

CITY OF SHERWOOD

RESOLUTION 207

A Resolution furthering annexation to the City of Sherwood of the territory described as follows:

See Attached Legal Description

WHEREAS, the annexation of the territory to the City has been initiated by landowners' statements of consent, in accordance with ORS 222.170, and would therefore constitute a so-called "triple majority" annexation under ORS 222.170 and a "minor boundary change" under the boundary commission law, ORS 199.410 to 199.510; and

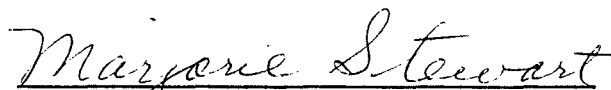
WHEREAS, the City Council has held a public hearing on November 12, 1980 after giving notice of said hearing to property owners within 300 feet of the territory and other affected parties and has considered the recommendations of the Planning Commission,

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SHERWOOD, a municipal corporation of the State of Oregon, at a regular session held on the 10th day of December, 1980, that:

Section 1. The Council hereby approves the proposed annexation, adopts the findings contained in the attached staff reports dated October 22, 1980 and October 23, 1980 and requests the Commission to approve it and effect it as soon as possible.

Section 2. The City Recorder is hereby directed to file certified copies of the statements of consent and of this Resolution with the Portland Metropolitan Area Local Government Boundary Commission upon the conclusion of the County review period pursuant to the Sherwood-Washington County Urban Planning Area Agreement.

The foregoing Resolution adopted 10th day of December 1980.



Mayor

City of Sherwood
P.O. Box 167
Sherwood, Oregon 97140

MEC001
8-15-80
R.E.L.

LEGAL DESCRIPTION FOR ANNEXATION

A tract of land situated in the Northeast one quarter of Section 28, Township 2 South, Range 1 West of the Willamette Meridian in the County of Washington and State of Oregon, more particularly described as follows:

Beginning at the point of intersection of the West line of said Northeast one-quarter of Section 28 with the center line of the Southern Pacific Railroad right of way, said point being Southerly 1100 feet, more or less, from the North one-quarter corner of Section 28; thence from the point of beginning Northeasterly along the centerline of the S.P. right of way 1450 feet more or less to the centerline of Cipole Road, County Road No. 505; thence Southeasterly along said centerline 2050 feet more or less, to the centerline of S.W. Tualatin - Sherwood Road, County Road No. 492; thence Southwesterly along said centerline 1680 feet, more or less, to the intersection of the centerline of S.W. Edy Road, County Road No. 1070; thence Westerly, along the centerline of S.W. Edy Road, 160 feet, more or less, to the West line of the Northeast one-quarter of Section 28; thence Northerly, along said West line 1480 feet, more or less, to the point of beginning.

STAFF REPORT

October 22, 1980

CITY CASE NO: AN-80-03

SUBJECT: Property Owner Initiated Petition for Annexation to the City of Sherwood

LOCATION: Cipole Road (Tax Lots 2S1 28A : 400, 500, 600, 601.)
See Figure 1

PETITIONERS: William and Mary Young; Walter and Madge Cole and Marjo Properties.

OTHER INVOLVED PROPERTIES: Al Chavez

APPLICABLE STANDARDS FOR REVIEW:

City: Part 2 "Community Development Plan", Section III Growth Management, Section IV F, Industrial Land Use, Sections VI Transportation and VII Community Facilities and Services as a basis for a service and access evaluation and Section VIII Economic Development.

County: Washington County Comprehensive Framework Plan; Washington County - Sherwood Urban Planning Area Agreement.

Metro: Land Use Framework Element of the Regional Plan, esp. Section 8 and the Urban Growth Boundary Map.

State: 1) LCDC Goals and Guidelines esp. Goals 1, 2, 3, 11, and 14.
2) OAR 660-10-060 Section IV. B. specifying criteria that must be met for lands not subject to an acknowledged plan.
3) ORS 199.490 (3)(a) and 222.170 PMALGBC guidelines for triple majority annexation proposal review.

