



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



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

Date: 12/22/2014

Jurisdiction: City of West Linn

Local file no.: ANX-14-02

DLCD file no.: 002-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 12/12/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Notice of the proposed amendment was submitted to DLCD 40 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us

DLCD FORM 2



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

FOR DLCD USE
DEPT OF
File No.:
DEC 12 2014
Received:
LAND CONSERVATION AND DEVELOPMENT

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

Jurisdiction: West Linn

Local file no.: **ANX-14-02**

Date of adoption: 12/8/14

Date sent: 12/11/2014

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

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 6/14/14

No

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

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

Local contact (name and title): Sara Javoronok, Associate Planner

Phone: 503-722-5512

E-mail: sjavoronok@westlinnoregon.gov

Street address: 22500 Salamo Road

City: West Linn

Zip: 97068-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

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

For a change to a comprehensive plan map:

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

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

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

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

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

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

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

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

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

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

For a change to a zoning map:

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

Change from FU-10	to R-7	Acres: 4.9
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

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

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

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

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

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

1. Final Decision NOtice from City Council approving the zone change to R-10 contingent on election results.
2. Resolution 2014-17 approved December 8, 2014 by City Council certifying the results of the election.


**WEST LINN CITY COUNCIL
FINAL DECISION NOTICE
ANX-14-02**

**IN THE MATTER OF AN ANNEXATION OF 4.9 ACRES OF REAL PROPERTY AT
22850 & 22848 S. WEATHERHILL ROAD**

At their meeting of July 14, 2014, the West Linn City Council held a public hearing to consider the request by John C. DeVries to annex 4.9 acres of real property at 22850 and 22848 S. Weatherhill Road. A motion was made, seconded, and passed to approve ANX-14-02, the annexation of 4.9 acres of real property at 22850 and 22848 S. Weatherhill Road, and designate a zone of R-7, subject to voter approval. The Council found as follows:

1. The application for the Step 1: Land Use Decision met the approval criteria of Community Development Code, Chapter 81, which refers to the Metro Code, West Linn Municipal Code, and Oregon Revised Statutes.
2. The property was appropriate for annexation since it was within the Metro Urban Growth Boundary and adjacent to incorporated properties and right-of-way.
3. The application met the owner consent and expedited decision requirements given that all owners and electors consented to the annexation.
4. The proposal complies with the criteria of Metro Code, Section 3.09.050(d) and (e), where applicable.
5. The Comprehensive Plan designates the site as Low Density Residential, which provides for zoning districts between R-40 and R-7. If approved by the voters, the site will be zoned R-7, which is single family residential with a minimum lot size of 7,000 square feet, because the site is designated low density residential and adjacent to existing properties that are zoned R-7.
6. The property is well suited for development. The City's public facility master plans contemplate service to the area and there is sufficient capacity to serve the property.

This decision is final upon the date of the signature on this notice. Those parties with standing may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) according to the rules adopted by LUBA.

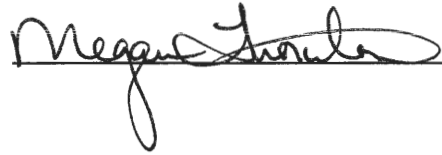


JOHN KOVASH, MAYOR

7-18-14
DATE

MAILED THIS ____ DAY OF JULY, 2014.

APPROVED AS TO FORM:



**RESOLUTION NO. 2014-17
WEST LINN, OREGON**

A RESOLUTION OF THE WEST LINN CITY COUNCIL CERTIFYING THE RESULTS OF THE NOVEMBER 4, 2014, GENERAL ELECTION

WHEREAS, at the General Election held on November 4, 2014, in and for the City of West Linn, Clackamas County, Oregon, Measure 3-458 Annexation of 2.126 acres into the City of West Linn; Measure 3-459 Annexation of 2.95 acres into the City of West Linn; Measure 3-460 Annexation of 4.9 acres into the City of West Linn; Measure 3-461 Northern perimeter of Wilderness Park for pedestrian and bike access; the Candidates for Municipal Judge; and the Candidates for City Council were submitted to the voters; and

WHEREAS, the election was conducted by mail in ballot by the Clackamas County Elections Department, which established polling places, precincts, and election boards for the election; and

