

AN ORDINANCE RATIFYING, CONFIRMING AND RECORDING CHANGE IN THE BOUNDARIES OF THE CITY OF SHERWOOD BY THE BOUNDARY COMMISSION, INVOLVING LANDS OF CLARENCE AND LILLIAN LANGER, SITUATED IN SECTION 29 OF TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN WASHINGTON COUNTY, OREGON, RECORDING EFFECTIVE DATE, AND DECLARING AN EMERGENCY.

WHEREAS, the Portland Metropolitan Area Local Boundary Commission by its final order No. 1765 dated October 1, 1981, approved the hereinafter described change in the boundaries of the City of Sherwood and a copy of said final order has been filed with the City Recorder,

NOW, THEREFORE, THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: That the final order of the Portland Metropolitan Area Local Boundary Commission adopted on the 1st day of October, 1981 as filed with the City Recorder on the 15th day of October, 1981, a copy whereof is hereto attached and by this reference made a part hereof, be, and the same is hereby ratified, confirmed and adopted by reference to the same legal force and effect as if set forth herein in full.

Section 2: That the boundaries of the City of Sherwood be, and they are hereby, changed to include the lands as described in the within order of the Boundary Commission, and the corporate limits of the City of Sherwood are hereby changed in conformity therewith.

Section 3: That the Recorder of the City of Sherwood be, and she is hereby directed to forthwith file a copy of this Ordinance including a copy of said Order in the following offices:

- (1) Secretary of State
- (2) Department of Revenue and Taxation, Washington County
- (3) Department of Records and Elections, Washington County
- (4) Department of Public Works, Attention: Surveyor, Washington County

Section 4: That the lands as described in the within order of the Boundary Commission are hereby given the land use designations depicted on the Official Plan Map of the City of Sherwood and shall be subject to the provisions of the Sherwood Comprehensive Plan applicable to lands so designated.

Section 5: Inasmuch as it is necessary for the peace, health and safety of the people of the City of Sherwood that the foregoing change in the boundaries of the City become a permanent part of the City's records, an emergency is hereby declared to exist and this ordinance shall be effective upon its passage by the Council, and approval by the Mayor.

PASSED: By Majority vote of all council members present after being read by caption three times, this 28 day of October, 1981.

Rally Blankenbaker
Recorder - City of Sherwood

APPROVED: By the Mayor, this 29 day of October, 1981.

Clyde R. Giff
Mayor - City of Sherwood

FINAL ORDER

RE: BOUNDARY CHANGE PROPOSAL NO. 1765 - Annexation of territory
to the City of Sherwood.

Proceedings on Proposal No. 1765 commenced upon receipt by the Boundary Commission of a resolution and property owner consents from the City of Sherwood on August 17, 1981 requesting that certain property be annexed to the city. The resolution and property owner consents meet the requirements for initiating a proposal set forth in ORS 199.490, particularly Section (2).

Upon receipt of the petition the Boundary Commission published and posted notice of the public hearing in accordance with ORS 199.463 and conducted a public hearing on the Proposal on October 1, 1981. The Commission also caused a study to be made on this proposal which considered economic, demographic and sociological trends and projections and physical development of the land.

FINDINGS

(See Findings in Exhibit "A" attached hereto).

REASONS FOR DECISION

(See Reasons for Decision in Exhibit "A" attached hereto).

ORDER

On the basis of the Findings and Reasons for Decision listed in Exhibit "A", the Boundary Commission approved BOUNDARY CHANGE PROPOSAL NO. 1765 on October 1, 1981.

NOW THEREFORE IT IS ORDERED THAT the territory described in Exhibit "B" and depicted on the attached map, be annexed to the City of Sherwood as of the date of approval.

PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT
BOUNDARY COMMISSION

Date: 10/9/81

By: James L. Mater
James L. (Jamie) Mater
Chairman

Attest: Donald L. [Signature]

FINDINGS

Based on the study and on the public hearing, the Commission found that:

1. The territory to be annexed contains 44.186 acres, is vacant, and is valued at \$441,186.
2. The applicants desire city services to facilitate development which is contemplated to be a 126-unit mobile home park. This would be a temporary development which could be removed and replaced with development allowed under the underlying plan designation at some point in the future. The decision on future development proposals for the property is up to the Sherwood City Council subsequent to the annexation.
3. The territory is within the regional Urban Growth Boundary. The county recently approved a plan change on this property from Urban Intermediate to Urban, as required under the City-County Urban Planning Area Agreement.