BASIC FACTS

Growth Management

The site is within the Urban Growth Boundary and outside the Immediate Growth Boundary (City: future urban, County: "Urban Intermediate")

Land Use

Current Zoning: All tax lots involved are zoned MAE (land extensive manufacturing)

Plan Designation: Future Urban; GI (General Industrial)

Acreage (See figure 2)

2S1 28A : 400 = .90
 : 500 = 39.54
 : 600 = 19.41
 : 601 = 4.86

Total Area = 64.71

Est. Buildable 58

Existing Structures and Uses

TL 400 Commercial lumber yard with single family detached dwelling.
500 Agriculture, including a farm related single family detached dwelling.
600 Agriculture, including a farm related single family detached dwelling.

TL 601 Industrial truck equipment and repair.

Environmental Resources

Topography (See figure 2): Northwesterly 0-7%

Soils

Type: Mix of alluvial loams

Limitations: Natural drainage is moderately good. Permeability is moderately slow. Slow run off with slight erosion potential.

Agricultural Capability Class: Class II and III

Flood Plain: Not applicable

Recreation Resources: Not applicable

COMMUNITY FACILITIES AND SERVICES

Water: No existing urban service. A 12" main to be constructed as a part of the Rock Creek Sewer and Water LID with terminus at site's southwest corner in early 1981.

Sewer: No existing urban service. An 8" lateral to be constructed as a part of the Rock Creek sewer and water LID with terminus at northerly boundary of site in early 1981.

Drainage: No existing developed facilities.

Public Safety: Currently, Washington County Sheriff's Department; new service would be from the Sherwood Police Department.

Transportation:

Vehicle Access: Access is via Cipole Road (County, 40' RW, 20' PV) and Tualatin-Sherwood Road (County, 60' RW, 20' PV)

Bike and Pedestrian Access: No existing facilities

Transit: No existing service to site. 1/2 mile to nearest bus stop.

FINDINGS

1. Growth Management

- a. The Site is contiguous to existing in-city industrial development.
- b. A City plan amendment to include the site within the Immediate Growth Boundary is required prior to City action on an annexation request. A plan amendment request is being processed concurrently with the annexation request. (PMA-80-01)
- c. The City currently has a total of 130 vacant buildable industrial acres of which 102 acres are planned for general industrial use (GI) and 28 acres are planned for Light Industrial use (LI). All of these vacant acres will require the completion of the Rock Creek LID improvements scheduled for 1981 in order to be developed. It is expected that much of this vacant land will be developed immediately upon completion of the required facilities since City reviews have already been initiated or preliminary plans have been discussed.

1. d. The City-County Urban Planning Area Agreement requires that a County Plan Amendment process be initiated concurrently with City reviews and completed prior to any action being initiated with the Boundary Commission by the City.
2. Land Use
 - a. The petitioners are seeking annexation in order to develop general industrial uses consistent with the Comprehensive Plan.
 - b. Development under current Washington County MA-E zoning is not possible due to the lack of acceptable water supply for fire protection.
3. Transportation

Tualatin-Sherwood Road is planned as a Major Arterial 90' RW 66' PV. Cipole Road is planned as a Minor Arterial 70' RW 48' PV. Both roads are substandard in width and improvement. Half street improvements will be required in conjunction with development. Regional access to the Site is provided via Tualatin-Sherwood Road from I-5 at Tualatin (3 mi.) via Cipole Road to Highway 99W ($\frac{1}{2}$ mi). and via Southern Pacific Rail adjacent to the site. Recorded 1979 volumes on Tualatin-Sherwood Road (5,175 ADT) indicate moderate flows for the two lane road. Cipole Road shows relatively low volumes at 1,150 ADT.
4. Community Facilities and Services
 - a. Availability of Services
 - 1) Water and sewer improvements consistent with City service plans will be available in 1981 upon completion of the Rock Creek LID. Sites for an additional City well are currently under consideration with construction slated for 1982 or 1983 to assure water supply beyond 1985 and to allow full development of the industrial area.
 - 2) Drainage facilities for source control and conveyance to Rock Creek are required in conjunction with development.
 - 3) Police and Fire protection are available.
 - 4) Franchised solid waste service is available.
 - 5) Gas, power and communications are available to the site.
 - b. Service Policy

The area to be annexed is included in the Rock Creek sewer LID and is being assessed for trunk line improvements. It is the policy of the City to encourage economic development in the NE industrial area through service extension policy.

