



CITY OF OREGON CITY CITY COMMISSION REGULAR MEETING - REVISED AGENDA

Hanlon Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Wednesday, December 17, 2025 at 7:00 PM

Ways to participate in this public meeting:

- Attend in person, location listed above. Please see the public comment guidelines below.
- Attend the livestream of the meeting on the City's YouTube Channel: <https://www.youtube.com/user/CityofOregonCity>
- Register to provide electronic testimony (email recorderteam@orc.org or call 503-496-1509 by 3:00 PM on the day of the meeting to register)
- Email recorderteam@orc.org (deadline to submit written public comment via email is 3:00 PM on the day of the meeting)
- Mail to City of Oregon City, Attn: City Recorder, P.O. Box 3040, Oregon City, OR 97045

REGULAR MEETING OF THE CITY COMMISSION

- 1. CONVENE MEETING AND ROLL CALL**
- 2. FLAG SALUTE**
- 3. CEREMONIES AND PROCLAMATIONS**
- 4. PUBLIC COMMENTS**

Please see the public comment guidelines below.

- 5. PRESENTATIONS**

- Parks and Recreation Advisory Committee Annual Report

- 6. ADOPTION OF THE AGENDA**

- 7. CONSENT AGENDA**

- Appointments to the Urban Renewal Commission (Doug Neeley) and Historic Review Board (Julia Sumrok Fulkerson and Robert Green)
- Personal Services Agreement with Downtown Oregon City Association (DOCA) for the City of Oregon City's Municipal Elevator Staffing and Downtown Restroom Services (PS 25-019)
- Amendment No. 1 to the Intergovernmental Agreement between Clackamas Water Environment Services and the City of Oregon City for Regional Inflow and Infiltration Reduction
- Contract with OMNIA Partners (dba Insight Public Sector) for Mark 43 Records and Evidence Management Software Subscription Services

- 8. PUBLIC HEARINGS**

- First Reading of Ordinance No. 26-1001, Emergency Annexation for 19717 Leland Road (GLUA-25-00017, AN-25-0001)
- First Reading of Ordinance No. 26-1002, Emergency Annexation 19530 S Central Point Road (GLUA-25-00035, AN-25-0002)
- First Reading of Ordinance No. 26-1003, Zone Change & Comprehensive Plan Amendment, 214 Tumwater Dr & 313 S 2nd St (GLUA 25-00042, CPA25-0001, ZC25-0003)

- 9. GENERAL BUSINESS**

- Resolution 25-39, Reaffirming Compliance with Oregon Sanctuary Laws
- Second Reading of Ordinance No. 25-1014, Vacating 142 Square Feet of McLoughlin Promenade Property Located at 300 3rd Street

- c. City Manager's Salary Adjustment and Merit Pay for Performance

10. COMMUNICATIONS

City Manager

Commissioners

Mayor

11. ADJOURNMENT

ORDINANCE NOTICE

If an ordinance is noticed above in this agenda, the text of the ordinance is available online with the posted agenda packet. In addition, three copies are provided for public review in the Office of the City Recorder upon request.

PUBLIC COMMENT GUIDELINES

Complete a Comment Card prior to the meeting and submit it to the City Recorder. When the Mayor/Chair calls your name, proceed to the speaker's table, and state your name and city of residence. Each speaker is given 3 minutes to speak. Representatives of neighborhood associations may be given 5 minutes to speak if requested. As a general practice, the City Commission does not engage in discussion with those making comments. Complaints shall first be addressed at the department level prior to addressing the City Commission. Electronic presentations are permitted but must be delivered to the City Recorder 48 hours in advance of the meeting.

ADA NOTICE

The location is ADA accessible. Hearing devices may be requested from the City Recorder prior to the meeting. Individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.

Agenda Posted at City Hall, Pioneer Community Center, Library, City Website.

Video Streaming & Broadcasts: The meeting is streamed live on the [Oregon City's website](#) and available on demand following the meeting. The meeting can be viewed on Willamette Falls Television channel 28 for Oregon City area residents as a rebroadcast. Please contact WPMC at 503-650-0275 for a programming schedule.



CITY OF OREGON CITY

625 Center Street
Oregon City, OR 97045
503-657-0891

Staff Report

To: City Commission **Agenda Date:** December 17, 2025
From: Jakob Wiley, City Recorder

SUBJECT:

Item 7.a. - Appointments to the Urban Renewal Commission (Doug Neeley) and Historic Review Board (Julia Sumrok Fulkerson and Robert Green)

STAFF RECOMMENDATION:

Appoint members to the Urban Renewal Commission and Historic Review Board

EXECUTIVE SUMMARY:

On December 3, 2025, the City Commission reviewed applications for the Planning Commission, Historic Review Board (HRB), and Urban Renewal Commission (URC). Based on that review, the City Commission determined that interviews for the HRB and URC were not needed and the City Commission's consensus was to move forward with appointment to these boards.

BACKGROUND:

On November 19, 2025, the City Commission adopted Resolution 25-36, which updated the procedure for appointments to the PC, HRB, and URC. The updates included a review of applications prior to scheduling interviews. The City Commission completed this review at the December 3, 2025 meeting and determined not to conduct interviews for URC and HRB. The consensus was to reappoint Doug Neeley to the URC (term ending 12/31/2029), Julia Sumrok Fulkerson to the HRB's architect seat (term ending 12/31/2028), and Robert Green to the HRB's Canemah seat (term ending 12/31/2028).

The consensus was to interview Kronan Hoffman, Paul Levin, Gregory Lind, and Trace Guimont, and not interview Rachael Pandzik. Interviews for the PC will be scheduled at a subsequent meeting.

OPTIONS:

1. Approve Appointments to the Urban Renewal Commission (Doug Neeley) and Historic Review Board (Julia Sumrok Fulkerson and Robert Green).
2. Approve Appointments to the Urban Renewal Commission (Doug Neeley) and Historic Review Board (Julia Sumrok Fulkerson and Robert Green) with Amendments.
3. Deny Appointments to the Urban Renewal Commission (Doug Neeley) and Historic Review Board (Julia Sumrok Fulkerson and Robert Green) and provide further direction.

BUDGET IMPACT:

N/A



CITY OF OREGON CITY

625 Center Street
Oregon City, OR 97045
503-657-0891

Staff Report

To: City Commission **Agenda Date:** December 17, 2025
From: Dayna Webb, Public Works Director

SUBJECT:

Item 7.b. - Personal Services Agreement with Downtown Oregon City Association (DOCA) for the City of Oregon City's Municipal Elevator Staffing and Downtown Restroom Services (PS 25-019)

STAFF RECOMMENDATION:

Award the contract and authorize the City Manager to execute the Personal Services Agreement with Downtown Oregon City Association (DOCA) in the amount of \$759,056.16, for a three-year contract for the Municipal Elevator Staffing and Downtown Restroom Services.

EXECUTIVE SUMMARY:

Oregon City Public Works has contracted services with the Downtown Oregon City Association (DOCA) that consist of daily staffing, operational management and maintenance for the City of Oregon City's Municipal Elevator, and the Downtown Public Restroom, located adjacent to the tunnel to the historic Oregon City Municipal Elevator along Railroad Avenue. This is the first year that the City will combine the contracted services under separate scopes of work for the daily staffing and maintenance of both facilities, ensuring safe, accessible, and well-maintained public spaces in the heart of Oregon City.

BACKGROUND:

The Oregon City Municipal Elevator is located in the historic area of the city and provides pedestrian transportation between the McLoughlin neighborhood and the downtown area (Main Street). The Municipal Elevator is unique in that it is one of only two municipal elevators in the world and is technically classified as a vertical street. The City has a long history of having the elevator staffed during all operational hours. The elevator staff serve as ambassadors to the City and provide tourism and community-related information to visitors.

In 1991, the City had a contract with Five-Star International to provide staffing for the elevator. The contract with Five-Star International ran through January 31, 2017, at which time the company elected not to pursue the City's opportunity for staffing services beyond the end of the contract term.

Downtown Oregon City Association (DOCA) has provided staffing and operational management since February 1, 2017. Throughout this time there have been three (3) Requests for Proposals that occurred in 2016, 2019, and 2022, each for a three (3) year term. The current contract ends on December 31, 2025.

Beginning in May 2023, the City contracted with Downtown Oregon City Association (DOCA) - Clean Team, to manage the daily operations and maintenance of the Downtown Public Restroom unit located adjacent to the tunnel to the historic Oregon City Municipal Elevator along Railroad Avenue. The most recent contract ended on October 31, 2025. Since the two contracts were being combined, the City and DOCA agreed to complete the November and December maintenance on a month-to-month basis while we worked through procurement process for a combined contract.

The Downtown Public Restroom is located at the base of the historic Municipal Elevator and is open 7 days a week. Monday through Saturday from 7:00 am – 6:00 pm and Sunday 10:00 am – 6:00 pm. It is closed on holidays (New Year's Day, Memorial Day, Independence Day, Labor Day, Independence Day, Labor Day, Thanksgiving and Christmas) or anytime the elevator is closed for maintenance.

The downtown public restroom has been an amenity that the City discussed for over a decade. Various discussions about location, funding, and type of system occurred through a partnership of the City of Oregon City, Downtown Oregon City Association (DOCA), local business owners, and citizens. In 2022, the City received funds from the American Rescue Plan Act (ARPA), which was signed by the President of the United States on March 11, 2021. The City Commission allocated those funds to several projects, and \$400,000 was allocated for a new downtown public restroom.

In January 2023, the City Commission approved the location and type of unit. In May 2023, the City Commission approved Ordinance 23-1002, which allows for enforcement of illegal behaviors within a public restroom. A security camera has been installed to monitor any illicit behavior similar to how the city monitors any damage to the elevator.

The attached scope of work outlines the details in which DOCA will continue to provide staffing and operational services for the Oregon City Municipal Elevator and the Downtown Restroom - Clean Team. These services add value as a tourism asset while providing a clean, safe, and welcoming environment to the users of downtown and providing an amenity for businesses, patrons, and tourists experiencing the historic Main Street and the various attractions within downtown.

On November 7, 2025, a request for competitive sealed proposals for the Oregon City's Municipal Elevator Staffing and Restroom Services (PS 25-019) was advertised in the *Daily Journal of Commerce* and the City bid site, in accordance with City and State contracting procedures for Large Procurement Procedures. Proposals were due November 20, 2025, and one (1) proposal was received. As there was only one proposal, there was no formal review by a committee. However, staff reviewed the proposal and determined the proposal to be responsive and Downtown Oregon City Association (DOCA) was a qualified proposer.

The breakdown of monthly and annual costs over the next three years is listed below. The combined annual total is \$759,056.16

A. Municipal Elevator

Year	Month	Annual
2026	\$17,464.76	\$209,577.12
2027	\$17,988.69	\$215,864.28
2028	\$18,528.53	\$222,342.36
3-Year Total (Elevator):		\$647,783.76

B. Downtown Restroom & Clean Team

Year	Month	Annual
2026	\$3,000.00	\$36,000.00
2027	\$3,090.00	\$37,080.00
2028	\$3,182.70	\$38,192.40
3-Year Total (Restroom):		\$111,272.40

C. Combined Annual Totals

Year	Month	Annual
2026	\$20,464.76	\$245,577.12
2027	\$21,078.69	\$252,944.28
2028	\$21,711.23	\$260,534.76
3-Year Total (Both):		\$759,056.16

This large procurement (exceeds \$250,000) follows City procurement guidelines and Oregon Revised Statue 279B. Large procurements are required to seek competitively sealed bids or proposals.

OPTIONS:

1. Approve Personal Services Agreement with Downtown Oregon City Association (DOCA) for the City of Oregon City's Municipal Elevator Staffing and Downtown Restroom Services (PS 25-019).
2. Approve Personal Services Agreement with Downtown Oregon City Association (DOCA) for the City of Oregon City's Municipal Elevator Staffing and Downtown Restroom Services (PS 25-019) with Amendments.
3. Deny Personal Services Agreement with Downtown Oregon City Association (DOCA) for the City of Oregon City's Municipal Elevator Staffing and Downtown Restroom Services (PS 25-019) and provide further direction.

BUDGET IMPACT:

Amount	\$759,056.16
Fiscal Year(s):	2025-26, 2026-27, 2028-29
Funding Source(s):	General Fund \$111,272.40 Transportation Fund \$647,783.76

**CITY OF OREGON CITY
PERSONAL SERVICES AGREEMENT**

**2025 ELEVATOR STAFFING AND
DOWNTOWN RESTROOM CLEANING SERVICES (PS 25-019)**

This PERSONAL SERVICES AGREEMENT ("Agreement") is entered into between the CITY OF OREGON CITY ("City") and **DOWNTOWN OREGON CITY ASSOCIATION** ("Contractor").

RECITALS

A. City requires services that Contractor is capable of providing under the terms and conditions hereinafter described.

B. Contractor is able and prepared to provide such services as City requires under the terms and conditions hereinafter described.

The parties agree as follows:

AGREEMENT

1. Term. The term of this Agreement shall be from the date the contract is fully executed until **December 31, 2028**, unless sooner terminated pursuant to provisions set forth below. However, such expiration shall not extinguish or prejudice City's right to enforce this Agreement with respect to (i) breach of any warranty; or (ii) any default or defect in Contractor's performance that has not been cured.

2. Compensation. City agrees to pay Contractor on a time-and-materials basis for the services required. Total compensation, including reimbursement for expenses incurred, shall not exceed **seven hundred fifty-nine thousand, fifty-six dollars and 16/100 cents (\$759,056.16)**.

3. Scope of Services. Contractor's services under this Agreement shall consist of services as detailed in Exhibit A, attached hereto and by this reference incorporated herein.

4. Standard Conditions. This Agreement shall include all of the standard conditions as detailed in Exhibit B, attached hereto and by this reference incorporated herein.

5. Schedule. The components of the project described in the Scope of Services shall be completed according to Term, above.

6. Integration. This Agreement, along with the description of services to be performed attached as Exhibit A and the Standard Conditions to Oregon City Personal Services Agreement attached as Exhibit B, contain the entire agreement between and among the parties, integrate all the terms and conditions mentioned herein or incidental hereto, and supersede all prior written or oral discussions or agreements between the parties or their predecessors-in-interest with respect to all or any part of the subject matter hereof.

7. Notices. Any notices, bills, invoices, reports or other documents required by this Agreement shall be sent by the parties by United States mail, by hand delivery or by electronic means. All notices shall be in writing and shall be effective when delivered. If mailed, notices shall be deemed effective forty-eight (48) hours after mailing, unless sooner received.

To the City:

City of Oregon City
13895 Fir Street
Oregon City, OR 97045
Attention: Dayna Webb, P.E.

To Contractor:

Downtown Oregon City Association
814 Main Street
Oregon City, OR 97045
Attention: Juliana Allen

Contractor shall be responsible for providing the City with a current address. Either party may change the address set forth in this Agreement by providing notice to the other party in the manner set forth above.

8. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the state of Oregon without resort to any jurisdiction's conflicts of law, rules or doctrines.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly appointed officers on this _____ day of _____, 20____.

CITY OF OREGON CITY

DOWNTOWN OREGON CITY ASSOCIATION

By: _____

By: _____

Name: Dayna Webb, P.E.

Name: _____

Title: Public Works Director

Title: _____

DATED: _____, 20____.

DATED: _____, 20____.

By: _____

ORIGINAL CITY COMMISSION APPROVAL (IF APPLICABLE):

Name: Anthony J. Konkol III

DATE: _____

Title: City Manager

DATED: _____, 20____.

APPROVED AS TO LEGAL SUFFICIENCY:

By: _____
City Attorney

November 18, 2025

Vance Walker, Assistant Public Works Director
Public Works Department, Operations
13895 Fir Street
Oregon City, OR 97045

Dear Mr. Walker,

The Downtown Oregon City Association (DOCA) is pleased to submit this proposal for the **2026-2028 Elevator Staffing and Downtown Restroom Cleaning Services Contract (PS 25-019)**. We value our ongoing partnership with the City of Oregon City and are proud of the consistent, professional service our team provides for the Municipal Elevator and downtown public restroom operations.

This proposal outlines DOCA's continued management of both the **Municipal Elevator operations** and the **Downtown Public Restroom and Clean Team services** under separate scopes of work. Each program is supported by dedicated staff and coordinated oversight to ensure consistent quality, communication, and accountability. Together, these efforts maintain safe, clean, and welcoming spaces for residents and visitors while enhancing Oregon City's historic downtown experience.

DOCA understands that the scope of work includes daily staffing and maintenance of both facilities to ensure safe, accessible, and well-maintained public spaces in the heart of Oregon City. We remain committed to transparent communication, reliable service, and continued partnership with the Public Works Department.

Thank you for the opportunity to continue this important work in collaboration with the City of Oregon City. This proposal is valid for **ninety (90) days** from the date of submission. Please don't hesitate to reach out with any questions or clarifications.

Sincerely,

Juliana Allen
Executive Director
Downtown Oregon City Association
814 Main Street, Oregon City, OR 97045
admin@downtownoregoncity.org

Qualifications of Contractor

Organizational Overview

The **Downtown Oregon City Association (DOCA)** is a nationally accredited **Oregon Main Street organization** and registered **501(c)(3) nonprofit** founded in 2009. DOCA's mission is to support the community and encourage commerce in historic downtown through design, economic vitality, promotions, and organizational excellence.

For more than a decade, DOCA has successfully managed City contracts and public-facing services, ensuring professional operations, fiscal accountability, and community responsiveness. Our staff are trained in customer service, safety protocols, and maintenance standards, with systems in place for daily reporting and emergency communication.

Relevant Experience

Since 2016, DOCA has managed the **Municipal Elevator operations** and since 2023, the **Downtown Public Restroom (Clean Team) services**. We have been consistent in maintaining consistent daily coverage and reliable reporting through emergencies, weather events, and construction impacts. These programs require strong communication with Public Works, proactive problem-solving, and dependable on-the-ground presence, all of which DOCA has consistently delivered.

Beyond daily operations, DOCA regularly collaborates with City departments to support **community events and downtown improvement projects**. Notable examples include:

- **First City Celebration:** DOCA's signature annual street festival attracting 6,000–7,000 attendees. The 2025 event was coordinated in partnership with a **Biz Pod program graduate** from the City's Economic Development Department, highlighting DOCA's commitment to supporting local entrepreneurs and workforce development.
- **Trick or Treat Main Street:** A city-sponsored event coordinated with **Public Works, Oregon City Police Department**, and dozens of downtown businesses to ensure a safe and family-friendly experience for thousands of participants each October.
- **Well-Lit Trees Project:** A public-private partnership with **Public Works** to install permanent uplighting in 48 tree wells along Main Street, improving safety, aesthetics, and nighttime walkability. This project demonstrates DOCA's capacity to manage multi-stakeholder projects and deliver tangible downtown enhancements.

These collaborations underscore DOCA's proven ability to work closely with the City, downtown businesses, and community partners to deliver high-quality, visible outcomes that strengthen Oregon City's historic downtown.

Client References

DOCA maintains strong working relationships with City leadership and downtown business partners through its long-standing management of public services and community programming.

1. **Jayson Thornburg**
Public Works Department
City of Oregon City
13895 Fir Street, Oregon City, OR 97045
2. **James Graham**
Economic Development Manager
City of Oregon City
1625 Center Street, Oregon City, OR 97045
(503) 657-0891
3. **Tara Wanstall**
Owner, Watershed Café
812 Main Street, Oregon City, OR 97045
(503) 308-1340

Understanding and Approach

Overview of Services

The Downtown Oregon City Association (DOCA) understands the scope of this contract to include the daily operation of the **Oregon City Municipal Elevator** and the daily cleaning and maintenance of the **Downtown Public Restroom (“Public Loo”)** and adjacent area. Both services are designed to provide clean, safe, and welcoming public facilities in the heart of downtown, ensuring accessibility and a positive experience for residents, employees, and visitors.

DOCA’s approach emphasizes reliability, communication, and proactive coordination with the **Public Works Department** and other City staff. Our team members are trained to act as the “eyes and ears” of downtown, reporting maintenance needs, safety concerns, and vandalism quickly to ensure timely resolution.

Operations Plan

Municipal Elevator Operations

The Elevator is operated **seven days per week, year-round**, following the City’s established schedule and holiday closures. Elevator Ambassadors provide customer service, safety monitoring, and visitor information during all open hours, maintaining a welcoming presence for both residents and tourists.

Operating Hours:

- Monday–Tuesday: 7:00 AM – 7:00 PM
- Wednesday–Saturday: 7:00 AM – 9:30 PM
- Sunday: 10:00 AM – 7:00 PM
- Closed on: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas.

Ambassadors complete opening and closing inspections, assist riders as needed, and immediately report mechanical or safety concerns to the **Elevator & Visitor Services Manager** and/or **Public Works Department**. DOCA’s Elevator Ambassadors have developed trusted relationships with City staff, local businesses, and frequent riders, creating a consistent sense of safety and service in this historic public space.

Downtown Restroom and Clean Team Operations

The Clean Team operates **seven days per week**, focusing on the Downtown's central Main Street core, including the area surrounding the Public Restroom, tunnel area, and adjacent public right-of-way. Services include daily cleaning, restocking, waste removal, litter pickup, and surface sanitization. Routine inspections ensure the restroom remains safe and functional throughout the day.

The Clean Team also monitors the district for graffiti, vandalism, or maintenance needs: reporting them directly to DOCA staff for follow-up. Clean Team Ambassadors are often the first to notice maintenance issues and serve as vital partners in keeping the downtown environment clean and orderly.

Staffing and Management Plan

DOCA's staffing structure ensures direct supervision, accountability, and continuity of service:

- **Executive Director** provides contract oversight, fiscal management, and City liaison.
- **Elevator & Visitor Services Manager** oversees daily operations, staff scheduling, performance evaluations, and communication with City staff.
- **Elevator Ambassadors** (6 part-time) and **Clean Team Ambassadors** (2 part-time) provide a combined total of **122.5 on-site service hours per week**.

Daily coordination between on-site staff and management ensures consistent coverage and rapid response to issues.

All staff receive:

- Paid on-the-job training and safety procedures.
- 3% annual cost-of-living adjustment.
- Regular check-ins and annual performance evaluations.

Safety and Communication Protocols

DOCA maintains direct and efficient communication channels between City personnel and on-site staff. A **panic button** inside the elevator kiosk alerts key personnel and monitoring services, providing an added layer of security for both staff and visitors.

Ambassadors communicate any incidents in real time via text and/or phone calls to the Elevator & Visitor Services Manager, who notifies Public Works or OCPD as appropriate.

DOCA has developed strong working relationships with both departments, ensuring that safety and maintenance issues are addressed promptly.

Reporting and Accountability

DOCA provides monthly reports to the City/Public Works that include:

- Elevator ridership during operational hours.
- Maintenance alerts and incident evidence.
- Documentation of public safety concerns.

Reports are reviewed by DOCA management before submission and include any recommended improvements or adjustments to enhance service delivery.

DOCA also conducts regular internal reviews to assess staff performance, identify emerging needs, and maintain compliance with City expectations.

Compliance and Partnership

DOCA agrees to comply with all **City of Oregon City Personal Services Agreement** requirements, including insurance, liability, and operational standards.

As a long-standing City partner, DOCA's collaborative approach is built on transparency, responsiveness, and mutual accountability. Our team is deeply committed to maintaining downtown Oregon City as a safe, clean, and welcoming destination for all.

Continuity & Continuous Improvement

DOCA maintains a continuity plan to ensure uninterrupted service in the event of staff absences or emergencies. Cross-trained team members are available to provide immediate coverage, and management adjusts schedules as needed to maintain full operational hours. DOCA welcomes regular meetings with the City's Public Works representatives to review performance, identify process improvements, and incorporate feedback into future operations. DOCA's proactive approach ensures accountability, consistency, and continuous improvement in the quality of service delivered to the public.

Price Proposal

This proposal covers a three-year term (January 1, 2026–December 31, 2028) for daily operation of the **Municipal Elevator** and daily maintenance of the **Downtown Public Restroom**. DOCA will invoice **monthly** at the average monthly rate; payment is **due by the first of the following month**.

A. Municipal Elevator (monthly and annual)

Year	Month	Annual
2026	17,464.76	209,577.12
2027	17,988.69	215,864.28
2028	18,528.53	222,342.36

3-Year Total (Elevator): \$647,783.69

B. Downtown Restroom & Clean Team (monthly and annual)

Year	Month	Annual
2026	3,000	36,000.00
2027	3,090.00	37,080.00
2028	3,182.70	38,192.40

3-Year Total (Restroom): \$111,272.40

C. Combined Annual Totals

Year	Combined Monthly Total	Combined Annual Total
------	------------------------	-----------------------

2026	\$20,464.76	\$245,577.12
2027	\$21,078.69	\$252,944.28
2028	\$21,711.23	\$260,534.76

Total 3-Year Contracted Amount (Elevator + Restroom): \$759,056.16

Cost Basis

Totals include on-site staffing, supervision, training, payroll taxes/insurance, supplies, safety equipment, and administrative support for both scopes. DOCA coordinates with City staff and approved vendors for specialized maintenance as needed.

Final Thoughts

The Downtown Oregon City Association deeply values our partnership with the City and the opportunity to continue providing these vital services that support the safety, cleanliness, and welcoming atmosphere of our downtown. The Elevator Ambassador and Clean Team programs are central to our mission and reflect our organization's commitment to serving both the community and our visitors. We appreciate the City's continued trust in DOCA and look forward to building on our shared success in keeping Downtown Oregon City a place we can all take pride in.

STANDARD CONDITIONS TO OREGON CITY PERSONAL SERVICES AGREEMENT

1. Consultant Identification. Consultant shall furnish to City its taxpayer identification number, as designated by the Internal Revenue Service, or Consultant's social security number, as City deems applicable.

2. Payment.

(a) Invoices submitted in connection with this Agreement shall be properly documented and shall identify the pertinent agreement and/or purchase order numbers.

(b) City agrees to pay Consultant within thirty (30) days after receipt of Consultant's itemized statement. Amounts disputed by City may be withheld pending settlement.

(c) City certifies that sufficient funds are available and authorized for expenditure to finance the cost of the services to be provided pursuant to this Agreement.

(d) City shall not pay any amount in excess of the compensation amounts set forth in this Agreement, nor shall City pay Consultant any fees or costs that City reasonably disputes.

3. Independent Consultant Status.

(a) Consultant is an independent consultant and is free from direction and control over the means and manner of providing labor or services, subject only to the specifications of the desired results.

(b) Consultant represents that it is customarily engaged in an independently established business and is licensed under ORS chapter 671 or 701, if the services provided require such a license. Consultant maintains a business location that is separate from the offices of the City and bears the risk of loss related to the business as demonstrated by the fixed price nature of the contract, requirement to fix defective work, warranties provided and indemnification and insurance provisions of this Agreement. Consultant provides services for two or more persons within a 12-month period or routinely engages in advertising, solicitation or other marketing efforts. Consultant makes a significant investment in the business by purchasing tools or equipment, premises or licenses, certificates or specialized training and

Consultant has the authority to hire or fire persons to provide or assist in providing the services required under this Agreement.

(c) Consultant is responsible for obtaining all assumed business registrations or professional occupation licenses required by state or local law (including applicable City or Metro business licenses as per Oregon City Municipal Code Chapter 5.04). Consultant shall furnish the tools or equipment necessary for the contracted labor or services. Consultant agrees and certifies that:

(d) Consultant is not eligible for any federal social security or unemployment insurance payments. Consultant is not eligible for any PERS or workers' compensation benefits from compensation or payments made to Consultant under this Agreement.

(e) Consultant agrees and certifies that it is licensed to do business in the State of Oregon and that, if Consultant is a corporation, it is in good standing within the State of Oregon.

4. Early Termination.

(a) This Agreement may be terminated without cause prior to the expiration of the agreed-upon term by mutual written consent of the parties or by the City upon ten (10) days written notice to the Consultant, delivered by certified mail, email, or in person.

(b) Upon receipt of notice of early termination, Consultant shall immediately cease work and submit a final statement of services for all services performed and expenses incurred since the date of the last statement of services.

(c) Any early termination of this Agreement shall be without prejudice to any obligation or liabilities of either party already accrued prior to such termination.

(d) The rights and remedies of the City provided in this Agreement and relating to defaults by Consultant shall not be exclusive and are in addition to any other rights and remedies provided by law or under this Agreement.

5. No Third-Party Beneficiaries. City and

STANDARD CONDITIONS TO OREGON CITY PERSONAL SERVICES AGREEMENT

Consultant are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide, any benefit or right, whether directly or indirectly or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Agreement.

6. Payment of Laborers; Payment of Taxes.

(a) Consultant shall:

(i) Make payment promptly, as due, to all persons supplying to Consultant labor and materials for the prosecution of the services to be provided pursuant to this Agreement.

(ii) Pay all contributions or amounts due to the State Accident Insurance Fund incurred in the performance of this Agreement.

(iii) Not permit any lien or claim to be filed or prosecuted against the City on account of any labor or materials furnished.

(iv) Be responsible for all federal, state, and local taxes applicable to any compensation or payments paid to the Consultant under this Agreement and, unless Consultant is subject to back-up withholding, the City will not withhold from such compensation or payments any amount(s) to cover Consultant's federal or state tax obligation.

(v) Pay all employees at least time and one-half for all overtime worked in excess of forty (40) hours in any one week, except for individuals excluded under ORS 653.100 to 653.261 or under 29 U.S.C. §§ 201 to 209 from receiving overtime.

(b) If the Consultant fails, neglects or refuses to make prompt payment of any claim for labor or services furnished by any person in connection with this Agreement as such claim becomes due, the City may pay such claim to the person furnishing the labor or services and shall charge the amount of the payment against funds due or to become due to the Consultant by reason of this Agreement.

(c) The payment of a claim in this manner shall not relieve Consultant or Consultant's surety from obligation with respect to any unpaid claims.

(d) Consultant and subconsultants, if any, are subject employers under the Oregon workers' compensation law and shall comply with ORS 656.017, which requires provision of workers' compensation coverage for all workers.

7. Subconsultants and Assignment.

Consultant shall neither subcontract any of the work, nor assign any rights acquired hereunder, without obtaining prior written approval from the City. The City, by this Agreement, incurs no liability to third persons for payment of any compensation provided herein to the Consultant.

8. Access to Records. City shall have access to all books, documents, papers and records of Consultant that are pertinent to this Agreement for the purpose of making audits, examinations, excerpts and transcripts.

9. Ownership of Work Product; License. All work products of Consultant that result from this Agreement (the "Work Products") are the exclusive property of City. In addition, if any of the Work Products contain intellectual property of Consultant that is or could be protected by federal copyright, patent, or trademark laws, or state trade secret laws, Consultant hereby grants City a perpetual, royalty-free, fully paid, nonexclusive and irrevocable license to copy, reproduce, deliver, publish, perform, dispose of, use and re-use, in whole or in part (and to authorize others to do so), all such Work Products and any other information, designs, plans, or works provided or delivered to City or produced by Consultant under this Agreement. The parties expressly agree that all works produced (including, but not limited to, any taped or recorded items) pursuant to this Agreement are works specially commissioned by City, and that any and all such works shall be works made for hire in which all rights and copyrights belong exclusively to City. Consultant shall not publish, republish, display or otherwise use any work or Work Products resulting from this Agreement without the prior written agreement of City.

10. Compliance With Applicable Law.

STANDARD CONDITIONS TO OREGON CITY PERSONAL SERVICES AGREEMENT

Consultant shall comply with all federal, state, and local laws and ordinances applicable to the services to be performed pursuant to this Agreement, including, without limitation, the provisions of ORS 279B.220, 279C.515, 279B.235, 279B.230 and 279B.270. Without limiting the generality of the foregoing, Consultant expressly agrees to comply with (i) Title VI of the Civil Rights Act of 1964; (ii) Section V of the Rehabilitation Act of 1973; (iii) the Americans With Disabilities Act of 1990 (Pub. L No. 101-336), ORS 659.425, and all regulations and administrative rules established pursuant to those laws; and (iv) all other applicable requirements of federal and state civil rights and rehabilitation and other applicable statutes, rules and regulations.

11. Professional Standards. Consultant shall be responsible, to the level of competency presently maintained by others practicing in the same type of services in City's community, for the professional and technical soundness, accuracy and adequacy of all services and materials furnished under this authorization.

12. Modification, Supplements or Amendments. No modification, change, supplement or amendment of the provisions of this Agreement shall be valid unless it is in writing and signed by the parties hereto.

13. Indemnity and Insurance.

(a) Indemnity. Consultant acknowledges responsibility for liability arising out of Consultant's negligent performance of this Agreement and shall hold City, its officers, agents, Consultants, and employees harmless from, and indemnify them for, any and all liability, settlements, loss, costs, and expenses, including attorney fees, in connection with any action, suit, or claim caused or alleged to be caused by the negligent acts, omissions, activities or services by Consultant, or the agents, Consultants or employees of Consultant provided pursuant to this Agreement.

(b) Workers' Compensation Coverage. Consultant certifies that Consultant has qualified for workers' compensation as required by the State of Oregon. Consultant shall provide the Owner, within ten (10) days after execution of this Agreement, a certificate of insurance evidencing

coverage of all subject workers under Oregon's workers' compensation statutes. The insurance certificate and policy shall indicate that the policy shall not be terminated by the insurance carrier without thirty (30) days' advance written notice to City. All agents or Consultants of Consultant shall maintain such insurance.

(c) Comprehensive, General, and Automobile Insurance. Consultant shall maintain comprehensive general and automobile liability insurance for protection of Consultant and City and for their directors, officers, agents, and employees, insuring against liability for damages because of personal injury, bodily injury, death, and broad-form property damage, including loss of use, and occurring as a result of, or in any way related to, Consultant's operation, each in an amount not less than \$2,000,000 combined, single-limit, per-occurrence/\$4,000,000 annual aggregate. Such insurance shall name City as an additional insured, with the stipulation that this insurance, as to the interest of City, shall not be invalidated by any act or neglect or breach of this Agreement by Consultant.

(d) Errors and Omissions Insurance Consultant shall provide City with evidence of professional errors and omissions liability insurance for the protection of Consultant and its employees, insuring against bodily injury and property damage arising out of Consultant's negligent acts, omissions, activities or services in an amount not less than \$500,000 combined, single limit. Consultant shall maintain in force such coverage for not less than three (3) years following completion of the project. Such insurance shall include contractual liability.

Within ten (10) days after the execution of this Agreement, Consultant shall furnish City a certificate evidencing the dates, amounts, and types of insurance that have been procured pursuant to this Agreement. Consultant will provide for not less than thirty (30) days' written notice to City before the policies may be revised, canceled, or allowed to expire. Consultant shall not alter the terms of any policy without prior written authorization from City. The provisions of this subsection apply fully to Consultant and its Consultants and agents.

STANDARD CONDITIONS TO OREGON CITY PERSONAL SERVICES AGREEMENT

14. Legal Expenses. In the event legal action is brought by City or Consultant against the other to enforce any of the obligations hereunder or arising out of any dispute concerning the terms and conditions hereby created, the losing party shall pay the prevailing party such reasonable amounts for attorney fees, costs, and expenses as may be set by a court. "Legal action" shall include matters subject to arbitration and appeals.

15. Severability. The parties agree that, if any term or provision of this Agreement is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected.

16. Number and Gender. In this Agreement, the masculine, feminine or neuter gender, and the singular or plural number, shall be deemed to include the others or other whenever the context so requires.

17. Captions and Headings. The captions and headings of this Agreement are for convenience only and shall not be construed or referred to in resolving questions of interpretation or construction.

18. Hierarchy. The conditions contained in this document are applicable to every Personal Services Agreement entered into by the City of Oregon City in the absence of contrary provisions. To the extent there is a conflict, the terms of the Personal Services Agreement will control over the terms of the standard conditions. To the extent there is a conflict between the terms of the standard conditions and any other document, including the scope of services, the terms of the standard conditions shall control those other terms.

19. Calculation of Time. All periods of time referred to herein shall include Saturdays, Sundays and legal holidays in the State of Oregon, except that, if the last day of any period falls on any Saturday, Sunday or legal holiday, the period shall be extended to include the next day that is not a Saturday, Sunday or legal holiday.

20. Notices. Any notices, bills, invoices, reports or other documents required by this Agreement shall be sent by the parties by United

States mail, postage prepaid, or personally delivered to the addresses listed in the Agreement attached hereto. All notices shall be in writing and shall be effective when delivered. If mailed, notices shall be deemed effective forty-eight (48) hours after mailing, unless sooner received.

21. Nonwaiver. The failure of City to insist upon or enforce strict performance by Consultant of any of the terms of this Agreement or to exercise any rights hereunder shall not be construed as a waiver or relinquishment to any extent of its rights to assert or rely upon such terms or rights of any future occasion.

22. Information and Reports. Consultant shall, at such time and in such form as City may require, furnish such periodic reports concerning the status of the project, such statements, certificates, approvals, and copies of proposed and executed plans and claims, and other information relative to the project as may be requested by City. Consultant shall furnish City, upon request, with copies of all documents and other materials prepared or developed in relation with or as a part of the project. Working papers prepared in conjunction with the project are the property of City, but shall remain with Consultant. Copies as requested shall be provided free of cost to City.

23. City's Responsibilities. City shall furnish Consultant with all available necessary information, data, and materials pertinent to the execution of this Agreement. City shall cooperate with Consultant in carrying out the work herein and shall provide adequate staff for liaison with Consultant.

24. Arbitration.

All disputes arising out of or under this Agreement shall be timely submitted to nonbinding mediation prior to commencement of any other legal proceedings. The subsequent measures apply if disputes cannot be settled in this manner.

(a) Any dispute arising out of or under this Agreement shall be determined by binding arbitration.

(b) The party desiring such arbitration shall give written notice to that effect to the other party

STANDARD CONDITIONS TO OREGON CITY PERSONAL SERVICES AGREEMENT

and shall in such notice appoint a disinterested person of recognized competence in the field as arbitrator on its behalf. Within fifteen (15) days thereafter, the other party may, by written notice to the original party, appoint a second disinterested person of recognized competence as arbitrator on its behalf. The arbitrators thus appointed shall appoint a third disinterested person of recognized competence, and the three arbitrators shall, as promptly as possible, determine such matter, provided, however, that:

(i) If the second arbitrator is not appointed as described above, then the first arbitrator shall proceed to determine such matter; and

(ii) If the two arbitrators appointed by the parties are unable to agree, within fifteen (15) days after the second arbitrator is appointed, on the appointment of a third arbitrator, they shall give written notice of such failure to agree to the parties and, if the parties fail to agree on the selection of the third arbitrator within fifteen (15) days after the arbitrators appointed by the parties give notice, then, within ten (10) days thereafter, either of the parties, on written notice to the other party, may request such appointment by the presiding judge of the Clackamas County Circuit Court.

(c) Each party shall each be entitled to present evidence and argument to the arbitrators. The determination of the majority of the arbitrators or the sole arbitrator, as the case may be, shall be conclusive on the parties, and judgment on the same may be entered in any court having jurisdiction over the parties. The arbitrators or the sole arbitrator, as the case may be, shall give written notice to the parties, stating the arbitration determination, and shall furnish to each party a

signed copy of such determination. Arbitration proceedings shall be conducted pursuant to ORS 33.210 et seq. and the rules of the American Arbitration Association, except as provided otherwise.

(d) Each party shall pay the fees and expenses of the arbitrator appointed by such party and one-half of the fees and expenses of the third arbitrator, if any.

25. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the state of Oregon without resort to any jurisdiction's conflicts of law, rules or doctrines.



CITY OF OREGON CITY

625 Center Street
Oregon City, OR 97045
503-657-0891

Staff Report

To:	City Commission	Agenda Date:	December 17, 2025
From:	Dayna Webb, Public Works Director		

SUBJECT:

Item 7.c. - Amendment No. 1 to the Intergovernmental Agreement between Clackamas Water Environment Services and the City of Oregon City for Regional Inflow and Infiltration Reduction

STAFF RECOMMENDATION:

Authorize the City Manager to execute Amendment No. 1 to the Intergovernmental Agreement between Clackamas Water Environment Services and the City of Oregon City for Regional Inflow and Infiltration Reduction.

EXECUTIVE SUMMARY:

Amendment No. 1 is for modifications to the existing Intergovernmental Agreement between Clackamas Water Environment Services (WES) and the City of Oregon City for Regional Inflow and Infiltration Reduction.

BACKGROUND:

In 2019, Clackamas Water Environmental Services (WES) completed their Sanitary Sewer Master Plan (SSMP) to provide the district with a 20-year capital plan that outlines how and when the district needs to expand and maintain the sanitary sewer collection system, ensuring affordable clean water services for the partner cities. Reducing Inflow and Infiltration (I&I) was a top priority in the plan. This focus is consistent with the findings of the City's 2014 SSMP, which also identified I & I as a significant concern for the sanitary sewer collection system and recommended implementation of an I&I Program.

Inflow and Infiltration (I&I) is water from rain or naturally occurring groundwater that seeps into cracked or broken sewer pipes, adding to the flow of water entering wastewater treatment facilities. Keeping this extra rainwater and groundwater out of pipes results in significant savings in sewer operations and maintenance costs. WES's SSMP, based in part on the underlying master plans from the partner cities, estimates savings of approximately \$120 million over the next 20 years through strong investment in I&I removal.

The shared need to address I&I resulted in WES proposing an Intergovernmental Agreement (IGA) for Regional Inflow and Infiltration Reduction, which the City Commission approved March 4, 2022. Through this IGA, WES agreed to a reimbursement contribution of thirty-three percent (33%) of actual costs incurred by the City in the completion of I&I reduction work. WES has reimbursed just over \$6,000,000 to date for projects in Oregon City.

Amendment No. 1 to the WES I&I IGA proposes these changes:

1. Tying of the reimbursement funding (cost sharing) to the WES Annual Capital Improvement Plan, based on capital expenditure projections provided by participating agencies.
2. A Program Manual is established to govern project proposal approval and clarification is provided on amendments to existing proposals and reimbursement processes.
3. Clarification that reimbursements will occur twice a year, at the midpoint and end of the fiscal year.

No changes are proposed to the WES reimbursement contribution of thirty-three percent (33%) of actual costs.

OPTIONS:

1. Approve Amendment No. 1 to the Intergovernmental Agreement between Clackamas Water Environment Services and the City of Oregon City for Regional Inflow and Infiltration Reduction.
2. Approve Amendment No. 1 to the Intergovernmental Agreement between Clackamas Water Environment Services and the City of Oregon City for Regional Inflow and Infiltration Reduction with Amendments.
3. Deny Amendment No. 1 to the Intergovernmental Agreement between Clackamas Water Environment Services and the City of Oregon City for Regional Inflow and Infiltration Reduction and provide further direction.

BUDGET IMPACT:

Amount	\$
Fiscal Year(s):	N/A
Funding Source(s):	N/A

**AMENDMENT #1
TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN
WATER ENVIRONMENT SERVICES AND PARTNER CITIES FOR
REGIONAL INFLOW AND INFILTRATION REDUCTION**

This Amendment #1 is entered into between **Water Environment Services** ("District") and the **City of Gladstone, City of Happy Valley, City of Johnson City, City of Milwaukie, City of Oregon City, and the City of West Linn** (collectively, the "Partners" or individually "Partner") and shall become part of the Agreement documents entered into between the parties on March 17, 2022 ("Agreement").

The Purpose of this Amendment #1 is to make the following changes to the Agreement:

1. **Section 2 – Cost Sharing.** The following sentence is hereby added after the last sentence:

"The amount of District funding available for each fiscal year shall be the amount specified in the budget as adopted by the District Board."

2. **Section 3 - Program Proposal Process.** Section 3 is hereby deleted in its entirety and replaced with the following:

"Section 3 – Program Proposal Process. The proposal process shall be governed by the WES Regional Inflow and Infiltration Reduction IGA Program Manual, attached hereto and incorporated herein as Exhibit A ("Program Manual"). The definitions of Qualified Proposal and Approval Letter are as specified in the Program Manual. The Program Manual may be updated and revised by WES at any time in its sole discretion without need for an amendment to this Agreement. Upon making a substantive revision to the Program Manual, WES will provide Partners with reasonable notice of the changes made."

3. **Exhibit B** to the Agreement is hereby replaced in its entirety with **Exhibit A to this Amendment #1** attached hereto and incorporated herein.

4. **Section 4 – Reimbursement** is hereby deleted in its entirety and replaced with the following:

"Reimbursement. In order to receive the Reimbursement Contribution, the Partners agree to submit invoices for work performed related to the Qualified Proposal in accordance with the dates and requirements of the Program Manual. The District is not obligated to pay any amount in excess of the Reimbursement Contribution amount identified above."

Except as expressly amended above, all other terms and conditions of the Agreement shall remain in full force and effect.

Signature Page Follows

By signature below, the parties agree to this Amendment #1, effective upon the date of the last signature below.

Water Environment Services

Chair

Date

City of Gladstone

Authorized Signatory

Title

Date

City of Happy Valley

Authorized Signatory

Title

Date

City of Johnson City

Authorized Signatory

Title

Date

City of Milwaukie

Authorized Signatory

Title

Date

City of Oregon City

Authorized Signatory

Title

Date

City of West Linn

Authorized Signatory

Title

Date

EXHIBIT A

WES Regional Inflow and Infiltration Reduction IGA Program Manual

WES Regional Inflow and Infiltration Reduction IGA Program Manual

This manual governs the implementation of certain aspects of administration of the inflow and infiltration (“I/I”) reimbursement program established under the Intergovernmental Agreement Between Water Environment Services and Partner Cities for Regional Inflow and Infiltration Reduction (“Agreement”) entered into between Water Environment Services (“District”) and the City of Gladstone, City of Happy Valley, City of Johnson City, City of Milwaukie, City of Oregon City, and the City of West Linn (collectively, the “Partners” or individually a “Partner”) on March 17, 2022.

1. Program Proposal Process.

- A. Qualified Proposals. Partners will identify qualified proposal projects to submit for review. A **“Qualified Proposal”** means a project proposal that meets the base threshold of being designed for I/I reduction purposes and occurring within the Target Areas. A Qualified Proposal should include a project description, project area/boundary, flow-metering data, if available (I/I rates), rehabilitation method (if applicable), project statistics (i.e. number of manholes, linear feet of pipe or number of laterals to be rehabilitated), construction schedule, and anticipated I/I flow reduction.

Eligible projects must result in the creation or improvement of a capital asset that directly contributes to I/I reduction. District will only reimburse costs of the project that are exclusively used for capital expenditures. Capital expenditures means expenditures that are considered capital under generally accepted accounting principles (“GAAP”). Each Partner must ensure that all expenditures classified as capital align with GAAP and their own internal capital policies. Project costs eligible for reimbursement may include, but are not limited to:

- i. Design, planning, and engineering costs directly attributable to an I/I reduction capital project.
- ii. Construction and rehabilitation costs.

- B. Approval of Qualified Proposals. Each Partner will bring forward their proposed projects for approval by the Technical Advisory Team (“TAT”). The TAT will review the proposal and determine if it satisfies the elements of a Qualified Proposal identified in Section A above. If the TAT members approve by majority vote of those present finding a proposal as being an eligible Qualified Proposal, the Partner will be provided with a letter of approval in a form substantially similar to Attachment A (**“Approval Letter”**).
- C. Annual Notification of Proposals. Each Partner agrees to submit an annual list summarizing the potential Qualified Proposals planned for the following year, including their estimated cost, to the District no later than February 1st of each

year, in order to provide the District with sufficient time to budget appropriately for the upcoming fiscal year. Failure to provide the notice will not automatically prevent funding of a Qualified Proposal, but such funding may be delayed by a fiscal year. Notwithstanding the above, upon execution of the Agreement by a Partner, the Partner may immediately submit Qualified Proposals for the current fiscal year.

- D. Annual Reports. Each Partner receiving funding pursuant to this Agreement will provide an annual report out to District, indicating the projects completed with the funding provided and their anticipated or actual reduction of I/I in the impacted Target Area. The Partners may elect to provide the report at the end of each fiscal year or calendar year.
- E. TAT Membership. The Parties acknowledge that thus far the TAT has been an informal advisory group of technical experts meeting to share knowledge and collaborate on infrastructure strategy, and that a more formalized procedure will be needed to allow the TAT to effectuate the purposes of this Agreement. Therefore bylaws will be drafted creating, amongst other provisions, a voting procedure with each of the District and Partners having a single vote for the purposes of approving a Qualified Proposal.

2. Payment Terms.

- A. Invoices. The Partners agree to submit invoices for work performed related to the Qualified Proposal a minimum of twice annually. Invoices may be submitted more frequently if desired. The required invoice submissions are: 1) one by February 15 for all work performed between July 1 and December 31, and 2) a second by August 15 for all work performed between January 1 and June 30. Invoices shall describe the work performed with particularity, by whom it was performed, and shall itemize and explain the expenses for which reimbursement is claimed, noting the elements of the project correlated with I/I reduction. Reimbursement Contribution payments shall be made by the District to the Partner within forty-five (45) days of receipt of an invoice that complies with the requirements of this section.

3. Amendments to Existing Approvals.

- A. Request. A Partner may submit a request for an amendment to the Reimbursement Contribution if the actual costs of the work performed related to a Qualified Proposal are greater than originally anticipated ("Amendment Request"). The Partner will submit the Amendment Request to the TAT.
- B. Evaluation of Amendment Request. The TAT will review the Amendment Request and make a recommendation to the District Director, who will determine, in their sole discretion, whether the District has adequate funding to authorize the Amendment Request.
- C. Approval of Amendment Request. If an Amendment Request is approved by the District Director, then the District will provide the Partner with an updated Approval Letter showing the revised Reimbursement Contribution amount ("Updated Approval Letter").

- D. Payment of Amended Amounts. After a Partner receives the Updated Approval Letter, the Partner will submit invoices in accordance with the terms in Section 2 above.

ATTACHMENT A

SAMPLE APPROVAL LETTER



CLACKAMAS

**WATER
ENVIRONMENT
SERVICES**

GREGORY L. GEIST | DIRECTOR

Water Quality Protection
Surface Water Management
Wastewater Collection & Treatment

Date

Name

Address 1

Address 2

Sent Via Email

Re: *Insert Proposal Name Here*

Dear Name,

Thank you for the submittal of your Proposal to the Technical Advisory Team ("TAT").

This letter serves as notification that the TAT has approved your project for reimbursement as a part of the Regional I/I Reimbursement Program, in accordance with the terms of the IGA for Regional Inflow and Infiltration Coordination.

When you have entered into a contract to do the work included in your proposal, please forward us a copy of the executed contract(s). Exact funding contribution will be calculated based on the value of the executed contract(s).

Please retain a copy of this letter in your records, as you will be required to provide it along with documentation of your expenses when you seek reimbursement from Water Environment Services.

On behalf of WES and all the cities participating in this I/I reduction effort, we appreciate your commitment to addressing this regional issue. Thank you!

Sincerely,

Greg Geist
Director, Clackamas Water Environment Services
150 Beaver Creek Road #430
Oregon City, OR 97045

Enclosures: Insert proposal name here

INTERGOVERNMENTAL AGREEMENT BETWEEN WATER ENVIRONMENT SERVICES AND PARTNER CITIES FOR REGIONAL INFLOW AND INFILTRATION REDUCTION

THIS REGIONAL INFLOW AND INFILTRATION REDUCTION AGREEMENT (this “**Agreement**”) is entered into between Water Environment Services (“**District**”), an intergovernmental entity formed pursuant to ORS Chapter 190, and those Cities (defined below) that execute this Agreement (collectively, the “**Partners**” or individually “**Partner**”). The District and the Partners are collectively referred to as the “**Parties**” and each a “**Party**.”

RECITALS

Oregon Revised Statutes Chapter 190.010 confers authority upon local governments to enter into agreements for the performance of any and all functions and activities that a party to the agreement, its officers or agencies have authority to perform.

The District provides sanitary sewer treatment to over 190,000 people in Clackamas County. This service area includes the City of Gladstone, the City of Happy Valley, the City of Johnson City, the City of Milwaukie, the City of Oregon City, and the City of West Linn, all Oregon municipal corporations (collectively the “**Cities**” and each a “**City**”). There are thousands of miles of underground pipes that convey sewage from homes and businesses in Partner jurisdictions to the District’s regional wastewater treatment facilities. Some of those pipes allow clean groundwater to enter the system during the winter, through a process called “infiltration.” In other cases, there are accidental or illicit connections such as downspouts or street drains that allow rain water to enter the sanitary sewer system, through a process called “inflow.” Together, this additional water is called infiltration and inflow, or by its’ industry shorthand “**I/I**.”

Analysis shows that the amount of **I/I** entering into District’s system is higher than industry norms. This surge of water during wet weather events is approaching the maximum peak flow capacities of the District’s Tri-City and Kellogg Creek water resource reclamation facilities and that of portions of the regional collection system. Excessive **I/I** can result in higher-than-needed costs to the District’s and Partner’s ratepayers, given that under the Clean Water Act, a treatment provider must convey and treat every drop of water that arrives at a treatment facility as wastewater. This additional treatment capacity and effort for cleaning what is essentially rainwater or groundwater is inefficient and expensive. It can also require upsizing of buried infrastructure at significant cost.

To most effectively reduce excessive **I/I**, a regional **I/I** program is needed to manage peak flows in the wastewater collection and treatment systems in the most cost-effective manner. The program is the implementation of the recommended capital improvement program outlined in the Sanitary Sewer Master Plan for Water Environment Services (“**SSMP**”) (Jacobs, 2019). The SSMP identified reduction targets throughout the regional system, not just that portion of the collection system directly managed by the District. All Partner systems were included in the review, except for the City of Johnson City’s collection system; however, leadership for the city has been engaged on this topic.

The SSMP identified 19 sub-basins as priority investment areas (“**Target Areas**”), further described in Exhibit A (“**Technical Memos**”), due to the high rate of **I/I** present, the cost of conveying the peak flow downstream, and ultimately the cost of treating it. These

Target Areas are located throughout the regional wastewater network, in both District-owned and Partner-owned collection systems.

The SSMP found the most cost-effective alternative for all parties was a sixty-five percent (65%) I/I reduction in the Target Areas by 2040. Removal of 65% in Target Areas over the time period study of 2020-2040 is considered ambitious within the industry and will take a significant amount of investment to reach. However, this yields to lowest cost for ratepayers, resulting in a net savings for the regional system of approximately \$120 million in avoided capital and operational expenditures during the next 20 years, with the cost savings growing larger in the outer years. In order to achieve the lowest cost solution for District ratepayers, a collective effort from all Partners is required to implement this regional I/I reduction.

In 2019, this recommendation was presented to the Technical Advisory Team ("TAT"), made up of District engineers, Partner public works directors, and Partner engineers, which broadly agreed that a focus on 65% level of I/I removal in Target Areas, balanced with other necessary improvements in the collection and plant treatment systems, is the most cost-effective regional solution to managing peak flows. The Water Environment Services Advisory Committee ("**District Advisory Committee**") agreed that these targets should be the baseline for the regional discussion in 2019.

In an effort to implement the program recommended in the SSMP and by the advisory committee, the District and the Partners desire to establish a pilot program to determine the long-term feasibility of the District providing funding to Partners in support of projects that will help achieve the collective goal of reducing I/I by 65% in the Target Areas ("**Regional I/I Reimbursement Program**" or the "**Program**"). Beyond just this Program, it is the District's desire that this be the first step towards establishing a more collaborative relationship with the Partners moving forward to address I/I and other regional issues using common studies, common approaches and common solutions.

In consideration of the mutual promises set forth below and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

TERMS

1. **Term.** The Agreement shall be effective between the District and any individual Partner upon execution by the District and Partner ("**Effective Date**"). After District execution, a City may sign on to the Agreement at a later date by executing the signature page below. A lack of execution by one City shall not impact the validity of the Agreement as to any other Partner. The Agreement shall expire on June 30, 2026. It is the intent of the Parties to evaluate the effectiveness of the Program and, if significant progress is being made towards the goal of 65% I/I reduction in Target Areas, continue this approach. The term of this Agreement may be extended by the Parties in five (5) year increments upon a writing signed by all Parties.
2. **Cost Sharing.** The District agrees to reimburse thirty-three percent (33%) of the actual costs incurred by a Partner in the completion of work arising out of a Qualified Proposal that has received an Approval Letter (both defined below) ("**Reimbursement Contribution**") from revenues received through the collective wholesale sewer rate. The amount the District is contributing reflects the mutual savings to ratepayers with respect to wholesale sewer expenditures through regional collective action. Note that

these contributions are intended to supplement, not replace, collection system service charges already being charged by District or Partners.

