



## STAFF REPORT ON DLCD LETTER ON THE MOLALLA PAPA 003-08 DATED SEPTEMBER 29, 2008

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This staff report covers comments received by the City of Molalla from DLCD (Department of Land Conservation and Development). Staff comments and suggestions are made in *Bold Italic* print.

### STAFF REPORT

Initial Steps:

DLCD staff recommends that the city adopt the following documents:

- Downtown Master Plan
- Parks and Recreation Master Plan
- Population forecast using OAR 660-024-0030 (4) safe harbor

Next Steps:

DLCD recommends tailoring a code for Molalla based on an existing tested model. We recommend that the City work with DLCD and other state agencies, utilizing the Transportation and Growth Management (TMG) program's code assistance resources to complete the comprehensive plan text, Title 17: Land Divisions and Title 18: Zoning. TGM and the department have produced a "Model Development Code for Small Cities" for adoption and use by cities across the state. The Model Code has been tailored for use by a number of jurisdictions for several years, so many of the "bugs" have been worked out, improving the ease of administering the code. The Model Code is available for review on our website at [<http://Oregon.gov/LCD/TGM/modelCode05.shtml>]

*In November of 2008 the Planning Commission requested that staff look into using the model code format with the language from the existing code. Staff began this process and completed the work in February of 2009. The new code has been reviewed by the state and further comments and staff report discussions can be found in both the ODOT and DLCD letters dated in March of 2009.*

In order to proceed with adoption at this time, the population projections report must use the safe harbor process outlined in ORS 195-034(3) and OAR 660-024-0030 (4). The population projections report also must be coordinated with Clackamas County approval and has been adopted the City can move forward and adopt the Employment Needs, Residential Land Needs and UGB Expansion Area Analysis.

***Staff addressed this issue through a staff report from DLCD in a letter dated March 2009.***

Please note that while this letter suggests an alternative process to the documents presented for adoption, DLCD is impressed with the effort and attention the City of Molalla has given to this undertaking. This is a difficult undertaking and requires consistency with multiple laws and plans. If the City decides to proceed with adoption of the documents that have been submitted to DLCD in the DLCD Notice of Proposed Amendments staff has prepared a memo with comments as an attachment to this letter.

Thank you again for the opportunity to review these documents. Please enter this letter, including attachments, into the record for proceedings on the Comprehensive Plan, supporting documents and zoning and subdivision rewrites. If additional comments are submitted to the record, DLCD respectfully requests that the record be held open for an additional seven days to enable department staff to review the material and/or provide comment. DLCD looks forward to reviewing the findings demonstrating how the Comprehensive Plan rewrite complies with statewide planning goals.

#### PLAN CONSISTENCY

Plan policies and development standards need to be consistent with other locally adopted plans, including the Transportation System Plan (TS) and the Downtown Molalla Development Plan and OR 211 Streetscape Plan. These plans each have recommended changes to existing City plans and codes; the City should ensure these recommendations have been carried over into the proposed Comprehensive Plan and development codes.

***Staff has worked through updates and cooperation with both DLCD and ODOT to make all the plans consistent with one another.***

#### POPULATION FORECAST

Our 18 March 2008 letter advised Molalla to use the “safe harbor” found in Oregon Administrative Rule (OAR) 660-024-0030(4) to forecast a 20-year population for the UGB. Clackamas County’s most recent coordinated forecast is more than 10 years old (1997), and the County Planning Director has informed the city that it is not in the county’s plans to update the forecast soon. OAR 660, Division 24 requires a current population forecast, prepared in conformity with the rule, to be employed for any amendment to an urban growth boundary. Without a recent forecast coordinated by the county, the safe harbor described above is the only option available to Molalla.

***See staff report from DLCD letter dated March 2009.***

## RESIDENTIAL LANDS NEEDS ANALYSIS

The Residential Lands Needs Report dated July 2008 states that “Molalla’s existing development regulations are not achieving planned densities or housing mix.” It is appropriate that the city proposes a higher overall average residential density for the future than the historic density. However, some other aspects of the analysis appear to work counter to that goal and the city’s ability to meet its future housing needs. For example, we strongly support the use of a minimum residential density, but proposing three residential zone designations with the same low minimum density (R-1, 4-8 units per net acre; R-2, 4-17; and R-3, 4-34) defeats the purpose of this efficiency standard. Although large-lot single-family would no longer be permitted in the R-3 zone, other single-family detached housing would still be permitted. Large-lots would continue to be permitted in R-2 as well as R-1. As proposed lands designated for higher density and more affordable housing options that are needed in the city may be built out as single-family detached housing.