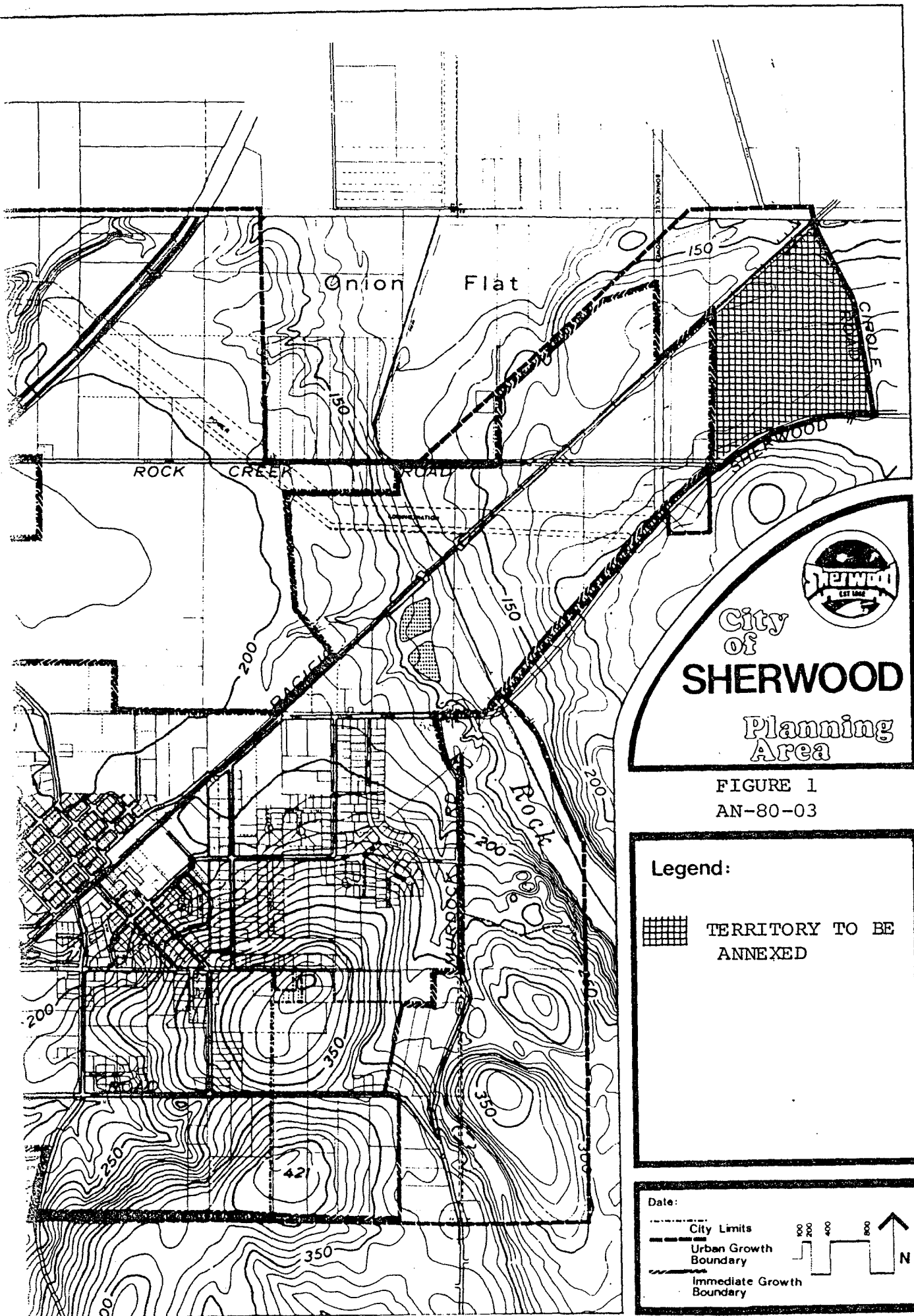
5. Economic Development

Impacts of the annexation on City costs and revenues should be positive. The cumulative effect of developing the area should be to lower City tax rates on the average City property.