3. Program Proposal Process.

- A. Qualified Proposals. Partners will identify qualified proposal projects to submit for review. A "**Qualified Proposal**" means a project proposal that meets the base threshold of being designed for I/I reduction purposes and occurring within the Target Areas. A Qualified Proposal should include a project description, project area/boundary, flow-metering data if available (I/I rates), rehabilitation method (if applicable), project statistics (i.e. number of manholes, linear feet of pipe or number of laterals to be rehabilitated), construction schedule, and anticipated I/I flow reduction. Potential eligible projects may include, but are not limited to, flow-metering studies, consulting services to analyze flow-metering results, I/I source identification, rehabilitation design or construction, post-construction flow monitoring, etc.
- B. Approval of Qualified Proposals. Each Partner will bring forward their proposed projects for approval by the TAT. The TAT will review the proposal and determine if it satisfies the elements of a Qualified Proposal identified in Section A above. If the TAT members approve, by majority vote of those present, a proposal as being an eligible Qualified Proposal, the Partner will be provided with a letter of approval in a form substantially similar to Exhibit B ("**Approval Letter**").
- C. Annual Notification of Proposals. Each Partner agrees to submit an annual list summarizing the potential Qualified Proposals planned for the following year, including their estimated cost, to the District no later than February 1st of each year, in order to provide the District with sufficient time to budget appropriately for the upcoming fiscal year. Failure to provide the notice will not automatically prevent funding of a Qualified Proposal, but such funding may be delayed by a fiscal year. Notwithstanding the above, upon execution of the Agreement by a Partner, the Partner may immediately submit Qualified Proposals for the current fiscal year.
- D. Annual Reports. Each Partner receiving funding pursuant to this Agreement will provide an annual report out to the District Advisory Committee, indicating the projects completed with the funding provided and their anticipated or actual reduction of I/I in the impacted Target Area. The Partners may elect to provide the report at the end of each fiscal year or calendar year.
- E. TAT Membership. The Parties acknowledge that thus far the TAT has been an informal advisory group of technical experts meeting to share knowledge and collaborate on infrastructure strategy, and that a more formalized procedure will be needed to allow the TAT to effectuate the purposes of this Agreement. Therefore, bylaws will be drafted creating, amongst other provisions, a voting procedure with each of the District and Partners having a single vote for the purposes of approving a Qualified Proposal.

4. **Reimbursement**. In order to receive the Reimbursement Contribution, the Partners agree to submit a single invoice after the completion of the work performed related to their Qualified Proposal, with a copy of their Approval Letter from the TAT included. Invoices shall describe the work performed with particularity, by whom it was performed, and shall itemize and explain the expenses for which reimbursement is

claimed, noting the elements of the project correlated with VI reduction. Reimbursement Contribution payments shall be made by the District to the Partner within forty-five (45) days of receipt of an invoice that complies with the requirements of this section. The District is not obligated to pay any amount in excess of the Reimbursement Contribution amount identified above.

5. Representations and Warranties.

A. Party Representations and Warranties. Each Party represents and warrants to the other Parties that it has the power and authority to enter into and perform this Agreement, and this Agreement, when executed and delivered, shall be a valid and binding obligation of the Party enforceable in accordance with its terms.

6. Withdrawal; Termination.

- A. Any Partner may withdraw from this Agreement at any point and for any reason upon thirty (30) days' written notice to the District. If one Party withdraws from this Agreement, such withdrawal shall not affect the Agreement with the remaining Partners.
- B. The District may terminate the Agreement with any individual Partner at any point and for any reason upon thirty (30) days' written notice. Any termination of the Agreement with an individual Partner shall not affect the Agreement as to the remaining Partners.
- C. Either the District or the Partners may terminate this Agreement in the event of a material breach of the Agreement by the other. Prior to such termination however, the Party seeking the termination shall give the other Party written notice of the breach and of the Party's intent to terminate. If the breaching Party has not entirely cured the breach within fifteen (15) days of deemed or actual receipt of the notice, then the Party giving notice may terminate the Agreement at any time thereafter by giving written notice of termination stating the effective date of the termination. If the default is of such a nature that it cannot be completely remedied within such fifteen (15) day period, this provision shall be complied with if the breaching Party begins correction of the default within the fifteen (15) day period and thereafter proceeds with reasonable diligence and in good faith to effect the remedy as soon as practicable. The Party giving notice shall not be required to give more than one (1) notice for a similar default in any twelve (12) month period.
- D. The District or the Partners shall not be deemed to have waived any breach of this Agreement by any other Party except by an express waiver in writing. An express written waiver as to one breach shall not be deemed a waiver of any other breach not expressly identified, even though the other breach is of the same nature as that waived.
- E. The District may terminate this entire Agreement with all Parties upon fifteen (15) days' written notice in the event the District fails to receive expenditure authority sufficient to allow the District, in the exercise of its reasonable administrative discretion, to continue to perform under this Agreement, or if federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or the District is prohibited from paying for such work from the planned funding source. The District agrees to provide a Reimbursement Contribution for all Qualified Proposals that receive an Approval

Letter prior to the date of termination identified in the notice provided pursuant to this subsection.

- F. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the Parties prior to termination.

7. Indemnification.

- A. Subject to the limits of the Oregon Constitution and the Oregon Tort Claims Act or successor statute, the District agrees to indemnify, save harmless and defend the Partners, and their officers, elected officials, agents and employees from and against all costs, losses, damages, claims or actions and all expenses incidental to the investigation and defense thereof arising out of or based upon damages or injuries to persons or property caused by the negligent or willful acts or omissions of the District or its officers, elected officials, owners, employees, agents, or its subcontractors or anyone over which the District has a right to control.

Subject to the limits of the Oregon Constitution and the Oregon Tort Claims Act or successor statute, each Partner agrees to indemnify, save harmless and defend the District, Clackamas County and any other Partner, as well as each of their officers, elected officials, agents and employees from and against all costs, losses, damages, claims or actions and all expenses incidental to the investigation and defense thereof arising out of or based upon damages or injuries to persons or property caused by the negligent or willful acts or omissions of the Partner or its officers, elected officials, owners, employees, agents, or its subcontractors or anyone over which the Partner has a right to control.

8. **Dispute Resolution.** In the event of a dispute arising out of this Agreement, the Parties involved in the dispute agree to meet with one another in a good faith attempt to resolve the dispute prior to taking any other action against another Party. In these discussions, city managers will represent the affected Partners and the District will be represented by its Director. If a dispute cannot be resolved through these discussions, then the Parties may seek relief from any available method.
9. **Insurance.** The Parties agree to maintain levels of insurance, or self-insurance, sufficient to satisfy their obligations under this Agreement and all requirements under applicable law.
10. **Notices; Contacts.** Legal notice provided under this Agreement shall be delivered personally, by email or by certified mail to the business address for the party thereof as published. Any communication or notice so addressed and mailed shall be deemed to be given upon receipt. Any communication or notice sent by electronic mail to an address indicated herein is deemed to be received 2 hours after the time sent (as recorded on the device from which the sender sent the email), unless the sender receives an automated message or other indication that the email has not been delivered. Any communication or notice by personal delivery shall be deemed to be given when actually delivered. Each Party shall provide a separate written designation for notices relating to this Agreement, and any Party may change such Party's contact information, or the invoice or payment addresses by giving prior written notice thereof to the other Party at its then current notice address.

11. General Provisions.

- A. **Oregon Law and Forum.** This Agreement, and all rights, obligations, and disputes arising out of it will be governed by and construed in accordance with the laws of the State of Oregon without giving effect to the conflict of law provisions thereof. Any claim between District and Partners that arises from or relates to this Agreement shall be brought and conducted solely and exclusively within the Circuit Court of Clackamas County for the State of Oregon; provided, however, if a claim must be brought in a federal forum, then it shall be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. In no event shall this section be construed as a waiver by any Party of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the Eleventh Amendment to the Constitution of the United States or otherwise, from any claim or from the jurisdiction of any court. Each Party, by execution of this Agreement, hereby consents to the in personam jurisdiction of the courts referenced in this section.
- B. **Compliance with Applicable Law.** All Parties shall comply with all applicable local, state and federal ordinances, statutes, laws and regulations. All provisions of law required to be a part of this Agreement, whether listed or otherwise, are hereby integrated and adopted herein. Failure to comply with such obligations is a material breach of this Agreement.
- C. **Non-Exclusive Rights and Remedies.** Except as otherwise expressly provided herein, the rights and remedies expressly afforded under the provisions of this Agreement shall not be deemed exclusive, and shall be in addition to and cumulative with any and all rights and remedies otherwise available at law or in equity. The exercise by any Party of any one or more of such remedies shall not preclude the exercise by it, at the same or different times, of any other remedies for the same default or breach, or for any other default or breach, by any other Party.
- D. **Access to Records.** Each Party shall retain, maintain, and keep accessible all records relevant to this Agreement ("**Records**") for a minimum of six (6) years, following Agreement termination or any longer period as may be required by applicable law, or until the conclusion of an audit, controversy or litigation arising out of or related to this Agreement, whichever is later. Each Party shall maintain all financial records in accordance with generally accepted accounting principles. All other Records shall be maintained to the extent necessary to clearly reflect actions taken. During this record retention period, the Party's shall permit the District's or another Party's authorized representatives' access to the Records at reasonable times and places for purposes of examining and copying.
- E. **Work Product.** Reserved.
- F. **Hazard Communication.** Reserved.

- G. **Debt Limitation.** This Agreement is expressly subject to the limitations of the Oregon Constitution and Oregon Tort Claims Act, and is contingent upon appropriation of funds. Any provisions herein that conflict with the above referenced laws are deemed inoperative to that extent.
- H. **Severability.** If any provision of this Agreement is found to be unconstitutional, illegal or unenforceable, this Agreement nevertheless shall remain in full force and effect and the offending provision shall be stricken. The Court or other authorized body finding such provision unconstitutional, illegal or unenforceable shall construe this Agreement without such provision to give effect to the maximum extent possible the intentions of the Parties.
- I. **Integration, Amendment and Waiver.** Except as otherwise set forth herein, this Agreement constitutes the entire agreement between the Parties on the matter of the Project. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind any Party unless in writing and signed by all Parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of any Party to enforce any provision of this Agreement shall not constitute a waiver by such Party of that or any other provision.
- J. **Interpretation.** The titles of the sections of this Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of its provisions.
- K. **Independent Contractor.** Each of the Parties hereto shall be deemed an independent contractor for purposes of this Agreement. No representative, agent, employee or contractor of one Party shall be deemed to be a representative, agent, employee or contractor of the other Party for any purpose, except to the extent specifically provided herein. Nothing herein is intended, nor shall it be construed, to create between the Parties any relationship of principal and agent, partnership, joint venture or any similar relationship, and each Party hereby specifically disclaims any such relationship.
- L. **No Third-Party Beneficiary.** The Partners and the District are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly, indirectly or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Agreement. No contractors or agents of the Partners performing work on Qualifying Projects are considered intended beneficiaries for the purposes of this Agreement.
- M. **Assignment.** No Partner shall assign or transfer any of its interest in this Agreement by bankruptcy, operation of law or otherwise, without obtaining prior

written approval from the District, which shall be granted or denied in the District's sole discretion.

- N. **Counterparts.** This Agreement may be executed in several counterparts (electronic or otherwise), each of which shall be an original, all of which shall constitute the same instrument.
- O. **Survival.** All provisions in Sections 5, 7, 8 and 10 (A), (C), (D), (G), (H), (I), (J), (L), (Q), and (T) shall survive the termination of this Agreement, together with all other rights and obligations herein which by their context are intended to survive.
- P. **Necessary Acts.** Each Party shall execute and deliver to the others all such further instruments and documents as may be reasonably necessary to carry out this Agreement.
- Q. **Time is of the Essence.** With the ambitious goal of reducing I/I by 65% in Target Areas, the Parties are encouraged to act expeditiously in submitting and completing Qualified Proposal work.
- R. **Successors in Interest.** The provisions of this Agreement shall be binding upon and shall inure to the benefit of the parties hereto, and their respective authorized successors and assigns.
- S. **Force Majeure.** Neither the Partners nor District shall be held responsible for delay or default caused by events outside of the Partners' or District's reasonable control including, but not limited to, fire, terrorism, epidemic, riot, acts of God, or war.
- T. **No Attorney Fees.** In the event any arbitration, action or proceeding, including any bankruptcy proceeding, is instituted to enforce any term of this Agreement, each party shall be responsible for its own attorneys' fees and expenses.

Signature Page Follows

IN WITNESS HEREOF, the Parties have executed this Agreement by the date set forth opposite their names below.

Water Environment Services



Chair

3/17/22

Date

City of Gladstone

Authorized Signatory

Title

Date

City of Happy Valley

Authorized Signatory

Title

Date

City of Johnson City

Authorized Signatory

Title

Date

City of Milwaukie

Authorized Signatory

Title

Date

City of Oregon City

Authorized Signatory

Title

Date

City of West Linn

Authorized Signatory

Title

Date

IN WITNESS HEREOF, the Parties have executed this Agreement by the date set forth opposite their names below.

Water Environment Services

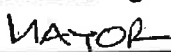
Chair

Date

City of Gladstone



Authorized Signatory



Title



Date

City of Happy Valley

Authorized Signatory

Title

Date

City of Johnson City

Authorized Signatory

Title

Date

City of Milwaukie

Authorized Signatory

Title

Date

City of Oregon City

Authorized Signatory

Title

Date

City of West Linn

Authorized Signatory

Title

Date

IN WITNESS HEREOF, the Parties have executed this Agreement by the date set forth opposite their names below.

Water Environment Services

Chair

Date

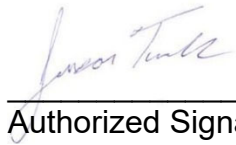
City of Gladstone

Authorized Signatory

Title

Date

City of Happy Valley



Authorized Signatory

City Manager

Title

3/14/2020

Date

City of Johnson City

Authorized Signatory

Title

Date

City of Milwaukie

Authorized Signatory

Title

Date

City of Oregon City

Authorized Signatory

Title

Date

City of West Linn

Authorized Signatory

Title

Date

IN WITNESS HEREOF, the Parties have executed this Agreement by the date set forth opposite their names below.

Water Environment Services

Chair

Date

City of Gladstone

Authorized Signatory

Title

Date

City of Happy Valley

Authorized Signatory

Title

Date

City of Johnson City

Vince O Whitehead
Authorized Signatory

Mayor

Title

1-18-2022
Date

City of Milwaukie

Authorized Signatory

Title

Date

City of Oregon City

Authorized Signatory

Title

Date

City of West Linn

Authorized Signatory

Title

Date

IN WITNESS HEREOF, the Parties have executed this Agreement by the date set forth opposite their names below.

Water Environment Services

Chair

Date

City of Gladstone

Authorized Signatory

Title

Date

City of Happy Valley

Authorized Signatory

Title

Date

City of Johnson City

Authorized Signatory

Title

Date

City of Milwaukie

Authorized Signatory

Title

Date

City of Oregon City

Anthony J. Kell III

Authorized Signatory

City Manager

Title

3-16-22

Date

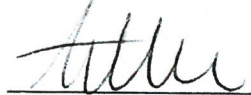
City of West Linn

Authorized Signatory

Title

Date

City of Milwaukie



Authorized Signatory

City Manager

Title

March 1, 2022

Date

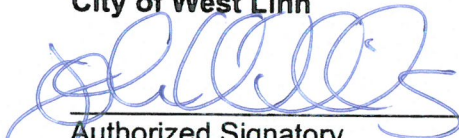
City of Oregon City

Authorized Signatory

Title

Date

City of West Linn



Authorized Signatory

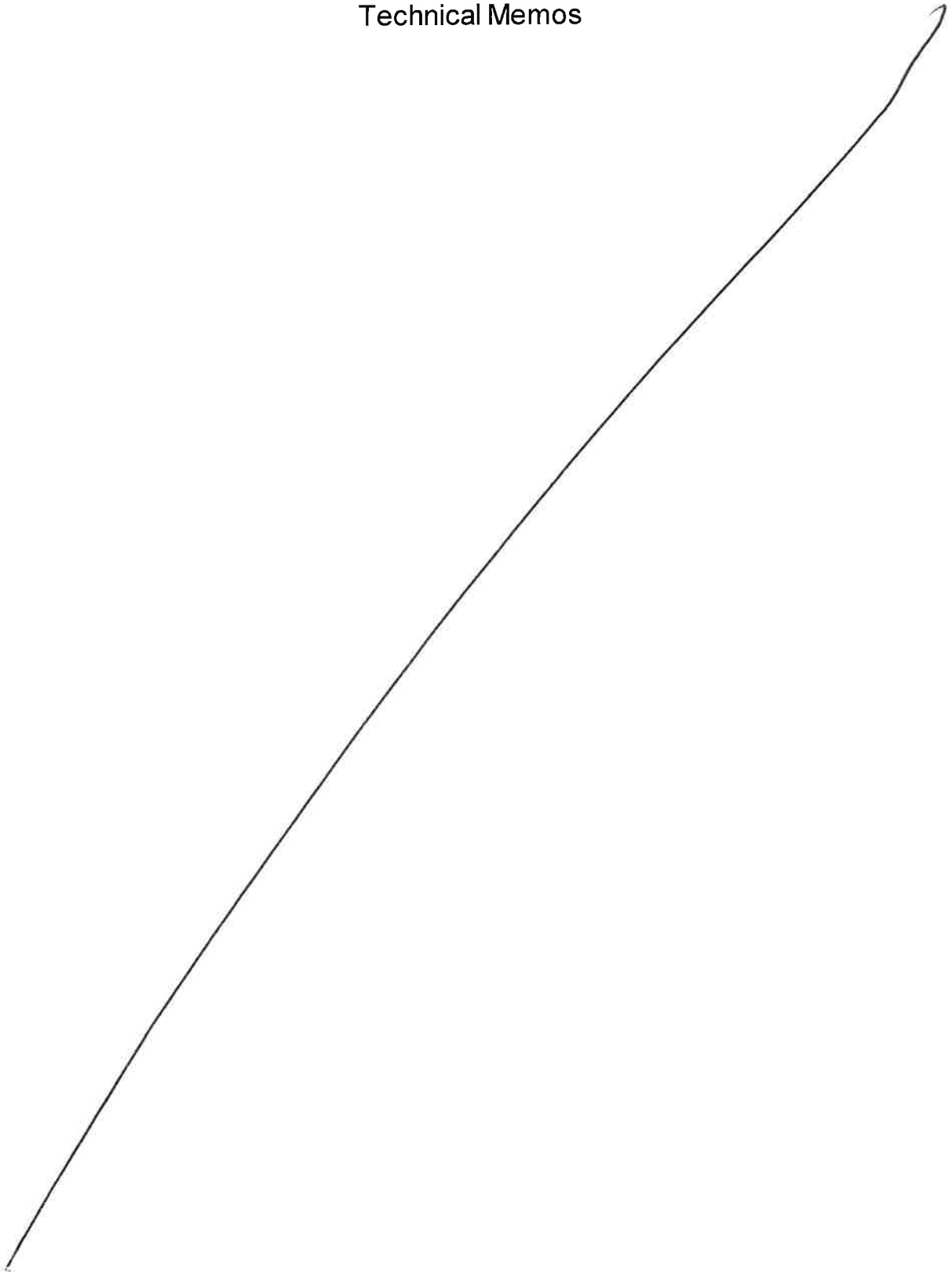
CITY MANAGER

Title

OCTOBER 11, 2022

Date

Exhibit A
Technical Memos



Technical Memorandum

Prepared for: Jessica Rinner, PE
Water Environment Services, Clackamas County, Oregon

Project: Infiltration and Inflow Program Support

Author: Yarrow Murphy, PE
Leeway Engineering Solutions

Reviewer: Rob Lee, PE, PMP
Leeway Engineering Solutions

Date: November 9, 2020

Subject: Infiltration and Inflow (I/I) Program Development
City of West Linn Member Community Program and Summary

Table of Contents

Introduction.....	1
SSMP Recommendations.....	2
West Linn I/I Reduction Efforts and Recommendations	2
I/I Reduction Target Subbasins	2
I/I Project Sequencing.....	4
Summary of Meeting	4
References	4

Introduction

Clackamas Water Environment Services (WES) is developing and implementing a regional infiltration and inflow (I/I) program to cost-effectively manage peak flows in the regional wastewater collection system and treatment facilities. This program supports the implementation of the capital improvement program outlined in the *Sanitary Sewer Master Plan* ([SSMP] completed by Jacobs in 2019). As a member city located within WES's Regional Service Area, the City of West Linn (City) is implementing I/I abatement as described in this technical memorandum (TM).

This TM describes the City's program and details the specific requested contributions identified by the City for WES-provided assistance to the City.

SSMP Recommendations

The SSMP found hydraulic capacity deficiencies through the WES service area resulting from high I/I during the 5-year frequency design storm. These capacity deficiencies will increase over time due to several factors, including system expansion and pipe aging and degradation.

The SSMP evaluated alternatives for providing capacity to convey and/or treat peak 2040 flows. The total investment for each alternative included the present worth value of capital costs to reduce I/I, increase capacity to transport remaining flows, and expand treatment capacity and operation and maintenance costs over a 60-year life. The plan recommended the most cost-effective alternative, which included 65-percent I/I reduction in 19 subbasins throughout WES's service area by 2040.

West Linn I/I Reduction Efforts and Recommendations

I/I Reduction Target Subbasins

Nine of the target 19 subbasins (Highway 43, WL_2, Willamette 9C-3, Mill Street, 2A-19, Holly, River Street, WL_1_2B-1-0 and Bolton 3A-8) are located in West Linn and are shown in Figure 1. West Linn's Sanitary Sewer Master Plan (Carollo, 2019) had similar recommendations regarding I/I within many of these basins. These subbasins and their characteristics are summarized in Table 1.

Table 1. Characteristics of I/I Reduction Target Subbasins in West Linn Jurisdiction

Subbasin	RDII Reduction Completion	Area (acres)	Length of sewer main (LF [mi])	Number of laterals	RDII Rate ¹ (gallons per acre-day)
WL_2	2025	148	42,240 (8)	1,410	25,000
Highway 43	2025	354	107,000 (20.2)	1,570	21,500
Willamette 9C-3	2030 ²	113	54,000 (10.2)	670	16,300
Mill Street	2030 ²	287	104,000 (19.7)	990	15,400
2A-19	2030	106	19,000 (3.6)	290	23,200
Holly	2030	94	18,000 (3.4)	540	20,200
River Street	2030	64	11,000 (2.1)	490	18,900
WL_2B-1-0	2030	89	17,000 (3.2)	260	17,100
Bolton 3A-8	2035	284	111,500 (21.1)	1,450	15,800

¹ I/I rate projected for conditions at the reduction timeframe during the design storm with 5-year frequency.

² Early start recommended due to impacts to downstream improvements.

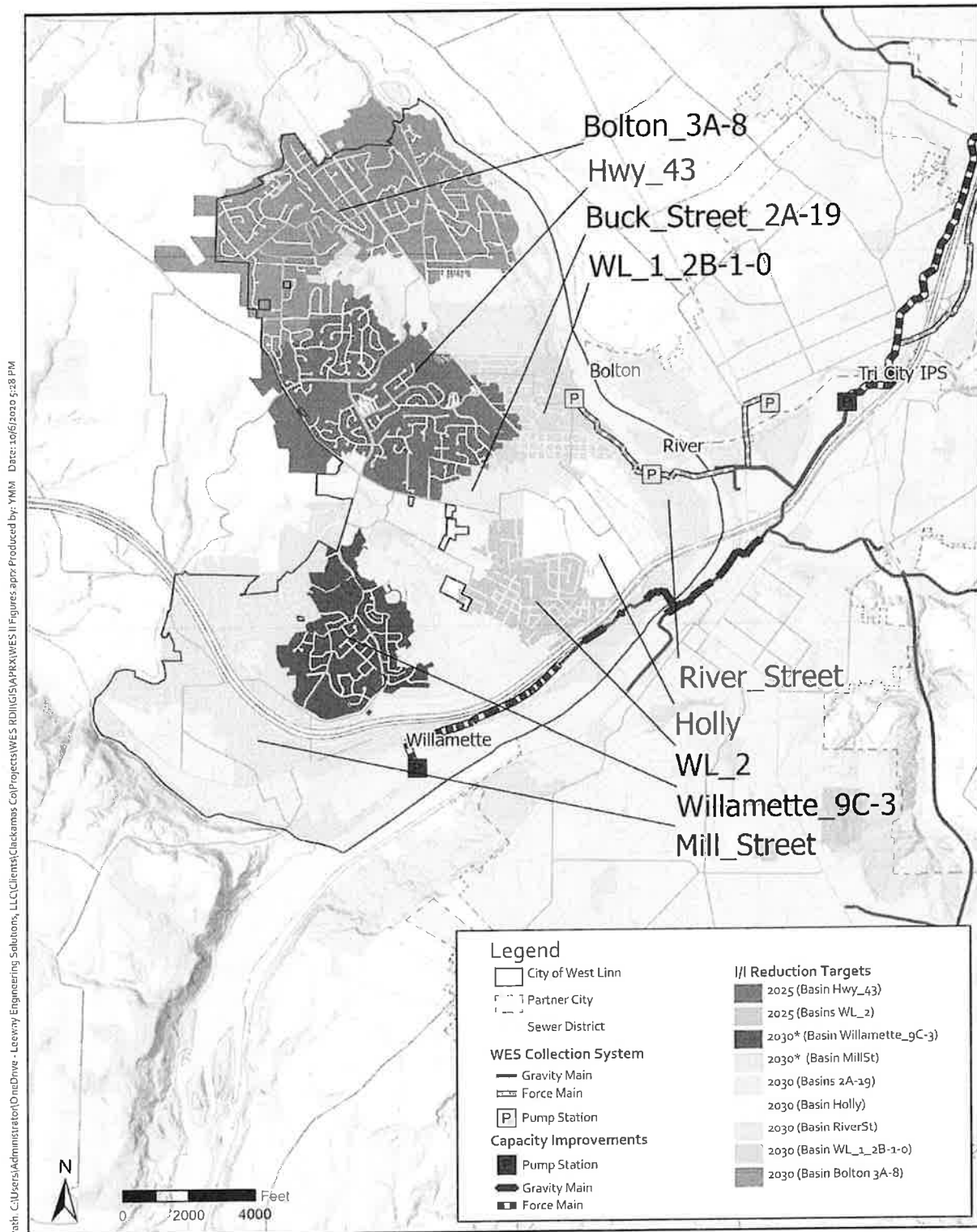


Figure 1. Target Subbasins for West Linn and Capacity Improvements Required for WES's System Given 65% I/I Reduction

I/I Project Sequencing

Due to the impacts of the peak wet weather flows on the downstream infrastructure, the City's I/I reduction efforts will be implemented incrementally over the next 15 years, according to the schedule in Table 2. The first phase will include I/I reductions in the WL_2 and Hwy_43 subbasins.

As noted in Table 1 and shown in Table 2, early action I/I reduction is recommended for four of West Linn's subbasins. The need for additional City I/I reduction will depend on the actual amount of I/I reduction from rehabilitation within these first four subbasins.

Table 2. West Linn I/I Reduction Components and Schedule by Targeted Completion Year

Project Name	2025	2030	2035	2040
West Linn I/I Program (2 subbasins: WL_2, Hwy_43)				
West Linn I/I Program (2 basins: Willamette_9C-3, MillSt)				
West Linn I/I Program (4 basins: 2A-19, Holly, RiverSt, WL_2B-1-0)				
West Linn I/I Program (1 basins: Bolton_3A-8)				

West Linn I/I Reduction Program Meeting Summary

Recognizing that a successful WES-wide I/I reduction program will require collaboration between WES and its member cities, representatives of WES and the City met on April 23, 2020 for a discussion of what might comprise such a program

The City has requested the following support from WES for their I/I reduction effort:

- Coordination on flow monitoring
- Review of differences between West Linn and the WES's Master Plans modeling

References

Jacobs. 2019. Sanitary Sewer System Master plan for Water Environment Services.

Carollo. 2019. City of West Linn Sanitary Sewer System Master Plan.

Technical Memorandum

Prepared for: Jessica Rinner, PE
Clackamas Water Environment Services, Clackamas County, Oregon

Project: Infiltration and Inflow Program Support

Author: Yarrow Murphy, PE
Leeway Engineering Solutions

Reviewer: Rob Lee, PE, PMP
Leeway Engineering Solutions

Date: November 9, 2020

Subject: District Infiltration and Inflow (I/I) Reduction Program Summary

Table of Contents

Introduction.....	1
SSMP Recommendations	2
Flow Triggers and Limits	2
District I/I Reduction Program	Error! Bookmark not defined.
SSMP/SWMP Recommendations and Current Efforts	Error! Bookmark not defined.
I/I Project Sequencing.....	4
Recommended Next Steps.....	Error! Bookmark not defined.
References	4

Introduction

Clackamas Water Environment Services (WES) is developing and implementing a regional infiltration and inflow (I/I) program to cost-effectively manage peak flows in the regional wastewater collection system and treatment facilities. This program supports the implementation of the capital improvement program outlined in the *Sanitary Sewer Master Plan* ([SSMP] completed by Jacobs in 2019). WES is responsible for implementing I/I abatement as described in this technical memorandum (TM).

SSMP Recommendations

The SSMP found hydraulic capacity deficiencies through the WES service area resulting from high I/I during the 5-year frequency design storm. These capacity deficiencies will increase over time due to several factors, including system expansion and pipe aging and degradation.

The SSMP evaluated alternatives for providing capacity to convey and/or treat peak 2040 flows. The total investment for each alternative included the present worth value of capital costs to reduce I/I, increase capacity to transport remaining flows, and expand treatment capacity and operation and maintenance costs over a 60-year life. The plan recommended the most cost-effective alternative, which included 65-percent I/I reduction in 19 subbasins throughout WES's service area by 2040.

WES I/I Reduction Efforts and Recommendations

I/I Reduction Target Subbasins

Two of the 19 subbasins (Mt. Talbert and Clackamas) recommended for I/I reduction are located in WES service area and are shown in Figure 1. These subbasins and their characteristics are summarized in Table 1.

Table 1. I/I Reduction Target Basin Characteristics

Characteristic	Mt Talbert	Clackamas
I/I Reduction Timeframe	2025	2040
Area (acres)	1,603	466
Length of sewer main (linear feet, LF)	495,000	68,000
Number of laterals	6,800	2,130
I/I Rate ¹ (gpad)	12,400	15,000
Jurisdiction	WES	WES

¹ I/I rate projected for conditions at the reduction timeframe during design storm with 5-year frequency.

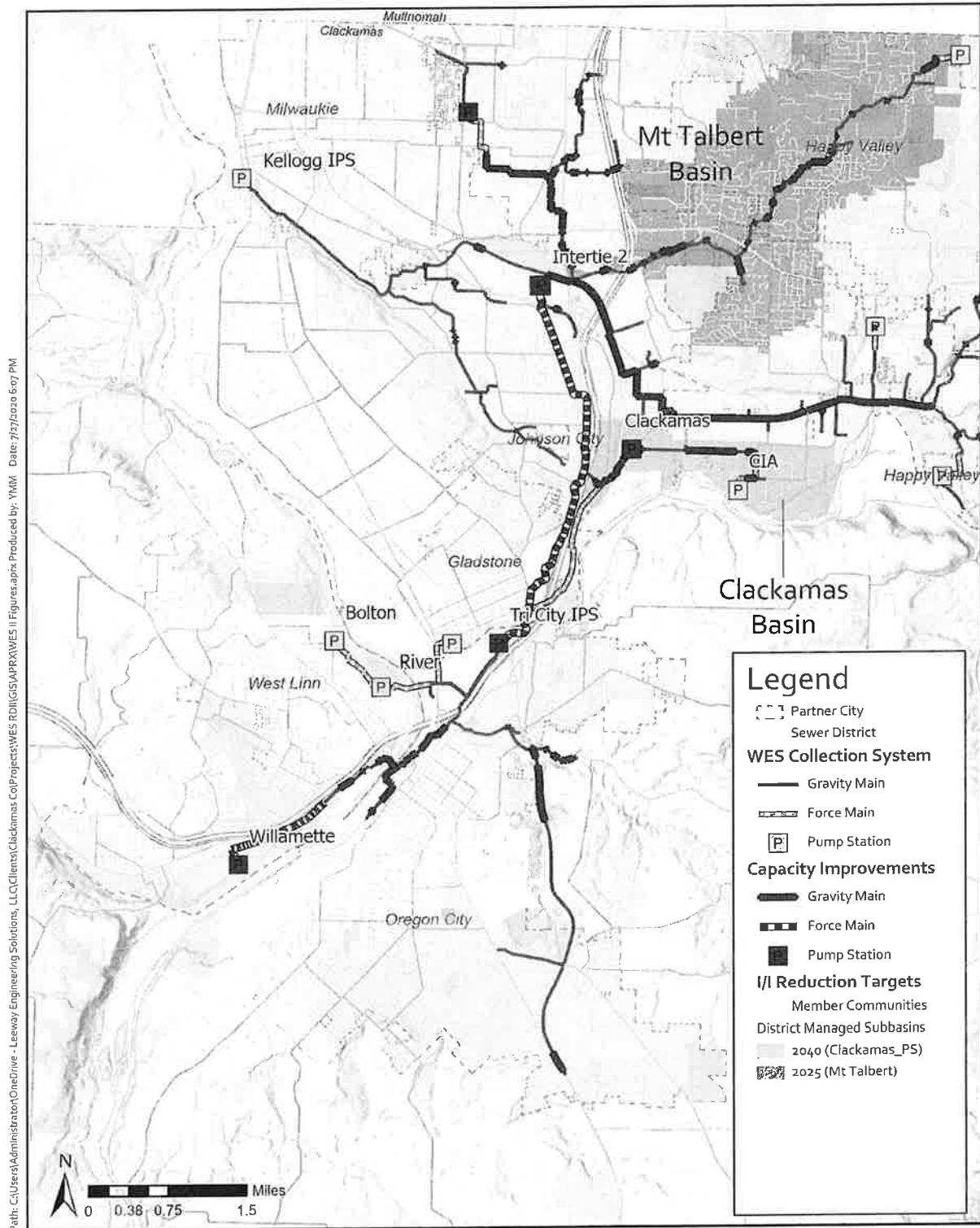


Figure 1. Target Subbasins for the District and Member Cities and Capacity Improvements Given 65% I/I reduction

I/I Project Sequencing

Due to the impacts of the peak wet-weather flows on the downstream infrastructure, WES's I/I reduction efforts are planned to be implemented according to the schedule shown in Table 2. WES has already begun work in the Mount Talbert basin. Work already initiated includes smoke-testing, stream walks, and CCTV inspections.

WES is also expanding its permanent flow monitoring program which will be used for further refinement of I/I reduction measures. The final phase of the District's I/I reduction will apply to the Clackamas Basin.

Table 2. Program Components and Schedule by Targeted Completion Year

Project Name	Owner	2025	2030	2035	2040
WES I/I Program (1 subbasin: Mount Talbert)	District				
Permanent Flow Monitoring	District				
WES I/I Program (1 basin: Clackamas)	District				

References

Jacobs. 2019. Sanitary Sewer System Master Plan for Water Environment Services.

Technical Memorandum

Prepared for: Jessica Rinner, PE
Clackamas Water Environment Services, Clackamas County, Oregon

Project: Infiltration and Inflow Program Support

Author: Yarrow Murphy, PE
Leeway Engineering Solutions

Reviewer: Rob Lee, PE, PMP
Leeway Engineering Solutions

Date: November 9, 2020

Subject: Infiltration and Inflow (I/I) Program Development
City of Oregon City Member Community Program and Summary

Table of Contents

Introduction	1
SSMP Recommendations	2
Oregon City I/I Reduction Efforts and Recommendations	2
I/I Reduction Target Subbasins	2
I/I Project Sequencing	4
Summary of Meeting	4
References	4

Introduction

Clackamas Water Environment Services (WES) is developing and implementing a regional infiltration and inflow (I/I) program to cost-effectively manage peak flows in the regional wastewater collection system and treatment facilities. This program supports the implementation of the capital improvement program outlined in the *Sanitary Sewer Master Plan* ([SSMP] completed by Jacobs in 2019). As a member city located within WES's Regional Service Area, the City of Oregon City (City) is implementing I/I abatement as described in this technical memorandum (TM).

This TM describes the City's program and details the specific requested contributions identified by the City for WES-provided assistance to the City.

SSMP Recommendations

The SSMP found hydraulic capacity deficiencies through the WES service area resulting from high I/I during the 5-year frequency design storm. These capacity deficiencies will increase over time due to several factors, including system expansion and pipe aging and degradation.

The SSMP evaluated alternatives for providing capacity to convey and/or treat peak 2040 flows. The total investment for each alternative included the present worth value of capital costs to reduce I/I, increase capacity to transport remaining flows, and expand treatment capacity and operation and maintenance costs over a 60-year life. The plan recommended the most cost-effective alternative, which included 65-percent I/I reduction in 19 subbasins throughout WES's service area by 2040.

Oregon City I/I Reduction Efforts and Recommendations

I/I Reduction Target Subbasins

Four of the target 19 subbasins (M05, M08, M10 and M12) are located in Oregon City and are shown in Figure 1. Oregon City's Sanitary Sewer Master Plan (Brown and Caldwell, 2014) also recommended these basins for rehabilitation. These subbasins and their characteristics are summarized in Table 1.

Table 1. I/I Reduction Target Subbasin Characteristics

Characteristic	M05	M08	M10	M12
I/I Reduction Timeframe	2030	2025	2025	2030
Area (acres)	509	107	70	522
Length of sewer main (linear feet, LF)	118,000	52,000	22,000	113,000
Number of laterals	2,180	300	210	1,920
I/I Rate ¹ (gpad)	15,000	48,000	41,100	20,200
Jurisdiction	Oregon City	Oregon City	Oregon City	Oregon City

¹ I/I rate projected for conditions at the reduction time frame during design storm with 5-year frequency.

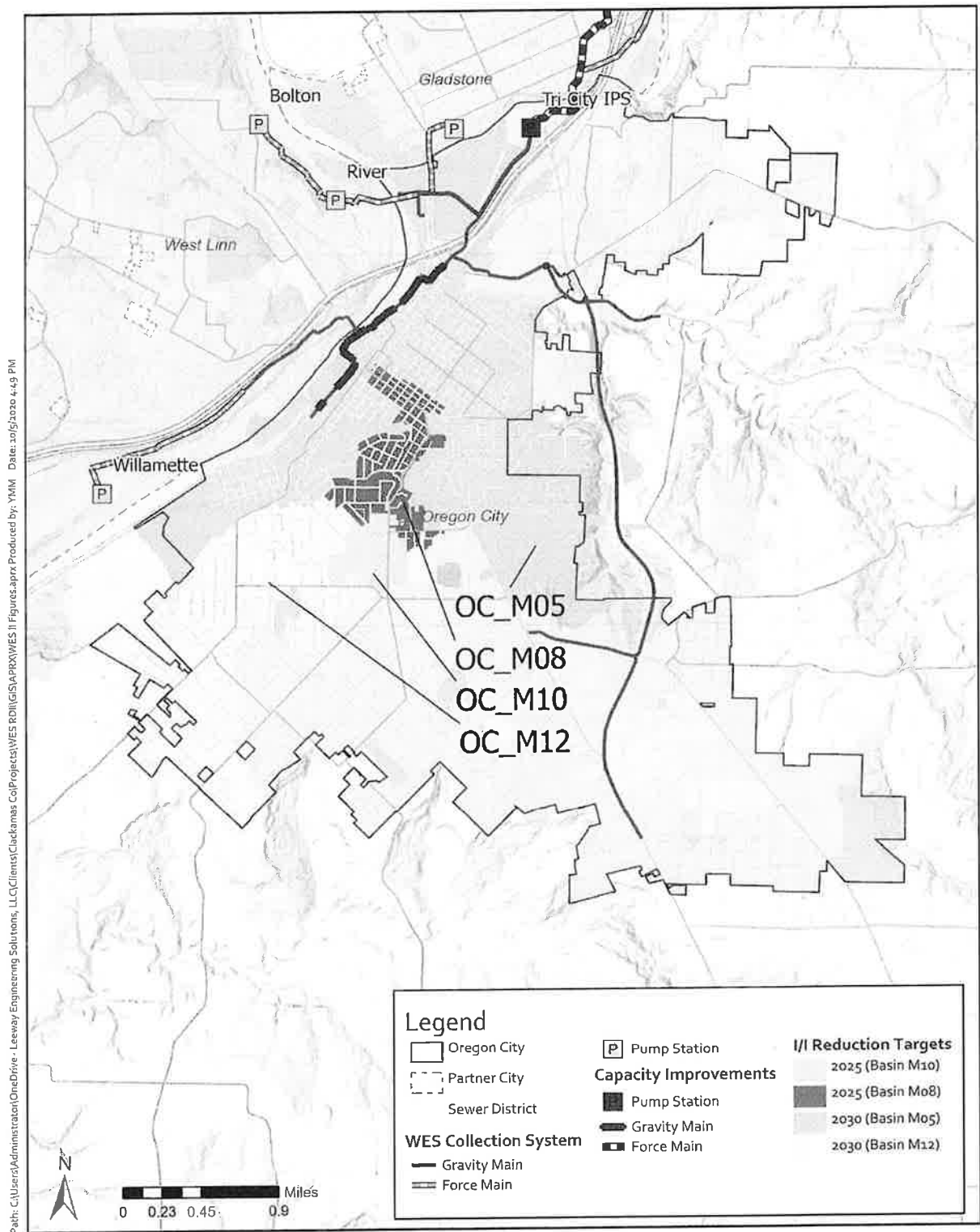


Figure 1. Target Subbasins for Oregon City and Capacity Improvements Required for WES's System Given 65% I/I Reduction

I/I Project Sequencing

Due to the impacts of the peak wet weather flows on the downstream infrastructure, the City's I/I reduction efforts are planned to be implemented incrementally over the next 10 years, according to the schedule in Table 2. The City has already begun to implement the first phase, which will include I/I reductions in the M08 and M10 subbasins. Work already initiated includes smoke-testing, dye-testing, disconnection of cross-connected inflow sources, and development of a private source I/I policy.

The need for additional I/I reduction within the Oregon City I/I reduction target subbasins will depend on the success of early rehabilitation measures offset by flow increases over time due to system degradation and expansion.

Table 2. Oregon City I/I Reduction Components and Schedule by Targeted Completion Year

Project Name	Owner	2025	2030	2035	2040
Oregon City I/I Program (2 subbasins: M08 and M10)	Oregon City				
Oregon City I/I Program (2 basins: M05 and M12)	Oregon City				

Oregon City I/I Reduction Program Meeting Summary

Recognizing that a successful WES-wide I/I reduction program will require collaboration between WES and its member cities, representatives of WES and the City met on April 21, 2020 for a discussion of what might comprise such a program.

The City has requested the following support from WES for their I/I reduction effort.

- A template for pipe bursting and CIPP lining standard specifications.
- Access to permanent flow metering data.
- Provide/contract flow metering consultant services to do pre- and post-I/I reduction project metering within member community sewer systems.
- Provide/contract flow meter data analysis to identify I/I severity and I/I reduction success.
- Funding to support private lateral rehabilitation. The program is structured to have cost sharing between the private owner and Oregon City. The City requests WES contribute to the individual lateral rehabilitation, in addition cost sharing with the City for its share.
- Provide cost sharing for the private lateral owners with a reduction in their utility bill during the payback period, if the owner is participating in Oregon City's private lateral rehabilitation program. The payback period is to be determined.

References

Jacobs. 2019. Sanitary Sewer System Master plan for Water Environment Services.

Brown and Caldwell. 2014. City of Oregon City Sanitary Sewer Master Plan.

Technical Memorandum

Prepared for: Jessica Rinner, PE
Clackamas Water Environment Services, Clackamas County, Oregon

Project: Infiltration and Inflow Program Support

Author: Yarrow Murphy, PE
Leeway Engineering Solutions

Reviewer: Rob Lee, PE, PMP
Leeway Engineering Solutions

Date: November 9, 2020

Subject: Infiltration and Inflow (I/I) Program Development
City of Milwaukie Member Community Program and Summary

Table of Contents

Introduction	1
SSMP Recommendations	2
Milwaukie I/I Reduction Efforts and Recommendations.....	2
I/I Reduction Target Subbasins	2
I/I Project Sequencing.....	4
Summary of Meeting	4
References	4

Introduction

Clackamas Water Environment Services (WES) is developing and implementing a regional infiltration and inflow (I/I) program to cost-effectively manage peak flows in the regional wastewater collection system and treatment facilities. This program supports the implementation of the capital improvement program outlined in the *Sanitary Sewer Master Plan* ([SSMP] completed by Jacobs in 2019). As a member city located within WES's Regional Service Area, the City of Milwaukie (City) is implementing I/I abatement as described in this technical memorandum (TM).

This TM describes the City's program and details the specific requested contributions (if any) identified by the City for WES-provided assistance to the City.

SSMP Recommendations

The SSMP found hydraulic capacity deficiencies through the WES service area resulting from high I/I during the 5-year frequency design storm. These capacity deficiencies will increase over time due to several factors, including system expansion and pipe aging and degradation.

The SSMP evaluated alternatives for providing capacity to convey and/or treat peak 2040 flows. The total investment for each alternative included the present worth value of capital costs to reduce I/I, increase capacity to transport remaining flows, and expand treatment capacity and operation and maintenance costs over a 60-year life. The plan recommended the most cost-effective alternative, which included 65-percent I/I reduction in 19 subbasins throughout WES's service area by 2040.

Milwaukie I/I Reduction Efforts and Recommendations

I/I Reduction Target Subbasins

One of the target 19 subbasins (Milwaukie Basin) is located in Milwaukie and is shown in Figure 1. The Milwaukie subbasin's characteristics are summarized in Table 1.

Table 1. I/I Reduction Target Subbasin Characteristics

Characteristic	Milwaukie Subbasin
I/I Reduction Timeframe	2040 ¹
Area (acres)	1,087
Length of sewer main (linear feet, LF)	221,000
Number of laterals	5,850
I/I Rate ² (gpad)	17,100
Jurisdiction	Milwaukie

¹ I/I reduction efforts should begin no later than approximately 2025.

² The I/I rate projected for conditions at the reduction timeframe during design storm with 5-year frequency.

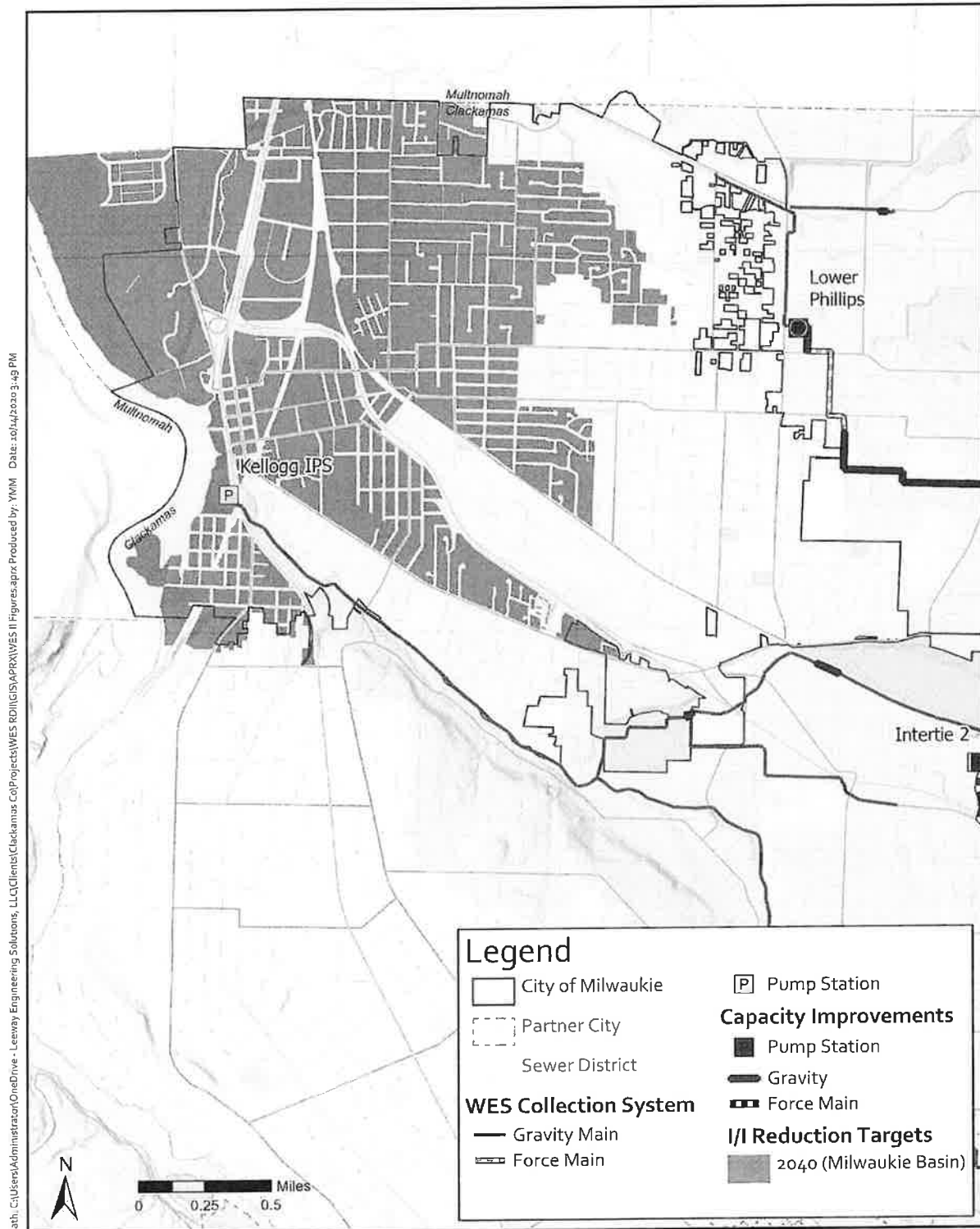


Figure 1. Target Subbasins for Milwaukie and Capacity Improvements Required for WES's System Given 65% I/I Reduction

I/I Project Sequencing

Because of the large size of the Milwaukee Basin and the effects of the peak wet weather flow on the downstream infrastructure, the City's I/I reduction efforts should begin no later than 2025 and will continue until 2040, as indicated in Table 2. The need for additional I/I reduction within the Milwaukee Subbasin will depend on the success of early rehabilitation measures offset by flow increases over time due to system degradation and expansion.

Table 2. Milwaukee I/I Reduction Program Components and Schedule by Targeted Completion Year

Project Name	2025	2030	2035	2040
Milwaukee I/I Program (1 subbasin: Milwaukee Basin)				

City of Milwaukee I/I Reduction Program Meeting Summary

Recognizing that a successful WES-wide I/I reduction program will require collaboration between WES and its member cities, representatives of WES and the City met on April 22, 2020 for a discussion of what might comprise such a program.

City staff did not make any specific requests for support from WES.

References

Jacobs. 2019. Sanitary Sewer System Master plan for Water Environment Services.

Technical Memorandum

Prepared for: Jessica Rinner, PE
Clackamas Water Environment Services, Clackamas County, Oregon

Project: Infiltration and Inflow Program Support

Author: Yarrow Murphy, PE
Leeway Engineering Solutions

Reviewer: Rob Lee, PE, PMP
Leeway Engineering Solutions

Date: November 9, 2020

Subject: Infiltration and Inflow (I/I) Program Development
City of Gladstone Member Community Program and Summary

Table of Contents

Introduction.....	1
SSMP Recommendations	2
Gladstone I/I Reduction Efforts and Recommendations.....	2
I/I Reduction Target Subbasins	2
I/I Project Sequencing.....	4
Summary of Meeting	4
References	4

Introduction

Clackamas Water Environment Services (WES) is developing and implementing a regional infiltration and inflow (I/I) program to manage peak flows cost-effectively in the regional wastewater collection system and treatment facilities. This program supports the implementation of the capital improvement program outlined in the *Sanitary Sewer Master Plan* ([SSMP] completed by Jacobs in 2019). As a member city located within WES's Regional Service Area, the City of Gladstone (City) is implementing I/I abatement as described in this technical memorandum (TM).

This TM describes the City's program and details the specific requested contributions identified by the City for WES-provided assistance to the City.

SSMP Recommendations

The SSMP found hydraulic capacity deficiencies through the WES service area resulting from high I/I during the 5-year frequency design storm. These capacity deficiencies will increase over time due to several factors, including system expansion and pipe aging and degradation.

The SSMP evaluated alternatives for providing capacity to convey and/or treat peak 2040 flows. The total investment for each alternative included the present worth value of capital costs to reduce I/I, increase capacity to transport remaining flows, and expand treatment capacity and operation and maintenance costs over a 60-year life. The plan recommended the most cost-effective alternative, which included 65-percent I/I reduction in 19 subbasins throughout WES's service area by 2040.

Gladstone I/I Reduction Efforts and Recommendations

I/I Reduction Target Subbasins

Three of the target 19 subbasins (1_1010, 2_20400, and US_1_10100 & DS_2_20400) are located in Gladstone and are shown in Figure 1. The recommendations in WES's SSMP were consistent with the *City of Gladstone Sanitary Sewer Master Plan*, completed in 2017 by Murray, Smith and Associates. These subbasins and their characteristics are summarized in Table 1.

Table 1. I/I Reduction Target Subbasin Characteristics

Characteristic	1_10100	2_20400	US_1_10100 & DS_2_20400
I/I Reduction Timeframe	2025	2025	2030
Area (acres)	191	201	0.2
Length of sewer main (linear feet, LF)	28,000	38,500	1,584
Number of laterals	709	915	10
I/I Rate ¹ (gpad)	18,900	17,100	23,700
Jurisdiction	Gladstone	Gladstone	Gladstone

¹ I/I rate projected for conditions at the reduction timeframe during design storm with 5-year frequency.

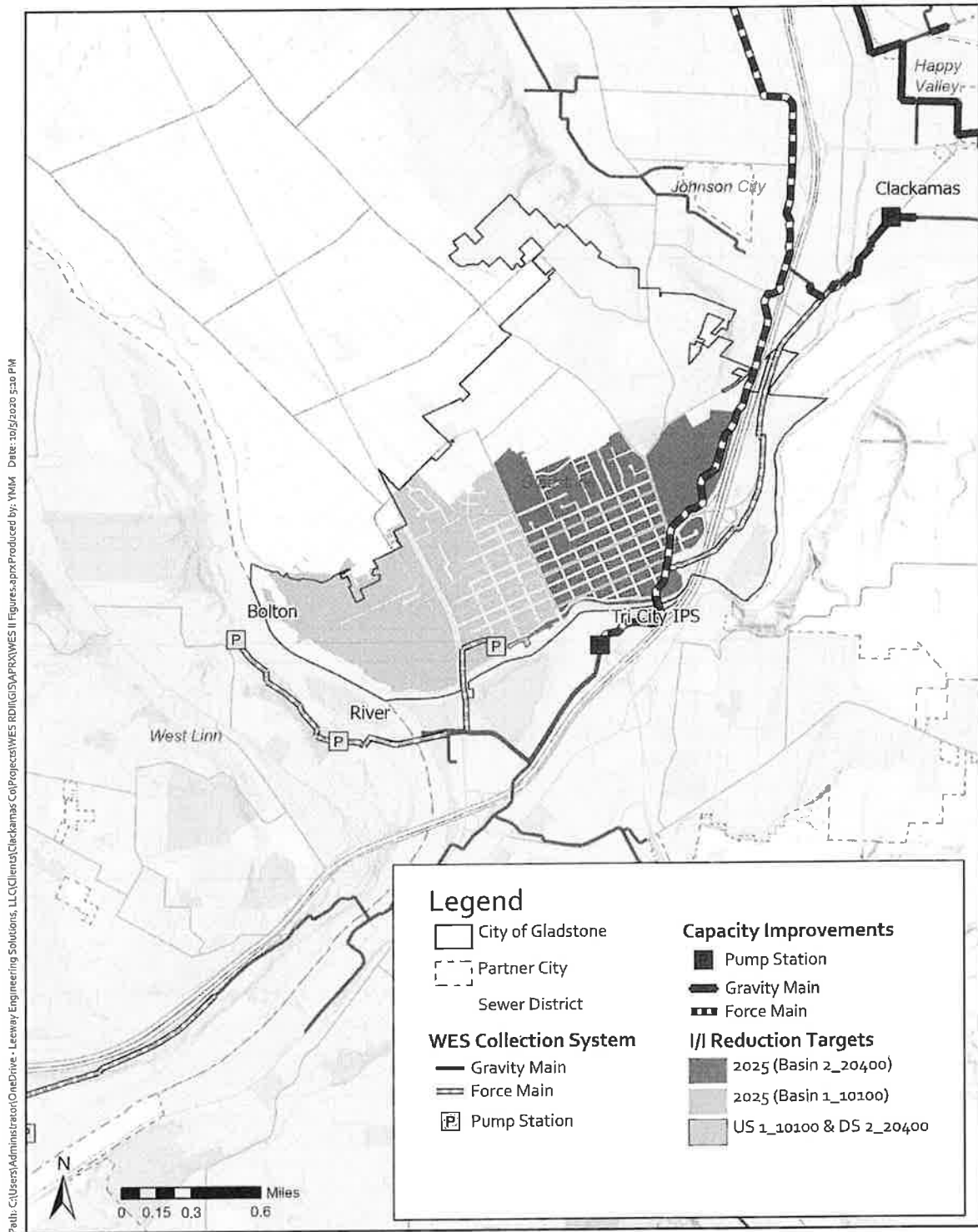


Figure 1. Target Subbasins for Gladstone and WES Capacity Improvements Required Given 65% I/I Reduction

I/I Project Sequencing

Due to the impacts of the peak wet-weather flows on the downstream infrastructure, the City's I/I reduction efforts are planned to be implemented by 2025 for basins 1_10100 and 2_20400, as indicated in Table 2. The SSMP recommended that the second phase of I/I reduction will include subbasin US 1_10100 & DS 2_20400 with targeted completion date of 2030. However, due to size and efficiencies gained while implementing the I/I reduction efforts in the other two highest priority basins and regulatory requirements from the Oregon Department of Environment Quality, the City is moving forward with accelerating their I/I reductions in all three basins. Work already initiated in the target basins includes smoke testing, CCTV inspection, disconnection of cross connections and development of an I/I abatement plan.

