ANNEXATIONS AND URBAN GROWTH BOUNDARY AMENDMENTS

Section 4.700. Procedures Relating To The Processing Of Requests For Annexation And Urban Growth Boundary Amendments.

(.01) The City of Wilsonville is located within the Portland Metropolitan Area, and is therefore subject to regional government requirements affecting changes to the city limits and changes to the Urban Growth Boundary (UGB) around Wilsonville. The City has the authority to annex properties as prescribed in State law, but the City’s role in determining the UGB is primarily advisory to Metro, as provided in Oregon Revised Statutes. The following procedures will be used to aid the City Council in formulating recommendations to those regional entities. [Amended by Ordinance No. 538, 2/21/02.]

A. Proponents of such changes shall provide the Planning Director with all necessary maps and written information to allow for review by city decision-makers. The Planning Director, after consultation with the City Attorney, will determine whether each given request is quasi-judicial or legislative in nature and will make the necessary arrangements for review based upon that determination.

B. Written information submitted with each request shall include an analysis of the relationship between the proposal and the City's Comprehensive Plan, applicable statutes, as well as the Statewide Planning Goals and any officially adopted regional plan that may be applicable.

C. The Planning Director shall review the information submitted by the proponents and will prepare a written report for the review of the City Council and the Planning Commission or Development Review Board. If the Director determines that the information submitted by the proponents does not adequately support the request, this shall be stated in the Director's staff report.

D. If the Development Review Board, Planning Commission, or City Council determine that the information submitted by the proponents does not adequately support the request, the City Council may oppose the request to the regional entity having the final decision making authority.

(.02) Each quasi-judicial request shall be reviewed by the Development Review Board, which shall make a recommendation to the City Council after concluding a public hearing on the proposal, except in the following circumstance:

A. When an annexation in the Coffee Creek Industrial Design Overlay District is requested concurrent with a quasi-judicial Comprehensive Plan Map amendment and/or zone map amendment as specified in Section 4.197 (.02) A. and Section 4.198 (.02), the annexation shall be reviewed by the City Council without prior review or recommendation by the Development Review Board.

a. The ordinance adopting such annexation request shall state the annexation expires 120 days from Council adoption unless a Stage II Final Plan receives final local approval for the area subject to the annexation. In the event of a
LUBA appeal of the final local approval, the 120-day expiration period will be tolled pending completion of the appeal process.

b. Notwithstanding the process described above an applicant may elect to have the annexation reviewed by the Development Review Board for a recommendation to City Council concurrently with other land use applications for the subject property.

c. If the Planning Director anticipates that individuals other than the applicant can be expected to question the requested annexation’s compliance with the applicable criteria the Planning Director may require the annexation be first reviewed by the Development Review Board to make a recommendation to City Council.

(.03) Each legislative request shall be reviewed by the Planning Commission, which shall make a recommendation to the City Council after concluding a public hearing on the proposal.

(.04) As applicable, the City Council shall consider the information in the record of the Development Review Board or Planning Commission and shall, after concluding a public hearing on the request, determine the appropriate course of action. That course of action may be:

A. In the case of a proposed amendment to the Regional Urban Growth Boundary: forward its recommendation in the form of a Resolution to the Metro Council.

B. In the case of a proposed annexation to the City, select from the following as allowed by State law (ORS 222):
   1. Take no action;
   2. Declare the subject property, or some portion thereof, to be annexed;
   3. Set the matter for election of the voters residing within the affected territory; or
   4. Set the matter for election of City voters.

(.05) The City Council may adopt a development agreement with the owners of property that is proposed for annexation to the City, and such agreement may include an agreement to annex at a future date. A development agreement with an agreement to annex shall be subject to the same procedural requirement as other annexations in terms of staff report preparation, public review, and public hearings.

[Section 4.700 Amended by Ord. #812, 2/22/18]