WHEREAS, the precincts for said election constituted all of the territory included within the corporate limits of the City of West Linn; and

WHEREAS, the City is required to certify the attached election results and do hereby declare the following to be the total from the abstracts of the votes on the City of West Linn ballot for the November 4, 2014, General Election from Clackamas County:

	Yes	No	Total Votes		
For Measure 3-458:	7,877	3,274	11,151		
For Measure 3-459:	7,741	3,386	11,127		
For Measure 3-460:	7,532	3,552	11,084		
For Measure 3-461:	9,308	2,233	11,541		
 For Municipal Judge:					
	Rhett Bernstein	Write-Ins	Total Votes		
	6,465	159	6,624		
 For Council:					
Russel Axelrod	Jody Carson	Mike Jones	Brenda Perry	Write-Ins	Total Votes
5,613	3,232	3,600	5,348	67	17,860

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

SECTION 1: The abstract of votes certified by the Office of the Clackamas County Clerk are attached hereto.

SECTION 2: Ballot Measures 3-458 Annexation of 2.126 acres into the City of West Linn; Measure 3-459 Annexation of 2.95 acres into the City of West Linn; Measure 3-460 Annexation of 4.9 acres into the City of West Linn; Measure 3-461 Northern perimeter of Wilderness Park for pedestrian and bike access were all approved.

SECTION 3: Rhett Bernstein was re-elected as Municipal Judge for the term January 1, 2015, through December 31, 2018.

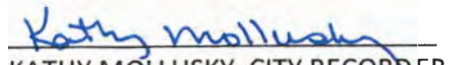
SECTION 4: Russell Axelrod and Brenda Perry were elected as City Councilors for the term January 1, 2015, through December 31, 2018.

This resolution was PASSED and ADOPTED this 8th day of DECEMBER 2014, and takes effect upon passage.



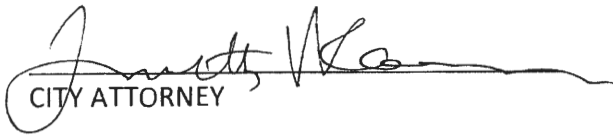
JOHN KOVASH, MAYOR

ATTEST:



KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:



CITY ATTORNEY

**Canvass Report — Election Voters — Official
Clackamas County, Oregon — General Election — November 04, 2014**

Page 71 of 141

11/24/2014 08:30 AM

Total Number of Voters : 161,652 of 229,859 = 70.33

Precincts Reporting 118 of 118 = 100.00%

City of West Linn Municipal Court Judge

Precinct	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Rhett L. Bernstein	Write-in	Totals
130	1958	1958	2665	73.47%	1016	23	1039
131	2088	2088	2888	72.30%	1117	25	1142
132	1630	1630	2338	69.72%	839	27	866
133	2786	2786	3641	76.52%	1434	30	1464
134	1935	1935	2484	77.90%	952	21	973
135	2063	2063	2676	77.08%	1107	33	1140
Totals	12460	12460	16682		6455	159	6614

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK

BY: _____

Sherry Hall

**Canvass Report — Election Voters — Official
Clackamas County, Oregon — General Election — November 04, 2014**

Page 72 of 141

11/24/2014 08:30 AM

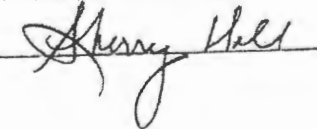
Total Number of Voters : 161,652 of 229,859 = 70.33

Precincts Reporting 118 of 118 = 100.00%

City of West Linn City Councilor (2 seats)

Precinct	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Jody Carson	Brenda M Perry	Mike Jones	Russell B Axelrod	Uncertified	Totals
130	1958	1958	2665	73.47%	510	841	547	848	9	2755
131	2088	2088	2888	72.30%	662	749	662	808	12	2893
132	1630	1630	2338	69.72%	420	661	510	662	10	2263
133	2786	2786	3641	76.52%	732	1190	841	1270	24	4057
134	1935	1935	2484	77.90%	415	999	426	1058	8	2906
135	2063	2063	2676	77.09%	493	908	614	967	4	2986
Totals	12460	12460	16892		3232	6348	3800	5613	67	17860

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK

BY: 