Whereas increased City revenues in the form of fees and user charges should offset service related costs, service costs will generally be assumed by property owners through special assessments and utility installation in conjunction with development.

STAFF RECOMMENDATION

Based on the above facts and findings, the staff recommends City approval of a resolution of support for annexation of the subject area and action forwarding the petition to the Boundary Commission for final action.









 City
 of
SHERWOOD
 Planning
 Area


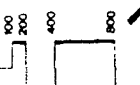
FIGURE 1
 AN-80-03

Legend:


 TERRITORY TO BE ANNEXED

Date:

 City Limits
 Urban Growth Boundary
 Immediate Growth Boundary

 N
 0 200 400 600

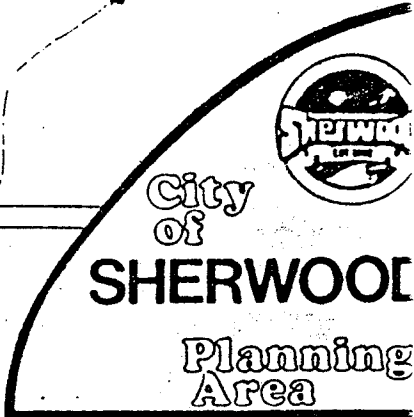
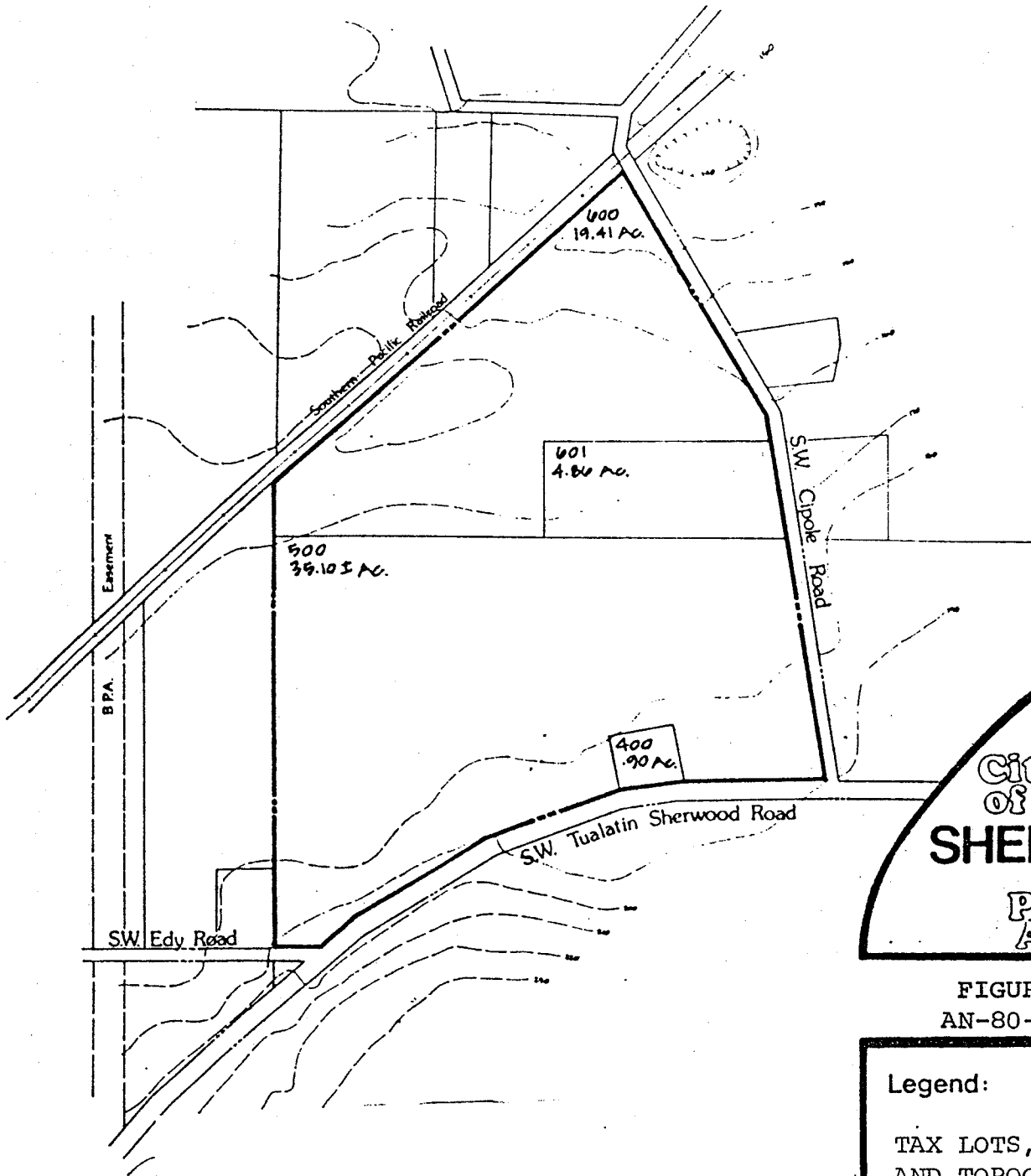


