-person visits if you are feeling unwell. The City has installed additional shielding and is providing hand sanitizer as well as occupancy limits to ensure our staff and visitors have a safe, no touch experience. Our goal is to be responsive to our community throughout this pandemic; we appreciate your understanding and cooperation.

PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Christina Robertson-Gardner
Sent: Monday, December 21, 2020 9:07 AM

To: dave@w9000.comcast.net
Cc: Aaron Parker <aparker@city.oreg.gov>
Subject: RE: Outstanding Annexation application items

Dave,

In my conversation with you this summer about the Annexation, I inadvertently confused your name with the applicant processing an emergency annexation on Seawatercreek Road. Apologies for the switch up.

Aaron checked in with me today to get the status of the Annexation. I had not heard from you since summer, so I wanted to check-in.

A complete annexation application is required before you can get your sewer permit finalized. Below is what you are missing:

1. <image001.png>[Land Use Application Form](#) (682 KB) - Completed
2. Completed Annexation Petition: [Annexation Application Packet](#) (527 KB) - **Not submitted**
3. A completed narrative that responds to the applicable approval criteria: **Not Submitted**
 - Staff will provide you with a Code Response Template for all approval criteria. Please replace the areas highlighted in yellow with the information applicable to your site. (will be sent to you by the end of the day)

Please refer to your Pre-application notes for additional details.

You will also need to meet with your Neighborhood Association. The South End neighborhood Association is currently inactive. In these instances, the citywide [Citizen Involvement Committee](#) holds the land use requirement meeting. Contact Bob LaSalle, CIC chair lasallebob@city.oreg.gov to get on their next available agenda. They hold meetings via Zoom, the 1st Monday of the Month at 7PM.

I am happy to talk through the items over the phone if that is helpful. I am available all day today (though working from home) and can set up a time to talk.

[image001.png>What's your Vision for Oregon City?](#)

Christina Robertson-Gardner, AICP, Senior Planner
685 Warner Parson Rd, Oregon City, OR 97045
crobertson@city.oreg.gov
503-496-1560 Direct
503-657-7026 Fax

[Interactive Map and Survey](#)
[Go to the Submittal of Land Use Application](#)
[COVID-19 \(Coronavirus\) Information](#)

The City of Oregon City is open for business and continues to offer services and programs online and virtually. Some City facilities are open to the public, find current openings [here](#), we encourage visitors to wear a mask, practice physical distancing, and reschedule in-person visits if you are feeling unwell. The City has installed additional shielding and is providing hand sanitizer as well as occupancy limits to ensure our staff and visitors have a safe, no touch experience. Our goal is to be responsive to our community throughout this pandemic; we appreciate your understanding and cooperation.

PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Christina Robertson-Gardner
Sent: Tuesday, August 4, 2020 1:45 PM
To: dave@w9000.comcast.net
Cc: Aaron Parker <aparker@city.oreg.gov>
Subject: RE: Outstanding Annexation application items

Hi Dave,

One more item that I forgot to add it proof of holding a meeting with the Neighborhood Association meeting.

Neighborhood Meeting Required:

A meeting with the [Portland Neighborhood Association](#) is required for a complete application per [Chapter 17.50.055, OCMC](#) 17.50.055 requires that you contact the Neighborhood Association and Citizen Involvement Committee(CIC). Contact info for the CIC is here: <https://www.oregcity.org/cic/>

Two Rivers Neighborhood Association
Chair: John Kies, jkies1@gmail.com

Vice-Chair: Kristina Bromberg, kubrick@PortlandHomeLife.com

Secretary/Treasurer: TBD

CIC Primary Representative: John Kies, jkies1@gmail.com

CIC Alternate Representative: TBD

Planning Division Contact: Dilara Vasileva, dvasileva@city.oreg.gov, 503-974-5501

Meeting Information: Held the fourth Tuesday of January (28th), March 24 Canceled, May (26th), September (22nd), and November (24th)

Located: Oregon City School District's Facilities and Maintenance Center (Bus Barn), 14551 Meyers Road, Oregon City at 6:45 PM.