*The most recent version (version 5) of the Comprehensive Plan, also consistent with version 4 of the plan has been changed to meet the actual densities which was a misprint in a previous version. The plan now discusses single-family, medium density, and medium-high density which are associated with different zones. These numbers have been adjusted to meet the actual density levels that the code now is consistent with. The density increase is 40% higher than the current density requirements in the plan. This increase shows that the City is making the best use of its lands. The current proposed densities as discussed in previous staff reports is also consistent with Metro’s requirements for small cities which is a standard we are not even required to meet.*

The same housing mix of 70 percent single-family/30 percent multi-family from the 1986 comprehensive plan is proposed for the future. This is significantly different than the actual historic mix<sup>1</sup>, it is not clear that the amended policies and zoning code will achieve the planned mix.

*The actual density requirements have been increased throughout the plan therefore densities will increase from existing density levels. Staff was unable to find the reference to this requirement and believes it was removed since it set a requirement that is not necessarily appropriate for the comprehensive plan.*

Certain figures used in the calculations for “land need” are not fully explained. For example, the use of 2.6 persons per household, when the 2000 Census showed 2.84, needs justification (see OAR 660-024-0040(7) (a) for a safe harbor regarding household size). Similarly, the use of a five percent vacancy rate, when the 2000 Census showed 3.9 percent, needs clarification.

*More recent updates to the residential land needs report address the vacancy rate. Staff is also aware of the work done which addresses the household size. If you look at the E.D. Hovee study and further addressed in the Winterbrook study justification is made on why*

*2.6 persons are adequate. Further studies done since that time actually show a decline of people per house which are more in the 2.2 – 2.4 persons. Staff will ask Winterbrook to address this issue in an upcoming staff report to be done on all the plans.*

The definition of “gross acre” in footnote 3 on p.8 is incorrect and leads to a conclusion of a need for more land than if the correct definition were used. Gross and net acreage are terms used to express density in the form of housing units per acre. “Gross acre” is the amount of land before anything is removed for any reason. “Net acre” is after land for streets & other infrastructure has been subtracted. Goal 5 and 7 areas not relevant to the gross v. net *density* calculations. The report incorrectly removes Goal 5 and 7 (natural resource and hazard) areas to arrive at “gross acres.” Goal 5 and 7 areas are considered in a different part of the residential land needs analysis.

*See the staff report from DLCD dated March 2009 for a detailed explanation.*

#### COMPREHENSIVE PLAN – GOAL 2

Molalla is no longer required to complete periodic review. The comprehensive plan makes several references to periodic review; these references should be deleted (version 3, page 11 under Comprehensive Plan Revision and interpretation).

*Only one reference exists regarding periodic review and staff has altered the wording to address the concerns of the state. This issue was addressed in detail in a more recent staff report.*

#### COMPREHENSIVE PLOAN – GOAL 9

Industrial Development Policy 4 states: “To minimize impacts on Clackamas County’s agricultural land base, Class 1 agricultural soils shall be preserved outside the UGB.” This should be revised; it is state policy to preserve farmland in general and not a subset of farmlands such as Class 1.

*This comment was discussed in detail in a previous staff report.*

Industrial Development Policy 5 states: “The city shall protect industrial lands from being converted to commercial uses by prohibiting commercial uses in industrial land in the M-1 and M-2 zones.” This appears to contradict Economic Development Policy 10: “Commercial and service uses in the City’s industrial zones should be limited to small-scale retail and service uses that cater primarily to local area employees and customers.”

*This policy was to address the needs of small scale mixed industrial commercial development. This zone addressed the small parcels surrounding heavy industrial sites which were not of adequate size to develop with industrial development but had more*

*potential with limited commercial uses along with allowances of industrial development if such a development would work with the city.*

#### COMPREHENSIVE PLAN – GOAL 10

Housing Policy 14 says that certain types of standards are required to deal with “adverse impacts of higher density housing on adjacent properties” The city should avoid conflict with the needed housing statutes in ORS 197 and not discourage the development of higher density housing with too many conditions, some of which are subjective, and some of which (i.e., horizontal buffers) are also an inefficient use of urban land.