The City Plan identifies the area as Future Urban with underlying plan designations of Community Commercial, High Density Residential (HDR), Medium High Density Residential (MHDR), and Low Density Residential (LDR). The city has approved two Plan Map Amendments, changing 3.7 acres of HDR and 14.7 acres of LDR to MHDR conditioned upon approval of the annexation. This would ultimately allow for a mobile home park to be considered as a conditional use on the MHDR property (22.4 acres) and leave 21.786 still with a planning designation of Community Commercial.

The City has 5 criteria for annexation of which one or more are to be met to justify annexation of property. At least two of these conditions are met here.

4. The city has an 8-inch sewer line, 12-inch water line and 18-inch storm drain line in North Sherwood Blvd. adjacent to the area to be annexed. North Sherwood Blvd. and Edy Rd. provide access. A Tri-Met route passes on N. Sherwood Blvd. The territory is within Tualatin RFPD and will remain so after annexation. Police, planning and other services would be available upon annexation. Schools will not be affected by this proposal since the mobile home park will be for "adults only".

REASONS FOR DECISION

Based on the Findings the Commission determined that:

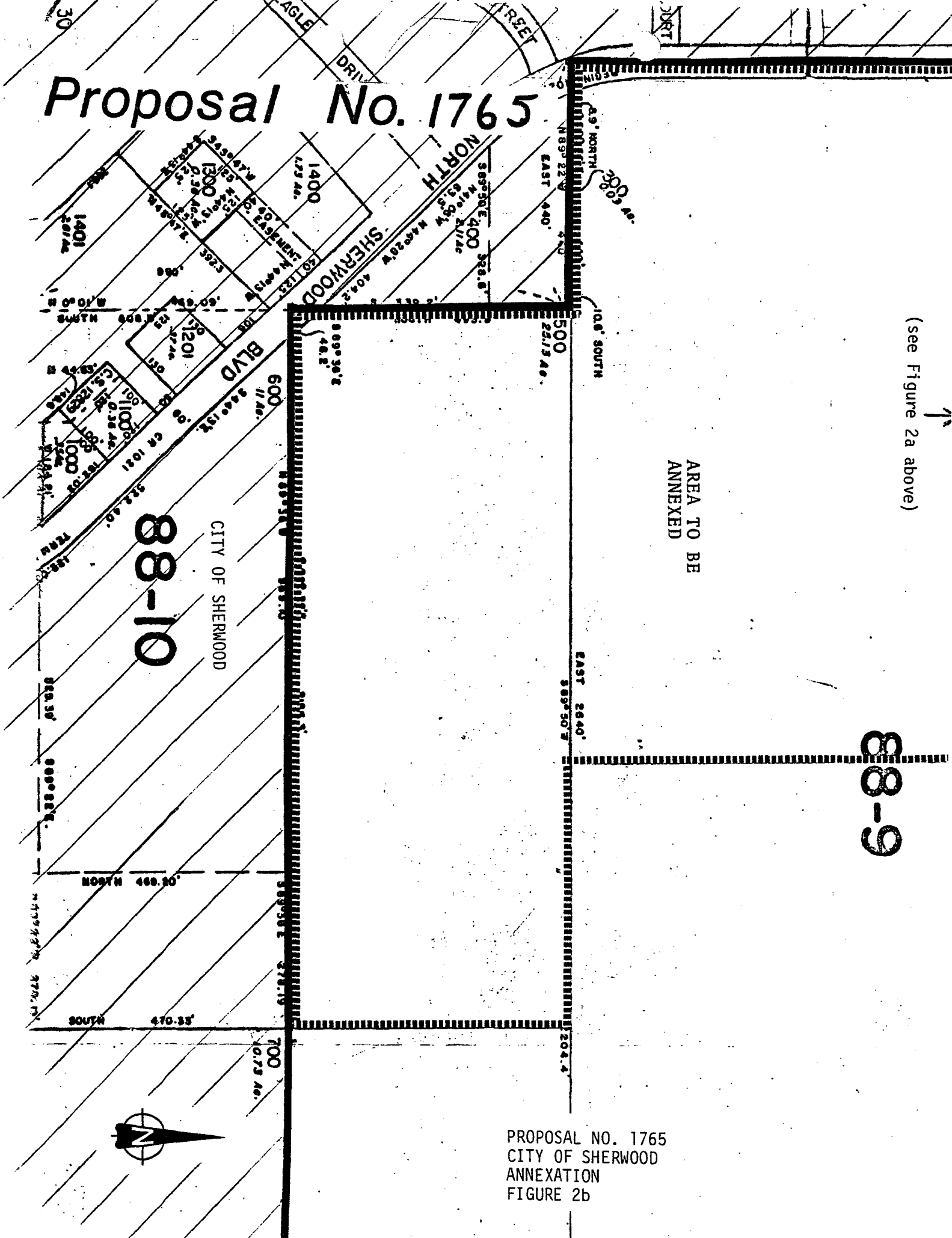
1. The city has adequate services available to serve the proposed development.
2. The annexation does not conflict with regional, county nor city planning.