You may schedule your own meeting per 17.50.055; the meeting must be after six p.m. or on the weekend, with notice to the neighborhood association, citizen involvement committee, and all property owners within three hundred feet. If the applicant holds their own meeting, a copy of the certified letter requesting a neighborhood association meeting shall be required for a complete application. The meeting held by the applicant shall be held within the boundaries of the neighborhood association or in a city facility. **During COVID-19 Emergency Stay at Home Orders, the applicant can hold a virtual meeting in lieu of a face to face meeting.**

From: Christina Robertson-Gardner
Sent: Tuesday, August 4, 2020 1:20 PM
To: dave@w9000.comcast.net
Cc: Aaron Parker <aparker@city.oreg.gov>
Subject: Outstanding Annexation application items

Hi Dave,

The Planning Division has what it needs to allow Development Services to approve the Right of Way permit to work on the sewer. However, until a complete application is turned in, Planning is unable to allow Development Services to final the permit.

I am reattaching the Pre-application notes for your reference highlighting the specific outstanding items below.

1. <image001.png>[Land Use Application Form](#) (682 KB) - Completed
2. Completed Annexation Petition: [Annexation Application Packet](#) (527 KB) - **Not submitted**
3. A completed narrative that responds to the applicable approval criteria: **Not Submitted**
 - Staff will provide you with a Code Response Template for all approval criteria. Please replace the areas highlighted in yellow with the information applicable to your site. [Enclosed](#)

Feel free to give me a call if you have any specific questions.

From: Aaron Parker <aparker@city.oreg.gov>
Sent: Friday, July 31, 2020 8:26 AM
To: Christina Robertson-Gardner <crobertson@city.oreg.gov>
Subject: FW: Sewer

Christina, would you provide Dave with a specific update on what his application needs?

Aaron Parker, PE
Engineering Technician
II
aparker@city.oreg.gov
503-496-1560 Direct
503-657-0891 City Hall
503-657-7026 Fax

City of Oregon City
625 Center Street
Oregon City, Oregon
97045

Website: www.oregcity.org | [facebook](https://www.facebook.com/oregcity) | [Twitter](https://www.twitter.com/oregcity)

Think **GREEN** before you print.

The City of Oregon City is open for business and continues to offer services and programs online and virtually. Some City facilities are open to the public, find current openings [here](#), we encourage visitors to wear a mask, practice physical distancing, and reschedule in-person visits if you are feeling unwell.

The City has installed additional shielding and is providing hand sanitizer as well as occupancy limits to ensure our staff and visitors have a safe, no touch experience. Our goal is to be responsive to our community throughout this pandemic; we appreciate your understanding and cooperation.

Engineering Development Services Public Counter Hours at City Hall at 625 Center Street are 9:00 AM to 4:00 PM Monday through Thursday. We are available for in-person discussions on Friday by appointment only.

PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Dave Hay <dave@w9000.comcast.net>
Sent: Thursday, July 30, 2020 5:05 PM
To: Aaron Parker <aparker@city.oreg.gov>
Cc: Josh Wheeler <jwheeler@city.oreg.gov>; Christina Robertson-Gardner <crobertson@city.oreg.gov>
Subject: Re: Sewer

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Aaron

As the last request I had heard of for the annexation all we had to do was have the promissory note Notarized which we have done and turned in two Weeks ago.

As far as I know we have paid all fees upfront a month or so ago.

Hoping to find out between now and Wednesday what's going on. As of right now I'm shooting for Wednesday at 9 AM. To meet with you

Thanks

Dave

Sent from my iPhone

On Jul 30, 2020, at 4:26 PM, Aaron Parker <aparker@city.oreg.gov> wrote:

Hi Dave,

I'd be happy to meet with you on Wednesday, August 5 at City Hall to go over requirements. I've copied Josh as he will be at the meeting. Please suggest time(s) that you'd like to meet or simply stop by the permit counter between 9 AM and 3:30 PM (I'm out for lunch in the 12 PM to 1 PM range).

Public Works has a construction plan review and inspection fee of 5% of the project cost for improvement projects. Your Engineer will need to provide a project cost estimate to base fees on. This fee is due prior to first review of plans.

Note that Public Works cannot issue the sewer main extension with service construction permit until the annexation application is complete, the annexation fees are paid, and the promissory agreement is signed with the Planning Department. I understand from Planning that at this time your application is not complete in these regards.

Thank you,

Aaron Parker, PE
Engineering Technician
II
aparker@city.oreg.gov
503-496-1560 Direct
503-657-0891 City Hall
503-657-7026 Fax

City of Oregon City
625 Center Street
Oregon City, Oregon
97045

Website: www.oregcity.org | [facebook](https://www.facebook.com/oregcity) | [Twitter](https://www.twitter.com/oregcity)

Think **GREEN** before you print.