*This criteria makes statements to ensure the protection of surrounding uses by higher impact uses such as high density housing. Staff believes that there are no violations of the housing statutes (ORS 197) because of the language that was used was intended to show how the city would buffer and site such uses. The following is the language from the high density housing policy (#14) from the Comprehensive Plan:*

*“In order to minimize the adverse impacts of higher density housing on adjacent properties, the City shall establish clear standards for:*

- The placement and design of mobile home or manufactured dwelling parks;*
- Buffering by means of landscaping, fencing or distance from conflicting uses;*
- Compatibility of design, recognizing the conflicts of mass and height between apartment buildings and houses; and*
- On-site recreation space as well as pedestrian and bicycle access to parks, schools, mass transit stops and convenient shopping.*
- Placement of buildings to minimize the visual effects of parking areas and to increase the availability of privacy and natural surveillance for security.”*

DLCD strongly supports the minimum density standards in Housing Policy #17.

*Staff appreciates the response from DLCD on this matter and would like to point out that conflicts existed in this policy and it has been revised. Sections of this policy stated that densities should be within the areas of the minimums and maximums while another sub policy stated must be 80% of maximum density achieved. The sub policy would basically increase the density for a minimum to 80% of the maximum and there would be no consistency with this measurement therefore the logical way to move forward would be to set minimum and maximum densities and ensure that the densities are met within those standards.*

Housing Policy 18 is not consistent with state law. Manufactured homes on their own lots must be permitted in all zones in which stick-built detached homes are permitted; manufactured homes on their own lots must be added as a permitted use not only in R-2, but also in R-1 zones.

*Staff has made adjustments to the manufactured home code allowances to ensure these comments have been addressed.*

DLCD has concerns with the Residential Plan Designations. The City already has a zone with this very low density – R-1. We haven't seen data and analysis to support "equestrian residential" as a needed housing type. Molalla needs to provide for all of its "needed" housing types inside the UGB before it designates any land for an "equestrian" zone.

*The analysis prepared by Winterbrook planning explains the equestrian residential needs and how overall densities have been achieved. Communities are given the right to vision and create development standards that are consistent with the community needs and desires so long as they meet the goals and statutes. More in depth discussion can be found in the staff report from a DLCD letter dated March 2009.*

- Single-Family, Multiple Family, and Mixed Use Residential Measures: To be measures, terms such as "can," "may," "should," and "are typically" must be replaced by "shall" or "must."

*Terms have been adjusted in more recent versions to address this comment.*

- Mixed Use Residential Measure: Molalla may want to reconsider the following sentence; "These developments are difficult to finance and often cannot be made profitable for one developer to undertake. There are few such projects in Oregon." This may have been true in the past, but there have been many successful mixed use residential developments in Oregon. (Sidebar, there's a typo at the end of the 3<sup>rd</sup> bullet: "perimeters" should be parameters.)

*Staff has made the recommended changes and recommends approval of these changes as discussed in earlier staff reports in detail.*

- Community Planning Areas: An implementation map should be adopted along with plan policies.

*Staff would concur with this except it should be done during Phase II of this process which involves zone changes. It would be hard to address the implementation map without first providing the location for the overall zoning which is why it would be more appropriate to address this issue at the time of adoption of Phase II of the process.*

- Residential Land Use, high-density development: Molalla is encouraged to re-zone for higher densities near the CBD as an effort to be proactive about “encouraging” HDR development near CBD.

*Staff has addressed the need to look into housing compatibility for the CBD at time of zoning going into place which is part of Phase II.*

- Residential Land Use, duplexes: To provide more affordable housing and a greater variety of housing types and lot sizes all corner lots in new subdivisions in all zones that allow single-family housing should “permit” duplexes instead of “encourage” them.

*The Planning Commission encourages them in the comprehensive plan which is further allowed outright in the development code.*

- Residential Plan Designations, Single Family Residential, and Equestrian Residential Overlay; See comment above.

*Staff has discussed this issue in more detail in more recent staff reports in letters from DLCD.*

- Residential Plan Designations, MDR: The low end of the density range – 4 du/acre – too low; 7 or 8 are more reasonable.
- Residential Livability Policy #24: Requiring housing units above or behind commercial uses in the downtown to “go through an extensive design review process” could discourage the development of needed housing; see the needed housing statutes (ORS 197.295-197.314).

