

April 25, 2016

To: Board of County Commissioners

From: Mike McCallister, Planning Director

RE: City of Damascus Disincorporation / Application of County ZDO and Comp. Plan

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The Clackamas County Planning and Zoning Division 2016-2017 work program approved by the BCC includes a project to apply the County's Comprehensive Plan and Zoning and Development Ordinance (ZDO) to land within the City of Damascus upon disincorporation. The City of Damascus adopted the 2005 edition of the County's Comprehensive Plan and ZDO (in 2005). Those regulations will remain in effect until such time as the City disincorporates and the County applies new land use regulations to the area (i.e. 2016 version of the Comprehensive Plan and ZDO, including new land use regulations for marijuana businesses).

The vote on disincorporation is May 17, 2016. If approved, the effective date of disincorporation is 60 days later (July 18, 2016).

Irrespective of the outcome of the disincorporation vote, the County intends to continue the process to apply the County's Comprehensive Plan and ZDO to those properties which have already de-annexed from the City (and not annexed to the City of Happy Valley) and to any other properties that de-annex in the future.

The following schedule is proposed for public notice, property owner notice and public hearings to ensure the County's Comprehensive Plan and ZDO is applied to any land de-annexed or disincorporated from the City of Damascus.

- **May 9, 2016: DLCD Notice.** As required by law, the County will send official notice (35 day notice) of the proposal to the Department of Land Conservation and Development (DLCD).
- **May 17, 2016: Disincorporation Vote.** Regardless of the outcome of the vote, the County continues with the process to apply the County's Comprehensive Plan and ZDO to those lands that have already de-annexed from the City of Damascus (and not subsequently annexed into Happy Valley) and any lands that de-annex or disincorporate in the future.
- **May 18 - 20, 2016: Individual Property Owners Provided Notice of Public Hearings.** As required by law, the County will mail notices of Planning Commission and Board of County Commissioners public hearings to all property owners within the original City limits of Damascus (not including those that have annexed into the city limits of Happy Valley). The County will also mail notice of Planning Commission and Board of County Commissioners public hearings, as required by law, to all affected state, city and other

agencies, and interested parties.

- **June 13, 2016: Planning Commission Public Hearing.** The Planning Commission will make a recommendation to the Board of County Commissioners, following public input and testimony.
- **June 22, 2016: Board of County Commissioners Public Hearing.** Following public input and testimony the BCC will make a final decision on the proposal. The BCC has the option to adopt an emergency clause to make the Ordinance effective immediately.

If approved, the Ordinance would:

1. Immediately take effect on any property which has already de-annexed from the City of Damascus and not annexed into the City of Happy Valley.
2. Take effect on any property within the City of Damascus that de-annexes prior to disincorporation of the City at the time of de-annexation.
3. Take effect on any property within the City of Damascus upon its disincorporation (July 18, 2016, or any later date of official disincorporation).