FIGURE 2
AN-80-03

Legend:

TAX LOTS, ACREAGE,
AND TOPOGRAPHY

STAFF REPORT

October 23, 1980

CITY CASE NO: PMA-80-01

SUBJECT: An amendment to the Comprehensive Plan Map to include tax lots 2S1 28A : 40; 500; 600; and 602 within the City's Immediate Growth Boundary (IGB)

LOCATION: Cipole Road (see figure 1)

APPLICANTS: William and Mary Young; Walter and Madge Cole and Marjo Properties.

OTHER AFFECTED PROPERTY OWNERS - Al Chavez

APPLICABLE STANDARDS FOR REVIEW

- Citations:
1. Chapter 1 Section 3.00 Community Development Code Amendment Procedure/Criteria for Review
 2. Section III F,1,b Community Development Plan Policies 4, 5, 6, 7. Criteria for amendment of the Immediate Growth Boundary.

BASIC FACTS

Growth Management

The site is within the Urban Growth Boundary and outside of the Immediate Growth Boundary (City: "Future Urban", County: Urban Intermediate")

Land Use

Current Zoning: All tax lots involved are zoned MAE (land extensive manufacturing)

Plan Designation: Future Urban; GI (General Industrial)

Acreage: (See Figure 2)

2S1 28A : 400 = .90
 : 500 = 39.54
 : 600 = 19.41
 : 601 = 4.86

Total Area = 64.71

Est. Buildable = 58.

Existing Structures and Uses

- 2S1 28A : 400 Commercial lumber yard with single family detached dwelling.
 : 500 Agriculture, including a farm related single family detached dwelling.
 : 600 Agriculture, including a farm related single family detached dwelling.
 : 601 Industrial truck equipment and repair.

Environmental Resources

Topography (See Figure 2)

Northwesterly 0-7%

Soils

Type: Mix of alluvial loams

Limitations: Natural drainage is moderately good. Permeability is moderately slow. Slow run off with slight erosion potential

Agricultural Capability Class: Class II and III

Flood Plain: Not applicable

Recreation Resources

Not applicable

COMMUNITY FACILITIES AND SERVICES

Water: No existing urban service. A 12" main to be constructed as part of the Rock Creek Water and Sewer LID with terminus at site's Southwest corner in early 1981.

Sewer: No existing urban service. An 8" lateral to be constructed as a part of the Rock Creek Water and Sewer LID with terminus at northerly boundary of site in early 1981.

Drainage: No existing developed facilities.

Public Safety: Currently, Washington County Sheriff's Department; new service would be from the Sherwood Police Department.

Transportation:

Vehicle Access: Access is via cipole Road (County, 40 RW, 20' PV) and Tualatin-Sherwood Road (County, 60' RW, 20' PV)

Bike and Pedestrian Access: No existing facilities.