*This density range addresses several different zones which are appropriately zoned for density. Staff has requested findings from DLCD as to where specifically the statutes address these densities as not being appropriate.*

- Residential Plan Designations, Medium-High DR: The low end of the density range – 8 du/acre – is too low; 12 or 15 are more reasonable.

*See staff report from DLCD letter dated March 2009 for an in depth discussion of this section.*

## GOAL 11

- Background, public facility plan updates: Molalla plans to delay updating the public facilities master plans, but the city needs current public facilities plans to determine locations for both the URA and the UGB. The factors for designating URAs (Division 021) and evaluating UGBs (Goal 14, ORS 197.298 & Division 024) both include a public facilities analysis.

*A public facilities analysis is being updated pursuant to the requirements of the statutes and will be available prior to the end of the review process before the Planning Commission.*

- Policy #20: Implementation of this policy is likely to trigger the need for *Dolan v. City of Tigard* “proportionality” findings in applicable decisions on development applications. The City may want to have their attorney take another look at this policy.

*Staff feels that since this is a fire flow issue that safety can be required to be met to make the residents and visitors of an area safe. The discussion of a looped system does not mean that an extension of any specified distance is required it simply means where called for such looping shall be required.*

- Sanitary Sewer Policies #43 & #44 should be moved to the Water policies.

*These policies have been moved as a result of previous changes to the code and/or more recent staff reports.*

- Water Policy #55: Revise to: “The City shall design **and adopt** a storm sewer and sanitary sewer master plan.”

*Staff used "update" since established plans are already in existence.*

- Solid Waste Policy #77 is vague. Identify “the district.”

*Molalla as does many areas around it lie within a service district for garbage services. The City has the right to opt out however this policy is discussing how when joined with the district we will work with them to ensure adequate services to all areas of the community.*

- School District Policy #83: Because schools serving urban populations may not be located outside UGBs, change “should” to “shall.”

*The Molalla River School District serves one of the largest land coverage areas of any school district. Therefore the City will encourage new schools to be placed within the City, however we are not allowed to require them only to be built within the City limits. They school district may choose to locate schools closer to the actual location they serve.*

- School District Policy #85: The reference to “Policies 6-9 below” isn’t consistent with the actual numbering.

*Staff recommends such change to the Planning Commission.*

## GOAL 12

The Goal 12 plan element is only one page long. The text refers to the TSP for background information, analysis, policies and standards. At minimum, it would be helpful to describe the goals and policies in the Comprehensive Plan. The text lists one transportation goal: “To reduce

congestion and provide for a safe and convenient transportation system throughout the City of Molalla.” This single goal is not consistent with the four TSP goals, which are:

- Promote a balanced, safe, and efficient transportation system.
- Ensure the adequacy of the roadway network in terms of function, capacity, level of service, and safety.
- Promote alternative modes of transportation.
- Identify and prioritize transportation improvement needs in the City of Molalla, and identify a set of reliable funding sources that can be applied to these improvements.

The focus of the proposed goal is on congestion, with some explanation that higher volumes of traffic, including trucks and other large vehicles, negatively affect the pedestrian environment in the downtown area. If this is the reason behind the goal, perhaps the goal should be in support of creating and maintaining a pedestrian-friendly environment, rather than congestion reduction. The four goals in the adopted TSP should be adopted into the Comprehensive Plan in place of the proposed goal. The TSP also makes a number of other recommendations for changes to the existing Comprehensive Plan and development codes, the City should ensure these recommendations have been carried over into the proposed Comprehensive Plan and development codes.

***Staff has updated this section of the comprehensive plan and more staff recommendation analysis can be seen in details in the staff report from a DLCD letter dated March 2009.***

#### GOAL 14

- Agricultural and Forest Lands Protection: The city may want to consider revising “rural community” to something like: “a small community surrounded by rural farmland.” As an incorporated city, Molalla isn’t a “rural community,” which is something else in Oregon land use planning law.

***Staff believes the language used does not suggest that Molalla is claiming to be rural as in the City since cities are urban centers. The language is stating that we are a “rural” community. In other words we are a community which lies out in a rural area. The fact that we identify ourselves as a city dispels the notion of our concentration as rural. Staff feels that this is simply a word slight and not necessary to be changed as it does not violate any rules or regulations and does not pretend to position Molalla in a light other than a city.***

- The UGB: This section isn’t accurate. It should be rewritten, including a citation to OAR 660, Division 024.

