



**Community Dev. & Planning**

117 N Molalla Avenue

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**REVISED**

**Notice of Hearing – Annexation**

**Date of Notice:** ~~September 25, 2019~~ October 16, 2019

**Date of Hearing:** ~~November 6, 2019~~ December 4, 2019

**Location of Hearing:** Molalla Adult Center 315 Kennel Ave., Molalla, OR 97038

**File No.:** AN01-2019

**Tax Lot(s):** 52E0701500

**Address:** SW Corner of HWY 211 & HWY 213

**Applicant:** Lyle Stratton of Stratton Innovations, LLC

**Owner:** Mike Graves of Crossroads Properties, LLC

**Proposal:** **Annex a 15.52 acre property contiguous property into the City of Molalla. Consistent with the Molalla Comprehensive Plan, the property is proposing that the property be zoned General Commercial (C-2). No new development is proposed at this time.**

**Current Use:** Agricultural field with no structures.

This notice is to inform you of a pending land use action for a property located at the SW Corner of HWY 211 & HWY 213. The owner proposes to annex the property into the City of Molalla. The current Clackamas County zone is Exclusive Farm Land Use (EFU). The property is located inside Molalla's Urban Growth Boundary and designated with a General Commercial Comprehensive Plan land use designation. Approval criteria are listed below:

**Oregon Revised Statute 222.127**

1. This section applies to a city whose laws require a petition proposing annexation of territory to be submitted to the electors of the city.
2. Notwithstanding a contrary provision of the city charter or a city ordinance, upon receipt of a petition proposing annexation of territory submitted by all owners of land in the territory, the legislative body of the city shall 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.
3. The territory to be annexed under this section includes any additional territory described in ORS 222.111 (1) that must be annexed in order to locate infrastructure and right of way access for services necessary for development of the territory described in subsection (2) of this section at a density equal to the average residential density within the annexing city.
4. When the legislative body of the city determines that the criteria described in subsection (2) of this section apply to territory proposed for annexation, the legislative body may declare that the territory described in subsections (2) and (3) of this section is annexed to the city by an ordinance that contains a description of the territory annexed. [2016 c.51 §2]

#### **17-4.3.070 Zone Change Criteria**

Planning Commission review and recommendation, and City Council approval, of an ordinance amending the Zoning Map, Development Code, or Comprehensive Plan shall be based on all of the following criteria:

- A. If the proposal involves an amendment to the Comprehensive Plan, the amendment must be consistent with the Statewide Planning Goals and relevant Oregon Administrative Rules;
- B. The proposal must be consistent with the Comprehensive Plan (the Comprehensive Plan may be amended concurrently with proposed changes in zoning);
- C. The City Council must find the proposal to be in the public interest with regard to community conditions; the proposal either responds to changes in the community, or it corrects a mistake or inconsistency in the subject plan or code; and

#### **Please submit comments pertaining to this proposal to:**

Alice Cannon, Planning Director  
PO Box 246  
Molalla, OR 97038  
[acannon@cityofmolalla.com](mailto:acannon@cityofmolalla.com)

A copy of the application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost and will be provided at a reasonable cost, upon request. **A staff report describing how this proposal conforms to the criteria will be available by October 30, 2019.** The decision will be mailed to the applicant and to those who either submitted written comments or who are otherwise legally entitled to notice. A vicinity map of the subject property is included for reference on the next page.

**Vicinity Map:**