LEGAL DESCRIPTION

That portion of the Southwest quarter of Section 29, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, described as follows:

Beginning at a point on the North line of said Southwest quarter distant thereon Easterly 1240 feet from the Northwest corner of said Southwest quarter; thence West along said North line, 360 feet; thence Southerly parallel to the West line of said Section 29, a distance of 770 feet; thence Westerly parallel with the North line of said Southwest quarter, 880 feet to the West line of said Section 29; thence South along said West line, a distance of 880 feet; thence South 89° 50' East parallel to the North line of said Southwest quarter 440 feet; thence South parallel to the West line of said Section 29, a distance of 493.9 feet to a point in County Road No. 1021; thence South 89° 36' East, 1294.62 feet, more or less, to the Northeast corner of that certain parcel described in Deed to School District No. 88, Jt., recorded August 2, 1955, in Book 372, Page 109, Deed Records of said Washington County; thence North parallel to the West line of said Section 29, a distance of 493.9 feet; thence North 89° 50' West parallel to the North line of said Southwest quarter, a distance of 494.62 feet, more or less, to an intersection with a line drawn parallel to the West line of said Section 29, from the point of beginning; thence Northerly to the point of beginning.

Proposal No. 1765



(see Figure 2a above)

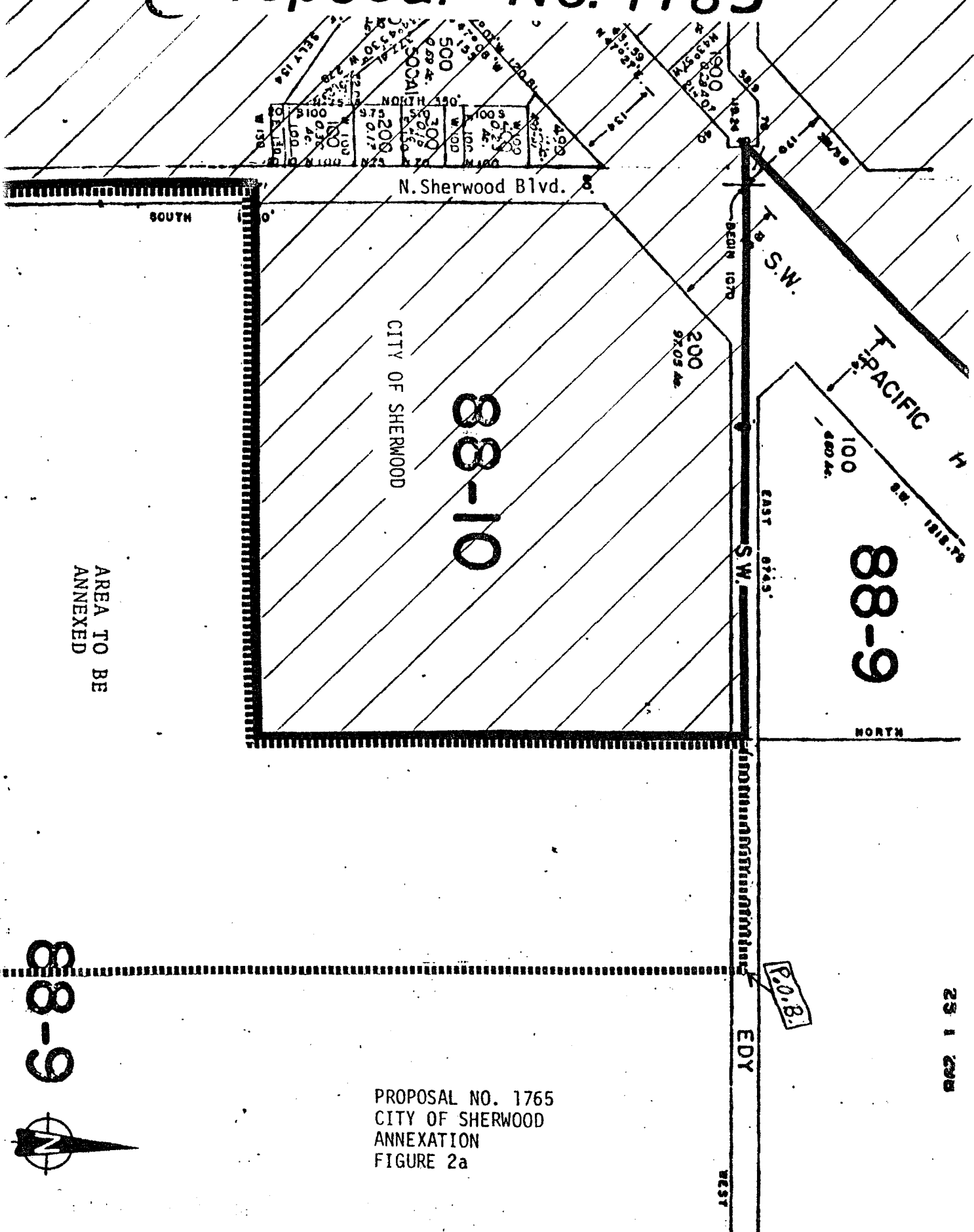
AREA TO BE ANNEXED

88-10

88-9

PROPOSAL NO. 1765
CITY OF SHERWOOD
ANNEXATION
FIGURE 2b

Proposal No. 1765



AREA TO BE
ANNEXED

PROPOSAL NO. 1765
CITY OF SHERWOOD
ANNEXATION
FIGURE 2a

25 1 52

88-9



STAFF REPORT

August 5, 1981

CASE NO: CU-81-01