Table 2. Gladstone I/I Reduction Components and Schedule by Targeted Completion Year

Project Name	2025	2030	2035	2040
I/I Program Phase 1 (2020 to 2025)				
2 subbasins: 1_10100, 2_20400				
1 subbasin: US 1_10100 & DS 2_20400 (moved up for efficiency)				

Gladstone I/I Reduction Program Meeting Summary

Recognizing that a successful WES-wide I/I reduction program will require collaboration between WES and its member cities, representatives of WES and the City met on April 23, 2020 for a discussion of what might comprise such a program.

On May 14, the City has requested the following support from WES for their I/I reduction effort:

- Combine field efforts
- RFP templates
- Outreach templates
- Private source I&I code revision template or sample language
- Share Barton PS flow data
- Assist in analyzing master plan data compared to current data to determine improvements
- Post construction analysis

References

Jacobs. 2019. Sanitary Sewer System Master plan for Water Environment Services.

Murray, Smith and Associates. 2017. City of Gladstone Sanitary Sewer Master Plan.

Exhibit B

Form Letter

[Insert Date]

[Insert Name]
[Insert Address]

RE: Regional I/I Reimbursement Program – [Insert Qualified Proposal Title or Description]

Dear _____,

Thank you for the submittal and presentation of your Qualified Proposal to the Technical Advisory Team (“TAT”).

This letter serves as notification that the TAT has approved your project for reimbursement as a part of the Regional I/I Reimbursement Program, in accordance with the terms of the IGA for Regional Inflow and Infiltration Coordination (“IGA”). The total amount of fund reimbursed will be determined in accordance with Section 2 of the IGA.

Please retain a copy of this letter in your records, as you will be required to provide it along with documentation of your expenses when you seek reimbursement from Water Environment Services once your project is complete.

On behalf of WES and all the cities participating in this I/I reduction effort, we appreciate your commitment to addressing this regional issue. Thank you!

Sincerely,

Chair,
Technical Advisory Team



CITY OF OREGON CITY

625 Center Street
Oregon City, OR 97045
503-657-0891

Staff Report

To:	City Commission	Agenda Date:	December 17, 2025
From:	Shaun Davis, Police Chief		

SUBJECT:

Item 7.d. - Contract with OMNIA Partners (dba Insight Public Sector) for Mark 43 Records and Evidence Management Software Subscription Services

STAFF RECOMMENDATION:

Approve the contract with OMNIA Partners (dba Insight Public Sector) for Mark 43 Records Management Software subscription services.

EXECUTIVE SUMMARY:

The police department desires to utilize the Cooperative Contract (#23-6692-03) to purchase a four-year subscription of Mark 43 software services for Technology Product Solutions.

BACKGROUND:

On December 6, 2017, the police department entered a five-year Technology Services Contract (Contract), with the option to have up to (3) annual renewals with Mark43, Inc. (now OMNIA Partners dba Insight Public Sector) to implement for its Records Management System (RMS) and Evidence Management System (EMS), along with interfaces to third party software for Law Enforcement Agencies in Clackamas County. This contract's third renewal expires on December 31, 2025.

The police department desires to utilize the Cooperative Contract (#23-6692-03) with OMNIA Partners dba Insight Public Sector to purchase a four-year subscription of Mark 43 software services for Technology Product Solutions, as detailed in the Contractor's public sector quote 0228968894, attached as Exhibit A ("Contractor Quote"), for a total of \$247,220.00 ("Software Subscription"). The OMNIA Partners Cooperative Contract #23-6692-03 is attached as Exhibit B.

OPTIONS:

1. Approve Contract with OMNIA Partners (dba Insight Public Sector) for Mark 43 Records and Evidence Management Software Subscription Services.
2. Approve Contract with OMNIA Partners (dba Insight Public Sector) for Mark 43 Records and Evidence Management Software Subscription Services with Amendments.
3. Deny Contract with OMNIA Partners (dba Insight Public Sector) for Mark 43 Records and Evidence Management Software Subscription Services and provide further direction.

BUDGET IMPACT:

Amount \$247,220.00
Fiscal Year(s): 2026-2029
Funding Source(s): General Fund - Existing Police Department Budget



Technology Product Solutions and Related Services
Executive Summary

Lead Agency: Cobb County, GA

Solicitation: 23-6692

RFP Issued: August 26, 2022

Pre-Proposal Date: September 14, 2022

Response Due Date: October 13, 2022

Proposals Received: 18



Awarded to:

Contract #: 23-6692-03

The Cobb County Purchasing Department issued RFP 23-6692 on August 26, 2022, to establish a national cooperative contract for Technology Product Solutions and Related Services.

The solicitation included cooperative purchasing language in **National Contract** section as stated below:

"Cobb County, GA, as the Principal Procurement Agency, defined in Attachment A, has partnered with OMNIA Partners, Public Sector ("OMNIA Partners") to make the resultant contract (also known as the "Master Agreement" in materials distributed by OMNIA Partners) from this solicitation available to other public agencies nationally, including state and local governmental entities, public and private primary, secondary and higher education entities, non-profit entities, and agencies for the public benefit ("Public Agencies"), through OMNIA Partners' cooperative purchasing program. Cobb County, GA is acting as the contracting agency for any other Public Agency that elects to utilize the resulting Master Agreement. Use of the Master Agreement by any Public Agency is preceded by their registration with OMNIA Partners (a "Participating Public Agency") and by using the Master Agreement, any such Participating Public Agency agrees that it is registered with OMNIA Partners, whether pursuant to the terms of a Master Intergovernmental Cooperative Purchasing Agreement, a form of which is attached hereto on Attachment A, or as otherwise agreed to. Attachment A contains additional information about OMNIA Partners and the cooperative purchasing program".

Notice of the solicitation was sent to potential offerors, as well as advertised in the following:

- Cobb County Purchasing website
- OMNIA Partners website
- USA Today, nationwide
- Arizona Business Gazette, AZ
- San Bernardino County Sun, CA
- Honolulu Star-Advertiser, HI
- The Herald-News – Will County (IL)
- The Advocate – New Orleans, LA
- The New Jersey Herald, NJ
- Albany Times Union, NY
- Daily Journal of Commerce, OR
- The State, SC
- Deseret News, UT
- Richmond Times-Dispatch, VA
- Seattle Daily Journal of Commerce, WA
- Houston Community Newspapers, TX
- Helena Independent Record, MT
- Las Vegas Review-Journal
- Kennebec Journal/Morning Sentinel, ME

Socio-economic Outreach: To encourage participation of small businesses, minority owned businesses and women owned businesses were notified of the Request for Proposal.

On October 13, 2022, proposals were received from the following offerors:

- Alegna Technologies, Inc.
- SHI International Corp.
- Carbyne, Inc.
- Insight Public Sector, Inc.
- Audio Enhancement, Inc.
- Emergent, LLC
- Govconnection, Inc. dba Connection - Public Sector Solutions
- Iron Bow Technologies, LLC
- DLT Solutions, LLC
- Vertosoft, LLC
- Presidio Networked Solutions, LLC
- Virtual Technologies Inc.
- CDW Government LLC
- Carahsoft Technology Corporation
- Vurkada, Inc. Fiscal Note Inc.
- AGParts Worldwide Inc.
- Virtucom, Inc.

The proposals were evaluated by an evaluation committee. Using the evaluation criteria established in the RFP, the committee elected to enter into negotiations with **Insight Public Sector, Inc.** and proceeding with contract award upon successful completion of negotiations.

Geographic Preferences: Cobb County included a geographic preference, but it did not impact the score for the national award.

The Cobb County, GA, OMNIA Partners and Insight Public Sector successfully negotiated a contract, and the Cobb County executed the agreement with a contract effective date of May 1, 2023.

Diversity Certification: IPS prefers to meet diversity requirements for services opportunities where they're able to subcontract out to the diversity partner.

Contract includes: A comprehensive range of solutions providing a broad range of technology products and services including but not limited to:

- Hardware Product Offering with hundreds of leading industry manufacturers
- Software applications through licensing agreements with software publishers or boxed products
- Solutions & Service Offerings; As a comprehensive Solutions Integrator (SI), Insight takes a client-focused approach to helping organizations identify, adopt, and manage the most appropriate solutions to drive digital transformation and modernization for innovation.

Supplier provided federal funds certifications which are available on the OMNIA Partners website for review.

Term:

Initial thirty-six-month agreement from May 1, 2023 through April 30, 2026 with the option to renew two (2) additional one-year periods through April 30, 2028.

Pricing/Discount:

Pricing structure for products is based on a discount off the Insight list price.

OMNIA Public Sector, web landing page:

[Insight Public Sector, Inc. Cooperative Contract | Overview \(omniapartners.com\)](https://omniapartners.com/insight-public-sector-cooperative-contract-overview)

Version July 14, 2022

Account name: 10096077

CITY OF OREGON CITY
ACCOUNTS PAYABLE
PO BOX 351
OREGON CITY OR 97045-4046

SHIP-TO

CITY OF OREGON CITY PD
POLICE DEPT
1234 LINN AVE
OREGON CITY OR 97045-3637

We deliver according to the following terms:

Payment Terms : Net 30 days
Ship Via : Electronic Delivery
Terms of Delivery : FOB DESTINATION
Currency : USD

Quotation

Quotation Number : [0228968894](#)
Document Date : 12-NOV-2025
PO Number :
PO Release :
Sales Rep : Derek Racki
Email : DEREK.RACKI@INSIGHT.COM
Phone : +15053183191

This is an 4 Year commitment and Insight needs to be notified 60 days prior to the end of Year 4 if you do not wish to renew. Pricing reflects a commitment to the full term and quantities listed. Orders for items in this quote confirm acceptance of these terms and the payment schedule. Purchase Orders are required to reference Insight Quote #228968894 for processing. If orders are placed annually, they should be submitted at least 15 days before the renewal date. Once accepted, orders are not cancellable, and the full multi-year commitment will apply. These terms will govern the items quoted, notwithstanding any conflicting terms in other agreements between Customer and Insight.

Year 1 - \$55,695.00 To be billed at time of purchase
Year 2 - \$59,549.00 To be billed at anniversary
Year 3 - \$63,779.00 To be billed at anniversary
Year 4 - \$68,197.00 To be billed at anniversary

Material	Material Description	Quantity	Unit Price	Extended Price
03OORMS1PMY1-CORE	MARK43 RMS 1 PM: RMS REPORTS WRITING-(NOT TO EXCEED 12 REPORT TYPES) - YEAR 1 Coverage Dates: 31-DEC-2025 - 30-DEC-2026 OMNIA PARTNERS (COBB COUNTY) IT PRODUCTS AND SERVICES(# 23-6692-03) List Price: 1019.99 Discount: 13.038%	47	887.00	41,689.00
03OORMS2PMY1-CORE	MARK43 RMS 2 PM: CASE MANAGEMENT - (NOT TO EXCEED 25 CASE TYPES, ENHANCED CONFIGURABILITY ON CASE TYPE FIELDS, STATUSES, AND MORE) - YEAR 1 Coverage Dates: 31-DEC-2025 - 30-DEC-2026 OMNIA PARTNERS (COBB COUNTY) IT PRODUCTS AND SERVICES(# 23-6692-03) List Price: 339.99 Discount: 12.350%	47	298.00	14,006.00
03OORMS1PMY2-CORE	MARK43 RMS 1 PM: RMS REPORTS WRITING-(NOT TO EXCEED 12 REPORT TYPES) - YEAR 2 Coverage Dates: 31-DEC-2026 - 30-DEC-2027 OMNIA PARTNERS (COBB COUNTY) IT PRODUCTS AND SERVICES(# 23-6692-03) List Price: 1090.99 Discount: 13.015%	47	949.00	44,603.00
03OORMS2PMY2-CORE	MARK43 RMS 2 PM: CASE MANAGEMENT - (NOT TO EXCEED 25 CASE TYPES, ENHANCED CONFIGURABILITY ON CASE TYPE FIELDS, STATUSES, AND MORE) - YEAR 2 Coverage Dates: 31-DEC-2026 - 30-DEC-2027 OMNIA PARTNERS (COBB COUNTY) IT PRODUCTS AND SERVICES(# 23-6692-03)	47	318.00	14,946.00

Material	Material Description	Quantity	Unit Price	Extended Price
	List Price: 363.99 Discount: 12.635%			
03OORMS1PMY3-CORE	MARK43 RMS 1 PM: RMS REPORTS WRITING- (NOT TO EXCEED 12 REPORT TYPES) - YEAR 3 Coverage Dates: 31-DEC-2027 - 30-DEC-2028 OMNIA PARTNERS (COBB COUNTY) IT PRODUCTS AND SERVICES(# 23-6692-03) List Price: 1166.99 Discount: 12.938%	47	1,016.00	47,752.00
03OORMS2PMY3-CORE	MARK43 RMS 2 PM: CASE MANAGEMENT - (NOT TO EXCEED 25 CASE TYPES, ENHANCED CONFIGURABILITY ON CASE TYPE FIELDS, STATUSES, AND MORE) - YEAR 3 Coverage Dates: 31-DEC-2027 - 30-DEC-2028 OMNIA PARTNERS (COBB COUNTY) IT PRODUCTS AND SERVICES(# 23-6692-03) List Price: 388.99 Discount: 12.337%	47	341.00	16,027.00
03OORMS1PMY4-CORE	MARK43 RMS 1 PM: RMS REPORTS WRITING- (NOT TO EXCEED 12 REPORT TYPES) - YEAR 4 Coverage Dates: 31-DEC-2028 - 30-DEC-2029 OMNIA PARTNERS (COBB COUNTY) IT PRODUCTS AND SERVICES(# 23-6692-03) List Price: 1248.99 Discount: 12.970%	47	1,087.00	51,089.00
03OORMS2PMY4-CORE	MARK43 RMS 2 PM: CASE MANAGEMENT - (NOT TO EXCEED 25 CASE TYPES, ENHANCED CONFIGURABILITY ON CASE TYPE FIELDS, STATUSES, AND MORE) - YEAR 4 Coverage Dates: 31-DEC-2028 - 30-DEC-2029 OMNIA PARTNERS (COBB COUNTY) IT PRODUCTS AND SERVICES(# 23-6692-03) List Price: 416.99 Discount: 12.708%	47	364.00	17,108.00
Product Subtotal				247,220.00
TAX				0.00
Total				247,220.00

Thank you for choosing Insight. Please contact us with any questions or for additional information about Insight's complete IT solution offering.

Sincerely,

Derek Racki
+15053183191
DEREK.RACKI@INSIGHT.COM

To purchase under this contract, your agency must be registered with OMNIA Partners Public Sector.
OMNIA Partners (formerly U.S. Communities) IT Products, Services and Solutions Contract No. 4400006644

Insight Public Sector (IPS) is proud to be a contract holder for the OMNIA Partners Technology Products, Services & Solutions Contract.

This competitively solicited contract is available to participating agencies of OMNIA Partners. OMNIA Partners assists local and state government agencies, school districts (K-12), higher education, and nonprofits in reducing the cost of purchased goods by pooling the purchasing power of public agencies nationwide. This is an optional use program with no minimum volume requirements and no cost to agencies to participate.

Thanks for choosing Insight!

Insight Global Finance has a wide variety of flexible financing options and technology refresh solutions. Contact your Insight representative for an innovative approach to maximizing your technology and developing a strategy to manage your financial options.

This purchase is subject to Insight's online Terms of Sale unless you are purchasing under an Insight Public Sector, Inc. contract vehicle, in which case, that agreement will govern.

SOFTWARE AND CLOUD SERVICES PURCHASES: If your purchase contains any software or cloud computing offerings ("Software and Cloud Offerings"), each offering will be subject to the applicable supplier's end user license and use terms ("Supplier Terms") made available by the supplier or which can be found at the "terms-and-policies" link below. By ordering, paying for, receiving or using Software and Cloud Offerings, you agree to be bound by and accept the Supplier Terms unless you and the applicable supplier have a separate agreement which governs.

Insight's online Terms of Sale can be found at the "terms-and-policies" link below.

<https://www.insight.com/terms-and-policies>

Insight Public Sector, Inc

CITY OF OREGON CITY

Signature

Signature

Name

Name

Title

Title

Date

Date



CITY OF OREGON CITY

625 Center Street
Oregon City, OR 97045
503-657-0891

Staff Report

To: City Commission **Agenda Date:** December 17, 2025
From: Kelly Hart, Community Development Director

SUBJECT:

Item 8.a. - First Reading of Ordinance No. 26-1001, Emergency Annexation for 19717 Leland Road (GLUA-25-00017, AN-25-0001)

STAFF RECOMMENDATION:

Staff recommends approval of the Emergency Annexation.

EXECUTIVE SUMMARY:

Emergency Annexation of an approximately 20,834 square foot property. The Applicant desires to annex the property due to a failed septic system. Annexation is required as a condition of connecting to the city sewer system. The Applicant has not requested a zone change for this application and will remain zoned FU-10, which is a county zone. The proposal does not include a request for development approval or a change in use. The subject territory is within the Oregon City Urban Growth Boundary and has Comprehensive Plan designations of LR – Low-Density Residential.

REASON FOR ANNEXATION

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

City sewer services are available close to the property. The sewer connection was permitted under PU-25-00016, and final inspection occurred on 7/29/2025. The site is currently being served with City sewer through the emergency sewer application process. The Applicant signed an annexation agreement stating their intent to pursue an annexation land use action as a condition of receiving City sewer services.

November 24, 2025, Planning Commission Meeting

The Planning Commission reviewed the proposal and found that all annexation factors applicable to the Comprehensive Plan goals/strategies were met for the proposed emergency annexation and recommended approval to the City Commission (7-0).

BACKGROUND:

Please refer to the Staff Report for additional background.

OPTIONS:

1. Approve the first reading of ORD 26-1001 as recommended by the Planning Commission.

2. Approve the first reading of ORD 26-1001 with modified conditions and provide revised findings
3. Deny the proposal and provide revised findings.
4. Continue the hearing and request more information

BUDGET IMPACT:

ORDINANCE NO. 26-1001

AN ORDINANCE APPROVING EMERGENCY ANNEXATION PROPOSAL GLUA-25-00017:AN-25-0001 AND APPROVING THE ANNEXATION OF CERTAIN PROPERTY LOCATED AT 19717 LELAND ROAD TO THE CITY OF OREGON CITY

AN ORDINANCE OF THE CITY OF OREGON CITY

WHEREAS, the owner of certain real property adjacent to the City of Oregon City, Curt and Charlotte James, proposed an Emergency Annexation GLUA-25-00017:AN-25-0001 that their approximately 20,834 square foot property and abutting Right of Way located at 19717 Leland Road, Oregon City OR 97045 identified as Clackamas County Map 3-2E-18AB, Tax Lot -10700, 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 the City sewer. City water and sewer services were available near the property, and the owner desired to make the necessary 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 the 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, the identified property is currently within the Clackamas River Water, and the Oregon City will be responsible for Water service to the identified property when annexed; 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 its 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 be withdrawn from 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. 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 _____ day of _____, 2025, and the City Commission finally enacted the foregoing ordinance this _____ day of _____, 2026.

Mayor, Denyse McGriff

Attested to this _____ day of _____ 2026: Approved as to legal sufficiency:

City Recorder

City Attorney

Exhibit A – Map and Legal Description of Proposed Annexation
Exhibit B – Proposed Findings, Reasons for Decision, and Conclusions



CENTERLINE CONCEPTS
LAND SURVEYING, INC.

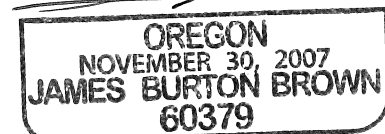
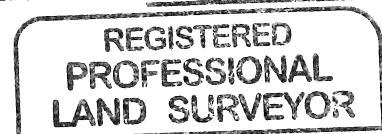
19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045
P. 503-650-0188 F. 503-650-0189

Exhibit "A"
Annexation
Legal Description

A Tract of land being that property described in Deed Document Number 2025-11064, Deed records of Clackamas County, together with a portion of Leland Road (a 60.00 foot wide right of way), located in the Southeast one-quarter of Section 7, Township 3 South, Range 2 East of the Willamette Meridian, County of Clackamas, State of Oregon, being more particularly described as follows:

BEGINNING at the Southerly corner of Deed Document Number 2025-11064, Deed records of Clackamas County, said corner bears S43°34'15"W, 165.03 feet +/-; thence N46°19'21"W, 5.00 feet +/- from the Northerly corner of Lot 1 per the Plat of "Lindsay Anne Estates" (Plat Number 4412), Plat records of Clackamas County, said corner of said Lot 1 being on the Southwesterly right of way line of Leland Road; thence along the most Southerly Northeasterly line of Lot 28 per the Plat of "Lindsay Anne Estates Too" (Plat Number 4574), Plat records of Clackamas County, N46°19'21"W, 115.02 feet +/- to an angle point in said Lot 28; thence along the most Northerly Southeasterly line of said Lot 28, and continuing along the Northeasterly extension thereof, N43°34'29"E, 233.97 feet +/- to a point on the Northeasterly right of way line of said Leland Road, said right of way line being coincident with the Southwesterly boundary of Lots 9 and 10 per the Plat of "Kalal Subdivision" (Plat Number 1363), Plat records of Clackamas County; thence along said coincident lines, S46°21'05"E, 115.00 feet +/- to a point on the Northeasterly extension of the Southeasterly line of said Deed Document Number 2025-11064; thence along said extension, S43°34'15"W, 234.03 feet +/- to the **POINT OF BEGINNING**.

Total Annexation Contains 26,913 square feet, more or less **SIGNED ON: 6-6-2025**



EXPIRES: 12-31-2025

Type IV STAFF RECOMMENDATION

November 17, 2025

December 4, 2025- Revised

A preliminary analysis of the applicable approval criteria is enclosed within the following staff report. All applicable criteria shall be met, or met with conditions in order to be approved. The City Commission may choose to adopt the findings as recommended by staff or alter any finding as determined appropriate.

FILE NO: GLUA-25-00017: AN-25-0001**APPLICATION TYPE:** Annexation (Sewer Connection)**APPLICANT:** Curt and Charlotte James

REQUEST: Emergency Annexation of an approximately 20,834 square foot property. The Applicant desires to annex the property due to a failed septic system. Annexation is required as a condition of connecting to the city sewer system. The Applicant has not requested a zone change for this application and will remain zoned FU-10, which is a county zone. The proposal does not include a request for development approval or a change in use. The subject territory is within the Oregon City Urban Growth Boundary and has Comprehensive Plan designations of LR – Low-Density Residential.

LOCATION: 19717 Leland Road
Oregon City, OR 97045

Current County Zone: FU-10

REVIEWER: Christina Robertson-Gardiner AICP, Senior Planner

RECOMMENDATION: Evaluate annexation against factors, and adopt the staff report and proposed findings, reasons for decision.

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 695 Warner Parrott Road, Oregon City, Oregon 97045, from 9:00 am to 4:00pm 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. 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-22-0001 - CITY OF OREGON CITY - Annexation

Property Owners / Voters: 2

Applicant(s): Curt and Charlotte James

The proposal is a single tax lot annexation initiated by a consent petition of 100% of the property owners and registered voters. The petition meets the requirement for initiation set forth in ORS 222.170 and Metro Code 3.09.040(a).

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 is a requirement to hook up to the City sewer. City sewer services are available close to the property. The sewer connection was permitted under PU-25-00016 and final inspection occurred on 7/29/2025. The site is currently being served with City sewer through the emergency sewer application process. The Applicant signed an annexation agreement stating their intent to pursue an annexation land use action as a condition of receiving City sewer services.

ANNEXATION PROCESS

In the fall of 2021, the City Commission provided direction to staff to process all annexation requests through the Planning and City Commission. Previously, Emergency (septic failure) annexations were sent directly to the City Commission.

This Annexation request looks to see if the city wishes to bring the property within the city limits or wishes to deny the annexation and allow an extraterritorial sewer connection. The public works permit process to connect to the available city sewer is separate from this Type IV request.

November 24, 2025, Planning Commission Meeting

The Planning Commission reviewed the proposal and found that all annexation factors applicable to the Comprehensive Plan goals/strategies were met for the proposed emergency annexation and recommended approval to the City Commission.

SITE DETAILS

The territory to be annexed is located at the southern edge of the City at Leland Road, as shown in Exhibit 1. The territory contains approximately .5 acres, has one single-family residence with a population of 2, and an assessed value of \$193,924.

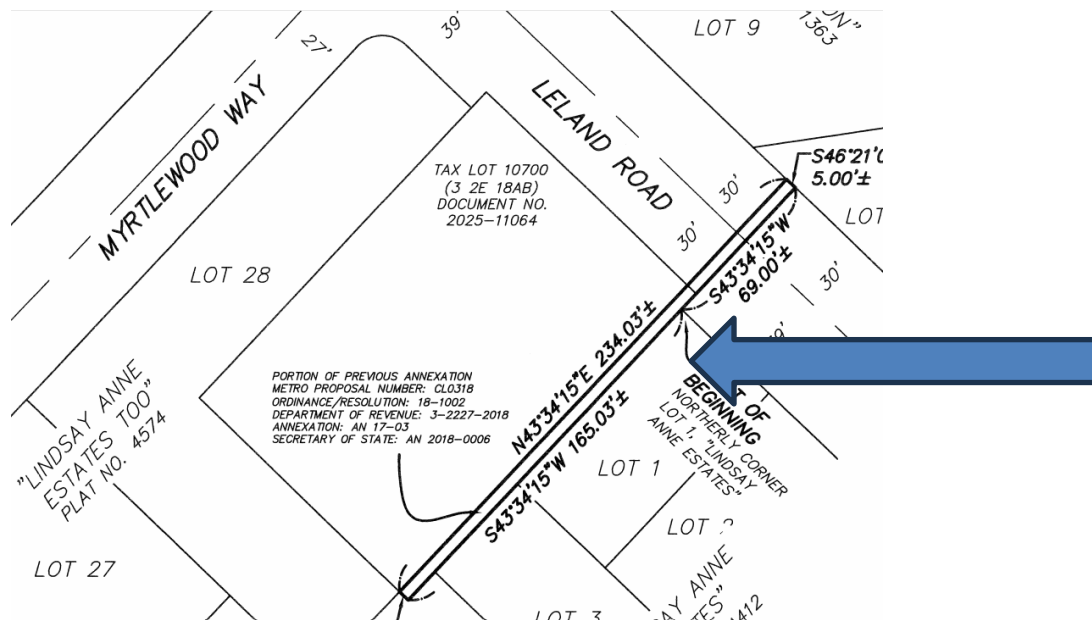
The property has an Oregon City Comprehensive Plan designation of LR – Low-Density Residential. The property is part of the 1979 Urban Growth Boundary and is within the South End Concept Plan area.

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.*

A small portion of the site was annexed as part of the neighboring subdivision (Lindsey Ann Estates) and given to the property as a remainder portion. The small section shown below is already within the city limits and is not part of this proposal. After the property is annexed, the applicant will move to combine both parcels, as the remaining parcel is not a buildable lot.



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 Leland Road 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 right-of-way of Leland Road is not 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 120 feet along the full frontage of the property. The property includes a home setback approximately 54 feet from Leland Road, with one accessory structure. No land division or rezoning is proposed at this time.

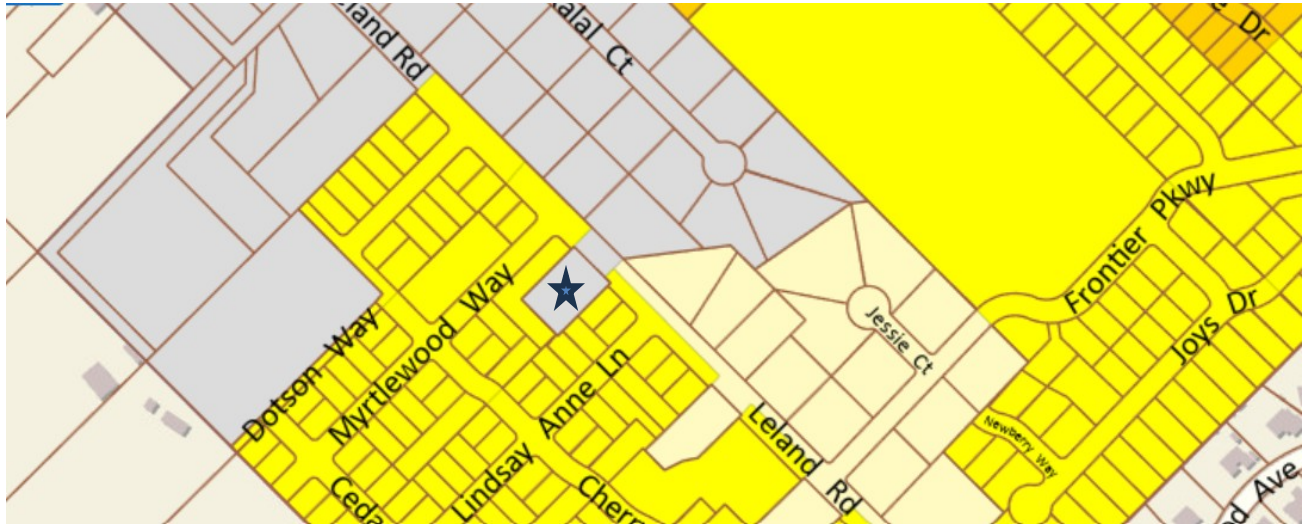


FIGURE 1. LOCATION MAP



FIGURE 2. STREET VIEW (2024)

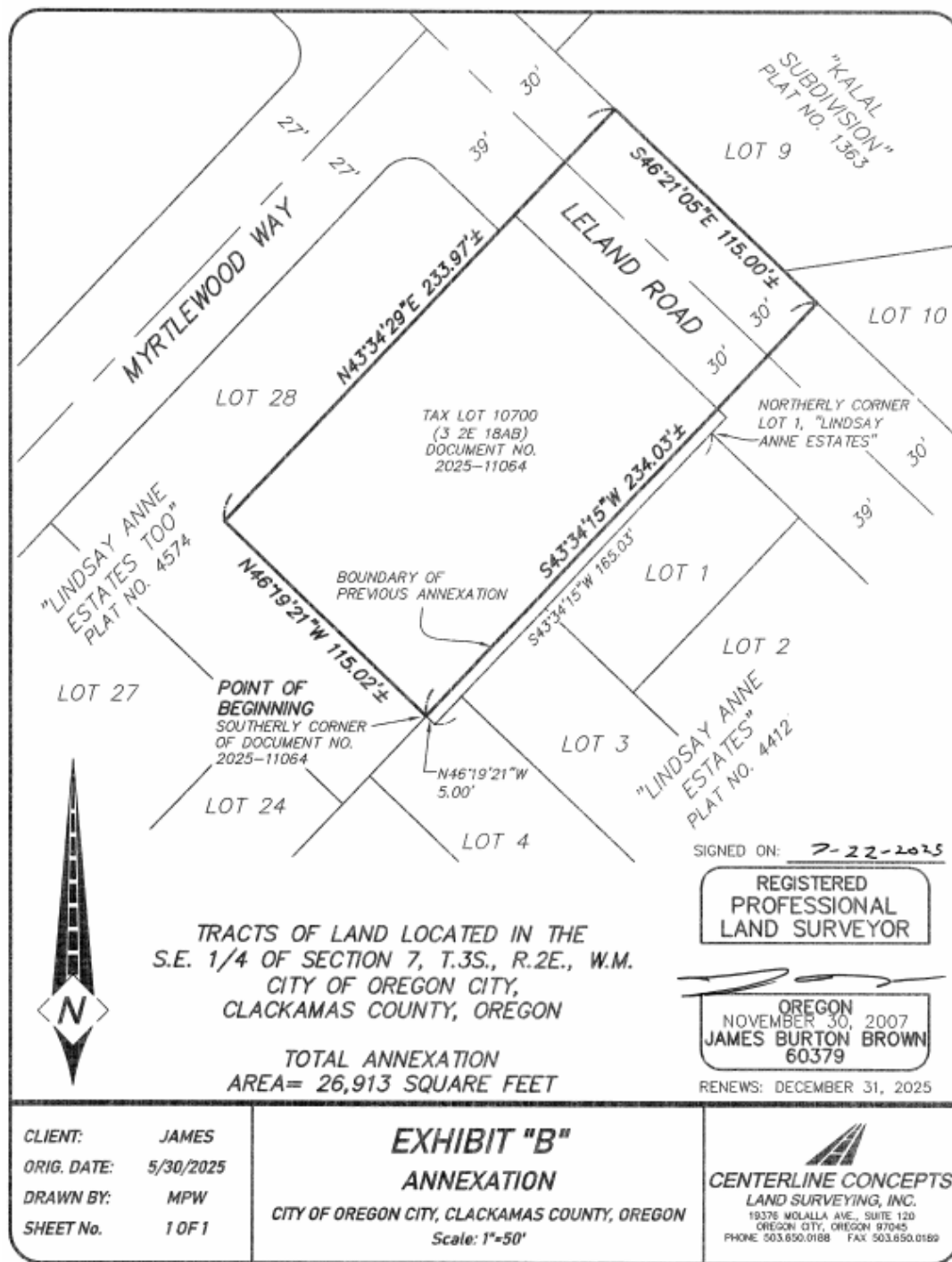


FIGURE 3. LEGAL DESCRIPTION MAP

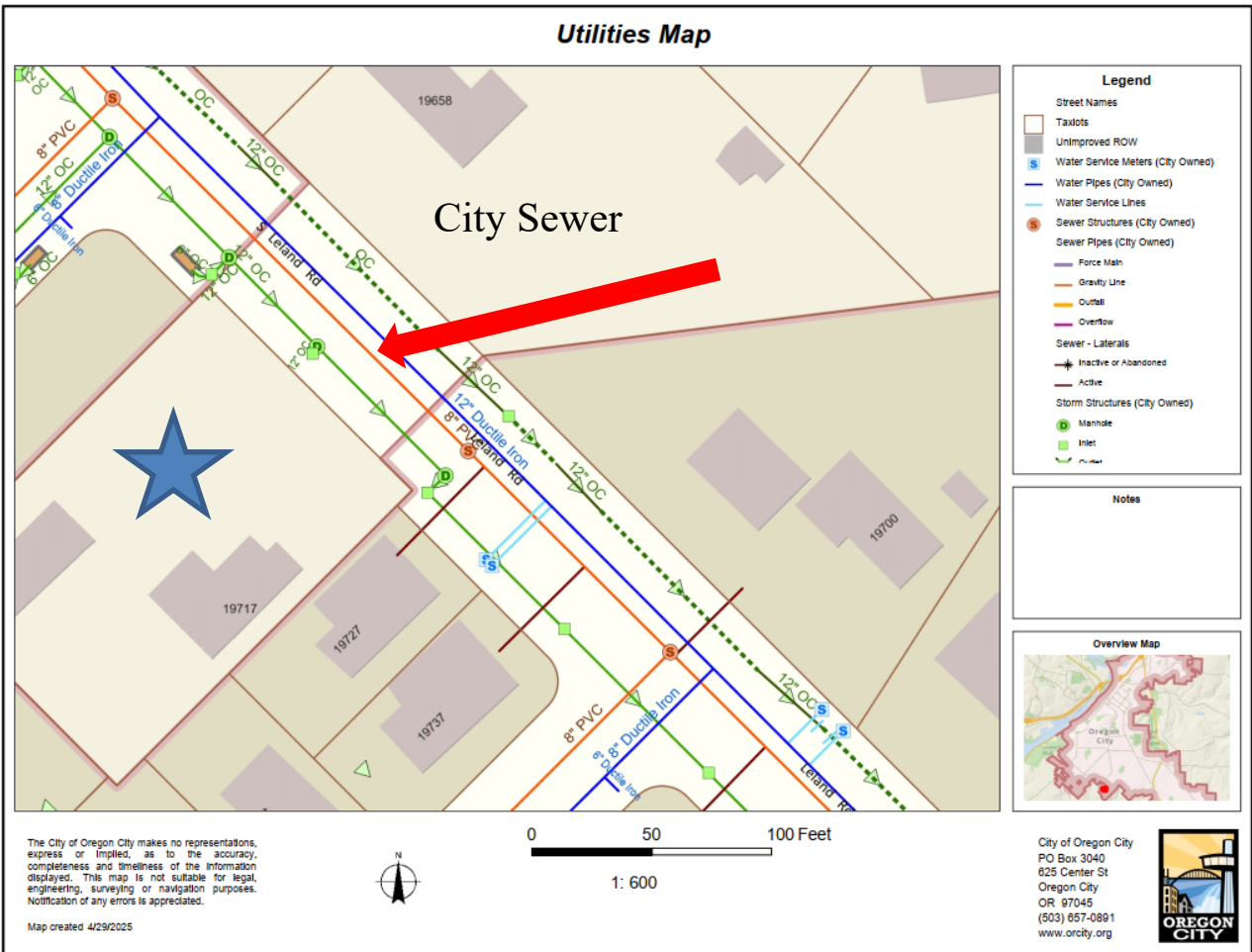


FIGURE 4. UTILITIES

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

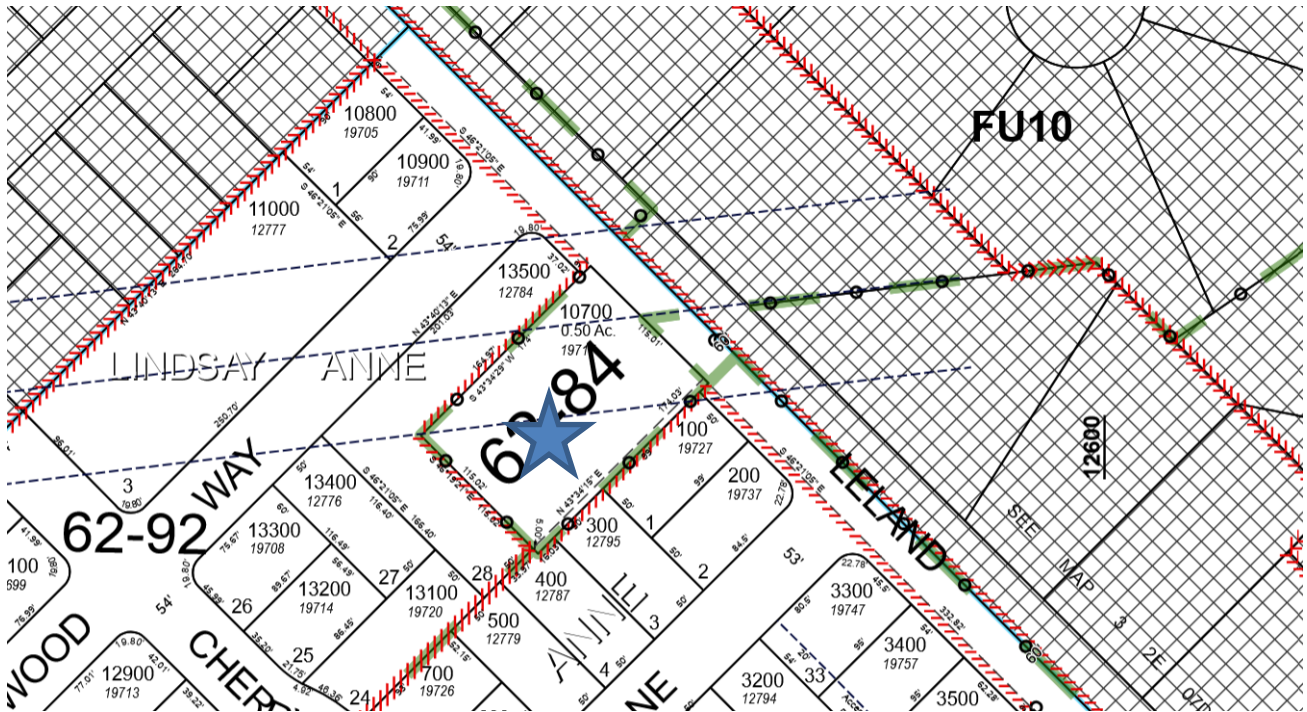


Figure 5. Clackamas County Tax Assessor Map



Figure 6. Natural Resource Overlay District

CHAPTER 17.50 – ADMINISTRATION AND PROCEDURES

17.50.010 Purpose.

This chapter provides the procedures by which Oregon City reviews and decides upon applications for all permits relating to the use of land authorized by ORS 92, 197 and 227. These permits include all

forms of land divisions, land use, limited land use and expedited land division and legislative enactments and amendments to the Oregon City Comprehensive Plan and Titles 16 and 17 of this code. Pursuant to ORS 227.175, any applicant may elect to consolidate applications for two or more related permits needed for a single development project. Any grading activity associated with development shall be subject to preliminary review as part of the review process for the underlying development. It is the express policy of the City of Oregon City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.

17.50.050 – Pre-application conference.

- A Pre-application Conference. Prior to a Type II – IV or Legislative application, excluding Historic Review, being deemed complete, the applicant shall schedule and attend a pre-application conference with City staff to discuss the proposal, unless waived by the Community Development Director. The purpose of the pre-application conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal.*
 - 1. To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.*
 - 2. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.*
 - 3. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.*
- B. A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.*
- C. Notwithstanding any representations by City staff at a pre-application conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.*

Finding: Complies. A pre-application meeting (PA-25-00025) was held on June 3, 2025 to review the proposed zone change/Comprehensive Plan. Pre-application meeting notes were provided, and all relevant land use requirements have been acknowledged and addressed as part of this application narrative.

17.50.055 - Neighborhood association meeting.

Neighborhood Association Meeting. The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.

- A. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.*
- B. The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the citizen involvement committee.*
- C. A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, citizen involvement committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a city facility.*
- D. If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the citizen involvement committee.*
- E. To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.*

Finding: Complies. A meeting was requested with the Hillendale Neighborhood Association and scheduled for April 6, 2025. An email confirmation from Hillendale is provided as part of this application.

17.50.060 Application Requirements.

Finding: Complies as Proposed. All required application materials are submitted with this narrative. The Applicant is the owner and signed the application.

17.50.070 Completeness Review and 120-day Rule.

17.50.080 Complete Application--Required Information.

Finding: Not Applicable. Annexations are not subject to the 120-day rule.

17.50.090 Public Notices.

Finding: Complies as Proposed. Staff provided public notice within 300 feet of the site via mail; the site was posted with multiple land use notices and posted on the Oregon City website. Staff provided email transmittal of the application and notice to affected agencies and Neighborhood Associations.

17.50.100 Notice Posting Requirements.

Finding: Complies as Proposed. The site was posted with a sign on November 4, 2025.

17.50.130 Conditions of approval and notice of decision.

A. All City decision-makers have the authority to impose reasonable conditions of approval designed to ensure that all applicable approval standards, including standards set out in city overlay districts, the City's master plans, and City public works design standards, are, or can be met.

Finding: Complies- the City Commission may place conditions upon this application as appropriate to the approval criteria.

17.50.140 – Financial guarantees.

When conditions of permit approval require a permittee to construct certain public improvements, the City shall require the permittee to provide financial guarantee for construction of the certain public improvements. Financial guarantees shall be governed by this section.

17.50.141 – Public improvements – Warranty

All public improvements not constructed by the City, shall be maintained and under warranty provided by the property owner or developer constructing the facilities until the City accepts the improvements at the end of the warranty period. The warranty is to be used at the discretion of the City engineer or designee to correct deficiencies in materials or maintenance of constructed public infrastructure, or to address any failure of engineering design.

Finding: Not Applicable- No development is proposed at this time.

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-MH) 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.

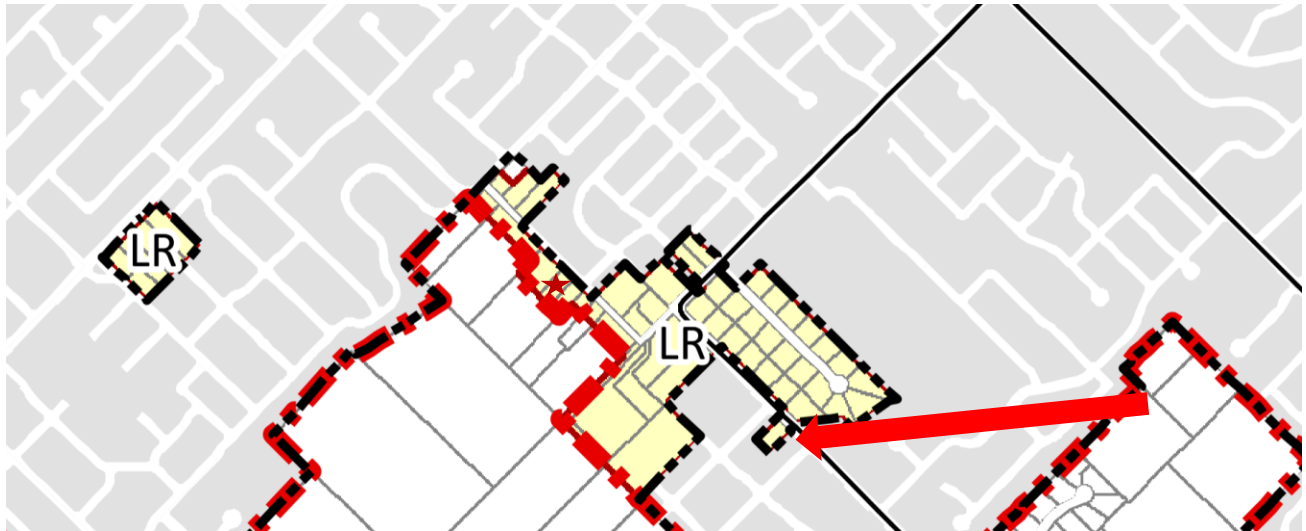


FIGURE 7. COUNTY COMPREHENSIVE PLAN DESIGNATION LR

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 which 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. In this case, the applicant has chosen not to provide transportation findings supporting a zone change, and as part of the emergency annexation, has requested to remain FU-10.

Regarding transportation impacts, rezoning must demonstrate compliance with, or be exempted from, the mobility standards of 16.12.033 - 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.

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 Leland Road and there is a sanitary sewer service available to the house at the time of writing of this report.

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.

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 July 2025.

Water. The property is currently being served by Clackamas River Water (CRW). The City of Oregon City can serve the existing house via an existing water service that comes off a 12-inch water main in Leland Road. The property will leave the Clackamas River Water District as part of the Ordinance approving the annexation.

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 Wesley Linn Park, about 626 feet from the property and 1,219 feet walking distance. Any further homes constructed on the property, following annexed, re-zoning, and development would contribute to the Parks System Development Charge.

Transportation. Access is provided from Leland Road, a minor arterial road that is within the jurisdiction of Clackamas County in this location. 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 on-site 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.

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.

Housing Needs Analysis- HNA (2021)

The study, an ancillary document of the comprehensive plan, found that Oregon City should plan for the growth of 7,435 new dwelling units over the next 20 years. Much of the housing growth will be driven by household growth. The city will meet Metro's requirements for net density and housing mix but will have a slight shortage of land for high-density housing and an unmet need for affordable housing.

Finding: Complies The proposed annexation is consistent with the HNA. Future development will occur once the site is rezoned. Nothing in this annexation will preclude the development and redevelopment of the site.

POLICY 2.4 Identify and protect important artistic and cultural resources and historic amenities through programs, designation, interpretive signage, and other means to increase awareness and generate appreciation.

STRATEGY 2.4.A Support the preservation of Oregon City's historic resources through public information, advocacy and leadership within the community, and the use of regulatory tools and incentive programs.

Finding: Complies No historic resources were identified on the site.

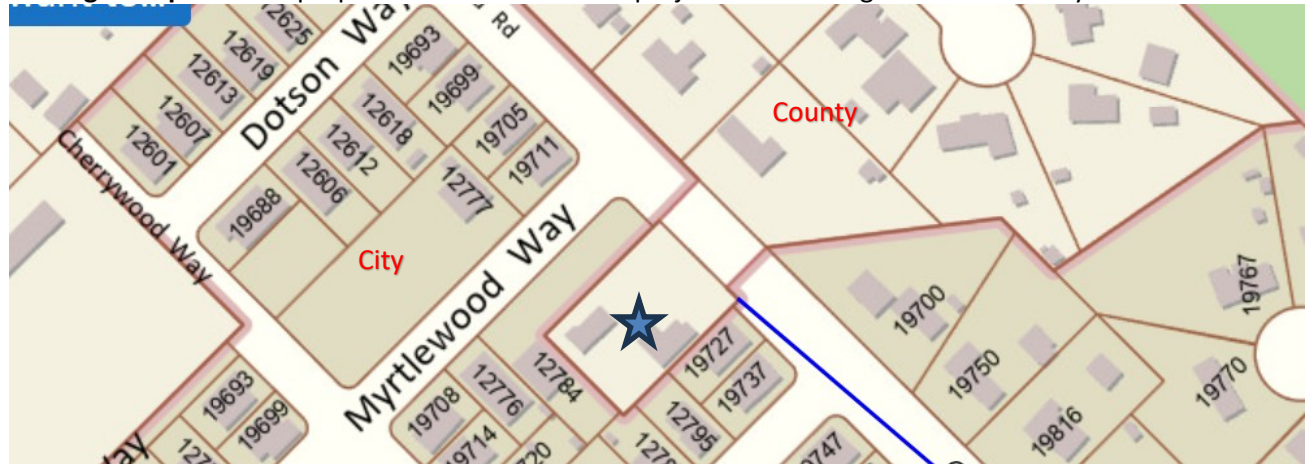
POLICY 5.4 Annex lands to the city through a process that considers the effects on public services and the benefits to the city as a whole and ensures that development within the annexed area is consistent with the Oregon City Comprehensive Plan, City ordinances, and the City Charter.

Finding: Complies. The property is located within the City's Urban Growth Boundary and the

STRATEGY 5.4.A Promote compact urban form and support efficient delivery of public services by ensuring that lands to be annexed are within the City's Urban Growth Boundary, and contiguous with the city limits. Do not consider long linear extensions, such as cherry stems and flag lots, to be contiguous with the city limits.

STRATEGY 5.4.B Evaluate and in some instances require that parcels adjacent to proposed annexations be included to:

- Finding: Complies.** The proposed annexation of the project site is contiguous with the city limits.



Finding: Complies. There is an existing public health hazard for a failing septic tank sewage system connected to the project site. The applicant worked with Public Works in the Spring/Summer of 2025 to connect to the city sewer and submit and pay for a complete annexation application.

STRATEGY 4.4.C Plan for complementary mixed uses when considering annexation of new, under- or undeveloped areas so that new urban residential areas have closer access to jobs and services.

Finding: Complies. The Comprehensive Plan designation for the project site is Low-Density Residential (LR), which permits the City zoning of R-6, R-8, or R-10. The proposal is not requesting a Zone Change at this time- though a future rezone to R-6, which is a low-density residential district with a minimum lot size of 6,000 square feet, would match the neighboring properties. The project site would be required to develop with permitted uses within the low-density residential zones and comply with the development standards adopted by the City once annexed into the City.

POLICY 5.1 Ensure the Urban Growth Boundary conforms to Title 11 of the Code of the Metropolitan

Service District and provides sufficient land to accommodate 20-year urban land needs, resulting in efficient urban growth and a distinction between urban uses and surrounding rural lands, and promoting appropriate infill and redevelopment in the city.

Finding: Complies The City's approved UGB conforms with Title 11 of the Code of the Metropolitan Service District for housing programs.

STRATEGY 5.1.A Include an assessment of the fiscal impacts of providing public services to unincorporated areas upon annexation, including the costs and benefits to the city as a whole as a requirement for concept plans.

Finding: Complies. The property is not subject to a current or prior concept plan. The property is located within the original UGB adopted for the City. It is adjacent to existing public utilities, and the nearby neighborhoods are already provided with public services, so annexation of the property would be orderly and efficient as it pertains to providing public services to the site. It should be noted that the property is not proposed to be developed at this time. Future development of the property would require the extension of public utilities in accordance with local laws. The cost of those extensions is paid for by the developer, with a few exceptions.

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 in the City's Comprehensive Plan, this proposal does not include a request to rezone the land, as it was initiated as an emergency annexation and the applicant has not provided analyses demonstrating compliance with the Transportation Planning Rule, a requirement for a zone change. As noted above, no further development or land division may occur until the land is rezoned to a City zoning designation.

OCMC 14.04.060 - Annexation factors.

A. When reviewing a proposed annexation, the commission shall consider the following factors, as relevant and approve an annexation only when it finds that on balance these factors are satisfied:

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 Leland Road and the existing access is adequate.

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

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

3. Adequacy and availability of the following public facilities and services to serve potential development at time of development:

a. Transportation. The urbanization of the site is accounted for in the transportation system plan. The application demonstrates that the annexation is consistent with the transportation planning rule (TPR) or explain why a TPR analysis is not required;

Finding: Complies. The Applicant is retaining the existing FU 10 zoning, which would prohibit future partitioning of the site if under 10 acres . Transportation analysis would occur at the time of rezoning.

b. Sewer. The urbanization of the site is accounted for in the sewer master plan;

c. Water. The urbanization of the site is accounted for in the water master plan;

d. Stormwater. The urbanization of the site is accounted for in the stormwater master plan;

Finding: Complies The stormwater, water and sanitary Master Plans have all accounted for future growth on site.

e. Police, Fire, and Emergency Services. Police, fire, and emergency services can adequately serve the site;

Finding: complies. The property is already within the Clackamas Fire District #1 and will remain in CFD#1 upon Annexation. The police department has not indicated that one additional single-family house can't be accounted for within the Oregon City Public Safety service area.

f. Parks. The urbanization of the site is accounted for in the parks and recreation master plan; and

Finding: Complies The Parks Master Plans have all accounted for future growth on site. No parks are proposed to be onsite.

g. Schools. The urbanization of the site is analyzed for school capacity in a concept plan or in a school forecast approved by Oregon City School District.

Finding: Complies. The site is already within the Oregon City School District Boundary.

4. Demonstration of how the impacts of future development to city public facilities and services will be mitigated. Mitigation may include on-site or off-site infrastructure or improvements to existing infrastructure to city standards and specifications, payment of system development charges, etc. Funding for the mitigation must be identified. The city commission reserves the right to enter into a development agreement with the Applicant that governs the extent and timing of infrastructure improvements.

Finding: Complies. The Applicant is retaining the existing FU 10 zoning, which would prohibit future partitioning of the site if under 10 acres . No future impacts are anticipated while the site is zone FU-10. Further analysis will occur at the time of the zone change.

5. Annexations over five acres shall obtain master plan approval at a public hearing before the planning commission prior to or concurrent with a land division or site plan and design review application. The master plan will identify the details of development including the overall impact of development on the city infrastructure and mitigating improvements.

Finding: No Applicable. The site is less than 5 acres.

6. The annexation is in the best interest of the city. Generally, the commission may consider the annexation is in the best interest of the city if it meets two or more of the following criteria:

- a. It provides a needed solution for existing problems, resulting from insufficient sanitation, water service, or other urban service-related problems; or
- b. It provides land for development to meet urban needs including jobs and/or housing in an orderly and logical growth pattern; or
- c. It provides needed routes for utility and transportation networks.

Finding: Complies. The Applicant has proposed an annexation to connect to city sewer to alleviates a failed septic system that was backing up into the rear yard an caused a public health hazard. Future residential development on the parcel could occur once the site has been rezoned.

7. Compliance with applicable sections of ORS 222, and Metro Code Section 3.09 including a demonstration that the proposed annexation is timely, orderly, and efficient;

Finding: Complies 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.