Transit: No existing service to site. ½ mile to nearest bus stop.

FINDINGS

1. Required Findings for Granting a Plan Amendment (CDC Ch. 1 Sec 3.00)
 - a. "The proposed amendment is in conformance with the map and text portions of the Comprehensive Plan not being considered for Amendment."

The proposed use is consistent with the Plan Map designation for the area to be included in the IGB. Water and sewer plans indicate priority water and sewer extensions to the area. Implementation of service extension to the area's boundaries is currently in progress. (Rock Creek Sewer and Water LID). Growth management (CPP Section III) and Economic Development (CDP Section VIII) policies support service extension to support expanded industrial development in the NE area.

1. b. "The public interest is best served by granting the Amendment at this time."

The development of the N.E. Industrial area has long been an objective of the City. The provision of local jobs, the reduction of commuter trips to jobs outside of the Planning Area and the strengthening of the local economy have been identified as being in the public interest in the Comprehensive Plan.

The timing of inclusion of the subject area into the Immediate Growth Boundary is discussed in Finding #2 below.

- c. "The land use related factors in ORS 215.055 were consciously considered..."

The area to be included in the IGB has been determined to be suitable for the expansion of the City's NE Industrial Area. The area is planned for general industrial uses which are compatible with contiguous developed areas within the City. No significant negative impacts on adjacent properties and the natural environment are foreseen as a result of immediate urban development of the subject area consistent with the Comprehensive Plan.

2. Criteria for the Amendment of the Immediate Growth Boundary (CDP Section III F, 1, b)

- a. Need for additional industrial land:

There are currently 712 acres which are vacant and buildable within the Immediate Growth Boundary (IGB). Of those acres, 72% (509 Ac) are designated for residential use and 28% (203 ac.) are designated for non-residential uses. The CDP identifies a goal of 60/40 residential to nonresidential land use at full development. Since current developed incorporated land shows an 85/15 residential to nonresidential ratio, additional nonresidential land is needed to promote a proper balance within the IGB. If included in the IGB, the subject site would add 58 buildable industrial acres resulting in a new residential/nonresidential ratio of 66/34 for planned vacant and buildable land within the IGB. The net effect of the proposed amendment would be to further balanced growth in the Planning Area.