Canvass Report — Election Voters — Official
Clackamas County, Oregon — General Election — November 04, 2014

Total Number of Voters : 161,652 of 229,859 = 70.33

Precincts Reporting 118 of 118 = 100.00%

Measure 3-458 Annexation of 2.126 acres into the City of West Linn

Precinct	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	YES	NO	Totals
130	1958	1958	2665	73.47%	1242	505	1747
131	2088	2088	2888	72.30%	1348	535	1883
132	1630	1630	2338	69.72%	977	483	1460
133	2786	2786	3641	76.52%	1811	695	2506
134	1935	1935	2484	77.90%	1228	480	1708
135	2063	2063	2676	77.09%	1271	576	1847
Totals	12460	12460	16692		7877	3274	11151

CERTIFIED COPY OF THE ORIGINAL
 SHERRY HALL COUNTY CLERK

BY:

Sherry Hall

**Canvass Report — Election Voters — Official
Clackamas County, Oregon — General Election — November 04, 2014**

Page 125 of 141

11/24/2014 08:30 AM

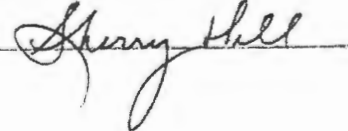
Total Number of Voters : 161,652 of 229,859 = 70.33

Precincts Reporting 118 of 118 = 100.00%

Measure 3-459 Annexation of 2.95 acres into the City of West Linn

Precinct	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	YES	NO	Totals
130	1958	1958	2665	73.47%	1251	494	1745
131	2088	2088	2888	72.30%	1341	544	1885
132	1630	1630	2338	69.72%	948	510	1458
133	2786	2786	3641	76.52%	1759	736	2495
134	1935	1935	2484	77.90%	1210	494	1704
135	2063	2063	2676	77.09%	1232	608	1840
Totals	12480	12480	16682		7741	3386	11127

CERTIFIED COPY OF THE ORIGINAL
SHERRI HALL, COUNTY CLERK

BY: 

Canvass Report — Election Voters — Official
Clackamas County, Oregon — General Election — November 04, 2014

Total Number of Voters : 161,652 of 229,859 = 70.33

Precincts Reporting 118 of 118 = 100.00%

Measure 3-460 Annexation of 4.9 acres into the City of West Linn

Precinct	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	YES	NO	Totals
130	1958	1958	2665	73.47%	1210	533	1743
131	2088	2088	2888	72.30%	1302	574	1876
132	1630	1630	2338	69.72%	932	514	1446
133	2786	2786	3641	76.52%	1720	772	2492
134	1935	1935	2484	77.90%	1183	513	1696
135	2063	2063	2676	77.09%	1185	646	1831
Totals	12460	12460	16692		7632	3552	11084

CERTIFIED COPY OF THE ORIGINAL
 SHERRY HALL, COUNTY CLERK

BY: *Sherry Hall*

**Canvass Report — Election Voters — Official
Clackamas County, Oregon — General Election — November 04, 2014**

Page 127 of 141

11/24/2014 08:30 AM

Total Number of Voters : 161,652 of 229,859 = 70.33

Precincts Reporting 118 of 118 = 100.00%

Measure 3-461 Northern perimeter of Wilderness Park for pedestrian and bike access

Precinct	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	YES	NO	Totals
130	1958	1958	2665	73.47%	1411	381	1792
131	2088	2088	2888	72.30%	1558	380	1938
132	1630	1630	2338	69.72%	1200	319	1519
133	2786	2786	3641	76.52%	2145	465	2610
134	1935	1935	2484	77.90%	1429	341	1770
135	2063	2063	2676	77.09%	1585	347	1912
Totals	12460	12460	16692		9308	2233	11541

CERTIFIED COPY OF THE ORIGINAL
SHERYNA L. COUNTY CLERK

BY:

Sherry Hall



PLANNING DEPT
22500 Salamo Road
West Linn, Oregon 97068

PLAN ADMENDMENT SPECIALIST
DEPT OF LAND CONSERVATION & DEVELOP
635 CAPITOL ST NE STE 150
SALEM OR 97301-2540

DEPT OF
DEC 12 2014
LAND CONSERVATION
AND DEVELOPMENT