8. All natural hazards identified by the city, such as wetlands, floodplains, steep slopes and landslides, including those mapped and unmapped by the city, County, state or other government agencies are identified;

Finding: Complies. The east side of the property is within a small section of the National Resources Overlay District, though based on the location of the existing mapped stream it is likely that the applicant will receive an exemption as the site is located more than 50 feet from a mapped resource.

9. All historically designated and potentially eligible historic structures are identified;

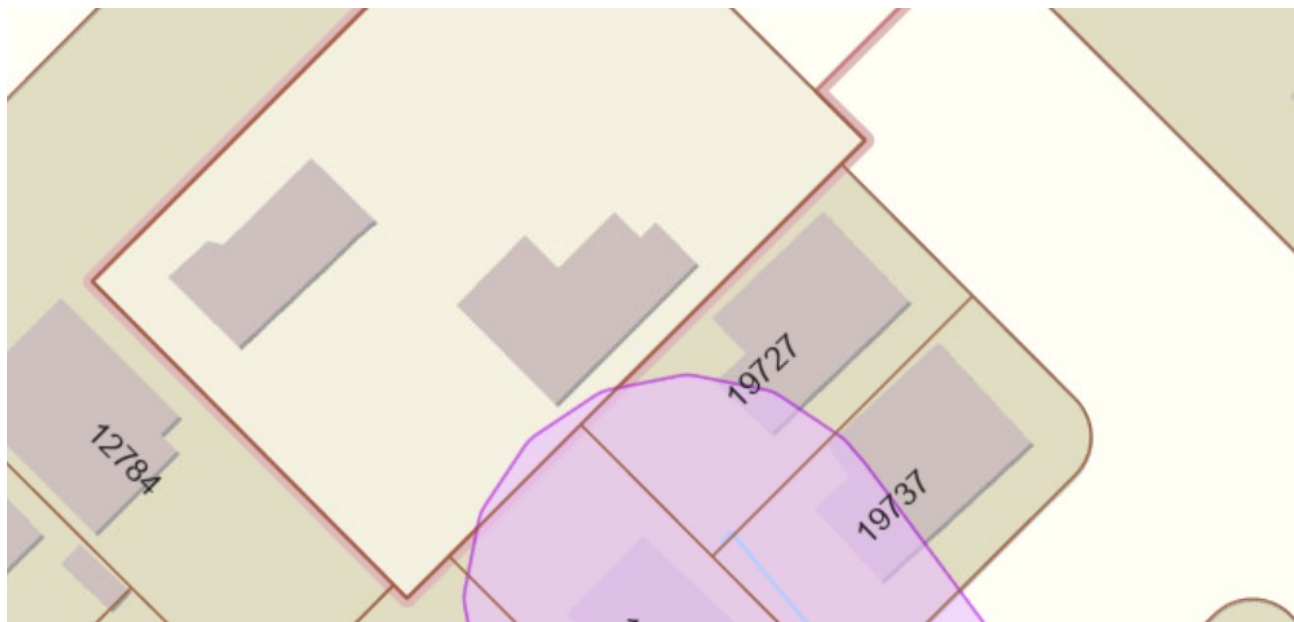
Finding: Complies The site does not contain a historic resource.

10. Any significant adverse impacts on the economic, social and physical environment of the community or on specially designated open space, scenic, historic or natural resource areas identified in the comprehensive plan by urbanization of the subject property at time of annexation can be avoided or mitigated;

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

11. The extent to which the proposed annexation territory includes preservation of natural features, landforms and significant tree canopy since the date when the annexation application was filed with the city, excluding properties under farm or forest tax deferment or farm or forest practices as defined under ORS 30.930. Annexations which demonstrate efforts to avoid significant site grading or tree removal will be viewed more favorably than those upon which such activities have occurred.

Finding: Complies. The portion of the property has a mapped stream that will be regulated by the Natural Resources Overlay District upon annexation. However, the abutting subdivision, Lindsey Anne Estates, provided a stream analysis as part of the subdivision plat and did not find a regulated stream in the area of the abutted platted lots shown in the pink Natural Overlay District boundary. A Natural Resources Exemption will be eligible at the time of any applicable development for the site.



Annexation Factors Summary

The Commission considers the "community" to include the City of Oregon City and the lands within its urban service area. The City will see a minor increase in property tax revenue from adding assessed value to its tax roll due to annexation. Additionally, the City will gain land use authority over the territory. It will also assume service responsibilities such as fire, police, and general administration. Currently, the City occasionally provides police services to the unincorporated area during patrols to serve the incorporated area. The additional service responsibilities resulting from the Annexation are minimal.

If annexed, property owners can apply to the City for land use permits, including zone changes. Any community impacts from approving development permits are a direct result of future permit approvals, not the Annexation itself. Before urban development can proceed, the territory must also be annexed to the Tri-City Service District. The City Commission must agree with the Tri-City Service District's annexation of the property through the enacting Ordinance, following 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.

The Planning Commission reviewed the proposal and found that all annexation factors applicable to the Comprehensive Plan goals/strategies were met for the proposed emergency annexation and recommended approval to the City Commission.

Based on the study and the Proposed Findings and Reasons for Decision for this Annexation the Planning Commission recommends Approve Planning File GLUA-22-00013: AN-22-0001 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 is removed from the Clackamas River Water district
- 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-22-00013: AN-22-0001
PROPOSED FINDINGS, CONDITIONS AND REASONS FOR DECISION

Based on the staff report and findings, the City Commission finds the following:

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 Beaver 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 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-25-00017: AN-25-0001**

(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. 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.(P)

Exhibits:

1. Legal Description and Map
2. Annexation Application
3. Measure 3-51- May 18, 1999 voter-approved charter amendment (on file)
4. Public Notices/ Vicinity Map (on file)

**Annexations to OREGON CITY
Double Majority Method, 100% Owners Method**

PLEASE READ ALL INSTRUCTIONS BEFORE FILING A PETITION WITH THE CITY

I. Application Process for Property Owners and Registered Voters

Step 1. Petition

Attached is a *Petition* form for your use. Please fill in the blanks on the first page, sign and fill in the requested information on the second page and insert or attach the legal description to the first two pages.

Who May Sign: An elector registered to vote in the territory to be annexed; a property owner who is the legal owner of record or, where there is a recorded land contract, the purchaser thereunder. If there is multiple ownership each signer is counted in proportion to the size of their ownership. If a corporation owns land, the corporation is considered the individual owner.

After completing the petition, have the County Assessor's Office certify the property owner signatures using the attached *Certification of Property Ownership* form. While you are at the Assessor's Office show them your legal description, buy two 1/4 Section Maps showing the property to be annexed and have them certify the map and legal description using the attached *Certification Of Legal Description And Map* form. Proceed to the County Elections Department and have them certify the signatures of the registered voters by completing the attached *Certification of Registered Voters* form. Do this even if the property is vacant. In that case they certify that there are no registered voters in the affected territory.

Step 2. Legal Description

The legal description noted above must be a metes and bounds legal description of the territory to be annexed. This description should be inserted in or attached to the Petition. In addition, one separate copy of the metes and bounds description should be submitted. (A lot, block and subdivision description may be substituted for the metes and bounds description if the area is platted and no metes and bounds description is available, and if this is acceptable to the County Assessor's Office.) If the legal description contains any deed or book and page references, legible copies of these must be submitted with the legal description.

Step 3. Map

As noted above you must submit two copies of the 1/4 Section map. This should be the latest County Assessor's quarter section map (or maps) which indicates the territory to be annexed. Outline the area to be annexed on the maps.

Step 4. Notice List

You must submit a list of all property owners and registered voters in the area to be annexed regardless of whether they signed the annexation petition or not. Additionally, this list must include the names and addresses of all property owners within 300 feet of the outside edge of the territory to be annexed. Please submit this list on peel-off label sheets.

Step 5. Information Sheet

Complete the attached *Boundary Change Information Sheet*.

Step 6. Double Majority Work Sheet

A *Double Majority Worksheet* is attached for your convenience. This is to help verify that all double-majority requirements are met.

Step 7. Submit Application To City

Submit all materials and the required filing fee (see attached schedule) to the City Manager or his designee at the Oregon City City Hall at 625 Center St., Oregon City, OR 97045.

II. City Review

Below is a summary of the steps which will be taken regarding annexations initiated by these two methods.

Step 1. Compliance Review

Submitted materials will be checked for compliance with requirements of state statutes, the Metro Code requirements and the City Code requirements.

Step 2. Public Hearing Date Set

The proposal will be set for a hearing by the Planning Commission and the City Commission. The setting of the hearing date for the City Commission must occur within 30 days of the day the proposal is judged to be complete.

Step 3. Public Hearing Notice

Notice of the public hearing by the Planning Commission and notice of the public hearing of the City Commission will be sent to service providers in the area, to the applicant, to adjacent property owners and to appropriate neighborhood or community organizations. Notice of the hearing will be posted in and/or around the territory to be annexed. The hearing will also be advertised twice in a newspaper of general circulation in the area.

Step 5. Staff Study and Report

A staff report will be prepared on each proposed boundary change. This report will cover at a minimum five items specified in the Metro Code including availability of services, compatibility with regional and local plans, etc. The report will also cover the approval criteria laid out in the Oregon City Municipal Code. This report will be made available to the public 7 days prior to the Planning Commission hearing and 15 days prior to the City Commission hearing.

Step 6. Public Hearings

The Planning Commission will hold its public hearing. After reviewing the proposal in light of the criteria in the City Code and the Metro Code, the Planning Commission will make a recommendation on the boundary change to the City Commission.

The City Commission holds a public hearing. At the hearing the City Commission will consider 7 minimum criteria laid out in the Metro Code including compliance with urban service agreements, consistency with applicable land use plans and service availability. The City Commission will also consider the 7 Annexation Factors contained in the City Municipal Code. At the conclusion of the public hearing the Commission determines whether the proposed annexation is consistent with the Metro Code and with a positive balance of the factors in the City Code and if so schedules an annexation election.

If the Council approves the proposal, and schedules it for election, it must do so with an order containing findings and reasons. If there are no objections to the approval by another unit of government within 10 days, then the issue proceeds to election. If the decision is contested by a necessary party, then the matter is transferred to the Metro Boundary Appeals Commission.

Step 7. Election

If the City Commission approves the annexation, it will be scheduled for an election at one of the four regular state election dates (March, May, September and November). The applicant will be required to submit a deposit to cover any and all costs of the election. City and State required processes leading up to an election take a significant amount of time and should be allowed for in planning by the applicant.

After the election results are certified an order must be generated to officially change the boundary. The order must be sent to the Secretary of State, County Recorder and County Assessor, State Revenue Department, and City Recorder. Other interested parties (such as the utilities) are notified as well. These notifications and official map changes are done by Metro. A separate fee for this operation will be collected at the time the proposed boundary

***PETITION OF OWNERS OF MAJORITY 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")

***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")

By signing below, I indicate my consent to and support of being annexed into the City of Oregon City, and my consent for having my signature (below) used for any application form required for the annexation, including but not limited to the City of Oregon City's Land Use Application Form.

NOTE: This petition may be signed by qualified persons even though they may not know their property description or precinct number.

[illegible]

*PO = Property Owner
RV= Registered Voter
OV= Property Owner and Registered Voter

***CERTIFICATION OF PROPERTY OWNERSHIP OF AT LEAST ONE-HALF LAND AREA
(City Double Majority 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 at least one-half of the land area within the annexation area described in the petition, as shown on the last available complete assessment roll.

NAME _____
TITLE _____
DEPARTMENT _____
COUNTY OF _____
DATE _____

"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 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 _____

TITLE _____

DEPARTMENT _____

COUNTY OF _____

DATE _____

"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
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 _____

TITLE _____

DEPARTMENT _____

COUNTY OF _____

DATE _____



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 Tiffany Clark
TITLE Deputy Clerk-Elections Analyst
DEPARTMENT Elections
COUNTY OF Clackamas
DATE 5-14-2025



NOTICE LIST

{This form is NOT the petition}

ALL OWNERS OF PROPERTY AND/OR REGISTERED VOTERS INCLUDED IN BOUNDARY CHANGE PROPOSAL AREA. ALL OWNERS OF PROPERTY WITHIN 300 FEET OF THE OUTSIDE BOUNDARY OF THE AREA TO BE ANNEXED.

Name of Owner/Voter

Address

Property Designation (indicate tax lot, section number, township and range)

1. Curt James 19717 Leland Rd. Oregon City 97045
+ tax lot 10700 ^{TAX-}map 32E18AB10700 section 18 Township 3 South Range 2 East
2. Charlotte James 19717 Leland Rd. Oregon City 97045
S/A above
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____

14. _____

15. _____

16. _____

17. _____

18. _____

19. _____

20. _____

21. _____

22. _____

23. _____

24. _____

25. _____

26. _____

27. _____

28. _____

29. _____

30. _____

BOUNDARY CHANGE INFORMATION SHEET

I. EXISTING CONDITIONS IN AREA TO BE ANNEXED

A. General location 19717 Leland Rd., Oregon City OR 97045

B. Land Area: Acres .49 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).

Does not contain as mapped geologic hazard areas.

D. Describe land uses on surrounding parcels. Use tax lots as reference points.

North: Low density residential existing development

East: Low density residential existing development

South: Low density residential existing development

West: Low density residential existing development

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: Low density residential

F. Total current year Assessed Valuation: \$ _____

G. Total existing population: _____

II. REASON FOR BOUNDARY CHANGE

A. The City Code (Section 6) and the Metro Code (3.09.050 (d) & (e)) spell out criteria for consideration (see copies attached). Please provide a narrative which addresses these criteria. With regard to the City criteria, please provide a narrative statement explaining the conditions surrounding the proposal and addressing the factors in Section 6, as relevant, including:

1. Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities.
2. Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time.
3. Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand.
4. Statement outlining methods and source of financing required to provide additional facilities, if any.
5. Statement of overall development concepts and methods by which physical and related social environment of the site, surrounding area and community will be enhanced.
6. Statement of potential physical, aesthetic and related social effects of the proposed or potential development on the community as a whole and on the small subcommunity or neighborhood of which it will become a part; and proposed actions to mitigate such negative effects, if any.
7. Statement indicating the type and nature of any Comprehensive Plan text or map amendments or Zoning text or map amendments that may be required to complete the proposed development.

B. Please submit a site plan, drawn to scale (not greater than 1" = 50') indicating:

1. The location of existing structures (if any).
2. The location of streets, sewer, water, electric and other utilities, on or adjacent to the property to be annexed.
3. The location and direction of all water features on and abutting the subject property. Approximate location of areas subject to inundation, stormwater overflow or standing water. Base flooding data showing elevations of all property subject to inundation in the event of one-hundred-year flood shall be shown.
4. Natural features, such as rock outcroppings, marshes or wetlands (as delineated by the Division of State Lands) wooded areas, isolated preservable trees (trees with trunks over 6" in diameter - as measured 4 feet above the ground) and significant areas of vegetation.
5. General land use plan indicating the types and intensities of the proposed or potential development.

III. LAND USE AND PLANNING

- A. What is the applicable County Planning Designation? future urbanizable
- B. What City Planning Designation is being sought? Low density residential
- C. What is the zoning on the territory to be served? _____
- D. What zoning designation is being sought? _____
- E. Is the subject territory to be developed at this time? NO development is proposed.
- F. Generally describe the anticipated development (building types, facilities, number of units).

No development is proposed.

- G. 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

If Yes to previous questions, describe outcome of zone change request: N/A

- H. Is the proposed development compatible with the City's comprehensive land use plan for the area? N/A

☐ 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

Describe the reaction to the proposed development from the persons or agencies indicated above: _____

- I. Indicate all permits and/or approval from a City, County or Regional Government which will be needed for the proposed development. If already granted, indicate date of approval and identifying number:

APPROVAL	PROJECT FILE #	DATE OF APPROVAL	FUTURE REQUIREMENT
Metro UGB Amendment			
City of County Plan Amendment			
Pre-Application Hearing (City or County)			
Preliminary Subdivision Approval			
Final Plat Approval			

APPROVAL	PROJECT FILE #	DATE OF APPROVAL	FUTURE REQUIREMENT
Land Partition			
Conditional Use			
Variance			
Sub-Surface Sewage Disposal			
Building Permit			

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

- J. Does the proposed development comply with applicable regional, county or city comprehensive plans? Describe: No development is proposed.
- K. 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: Hilledale Neighborhood Assoc.
william@smallflags.com + ncecowboy1@gmail.com

IV. SERVICES AND UTILITIES

A. Indicate the following:

- Location and size of nearest water line which can serve the subject area: 12" water line on Leland City - 6" CRW
- Location and size of nearest sewer line which can serve the subject area: 8" PVC Leland
- Proximity of other facilities (storm drains, fire engine companies, etc.) which can serve the subject area: Storm 12" pipe Leland
Clackamas Fire dist #1
- The time at which services can be reasonably provided by the city or district: Immediately
- The estimated cost of extending such facilities and/or services and what is to be the method of financing. (Attach any supporting documents.) exemption not needed. already available
- Availability of the desired service from any other unit of local government.
(Please indicate the government.) _____

- 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 indicate by stating the name or names of the governmental units involved.

City _____	Rural Fire Dist _____
County Service Dist _____	Sanitary Dist _____
Hwy Lighting Dist _____	Water Dist _____
Grade School Dist _____	Drainage Dist _____
High School Dist _____	Diking Dist _____
Library Dist _____	Park & Rec Dist _____
Special Rd Dist _____	Other Dist. Supply Water Srvc _____

- 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 residents in the territory hooked up to a public sewer or water system), describe: _____
- _____
- _____

Applicant's Name: Curt + Charlotte James

Mailing Address: 19717 Leland RD
OREGON CITY OR 97045

Email Address: CJwindowco@gmail.com

Telephone Number: 805.794.2549

Representing: _____

Date: 5-15-2025

DOUBLE MAJORITY WORKSHEET

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	SIGNED PETITION (Y/N)	ACRES	ASSESSED VALUE
3-2E-18AB-10700	Curt James	Y	.49	
3-2E-18AB-10700	Charlotte James	Y	.49	
		TOTALS:		

WORKSHEET (continued)

REGISTERED VOTER NAME	REGISTERED VOTER ADDRESS	SIGNED PETITION (Y/N)
Curt James	19717 Leland Rd. Oregon City	Y
Charlotte James	19717 Leland Rd. Oregon City	Y

SUMMARYTotal Number of Registered Voters in the Proposal: 2Number of Registered Voters who signed: 2Percentage of Registered Voters who signed: 100%Acreage Signed for: .49Percentage of Acreage Signed for: 100%

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 Tiffany Clark
TITLE Deputy Clerk
DEPARTMENT Elections
COUNTY OF Clackamas
DATE May 29, 2024





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 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 Clarkamas
DATE 05.21.24

- * "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 32E 04C
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 Clarkamas
DATE 05.21.24

CERTIFICATION OF PROPERTY OWNERSHIP OF

AT LEAST ONE-HALF LAND AREA

(City Double Majority 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 at least one-half 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 05.21.24

- * "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.



19376 Molalla Avenue, Ste. 120, Oregon City, OR 97046
P. 503-650-0188 F. 503-650-0189

Exhibit "A"
Annexation
Legal Description

A Tract of land being a portion of that property described in Deed Document Number 2025-11064, Deed records of Clackamas County, together with a portion of Leland Road (a 60.00 foot wide right of way), located in the Southeast one-quarter of Section 7, Township 3 South, Range 2 East of the Willamette Meridian, County of Clackamas, State of Oregon, being more particularly described as follows:

BEGINNING at the Northerly corner of Lot 1 per the Plat of "Lindsay Anne Estates" (Plat Number 4412), Plat records of Clackamas County, said corner being on the Southerly right of way line of Leland Road, said corner being 39.00 feet South of the centerline of said road when measuring at right angles; thence along the Northwesterly line of said Lot 1, and continuing along the Northwesterly line of Lots 3 and 4 of said Plat, S43°34'15"W, 165.03 feet +/- to an angle point of said Lot 4; thence along the most Westerly Northeasterly line of said Lot 4, and continuing along the most Easterly Northeasterly line of Lot 28 per the Plat of "Lindsay Anne Estates Too" (Plat Number 4574), Plat records of Clackamas County, N46°19'21"W, 120.02 feet +/- to an angle point in said Lot 28; thence along the most Northerly Southeasterly line of said Lot 28, and continuing along the Northerly extension thereof, N43°34'29"E, 233.97 feet +/- to a point on the Northerly right of way line of said Leland Road, said right of way line being coincident with the Southerly boundary of the Plat of "Kalal Subdivision" (Plat Number 1363), Plat records of Clackamas County; thence along said coincident lines, S46°21'05"E, 120.00 feet +/- to a point on the Northerly extension of said Lot 1 of said plat of "Lindsay Anne Estates" thence along said extension, S43°34'15"W, 69.00 feet +/- to the **POINT OF BEGINNING**.

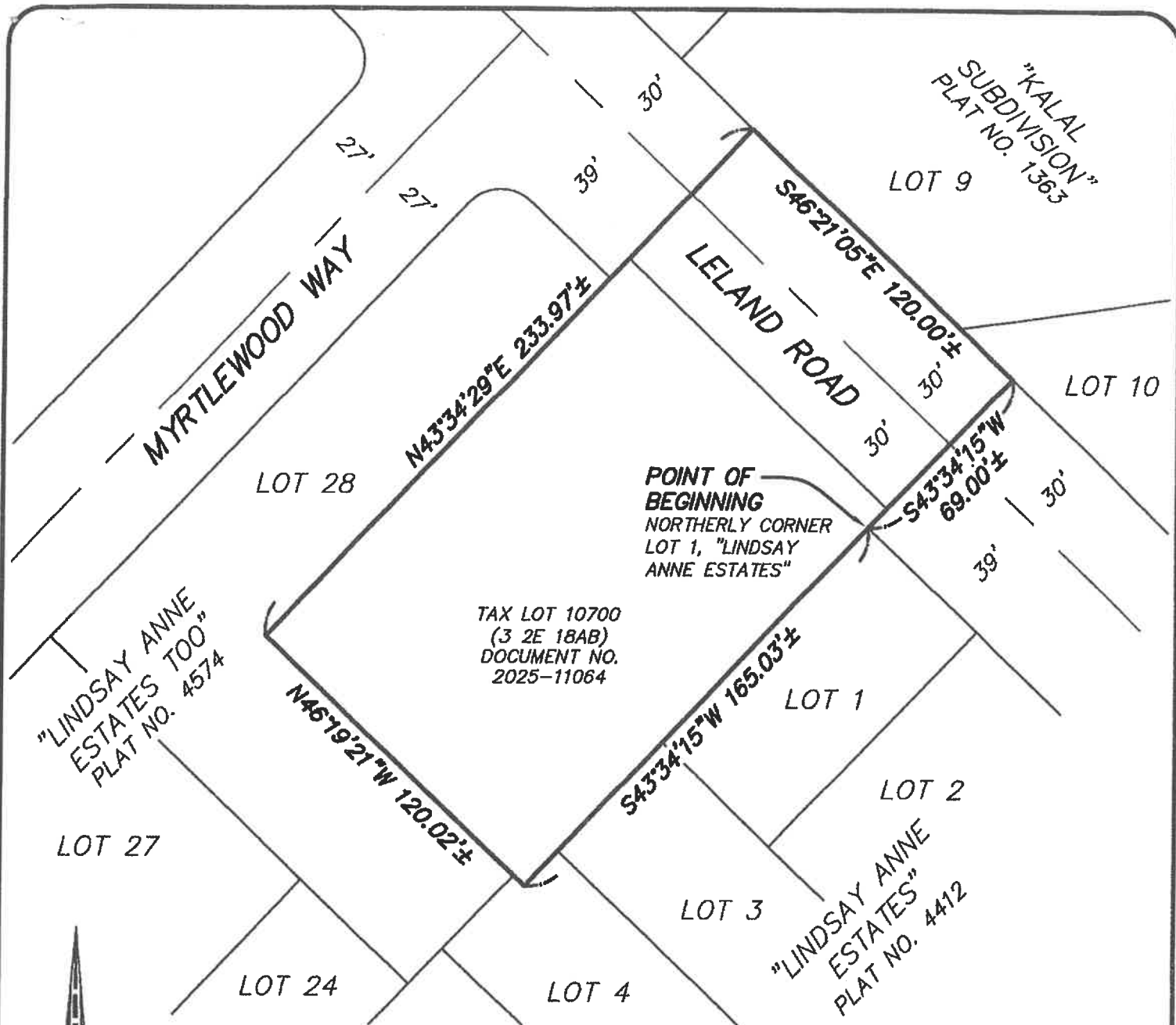
SIGNED ON: 4-30-2025

Total Annexation Contains 28,083 square feet, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
NOVEMBER 30, 2007
JAMES BURTON BROWN
60379

EXPIRES: 12-31-2025



TRACTS OF LAND LOCATED IN THE
S.E. 1/4 OF SECTION 7, T.3S., R.2E., W.M.
CITY OF OREGON CITY,
CLACKAMAS COUNTY, OREGON

TOTAL ANNEXATION
AREA= 28,083 SQUARE FEET

SIGNED ON: 4-30-2025

REGISTERED
PROFESSIONAL
LAND SURVEYOR

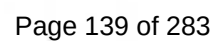
OREGON
NOVEMBER 30, 2007
JAMES BURTON BROWN
60379

RENEWES: DECEMBER 31, 2025

CLIENT: JAMES
ORIG. DATE: 4/29/2025
DRAWN BY: MPW
SHEET No. 1 OF 1

EXHIBIT "B"
ANNEXATION
CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON
Scale: 1"=50'

CENTERLINE CONCEPTS
LAND SURVEYING, INC.
19376 MOLALLA AVE., SUITE 120
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0188





CITY OF OREGON CITY

625 Center Street
Oregon City, OR 97045
503-657-0891

Staff Report

To: City Commission

Agenda Date: December 17, 2025

From:

SUBJECT:

Item 8.b. - First Reading of Ordinance No. 26-1002, Emergency Annexation 19530 S Central Point Road (GLUA-25-00035, AN-25-0002)

STAFF RECOMMENDATION:

Staff Recommends Approval of the Emergency Annexation

EXECUTIVE SUMMARY:

Emergency Annexation of an approximately 19,660 sq. foot property. The Applicant desires to annex the property due to a failed septic system. Annexation is required as a condition of connecting to the city sewer system. The Applicant has not requested a zone change for this application and will remain zoned FU-10, which is a county zone. The proposal does not include a request for development approval or a change in use. The subject territory is within the Oregon City Urban Growth Boundary and has Comprehensive Plan designations of LR – Low-Density Residential.

REASON FOR ANNEXATION

In order to address the emergency, the property is connected to the City sewer system on the condition that the owner concurrently petitions for Annexation to the City. City sewer services are available close to the property. The sewer connection was permitted under PU-25-00030 on 9/10/2025. The site is currently on a septic system.

The applicant also initially submitted a concurrent Zone Change application to R-8, but chose to withdraw because the cost of providing the necessary transportation adequacy and compliance findings with the statewide Transportation Planning Rule (TPR) was not feasible within his project budget. As no development is anticipated in the near future, the application decided to withdraw the Zone Change application and continue with the emergency annexation without a zone change, which will retain the existing county FU-10 zone on the property.

November 24, 2025, Planning Commission Meeting

The Planning Commission reviewed the proposal and found that all annexation factors applicable to the Comprehensive Plan goals/strategies were met for the proposed emergency annexation and recommended approval to the City Commission (7-0).

BACKGROUND:

Please refer to the staff report for additional background information.

OPTIONS:

1. Approve the first reading of ORD 26-1002 as recommended by the Planning Commission.
2. Approve the first reading of ORD 26–1002 with modified conditions and provide revised findings
3. Deny the proposal and provide revised findings.
4. Continue the hearing and request more information

BUDGET IMPACT:

ORDINANCE NO. 26-1002

AN ORDINANCE APPROVING EMERGENCY ANNEXATION PROPOSAL GLUA-25-00035:AN-25-0002 AND APPROVING THE ANNEXATION OF CERTAIN PROPERTY LOCATED AT 19530 S CENTRAL POINT RD TO THE CITY OF OREGON CITY

AN ORDINANCE OF THE CITY OF OREGON CITY

WHEREAS, the owner of certain real property adjacent to the City of Oregon City, Denise and Ryan Koch, proposed an Emergency Annexation GLUA-25-00035:AN-25-0002 that their approximately 20,834 square foot property and abutting Right of Way located at 19530 Central Point Road, Oregon City OR 97045 identified as Clackamas County Map 3-2E-07CC, Tax Lot -00600, 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 the City sewer. City water and sewer services were available near the property, and the owner desired to make the necessary 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 the 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, the identified property is currently within the Clackamas River Water, and the Oregon City will be responsible for Water service to the identified property when annexed; 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 its 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 be withdrawn from 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. 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 _____ day of _____, 2025, and the City Commission finally enacted the foregoing ordinance this _____ day of _____, 2026.

Mayor, Denyse McGriff

Attested to this _____ day of _____ 2026: Approved as to legal sufficiency:

City Recorder

City Attorney

Exhibit A – Map and Legal Description of Proposed Annexation
Exhibit B – Proposed Findings, Reasons for Decision, and Conclusions



AKS ENGINEERING & FORESTRY

12965 SW Herman Road, Suite 100, Tualatin, OR 97062

P: (503) 563-6151

F: (503) 563-6152

AKS Job #12615

EXHIBIT A

Annexation

A portion of Lot 1 of the plat "Filbert Orchard", Plat No. 1744, Clackamas County Plat Records, located in the Southeast One-Quarter of Section 12, Township 3 South, Range 2 East, Willamette Meridian, City of Oregon City, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the most southerly corner of said Lot 1, also being on the northeasterly right-of-way line of Skellenger Way (28.00 feet from centerline) and the City of Oregon City city limits line; thence along said northeasterly right-of-way line (variable width from centerline) and said city limits line, North $46^{\circ}03'35''$ West 171.00 feet to the most southerly corner of Document Number 2024-008065, Clackamas County Deed Records, and the Point of Beginning; thence continuing along said northeasterly right-of-way line and said city limits line, North $46^{\circ}03'35''$ West 176.21 feet; thence continuing along said northeasterly right-of-way line and said city limits line on a curve to the right with a Radius of 10.00 feet, a Delta of $89^{\circ}59'50''$, a Length of 15.71 feet, and a Chord of North $01^{\circ}03'40''$ West 14.14 feet to the southeasterly right-of-way line of Central Point Road (30.00 feet from centerline); thence along said southeasterly right-of-way line and said city limits line, North $43^{\circ}56'16''$ East 99.66 feet to the most northerly corner of said Document Number 2024-008065; thence leaving said city limits line along the northeasterly line of said deed, South $46^{\circ}05'57''$ East 186.13 feet to the easterly corner of said deed; thence along the southeasterly line of said deed, South $43^{\circ}53'43''$ West 109.79 feet to the Point of Beginning.

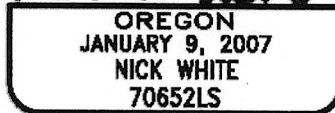
The above described tract of land contains 20,406 square feet, more or less.

The Basis of Bearings for this description are based on said "Ed's Orchard", Plat No. 4503, Clackamas County Plat Records.

6/11/2025



Nick White



RENEWS: 6/30/26

MW

07/02/25

RECEIVED
CLACKAMAS

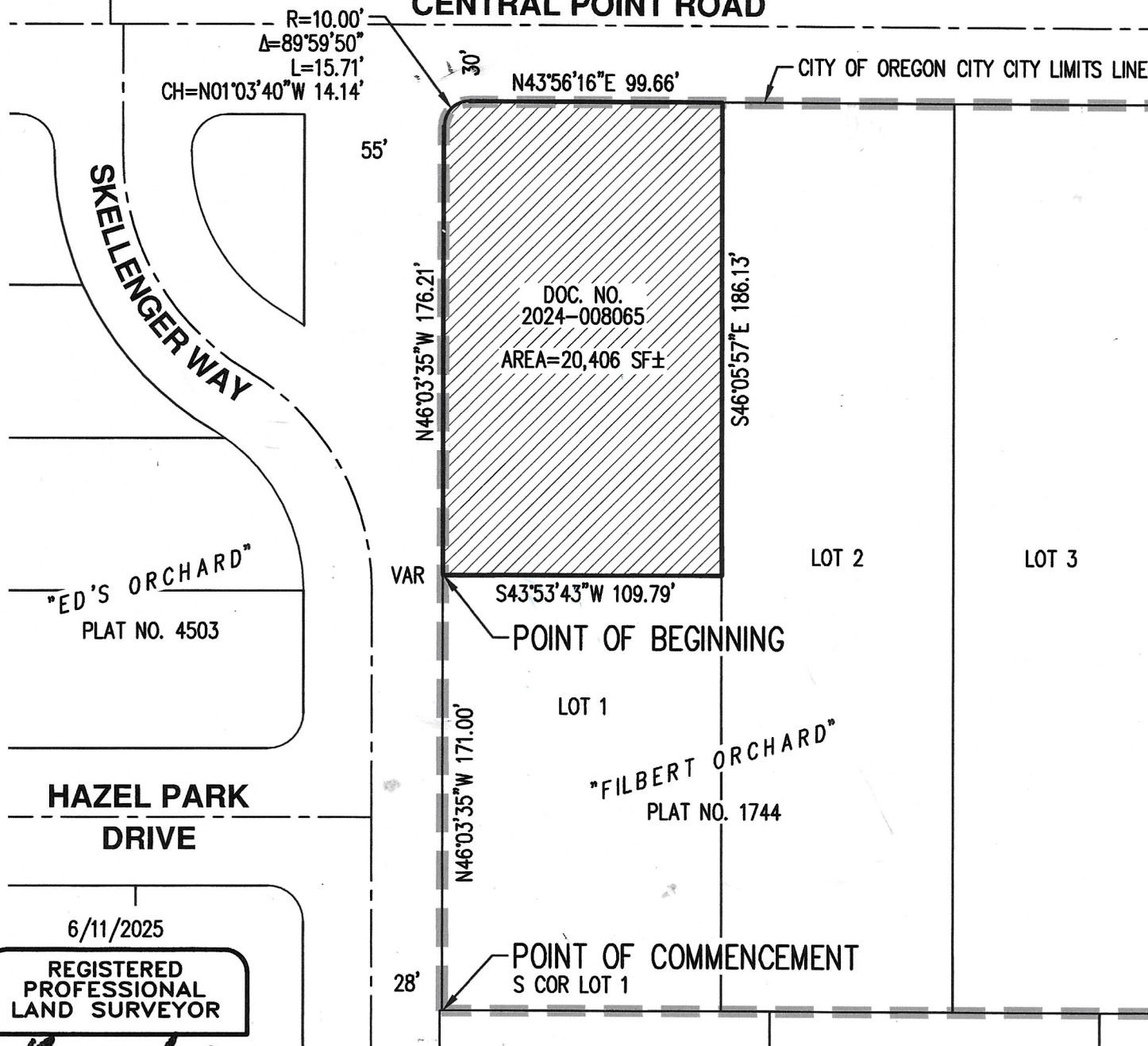
JUL - 2 2025

COUNTY
ASSESSOR

EXHIBIT B

A PORTION OF LOT 1 OF THE PLAT "FILBERT ORCHARD",
LOCATED IN THE SOUTHEAST 1/4 OF SECTION 12,
TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN,
CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON

CENTRAL POINT ROAD



6/11/2025

REGISTERED
PROFESSIONAL
LAND SURVEYOR

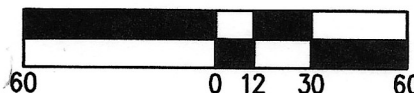
Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/26

PREPARED FOR
RYAN & DENISE KOCH
14339 S STONERIDGE DRIVE
OREGON CITY, OR 97045

SCALE: 1"=60 FEET



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

AKS

ANNEXATION

TL 32E07CC 00600

DRWN: WCB CHKD: NSW

AKS JOB:
12615

EXHIBIT
B

DWG: 12615 20250611 EXB | EXB1

Type IV STAFF RECOMMENDATION

November 17, 2025

December 4, 2025 *Revised*

A preliminary analysis of the applicable approval criteria is enclosed within the following staff report. All applicable criteria shall be met, or met with conditions in order to be approved. The City Commission may choose to adopt the findings as recommended by staff or alter any finding as determined appropriate.

FILE NO: GLUA-25-00035: AN-25-0002**APPLICATION TYPE:** Annexation (Sewer Connection)**APPLICANT:** Denise and Ryan Koch
14339 S Stoneridge Dr
Oregon City, OR 97045**REQUEST:** Emergency Annexation of an approximately 19,660 sq. foot property. The Applicant desires to annex the property due to a failed septic system. Annexation is required as a condition of connecting to the city sewer system. The Applicant has not requested a zone change for this application and will remain zoned FU-10, which is a county zone. The proposal does not include a request for development approval or a change in use. The subject territory is within the Oregon City Urban Growth Boundary and has Comprehensive Plan designations of LR – Low-Density Residential**LOCATION:** 19530 S CENTRAL POINT RD
OREGON CITY, OR 97045
3-2E-07CC-00600

Current County Zone: FU-10

REVIEWER: Christina Robertson-Gardiner AICP, Senior Planner**RECOMMENDATION:** Evaluate annexation against factors, and adopt the staff report and proposed findings, reasons for the decision.**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, 695 Warner Parrott Road Oregon City, Oregon 97045, from 9:00 am to 4:00pm 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. 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-22-0001 - CITY OF OREGON CITY - Annexation

Property Owners 2 / Voters: 0

Applicant(s): Ryan Koch

The proposal is a single tax lot annexation initiated by a consent petition of 100% of the property owners and registered voters. The petition meets the requirement for initiation set forth in ORS 222.170 and Metro Code 3.09.040(a).

REASON FOR ANNEXATION

In order to address the emergency, the property is connected 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 is a requirement to hook up to the City sewer. City sewer services are available close to the property. The sewer connection was permitted under PU-25-00030 on 9/10/2025. The site is currently on a septic system. T

The Applicant signed an annexation agreement stating their intent to pursue an annexation land-use action as a condition for receiving City sewer services. The applicant also initially submitted a concurrent Zone Change application to R-8, but chose to withdraw because the cost of providing the necessary transportation adequacy and compliance findings with the statewide Transportation Planning Rule (TPR) was not feasible within his project budget. As no development is anticipated in the near future, the application decided to withdraw the Zone Change application and continue with the emergency annexation without a zone change, which will retain the existing county FU-10 zone on the property.

The nearest sewer main along the property frontage is within Skellenger Way. However, there is an unimproved right-of-way separating the property from direct frontage to this street, and the right-of-way restricts its use to “subdivision entry monument and/or landscaping, no improvements or storage shall be allowed upon... the adjacent ROW until such time that said adjacent ROW is vacated.” Therefore, a concurrent street vacation process was initiated as part of this annexation to allow the property to receive direct service from a new sanitary sewer lateral through the unimproved ROW to Skellenger Way.

ANNEXATION PROCESS

In the fall of 2021, the City Commission provided direction to staff to process all annexation requests through the Planning and City Commission. Previously, Emergency (septic failure) annexations were sent directly to the City Commission.

This Annexation request looks to see if the city wishes to bring the property within the city limits or wishes to deny the annexation and allow an extraterritorial sewer connection. The public works permit process to connect to the available city sewer is separate from this Type IV request.

November 24, 2025, Planning Commission Meeting

The Planning Commission reviewed the proposal and found that all annexation factors applicable to the Comprehensive Plan goals/strategies were met for the proposed emergency annexation and recommended approval to the City Commission (7-0).

SITE DETAILS

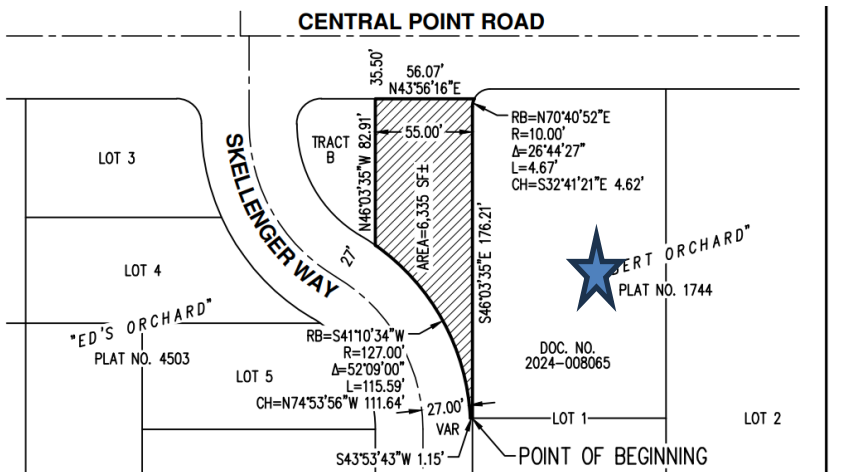
The territory to be annexed is located at the southern edge of the City at Central Point Road, as shown in Exhibit 1. The territory contains approximately 19,660 sq ft and has one single-family residence with a population of 0, and an assessed value of \$228,952.

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.*

RECENT RIGHT-OF-WAY DEDICATION



On August 19, 2025, Ryan Koch, agent for the property owner, Denise A. Koch, applied for a vacation of public right-of-way for the Koch property located between 19530 South Central Point Road and “Tract B” of Ed’s Orchard Subdivision, "Subject Right-of-Way." The proposed vacation met all City conditions and requirements to vacate the right-of-way. On September 3, 2025, the City Commission adopted Resolution No. 25-29, which initiated the vacation process and scheduled a public hearing for the first reading of Ordinance No. 25-1012, for October 1, 2025, in accordance with Oregon Revised Statutes (ORS) 271.230.

No objections were raised during the notice period or at the public hearing. The proposed vacation met all City conditions and requirements to vacate the proposed right-of-way. For these reasons, the Public Works Department supported the proposed vacation and formal adoption of this ordinance. The second reading of the vacation was held on October 15, 2025. Already located within the city limits, the vacated street will be combined with the proposed annexed lot once the property is annexed to the city. Future development can begin once the full site is rezoned.

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 Central Point Road 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 right-of-way of Central Point Road is not 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 120 feet along the full frontage of the property. The property includes a home setback approximately 54 feet from Central Point Road, with one accessory structure. No land division or rezoning is proposed at this time.

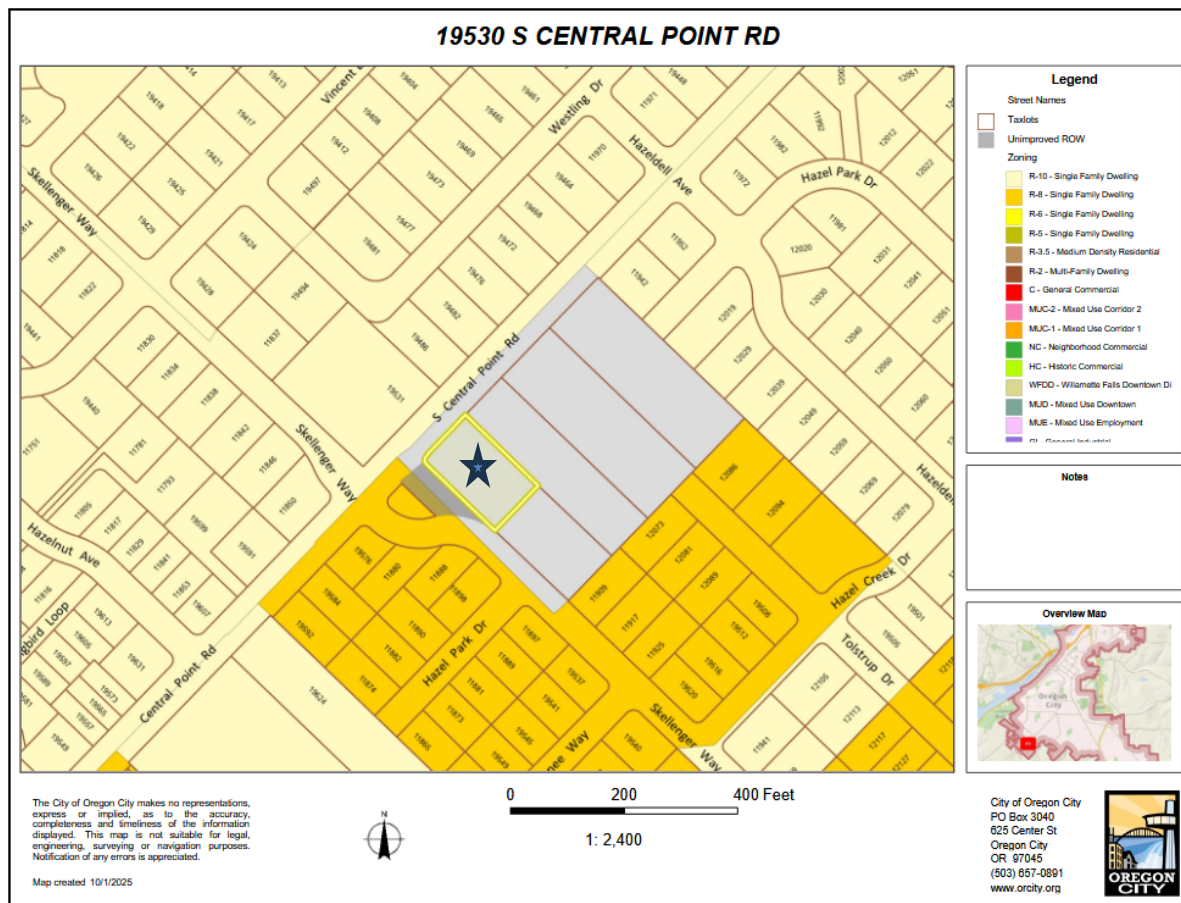


FIGURE 1. LOCATION MAP

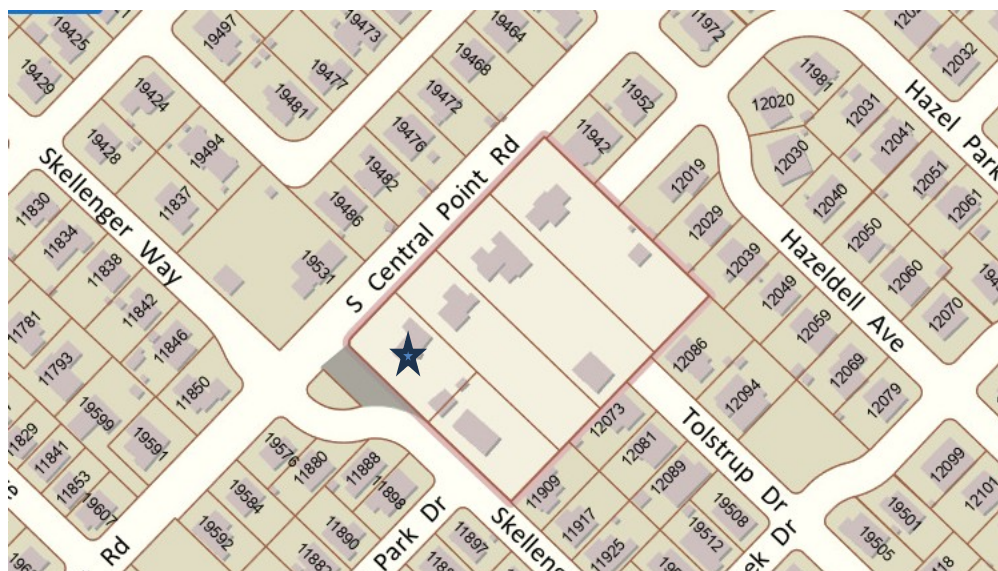


FIGURE 2. CITY BOUNDARY MAP



FIGURE 3. STREET VIEW (2023)

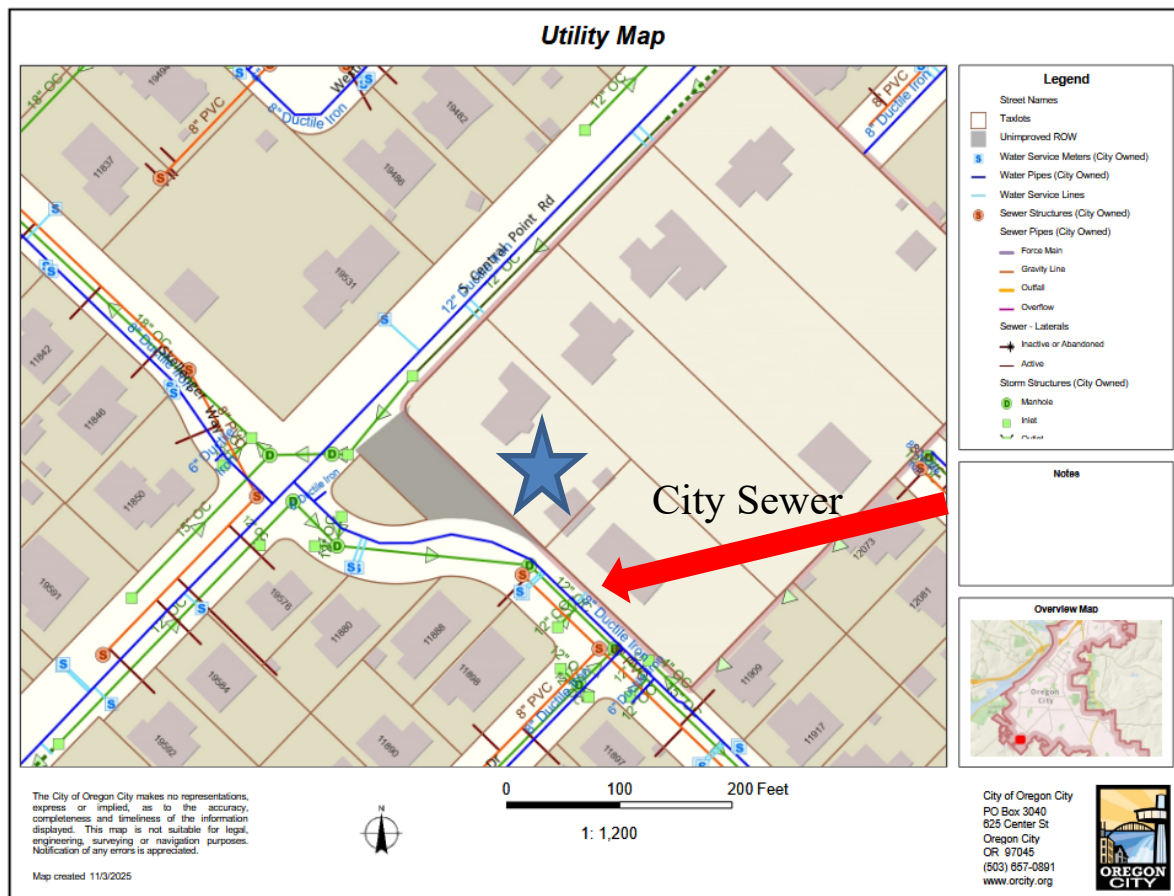


FIGURE 4. UTILITIES

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

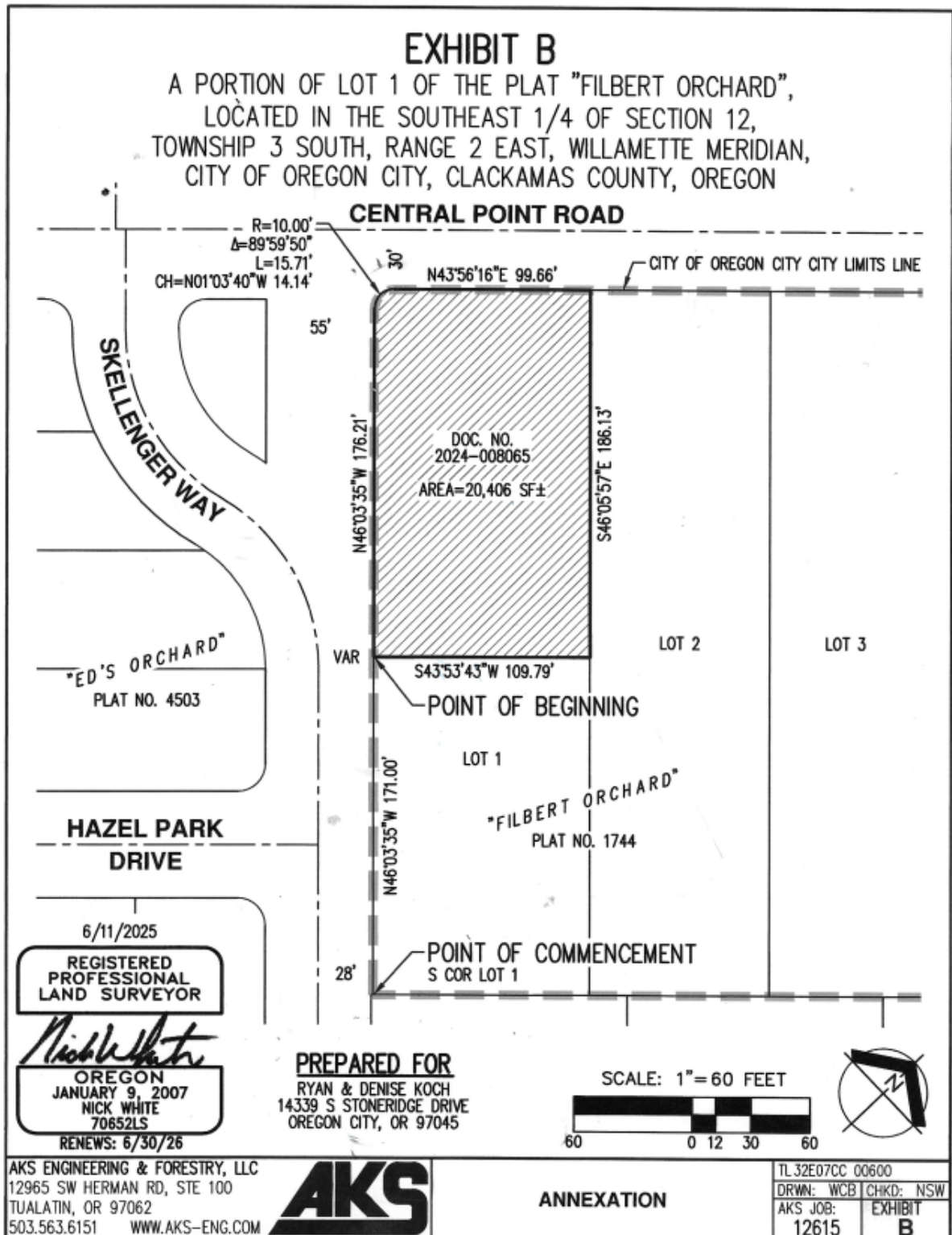


Figure 5. Legal description Map

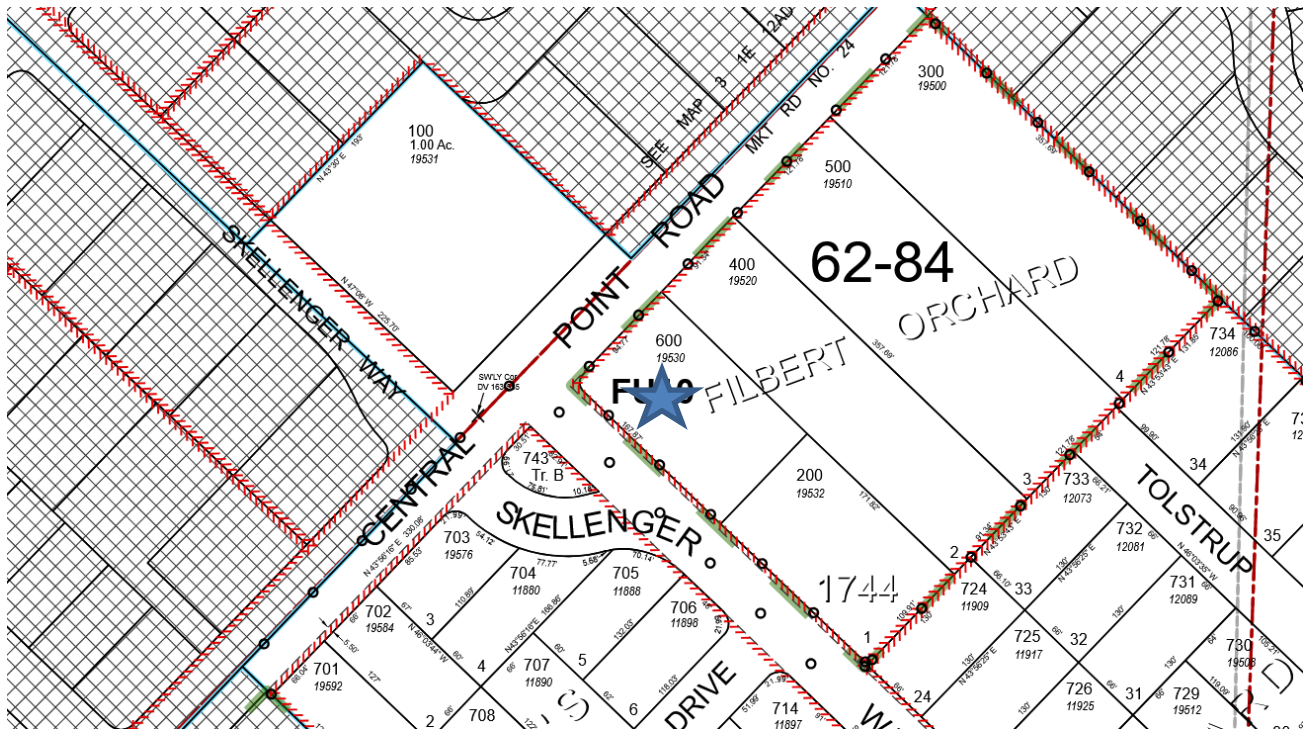


Figure 6. Clackamas County Tax Assessor Map

CHAPTER 17.50 – ADMINISTRATION AND PROCEDURES

17.50.010 Purpose.

This chapter provides the procedures by which Oregon City reviews and decides upon applications for all permits relating to the use of land authorized by ORS 92, 197 and 227. These permits include all forms of land divisions, land use, limited land use and expedited land division and legislative enactments and amendments to the Oregon City Comprehensive Plan and Titles 16 and 17 of this code. Pursuant to ORS 227.175, any applicant may elect to consolidate applications for two or more related permits needed for a single development project. Any grading activity associated with development shall be subject to preliminary review as part of the review process for the underlying development. It is the express policy of the City of Oregon City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.