The City of Oregon City is open for business and continues to offer services and programs online and virtually. Some City facilities are open to the public, find current openings [here](#), we encourage visitors to wear a mask, practice physical distancing, and reschedule in-person visits if you are feeling unwell.

The City has installed additional shielding and is providing hand sanitizer as well as occupancy limits to ensure our staff and visitors have a safe, no touch experience. Our goal is to be responsive to our community throughout this pandemic; we appreciate your understanding and cooperation.

Engineering Development Services Public Counter Hours at City Hall at 625 Center Street are 9:00 AM to 4:00 PM Monday through Thursday. We are available for in-person discussions on Friday by appointment only.

PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

-----Original Message-----
From: Dave Hay <davehay@cmg.com>
Sent: Thursday, July 30, 2020 3:16 PM
To: Aaron Parker <aparker@cmg.com>
Subject: Saver

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Aaron

Can I and my civil engineer meet with you either next Wednesday or Thursday morning to get laid out what I need to do so he can get going on the technical drawings? I like to meet you first thing in the morning if possible so I can get to work. Let me know. Thanks, Dave Hay

Sent from my iPhone

<PA 20-29 Planning Notes Final.pdf>

RECORDING REQUESTED BY:



9200 SE Sunnybrook Blvd., Ste 130
Clackamas, OR 97015

Clackamas County Official Records
Sherry Hall, County Clerk

2019-055538

09/13/2019 09:04:00 AM

D-D Cnt=1 Stn=73 LESLIE
\$5.00 \$16.00 \$10.00 \$62.00

\$93.00

GRANTOR'S NAME:

Linda H. Conlee

GRANTEE'S NAME:

David Brian Hay and Melody Layne Hay

AFTER RECORDING RETURN TO:

Order No.: 36261904498-KM

David Brian Hay and Melody Layne Hay, husband and wife
1322 SE 114th Avenue
Portland, OR 97216

SEND TAX STATEMENTS TO:

David Brian Hay and Melody Layne Hay
11330 S. Forest Ridge Road
Oregon City, Or 97045

APN: 00761474

11330 S Forest Ridge Road, Oregon City, OR 97045

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Linda H. Conlee, Grantor, conveys and warrants to David Brian Hay and Melody Layne Hay, as tenants by the entirety Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon:

Lot 4, SUNNYRIDGE ACRES NO. 2, A SUBDIVISION OF PART OF LOTS 8 & 9, AMOTH'S
SUBDIVISION, in the County of Clackamas and State of Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS THREE HUNDRED NINETY-ONE
THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$391,500.00). (See ORS 93.030).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE
SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305
TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17,
CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS
INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN
VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING
THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH
THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND
BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR
215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON
LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE
ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND
195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND
17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 9-11-19

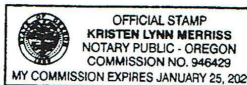
Linda H. Conlee
Linda H. Conlee

State of Oregon
County of Clackamas

This instrument was acknowledged before me on 9-11-19 by Linda H. Conlee.

Kristen Lynn Merriss
Notary Public - State of Oregon

My Commission Expires: 1/25/20



From: [Carr, Erik](#)
To: [Christina Robertson-Gardiner](#)
Subject: RE: GLUA-20-00030 AN-20-00002 - ANNEXATION TO CITY OF OREGON CITY Transmittal
Date: Friday, March 5, 2021 3:52:36 PM

Good afternoon. The proposed development is not within the Tri-City Service District and will need to annex into TCSD before a connection to the public sanitary sewer system can be made. The TCSD annexation application is available on the WES website. The applicant should verify sanitary SDC's that may apply with future development with the City of Oregon City.

Thanks,

Erik Carr Bertram

Clackamas Water Environment Services
503-742-4571 (office)
503-936-3666 (cell)

From: Christina Robertson-Gardiner <crobertson@orccity.org>
Sent: Friday, March 5, 2021 11:21 AM
Subject: GLUA-20-00030 AN-20-00002 - ANNEXATION TO CITY OF OREGON CITY Transmittal

Warning: External email. Be cautious opening attachments and links.

Let me know if you have any questions.

