



RESOLUTION 2015-068

CALLING AN ELECTION ON AND APPROVING A BALLOT TITLE, SUMMARY, AND EXPLANATORY STATEMENT FOR THE ANNEXATION OF 13 TAX LOTS COMPRISING 101.79 ACRES OF LAND IN THE BROOKMAN ROAD PLAN AREA FOR THE NOVEMBER 3, 2015 ELECTION

WHEREAS, the Brookman Concept Plan area was brought into the Urban Growth Boundary in 2002 by Metro via Ord. 02-0969B; and

WHEREAS, the City of Sherwood developed a concept plan for the area and adopted the Concept Plan and implementing Ordinances in 2009 via Ordinance 2009-004; and

WHEREAS, the properties proposed to be annexed within the Brookman area are currently in unincorporated Washington County; and

WHEREAS, Washington County and the City of Sherwood have entered into an agreement acknowledging that the City of Sherwood should be the ultimate provider of services in the Brookman area; and

WHEREAS, these properties must be in the City in order to be developed for the urban uses and densities planned for in the Brookman Concept Plan; and

WHEREAS The Holt Group, Inc., on behalf of the owners of 5 tax lots has submitted an application for annexation of the land into the City of Sherwood; and

WHEREAS, the property owners initiated this annexation in accordance with ORS 222.170; and

WHEREAS, after proper legal notice, a public hearing was held on the proposed annexation by the City Council on August 4, 2015 and again on August 11, 2015, at which public comments and testimony were received and considered; and

WHEREAS, the Council reviewed and considered the staff report with proposed findings and reasons for the decision; and

WHEREAS, The owners of 5 additional tax lots totaling approximately 17.58 acres petitioned the Council at the August 4, 2015 public hearing either in person or in writing to be included within the annexation submitted by the Holt Group, Inc.; and

WHEREAS, ORS 250.035 requires the notice for a ballot measure be prepared by the City and submitted to Washington County Elections Department by September 3, 2015 in order to appear on the ballot for the November 3, 2015 election; and

WHEREAS, under Section 3 of the City of Sherwood Charter, a decision to annex property into the City becomes effective only upon voter approval. Approval of the proposed annexation would annex 101.79

acres into the City, comprised of 13 tax lots bordered on the north by the existing Sherwood City Limits, and the south by Brookman Road; and

WHEREAS, if annexed, the area will be re-zoned consistent with the Comprehensive Plan which was updated via Ordinance 2009-004 to implement the Brookman Concept Plan and will include the following zones: Medium Density Residential Low and Medium Density Residential High, and

WHEREAS, the extension of Red Fern Street into the Brookman area is considered an area of special concern due to existing development constraints and upon subsequent annexation shall only be deemed appropriate for bicycle, pedestrian and emergency vehicle access consistent with the findings adopted with the adoption and implementation of the Brookman Concept Plan; and

WHEREAS, the City has prepared a ballot title and explanatory statement to be certified by the City Council and filed with the Washington County Elections Department for publication for the November 3, 2015 election as provided by state law.

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

Section 1. Based on the staff report to the City Council dated July 17, 2015, and the proposed findings and conclusions, the City Council approves Annexation AN 15-01, contingent upon approval by the electors in the City of Sherwood.

Section 2. Subject to voter approval, the City will annex the territory described in the map attached as Exhibit 1 to this Resolution.

Section 3. A City election on this annexation is called for November 3, 2015.

Section 4. The Washington County Elections Department will conduct the election.

Section 5. The precincts for the election are all those that include territory that is within the corporate limits of the City.

Section 6. The ballot title, will read as follows:

CAPTION: PROPOSAL TO ANNEX 101.79 ACRES INTO THE CITY OF SHERWOOD

QUESTION: Should 101.79 acres on the southern boundary of the City of Sherwood be annexed to the City of Sherwood?

SUMMARY: Approval of this ballot measure will annex 101.79 acres to the city, consisting of approximately 13 separate lots and parcels. The request to annex was made on behalf of the majority of the owners in the area to be annexed. The area to be annexed lies generally south of the current city boundary, north of Brookman Road, east of Highway 99W and west of Ladd Hill Road, included within the Brookman plan area. The area is subject to the Brookman Concept Plan that was approved by the City Council on June 2, 2009. Under the Brookman Concept Plan, the area will be zoned for a mix of residential uses at densities consistent with the Medium Density Residential low and Medium Density Residential High zoning districts. If approved by the voters of Sherwood, the area will be annexed into the City of Sherwood.

Section 7. The City Recorder will give notice of the election in the manner required by law.

Section 8. The Mayor is authorized to sign, and the City Recorder is authorized to submit, the following explanatory statement for the Washington County voters' pamphlet on behalf of the City. The explanatory statement for this measure will read as follows:

EXPLANATORY STATEMENT: The Sherwood City Council has referred a measure to the voters that, if approved, would annex approximately 101.79 acres of land into the City for residential and open space development. This area was brought into the Urban Growth Boundary in 2002 in order to provide more housing opportunities for the City. The annexation of this land was initiated at the request of the majority of property owners who own a majority of the land area and a majority of the assessed value within the area to be annexed.

The proposed annexation area is within Sherwood's "Brookman Road Concept Plan" area. The concept plan area is located south of downtown Sherwood (running south from Main Street), east of Oregon Highway 99 and west of Ladd Hill Road. The City Council approved the concept plan in 2009 after public review.