17.50.050 – Pre-application conference.

- A *Pre-application Conference. Prior to a Type II – IV or Legislative application, excluding Historic Review, being deemed complete, the applicant shall schedule and attend a pre-application conference with City staff to discuss the proposal, unless waived by the Community Development Director. The purpose of the pre-application conference is to*

provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal.

- 1. To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.*
 - 2. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.*
 - 3. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.*
- B. A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.*
- C. Notwithstanding any representations by City staff at a pre-application conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.*

Finding: Complies. A pre-application meeting (PA-25-00025) was held on June 3, 2025 to review the proposed zone change/Comprehensive Plan. Pre-application meeting notes were provided, and all relevant land use requirements have been acknowledged and addressed as part of this application narrative.

17.50.055 - Neighborhood association meeting.

Neighborhood Association Meeting. The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.

- A. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other*

projects than those identified above, a meeting with the neighborhood association is highly recommended.

- B. The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the citizen involvement committee.*
- C. A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, citizen involvement committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a city facility.*
- D. If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the citizen involvement committee.*
- E. To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.*

Finding: Complies. A meeting was requested with the Hazel Grove/Westling Farms Neighborhood Association and scheduled for June 10, 2025. An email confirmation from Hazel Grove/Westling Farms is provided as part of this application.

17.50.060 Application Requirements.

Finding: Complies as Proposed. All required application materials are submitted with this narrative. The Applicant is the owner and signed the application.

17.50.070 Completeness Review and 120-day Rule.

17.50.080 Complete Application--Required Information.

Finding: Not Applicable. Annexations are not subject to the 120-day rule.

17.50.090 Public Notices.

Finding: Complies as Proposed. Staff provided public notice within 300 feet of the site via mail; the site was posted with multiple land use notices and posted on the Oregon City website. Staff provided email transmittal of the application and notice to affected agencies and Neighborhood Associations.

17.50.100 Notice Posting Requirements.

Finding: Complies as Proposed. The site was posted with a sign on November 4, 2025.

17.50.130 Conditions of approval and notice of decision.

A. All City decision-makers have the authority to impose reasonable conditions of approval designed to ensure that all applicable approval standards, including standards set out in city overlay districts, the City's master plans, and City public works design standards, are, or can be met.

Finding: Complies- the City Commission may place conditions upon this application as appropriate to the approval criteria.

17.50.140 – Financial guarantees.

When conditions of permit approval require a permittee to construct certain public improvements, the City shall require the permittee to provide financial guarantee for construction of the certain public improvements. Financial guarantees shall be governed by this section.

17.50.141 – Public improvements – Warranty

All public improvements not constructed by the City, shall be maintained and under warranty provided by the property owner or developer constructing the facilities until the City accepts the improvements at the end of the warranty period. The warranty is to be used at the discretion of the City engineer or designee to correct deficiencies in materials or maintenance of constructed public infrastructure, or to address any failure of engineering design.

Finding: Not Applicable- No development is proposed at this time.

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-MH) 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 7. 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 which 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. In this case, the applicant has chosen not to provide transportation findings supporting a zone change and, as part of the emergency annexation, has requested to remain FU-10.

Regarding transportation impacts, rezoning must demonstrate compliance with, or be exempted from, the mobility standards of 16.12.033 - 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.

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 Skellenger Way which fronts the house. A permit to construct a new sewer lateral is active for the property at the time of writing this report.

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.

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 September 2025.

Water. The property is currently being served by Oregon City but has a Clackamas River Water (CRW). Joseph D. Eskew, Engineering Manager indicates that the property should have its meter changed to an Oregon City meter as part of the Ordinance approving the annexation.

Stormwater. No additional development has been proposed. Onsite stormwater drainage or discharge to a city 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 Hazelgrove Park, about 1200 feet from the property. Any further homes constructed on the property, following annexed, re-zoning, and development would contribute to the Parks System Development Charge.

Transportation. Access is provided from Central Point Road, a minor arterial that is within the city jurisdiction in this location. 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 on-site 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.

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.

Housing Needs Analysis- HNA (2021)

The study, an ancillary document of the comprehensive plan, found that Oregon City should plan for the growth of 7,435 new dwelling units over the next 20 years. Much of the housing growth will be driven by household growth. The city will meet Metro's requirements for net density and housing mix but will have a slight shortage of land for high-density housing and an unmet need for affordable housing.

Finding: Complies The proposed annexation is consistent with the HNA. Future development will occur once the site is rezoned. Nothing in this annexation will preclude the development and redevelopment of the site.

POLICY 2.4 Identify and protect important artistic and cultural resources and historic amenities through programs, designation, interpretive signage, and other means to increase awareness and generate appreciation.

STRATEGY 2.4.A Support the preservation of Oregon City's historic resources through public information, advocacy and leadership within the community, and the use of regulatory tools and incentive programs.

Finding: Complies. No historic resources were identified on the site.

POLICY 5.4 Annex lands to the city through a process that considers the effects on public services and 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.

Finding: Complies The property is located within the City's Urban Growth Boundary and the annexation of lands within the project site is consistent with the Oregon City Comprehensive Plan, ordinances, and the City Charter.

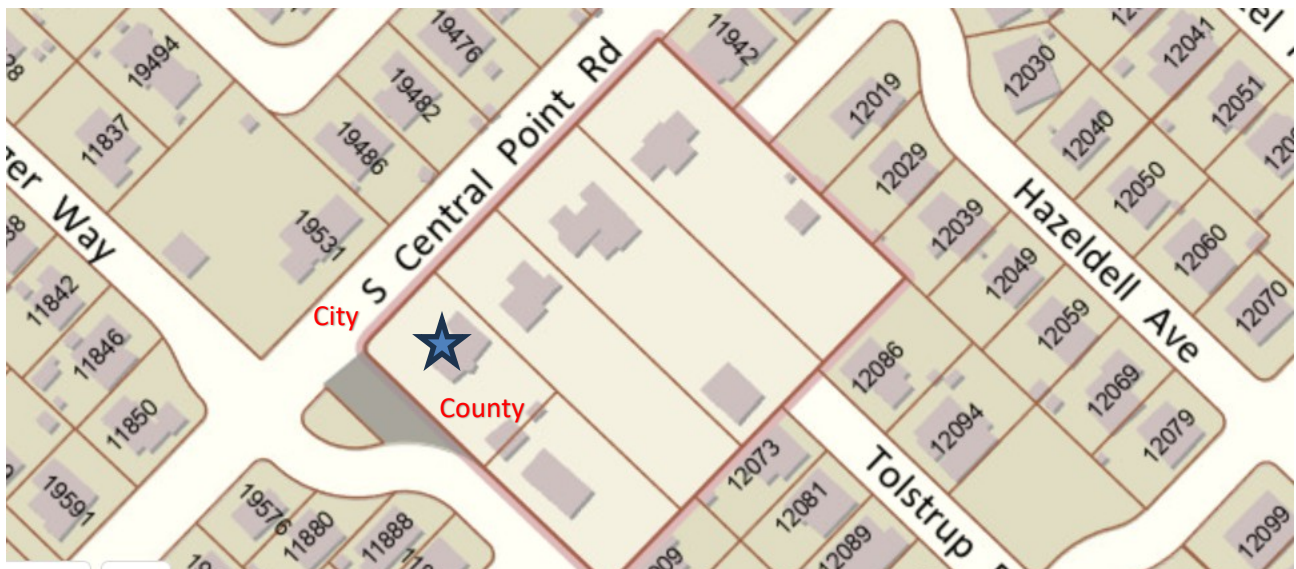
STRATEGY 5.4.A Promote compact urban form and support efficient delivery of public services by ensuring that lands to be annexed are within the City's Urban Growth Boundary, and contiguous with the city limits. Do not consider long linear extensions, such as cherry stems and flag lots, to be contiguous with the city limits.

Finding: Complies. The project is currently within the City's Urban Growth Boundary and is contiguous with the city limits. Utilities and services are close to the property lines and will help to facilitate development of the area that is consistent with the Oregon City Comprehensive Plan and related development regulations. Currently, no development is proposed on the project site. New development will be required to connect to existing public utilities and develop in a manner consistent with the urban zone applied to the property upon annexation.

STRATEGY 5.4.B Evaluate and in some instances require that parcels adjacent to proposed annexations be included to:

- i. avoid creating unincorporated islands within the city;*
- ii. enable public services to be efficiently and cost-effectively extended to the entire area; or*
- iii. implement a concept plan or sub-area master plan that has been approved by the Planning and City Commissions.*

Finding: Complies. The proposed annexation of the project site is contiguous with the city limits.



STRATEGY 5.4.C 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.

Finding: Complies. There is an existing public health hazard for a failing septic tank sewage system connected to the project site. The applicant worked with Public Works in the Spring/Summer of 2025 to connect to the city sewer and submit and pay for a complete annexation application.

POLICY 4.4 Coordinate infrastructure to support the equitable development of “Climate-Friendly Areas,” as defined by DLCD

STRATEGY 4.4.C Plan for complementary mixed uses when considering annexation of new, under- or undeveloped areas so that new urban residential areas have closer access to jobs and services.

Finding: Complies. The Comprehensive Plan designation for the project site is Low-Density Residential (LR), which permits the City zoning of R-6, R-8, or R-10. The proposal is not requesting a Zone Change at this time, though a future rezone to R-8 or R-10 low-density residential district with a minimum lot size of 8,000 or 10,000 square feet would match the neighboring properties. The project site would be required to develop with permitted uses within the low-density residential zones and comply with the development standards adopted by the City once annexed into the City.

POLICY 5.1 Ensure the Urban Growth Boundary conforms to Title 11 of the Code of the Metropolitan Service District and provides sufficient land to accommodate 20-year urban land needs, resulting in efficient urban growth and a distinction between urban uses and surrounding rural lands, and promoting appropriate infill and redevelopment in the city.

Finding: Complies The City’s approved UGB conforms with Title 11 of the Code of the Metropolitan Service District for housing programs.

STRATEGY 5.1.A Include an assessment of the fiscal impacts of providing public services to unincorporated areas upon annexation, including the costs and benefits to the city as a whole as a requirement for concept plans.

Finding: Complies. The property is not subject to a current or prior concept plan. The property is located within the original UGB adopted for the City. It is adjacent to existing public utilities, and the nearby neighborhoods are already provided with public services, so annexation of the property would be orderly and efficient as it pertains to providing public services to the site. It should be noted that the property is not proposed to be developed at this time. Future development of the property would require the extension of public utilities in accordance with local laws. The cost of those extensions is paid for by the developer, with a few exceptions.

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, as it was initiated as an emergency annexation, where the applicant has not provided analyses for compliance with the Transportation Planning Rule, a requirement for a zone change. As noted above, no further development or land division may occur until the land is rezoned to a City zoning designation.

OCMC 14.04.060 - Annexation factors.

A. When reviewing a proposed annexation, the commission shall consider the following factors, as relevant and approve an annexation only when it finds that on balance these factors are satisfied:

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 Central Point Road, and the existing access is adequate.

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

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

3. Adequacy and availability of the following public facilities and services to serve potential development at time of development:

a. Transportation. The urbanization of the site is accounted for in the transportation system plan. The application demonstrates that the annexation is consistent with the transportation planning rule (TPR).

Finding: Complies. The Applicant is retaining the exiting FU 10 zoning, which would prohibit future partitioning of the site if under 10 acres . Transportation analysis would occur at the time of rezoning.

b. Sewer. The urbanization of the site is accounted for in the sewer master plan;

c. Water. The urbanization of the site is accounted for in the water master plan;

d. Stormwater. The urbanization of the site is accounted for in the stormwater master plan;

Finding: Complies The stormwater, water and sanitary Master Plans have all accounted for future growth on site.

e. Police, Fire, and Emergency Services. Police, fire, and emergency services can adequately serve the site;

Finding: complies. The property is already within the Clackamas Fire District #1 and will remain in CFD#1 upon Annexation. The police department has not indicated that one additional single-family house can't be accounted for within the Oregon City Public Safety service area.

f. Parks. The urbanization of the site is accounted for in the parks and recreation master plan; and

Finding: Complies The Parks Master Plans have all accounted for future growth on site. No parks are proposed to be on-site.

g. Schools. The urbanization of the site is analyzed for school capacity in a concept plan or in a school forecast approved by Oregon City School District.

Finding: Complies. The site is already within the Oregon City School District Boundary.

4. Demonstration of how the impacts of future development to city public facilities and services will be mitigated. Mitigation may include on-site or off-site infrastructure or improvements to existing infrastructure to city standards and specifications, payment of system development charges, etc. Funding for the mitigation must be identified. The city commission reserves the right to enter into a development agreement with the Applicant that governs the extent and timing of infrastructure improvements.

Finding: Complies. The Applicant is retaining the existing FU 10 zoning, which would prohibit future partitioning of the site if it is under 10 acres. No future impacts are anticipated while the site is zone FU-10. Further analysis will occur at the time of the zone change.

5. Annexations over five acres shall obtain master plan approval at a public hearing before the planning commission prior to or concurrent with a land division or site plan and design review application. The master plan will identify the details of development, including the overall impact of development on the city infrastructure and mitigating improvements.

Finding: No Applicable. The site is less than 5 acres.

6. The annexation is in the best interest of the city. Generally, the commission may consider the annexation is in the best interest of the city if it meets two or more of the following criteria:

- a. It provides a needed solution for existing problems, resulting from insufficient sanitation, water service, or other urban service-related problems; or
- b. It provides land for development to meet urban needs including jobs and/or housing in an orderly and logical growth pattern; or
- c. It provides needed routes for utility and transportation networks.

Finding: Complies. The Applicant has proposed an annexation to connect to the city sewer to alleviate a failed septic system that was backing up into the rear yard and caused a public health hazard. Future residential development on the parcel could occur once the site has been rezoned.

7. Compliance with applicable sections of ORS 222, and Metro Code Section 3.09 including a demonstration that the proposed annexation is timely, orderly, and efficient;

Finding: Complies 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.

8. All natural hazards identified by the city, such as wetlands, floodplains, steep slopes and landslides, including those mapped and unmapped by the city, County, state or other government agencies are identified;

Finding: Complies. No mapped natural hazards or resources are identified on it.

9. All historically designated and potentially eligible historic structures are identified;

Finding: Complies The site does not contain a historic resource.

10. Any significant adverse impacts on the economic, social and physical environment of the community or on specially designated open space, scenic, historic or natural resource areas identified in the comprehensive plan by urbanization of the subject property at time of annexation can be avoided or mitigated;

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

11. The extent to which the proposed annexation territory includes preservation of natural features, landforms and significant tree canopy since the date when the annexation application was filed with the city, excluding properties under farm or forest tax deferment or farm or forest practices as defined under ORS 30.930. Annexations that demonstrate efforts to avoid significant site grading or tree removal will be viewed more favorably than those upon which such activities have occurred.

Finding: Complies. The portion of the property has a mapped stream that will be regulated by the Natural Resources. No tree removal or large-scale grading has occurred on-site prior to the annexation request.

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.

The Planning Commission reviewed the proposal and found that all annexation factors applicable to the Comprehensive Plan goals/strategies were met for the proposed emergency annexation and recommended approval to the City Commission (7-0).

PLANNING COMMISSION RECOMMENDATION

Based on the study and the Proposed Findings and Reasons for Decision for this Annexation, the Planning Commission recommends that the City Commission approve Planning File GLUA-22-00035: AN-22-0002 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 is removed from the Clackamas River Water district
- 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-22-00035: AN-22-0002

PROPOSED FINDINGS, CONDITIONS AND REASONS FOR DECISION

Based on the staff report and findings, the City Commission finds the following:

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 Beaver 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 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-25-00035: AN-25-0002**

(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. 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.(P)

Exhibits:

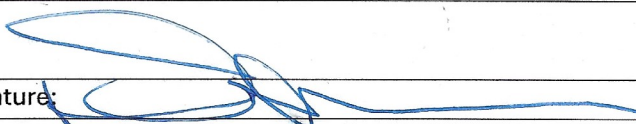
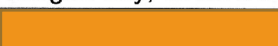
1. Legal Description and Map
2. Annexation Application
3. Measure 3-51- May 18, 1999 voter-approved charter amendment (on file)l
4. Public Notices/ Vicinity Map (on file)



LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A) ☐ Compatibility Review ☐ Willamette River Greenway ☐ Communication Facility / Eligible Modification ☐ Lot Line Adjustment ☐ Non-Conforming Use Review ☐ Natural Resource (NROD) Verification ☐ Minor Site Plan & Design Review ☐ Extension of Approval ☐ Historic Review – Remodel ☐ Detailed Dev. Plan (DDP) ☐ LUCS Expedited Type II (OCMC 17.50.030.B & 16.24) ☐ Middle Housing Land Division	Type II (OCMC 17.50.030.B) ☐ Master Plan / PUD / GDP or Amendment ☐ Detailed Development Plan (DDP) ☐ Floodplain Review ☐ Geologic Hazard Overlay ☐ Minor Partition (<4 lots) ☐ Minor Site Plan & Design Review ☐ Non-Conforming Use Review ☐ Proportional Upgrades ☐ Site Plan and Design Review / DDP ☐ Manufactured Home Park ☐ Compatibility Review Modifications / Adjustments ☐ Residential Design ☐ Site Plan & Design Review ☐ Public Improvement ☐ Tree Mitigation ☐ Subdivision (4+ lots) ☐ Administrative (Minor) Variance ☐ Natural Resource (NROD) Review ☐ Willamette River Greenway ☐ Phased Subdivision / Site Plan and Design Review Occupancy Plan ☐ Expedited Land Division	Type III / IV (OCMC 17.50.030.C & D.) ☒ Annexation ☐ Code Interpretation / Similar Use ☐ Master Plan / PUD / GDP Amendment ☐ Conditional Use ☐ Comprehensive Plan/Legislative Amendment ☐ Code ☐ Map ☐ Detailed Development Plan DDP ☐ Historic Review Board ☐ Demolition ☐ New Construction ☐ Remodel ☐ Municipal Code Amendment ☐ Parking Adjustment ☐ Variance ☐ Sign Variance ☐ Natural Resource (NROD) Review ☒ Zone Change (Text/Map) ☐ Willamette River Greenway Legislative Action (OCMC 17.50.170) ☐ Legislative
---	---	---

File Number(s): 19530-2	Application Date: 7-18-2025
Project Name: Koch- Central Point Lot Annexation and Zoning Change	
Proposed Land Use or Activity: Single Tax Lot Annexation	# of Lots Proposed (If Applicable): one
Physical Address(es) of Site: 19530 S Central Point Rd	
Clackamas County Map and Tax Lot Number(s): 3S2E07CC	

Applicant(s)	
Applicant(s) Signature: 	
Applicant(s) Name Printed: Denise Ann Koch and Ryan Koch	Date: 5/13/25
Mailing Address: 14339 S Stoneridge Drive, Oregon City, OR 97045	
Phone: 503-703-0754	Email: 

Property Owner(s) – If more than 2 owners, add all information to back of page including signatures.



Representative(s)

Representative(s) Signature:	
Representative(s) Name Printed:	Date:
Mailing Address:	
Phone:	Email:

All signatures represented must have the full legal capacity and hereby authorize the filing of this application and certify that the information and exhibits herewith are correct and indicate the party's willingness to comply with all code requirements.

By signing below, I indicate my consent to and support of being annexed into the City of Oregon City, and my consent for having my signature (below) used for any application form required for the annexation, including but not limited to the City of Oregon City's Land Use Application Form.

NOTE: This petition may be signed by qualified persons even though they may not know their property description or precinct number.

[illegible]

*PO = Property Owner RV= Registered Voter OV= Property Owner and Registered Voter

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 32E 07CC) 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 07/02/25





AKS ENGINEERING & FORESTRY

12965 SW Herman Road, Suite 100, Tualatin, OR 97062

P: (503) 563-6151

F: (503) 563-6152

AKS Job #12615

EXHIBIT A

Annexation

A portion of Lot 1 of the plat "Filbert Orchard", Plat No. 1744, Clackamas County Plat Records, located in the Southeast One-Quarter of Section 12, Township 3 South, Range 2 East, Willamette Meridian, City of Oregon City, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the most southerly corner of said Lot 1, also being on the northeasterly right-of-way line of Skellenger Way (28.00 feet from centerline) and the City of Oregon City city limits line; thence along said northeasterly right-of-way line (variable width from centerline) and said city limits line, North $46^{\circ}03'35''$ West 171.00 feet to the most southerly corner of Document Number 2024-008065, Clackamas County Deed Records, and the Point of Beginning; thence continuing along said northeasterly right-of-way line and said city limits line, North $46^{\circ}03'35''$ West 176.21 feet; thence continuing along said northeasterly right-of-way line and said city limits line on a curve to the right with a Radius of 10.00 feet, a Delta of $89^{\circ}59'50''$, a Length of 15.71 feet, and a Chord of North $01^{\circ}03'40''$ West 14.14 feet to the southeasterly right-of-way line of Central Point Road (30.00 feet from centerline); thence along said southeasterly right-of-way line and said city limits line, North $43^{\circ}56'16''$ East 99.66 feet to the most northerly corner of said Document Number 2024-008065; thence leaving said city limits line along the northeasterly line of said deed, South $46^{\circ}05'57''$ East 186.13 feet to the easterly corner of said deed; thence along the southeasterly line of said deed, South $43^{\circ}53'43''$ West 109.79 feet to the Point of Beginning.

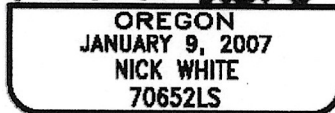
The above described tract of land contains 20,406 square feet, more or less.

The Basis of Bearings for this description are based on said "Ed's Orchard", Plat No. 4503, Clackamas County Plat Records.

6/11/2025



Nick White



RENEWS: 6/30/26

MW

07/02/25

RECEIVED
CLACKAMAS

JUL - 2 2025

COUNTY
ASSESSOR

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 07/02/25

"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 PROPERTY OWNERSHIP OF AT LEAST ONE-HALF LAND AREA
(City Double Majority 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 at least one-half 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 07/02/25

"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 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.

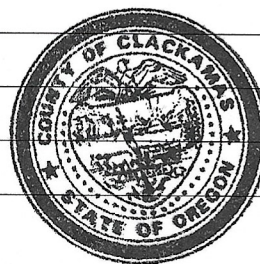
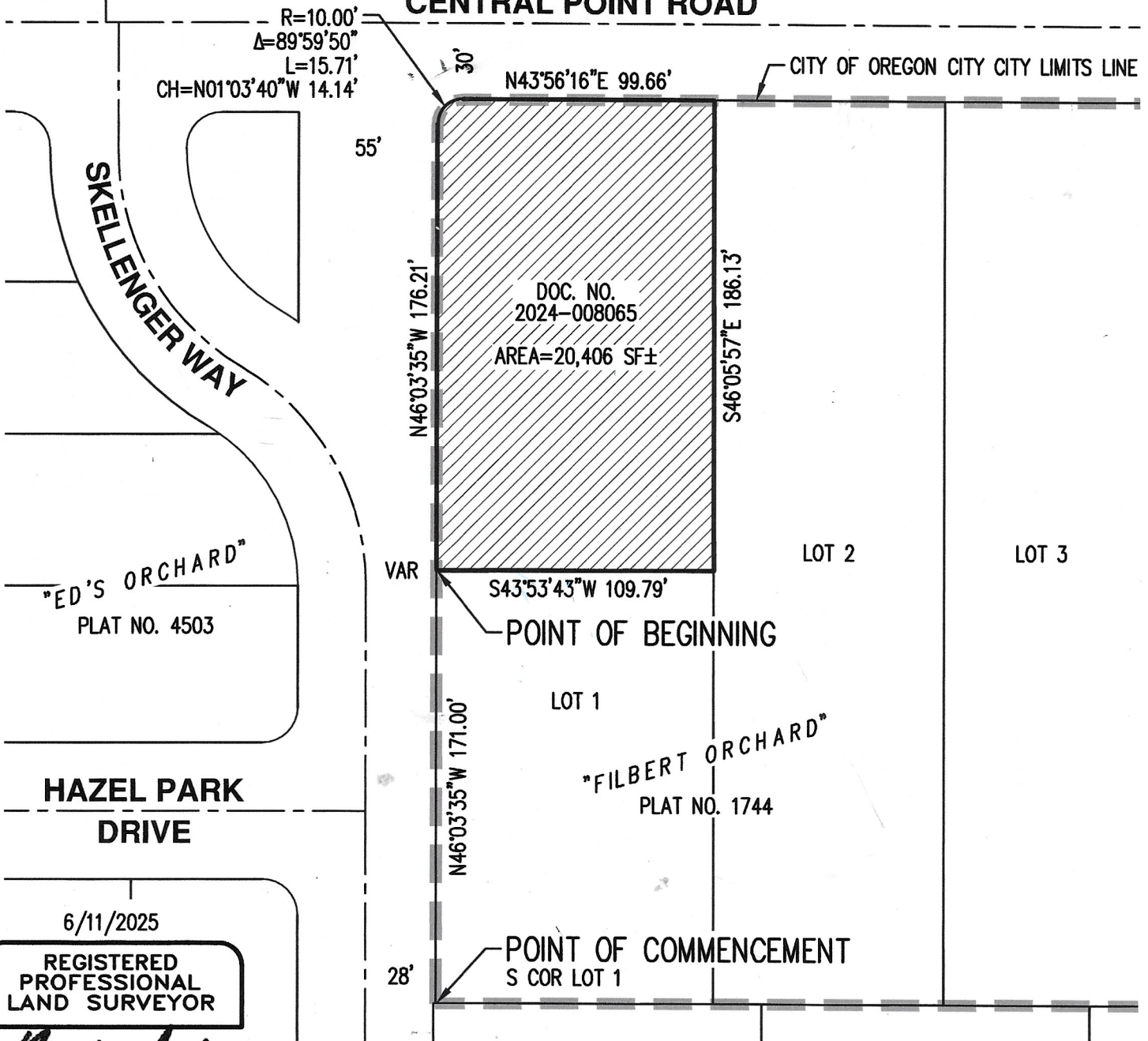
NAME Justin LarsenTITLE Elections ManagerDEPARTMENT County ClerkCOUNTY OF ClackamasDATE Aug 2, 2025

EXHIBIT B

A PORTION OF LOT 1 OF THE PLAT "FILBERT ORCHARD",
LOCATED IN THE SOUTHEAST 1/4 OF SECTION 12,
TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN,
CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON

CENTRAL POINT ROAD



6/11/2025

REGISTERED
PROFESSIONAL
LAND SURVEYOR

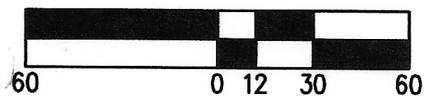
Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/26

PREPARED FOR
RYAN & DENISE KOCH
14339 S STONERIDGE DRIVE
OREGON CITY, OR 97045

SCALE: 1"=60 FEET



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



ANNEXATION

TL 32E07CC 00600	
DRWN: WCB	CHKD: NSW
AKS JOB: 12615	EXHIBIT B

DWG: 12615 20250611 EXB | EXB1

DOUBLE MAJORITY WORKSHEET

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	SIGNED PETITION (Y/N)	ACRES	ASSESSED VALUE
TAXMAP 352E07CC LOT # 600	DENISE A KOCH	Y	.4513	\$ 228,952
		TOTALS:		

NOTICE LIST

{This form is NOT the petition}

ALL OWNERS OF PROPERTY AND/OR REGISTERED VOTERS INCLUDED IN BOUNDARY CHANGE PROPOSAL AREA. ALL OWNERS OF PROPERTY WITHIN 300 FEET OF THE OUTSIDE BOUNDARY OF THE AREA TO BE ANNEXED.

Name of Owner/Voter

Address

Property Designation (indicate tax lot, section number, township and range)

N/A

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

19530 S CENTRAL POINT ANNEXATION

Property Owner – Denise Ann Koch Trust, Denise Ann Koch Trustee

14339 S Stoneridge Drive Oregon City, OR 97045

Applicants – Ryan and Denise Koch

14339 S Stoneridge Drive, Oregon City, OR 97045

Site Location 19530 S Central Point Rd, Oregon City, OR 97045

Tax Lot Number Clackamas County Map 3-2E-07CC

Tax Lot 00600

Site Area Approximately .5 Acres

County Zoning Future Urbanizable (F-10) 10 Acre District

Oregon City

Comprehensive Plan - Low Density Residential

Summary of Request – The Applicant is requesting to annex the subject site into the Oregon City Limits with a zone change to R-8. There is no design review or site plan review included with this application.

Date May 30,2025

TABLE OF CONTENTS

I. PROJECT OVERVIEW	3
Existing Conditions	3
Vincinity Map	3
Proposal	3
II RESPONSE TO APPLICABLE APPROVAL AND CODE CRITERIA	6
Title 14 – Annexation Approval Factors	6
ORS 195 Agreements – Facilities and Services	9
Title 17 – Oregon City Zoning	11
Chapter 17.50 - Administration and Procedures	12
Chapter 17.68 - Zoning Changes and Comprehensive Plan Amendments	28
Chapter 3.09 Metro Boundary Change Criteria	30
Regional Framework – Metro Growth Management Functional PPlan	31
Clackamas County Planning	31
Clackamas River Water	33
Oregon City Comprehensive PPlan	33
III CONCLUSION	36

I PROJECT OVERVIEW

The project site is one property located at 19530 S Central Point Rd within Clackamas County. The property is described on Clackamas County Map 3S2E07CC as Tax Lot 00600(.45 Acres) The property is located within the Urban Growth Boundary, zoned Future Urbanizable (FU-10) 10 acre district in Clackamas County, with a Comprehensive Plan designation of Low Density Residential (LR) within Oregon City. The property is located at the intersection of S Central Point Rd and Skellenger Way. The site is South of Central Point Rd and East of Skellenger Way. The property is outlined in red on the map below.



Page 185 of 283

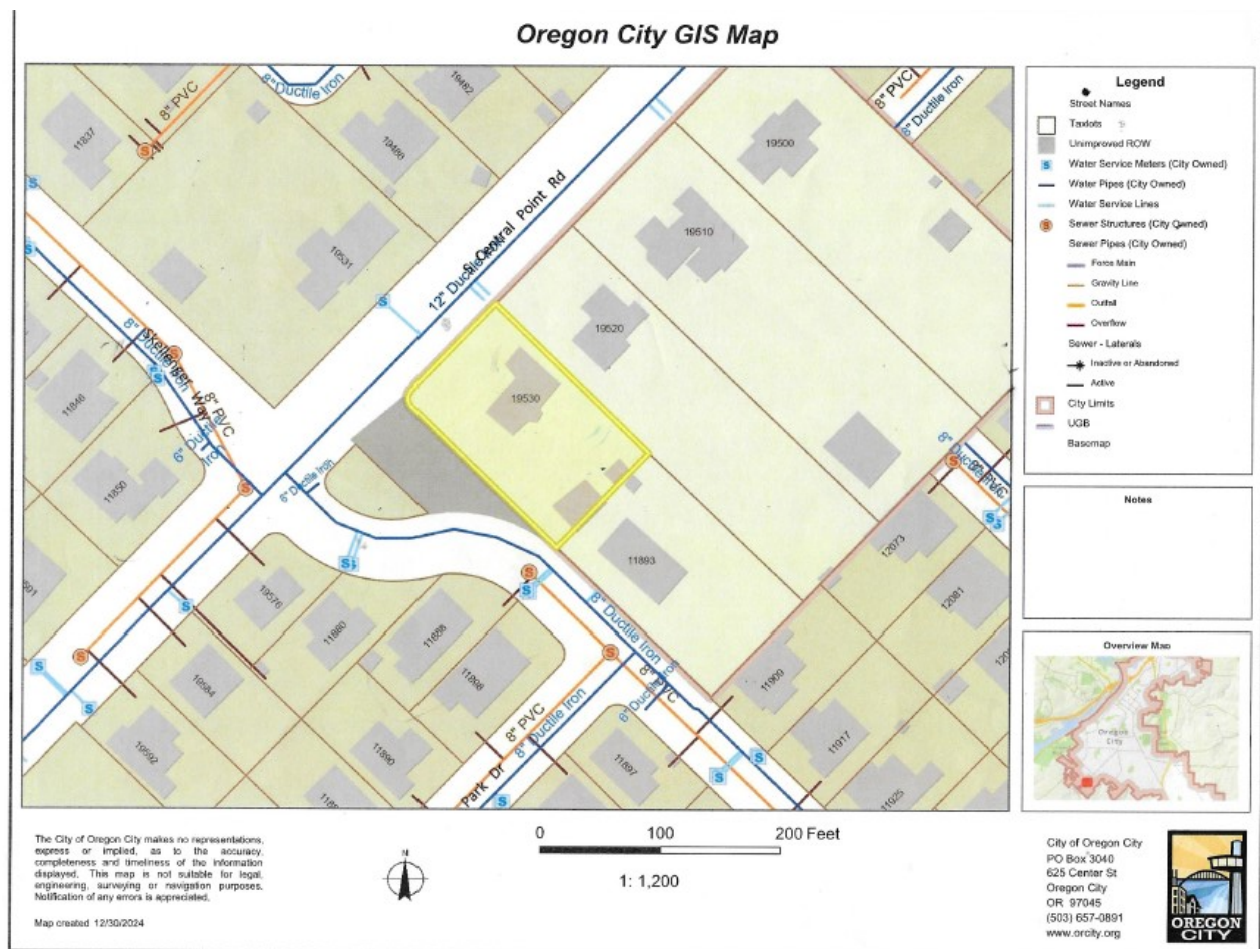
SITE CHARACTERISTICS

The project site consists of one residential property with a few trees around the existing single family house. Tax Lot 3S2E07CC – 00600 does not contain any mapped geological hazard area. The lot is fairly flat and has current easy proper drainage to existing storm water points of access. The property borders a city owned easement which is a dry grassy area also very flat with no slope.

REGIONAL PLANNING

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

See Figure Below for Oregon City and Clackamas County current limits.



PROPOSAL

The property owner is requesting annexation of the property located at 19530 S Central Point Rd into the Oregon City Limits and a Zone change to Low Density Residential R-8. The proposed Zoning is consistent with the City's existing Comprehensive Plan designation for the property. No development is proposed at this time.

The annexation proposal is initiated by consent petitions of a double majority of the property owners and register voters. The petition meets the requirement for initiation set forth in ORS 222.170(2) (double majority annexation law) and Metro Code 3.09.040 (a) (Metro's minimum requirements for a petition). The site to be annexed is located generally in the southeastern area of the City near the intersection of S Central Point Rd and Skellemger Way. The site in the proposed annexation contains approximately .45 acres, has one single family residence with a current population of zero. The current estimated assessed value in 2024 is \$228,952. At the time of this proposal the property is owned by one individual who does not reside on the property. There are currently no registered voters residing on the property.

REASON FOR ANNEXATION

The owner requests to be able to receive city services, including specifically, sanitary sewer connection, water system connection, and storm water services, as well as the full range of administrative and municipal services provided upon annexation to the City. The property is family owned, and the existing county regulated septic system has failed. It has been decommissioned properly and per agreement between Clackamas County and the City of Oregon City, a new septic permit will not be granted so the property owner is requesting an emergency sewer access permit to make the residence habitable again. To accomplish this goal the annexation request has been initiated.

ZONE CHANGE

The applicant has submitted a concurrent application to rezone the property to R-8(Low Density Residential). Code responses for the Zone Change request are provided within this narrative beginning on page 28

The owner requests to be able to receive city services, including specifically, sanitary sewer connection, water system connection and storm water services 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 sanitary sewer system to be accessed and by Oregon Revised Statute, it must be connected to the city sewer service if the existing septic system has failed. This is required by agreement between Clackamas County and the City of Oregon City.

II. RESPONSE TO APPLICABLE APPROVAL AND CODE CRITERIA

Note: Responses to all applicable development standards are included below. Sections that are not applicable or do not require a response may be omitted from the narrative text.

TITLE 14 – ANNEXATION APPROVAL FACTORS

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":

14.04.060 ANNEXATION FACTORS

A. When reviewing a proposed annexation, the commission shall consider the following factors, as relevant and approve an annexation only when it finds that on balance these factors are satisfied:

1. Adequacy of access to the site;

Response: The subject site has existing direct access from Skellenger Way. Future access may be taken from S. Central Point Rd which under Oregon City jurisdiction.

2. Consistency of the proposal with the city's adopted comprehensive plan, including but not limited to goals and policies for urbanization, housing, cultural, historic and natural resources, infrastructure, and provision of public infrastructure and community services;

Response: The subject site is currently located within the City's Urban Growth Boundary and the annexation of lands within the project site is consistent with the Oregon City Comprehensive Plan, ordinances, and the City Charter. As described under the *Oregon City Comprehensive Plan* section below, the applicable Goals and Policies of the Oregon City Comprehensive Plan have been provided and addressed within the narrative to illustrate that this request is consistent with the City's adopted and acknowledged Comprehensive Plan.

3. Adequacy and availability of the following public facilities and services to serve potential development at time of development:

a. Transportation. The urbanization of the site is accounted for in the transportation system plan. The application demonstrates that the annexation is consistent with the transportation planning rule (TPR) or explain why a TPR analysis is not required;

b. Sewer. The urbanization of the site is accounted for in the sewer master plan;

c. Water. The urbanization of the site is accounted for in the water master plan;

d. Stormwater. The urbanization of the site is accounted for in the stormwater master plan;

e. Police, Fire, and Emergency Services. Police, fire, and emergency services can adequately serve the site;

f. Parks. The urbanization of the site is accounted for in the parks and recreation master plan; and

g. Schools. The urbanization of the site is analyzed for school capacity in a concept plan or in a school forecast approved by Oregon City School District.

Response: As described under the *ORS 195 Agreements – Facilities and Services* section starting on page 8 within the narrative, adequate public facilities and services are available to support the potential future development of the subject site.

4. Demonstration of how the impacts of future development to city public facilities and services will be

mitigated. Mitigation may include on-site or off-site infrastructure or improvements to existing infrastructure to city standards and specifications, payment of system development charges, etc. Funding for the mitigation must be identified. The city commission reserves the right to enter into a development agreement with the applicant that governs the extent and timing of infrastructure improvements.

Response: Facilities and services are already located near the properties and available to support the potential future development of the subject site. If the annexed properties are developed in the future, the development would be required to extend public utilities to and through the frontage of the subject site. There is no development proposed at this time.

5. Annexations over five acres shall obtain master plan approval at a public hearing before the planning commission prior to or concurrent with a land division or site plan and design review application. The master plan will identify the details of development including the overall impact of development on the city infrastructure and mitigating improvements.

Response: The subject site consists of one lots and is approximately .5 acres in size. The annexation request is not for a property over five acres and is not required to obtain master plan approval. This standard is not applicable.

6. The annexation is in the best interest of the city. Generally, the commission may consider the annexation is in the best interest of the city if it meets two or more of the following criteria:

- a. It provides a needed solution for existing problems, resulting from insufficient sanitation, water service, or other urban service-related problems; or
- b. It provides land for development to meet urban needs including jobs and/or housing in an orderly and logical growth pattern; or
- c. It provides needed routes for utility and transportation networks.

Response: The annexation meets all three of the criteria listed above. It would provide land for future development of additional housing consistent with the Oregon City Comprehensive Plan. The properties are contiguous with the city limits: and they do not preclude additional needed routes for future utility extensions.

7. Compliance with applicable sections of ORS 222, and Metro Code Section 3.09 including a demonstration that the proposed annexation is timely, orderly, and efficient;

Response: The applicable sections of ORS 222 provide several options for annexing land into a City. One of the requirements is for properties being annexed to be contiguous to the proposed city limits. The annexation of the subject site meets ORS 222 as it is already within the adopted UGB, subject to and is compliant with the adopted and acknowledged Oregon City Comprehensive Plan, and is contiguous with the existing city limits (see image on page 4 of this narrative.) As described under the *Metro Boundary Change Criteria – Chapter 3.09* section, the narrative demonstrates that the proposed annexation is consistent with the applicable boundary change criteria.

8. All natural hazards identified by the city, such as wetlands, floodplains, steep slopes and landslides, including those mapped and unmapped by the city, county, state or other government agencies are identified;

Response: The subject site has no identified Geologic Hazard areas within the project site.

9. All historically designated and potentially eligible historic structures are identified;

Response: There are no historically designated or potentially eligible historic structures identified on the subject site, this standard is not applicable.

10. Any significant adverse impacts on the economic, social and physical environment of the community or on specially designated open space, scenic, historic or natural resource areas identified in the comprehensive plan by urbanization of the subject site at time of annexation can be avoided or mitigated;

Response: The annexation of the subject site is not expected to have any adverse impacts on the economic, social, and/or physical environment of the community. There are no historic resources identified within the project site and the annexation will have no effect on the mapped geologic hazard areas. The site is located within the City's existing UGB, was one of the original properties included within the UGB and has been planned for inclusion into the City since the establishment of the UGB.

11. The extent to which the proposed annexation territory includes preservation of natural features, landforms and significant tree canopy since the date when the annexation application was filed with the city, excluding properties under farm or forest tax deferment or farm or forest practices as defined under ORS 30.930. Annexations which demonstrate efforts to avoid significant site grading or tree removal will be viewed more favorably than those upon which such activities have occurred.

Response: The annexation does not propose any development of the subject site at this time, which avoids site grading and tree removals. The subject site is requesting a concurrent zone change from Clackamas County's Future Urbanizable (FU-10) zoning to Oregon City's Low Density Residential (R-6) zoning. This low-density zoning district permits 6,000 square foot minimum size lots and future development of these lots would be required to comply with the City's adopted land use regulations that address site grading, tree preservation, and Chapter 17.44 of the Oregon City Municipal Code that provides standards for development within Geologic Hazard areas. 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 Sewer

Response: The City of Oregon City provides sanitary sewer service. A public 8-inch sanitary sewer main line runs along the side road of Skellenger Way.. Any future development will be required to extend an 8-inch sewer main to S Cenral Point Rd and through the frontage of the property. The project site will be required to separately annex into the Tri-City Service District before sanitary sewer service can be provided. The Tri-City Service District provides sewage transmission and treatment services to the cities of Oregon City, West Linn and Gladstone. 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 site in the enacting ordinance.

The Tri-City Service District plant is along Interstate 205 in Oregon City just east of the junction of the Willamette and the Clackamas Rivers. The plant has an average flow capacity of 11 million gallons per day (mgd) and a design peak flow capacity of 50 mgd. The available average capacity is 4.4 mgd. The

plant was designed to serve a population of 66,500 in the year 2001; however, the facility was recently expanded to increase the available average dry weather capacity to 11.9 mgd.

Water

Response: The water service provider for this territory is Clackamas River Water. The properties within the project site will be removed from the Clackamas River Water District upon annexation. There is currently a 12- inch ductile iron water main that runs down S Central Point Rd on the frontage of the property. The access to water for the property is via the frontage connection.

Stormwater

Response: No additional development has been proposed. On-site 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

Response: This territory is currently within Clackamas County 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 be automatically withdrawn from the District upon approval of the annexation.

Police Protection

Response: The Clackamas County Sheriff's Department currently serves the territory. 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,

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 property will be removed from Clackamas Sheriff's Enhanced Law Enforcement District and the Oregon City Police Department will officially serve the property.

Parks, Open Space and Recreation

Response: The project site's nearest developed park is Hazel Grove Park about .3 miles from the proposed annexation area. If development is proposed following annexation of the property the applicant is responsible for paying Parks System Development Charges.

Transportation

Availability and Access

Response: Safe access to the site is currently available on S Central Point Road. Future access to any newly-created lots could be taken from Skellenger Way which is under Oregon City jurisdiction.

Capacity

Response: The annexation, if approved, would not create any impact on the transportation system. No impact would occur unless or until the property proposed to be annexed was developed in the future.

Re-Zoning and the Transportation Planning Rule

Response: The applicant has submitted a Transportation Analysis Letter (TAL) that indicates compliance with the Transportation Planning Rule. The applicant seeks to annex to the City and change the properties' zone from FU-10 to R-6 consistent with the LR Comprehensive Plan designation.

According to the submitted TAL, the applicant's Traffic Engineer concluded that the proposed annexation and subsequent zone change could result in a net increase of 14 AM peak hour trips, 17 PM peak hour trips, and 230 average weekday trips when the property is developed. The proposed zone change will not have a significant effect on the surrounding transportation system as defined under the Transportation Planning Rule. The transportation impacts attributable to the proposed annexation, zone change and subsequent development of the subject site are anticipated to be nominal and are not expected to cause any significant operational or safety issues on the nearby transportation facilities. Accordingly, the applicant's Traffic Engineer recommends no mitigation in association with the proposed zone change to R-6. Further, they indicate that the proposed annexation and subsequent zone change will not impact or alter the functional classification of any existing or planned facility and satisfies the Transportation Planning Rule. (See Attachment 006)

The new TPR regulations in Section 9 provide that under OAR 660-012-0060

Plan and Land Use Regulation Amendments;

(9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

(a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;

Response: The existing City of Oregon City comprehensive plan map shows the subject site is designated "LR". The proposed zoning is R-6 and is one of the City's zoning districts that is consistent with the low-density comprehensive plan designation.

(b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and

Response: The City of Oregon City's current TSP is adopted and acknowledged. The parcels' frontage appears to lack sidewalks, but otherwise appears consistent with city standards and the TSP. In connection with the annexation and rezoning or the development of the parcel, the frontage of both parcels can be brought into compliance with city standards for a minor arterial street.

(c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.

Response: To the applicant's knowledge, there were no special exemptions or other provisions made affecting this property at the time of inclusion within the Urban Growth Boundary.

TITLE 17 – OREGON CITY ZONING

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

Residential Type	City Zone
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.”

17.68.025 ZONE CHANGES FOR LAND ANNEXED INTO THE CITY, SAYS:

Upon annexation into the city, the property shall be rezoned from county zoning to the corresponding city zoning designation as identified in Table 17.06.030, provided the criteria for a zone change can be met.

Response: The subject site is designated Low Density Residential (LR) on the City’s Comprehensive Plan which corresponds to three different zones including, R-10, R-8, and R-6. The owners are requesting to rezone the land to R-6 which is consistent with the Comprehensive Plan Designation of Low Density Residential. A concurrent requirement for rezoning is to show compliance with the Statewide Transportation Planning Rule (TPR). The applicant has included a Traffic Analysis Letter (TAL) that also provides an analysis of the impact of the proposed rezoning for compliance with the Transportation Planning Rule (TPR). Please see Attachment 006.

CHAPTER 17.50 – ADMINISTRATION AND PROCEDURES

17.50.010 PURPOSE

This chapter provides the procedures by which Oregon City reviews and decides upon applications for all permits relating to the use of land authorized by ORS 92, 197 and 227. These permits include all form of land divisions, land use, limited land use and expedited land division and legislative enactments and amendments to the Oregon City Comprehensive Plan and Titles 16 and 17 of this code. Pursuant to ORS 227.175, any applicant may elect to consolidate applications for two or more related permits needed for a single development project. Any grading activity associated with development shall be subject to preliminary review as part of the review process for the underlying development. It is the express policy of the City of Oregon City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.

17.50.030 SUMMARY OF CITY’S DECISION-MAKING PROCESSES.

The following decision-making processes chart shall control the City's review of the indicated permits:

Table 17.50.030 – Permit Approval Process

Permit Type	I	II	III	IV	Expedited Land Division
Annexation				X	
Compatibility review for communication facilities	X				
Compatibility review for the Willamette Greenway Overlay District			X		
Code Interpretation			X		
Master plan/planned unit development - General Development plan			X		
Master plan/planned unit development - General Development plan amendment	X	X	X		
Conditional use (excluding shelters)			X		
Conditional use for a shelter				X	
Detailed development plan*	X	X	X		
Expedited land division		X(modified)			X
Extension	X				
Final plat	X				
Geologic hazards		X			
Historic review	X		X		
Live/Work dwelling review		X			
Lot line adjustment and abandonment	X				
Manufactured home park review (new or modification)	X				
Middle housing land division		X(modified)			X
Minor partition		X			
Modifications of residential design standards		X			
Natural resource overlay district exemption	X				
Natural resource overlay district review		X	X		
Nonconforming use, structure and lots review	X	X			
Placement of a single manufactured home on existing space or lot within a park	X				
Plan or code amendment					X
Residential design standards review for single-family detached, duplexes, triplexes, quadplexes, townhouses, cottage clusters and accessory dwelling units (uses minor site plan and design review)	X				
Revocation					X
Site plan and design review	X	X			
Subdivision		X			X
Variance		X	X		
Zone Change				X	

*If any provision or element of the master plan/planned unit development requires a deferred Type III procedure, the detailed development plan shall be processed through a Type III procedure.

A. Type I decisions do not require interpretation or the exercise of policy or legal judgment in evaluating approval criteria. Because no discretion is involved, Type I decisions do not qualify as a land use, or

limited land use, decision. The decision-making process requires no notice to any party other than the applicant. The Community Development Director's decision is final and not appealable by any party through the normal city land use process.

B. Type II decisions involve the exercise of limited interpretation and discretion in evaluating approval criteria, similar to the limited land use decision-making process under state law. Applications evaluated through this process are assumed to be allowable in the underlying zone, and the inquiry typically focuses on what form the use will take or how it will look. Notice of application and an invitation to comment is mailed to the applicant, recognized active neighborhood association(s) and property owners within three hundred feet. The Community Development Director accepts comments for a minimum of fourteen days and renders a decision. The Community Development Director's decision is appealable to the City Commission, by any party who submitted comments in writing before the expiration of the comment period. Review by the City Commission shall be on the record pursuant to OCMC 17.50.190 under ORS 197.195(5). The City Commission decision is the City's final decision and is subject to review by the land use board of appeals (LUBA) within twenty-one days of when it becomes final.

C. Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the City Commission, except upon appeal. In the event that any decision is not classified, it shall be treated as a Type III decision. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the Planning Commission or the Historic Review Board hearing is published and mailed to the applicant, recognized neighborhood association(s) and property owners within three hundred feet. Notice shall be issued at least twenty days pre-hearing, and the staff report shall be available at least seven days pre-hearing. At the evidentiary hearing held before the Planning Commission or the Historic Review Board, all issues are addressed. The decision of the Planning Commission or Historic Review Board is appealable to the City Commission, on the record pursuant to OCMC 17.50.190. The City Commission decision on appeal from is the City's final decision and is subject to review by LUBA within twenty-one days of when it becomes final, unless otherwise provided by state law.

D. Type IV decisions include only quasi-judicial plan amendments and zone changes. These applications involve the greatest amount of discretion and evaluation of subjective approval standards and shall be heard by the City Commission for final action. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and Planning Commission hearing is published and mailed to the applicant, recognized neighborhood association(s) and property owners within three hundred feet. Notice shall be issued at least twenty days pre-hearing, and the staff report shall be available at least seven days pre-hearing. At the evidentiary hearing held before the Planning Commission, all issues are addressed. If the Planning Commission denies the application, any party with standing (i.e., anyone who appeared before the Planning Commission either in person or in writing within the comment period) may appeal the Planning Commission denial to the City Commission. If the Planning Commission denies the application and no appeal has been received within fourteen days of the issuance of the final decision, then the action of the Planning Commission becomes the final decision of the City. If the Planning Commission votes to approve the application, that decision is forwarded as a recommendation to the City Commission for final consideration. In either case, any review by the City Commission is on the record and only issues raised before the Planning Commission may be raised before the City Commission. The City Commission decision is the City's final decision and is subject to review by LUBA within twenty one days of when it becomes final.

E. Expedited land divisions and middle housing land divisions are subject to the requirements of OCMC 16.24. The expedited land division (ELD) process is set forth in ORS 197.360 to 197.380.

F. Decisions, completeness reviews, appeals, and notices in this chapter shall be calculated according to OCMC 1.04.070 and shall be based on calendar days, not business days.

Response: *The applicant and owners have been made aware of these procedures and will comply with their responsibilities as necessary.*

17.50.040 DEVELOPMENT REVIEW IN OVERLAY DISTRICTS AND FOR EROSION CONTROL.

For any development subject to regulation of geologic hazards overlay district under OCMC 17.44; natural resource overlay district under OCMC 17.49; Willamette River Greenway Overlay District under OCMC 17.48; historic overlay district under OCMC 17.40, and erosion and sediment control under OCMC 17.47, compliance with the requirements of these chapters shall be reviewed as part of the review process required for the underlying development for the site.

Response: *The City's map indicates that this project site is not subject to geologic hazards and within Geologic Hazard Overlay. No development is proposed at this time, consistency with the approval criteria will be provided at the time of future development.*

17.50.050 PRE-APPLICATION CONFERENCE.

A. Pre-application Conference. Prior to a Type II – IV or Legislative application, excluding Historic Review, being deemed complete, the applicant shall schedule and attend a pre-application conference with City staff to discuss the proposal, unless waived by the Community Development Director. The purpose of the pre-application conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal.

- 1. To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.*
- 2. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.*
- 3. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.*

Response: *A pre-application conference with City staff was held on March 26, 2025, to discuss the proposed annexation and potential zone change. Staff provided pre-application notes after the conclusion of the meeting and information for the Hazaelgrove Neighborhood Association contact. The pre-app notes are attached as Attachment 010 and 011 to this submittal.*

B. A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.

Response: *The application is filed within the six-month period since the date of the pre-application conference March 26, 2025.*

C. Notwithstanding any representations by City staff at a pre-application conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

Response: A pre-application meeting (PA-23-00040) was held on March,26,2025 to review the proposed annexation and potential zone change. Pre-application meeting notes were provided, and all relevant land use requirements have been acknowledged and addressed as part of this application narrative. Please see Attachment 010 and 011.

17.50.055 NEIGHBORHOOD ASSOCIATION MEETING.

Neighborhood Association Meeting. The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.

A. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.

B. The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the citizen involvement committee.

C. A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, citizen involvement committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a city facility.

D. If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the citizen involvement committee.

E. To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.

Response: A meeting was requested with the Caufield Neighborhood Association and scheduled for June 10,2025, where the proposed annexation was presented virtually. A copy of the meeting notice was provided to the chair of the citizen involvement committee, and a copy of the agenda and the email confirmation from the Caufield Neighborhood Association is provided as part of this application (see Attachment 007).

17.50.060 APPLICATION REQUIREMENTS.

A permit application may only be initiated by the record property owner or contract purchaser, the City Commission or Planning Commission. If there is more than one record owner, then the City will not complete a Type II–IV application without signed authorization from all record owners. All permit applications shall be submitted on the form provided by the City, along with the appropriate fee and all necessary supporting documentation and information, sufficient to demonstrate compliance with all

applicable approval criteria. The applicant has the burden of demonstrating, with evidence, that all applicable approval criteria are, or can be, met.

Response: The request for annexation has been initiated by the record property owner and all applications submitted has signed authorization from the record owner. The application submittal materials sufficiently demonstrate the proposed annexation's compliance with all applicable approval criteria. This includes all necessary documentation required based on the City of Oregon City's comments within the pre-application conference notes.

17.50.070 COMPLETENESS REVIEW AND ONE HUNDRED TWENTY-DAY RULE.

A. Upon submission, the Community Development Director shall date stamp the application form and verify that all of the appropriate application review fee(s) have been submitted. Upon receipt of all review fees and an application form, the Community Development Director will then review the application and all information submitted with it and evaluate whether the application is complete enough to process. Within thirty days of receipt of the application and all applicable review fees, the Community Development Director shall complete this initial review and issue to the applicant a written statement indicating whether the application is complete enough to process, and if not, what information shall be submitted to make the application complete.