SUBJECT: Conditional Use Permit Request for A Manufactured Home Park on a 15.7 Acre Portion of Tax Lot 2S1 30D : 800.
LOCATION: Hwy. 99W (See attached Map)
OWNERS: Richard and Ruth Smith
APPLICANT: Marquam Commercial Brokerage Co.

DESCRIPTION OF PROPOSED ACTION:

The applicant is seeking approval of a conditional use permit to develop a 15.7 acre manufactured home park.

APPLICABLE STANDARDS FOR REVIEW

Chapter 2 Section 6.00 of the Community Development Code Required Findings for the Granting of a Conditional Use Permit. (see attached)

BASIC FACTS:

Growth Management

METRO: Urban (Within Urban Growth Boundary)

WA. County: Urban

City of Sherwood: Urban (Within City)

Land Use

Plan Designation: MDRH (Medium High Density Residential)
8-11 DU/Acre and FP (Flood Plain District).

Acreage:

Total Site:	15.7 acres
Non Buildable (Flood Plain)	6 acres
Buildable	9.7 acres

Existing Structures/Uses: Vacant

Environmental Resources

Topography: Flat to gently sloping 0-3% except in Cedar Creek flood plain where moderately sloping creek bank descends to creek floodway along the property's northeast boundary. A significant swale extends from Cedar Creek southwesterly towards the center of the site.

Soils:

Types: Hillsboro Silt Loam (Buildable Area)
Wapato Silty Clay Loam (Flood Plain)

Limitations: Hillsboro Group has no restrictions. The Wapato group has severe limitations on development due to weak foundation strength, wetness and flooding.

Agricultural Capability:

Hillsboro Silt Loam - Class I
Wapato Silty Clay Loam - Class III

Flood Plain: The property contains 6 acres of the Cedar Creek flood plain defined by the 162 foot contour and 1200 feet of the floodway of Cedar Creek.

Vegetation: The site has significant stands of Cedar and Douglas fir within the flood plain area.

EXHIBIT A