Christina



[What's your Vision for Oregon City?](#)

Christina Robertson-Gardiner, AICP, Senior Planner (she/her)
695 Warner Parrott Rd, Oregon City, OR 97045
crobertson@orccity.org
503) 496-1564 Direct
(503) 722-3789 Main

[Interactive Maps and Apps](#)

[On-Line Submittal of Land Use Applications](#)

[COVID-19 \(Coronavirus\) Information](#)

*The City of Oregon City is open for business and continues to offer services and programs online and virtually. Some City facilities are open to the public, find current openings **here**, we encourage visitors to wear a mask, practice physical distancing, and reschedule in-person visits if you are feeling unwell.*

The City has installed additional shielding and is providing hand sanitizer as well as occupancy limits to ensure our staff and visitors have a safe, no touch experience. Our goal is to be responsive to our community throughout this pandemic; we appreciate your understanding and cooperation.

PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.



LAND USE TRANSMITTAL

DISTRIBUTION OF APPLICATION

- Building Official
- Development Services
- Public Works Operations
- City Engineer
- Public Works Director
- Parks Manager
- Community Services Director
- Police
- Economic Development Manager
- Traffic Engineer
- Natural Resource Committee
- City Manager's Office
- Oregon City Neighborhood Associations
- Clackamas County Transportation
- Clackamas County Planning
- Clackamas Fire District #1
- ODOT – Division Review
- Oregon City School District
- Tri-Met
- Metro
- PGE
- South Fork Water Board
- Hamlet of Beaver Creek
- Holcomb Outlook CPO
- Central Point / Leland Road / New Era CPO
- Other – See Email List

NOTICE OF THE APPLICATION MAILED TO

- All Properties within 300 feet

HEARING DATE: City Commission Hearing: April 7, 2021
HEARING BODY: Staff Review; _____PC; _____HRB; _____CC____x_
FILE # & TYPE: GLUA-20-00030 An 20-00002– Emergency Annexation to City Of Oregon City
PROJECT FILE: <https://www.orcity.org/planning/project/glua-20-00030-20-0002-emergency-annexation-sewer-connection>
PLANNER: Christina Robertson-Gardiner, Senior Planner, 503-496-1564, crobertson@orc.org
APPLICANT: David Hay
OWNER: David & Melody Hay
REQUEST: The Applicant desires to provide the property with city services due to the failing septic system on the property. Annexation is required as a condition of connecting to the city sewer system. This proposal does not include a request for development approval, rezoning or change in use. The decision on annexation to the City does not authorize or prevent any specific use of land. Current county zoning and planning designations will remain on the property until the Applicant takes action to rezone the property.
LOCATION: 1330 S Forest Ridge Road, Oregon City OR 97045 identified as Clackamas County Map 3-1E-12BA-03000 Total Acres / SF: 0.46 acre (20,000 s.f.)

This application material is referred to you for your information, study and official comments. If extra copies are required, please contact the Planning Department. Your recommendations and suggestions will be used to guide the Planning staff when reviewing this proposal. If you wish to have your comments considered and incorporated into the staff report, please return the attached copy of this form to facilitate the processing of this application and insure prompt consideration of your recommendations. Please check the appropriate spaces below.

_____ The proposal does not conflict with our interests.
_____ The proposal conflicts with our interests for the reasons attached.
 X The proposal would not conflict our interests if the changes noted below are included.

CRW will continue to provide water service to 11330 S Forest Ridge Rd, until such time as the City can withdraw and provide water service to this property.

Signed

Betty A. Johnson

PLEASE RETURN YOUR COPY OF THE APPLICATION AND MATERIAL WITH THIS FORM.



LAND USE TRANSMITTAL

DISTRIBUTION OF APPLICATION

- Building Official
- Development Services
- Public Works Operations
- City Engineer
- Public Works Director
- Parks Manager
- Community Services Director
- Police
- Economic Development Manager
- Traffic Engineer
- Natural Resource Committee
- City Manager's Office
- Oregon City Neighborhood Associations
- Clackamas County Transportation
- Clackamas County Planning
- Clackamas Fire District #1
- ODOT – Division Review
- Oregon City School District
- Tri-Met
- Metro
- PGE
- South Fork Water Board
- Hamlet of Beavercreek
- Holcomb Outlook CPO
- Central Point / Leland Road / New Era CPO
- Other – See Email List