B. The applicant has one hundred eighty days from the date the application was made to submit the missing information or the application shall be rejected and the unused portion of the application fee returned to the applicant. If the applicant submits the requested information within the one hundred eighty-day period, the Community Development Director shall again verify whether the application, as augmented, is complete. Each such review and verification shall follow the procedure in subsection A of this section.

The application will be deemed complete for the purpose of this section upon receipt by the Community Development Director of:

1. All the missing information;
2. Some of the missing information and written notice from the applicant that no other information will be provided; or
3. Written notice from the applicant that none of the missing information will be provided.

C. Once the Community Development Director determines the application is complete enough to process, or the applicant refuses to submit any more information, the City shall declare the application complete. Pursuant to ORS 227.178, the City will reach a final decision on an application within one hundred twenty calendar days from the date that the application is determined to be or deemed complete unless the applicant agrees to suspend the one hundred twenty-calendar-day timeline or unless state law provides otherwise. The one hundred twenty-day period, however, does not apply in the following situations:

1. Any hearing continuance or other process delay requested by the applicant shall be deemed an extension or waiver, as appropriate, of the one hundred twenty-day period.
2. Any delay in the decision-making process necessitated because the applicant provided an incomplete set of mailing labels for the record property owners within three hundred feet of the subject property shall extend the one hundred twenty-day period for the amount of time required to correct the notice defect.

3. *The one hundred twenty-day period does not apply to any application for a permit that is not wholly within the City's authority and control.*
4. *The one hundred twenty-day period does not apply to any application for an amendment to the City's comprehensive plan or land use regulations nor to any application for a permit, the approval of which depends upon a plan amendment.*

D. A one hundred day-period applies in place of the one hundred twenty-day period for affordable housing projects where:

- 1. The project includes five or more residential units, including assisted living facilities or group homes;*
- 2. At least fifty percent of the residential units will be sold or rented to households with incomes equal to or less than sixty percent of the median family income for Clackamas County or for the state, whichever is greater; and*
- 3. Development is subject to a covenant restricting the owner and successive owner from selling or renting any of the affordable units as housing that is not affordable for a period of sixty years from the date of the certificate of occupancy.*

E. The one hundred twenty-day period specified in OCMC 17.50.070.C or D may be extended for a specified period of time at the written request of the applicant. The total of all extensions may not exceed two hundred forty-five calendar days.

F. The approval standards that control the City's review and decision on a complete application are those which were in effect on the date the application was first submitted.

Response: *The requested annexation does not require any amendments to the City's comprehensive plan or land use regulations. The subject properties are currently designated as Low Density Residential (LR) under the Oregon City Comprehensive Plan, and the proposed zone change request to the R-6 zoning district is consistent with the LR Comprehensive Plan designation.*

17.50.080 COMPLETE APPLICATION—REQUIRED INFORMATION.

Unless stated elsewhere in OCMC 16 or 17, a complete application includes all the materials listed in this subsection. The Community Development Director may waive the submission of any of these materials if not deemed to be applicable to the specific review sought. Likewise, within thirty days of when the application is first submitted, the Community Development Director may require additional information, beyond that listed in this subsection or elsewhere in Titles 12, 14, 15, 16, or 17, such as a traffic study or other report prepared by an appropriate expert. In any event, the applicant is responsible for the completeness and accuracy of the application and all of the supporting documentation, and the City will not deem the application complete until all information required by the Community Development Director is submitted. At a minimum, the applicant shall submit the following:

A. One copy of a completed application form that includes the following information:

- 1. An accurate address and tax map and location of all properties that are the subject of the application;*
- 2. Name, address, telephone number and authorization signature of all record property owners or contract owners, and the name, address and telephone number of the applicant, if different from the property owner(s);*

B. A complete list of the permit approvals sought by the applicant;

C. A complete and detailed narrative description of the proposed development;

D. A discussion of the approval criteria for all permits required for approval of the development proposal that explains how the criteria are or can be met or are not applicable, and any other information indicated by staff at the pre-application conference as being required;

E. One copy of all architectural drawings and site plans shall be submitted for Type II–IV applications.

One paper copy of all application materials shall be submitted for Type I applications;

F. For all Type II–IV applications, the following is required:

1. An electronic copy of all materials.
2. Mailing labels or associated fee for notice to all parties entitled under OCMC 17.50.090 to receive mailed notice of the application. The applicant shall use the names and addresses of property owners within the notice area indicated on the most recent property tax rolls.
3. Documentation indicating there are no liens favoring the City on the subject site.
4. A receipt from the county assessor's office indicating that all taxes for the lot or parcels involved are paid in full for the preceding tax year.
5. A current preliminary title report or trio for the subject property(ies);

G. All required application fees;

H. Annexation agreements, traffic or technical studies (if applicable);

I. Additional documentation, as needed and identified by the Community Development Director.

Response: The project complies with the above submittal requirements. All applicable materials have been submitted with the completed application An Annexation Petition Worksheet was completed along with the Code Response Template that responds to all approval criteria. Additional related applications have been submitted along with the request for annexation, including the Zone Change application, Transportation Analysis Letter, and Tri-City Sewer District annexation form.

17.50.090 – PUBLIC NOTICES.

All public notices issued by the City announcing applications or public hearings of quasi-judicial or legislative actions, shall comply with the requirements of this section.

B. Notice of Public Hearing on a Type III or IV Quasi-Judicial Application. Notice for all public hearings concerning a quasi-judicial application shall conform to the requirements of this subsection. At least twenty days prior to the hearing, the City shall prepare and send, by first class mail, notice of the hearing to all record owners of property within three hundred feet of the subject property and to any city recognized neighborhood association whose territory includes the subject property. The City shall also publish the notice on the City website within the City at least twenty days prior to the hearing. Pursuant to OCMC 17.50.080.H, the applicant is responsible for providing an accurate and complete set of mailing labels for these property

owners and for posting the subject property with the City-prepared notice in accordance with OCMC 17.50.100. Notice of the application hearing shall include the following information:

1. The time, date and location of the public hearing;
2. Street address or other easily understood location of the subject property and city-assigned planning file number;
3. A description of the applicant's proposal, along with a list of citations of the approval criteria that the City will use to evaluate the proposal;
4. A statement that any interested party may testify at the hearing or submit written comments on the proposal at or prior to the hearing and that a staff report will be prepared and made available to the public at least seven days prior to the hearing;
5. A statement that any issue which is intended to provide a basis for an appeal to the City Commission shall be raised before the close of the public record. Issues must be raised and accompanied by statements or evidence sufficient to afford the City and all parties to respond to the issue;
6. The notice shall state that a city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290.C must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal;
7. A statement that the application and all supporting materials and evidence submitted in support of the application may be inspected at no charge and that copies may be obtained at reasonable cost at the planning division offices during normal business hours; and
8. The name and telephone number of the planning staff person responsible for the application or is otherwise available to answer questions about the application.

Response: The request for annexation and zone change required a Type IV Quasi-Judicial Application and review. A notice list of all property owners within 300 feet of the project site has been provided by City staff for the Notice of Type IV Application.

C. Notice of Public Hearing on a Legislative Proposal. At least twenty days prior to a public hearing at which a legislative proposal to amend or adopt the City's land use regulations or comprehensive plan is to be considered, the Community Development Director shall issue a public notice that conforms to the requirements of this subsection. Notice shall be sent to affected governmental entities, special districts, providers of urban services, including Tri-Met, Oregon Department of Transportation and Metro, any affected recognized neighborhood associations and any party who has requested in writing such notice. Notice shall also be published on the City website. Notice issued under this subsection shall include the following information:

1. The time, date and location of the public hearing;
2. The City-assigned planning file number and title of the proposal;

3. *A description of the proposal in sufficient detail for people to determine the nature of the change being proposed;*
4. *A statement that any interested party may testify at the hearing or submit written comments on the proposal at or prior to the hearing; and*
5. *The name and telephone number of the planning staff person responsible for the proposal and who interested people may contact for further information.*

Response: The request for annexation and zone change is classified as a Type IV Application that requires aquasi-judicial review. The proposal does not require any amendments to the City's land use regulations or comprehensive plan. This standard is for a legislative proposal and is not applicable.

17.50.100 – NOTICE POSTING REQUIREMENTS.

Where this chapter requires notice of a pending or proposed permit application or hearing to be posted on the subject property, the requirements of this section shall apply.

A. City Guidance and the Applicant's Responsibility. The City shall supply all of the notices which the applicant is required to post on the subject property and shall specify the dates the notices are to be posted and the earliest date on which they may be removed. The City shall also provide a statement to be signed and returned by the applicant certifying that the notice(s) were posted at the correct time and that if there is any delay in the City's land use process caused by the applicant's failure to correctly post the subject property for the required period of time and in the correct location, the applicant agrees to extend the applicable decision-making time limit in a timely manner.

B. Number and Location. The applicant shall place the notices on each frontage of the subject property. If the property's frontage exceeds six hundred feet, the applicant shall post one copy of the notice for each six hundred feet or fraction thereof. Notices do not have to be posted adjacent to alleys or unconstructed right-of-way. Notices shall be posted within ten feet of the street and shall be visible to pedestrians and motorists. Notices shall not be posted within the public right-of-way or on trees. The applicant shall remove all signs within ten days following the event announced in the notice.

Response: Notices will be posted on the frontage of each subject property in compliance with the notice posting requirements of this chapter.

17.50.110 ASSIGNMENT OF DECISION-MAKERS.

The following City entity or official shall decide the following types of applications:

A. Type I Decisions. The Community Development Director shall render all Type I decisions. The Community Development Director's decision is the City's final decision on a Type I application.

B. Type II Decisions. The Community Development Director shall render the City's decision on all Type II permit applications, which are then appealable to the City Commission with notice to the Planning Commission. The City's final decision is subject to review by LUBA.

C. Type III Decisions. The Planning Commission or Historic Review Board, as applicable, shall render all Type III decisions. Such decision is appealable to the City Commission, on the record. The City Commission's decision is the city's final decision and is subject to review by LUBA within twenty-one days of when it becomes final.

D. Type IV Decisions. The Planning Commission shall render the initial decision on all Type IV permit applications. If the Planning Commission denies the Type IV application, that decision is final unless appealed in accordance with OCMC 17.50.190. If the Planning Commission recommends approval of the application, that recommendation is forwarded to the City Commission. The City Commission decision is

the City's final decision on a Type IV application and is subject to review LUBA.

E. Expedited Land Division (ELD). The Community Development Director shall render the initial decision on all ELD applications. The Community Development Director's decision is the City's final decision unless appealed in accordance to ORS 197.375 to a City-appointed hearings referee. The hearings referee decision is the City's final decision which is appealable to the Oregon Court of Appeals.

Response: *The proposal is a request for annexation and zone change of two adjacent properties and requires a Type IV Application. The Planning Commission is the initial decision-making body for a Type IV review, and if the proposal is recommended for approval, the City Commission will make the final decision on the request. The owner acknowledges the process and authority of decision-making for a Type IV Application.*

17.50.120 QUASI-JUDICIAL HEARING PROCESS.

All public hearings pertaining to quasi-judicial permits, whether before the Planning Commission, Historic Review Board, or City Commission, shall comply with the procedures of this section. In addition, all public hearings held pursuant to this chapter shall comply with the Oregon Public Meetings Law, the applicable provisions of ORS 197.763 and any other applicable law.

A. Once the Community Development Director determines that an application for a Type III or IV decision is complete, the planning division shall schedule a hearing before the Planning Commission or Historic Review Board, as applicable. Once the Community Development Director determines that an appeal of a Type II, Type III or Type IV decision has been properly filed under OCMC 17.50.190, the planning division shall schedule a hearing pursuant to OCMC 17.50.190.

B. Notice of the Type III or IV hearing shall be issued at least twenty days prior to the hearing in accordance with OCMC 17.50.090.B.

C. Written notice of an appeal hearing shall be sent by regular mail no later than fourteen days prior to the date of the hearing to the appellant, the applicant if different from the appellant, the property owner(s) of the subject site, all persons who testified either orally or in writing before the hearing body and all persons that requested in writing to be notified.

D. The Community Development Director shall prepare a staff report on the application which lists the applicable approval criteria, describes the application and the applicant's development proposal, summarizes all relevant city department, agency and public comments, describes all other pertinent facts as they relate to the application and the approval criteria and makes a recommendation as to whether each of the approval criteria are met.

E. At the beginning of the initial public hearing at which any quasi-judicial application or appeal is reviewed, a statement describing the following shall be announced to those in attendance:

- 1. That the hearing will proceed in the following general order: Staff report, applicant's presentation, testimony in favor of the application, testimony in opposition to the application, rebuttal, record closes, commission deliberation and decision;*

- 2. That all testimony and evidence submitted, orally or in writing, shall be directed toward the applicable approval criteria. If any person believes that other criteria apply in addition to those addressed in the staff report, those criteria shall be listed and discussed on the record. The meeting chairperson may reasonably limit oral presentations in length or content depending*

upon time constraints. Any party may submit written materials of any length while the public record is open;

3. Failure to raise an issue on the record with sufficient specificity and accompanied by statements or evidence sufficient to afford the City and all parties to respond to the issue, will preclude appeal on that issue to the land use board of appeals;

4. Any party wishing a continuance or to keep open the record shall make that request while the record is still open;

5. That the commission chair shall call for any ex-parte contacts, conflicts of interest or bias before the beginning of each hearing item; and

6. For appeal hearings, only those persons who participated either orally or in writing in the decision or review will be allowed to participate either orally or in writing on the appeal.

F. Requests for continuance and to keep open the record: The hearing may be continued to allow the submission of additional information or for deliberation without additional information. New notice of a continued hearing need not be given so long as a time-certain and location is established for the continued hearing. Similarly, hearing may be closed but the record kept open for the submission of additional written material or other documents and exhibits. The chairperson may limit the factual and legal issues that may be addressed in any continued hearing or open record period.

Response: The proposal is a request for annexation and zone change of two adjacent properties and requires a quasi-judicial hearing process with a Type IV Decision. The owner acknowledges the quasi-judicial hearing process for a Type IV Application.

17.50.130 CONDITIONS OF APPROVAL AND NOTICE OF DECISION.

A. All City decision-makers have the authority to impose reasonable conditions of approval designed to ensure that all applicable approval standards, including standards set out in city overlay districts, the City's master plans, and City public works design standards, are, or can be met.

B. Failure to comply with any condition of approval shall be grounds for revocation of the permit(s) and grounds for instituting code enforcement proceedings pursuant to OCMC 1.20 of this code and ORS 30.315.

C. Notice of Decision. The City shall send, by first class mail, a notice of all decisions rendered under this chapter to all persons with standing, i.e., the applicant, all others who participated either orally or in writing before the close of the public record and those who specifically requested notice of the decision. The notice of decision shall include the following information:

- 1. The file number and date of decision;*
- 2. The name of the applicant, owner and appellant (if different);*
- 3. The street address or other easily understood location of the subject property;*
- 4. A brief summary of the decision, and if an approval, a description of the permit approved;*

5. A statement that the decision is final unless appealed and description of the requirements for perfecting an appeal;

5. The contact person, address and a telephone number whereby a copy of the final decision may be inspected or copies obtained.

D. Modification of Conditions. Any request to modify a condition of permit approval is to be considered either minor modification or a major modification, unless otherwise authorized. A minor modification shall be processed as a Type I. A major modification shall be processed in the same manner and shall be subject to the same standards as was the original application. However, the decision-maker may at their sole discretion, consider a modification request and limit its review of the approval criteria to those issues or aspects of the application that are proposed to be changed from what was originally approved.

Response: *There is no new development proposed at this time. The owner acknowledges that conditions of approval may be applied to satisfy specific regulations if it cannot be demonstrated that the proposed application is consistent with those requirements.*

17.50.140 – FINANCIAL GUARANTEES.

When conditions of permit approval require a permittee to construct certain public improvements, the City shall require the permittee to provide financial guarantee for construction of the certain public improvements. Financial guarantees shall be governed by this section.

A. Form of Guarantee. Guarantees shall be in a form approved by the City attorney. Approvable forms of guarantee include irrevocable standby letters of credit to the benefit of the City issued by a recognized lending institution, certified checks, dedicated bank accounts or allocations of construction loans held in reserve by the lending institution for the benefit of the City. The form of guarantee shall be specified by the City engineer and, prior to execution and acceptance by the City shall be reviewed and approved by the City attorney. The guarantee shall be filed with the City engineer.

B. Performance Guarantees. A permittee shall be required to provide a performance guarantee as follows.

- 1. After Final Approved Design by the City. The City may request the permittee to submit a performance guarantee for construction of certain public improvements. A permittee may request the option of submitting a performance guarantee when prepared for temporary/final occupancy. The guarantee shall be one hundred twenty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City engineer.*

- 2. Before Complete Design Approval and Established Engineered Cost Estimate. The City may request a permittee to submit a performance guarantee for construction of certain public improvements. A permittee may request the option of submitting a performance guarantee before public improvements are designed and completed. The guarantee shall be one hundred fifty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer and approved by the City engineer. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City engineer.*

D. Release of Guarantee. The guarantee shall remain in effect until the improvement is actually constructed and accepted by the City. Once the City has inspected and accepted the improvement, the City shall release the guarantee to the permittee. If the improvement is not completed to the City's satisfaction within the time limits specified in the permit approval, the City engineer may, at their discretion, draw upon the guarantee and use the proceeds to construct or complete construction of the improvement and for any related administrative and legal costs incurred by the City in completing the construction, including any costs incurred in attempting to have the permittee

complete the improvement. Once constructed and approved by the City, any remaining funds shall be refunded to the permittee. The City shall not allow a permittee to defer construction of improvements by using a performance guarantee, unless the permittee agrees to construct those improvements upon written notification by the City, or at some other mutually agreed-to time. If the permittee fails to commence construction of the required improvements within six months of being instructed to do so, the City may, without further notice, undertake the construction of the improvements and draw upon the permittee's performance guarantee to pay those costs.

D. Fee-in-lieu. When conditions of approval or the City engineer allows a permittee to provide a fee-in-lieu of actual construction of public improvements, the fee shall be one hundred fifty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer and approved by the City engineer. The percentage required is to ensure adequate funds for the future work involved in design, bid, contracting, and construction management and contract closeout. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City engineer. The fee-in-lieu shall be submitted as cash, certified check, or other negotiable instrument acceptable by the City attorney.

Response: The owner is requesting the annexation and zone change of two lots within the subject site, both of which may be served by nearby public facilities and services. Improvements may be required upon permit approval of future development, however, there is no new development proposed at this time. This standard is not applicable to the request for annexation and zone change.

17.50.141 – PUBLIC IMPROVEMENTS – WARRANTY

All public improvements not constructed by the City, shall be maintained and under warranty provided by the property owner or developer constructing the facilities until the City accepts the improvements at the end of the warranty period. The warranty is to be used at the discretion of the City engineer or designee to correct deficiencies in materials or maintenance of constructed public infrastructure, or to address any failure of engineering design.

A. Duration of Warranty. Responsibility for maintenance of public improvements shall remain with the property owner or developer for a warranty period of two years.

B. Financial Guarantee. Approvable forms of guarantee include irrevocable standby letters of credit to the benefit of the City issued by a recognized lending institution, bond, certified checks, dedicated bank accounts or allocations of construction loans held in reserve by the lending institution for the benefit of the City. The form of guarantee shall be specified by the City engineer and, prior to execution and acceptance by the City shall be reviewed and approved by the City attorney. The guarantee shall be filed with the City engineer.

C. Amount of Warranty. The amount of the warranty shall be equal to fifteen percent of the estimated cost of construction of all public improvements (including those improvements that will become owned and maintained by the City at the end of the two-year maintenance period), and shall be supported by a verified engineering estimate and approved by the City engineer. Upon expiration of the warranty period and acceptance by the City as described below, the City shall be responsible for maintenance of those improvements.

D. Transfer of Maintenance. The City will perform an inspection of all public improvements approximately forty-five days before the two-year warranty period expires. The public improvements shall be found to be in a clean, functional condition by the City engineer before acceptance of maintenance responsibility by the City. Transfer of maintenance of public improvements shall occur when the City accepts the improvements at the end of the two-year warranty period.

Response: The owner is requesting the annexation and zone change of two lots within the subject site, both of which may be served by nearby public facilities and services. Improvements may be required upon permit approval of future development, however, there is no new development proposed at this time. This standard is not applicable to the request for annexation and zone change.

CHAPTER 17.68 – ZONING CHANGES AND COMPREHENSIVE PLAN AMENDMENTS
17.68.010 – INITIATION OF THE AMENDMENT.

A text amendment to the comprehensive plan, or an amendment to the zoning code or map or the Comprehensive Plan map, may be initiated by:

- A. A resolution request by the City Commission;
- B. An official proposal by the Planning Commission
- C. An application to the Planning Division; or.
- D. A Legislative request by the Planning Division.

All requests for amendment or change in this title shall be referred to the Planning Commission.

Response: The proposed zone change requires an amendment to the zoning map and has been initiated by the property owners through an application to the Planning Division.

17.68.020 – CRITERIA.

The criteria for comprehensive plan amendment or text or map amendment in the zoning code are set forth as follows:

- A. The proposal shall be consistent with the applicable goals and policies of the comprehensive plan;

Response: The project site has the Comprehensive Plan designation of LR (Low Density Residential), which permits the City zoning of R-6, R-8, and R-10. The proposed annexation into Oregon City Limits and zone change to R-6 is consistent with the applicable goals and policies of the City of Oregon City's Comprehensive Plan.

- B. That public facilities and services (water, sewer, storm drainage, transportation, schools, police and fire protection) are presently capable of supporting the uses allowed by the zone or plan amendment, or can be made available prior to issuing a certificate of occupancy. Service shall be sufficient to support the range of uses and development allowed by the zone or plan amendment;

Response: The project site has access to adjacent public utility lines, nearby public facilities, and services. There is an existing water main and sanitary sewer main that runs within Skellenger Way, and a stormwater main within S Central Point Rd.. The properties are also currently served by Clackamas Fire District #1 and the Oregon City School District and will have access to police service under the Oregon City Police Department. All public facilities and services are available to support the proposed zone change to R-6 which permits low density residential development. There is no development proposed at this time.

- C. The land uses authorized by the proposal are consistent with the existing or planned function, capacity and level of service of the transportation system serving the proposed zoning district or plan amendment; and

Response: A Transportation Analysis Letter (TAL) is provided along with the application that indicates the annexation and zone change will not have a significant impact on the planned function, capacity and level of service of the transportation system serving the project site (see Attachment 006).

D. Statewide planning goals shall be addressed if the comprehensive plan does not contain specific policies or provisions which control the amendment.

Response: The subject properties are designated as Low Density Residential (LR) under the Oregon City's acknowledged Comprehensive Plan that is compliant with the Statewide Planning Goals. The proposal complies with the goals and policies of the comprehensive plan designation.

17.68.025 – ZONING FOR LAND ANNEXED INTO THE CITY.

Upon annexation into the City, the property shall be rezoned from County zoning to the corresponding City zoning designation as identified in Table 17.06.030, provided the criteria for a zone change can be met.

Response: Upon annexation, both properties associated with the project site are requesting a Zone Change from County zoning of FU-10 (Future Urbanizable 10-acre lot) to Oregon City's zoning of R-6 (Low-Density Residential 6,000 square foot minimum lot size) zoning. The proposed Zone Change complies with the zoning designations for Low Density Residential (LR) Comprehensive Plan Classification as identified in Table 17.06.030.

17.68.040 – APPROVAL BY THE COMMISSION.

If the Planning Commission finds that the request or application for an amendment, or change, complies with the criteria of OCMC 17.68.020, it shall forward its findings and recommendation to the City Commission for action thereon by that body.

Response: The subject properties are currently located within the existing UGB. The proposed zone changes to the R-6 zoning district is consistent with the Oregon City Comprehensive Plan designation of Low Density Residential (LR) for both properties and complies with the criteria of OCMC 17.68.020.

17.68.050 – CONDITIONS.

In granting a change in zoning classification to any property, the Commission may attach such conditions and requirements to the zone change as the Commission deems necessary in the public interest and such conditions and restrictions shall thereafter apply to the zone change or map amendment.

Response: The proposed zone changes from the FU-10 zoning district to the City's low-density residential R-6 zoning district is consistent with the Oregon City Comprehensive Plan designation of Low Density Residential (LR) for both properties. The owner acknowledges that conditions and additional requirements may be applied for approval of the zone change.

4.3.200 GENERAL REQUIREMENTS

Response: *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.

Response: These properties are located within the existing Urban Growth Boundary. Consistent with the City's Urban Growth Management Agreement (UGMA) with Clackamas County, urban services to these properties would be provided by the City of Oregon City upon annexation into the City Limits. The subject property will also separately annex into the Tri-City Service District.

2. Consistency with directly applicable provisions of urban planning area agreements between the annexing entity and a necessary party

Response: Consistent with the City's Urban Growth Management Agreement (UGMA) with Clackamas County, urban services to these properties would be provided by the City of Oregon City upon annexation into the City Limits. Separate annexation into the Metro boundary will be applied for upon approval of annexation into the City.

3. Consistency with directly applicable standards for boundary changes contained in Comprehensive land use plans and public facility plans.

Response: Consistency with the Comprehensive Plan standards for boundary changes have been addressed within this document. The property is within the Urban Growth Boundary where public utilities and services are expected to be provided upon annexation. Future development on any of these properties will be required to comply with the required extensions consistent with the public facility plans.

4. Consistency with directly applicable standards for boundary changes contained in the Regional framework or any functional plans.

Response: This narrative and accompanying documentation demonstrates that the proposed annexation can be consistent with the applicable standards from the Regional framework plan. The subject site is currently within the City's UGB, which has been previously considered in the City's adopted and acknowledged Comprehensive Plan. The proposed annexation is located near existing and accessible public utilities and services for potential future connections.

5. Whether the proposed boundary change will promote or not interfere with the timely, orderly and economic provision of public facilities and services.

Response: As discussed in the narrative, the property is located next to urbanized properties that are already served by public facilities and services. Utilities are Skelenger Way and S Central Point Rd. The proposed annexation into Oregon City limits will allow the subject properties to access City utilities and services upon development.

6. Consistency with other applicable criteria for the boundary change in question under state and local law.

Response: As demonstrated by this narrative and the supporting documentation provided along with the application, the proposal is consistent with the applicable annexation requirements.

REGIONAL FRAMEWORK PLAN – METRO GROWTH MANAGEMENT FUNCTIONAL PLAN

Response: The law that requires Metro to adopt criteria for boundary changes 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]." The Growth Management Functional Plan was reviewed and found not to contain any criteria directly applicable to boundary changes. The Regional Framework Plan was also reviewed and found not to contain specific criteria applicable to boundary changes.

CLACKAMAS COUNTY PLANNING

Response: 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 IV-5).

The County Zoning on the property is FU-10. The FU-10 zone is an urban holding zone that requires a 10-acre minimum lot size. This is a holding zone to prevent the creation of small parcels in areas within the UGB to preserve the capacity of land to fully develop once a full range of urban services is available.

Clackamas County Zoning and Development Ordinance (ZDO) section 314.02 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.

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

Response: 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 which is Low Density Residential.

The Agreement presumes that all the urban lands within the UGMB 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 . . .

* * *

Response: The applicant understands that the City will provide the required notice to the County at least 20 days before the Planning Commission hearing. The agreement requires that adjacent road rights-of-way be included within annexations. Any portion of the existing rights-of-way that are not already located within the City have been included with this request.

CLACKAMAS RIVER WATER

Response: The tax lot in question are currently CRW water customers. The existing waterline in S Central Point Road is a CRW 12-inch ductile iron waterline and currently serves the property. The property will be removed from the Clackamas River Water District upon annexation. A concurrent request has been submitted with this application.

OREGON CITY COMPREHENSIVE PLAN

POLICY 5.4 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.

Response: The one property is currently located within the City's Urban Growth Boundary and the annexation of lands within the project site is consistent with the Oregon City Comprehensive Plan, ordinances, and the City Charter.

STRATEGY 5.4.A Promote compact urban form and support efficient delivery of public services by ensuring that lands to be annexed are within the City's Urban Growth Boundary, and contiguous with the city limits. Do not consider long linear extensions, such as cherry stems and flag lots, to be contiguous with the city limits.

Response: The project site includes one property within the City's Urban Growth Boundary and are contiguous with the city limits. Utilities and services are close to the property lines and will help to facilitate development of the area that is consistent with the Oregon City Comprehensive Plan and related development regulations. Currently, no development is proposed on the project site. New development will be required to connect to existing public utilities and develop consistent with the urban zone applied to the property upon annexation.

STRATEGY 5.4.B Evaluate and in some instances require that parcels adjacent to proposed annexations

be included to:

- i. avoid creating unincorporated islands within the city;*
- ii. enable public services to be efficiently and cost-effectively extended to the entire area; or*
- iii. implement a concept plan or sub-area master plan that has been approved by the Planning and City Commissions.*

Response: The proposed annexation of the project site is contiguous with the city limits. Shown on the map below, the Oregon City limits follows the northern S Central Point Road right-of-way line and the annexing property is located directly adjacent to that line. Abutting the project site to the north is owned by the Metropolitan Service District. There are no existing concept plans or sub-area master plans that includes the project site (see map from Figure 2 below).



5.4.C 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.

Response: There are no existing public health hazards or concerns for a failing septic tank sewage system connected to the project site. This strategy does not apply to this request.

POLICY 4.4 Coordinate infrastructure to support the equitable development of “Climate-Friendly Areas,” as defined by DLCD

STRATEGY 4.4.C Plan for complementary mixed uses when considering annexation of new, under- or undeveloped areas so that new urban residential areas have closer access to jobs and services.

Response: The Comprehensive Plan designation for the project site is Low Density Residential (LR), which permits the City zoning of R-6, R-8, or R-10. The proposal is requesting a Zone Change to R-6 which is a low density residential district with a minimum lot size of 6,000 square feet. The project site would be required to develop with permitted uses within the low-density residential zones and comply with the development standards adopted by the City once annexed into the City.

POLICY 5.1 Ensure the Urban Growth Boundary conforms to Title 11 of the Code of the Metropolitan Service District and provides sufficient land to accommodate 20-year urban land needs, resulting in efficient urban growth and a distinction between urban uses and surrounding rural lands, and promoting appropriate infill and redevelopment in the city.

Response: The City's approved UGB conforms with Title 11 of the Code of the Metropolitan Service District for housing programs. The properties are currently located within the City's UGB and the proposed annexation and accompanying zone change to R-6 will accommodate future infill development of additional residential urban land needs.

STRATEGY 5.1.A Include an assessment of the fiscal impacts of providing public services to unincorporated areas upon annexation, including the costs and benefits to the city as a whole as a requirement for concept plans.

Response: The property is not subject to a current or prior concept plan. The property is located within the original UGB adopted for the City. They are adjacent to existing public utilities, and the nearby neighborhoods are already provided with public services, so annexation of these properties would be orderly and efficient as it pertains to providing public services to the site. It should be noted that the property is not proposed to be developed at this time. Future development of the property would require the extension of public utilities in accordance with local laws. The cost of those extensions are paid for by the developer with few exceptions.

LAND USE

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.

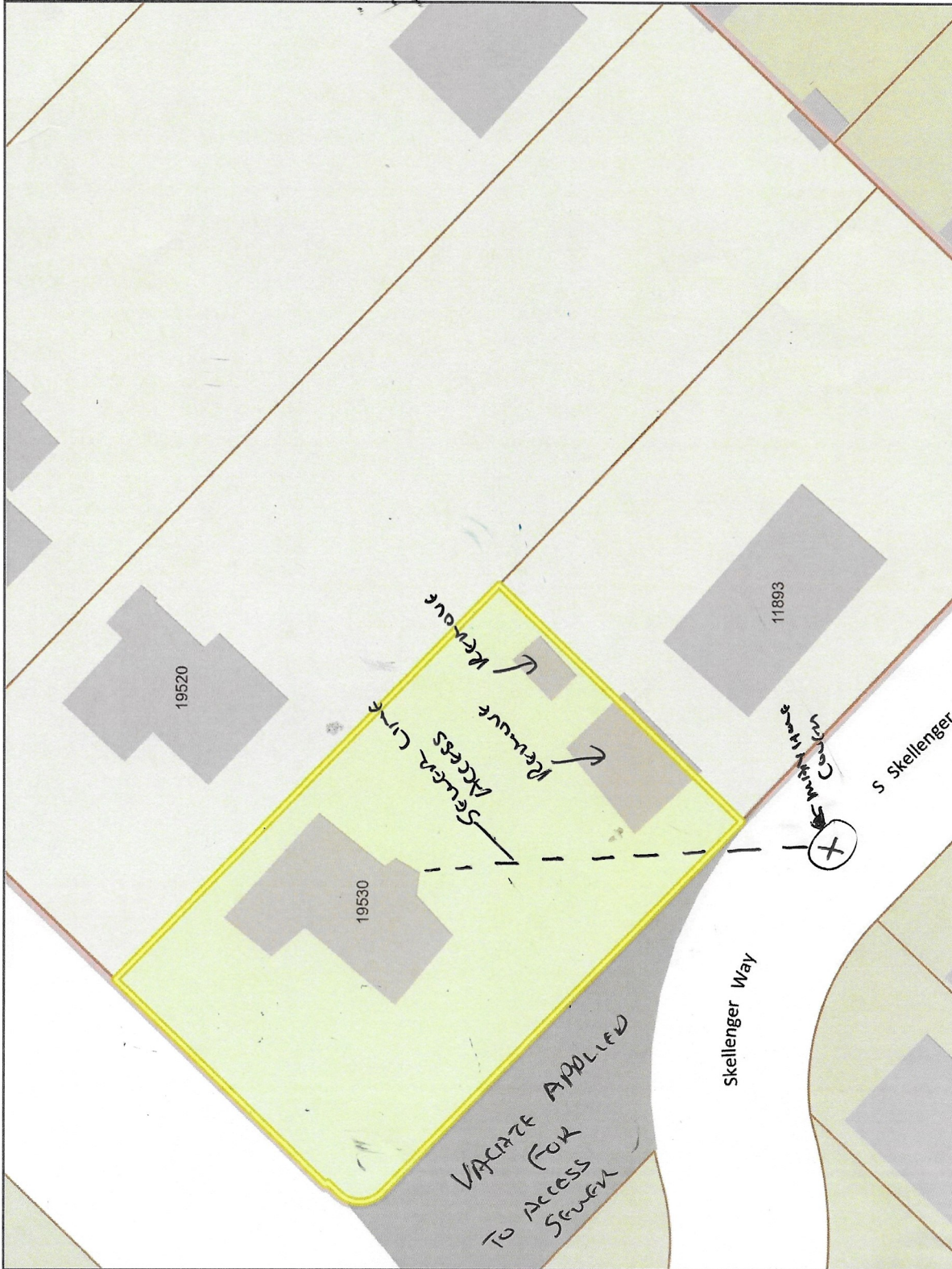
Response: Low Density Residential zones includes the R-10, R-8, and R-6 districts. The proposed zone change is to the R-6 district. Any future development would be required to comply with the allowed uses of the property. With the passage of and implementation of Oregon HB 2001, there are in fact other residential land use types allowed in all single-family zones including, duplexes, triplexes, quadplexes, row homes, and cottages. These same uses are already allowed in any of the low-density residential zones.

III. CONCLUSION

This summary of request and supplemental attachments demonstrates compliance with applicable approval criteria and code standards for a Type IV Annexation and Zone Change in the City of Oregon City. The owners have petitioned the City to be annexed into the Oregon City limits; therefore, the applicant respectfully requests that the City approve the application.

1" SITE PLAN

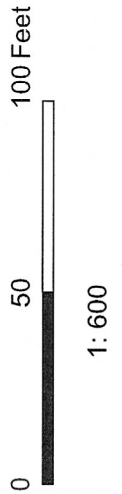
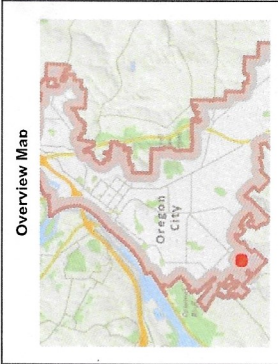
19530 Central Point Road



Legend

- Street Names
- Taxlots
- Unimproved ROW
- City Limits
- UGB
- Basemap

Notes



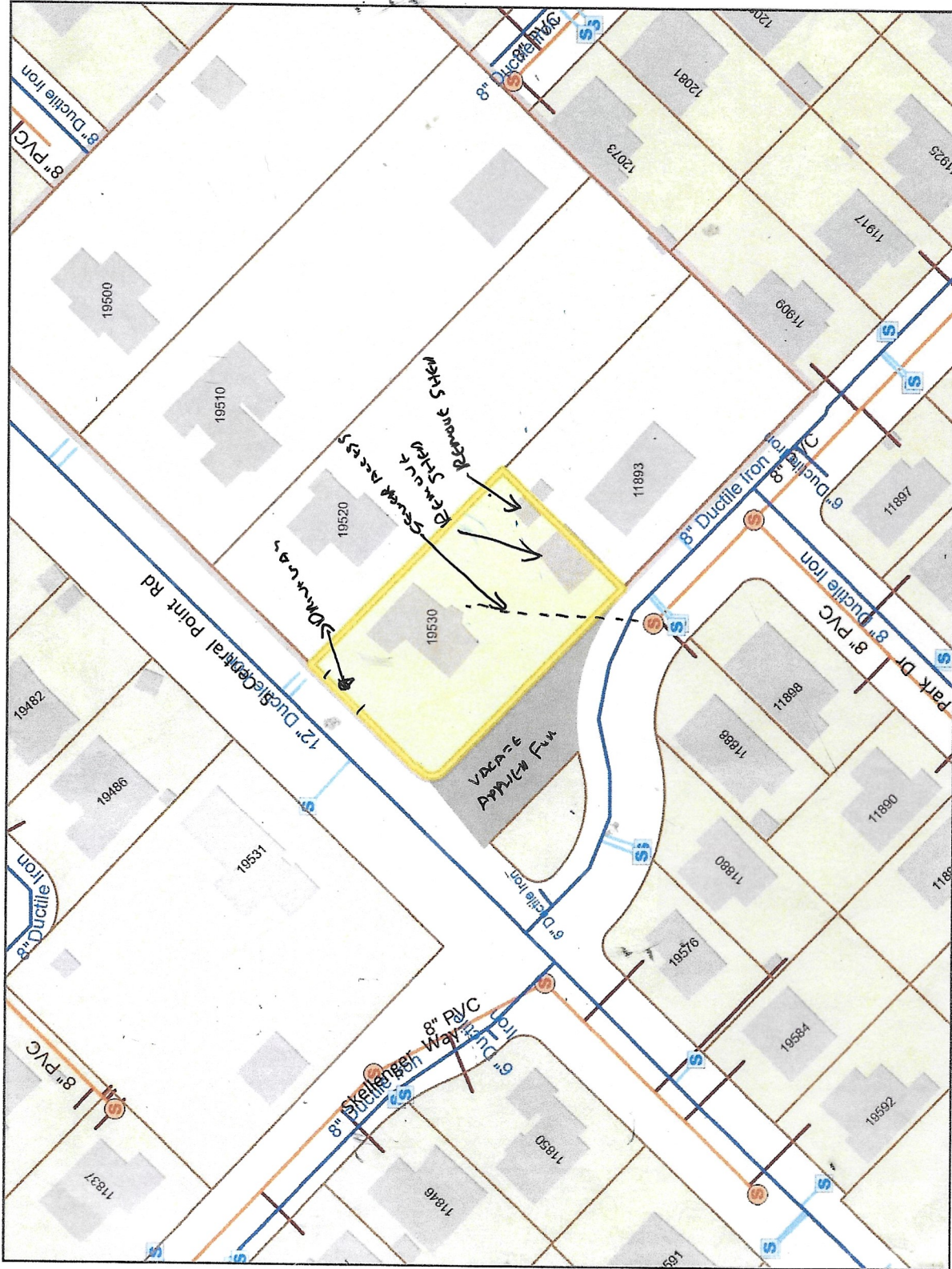
City of Oregon City
PO Box 3040
625 Center St
Oregon City
OR 97045
(503) 657-0891
www.oregoncity.org

The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.

Map created 7/2/2025

" SITE PLAN

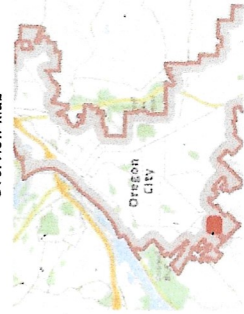
Oregon City GIS Map



- Legend**
- Street Names
 - Taxlots
 - Unimproved ROW
 - Water Service Meters (City Owned)
 - Water Pipes (City Owned)
 - Water Service Lines
 - Sewer Structures (City Owned)
 - Sewer Pipes (City Owned)
 - Force Main
 - Gravity Line
 - Outfall
 - Overflow
 - Sewer - Laterals
 - Inactive or Abandoned
 - Active
 - City Limits
 - UGB
 - Basemap

Notes

Overview Map



City of Oregon City
 PO Box 3040
 625 Center St
 Oregon City
 OR 97045
 (503) 657-0891
 www.oregocity.org



1: 1,200



The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.

Map created 12/30/2024

**AKS ENGINEERING & FORESTRY**

12965 SW Herman Road, Suite 100, Tualatin, OR 97062

P: (503) 563-6151

F: (503) 563-6152

AKS Job #12615

EXHIBIT A**Right-of-Way Vacation**

A portion of right-of-way located in the Southeast One-Quarter of Section 12, Township 3 South, Range 2 East, Willamette Meridian, City of Oregon City, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the most southerly corner of Lot 1 of the plat "Filbert Orchard", Plat No. 1744, Clackamas County Plat Records, also being on the northeasterly right-of-way line of Skellenger Way (28.00 feet from centerline); thence along said northeasterly right-of-way line (variable width from centerline), North $46^{\circ}03'35''$ West 171.00 feet to the most southerly corner of Document Number 2024-008065, Clackamas County Deed Records, and the Point of Beginning; thence along the southwesterly extension of the southeasterly line of said deed, South $43^{\circ}53'43''$ West 1.15 feet to a line which is parallel with and 27.00 feet northeasterly of, when measured at right angles to, the centerline of Skellenger Way; thence along said parallel line on a non-tangent curve to the left (Radial Bearing of South $41^{\circ}10'34''$ West) with a Radius of 127.00 feet, a Delta of $52^{\circ}09'00''$, a Length of 115.59 feet, and a Chord of North $74^{\circ}53'56''$ West 111.64 feet to the southeasterly corner of Tract B of the plat "Ed's Orchard", Plat No. 4503, Clackamas County Plat Records; thence along the northeasterly line of said Tract B, North $46^{\circ}03'35''$ West 82.91 feet to the southeasterly right-of-way line of Central Point Road (35.50 feet from centerline); thence along said southeasterly right-of-way line, North $43^{\circ}56'16''$ East 56.07 feet to the southwesterly line of Lot 1 of said "Filbert Orchard"; thence along said southwesterly line on a non-tangent curve to the left (Radial Bearing of North $70^{\circ}40'52''$ East) with a Radius of 10.00 feet, a Delta of $26^{\circ}44'27''$, a Length of 4.67 feet, and a Chord of South $32^{\circ}41'21''$ East 4.62 feet; thence continuing along said southwesterly line, South $46^{\circ}03'35''$ East 176.21 feet to the Point of Beginning.

The above described tract of land contains 6,335 square feet, more or less.

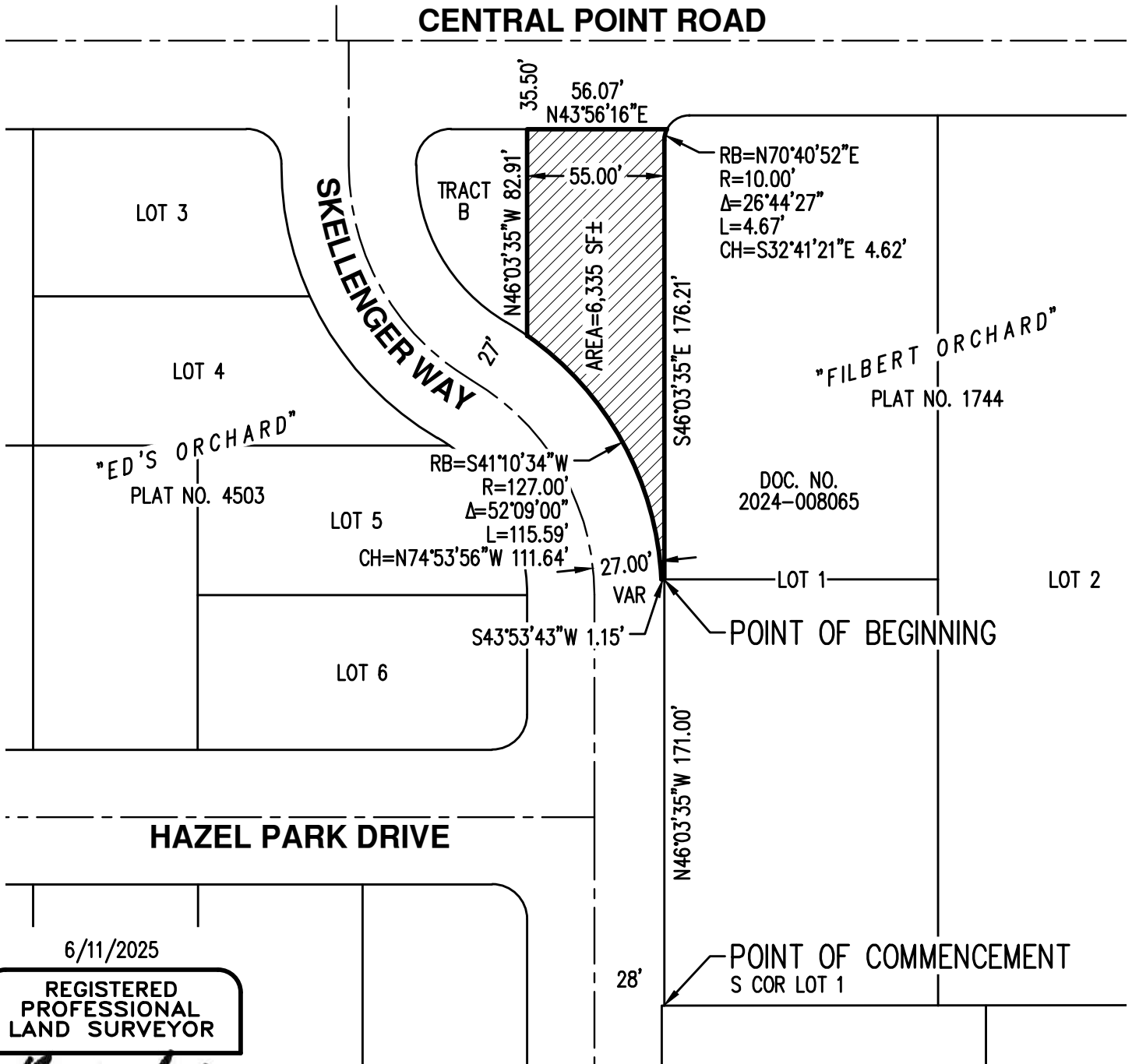
The Basis of Bearings for this description are based on said "Ed's Orchard".

6/11/2025



EXHIBIT B

A PORTION OF RIGHT-OF-WAY LOCATED IN THE SOUTHEAST 1/4 OF SECTION 12,
TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN,
CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON



6/11/2025

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEW: 6/30/26

PREPARED FOR

RYAN & DENISE KOCH
14339 S STONERIDGE DRIVE
OREGON CITY, OR 97045

SCALE: 1"=60 FEET



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



RIGHT-OF-WAY VACATION

DRWN: WCB	CHKD: NSW
AKS JOB: 12615	EXHIBIT B

HAZEL GROVE-WESTLING FARMS NEIGHBORHOOD ASSOCIATION

Minutes - June 10, 2025

Welcome

Chris Nolte opened the 2nd reorganization meeting of HGWFNA. 39 attended; majority reported receiving the postcard announcing the meeting.

Bonnie Kittridge hosted an icebreaker exercise.

Discussed purpose of the Association:

- To get to know neighbors and build community
- Hold Meetings with guest speakers addressing relevant topics
- Discuss Land Use Proposals and other current issues facing our NA; to serve as a vehicle for citizens to weigh in and advise the city on plans that impact the neighborhood.
- Have general discussion from the floor regarding our NA
- Seek to improve our geographic area and our life together through helping one another and addressing needs within our boundaries
- Give back to the city and other groups through service and support
- Not be politically partisan
- Not be an HOA
 - Available communications channels:
 - Postcards
 - Facebook page
 - City website <https://www.orcity.org/1327/Hazel-Grove-Westling-Farm-NA>
 - Neighborhood walks

Approval of April 8 Meeting Notes

Presentation by Officer Luke Guthridge, OCPD, Liaison Officer

- Statistics on 2024-25 crime stats, per request from last meeting. Officer Guthridge noted crime trended down in Q1, 2025. The presentation will be attached to the email notice with these minutes.
- Attendees asked about the effectiveness of Neighborhood Watch; Officer Guthridge noted that the best offense any neighborhood has is watchful neighbors. He feels NW groups are effective and he will get more info on how to organize one in our NA boundaries.
- He shared contact information for reporting crimes or other issues:
 - 503 655 8211 for non-emergency; 911 for emergencies

Land Use Issue:

Ryan Koch has purchased an older home located at 19530 S. Central Point Road. He is remodeling the single family residence with plans to maintain the structure as a single family home. The lot is one of five in the area still on a septic system but because this home has been sold, it should be annexed to the city sewer system.

A majority of attendees approved supporting the Koch's annexation application.

Appointment of Steering Committee:

Oregon City Neighborhood Associations may have up to 4 officers and 12 members for a max Steering Committee size of 16. This committee acts as a Board, and guides the Association to fulfill its purpose. Commitment for officers is 2 years and likely a year for others. Monthly meetings are possible but not determined yet. There has been an Interim Committee this spring, and those members were confirmed to continue service. They include:

- Chris Nolte, Alan Burr, Sally Chase, Lynn Heider, Bonnie Kittredge, George Matoes, Debbie Sandblast

Three other residents of the neighborhood volunteered and were elected as well. They are:

- Jenny Hutteball
- Kim Hovay
- Stan Knight

Chris Nolte was elected Chair. Lynn Heider was elected Secretary. The offices of Vice Chair and Treasurer are not yet appointed.

Future Meeting Schedule:

The city's committee room is available the second Thursday of each month for Association meetings, and those dates do not conflict with key city meetings. The attendees approved the following schedule:

2nd Thursday of Jan, Mar, May, Sept, and Nov. at 6:30 in city community room which is available.

Citizen Involvement Committee

Two members of each Neighborhood Association serve on the CIC, a liaison group to the city. They meet the first Monday of each month in person or via Zoom. Attendees determined Chris Nolte will continue as the first member. Mark Beatty, a lifelong resident of the area and local business owner agreed to serve in the second liaison position and was approved.

Financial Accounts:

Permission to open Checking and Savings accounts in the event money is contributed was discussed. Attendees expressed a preference that there be a Treasurer. Current officers can serve as acting treasurer if necessary. Majority approved with one vote against.

National Night Out Aug. 5

Chris gave background on previous discussion regarding the possibility for the NA to host an ice cream social at Hazelgrove Park. Funding was a concern and the Police Department offered another option: all neighborhood associations and CICs are invited to participate with an information booth at the city-wide event. There is no cost for the booth. The event takes place from 5:30 -8:00 PM at the End of the Oregon Trail. There will be a “Movie in the Park” following the event. Volunteers are needed to staff booth.

Neighborhood Walk:

Residents are invited to organize neighborhood walks to raise awareness about the NA. They say hello to neighbors and distribute flyers announcing meetings, activities, etc. They have reached 40% of the 1,000 homes in the boundaries. Those who provided email addresses at the June 10 meeting will be invited to participate in future walks.

Future topics:

Attendees shared ideas for future meeting content that included Neighborhood Watch, Emergency Preparedness, and Updating worn down monument signs.

Actions:

Some attendees shared that they received CC&Rs when they purchased their homes. It is unclear whether those are still in effect as the NA is not an HOA, but this will be researched with the city.

Next meeting: Sept. 11, 2025 @ 6:30 PM - Community Development Building

(Minutes approved by the HGWFNA on 09/11/2025)



CITY OF OREGON CITY

625 Center Street
Oregon City, OR 97045
503-657-0891

Staff Report

To: City Commission **Agenda Date:** December 17, 2025
From: Kelly Hart, Community Development Director

SUBJECT:

Item 8.c. - First Reading of Ordinance No. 26-1003, Zone Change & Comprehensive Plan Amendment, 214 Tumwater Dr & 313 S 2nd St (GLUA 25-00042, CPA25-0001, ZC25-0003)

STAFF RECOMMENDATION:

Staff recommends approval of the first reading of ORD 26-1003 for GLUA 25-00042: CPA25-0001 ZC25-0003.

EXECUTIVE SUMMARY:

On May 21, 2025, the Urban Renewal Agency (“URA”) directed staff to make preparations to sell URA-owned residential properties. The URA owns two residential properties, 313 S 2nd Street and 214 Tumwater Drive. Both are currently being leased.

These homes were purchased in 2007 and rezoned in 2008 for a public project that was never developed. Rezoning the parcels back to their previous R 3.5 zoning designations is needed before they can be put on the market. The URA goal is to provide housing to low- to moderate-income families or individuals, thereby offering affordable homeownership to those who would otherwise find the current housing market a barrier.

November 24, 2025 Planning Commission Meeting

During the Planning Commission Meeting on November 24, 2025, the Commission heard from a current resident of one of the houses ([minute 54 of the video](#)). She expressed her love for living in the home, her connection to the community, and noted the lack of notification from the city or management company regarding the city's plans to sell the residences. Following this, the Planning Commission deliberated on the distinction between the land use criteria for a zone change and a comprehensive plan map amendment, which pertain to the suitability of properties rather than the identity of a specific owner. They confirmed that the required 20-day land-use notification had been completed. The Planning Commission voted 6-1 to recommend approval of the proposal to the City Commission, concluding that the land use criteria had been satisfied for the property to revert to its previous designation of Medium Density Residential/ R 3.5.

Outside the formal recommendation and not tied to the land-use process, the Planning Commission also forwards its comments on the Urban Renewal Agency's perceived failure to provide landlord notice to tenants. There was a discussion at the meeting about whether the property management firm the city uses might not have provided proper notice, as was directed by the city. The Planning Commission, moved by the testimony, urged the Urban Redevelopment Agency to work with the tenants to ensure adequate notice before any sale

of the property.

Public comment submitted by the applicant, which will be entered into the record at the meeting, indicates that the management firm provided notice to both tenants in July 2025.

BACKGROUND:

Please refer to the staff report for additional background.

OPTIONS:

1. Approve the first reading of ORD 26-1003 as recommended by the Planning Commission.
2. Approve the first reading of ORD 26-1003 with modified conditions and provide revised findings
3. Deny the proposal and provide revised findings.
4. Continue the hearing and request more information

BUDGET IMPACT:

ORDINANCE NO. 26-1003

AN ORDINANCE APPROVING A COMPREHENSIVE PLAN MAP AMENDMENT AND ZONE CHANGE PROPOSAL NO. GLUA 25-00042: CPA25-0001 & ZC25-0003 OF CERTAIN PROPERTY LOCATED AT 214 TUMWATER DRIVE AND 313 S 2ND STREET

AN ORDINANCE OF THE CITY OF OREGON CITY

WHEREAS, the Owners of Certain Real Property propose a Comprehensive Plan Amendment and Zone Change GLUA 25-00042: CPA 25-0001 ZC 25-0003, Located at 214 Tumwater Drive and 313 S 2nd Street, Oregon City, OR 97045, Identified as 2-2E-31CA-05500 Tax Lots 05500 and 05200, more fully identified in Exhibit 'A' to this Ordinance, and

WHEREAS, the City finds that this Comprehensive Plan Amendment from Quasi-Public to Medium-Density Residential and a Zone Change from Institutional to R3.5 is consistent with OCMC 17.65 and the Comprehensive Plan, and

WHEREAS, the analysis found that the expected worst-case net increase in daily trips is significantly less than 400, which is a reasonable estimate of the threshold for a "significant effect" in the transportation system and satisfies the Transportation Planning Rule requirements; and

WHEREAS, this proposal allows these units to be located on land zoned for their identified residential use rather than the existing Institutional zone, which previously rendered the homes pre-existing non-conforming and provided little to no avenue for future redevelopment or expansion.