The concept plan calls for residential development in the proposed annexation area. If the area is annexed, development in the annexation area will include, in addition to single family homes, public and private open space and trails, preservation of natural areas and environmental enhancements of Cedar Creek. Public utilities and roads can be extended to the annexation area.

If approved by the voters, the annexation will become effective after the election results are certified and adopted by the Sherwood City Council. Annexation will allow property owners in the annexation area to submit development applications to the City for public review and approval by the City. Any development plans must be consistent with the concept plan and all other City requirements.

Section 9. The City Recorder will publish the ballot title in compliance with state law.

Section 10. Under ORS 222.520 and 222.120(5), the City Council declares that upon approval of the annexation by the voters and subsequent acceptance of the election results by the Sherwood City Council via separate resolution, the annexed territory will be withdrawn from the Washington County Service Districts for Enhanced Law Enforcement and Urban Road Maintenance effective on the date this annexation takes effect.

Section 11. If the annexation takes effect, the annexed territory will be designated in accordance with the zoning adopted into the Comprehensive Plan as part of the Brookman Concept Plan (see July 17, 2015, staff report, Exhibit C, for reference).

Section 12. This Resolution shall take effect immediately upon its passage by the Council and signature by the Mayor.

Duly passed by the City Council this 11th day of August 2015.

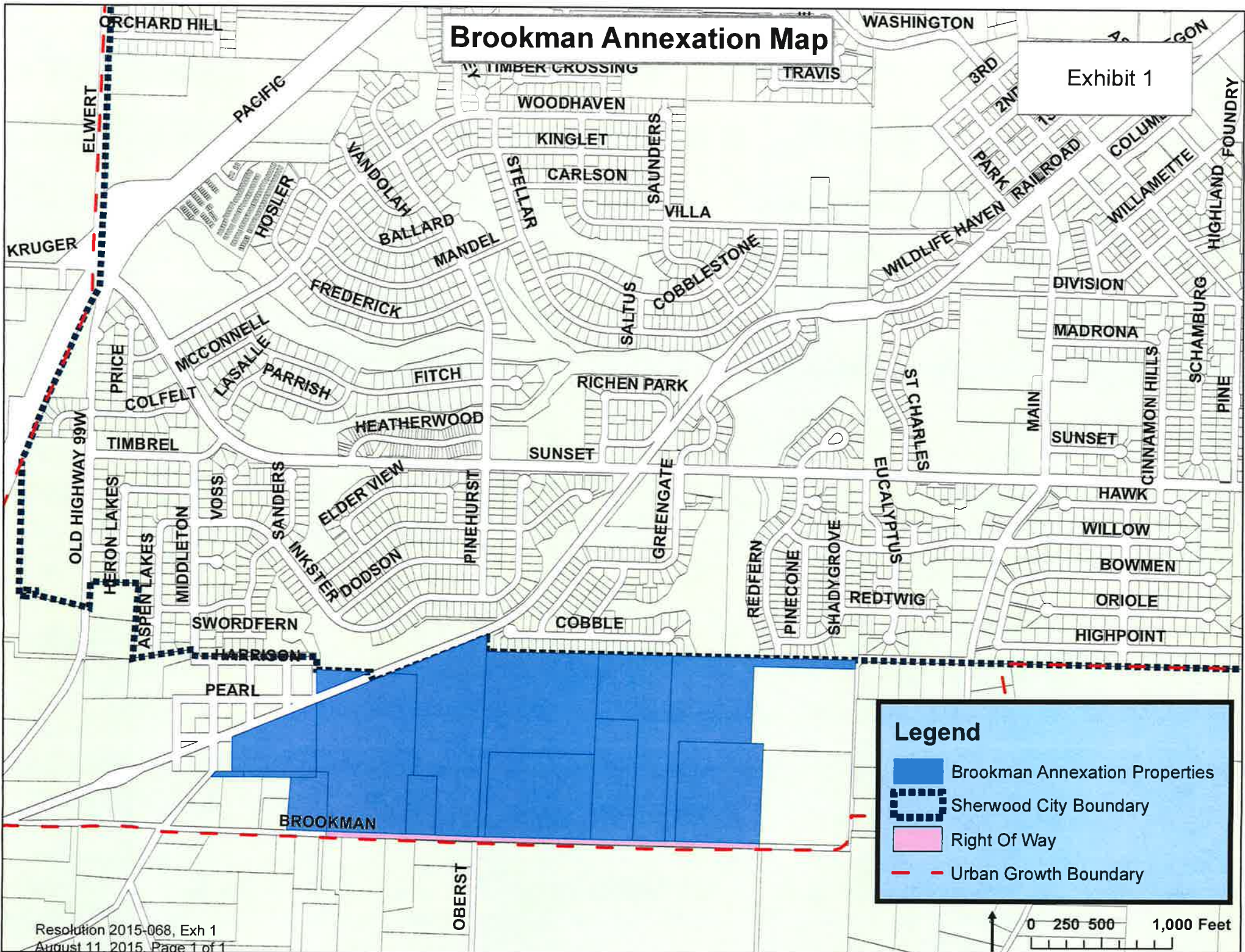

Krisanna Clark, Mayor

Attest:


Sylvia Murphy, MMC, City Recorder

Brookman Annexation Map

Exhibit 1



Legend

- Brookman Annexation Properties
- Sherwood City Boundary
- Right Of Way
- Urban Growth Boundary