NOTICE OF THE APPLICATION MAILED TO

- All Properties within 300 feet

HEARING DATE: City Commission Hearing: April 7, 2021
HEARING BODY: Staff Review; _____PC; _____HRB; _____CC____x_
FILE # & TYPE: GLUA-20-00030 An 20-00002– Emergency Annexation to City Of Oregon City
PROJECT FILE: <https://www.orcity.org/planning/project/glua-20-00030-20-0002-emergency-annexation-sewer-connection>
PLANNER: Christina Robertson-Gardiner, Senior Planner, 503-496-1564, crobertson@orc.org
APPLICANT: David Hay
OWNER: David & Melody Hay
REQUEST: The Applicant desires to provide the property with city services due to the failing septic system on the property. Annexation is required as a condition of connecting to the city sewer system. This proposal does not include a request for development approval, rezoning or change in use. The decision on annexation to the City does not authorize or prevent any specific use of land. Current county zoning and planning designations will remain on the property until the Applicant takes action to rezone the property.
LOCATION: 1330 S Forest Ridge Road, Oregon City OR 97045 identified as Clackamas County Map 3-1E-12BA-03000 Total Acres / SF: 0.46 acre (20,000 s.f.)

This application material is referred to you for your information, study and official comments. If extra copies are required, please contact the Planning Department. Your recommendations and suggestions will be used to guide the Planning staff when reviewing this proposal. If you wish to have your comments considered and incorporated into the staff report, please return the attached copy of this form to facilitate the processing of this application and insure prompt consideration of your recommendations. Please check the appropriate spaces below.

- X The proposal does not conflict with our interests.
_____ The proposal conflicts with our interests for the reasons attached.
_____ The proposal would not conflict our interests if the changes noted below are included.

If the property is annexed into the City before the sewer repair is completed, permits will be required to be pulled for the sewer connection on the private side of the property

Signed



Digitally signed by Christopher L. Long
Date: 2021.03.11 12:50:23-0800

PLEASE RETURN YOUR COPY OF THE APPLICATION AND MATERIAL WITH THIS FORM.



LAND USE TRANSMITTAL

DISTRIBUTION OF APPLICATION

- Building Official
- Development Services
- Public Works Operations
- City Engineer
- Public Works Director
- Parks Manager
- Community Services Director
- Police
- Economic Development Manager
- Traffic Engineer
- Natural Resource Committee
- City Manager's Office
- Oregon City Neighborhood Associations
- Clackamas County Transportation
- Clackamas County Planning
- Clackamas Fire District #1
- ODOT – Division Review
- Oregon City School District
- Tri-Met
- Metro
- PGE
- South Fork Water Board
- Hamlet of Beaver Creek
- Holcomb Outlook CPO
- Central Point / Leland Road / New Era CPO
- Other – See Email List

NOTICE OF THE APPLICATION MAILED TO

- All Properties within 300 feet

HEARING DATE: City Commission Hearing: April 7, 2021
HEARING BODY: Staff Review; ____PC; ____HRB; ____CC__x_
FILE # & TYPE: GLUA-20-00030 An 20-00002– Emergency Annexation to City Of Oregon City
PROJECT FILE: <https://www.orcity.org/planning/project/glua-20-00030-20-0002-emergency-annexation-sewer-connection>
PLANNER: Christina Robertson-Gardiner, Senior Planner, 503-496-1564, crobertson@orcify.org
APPLICANT: David Hay
OWNER: David & Melody Hay
REQUEST: The Applicant desires to provide the property with city services due to the failing septic system on the property. Annexation is required as a condition of connecting to the city sewer system. This proposal does not include a request for development approval, rezoning or change in use. The decision on annexation to the City does not authorize or prevent any specific use of land. Current county zoning and planning designations will remain on the property until the Applicant takes action to rezone the property.
LOCATION: 1330 S Forest Ridge Road, Oregon City OR 97045 identified as Clackamas County Map 3-1E-12BA-03000 Total Acres / SF: 0.46 acre (20,000 s.f.)

This application material is referred to you for your information, study and official comments. If extra copies are required, please contact the Planning Department. Your recommendations and suggestions will be used to guide the Planning staff when reviewing this proposal. If you wish to have your comments considered and incorporated into the staff report, please return the attached copy of this form to facilitate the processing of this application and insure prompt consideration of your recommendations. Please check the appropriate spaces below.



The proposal does not conflict with our interests.

_____ The proposal conflicts with our interests for the reasons attached.

_____ The proposal would not conflict our interests if the changes noted below are included.

Signed _____

PLEASE RETURN YOUR COPY OF THE APPLICATION AND MATERIAL WITH THIS FORM.

Wes Rogers

Digitally signed by Wes Rogers
DN: cn=Wes Rogers, o=OCSD62,
ou=Bond Manager,
email=wes.rogers@ocsd62.org, c=US
Date: 2021.03.05 12:39:05 -08'00'