WHEREAS, while middle housing, an allowed use in the R3.5 zone, is not explicitly affordable housing, it can increase the number and variety of new housing options that ease scarcity and costs across the housing spectrum, notably if it can support the creation of smaller dwelling units more in line with the needs and incomes of small households.

WHEREAS, returning the homes to their previous Zoning and Comprehensive Plan Map Designations will bring these lots into the city's regular housing stock.

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

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. That the area identified in the map attached hereto as Exhibit “A” is hereby amended to the Medium Density Residential Plan Designation and the R3.5 Zoning District.

Read for the first time at a regular meeting of the City Commission held on the _____ day of _____, 2025, and the City Commission finally enacted the foregoing ordinance this _____ day of _____, 2026.

Mayor, Denyse McGriff

Attested to this _____ day of _____ 2025: Approved as to legal sufficiency:

City Recorder

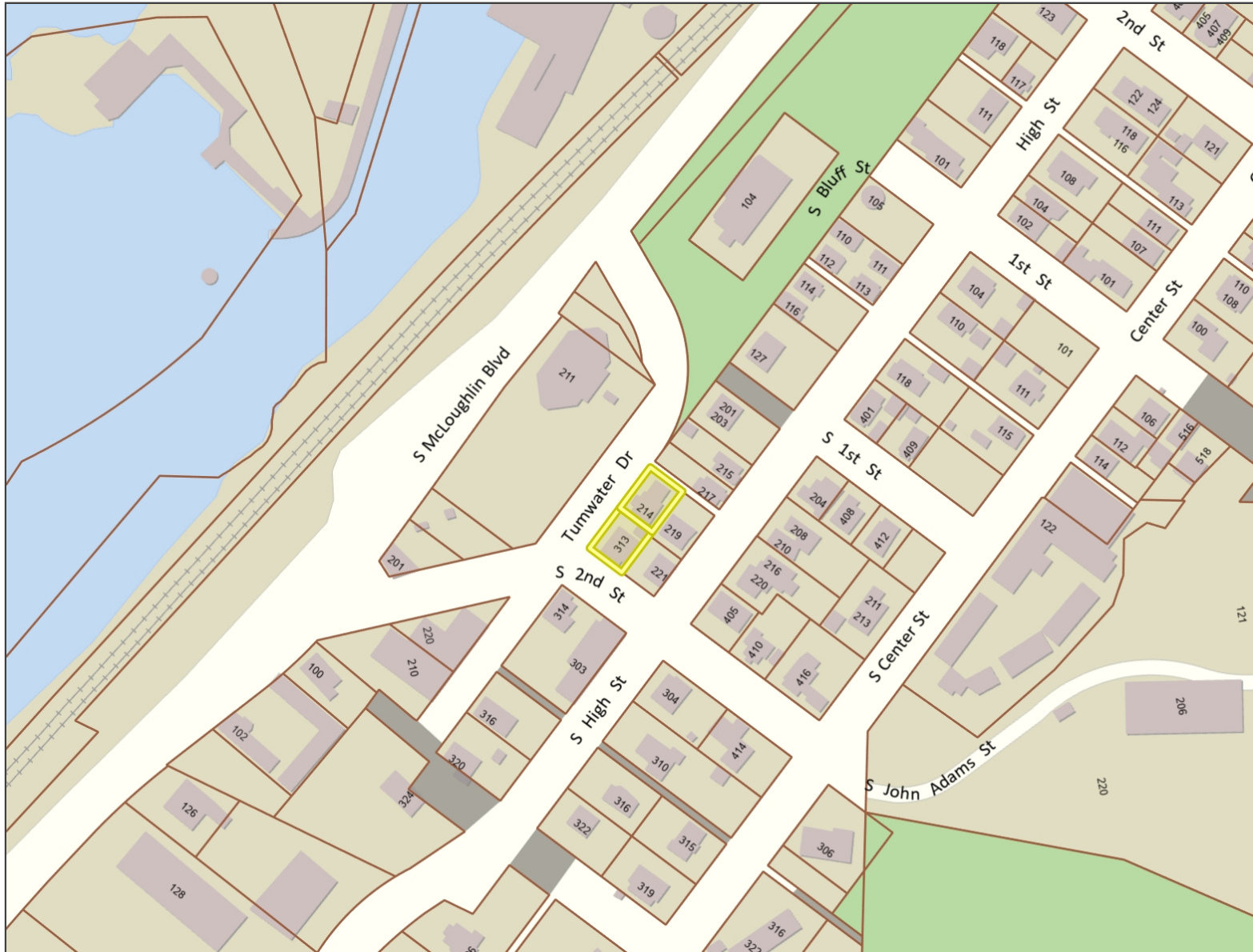
City Attorney

Exhibit A – Map of Proposed Comprehensive Plan Amendment and Zone Change
Exhibit B – Proposed Findings, Reasons for Decision, and Conclusions

Ordinance No. **26-1003**

Effective Date: _____

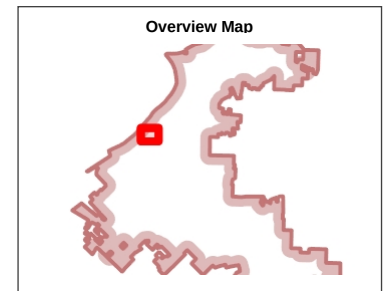
Page **2** of **2**



Legend

- Street Names
- Taxlots
- Unimproved ROW
- City Limits
- UGB
- Basemap

Notes



0 200 400 Feet

1: 2,400



The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.

Map created 10/16/2025

City of Oregon City
 PO Box 3040
 625 Center St
 Oregon City
 OR 97045
 (503) 657-0891
www.orecity.org





Type IV STAFF RECOMMENDATION

November 17, 2025

Revised -December 4, 2025

The following staff report includes a preliminary analysis of the applicable approval criteria. All relevant criteria must be met or met with conditions in order to be approved. The Commission may choose to adopt the findings as recommended by staff or alter any finding as determined appropriate.

FILE NO: GLUA25-00042: CPA25-0001 ZC25-0003 Zone Change & Comprehensive Plan Amendment

APPLICANT/ James Graham, Economic Development Manager
City of Oregon City
PO Box 3040
Oregon City, OR 97045

OWNER: Oregon City Urban Renewal Agency
City of Oregon City
PO Box 3040
Oregon City, OR 97045

PROPOSAL: Urban Renewal Commission requests to amend the Comprehensive Plan Map from Public / Quasi Public to Medium Density Residential and Rezone two city-owned parcels from Institutional to R3.5, a residential zone, before putting the properties on the market for sale. No development is proposed with this application.

REVIEWER: Christina Robertson-Gardiner AICP, Senior Planner

CURRENT ZONING Institutional

LOCATION: 214 Tumwater Dr
Oregon City, OR 97045
2-2E-31CA-05500
Approval with Conditions

313 S 2nd St
Oregon City, OR 97045
2-2E-31CA-05200

RECOMMENDATION:

PROCESS: Pursuant to the procedure for a zone change and comprehensive plan amendment, as outlined in Oregon City Code Chapter 17.50 and 17.68.

Planning File
GLUA25-00042: CPA25-0001 ZC25-0003 - Zone Change & Comprehensive Plan Amendment

PROJECT SUMMARY

On May 21, 2025, the Urban Renewal Agency (“URA”) directed staff to make preparations to sell URA-owned residential properties. The URA owns two residential properties, 313 S 2nd Street and 214 Tumwater Drive. Both are currently being leased.

These homes were purchased in 2007 and rezoned in 2008 for a public project that was never developed. Rezoning the parcels back to their previous R 3.5 zoning designations is needed before they can be put on the market.

The URA goal is to provide housing to low- to moderate-income families or individuals, thereby offering the option of affordable homeownership to those who would find the current housing market a barrier.

November 24, 2025 Planning Commission Meeting

During the Planning Commission Meeting on November 24, 2025, the Commission heard from a current resident of one of the houses ([minute 54 of video](#)). She expressed her love for living in the home, her connection to the community, and noted the lack of notification from the city or management company regarding the city's plans to sell the residences. Following this, the Planning Commission deliberated on the distinction between the land use criteria for a zone change and a comprehensive plan map amendment, which pertain to the suitability of properties rather than the identity of a specific owner. They confirmed that the required 20-day land-use notification had been completed. The Planning Commission voted 6-1 to recommend approval of the proposal to the City Commission, concluding that the land use criteria had been satisfied for the property to revert to its previous designation of Medium Density Residential/ R 3.5.

Outside the formal recommendation and not tied to the land-use process, the Planning Commission also forwards its comments on the Urban Renewal Agency's failure to provide landlord notice to tenants. There was a discussion at the meeting about whether the property management firm the city uses might not have provided proper notice, as was directed by the city. The Planning Commission, moved by the testimony, urged the Urban Redevelopment Agency to work with the tenants to ensure adequate notice before any sale of the property.

Public comment submitted by the applicant, which will be entered into the record at the meeting, indicates that the management firm provided notice to both tenants in July 2025.

SITE DETAILS

The two homes, 313 S 2nd St (circa 1925) and 214 Tumwater Dr (circa 1935), part of the original McLoughlin Plat, are located within the McLoughlin Conservation District, although they are not individually designated.

Both homes access city utilities and have improved curb-side sidewalks.

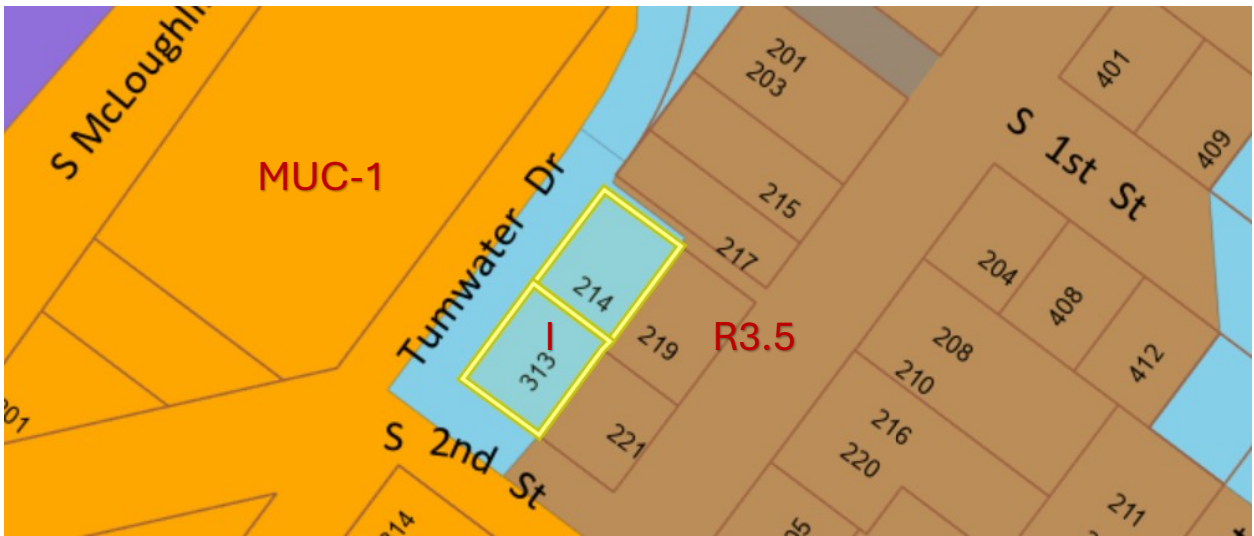


FIGURE 1. LOCATION & ZONING MAP



FIGURE 3. STREET VIEW (2024) 313 S 2nd St (side elevation) and 314 Tumwater



FIGURE 4. STREET VIEW (2024) 313 S 2nd St

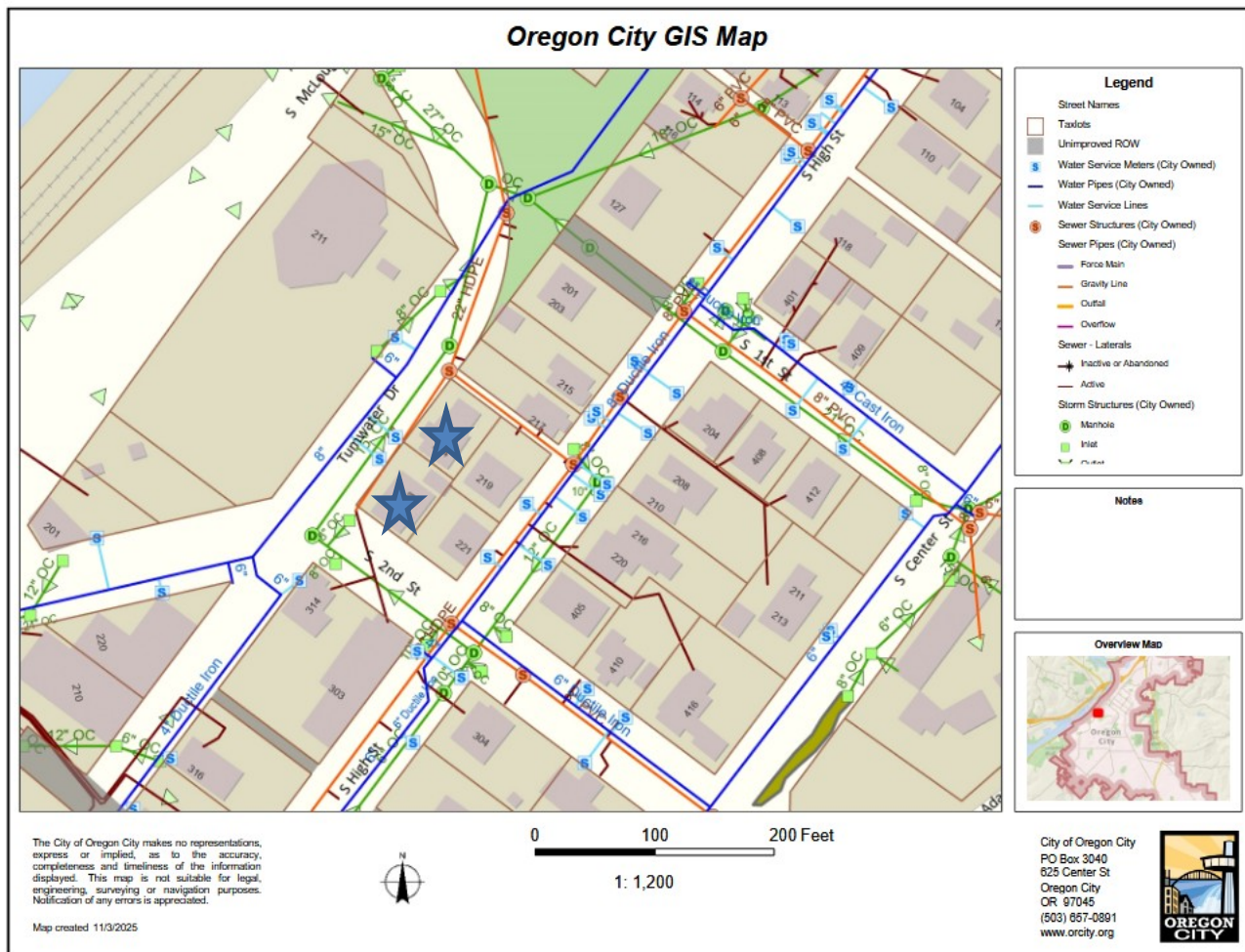


FIGURE 4. UTILITIES

The figure above indicates the location of the Oregon City sewer and water utilities near the property.

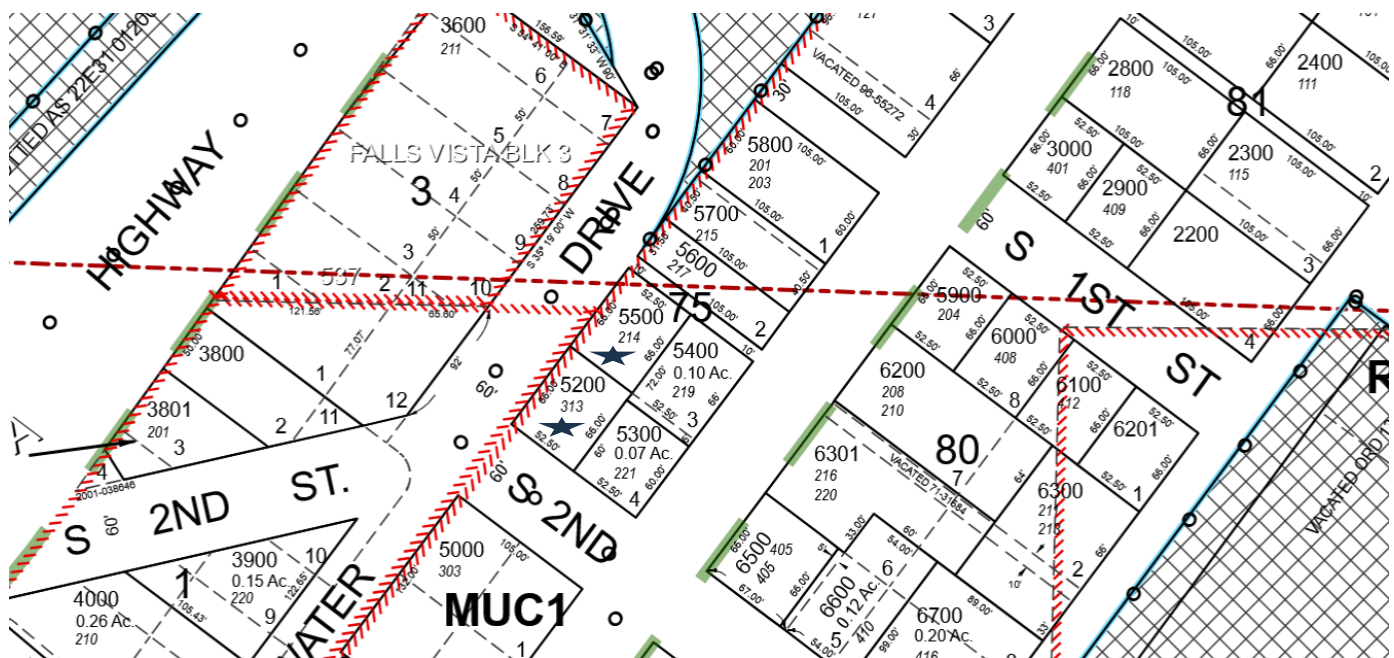


FIGURE 5- CLACKAMAS COUNTY TAX MAP

Public Comment

No public comment was received for this application at the time the agenda was published. Any new public comments will be forwarded to the Planning Commission and added to the record at the hearing.

ANALYSIS AND FINDINGS

CHAPTER 17.10 MEDIUM DENSITY RESIDENTIAL DISTRICTS

17.10.010 – Designated.

The R-5 and R-3.5 residential districts are designed for medium density residential development.

17.10.020 - Permitted uses.

Permitted uses in the R-5 and R-3.5 districts are:

- A. Single-family detached residential units;*
- B. Accessory uses, buildings and dwellings;*
- C. Duplexes;*
- D. Triplexes;*
- E. Quadplexes;*
- F. Townhouses;*
- G. Cottage clusters;*
- H. Manufactured home parks or subdivisions in the R-3.5 district only;*
- I. Residential homes;*
- J. Parks, playgrounds, playfields and community or neighborhood centers;*
- K. Home occupations;*
- L. Family day care providers;*
- M. Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (retail sales of materials grown on-site is permitted);*
- N. Temporary real estate offices in model homes located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;*
- O. Transportation facilities.*

Finding: Permitted. The site has two single-family detached residential units, allowed in OCMC 17.10.020.A.

17.10.025 - Conditional uses.

The following uses are permitted in the R-5 and R-3.5 districts when authorized by and in accordance with the standards contained in OCMC 17.56:

- A. Golf courses, except miniature golf courses, driving ranges or similar commercial enterprises;*
- B. Bed and breakfast inns/boarding houses;*
- C. Cemeteries, crematories, mausoleums and columbariums;*
- D. Child care centers and nursery schools;*
- E. Emergency service facilities (police and fire), excluding correctional facilities;*
- F. Residential care facilities;*
- G. Private and/or public educational or training facilities;*
- H. Public utilities, including sub-stations (such as buildings, plants and other structures);*
- I. Religious institutions;*
- J. Assisted living facilities; nursing homes and group homes for over fifteen patients.*
- K. Live/work dwellings.*

Finding: Not Applicable. There are no conditional uses onsite.

17.10.030 - Master plans.

The following use is permitted in the R-3.5 district when authorized by and in accordance with the standards contained in OCMC 17.65.

A. Multifamily residential.

Finding: Not Applicable. The applicant is not proposing a multi-family use.

17.10.035 – Prohibited uses.

Prohibited uses in the R-5 and R-3.5 district are:

A. Any use not expressly listed in OCMC 17.10.020, 17.10.025 or 17.10.030.

B. Marijuana businesses.

Finding: Not Applicable. The applicant is not proposing a prohibited use.

17.10.040 - Dimensional standards.

Dimensional standards in the R-5 and R-3.5 districts are as follows:

Table 17.10.040

Standard	R-3.5
Minimum lot size ¹ Single-family detached and duplex Triplex Quadplex and Cottage cluster Townhouse	3,500 sq. ft. 5,000 sq. ft. 7,000 sq. ft. 1,500 sq. ft.
Finding: Does Not Comply. Pre-Existing Lot. No development proposed. 313 2 nd Street: 3,465 square feet 214 Tumwater: 3,465 square feet	
Maximum height: All, except	35 ft., except
Cottage cluster unit	25 ft.
Finding: Complies. No development proposed. 313 2 nd Street: 1-story house less than 35 feet 214 Tumwater: 1-story house less than 35 feet	
Maximum building lot coverage Single-family detached and all duplexes With ADU Triplex, quadplex and townhouse Cottage cluster	55% 65% 80% None
Finding: Complies. No development proposed. 313 2 nd Street: 46% 214 Tumwater: 42%	
Minimum lot width All, except Townhouse	25 ft., except 20 ft.

Finding: Complies No development proposed. 313 2 nd Street: 52 feet 214 Tumwater: 66 feet	
Minimum lot depth	70 ft.
Finding: Does Not Comply. Pre-Existing Lot. No development proposed. 313 2 nd Street: 66 feet 214 Tumwater: 52 feet	
Minimum front yard setback All, except Porch	5 ft., except 0 ft.
Finding: Complies. No development proposed. 313 2 nd Street: 12.8 feet 214 Tumwater: 13 feet	
Minimum interior side yard setback: All, except Townhouse	5 ft., except 0 ft. (attached) /5 ft. (side)
Finding: Does Not Comply. Pre-Existing Lot. No development proposed. 313 2 nd Street: 3.75 feet 214 Tumwater: 7.88 feet	
Minimum corner side yard setback	7 ft.
Finding: Complies. No development proposed. 313 2 nd Street: 13.75 feet 214 Tumwater: 8.75 feet	
Minimum rear yard setback All, except Porch Cottage cluster ADU	20 ft., except 15 ft. 10 ft 5 ft.
Finding: Does Not Comply. Pre-Existing Lot. No development proposed. 313 2 nd Street: 21 feet 214 Tumwater: 8.64 feet	
Garage setbacks	20 ft. from ROW, except 5 ft. from alley
Finding: Complies. No development proposed. 313 2 nd Street: 32 feet 214 Tumwater: N/A	

Notes:

1. For land divisions, lot sizes may be reduced pursuant to OCMC 16.08.065.
2. Public utility easements may supersede the minimum setback.

17.10.045 - Exceptions to setbacks.

A. *Projections from buildings.* Ordinary building projections such as cornices, eaves, overhangs, canopies, sunshades, gutters, chimneys, flues, sills or similar architectural features may project into the required yards up to twenty-four inches.

Finding: Complies as Proposed. No exception has been identified for these existing buildings. No development is proposed.

B. *Through lot setbacks.* Through lots having a frontage on two streets shall provide the required front yard on each street. The required rear yard is not necessary.

Finding: Not Applicable. The subject site is not through a lot.

17.10.050 - Density standards.

A. *Density standards in the R-5 and R-3.5 districts are as follows:*

Table 17.10.050

<i>Standard</i>	<i>R-3.5</i>
<i>Minimum net density</i>	<i>10 du/acre</i>
<i>Maximum net density</i> <i>All, except</i> <i>Townhouse</i>	<i>12.4 du/acre</i> <i>25 du/acre</i>
<i>Finding: Complies.</i> <i>No development proposed.</i> <i>313 2nd Street: 12.5 du/acre</i> <i>214 Tumwater: 12.5 du/acre</i>	

B. *Exceptions.*

1. *Any dwelling units created as accessory dwelling units do not count towards the minimum or maximum density limits in Table 17.10.050.*
2. *Duplexes, triplexes and quadplexes shall count as a single dwelling unit for the purposes of calculating maximum net density. Total dwelling units within a development may count for the purposes of calculating minimum net density.*
3. *Cottage clusters are exempt from maximum net density standards.*

Finding: Complies as Proposed. No exceptions are identified.

17.10.060 - Conversion of Existing Duplexes.

Any conversion of an existing duplex unit into two single-family attached dwellings shall be reviewed for compliance with the land division requirements in Title 16 and the underlying zone district.

Finding: Not applicable. No development is proposed.

CHAPTER 17.50 – ADMINISTRATION AND PROCEDURES

17.50.010 Purpose.

This chapter provides the procedures by which Oregon City reviews and decides upon applications for all permits relating to the use of land authorized by ORS 92, 197 and 227. These permits include all forms of land divisions, land use, limited land use and expedited land division and legislative enactments and amendments to the Oregon City Comprehensive Plan and Titles 16 and 17 of this code. Pursuant to ORS 227.175, any applicant may elect to consolidate applications for two or more related permits needed for a single development project. Any grading activity associated with development shall be subject to preliminary review as part of the review process for the underlying development. It is the express policy of the City of Oregon City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.

17.50.050 – Pre-application conference.

- A Pre-application Conference. Prior to a Type II – IV or Legislative application, excluding Historic Review, being deemed complete, the applicant shall schedule and attend a pre-application conference with City staff to discuss the proposal, unless waived by the Community Development Director. The purpose of the pre-application conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal.*
 - 1. To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.*
 - 2. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.*
 - 3. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.*
- B. A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.*
- C. Notwithstanding any representations by City staff at a pre-application conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.*

Finding: Complies. A pre-application meeting (PA-25-00025) was held on June 3, 2025 to review the proposed Zone/Comprehensive Plan change. Pre-application meeting notes were provided, and all relevant land use requirements have been acknowledged and addressed as part of this application narrative.

17.50.055 - Neighborhood association meeting.

Neighborhood Association Meeting. The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.

- A. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.*
- B. The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the citizen involvement committee.*
- C. A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, citizen involvement committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a city facility.*
- D. If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the citizen involvement committee.*
- E. To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.*

Finding: Complies A meeting was requested with the McLoughlin Neighborhood Association and scheduled for September 4, 2025. An email confirmation from the McLoughlin is provided as part of this application.

17.50.060 Application Requirements.

Finding: Complies as Proposed. All required application materials are submitted with this narrative. James Graham, Economic Manager who is authorized to sign for the Oregon City Urban Renewal Agency, signed the application.

17.50.070 Completeness Review and 120-day Rule.

17.50.080 Complete Application--Required Information.

Finding: Complies as Proposed. This land use application was submitted/paid on September 29, 2025, and was deemed complete on October 30, 2025. As a comprehensive plan map amendment is included in the zone change application, there is no 120-day deadline for this application.

17.50.090 Public Notices.

Finding: Complies as Proposed. Staff provided public notice within 300 feet of the site via mail; the site was posted with multiple land use notices and posted on the Oregon City website. Staff provided email transmittal of the application and notice to affected agencies and Neighborhood Associations.

17.50.100 Notice Posting Requirements.

Finding: Complies as Proposed. The site was posted with a sign on November 4, 2025.

17.50.130 Conditions of approval and notice of decision.

A. All City decision-makers have the authority to impose reasonable conditions of approval designed to ensure that all applicable approval standards, including standards set out in city overlay districts, the City's master plans, and City public works design standards, are, or can be met.

Finding: Complies- the City Commission may place conditions upon this application as appropriate to the approval criteria. As this application is for a residential zone property, any condition shall be clear and objective and is required to be proportional to the proposal with a clear nexus to the request.

17.50.140 – Financial guarantees.

When conditions of permit approval require a permittee to construct certain public improvements, the City shall require the permittee to provide financial guarantee for construction of the certain public improvements. Financial guarantees shall be governed by this section.

17.50.141 – Public improvements – Warranty

All public improvements not constructed by the City, shall be maintained and under warranty provided by the property owner or developer constructing the facilities until the City accepts the improvements at the end of the warranty period. The warranty is to be used at the discretion of the City engineer or designee to correct deficiencies in materials or maintenance of constructed public infrastructure, or to address any failure of engineering design.

Finding: Not Applicable- No development is proposed at this time.

CHAPTER 17.68 ZONING CHANGES AND COMPREHENSIVE PLAN AMENDMENTS

17.68.010 – INITIATION OF THE AMENDMENT.

A text amendment to the comprehensive plan, or an amendment to the zoning code or map or the Comprehensive Plan map, may be initiated by:

- A. A resolution request by the City Commission;*
- B. An official proposal by the Planning Commission;*
- C. An application to the Planning Division; or.*
- D. A Legislative request by the Planning Division.*

All requests for amendment or change in this title shall be referred to the Planning Commission.

Finding: Complies. The proposed zone change requires amendments to the zoning and comprehensive plan maps and has been initiated by the property owners through an application to the Planning Division.

17.68.020 – CRITERIA.

The criteria for comprehensive plan amendment or text or map amendment in the zoning code are set forth as follows:

A. The proposal shall be consistent with the applicable goals and policies of the comprehensive plan;

Finding: Complies. The project site has the Comprehensive Plan designation of I (Quasi-Public), which permits the City zoning of I Institutional. The proposal is to approve a Comprehensive Plan designation of Medium-Density residential and R3.5 Zoning District. This proposal will revert the site to its previous designation prior to public purpose and complies with the goals and strategies of the comprehensive plan.

B. That public facilities and services (water, sewer, storm drainage, transportation, schools, police, and fire protection) are presently capable of supporting the uses allowed by the zone or plan amendment, or can be made available prior to issuing a certificate of occupancy. Service shall be sufficient to support the range of uses and development allowed by the zone or plan amendment;

Finding: Complies. The project site has access to adjacent public utility lines, nearby public facilities, and services that serve the site. There is an existing water main and sanitary sewer main that runs within Tumwater, and a stormwater main on Tumwater and S 2nd Street. The properties are also currently served by Clackamas Fire District #1 and the Oregon City School District and will have access to police service under the Oregon City Police Department. All public facilities and services are available to support the proposed zone change to the R3.5 zoning district, which permits medium-density residential development. No development is proposed at this time.

The analysis found that the expected worst-case net increase in daily trips is significantly less than 400, which is a reasonable estimate of the threshold for a “significant effect”. As such, the proposed zone change is not expected to have a significant effect on the surrounding transportation system and the Transportation Planning Rule requirements satisfied.

C. The land uses authorized by the proposal are consistent with the existing or planned function, capacity and level of service of the transportation system serving the proposed zoning district or plan amendment; and

Finding: Complies. A Transportation Planning Rule Evaluation by Reah Flisakowski and Hallie Turk DSK Associates was provided. The analysis indicates that the comprehensive plan amendment and zone change will not significantly affect the planned function, capacity, and level of service of the transportation system serving the project site. Staff agree with the analysis and findings.

The proposed zone change must be in accordance with Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR). The intent of the TPR (OAR 660-12-0060) is to ensure that future land use and traffic growth is consistent with transportation system planning and does not create a significant effect on the surrounding transportation system beyond currently allowed uses. The definition of a significant effect varies by jurisdiction, and no such definition is provided in Oregon City code. According to the Oregon Highway Plan (OHP)¹, a net increase of 400 daily trips qualifies as a significant effect on state highways. While the OHP is not applicable to local roadways, it provides a reasonable estimate of a significant effect for TPR analysis purposes.

D. Statewide planning goals shall be addressed if the comprehensive plan does not contain specific policies or provisions which control the amendment.

OC2040 COMPREHENSIVE PLAN

GOAL 2 Provide housing options, including both rental and ownership opportunities, that are attainable for the full range of Oregon City households.

POLICY 2.1 Plan for housing supply that supports and implements the recommendations of the current Housing Needs Analysis.

STRATEGY 2.1.A Ensure housing policies allow for increased opportunities for home ownership by regularly evaluating housing supply, market demand, buildable land, and infrastructure costs through a Housing Needs Analysis.

POLICY 2.2 Ensure that land use designations and zoning code provisions allow and encourage a wide range of housing types.

STRATEGY 2.2.A Designate residential land for a balanced variety of densities and types of housing, such as single- family attached and detached, and a range of multi-family densities and types, including mixed- use development.

POLICY 2.3 Support retention of existing homes and opportunities for community members to “age in place”.

POLICY 2.4 Support and encourage transit-oriented development opportunities.

STRATEGY 2.5.B Retain affordable housing potential by evaluating and restricting the loss of land reserved or committed to residential use. When considering amendments to the Comprehensive Plan Land- Use Map, ensure that potential loss of affordable housing is mitigated.

POLICY 3.1 Promote efficient use of land and public infrastructure and plan for appropriate infill development, redevelopment, and new development.

POLICY 3.2 Promote development of walkable neighborhoods to reduce transportation demand and enhance localized access to community services and amenities.

STRATEGY 3.2.A Promote connectivity between neighborhoods and neighborhood commercial centers through a variety of transportation modes.

POLICY 3.3 Designate land uses in a manner that balances opportunities for housing and jobs and ensures development is consistent and compatible with the community’s needs and resources

Finding: Complies. The most recently adopted comprehensive plan, OC2040, was acknowledged by the Department of Land Conservation and Development (DLCD) as complying with statewide planning goals.

The URA will be providing housing to low-to-moderate income families or individuals thereby offering the option of affordable homeownership to individuals that would find the current housing market a barrier.

In addition, the URA will be supporting retention of existing homes and opportunities for community members to “age in place” as cited in Policies 2.2 and 2.3 of the OC2040 Comprehensive Plan.

Per the [2021 Housing Need Analysis](#), *Oregon City has an unmet need for affordable housing. About 34% of Oregon City’s households are cost burdened, with 50% of renters cost burdened and 28% of owners cost burdened. Oregon City’s level of cost burden is similar to other communities in Clackamas County. Oregon City’s unmet housing needs include:*

Renter housing. The average asking rent for multifamily housing in Oregon City in 2021 was about \$1,350, which is affordable to households earning about 60% of the median family income (about \$55,200). About one-third of Oregon City's households have incomes below this level and cannot afford the average rent. As shown in the rates of cost burden, many of these renter households are cost burdened. Oregon City will continue to have unmet rental housing needs, both for existing households and for new households.

Owner-occupied housing. The median home sales price in April 2021 was about \$545,000, which is affordable to households earning about 148% of the median family income (about \$136,300). Oregon City is one of the less affordable cities for homeownership in the Portland region. Households at middle and high incomes (between \$74,000 \$110,000) are less able to afford housing in Oregon City. One way to increase the supply of affordable owner-occupied housing is to increase opportunities for development of the middle-income housing described above.

These homes were purchased in 2007 and rezoned in 2008 for a public project that was never developed. Rezoning the parcels back to their previous R 3.5 zoning designations is needed before they can be put on the market.

As the city is not moving forward on a public project on the property and is not in a position to be a long-term landlord, the focus on returning these properties to the tax rolls and concentrating effort to sell to low-to-moderate income families for lots located in transit-connected mixed-use neighborhoods fulfills not only the goals of the Housing Needs Analysis but also of the housing goals, policies and strategies of the Comprehensive Plan.

Oregon Land Use Goal 10

Goal 10 requires that jurisdictions inventory buildable lands for residential use and develop plans that encourage the availability of adequate numbers of needed housing units at price ranges and rent levels that are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type, and density.

The rezoning of two existing homes does not necessarily create any additional housing for the city. It does, however, allow these units to be on land zoned for their residential use rather than the existing institutional zone, which renders the homes pre-existing non-conforming with little to no avenue for future redevelopment or expansion. While middle housing, an allowed use in the R3.5 zone, is not explicitly affordable housing, it can increase the number and variety of new housing options that ease scarcity and costs across the housing spectrum, particularly if it can support the creation of smaller dwelling units more in line with the needs and incomes of small households. Returning the homes to their previous zoning and comprehensive plan map designations will bring these lots into the city's regular housing stock.

17.68.040 – APPROVAL BY THE COMMISSION.

If the Planning Commission finds that the request or application for an amendment, or change, complies with the criteria of OCMC 17.68.020, it shall forward its findings and recommendation to the City Commission for action thereon by that body.

Finding: Complies. The subject properties are currently located within the existing UGB. The proposed zone changes from Institutional to R3.5 zoning districts and Quasi- Public to Medium Density Plan Map designation are consistent with the Oregon City Comprehensive Plan and comply with the criteria of OCMC 17.68.020.

During the Planning Commission Meeting on November 24, 2025, the Commission heard from a current resident of one of the houses. She expressed her love for living in the home, her connection to the community, and noted the lack of notification from the city or management company regarding the city's plans to sell the residences. Following this, the Planning Commission deliberated and discussed the distinction between the land use criteria for a zone change and those for a comprehensive plan map amendment, which pertain to the properties themselves, not the owners. They confirmed that the required 20-day land-use notification had been completed. The Planning Commission voted 6-1 to recommend approval of the proposal to the City Commission, concluding that the land use criteria had been satisfied for the property to revert to its previous designation of Medium Density Residential/ R 3.5.

17.68.050 – CONDITIONS.

In granting a change in zoning classification to any property, the Commission may attach such conditions and requirements to the zone change as the Commission deems necessary in the public interest and such conditions and restrictions shall thereafter apply to the zone change or map amendment.

Finding: Complies. The proposed zone changes and Comprehensive Plan amendment are consistent with the Oregon City Comprehensive Plan designation. The Planning or City Commissions may choose to add conditions to this application that are proportional to the request and consistent with the goals and strategies of the Commission as set forth in the adopted Comprehensive Plan.

CONCLUSION AND DECISION:

Based on the analysis and findings as described above, staff concludes that the proposed zone change to R3.5 and Comprehensive Plan Map designation of medium density residential, located at 313 S 2nd St and 214 Tumwater Drive, Oregon City, OR 97045, as identified on Clackamas County Map 2-2E-31CA-05500 & 2-2E-31CA-05200, can meet the requirements as described in the Oregon City Municipal Code. Therefore, the Community Development Director recommends approval based upon the findings and exhibits contained in this staff report.

Exhibits:

1. Applicant's Submittal
2. Transportation Analysis
3. McLoughlin Survey Forms
 - a. 313 S 2nd St
 - b. 214 Tumwater Dr.
4. Public Comment
 - a. ODOT
 - b. Applicant- Tennent notice email from management company
5. Oregon City Housing Needs Analysis 2021 (on file)
6. [November 24, 2025 Planning Commission Meeting](#)

LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A) ☐ Compatibility Review ☐ Willamette River Greenway ☐ Communication Facility / Eligible Modification ☐ Lot Line Adjustment ☐ Non-Conforming Use Review ☐ Natural Resource (NROD) Verification ☐ Minor Site Plan & Design Review ☐ Extension of Approval ☐ Historic Review – Remodel ☐ Detailed Dev. Plan (DDP) ☐ LUCS Expedited Type II (OCMC 17.50.030.B & 16.24) ☐ Middle Housing Land Division	Type II (OCMC 17.50.030.B) ☐ Master Plan / PUD / GDP or Amendment ☐ Detailed Development Plan (DDP) ☐ Floodplain Review ☐ Geologic Hazard Overlay ☐ Minor Partition (<4 lots) ☐ Minor Site Plan & Design Review ☐ Non-Conforming Use Review ☐ Proportional Upgrades ☐ Site Plan and Design Review / DDP ☐ Manufactured Home Park ☐ Compatibility Review Modifications / Adjustments ☐ Residential Design ☐ Site Plan & Design Review ☐ Public Improvement ☐ Tree Mitigation ☐ Subdivision (4+ lots) ☐ Administrative (Minor) Variance ☐ Natural Resource (NROD) Review ☐ Willamette River Greenway ☐ Phased Subdivision / Site Plan and Design Review Occupancy Plan ☐ Expedited Land Division	Type III / IV (OCMC 17.50.030.C & D.) ☐ Annexation ☐ Code Interpretation / Similar Use ☐ Master Plan / PUD / GDP Amendment ☐ Conditional Use ☐ Comprehensive Plan/Legislative Amendment ☐ Code ☐ Map ☐ Detailed Development Plan DDP ☐ Historic Review Board ☐ Demolition ☐ New Construction ☐ Remodel ☐ Municipal Code Amendment ☐ Parking Adjustment ☐ Variance ☐ Sign Variance ☐ Natural Resource (NROD) Review ☒ Zone Change (Text/Map) ☐ Willamette River Greenway Legislative Action (OCMC 17.50.170) ☐ Legislative
---	---	--

File Number(s):	Application Date: 9/25/25
Project Name: Zoning Change - Urban Renewal Residential Properties	
Proposed Land Use or Activity: Zoning Change from Institutional to Residential R3.5.	# of Lots Proposed (If Applicable): Two
Physical Address(es) of Site: 214 S. Tumwater Drive and 313 S. 2nd Street	
Clackamas County Map and Tax Lot Number(s):	

Applicant(s)	
Applicant(s) Signature: <i>James Graham</i>	
Applicant(s) Name Printed: James Graham	Date: 9/25/25
Mailing Address: 625 Center Street	
Phone: 503-496-1552	Email: jgraham@orccity.org

Property Owner(s) – If more than 2 owners, add all information to back of page including signatures.

Property Owner #1	
Property Owner#1 Signature: <i>Urban Renewal Agency</i>	
Property Owner#1 Name Printed: Urban Renewal Agency	Date: 9/25/25
Mailing Address: 625 Center Street, PO Box 3040, Oregon City, OR 97045	
Ownership Address: Same as above	
Phone: 503-496-9476	Email: jgraham@orccity.org

Property Owner #2	
Property Owner#2 Signature: <i>Urban Renewal Agency</i>	
Property Owner#2 Name Printed: Urban Renewal Agency	Date: 9/25/25
Mailing Address: 625 Center Street, PO Box 3040, Oregon City, OR 97045	
Ownership Address: Same as above	
Phone: 503-496-9476	Email: jgraham@orccity.org



Representative(s)

Representative(s) Signature: 	
Representative(s) Name Printed: James Graham	Date: 9/25/25
Mailing Address: 625 Center St. Oregon City, OR 97045	
Phone: 503-496-1882	Email:

All signatures represented must have the full legal capacity and hereby authorize the filing of this application and certify that the information and exhibits herewith are correct and indicate the party's willingness to comply with all code requirements.

313

Tool Labels



Share

Tools

Print

Report

Draw

Measure

Find Features

Query Map



Pan



Zoom In



Zoom Out



Initial View



Previous



Next



Point

Navigation Tools

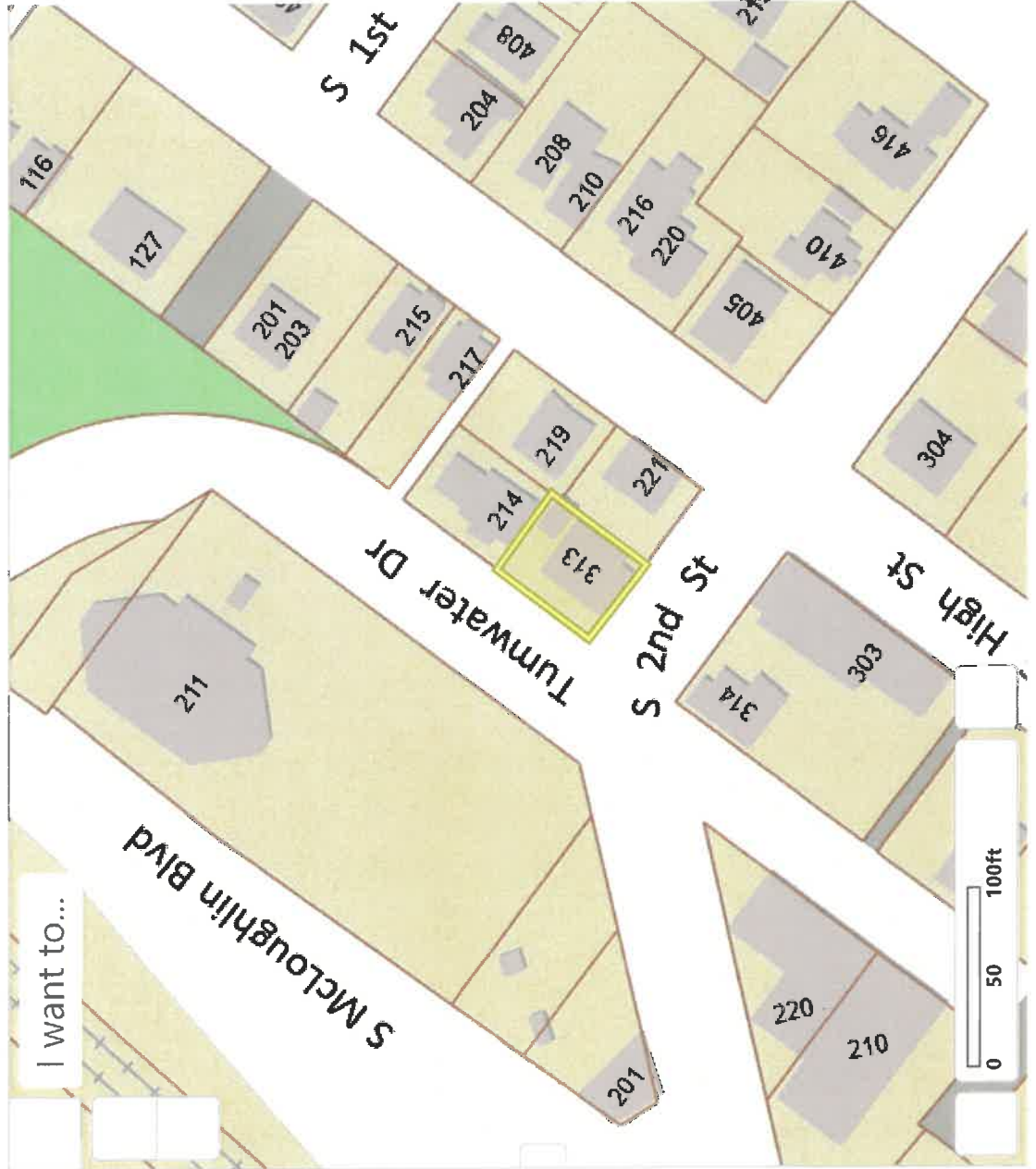
Query Tools

Finished Generating Report

[Click here](#) to open your property report.

Close

I want to...



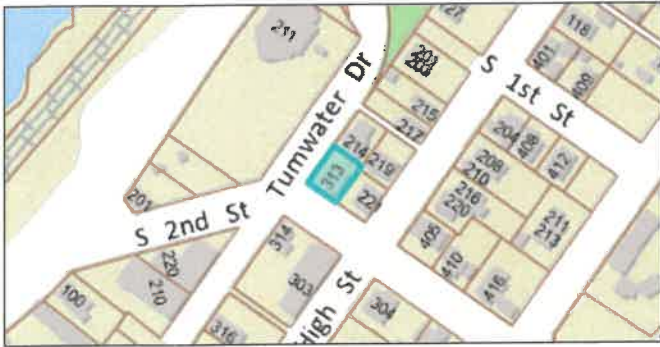
Finished Ge...



Layers



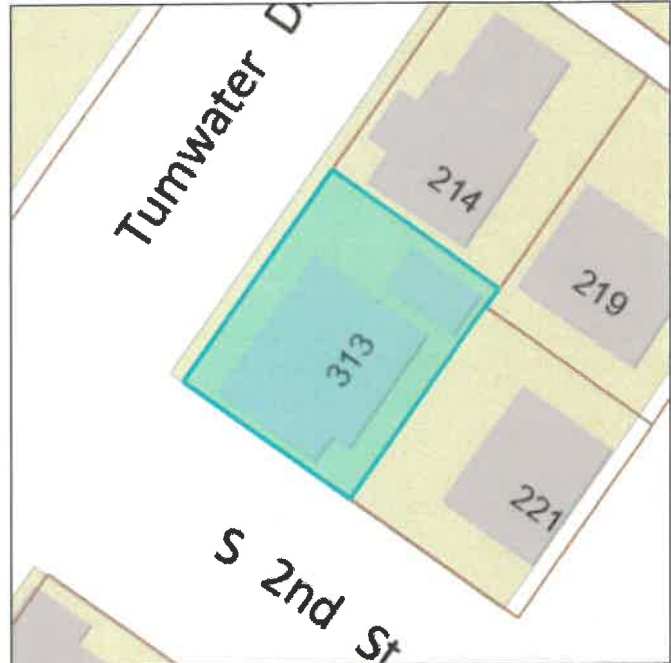
Taxlots (1)



Overview Map

Taxlot Information

APN: 2-2E-31CA-05200 In City? Y
 Alt ID: 00577227 In UGB? Y
 Site Address: 313 S 2ND ST
 OREGON CITY, OR 97045
 Year Built: 1925



Taxlot highlighted in blue

Taxpayer Information

Taxpayer: Please contact the City of Oregon City
 Address: for taxpayer information

Reference Information

Parcel Area (GIS - acres): 0.08
 Parcel Area (GIS - sq. ft.): 3,465
 Twn/Rng/Sec: 2S 2E 31
 Tax Map Reference: 22E31CA (03_2s2e31ca)

Values

Import Date: 09/09/2025
 Land Value (Mkt): \$132,545
 Building Value (Mkt): \$190,200
 Total Value (Mkt): \$322,745
 Note: the values about are Market, NOT Assessed values.
 Assessed Value: \$131,951
 Exempt Amount: \$0

Planning Designations

Zoning: I
 Comprehensive Plan: QP
 Subdivision: (2) OREGON CITY
 PUD (if known):
 Partition Plat: N/A
 Neighborhood Assn: MCLOUGHLIN
 Urban Renewal District: DOWNTOWN
 Concept Plan: N/A
 Historic District: MCD (McLoughlin Conservation District)
 Historic Designation: N/A

In Willamette Greenway? N
 In Geologic Hazard? N
 In High Water Table Area? N
 In Nat. Res. Ovl. Dist. (NROD)? N
 In 1996/FEMA 100 Yr. Floodplain? N
 In FEMA Floodway? N
 In SDC Discount Area? N
 In Thayer Pond Fee Area? N
 In Bvcrk. Rd Access Plan Area? N
 In Barlow Trail Corridor? N
 In Enterprise Zone? N
 In Vertical Housing Dev. Zone? N
 In Opportunity Zone? Y

The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.

Report generated 9/25/2025 10:38:40 AM

City of Oregon City
 P.O. Box 3040
 625 Center St
 Oregon City, OR 97045
 (503) 657-0891
 www.oregocity.org





Overview Map

Taxlot Information

APN: 2-2E-31CA-05500 In City? Y
 Alt ID: 00577254 In UGB? Y
 Site Address: 214 TUMWATER DR
 OREGON CITY, OR 97045
 Year Built: 1935



Taxlot highlighted in blue

Taxpayer Information

Taxpayer: Please contact the City of Oregon City
 Address: for taxpayer information

Reference Information

Parcel Area (GIS - acres): 0.08
 Parcel Area (GIS - sq. ft.): 3,465
 Twn/Rng/Sec: 2S 2E 31
 Tax Map Reference: 22E31CA (03_2s2e31ca)

Values

Import Date: 09/09/2025
 Land Value (Mkt): \$132,545
 Building Value (Mkt): \$234,720
 Total Value (Mkt): \$367,265
 Note: the values above are Market, NOT Assessed values.
 Assessed Value: \$142,624
 Exempt Amount: \$0

Planning Designations

Zoning: I
 Comprehensive Plan: QP
 Subdivision: (2) OREGON CITY
 PUD (if known):
 Partition Plat: N/A
 Neighborhood Assn: MCLOUGHLIN
 Urban Renewal District: DOWNTOWN
 Concept Plan: N/A
 Historic District: MCD (McLoughlin Conservation District)
 Historic Designation: N/A

In Willamette Greenway? N
 In Geologic Hazard? N
 In High Water Table Area? N
 In Nat. Res. Ovl. Dist. (NROD)? N
 In 1996/FEMA 100 Yr. Floodplain? N
 In FEMA Floodway? N
 In SDC Discount Area? N
 In Thayer Pond Fee Area? N
 In Bvrck. Rd Access Plan Area? N
 In Barlow Trail Corridor? N
 In Enterprise Zone? N
 In Vertical Housing Dev. Zone? N
 In Opportunity Zone? Y

The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.

Report generated 9/25/2025 10:31:53 AM

City of Oregon City
 P.O. Box 3040
 625 Center St
 Oregon City, OR 97045
 (503) 657-0891
 www.orcity.org



McLOUGHLIN



NEIGHBORHOOD
ASSOCIATION

General Meeting Minutes
September 4, 2025
Oregon City Library
624 John Adams St, Oregon City

Draft

1. Welcome/Introductions:

Tim Powell, Denise Beasley, Amy Wilson, Wendy Marshall, Denyse McGriff, Abby Gillette, John Beasley, Lissa Adams, Melissa Cottingham, Pat Thulen, Diane Roake, Bob Light, Will Mathias, Kent, Mathiot, Marleigh Mathiot, Ben Figgins, Claire Met, Wil Ilcisin, Pam Bloom, Dominic Shorter, LaDonna Sullivan, Katie Milles, Cheryl Lietzke, James Graham, Justin Harlan, Craig Bowen.

2. Updates from Fire and Police:

OCPD-Justin Harlan

Justin filled in for Jared Turpin who is now in charge of traffic enforcement and K9 program. Two staff members have been added and one is leaving. Citizens Academy starts taking applications in December. An accident on 99E at 10th street involving an RV that turned over started a fire and blocked traffic for several hours. A new motorcycle traffic officer will help address the concerns neighbors have about people speeding and/or driving through stop signs.

Clackamas Fire-Cpt. Craig Bowen

The new Logan fire station is open and will be hosting an open house on Sept. 6 at 11:00. The Hilltop Safety Fair is scheduled for Sept. 27. Station 15 has 3 firefighters and 2 rescue staff covering 4 shifts 24/7. 85-90% of calls are for medical rescue. Water rescue is covered by Station 19 in Damascus. For wildfire prevention, there is no open burning until October. The Siren newsletter can be accessed at www.clackamasfire.com

3. B & B Leasing – Recycling Program-Wil Mathias, Pam Bloom, Dominic Shorter

The B&B Leasing company has a new program to enhance the recycling process. Recycle Plus now accepts film plastics, clamshells, textiles, fluorescent bulbs, and batteries. Pick-ups are the 1st and 3rd Wednesdays. Bins are \$2.50/month and on call pickups are \$9.25-\$13.00/month. Call 503-656-8403 or visit www.oregoncitygarbageco.com to sign up.

4. Sale of 2 Homes in McLoughlin Neighborhood- James Graham, Economic Development

Rental properties at 214 S. Tumwater Drive and 313 S. 2nd Street are owned by the city. The city would like to sell the properties to first time homeowners, which will require a zoning change from institutional to residential. Money from the sales will go to Urban Renewal.

5. Approval of Minutes

Amy moved to approve the minutes. Lissa 2nd. All approved.

6. Treasurer's Report

Denyse moved to accept the report. Lissa 2nd. All approved.

7. Committee Reports:

a. Land Use – Wendy Marshall

1403 Jackson St. has applied to turn a garage into a studio apartment. Wendy has many questions as the application is lacking in specifics.

b. CIC –Denise Beasley

No meeting this month. Denise would like to step down at this time from the CIC position that she has held for 3 terms/6 years. This has been an interesting experience for Denise, and she would like to share this with another neighbor. A vote to fill the position will take place at the November meeting. Amy expressed interest.

8. City Commission Report – Denyse McGriff

There will be an increase in system development fees for Parks & Recreation. The parks master plan is being developed and will include swimming pool, Waterboard Park, and the End of the Oregon Trail facilities. Another elm tree by the library had to be removed due to disease. Three new trees will be planted. The sidewalk replacement issue is being worked on. The time to repair/replace has been extended to 6 months, a group permit may be possible, the city will help find reputable/less expensive contractors. The McLoughlin Promenade is a designated charter park, and encroachment will not be allowed, especially parking. More parking on the street will be developed. The Youth Advisory Commission will allow students who are outside of the city limits to participate. The city intends to remove the Public Works shops on Center Street and hopes to repurpose as residential housing. The intersection artwork near Latourette Park will be repainted on September 27 at 1:00.

9. Good of the order

Dr. Cook from Clackamas Community College finished his fundraising run to all 17 community colleges in the state. He was raising money and awareness of food insecurity for students. The Caufield neighborhood will host a fund raiser on Sept. 30 at Baskin Robbins. Denyse will use her expert (sno-cone) scooping experience to scoop ice cream.