***Staff is having Winterbrook review this section and determine if any change is necessary. Any such change or recommendation from Winterbrook not to change will be presented to the Planning Commission for review in the public hearings.***

- Molalla's 2026 UGB: To achieve a full 20-year land supply in its UGB, Molalla needs to use a 2008-2028 or 2009-2029 planning period (see OAR 660-024-0040(2) for how to determine when the 20 years begins).

*Winterbrook is currently addressing this criteria and will make the appropriate adjustments which will be presented to the Planning Commission in a staff report.*

- Urban Growth Area Information: 2<sup>nd</sup> bullet near top of p. 63 doesn't make sense.

*Staff concurs with this comment and recommends removal of this bullet from the comprehensive plan.*

- Urban Growth Area Information: Because Molalla hasn't yet demonstrated that it needs to expand its UGB, the following sentence on p. 63 should be revised to "The Urban Growth Boundary [currently does] **may** not contain an adequate supply of residential, commercial, industrial, or public land to meet the needs of the City **for the 20-year planning period**. The City will [review] **evaluate** the Urban Growth Boundary [immediately] to [obtain] **determine whether** the required 20-year inventory required by Statewide Planning Goal [10] **14 can be accommodated, or whether the Urban Growth Boundary should be expanded to meet one or more of the city's 20-year land needs.**"

*See the staff report dated March 2009 for more detailed explanation of this section.*

- ORS 197.298 Priorities: The federal government (US Soil Conservation Service in the Dept. of Agriculture) maps soil types, not the state.

*Staff cannot find this reference in the version 5 comprehensive plan therefore it may have been changed since a previous version.*

- Urbanization Goals: 1<sup>st</sup> goal refers to a 2027 UGB. Elsewhere it's referred to as a 2026 UGB. Neither is correct; see comments above.

*Staff concurs with this comment and recommends a change to 2029 to be consistent with other recommended changes in the plan.*

- Urban Growth Management Policy #1: Because Goal 14 prohibits urban development outside UGBs and rural development inside UGBs, revise to: "Urban development will be [encouraged] **required** within the UGB consistent with..."

*Staff recommends making this change to the plans.*

- Urban Growth Management Policy #7 should be clarified: “The City shall work with Clackamas County to amend the DIAA to include an overlap map limiting **the minimum lot or parcel size in** land divisions to 10 **acre** or [more] **larger** within the URA and [five acres or more within] the UGB.” To allow for future urbanization areas (the UGB) should be at least 10 acres. Also, spell out what “DIAA” means, for those who don’t know.

*Staff would recommend this change to the plans.*

- Urban Growth Management Policy #7.4: Unless and until the UGMA between the city and county explicitly assigns land use jurisdiction within the URA to the city the County has jurisdiction and review for conformance with the county’s comp plan.

*Staff would concur with this. The intent was not to control those lands it was to provide input on how lands that would be future urban lands would be developed. Other requirements mentioned above would achieve what the City is desiring.*

- Urban Growth Management Policy #15: UGB amendments proposed by a city are legislative, not quasi-judicial. Only proposals from a private or public property owner can be quasi-judicial. The county doesn’t propose UGB amendments; it adopts amendments proposed by the city or a property owner and approved by both the city and the county.

*Staff would concur with this. This language has been changed in the update that was submitted and responded to in 2008.*

- Urban Growth Management Policy #16: Add “for” between “tracts of land” and “efficient future urban.”

*Staff concurs with this change.*

General: This chapter contains a number of standards, with some scattering and inconsistency within the chapter. This may lead to difficulties in administration. For example, depending on the part of the chapter, there are different standards for blocks, and the width of the pedestrian way. There are multiple sections on lot sizes and flag lots which may conflict. There is no provision for the installation of roundabouts. Roundabouts should be considered at intersections where appropriate.

*This section has been changed in the code update that occurred in December of 2008.*

010(4): Standards for narrow or “skinny” streets should be clarified. Specific lane, sidewalk and right-of-way widths should be in the code. Skinny streets should be used for most local residential streets as a rule rather than an exception.

*Staff concurs with this comment and will make the appropriate recommendations in a future staff report on how to address skinny street standards.*

200 & 210: Standards should be reviewed against the TSP to ensure consistency.