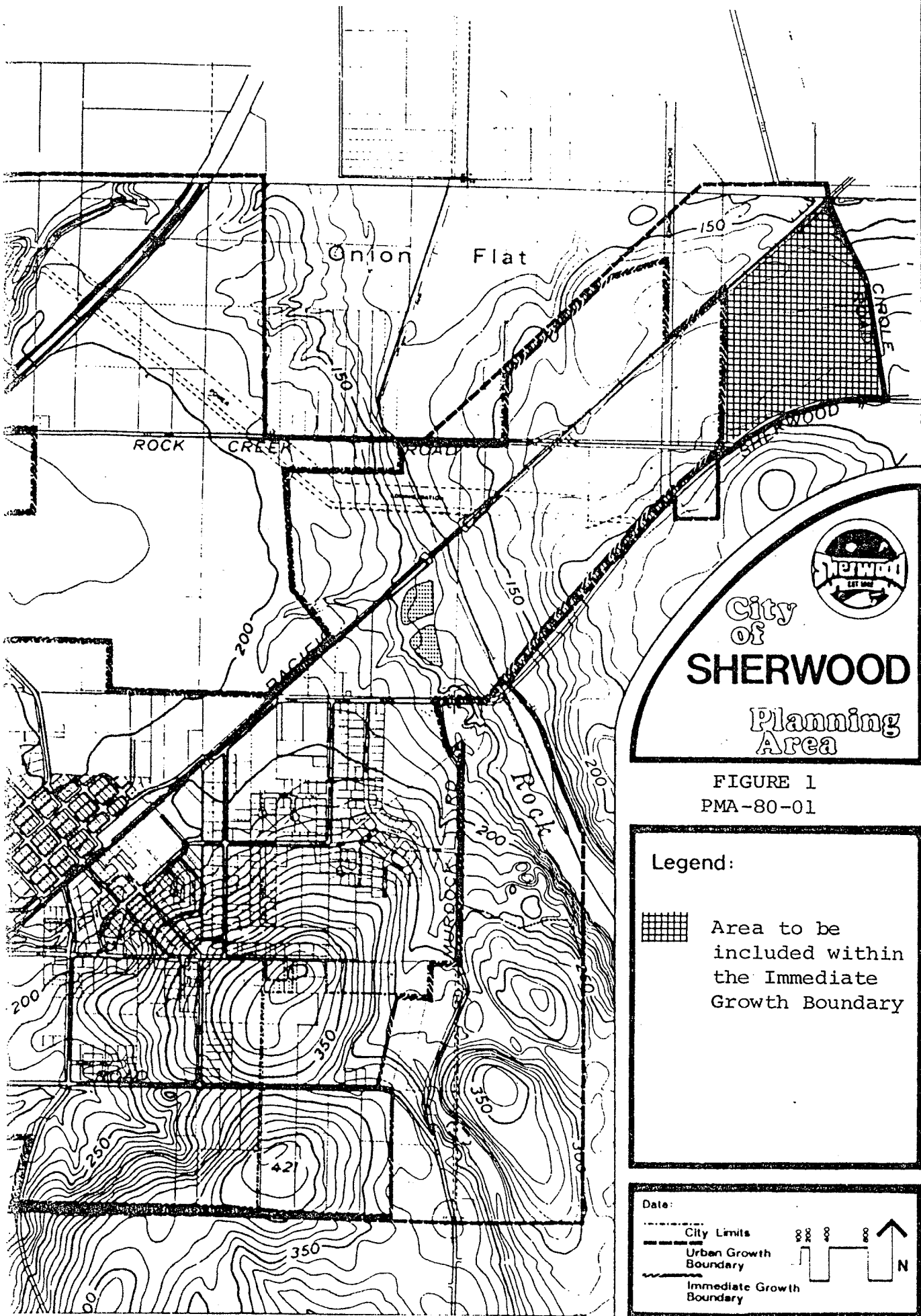
2. a. Although the development of the approximately 130 buildable acres in the IGB is currently curtailed pending completion of the Rock Creek Water and Sewer LID improvements, the addition of 58 buildable acres proposed for immediate development will have the effect of contributing to the provision of needed services and development of the entire planned NE Industrial area.

- b. Existing or Programmed Services Available to the Site:
Sewer and water service to the area is programmed for construction in early 1981. The area to be included with the IGB is sharing in the costs of the sewer trunk line and seeks annexation in order to facilitate immediate use of the facility. Access to the site is favorable. The improvement of Cipole Road and Tualatin-Sherwood Road and installation of drainage facilities consistent with City service plans would be required in conjunction with development on the site. Rail service is available adjacent to the site. All other services are available.

- c. Existing Conditions indicating a commitment to immediate Urban Development:
A lumber yard and a construction business are currently using approximately 8% of the area. The area has been industrially zoned for many years, but has not fully developed due to previous lack of urban services.

STAFF FINDINGS

Based on the above facts and findings the staff recommends approval of the amendment request.









 City
 of
SHERWOOD
 Planning
 Area


FIGURE 1
 PMA-80-01

Legend:


 Area to be included within the Immediate Growth Boundary

Date:

 City Limits
 Urban Growth Boundary
 Immediate Growth Boundary

 N

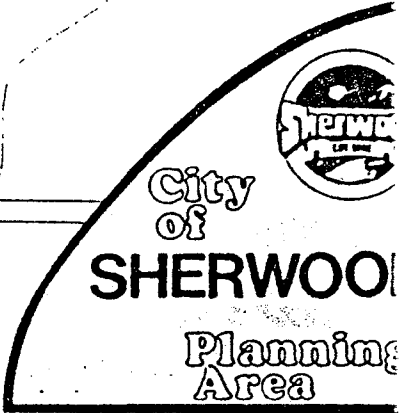


FIGURE 2
PMA-80-01

Legend:

TAX LOTS, ACREAGE
AND TOPOGRAPHY