10. Adjourned at 9:00 PM

Respectfully submitted, Denise Beasley, Secretary

McLoughlin Neighborhood Meeting sign in

Date: 9-4-25

me	Address	Phone #	email address
Erise Beasley	301 Madison St		dbeasley@gmail.com
John Beasley	301 Madison St		jbeasley@gmail.com
Amy Wilson	816 JQ		
Lissa Adams	816 JQ		
Nelissa Cottingham	407 Monroe	* 503-545-9436	Melissa.Cottingham@a.com
at Thulen	1118 MONROE		PFTHULEN@GMAIL
Diane Roake	910 Madison		makedi@msn.com
BOB LIGHT	911 Madison		BEBOLIGHT@msn.com
Will Mathias	BTB Leasing Co.		WILL M @ BTBLEASINGCO.COM
Kent Mathiot			kmathiot@comcast.net
Varleigh Mathiot	1116 Taylor		

McLoughlin Neighborhood Meeting sign in

Date:

Name	Address	Phone #	email address
Craig Bowen ^{bowen}	Cucumamas Fire District	503-742-2415	craig.bowen@clackwa
Bek Higgins	1504 15th St	503-342-1578	bhiggins@proton.m
Chaire West	1207 Taylor	503-342-5122	chaire@proton.m
Douglas West	Washington	503-656-3917	
Die Alcar	Jefferson	503-522-5767	wilcisin@proton.m
Mendy Marshall	on file		
Ram Bloom	B-B Leasing Co.		ramb@bbleasing.co
Dominic Shaker	B-B Leasing Co.	503-816-2009	dominics@bbleasing.co
Abbey Gillette	Madison St.	503 307-9429	abbey@madri
LaDonna Sullivan	Center	503-314-7105	

McLoughlin Neighborhood Meeting sign in

Date:

Name	Address	Phone #	email address
Katie Milles	1508 JQ Adams	503-860-7996	M Katie M Comcast.
Cheryl Lietzke	1109 Monroe St	503-655-0041	Cheryl@cccoth.com
Tim Powell	on file		
Wendy Marshall			
James Graham	Economic Development		
Justin Hartman	CCPA		
Leah Bowen	CCPA		

Zone Change and Comprehensive Plan Map Amendment
Applicant's Submittal
October 15, 2025

APPLICANT: Urban Renewal Agency
Address 625 Center Street
Oregon City, OR 97045

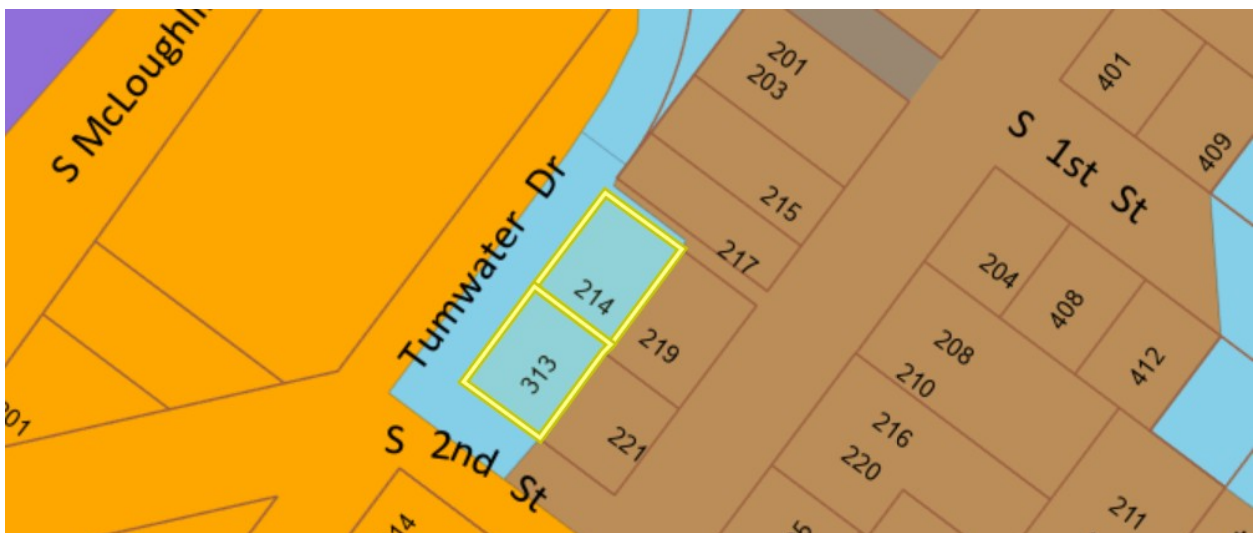
OWNER: James Graham
Address 625 Center Street
Oregon City, OR 97405

REQUEST: Urban Renewal Commission wishes to amend the comprehensive plan map from Public / Quasi-Public to MDR and rezone the two city-owned parcels at 214 Tumwater Dr and 313 S 2nd St from I-Institutional to a residential zone, R3.5, prior to putting them on the market for sale.

LOCATION: 214 Tumwater & 313 S 2nd St, Oregon City, OR 97045
Clackamas County Map 2-2E-31CA-05200 &05500

I. BACKGROUND:

1. Existing Conditions



2. Project Description

Urban Renewal Commission wishes to amend the comprehensive plan map from Public / Quasi-Public to MDR and rezone the two city-owned parcels at 214 Tumwater Dr and 313 S 2nd St from I – Institutional to a residential zone, R3.5.

Municipal Code Standards and Requirements: The following sections of the Oregon City Municipal Code are applicable to this land use approval:

Chapter 17.10 Medium Density Residential

Chapter 17.50 Administration and Procedures

Chapter 17.68 Zone Change and Amendments

The City Code Book is available on-line at www.orcity.org.

Permits and Approvals: The applicant is responsible for obtaining approval and permits from each applicable governmental agency and department at Oregon City including but not limited to the Engineering and Building Divisions.

REQUIRED CODE RESPONSES:

CHAPTER 17.10 MEDIUM DENSITY RESIDENTIAL DISTRICTS

17.10.010 – Designated.

The R-5 and R-3.5 residential districts are designed for medium density residential development.

17.10.020 - Permitted uses.

Permitted uses in the R-5 and R-3.5 districts are:

A. Single-family detached residential units;

B. Accessory uses, buildings and dwellings;

C. Duplexes;

D. Triplexes;

E. Quadplexes;

F. Townhouses;

G. Cottage clusters;

H. Manufactured home parks or subdivisions in the R-3.5 district only;

I. Residential homes;

J. Parks, playgrounds, playfields and community or neighborhood centers;

K. Home occupations;

L. Family day care providers;

M. Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (retail sales of materials grown on-site is permitted);

N. Temporary real estate offices in model homes located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;

O. Transportation facilities.

Applicant's Response:

The properties consist of two single-family residences, a permitted use in the zone.

17.10.025 - Conditional uses.

The following uses are permitted in the R-5 and R-3.5 districts when authorized by and in accordance with the standards contained in OCMC 17.56:

- A. Golf courses, except miniature golf courses, driving ranges or similar commercial enterprises;*
- B. Bed and breakfast inns/boarding houses;*
- C. Cemeteries, crematories, mausoleums and columbariums;*
- D. Child care centers and nursery schools;*
- E. Emergency service facilities (police and fire), excluding correctional facilities;*
- F. Residential care facilities;*
- G. Private and/or public educational or training facilities;*
- H. Public utilities, including sub-stations (such as buildings, plants and other structures);*
- I. Religious institutions;*
- J. Assisted living facilities; nursing homes and group homes for over fifteen patients.*
- K. Live/work dwellings.*

Applicant's Response: The properties consist of two single-family residences, a permitted use in the zone. There is no conditional uses on-site.

17.10.030 - Master plans.

The following use is permitted in the R-3.5 district when authorized by and in accordance with the standards contained in OCMC 17.65.

- A. Multifamily residential.*

Applicant's Response: No Master Plan land use approvals exist for these properties.

17.10.035 – Prohibited uses.

Prohibited uses in the R-5 and R-3.5 district are:

- A. Any use not expressly listed in OCMC 17.10.020, 17.10.025 or 17.10.030.*
- B. Marijuana businesses.*

Applicant's Response: There are no prohibited uses onsite.

17.10.040 - Dimensional standards.

Dimensional standards in the R-5 and R-3.5 districts are as follows:

Table 17.10.040

Standard	R-5	R-3.5
<i>Minimum lot size¹</i>		
<i>Single-family detached and duplex</i>	<i>5,000 sq. ft.</i>	<i>3,500 sq. ft.</i>
<i>Triplex</i>	<i>5,000 sq. ft.</i>	<i>5,000 sq. ft.</i>
<i>Quadplex and Cottage cluster</i>	<i>7,000 sq. ft.</i>	<i>7,000 sq. ft.</i>
<i>Townhouse</i>	<i>1,500 sq. ft.</i>	<i>1,500 sq. ft.</i>
Applicant's Response:		

214 Tumwater- 3,465 sq feet 313 2nd Street - 3,465 sq feet These are pre-existing lots- all new development will meet the R3.5 development standards.		
<i>Maximum height: All, except</i>	<i>35 ft., except</i>	<i>35 ft., except</i>
<i>Cottage cluster unit</i>	<i>25 ft.</i>	<i>25 ft.</i>
Applicant's Response: These are pre-existing lots- all new development will meet the R3.5 development standards.		
<i>Maximum building lot coverage</i> <i>Single-family detached and all duplexes</i> <i>With ADU</i> <i>Triplex, quadplex and townhouse</i> <i>Cottage cluster</i>	<i>50%</i> <i>60%</i> <i>70%</i> <i>None</i>	<i>55%</i> <i>65%</i> <i>80%</i> <i>None</i>
Applicant's Response: These are pre-existing lots- all new development will meet the R3.5 development standards.		
<i>Minimum lot width</i> <i>All, except</i> <i>Townhouse</i>	<i>35 ft., except</i> <i>20 ft.</i>	<i>25 ft., except</i> <i>20 ft.</i>
Applicant's Response: These are pre-existing lots- all new development will meet the R3.5 development standards.		
<i>Minimum lot depth</i>	<i>70 ft.</i>	<i>70 ft.</i>
Applicant's Response: These are pre-existing lots- all new development will meet the R3.5 development standards.		
<i>Minimum front yard setback</i> <i>All, except</i> <i>Porch</i>	<i>10 ft., except</i> <i>5 ft.</i>	<i>5 ft., except</i> <i>0 ft.</i>
Applicant's Response: These are pre-existing lots- all new development will meet the R3.5 development standards.		
<i>Minimum interior side yard setback:</i> <i>All, except</i> <i>Townhouse</i>	<i>5 ft., except</i> <i>0 ft. (attached) /5 ft. (side)</i>	<i>5 ft., except</i> <i>0 ft. (attached) /5 ft. (side)</i>
Applicant's Response: These are pre-existing lots- all new development will meet the R3.5 development standards.		
<i>Minimum corner side yard setback</i>	<i>7 ft.</i>	<i>7 ft.</i>

Applicant's Response: These are pre-existing lots- all new development will meet the R3.5 development standards.		
<i>Minimum rear yard setback</i> <i>All, except</i> <i>Porch</i> <i>Cottage cluster</i> <i>ADU</i>	<i>20 ft., except</i> <i>15 ft.</i> <i>10 ft.</i> <i>10 ft.</i>	<i>20 ft., except</i> <i>15 ft.</i> <i>10 ft.</i> <i>5 ft.</i>
Applicant's Response: These are pre-existing lots- all new development will meet the R3.5 development standards.		
<i>Garage setbacks</i>	<i>20 ft. from ROW, except</i> <i>5 ft. from alley</i>	<i>20 ft. from ROW, except</i> <i>5 ft. from alley</i>
Applicant's Response: These are pre-existing lots- all new development will meet the R3.5 development standards.		

Notes:

For land divisions, lot sizes may be reduced pursuant to OCMC 16.08.065.

Public utility easements may supersede the minimum setback.

17.10.045 - Exceptions to setbacks.

A. Projections from buildings. Ordinary building projections such as cornices, eaves, overhangs, canopies, sunshades, gutters, chimneys, flues, sills or similar architectural features may project into the required yards up to twenty-four inches.

Applicant's Response: These are pre-existing lots- all new development will meet the R3.5 development standards.

B. Through lot setbacks. Through lots having a frontage on two streets shall provide the required front yard on each street. The required rear yard is not necessary.

Applicant's Response:

17.10.050 - Density standards.

A. Density standards in the R-5 and R-3.5 districts are as follows:

Table 17.10.050

Standard	R-5	R-3.5
<i>Minimum net density</i>	<i>7.0 du/acre</i>	<i>10 du/acre</i>
Applicant's Response: These are pre-existing lots- all new development will meet the R3.5 development standards.		
<i>Maximum net density</i>		

<i>All, except Townhouse</i>	<i>8.7 du/acre 25 du/acre</i>	<i>12.4 du/acre 25 du/acre</i>
Applicant's Response: These are pre-existing lots- all new development will meet the R3.5 development standards.		

B. Exceptions.

1. Any dwelling units created as accessory dwelling units do not count towards the minimum or maximum density limits in Table 17.10.050.
2. Duplexes, triplexes and quadplexes shall count as a single dwelling unit for the purposes of calculating maximum net density. Total dwelling units within a development may count for the purposes of calculating minimum net density.
3. Cottage clusters are exempt from maximum net density standards.

Applicant's Response:

17.50.050 – Pre-application conference.

A. Pre-application Conference. Prior to a Type II – IV or Legislative application, excluding Historic Review, being deemed complete, the applicant shall schedule and attend a pre-application conference with City staff to discuss the proposal, unless waived by the Community Development Director. The purpose of the pre-application conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal.

1. To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.
2. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.
3. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.

Applicant's Response: The pre-application conference was held on July 29, 2025.

B. A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.

Applicant's Response: The application was submitted in September 2025 within the 6-month timeframe for submittal.

C. Notwithstanding any representations by City staff at a pre-application conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

Applicant's Response:

17.50.055 - Neighborhood association meeting.

Neighborhood Association Meeting. The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.

A. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.

B. The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the citizen involvement committee.

C. A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, citizen involvement committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a city facility.

D. If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the citizen involvement committee.

E. To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.

Applicant's Response: The applicant meet with the McLoughlin Neighborhood Association in September 4, 2025.

17.50.060 Application requirements.

A permit application may only be initiated by the record property owner or contract purchaser, the City Commission or Planning Commission. If there is more than one record owner, then the City will not complete a Type II—IV application without signed authorization from all record owners. All permit applications shall be submitted on the form provided by the City, along with the appropriate fee and all necessary supporting documentation and information, sufficient to demonstrate compliance with all applicable approval criteria. The applicant has the burden of demonstrating, with evidence, that all applicable approval criteria are, or can be, met.

Applicant's Response: James Graham, Economic Manager who is authorized to sign for the Oregon City Urban Renewal Agency, signed the application.

17.50.070 Completeness review and one hundred twenty-day rule.

A. Upon submission, the Community Development Director shall date stamp the application form and verify that all of the appropriate application review fee(s) have been submitted. Upon receipt of all review fees and an application form, the Community Development Director will then review the application and all information submitted with it and evaluate whether the application is complete enough to process. Within thirty days of receipt of the application and all applicable review fees, the Community Development Director shall complete this initial review and issue to the applicant a written statement indicating whether the application is complete enough to process, and if not, what information shall be submitted to make the application complete.

B. The applicant has one hundred eighty days from the date the application was made to submit the missing information or the application shall be rejected and the unused portion of the application fee returned to the applicant. If the applicant submits the requested information within the one hundred eighty-day period, the Community Development Director shall again verify whether the application, as augmented, is complete. Each such review and verification shall follow the procedure in subsection A of this section.

The application will be deemed complete for the purpose of this section upon receipt by the Community Development Director of:

- 1. All the missing information;*
- 2. Some of the missing information and written notice from the applicant that no other information will be provided; or*
- 3. Written notice from the applicant that none of the missing information will be provided.*

C. Once the Community Development Director determines the application is complete enough to process, or the applicant refuses to submit any more information, the City shall declare the application complete. Pursuant to ORS 227.178, the City will reach a final decision on an application within one hundred twenty calendar days from the date that the application is determined to be or deemed complete unless the applicant agrees to suspend the one hundred twenty-calendar-day timeline or unless state law provides otherwise. The one hundred twenty-day period, however, does not apply in the following situations:

- 1. Any hearing continuance or other process delay requested by the applicant shall be deemed an extension or waiver, as appropriate, of the one hundred twenty-day period.*
- 2. Any delay in the decision-making process necessitated because the applicant provided an incomplete set of mailing labels for the record property owners within three hundred feet of the subject property shall extend the one hundred twenty-day period for the amount of time required to correct the notice defect.*
- 3. The one hundred twenty-day period does not apply to any application for a permit that is not wholly within the City's authority and control.*
- 4. The one hundred twenty-day period does not apply to any application for an amendment to the City's comprehensive plan or land use regulations nor to any application for a permit, the approval of which depends upon a plan amendment.*

D. A one hundred day-period applies in place of the one hundred twenty-day period for affordable housing projects where:

1. *The project includes five or more residential units, including assisted living facilities or group homes;*
 2. *At least fifty percent of the residential units will be sold or rented to households with incomes equal to or less than sixty percent of the median family income for Clackamas County or for the state, whichever is greater; and*
 3. *Development is subject to a covenant restricting the owner and successive owner from selling or renting any of the affordable units as housing that is not affordable for a period of sixty years from the date of the certificate of occupancy.*
- E. The one hundred twenty-day period specified in OCMC 17.50.070.C or D may be extended for a specified period of time at the written request of the applicant. The total of all extensions may not exceed two hundred forty-five calendar days.*
- F. The approval standards that control the City's review and decision on a complete application are those which were in effect on the date the application was first submitted.*

Applicant's Response: The applicant intends to follow the process as outlined above.

CHAPTER 17.68 ZONING CHANGES AND COMPREHENSIVE PLAN AMENDMENTS

17.68.010 - Initiation of the amendment.

A text amendment to the comprehensive plan, or an amendment to the zoning code or map or the Comprehensive Plan map, may be initiated by:

- A. A resolution request by the City Commission;*
- B. An official proposal by the Planning Commission;*
- C. An application to the Planning Division; or.*
- D. A Legislative request by the Planning Division.*

All requests for amendment or change in this title shall be referred to the Planning Commission.

Applicant's Response:

17.68.015 –Procedures.

Applications shall be reviewed pursuant to the procedures set forth in Chapter 17.50.

17.68.020 - Criteria.

The criteria for comprehensive plan amendment or text or map amendment in the zoning code are set forth as follows:

- A. The proposal shall be consistent with the applicable goals and policies of the comprehensive plan;*

OC2040 COMPREHENSIVE PLAN

GOAL 2 Provide housing options, including both rental and ownership opportunities, that are attainable for the full range of Oregon City households.

POLICY 2.1 Plan for housing supply that supports and implements the recommendations of the current Housing Needs Analysis.

STRATEGY 2.1.A Ensure housing policies allow for increased opportunities for home ownership by regularly evaluating housing supply, market demand, buildable land, and infrastructure costs through a Housing Needs Analysis.

POLICY 2.2 Ensure that land use designations and zoning code provisions allow and encourage a wide range of housing types.

STRATEGY 2.2.A Designate residential land for a balanced variety of densities and types of housing, such as single- family attached and detached, and a range of multi-family densities and types, including mixed- use development.

POLICY 2.3 Support retention of existing homes and opportunities for community members to “age in place”.

POLICY 2.4 Support and encourage transit-oriented development opportunities.

STRATEGY 2.5.B Retain affordable housing potential by evaluating and restricting the loss of land reserved or committed to residential use. When considering amendments to the Comprehensive Plan Land- Use Map, ensure that potential loss of affordable housing is mitigated.

POLICY 3.1 Promote efficient use of land and public infrastructure and plan for appropriate infill development, redevelopment, and new development.

POLICY 3.2 Promote development of walkable neighborhoods to reduce transportation demand and enhance localized access to community services and amenities.

STRATEGY 3.2.A Promote connectivity between neighborhoods and neighborhood commercial centers through a variety of transportation modes.

POLICY 3.3 Designate land uses in a manner that balances opportunities for housing and jobs and ensures development is consistent and compatible with the community’s needs and resources.

Applicant’s Response:

On May 21, 2025, the Urban Renewal Agency (“URA”) directed staff to make preparations to sell URA-Owned residential properties. The URA owns two residential properties, 313 S 2nd Street and 214 Tumwater Drive. Both are currently being leased.

URA is seeking to change the zoning from Institutional to R3.5 to enable the URA to support goal 2 of the OC2040 Comprehensive Plan. The URA will be providing housing to low-to-moderate income families or

individuals thereby offering the option of affordable homeownership to individuals that would find the current housing market a barrier.

In addition, the URA will be supporting retention of existing homes and opportunities for community members to “age in place” as cited in Policies 2.2 and 2.3 of the OC2040 Comprehensive Plan.

17.68.025 - Zoning for land annexed into the City.

Upon annexation into the City, the property shall be rezoned from County zoning to the corresponding City zoning designation as identified in Table 17.06.030, provided the criteria for a zone change can be met.

Applicant's Response: This property is already annexed into the city.

17.68.040 - Approval by the Commission.

If the Planning Commission finds that the request or application for an amendment, or change, complies with the criteria of OCMC 17.68.020, it shall forward its findings and recommendation to the City Commission for action thereon by that body.

Applicant's Response: The applicant acknowledges the approval process.

17.68.050 - Conditions.

In granting a change in zoning classification to any property, the Commission may attach such conditions and requirements to the zone change as the Commission deems necessary in the public interest and such conditions and restrictions shall thereafter apply to the zone change or map amendment.

Applicant's Response: The applicant acknowledges the approval process.



MEMORANDUM

DATE: August 22, 2025

TO: Sang Pau | City of Oregon City

FROM: Reah Flisakowski and Hallie Turk | DKS Associates

SUBJECT: 214 Tumwater Drive/313 S 2nd Street
Transportation Planning Rule Evaluation

#22014-001-014

This memorandum presents the findings of an evaluation of potential traffic impacts associated with two properties located at 214 Tumwater Drive (Tax Lot 2-2E-31CA-05500) and 313 S 2nd Street (Tax Lot 2-2E-31CA-05200) in Oregon City, Oregon. The parcels have a combined area of 6,930 square feet (0.159 acres) and are currently zoned I (Institutional). The City desires to change both parcels' zoning designations to R3.5 (Medium Density Residential). This will also require a comprehensive plan zone change from QP (Public/Quasi-Public) to MR (Medium Density Residential).

The proposed zone change must be in accordance with Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR). The intent of the TPR (OAR 660-12-0060) is to ensure that future land use and traffic growth is consistent with transportation system planning and does not create a significant effect on the surrounding transportation system beyond currently allowed uses. The definition of a significant effect varies by jurisdiction, and no such definition is provided in Oregon City code. According to the Oregon Highway Plan (OHP)¹, a net increase of 400 daily trips qualifies as a significant effect on state highways. While the OHP is not applicable to local roadways, it provides a reasonable estimate of a significant effect for TPR analysis purposes.

This memorandum documents the expected trip generation of the reasonable worst-case development potential under the existing and proposed zoning, and whether the proposed zone change will create a significant effect on the transportation system.

¹ Action 1F.5, Oregon Highway Plan, Oregon Department of Transportation, Updated May 2015.

EXISTING ZONING (I) TRIP GENERATION

Under the existing I (Institutional) zoning, there are several permitted land uses,² including the ones listed below. The I zone generally allows major public institutions and government facilities.

- Schools
- Offices
- Parks
- Food cart pods

While the above land uses are permitted in I zoning, the size of the property (0.159 acres) and location in a residential neighborhood is not compatible with the uses listed above except offices. For the purposes of identifying the reasonable worst case trip generation for the existing I zoning, office land uses were considered. A summary of the trip generation rates for office land uses are presented in Table 1.

TABLE 1: TRIP GENERATION RATES FOR PERMITTED LAND USES UNDER I ZONING

LAND USE (ITE CODE)	UNITS ^A	WEEKDAY TRIP GENERATION RATES		
		DAILY	AM PEAK HOUR	PM PEAK HOUR
OFFICE (710)	KSF	10.84	1.52	1.44
SMALL OFFICE (712)	KSF	14.39	1.67	2.16

^A KSF = 1,000 square feet

Based on the lot size and dimensions, we have determined that a 1,500 square-foot small office could be reasonably built on this property. Table 2 presents the daily and peak hour trip generation for the reasonable worst-case development scenario under I zoning. As shown, the small office would generate 22 weekday daily trips, 3 a.m. peak hour trip, and 4 p.m. peak hour trips.

TABLE 2: REASONABLE WORST-CASE TRIP GENERATION FOR I ZONING

LAND USE (ITE CODE)	SIZE	AVERAGE WEEKDAY TRIP GENERATION		
		DAILY	AM PEAK HOUR	PM PEAK HOUR
SMALL OFFICE (712)	1.5 KSF	22	3	4

² [Chapter 17.39](#), Oregon City Municipal Code.

PROPOSED ZONING (R3.5) TRIP GENERATION

Under the proposed R3.5 (Medium Density Residential) zoning, there are several permitted land uses,³ including the ones listed below. The R3.5 zone generally allows medium density residential uses including single-family homes, duplexes, and townhouses.

- Single-family Houses (Detached)
- Duplexes (Attached)
- Parks
- Daycare Centers

TABLE 3: TRIP GENERATION RATES FOR PERMITTED LAND USES UNDER R3.5 ZONING

LAND USE (ITE CODE)	UNITS ^A	WEEKDAY TRIP GENERATION RATES		
		DAILY	AM PEAK HOUR	PM PEAK HOUR
SINGLE FAMILY RESIDENTIAL - DETACHED (210)	DU	9.43	0.70	0.94
SINGLE FAMILY RESIDENTIAL – ATTACHED (215)	DU	7.20	0.48	0.57
DAYCARE CENTER (565)	KSF	47.62	11.00	11.12

^A KSF = 1,000 square-feet, DU = Dwelling Unit

Based on the lot size and dimensions, we have assumed that a 1,500 square-foot daycare center could be reasonably built on this property. Table 4 presents the daily and peak hour trip generation for the reasonable worst-case development scenario under R3.5 zoning. As shown, the daycare center would generate 72 weekday daily trips, 17 a.m. peak hour trips, and 17 p.m. peak hour trips.

TABLE 4: REASONABLE WORST-CASE TRIP GENERATION FOR R3.5 ZONING

LAND USE (ITE CODE)	SIZE	AVERAGE WEEKDAY TRIP GENERATION		
		DAILY	AM PEAK HOUR	PM PEAK HOUR
DAYCARE CENTER (565)	1.5 KSF	72	17	17

³ [Chapter 17.10](#), Oregon City Municipal Code.

COMPARISON OF TRIP GENERATION

The previous sections present the reasonable worst-case development potential of the property under the existing zoning and the proposed zoning. As shown in Table 5 below, a net increase of 50 weekday daily trips, 14 AM peak hour trips, and 13 PM peak hour trips would result from the zone change under reasonable worst-case development scenarios.

TABLE 5: COMPARISON OF TRIP GENERATION

LAND USE (ITE CODE)	SIZE	AVERAGE WEEKDAY TRIP GENERATION		
		DAILY	AM PEAK HOUR	PM PEAK HOUR
<i>Proposed (R3.5 Zoning) Trips (Table 4)</i>		72	17	17
<i>Existing (I Zoning) Trips (Table 2)</i>		22	3	4
NET DIFFERENCE (PROPOSED – EXISTING)		+50	+14	+13

TRANSPORTATION PLANNING RULE FINDINGS

After evaluating the reasonable worst-case development potential of both the existing (I) and proposed (R3.5) zoning, the proposed zone change could result in a net increase of 50 trips per day.

The definition of a significant effect varies by jurisdiction and no such definition is provided in the City of Oregon City code currently. According to the Oregon Highway Plan (OHP)⁴, a net increase of 400 daily trips qualifies as a significant effect. While the OHP is not applicable to local roadways, it provides a reasonable estimate of a significant effect for TPR analysis purposes.

The expected worst-case net increase in daily trips is significantly less than 400, which is a reasonable estimate of the threshold for a “significant effect”. As such, the proposed zone change is not expected to have a significant effect on the surrounding transportation system and the Transportation Planning Rule requirements satisfied.

RECOMMENDATION

Based on the reasonable worst-case trip generation evaluation, it can be concluded that the proposed zone change would not significantly impact or cause “further degradation” to the City of Oregon City transportation system. The proposed zone change is not anticipated to significantly impact transportation facilities near the site. Therefore, this application complies with TPR requirements.

⁴ Action 1F.5, Oregon Highway Plan, Oregon Department of Transportation, Updated May 2015.

OREGON CITY HISTORIC RESOURCE SURVEY FORM

Street Address: 313 S 2ND ST		City: OREGON CITY	
USGS Quad Name: Oregon City		GPS Latitude: 45 21 06 N	Longitude: 122 36 47 W
Township: 02S	Range: 02E	Section: 31 Block: 75	Lot: 4x Map #: 22E31CA Tax Lot #: 5200
Date of Construction: c. 1925	Historic Name:		Historic Use or Function: Domestic - single dwelling
Grouping or Cluster Name: NA	*Current Name or Use: Domestic - single dwelling		Associated Archaeological Site: Unknown
Architectural Classification(s): Bungalow		Plan Type/Shape: Rectangle	Number of Stories: 1.0
Foundation Material: Unknown		Structural Framing: Unknown	Moved? No
Roof Type/Material: Gable / Composition shingle		Window Type/Material: 1/1 wood double-hung	
Exterior Surface Materials Primary: Round-edge drop		Secondary:	Decorative:
Exterior Alterations or Additions/Approximate Date: Porch incompatible; small addition to southeast			
Number and Type of Associated Resources: None			
Integrity: Fair	Condition: Fair	Local Ranking:	National Register Listed? No
Potentially Eligible: ☐ Individually or ☐ As a contributing resource in a district Not Eligible: ☐ Intact but lacks distinction ☒ Altered (choose one): ☒ Reversible/Potentially eligible individually or in district ☐ Reversible/Ineligible as it lacks distinction ☐ Irretrievable loss of integrity ☐ Not 50 years old			IMAGE UNAVAILABLE SEE ORIGINAL SURVEY FORM FOR PHOTOGRAPH
Description of Physical and Landscape Features:			
This one story bungalow is rectangular in plan and sits on a busy corner. The gable roof is covered in composition shingles and is pierced by a chimney. The house is covered with round-edge drop siding. Windows are primarily 1/1 wood double-hung. The gable roof entry porch has narrow posts with a king post design under the eave and brick flower boxes along the front.			
Statement of Significance:			

Researcher/Organization: Heather Goodson / HPNW		Date Recorded: 4/12/2002
Survey Form Page 1	Address: 313 S 2ND ST	Local Designation # SHPO #

OREGON CITY HISTORIC RESOURCE SURVEY FORM

Street Address: 214 TUMWATER DR				City: OREGON CITY	
USGS Quad Name: Oregon City		GPS Latitude: 45 21 06 N	Longitude: 122 36 47 W		
Township: 02S	Range: 02E	Section: 31	Block: 75	Lot: 3x	Map #: 22E31CA Tax Lot #: 5500
Date of Construction: c. 1935		Historic Name:		Historic Use or Function: Domestic - single dwelling	
Grouping or Cluster Name: NA		*Current Name or Use: Domestic - single dwelling		Associated Archaeological Site: Unknown	
Architectural Classification(s): Bungalow			Plan Type/Shape: Rectangle		Number of Stories: 1.0
Foundation Material: Concrete			Structural Framing: Unknown		Moved? No
Roof Type/Material: Gable / Composition shingle			Window Type/Material: Vinyl sliders		
Exterior Surface Materials Primary: Drop			Secondary:		Decorative:
Exterior Alterations or Additions/Approximate Date: Foundation clad with Roman brick, porch railing added, porch columns replaced.					
Number and Type of Associated Resources: None					
Integrity: Good		Condition: Good		Local Ranking:	
				National Register Listed? No	
Potentially Eligible: ☐ Individually or ☒ As a contributing resource in a district Not Eligible: ☐ Intact but lacks distinction ☐ Altered (choose one): ☐ Reversible/Potentially eligible individually or in district ☐ Reversible/Ineligible as it lacks distinction ☐ Irretrievable loss of integrity ☐ Not 50 years old					
Description of Physical and Landscape Features: This modest bungalow sits under a side gable roof, with a projecting gable on the west side over the entry porch. The gables feature boxed eaves and knee brackets at the gable ends, formed by a diagonal member supporting the exposed purlins. The porch gable is supported by new wrought iron columns, and a matching railing surrounds the porch. The house is clad with drop siding, finished with cornerboards, except the foundation which has been clad with Roman brick. The windows are all sliding vinyl sashes with narrow trim moldings. A large brick chimney is centrally located in the house, and a carport has been added to the north side.					
Statement of Significance:					

Researcher/Organization: Alex McMurry / HPNW			Date Recorded: 7/26/2002		
Survey Form Page 1		Address: 214 TUMWATER DR		Local Designation # SHPO #	



November 6, 2025

ODOT # 13736

ODOT Formal Response

Project: URC Comp. Plan Amendment and ZC	Applicant: James Graham
Jurisdiction: City of Oregon City	Jurisdiction Case #: GLUA25-00042: CPA25-0001 and ZC25-0003
Site Address: 214 Tumwater Drive and 313 S 2 nd Street	State Highway: OR 99E

The site of this proposed land use action is in the vicinity of OR 99E. ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation.

These comments, standards, and requirements are current as of the date of this letter. If the project scope and/or timeline is modified, the applicant should contact the ODOT Region 1 Development Review program (ODOT_R1_DevRev@odot.oregon.gov). Updated comments may be necessary.

LAND USE PROPOSAL

ODOT was notified of a land use application for the proposed amendment of the Comprehensive Plan Map from Public/Quasi-Public (QP) to Medium Density Residential (MDR) and rezoning of two city-owned parcels (Tax lots 5200 and 5500) from Institutional to Medium Density Residential (R3.5). No development is proposed as part of this land use application.

COMMENTS/FINDINGS

For zone changes and comprehensive plan amendments, local governments must make a finding that the proposed amendment complies with the Transportation Planning Rule (TPR), OAR 660-012-0060. There must be substantial evidence in the record to either make a finding of “no significant effect” on the transportation system, or if there is a significant effect, require assurance that the land uses to be allowed are consistent with the identified function, capacity, and performance standard of the transportation facility.

ODOT received a copy of a Traffic Memorandum prepared by DKS Associated and dated August 22, 2025 evaluating the potential traffic impacts. ODOT has reviewed the traffic memo and has no concerns with proposal. Therefore, no additional State review is required.

Contact the ODOT Development Review Planner identified below for further coordination or questions regarding ODOT comments and requirements during the land use process.

Please send a copy of the Land Use Notice to: ODOT_R1_DevRev@odot.oregon.gov

Development Review Planner: Melissa Gonzalez	Melissa.gonzalez-gabriel2@odot.oregon.gov
Traffic Contact: Avi Tayar, P.E.	Abraham.TAYAR@odot.oregon.gov

From: Christine Gallina <cgallina@bluestonemgt.com>

Sent: Thursday, July 3, 2025 2:20 PM

To: James Graham <jgraham@orcity.org>

Cc: Chris Hohman <chohman@bluestonemgt.com>

Subject: RE: Following Up on Tenant Status

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 James,

I reached out to both sets of tenants and let them know that the homes are going to be sold as soon as possible and the owners will not be renewing the leases. I explained that the home would be marketed and shown to prospective buyers during their tenancy I shared that (in my opinion,) it may be disruptive to have real estate agents and their clients coming through on a potentially frequent basis. I offered both sets of tenants the option of moving out at any time without a full month's notice and encouraged them to check out the Bluestone website for any available properties that they might be interested in. I explained that if a buyer makes an offer with the intention of occupying the home they will be given 90 days' notice to move out. I asked both sets of tenants to let me know if they have any questions and to please let me know if they decide that they want to end their tenancies in advance of the homes being put on the market.

Per our conversation during the meeting:

I called both sets of tenants and explained that the houses are going up for sale. I explained the aforementioned details and gave them both the option of moving out early (no 30 days' notice necessary) without penalty.

The houses will go on the market with both sets of current tenants in place and they will be given at least 24 hours' notice as required by law in advance of any showings.

We will not give the tenants notice to move out unless an "owner occupied" offer to purchase is received.

I will keep you posted if either sets of tenants decide to give their notice to vacate.

I think that covers what we discussed and what Bluestone will be doing for the time being. Please let me know when the properties are ready to go on the market and if you need us to take care of anything to that end. Thank you and please let me know if you have any questions.

Best,

Christine



CITY OF OREGON CITY

625 Center Street
Oregon City, OR 97045
503-657-0891

Staff Report

To: City Commission **Agenda Date:** December 17, 2025
From: Tony Konkol, City Manager

SUBJECT:

Item 9.a. - Resolution 25-39, Reaffirming Compliance with Oregon Sanctuary Laws

STAFF RECOMMENDATION:

Staff recommend that the City Commission discuss the proposed Resolution and determine whether to adopt the Resolution as written.

EXECUTIVE SUMMARY:

The City Commission directed staff to bring forward a Resolution affirming the City's compliance with existing State of Oregon Sanctuary Laws, to clarify that the City of Oregon City does not deny services based on an individual's immigration status, and that City resources are not used to collect information concerning an individual's citizenship status or to assist federal immigration enforcement except as required by a valid warrant.

BACKGROUND:

OPTIONS:

1. Approve Resolution 25-39, Reaffirming Compliance with Oregon Sanctuary Laws.
2. Approve Resolution 25-39, Reaffirming Compliance with Oregon Sanctuary Laws with Amendments.
3. Deny Resolution 25-39, Reaffirming Compliance with Oregon Sanctuary Laws and provide further direction.

BUDGET IMPACT:

N/A

RESOLUTION NO. 25-39

A RESOLUTION AFFIRMING OREGON CITY'S COMMITMENT TO THE SAFETY AND DIGNITY OF IMMIGRANT COMMUNITY MEMBERS AND REAFFIRMING COMPLIANCE WITH OREGON SANCTUARY LAWS

WHEREAS, Oregon City is home to a vibrant immigrant community including many families who contribute to the cultural, economic and social fabric of the City; and

WHEREAS, Oregon City recognizes and values the diverse contributions of all individuals and is committed to upholding the dignity and respect of all people regardless of race, color, national origin, ethnicity, immigration or refugee status, heritage, culture, religion, sex, gender identity or expression, sexual orientation, ability, age, immigration or housing status, or economic status; and

WHEREAS, the City Commission recognizes that trust between immigrant residents and local government is essential to public safety and to the effective and equitable delivery of city services; and

WHEREAS, Oregon became the first Sanctuary State in 1987 and has continued to strengthen its sanctuary laws, most recently through the 2021 Sanctuary Promise Act (HB 3265), which reinforces Oregon's commitment to protecting immigrant and refugee communities; and

WHEREAS, the City of Oregon City has and will continue to comply with Oregon state law, including ORS 181A.820 through ORS 181A.829, which prohibits denying services based on an individual's immigration status, collecting information concerning an individual's citizenship status, using public resources to assist federal immigration enforcement, or otherwise providing information to federal immigration enforcement, except as required by a valid judicial warrant; and

WHEREAS, the City Commission acknowledges that federal Immigration and Customs Enforcement (ICE) actions have caused fear and harm in immigrant communities throughout the United States and Oregon City; and

WHEREAS, the City Commission affirms that all residents should feel safe accessing emergency services, reporting crimes, attending school, seeking medical care, and participating in civic life regardless of race, ethnicity, place of origin, or immigration status; and

WHEREAS, the values of Oregon City include fairness, dignity, and the protection of due process for all residents, and the City Commission seeks to support a welcoming environment for all who live, work, or visit the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF OREGON CITY:

Section 1. The City of Oregon City reaffirms its commitment to the safety, dignity, and rights of immigrant community members.

Section 2. The City of Oregon City declares it a policy of the City that the personnel and resources of the City of Oregon City shall prioritize the enforcement of City of Oregon City ordinances and Oregon laws and that all City officials, including law enforcement officers, shall strive to protect the rights of individuals as guaranteed by the U.S. Constitution and the Oregon Constitution.

Section 3. The City of Oregon City reaffirms that no City funds, personnel, equipment, or facilities shall be used for federal civil immigration enforcement except as required by a valid judicial warrant.

Section 4. The City of Oregon City reaffirms that City departments and personnel shall not inquire into immigration status, shall not share immigration-related information except as required by law, and shall not detain or prolong detention of individuals based solely on immigration status; and directs the City Manager to ensure that City policies, procedures, and staff training remain in full compliance with Oregon's Sanctuary Laws and the commitments set forth in this Resolution.

Approved and adopted at a regular meeting of the City Commission held on the 17th day of December, 2025.

DENYSE C. McGRIFF, Mayor

Attested to this 17th day of December 2025:

Approved as to legal sufficiency:

Jakob Wiley, City Recorder

City Attorney



CITY OF OREGON CITY

625 Center Street
Oregon City, OR 97045
503-657-0891

Staff Report

To: City Commission **Agenda Date:** December 17, 2025
From: Dayna Webb, Public Works Director

SUBJECT:

Item 9.b. - Second Reading of Ordinance No. 25-1014, Vacating 142 Square Feet of McLoughlin Promenade Property Located at 300 3rd Street

STAFF RECOMMENDATION:

The Commission approves the second reading of Ordinance No. 25-1014, vacating 142 square feet of McLoughlin Promenade property located at 300 3rd Street.

EXECUTIVE SUMMARY:

The City of Oregon City is working to designate McLoughlin Promenade, located at 300 3rd Street, as a *Charter Park*. As part of this process, the City must address several private properties that encroach onto park land. On August 6, 2025, the Commission authorized the City Manager to send letters of acknowledgment to affected property owners, offering to vacate the encroaching portions following submission of right-of-way vacation applications.

One affected property, 515 High Street, has a single-family home foundation that extends into McLoughlin Promenade. On October 7, 2025, the property owners, Philip and Vicki Yates, submitted an application requesting that the City vacate 142 square feet of property that is not needed for future use. On November 5, 2025, the City Commission adopted Resolution No. 25-33, initiating this right-of-way vacation process and setting the public hearing for this meeting (December 3, 2025) for the first reading of an ordinance (Ordinance No. 25-1014). Public notice was provided in accordance with ORS 271.110 and no objections were received during the notice period.

The proposed vacation meets all applicable conditions and requirements for vacating the subject right-of-way. Accordingly, the Public Works Department supports the proposed ROW vacation and recommends approval of the second reading of the ordinance completing the vacation process.

BACKGROUND:

The City of Oregon City is in the process of establishing McLoughlin Promenade, located at 300 3rd Street, as a *Charter Park*. This process includes identifying and addressing all existing private property encroachments onto parkland. One such encroachment involves the single-family home at 515 High Street, where the existing foundation extends onto park property.

On August 6, 2025, the City Commission authorized the City Manager's Office to send letters

to property owners with existing encroachments on McLoughlin Promenade. The letters acknowledged that the City would consider right-of-way vacations to resolve these encroachments, provided the owners submitted formal row vacation applications.

Following the August 6 meeting, Assistant City Manager Alex Troutman sent letters to the affected property owners, including Philip and Vicki Yates, owners of 515 High Street, where the current home's foundation encroaches onto City-owned park property. The letter informed the Yates of the encroachment and explained the City's process for addressing it as part of the broader effort to designate McLoughlin Promenade as a Charter Park. The item being considered at this meeting pertains specifically to the encroachment and requested right-of-way vacation at 515 High Street.

On October 7th, 2025, Oregon City Public Works received a ROW vacation application from the Yates requesting that the City vacate the 142 square feet of property to resolve the encroachment. As part of the application submittal, and as required by ORS 271.80, the applicants submitted a neighborhood signature petition that included only their own signatures, as their property is the only property directly affected by the proposed vacation. Staff reviewed the application and property history of both properties, based on the following four criteria:

1. There is no present or future public need for the street, alley, or easement.
2. The vacation is in the best public interest.
3. There would be no impacts to adjacent properties.
4. Consent of adjacent property owners when appropriate.

The application materials adequately address the criteria required to proceed with the vacation request. Based on this, the request was presented to the City Commission on November 5, 2025, with staff recommending approval of Resolution No. 25-33 to initiate the public hearing proceedings for this ROW vacation. The City Commission adopted Resolution No. 25-33, initiating this ROW vacation process and setting the public hearing for this meeting (December 3, 2025) for the first reading of an ordinance (Ordinance No. 25-1014). Public notice was provided in accordance with ORS 271.110, and no objections were received during the notice period. Notice of the public hearing and proposed vacation was published in the *Oregonian* on November 10 and 17, 2025.

In this case, the City has no current or future need for the 142 square feet of McLoughlin Promenade property. The proposed vacation will not adversely impact adjacent properties, and it is in the public interest to approve the vacation. Therefore, all applicable conditions have been met, and staff supports approval of the requested right-of-way vacation.

OPTIONS:

1. Approve Second Reading of Ordinance No. 25-1014, Vacating 142 Square Feet of McLoughlin Promenade Property Located at 300 3rd Street.
2. Approve Second Reading of Ordinance No. 25-1014, Vacating 142 Square Feet of McLoughlin Promenade Property Located at 300 3rd Street with Amendments.

3. Deny Second Reading of Ordinance No. 25-1014, Vacating 142 Square Feet of McLoughlin Promenade Property Located at 300 3rd Street and provide further direction.

BUDGET IMPACT:

Amount	\$0
Fiscal Year(s):	N/A
Funding Source(s):	N/A

ORDINANCE NO. 25-1014

AN ORDINANCE VACATING 142 SQUARE FEET OF UNIMPROVED RIGHT OF WAY LOCATED AT 300 3RD STREET - MCLOUGHLIN PROMENADE PROPERTY

WHEREAS, the City of Oregon City is in the process of establishing the City-owned McLoughlin Promenade, located at 300 3rd Street, as a *Charter Park*; and

WHEREAS, to achieve charter park status all private property encroaching on McLoughlin Promenade property must be removed or permitted to remain; and

WHEREAS, 142 square feet of the existing foundation of the current single-family house located at 515 High Street (Tax Lot 2-2E-31AC-04200) encroaches into McLoughlin Promenade property; and

WHEREAS, on October 7, 2025, Oregon City Public Works accepted a ROW application from Philip and Vicki Yates, property owners of 515 High Street, to vacate the 142 square feet of right-of-way property described in **Exhibit A** and depicted in **Exhibit B**, both attached to and incorporated herein by reference; and

WHEREAS, successful right-of-way vacation would remove the existing foundation as an encroachment from McLoughlin Promenade property, and allow the existing home and foundation to remain as originally built; and

WHEREAS, City staff has determined that the affected portion of McLoughlin Promenade property is not needed for current or future park use and provides no public benefit to surrounding properties; and

WHEREAS, the provisions of Oregon Revised Statute 271.110 governing the public right-of-way vacations, shall apply to this proposed vacation; and

WHEREAS, upon completion of the vacation, the vacated portion of McLoughlin Promenade will be deeded to the property owners of 515 High Street; and

WHEREAS, on November 5, 2025, the Oregon City Commission adopted Resolution No. 25-33, pursuant to Oregon Revised Statutes (ORS) 271.230, initiating the process and proceedings to vacate the subject McLoughlin Promenade property and set a public hearing for December 3, 2025; and

WHEREAS, in accordance with ORS 271.110, legal notice of the proposed vacation of park property and public hearing was published in *The Oregonian* newspaper on November 10, 2025 and November 17, 2025 to solicit public comment; and

WHEREAS, no objections or comments were received during the public notice; and

WHEREAS, on December 3, 2025, a public hearing was held for the proposed vacation of right-of-way; and

WHEREAS, the Commission found no present or foreseeable benefit to the surrounding roadways, pedestrian travel, or utility structure for the 142 square feet of McLoughlin Promenade property; the vacation serves the public's best interest; the vacation will not adversely impact the adjacent property owners; and there were no objections from the public regarding said vacation.

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. The 142 square feet of unimproved public right of way located at 300 3rd Avenue – McLoughlin Promenade in the City of Oregon City more particularly described in **Exhibit A** and depicted in **Exhibit B**, is hereby vacated.

Section 2. This ordinance shall take effect 30 days from the date of adoption.

Read for the first time at a regular meeting of the City Commission held on the 3rd day of December 2025, and the City Commission enacted the forgoing Ordinance this 17th day of December 2025.

DENYSE C. MCGRUFF
Mayor

Attested to this 17th day of December 2025,

Approved as to legal sufficiency:

Jakob Wiley, City Recorder

City Attorney



CENTERLINE CONCEPTS
LAND SURVEYING, INC.

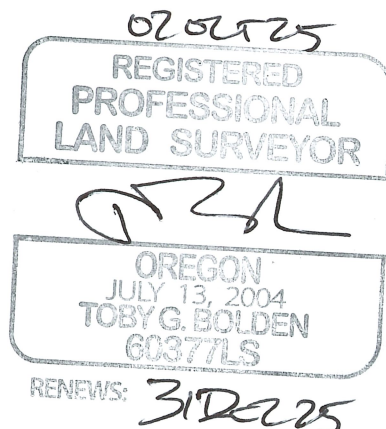
19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045
P. 503-650-0188 F. 503-650-0189

Exhibit "A"
Vacation
Legal Description

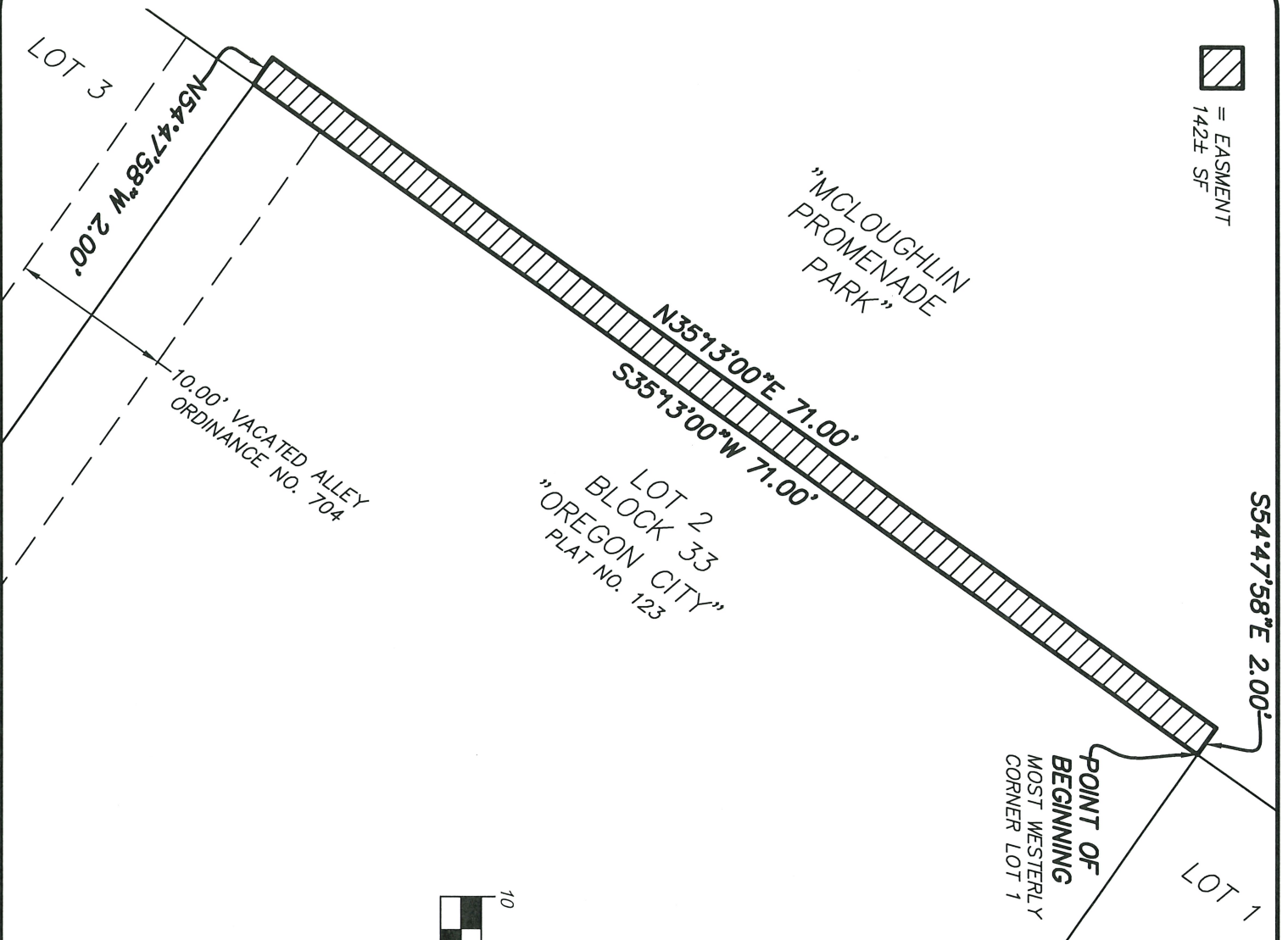
A portion of Mcloughlin Promenade Park, located in the Northeast one-quarter of Section 31, Township 2 South, Range 2 East of the Willamette Meridian, City of Oregon City, County of Clackamas, State of Oregon, being more particularly described as follows:

BEGINNING at the most westerly corner of Lot 1, Block 33, "Oregon City", Plat No. 123, Clackamas County Plat records; thence along the northwesterly line of said Block 33, South 35°13'00" West, 71.00 feet to the centerline of the vacated alleyway bisecting said Block 33; thence leaving said northwesterly line along the following three courses: North 54°47'58" West, 2.00 feet; North 35°13'00" East, 71.00 feet; thence South 54°47'58" East, 2.00 feet to the ***POINT OF BEGINNING***.

Containing 142 square feet, more or less.



 = EASEMENT
142± SF



GRAPHIC SCALE



(IN FEET)

1 INCH = 10 FT.

SIGNED ON: *02/25/25*

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Toby G. Bolden

OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS



RENEWS: DECEMBER 31, 2025

EXHIBIT "B" VACATION

CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON
SCALE: 1"=10'

CLIENT: OREGON CITY
ORIG. DATE: 9-22-2025
DRAWN BY: RLC
SHEET No. 1 OF 1


CENTERLINE CONCEPTS
LAND SURVEYING, INC.
19376 MOLALLA AVE., SUITE 120
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189



CITY OF OREGON CITY

625 Center Street
Oregon City, OR 97045
503-657-0891

Staff Report

To: City Commission **Agenda Date:** December 17, 2025
From: Tony Konkol, City Manager

SUBJECT:

Item 9.c. - City Manager's Salary Adjustment and Merit Pay for Performance

STAFF RECOMMENDATION:

The City Manager requests approval of a 2.5% salary step increase and a one-time merit payment for performance of 3% of the City Manager's annual salary based on the City Manager's accomplishments and performance for the past year.

EXECUTIVE SUMMARY:

N/A

BACKGROUND:

The City Manager's evaluation was conducted in executive session on December 10, 2025. As part of the evaluation, the Commission discussed the City Manager's accomplishments over the last year, including a review of the 23-25 Commission Goals, the Commission Goal Setting retreat, the new 25-27 Commission Goals, the City budget process as well as other highlights of projects, employment decisions, and overall direction of the city that have gone well. The City Manager's employment agreement notes, based on that review, the City Commission may consider salary adjustments and/or merit payment options. The Commission requested an opportunity to consider those actions during the Commission meeting on December 17, 2025.

The City budgets up to 3% for a salary increase and up to 3% for a merit payment. The City Manager has requested a 2.5% salary increase to this base pay (\$16,966/month to \$17,390.15/month), consistent with the existing management salary step increases for those eligible and a 3% merit payment (\$6,107.76), also consistent with the pay for performance maximum available to management staff.

History	Salary Increase	Merit Pay
1/1/25	3%	3%
1/1/24	2.5%	2.5%
1/1/23	0%	0%
1/1/22	0%	0%
1/1/21	0%	4.5%
1/1/20	2.5%	0%
1/1/19	1%	5%
1/1/18	0%	4%

1/1/17 0% 3.5%

OPTIONS:

1. Approve a salary increase of 2.5% and a merit payment of 3% for the City Manager.
2. Approve an alternative salary increase and/or merit payment for the City Manager.
3. Deny a salary increase and merit payment to the City Manger and provide further direction.

BUDGET IMPACT:

Amount	Merit Payment: 0% (\$0.00) - 3% (\$6,107.76) one-time payment Base Salary: 0% (\$0.00) - 2.5% (\$5,089.80) yearly base pay increase
Fiscal Year(s):	2025-2026
Funding Source(s):	Multiple