***Staff will review this section in more detail and provide a more in depth report in future staff reports.***

210(5)(b): Our experience with other communities has shown that street pavement widths as narrow as 28 feet are acceptable for two-way local residential streets, however 30 feet is acceptable. Local streets of this width should be permitted in most cases, and not be restricted to dead end streets, streets with cross-slopes or areas with constrained right of way. The construction of wider local streets should be the exceptional case. This policy is supported in the Transportation Planning Rule, section 660-12-0045(7).

***While staff would concur with the idea presented here the fact that Molalla is a smaller community which houses many larger vehicles requires the adequate right-of-way mentioned in the Transportation Systems Plan.***

210(7): Sidewalks in a main street/downtown context may need to be wider than 8 feet. Review this requirement for consistency with the TSP and Downtown Molalla development and OR 211 Streetscape Plan.

***This change has been addressed in a more recent staff report in a letter dated March 2009 from ODOT.***

700, 750 & 800: These sections deal with installation of infrastructure and would make more sense as a part of chapter 17.62.

***This change has been made in more recent updates.***

Code chapter 18.40

This chapter is titled “Standards for Public Facilities,” but pertains only to the analysis of, and fees charged for, traffic impact of new development. Section 300 deals with the administration of developer-constructed improvements. This section is not titled correctly and contains provisions which are not related to each other, but to other sections of the code. The City should review Title 18 to ensure that provisions are not duplicated unnecessarily nor in conflict with one another.

***Changes made to the code in December of 2008 include these types of changes and have been fixed.***

#### Code chapter 18.42

This two-paragraph chapter is acceptable. It may make sense to place these requirements with other related provisions so they are not overlooked.

#### Code chapter 18.44

This chapter pertains to off-street parking requirements. The minimum number of spaces required is high in a number of categories. Section 3.3 of the Model Code is a good example of minimum parking space requirements. A number of land use categories are repeated. It would be advisable to reduce the number of categories with a requirement, keep the minimum number of spaces required in each category low, and provide for adjustments through a site review or conditional use process,

*Staff has made these changes as part of a request by the Planning Commission in early hearings in November to look at using the Model Code format. The parking requirements reflect the model code recommendations.*

There should be provisions encouraging the development of parking lots beside or behind commercial buildings rather than in front of them. These provisions may better be suited within code sections for commercial zones or site design.

*These provisions have been made as part of the newly written code from December of 2008.*

#### Chapter 18.56: Water Resources Overlay District

##### 18.56.30 Department of State Lands Notification

“The Oregon Department of State Lands (DSL) shall be notified in writing of all applications to the City of Molalla for development activities, including applications for plan authorizations, development permits, or building permits, and of development proposals within the Molalla UGB, that may affect any wetlands including non significant wetlands, creeks or waterways identified in the Local Wetlands Inventory or Natural Features Inventory.”

*This notice is required element of planning. Staff has no concerns with adding this language to the plan and would recommend such an addition.*

##### 18.56.50 Modification of WR Overlay District Boundaries

- “(3) The approval authority may modify the boundaries of an isolated significant wetland (i.e., a wetland that is not within 50 feet of the top-of-bank of a significant stream) when all of the following criteria are satisfied:”

**Comment:** Would need justification under an ESEE.

*Staff is currently working with consultants on this issue to ensure adequate code is presented to the Planning Commission.*

- “(4) The approval authority may reduce the stream corridor boundary in highly disturbed areas by up to 25 feet when all of the following criteria are satisfied:”

**Comment:** Would need justification under an ESEE. Safe harbor only allows this reduction for 75’ buffers on streams with flows over 1000cfs.

*See above comment.*

18.56.70      Development Regulations

In addition to the requirements of the underlying zone, the following restrictions and exceptions shall apply within the WR Overlay district:

**Comment:** Need to have the caveat of allowing these uses only if they are “designed and constructed to minimize intrusion into the riparian area.” Requirements for wetlands is more restrictive than for riparian areas if using safe harbor.

*See above comment*

Code chapters 19.94.100 & 19.94.200

These chapters deal with the criteria and procedures for annexation, respectively. The criteria are very general, and even though criterion 2 is “The application complies with all requirements of State law,” the criteria should be reviewed for consistency with law as well as Clackamas County plans, policies and agreements prior to adoption, likewise, the annexation procedures should be reviewed for consistency with the law.

*Staff has made significant changes to this section as part of an updated code from December 2008.*