



## RESOLUTION 2012-040

### **A RESOLUTION CALLING FOR AN ELECTION AND APPROVING A BALLOT TITLE TO AUTHORIZE THE SHERWOOD CITY COUNCIL TO HOLD A PUBLIC HEARING AT A LATER DATE TO CONSIDER ANNEXATION OF ALL OR PART OF THE TONQUIN EMPLOYMENT AREA**

**WHEREAS**, the Tonquin Employment Area was brought into the Urban Growth Boundary in 2004 by Metro via Ord. 04-1040B; and

**WHEREAS**, the City of Sherwood developed a concept plan for the area and adopted the Concept Plan and implementing Ordinances in 2010 via Ord. 2010-014; and

**WHEREAS**, the Tonquin Employment area is currently in unincorporated Washington County; and

**WHEREAS**, the City is interested in facilitating economic development in the community by removing regulatory barriers and making employment land available for development; and

**WHEREAS**, Section 3 of the City of Sherwood Charter requires voter approval for annexing property into the City; and

**WHEREAS**, the requirement to place an annexation on the ballot adds time and uncertainty to property owners who wish to develop their property or developers considering locations to develop; and

**WHEREAS**, the entire Tonquin Employment area consists of 300 acres and 24 tax lots planned for employment land uses; and

**WHEREAS**, a map of the Tonquin Employment Area is attached as Exhibit A; and

**WHEREAS**, the Sherwood City Council agrees with the County annexation policies that areas outside the current City boundaries and within the City Urban Growth Boundary should ultimately be annexed to the City; and

**WHEREAS**, the Sherwood City Council may only approve an annexation if it is consistent with state, regional and local laws, including land use laws, regardless of the requirement for a citywide vote on annexation; and

**WHEREAS**, determining whether any proposed annexation complies with state, regional and local laws requires the Sherwood City Council to hold one or more public hearings; and

**WHEREAS**, the Charter does not require that an annexation be approved by the City Council prior to referring it to a vote of the electors in the City, only that it be approved by the voters prior to an annexation becoming effective; and

**WHEREAS**, this Resolution 2012-040 and the resulting election will allow City electors to approve or reject whether to annex the overall Tonquin Employment area while leaving the final decision on any specific annexation proposal within the Tonquin Employment Area up to the Sherwood City Council after a public hearing and the necessary findings of compliance with state, regional and local laws.

**NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:**

**Section 1.** A City election on this measure is called for November 6, 2012.

**Section 2.** The Washington County Elections Department will conduct the election.

**Section 3.** The ballot title will read as follows:

**CAPTION:** AUTHORIZING SHERWOOD CITY COUNCIL TO APPROVE TONQUIN EMPLOYMENT AREA ANNEXATION

**QUESTION:** Should properties in Tonquin Employment Area be annexed following application by property owner and approval by City Council?

**SUMMARY:** Approval of this measure allows individual property owners within the Tonquin Employment Area to request annexation into the City of Sherwood subject to approval by the City Council. The Tonquin Employment Area is located east and south of the City boundary, south of Tualatin Sherwood Road, southeast of Oregon Street, and generally east of Tonquin Road. The 300-acre area is planned for employment land uses and is subject to the Tonquin Employment Concept Plan, approved by the City Council on October 5, 2010. All annexations in Sherwood are subject to voter approval. Approval of this measure allows the City Council to approve future annexation applications from individual property owners in the Tonquin Employment Area if the proposed annexation complies with applicable state, regional and local laws. The City Council would hold one or more public hearings on any proposed annexation.

**Section 4.** The City Recorder will publish the ballot title as provided by state law.

**Section 5.** The City Recorder will give notice of the election in the manner required by law.

**Section 6.** The City Recorder is authorized to submit an impartial explanatory statement for the Washington County voters' pamphlet on behalf of the City

**Section 7.** This resolution is effective upon passage by the City Council and execution by the Mayor.

PASSED AND APPROVED this 7<sup>th</sup> day of August, 2012

  
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Keith S. Mays, Mayor

Attest:

  
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Sylvia Murphy, CMC, City Recorder

# Tonquin Employment Area

